



**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. 39/08**

**Date to Members: 26/09/08**

**Member's Deadline: 02/10/08**

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](mailto: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](mailto: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: 26/09/08**

**SCHEDULE NO. 39/08**

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](mailto: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.

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

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

**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 .....**

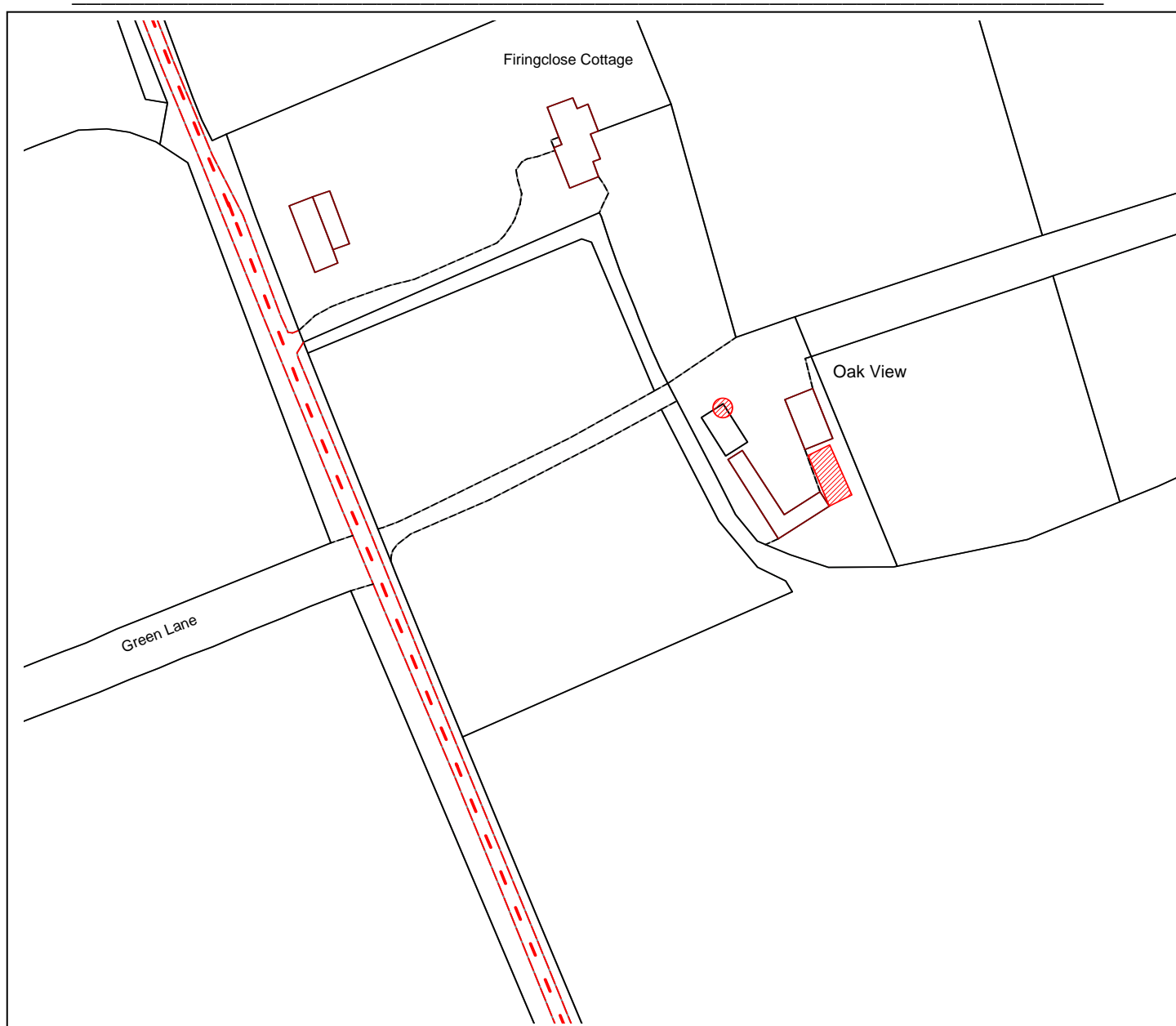
**DATE .....**

# Circulated Schedule 26 September 2008

| ITEM NO. | APPLICATION NO | RECOMMENDATION          | LOCATION                                                                              | WARD                    | PARISH                          |
|----------|----------------|-------------------------|---------------------------------------------------------------------------------------|-------------------------|---------------------------------|
| 1        | PK08/0681/F    | Approve with conditions | Oak View Alpacas, Firing Close, Wickwar, Ladden Brook South Gloucestershire, GL12 8PE |                         | Wickwar Parish Council          |
| 2        | PK08/2219/LB   | Approve with conditions | Bank House, 83 High Street, Marshfield, South Gloucestershire, SN14 8LT               | Boyd Valley             | Marshfield Parish Council       |
| 3        | PK08/2347/F    | Approve with conditions | 2 Craven Close, Barrs Court, South Gloucestershire, BS30 7BX                          | Longwell Green          | Oldland Parish Council          |
| 4        | PK08/2350/F    | Approve with conditions | 4 Oakdale Avenue, Downend, South Gloucestershire, BS16 6DT                            | Downend                 | Downend and Bromley Heath       |
| 5        | PK08/2369/F    | Approve with conditions | 28 Church Road, Wick, South Gloucestershire, BS30 5QL                                 | Boyd Valley             | Wick and Abson Parish Council   |
| 6        | PK08/2422/F    | Approve with conditions | 13 Sandpits Lane, Hawkesbury Upton, South Gloucestershire, GL9 1BD                    | Cotswold Edge           | Hawkesbury Upton Parish Council |
| 7        | PK08/2446/F    | Approve with conditions | 62 Leicester Square, Soundwell, South Gloucestershire, BS16 4PD                       | Staple Hill             |                                 |
| 8        | PT08/2064/RM   | Approve with conditions | Airbus UK, Gloucester Road North, Filton, Filton South Gloucestershire, BS34 7PH      |                         | Filton Town Council             |
| 9        | PT08/2161/F    | Approve with conditions | Airbus UK, Gloucester Road North, Filton, Filton South Gloucestershire, BS34 7PH      |                         | Filton Town Council             |
| 10       | PT08/2256/LB   | Approve with conditions | Mount Pleasant, Bristol Road, Falfield, South Gloucestershire, GL12 8DW               | Charfield               | Falfield Parish Council         |
| 11       | PT08/2258/F    | Approve                 | Field off Vicarage Lane, Olveston, South Gloucestershire, BS35 4BT                    | Severn                  | Olveston Parish Council         |
| 12       | PT08/2269/F    | Refusal                 | 14 Salem Road, Winterbourne, South Gloucestershire, BS36 1QF                          | Winterbourne            | Winterbourne Parish Council     |
| 13       | PT08/2274/F    | Approve with conditions | 98 Ratcliffe Drive, Stoke Gifford, South Gloucestershire, BS34 8UB                    | Stoke Gifford           | Stoke Gifford Parish Council    |
| 14       | PT08/2373/F    | Approve with conditions | Building adjacent to, 18 Castle Street, Thornbury, South Gloucestershire, BS35 1HB    | Thornbury North         | Thornbury Town Council          |
| 15       | PT08/2396/F    | Approve with conditions | 81 Bakers Ground, Stoke Gifford, South Gloucestershire, BS34 8GD                      | Stoke Gifford           | Stoke Gifford Parish Council    |
| 16       | PT08/2418/TRE  | Approve with conditions | Glebe Cottage, Castle Street, Thornbury, South Gloucestershire, BS35 1HQ              | Thornbury North         | Thornbury Town Council          |
| 17       | PT08/2457/F    | Approve with conditions | Old Colstonians Clubhouse, New Road, Stoke Gifford, South Gloucestershire, BS34 8QS   | Frenchay and Stoke Park | Stoke Gifford Parish Council    |

## CIRCULATED SCHEDULE NO. 39/08 – 26 SEPTEMBER 2008

|                                  |                                                                                                                    |                         |                           |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------------|
| <b>App No.:</b>                  | PK08/0681/F                                                                                                        | <b>Applicant:</b>       | Mr & Mrs G Naish          |
| <b>Site:</b>                     | Oak View Alpacas, Firing Close,<br>Wickwar, South Gloucestershire, GL12<br>8PE                                     | <b>Date Reg:</b>        | 12th March 2008           |
| <b>Proposal:</b>                 | Erection of 1no. agricultural building<br>and installation of a wind turbine on<br>existing agricultural building. | <b>Parish:</b>          | Wickwar Parish<br>Council |
| <b>Map Ref:</b>                  | 70151 86848                                                                                                        | <b>Ward:</b>            | Ladden Brook              |
| <b>Application<br/>Category:</b> | Minor                                                                                                              | <b>Target<br/>Date:</b> | 2nd May 2008              |



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PK08/0681/F

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

1.1 This application seeks planning permission for the erection of a 1no. agricultural building and installation of a wind turbine on an existing agricultural building.

1.2 The site relates to agricultural land sited in the open countryside. The site is outside the Green Belt and Cotswolds AONB.

1.3 Members may recall that outline planning permission PK08/0650/O was granted at the Development Control (East) Committee meeting in July 2008 for a permanent dwelling on this site to be used in conjunction with the alpaca enterprise.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

|       |                                    |
|-------|------------------------------------|
| PPS1  | Delivering Sustainable Development |
| PPS22 | Renewable Energy                   |

#### 2.2 Development Plans

##### South Gloucestershire Local Plan (Adopted) January 2006

|     |                                           |
|-----|-------------------------------------------|
| L1  | Landscape Protection and Enhancement      |
| L17 | The Water Environment                     |
| EP1 | Environmental Pollution                   |
| EP2 | Flood Risk and Development                |
| T12 | Transportation Development Control Policy |
| E9  | Agricultural development                  |
| EP5 | Renewable Energy Installations            |

### **3. RELEVANT PLANNING HISTORY**

3.1 PK03/1428/F Change of Use of land for equine use and erection Of stable block.  
Approved October 2003

3.2 PK03/ 1428/F Change of use of land from agricultural To equine use. Erection of stable block and secure agricultural store. Construction of access track  
Approved October 2003

3.3 PK04/4113/F Erection of mobile home for agricultural worker, Concrete pad and treatment plant. Variation of Condition 04 of planning permission PK03/1428/ to allow fences, gates and other structures for Accommodating animals and associated storage  
Approved May 2005.

3.4 PK08/0650/O Outline planning permission for dwelling  
Approved July 2008

## 4. **CONSULTATION RESPONSES**

### 4.1 Wickwar Parish Council

Concerns regarding blocked footpath LYA/4/10

### 4.2 British Horse Society and bridleways Officer

-Proposed turbine sited close to Green lane which is used as a bridleway by a large number of horses

-British Horse Society recommend that turbines sited near bridleways should be 200metres from the base of the turbine and bridleway

-Also important to have clear view for horses.

### 4.3 Environment Agency

The site must be drained on a separate system with all clean roof and surface water being kept separate from foul drainage. Manure/dung heaps must be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off. The subsequent disposal of collected wastes must be undertaken in accordance with the MAFF Code of Good Agricultural Practice for the Protection of Water. There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches. In order to facilitate an early response, please quote the Agency's reference on any future correspondence regarding this matter.

## **Other Representations**

### 4.4 Local Residents

6 letters of objection have been received from local residents regarding the proposed development which have been summarised by the Planning Officer as follows:

-Proposed wind turbine not fit for purposes needs to be higher

-Issues of noise, visual and environmental pollution

-Nearby footpaths and bridleways

-Impact of bridleway on horse riders and walkers

-Building unacceptable in terms of scale and appearance

-Turbine unsightly not in keeping

## 5. **ISSUES**

### 5.1 Principle of Development

With regards the erection of the turbine the following national guidance and local plan Policies are applicable. PPS1 Delivering Sustainable Communities and PPS22 Renewable Energy both support the principle of developing systems and mechanisms for harnessing the energy created by infinite energy sources. PPS22 states that by 2010 the Government will seek to generate 10% of its electricity from renewable energy sources. It goes on to state that that increased development of renewable energy resources is vital to the government's commitment on both climate change and renewable energy. It is made clear that the wider environmental and economic benefits of renewable energy projects is a key material consideration and should be given significant weight when determining application for development which seeks to provide energy through renewable means.

- 5.2 Policy EP5 of the South Gloucestershire Local Plan (Adopted) January 2006 is specifically concerned with development that comprises renewable energy installations. This policy follows on from the guidance received from national Government and states that development should be permitted provided that it would not have unacceptable environmental or transportation effects nor would it prejudice residential amenity. The supporting text also advises that proposals for appropriately designed small scale domestic installations will also be welcomed.
53. Policy E9 of the South Gloucestershire Local Plan allows for the erection of agricultural buildings subject a number of criteria are satisfied, which are addressed in detail below:

#### 5.4 **Agricultural Building**

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

The land forming part of the application site is used for agricultural purposes i.e. keeping of alpacas. Although there are two existing outbuildings on the site, due to expanding nature of the business there is a requirement for additional accommodation. There is a need to provide additional housing for the alpacas during wet winter weather allowing the enterprise to further expand and to safeguard the quality of the grazing land. It will also be used for the shearing and treatment of alpacas.

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

No highway objection is raised on transportation grounds regarding this proposed development.

C. Development would not have unacceptable environmental effects; and

In terms of impact on the visual amenities of the area, it is considered that the proposed building will have little impact. The application proposes to sandwich the building between the existing outbuilding and mobile home, therefore remaining with the footprint of the existing complex. Although it is accepted that it will be higher than the existing buildings. Objections have been raised regarding the use of timber. It is considered however that the use of timber would not have an adverse impact on the character of the surrounding area. The Planning officer does have concerns regarding the proposed "dark blue coloured sheets"; a condition will be imposed requiring that the colour of the roof finish is to be agreed in writing with the Local Planning Authority.

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

The proposed building will be sited 70.0m away from the nearest residential property i.e. Firingclose Cottage, and therefore will not prejudice the existing residential amenities of those people living there.

#### 5.5 **Public Right of Way**

Concerns have been raised regarding the impact of the proposed agricultural building on the nearby Public Right of Way that runs south of the application site. At the time of the previous application Pk03/1428/F for the erection of the stable block the Planning Officer reported the following:



*Footpath LYA14 passes through the site but is not affected by the proposals as the buildings proposed and the water trough have been located off the route of the path.*

- 5.6 The proposed building subject of this application will be sited in line with the existing stable block and therefore will not encroach onto the adjacent PROW. Should planning permission be granted a condition will be imposed advising the applicant of the adjacent PROW.

5.7 **Wind Turbine**

Residential Amenity/Noise

The main planning considerations in this instance relate to noise issues. In this instance the Council's Environmental Health Officer has raised no objection to the proposed wind turbine. The Planning Officer is of the opinion that given the proximity of the nearest neighbouring property i.e. Firingclose Cottage sited 0.50m north of the application site and given the small nature of the wind turbine and its intended use i.e. domestic use it is unlikely to have any adverse impact on that residential property.

- 5.8 Again it is considered that as the turbine will be set back 30.m from the nearby Public Right of Way and the 75.0m from the main road which is also used by horse riders, that it will not have an adverse impact on the safety of pedestrian or horse riders.

5.9 Landscape Impact

The application proposes to fix the turbine on the roof of an existing outbuilding which currently measures 3.40m in height. The proposal is for a slim line structure which will project above the ridgeline of the outbuilding by 2.0m. The pole is galvanised finish. The turbine head comprises of two blades with an overall span of 2.0m.

- 5.10 Whilst it is recognised that the proposed wind turbine will be visible and will result in a addition that is generally an alien feature for most domestic settings (for now), PPS22 does advise that *"the wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission"*

- 5.11 It is considered that the proposed window turbine by reason of its scale, siting and design would not have such an adverse impact on the character surrounding area so as to warrant refusal of the application. Regard must also be had for the wider environmental benefits that will offset any limited harm.

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.

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

**Background Papers**      **PK08/0681/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. Details of the roof finish in terms of colour relating to the agricultural building hereby approved and details of the colour of the wind turbine hereby approved shall be 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.

# ITEM 2

## CIRCULATED SCHEDULE NO. 39/08 – 26 September 2008

|                                                                                                                                                                           |                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| <b>App No.:</b> PK08/2219/LB                                                                                                                                              | <b>Applicant:</b> Mr & Mrs B Alford      |
| <b>Site:</b> Bank House, 83 High Street, Marshfield, South Gloucestershire, SN14 8LT                                                                                      | <b>Date Reg:</b> 8th August 2008         |
| <b>Proposal:</b> Replacement of slate roof to stable building and the installation of 3no. roof lights to the south elevation and 1no. roof light to the north elevation. | <b>Parish:</b> Marshfield Parish Council |
| <b>Map Ref:</b> 77752 73701                                                                                                                                               | <b>Ward:</b> Boyd Valley                 |
| <b>Application Category:</b> Minor                                                                                                                                        | <b>Target Date:</b> 24th September 2008  |



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PK08/2219/LB

## **INTRODUCTION**

This application has been forwarded to the Circulated Schedule for Member consideration as a representation has been received contrary to the Officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application site comprises a large late 18<sup>th</sup> Century three storey Grade II Listed town house and outbuildings facing directly onto the High Street, Marshfield. The application relates to a large outbuilding to the east of the dwelling on the south side of the internal courtyard. The outbuilding is constructed of dressed stone with blue slate roof and end gable parapet features.
- 1.2 The amended application proposes provision of one rooflight in the south roofslope and one rooflight in the north roofslope.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPG15 Planning and the Historic Environment

### **3. RELEVANT PLANNING HISTORY**

- 3.1 N2481/1 Conversion of Bank House to 2 dwellings and change of use of stable block to dwelling. Construction of access drive and erection of 4 garages, (comprising or including works for the alteration or extension of a Listed Building)  
Approved 16.12.1976

### **4. CONSULTATION RESPONSES**

- 4.1 Marshfield Parish Council

No objection

- 4.2 Other Consultees

Conservation Officer – No objection, subject to conditions

#### **Other Representations**

- 4.3 Local Residents

One letter of objection received from the occupier of 90 High Street raising the following concern:

The installation of rooflight in the north elevation would be directly opposite no.90; there are no other windows of this kind facing the high street and the listed site is highly visible.

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development

PPG 15 states that when considering whether to grant listed building consent for works which affects a listed building or its setting, special regard should be had to the desirability of preserving the building, or its setting, or any features of architectural or historic interest which it possesses.

- 5.2 The amended proposal involves the installation of two rooflights into an historic outbuilding/stable building within the curtilage of 83 High Street, a Grade II Listed town house.
- 5.3 With regard to the alterations, the repair of the slate roof would result in an enhancement to the Listed Building. The applicant has also indicated that all salvageable slates will be retained and re-used, and that the works are to be treated as a repair rather than an alteration. A condition is recommended for approval of a sample of replacement natural slates.
- 5.4 The rooflights are proposed in order to create more light at first floor level. The number of rooflights has been reduced to two, one on each elevation. The stable block is particularly special as it has been retained in a substantially original form; therefore any new rooflight should be a traditional style metal rooflights with a central bar. The applicant proposes the use of conservation style rooflights in colour coated metal. The number of rooflights has been kept to a minimum, and existing slates would be salvaged, thus resulting in minimal intervention to the historic fabric of the building. Additionally, the applicant has provided an acceptable justification for the proposal, which would be to allow light for use of the first floor area as a studio. Therefore subject to a condition requiring sectional details of the rooflights, the proposal is considered to be acceptable and would preserve the building, or its setting, or any features of architectural or historic interest which it possesses in accordance with PPG15.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

Not applicable.

**6. CONCLUSION**

The recommendation to grant Listed Building Consent has been taken having regard to the section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained in PPG 15 (Planning and the Historic Environment).

**7. RECOMMENDATION**

- 7.1 Listed building consent is to be GRANTED subject to the following conditions.

**Background Papers**      **PK08/2219/LB**

**Contact Officer:**    **Sean Herbert**  
**Tel. No.**                **01454 863056**

## **CONDITIONS**

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

Reason:

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

2. Prior to the commencement of development a detailed cross sectional drawings through the proposed rooflight, at a scale of 1:5, showing the rooflight flush with the slates, shall be submitted and approved in writing by the local planning authority.

Reason:

In order that the development serves to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at PPG15.

3. Prior to the commencement of development a representative sample of natural roofing slate shall be inspected and approved in writing by the local planning authority.

