



**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. 11/09

Date to Members: 20/03/09

Member's Deadline: 26/03/09

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

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

Having considered the reports, those applications that Councillors feel should be referred to an appropriate Area Development Control Committee must be notified to the Development Control section **within five working days of the publication of the schedule (by 5pm)**. If there has been no member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule. **Before referring an item to the Committee, Members may wish to speak to an officer about the issue, in order that any problems can perhaps be resolved without the need for referral to a Committee.**

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Area Committee, please let the Director of Planning, Transportation and Strategic Environment know within 5 working days of the date of this Schedule (eg, if the schedule is published on a Friday, comments have to be submitted by the end of Thursday) (see cover page for the date). A proforma is attached for your use and should be forwarded by fax to the appropriate Development Control Support Team, or by sending an email with the appropriate details to PlanningApplications@southglos.gov.uk

Members will be aware that the Director of Planning, Transportation and Strategic Environment has a range of delegated powers designed to improve the efficiency and effectiveness of the Development Control service. The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Area Committees or under delegated powers including:

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development
- g) Applications for the following major development:
 - (a) Residential development the number of dwellings provided is 10 or more, or the development is to be carried out on a site having an area of 0.5 ha or more and the number of dwellings is not known.
 - (b) Other development(s) involving the provision of a building or buildings where the floor space to be created is 1000 sq. m or more or where the site has an area of 1 ha or more.

GUIDANCE FOR 'REFERRING' APPLICATIONS

Members are entitled to refer any application for consideration by the relevant DC Committee or Sites Inspection Committee, before a decision has been made. However as call-ins will delay the decision on an application in the interests of improving the effectiveness and efficiency of the Development Control service, this option should only be exercised after careful consideration. Members are therefore asked to take account of the following advice:

- Before referring an application always speak to the case officer or Area Team Leader first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. Do not leave it to the last minute
- Always make your referral request in writing, either by letter, e-mail or fax, preferably using the proforma provided. Make sure the request is sent to the Development Control Support Team (East or West as appropriate), not the case officer who may not be around to act on the request, or email planningapplications@southglos.gov.uk. Please do not phone your requests, as messages can be lost or misquoted.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised

CIRCULATED SCHEDULE

DATE: 20/03/09

SCHEDULE NO. 11/09

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

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

**Dates and Deadlines for Circulated Schedule
over the Easter and May Bank Holiday Period 2009**

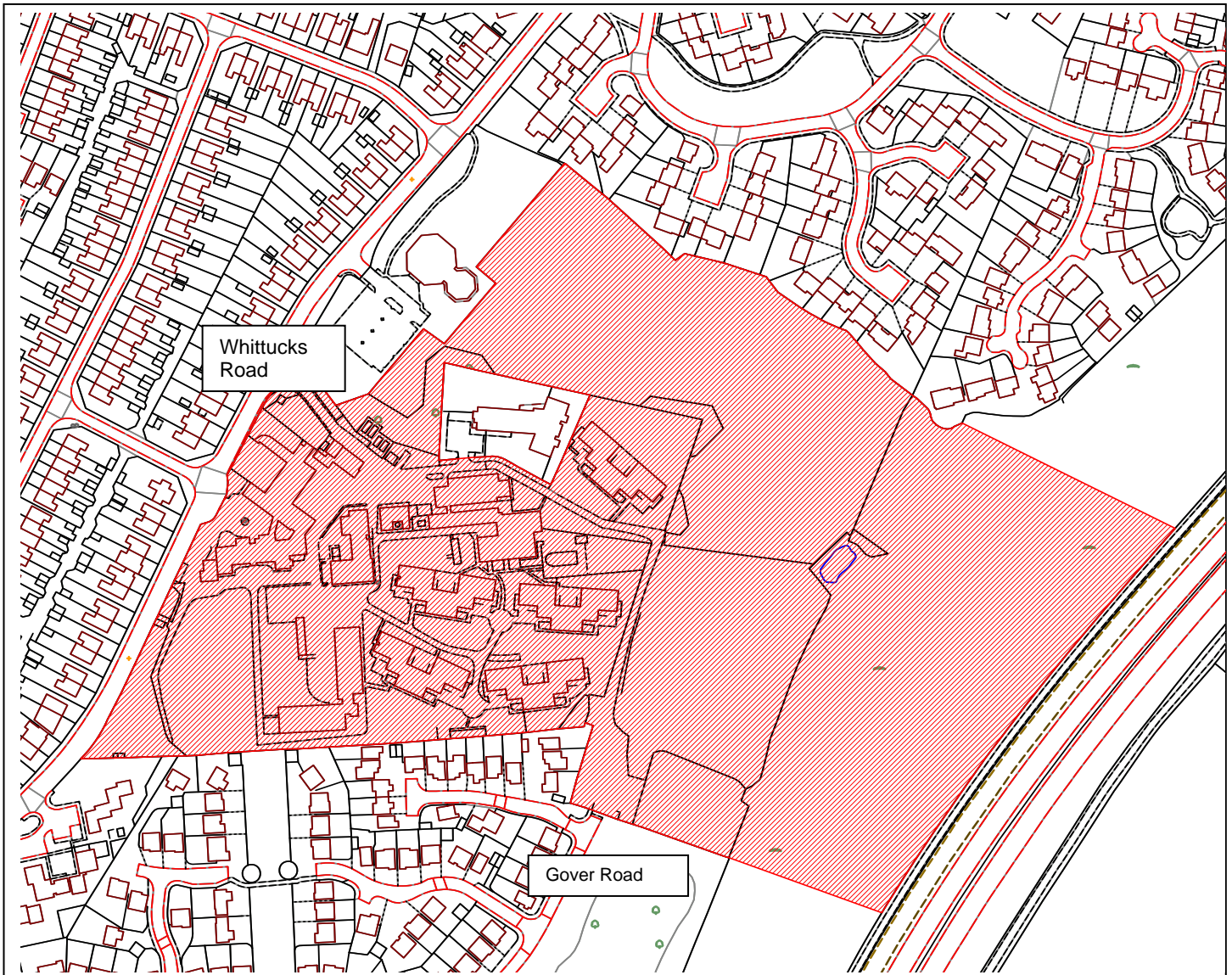
Schedule Number	Date to Members 9am on	Members Deadline 5pm on
13/09	Thursday 2 nd April 2009	Wednesday 8 th April 2009
14/09	Thursday 9 th April 2009	Friday 17 th April 2009
17/09	Thursday 30 th April 2009	Thursday 7 th May 2009
20/09	Thursday 21 st May 2009	Thursday 28 th May 2009

Circulated Schedule 20 March 2009

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK08/3230/F	Approve with conditions	Hanham Hall Hospital, Whittucks Road, Hanham, South Gloucestershire, BS15 3PU	Hanham	Hanham Abbots Parish Council
2	PK09/0215/F	Approve with conditions	14 Blanchards, Chipping Sodbury, South Gloucestershire, BS37 6LJ	Chipping Sodbury	Sodbury Town Council
3	PK09/0218/F	Approve with conditions	140 Abbots Road, Hanham, South Gloucestershire, BS15 3NS	Longwell Green	Hanham Abbots Parish Council
4	PK09/0249/F	Approve with conditions	61 Milford Avenue, Wick, South Gloucestershire, BS30 5PP	Boyd Valley	Wick and Abson Parish Council
5	PK09/0256/F	Approve with conditions	Prompt Transport Services Ltd, Southway Drive, Warmley, South Gloucestershire, BS30 5LW	Oldland Common	Bitton Parish Council
6	PK09/0315/R3F	Approve	Staple Hill Library & Residences, Beaufort Road, Staple Hill, South Gloucestershire, BS16 5LS	Staple Hill	
7	PT09/0099/RM	Approve with conditions	Northfield, Filton Aerodrome, South Gloucestershire BS34 5DZ. (Charlton Hayes).	Patchway	Patchway Town Council
8	PT09/0188/F	Approve with conditions	Units 5010 & 5020 Govier Way, Western Approach Distribution Park, Sevenside, South Gloucestershire	Pilning and Severn Beach	Pilning and Severn Beach
9	PT09/0240/F	Approve with conditions	16 Tenth Avenue, Filton, South Gloucestershire, BS7 0QL	Filton	Filton Town Council
10	PT09/0258/F	Approve with conditions	117A, Ratcliffe Drive, Stoke Gifford, South Gloucestershire, BS34 8TY	Stoke Gifford	Stoke Gifford Parish Council
11	PT09/0266/F	Approve with conditions	24 St Francis Drive, Winterbourne, South Gloucestershire, BS36 1LN	Winterbourne	Winterbourne Parish Council
12	PT09/0279/F	Approve with conditions	The Old Mill, The Common, Olveston, South Gloucestershire, BS35 4DQ	Severn	Olveston Parish Council
13	PT09/0286/O	Refusal	Contractors yard at Stowell Hill Road, Tytherington, South Gloucestershire, GL12 8UH	Ladden Brook	Tytherington Parish Council
14	PT09/0287/F	Approve with conditions	17 Bush Avenue, Little Stoke, South Gloucestershire, BS34 8LY	Stoke Gifford	Stoke Gifford Parish Council
15	PT09/0288/O	Refusal	Land at 14 Medway Court, Thornbury, South Gloucestershire, BS35 2HL	Thornbury South and Alveston	Thornbury Town Council
16	PT09/0303/HED	Approve	Land on the south west side of Field Lane, Littleton Upon Severn, South Gloucestershire, BS35 1NR	Severn	Aust Parish Council

CIRCULATED SCHEDULE NO. 11/09 – 20 MARCH 2009

App No.:	PK08/3230/F	Applicant:	BDW Trading Limited
Site:	Hanham Hall Hospital, Whittucks Road, Hanham, South Gloucestershire, BS15 3PU	Date Reg:	23rd December 2008
Proposal:	Proposed erection of 195 dwellings and associated works. Refurbishment and change of use of Hanham Hall from Nursing Home (C2) to mixed uses (A1/A3/B1/D1). Erection of Sustainable Living and Energy Centre Building. Change of Use of 2.5 hectares of agricultural land for use as amenity space and allotments (sui generis).	Parish:	Hanham Abbots Parish Council
Map Ref:	64603 71614	Ward:	Hanham
Application Category:	Major	Target Date:	18th March 2009



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INTRODUCTION

This application has been referred to the Circulated Schedule by virtue of it representing a major development and a number of objections to the application being received from local residents.

1. THE PROPOSAL

- 1.1 The application seeks planning permission to construct 195no. residential units as part of a scheme to redevelop the Hanham Hall site adjacent to Whittucks Road, Hanham. The proposed scheme will also see the restoration and conversion of the Grade II* Listed Hall for mixed use purposes. Hanham Hall was previously part of a mental health hospital which ceased in 2000 although one modern NHS building on the site remains in operation. Although during its occupation the NHS undertook many unsympathetic alterations and removed a vast amount of historic fabric, since the closure of the hospital within the Hall the building fabric has deteriorated and there is evidence that the deterioration is now accelerating.
- 1.2 The application site is considered to compose of three main areas; the first being the principle area which is the land associated with the Hall (6.5 hectares) which along with the Hall features a number of former health authority buildings of a variety of scales and forms but none are considered to be of any architectural merit. This is then supported by an additional area of green belt land to east of the site (2.5 hectares) which is to provide additional areas of informal open space, a communal orchard and allotments. Finally to the north there is land which has been achieved through a land-swap with the Hanham Surgery with the purpose of increasing the surgery's parking capacity as well as providing the NHS facility that will remain in operation with a more direct access.
- 1.3 Of the 195no. units proposed, 33.3% will be affordable housing and 23no. units will be 1no. bed flatted occupation for senior citizens only. The density of the housing will be delivered at a net density of 51.3 dwellings per hectare. The restoration and conversion of the Grade II* Listed Hall will see the provision of 1052.4m² office space; 320m² crèche; 43.9m² retail; 193.4m² of meeting rooms; and 32.1m² café. Also to serve and complement the development a Sustainable Living Centre will be developed to provide exhibition and education facilities and an Energy Centre will be constructed to house the on-site Communal Heating and Power System (CHP). A number of communal greenhouses will also be constructed within the grounds of the Hall and as part of a substantial landscaping scheme a number of child play areas will be created and ecologically rich meadows and hedges will be planted. 252no. parking spaces will also be provided to serve the residential units (ratio 1.3 spaces per home across the site) with 41 spaces to serve the commercial uses at the Hall and 23 visitors parking spaces throughout the site.
- 1.4 The main access to the development will be via the existing access off Whittucks Road. A secondary access is being formed from Gover Road by connecting to a turning head that was formed by the earlier development. This along with the pedestrian access to the south of the Hall will allow permeability through the sites and will enable the residents of Gover Road easier access to the facilities within the Hanham Hall development and access to the cycle path which links to the A4174 Ring Road.

- 1.5 The submitted scheme has been promoted by English Partnerships (now superseded by the Homes and Community Agency – who still retain ownership of the site) and the Department of Communities and Local Government as the first site to be released as part of the Carbon Challenge competition. Since the competition was won by Barratts, a Concept Statement was produced in 2007 and extensive pre-application discussions and consultation have taken place between stakeholders and the local community to help shape and inform the proposed development that has been submitted. The principle features of the proposed Carbon Challenge development at Hanham Hall which would differentiate it from a typical residential development are:
- The first development in the UK to deliver zero carbon housing that would achieve Level 6 of the Code for Sustainable Homes - the highest standard possible and seven years in advance of the 2016 national target for Level 6 construction;
 - The 195 new dwellings ranging from 1no. bedroom units to 5no. bedroom houses are designed to generous space standards of up to 25% greater than typical development;
 - Centralised heating and energy plant to generate electricity and heat for use on site;
 - A new “Sustainable Living Centre” to form a gateway to the development and a place where the philosophy, technology and history of the development can evolve;
- 1.6 It is envisaged that by delivering the above along with a number of other features such as a management trust to be run by the prospective residents themselves, the first zero carbon development in the country will not only be created, but it will also help empower its community with the means to significantly reduce their impact on the environment.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
Supplement to PPS1	– Planning and Climate Change
PPG2	Green Belts
PPS3	Housing
PPG13	Transport
PPG15	Planning and the Historic Environment
PPG16	Archaeology and Planning
PPG17	Planning for Open Space, Sport and Recreation
PPS25	Development and Flood Risk

2.2 Joint Replacement Structure Plan: Saved Policies

Policy 1	Sustainable development
Policy 2	Location of development
Policy 12	Development in North Fringe
Policy 33	Housing provision and distribution

2.3 Draft RSS for the South West of England and Secretary of State’s report:

SD1:	The Ecological Footprint
SD4:	Sustainable Communities
Development Policy E:	High Quality Design

Development Policy F: Planning and delivery of Major Development
Development Policy G: Sustainable Construction
Development Policy RE5: Renewable Energy

2.4 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
GB1	Development within the Green Belt
L1	Landscape Protection and Enhancement
L5	Forest of Avon
L6	Sites of International Nature Conservation Interest
L7	Sites of National Conservation Interest
L8	Sites of Regional and Local Nature Conservation Interest
L9	Protected Species
LC7	Allocated Sites for Formal and Informal Open Space
LC8	Open Space and Children's Play in Conjunction with New Residential Development
LC11	Allotments
L11	Archaeology
L13	Listed Buildings
L17/18	Water Environment
H1	Proposed sites for new residential development (site no.12).
H2	Proposals for Residential Development within the existing Urban Area and Defined Settlement Boundaries
H6	Affordable Housing
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
EP2	Flood Risk and Development
EP4	Noise Sensitive development
LC8	Open space and children's play in conjunction with residential development.

2.5 Supplementary Planning Documents and other relevant documents

The South Gloucestershire Design Checklist SPD (Adopted August 2007)
Biodiversity Action Plan (Adopted).
Affordable Housing SPD (Adopted)
By Design: Urban Design in the Planning System: Towards better practice
Car Parking – What Works Where? (English Partnerships)
Manual for Streets
Safer Places: The Planning System and Crime Prevention

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/1288/F - Land at Hanham Hall Hospital, Whittucks Road, Hanham, South Gloucestershire. Demolition of an existing redundant building and erection of a new two- storey building to provide a 15-bed community mental health house with two step-down houses and supporting office accommodation, including the provision of 9 parking spaces (1 disabled), 4 cycle parking spaces, refuse storage, existing access via Whittucks Road and landscaping including private garden amenity space. Approved 04/09/03.

- 3.2 P99/4310 – Outline planning application for residential development of the Hanham Hall site. Planning permission granted subject to S106 agreement which was never concluded and so resolution to granted consent has now lapsed.
- 3.3 P97/4107 – Outline planning application identical to P96/4310 and was submitted at time of the appeal for that application. Refused on the same basis as P96/4310.
- 3.4 P96/4310 – Outline planning application for 150 homes which was refused (July 1997) on the basis of adverse impact on the views of the Hanham Hill. Decision was appealed by and following an inquiry, in their report to the Secretary of State, the Inspector recommended that the appeal be dismissed due to the impact of the proposals on the “attractive views of the hills”. The applicants then proposed the submission of a new masterplan to address the concerns of the Council and the Inspector. The Council and the Government Office for the South West determined that the new masterplan should be subject to a new planning application. Consequently, the decision of the Secretary of State on the original appeal was held in abeyance, pending the determination of a revised planning application which was P99/4310.

4. CONSULTATION RESPONSES

4.1 Local Parish Council

Hanham Abbots Parish Council

No objections.

4.2 Other Consultees

Hanham District Green Belt Conservation Society

Comments are summarised below:

Generally supportive of the development and encouraged by the level of consultation and involvement both the Society and local residents have experienced which has been unprecedented in their history. Consequently the proposed meets most of the Society’s objectives and in particular they were pleased that the Hall is being restored back to its former eminence and being put to good use for the community. Views of the Hanham Hills will also be protected and the inclusion of the green belt land adjacent to the ring road with access to the cycle track is also a significant contribution to the scheme. It is recognised that concerns over the appearance of some of the units, but accept that the target of carbon neutral development means conventional designs cannot deliver. Overall the applicants are commended for producing a design which promises to be worthy of its setting.

The Environment Agency

Following the submitted drainage details and Flood Risk Assessment, no objection subject to a number of suggested conditions to be attached to any consent.

The Regional Development Agency

Comments summarised below:

The application proposes the creation of a community that is an exemplar in sustainable living. The proposals will involve the redevelopment of a large redundant site on the south east edge of Bristol for a mix of uses including zero carbon homes and BREEAM “Excellent” office space, as well as Sustainable Living and Energy centres. The project, the first of the Homes and Community Agency’s Carbon Challenge schemes, will act as a demonstrator for achieving exceptional standards of design quality and sustainability alongside community benefits such as affordable housing and green infrastructure. As such, the proposals will help deliver a number of key strategic objectives of the Regional Economic Strategy (RES) for South West England 2006 – 15, these being to achieve: successful and competitive business; strong and inclusive communities, and; an effective and confident region. Consequently the South West RDA supports the proposal.

Wessex Water

Satisfied that the applicant’s proposal for the disposal of foul drainage as laid out in the Flood Risk Assessment.

Technical Services

No objection subject to Environment Agency’s satisfaction with Flood Risk Assessment. Informative also to be attached for standing advice.

English Heritage

Although initial concerns were expressed in relation to the treatment of the Grade II* Listed Building and the design and proximity of the new build, following the submission of revised plans to address these concerns, English Heritage are now satisfied that the proposed scheme would enhance character and appearance of the existing listed Hall both internally and externally. Although the view that ideally no new houses should be proposed in the south-west corner is shared by the Council, in light of the role this part of the scheme plays in the viability of the whole development, the arguable compromise in setting is significantly outweighed by the overall betterment to the fabric and appearance of the Hall and by it being given a sustainable future.

Other Representations

4.3 Local Residents

17no. consultation replies were received from local residents and their comments are as summarised below:

- The proposal which would see the proposed development and the existing Gover Road development linked could see an additional 500 vehicles using Gover Road when currently it only serves 72 properties;
- There is only limited provision for parking on the proposed site which could result in Hanham Hall residents parking on Gover Road;
- A number of the proposed dwellings by reason of their height and design would have an overbearing impact on some of the properties within Gover Road;
- Locating an experimental eco-village within an already ecologically conscious society must be flawed and so should be located within a depressed area where it would improve its nature and condition;

- The scheme could be argued to consider another national government “good idea” of which a number have gone wrong – high rise developments, council housing estates, low density housing for example. In this day and age there can be no such pressure for further mistakes to be made;
- The increased population will expect to use the local resources which are already over-stretched and incapable of serving the current population;
- The innovative house design and density are not in keeping with the surrounding environment;
- Local schools are over subscribed;
- The proposed cycle path and play areas would be disrespected, abused, vandalised and would generally become unpleasant if these areas are necessary then why are they not incorporated inside the development;
- The proposed development to the south of the Hall would be out of character with the Hall and would dominate it as opposed to compliment it;
- The flats over garages proposed in the south-west corner would also directly overlook the new extension of dwellings within Priory Court and the reciprocal views back will result in loss of privacy;
- Opening up of the walkway between Gover Road and the proposed development would change the cul-de-sac nature of Gover Road;

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The Hanham Hall site is not allocated within the South Gloucestershire Local Plan but it is listed in Appendix 14 under “Sites the Subject of Council Resolution to Approve Residential Development” for an estimated 124 dwellings. The site has also been noted in the South Gloucestershire Residential Land Availability Survey (April 2008) as having capacity for 200 units over 3.4 hectares and thus a net density of 59 dwellings per hectare. Therefore along with the planning history of the site which has already established the acceptability of residential development, the principle of the proposed residential redevelopment of the Hanham Hall site is considered acceptable. In addition it is also noted that the application site now extends outside of the defined settlement development boundary and into the Bristol/Bath Green Belt, it is considered the land uses proposed for this existing agricultural land (a series of meadows, informal play areas, orchards and allotments) accord with national and local green belt policy and guidance which permit facilities for outdoor sport and recreation along and with other uses that preserve the openness and amenity of the Bristol/Bath Green Belt are permitted. Therefore the proposed principle of the development in relation to the use of the area of Green Belt as part of the application site is considered acceptable.

5.2 Siting/ Layout

The site is located in Hanham, an area of generally suburban character to the east of Bristol. The site is located some ten minutes walk from Hanham High Street and its local amenities, close to local public transport routes and facilities. The site constraints and opportunities have been highlighted, and the

design approach and response to the site set out in the submitted Design and Access Statement.

- 5.3 It is considered that the masterplan of the site and the accompanying Design and Access Statement demonstrate a clear and considered approach to site layout based on four themes of Connections, Historic form, Open space, and Views. Permeability across and through the site is maintained and enhanced primarily by the proposed pedestrian and cycle connections from the existing western entrance, through various open spaces to the public cycle network adjacent to the eastern boundary. In addition pedestrian and vehicular connections will be further enhanced by opening up a route to Gover Road to the south, which will help link the development to surrounding areas. In terms of 'Connections' these 2 structural elements both take the opportunity to relate the development back into its surroundings and beyond.
- 5.4 The Historic form element identifies four character areas (Walled Courts, The Yard, the Hedgerows, The Meadows) within the site related to its historic use. The different treatment of these character areas in terms of their scale, density, massing and detailed design, will help legibility across the site and allow an appreciation of moving from the suburban area of Hanham in the west to the more open areas to the east. Broadly, the character of areas around the Hall in the western portion of the site is one of formality in response to the primacy and listed status of the Hall. Towards the east of the site the character becomes more informal in relation to the areas of open space that bounds the site and to take advantage of views towards Hanham Hills.
- 5.5 The open spaces network has been designed to ensure the whole site can be viewed as a natural habitat, with every dwelling enjoying some aspect to open space. The structure of open spaces, their relationship with buildings, and the level of enclosure and overlooking they enjoy, is considered to be well considered in urban design terms. Views both to and from Hanham Hall have also been considered as a structuring element, primarily allowing views of the Hall from the west, east and south to define the broad alignment of buildings and also enclose areas of open space. Again, in urban design terms this strategy is considered appropriate.
- 5.6 With regard to building orientation, three typologies of dwellings have been identified across the site; south, north-south, and east-west. The Design and Access Statement explains how the different treatment of these typologies helps to distinguish the hierarchy of streets and spaces, reinforce the character areas, and aid legibility across site. Advantage has also been taken of building orientation in relation to renewable energy provision. Where this has not been possible (i.e. in the north-south orientated buildings) the proposed roof form has been designed to maximise the possibility of utilising renewable energy. Generally the buildings have been orientated to overlook spaces, providing an appropriate level of natural surveillance to the streets and spaces they enclose. This will also contribute to providing appropriately 'active' frontages, enhancing natural surveillance and thus security
- 5.7 The layout also seeks to address issues of continuity and enclosure with the proposed building layout based around the creation of perimeter blocks which help provide the appropriate levels of continuity enclosure, all in relation to the relevant character area. More intensive development is located towards the

western portion of site, in response to the Hall and surrounding suburban development. In the Walled Courts and Yard areas the building line is generally uniform to present a strong and formal frontage to Hanham Hall and adjacent open spaces. These larger open spaces are surrounded by three storey development providing a suitable level of enclosure in line with good practice guidance in the Urban Design Compendium.