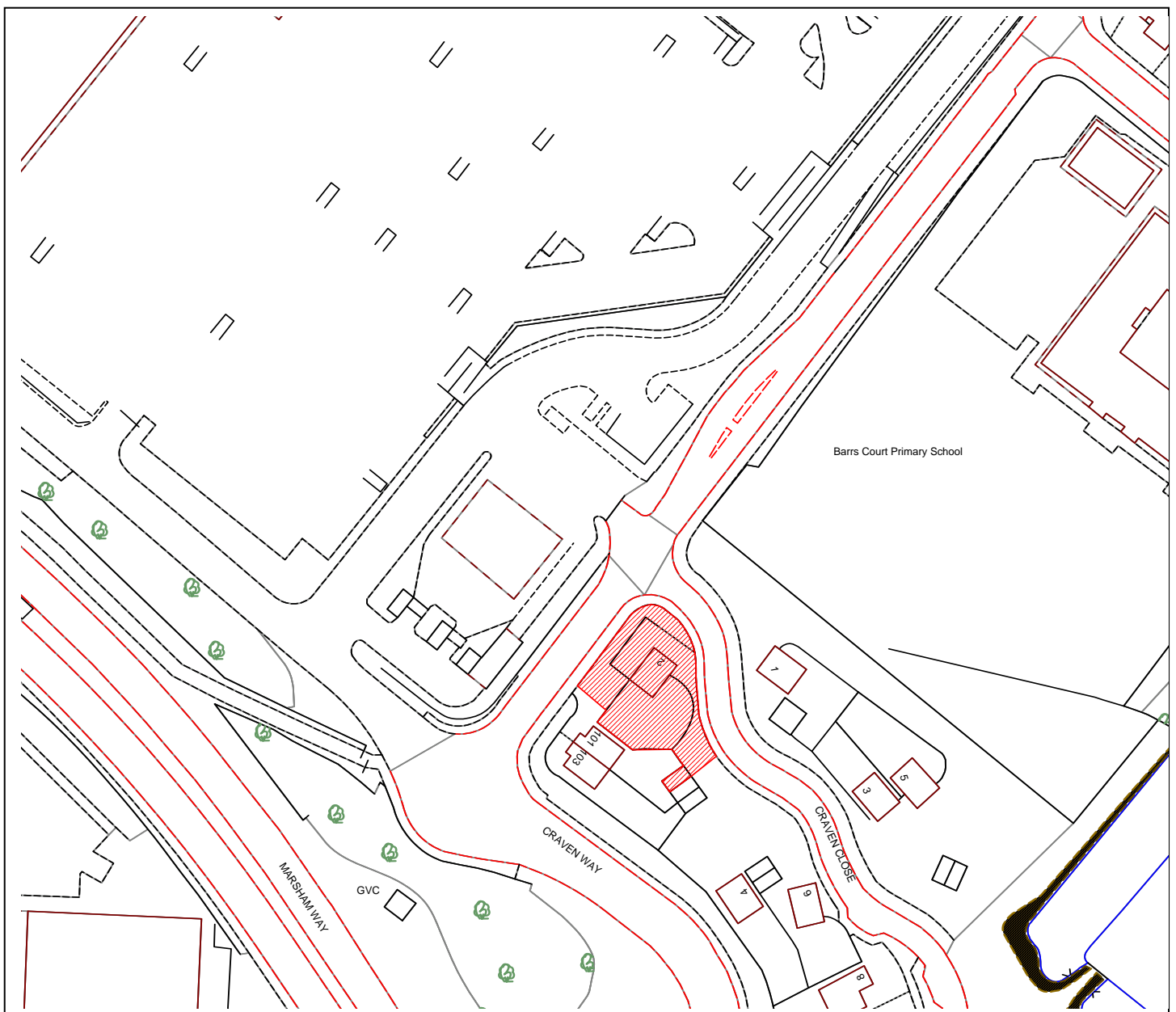
Reason:

Reason: In order that the development serves to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at PPG15.

# ITEM 3

## CIRCULATED SCHEDULE NO. 39/08 – 26 September 2008

|                              |                                                                                                                                                                                                                         |                     |                        |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|------------------------|
| <b>App No.:</b>              | PK08/2347/F                                                                                                                                                                                                             | <b>Applicant:</b>   | Professor J Taylor     |
| <b>Site:</b>                 | 2 Craven Close, Barrs Court, South Gloucestershire, BS30 7BX                                                                                                                                                            | <b>Date Reg:</b>    | 20th August 2008       |
| <b>Proposal:</b>             | Erection of a two storey side extension to form additional living accommodation (resubmission of PK08/1097/F). Erection of 1.8m high boundary wall and change of use of incidental open space to residential curtilage. | <b>Parish:</b>      | Oldland Parish Council |
| <b>Map Ref:</b>              | 65668 72066                                                                                                                                                                                                             | <b>Ward:</b>        | Longwell Green         |
| <b>Application Category:</b> | Minor                                                                                                                                                                                                                   | <b>Target Date:</b> | 8th October 2008       |



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## **INTRODUCTION**

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

### **1. THE PROPOSAL**

1.1 This is a resubmitted planning application for the erection of a two-storey extension to the side of No. 2 Craven Close. Previous planning application was refused for the following reasons:

A. The drawings submitted with the application do not provide an accurate reflection of the existing and proposed dwelling. In the absence of accurate plans, the local planning authority is unable to consider whether the application is acceptable in terms of the impact upon the visual amenity of the area.

B. The proposed balcony by reason of its sitting and proximity to the neighbouring boundary, would have an unacceptable impact upon the amenity of the occupiers of No. 101 Craven Way by way of an overlooking impact that would be to the detriment of the existing privacy enjoyed by the occupiers of No. 101 Craven Way.

1.2 The proposed extension would measure 8 metres wide by 4 metres deep and 6.2 metres high. No balcony is proposed. Part of existing boundary wall would be demolished to make way for the new extension, and a new boundary wall will be erected and a small parcel of land will be changed to become part of the residential curtilage of No.2 Craven Close.

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1 Delivering Sustainable Development

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

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

### **3. RELEVANT PLANNING HISTORY**

3.1 PK08/1097/F           Erection of two storey rear extension to form additional Living accommodation.  
Refused 04.06.08

### **4. CONSULTATION RESPONSES**

4.1 Oldland Parish Council  
No objection.



- 4.2 Other Consultees  
No comments received.

### **Other Representations**

- 4.3 Local Residents  
One letter has been received and the local resident raised the following concerns:
- A. The extension would project beyond the rear building line of No. 101 & 103 Craven Way.
  - B. The extension would destroy daylight and sunlight to the rear of the neighbouring property.
  - C. The outlook from the neighbouring property would be compromised.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

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

### 5.2 Design

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

The proposed extension would measure 4 metres deep by 8 metres wide and 6.2 metres high. Although the extension is reasonably large in scale, the proposal would still maintain a good relationship to the existing house and garden. It is therefore considered that the proposal would not over-develop the site. In addition, design of the extension, such as, built form, fenestration, roof design, match to the host dwelling. The proposed materials of a brick finish, concrete tiled roof and PVC-u double glazed windows replicate those of the existing dwelling. It is therefore considered that the proposal would not be harmful to the character of the area.

### 5.3 Residential Amenity

A previous proposed extension would have a balcony at first floor level, which is omitted from the current proposal. No windows are proposed at the first floor to the south side elevation, and one window is proposed to the first floor of the north side elevation and south east rear elevation overlooking the adjacent highway. It is therefore considered that the proposal would not cause overlooking or inter-visibility issues with the neighbouring property, No. 101.

The local resident is concerned that the proposed extension would cause a loss of sunlight/daylight. Although the extension would project beyond the rear building line of the neighbouring properties, No. 101 and No. 103, it would be approximately 10 metres from the neighbouring boundary and the extension would not be higher than the host dwelling. It is therefore considered that the

proposal would not cause significant overbearing impact upon the neighbouring properties. Loss of light itself is not a material planning consideration.

#### 5.4 Other Issues

Part of the proposal is to demolish a section of the existing boundary wall to make way for the new extension. This is also to erect a new boundary wall and change a small parcel of land to become part of the residential curtilage.

The section of the wall to be demolished is approximately 7 metres long and the new boundary wall would be approximately 6 metres. Provided that the material to be used on the new boundary wall would match to the existing wall, it is considered that the proposal would not have significant adverse impact upon the street scene.

#### 5.5 Design and Access Statement

N/A

#### 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**      **PK08/2347/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 other than those shown on the plans hereby approved shall be inserted at any time in the side (south-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.

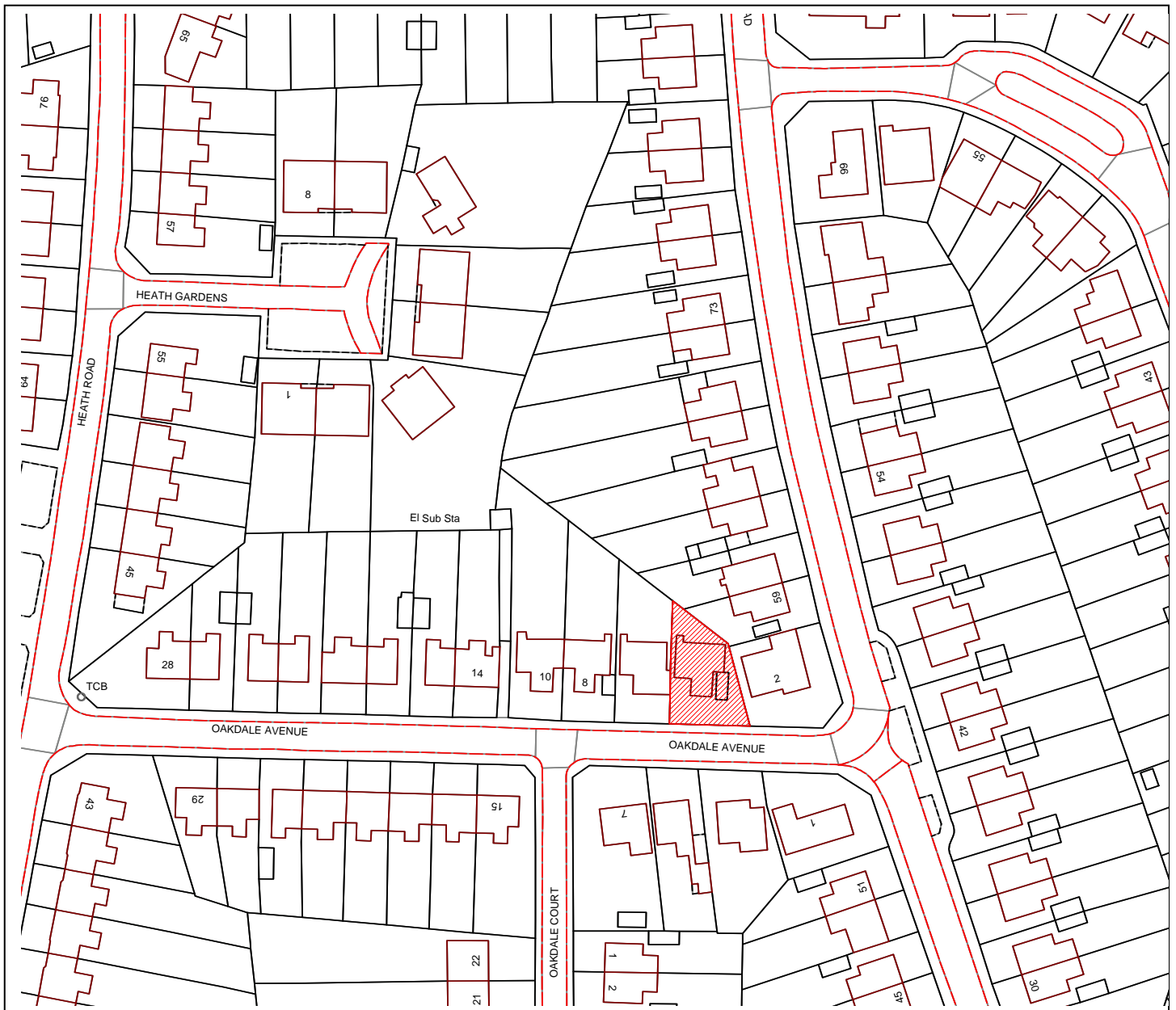
4.Notwithstanding the submitted details, no development shall take place until detailed elevations of the new boundary wall have been submitted to and approved in writing by the Local Planning Authority. The proposed new boundary wall hereby permitted shall not be higher than the existing boundary wall, and the materials to be used on the new wall shall match those used in the existing wall. 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.

**CIRCULATED SCHEDULE NO. 39/08 – 26 September 2008**

|                              |                                                                         |                     |                           |
|------------------------------|-------------------------------------------------------------------------|---------------------|---------------------------|
| <b>App No.:</b>              | PK08/2350/F                                                             | <b>Applicant:</b>   | Mr N Lewis                |
| <b>Site:</b>                 | 4 Oakdale Avenue, Downend, South Gloucestershire, BS16 6DT              | <b>Date Reg:</b>    | 20th August 2008          |
| <b>Proposal:</b>             | Erection of attached replacement garage. (Resubmission of PK08/1958/F). | <b>Parish:</b>      | Downend and Bromley Heath |
| <b>Map Ref:</b>              | 65031 77578                                                             | <b>Ward:</b>        | Downend                   |
| <b>Application Category:</b> | Minor                                                                   | <b>Target Date:</b> | 7th October 2008          |



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**N.T.S**

**PK08/2350/F**

## **INTRODUCTION**

This application has been forwarded to the Circulated Schedule for Member consideration as a letter of representation has been received contrary to the Officer recommendation

### **1. THE PROPOSAL**

- 1.1 The application site is situated within a residential part of Downend, at the east end of Oakdale Avenue. The application site contains a post war bungalow situated centrally within the plot and modern flat roofed single garage at the front. The adjacent dwellings to the east (no.2) and west (no.6) are also bungalow style units.
- 1.2 The proposal is to replace the existing flat roofed garage at the front of the plot with a double garage with pitched roof.

### **2. POLICY CONTEXT**

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK08/1958/F          Erection of attached garage.  
Withdrawn

### **4. CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
  
No objection
- 4.2 Other Consultees  
  
None

#### **Other Representations**

- 4.3 Local Residents

One letter of objection received from the occupiers of 78 Oakdale Close raising the following concerns:

The revised scheme is an improvement on the original, however the side elevation would now extend forward of the original building line and therefore

forward of the existing garage making it more dominant in relation to the existing buildings.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

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

### 5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The existing garage is situated prominently at the front of the site and is designed poorly with a flat roof and has a cramped relationship the dwelling. The proposed replacement garage would constitute an improved design with a pitched roof and good quality materials in keeping with the character of the existing dwelling. The proposed garage would project beyond the front elevation of the existing dwelling. However, this projection is negligible and would not result in a visually incongruous relationship to either the dwelling or the street scene. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

### 5.3 Residential Amenity

The proposed garage would measure 2.4m to eaves and 3.5m to ridge. The proposal would be wider than the existing garage and as such would encroach closer to the boundary with no.2. The north-east corner of the garage would be situated only 0.25m from the east boundary. Beyond the east boundary the side (west) elevation of no.2 is situated 2m from the boundary with no.4 and as such the nearest part of the proposed garage would be 2.25m from the west elevation of no.4. A window is situated in the west elevation of no.4 and would face onto the side elevation of the proposed garage. The existing flat roofed garage measures 2.2m in height and is situated between 2 and 3.5m from the boundary with no.2, a minimum of 4.2m from the side window of no.2. The side elevation of the proposed garage would run parallel with the side of the existing dwelling and at an angle to the side boundary and side elevation of no.2. Only the north-east corner of the proposed garage would face directly onto the side window of no.2, the garage would then fall away to the south allowing viewpoints from the window to the left and right. Due to the low eaves and shallow pitch of the proposed garage, viewpoints from the side window over the garage could still be easily afforded. The proposal is therefore considered not to material affect the outlook of the side window of no.2. Considering all of the above factors due to the modest scale of the proposed garage and its angled relationship to the side elevation of no.2 the proposal is considered not to materially affect the amenity of the adjacent occupiers.

### 5.4 Highway issues

The proposed garage would not significantly reduce the parking and turning area at the front of the site and would provide a larger internal parking provision. As such the proposal is considered not to impact materially in terms of highway safety considerations.

## 5.5 Design and Access Statement

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

## 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 Consent is GRANTED subject to the following conditions and informatives:

**Background Papers**      **PK08/2350/F**

**Contact Officer:**    **Sean Herbert**  
**Tel. No.**                **01454 863056**

### 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 garage hereby permitted shall match those used in the existing dwelling known as 4 Oakdale Avenue.

Reason:

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

# ITEM 5

## CIRCULATED SCHEDULE NO. 39/08 – 26 September 2008

|                                                                                                                                                                                                                    |                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| <b>App No.:</b> PK08/2369/F                                                                                                                                                                                        | <b>Applicant:</b> Mr M Adlington             |
| <b>Site:</b> 28 Church Road, Wick, South Gloucestershire, BS30 5QL                                                                                                                                                 | <b>Date Reg:</b> 22nd August 2008            |
| <b>Proposal:</b> Erection of two storey rear extension to form additional living accommodation. Erection of front porch. Erection of 2m high retaining wall. (Amendment to previously approved scheme PK08/1328/F) | <b>Parish:</b> Wick and Abson Parish Council |
| <b>Map Ref:</b> 70106 72919                                                                                                                                                                                        | <b>Ward:</b> Boyd Valley                     |
| <b>Application Category:</b> Minor                                                                                                                                                                                 | <b>Target Date:</b> 8th October 2008         |



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**N.T.S**

**PK08/2369/F**



## **INTRODUCTION**

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

### **1. THE PROPOSAL**

1.1 This application seeks full planning permission to amend the previous approved scheme at No. 28 Church Road, Wick. The differences of the proposal are (a) to erect a porch to the front of the property; and (b) to omit the single storey extension from the side (west) elevation.

The proposed front porch would measure 2.4 metres by 2.9 metres and 3.8 metres to its ridge (2.6 metres to its eave).

1.2 The property is a two-storey semi-detached dwelling. It lies within the Bristol-Bath Green Belt, within the settlement boundary of Wick.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

|      |                                    |
|------|------------------------------------|
| PPS1 | Delivering Sustainable Development |
| PPG2 | Green Belts                        |

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan (Adopted) January 2006**

|     |                                                                                |
|-----|--------------------------------------------------------------------------------|
| D1  | Achieving Good Quality Design in New Development                               |
| H4  | Development within Existing Curtilages, Including Extensions and New Dwellings |
| GB1 | Green Belt                                                                     |

### **3. RELEVANT PLANNING HISTORY**

3.1 PK08/1328/F Erection of two storey rear and single storey side extension to form additional living accommodation. Erection of 2 metres high retaining wall. Approved 17.06.08

### **4. CONSULTATION RESPONSES**

#### **(a) Statutory Consultees**

4.1 Wick and Abson Parish Council  
No response received.

#### **(b) Other Representations**

##### **4.2 Local Residents**

Two letters of objection expressing the following concerns:

- The proposed rear extension, front porch and the retaining wall would result in the loss daylight/sunlight to the rear of the neighbouring property.
- The proposed retaining wall would have a significant impact.
- The proposal would have an overbearing impact upon the neighbouring property.

- The proposal would affect the outlook of the neighbouring properties.
- The proposed front porch would not be in keeping with the style of the house and would detract to its appearance and those of the surrounding properties.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The site is located within the settlement boundary of Wick and the Bristol / Bath Green Belt. As such green belt policies are particularly relevant in the assessment of this application. Planning Policy Guidance 2 and Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 permits limited extensions to dwellings provided that it does not result in disproportionate additions over and above the size of the original building. Further to this any proposals for development should not have an adverse impact on the visual amenity of the green belt.

Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 advises that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and the surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate private amenity space.

### 5.2 Scale of development

The existing dwelling house is approximately 292 cubic metres, and the previous approved extension would be approximately 149 cubic metres. The proposed front porch with a hipped roof to the bay window would only be 22 cubic metres. The resulting volume would be approximately 58 percent of the original dwelling.

Although the proposal would increase the volume of the original building by more than 30 percent which is recommended by the Green Belt SPG, officers consider that the proposed front porch would not be an inappropriate form of development in the Green Belt because of its subservient design and scale.

### 5.3 Design and character

The property lies to the north of A420, which is mainly characterised as residential area.

The proposed front porch extension would be approximately 2.9 metres wide and 2.4 metres deep. The porch would have a hipped roof, which also link to the existing bay window. It would also be constructed of matching materials.

Officers considered that the proposed porch is not large in scale. In addition, a similar porch has already been built in the locality. It is therefore considered that the proposal would not be harmful to the character of area.