- 5.8 To the east of the site the building line is more varied reflecting a less intensive layout that relates to the adjacent open spaces and views to Hanham Hills. This varied building line is combined with lower storey heights and varied rooflines to give a more rural and informal appearance, whilst still maintaining continuity and appropriate levels of activity to the streets and spaces.
- 5.9 To address the issue of parking in relation to design and appearance, the proposal comprises a variety of parking solutions as advocated by the guidance document 'Car Parking: What works where', which are all related to the individual character areas. The site as a whole will adopt 'homezone' principles, which creates shared surfaces and informal areas that can be used in multiple ways. On-street parking is located in more intensive areas where the public realm is supported by the activity it generates. On-plot parking is provided in the Walled Courts area under mews-style houses. In The Hedgerows spaces are set back from the building line, or in rear areas, to reduce the impact of cars on the street scene. Finally off-plot parking is also provided in rear courtyards within The Hedgerows, again to reduce its impact on the street scene and reinforce the more rural character of this area. This overall approach is, again, well considered, and will contribute to a safe and legible environment, as required by Policy D1.
- 5.10 Development Density
Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 requires the maximum density to be achieved compatible with the site's location, accessibility and surroundings. Planning Policy Guidance Note 3 Housing recommends a minimum density of 30 dwellings per hectare.
- 5.11 The proposed net development density (that excludes areas of open space, play area and landscape strip) calculates at 51.3 dwellings per hectare. Although this density may appear high, but as noted in the previous section of this report, the density of the development has been varied to take account of the different characteristics of the site and the immediate and wider context. Moreover, if the gross density of development is calculated which takes the site as a whole into consideration (eg. the play areas and meadows), the density of development comes down to just 20.8 dwellings per hectare which clearly demonstrates that there are no concerns regarding overdevelopment of the site.
- 5.12 Scale/Height/Massing
The scale, height and massing of the proposed buildings all relate to and reinforce their respective character areas, which will aid legibility across the site.
- 5.13 The proposed street width: height ratios reinforce the separate character areas and their functions. Larger spaces to the west are defined and enclosed by greater street width to height ratios of 1:6. More intimate spaces such as the

Mews area to the south and Hedgerow area to east are enclosed by ratios of 1: 1.5 and 1.2. These ratios follow guidance set out in the Urban Design Compendium.

- 5.14 The 'Walled Courts' and 'Yards' areas represent the more formal part of the site where uniform and constant building lines create a good sense of enclosure. Narrower plot frontages add more rhythm to the street and increased street level activity, whilst three storey buildings ensure the larger open spaces to the west of the site are well enclosed and defined. By contrast the Mews development within these character areas are of a more 'intimate' scale defined by the lower storey heights and rooflines, and wider plot frontages.
- 5.15 Overall the scale and massing of the development is considered appropriate in its context and in accordance with Policy D1 and the South Gloucestershire Design SPD.
- 5.16 The surrounding context of the site is both suburban and rural in nature. The response has been to try and mediate between these two characters through the use of materials and their massing on facades. The surrounding suburban context does not exhibit a particular architectural quality and in this regard it is considered appropriate to introduce a new character and identity, and particularly one that responds to the wider sustainability aspirations of the development.
- 5.17 The rationale behind the detailing of individual properties is again linked logically to the overall layout and identification of character areas. The proposals effectively mediate between the suburban context to the west and rural context to the east.
- 5.18 The regular rhythm that is given to the terraces in the western part of the site, the uniform massing of windows, solid walls and recesses, and limited palette of materials, creates an appropriate setting to the Hall and relationship with surrounding development. To the eastern edge the varied building and roofline, more varied distribution of materials, and greater variation in materials a gives more informal appearance.
- 5.19 Overall it is considered the detailed design of the scheme to create an appropriate character and identity in accordance with policy D1 and the Design Checklist SPD.
- 5.20 Safety/ Security
The scheme has been designed to achieve Secure by Design accreditation with significant input at pre-application stage by the Policy Architectural Liaison Officer. Notwithstanding it is considered that all areas of the proposal to be in accordance with Policy D1 in this regard. Public areas and parking areas will be well overlooked, and the relationship of fronts and backs of buildings strongly defines the public areas from private ones.
- 5.21 Sustainability/ Renewable energy
The proposed development will exceed current building regulation standards for energy efficiency, and will incorporate renewable energy sources and a district heating system. These measures are welcomed and in accordance with

emerging Policy RE5 of the Draft Regional Spatial Strategy and policy D1 of the Local Plan.

5.22 Residential Amenity

Due to the proximity of the proposed development to the existing Gover Road estate, a number of residents within that development have raised concerns about the impact of the proposed development on their existing levels of residential amenity through loss of privacy and overbearing effects. The main point of potential conflict is the proposed units that would run along with southern site boundary.

5.23 In pre-application discussions preserving the existing levels of residential amenity was a key objective and so care has been taken with orientation, separation distances and window position. To demonstrate the proposed “mews” buildings in the south west corner will be in close proximity to the new houses being constructed as part of the Priory Court development. Although the separation distance at its closest will be just over 10 metres, the difference in orientation between the two buildings will mitigate any oppressive sense of enclosure, which would however only occur at first floor level anyway as separating the properties is the 3 metre high stone boundary wall. With a low and asymmetrical roof, the proposed mews building (which would be a flat over garages) will also only have a height to roof apex of 7 metres with eaves level just over 5 metres and its rear elevation will be blank. Therefore it is considered that due to the different orientation of the buildings, the existing substantial screening, the modest scale of the proposed mews building and the blank rear elevation, the proposed building would not be detrimental to the amenities of either property.

5.24 To the east of the mews within the area of the site referred to as the “Walled Garden”, there is to be a line of terrace houses along the southern side boundary and these would run parallel with a number of existing houses on the opposite side of the 3 metre high boundary wall. From window-to-window, the separate distances range from 20 to 24 metres. Although the central part of the terrace would be 3-storeys, due to the design of low pitched roofs, the scale and massing of the buildings have been minimised in comparison to what would be expected from a more traditional design (eg. hipped/gabled roofs). It is considered that due to the separation distances which largely comply with the informal Council standard of 21 metres, the existing screening provided by the 3 metre high stone boundary wall and the scale and massing of the buildings, the proposed terrace along the southern boundary would not cause any significant overbearing or loss of privacy through either overlooking or inter-visibility that would be detrimental to the existing and proposed amenity levels.

5.25 It is noted that to the eastern side of the terrace there is one existing house on the Gover Road side that lies in very close proximity to the wall and thus the new houses. However this is orientated on a perpendicular axis to the building lines of all the other existing and proposed units and so there will be no privacy or amenity implications. Further to the east again a couple of proposed mews units do appear on plan to cause potential conflict with existing properties, but again care has been taken to ensure where there would be an issue of inter-visibility, the rear elevations of the flat(s) have been left blank but still providing

sufficient outlook for the prospective residents and thereby not compromising their amenity also.

5.26 In terms of the amenity levels of the rest of the development, each house is provided with a garden of a size that along with the rooms within the houses, are greater in scale than what is usually provided in a standard housing development. Although the flatted units are not provided with their own allocated amenity space, it is considered that due to the scale of on-site open space and other facilities that are being provided, the occupiers of the flat units will enjoy an enhanced level of amenity than if they lived in a similar unit within a standard residential development. Generally it is considered that the levels of amenity provided and to be enjoyed by the prospective occupiers of the units would be high and as in a number of ways, it would set a standard for other developments to follow.

5.27 Landscape

The proposed scheme will see a substantial level of planting both informally (hedges and meadows) and formally (structured flower and shrub beds). A full schedule of planting has not been prepared on the grounds of flexibility and so this matter is to be covered by a condition.

5.28 It is considered that subject to the suggested landscape conditions, the proposed landscaping scheme for the Hanham Hall development would significantly enhance the appearance of the site and create an attractive environment for the prospective occupiers of the development as well as local residents to enjoy.

5.29 Archaeology

To accompany the application, there has been submitted the results of archaeological investigations in the grounds of the hospital and these have revealed extensive ground disturbance took place almost certainly during the 20th century occupation of the site by the hospital. What remains survive are fragmentary ones although hinting at earlier occupation of the site which, had they been better preserved, would have contributed substantially to our knowledge of the area.

5.30 It is therefore considered that on the basis of the current evidence, appropriate archaeological mitigation would involve the undertaking of a watching brief supplemented by excavation where necessary during the course of ground disturbance within the development area. This matter will therefore be dealt with by an appropriate condition and so a standard archaeological condition can be applied and Officers will provide an archaeological brief as required by the condition prior to the determination of the application.

5.31 Affordable Housing

The 33.3% provision and tenure of the affordable housing are considered compliant with Councils requirements for affordable housing which will be delivered though the following composition: 10no. x 1-bedroom flats; 14no. x 2-bed flats; 6no. x 2-bed houses; 6no. x 3-houses; 21no. x 4-bed houses; 4no. x 2-bed wheelchair access houses; and 4no. x 3-bed wheelchair access house, giving a total of 65 units of affordable housing.

- 5.32 It is noted that although the Council's Affordable Housing SPD requires nil public subsidy which could be sought from the Homes and Community Agency (HCA). Through the submission of a viability summary prepared by Barratts which has been scrutinised by the HCA, it is clear that along with an affordable housing subsidy, without other subsidies from the HCA the scheme could not come forward as an economically viable one.
- 5.33 The reason for the need for the subsidy is not just the economic condition of the housing market, but as the houses are being built to Level 6 of the Code for Sustainable Homes the construction costs are higher than the cost of building to Levels 2 or 3 which are widely accepted as the current standard that is being built currently. Achieving a Level 6 in the Code for Sustainable Homes assessment however goes beyond simple construction as a number of other factors have to be taken into consideration such as water use, energy consumption and ecological impact. Therefore to address this requirements the development includes the provision of a centralised heating system (the Energy Centre) as well as the extensive meadows and landscape planting. All this is also on top of the scheme funding the restoration of the Grade II* listed Hall which can be considered to have a negative value due to the level of works required.
- 5.34 Therefore it is clear that the scheme would be economically unviable without a subsidy from the HCA and as part of this the affordable housing will also be subsidised by the HCA. Although the viability case has been ratified by the HCA and not the Council, the scheme can only be considered to partially comply with requirements of its adopted affordable housing SPD as it requires the Council to assess the viability of a scheme prior to a bid for subsidy to the HCA being made. However as the viability assessment of the project has been undertaken by the very body that would provide the subsidy, full compliance with the SPD for this development is not considered necessary especially as the full 33.3% affordable housing provision is being met.
- 5.35 Although some concerns have been expressed by the Council's Housing Enabling Officer about setting a precedent for other schemes for not complying fully with the provisions of the Affordable Housing SPD, it is considered that in light of the special nature of the proposed scheme— a zero carbon development promoted and funded by the HCA that also includes the financial burden of restoring a Grade II* listed Hall, it would be unlikely that such circumstances will be replicated on many sites and so it is considered that the approval of this scheme would not set a precedent for other developments not to demonstrate viability to the Council prior to bidding for public subsidy.
- 5.36 Ecology
The site is not covered by any statutory or non-statutory nature conservation designations. An ecological impact assessment carried out in December 2008 identified that the small areas of open space within the existing site are species-poor grasslands, ornamental planting, shrubs and mature trees. The field to the east of the existing site is largely species-poor with banks of shrubs encroaching from the intersecting hedges.
- 5.37 Signs of badger activity were though recorded throughout 2006 with two active setts noted with one sett outside of the application site. However the habitat survey undertaken last December found that one sett has fallen into disuse and

the other was being used by foxes. However to safeguard against the use of the setts becoming active before or during construction, a condition will requiring that a badger mitigation strategy and method statement be agreed with the Council prior to the commencement of development. A similar condition will also be attached to cover the mitigation of slow-worms which were also recorded on the site during the habitat survey as well as a condition to help protect the population of hedgehogs on the site.

- 5.38 Although no bats were recorded during a bat survey in 2006, bat droppings have been since recorded in the eastern sections of one of the outbuildings. The conversion of the Hall and new housing offers the opportunity to create new roosts for bats within the roof void and so a condition is to be attached to any consent requiring “bat slates” to be fitted within the roof pitch of the Hall and the new potential for the eaves of the houses to feature vents also for bats without compromising the building’s performance.
- 5.39 A number of bird species listed by the RSPB as being of Conservation Concern were also recorded on the site. An informative to protect nesting/breeding birds will therefore be applied.
- 5.40 Overall it is considered that the proposed scheme will provide considerable ecological benefits derived from the change of use of former field to the north and east – from agricultural land to a series of meadow, with a series of new hedges, orchards and allotments. The proposed development will therefore help contribution towards the South Gloucestershire Biodiversity Action Plan
- 5.41 Management Trust
The proposed scheme will see a management trust take responsibility for maintaining the majority of the open spaces including the greenhouses and the allotments. As well as managing on-site facilities, the management trust will also be charged with creating and promoting community cohesion and sustainability. The Council has requested details on how the management trust would function as the financial liability of the management trust could be significant especially since the adoption plan was revised so that all the open space to the east and north of the housing would come under the control of the management trust rather than the Council which is the usual approach. Although the management trust would generate income streams from the Sustainable Living Centre and the rental from the greenhouses and allotments, it is considered that the majority of funding would come from management fees to be levied on each property. Along with details on how the management trust would function, the applicant has also been unable to present a financial case that the management trust would be able to meet its responsibilities.
- 5.42 The Council’s concern behind the function and financial burden of the management trust was two-fold. First of all if the trust fails to meet its responsibility, without a suitable developer contribution or bond put in place, the Council could be asked adopt the areas of open space and thus taken on the financial burden of maintenance. Secondly if the management levy is considered substantial, then there was concern that there may be some conflict with the residents of the Hanham Hall scheme and the wider community who wish to use the facilities provided within the development and this would undermine community cohesion.

- 5.43 To address the Council's concerns, assurances have been given that the establishment of a long term maintenance and stewardship strategy is an essential component of the Carbon Challenge brief, and the HCA will monitor the successful implementation of the management trust. Furthermore, although it is agreed that engineering a sustainable community is a pioneering exercise which all stakeholders should support, to safeguard the Council from any future financial liability if the management trust fails, the areas of the site to fall under the remit of the management trust are to be leased to the trust by the HCA – as the HCA remain as landowners. Therefore if the management trust fails the land and thus the liability will be transferred back to the HCA and this matter is to be form part of the legal agreement between the Council and the applicants.
- 5.44 Public Open Space
The proposed scheme is not providing any on-site category 1 open space as part of the development. The reason for this is that category 1 open space is formal open space – all weather pitches, floodlights, fences, changes rooms etc, and such a proposal would be out of character with the sensitive and semi-rural character of part of the application site it would most likely have to be located. Therefore in the interests of the character of the site and the provision of sport facilities within the surrounding area, an off-site contribution is to be made.
- 5.45 The proposed open spaces will though provide category 2 open space in the form of children's play spaces and the level of provision exceeds the Council's standards under Policy LC8. A condition will however be applied to agree the specific equipment to be provided in these areas.
- 5.46 Finally the proposed scheme will see almost double the provision of informal open space (category 3) as required under Policy LC8 with 6300 square metres being delivered, as under Policy LC8, the Council would be looking for 3526 square metres to be provided.
- 5.47 Public Art
A contribution of £150,000 towards public art which will include positive signage such as "Play on the Grass" has been put forward by the applicant and will be secured via S106 agreement.
- 5.48 Library Services
A contribution of £34,789.50 towards Hanham Library is to be secured via S106 agreement and this request is consistent with the approach for delivering sustainable development set out in PPS1 and is in line with national guidance provided by the Museums, Libraries and Archives Council (Public Libraries, Archives and New Development A Standard Charge Approach MLA June 2008).
- 5.49 Education
There is a projected surplus at secondary school level and so no contributions required. At primary level there is however a projected deficit in places in the local area and the proposed 195 units that would be delivered as part of the scheme would generate 41 additional primary school pupils based on the pupil number calculation. DCSF cost calculators give a figure of £10,747 per additional primary pupil place, indexed at Q4 2008 prices. The total contribution

required for additional school provision is £440,627 which would be secured via the S106 agreement.

5.50 Dog/Litter Bins

A contribution of 16,790.24 towards the provision and maintenance of dog and litter bins is to be secured via S106 agreement.

5.51 Transportation

Although primary access to the proposed scheme will be via the existing access off Whittucks Road, a further access into the site is also proposed from Gover Road. A number of local residents have expressed concerns about this link and suggested there are safety issues with this proposal. However in relation to this issue, reference is made to the document "Manual for Streets" (Department for Transport Document published in 2007) which suggests that internal permeability is important and it encourages designer to provide connected streets (with adjoining network) where practicable. A development with poor links to the surrounding area creates an enclave which encourages movement to and from it by car rather than by other modes. Service vehicles would in particular benefit from connected streets because they can serve the adjoining developments without having to leave one site to re-join from a different direction.

5.52 However in response to the safety concerns expressed by local residents, to avoid the Gover Road link being used as a short cut by external traffic, it is proposed that new access road is designed with appropriate traffic calming measures to achieve vehicular speeds of 20mph. It should be noted that Gover Road has also been constructed with appropriate traffic calming measures and as such vehicular speeds on Gover Road are also low.

5.53 With footway facilities to be provided along the new road as well as footways along Gover Road, Officers consider that there would be no additional risks to pedestrians as result of vehicular link between the new development and Gover Road.

5.54 The proposed development would also see 2no. existing bus stops upgraded, the existing footpath on the eastern side of Whittucks Road extended and other traffic calming measures to improve pedestrian safety and public transport access. The developer is also funding a car-club, travel plan and bus passes for the residents of the development to help reduce a reliance on private car ownership and encourage more sustainable modes of transport. All these items will be secured via a S106 agreement.

5.55 The issue of parking provision has also been raised as a concern by local residents. The level of parking proposed for the development would be in line with parking standards as set out in the South Gloucestershire Local Plan (Adopted) January 2006. In this context, it is proposed that all one and two bedroom dwelling would have one parking each allocated to them. Larger dwellings (such as 3 or 4 bed dwellings) would have access to two parking spaces on site. Overall parking provision on the site for the residential element of this development would be 252 parking spaces for 195 units (i.e. equivalent to 1.3 per dwelling on site) and that meets the Council's maximum parking standards. Separate parking facilities would also be provided for the commercial element of this development on site. Total number parking spaces

for the commercial uses on site would be 41 spaces. Therefore although the concerns of the local residents are understandable, it is the view of Officers that the developer is providing parking provision in line with the Council's maximum parking standards and given the sustainable location of this site, parking could not be a reason to refuse this planning application.

5.56 Listed Building Issues

There was initial some concern with the approach to a number of the primary rooms within the Hall which contained varying degrees of historic fabric which would allow informed restoration. However following the submission of further details, several of the concerns raised have been addressed. However there remains unresolved a few matters of detail but these can be addressed by conditions attached to the associated listed building application.

5.57 In summary the scheme has always been acceptable in principle as in comparison to a residential conversion that would be a high level of subdivision, the proposed uses put forward have been carefully considered for the spaces they will occupy and this light touch is a welcome one.

5.58 It is however essential that the scheme includes an agreed timetable for a comprehensive scheme of repairs to the listed and curtilage listed structures and this is to form part of the S106 agreement

5.59 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.

5.60 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the transportation improvements, restoration of the Grade II* listed Hall, provision of affordable housing, public open space, library and education contributions etc are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

6. CONCLUSION

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

6.2 The 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 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the application first voluntarily entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
1. Ensure that within 3 months from the date of the planning permission decision notice, a programme of repair works for the Grade II* Hanham Hall, and the curtilage listed boundary walls, gates and gate piers is agreed with the Council and implemented in full within 3 calendar years of the date of the planning permission decision notice.
 2. The completion of the repair and restoration of the external envelope of the Grade II* Hanham Hall (as agreed in the programme of repair under clause 1) before the occupation of the 50th unit of residential accommodation or within 18 months from the commencement of development whichever is earlier.
 3. Ensure that within 1 month from the date of the planning permission a programme of temporary works of protection for the Grade II* Hanham hall is agreed with the Council and implemented in full within 6 months of the date of the aforesaid permission. The temporary works of protection are to be maintained in full to the satisfaction of the Council until the programme of repairs referred to above is completed in full.
 4. Ensure that prior to the first occupation of any unit, a management trust is established and in place to maintain/service the areas of the site as indicated on the submitted adoption plan as to be adopted by the management trust (drg no.AL02-015).
 5. In accordance with South Gloucestershire Local Plan Policy H6 the Council will seek 33.3% affordable housing to be provided on site in line with the findings of the John Herington Associates Housing Needs Survey 2004. This planning application is to provide 195 dwellings and therefore the Council is seeking 65 of these dwellings to be affordable housing.
 6. Affordable housing delivered in tenure split 77% social rent and 23% intermediate affordable housing – this equates to a unit split of 50 units social rented and 15 units for shared ownership.
 7. All affordable housing delivered through planning obligations is to be in line with the definitions contained in Planning Policy Statement 3 and any low cost market housing will be in addition to the affordable housing.
 8. The affordable housing is to be provided in the following mix:
 - 10 units x 1 bed flats
 - 14 units x 2 bed flats/ maisonettes

- 10 units x 2 bed houses
 - 10 units x 3 bed houses
 - 21 units x 4 bed houses
 - Of which 8 units to be wheelchair accessible
9. All affordable housing to be provided at sizes as stated in the South Gloucestershire Affordable Housing Supplementary Planning Document para 4.3 and Appendix 4.
 10. The affordable housing should be distributed across the site in clusters of no more than 6 units.
 11. All units to meet or exceed the latest Homes and Communities Agency Design and Quality standards applicable at the time the S.106 is signed or 6 months prior to start on site whichever date is the latter, or in accordance with such other guidance as shall be issued by the Homes and Communities Agency or its successor, to achieve Level 3 of the Code for Sustainable Homes, Joseph Rowntree Lifetime Homes standard and Secured by Design.
 12. Delivery is preferred through a non-profit making Registered Provider – the Council encourages the developer to work with a Registered Provider that is a member of the HomesWest partnership. In the event of the developer choosing a Registered Provider from outside of the Council’s partnerships then the Council will require that set management standards will be met.
 13. Phasing - the affordable housing should be built at the same time as the rest of the housing on site in line with agreed triggers as set out in the S.106 Agreement.
 14. Services charges to be capped at no more than £525 per annum and inflated by RPI thereafter.
 15. The Council will define affordability outputs in the S106 agreement and currently that would be:
Social rented units to be delivered at Target Rents.
Intermediate housing to be provided as shared equity affordable housing with no more than 40% initial equity share and an annual residual rent of no more than 1% of unsold equity.
 16. Any capital receipts from the affordable housing to be recycled as capital expenditure on approved affordable housing schemes in South Gloucestershire.
 17. Nomination rights given to the Council of 100% nominations on initial lettings and 75% subsequently to ensure that the affordable housing is secured and retained for those households in need in perpetuity.
 18. To help promote sustainable modes of transport, the developer/owner is to fund, implement and promote a travel plan and details of this are to be agreed prior to the commencement of development.

19. The applicant/owner is to ensure a new footway is provided along the eastern side of Whittucks Road together with all associated works within an agreed timeframe.
 20. The application is to provide a new bus lay-by on Whittucks Road together with all associated work.
 21. The applicant shall make a financial contribution of £60,000 towards traffic management and road safety measures in the area (likely highway works would include (a) provision of zebra crossing on Whittucks Road, (b) provision of pedestrian island on Whittucks Road at its junction with Memorial Road and (c) implementation of necessary Traffic Regulation Orders (TROs).
 22. Prior to occupation on any dwellings on site, the applicant upgrade two bus stops and to include bus shelters, raised pavement for disabled and provision of real-time information technology at each stop (all details to be agreed with the Council).
 23. Prior to occupation, the applicant puts in place necessary measures to introduce Car Club scheme on site, with free first year membership to new residents on site, and the car club scheme would be operational for at least 3 years at this location. The applicant accepts that they would need to provide legal evidence that the car club is operational (and contractually obliged to remain so for 3 years).
 24. Prior to occupation of any new dwelling, the developer would provide new occupiers with a travel pack which shall include promotional transport tickets providing residents with free travel on buses within Bristol and South Gloucestershire area for a period of one year.
 25. That the developer/owner to make a financial contribution of £444,627 towards primary school provision in the area.
 26. The developer/owner is to make a financial contribution of £248,475.42 towards the provision of off-site formal open space.
 27. The developer/owner to make a financial contribution of contribution of £34,789.50 towards local library provision in Hanham.
 28. The developer/ owner to make a financial contribution of £16,790.24 towards dog and litter bin maintenance
 29. The developer/ owner to make a financial contribution of £150,000 towards on-site public art.
- 7.2 If the Section 106 Agreement is not signed and sealed within 12 months of this determination then, in view of the length of time, the application should either:
- (a) Be referred to the Development Control Committee for reconsiderations:
or

- (b) The application should be refused due to the failure to secure the Heads of Terms listed under a Section 106 Agreement, for the reasons listed in Section 7.1.

Background Papers **PK08/3230/F**

Contact Officer: **Robert Nicholson**
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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

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

2. Development shall not begin until a drainage master-plan for the site, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved by the Local Planning Authority (LPA), and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The development must be implemented in accordance with the approved master-plan. The development must not be occupied until a satisfactory scheme has been implemented.

Reason

To prevent the increased risk of flooding and to improve water quality and to accord with policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPS25.

3. Development shall not begin until drainage design for each plot or parcel of land, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved by the LPA, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason

To prevent the increased risk of flooding and to improve water quality to accord with policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPS25.

4. Development shall not begin until a temporary drainage arrangement strategy has been submitted and approved by the LPA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason

To ensure that the surface water drainage system operates effectively during the construction phase. In addition, please see attached our latest comments to Arup on

the Flood Risk Assessment for the current scheme. It is important that these issues are resolved at the discharge of condition stage, and to accord with policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPS25.

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPS25.

6. Prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines indicating lines, manhole); retained historic landscape features and proposals for restoration where relevant. Soft landscape works shall include 1:200 scale planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

Reason

To protect the character and appearance of the area to accord with Policies D1, GB1, L1, L13 and of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To protect the character and appearance of the area to accord with Policies D1, GB1, L1 & L13 and of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatment(s) to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To protect the character and appearance of the area to accord with Policies D1, GB1, L1, L13 and of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Replacement trees, the species, size and location of which are to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the felling hereby authorised.

Reason

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

10. Prior to the commencement of development, a scheme detailing the measures for the protection of the existing hedges and trees (to be retained) during the course of development shall be submitted to the local planning authority. The agreed scheme shall then be insitu prior to development commencing and shall also be carried out in accordance with the agreed details.

Reason

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

11. No development shall take place until there has been submitted to, and approved by the Local Planning Authority, a programme of archaeological investigation and recording for the site. Thereafter, the approved programme shall be implemented in all respects unless the Local Planning Authority agrees in writing to any variation. For the avoidance of doubt the programme shall include further building recording, excavation, watching briefs, post excavation works, archiving, storage and publication of appropriate reports.

Reason

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

12. Prior to the commencement of the development hereby approved, sample panels of the proposed new stonework, areas of repointing, and new render (including proposed finishes) shall be prepared on site for the approval of the Council. No development shall be commenced until the Council has given written approval, for the sample panels and the new stonework, render and any finishes shall exactly match the details so approved. For the avoidance of doubt the stonework shall be natural stone rubble or natural dressed limestone set in lime mortar to match surviving historic stonework and render should be a traditional lime render formed without corner reinforcing beads.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPG15.

13. Prior to the commencement of the development hereby approved, large scale details of the proposed rooflights and fenestration, the external doors and doorcases, and internal joinery including doors, doorcases, balusters, staircases, panelling and fire surrounds, skirtings, shall be submitted to the Council for approval. No development shall be commenced until the Council has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved. For the avoidance of doubt, sash windows and casement windows with glazing bars shall be single glazed.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPG15.

14. Prior to the commencement of the development hereby approved, sample panels of the proposed new stonework shall be erected on site, for approval by the Council. No development shall be commenced until written approval has been given by the Council, and the repointing shall be carried out exactly in accordance with the samples so approved. For the avoidance of doubt, the mortar shall be traditional lime mortar exactly matching the existing historic mortar, and the render shall be a traditional roughcast lime render.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPG15.

15. Prior to the commencement of the development hereby approved, construction details including surface finishes and sample panels of the proposed finishes for the energy centre shall be submitted to the Council for approval. No development shall be commenced until the Council has given written approval, for the submitted details and sample panels and the Centre shall be constructed exactly in accordance with the details so approved.

Reason

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

16. Notwithstanding the submitted drawings (Arup Job 125071-00), prior to the commencement of the works hereby approved, large scale details of the proposed extent of demolition and of rebuilding of the frontage boundary wall, including the proposed entrance gates and gate piers, shall be submitted to the Council for approval in writing. No development shall be commenced until the Council has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPG15.

17. Prior to the commencement of the development hereby approved, large scale details of the proposed stack, the fenestration, the roof construction including finishes, seating and perimeter fence for the energy centre, shall be submitted to the Council for approval. No development shall be commenced until the Council has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPG15.

18. Prior to the commencement of any part of the relevant development, the lighting strategy with full details of design and scale of the means of lighting shall be submitted to the local planning authority for prior written approval and the development shall then be carried out in accordance with the approved details.

Reason

To protect the character and appearance of the area to accord with Policies D1, GB1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

19. Prior to the commencement of any development, full details of the play equipment to be provided within the play areas identified on the proposed site plan are to be submitted to the local planning authority for written approval. The development shall be then carried out in accordance with the approved schedule.

Reason

To accord with the provisions of Policy LC8 of the South Gloucestershire Local Plan (Adopted) January 2006.

20. Prior to the commencement of development, large scale details of the communal refuse storage areas are to be submitted for written approval demonstrating capacity for the twin-bin system and also accessibility for refuse collection vehicles. The development shall then be carried out in accordance with the approved detail.

Reason

To accord with the provisions of Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

21. Prior to the commencement of development, a badger mitigation strategy and method statement is to be submitted to the local planning authority and agreed in writing. This shall also include any licensable work under the Protection of Badgers Act (1992) (eg. sett enclosures).

Reason

To accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

22. Prior to the commencement of development, a mitigation strategy to safeguard the slowworm colony by translocating it to a receptor area within the application site is to be submitted to the local planning authority for written approval.

Reason

To accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

23. Prior to the commencement of development, details indicating the use of "bat slates" to be fitted to the roof pitch of the Hall shall be submitted to the local planning authority for written approval.

Reason

To accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

24. Prior to the commencement of development, a mitigation strategy and working methodology is to be submitted to the local planning authority for written approval. This is to include five wooden hibernation boxes sited in agreed locations; a hand search of suitable habitat immediately prior to clearance; and a translocation strategy to move any animals found to an agreed site within the application site. The receptor site should be of suitable habitat, of sufficient size to support the population and not isolated, being linked by corridors of suitable connecting habitat.

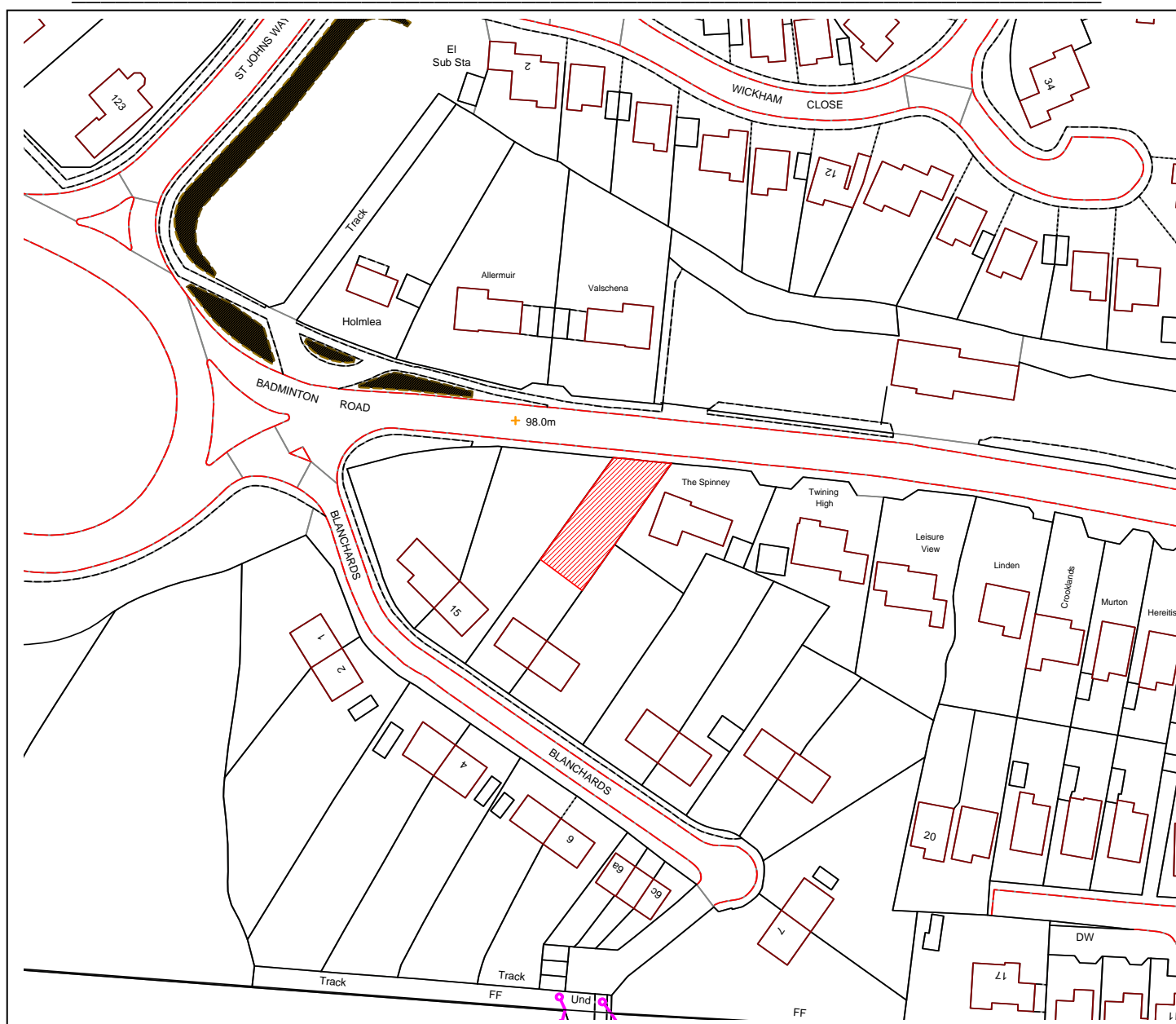
Reason

To accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006

CIRCULATED SCHEDULE NO. 11/09 – 20 MARCH 2009

App No.: PK09/0215/F
Site: 14 Blanchards, Chipping Sodbury, South Gloucestershire, BS37 6LJ
Proposal: Erection of 1no. detached dwelling with associated works. Creation of new access from Badminton Road. (Resubmission of PK08/0202/F).
Map Ref: 73540 81725
Application Category: Minor

Applicant: Mr A Sullivan
Date Reg: 4th February 2009
Parish: Sodbury Town Council
Ward: Chipping Sodbury
Target Date: 26th March 2009



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N.T.S

PK09/0215/F

INTRODUCTION

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

1. THE PROPOSAL

1.1 This application seeks full planning permission for the erection of 1 no. dwelling and formation of vehicular access.

1.2 The application site relates to domestic curtilage located within the established residential area of Chipping Sodbury.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan

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

3. RELEVANT PLANNING HISTORY

3.1 The following planning history relates to the application site:

3.2 P96/2655 Erection of detached garage
Approval 17th December 1996

3.3 PK05/1413/O Erection of 1 dwelling and garage (outline)
With siting and means of access
Refused on visual/residential and highway grounds
July 2005

3.4 PK08/0202/F Erection of dwelling and new access
Refused residential and highway grounds
July 2005

4. **CONSULTATION RESPONSES**

(a) Statutory Consultees

- 4.1 Sodbury Parish Council
No objection

(b) Other Representations

4.2 Local Residents

Three letters have been received from local residents raising the following objections regarding the original submitted plans and subsequent revised plans:

- No objection to bungalow but object on highway grounds i.e. access close to roundabout and increased traffic
- Design and Access Statement incorrect
- Noise survey not correct
- Why has Parish not objected this time round?
- Visibility survey incorrect
- Protection of walls to property and boundaries
- Proposed design is major improvement
- Will bungalow be overlooked by no. 14 Blanchard's
- Reject proposal
- Proposed parking area will result in noise and disturbance to adjacent property, building should be re-sited with parking on other side.
- No notices have been displayed

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site is located within the established residential area of Chipping Sodbury. Policy H4 & H2 of the South Gloucestershire Local Plan allows for development within existing residential curtilages provided a number of criteria are satisfied. The application site relates to existing domestic curtilage.

- 5.2 Two applications have been refused on this site both of which relate to the erection of dwelling and formation of vehicular access. The key considerations therefore are whether or not this revised scheme addresses the previous objections and complies with the relevant development plan policies.

5.3 Visual Amenity

The application site relates to rear domestic garden area set back from the junction of Blanchards and Badminton Road. The application site is sited at the end of a row of detached properties, which comprise mainly of two storey dwellings, although the property adjacent the application site is that of a single storey dwelling i.e. the Spinney and also those directly on the other side of the road. The application proposes a single storey L shaped dwelling with render & Bradley stone finish. It is considered that the proposed dwelling by reason of its design, scale and siting would not have an adverse impact on the character or appearance of the immediate surrounding area.

5.4 Residential.Amenity

The land subject of this application is sandwiched between the rear garden area of no.15 Blanchard and the side elevation of the adjacent bungalow and rear private garden area of The Spinney.

- 5.5 The previous planning application PK08/0202/F was refused on the following grounds:

The proposed dwelling by reason of its siting if allowed would have an overbearing impact on the neighbouring property along the eastern boundary of the application site which would be to the detriment of residential amenity. The proposal is therefore considered contrary to Policy H2 and H4 of the South Gloucestershire Local Plan.

- 5.6 The Spinney has been extended and as a result extends further along the adjoining boundary of the application site with an approximate gap of 4.0m between the rear elevation of the property and the rear garden boundary. This application has sought to address the above refusal reason by amending the footprint of the building and its position. The scheme proposes an L shape building and has pulled the building away from the adjoining boundary by 2.80m from the side elevation of the property and 4.8m from the garden boundary. This will enable the parking of two cars along this boundary. It is considered that the revised layout will overcome any harmful impact as previously identified.

- 5.7 Objections have been raised regarding the impact of the proposed parking layout on the adjacent occupiers in terms of noise and disturbance which will be alongside the side elevation of there property and their garden. The neighbour has advised that this would be adjacent their main bedroom. Members are advised to consider that the are no windows on the side elevation of that property. There is a mix of boundary wall and fencing along this shared boundary. It is considered that given the scale of development that the introduction of parking spaces in this location would not have such a harmful impact so as to warrant refusal of this planning application.

- 5.8 The dwelling has also been designed so that no habitable room windows will overlook any of the neighbouring properties.

- 5.9 It is also considered that there is satisfactory separation distances between the proposed dwelling and the existing dwelling to the rear in terms of privacy issues.

5.10 Transportation Issues

Objections have been raised by local residents regarding the transportation aspects of this scheme. The previous application (PK08/0202/F) was refused on the following grounds:

The proposed development will result in creation and use of a substandard access by reasons of inadequate visibility onto public highway and it would lead to increased traffic turning and waiting on badminton Road, thereby interfere with safe and free flow of traffic on the A432 a principal traffic route all to detriment of highway safety. This is considered to be unacceptable and contrary to policy T12 of the South Gloucestershire Local Plan.

By virtue of unsatisfactory turning area on the site, the development would lead to increase standing and manoeuvring of vehicles on public highway thereby interfering with safe and free flow of traffic on A432 Badminton Road, all to detriment of highway safety and contrary to policy T12 of South Gloucestershire Local Plan.

- 5.11 With regards the issue of visibility the Highway Officer has measured the visibility on the site and is satisfied that visibility splays are in compliance with Manual for Streets guidance and given scale of the development, the proposal would not be detrimental to road safety.
- 5.12 Revised plans have subsequently been submitted and gone back out to re-consultation as objections were still upheld by the Highway Officer with regards the turning area, as it was not considered satisfactory to allow vehicles to enter and leave in a forward gear. This objection has now been addressed by providing manoeuvring space along the side of the proposed property.
- 5.13 Landscaping Issues
There are no landscaping constraints that would prohibit development of this site.
- 5.14 Drainage Issues
The Council's Engineering Consultancy has advised that no objection is raised in principle to this proposed development. Had this planning application been recommended for approval the Council would require that the applicant consider the use of soakaways or permeable surfaces for roofs, private drives and parking areas for ground water replenishment and surface water pollution control so as to ensure a satisfactory means of drainage.
- 5.15 Environmental Impact
Application PK05/1413/O was refused on the grounds that in the absence of an acoustic report the Council was unable to assess whether or not the proposed development would be subject to unacceptable noise levels generated from Badminton Road or the railway line.
- 5.16 An acoustic report has been submitted. An objection has been raised by a neighbour regarding the validity of this report. However the Council's Environmental Health Officer has considered that report and considers it acceptable.
- 5.17 Other issues
Concerns have been raised by the adjacent occupier regarding the proposed excavation and retaining wall and the impact on their property. Such issues are considered to be a civil matter and would be covered by the Party Wall Act.
- 5.18 The question has been asked why the Parish Council have not raised an objection despite objecting to the two previous applications. The Planning officer cannot comment on this, however Members are advised that the Parish have seen revised plans relating to this application.

5.19 A neighbour has advised that no site notice has been displayed. It is not a statutory requirement to display a site notice for this type of development.

5.20 Design and Access Statement

Although the Design and Access Statement submitted with the application does not accurately reflect what is being proposed, the scheme itself is considered acceptable as it demonstrates that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.

5.21 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK09/0215/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. Prior to the commencement of development samples of the roofing and external bradstone facing materials proposed to be used 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.

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

Reason:

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. 'Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the proposed kitchen window on the side elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed'.

Reason(s):

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

5. Prior to the commencement of development a scheme of landscaping, which shall include details of all proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason:

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

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

Reason:

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

7. Internal noise levels as set out in the Design and Access Statement hereby approved must achieve the following prior the occupation of the dwelling:
40dB Laeq 16hr 07.00-23.00 in all bedrooms
30dB LAeq 8 hr 23.00-07.00 in all bedrooms
45dB LAmax 23.00-07.00 in all bedrooms

Reason:

To protect the amenities of the future occupiers of the approved development and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. All windows on the front elevation of the dwelling hereby approved shall be fitted with acoustic glazing units along with background acoustic treated ventilation to enable the house to be ventilated without opening the windows on the front elevation.

Reason:

To protect the amenities of the future occupiers of the approved development and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

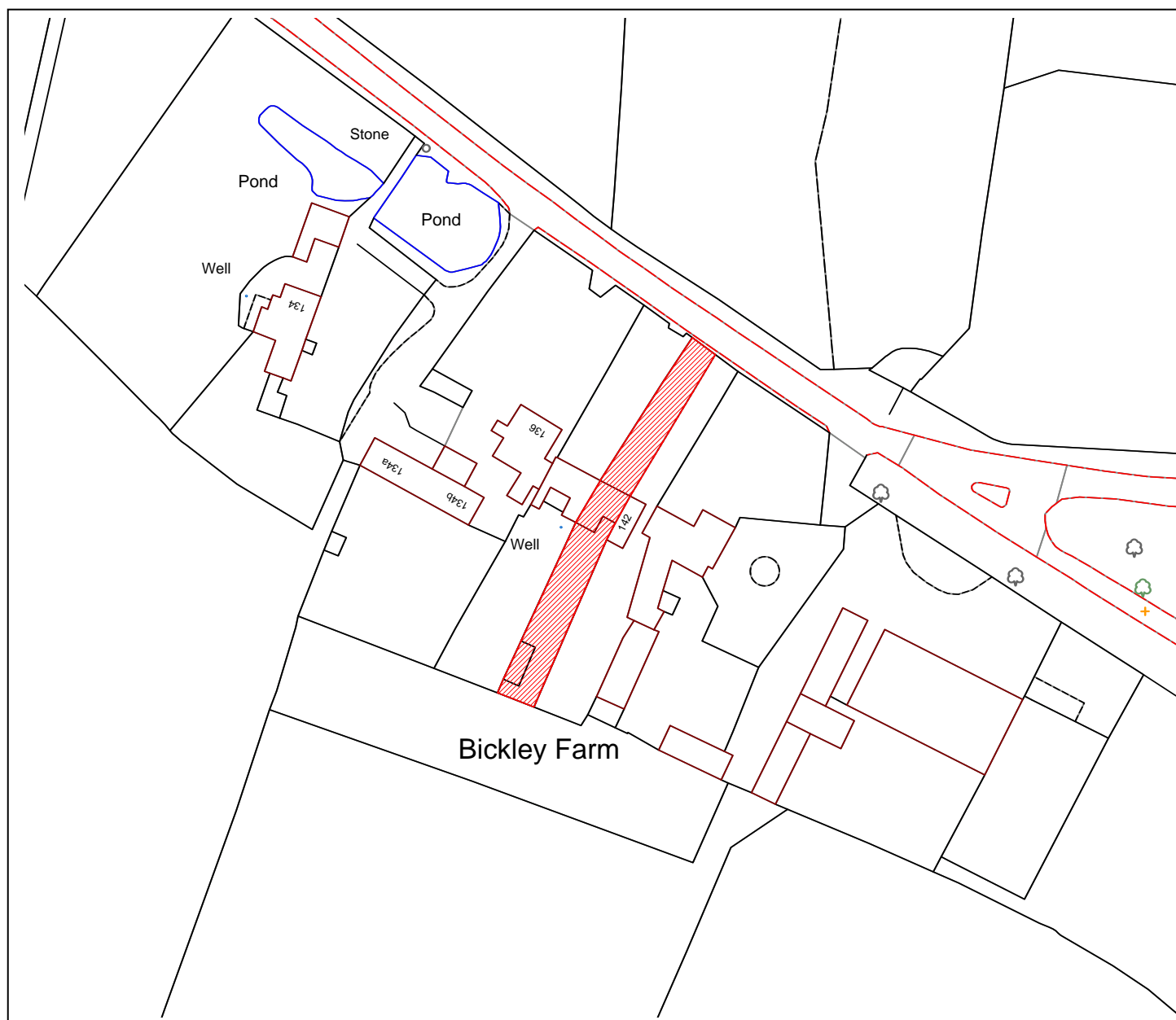
9. A visibility splay of 2.0m x 43m to the right hand side of the approved access (right hand side being as you exit the site) shall now be provided and maintained at all times.

Reason:

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

CIRCULATED SCHEDULE NO. 11/09 – 20 MARCH 2009

App No.:	PK09/0218/F	Applicant:	Miss B O'Mahony
Site:	140 Abbots Road, Hanham, South Gloucestershire, BS15 3NS	Date Reg:	4th February 2009
Proposal:	Installation of a storage tank for central heating fuel in front garden. Replacement of rear flat roof with a dual pitched roof. Installation of rear first floor balcony.	Parish:	Hanham Abbots Parish Council
Map Ref:	64684 70459	Ward:	Longwell Green
Application Category:	Householder	Target Date:	30th March 2009



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PK09/0218/F

INTRODUCTION

This proposal is referred to the Circulated Schedule of Planning Applications in accordance with procedure given that an objection has been raised.

1. PROPOSAL

- 1.1 The application relates to a mid terrace property situated on the southern side of Abbots Road. The property has a large front and rear garden with open land to the rear. The property is set within the Hanham Abbots Conservation area and Green Belt. The neighbouring property No.138 is a Listed Building and the application site is Locally Listed.
- 1.2 The applicant seeks consent for the installation of a pitched roof over an existing two-storey flat roof rear extension. The roof would have a height of 7.5 metres being set down from the original roof by 0.5 metres. Alterations would be made to the upper floor rear windows to incorporate a Juliette balcony and a large flue will be removed. In addition the scheme would involve the removal of an oil storage tank and its installation in the front garden. This is for operational reasons. The tank would have a length of 1.7 metres and height of 1.3 metres.
- 1.3 The proposal has been amended. An external balcony originally proposed has been removed and the height of the pitched roof dropped to appear subservient to the original property. The applicant has also indicated proposed landscaping around the oil storage tank.

2. POLICY CONTEXT

National Guidance

PPS1 – Delivering Sustainable Development

PPG2 – Green Belt

PPG15 Planning and the Historical Environment

Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

Policy D1 Achieving Good Quality Design in New Development

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

Policy GB1 Development within the Green Belt

Policy L12 Conservation Areas

Policy L15 Locally Listed Buildings

Development in the Green Belt (June 2007)

3. RELEVANT PLANNING HISTORY

P75/4697 Erection of a two storey extension (Refused)

P76/4523 Alterations and single storey extension to front elevation (Approved)

P78/4483 Erection of replacement porch (Approved)

4. CONSULTATION RESPONSES

(a) Statutory Consultees

Hanham Abbots Parish Council

No objection raised.

(b) Other Representations

Local Residents

One letter of objection has been received. The grounds of objection are that the proposed external balcony on the rear elevation would result in loss of privacy through overlooking of the neighbouring garden.

The letter indicates that a Juliette style balcony (ie inward opening doors with a guard rail) would be an acceptable compromise. It should be noted that this alteration has been made by the applicant.

5. ANALYSIS OF PROPOSAL

Principle of the Development

The application site is situated within the setting of a Listed Building, is located within the Hanham Abbots Conservation Area and the Green Belt. The building is locally listed and adjoins a Listed Building.

Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 considers development within the Green Belt following guidance in PPG2 setting out the criteria for appropriate development. Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to extensions and other development within residential curtilages considering both design and impact upon residential amenity. Policy D1 gives general design principles that seek to achieve a high standard of design in new development.

Policy L12 of the South Gloucestershire Local Plan (Adopted January 2006) considers the impact of the development upon the Conservation Area requiring that development preserves and/or enhances the character of the area. Policy L15 considers locally listed buildings but only considers the demolition of such structures. No demolition is proposed.

The policies indicate that such domestic development is acceptable in principle subject to the following considerations.

Green Belt

PPG 2 – Green Belts carries a presumption against “inappropriate development” within the Green Belt (unless very special circumstances can be demonstrated by the applicant). PPG2 defines “inappropriate development” as development that is harmful to the open character of the Green Belt, however the guidance identifies the extension or alteration of a dwelling as appropriate development provided that it does not result in a disproportionate addition over and above the size of the original building or affect the open character of the green belt. Following this guidance Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically allows for the limited

extension of dwellings within the Green Belt, provided that it does not result in a disproportionate addition over and above the original size of the original building.

Taking into account previous additions (through planning permissions), this development represents an addition of approximately 27%. Additions of 33% are considered acceptable. It is also considered that the removal of the flat roof would significantly enhance the appearance of the building and thereby the visual amenity of the Green Belt. The oil storage tank which is being essentially relocated would not have any Green Belt implications. The proposed development is therefore considered to meet the aims and objectives of Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 in so far as the essential open character of the Green Belt is preserved.

Listed Building/Conservation Area/Design

Policy L12 considers the impact of development upon the character and appearance of Conservation Areas following guidance in PPG15. The policy requires that all development shall preserve and/or enhance the character and appearance of the Conservation Area. Policy L13 indicates that development should not adversely affect the setting of a listed building. Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 states that development should respect the scale and proportions and overall design of the existing property and be in keeping with the form of development in the area. Policy D1 of the plan seeks to ensure that a high level of design is achieved.

In design terms the proposed pitched roof is considered to be a considerable improvement upon the existing flat roof structure. Negotiations have taken place to ensure that the new roof is set down. Some concern has been raised by the Conservation Officer regarding locating the oil storage within the front garden. It is considered however that the oil storage tank, which is set well back from the road within a large front garden would not be highly visible. This type of apparatus is commonly to be found in more rural areas. The tank has a limited height of 1.4 metres, is located largely behind a stone boundary wall and surrounded by existing and some proposed landscaping. It is not considered that this would have any significant impact upon visual amenity or the setting of the listed building.

Subject to a condition requiring the use of matching materials for the roof, it is considered that the proposal would meet the aims and objectives of Policy H4, L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

Amenity

Concern was raised by the neighbouring occupier that the originally proposed external balcony would have resulted in the loss of privacy through overlooking of the neighbouring garden. The applicant has agreed to removed the external balcony replacing this with a Juliette style balcony. It is not considered that this would result in any significant loss of privacy to neighbouring occupiers.

Given the scale and location of the proposed extension in relation to neighbouring properties, it is not considered that there would be any significant detriment to the residential amenity of the neighbouring occupiers and as such is in accord with Policy H4.