### 5.4 Residential Amenity

A single storey side extension, which was approved in the previous scheme, is omitted from the current proposal. A kitchen window is still proposed on the side elevation. As the window would be further away from the neighbouring property, officers do not consider that there is significant additional harm upon

the residential amenity of the neighbouring property to warrant a refusal of this application.

With regard to the proposed front porch, whilst it would be 2.4 metres deep, the porch would be nearly two metres from the neighbouring property, No. 30 Church Road. It is therefore considered that the proposed porch would not have a detrimental impact to warrant a refusal of this application.

#### 5.5 Landscaping Issues

Consequent upon the alteration of the junction of Naishcombe Hill and Church Road the majority of the properties fronting Church Road have constructed parking areas set within the front gardens. Although the proposed front porch would be visible from view in the broader landscape, it would not cause significant harm to the visual amenity of the Green Belt because of its modest scale.

#### 5.6 Design and Access Statement

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

#### 5.7 Section 106 Requirements

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

### 6. CONCLUSION

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

The 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**      **PK08/2369/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. The proposed first floor windows on the side elevations shall at all times be of obscured glass and be permanently fixed in a closed position. Prior to the commencement of works, details of the level of obscurity 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:

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

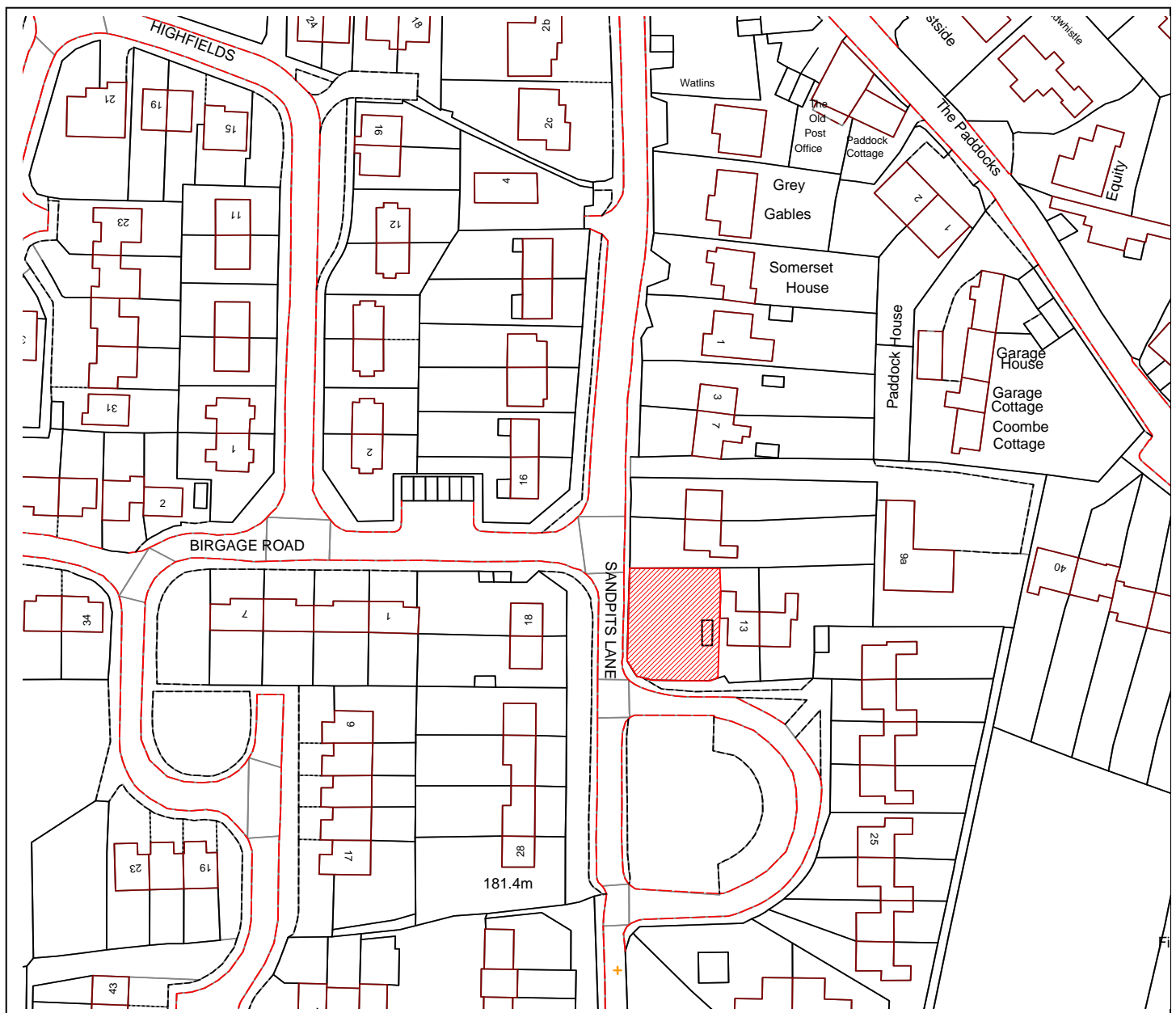
4. No windows shall be inserted at any time in the west side elevation of the proposed front porch hereby approved.

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.

## CIRCULATED SCHEDULE NO. 39/08 – 26 September 2008

|                              |                                                                                                                            |                     |                                    |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------|---------------------|------------------------------------|
| <b>App No.:</b>              | PK08/2422/F                                                                                                                | <b>Applicant:</b>   | Mr Templeton                       |
| <b>Site:</b>                 | 13 Sandpits Lane, Hawkesbury Upton,<br>South Gloucestershire, GL9 1BD                                                      | <b>Date Reg:</b>    | 29th August 2008                   |
| <b>Proposal:</b>             | Erection of 1 no. dwelling with access<br>and associated works (Amendment to<br>previously approved scheme<br>PK07/1978/F) | <b>Parish:</b>      | Hawkesbury Upton<br>Parish Council |
| <b>Map Ref:</b>              | 78008 86731                                                                                                                | <b>Ward:</b>        | Cotswold Edge                      |
| <b>Application Category:</b> | Minor                                                                                                                      | <b>Target Date:</b> | 14th October 2008                  |



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**N.T.S**

**PK08/2422/F**

## **INTRODUCTION**

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

### **1. PROPOSAL**

- 1.1 The applicant seeks consent for the erection of a single dwelling with an access and associated works. The two-storey detached dwelling would be situated within part of the current garden area associated with No.13 Sandpits Lane. The front elevation would front onto a small crescent serving properties off Sandpits Lane while, the side elevation would face onto the lane. The drive/access would be from the front and a separate access is retained for the original.
- 1.2 The detached dwelling would have a height of 8.0 metres to match the adjoining semi-detached pair. The structure would also have a width of 6.8 metres and depth of 9.9 metres. The building line (aside from a front porch) would match that of properties on either side. The proposed dwelling would have a front and rear garden, while garden space is retained by the original property No.13. The application site is situated within the settlement boundary of Hawkesbury Upton and within the Cotswold Area of Outstanding Natural Beauty (AONB)
- 1.3 It is important to note that this application represents an amendment to Application PK07/1978/F that has been previously approved. Work has commenced on this approval up to the first floor joist level but has now stopped. This proposal is identical in all respects, (in terms of access, garden area and location albeit the footprint is marginally smaller), other than to include a first floor over the original rear single storey element. The first floor "extension" would have a hipped roof.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

|       |                                    |
|-------|------------------------------------|
| PPS1  | Delivering Sustainable Development |
| PPS3  | Housing                            |
| PPG13 | Transport                          |

#### **South Gloucestershire Local Plan (Adopted) January 2006**

|         |                                                                                                    |
|---------|----------------------------------------------------------------------------------------------------|
| D1      | Achieving Good Quality Design in New Development                                                   |
| H2      | Proposals for Residential Development within Existing Urban Area and Defined Settlement Boundaries |
| T8      | Parking Standards                                                                                  |
| T12     | Transportation Development Control Policy for New Developments                                     |
| L17/L18 | The Water Environment                                                                              |
| L2      | Cotswold Area of Outstanding Natural Beauty                                                        |

The South Gloucestershire Design Checklist (Adopted)

### **3. RELEVANT PLANNING HISTORY**

P88/1092 (Outline) Erection of detached dwelling, construction of vehicular and pedestrian access (Refusal)

P98/1577 Erection of side conservatory (Approved)

PK07/1978/F Erection of 1 no. dwelling with access and associated works (Approved with conditions).

#### **4. CONSULTATION RESPONSES**

##### **4.1 Hawksbury Upton Parish Council**

The Parish Council object. Last year the council objected on residential amenity, the proposed building is now larger and more imposing. On the approval for the last plans there was a condition that there should be no windows on the East Elevation 1<sup>st</sup> Floor. It appears more windows have been introduced. The Council also object to the change of position of the access. The change brings it much nearer to the corner/junction off Sandpits Lane and that cannot be safe.

##### **4.2 Sustainable Transport**

Planning permission has previously been granted to erect a three-bed dwelling on this site (PK07/1978/F). This proposal seeks to amend the previously approved scheme to erect a new dwelling on this site. The density of the dwelling has been increased from a three-bed to a four-bed. Vehicular parking has been increased from one to two parking spaces in a tandem style arrangement. This level of parking is within the maximum standards set out in Policy T8 of the SGLP and is therefore considered acceptable.

In light of the above, there is no transportation objection to this proposal.

#### **Other Representations**

##### **4.3 Local Residents**

At the time of preparing this report there have been 2 letters of objection received. The grounds of objection can be summarised as follows:

- The proposed development will not maintain an equal ridge line with surrounding houses.
- The size and design of the roof will completely overshadow No.11 and No.15 Sandpits Lane
- The scheme is much larger and will overlook neighbouring properties
- Changes to dimensions should not change or be permitted at this advanced stage

#### **5. ANALYSIS OF PROPOSAL**

##### **5.1 Principle of Development**

As indicated above, the current application represents an amendment to a previous approval PK07/1978/F. The scheme is essentially identical aside from the inclusion of a first floor element over the approved single storey rear element. This report will assess the scheme as a new application however it must be noted that the principle of development including the access has previously been accepted.

Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 states that infilling and small groups of dwellings will normally be permitted within the village development boundaries, provided that the character of the

settlement is not affected and subject to conforming with other policies in the plan. The application is also for residential development on a site currently in residential use. The erection of an additional unit equates to a density of approximately 32 dwellings per hectare which is considered appropriate within this location (compatible with the size of the site, relationship with adjoining properties and accessibility requirements) and therefore in accord with Policy H2 and the guidance set out in PPS3. The principle of the development is therefore acceptable.

## 5.2 Impact on the Character and Appearance of Area

The proposed dwelling is sited such that it follows the building line established by No.13, the original property and to the side the property adopts the building line established by No.11 Sandpits Lane. It should be noted that a previous outline application in 1988 was rejected on the grounds that the building line along Sandpits Lane would have been adversely affected; in contrast, facilitated by the removal of a garage associated with No.13, the current proposal is able to maintain this building line. It is considered that the siting is acceptable.

The proposal adopts a simple design and this is considered to ensure that the building integrates successfully with adjoining properties. The height of the building will match that of the original property. The use of roughcast painted render as well as matching tiles will also ensure the integration of the property into the street scene. Although concern has been raised regarding the size of the roof, it is not considered that the subsequent inclusion of a hipped rear first floor element would adversely affect the design and appearance of the building or result in a building that would be overly large in comparison with properties within the vicinity of the site.

It is considered that the proposal is in accord with the aims and objectives of Policies H2 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

## 5.3 Impact on Neighbouring Amenities/ Amenity Provision for Proposed Occupants

Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 requires consideration to be made of the impact of a development upon the amenity of neighbouring occupiers as well as the amenity of future occupiers. It is not considered that there would be any adverse impact upon No. 11 Sandpits lane. It is considered however that there is a normal residential relationship between these properties and any impact would not be significant. The two storey element to the rear of the proposed house would abut the single storey element to the rear of the original property but would not appear significantly overbearing. With respect to No.11 Sandpits Lane to the rear, the building lies to the side and cannot be seen from the rear of that property. It is not considered that the development would appear oppressive or overbearing when viewed from either that property or No.15.

Concern has been raised that two windows, now appear on the side elevation (east), in particular given that a condition was attached to the original consent stating that there should be no future windows on the side elevation. To clarify a condition was attached requiring planning consent for any future windows, (as these would normally be classed as permitted development), but this condition is attached to allow an assessment to be made of the impact of such



windows rather than to state that there “should be no windows”. These windows appear on an area of wall to the side of the previously approved structure rather than to the side of the new first floor addition and are to a landing and bathroom. It is not considered, in this location facing towards the side of No.13 that any significant overlooking of neighbouring properties would result. Nevertheless the applicant has agreed for the avoidance of any doubt, that these windows should be obscure glazed (as per the bathroom window on the rear elevation) and a condition to support this is recommended.

In order to preserve residential amenity, conditions will be attached to the decision notice requiring consent for any future additional windows at first floor level on the east elevation in order to allow an assessment of their impact and in addition a condition would be attached to the decision notice requiring the proposed side windows (east elevation) at first floor level to be obscure glazed.

It is not considered that the (two) new windows at first level on the north elevation given that they are orientated towards the side of No.11 Sandpits Lane would result in any significant overlooking such as would justify the refusal of the application. As indicated above it should be noted that one of these windows, to a bathroom would be obscure glazed.

It is considered that sufficient amenity space is retained for the occupiers of No.13 and that sufficient space is provided for the new dwelling. A condition is recommended to ensure that the new boundary treatment between the properties is in place prior to the first occupation of the new dwelling.

Given the close proximity to adjoining properties a condition will be attached to the decision notice restricting hours of construction.

It is therefore considered that in this respect the proposal is in accord with the aims and objectives of Local Plan Policy.

#### 5.4 Transportation

Policy H2 and Policy T12 more specifically of the South Gloucestershire Local Plan (Adopted) January 2006 considers the impact of development upon the surrounding highway network.

Concern has been raised that the access has been moved to a position that is closer to the road junction. This not the case as the access is in the same location as that previously approved. It is not therefore considered that the proposal would result in detriment to highway safety. This proposed access was the subject of previous negotiations and considered acceptable by Transportation Officers as following negotiations the parking space was moved to the front of the house (onto the crescent).

Transportation Officers have requested in the light of an extra bedroom being provided that an additional parking space is provided. The applicant has amended the plan to show a marginally longer drive to accommodate this space. A conditions will be attached to the decision notice to ensure that the parking spaces are available prior to the first occupation of the dwelling, that there are no gates and that all surfaces (ie for the proposed and original property), are bound all in the interests of highway safety.

Subject to these conditions, there is no transportation objection to the proposal and the proposal is considered in accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

#### 5.5 Drainage/Water supply issues

Concern was raised previously that the proposal will adversely affect the water and sewerage supply. At the time it was made clear that planning permission could only be refused if the positioning of pipes made it impossible to complete the development (ie consent was given for a scheme that could not be undertaken because of this constraint). This matter was previously investigated by the applicant has investigated the matter and it is was not considered given the position of the proposed building that there would be any impact upon existing services (advice from Building Control and the Council Drainage Engineers also indicated that there would in any case be technical solutions that would enable pipes to be removed if this had been an issue). The scheme has as has been indicated above been completed to the first floor joists.

A condition will be attached to the decision notice to require the use of best drainage practice.

#### 5.6 Cotswold Area of Outstanding Natural Beauty (AONB)

It is not considered that the proposed development would adversely affect the Cotswold Area of Outstanding Natural Beauty.

#### 5.7 Other Issues

Concern has been raised that “building checks should be made at each stage of the development against the permitted plans and thus a scheme should not be allowed to change or go unnoticed until this advanced stage”.

It should be noted, that all works to date have been inspected by the Council Building Inspectors and are in accordance with the previously approved plans. The applicant has ceased work pending the decision on this application and will then proceed either with the original proposal or with the amended scheme (this application), if it is approved. As such the applicant has not contravened any planning legislation.

#### 5.8 Design and Access Statement

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

## 6. CONCLUSION

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

The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted)

January 2006 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

7.1 Planning Permission be granted subject to the following conditions

**Background Papers**      **PK08/2422/F**

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

### **CONDITIONS**

1. No windows other than those shown on the plans hereby approved shall be inserted at any time in the first floor east elevation of the property.

Reason:

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

2. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed bathroom window on the First Floor rear [north] elevation and two windows on the First Floor side (east) elevation, (to a bathroom and landing), shall be glazed with obscure glass only (Level 3 Obscure Glazing).

Reason:

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

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

Reason:

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

4. The hours of working on site during the period of construction shall be restricted to 0730 hours to 1800 hours and 0730 hours to 1300 hours Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason:

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

5. Prior to the commencement of work 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 and L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. There shall be no gates installed at any time across both entrances and both driveways shall have a bound surface and be maintained as such thereafter.

Reason:

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

# ITEM 7

## CIRCULATED SCHEDULE NO. 39/08 – 26SEPTEMBER 2008

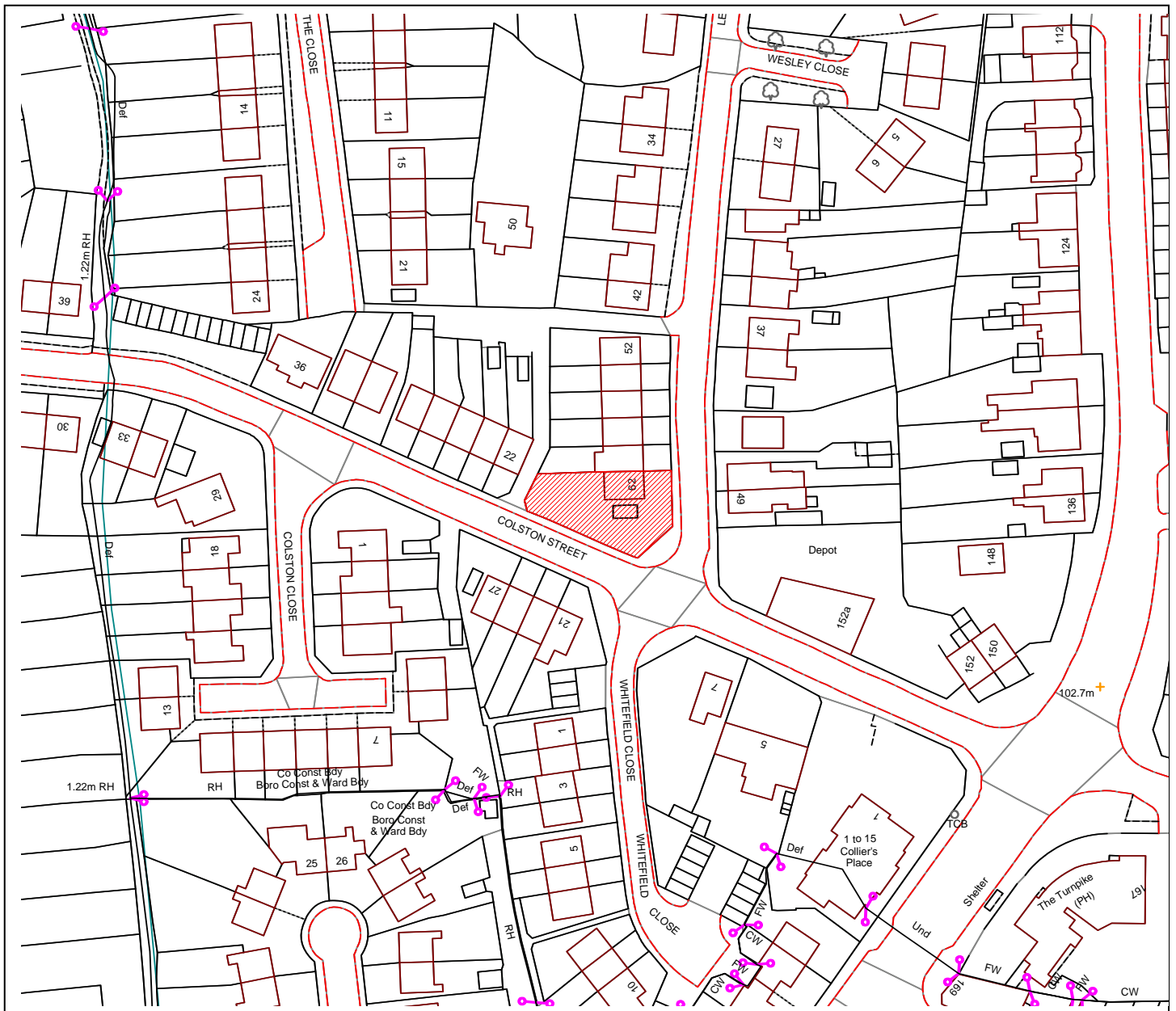
**App No.:** PK08/2446/F  
**Site:** 62 Leicester Square, Soundwell, South Gloucestershire, BS16 4PD  
**Proposal:** Erection of two storey side extension to facilitate the conversion of 1 no. dwelling to 4 no. flats with car parking, bin and cycle stores and associated works. Erection of 1.8m high wall. (Resubmission of PK08/1265/F).

**Applicant:** Mr M Fry  
**Date Reg:** 2nd September 2008

**Parish:**

**Map Ref:** 64695 75059  
**Application Category:** Minor

**Ward:** Staple Hill  
**Target Date:** 16th October 2008



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100023410, 2008.

**N.T.S**

**PK08/2446/F**

## **INTRODUCTION**

This application has been referred to the Circulated Schedule following the receipt of objections from local residents; the concerns raised being contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application relates to a 0.04 ha. plot of land that currently forms the garden to the side of no.62 Leicester Square. The existing property is a 2 bedroom, end of terrace dwelling house, situated on a corner plot at the junction of Leicester Square and Colston Street. The location is suburban in character, consisting predominantly of two-storey terraced or semi-detached houses, most of which have open plan front gardens. To the side of no.62 is a detached single garage and shed; vehicular access is via Leicester Square.
- 1.2 It is proposed to demolish the garage and shed to facilitate the erection of a two-storey side extension with single storey element to the rear; a further two storey extension would be added to the rear of the existing house. The resultant two-properties would then each be sub-divided to provide a total of 4no. flats i.e. 2no x two-bedroom flats in the original house and 2no x one bedroom flats in the new property to the side. Four car parking spaces would be situated to the front of the extended property and accessed off Leicester Square. The bin and cycle stores would be located to the side of the two-storey extension. Much of the remaining garden area to the side would be enclosed by a 1.8m high boundary wall and further sub-divided by a 1.8m high fence.
- 1.3 The submission follows the refusal of a similar scheme (PK08/1265/F) for 4 x 2 bedroom flats. The scheme has been re-designed in consultation with the Council's officers. The key differences between the current scheme and that previously refused are as follows:
- Two of the 2no bedroom flats would now be 1no bedroom flats.
  - The width of the side extension has been reduced from 5.5m to 4.3m.
  - Two of the parking spaces have been re-located from the rear of the site to the front of the property.
  - The bin store and cycle store have been re-located from the rear of the site to the side of the new extension.
  - The side garden would mostly be enclosed by a 1.8m high wall rather than a fence. The wall would be set back with a 2m wide planting area to the front.
  - The rear garden area would be sub-divided by a 1.8m high fence.

### **2. POLICY CONTEXT**

- 2.1 National Guidance
- |       |   |                                    |
|-------|---|------------------------------------|
| PPS1  | - | Delivering Sustainable Development |
| PPS3  | - | Housing                            |
| PPG13 | - | Transport                          |

## 2.2 Development Plans

### Joint Replacement Structure Plan

- Policy 1 - Principles
- Policy 2 - Location of Development
- Policy 17 - Landscape
- Policy 33 - Housing Provision and Distribution
- Policy 34 - Re-use of Previously Developed Land (support for infill)
- Policy 54 - Car Parking Provision

### South Gloucestershire Local Plan (Adopted) 6th January 2006

- D1 - Design
- L1 - Landscape Protection and Enhancement
- L5 - Open areas
- L17 & L18 - The Water Environment
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- EP7 - Unstable Land
- H2 - Residential Development within the existing Urban Area
- H4 - Development within Existing Residential Curtilages
- H6 - Affordable Housing
- LC2 - Provision of Education Facilities
- T7 - Cycle Parking Provision
- T8 - Parking Standards
- T12 - Transportation Development Control Policy for New Development
- LC4 - Proposals for Educational and Community Facilities Within the Existing Urban Area.

### Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) adopted 23<sup>rd</sup> August 2007

## 3. **RELEVANT PLANNING HISTORY**

- 3.1 P81/4226 - Erection of rear canopy.  
Approved 6 May 1981
- 3.2 PK08/1265/F - Erection of two-storey side and rear and single-storey rear extensions to facilitate the creation of 4no. self-contained flats with parking and associated works. Erection of 1.8 metre high fence to southern boundary.  
Refused 24<sup>th</sup> June 2008 for the following reasons:
  - 1. *The development, with off-street parking below the maximum residential parking standards set out in Policy T8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, would lead to an increase in on-street congestion in close proximity to a road junction thereby causing obstructions to visibility, all to the detriment of highway safety; contrary to Policies T12, H2 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.*
  - 2. *The proposal would result in built development protruding well beyond the established building line in Colston Street, which would represent an incongruous element within the street scene to the detriment of the visual amenity of the locality, contrary to Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.*

3. *The proposed built development and high boundary fencing would compromise the attractive open character of the site at this prominent location, all to the detriment of the visual amenity of the open plan street scene, contrary to Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*

#### 4. **CONSULTATION RESPONSES**

4.1 Parish Council  
Not a parished area.

4.2 Other Consultees  
None

#### **Other Representations**

- 4.3 Local Residents  
3no. letters of objection have been received from local residents. The concerns raised are summarised as follows:
- On-street parking congestion will be made worse.
  - The proposed wall would adversely impact on outlook for the occupiers of no.23 Colston Street.
  - Loss of open space and vegetation.
  - Building would block visibility at the top of the road.

#### 5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
The key issue to consider is whether or not the revised proposal has adequately addressed the previous reasons for refusal listed in para.3.2 above. The site lies within the Urban Area and being residential curtilage, is previously developed land and can therefore be assessed as a brownfield windfall site. There is therefore no in-principle objection to the development of the site for residential use.
- 5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 34 states that in making allocations for housing provision, Councils should give priority to the re-use of previously developed land. Similarly, Policy 33 states that priority will be given to the re-use of previously developed sites *within the urban area*. Furthermore, Policy 2 of the JRSP, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub regional centres. JRSP Policy 19 requires development to be managed in a manner that respects local character and distinctiveness through good design.
- 5.3 Government advice contained in PPS3 – ‘Housing’ supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes. The South Gloucestershire Local Plan (Adopted) 6th January 2006 (para.8.26) seeks to “*..increase the proportion of smaller dwellings, reflecting the projected growth in one-person households and the existing disproportionate provision of smaller dwellings in South Gloucestershire.*”



5.4 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the residential development proposed, subject to the following criteria:

- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity; and
- B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit. Not least, in and around existing town centres and locations well served by public transport, where densities of upwards of 50 dwellings per hectare should be achieved.
- C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
- D. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals.

5.5 Also of relevance is Policy H5 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 which relates to the conversion of existing residential properties into smaller units of self-contained residential accommodation. Policy H4 relates to development within existing residential curtilages. The criteria attached to Policy H5 are generally covered by those attached to Policy H2.

#### 5.6 Density

Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land. PPS3 (para.47) indicates that a national indicative minimum density of 30 dwellings per hectare should be used and whilst not prescribing any maximum figure the PPS encourages the highest density that can be achieved within the various local considerations that need to be taken into account. The proposal equates to 100 units per ha. but this merely reflects the fact that the development would comprise of 4 small flats as opposed to individual dwelling houses, thus distorting the density figure.

5.7 Officers are satisfied that having regard to the site's constraints, it is unlikely that a larger building containing more than 4 flats could reasonably be accommodated on the site and in this respect the proposal represents the most efficient use of the land in what is a fairly sustainable location, reasonably close to the centre of Kingswood and within walking distance of local shopping and community facilities and a main bus route on Soundwell Road. The proposal therefore accords with Government guidelines and in terms of its density alone, the development is not considered to be an overdevelopment of the site.

#### 5.8 Scale and Design

The side extension is designed as a continuation of the Leicester Square terrace and in terms of its form and appearance, achieves its aim. In the current scheme, the width of the side extension has been reduced from the previously refused 5.5m to the now proposed 4.3m. As a result, the extension would no longer protrude beyond the well defined building line along the northern side of Colston Street. Furthermore the overall massing of the scheme has been reduced to an acceptable level.

- 5.9 Given that there is currently a sense of space at the junction of Colston Street and Leicester Square, created by the open aspect of the side garden of no.62 Leicester Square and the generally open character of neighbouring front gardens; officers consider that the proposal should, where possible, retain this characteristic. In the revised scheme, the open aspect to the front of the property and at the junction of Colston Street and Leicester Square would be retained. Furthermore the side and rear gardens would now be enclosed by a 1.8m high block and render wall, which would be set back 2m from the footway on Colston Street, with a 2m planting buffer in front. In the previously refused scheme a 1.8m high fence would have been located hard on this boundary.
- 5.10 Given that more of the garden area is retained in the revised scheme; and that a high hedge could be grown, without the need for planning permission, to entirely enclose the open areas to the side and front of no.62; officers consider that the proposal now represents an acceptable design solution. A refusal reason based on the loss of open space alone could not therefore be reasonably substantiated. The proposed wall, if appropriately rendered, would be more aesthetically pleasing than a plain fence and being set back, its appearance could be softened by the vegetation planted in the 2m buffer to the front.
- 5.11 Regarding the proposed single and two-storey elements to the rear, these are considered to be modest enough additions that would integrate adequately within the built form and being to the rear, would not be prominent within the street scene.
- 5.12 Landscape  
There is little vegetation of note on the site other than a hedgerow enclosing the existing garden to the rear of no.62. Whilst this hedgerow would be lost in the scheme, supplementary planting would be secured by way of an appropriate landscape condition.
- 5.13 Transportation  
The site is located on the corner of Leicester Square and Colston Street, at a location where on-street traffic congestion is an issue. Four parking spaces have been proposed for this development, one for each of the proposed flats and these spaces could be allocated on a 1:1 basis. In line with officer recommendations, a revised plan has been submitted to show two of the spaces located to the front of no.62 and the other two spaces located alongside and to the front of the side extension; all of the spaces would now be accessed directly off Leicester Square.
- 5.14 The residential parking standards set out in Policy T8 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, require a maximum of 1.5 spaces be provided for each two-bed dwelling and 1.0 space for each one-bed dwelling, making a total of 4no. spaces for this proposal of 2 x two-bed and 2 x one-bed flats. It is considered that in this case, having regard to the existing levels of congestion in the vicinity of the site, any shortfall in the maximum number of parking spaces allowed under policy T8, would merely lead to an increase in on-street congestion, thereby causing obstructions to visibility in close proximity to a road junction. Since the proposal now provides 100% parking provision in line with the Council's adopted maximum parking standards, no highway objections can be raised in relation to this issue

5.15 Impact upon Residential Amenity

The proposed extension would be on a corner plot and would not have a significant overbearing affect on neighbouring property. Any overlooking of neighbouring gardens from the proposed windows would be from a reasonable distance, angle and height. There would be two small windows, at first floor level, on the southern side elevation facing the houses on the opposite side of Colston Street; these windows would serve a kitchen and landing. The windows would however be situated 23m from the front elevations of the nearest properties opposite. To the rear the side elevation of no.22 Colston St. is blank. Some overlooking of gardens is considered to be inevitable in a densely populated urban area such as Soundwell/Kingswood and any loss of privacy from overlooking, that might occur, would be minimal and certainly not considered to be significant enough to justify refusal of planning permission.

5.16 Adequate amenity space would be retained in the garden areas to serve the two ground floor flats. An enclosed communal area for the first floor flats would be provided to the side of the property. Separate bike and bin storage areas, would also be provided.

5.17 The proposal would result in a first floor living room being located adjacent to the bedroom of the adjoining property no.60. The proposal would however be subject to Building Control, which would secure an adequate level of enhanced sound-proofing on party walls. Whilst it is acknowledged that the parking areas would be nearer to neighbouring no.60 this could be achieved using permitted development rights and is a common enough scenario in terraced streets in urban areas. Officers noted during the site visit that the front garden area of neighbouring no.60 comprises hard-standing for cars. The impact on residential amenity is therefore considered to be acceptable.

5.18 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this could be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds. In terms of drainage the Council's Drainage Engineer has raised no objection to the proposal. A condition would however be required to secure the submission of a full drainage scheme for approval before development could commence.

5.19 Affordable Housing

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

5.20 Education Service

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

5.21 Community Services

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

## 5.22 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Adopted) 23<sup>rd</sup> August 2007.

## 5.23 Section 106 Requirements

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

## 6. CONCLUSION

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

## 7. RECOMMENDATION

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

**Background Papers**      **PK08/2446/F**

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

### **CONDITIONS**

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

Reason:

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

2. 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 H4/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006

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

Reason:

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

4. 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 EP1, EP2, L17 & L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

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

6. The off-street car parking facilities, shown on the Block & Proposed Ground Floor Plan No. 2546/01 Rev C hereby approved shall be provided before the first occupation of the flats so approved, and thereafter retained as such and used only in conjunction with the occupation of the buildings' purpose.

Reason:

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

7. Prior to the first occupation of the flats hereby approved, the cycle parking as shown on the plans hereby approved, shall be provided.

Reason:

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

8. The 4no car parking spaces shown on the approved Block Plan & Proposed Ground Floor Plan No. 2546/01 Rev C shall be allocated on the basis of one space per each flat.

Reason(s):

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

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

Reason:

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

10. 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.

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

Reason:

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

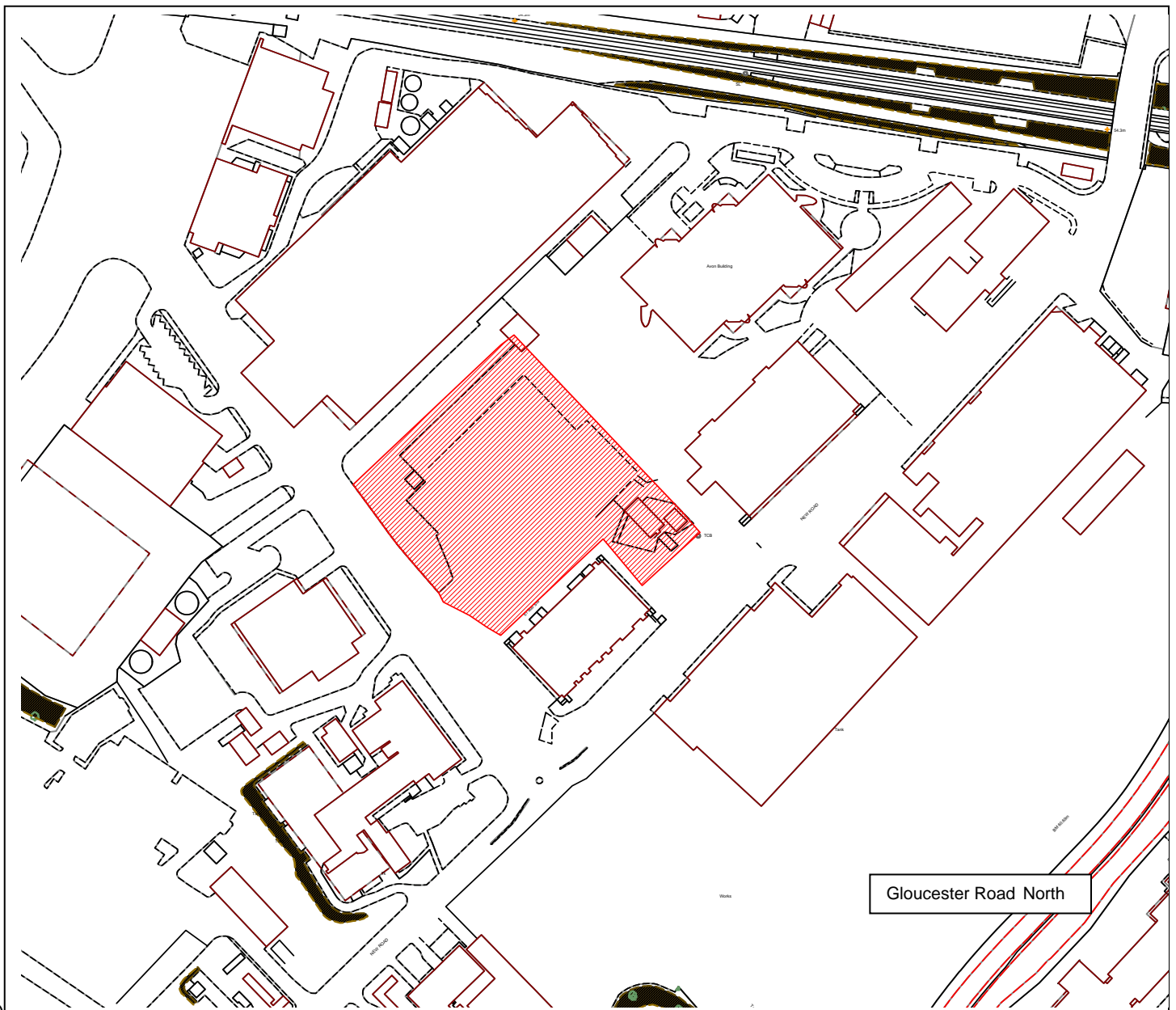
12. No development shall take place until details/samples of the render proposed to be used for the boundary wall hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

**CIRCULATED SCHEDULE NO. 39/08 – 26 SEPTEMBER 2008**

|                                  |                                                                                                                                                                                                              |                         |                     |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------|
| <b>App No.:</b>                  | PT08/2064/RM                                                                                                                                                                                                 | <b>Applicant:</b>       | Airbus Uk Ltd       |
| <b>Site:</b>                     | Airbus UK, Gloucester Road North,<br>Filton, South Gloucestershire, BS34<br>7PH                                                                                                                              | <b>Date Reg:</b>        | 22nd July 2008      |
| <b>Proposal:</b>                 | Erection of a building to house test<br>facility (Approval of reserved matters<br>appearance, landscaping, layout and<br>scale to be read in conjunction with<br>outline planning permission<br>PT05/0749/O) | <b>Parish:</b>          | Filton Town Council |
| <b>Map Ref:</b>                  | 60093 79789                                                                                                                                                                                                  | <b>Ward:</b>            | Filton              |
| <b>Application<br/>Category:</b> | Major                                                                                                                                                                                                        | <b>Target<br/>Date:</b> | 20th October 2008   |



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## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The site is located within the Airbus industrial manufacturing facility associated with Filton Airfield. It is approximately 250 metres to the West of the junction with the A38 and Filton Avenue. Access to the site is via the internal circulation road which are accessed from the main entrance to the complex from Southmead Road. The site is currently occupied by open car-parking on foundations associated with a previous building which stood on this site.
- 1.2 The proposed development consists of the construction of a new manufacturing/testing building associated with the manufacture of the Airbus A350.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

|       |                                    |
|-------|------------------------------------|
| PPS1  | Delivering Sustainable Development |
| PPS3  | Housing                            |
| PPG4  | Commercial Development             |
| PPS9  | Nature Conservation                |
| PPG13 | Transportation                     |
| PPG15 | Listed buildings                   |
| PPG16 | Archaeology                        |
| PPS23 | Planning and Pollution Control     |
| PPG24 | Planning and Noise                 |
| PPS25 | Flood Risk                         |

#### **2.2 Joint Replacement Structure Plan (adopted 2002)**

|           |                                     |
|-----------|-------------------------------------|
| Policy 1  | Sustainable Development Objectives  |
| Policy 2  | Location of Development             |
| Policy 12 | North Fringe development            |
| Policy 19 | Cultural Heritage                   |
| Policy 30 | Safeguarded employment areas        |
| Policy 34 | Housing                             |
| Policy 47 | Encouraging alternatives to the car |
| Policy 59 | Transport in new developments       |

#### **2.3 South Gloucestershire Local Plan (Adopted) January 2006**

|      |                                                                                                          |
|------|----------------------------------------------------------------------------------------------------------|
| D1   | Design                                                                                                   |
| L10  | Species Protection                                                                                       |
| L12  | Archaeology                                                                                              |
| L14  | Listed Buildings                                                                                         |
| L15  | Buildings and structures which make a contribution to the character and distinctiveness of the locality. |
| L17  | The Water environment                                                                                    |
| L17A | The Water environment                                                                                    |
| EP1  | Environmental Pollution                                                                                  |
| EP2  | Flood Risk and Development                                                                               |
| EP6  | Contaminated Land                                                                                        |



|          |                                               |
|----------|-----------------------------------------------|
| T6       | Cycle parking                                 |
| T7       | Parking standards                             |
| T12      | Transportation policy for new development     |
| E2       | Criteria for assessing employment development |
| E3       | Safeguarded employment areas                  |
| E4       | Filton Airfield Safeguarding                  |
| H1(A)(2) | Sites for new residential development         |
| LC13     | Public Art                                    |

2.4 Supplementary Planning Document  
South Gloucestershire Design Checklist (adopted)

**3. RELEVANT PLANNING HISTORY**

3.1 There is an extensive planning history to this established employment site, in the main reflecting incremental developments. Those cited here are considered the most relevant, or significant.