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 **PK09/0218/F**

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

CONDITIONS

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

Reason:

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

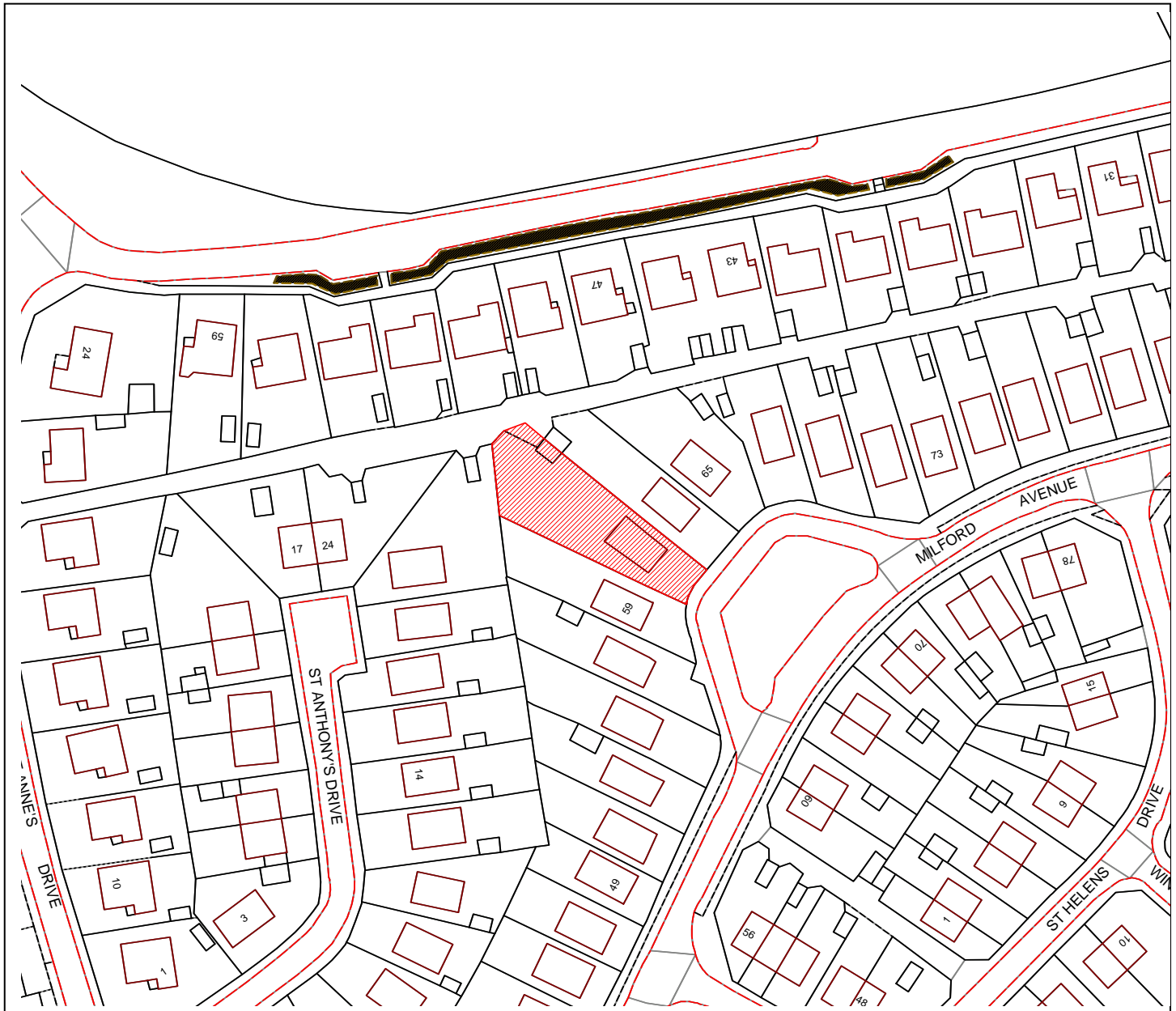
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason:

To ensure a satisfactory standard of external appearance in the Hanham Abbots Conservation Area, and to accord with and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 11/09 – 20 March 2009

App No.:	PK09/0249/F	Applicant:	Mr & Mrs Jones
Site:	61 Milford Avenue, Wick, South Gloucestershire, BS30 5PP	Date Reg:	10th February 2009
Proposal:	Erection of detached garage.	Parish:	Wick and Abson Parish Council
Map Ref:	69991 73339	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	2nd April 2009



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PK09/0249/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application is situated within a modern housing estate towards the north of Wick. The site is bounded by Milford Avenue to the south east, residential development to the north east and south west with vehicular access onto an adopted service road to the rear (north). The site comprises a detached bungalow positioned centrally within the plot and a double garage and single garage at the rear.

The application site is situated within a settlement boundary as defined in the adopted Local Plan. The application site is also situated within the Bristol/Bath Green Belt.

- 1.2 The application proposes erection of detached garage in place of the existing double garage.

The application has been amended to remove the proposed 2m high galvanised steel fence on the north boundary from the scheme.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
GB1	Green Belts
H4	Development within Existing Residential Curtilages
T12	Transportation for new development

2.3 Supplementary Planning Guidance/Documents

South Gloucestershire Design Checklist – August 2007
Development in the Green Belt – June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. **CONSULTATION RESPONSES**

4.1 Wick and Abson Parish Council

No objection

4.2 Other Consultees

Sustainable transport – Objection to fence only.

Fence would create obstruction to visibility to the detriment of highway safety

Other Representations

4.3 Local Residents

One letter of objection received from the occupiers of 49 Holbrook Lane raising the following concerns:

Fence would obstruct vehicle manoeuvring to the adjacent and opposite garages; fence would obstruct refuse vehicles from traversing the lane; rooflights in the garage almost suggest it may be used as a dwelling in the future; garage would be overbearing; covenant restrict garages and fencing.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for development within the curtilage of dwellings, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. The application site is also situated within the designated Green Belt where proposals must not compromise the 'openness' of the Green Belt.

5.2 Visual amenity

The proposed garage would be situated at the rear of the application site facing onto a service road. The road is characterised by a variety of modern structures, garages and enclosures abutting the highway. The proposed garage would replace an existing double garage in a poor state of repair and would be set back from the highway in broadly the position occupied by the existing double garage. The design and materials for the garage would be of good quality in keeping with the character of the existing dwelling, street scene and would respect the character distinctiveness and amenity of the surrounding area. 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 replace a large existing garage building and would be situated some distance from the neighbouring dwellings. On this basis the proposal is considered not to result in a material loss of amenity to the local residents.

5.4 Highway matters

The proposed garage would be situated in a similar position to the existing double garage. The proposal would result in no material change to the ability for vehicles to manoeuvre, off street parking arrangements or use of the rear access. As such the proposed would have no detrimental impact in terms of highway safety.

The Highways Officer raised objection to the originally proposed galvanised fence to the north boundary which has now has been removed from the application. The Highways Officer raises no objection to the scheme as amended.

5.5 Green Belt

The proposed garage falls within the limited types of development in PPG2 considered 'appropriate' within the Green Belt. The application site is situated within the settlement surrounded by residential development. The proposed garage would replace a similarly sized existing double garage. The service road at the rear of the site is characterised by its enclosed nature. As such the proposed garage would not compromise the openness of the Green Belt.

5.6 Other issues

The objector raised a concern in relation to obstruction of their ability to manoeuvre over the applicant's land. Additionally, the proposed fence has been removed from the application. As a land ownership issue this is a Civil matter and not a material planning consideration. The objector also raised concern in relation to possible breach of covenant. This is a private legal matter and not a material planning consideration. The objector raised concern that the installation of rooflights suggests the building may be used as a dwelling in the future. If the applicant uses the building as a dwelling this would represent a material change of use and would then fall within planning control and an application invited.

5.7 Design and Access Statement

A Design and Access Statement is not required for this application

5.8 Section 106 Requirements

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

6. CONCLUSION

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

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

Background Papers **PK09/0249/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).

CIRCULATED SCHEDULE NO. 11/09 – 20 March 2009

App No.: PK09/0256/F

Applicant: Mr M Williams
Prompt Transport

Site: Prompt Transport Services Ltd,
Southway Drive, Warmley, South
Gloucestershire, BS30 5LW

Date Reg: 11th February 2009

Proposal: Erection of security fence to south west
boundary. (Retrospective).

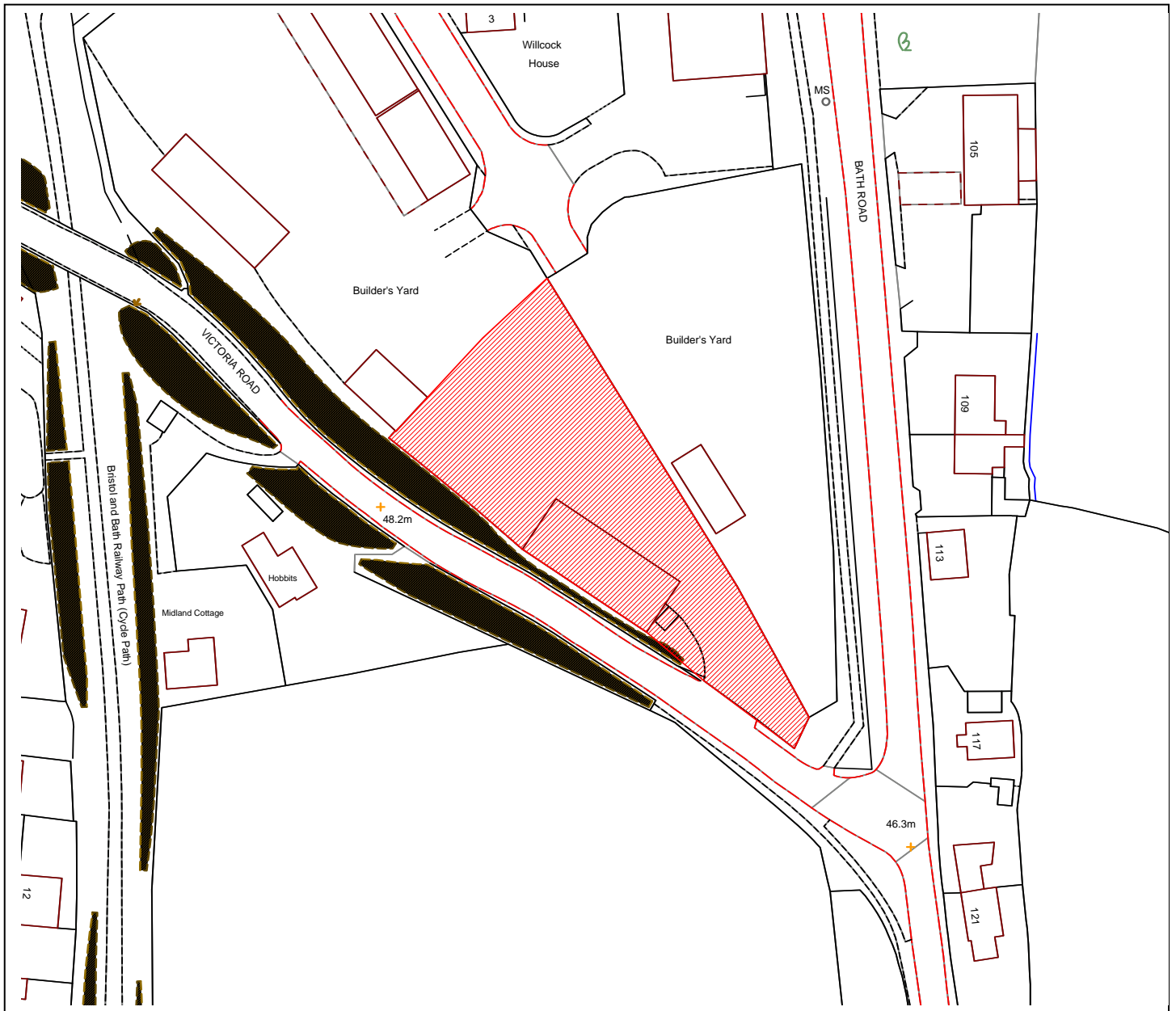
Parish: Bitton Parish
Council

Map Ref: 67859 72288

Ward: Oldland Common

Application Category: Minor

Target Date: 3rd April 2009



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N.T.S

PK09/0256/F

INTRODUCTION

This application is reported on the Circulated Schedule due to the receipt of comments from neighbours contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a security fence to the south east boundary of the Prompt Transport site, where the site bounds Victoria Road. The application has been made retrospectively. It is constructed of green wire mesh, with a sloping element at the top and runs almost the full site boundary on this side of the site.
- 1.2 Victoria Road is a no through road for vehicular traffic, although it continues into a footway over a bridge which crosses the Bristol to Bath cycle track. In reaching the bridge, the road is elevated on an embankment. The site, which lies in an established and safeguarded industrial estate, is therefore lower than this to the north and the two houses to the south are also on lower land. The fence is situated behind the highway land, at the top of the embankment. Behind it, a former hedgerow has been laid.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
L1 Landscape
E4 Safeguarded Employment Area

3. RELEVANT PLANNING HISTORY

- 3.1 P96/4494 Retention of change of use from storage and distribution (B8) to transport depot (sui generis) Approved 2003
- 3.2 No other applications directly relate to this site boundary

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Councillors object very strongly to this development. A tall hedge has been ripped apart and replaced with a horrible metal fence: this completely changes the character of the area from a lane to an industrial site and is totally out of keeping with the street scene. It seems that the removal of the hedge contravenes a condition attached to P96/4494. In fact it has been butchered to the state where it is very unlikely to recover at all. There are concerns that the fence has been erected on Highways land, beyond the limit of the Prompt Transport site, so appropriating the verge. The application refers to a new hedge in front of the fence, but it is not there and there is little room for one to be planted. There is no provision for any barrier to the noise and light which emanate from the site: this is fundamental to the residential amenity of close neighbours.

Councillors ask that the fence is removed entirely.

4.2 Other Consultees

Transportation

The proposal is for the erection of a chain link security fence as a boundary treatment along the south west boundary of Prompt transport site.

There are no highway safety issues relating to the proposed fence. However, it is noted that Bitton Parish Council has expressed a view / concern that the fence (i.e. the fence is already in place) has been erected in the public highway.

I have checked the highway records and I have also visited the site as well as the fence in question. Having compared some of measurements taken on site with measurements on the highway records. The new fence is on private land. The fence is set back from the edge of carriageway by a distance of between approximately 600mm to 800mm and that is broadly in line with measurement taken from the highway records. It must be noted however, that accuracy of such measurements is dependent on the actual scaled size of the original highway records.

Other part of this application is to plant a hedge along this boundary of the site. The applicant must be advised that any new hedge must be planted behind the new fence and within the site application boundary.

Landscape Officer

The site is along Victoria Road which is off Bath Road. An existing overgrown hedge on the boundary of the site with Victoria Road has been laid. It is considered that the hedge may have been too old to lay and a preferable way of restoring and maintaining the hedge would have been to coppice the larger shrubs and interplant with new whips. It is not possible to carry out any work to the hedge until the autumn as the bird nesting season has started and the planting season has finished. It is therefore suggested that an assessment is made at the end of the summer regarding how the hedge has responded to the laying and what measures need to be taken to restore the hedge. A management plan for the hedge would need to be submitted and approved.

A black and green Plasticol coated metal chain link fence, 2.5m high with an overhang on the highways side, has been erected on the boundary of the site with Victoria Road. Prior to the hedge being laid and the fence being erected Victoria Road would have had hedgerow along both sides and would have had a symmetrical and semi rural character. The open countryside, with in the Green Belt, is visible across the Bath Road and there is a school playing field on the other side of Victoria Road giving the area an open feel.

Policy L1 states that "...those features in or of the landscape which make a significant contribution to the character or distinctiveness of the locality are retained, protected and managed in a manner which ensures their long-term viability and the amenity of the landscape is conserved and where possible enhanced."

The erection of the fence on the edge of the road, with the hedge located on the inside has reduced the landscape amenity of Victoria Road, which is visible from the Bath Road, the Green Belt and the school playing field.

Recommendation.

It is considered that the works that have been carried out are contrary to Policy L1 of the Adopted Local Plan.

Drawing no 1521-03 indicates that the site boundary is at the bottom of the bank, although the fence has been erected at the top, this needs to be clarified. Regardless of where the site boundary is, it is considered that the fence should be located at the bottom of the bank between the western corner of the site and the western corner of the building and another section of fence should be located between the southern corner of the building and the entrance gateway. All section of the fence should be black. A landscape proposal should be submitted for the bank that will screen the fence and buildings within the site and help to enhance the landscape character of the area. This should include a management plan for the hedge.

It should be noted that the planning permission dated 5th January 1998 had the following condition "3. The existing trees and hedgerows within the site shall be retained and shall not be felled, lopped or topped without the previous written consent of the Local Planning Authority. Any trees and hedgerows removed without such consent or dying, or becoming damaged or becoming diseased shall be replaced in the next planting season with trees and hedgerows of such size and species as may be agreed with the Local Planning Authority."

Other Representations

4.3 Local Residents

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

- The hedgerow was lopped and the fence was erected on the highway side of the boundary
- The hedgerow was laid so drastically that it may not recover
- Design and choice of materials inappropriate for the area
- The location of the fence effectively narrows the road, having an effect particularly on lorries
- The building on site which was obscured by the hedgerow is now visible from the houses on the opposite side of Victoria Road
- The plans do not accurately show where the fence is
- There is already another fence securing the site, at the bottom of the bank
- The fencing is not in keeping with the residential nature of Victoria Road

- The applicants have shown a disregard for the planning process
- Scaffolding yard set up in the corner of the site has had a serious impact on the environment
- Concrete waste and surplus fencing have been dumped onto what is left of the hedge
- Outstanding breaches of planning control on this site
- The fence needs to be removed as soon as possible and replant the hedgerow
- The access into the site from Victoria Road is now being used again, in breach of a condition

NB The last 6 points are not valid planning concerns, largely because they do not relate to the current development proposal.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The proposal relates to the erection (retrospective) of the security fence. Planning permission has not been applied for the reduction of the hedgerow, which was protected by a condition on a previous planning application. It is considered that the removal of the hedgerow was not required to be carried out in order to erect the fence. It forms part of the analysis below as the removal of the hedgerow affects the setting of the development applied for.

5.2 Location of Fence

The location of the fence has been assessed and it is not considered that it has been erected on highway land. As such, it is considered that its location is within the ownership at Prompt Transport.

5.3 Design of Fence and its impact on visual amenity

The fence as erected is 2.5 metres high and has an element which slopes away from the site in order to deter people who may want to scale it. It is a standard security fence of green coated wire mesh. Victoria Road divides an established employment area from school playing fields and two dwellings on its southern side. This division is achieved comprehensively in landscape terms as the road stands on an embankment. While the extent of the industrial area extends up the bank to the edge of the highway, because of the former hedgerow, this use was not particularly evident from Victoria Road itself. The location of the fence now is revealed more starkly through the laying of the hedgerow.

It is considered that the element which would make most difference to the character of Victoria Road and the setting of the fence is the hedgerow. If it had not been laid, it is considered that the fencing would not affect visual amenity. The lopping of the hedgerow, as noted above, was contrary to condition 3 of the planning permission which changed the use of the site from storage and distribution to transport depot. This is currently being investigated by Planning Enforcement with a view to assessing the expediency of taking enforcement action. However, as noted in the landscape officer's comments, the planting season is now over and the laying of the hedgerow cannot be assessed at present as none of it has had a chance to re-grow. Given that the replacement/reinstatement of the hedgerow is considered to be the solution to establishing an appropriate setting for the fence, it is considered that this could be achieved through the use of planning conditions, which should take preference over refusing the scheme. To that end, the condition which is considered to be appropriate appear below.

5.4 Other issues

As noted at 4.2 above, the retention of the fence where it was erected does not cause any impact on highway safety. With regard to the effect of the erection of the fence on residential amenity, it is considered that it demarcates the edge of an industrial area and given the limited views of it from residential land, it is considered that this is appropriate. The hedgerow, once re-established behind the fencing, would overcome this perceived problem as well as screening any light emissions from the site aiding the visual amenity of the locality.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK09/0256/F**

Contact Officer: **Chris Gosling**

Tel. No. **01454 863787**

CONDITIONS

1. Within 6 months of the date of this planning permission a hedgerow landscape and management plan for the bank at the side of Victoria Road shall be submitted for approval in writing by the Local Planning Authority. This plan shall include evidence of the state of the hedgerow regrowth, details for planting where it has not regrown, a schedule of landscape maintenance for a minimum period of 5 years and comprehensive details for its implementation. Landscape works, including planting and maintenance shall be carried out in accordance with the approved details at the times set out.

Reason:

To enhance the character and appearance of the area and to screen the fence and buildings within the site to accord with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 11/09 – 20 March 2009

App No.: PK09/0315/R3F

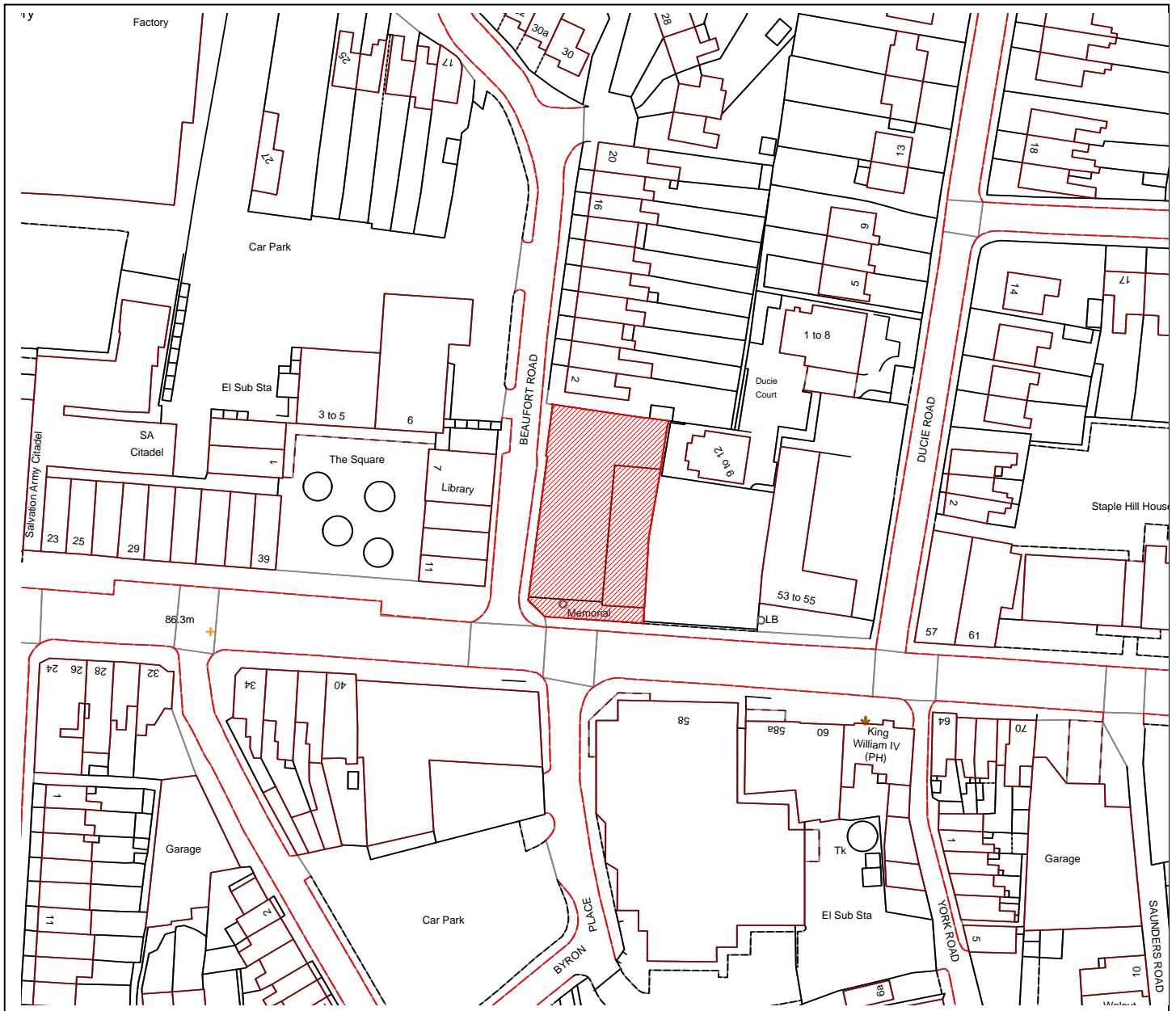
Applicant: Mr R Cohen
Sovereign Housing
Date Reg: 18th February 2009

Site: Staple Hill Library & Residences,
Beaufort Road, Staple Hill, Bristol,
South Gloucestershire, BS16 5LS

Proposal: Retention of access gates to undercroft. **Parish:**

Map Ref: 65099 75934
Application Category: Minor

Ward: Staple Hill
Target Date: 13th April 2009



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INTRODUCTION

This application relates to the new Staple Hill Library and Sovereign Housing Association Flats and as such is a Regulation 3 application, which under the Council's scheme of delegation must be determined via the Circulated Schedule.

1. THE PROPOSAL

- 1.1 The application relates to the recently constructed Staple Hill Library and flats located at the junction of Beaufort Road and Broad Street, Staple Hill. The main vehicular entrance to the parking and service areas at the rear of the building, is located on Beaufort Road.
- 1.2 The proposed new vehicular and pedestrian entrance gates have already been erected at the Beaufort Road entrance and in this respect the application is retrospective. The gates replace the originally approved automated bollard system which has been omitted due to the high level of incoming services.

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
L1 - Landscape Protection and Enhancement
LC4 - Proposals for Educational and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries.
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (SPD) Adopted 23rd August 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/1210/R3F - Demolition of existing car showroom to facilitate the erection of Public Library and 14no. residential units comprising 12 no. flats and 2 no. houses with associated parking. Construction of new vehicular access from Beaufort Road.

4. CONSULTATION RESPONSES

- 4.1 Parish Council
Not a parished area.
- 4.2 Other Consultees
None

Other Representations

- 4.3 Local Residents
No responses.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, seeks to secure good quality designs in new development, which incorporate safe access and takes account of security and crime prevention.