- 3.2 P84/1420 Erection of single aircraft hangar for environmental test purposes 1,190square metres in floor area.  
Approved 9 May 1984.
- 3.3 P84/2524 Erection of hangar of 1051 square metres to provide wash down facility, construction of new apron area of 2,071square metres.  
Approved 28 November 1984.
- 3.4 P84/2774 Erection of building of 9,500square metres in floor area for aircraft component assembly.  
Approved 25 January 1985.
- 3.5 P85/2091 Erection of building of 9,771 square metres in floor area for aircraft component assembly.  
Approved 21 August 1985.
- 3.6 P86/2262 Erection of 2 storey Yorkon office building of 1033 square metres.  
Approved 26 November 1986.
- 3.7 P87/1842 Erection of building totalling 1040 square metres in floor area for use as aircraft hangar for strip and paint facility for small aircraft.  
Approved 18 June 1987.
- 3.8 P89/1047 Erection of 2 storey extension to provide 929 square metres of office accommodation.  
Approved 22 February 1989.
- 3.9 P89/2179 Erection of extension to flight shed of 1300 square metres.  
Approved 16 August 1989.
- 3.10 P98/2890 Outline consent for 4 office developments totalling 36,000 square metres.
- 3.11 P99/1389 Reserved matters for one office development of

9,800square metres under the 1998 outline scheme.

- 3.12 PT01/2015/F Erection of new building to house testing of landing gear. Approved 8 November 2001.
- 3.13 PT01/2768/F Erection of detached Energy Centre. Approved 16 November 2001.
- 3.14 PT02/0209/F Erection of three storey electrical manufacturing facility for aircraft components adjoining building 19. Approved 28 February 2002.
- 3.15 PT03/1137/F Erection of office development with associated car parking and landscaping, for 24,600 square metres. Approved 10 July 2003. This was intended to supersede the 1998 outline consent.
- 3.16 PT03/1280/F Erection of fuel system test facility and associated works also to include workshop and three storey office buildings with associated parking. Approved 12 August 2003.
- 3.17 PT04/3780/F Alterations and extension of existing industrial building to provide additional office and storage accommodation. Alteration of existing industrial doors. Approved 7 February 2005.
- 3.18 PT05/0747/F Erection of B2 industrial building with ancillary offices, car parking construction of new access. Concurrent application.
- 3.19 PT05/0749/O Redevelopment of site to provide new office campus, research, development and manufacturing buildings, new staff facilities and revised parking and access to A38. (Outline)  
Approved
- 3.20 PT06/0310/RM Erection of industrial building - Reserve matters in conjunction with Outline Planning permission PT05/0749/O Approved 26 June 2006
- 3.21 PT06/0567/RM Industrial building for B2 use with parking and associated works (in association with PT05/0749/O)  
Currently being considered
- 3.22 PT06/ 0296/RM Erection of industrial building for B2 use with ancillary offices, parking and associated works (approval of reserved matters to be read in conjunction with outline planning permission PT05/0749/0)  
Approved 15 May 2006
- 3.23 PT06/737/RM Erection of extension to industrial building for B2 use with parking and associated works (approval of reserved matters to be read in conjunction with outline planning permission PT05/0749/O)

#### **4. CONSULTATION RESPONSES**

- 4.1 Filton Town Council  
No Objection
- 4.2 Sustainable Transport  
No Objection
- 4.3 South West Regional Development Agency  
Support the application
- 4.4 Highways Agency  
No Objection
- 4.5 Environment Agency  
No Objection
- 4.6 Local Residents  
One letter has been received. This letter raises concern over the design of the building and that development on the site generally does not reflect the historical importance of the site.

#### **5. ANALYSIS OF PROPOSAL**

- 5.1 The proposed development details the construction of a 'Landing Gear Test Facility' involved in the assembly of landing gear associated with the Airbus A350.
- 5.2 Principle of Development  
This application is a Reserved Matters application associated with the Outline Planning Permission as granted under PT05/0749/O. That approval is supported by an approved Master Plan which sets out the zones for the various types of activity under the Outline Planning Consent. The siting of the building proposed by this application is within the area shown for assembly. The purpose of the building is to provide testing facilities directly associated with the assembly process.
- 5.3 On this basis, it is considered that the proposed development is consistent with the approved Master Plan and the principle of the proposed development is therefore acceptable.
- 5.4 Design, Siting and Scale  
The proposed building measures approximately 60x50 metres and is approximately 17 metres in height at its highest point. The bulk of the building is at this height although the building includes elements of 'single storey' development which reaches a height of approximately 6½ metres in height. The building is sited amongst existing buildings associated with the processes on the Airbus Site. In particular, the building is sited so that it relates both functionally and visually to the existing '10X' building which currently houses similar equipment in relation to the Airbus A380. The design of the building is deliberately intended to follow the design principles of the existing building and is very similar in visual terms. The scale of the proposed building is consistent with the site generally and, essentially, the building is proposed to be clad to

- reflect the cladding on the adjacent building and would utilise the same curved roof design. Although functional in appearance, this approach is intended to reflect the leading edge of an aeroplane wing. As such, it is considered that the development would make a reasonable reference to the historical context of the site, without impinging upon the primary industrial function of the site as a whole.
- 5.5 Having regards to the above it is considered that the design, siting and scale of the building is appropriate in this context and the proposed development is consistent with Policy D1, and E2 of the South Gloucestershire Local Plan and the adopted South Gloucestershire Design Checklist SPD
- 5.6 Landscaping  
The area immediately surrounding the building is proposed to be occupied by limited car parking. Although there is no specific landscaping proposed, there is a small area of lawn within the site that is to be retained. Given the industrial character of the site as a whole and the location of this development within it, it is considered that this is sufficient in landscaping terms.
- 5.7 Drainage  
The Environment Agency has raised no objection to this development proposal on drainage matters. It is considered that the necessary drainage associated with the building can be accommodated adequately within this site.
- 5.8 Ecology  
There are no material ecological implications resulting from this development proposal.
- 5.9 Listed Buildings and Archaeology  
The nearby listed buildings would not be materially affected by this development. Archaeological matters have been considered previously as part of the Outline planning consent (PT05/0749/O) and a planning condition requiring further archaeological investigations as part of this development is in place with that approval. This matter is therefore adequately addressed.
- 5.10 Transportation  
It is considered that the proposed facility would consolidate existing activity on the site and there are no material transportation implications as a result of it. Access was a matter considered in full in the outline consent.
- 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.

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

7.1 That Planning Permission is granted for the reserved matters of appearance, landscaping layout and scale, subject to the following condition.

**Background Papers**      **PT08/2064/RM**

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

## **CONDITIONS**

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

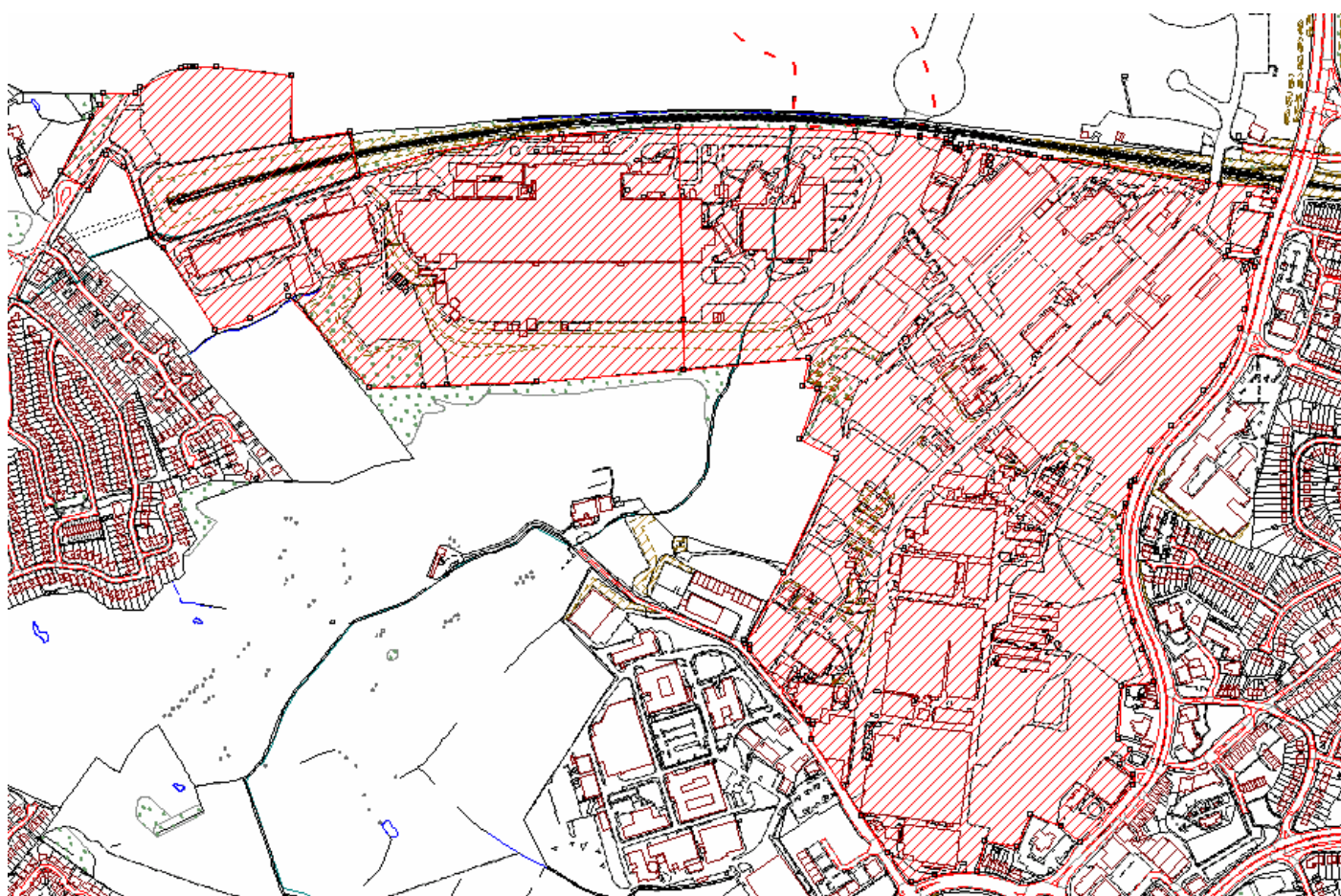
Reason(s):

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

## CIRCULATED SCHEDULE NO. 39/08 – 26 SEPTEMBER 2008

|                                  |                                                                                 |                         |                     |
|----------------------------------|---------------------------------------------------------------------------------|-------------------------|---------------------|
| <b>App No.:</b>                  | PT08/2161/F                                                                     | <b>Applicant:</b>       | Airbus UK Ltd       |
| <b>Site:</b>                     | Airbus UK, Gloucester Road North,<br>Filton, South Gloucestershire, BS34<br>7PH | <b>Date Reg:</b>        | 2nd August 2008     |
| <b>Proposal:</b>                 | Erection of 2.4m boundary security<br>fence and gates.                          | <b>Parish:</b>          | Filton Town Council |
| <b>Map Ref:</b>                  | 59623 79539                                                                     | <b>Ward:</b>            | Filton              |
| <b>Application<br/>Category:</b> | Major                                                                           | <b>Target<br/>Date:</b> | 23rd October 2008   |

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**PT08/2161/F**

## **INTRODUCTION**

This report appears on the Circulated Schedule as comments have been received which are contrary to the officer recommendation regarding the proposed development.

### **1. THE PROPOSAL**

- 1.1 The site consists of the Airbus UK (Filton) site. The application relates to 4668 metres of boundary fencing enclosing this site within the South Gloucestershire Administrative Boundary. It should be noted that the remaining 883 metres of the perimeter fence is within the Bristol City Council administrative boundary and as such does not form part of this planning application. Additionally, the length of fencing associated with Pegasus House and fronting onto the A38 is to remain as existing and does not form part of this application.
- 1.2 It is proposed to replace the existing fence with a new Category 2 Security Fence (as set out in BS1722-14:2001). This will comprise of a 'Betafence Securifor 3D System. It is proposed to finish the fence in 'Airbus Blue'.

### **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  
L1 Landscape Protection and Character  
E3 Criteria for Assessing Employment Development within the Urban Area and defined Settlement Boundaries  
E4 Safeguarded Employment Areas  
T12 Transportation
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document

### **3. RELEVANT PLANNING HISTORY**

- 3.1 There is a great deal of planning history associated with this site which would not necessarily be relevant to this application. The most relevant planning application is identified below
- 3.2 PT05/0749/O Redevelopment of site to provide new office campus, research, development and manufacturing buildings, new staff facilities and revised parking and access to A38.  
(Outline)  
Approved

#### **4. CONSULTATION RESPONSES**

- 4.1 Filton Town Council  
No Objection
- 4.2 Sustainable Transport  
No Objection
- 4.3 Police Community Safety Officer  
Support the application and refer the applicant to the 'Occupiers Liability Act' in respect of signage where razor wire is to be used
- 4.4 Local Residents  
Two letters have been received. The comments can be summarised as follows;
- Attention is drawn to the condition of the wall to the rear of 701 to 711 Southmead Road.
- The use of an eight foot high security fence is not in keeping with Filton.

#### **5. ANALYSIS OF PROPOSAL**

- 5.1 The proposed development consists of the construction of a 2.4 high replacement perimeter fence.
- 5.2 Principle of Development  
The Airbus Site is located within the Bristol North Fringe Urban Area and is a protected employment site as identified under Policy E4 of the South Gloucestershire Local Plan. The proposed fence is development that is directly associated with this industrial use and is therefore acceptable in principle subject to the following considerations.
- 5.3 Design and Visual Amenity  
The existing perimeter fence is a mixture a various types and standard of fencing that is the result of piecemeal improvements and repair over the last 60 years. The fence is in a varying state of repair, but is generally poor quality in visual terms.
- 5.4 The proposed replacement perimeter fence would have a maximum overall height of 2.4 metres. Where the existing fence is to be replaced in its entirety, the fence will be the full 2.4 metres in height and consist of 'Betafence Securifor 3D Security Fencing System and painted in Airbus Blue. Visually the fence appears as a strong closely welded mesh fencing that is designed to prevent climbing and vandalism such as graffiti. It is intended to appear much lighter than palisade fencing and allows a view through it. This approach would form the vast majority of the total length of fencing and would enclose the full length of the site where it is adjacent to the A38; and most visible from the public realm. In particular, the fence would replace the existing hoarding which encloses the Eastern boundary of the site along the A38.
- 5.5 It is considered that the proposed fencing in these locations is acceptable visually and would offer considerable improvements particularly in respect of the A38 frontage of the site. It is not considered that the proposed fencing would be out of keeping with the industrial character of the site and would not have a harmful impact upon the character of Filton.



- 5.6 There are small sections of wall located within the Airbus Site (close to the main entrance) which would receive fencing on top to raise the overall height of these sections to 2.4 metres. This is considered to be an acceptable approach and one which is consistent with the character of the site and the design approach being taken to the vast majority of the boundary treatment.
- 5.7 Where the boundary continues to the rear of 701 to 711 Southmead Road and the Public House on Southmead Roundabout it becomes a high brick wall. It is proposed to add short post and 'razor-wire' at this point. These parts of the perimeter are not generally visible from the public realm and it is not considered that there would be any material impact in visual terms. In respect of the condition of the existing wall itself, this is not a matter for consideration under this planning application and it is for the applicant to ensure that the wall is adequately repaired prior to installation of the fence. The repair of the wall would not require planning permission. Similarly, where razor wire is to be used, there is a requirement for adequate warning signage under the 'Occupiers Liability Act'. It is the applicant responsibility to comply with this requirement and this matter cannot be addressed under this Planning Application. Such signage would not require consent under the advertisement regulations and would not require planning permission.
- 5.8 Having regards to the above assessment, it is considered that the proposed development would provide the opportunity to improve the visual character of the perimeter of the Airbus Site and would be consistent with the requirements of Policy D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (adopted supplementary planning document).
- 5.9 Trees and Ecological Considerations  
It is not considered that the proposed development of the fence would have a material impact in ecological terms. However, the developer has acknowledged the presence of trees close to the existing fence; however it is considered that they are unlikely to be affected by this development. Nonetheless, it is appropriate to ensure that these trees are not adversely affected where they would offer a reasonable level of visual amenity in their own right. As such it is appropriate to apply a condition requiring further details and the agreement of the Local Planning Authority before any works to such trees are carried out. The developer has agreed to this approach, and the condition is adequate to ensure that this is carried out.
- 5.10 Listed Buildings  
Pegasus House is located within the perimeter associated with the Airbus Site. However, it is not proposed to replace the fencing immediately associated with it. As such there is no material impact upon listed buildings as a result of the proposed development.
- 5.11 Transportation  
Given the nature of the proposed development, it is considered that there would be no material impact as a result of the development in transportation 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 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**      **PT08/2161/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. No trees (as defined in BS5837) that lie within 5 metres of the replacement fence hereby approved, shall be removed or receive any tree surgery works unless otherwise agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed details and any removal of or works to trees shall be carried out in accordance with the agreed details.

Reason(s):

In order to comply with the requirements of Appendix 1 of the agreed Design and Access Statement as received by the Council on 24th July 2008; and to protect the

character and appearance of the locality to comply with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006

## CIRCULATED SCHEDULE NO. 39/08 – 26 SEPTEMBER 2008

|                              |                                                                                                                                                |                     |                            |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------------|
| <b>App No.:</b>              | PT08/2256/LB                                                                                                                                   | <b>Applicant:</b>   | Mr C O'Lunigh              |
| <b>Site:</b>                 | Mount Pleasant, Bristol Road, Falfield,<br>South Gloucestershire, GL12 8DW                                                                     | <b>Date Reg:</b>    | 12th August 2008           |
| <b>Proposal:</b>             | Conversion of church and school room<br>to form 1 no. dwelling (amendments to<br>previously approved scheme<br>PT04/4007/LB and PT08/1273/LB). | <b>Parish:</b>      | Falfield Parish<br>Council |
| <b>Map Ref:</b>              | 68183 92590                                                                                                                                    | <b>Ward:</b>        | Charfield                  |
| <b>Application Category:</b> | Minor                                                                                                                                          | <b>Target Date:</b> | 29th September<br>2008     |



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PT08/2256/LB

## **INTRODUCTION**

This application appears on the Circulated Schedule due to the comments received from a local resident.

### **1. THE PROPOSAL**

- 1.1 This scheme seeks listed building consent for the internal and external works to facilitate a residential conversion of this grade II former Chapel and School Room. It is understood that the building once formed part of the Tortworth Estate before being dismantled and rebuilding in Falfield in 1847 as recorded on the stone plaque to the side of the building.
- 1.2 The amendments sought from the 2004 scheme are that the existing level of the School Room ground floor is to be maintained with living space now to be within the roof. In the Chapel, the original balcony and ceiling collapsed since the 2004 application and this scheme includes their replacement. Previously the living space within the roof was to be supported by “I-beams” to help avoid any alterations to the ceiling. With that now gone, the existing trusses are to support a new timber floor.
- 1.3 This scheme also seeks to amend a recent approval as the floor layout of the second floor of the Chapel is just to be 1no. open-plan room as opposed to being subdivided to form 2no. separate bedrooms. A new window at second floor level in the rear (east) elevation is also being proposed. The first floor space within the School Room is also to run the full depth of the room, as opposed to leaving a two-floor “gallery space” and rather than a free standing spiral staircase, it is now proposed to construct a dog-leg stair and to the rear, an area is to be provided to park and turn 2no. vehicles.
- 1.4 The structural intervention proposed for the trusses has also changed which is required due to the trusses now carrying a floor along with to ease access, one of the struts in each truss is being removed. Previously the structural report submitted was proposed additional reinforcement which would have left it in truth a composite truss rafter, but following concern regarding the potential engineered appearance, a simple collar has been attached towards the top of the truss to help resist both tensile and compressive forces. It is however noted that although these works have been carried out, the structural report submitted in support of the application appears to be virtually the same as the report that was submitted for the recent application that was refused. A sketch noted showing the collar has been added, but all the calculated and summary within the report does not accord with the design of the trusses that is now *insitu*.
- 1.5 The final and probably the most significant change since the last approval is the required enclosure of the balcony both at ground and first floor. What became clear in the consideration of the previous application was that the issue of fire escape had not been fully investigated and the plans submitted for listed building consent which showed reinstatement of the balcony with stairs running from ground floor and then up to second, did not comply with the fire regulations.
- 1.6 The full enclosure of these spaces was required which would have a significant impact on the character of the Chapel. A number of alternative options were

investigation but through discussions between all parties, the most unobtrusive solution was the use of fire resistant glazing for the balcony and a glazed panel partition at ground floor.