- 5.2 The gates are located within the undercroft section of the building, within the access from Beaufort Road. Being set back some 7m from the footway, the gates are not prominent in the street scene and as such have minimal impact on the visual amenity of the area.

- 5.3 The gates integrate very well within the building and provide enhanced security for the courtyard area to the rear of the building.

- 5.4 Since the gates are set back 7m from the back edge of the footway, vehicles can satisfactorily pull off the public highway to allow traffic to freely flow on Beaufort Road. There are therefore no highway objections to the proposal.

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

7. RECOMMENDATION

7.1 That planning permission be GRANTED.

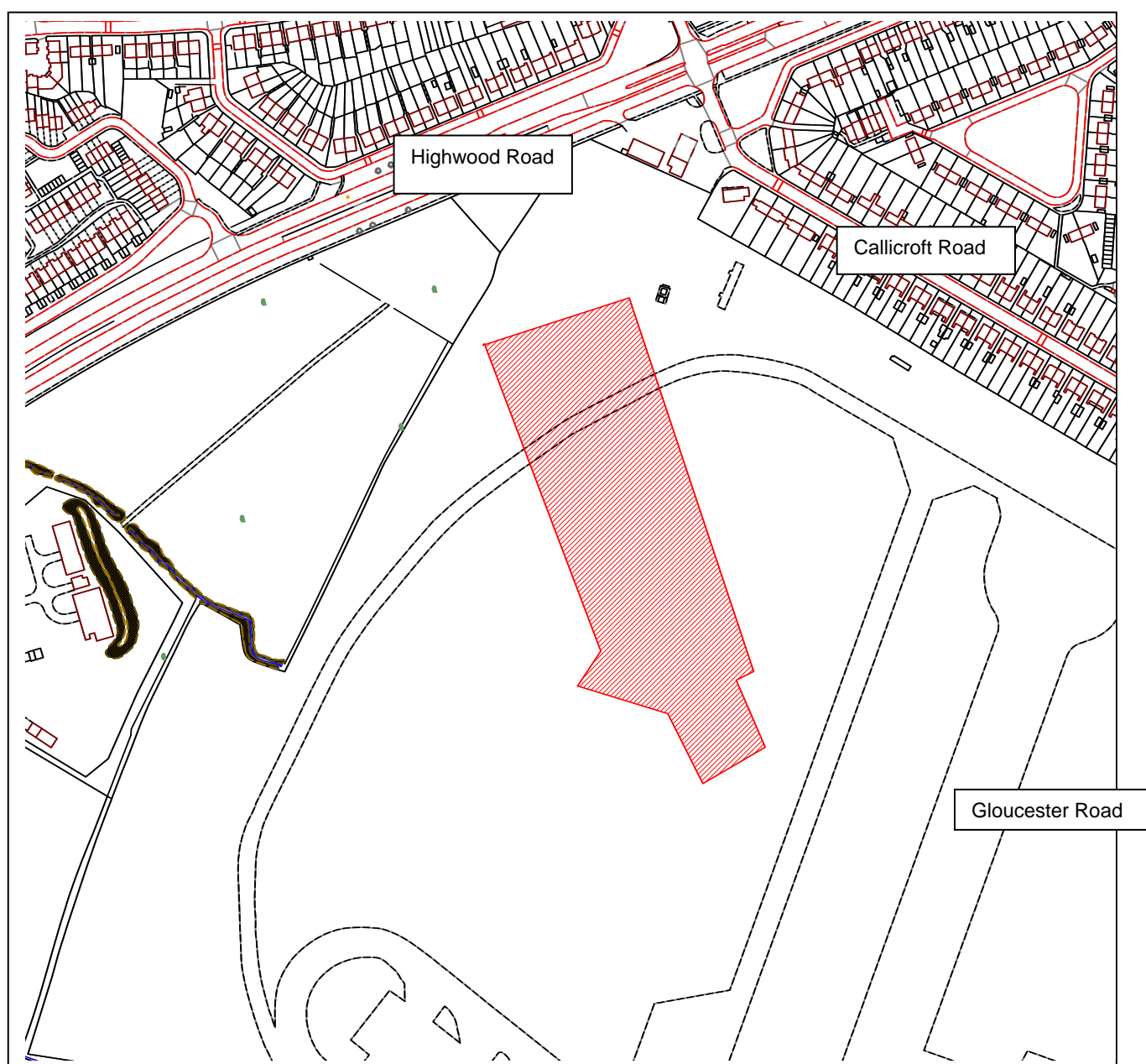
Background Papers PK09/0315/R3F

Contact Officer: Roger Hemming

Tel. No. 01454 863537

CIRCULATED SCHEDULE NO. 11/09 – 20 MARCH 2009

App No.:	PT09/0099/RM	Applicant:	Mr Farley
Site:	Northfield, Filton Aerodrome, Bristol, BS34 5DZ. (Charlton Hayes).	Date Reg:	16th January 2009
Proposal:	Phase 1, The Boulevard: Infrastructure highway works including landscaping, street furniture, paving materials and lighting. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT03/3143/O).	Parish:	Patchway Town Council
Map Ref:	60093 81167	Ward:	Patchway
Application Category:	Major	Target Date:	16th April 2009



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PT09/0099/RM

The application is a major one and therefore falls to be considered under the current scheme of delegation by the circulated schedule.

1. THE PROPOSAL

- 1.1 The application seeks reserved matters consent for Phase 1: 'The Boulevard', a 300m long stretch of road that is proposed to join the main road infrastructure points of the Highwood Road access and the 'Southern Square', north of the junction 'NF3'. The Highwood Road Access and junction 'NF3' were approved as part of the outline planning application as major highway infrastructure.
- 1.2 The proposal follows the process of approval of the outline planning permission in March 2008 (PT03/3143/O), the approval of the Phase 1 Masterplan in August 2008 and approval of the Phase 1 Design Codes in December 2008. Condition 4 of PT03/3143/O states that applications for the approval of the reserved matters shall be in accordance with the principles and parameters described in the North Field Site Wide Design and Access Statement (December 2007) and with the approved detailed masterplan and design code for the geographical phase to which the reserved matters application relates.
- 1.3 The application includes details of the vehicular carriageway, pedestrian areas and hard and soft landscaping. Details of tree planting, as well as low level planting and street furniture are included within the application.

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
M1 Site 4 Major Mixed Use Development Proposals at Northfield
L1 Landscape Protection and Enhancement
T12 Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/3143/O Major mixed-use development across 81.25 hectares of land comprising 2,200 new dwellings 66,000 sq m of employment floorspace (B1, B2 and B8), 1,500 sq m of A1, A2, A3, A4 and A5 floorspace; together with the provision of supporting infrastructure and facilities including: new vehicular and pedestrian accesses to Highwood Road, new link road, public open space, primary school, community building, hotel (C1) (Outline). Approved on 14/3/2008

4. CONSULTATION RESPONSES

4.1 Parish/Town Council

No response

4.2 Other Consultees

Highways Agency: No objection

English Heritage: No comment

Civil Aviation Authority: No comment

Environment Agency: The Environment Agencies South West Regions interests have been covered at the outline stage.

Other Representations

4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of development has been ascertained with the approval of the outline permission PT03/3143/O. The location of the Boulevard is shown on the overall site Masterplan included in the approved Site Wide Design and Access Statement. The approved Phase 1 Masterplan sets out the basic layout of the development, and the approved Phase 1 Design Code gives details of design parameters, including materials. The reserved matters application must therefore be seen in this context. Part of the northern section of the Boulevard is subject to a future development brief for the Patchway Town Centre extension, as required by condition 7 of PT03/3143/O.

5.2 The proposals consists of 300m length of Boulevard, from the end of the proposed Highwood Road access to the 'Southern Square', north of the proposed NF3 junction. The Boulevard is proposed to be the widest street in Phase 1, running north to south, and is at the top of the hierarchy of street types on the site. Given its width, it is proposed to be fronted by large scale properties, which will be included in future reserved matters applications. The Boulevard is extensively tree-line in a formal arrangement, with tall, narrow trees that are easy to maintain, with on-street parking in grouped bays, and street furniture (bollards, seats and street lighting). The Boulevard includes traffic calming features including controlled pedestrian crossings, parking bays, narrowing and junctions. These are enhanced by the use of different materials. The Boulevard is also intended to be a main bus route through the site.

5.3 The proposed design and materials, including planting, of the Boulevard have been amended before submission of the application on the advice of officers and are now considered to confirm to the detailed design and material

parameters set out in the approved Design Code. The proposed colour palette of materials, including street furniture, matches those in the Design Code, giving a contemporary feel to the proposal. There is also ample amount of street tree planting (of semi-mature trees) and low level planting. Furthermore, the Landscape and Highway Officers do not raise any objection to the scheme. It is therefore considered that the proposal will result in a boulevard of a high design quality and road safety.

5.4 The only material not specified on the plan is the proposed tactile paving situated at various points on the Boulevard, and this will be required by condition.

5.5 Design and Access Statement

The Design and Access Statement was approved as part of the outline application PT03/3143/O, and the proposal currently under consideration here conforms to the site wide Masterplan included in the Site Wide Design and Access Statement (December 2007).

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the reserved matters submitted in accordance with conditions 1 and 2 associated with outline planning permission PT03/3143/O dated 14/3/2008 be APPROVED.

Background Papers **PT09/0099/RM**

Contact Officer: **Sarah Tucker**
Tel. No. **01454 863780**

CONDITIONS

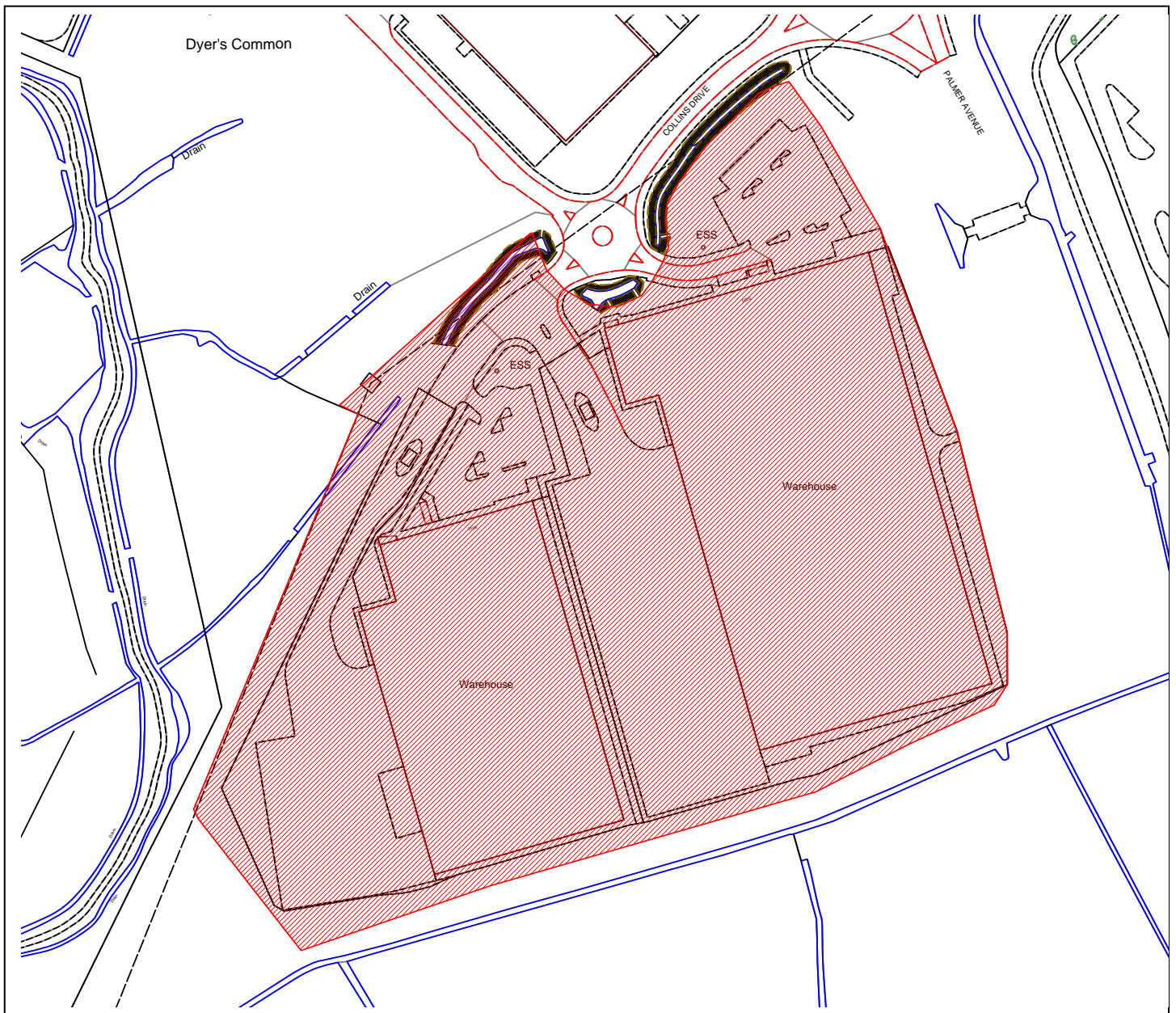
1. Details and samples of the proposed tactile paving shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development of The Boulevard. The development shall be carried out in accordance with the approved details and retained thereafter as such.

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. 11/09 – 20 MARCH 2009

App No.:	PT09/0188/F	Applicant:	GKN Aerospace
Site:	Units 5010 & 5020 Govier Way, Western Approach Distribution Park, Sevenside, South Gloucestershire	Date Reg:	2nd February 2009
Proposal:	Installation of two storey modular buildings to provide new staff changing and amenity facilities and external alterations to units 5010 & 5020.	Parish:	Pilning and Severn Beach
Map Ref:	55180 83273	Ward:	Pilning and Severn Beach
Application Category:	Major	Target Date:	1st May 2009



INTRODUCTION

This application appears on the Circulated Schedule in view of the concerns that have been raised by the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of two modular buildings to provide staff changing and amenity facilities and for external alterations to the two existing buildings.
- 1.2 The application relates to units 5010 and 5020 Govier Way, at the Western Approach Distribution Park, Severnside. The site falls within a Safeguarded Employment Area.
- 1.3 The application site has been the subject of a recent planning permission (PT08/2629/F) which has allowed the change of use of the two existing buildings from Class B8 (storage) to Class B2 (general industrial). This would now allow occupation of the buildings for purposes related to the production and distribution of aerospace components.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development
PPG4: Industrial and Commercial Development and Small Firms
PPG13: Transport
PPS25: Development and Flood Risk

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
L1: Landscape Protection and Enhancement
L17: The Water Environment
L18: The Water Environment
EP1: Environmental Pollution
EP2: Flood Risk and Development
E2: Severnside
E4: Safeguarded Employment Areas
T7: Cycle Parking
T8: Parking Standards
T10: Travel Plans
T12: Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 The surrounding area and the site have a long history of employment designation associated with the ICI Agreement of the early 1950's.

- 3.2 P98/1845: Application to vary condition 01 of P94/400/8 dated 8 June 1994 to extend the period for the submission of reserved matters from 3 years to 6 years from the date of the outline permission. Approved 5th August 1998
- 3.3 P94/400/8: Development of 87.7 hectares of land for the layout & construction of a distribution park (Class B8). Approved June 1995
- 3.4 PT01/0293/RVC: Variation of conditions 1(b) and 1(c) attached to P94/0400/8 as amended by condition 1 attached to P98/1845, to extend time limit for submission of reserved matters for a further 4 yrs. Approved 16th August 2001
- 3.5 PT05/1073/RVC: Variation of condition 2 attached to PT01/0293/RVC to extend the time period for submission of reserved matters. Approved 8th August 2005
- 3.6 PT05/3568/RVC: Variation of condition 4(a) attached to PT01/0293/RVC to permit the gross floor space to exceed 2,350,000 square feet. Approved 24th February 2006
- 3.7 PT05/2503/RM: Erection of distribution centre with ancillary offices and associated works (Approval of reserved matters). Approved 8th May 2006
- 3.8 PT06/1862/RB: Erection of 2 distribution centres with ancillary offices and associated works (to be read in conjunction with PT05/3568/RVC). Permitted: 7th August 2006
- 3.9 PT08/2629/F: Change of use from storage (Class B8) to General Industry (Class B2) as defined by the Town and Country Planning (Use Classes) Order 1987. Permitted: 23 February 2009

4. CONSULTATION RESPONSES

4.1 Pilning and Severn Beach Parish Council

Objection:

- Concerns are expressed with regards to drainage;
- The Bristol & Severn drainage report has not yet been published- how is it possible to claim that the existing drainage system offers robust protection?
- Whilst there is a flood protection scheme for the new buildings, this water will be transferred into the local rhines (ditches) causing further problems for local residents;
- Traffic at shift changeover times will be increased on the A403 by unacceptable levels with a 24 hours a day, 7 days a week operation;
- Tesco, currently setting up a nearby distribution centre, have already stated that 900 vehicles will be entering and leaving their site on a daily basis;
- Stack omissions are a concern, 'the prevailing wind carrying emissions directly over Marsh Common and Easter Compton';
- The Parish Council 'would be interested in learning what quality controls are in operation regarding all aspects of the operation'.

4.2 Other Consultees

Highways DC: no objection

Environment Agency: no objection in principle subject to conditions

Lower Severn Drainage Board: no comment
Wessex Water: statutory comments
Technical Services (Drainage): no objection in principle
Environmental Services: no objection

- 4.3 Local Residents:
No comments received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning policy E2 cites that the Council is committed to realising the long-term economic potential of Severnside by achieving a comprehensive, integrated & sustainable form of development to include a broad range of employment uses encompassing B2 & B8 employment uses. In this regard, development should:

- Not have an unacceptable impact on flooding, the landscape or ecology;
- Not prejudice the long-term development of the area;
- Make a positive contribution to the overall sustainable form of development;
- Not harm the amenity of local residents;
- Not cause harm to the free flow and safety of traffic on a public highway.

- 5.2 Policy E4 details that within the safeguarded employment areas, development proposals for employment development will be granted subject to the criteria set out in policy E3. Accordingly, this is as follows:

- Development should not have an unacceptable environmental impact, and
- Adequate provision should be made for service and delivery requirements whilst it should not give rise to unacceptable levels of vehicular traffic, especially heavy goods vehicles, or on street parking to the detriment of the amenities of the surrounding area and highway safety; and
- Development should not prejudice residential amenity; and
- The character of the area/ settlement should not be adversely affected; and
- The maximum density compatible with the sites location is achieved; and
- In the case of travel intensive B1 (office development), the site is well served by public transport.

- 5.3 Policy T12 cites that new development will be permitted provided that in terms of transportation (considered relevant to this case), it provides safe access capable of accommodating traffic generated by the proposal whilst it should not unacceptably exacerbate traffic congestion or have an unacceptable impact on road, pedestrian and cyclist safety.

- 5.4 Policy EP2 cites that development, including the extension or intensification of existing uses will not be permitted unless adequate environmentally acceptable measures are incorporated which provide suitable protection, attenuation and mitigation.

5.5 Design/ Visual Amenity

The application relates to units 5010 and 5020 Govier Way which comprise two large warehouse buildings albeit with a recent application allowing their use for B2 (general industrial) purposes. This previous application did not propose any external alterations to the two existing buildings.

- 5.6 This application seeks permission for the installation of two modular buildings in association with this recently permitted change of use and for limited external alterations to the two existing buildings.
- 5.7 Design/ Visual Amenity: The Modular Buildings
The Design and Access Statement submitted in support of the application cites that although the existing buildings provide adequate accommodation for the production process, there is inadequate space to accommodate a staff restaurant, changing rooms and other related staff facilities. The modular buildings would fulfil this purpose.
- 5.8 The modular buildings would be positioned one above the other and would be located adjacent to unit 5020 within the existing parking area between the two buildings. Access to the first floor accommodation would be via two external staircases with one at either end of the building; facilities at this level would comprise the kitchen and restaurant with the lower providing toilets and locker facilities. The buildings would measure 24m in length and 15.5m in depth with the double height structure reaching 6m in height.
- 5.9 Given the positioning of these buildings (between the existing structures) it is not considered that they would appear readily visible from beyond the site boundaries. On this basis and subject to a condition which would require their removal in the event that they are no longer required, there is considered to be no objection to this element of the proposal.
- 5.10 Design/ Visual Amenity: External Alterations to the Existing Buildings
This application also seeks planning permission for a number of changes to the two existing buildings. In this regard, that which is likely to be most prominent from beyond the confines of the site would comprise the introduction of thirteen ventilation stacks; one on the roof of unit 5010 and twelve on unit 5020. These stacks would project 3m above the parapet level of the buildings and measure between 200mm and 900mm in diameter. A further two stacks would also be located on the eastern elevation of unit 5020 with these also turned to project above the parapet of the existing building.
- 5.11 The Design and Access Statement received cites that when viewed against the overall scale of these existing buildings, the proposed stacks would not have a significant visual impact. Furthermore, they are consistent with what might be reasonably anticipated as part of a B2 use. Officer opinion concurs with these observations thus it is considered that there can be no reasonable objection to this element of the proposal.
- 5.12 Further alterations would not be so apparent from outside of the application site with these providing alterations to the existing fenestration and doorways. To this extent, five new windows would be formed at ground floor level within the south elevation of unit 5010 with these to provide for internal office facilities. A 6m x 5m roller shutter door would also be installed within the east elevation of this building whilst high level louvres would be provided on unit 5020.
- 5.13 These alterations are considered to be relatively modest and would not have any significant impact on the appearance of these buildings. Accordingly, there is also considered to be no objection to this element of the proposal.

5.14 Further Alterations (as Permitted Development)

The submitted plans also detail a number of further changes that are intended to be completed as permitted development. These are summarised as follows:

- Two compressed air vessels (adjacent to the west side of each building);
- One nitrogen vessel (adjacent to west side of unit 5020);
- Six Autoclave heat discharge units (all to the east side of unit 5020);
- A skip waste collection area (rear south west corner of site);
- Ten substations (four to serve unit 5010 with two either side and six to serve unit 5020 with three to its eastern side, two to the west and one behind);
- Fifteen freezer discharge units (located together adjacent to the west side of unit 5020 north of the new modular buildings).

5.15 Part 8 of the Town & Country Planning (General Permitted Development) Order 1995 relates to industrial and warehouse development. Class B allows for development carried out on industrial land for the purpose of the industrial process consisting of:

- The installation of additional or replacement plant and machinery,
- The provision, rearrangement or replacement of a sewer, main pipe, cable or other apparatus; or
- The provision, rearrangement or replacement of a private way, private railway, siding or conveyor.

Development is not permitted if the works would materially affect the external appearance of the premises or if the plant or machinery would exceed a height of 15m above ground level (or the height of the item replaced).

5.16 In this instance, all new plant would be positioned within the confines of the site although it would not be attached to the building; it is not therefore considered that it would have a material impact upon the appearance of the buildings. The height of all equipment is also under 15m and thus with this plant for purposes associated with the industrial operations that are to be conducted on site, it is considered that these works can be completed as permitted development.

5.17 Residential Amenity

There are no residential dwellings within close proximity of the application site thus there is no objection to the current proposal on this basis.

5.18 Highway Safety

A contribution of £20,000 has been agreed as part of the previous application (PT08/2629/F) and it is considered that the traffic generated by this proposal would be sufficiently offset by the payment of this contribution.

5.19 The application would allow an increase in the level of parking provision on site with these spaces replacing part of the existing parking area that is designated for heavy goods vehicles. This additional car parking is considered to fall within the maximum standards for this use and thus is considered to be acceptable.

5.20 Finally, a framework travel plan has been previously submitted and agreed, these details are considered to remain applicable. For these reasons, there is no transportation objection to this current proposal. Whilst the comments of the Parish Council are noted in relation to other developments in the vicinity it is not considered that this application will raise any material transportation consequences.

5.21 Flood Risk

The application site is located within Flood Zones 2 and 3; in this regard, at the time of the recent application (PT08/2629/F) it was noted that this permission would intensify the proposed use at this site increasing the number of persons employed. However, given that these buildings have been recently completed, they incorporate a number of flood mitigation measures whilst the Environment Agency raised no objection in respect of the previous scheme.

5.22 Similarly, the Environment Agency has raised no objection in respect of this proposal; the same is true of the Lower Severn Drainage Board, Wessex Water and the Councils Drainage Engineer. This is subject to conditions in respect of finished floor levels, the submission of a flood emergency plan (recommended by the flood risk statement) and the submission of sewerage infrastructure details.

5.23 Concerning the latter, it is understood that the existing pumping station already provides for an area greater than originally intended whilst much of the existing sewerage system is privately owned. Details are therefore required given the further development now proposed, however it is considered that this can be adequately addressed by condition in this instance. This is primarily due to the small scale of the proposed alterations which are unlikely to have a material impact upon the drainage infrastructure over and above the development that is already converted.

Other Matters

In relation to likely emissions this is a matter generally covered by more specific legislation. Accordingly, no objection has been raised in relation to their planning application by the Councils Environmental Health Team. Whilst the interest of the parish on this point is noted in relation to quality controls this is not considered material to this application. However an informative will be suggested to the applicant that they may wish to contact the Parish Council at this point.

5.24 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.

5.25 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT09/0188/F**

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

CONDITIONS

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

Reason(s):

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

2. The finished floor levels of the modular buildings hereby approved shall be set at a minimum of 7.6m AOD.

Reason(s):

To reduce the impact of flooding on the proposed development and future occupants and to accord with Planning Policies D1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the occupation of the development hereby permitted, a Flood Emergency Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason(s):

To reduce the impact of flooding on the proposed development and future occupants and to accord with Planning Policies D1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of development, full details of the necessary sewerage infrastructure in respect of the discharge of foul water from the site shall be submitted to and agreed in writing by the Local Planning Authority. These details shall demonstrate that the infrastructure is capable of dealing with the increased flows from the proposed changing and amenity facilities.