- 1.7 It is hoped rather than a convoluted enclosed corridor that would have to run from the second floor down to the ground, especially at first floor level, a glazed screen would still allow the full dimensions of the interior space to be readable and appreciated as it is a fundamental part of the aesthetic experience of the interior of the building.

## **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  
L13 Listed Buildings

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PT02/3746/LB Conversion of chapel and school room to form three bedroomed dwelling. Approved 03/02/03
- 3.2 PT04/4007/LB Conversion of Chapel and School Room to form dwelling house (Amendments to previously approved scheme under planning permission PT02/3746/LB dated 3rd February 2003). Approved 18/04/05
- 3.3 PT07/3647/LB Conversion of church and school room to form 1 no. dwelling (amendments to previously approved scheme PT04/4007/LB). Refused 04/02/08.
- 3.4 PT08/1273/LB Conversion of church and school room to form 1 no. dwelling (amendments to previously approved scheme PT04/4007/LB). Approved 20/06/08

## **4. CONSULTATION RESPONSES**

### **4.1 Falfield Parish Council**

No consultation replies were received

### **Transportation**

No comment

### **4.3 Local Residents**

1no. consultation response was received which made the following comment:  
*"I strongly object to the proposal of a 300mm x 900mm window being installed at the top of the proposed new stairs on the north elevation of the Chapel. Given the very close proximity of the Chapel to my house, such a window would look directly into a bedroom and a sitting-room on the west elevation of my house, as well as both my front and back walled gardens and a paddock to*

*the north. I would consider this a major invasion of privacy that I have enjoyed for over 35 years”.*

In response to the above, it can be noted that this very limited opening is existing and is not being increased and moreover, issues of privacy/overlooking are not considered relevant in the consideration of a listed building application.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 As noted in the previous application, the lancet windows on the side elevations of the Chapel have been replaced. There was a requirement for the original windows to be refurbished and reused and although the applicant's have stated that some of the original timbers have been used in the construction of the windows, with them now painted and without close inspection to identify any joints, it is difficult for this statement to be qualified. However the new windows follow exactly the design (simple tracery) and profile and so although unauthorised, no enforcement action was considered to be required as the replacements are considered satisfactory. The metal casements that have been inserted into the stone mullion windows in the School Room are also considered acceptable and would have been approved and so no enforcement action was again considered necessary.
- 5.2 As approved under the previous scheme, the floors to create the first floor accommodation in both rooms have now been constructed along with the balcony. Alterations have also been made to the trusses within both rooms, although following concerns being expressed about the solutions suggested in previous structural reports, a simple collar has been added to help strengthen each truss. This although once again unauthorised, is a far more sympathetic solution that is also reversible if proposed within this application would have been supported. As noted above, the structural report however submitted with this application appears to be a photocopy of the structural reports submitted for the previous two-schemes. Although we have been advised that the Structural Engineer has specified this solution, this has not been fully supported with a structural report which demonstrates that the solution is workable and will not require any further structural intervention. A condition will therefore be required to cover this issue, as Officer's had contacted the agent to highlight this point, but no further details were forthcoming.
- 5.3 It is also noted that the Access and Design statement once again despite repeated requested for its removal over the last two schemes, contains a note that a chemical damp proof course is to be injected into the walls of the building. Such works are not considered historically correct or even feasible. Therefore despite again the applicant's agent agreeing this point, a condition is to be attached to make this point perfectly clear and leave no room for confusion.
- 5.4 This application does contain more detailing than the previous scheme, but it is considered that it remains far too crude for a listed building, as no large scale details have been submitted. Therefore although in most cases the lack of detailing would result in listed building consent being withheld, the background to this application is a significant factor, as the unobtrusive nature of the proposal and the growing risk of the scheme being abandoned, a pragmatic approach is considered a correct one and so a conditional approval could be granted. Moreover, although a number of details

contained within the plans were originally a concern, these details have been abandoned – the alterations to the roof truss of the Chapel for example.

- 5.5 Therefore subject to the proposed conditions, it is considered that the proposed conversion is sympathetic to the character and fabric of the existing building and would help safeguard the historic and architectural character of the building by providing it with a sustainable future.

5.6 Design and Access Statement

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

6. **CONCLUSION**

- 6.1 The decision to grant listed building 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 Listed Building consent is to be approved.

**Background Papers**      **PT08/2256/LB**

**Contact Officer:**      **Robert Nicholson**

**Tel. No.**                      **01454 863536**

**CONDITIONS**

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

Reason(s):

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

2. A structural report covering the alterations to the existing trusses both within School Room and the Chapel House shall be submitted to the Local Planning Authority for written approval prior to occupation.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. For the sake of clarity, there shall be no use of a injected chemical damp proof course.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.



4. Notwithstanding the information contained within the submitted plans, large scale details of all internal joinery including both staircases, balcony, internal partitions (the timber framing for the thermal glazing to show profiling and relationship with balcony in particular), panelling, window shutters and skirting are to be submitted for written approval by the local planning authority. The work shall then be carried out and retained in accordance with the approved details.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. All new external rainwater and soil pipes shall be formed in cast metal and painted black.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of the relevant developments, full details of proposed mechanical and electrical systems including external electrical fittings including lights, meter boxes and security alarms, (in respect of which approval is expressly reserved) shall be submitted to the Local Planning Authority for approval. The relevant phase of works shall not be commenced until the Local Planning Authority has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

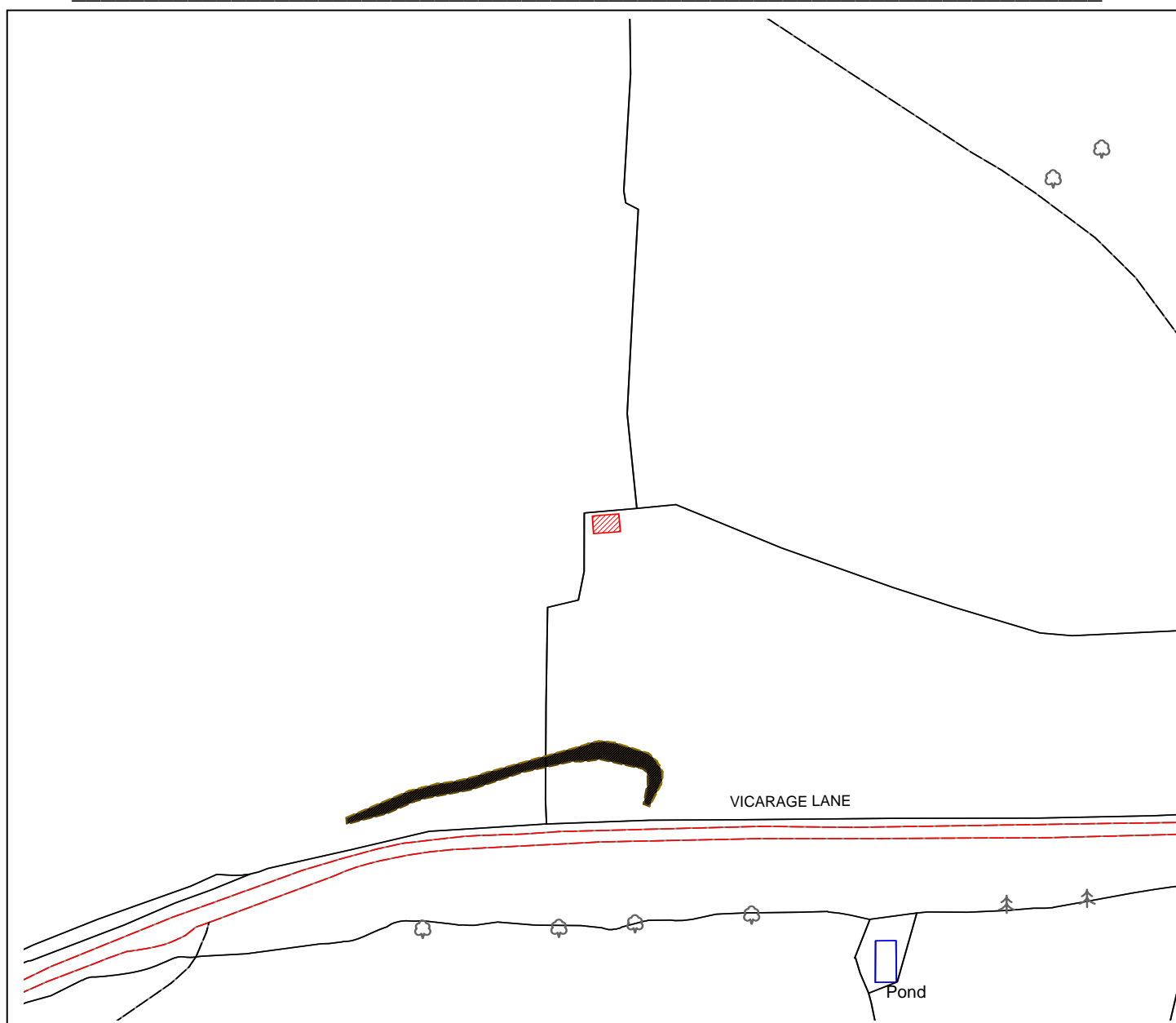
8. No wires, pipework, satellite dishes or other aerials, alarms or other paraphernalia shall be affixed to the external elevations of the external elevations of the development hereby approved otherwise than with the prior written agreement of the Local Planning Authority

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 39/08 – 26 SEPTEMBER 2008

|                              |                                                                                  |                     |                            |
|------------------------------|----------------------------------------------------------------------------------|---------------------|----------------------------|
| <b>App No.:</b>              | PT08/2258/F                                                                      | <b>Applicant:</b>   | Mrs P Poole                |
| <b>Site:</b>                 | Field off Vicarage Lane, Olveston,<br>South Gloucestershire, BS35 4BT            | <b>Date Reg:</b>    | 12th August 2008           |
| <b>Proposal:</b>             | Siting of storage container for use as<br>an agricultural store (Retrospective). | <b>Parish:</b>      | Olveston Parish<br>Council |
| <b>Map Ref:</b>              | 60644 87535                                                                      | <b>Ward:</b>        | Severn                     |
| <b>Application Category:</b> | Minor                                                                            | <b>Target Date:</b> | 23rd September<br>2008     |



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**N.T.S**

**PT08/2258/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant seeks retrospective planning consent for the siting of a storage container for use as an agricultural store.
- 1.2 The application site is a small field off Vicarage Lane, Olveston. The site is located outside of Olveston settlement boundary and within the Green Belt. The application is retrospective as the storage container is already in situ and an application has been made following a complaint received by the Council's Enforcement Department.
- 1.3 The original description for this application included the siting of a caravan which is in situ adjacent to the storage container. However, it is considered that this caravan does not require planning permission as previous case law has determined that planning permission will definitely not be required for the stationing and use of a caravan for any purpose which is ancillary to agriculture. This element has been removed from the application and description.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1          Delivering Sustainable Development  
PPG2          Green Belts

#### **2.2 Development Plans**

South Gloucestershire Local Plan (Adopted) January 2006

D1              Design  
GB1            Development within the Green Belt  
E9              Agricultural Development  
L1              Landscape Protection and Enhancement

#### **2.3 Supplementary Planning Guidance**

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

### **3. RELEVANT PLANNING HISTORY**

No relevant history.

### **4. CONSULTATION RESPONSES**

#### **4.1 Olveston Parish Council**

Object on the following grounds:

- The container is of poor design and is not in keeping with the Green Belt landscape
- The container can be viewed from a footpath
- Question whether the 3 horticultural beds are to be used for domestic or business use

## **Other Representations**

### 4.2 Local Residents

No response.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The application site lies within the Green Belt, therefore, consideration must be taken in regards to the impact on the openness of the Green Belt.

5.2 Policy E9 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to the erection of agricultural buildings. Such buildings are permitted provided they comply with the following criteria:-

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

On visiting the site it was apparent that the field was being used as a small agricultural holding. Plants and vegetables were being grown and two small cows were enclosed in a section of the field with electric fencing. Whether the vegetation on site is being used for business or domestic use is not a planning consideration. No appropriate underused buildings are available for the purpose proposed and as such the proposal complies within this criterion.

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

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

**C. Development would not have unacceptable environmental effects;**

No objection has been raised to the proposal from the Council's Environmental Services.

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

The nearest property to the application site is in excess of 100 m away. This is considered to be of sufficient distance and the storage container will in any event be screened by existing shrubbery. As such the proposal will not be detrimental to the amenities of nearby occupiers.

The application accords with the above adopted policy in its entirety and as such is acceptable.

### 5.3 Green Belt / Visual Amenity

Policy GB1 allows for the provision of new buildings for agriculture as appropriate development. It is considered that the design of the storage container is satisfactory given its location on agricultural land and its dark green colour sympathetic to its surroundings. The storage container is also heavily screened by vegetation to the north and west boundaries of the field and cannot be viewed from Vicarage Lane. There is a footpath to the north east of the storage container however this is some distance away (approximately 100 m) and the container is conspicuous enough for the impact on visual amenity and 'openness' of the Green Belt to be considered minimal.

### 5.4 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

- 7.1 That planning permission is GRANTED.

**Background Papers**      **PT08/2258/F**  
**Contact Officer:**      **Will Collins**  
**Tel. No.**                      **01454 863819**

**CIRCULATED SCHEDULE NO. 39/08 – 26 SEPTEMBER 2008**

**App No.:** PT08/2269/F  
**Site:** 14 Salem Road, Winterbourne, South Gloucestershire, BS36 1QF  
**Proposal:** Erection of detached dwelling with associated works  
**Map Ref:** 65758 81179  
**Application Category:** Minor

**Applicant:** Mrs J Sheldrake  
**Date Reg:** 12th August 2008  
**Parish:** Winterbourne Parish Council  
**Ward:** Winterbourne  
**Target Date:** 6th October 2008



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**N.T.S**

**PT08/2269/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule in view of the letter of support that has been received.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a detached two-storey dwelling.
- 1.2 The application site comprises part of the existing front garden area serving no. 14 Salem Road, positioned on the west side of the highway and within the Winterbourne settlement boundary.

### **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  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development  
L1: Landscape Enhancement and Protection

#### 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

Objection:

- 23 residents attended the parish meeting, with 21 against the development;
- Additional cars will cause extra traffic problems;
- Residents feel that Watley's End is becoming eroded by development;
- The drive should be of a porous design;
- PVC windows are not suitable;
- There would be a significant impact on no. 10 Salem Road;
- The impact on the street scene will be overbearing.

#### 4.2 Other Consultees

Highways DC: objection

Arboricultural Officer: no objection

Technical Services (Drainage): no objection in principle

#### 4.3 Summary of Local Residents

A petition, which has been signed by 110 people, has been received objecting to the proposal for the following reasons:

- Highway safety concerns with access onto a 'T' junction which is devoid of pavements (increasing the possibility of fatal accidents);
- Traffic generation and vehicular access- there is already insufficient parking whilst more cars will make it impossible for fire engines/ ambulances;
- Increased danger to disabled people;
- Overcrowding;
- Overbearing;
- The proposal will be out of keeping with the surrounding cottages;
- Loss of trees/ wildlife habitat;
- Loss of village life;
- More concrete (less permeable surface area);
- Out of character with the existing village.

#### 4.4 Eighteen letters have been received expressing the following concerns:

- There is an objection to further development;
- The proposal is out of keeping with the cottages in the vicinity;
- A further dwelling will cause additional congestion;
- There is inadequate parking for visitors and guests;
- The route is widely used by school children including those on bikes;
- It is inappropriate to destroy the village character by shoe horning in homes;
- It will be overbearing on the street scene due to the site topography;
- There is limited public transport serving the area;
- Recent infill development has failed to contribute anything to the local area;
- The proposal will be detrimental to visual amenity;
- The proposal will further restrict access for emergency vehicles;
- Where is the open space referred to in the Design & Access Statement?
- The proposal is for personal greed;
- Off road parking spaces are provided at the expense of those on the road;
- Please take account of PT08/0666/F that proposes 3 new houses nearby;
- The site is in a line of 9 cottages that date from the late 1700's/ early 1800's which form one of the most complete run of older properties in the area;
- The overgrown garden is not a good reason for allowing the development.

#### 4.5 One letter has been received in support of the proposal:

- The proposed development accords with the density guidelines of PPS3;
- It is a good distance from no. 10 & would not affect outlook/ be overbearing;
- No clear windows would face towards no. 10;
- The proposal would not restrict light any more than the existing trees;
- The road is unclassified and minimal traffic is non-residential;
- Trees/ bushes are overgrown and unsightly;
- An additional dwelling would breathe life into the village;
- The proposal would incorporate a sustainable urban drainage system;
- Off street parking is provided;
- The design and layout is in keeping with the area.

## 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 the front garden of no. 14 Salem Drive. This existing dwelling comprises a detached two-storey cottage style unit that is set back from the highway adjoining its rear boundary. The property is well screened from public view by virtue of the thick tree screening within the front garden with only a detached forward standing garage serving this property readily visible.

5.3 Properties within the locality are of differing age and design arranged informally on both side of the highway. Dwellings are generally closely spaced but benefit from comparatively large gardens. The proposal would allow the introduction of an additional two-storey detached property in front of the host dwelling within part of its associated front garden area.

5.4 The proposal would stand tangential to the highway facing south. It would form a two-bedroom unit with the bedrooms at either end of the build (at first floor) and with a bathroom in between. Ground floor accommodation would comprise a living room and kitchen/ diner with a central stairway and WC. The proposal would benefit from a small rear garden with parking for two vehicles in front.

5.5 The build would adopt a cottage style appearance with rubble stone walls at ground level and with render above. It would be gable ended with these facing onto the highway and towards the existing dwelling.

5.6 In this instance, having regard to all of the above, it is considered that despite the restricted spacing between some of the existing dwellings, the build would comprise a cramped form of development that would be detrimental to visual amenity. This would be readily apparent by virtue of the orientation of the build, the boundary treatments (that would require a 1.8m high close-boarded fence to the front of the host unit) and the restricted parking area to the front in lieu of any garden space. The impact of the proposal would be further exacerbated by the raised level of the site and its more prominent position as this road junction.

5.7 There are also concerns relating to the design of the proposed dwelling. In this regard, the front elevation appears somewhat disjointed whilst the build would result in a near blank two-storey rear elevation that would be visually apparent within the street scene. It also lacks the necessary detailing that might help the build integrate more successfully with the older development within the locality.

5.8 For the above reasons, this current proposal is considered to be unacceptable and thus planning permission is recommended for refusal on this basis.

5.9 Density

Policy H2 advises that the maximum density compatible with the site and its location should be achieved. In this regard, the expectation is that a minimum of 30 dwellings per hectare will be provided with upwards of 50 dwellings where local circumstances permit.

5.10 In this instance, the overall site area is 0.053Ha dictating that the existing dwelling allows a density of 18 dwellings per hectare. The introduction of this second dwelling would increase the density to 37 dwellings per hectare; as such there is no objection to the current proposal on this basis. Nonetheless,

given the site constraints and associated problems of one additional dwelling, any refusal reason on these grounds would be inappropriate.

5.11 Residential Amenity

The host dwelling would face the flank gable of the new dwelling at a distance of some 14m. This property would retain a small garden as part of its newly created 'L' shaped curtilage with the existing single garage retained. However, occupants of this dwelling are likely to feel 'hemmed in' by virtue of both the position of the proposal and the 1.8m high close-boarded fence boundary fence proposed. Further, it is noted that the position of the first floor windows would overlook the entrance to this dwelling and obliquely into the retained garden.

5.12 In the light of the above, it is considered that the proposal would be overbearing on these existing residents to the detriment of residential amenity. Planning refusal is therefore recommended on this basis.

5.13 Dwellings immediately to the north of the application comprise two cottage style units with one directly in front of the other. This dictates that the front garden to the front property is the only amenity space serving this dwelling. Accordingly, this area is largely enclosed and provides an area of private amenity space for these residents. Bedroom and bathroom windows are positioned within the front elevation of this dwelling with the living room window below; the front wall to this property stands just behind the new rear building line of the proposal.