Reason(s):

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

5. The modular buildings hereby approved shall be removed from the site if at any time no longer required.

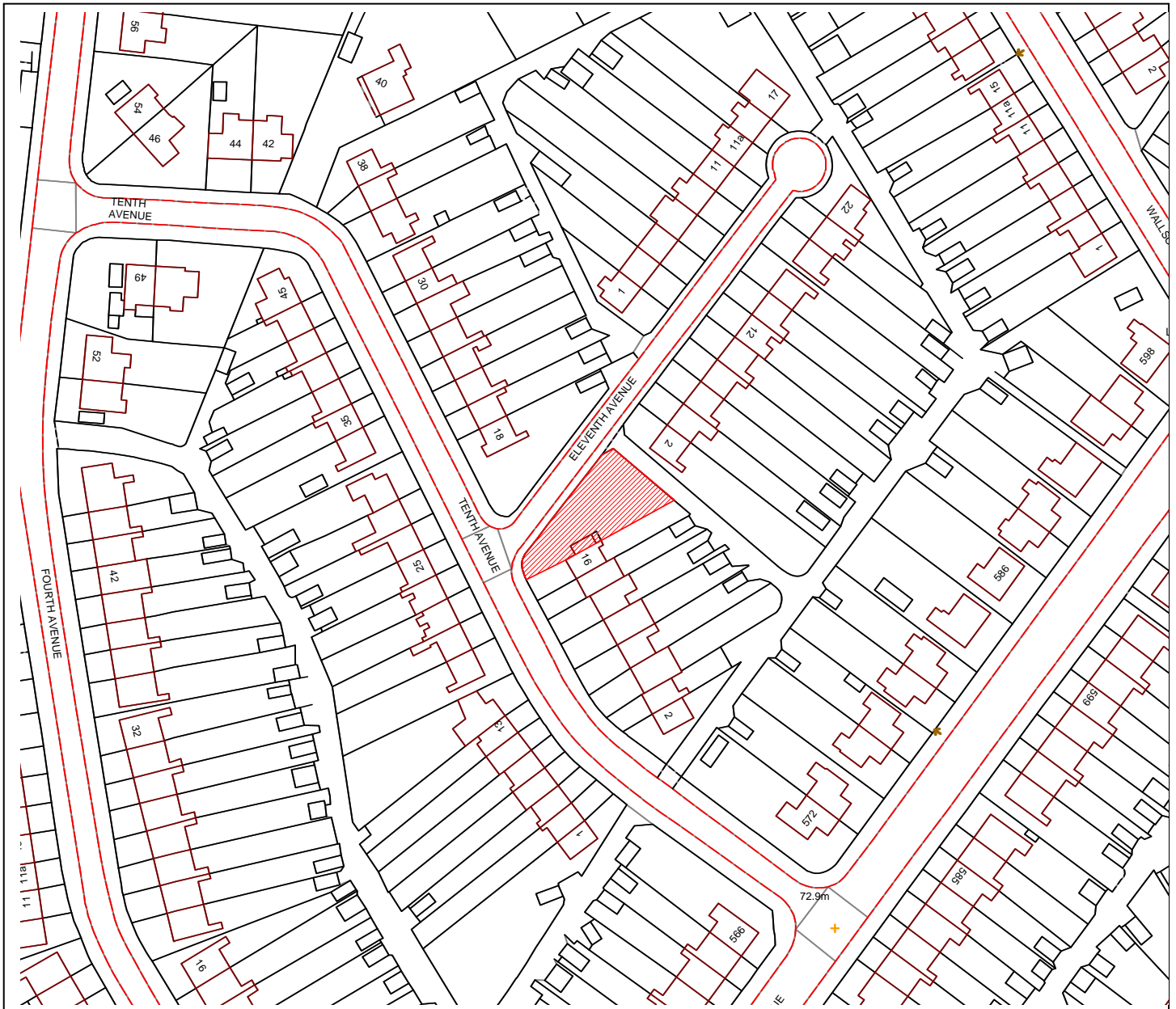
Reason(s):

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. 11/09 – 20 MARCH 2009

App No.: PT09/0240/F
Site: 16 Tenth Avenue, Filton, South Gloucestershire, BS7 0QL
Proposal: Erection of 1 no. attached dwelling on 0.04 hectares of land. (Resubmission of PT07/3526/F).
Map Ref: 60588 78421
Application Category: Minor

Applicant: Mr J Kite
Date Reg: 9th February 2009
Parish: Filton Town Council
Ward: Filton
Target Date: 2nd April 2009



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100023410, 2009.

N.T.S

PT09/0240/F

This application appears on the Circulated Schedule in view of the concerns which have been expressed by the Town Council.

1. **THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of an attached three bedroom dwelling.
- 1.2 The application site comprises garden land associated with an existing end of terrace dwelling on the corner of Tenth and Eleventh Avenue, Filton.
- 1.3 The application comprises a resubmission of application PT07/3526/F which was refused for the following reason:

'The application fails to provide any mitigation measures to offset the impact of the proposal on the Bristol north fringe highway network. The proposal is therefore considered to be contrary to planning policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.'
- 1.4 This application was considered at the Development Control West Committee in January 2008 at which time it was resolved to grant full planning permission subject to receipt of a Section 278 Agreement within 1 year. This agreement was not completed and thus the application was refused.
- 1.5 In considering this application, it is noted that there is an existing planning permission for an attached dwelling on this site which will lapse in May of this year if not implemented.

2. **POLICY CONTEXT**

- 2.1 **National Guidance**
PPS1: Delivering Sustainable Development
PPS3: Housing
PPG13: Transport
- 2.2 **Development Plans**

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/2642/F: Erection of new dwelling and formation of new access. Refused: 6 October 2005
- 3.2 PT06/0576/F: Erection of attached dwelling. Permitted: 12 May 2006
- 3.3 PT07/2071/F: Erection of one detached dwelling, garage and associated works. Refused: 24 August 2007
- 3.4 PT07/3526/F: Erection of one attached dwelling & detached garage. Refused: 5 February 2009

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
'Concerns over access onto very narrow and already congested street'
- 4.2 Other Consultees
Highways DC: no objection

Other Representations

- 4.3 Summary of Local Residents Comments:
One letter received in support of the proposal stating that the appearance is considered to be in keeping with the character of the area whilst there is adequate parking provision.

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 must 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 part of the garden land serving 16 Tenth Avenue; this dwelling comprises an existing end of terrace two-storey dwelling that benefits from an uncharacteristically large garden by virtue of its corner position with its north flank boundary adjoining Eleventh Avenue.
- 5.3 The application seeks approval to subdivide this existing garden creating a new boundary in alignment with the flank wall of the host dwelling. A new attached dwelling would be provided alongside this existing property with a detached single garage at the far end of the new rear garden.
- 5.4 The proposal is the same as that previously proposed (albeit refused) and thus would provide an attached dwelling that would contain a lounge and hall at ground level with a kitchen/ diner across the rear and three bedrooms (one

- ensuite) and bathroom above. It would be larger than the adjoining property with it wider and including a 2m rear projection. Nonetheless, it would equal the width of the approved dwelling (PT06/0576/F) whilst other properties within this terrace are wider than this end unit. The rear projection forms the main difference to the permitted scheme and is considered to be acceptable with no associated refusal reason in respect of the most recent application.
- 5.5 Externally, the proposal would reflect the appearance of the existing dwellings within the terrace with a bay window to the side whilst the rear extension would be contained under a pitched roof of reduced height. For these reasons, the proposal is considered acceptable and in keeping with the general character of the area.
- 5.6 The garage would form a detached structure at the far end of the rear garden with access provided via Eleventh Avenue. This would appear ancillary to the dwelling and be set back from the existing building line along Eleventh Avenue. Accordingly, this element of the proposal is also considered to be acceptable.
- 5.7 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 but where circumstances permit, upwards of 50 dwellings per hectare will be anticipated.
- 5.8 In this instance, there is an existing permission for a single-dwelling on this site whilst it is noted that the density of the build would equate to 30 dwellings per hectare. As such, there is no objection to the current proposal on this basis.
- 5.9 Residential Amenity
The proposal would stand to the north of this existing terrace dictating that the existing property would stand south of the proposal; as such the build would not have any significant impact on sunlight to this property. For this reason, and with the size and positioning of the proposal considered to be acceptable, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.10 All other surrounding dwellings stand at an appreciable distance from the site of the build including that behind that is to the far side of a vehicular access lane that runs to the rear of these dwellings. Further, it is the flank elevation of this dwelling that fronts the site with this property facing Eleventh Avenue. As such, and with no new issues of overlooking introduced, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.11 The garage is of a size and scale that would not be considered to cause any significant adverse impact in residential amenity. Further, if this dwelling were already in situ, then this might comprise permitted development.
- 5.12 Highway Safety
Both Tenth and Eleventh Avenue comprise unclassified roads that provide access to the local highway network which serves a mainly residential area. As such, with the proposed parking arrangements considered acceptable and in view of the previous approval, there is no highway objection to the proposal.

5.13 At the time of the previous application, a financial contribution was requested to help offset the impact of the proposal on the north fringe highway network; this was assessed at £1800. Given that this money was not received, permission was refused.

5.14 Notwithstanding the above, there is an existing planning permission for a new dwelling in this position. Therefore, on the basis that the proposal would not introduce any additional traffic over and above this permission, it is considered that the introduction of a S278 agreement would be unreasonable despite the previous refusal. Accordingly, there is now no transportation objection to the current proposal on this basis.

5.15 Design and Access Statement

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

5.16 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT09/0240/F**

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

CONDITIONS

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

Reason(s):

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

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

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. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason(s):

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

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

Reason(s):

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

5. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained (with a bound permeable surface) for that purpose.

Reason(s):

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

6. Any proposed entrance gates shall be designed to open inwards only.

Reason(s):

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

7. No development shall take place until details of provision of storage for refuse bins and boxes has been submitted to and asgreed in writing by the Local Planning Authority. The dwelling hereby approved shall not be occupied until the storage areas have been provided in accordance with the agreed 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.

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

Reason(s):

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

9. Prior to the commencement of development, elevations of the detached garage as shown on the block plan hereby approved (black outline) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall proceed in accordance with the approved details.

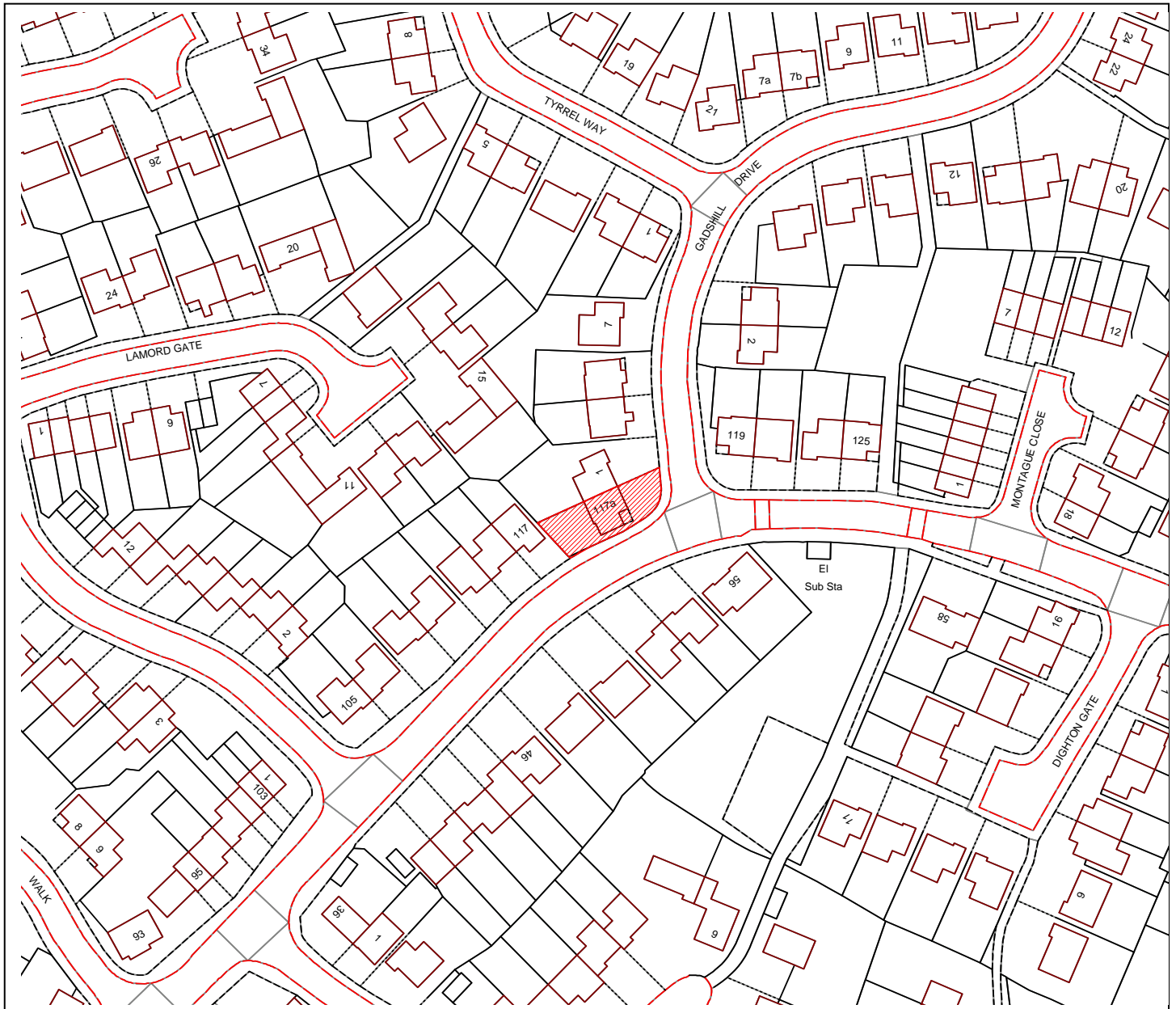
Reason(s):

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. 11/09 – 20 MARCH 2009

App No.: PT09/0258/F
Site: 117A, Ratcliffe Drive, Stoke Gifford,
 South Gloucestershire, BS34 8TY
Proposal: Erection of two storey side extension to
 provide additional living
 accommodation.
Map Ref: 62313 80397
Application Category: Householder

Applicant: Mr K Stevenson
Date Reg: 11th February 2009
Parish: Stoke Gifford Parish
 Council
Ward: Stoke Gifford
Target Date: 7th April 2009



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N.T.S

PT09/0258/F

This application appears on the Circulated Schedule List because correspondence has been received from a neighbouring occupier expressing concerns with regards to the proposal.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey side extension to provide additional living accommodation. The extension would measure approximately 2.9 metres in width, 7.2 metres in length and have an apex of 7.7 metres falling to 5.4 metres at eaves level.
- 1.2 The application site comprises a two storey, semi detached dwellinghouse located within the established residential area of Stoke Gifford. The host dwelling comprises a corner location, which is flanked by Ratcliffe Drive to the south and Gadshill Drive to the east.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG13 Transport
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Residential Extensions within Existing Residential Curtilages
T12 Transportation Development Control Policy for New Development
T8 Parking Standards
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P98/1266, Erection of single storey side extension and conversion of garage into dining room, 12/06/98, Approval full planning.
- 3.2 P91/0916/PD, Single storey rear extension, 29/05/91, Permitted development.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No comment
- 4.2 PROW Officer
No objection

Other Representations

- 4.3 Local Residents

One correspondence received from a neighbouring occupier. The occupier does not object to the extension but expresses concern that it is the applicants intention to convert the property into two dwellings.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning Policy D1 applies to all types of development and ensures that a good standard of design is achieved. Planning Policy H4 allows for the principle of residential extensions subject to design, residential amenity and transport considerations.

5.2 Design/Visual Amenity

This application seeks planning permission for the erection of a two storey side extension. The extension would measure approximately 2.9 metres in width, 7.2 metres in length, have an apex of 7.7 metres falling to 5.4 metres at eaves level and would be positioned on the southern elevation of the host dwelling. The extension would replace an existing single storey garage, while the existing entrance would be relocated from the side of the property to the front and be encompassed by an entrance porch. The application site comprises a two storey semi detached dwellinghouse, located within the established residential area of Stoke Gifford. The host dwelling forms an end property which is flanked by Ratcliffe Drive to the south and Gadshill Drive to the east.

5.3 Whilst single storey garages can help define an element of space between dwellings, the host dwelling benefits from its corner location by not having a neighbouring property on the garage side. Building over the garage in this instance would not result in a visibly cramped form of development. Further, while the rear elevation would continue across the build, the proposed roof ridge would be stepped down approximately 0.175 metres to encompass the build, and the front elevation would be inset approximately 0.5 metres. On this basis and with the materials brick, tiles and uPVC to match existing, the extension would appear subservient to the existing dwellinghouse. The entrance porch would be modest in size and would comprise roof tiles to match the existing dwellinghouse.

5.4 In terms of massing, scale, proportions, design, and materials, it is considered that the proposal would be in keeping with the existing dwellinghouse and would not have a negative impact on the character of the streetscene or surrounding area adhering to Policy D1 and H4 of the South Gloucestershire Local Plan (adopted) 2006.

5.5 Residential Amenity

Given that the extension would be contained within the existing footprint of the dwellinghouse and would be situated at a sufficient distance from other properties nearby, it is considered that the proposal would not result in an overbearing impact. In addition to this, the new windows in the front and rear of the extension would not introduce any new privacy issues, while the window proposed in the southern elevation would comprise obscure glazing.

5.6 Given the above, it is considered that the proposed extension would not be detrimental to the amenities of neighbouring occupiers.

5.7 Transportation

While the proposed extension would replace an existing garage, the applicant proposes 2 no. parking spaces on the front driveway and lawn. This would ensure that a satisfactory level of off-street parking would be retained.

5.7 Outstanding Matters

A consultation response received from a neighbouring occupier raises no objection to the extension but expresses concern that the applicant intends to convert the property into two separate households on the basis of the proposed separate staircase and rear access. It is not stated on either the application form or the plans submitted that the property would be subdivided and therefore, any decision relates only to the extension of the property. A supporting statement submitted with the application form states that it is not the applicants intention to rent the extension as a separate unit. Whilst the Officer is not able to give assurances that planning permission would not be sought to subdivide the property in the future, the neighbouring occupiers would be consulted on any planning application received and could raise any of their concerns at this stage.

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 **PT09/0258/F**

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

CONDITIONS

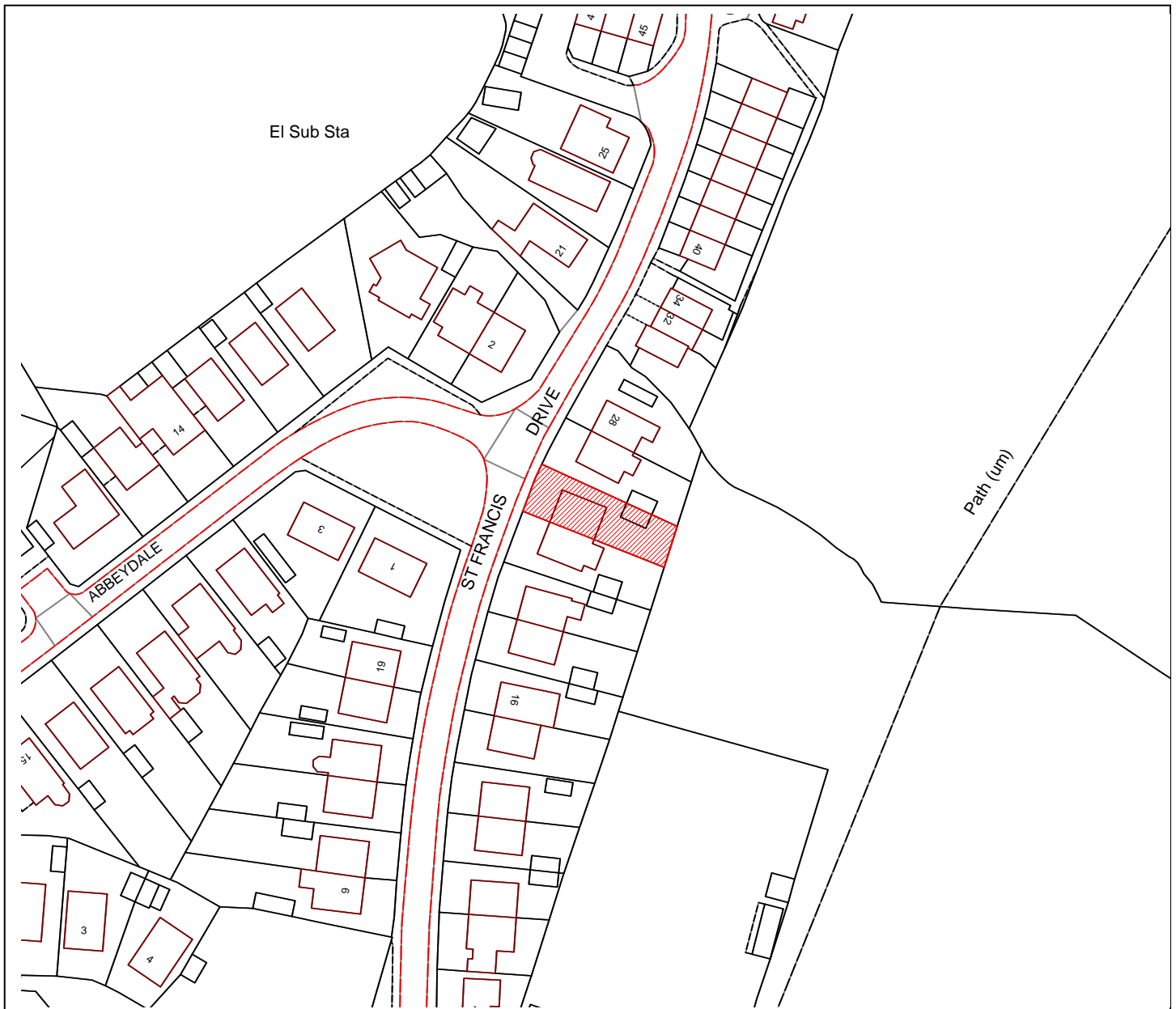
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

CIRCULATED SCHEDULE NO. 11/09 – 20 MARCH 2009

App No.:	PT09/0266/F	Applicant:	Mr D Gregory
Site:	24 St Francis Drive, Winterbourne, South Gloucestershire, BS36 1LN	Date Reg:	12th February 2009
Proposal:	Retention of single storey rear extension to form additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	65587 80852	Ward:	Winterbourne
Application Category:	Householder	Target Date:	8th April 2009



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100023410, 2009.

N.T.S

PT09/0266/F

The application appears on the Circulated Schedule in view of the concerns that have been raised by a neighbouring resident.

1. THE PROPOSAL

- 1.1 The application seeks retrospective planning permission for a single-storey rear extension that would provide a new lounge (when completed).
- 1.2 The application site comprises a semi-detached single-storey dwelling on the east side of St. Francis Drive, Winterbourne. The property adjoins the Green Belt along its rear boundary.
- 1.3 At the time of the site visit, the external walls and roof were in position but with work having ceased following the request for a planning application.
- 1.4 Corrected plans have been received with the proposal shown slightly inset from the shared flank boundary.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: Development within Residential Curtilages
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection
- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Summary of Local Residents Comments:
One letter has been received expressing the following concerns:

- The extension is within a few centimetres of the boundary, there is concern as to how it will be maintained with no room to access the new build;
 - What would happen if this neighbour wanted to build an extension within several centimetres of the boundary?
 - The extension extends above eaves level, there is concern that a joist has been sawn compromising the structural safety of the neighbours roof;
 - The height of the extension might not be permissible;
 - It is understood that the applicant should have given the neighbour one months notice, the neighbour was told approximately two weeks in advance;
 - The proposal projects 4m into the garden, the revised planning regulations indicate that it should not project more than 3m;
 - The overall size of the extension is dwarfing the neighbouring buildings;
 - The neighbours conservatory/ bedrooms have lost a significant level of light;
 - The view from the side windows of the conservatory is now of a blank wall;
 - If the applicant had had the foresight to leave 0.5m between the proposal and the boundary fence this would have been acceptable, as it stands the proposal 'is a very unpleasant and unwelcome development'.
- 4.4 Two letters have been received in support of the proposal:
- The proposal has been 'carried out skilfully with the minimum disturbance';
 - The bungalow has been in a state of disrepair for a long time;
 - The new owners 'are making a lovely job of restoring it'.
- 4.5 The applicant has responded to the letter of objection:
- The extension is 7 inches from the boundary;
 - Joint co-operation would help maintenance though long lasting materials will be used;
 - The neighbour appears not to have any problems maintaining the side wall of her garage which is equally close to the opposite boundary;
 - A future application for works to the adjoining property would be supported;
 - Work has been undertaken under the supervision of the building inspector and no damage has been caused to the neighbouring property;
 - The neighbour was consulted on the plans prior to commencement and no objection was raised (the neighbour gave their consent);
 - The conservatory blocked light to the neighbours bedroom;
 - The proposal is north of the adjoining property thus would block sunlight;
 - Building works have enhanced this previously dilapidated dwelling;
 - It might be argued the build allows additional privacy to the conservatory;
 - The initial enquiry advised that planning permission was not required (this was prior to the permitted development changes introduced in October).

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning policy H4 allows for the principle of residential development subject to considerations of design, residential amenity and highway safety.

5.2 Design/ Visual Amenity

The application site forms a semi-detached single-storey dwelling on the east side of St. Francis Drive, Winterbourne. Retrospective planning permission is sought for a single-storey rear extension that would provide a new lounge.

- 5.3 The extension projects 4m into the rear garden area and is encompassed by a flat roof. It extends flush with the outside flank wall of the host dwelling whilst it also builds within very close proximity of the southern flank boundary providing a new room which is equal in width to that of the main dwelling. The flat roof is slightly higher than the eaves level of the dwelling at the rear thus the new roof structure dissects the existing roof slope.
- 5.4 In response, the design of the proposal might be improved by the provision of a pitched roof and a reduction in size. Nonetheless, it is noted that the proposal is not readily visible from the public viewpoints whilst any associated refusal reason is very unlikely to prove sustainable. On this basis, it is not considered that planning permission can be reasonably withheld thus on balance, there is no objection to the current proposal.
- 5.5 Residential Amenity
The adjoining property sits to the south of the application site and benefits from a rear conservatory that measures approximately 2.7m in length. This existing structure is inset from the boundary. The two bedrooms within the property are located at the rear with the conservatory behind these two rooms.
- 5.6 The new lounge extension would be more acceptable if it were stepped in from the boundary and if its length was slightly reduced. However, on balance, it is not considered that planning permission can be reasonably refused in respect of any impact on this neighbouring property. This is because the extension is single-storey, sited to the north of this adjoining dwelling (thus not significantly impacting on sunlight) whilst no side facing windows are included. Further, the structure is devoid of a pitched roof thus further reducing its bulk and massing when viewed from this attached property.
- 5.7 In response to the aforementioned concerns, the proposal would be subject to building regulations approval thus this process would address issues related to the roof structure. Further, the application could not be reasonably refused in view of the lack of access to the side elevation. Instead, it is the responsibility of the planning process to assess the proposal having regard to its size, design and positioning with maintenance issues remaining a civil matter between the two parties.
- 5.8 Further, there is no maximum permissible height but instead the writer refers to that which might be built without planning permission. In this regard, planning approval is required if a structure is within 2m of the boundary and exceeds 3m in height; this extension reaches only 2.7m in height but requires permission because it is more than 3m in length. Finally, windows within a side elevation close to a boundary are not generally permissible given the direct views into the neighbouring garden provided; those within the conservatory are high level.
- 5.9 With regards to the neighbouring property located to the north side, this also comprises a single-storey dwelling of similar design to the host unit. A degree of spacing between these units is provided by the twin driveways that run through to the rear whilst side facing openings appear limited to a door and bathroom window; the new bedroom window (which does not directly face any of these openings) should not therefore cause any new inter-visibility issues.

5.10 For the above reasons, it is not considered that the proposal would cause any significant adverse impact in residential amenity. Similarly, the same is true for all other surrounding properties with these at an appreciable distance from the site of the proposal.

5.11 Highway Safety

It is understood that a detached garage within the rear garden was demolished prior to the erection of the rear extension; this stood alongside that serving the neighbouring property. Nevertheless, the existing driveway to the side of the property remains as does that to the front. As such, it is considered that there can be no reasonable objection to the current proposal on this basis.

5.12 Design and Access Statement

A Design and Access Statement is not required as part of this application.

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 is **GRANTED** subject to the following conditions:

Background Papers **PT09/0266/F**

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

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

Reason(s):

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

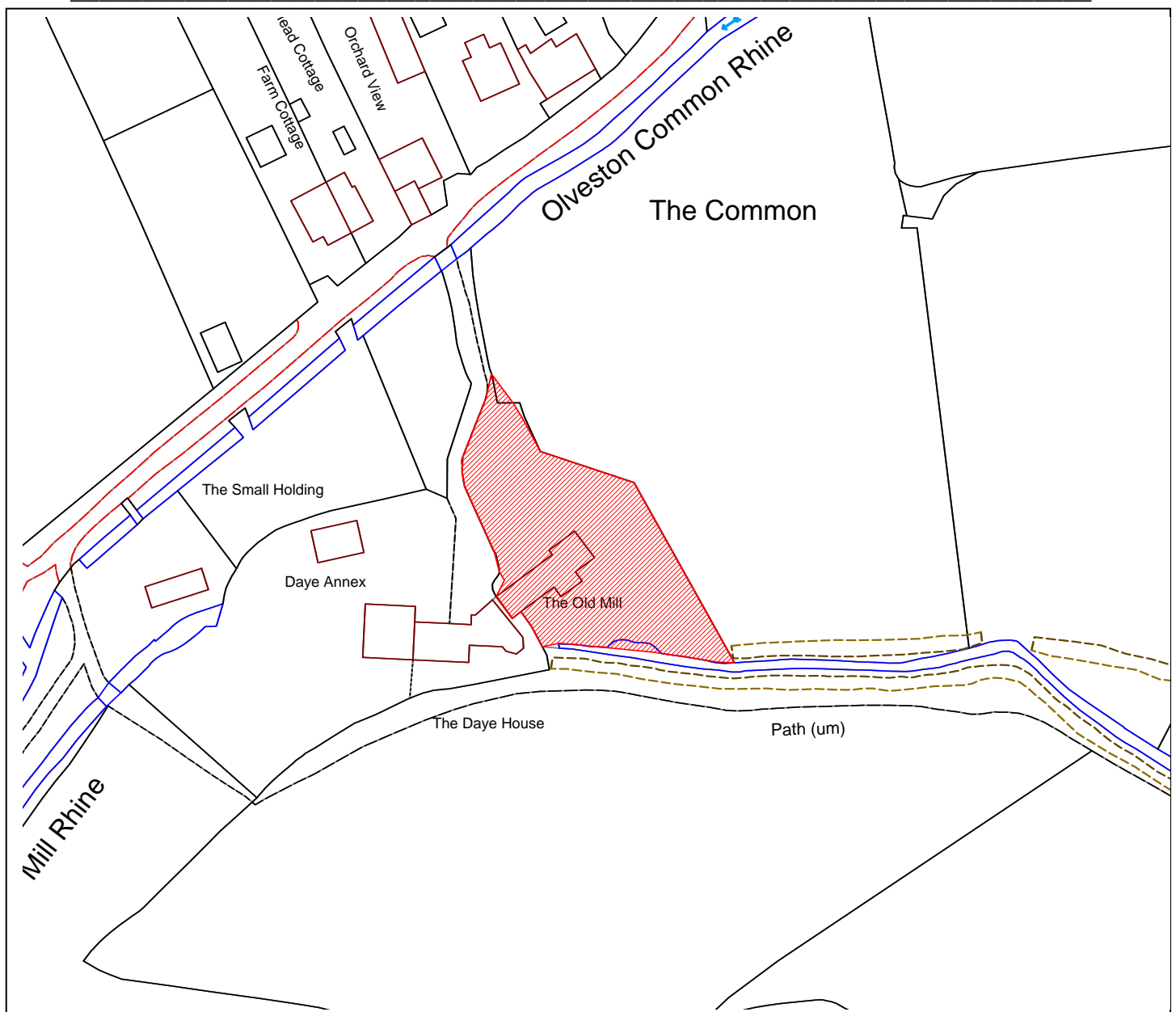
2. No windows shall be inserted at any time in the south elevation of the property as extended.

Reason(s):

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

CIRCULATED SCHEDULE NO. 11/09 – 20 MARCH 2009

App No.:	PT09/0279/F	Applicant:	Mr D Hatch
Site:	The Old Mill, The Common, Olveston, South Gloucestershire, BS35 4DQ	Date Reg:	12th February 2009
Proposal:	Engineering works to rear garden (retrospective) Erection of two storey rear conservatory. Rear first floor balcony.	Parish:	Olveston Parish Council
Map Ref:	59631 87135	Ward:	Severn
Application Category:	Householder	Target Date:	7th April 2009



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100023410, 2009.

N.T.S

PT09/0279/F

This application appears on the Circulated Schedule List because the Parish Council has objected to the proposed development.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two-storey rear conservatory and a rear first floor balcony. Retrospective planning permission is sought for engineering works to the rear garden involving the erection of various levels of terracing and retaining walls.
- 1.2 The application site comprises a two storey detached dwellinghouse located within the Olveston Conservation Area and the Green Belt.
- 1.3 The property is formerly thought to be a corn mill associated with nearby Olveston Court. Whilst still retaining some of its original character, the two storey stone building has been partially rebuilt, altered and extended.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPG15 Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
GB1 Development within the Green Belt
L12 Conservation Areas
H4 Residential Extensions within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (adopted)
Development within the Green Belt (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P88/3101, Change of use of agricultural land to domestic curtilage and the siting thereon of domestic outbuildings, 14/12/1988, Refusal of Full Planning.
- 3.2 N636/2, Erection of double domestic garage, W.C. and utility room with bedroom over, 24/01/1980, Approve with Conditions.
- 3.3 N636/1, Erection of double domestic garage. Alterations to highway, 15/12/1977, Approve with Conditions.
- 3.4 N636, Extension to dwellinghouse to form kitchen with bathroom over, 10/10/1974, Approve with Conditions.

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
Objection – on the basis that it would result in an overdevelopment within the Conservation area and green belt.
- 4.2 Conservation
No objection – though the addition of some appropriate planting to the boundary would be beneficial in integrating the site better into the adjoining landscape.
- 4.3 Public Rights of Way
No objection

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning Policy D1 is relevant to all types of development and ensures that good design is achieved in new development. Planning Policy H4 allows for residential extensions subject to design, transportation and residential amenity considerations. Policy GB1 allows for extensions within the Green Belt that are limited in size and must not result in a disproportionate addition over and above the size of the original dwelling. Policy L12 only allows for development within Conservation Areas which would preserve or enhance the character and appearance of the Conservation Area.
- 5.2 Design/Visual Amenity
This application seeks planning permission for the erection of a two-storey rear conservatory and a rear first floor balcony. Retrospective planning permission is sought for engineering works to the rear garden involving the erection of various levels of terracing and retaining walls. The proposed conservatory is to be constructed of green oak and would be of 2 storeys in height to allow access to both the lower and upper levels of the garden. In addition to this, the applicant maintains that a 2 storey design is necessary because a traditional single storey lean-to conservatory would be buried in the rear garden and would not receive any sunlight. To the rear, the land is at a higher level with open fields rising up giving views into the site.
- 5.3 A pitched roof would encompass the build, which would be finished in stone, timber, glazing and pantiles. In terms of design and visual amenity, the proposed conservatory is considered acceptable. The gabled design of the conservatory is sympathetic to the simple form of the dwellinghouse and reflects the existing rear gable addition. Whilst two storeys in height, the conservatory, in terms of scale, is appropriate when compared to the main bulk

- of the host dwelling and appears ancillary to the existing rear gable addition. The conservatory would comprise traditional materials, which would help integrate the conservatory into the existing dwellinghouse. The proposed rear location of the conservatory is such that it would be obscured from the streetscene and therefore, would not be visually intrusive.
- 5.4 The balcony would be positioned on the second floor of the property. It would extend approximately half the width of the bedroom extension and would allow views into the rear garden of the host dwelling. The size, siting and appearance of the balcony are considered acceptable.
- 5.5 Given the above, it is considered that the proposed scheme is acceptable in terms of design and visual amenity and would not have a negative impact on the character of the host dwelling or the surrounding area.
- 5.6 Impact on Conservation Area
Engineering works have already taken place to create space for the erection of the proposed conservatory. The works have involved the erection of a retaining wall as well as terracing and hard landscaping which give a manicured feel. There would be benefit in seeking supplementary planting to the rear boundary to soften views into the site from the adjoining footpath.
- 5.7 Whilst there are some reservations regarding the cumulative impact of the various extensions/alterations on the essential form of the building, it is considered that on balance, the new conservatory is acceptable. Its robust design and use of glass and traditional materials mean that it would complement the existing building.
- 5.8 There are no objections to the other aspects of the scheme such as the balcony which were the subject of pre-application discussions. Accordingly, the proposal would preserve the character of the Conservation area at this point.
- 5.9 Green Belt
Notwithstanding the applicant's volume calculation of 33% in the design and access statement, the Case Officer has calculated the overall volume increase to be approximately 50% of the original dwellinghouse. This is the "worst case scenario" calculation, given the age of the building it is not particularly clear the exact extent of the original building at the key date of 1948. This takes into account the two storey side extension and box dormer window as well as the two storey rear extension. The Council's 'Development within the Green Belt SPD' states that additions resulting in a volume increase over 30% of the original dwellinghouse will be carefully assessed in terms of size and design. It states those in excess of 50% would most likely be considered in excess of "limited extension". Clearly then this proposal is at the upper limits of acceptability and the concerns of the Parish are acknowledged on this point. Notwithstanding this, weight has been given to the comments of the Conservation Officer in considering the impact of scale. The robust design, use

of quality materials and topography of the site combine such that it is considered that the size of the conservatory is appropriate and would be subservient to the existing dwellinghouse. The use of traditional materials would ensure that it would not be visually intrusive on the visual amenity of the surrounding green belt.

5.10 On balance, it is considered that the proposal adheres to Policy GB1 of the South Gloucestershire Local Plan (adopted) 2006 and the Development within the Green Belt SPD.

5.11 Residential Amenity

The host dwelling benefits by only having one neighbouring property close by and the topography of the land is such that this neighbouring property is situated on higher ground than the host dwelling. A tall 3.5 metre boundary fence therefore stands on the flank boundary providing good enclosure to the garden area. The fence would obscure views of the proposed conservatory from the neighbouring occupier, which would ensure that there would be no significant privacy or overbearing issues.

5.12 The proposed balcony attached to the garage/bedroom extension would be set back behind the kitchen extension and this would ensure that views into the neighbouring garden would be blocked. With no other properties close by, it is considered that the proposed scheme is acceptable in terms of residential amenity.

5.13 Outstanding Matters

Whilst the Conservation Officer has stated that some appropriate planting to the boundary would be beneficial in integrating the site better into the landscape, it is considered that the proposal as it stands is acceptable and would not have a negative impact on the Conservation Area. For this reason, it is considered unnecessary to enforce this by means of a condition.

5.14 Design and Access Statement

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

6. CONCLUSION

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

The 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 **PT09/0279/F**

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

CONDITIONS

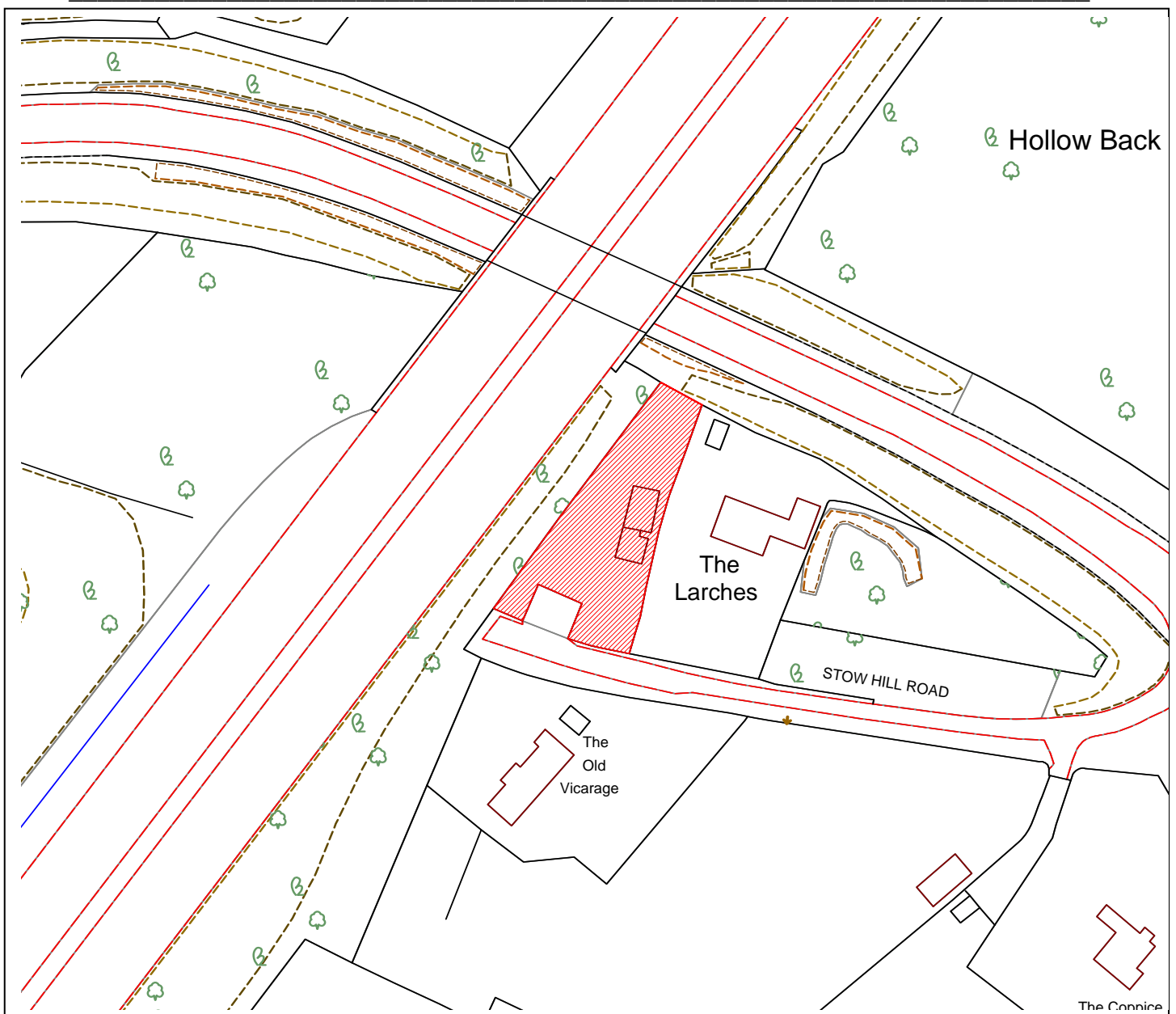
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

CIRCULATED SCHEDULE NO. 11/09 – 20 MARCH 2009

App No.:	PT09/0286/O	Applicant:	Mr A S C Williams
Site:	Contractors yard at Stowell Hill Road, Tytherington, South Gloucestershire, GL12 8UH	Date Reg:	13th February 2009
Proposal:	Erection of 1 no. detached dwelling (Outline) with access to be determined. All other matters reserved.	Parish:	Tytherington Parish Council
Map Ref:	66473 88727	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	9th April 2009



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N.T.S

PT09/0286/O

This application appears on the Circulated Schedule in view of the comments received from the Parish Council and a neighbouring resident.

1. THE PROPOSAL

- 1.1 The application seeks outline planning permission for the erection of one detached dwelling with only issues related to access to be considered at this stage; all other matters are reserved for future consideration.
- 1.2 The application relates to land at Stow Hill Road, Tytherington immediately adjacent to the M5 motorway. The site lies beyond the Green Belt and outside of the Tytherington settlement boundary.
- 1.3 There have been two recent applications for residential development on this site with the most recent (PT07/3587/O) refused for the following reasons:
 - The application site is located in open countryside outside of any settlement boundary. The proposed development does not fall within the limited categories of residential development considered appropriate within the open countryside. As such the proposal is contrary to Policies H2 and H3 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - The proposed development represents undesirable sporadic development that will be clearly viewed within the street. When compared with the authorised use of the site, the proposal will have a significant adverse visual impact within the locality. The proposal is contrary to Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPS3: Housing
PPG13: Transport
PPG24: Noise
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H3: Residential Development in the Countryside
T12: Transportation Development Control Policy for New Development
L1: Landscape Protection and Enhancement
EP4: Noise Sensitive Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P87/2827: Construction of vehicular parking area and use of land for the stationing of one lorry. Permitted: 17 February 1988
- 3.2 P88/1652: Erection of detached bungalow; alteration of vehicular access (outline). Refused: 2 June 1988; Appeal Dismissed: 17 November 1988
- 3.3 P88/2659: Erection of bungalow for agricultural worker; alterations to vehicular access. Refused: 2 November 1988
- 3.4 P90/1176: Use of land for the stationing of one lorry (renewal of temporary consent). Permitted: 21 March 1990
- 3.5 P93/1265: Use of land for the stationing of one 3 ton lorry. Permitted: 31 March 1993
- 3.6 PT06/3202/O: Erection of acoustic fence and redevelopment with one dwelling; all matters reserved. Refused: 11 December 2006
- 3.7 PT07/3587/O: Erection of acoustic fence and erection of one dwelling with siting and layout to be determined; all other matters reserved. Refused: 28 February 2008
- 3.8 PT08/1703/F: Erection of 5m high acoustic fence. Permitted: 4 August 2008
- 3.9 PT08/2945/CLE: Application for a Certificate of Lawfulness for an existing use of land and buildings as landscapers and builders yard. Permitted: 19 December 2008

4. CONSULTATION RESPONSES

- 4.1 Tytherington Parish Council
No objection: Tytherington Parish Council wholeheartedly support this and would like to ask the Planning Authority to support and agree this application.
- 4.2 Other Consultees
Environmental Services: objection
Highways DC: no objection

Other Representations

- 4.3 Summary of Local Residents Comments:
One letter received in support of the proposal:
 - The writer offers the applicant his 100% support with this application;
 - It is hoped the planning department see this as an opportunity to remove the ageing buildings within the contractors yard once and for all;
 - There will be a substantial investment in an acoustic fence once approved that will benefit the adjoining properties and the village;
 - Stow Hill Road will become a residential cul-de-sac;
 - Alternative development for an industrial use would be totally unacceptable.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy H3 advises that proposals for new residential development outside of the existing urban areas and the settlement boundaries will not be permitted with the exception of:

- Affordable housing on rural exception sites; or
- Housing for agricultural or forestry workers; or
- Replacement dwellings.

5.2 Planning policy EP4 details that noise sensitive development which would suffer an unacceptable degree of disturbance as a result of close proximity to existing noise or vibration sources will not be permitted.

5.3 Site History

The application relates to an existing landscapers and builders yard which is located at the far end of Stow Hill Road, Tytherington, immediately adjacent to the M5 motorway. The site currently provides for two permanent buildings that stand centrally and comprise modest timber and corrugated structures.

5.4 The site was the subject of a recent Certificate of Lawfulness submission which regularised this use. This was subject to the following:

'The applicant has demonstrated that on the balance of probability, the site has been utilised for the purposes of a landscapers and builders yard (Sui Generis) for a continuous period of 10 years up to the date of this application. This has only been demonstrated in relation to external storage up to a height of 2.4m and in respect of the barn (marked in blue on the site plan dated 8 December 2006).'

5.5 Prior to this, the application site was also the subject of two applications which sought outline approval for the erection of a detached dwelling. Both of these applications were refused. It is noted that the Officer report in respect of the most recent scheme stated that:

'...if the existing commercial use was somehow lawfully authorised at the site but such a use did raise amenity concerns for neighbours and/or the local highway network, the feasibility of retaining an appropriate alternative commercial use would need to be considered in preference to, and before, a residential use. For instance the viability of establishing a class B1 (light industrial) or class B8 (storage and distribution) use would need to be considered...'

5.6 More recently, planning permission has been granted for the erection of a 5m high acoustic fence (PT08/1703/F) that will run along the western boundary of the site parallel with the motorway.

5.7 Principle of Residential Development

PPS7 states that the Government is supportive of the replacement of suitably located buildings which are of permanent design and construction for economic development purposes. Further, their replacement should be favoured where it

would result in a more acceptable and sustainable development than might be achieved through conversion. In this instance, the buildings are not considered suitable for residential conversion but might be suitable for a further business use (although the applicant considers that they are life expired).

- 5.8 Paragraph 20 of PPS7 states that the replacement of non residential buildings with residential development in the countryside should be treated as that for new housing. As such, it is necessary to apply policy H3 which precludes new residential development in the open countryside (with the exception of those categories outlined). Planning permission is therefore recommended for refusal on this basis.
- 5.9 Notwithstanding the above, the applicant considers that the build would visually enhance the appearance of the application site (in comparison with the now authorised use) whilst the permitted acoustic fence (that would also benefit the neighbouring dwellings), will only be erected if planning permission is granted for a new dwelling.
- 5.10 In response, the existing landscapers and builders yard is considered relatively unobtrusive within the landscape with the site well screened and the Certificate of Lawfulness limiting storage to a height of 2.4m; it is also understood that this existing use has not generated any complaints. Contrastingly, the site is not considered readily suited to residential development given its unsustainable location (beyond the settlement boundary) and its position immediately adjacent to the M5 motorway. It would be reasonably anticipated (as per policy advice) that an alternative business use would be firstly considered; i.e. storage.
- 5.11 Design/ Visual Amenity
The proposal would be located within the open countryside albeit relating to the other two neighbouring properties and with the motorway immediately adjacent. The permitted acoustic fence (if erected) would help screen any building from the motorway as would the existing landscaping along this boundary.
- 5.12 The Design and Access Statement anticipates a two-storey four bedroom unit that would measure 4.5m to the eaves with a pitched roof. In this regard, the indicative block plan received details an 'L' shaped building set back on the plot with a parking and turning area to the front. It would be of traditional design with red brick to the principal elevations and with a render finish elsewhere and a brown tiled roof. Nonetheless, it is noted that the officer report in respect of the previous application for residential development stated that in the event that permission had been granted, it would have been restricted to a single-storey dwelling by condition.
- 5.13 Further, the previous Officer report stated that whilst the wider visual impact of the proposal when seen from the motorway would not be substantial, it was also necessary to consider its impact as part of the street scene. At this time, the only authorised use for the site was for the parking of one lorry thus it was considered that the development, including its associated cars, garden and the appendages of modern living, would have a greater visual impact. Permission was therefore refused on this basis.

- 5.14 In this instance the recent Certificate of Lawfulness dictates that the authorised use of the application site now has a greater visual impact than previously was the case. However, this authorised use relates only to two small buildings and outside storage up to a maximum height of 2.4m. For this reason, it is not considered that the granting of this Certificate has adequately addressed this previous refusal reason. Refusal is therefore recommended on this basis.
- 5.15 Residential Amenity
There are two dwellings which sit within close proximity of the application site; these comprise 'The Larches' which is sited in front of the application site and 'The Old Vicarage' which sits on the opposite side of this cul-de-sac. The main outlook from both of these properties is away from the application site whilst given the level of spacing and screening that is provided, it is considered that a new dwelling could be built without any significant adverse impact in residential being caused. Accordingly, there is considered to be no objection to the current proposal on this basis.
- 5.16 Highway Safety
The application site lies beyond the Tytherington settlement boundary and this is considered significant given that the site is remote from local shops, services and the main public transport links. However, consideration needs to be given to the existing use of the site which now lawfully operates as a landscapers and builders yard. It is considered that the proposal would generate significantly less vehicular movements than this existing use. Further access arrangements would remain unaltered whilst sufficient parking space has been included.
- 5.17 In the light of the above, there is considered to be no highway objection to this current scheme.
- 5.18 Noise
The application site is adjacent to the M5 motorway. In this regard, the submitted noise survey indicates that the site lies within Noise Exposure Category C for purposes of Planning Policy Guidance Note 24 with daytime levels at 65.8 LAeqdB and night-time levels 59.9 at LAeqdB. Planning Policy Guidance Note 24 states that planning permission should not normally be granted in such circumstances. Should permission be granted (i.e. if there were no alternative quieter sites), it would be necessary to impose conditions to ensure a commensurate level of protection.
- 5.19 In this instance, permission has previously been granted for the erection of a 5m high acoustic fence (PT08/1703/F) that would improve noise levels to Noise Exposure Category B. It is understood that this would overcome the objection raised by the Council Environmental Health Officer given that PPG24 raises no principle objection in such circumstances with further attenuation measures (in addition to the fence) secured by condition.
- 5.20 Notwithstanding the above, it is noted that no objection was raised on noise grounds in respect of the previous application for residential development at this site (PT07/3587/O). At this time, the Councils Environmental Health Officer raised an objection but it was noted that development within noise exposure category B had been recently supported at appeal.