5.14 Given the above, the outlook from this neighbouring dwelling would be towards the rear wall of the proposal with the full length of this building readily visible to these residents. Further, it would be stood within close proximity of this shared boundary allowing little opportunity for landscaping whilst given the orientation of these dwellings, the build would stand to the south of this neighbouring unit.

5.15 For the above reasons, it is again considered that the proposal would have an oppressive and overbearing impact on these residents (and to a lesser extent those behind) and thus the application is also recommended for refusal on this basis.

5.16 All other surrounding dwellings stand further away from the site of the proposal with that directly opposite to the far side of the highway. As such, on balance, there is no objection to the proposal on this basis.

5.17 Highway Safety

There is a highway objection to this proposal given that the vehicular access is considered to be substandard in terms of visibility and in view of the potential conflict with the Common Road/ Salem Road junction. Vehicles would need to emerge unsighted from the access into oncoming traffic from different three directions. It would also appear that the necessary visibility could not be achieved beyond the limited site frontage whilst the absence of on site turning exacerbates the situation with vehicles either reversing onto or off the junction. Accordingly, the application is recommended for refusal for these reasons.

5.18 Trees

The application site is presently largely given over to a large number of trees and shrubbery. The condition of these trees appears to be poor with bark and cambium damage visible on the main lower lateral branches of the sycamore (this being the tree of highest amenity value but which prevents it from a being protected by a preservation order). All other trees are in equally poor condition

or comprise fruit trees and shrubs, which can not be included as part of a tree preservation order.

5.19 In view of the above, there is no object to the current proposal on this basis.

#### 5.20 Design and Access Statement

The Design & Access Statement received 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.

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

7.1 Planning Permission is **REFUSED** for the following reasons:

**Background Papers**      **PT08/2269/F**

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

#### **REFUSAL REASONS**

1. The proposed dwelling would comprise a cramped form of development contained within a restricted plot at a location which would be prominent within the street scene. The proposal would therefore detract from the visual amenities of the locality and is considered to be contrary to Planning Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.
2. The proposed dwelling by reason of its position, mass and height would have an overbearing and oppressive effect on the occupiers of the adjoining properties which would be to the detriment of residential amenity. The proposal is therefore considered to be contrary to Planning Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.
3. The proposed access to the development would be likely to increase conflict between traffic movements at a location which is close to an existing road junction. The proposal would therefore result in an additional hazard and inconvenience to all road users and is considered to be contrary to Planning Policies D1, H2, H4 and T12 of the

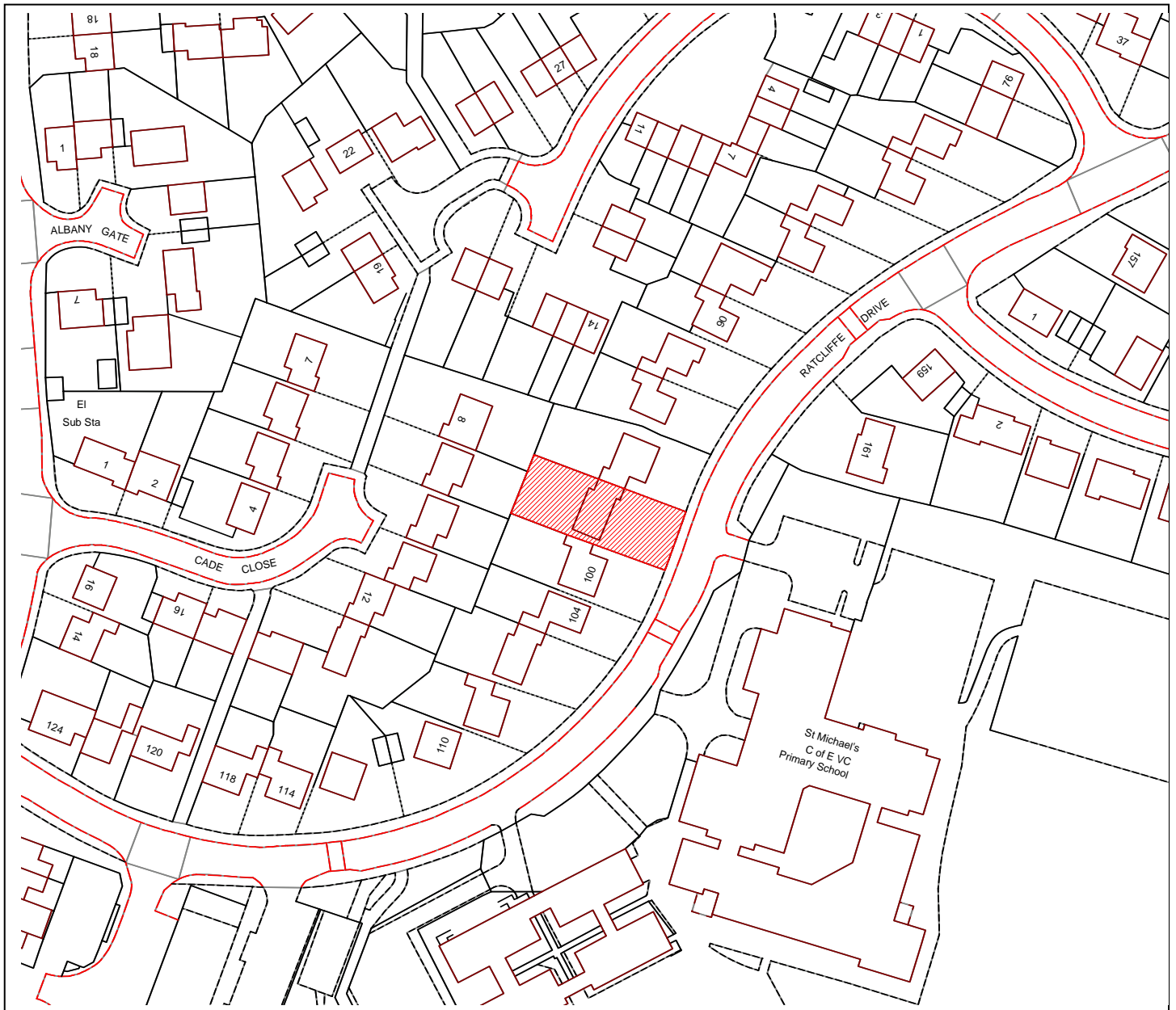
South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.

4. The application site lacks sufficient frontage to enable the provision of a satisfactorily access incorporating the necessary visibility splays (considered to be essential in the interests of highway safety). The proposal is therefore considered to be contrary to Planning Policies D1, H2, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.

**CIRCULATED SCHEDULE NO. 39/08 – 26 SEPTEMBER 2008**

**App No.:** PT08/2274/F  
**Site:** 98 Ratcliffe Drive, Stoke Gifford, South Gloucestershire, BS34 8UB  
**Proposal:** Erection of aviary (Retrospective).  
**Map Ref:** 62301 80089  
**Application Category:** Minor

**Applicant:** Mrs C King  
**Date Reg:** 13th August 2008  
**Parish:** Stoke Gifford Parish Council  
**Ward:** Stoke Gifford  
**Target Date:** 1st October 2008



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**PT08/2274/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant seeks retrospective planning permission for the erection of an aviary. The structure is approximately 11.8m in width, 5.4m in depth and 2.4 m in height.
- 1.2 The application site relates to a large detached dwelling which is situated within a well established residential area of Stoke Gifford.
- 1.3 The aviary is required as part of the applicants job as a falconer. The applicant submits that birds of prey require care and security. As such, the aviary needs to be located in close proximity the applicant's home.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development  
PPG24: Planning and Noise
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
H4: Development within Existing Residential Curtilages  
EP1: Environmental Protection
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist SPD (Adopted) August

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT07/3549/F                      Erection of two storey front and side extension to provide granny annexe.(Re-Submission of PT07/1888/F)  
**Approved** on 22<sup>nd</sup> January 2008

### **4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council  
Object on the grounds of visible intrusion on adjoining properties, noise, smell and causing a general nuisance.
- 4.2 Highway and Transportation  
No objection
- 4.3 Environmental Services  
Officers have visited the site and have no objection to the aviary.
- 4.4 Local Residents  
Two letters of objection have been received. The main points are summarised below: -

### **Planning Considerations**

- A. The view is unsightly;
- B. No regard for design and landscaping;
- C. Buildings cover 40/60% of the garden;
- D. Bird noises disturb residential amenity;
- E. Smell;
- F. Overlooking/Loss of Privacy; and

### **Non-Planning Consideration**

- G. Affect property value.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extension to a residential dwelling. This is subject to the proposal:

- respecting the character and appearance of the existing dwelling and the surrounding area;
- not prejudicing the amenities of nearby occupiers,
- maintaining highway safety; and
- providing adequate amenity space.

5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.

5.3 Policy EP1 of the Local Plan considers the environmental pollution. New development which would harm the amenity of uses as a result of pollution, to water, air or soil or through noise, vibration, light, heat or radiation will not be permitted.

### **5.4 Residential Amenity**

The aviary is sited within the rear garden of No. 98 Ratcliffe Drive. The site is adjoined by five dwellings to the side and rear. The impact on the amenities of these properties is assessed below: -

### **5.5 Overbearing Analysis**

The aviary is single storey and would have a mono-pitch roof which would be approximately 2.1 metres in height and the shed would be 2.4 metres in height. The structure would therefore be akin in scale to boundary fences and domestic sheds which are widely seen within residential areas such as this. It is therefore considered the scale of this development does not result in an overbearing effect which is detrimental to the amenities of nearby occupiers.

### **5.6 Privacy Analysis**

The representations received from local residents have identified that the development would result in a loss of privacy. Notwithstanding these comments, the development does not include habitable living space and does not have any windows which afford direct views into the adjacent properties. In view of those feature, it is considered that the development is not detrimental to privacy.

### **5.7 Disturbance Analysis**

The representations received from the Parish Council and local residents have also identified that the development would result in a disturbance from smell and noise. To address these issues the Council's Environmental Health Officer

- were consulted. The officer visited the site and confirmed that they were satisfied that there is no noise impact from the birds. This is because birds of prey do not sing in the morning or at night like non-predatory birds. The birds only make a noise when the owner approaches or when the birds are to be fed. With regard to smell, there is no evidence to suggest the keeping of birds is significantly detrimental to air quality. Furthermore, it should be noted that the Environmental Protection team have received no complaints from local residents with regard to this development.
- 5.8 In view of the above, it is considered that the proposed development would not material harm the amenity of nearby occupiers. As such, the development accords to policy EP1 of the local plan.
- 5.9 Amenity Space  
The development has resulted in a loss of 50% of the dwelling private amenity space at the rear. Nevertheless, it is considered that the remaining space provides sufficient space for the basic outdoor needs required by a family dwelling of this size.
- 5.10 Design and Visual Amenity  
The aviary comprises of two rows of pens and one small shed. The buildings are of timber construction and have a clear corrugated Perspex sheet roof. The scale of the development is low, with a maximum height of 2.4 metres.
- 5.11 The representations have identified that the development is unsightly. It is noted that the development occupies a large proportion of the applicant's rear garden. Nevertheless the design and materials of the development is simple and low key. The development would also be barely visible from gardens of the adjacent properties. This is because the aviary is approximately the same height as the existing close-boarded boundary fences and there is also some mature landscaping along the rear boundary which affords some screening.
- 5.12 The development would be visible at some angles from the first floor windows of the surrounding dwellings. Nevertheless, it is considered that the buildings are of an acceptable design standard and they do not adversely harm the character of the surrounding residential area.
- 5.13 Section 106 Requirements  
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

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



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

## **7. RECOMMENDATION**

7.1 Planning permission to be GRANTED.

**Background Papers**      **PT08/2274/F**

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

## CIRCULATED SCHEDULE NO. 39/08 – 26 SEPTEMBER 2008

|                              |                                                                                          |                     |                           |
|------------------------------|------------------------------------------------------------------------------------------|---------------------|---------------------------|
| <b>App No.:</b>              | PT08/2373/F                                                                              | <b>Applicant:</b>   | Litfield Land LTD         |
| <b>Site:</b>                 | Building adjacent to, 18 Castle Street,<br>Thornbury, South Gloucestershire,<br>BS35 1HB | <b>Date Reg:</b>    | 22nd August 2008          |
| <b>Proposal:</b>             | Change of Use of residential garage<br>(Class C3) to Office use (Class B1)               | <b>Parish:</b>      | Thornbury Town<br>Council |
| <b>Map Ref:</b>              | 63669 90299                                                                              | <b>Ward:</b>        | Thornbury North           |
| <b>Application Category:</b> | Minor                                                                                    | <b>Target Date:</b> | 8th October 2008          |



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N.T.S

PT08/2373/F

## INTRODUCTION

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

### 1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the change of use of an existing residential garage (Class C3) to an office use (Class B1) and associated conversion works.
- 1.2 The proposed development would involve the conversion of an existing garage to provide an office. The building would be divided into four rooms, an office, meeting room, entrance lobby and WC. Vehicular access to the site would be shared with the existing house at 16 Castle Street and the two further dwelling which are currently under construction.
- 1.3 The application site relates to a modest traditional stone building which is currently used as residential garage. The western wall of the building forms part of the Thornbury Conservation Area. This wall also forms the eastern boundary of the curtilage of 12 Castle Street, which is a Grade II Listed Building.

### 2. POLICY CONTEXT

- 2.1 National Guidance
  - PPS1: Delivering Sustainable Development
  - PPG4: Industrial, Commercial Development and Small Firms
  - PPG15: Planning and Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
  - D1: Achieving Good Quality Design in New Development
  - E3: Proposals for Employment Development within Settlement Boundaries
  - H4: Development within Existing Residential Curtilages
  - L12: Conservation Areas
  - L13: Listed Buildings
  - T7: Cycle Parking
  - T8: Parking Standards
  - T12: Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
  - South Gloucestershire Design Checklist SPD (Adopted) August 2007
  - Thornbury Conservation Area Advice Note (Adopted) 2004

### 3. RELEVANT PLANNING HISTORY

- 3.1 PT07/1503/F      Erection of 2 no. dwellings with associated works.  
**Approved** on 25<sup>th</sup> September 2007
- 3.2 PT07/3511/F      Conversion of garage/outbuilding to form 1 no. dwelling with associated works, provision of parking space and erection of 1.1 metre high wrought iron fence.  
**Refused** on 21<sup>st</sup> January

#### **4. CONSULTATION RESPONSES**

4.1 Thornbury Town Council  
No objection.

4.2 Conservation Officer  
No objection subject to conditions.

4.3 Local Residents  
One letter has been received from a local resident. Their concerns are summarised below: -

- A. Increase the number of cars using lane;
- B. Contrary to local planning guidance;
- C. Risks to pedestrians and cyclists; and
- D. Application should be refused.

#### **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development  
The principle of employment uses within settlements is accepted under Policy E3 of the local plan. This particular policy seeks to allow such development, subject to the following criteria which are particularly relevant to the proposed development:-

- would not have unacceptable environmental effect;
- adequate provision for vehicular access and parking;
- would not prejudice residential amenities; and
- the character of the area or settlement is not adversely affected.

5.2 The application site is also situated within the Conservation Area and adjacent to the curtilage of a Grade II Listed building. PPG15, Policy L12 and L13 of the local plan outline that the main test in such areas is whether the development preserves or enhances the character and appearance of the Conservation Area and the setting of the Listed Building.

5.3 Design, Conservation Area and Listed Building  
This application relates to a single storey stone built domestic garage. The site is situated adjacent to the Thornbury Conservation Area and a Grade II Listed Building. In view of this the Councils Conservation Officer was consulted.

5.4 The proposed development involves the following external alterations: -

1. Repairs to stone wall with lime pointing.
2. Existing render removed and stonework re-pointed with lime mortar.
3. Installation of three conservation roof lights.
4. Installation of new timber folding doors
5. Erection of 0.2m dwarf wall.
6. Erection of timber cycle enclosure and bin store.

5.5 The above works follow discussions with the Conservation Officer. Several elements of the initial plans were considered to be unacceptable, such as, the number/size of roof lights, the proposed finishes and the wrought iron railings. The applicant has submitted amended plans to overcome these issues. The Conservation Officer has assessed these and has raised no objection subject to a number conditions secure more detailed drawings and material samples.

5.6 It is noted that the applicant has removed the proposed wrought iron railings, however these could be installed under the site's permitted development rights. It is considered that any wall or fence higher than the proposed dwarf wall would result in an unacceptable level of enclosure which would detract from visual amenity of the area and the Conservation Area. It is therefore recommended that a condition is attached to remove permitted development rights for the erection of fences and walls.

5.7 Overall it is considered that the proposed scheme would adopt a sensitive design solution which would respect the character and appearance of the existing building and the surrounding Conservation Area.

5.8 Transportation Issues

A representation has been received from a local resident which objects to the proposed parking arrangement. Notwithstanding this, the Council Transportation Officer has raised no objection to the proposed development because: -

**Access**

It is considered that the proposed use would not result in a significant increase in vehicle movements along the access lane. Therefore no highway improvement would be required.

**Parking**

The proposed office use would be situated within a town centre location. It is therefore considered that sufficient car parking provision is already available off site. The proposal would include one parking space. This would help with deliveries to the building. The development would also include a covered store for two cycles. In view of the above, it is considered that the development has the potential to operate largely car free.

5.9 Residential Amenity

Given the limited scale of the proposed office it is considered that the level of use would not materially harm the residential amenities of nearby occupiers.

5.10 Environmental Effects

The proposed office use would not give rise to adverse environmental effects.

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.

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

## 7. RECOMMENDATION

- 7.1 Planning permission to be **GRANTED** subject to the following condition:

**Background Papers**      **PT08/2373/F**

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

### CONDITIONS

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

Reason(s):

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

2. 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 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason(s):

To ensure that the development serves to preserve the character and appearance of the Conservation Area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan (January 2006). These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

3. Prior to commencement of development a sample panel of re-pointing, of approximately 1 metre square, shall be carried out on the building and approved in writing by the Local Planning Authority. All re-pointing shall be carried out with a lime mortar, which shall be finished recessed from the face of the rubble stone facing; and in accordance with the sample panel so agreed.

Reason(s):

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan (January) 2006. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

4. Notwithstanding previously submitted details, prior to the commencement of development detailed drawings of the following items, including materials and finishes, shall be submitted and approved in writing by the Local Planning Authority:
  - a. all new windows
  - b. all new doors
  - c. timber panelling cladding
  - d. cycle store
  - e. rooflights

The design details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with cross section profiles. The scheme shall be implemented strictly in accordance with the approved details.

Reason(s):

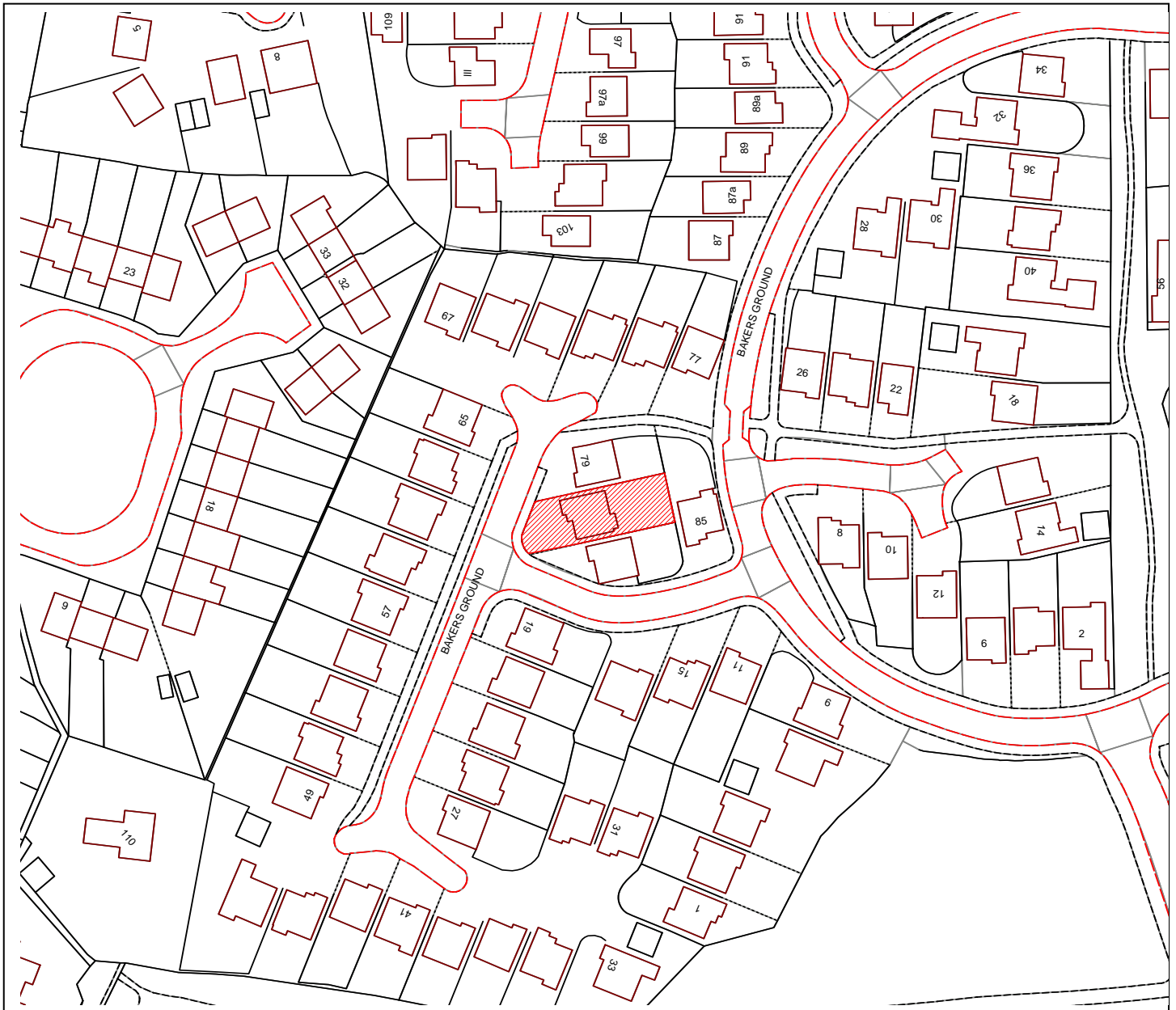
To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan January 2006. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

5. Notwithstanding previously submitted details, prior to the commencement of development details of all new hard surfacing and all new boundary enclosures shall be submitted and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details.