5.21 Design and Access Statement

The Design & Access received submitted with the application is not considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.

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 **PT09/0286/O**

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

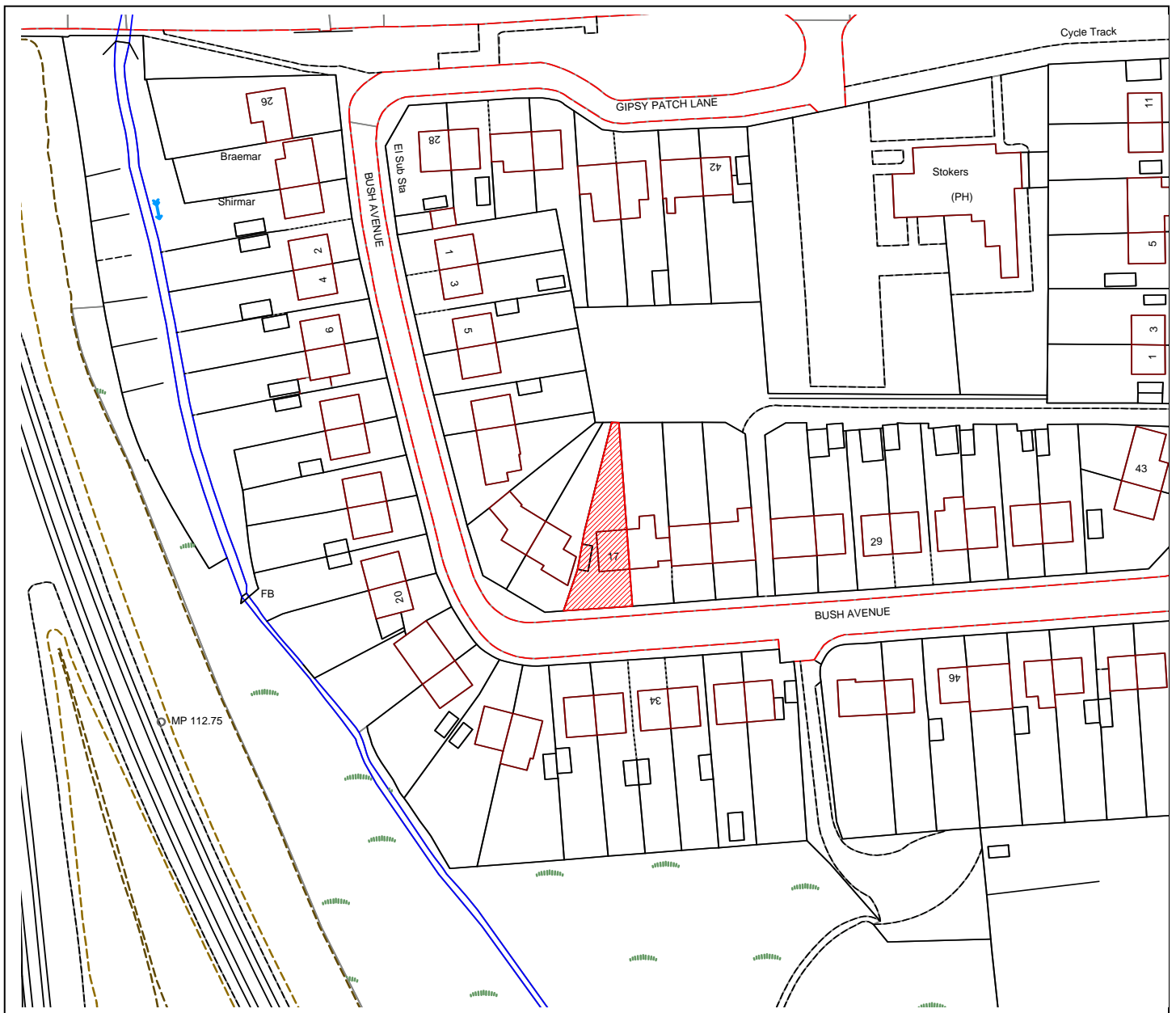
REFUSAL REASONS

1. The application site is located within the open countryside beyond any settlement boundary. The proposed development does not fall within the limited categories of residential development considered appropriate within the open countryside. As such the proposal is contrary to Planning Policy H3 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist .

2. The proposal represents undesirable sporadic development that would be clearly viewed as part of the streetscene along Stow Hill Road. When compared with the authorised use of the site, the proposal would have a significantly greater visual impact within the locality. Accordingly, the proposal is considered to be contrary to Planning Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.

CIRCULATED SCHEDULE NO. 11/09 – 20 MARCH 2009

App No.:	PT09/0287/F	Applicant:	Mr & Mrs B Kilminster
Site:	17 Bush Avenue, Little Stoke, South Gloucestershire, BS34 8LY	Date Reg:	13th February 2009
Proposal:	Erection of single storey rear extension and conversion of existing garage to form ancillary residential accommodation.	Parish:	Stoke Gifford Parish Council
Map Ref:	61307 80456	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	9th April 2009



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INTRODUCTION

This application appears on the circulated schedule as there has been a letter of objection received which is contrary to the officer recommendation of approval.

1. THE PROPOSAL

- 1.1 The proposal is for the erection of a single storey rear extension and conversion of the existing garage to form ancillary residential accommodation.
- 1.2 The applicant's property features a semi detached dwelling with a hipped roof and existing single storey extension, set within a moderate curtilage. The surrounding area is an established residential area featuring similar types and styles of dwellings, located within the development boundary of Little Stoke.
- 1.3 The conversion of the garage includes internal alterations in order to facilitate the creation of additional residential accommodation. The extension to the rear of the existing garage will measure 3.2m (width) x 1.7m (max depth) x 4.7m (height to roof apex) and will feature materials to match.

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 P90/3027 – Erection of single storey side extension to provide garage and utility room.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No Comment
- 4.2 Highways Officer
No Objection

Other Representations

- 4.2 Local Residents

One letter of objection has been received which is summarised as follows:

- Parking issues and required space for an additional vehicle.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the Adopted South Gloucestershire Local Plan (January 2006), allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety.

5.2 Design/ Visual Amenity

The site lies within the development boundary of Stoke Gifford. The proposed garage conversion and rear extension is considered to be acceptable in design terms and although the changes at the front will be visible from the road, these are cosmetic, minor and of an appropriate scale in comparison to the existing dwelling, and will appear subordinate.

With regards to character; the proposed conversion and extension is typical in design and scale to that of similar properties of this type and this is supported as other properties within the locality have also had similar style planning approvals given. Since the proposal will also feature materials to match, it is therefore not considered to detract from the character of the area nor the original dwelling.

5.3 Residential Amenity

The applicant's dwelling is end of terrace and neighbouring properties nearest to the proposal are sited a sufficient distance away. No windows are proposed to the side of the extension; therefore regarding the scale and nature of the proposal it is not considered that any loss of neighbour amenity will result.

5.4 Parking

With regards to the letter of objection received, it is noted that the council highways officer has no objection to the proposal. This was because although the garage conversion will result in the loss of a parking space and the possible addition of an extra vehicle, the resulting development would not be materially different to the current situation and adequate space still exists to park 2 vehicles off the road in the applicant's driveway.

5.5 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/05 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

Background Papers **PT09/0287/F**

Contact Officer: **Toby Adams**
Tel. No. **01454 863819**

CONDITIONS

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

Reason(s):

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

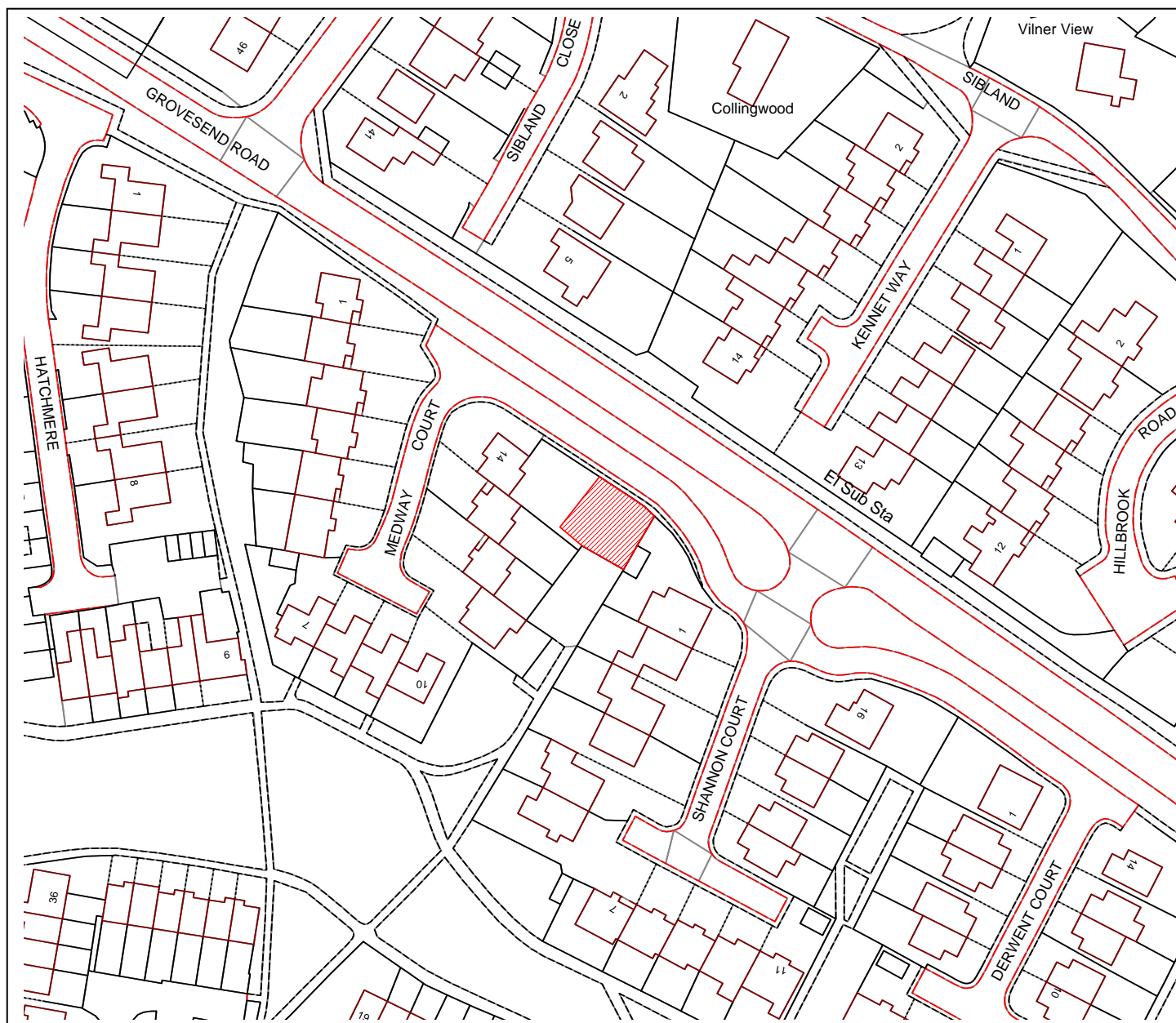
2. The garage conversion and extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 17 Bush Avenue; and shall not be used as a separate residential unit.

Reason(s):

In the interests of preserving residential amenity to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 11/09 – 20 MARCH 2009

App No.:	PT09/0288/O	Applicant:	Mr T Cook
Site:	Land at 14 Medway Court, Thornbury, South Gloucestershire, BS35 2HL	Date Reg:	16th February 2009
Proposal:	Erection of 1 no. detached dwelling with integral garage (Outline) with access, landscaping and scale to be determined. All other matters reserved.	Parish:	Thornbury Town Council
Map Ref:	64726 89710	Ward:	Thornbury South and Alveston
Application Category:	Minor	Target Date:	20th April 2009



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N.T.S

PT09/0288/O

INTRODUCTION

This report appears on the Circulated Schedule as a letter of support has been received from a local resident which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 This outline application relates to the erection of a 3 bed detached two storey dwelling with integral garage at 14 Medway Court, Thornbury. Means of access, landscaping and scale have been indicated on the application form for determination but the only details submitted are the siting of the dwelling and the proposed new access. No landscaping or details of scale have been submitted and as such these reserved matters cannot be assessed under this outline application.
- 1.2 The dwelling is to be located within the rear garden area of the property. Access to the site is via Medway Court, a cul-de-sac serving 14 dwellings. A new vehicular access to serve the dwelling is proposed off Medway Court, adjacent to an existing vehicular access serving a garage. The proposed dwelling has a footprint of 7.5m by 9m and the site has an area of some 0.0195 hectares.
- 1.3 The site lies within the settlement boundary of Thornbury. It backs onto an area of tarmaced open space/play area. The rear of the dwelling is close to the rear boundary and the proposed amenity space is located to the front and side of the dwelling.
- 1.4 This application is a resubmission of outline application PT08/3010/O which was refused on the grounds of constrained nature of the site; inadequate garden area and detrimental impact to street scene. The floor area of the proposed dwelling is the same as the previous application but the size of the site has increased by approximately 78sq.m.

2. POLICY CONTEXT

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
- 2.2 Development Plans
Joint Replacement Structure Plan

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 33	Housing Provision and Distribution
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T8	Parking Standards

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As can be seen from the recent planning history, residential development on the site has twice been refused on numerous grounds, the main issue being the constrained and limited size of the plot. Although it is recognised that the site area has increased under the current application, it is still considered that it does not overcome this fundamental issue.

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

5.3 Policy H2 of the adopted Local Plan specifically relates to new residential development within the boundaries of settlements and allows such development provided it is acceptable in transportation and residential amenity terms; is appropriate in terms of its density and design and provides adequate amenity space. These issues will be addressed below.

5.4 Transportation Issues

In transportation terms, the proposed dwelling incorporates 1 parking space within the integral garage. No objection is raised to the proposal subject to a condition requiring detailed plans to show the provision of car and cycle parking facilities.

5.5 Residential Amenity

With regard to residential amenity issues, the proposal is considered unacceptable by virtue of the cramped and constrained nature of the plot. The proposal is at odds with the grain of surrounding development. The area is characterised by residential development on significantly larger plots which allows for a degree of openness to be maintained between the built form. The application site is small and constrained, and the proposal results in an overdevelopment of the plot that is wholly out of keeping with the immediate locality, detracting from the visual amenities of the area. In addition, the restricted size of the plot and the two storey nature of the development are likely to result in possible overlooking/loss of privacy issues, further detracting from surrounding residential amenity.

5.6 Density

The application site has an area of some 0.0195 hectares resulting in a density of some 51 dwellings per hectare. A minimum density of 30 dwellings per hectare is advocated within the Local Plan, with higher density development of upwards of 50 dwellings per hectare in urban areas that are well served by public transport. The proposal would be cramped in appearance, occupying a site that is substantially smaller than any other residential development in the

immediate locality. As a consequence, the adverse effects of the proposal would outweigh any benefits in terms of efficient use of the land and as such the proposal fails this criterion.

5.7 Design

Policy H4 of the emerging local plan is also relevant as it relates to residential development within existing residential curtilages and is concerned with more detailed design issues. This policy allows for new development provided the massing, scale, proportions, materials and overall design and character of the existing property and street scene are respected; the amenities of nearby occupiers are not adversely affected; highway safety/parking is acceptable and adequate private amenity space is available for the existing and proposed dwelling. Of the above, design and garden area have not been covered in any depth under the preceding paragraphs. Although the application is in outline with details of appearance reserved for future consideration, details of proposed siting have been submitted. Advice contained within PPS3 states the importance of good design in housing development and in particular it should be well integrated with, and complement, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Consideration of design and layout must be informed by the wider context, townscape and landscape of the wider area. This advice is reflected in Policies D1 and incorporated more generally in policy H4 of the adopted plan.

5.8 The wider locality largely consists of 1960's dwellings, semi-detached or linked detached in nature and not of any particular merit. However, surrounding plot sizes are significantly larger. The constrained nature of the site and the siting of the dwelling, tight against the rear boundary with the depth of front garden under 5m would make the development incongruous within the street scene, cramped in appearance and out of keeping with its surroundings. The proposal is therefore unacceptable in this respect.

5.9 Garden Area

The area of amenity space has increased under this application. However, much of the amenity area is located to the front of the property and this cannot be regarded as private amenity space unless the front of the plot is enclosed by 1.8m boundary treatment. Enclosing the site frontage would be unacceptable in visual amenity terms. The dwelling would have no identifiable frontage, a poor outlook and would fail to integrate within the street scene. In order to overcome this issue the area of garden to the side of the property could be enclosed by a fence on line with the front elevation of the dwelling. However, the amount of garden area still falls below 40m². This is considered inadequate to serve the size of dwelling proposed and as a consequence the proposal also fails in this regard.

5.10 Conclusion

In conclusion, the proposal falls contrary to design, housing and transportation policies D1, H2, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 as well as the adopted SG Design Checklist SPD.

5.11 Design and Access Statement

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

6. CONCLUSION

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

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

7. RECOMMENDATION

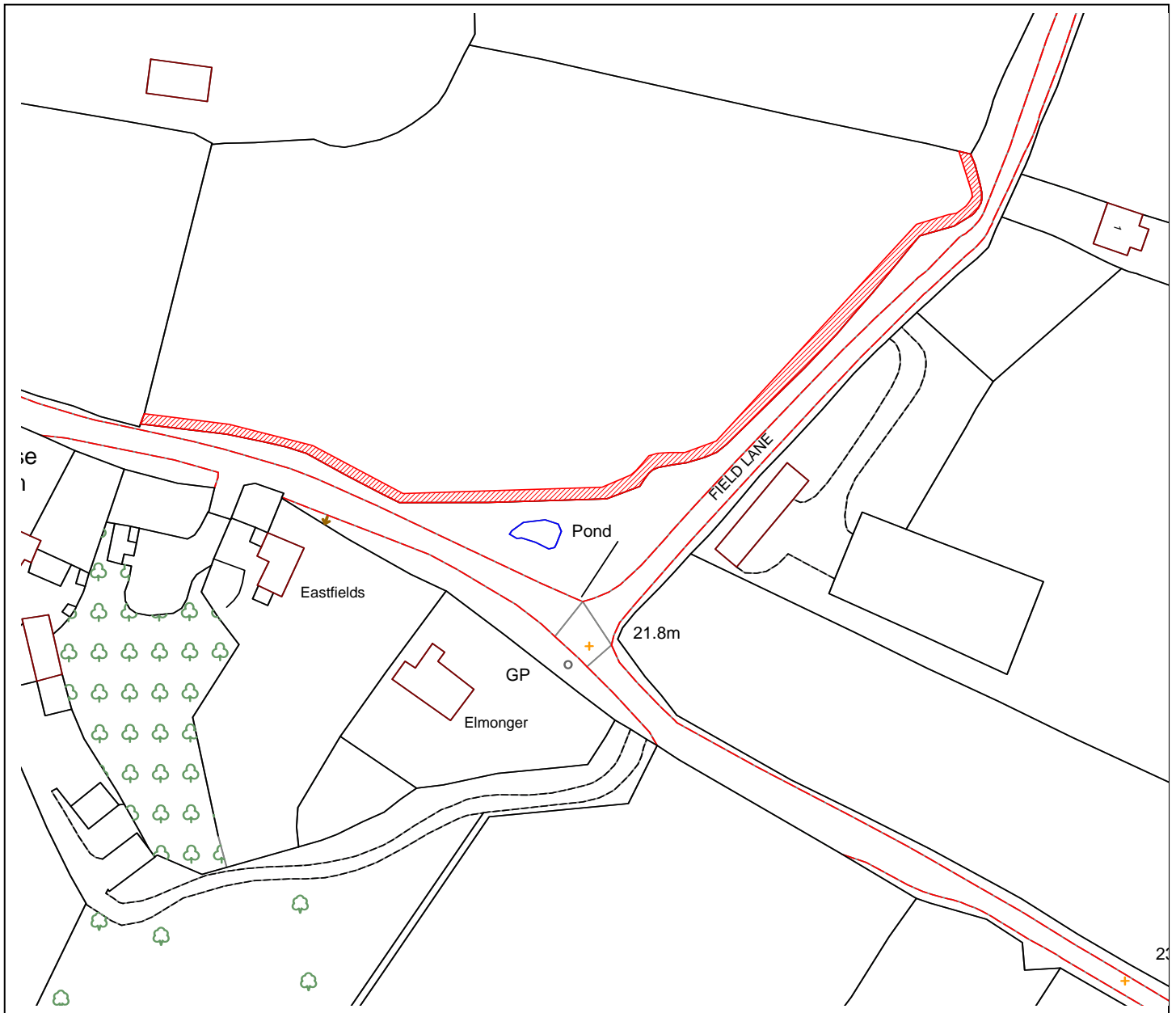
7.1 Outline planning permission be refused.

Background Papers **PT09/0288/O**

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

CIRCULATED SCHEDULE NO. 11/09 – 20 March 2009

App No.:	PT09/0303/HED	Applicant:	Dr. Todd
Site:	Land on the south west side of Field Lane, Littleton Upon Severn, South Gloucestershire, BS35 1NR	Date Reg:	17th February 2009
Proposal:	Works to remove and reinstate hedgerow.	Parish:	Aust Parish Council
Map Ref:	59924 89773	Ward:	Severn
Application Category:	Minor	Target Date:	30th March 2009



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N.T.S

PT09/0303/HED

INTRODUCTION

This application appears on the circulated schedule as there has been a letter of objection received that is contrary to the officer's recommendation of approval. Member's attention is drawn to the fact that the next available committee is beyond the 42 day period allowed to determine this application. If the Council do not respond within this period the applicant can carry out the works. Accordingly, this report is for information purposes.

1. THE PROPOSAL

- 1.1 This Hedgerow Removal Notice is submitted under the Environment Act 1995 and The Hedgerow Regulations 1997. The applicant seeks to remove and reinstate hedgerow. The hedgerow has been neglected and mismanaged for a substantial period of time and is overgrown.
- 1.2 The site is located at the edge of farmland on the southwest corner of Field Lane. The site is not covered by any statutory or non-statutory nature conservation designations, but is located outside of any defined development boundary and within the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
The Environment Act 1995
The Hedgerow Regulations 1997

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Aust Parish Council
No Objection
- 4.2 Ecological Officer
No Objection, with informatives to be sent to the applicant.
The hedge would not qualify as 'important' under the Hedgerow Regulations 1997. The owner, Dr Todd, has indicated that she intends to reinstate the hedge by replanting with a mixture of native shrub species.
- 4.3 Public Rights of Way Officer
No Objection
- 4.4 Highways Officer
No Objection providing hedgerow does not encroach upon the public highway.
- 4.5 Other Representations
Local Residents

One letter of objection has been received that is summarised as follows:

- Land ownership issues, with no consultation from applicant.
- Possibility of newts in the pond.
- The hedgerow used to be appropriately managed.

One letter of support has been received which is summarised as follows:

- The field and hedgerow have fallen into poor condition and disrepair, in particular due to Dutch elm disease.
- Support application providing replanting is of a native species, appropriately managed and remains sympathetic to locality.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This Hedgerow Removal Notice is submitted in accordance with the Hedgerow Regulations 1997. A Hedgerow Removal Notice is not a planning application; and the removal of a hedge cannot be classed as development under the provisions of the Town and Country Planning Act (as amended) 1990. However, it falls to the Local Planning Authority to carry out an appropriate assessment of a hedge that is subject to a submitted Hedgerow Removal Notice. Under the terms of the Hedgerow Regulations, the Local Planning Authority is allowed 42 days in which to assess the Hedgerow Removal Notice. During this period, the Local Planning Authority must either serve a Hedgerow Retention Order, or advise that the subject hedgerow cannot be classed as an important hedgerow in accordance with the Hedgerow Regulations. The purpose of such an assessment is purely a technical exercise and is required to establish whether or not the subject hedge would qualify as an important hedgerow as defined within the Hedgerow Regulations 1997.

5.2 Ecological Assessment

The hedge is generally in a poor condition.

It largely comprises a mixture of dead elm and elder, with the very occasional hawthorn/blackthorn and banks of ivy and bramble.

In places it is 'gappy' and arguably constitutes a line of dead (elm) trees at its northern end beside Field Lane rather than a hedgerow.

Given the above, the hedge would not qualify as 'important' under the Hedgerow Regulations 1997. The owner, has indicated that she intends to reinstate the hedge by replanting with a mixture of native shrub species. The Council's ecologist has no objection to the application and confirms that the hedge is not important, therefore there are no ecological concerns regarding the removal of the hedge. As the hedgerow does not constitute an important hedgerow within the terms of the hedgerow regulations 1997 it falls outside the remit of those regulations in such circumstances it is not possible to serve a hedgerow retention notice.

5.3 Other Matters

Comments have been raised by a local resident regarding land ownership, however this is legal issue and not material to this process. With regards to the

presence of newts, it is noted that the ecological officer has no objection to the proposal. This process cannot require that the applicant conform to any sort of regular management scheme.

6. CONCLUSION

6.1 For the reasons given above, it is considered that the subject hedgerow does not constitute an important hedgerow under the terms of the Hedgerow Regulations 1997. Therefore the Council cannot serve a Hedgerow Removal Notice in this instance.

7. RECOMMENDATION

7.1 That no objection is raised as to the removal and replacement of the subject hedgerow.

Background Papers PT09/0303/HED

Contact Officer: Toby Adams
Tel. No. 01454 863819