Reason(s):

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan (January) 2006. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

## CIRCULATED SCHEDULE NO. 39/08 – 26 SEPTEMBER 2008

**App No.:** PT08/2396/F**Site:** 81 Bakers Ground, Stoke Gifford,  
South Gloucestershire, BS34 8GD**Proposal:** Erection of rear conservatory.**Map Ref:** 62933 80231**Application** Minor**Category:****Applicant:** Mrs K Braunton**Date Reg:** 27th August 2008**Parish:** Stoke Gifford Parish  
Council**Ward:** Stoke Gifford**Target** 16th October 2008**Date:**

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**PT08/2396/F**



## **INTRODUCTION**

This application appears on the circulated schedule list because an objection was received from a neighbouring property.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a rear conservatory. The proposal would measure 3.434 metres in width, 4.000 metres in depth and have an apex of 2.846 metres at ridge height. The proposal would be encompassed by a gable ended roof.
- 1.2 The application site comprises a modern, two-storey detached dwelling, located within the established residential area of Stoke Gifford.

### **2. POLICY CONTEXT**

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P94/2527, Residential development on 10 acres of land to include the erection of 102 houses and associated works. Construction of roads, 05/06/1995, Approval of Reserved Matters.

### **4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council  
No objection
- 4.3 Local Residents  
One letter of objection received from a neighbouring residential occupier.  
Making the following points:
- Obstruction of light
  - Enclosing to space

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extension to residential dwelling subject to there being no adverse impact on the residential amenity.
- 5.2 Policy D1 of the Local Plan considers general design principles and ensures good quality design.

### 5.3 Design/Visual Amenity

This application seeks permission for the erection of a rear conservatory. The proposal would measure 3.434 metres in width, 4 metres in depth and have an apex of 2.846 metres at ridge level. The application site comprises a modern, detached two-storey dwelling, located within the established residential area of Stoke Gifford. The proposal would sit towards the northern end of the eastern elevation of the host dwelling, inset 0.85 metres from the northern elevation of the dwelling, while external access would be through the eastern elevation of the proposal.

The design of the proposal is considered acceptable. The proposal is considered appropriate in scale for a dwelling of this size, and given that standard materials would be used, which consist of brick, UPVC and glazing, to match existing, it is considered that the proposal would not be detrimental to the character of the existing dwelling. Further, given that the proposal would be located to the rear of the site, and with dwellings to the side and rear providing enclosure, it is considered that the proposal would not be visible from the streetscene and would not have a detrimental impact on the character of the area.

### 5.4 Residential Amenity

A neighbouring residential occupier raised concerns with regards to the obstruction of light to their property and the enclosure of their space. Notwithstanding this, it is considered that the proposal would not be detrimental to the amenity of residents close by. The host dwelling is set back from the surrounding dwellings and as such, the proposal would project only slightly past the building line of these properties. Given that the proposal is single storey and constructed from primarily transparent materials, it is considered that the proposal would not be overbearing or create an adverse shadow. Further, the garden area is well enclosed to the sides and rear by wooden fencing and hedging, which would stop any overlooking or inter-visibility.

### 5.5 Design and Access Statement

A Design and Access Statement is not required.

### 5.6 Section 106 Requirements

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

## 6. **CONCLUSION**

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

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

## **7. RECOMMENDATION**

7.1 Planning Permission is GRANTED subject to the following conditions.

**Background Papers**      **PT08/2396/F**

**Contact Officer:**    **Jonathan Ryan**  
**Tel. No.**                **01454 863538**

### **CONDITIONS**

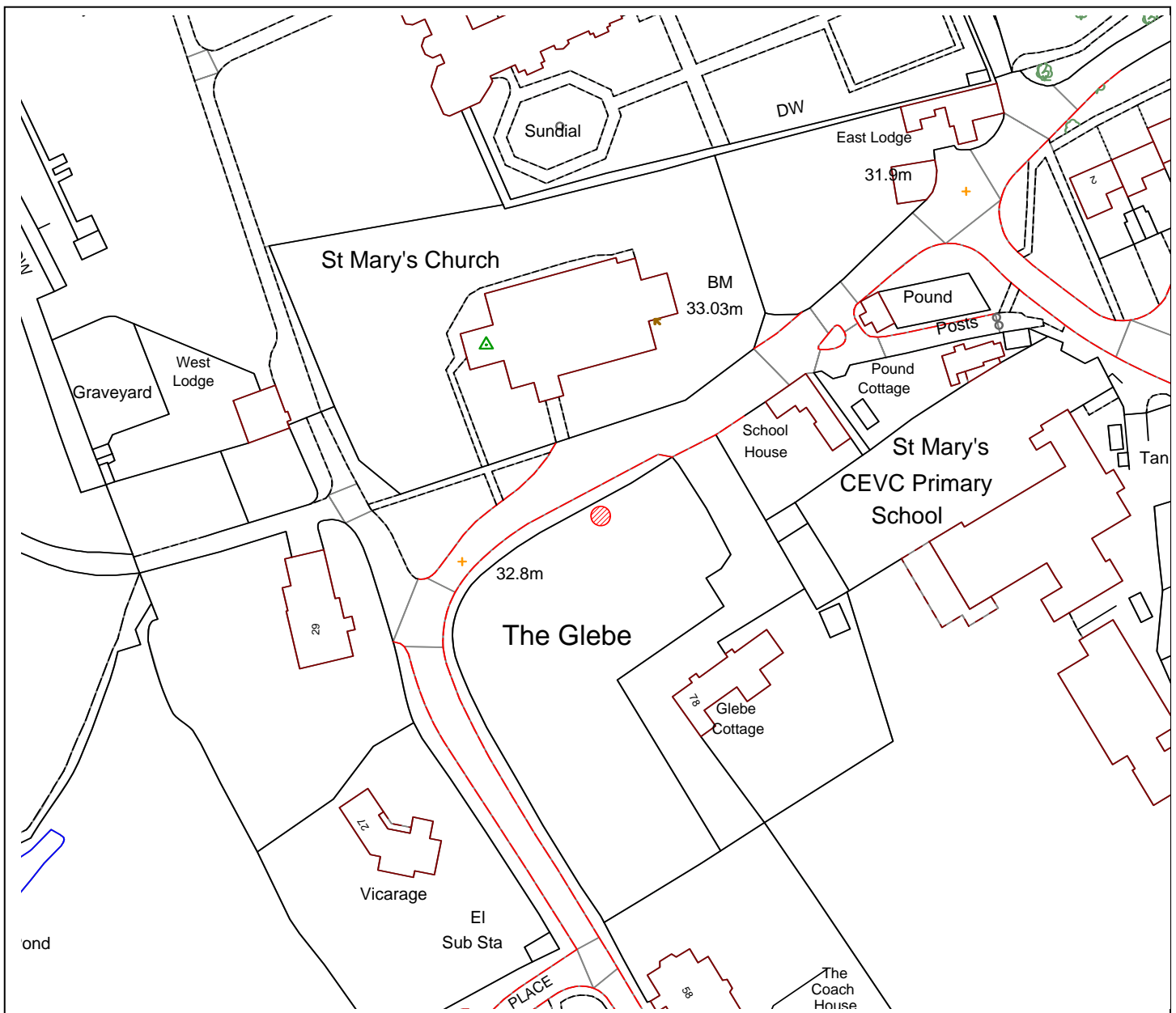
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

## CIRCULATED SCHEDULE NO. 39/08 – 26 SEPTEMBER 2008

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



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1 N.T.S

PT08/2418/TRE

## **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.

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.

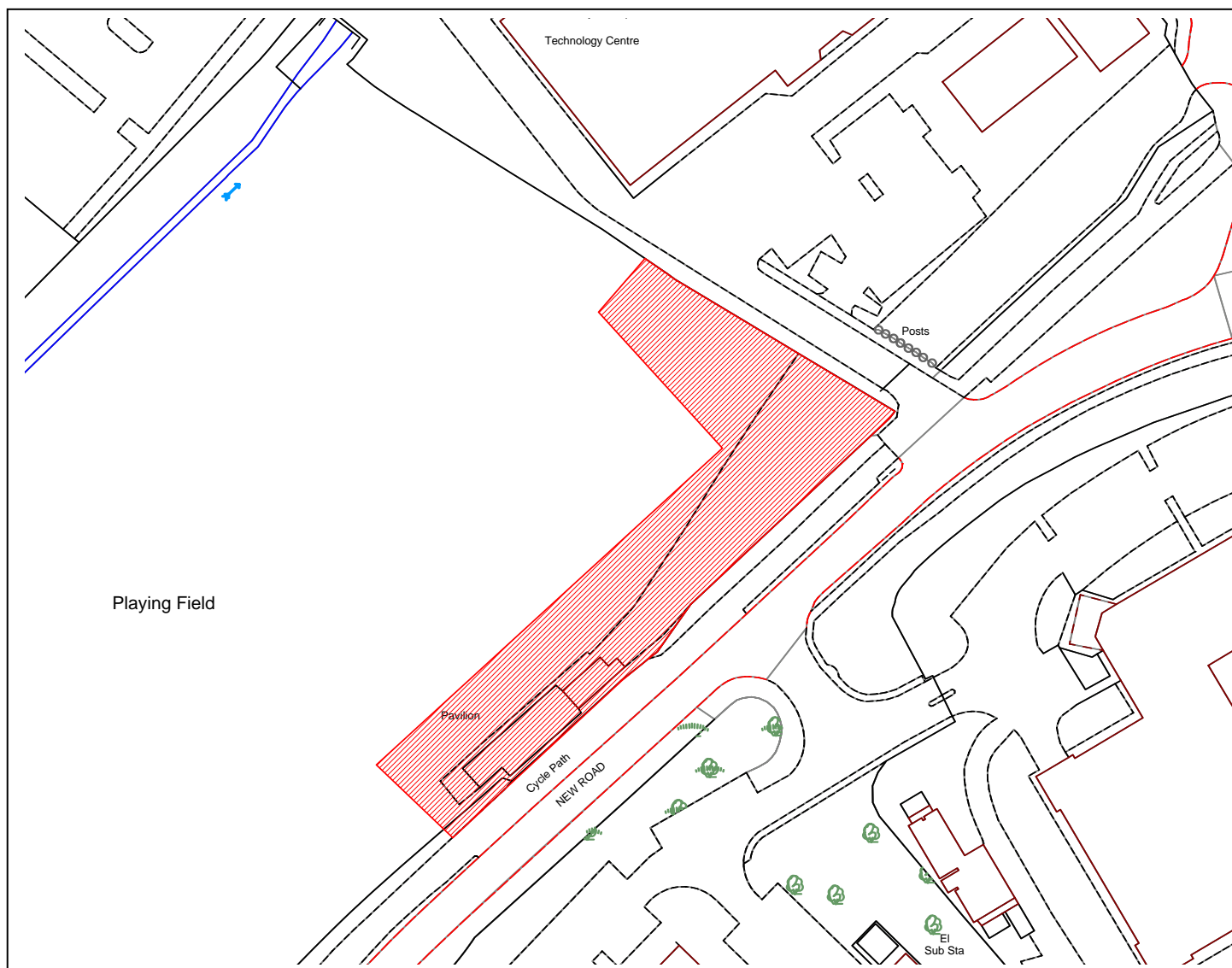
Reason(s):  
In the interests of public safety.

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. 39/08 – 26 SEPTEMBER 2008

|                                  |                                                                                                                                                      |                         |                                  |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------|
| <b>App No.:</b>                  | PT08/2457/F                                                                                                                                          | <b>Applicant:</b>       | Mr G Organ HSB<br>Architects Ltd |
| <b>Site:</b>                     | Old Colstonians Clubhouse, New<br>Road, Stoke Gifford, South<br>Gloucestershire, BS34 8QS                                                            | <b>Date Reg:</b>        | 3rd September 2008               |
| <b>Proposal:</b>                 | Demolition of existing club house.<br>Erection of two storey club house,<br>groundsman hut and associated<br>parking. (Amendment to<br>PT07/1023/F). | <b>Parish:</b>          | Stoke Gifford Parish<br>Council  |
| <b>Map Ref:</b>                  | 61660 79196                                                                                                                                          | <b>Ward:</b>            | Frenchay and Stoke<br>Park       |
| <b>Application<br/>Category:</b> | Minor                                                                                                                                                | <b>Target<br/>Date:</b> | 16th October 2008                |



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N.T.S

PT08/2457/F



## INTRODUCTION

This application has been referred to the Circulated Schedule due to objections received from the Parish Council.

### 1. THE PROPOSAL

- 1.1 The application seeks full planning permission to demolish an existing clubhouse and erect a 2-storey clubhouse, groundsman hut and associated parking. The application seeks amendments to a similar development approved under permission PT07/1023/F. This application differs only marginally in terms of slight elevational changes and revised internal layout.
- 1.2 The application relates to part of an allocated open space (sports pitches) site as identified in policy LC7 (2.19 hectares). The new pavilion and associated works are required to be delivered by reason of this policy.

### 2. POLICY CONTEXT

#### 2.1 National Guidance

PPS1 Delivering Sustainable Development  
PPS17 Planning for Open Space, Sport and Recreation

#### 2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development  
L17 The Water Environment  
EP1 Environmental Pollution  
EP2 Flood Risk and Development  
T7 Cycle Parking  
T8 Parking Standards  
T12 Transportation Development Control Policy for New Development  
L1 Landscape Protection and Enhancement  
LC3 Proposals for sports facilities within the urban area.  
LC7 Allocated land for open space provision/enhancement (site no.8).

#### 2.3 South Gloucestershire Local Plan (Adopted) January 2006 - policy LC7(8)

The application site forms part of site No.8. The supporting text to policy LC7 (8) states:

*Para.10.64 The site has been allocated as a consequence of the allocation of adjoining land under Policy H1 for residential development. The adjoining residential development will provide for drainage and new surfacing for a full size grass football pitch (county standard), 1 standard football pitch, 3 junior standard and cricket square. **It will also provide ancillary facilities including new changing rooms, social area and new parking provision;** alongside maintenance funding and a management agreement for public use of the facilities by local sports clubs. The design specification for the pitches will be to standards prepared by the Sports Turf Research Institute and agreed by Sport England, the Council's Community Services Directorate and proposed pitch users.*

#### 2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P93/2573 Redevelopment of the existing sports ground for residential Purposes.  
Refused 9 March 1994.
- A subsequent appeal against this decision was dismissed, following a Public Inquiry, in February 1995.
- 3.2 PT02/2981/F Erection of 70 dwellings and the erection of a sports pavilion and replacement sports pitches.  
Refused 13 August 2003.
- 3.3 PT04/0589/F Erection of 23 dwellings, sports pavilion and replacement sports Pitches.  
Approved 7<sup>th</sup> March 2006.  
Section 106 secured implementation of the sports facilities and £10,000 towards pedestrian and public transport infrastructure improvements.
- 3.4 PT06/0164/F Erection of 152 dwellings.  
Refused 9<sup>th</sup> November 2006 but allowed on appeal 23 August 2007.
- 3.5 PT07/0493/F Erection of 49 dwellings.  
Approved 13<sup>th</sup> December 2007 and subject to a Section 106 legal agreement that includes ensuring the delivery of the sports facilities required of policy LC7 that includes the works proposed in this application.
- 3.6 PT07/1023/F Demolition of existing club house. Erection of two storey club house, groundsman hut and associated parking (Amendment to PT04/0589/F).  
Approved 22<sup>nd</sup> August 2007.

### **4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council  
Object to the proposal on the grounds that perimeter fence is chain link and consider 3m to be too low for a ball stop.
- 4.2 Filton Town Council  
No response received.
- 4.3 Sustainable Transport  
No objection.
- 4.4 Local Residents  
No response received.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The principle of the proposed development is established by reason of policy LC7 (site 8) of the South Gloucestershire Local Plan (Adopted) January 2006 and extant planning permissions PT04/0589/F and PT07/1023/F.

### 5.2 Detailed matters

Policy LC3 of the South Gloucestershire Local Plan (Adopted) January 2006 provides criteria for the assessment of sport development. Policy D1 gives indicators in respect of assessing the design of development. Policies T7, T8 and T12 deals with transportation issues. Having regard to these policies and others of the South Gloucestershire Local Plan (Adopted) January 2006 and Joint Replacement Structure Plan, the main matters for consideration relate to the following issues:

- a. Design/visual impact.
- b. Residential amenities.
- c. Transportation issues.
- d. Other matters

### 5.3 Design/visual impact

The proposed clubhouse provides for the same level of floorspace as the most recent permission. The footprint of the building is the same. Aesthetically the appearance of the clubhouse is only marginally different to the 2007 permission and is acceptable. The alteration to the siting of the groundsman's store and minor revisions to the car parking arrangement are also acceptable. In terms of the objections raised by Stoke Gifford Parish Council, a 3m high 'ball stop' was approved under the 2004 and previous applications. The height of the fence is considered to be acceptable and in accordance with the Code of Practice for the Construction and Maintenance of Fencing Systems for Sports Facilities from the Sports and Play Construction Association. With regard to the chain-link perimeter fencing, this is also considered acceptable. It will provide a degree of security whilst also ensuring that views into the site are maintained. It will also ensure that existing planting along the boundary is not damaged by the proposal. The Design and Access Statement submitted in support of the application is therefore acceptable.

### 5.4 Residential amenities

There are no residential properties that share a boundary with the site. The development will have no direct impact on any neighbours.

### 5.5 Transportation

Having regard to the extant planning permissions no transportation objection is raised and the access remains as previously approved. Traffic restrictions within the highway could not be insisted upon (these were not raised previously as part of the larger development that includes housing and which, in any case, delivers significant financial contributions towards off-site highway works).

### 5.6 Tree Issues

An inspection of the boundary trees and hedgerows has been undertaken and verified by the Council's arboriculturist. The submitted information is acceptable and also includes details regarding the specification for protective fencing and the no-dig parking areas within the Root Protection Areas on the New Road Boundary. Compliance with the submitted information will be a condition of any planning permission.

### 5.7 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary. However, the proposed works, as amended, will be required to be delivered as part of the section 106 for PT07/0493/F.

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

## 7. RECOMMENDATION

- 7.1 Planning permission be granted.

### Background Papers      **PT08/2457/F**

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## 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. The club house hereby authorised shall not be occupied until cycle parking has been provided, the details of which shall be submitted to and approved in writing by the Local Planning Authority. The development when carried out shall conform to the details so approved. For the avoidance of doubt the cycle parking shall be covered, secure and lit.

Reason(s):

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

4. The development hereby authorised shall be constructed in accordance with the submitted tree protection scheme and construction methodology dated July 2008.

Reason(s):

To ensure the works are carried out in the interests of the health and visual amenity of the trees/hedgerow, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

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.