



**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. 03/10

Date to Members: 22/01/10

Member's Deadline: 28/01/10 (5pm)

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: 22/01/10

SCHEDULE NO. 03/10

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

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

CIRCULATED SCHEDULE – 22 JANUARY 2010

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1.	PK09/5479/R3F	Deemed Consent	Longwell Green Cp School Ellacombe Road Longwell Green South Gloucestershire BS30 9BA	Longwell Green	Hanham Abbots Parish Council
2.	PK09/5841/F	Approve with Conditions	Land At New Pit Lane Bitton South Gloucestershire	Bitton	Bitton Parish Council
3.	PK09/5949/F	Approve	69 Kingsfield Lane Hanham South Gloucestershire	Hanham	Hanham Parish Council
4.	PK09/5978/R3F	Deemed Consent	Sir Bernard Lovell School North Street Oldland Common South Gloucestershire BS30 8TS	Oldland	Bitton Parish Council
5.	PK09/5992/O	Approve with Conditions	Bristol M G Workshop Signal Road Staple Hill South Gloucestershire BS16 5PF	Rodway	None
6.	PK09/6000/CLP	Approve with Conditions	5 Blackhorse Lane Downend South Gloucestershire	Emersons	Mangotsfield Rural Parish Council
7.	PK09/6039/F	Approve with Conditions	17 High Street Hanham South Gloucestershire BS15 3DL	Hanham	Hanham Parish Council
8.	PT09/0170/F	Approve with Conditions	24 Braydon Avenue Little Stoke South Gloucestershire BS34 6EH	Stoke Gifford	Stoke Gifford Parish Council
9.	PT09/5655/R3F	Approve with Conditions	Land At Hunts Ground Road Stoke Gifford South Gloucestershire BS34 8HP	Stoke Gifford	Stoke Gifford Parish Council
10.	PT09/5812/F	Approve with Conditions	The Larches Bristol Road Thornbury South Gloucestershire BS35 3JA	Thornbury South And	Thornbury Town Council
11.	PT09/5980/F	Refusal	1 Conifer Close Frampton Cotterell South Gloucestershire BS36 2AZ	Frampton Cotterell	Frampton Cotterell Parish
12.	PT09/5984/F	Approve with Conditions	94 Champs Sur Marne Bradley Stoke South Gloucestershire BS32 9BJ	Bradley Stoke South	Bradley Stoke Town Council
13.	PT09/6051/F	Approve with Conditions	Hillcrest Fishpool Hill Brentry South Gloucestershire	Patchway	Almondsbury Parish Council
14.	PT09/6053/F	Approve with Conditions	Windmill Golf Academy Henfield Road Westerleigh South Gloucestershire BS36 2FE	Westerleigh	Westerleigh Parish Council
15.	PT09/6058/F	Approve with Conditions	Frenchay Hospital Frenchay Park Road Frenchay South Gloucestershire BS16 1LE	Frenchay And Stoke Park	Winterbourne Parish Council

Notice to councillors

“Due to the upgrade of the planning IT system, the circulated schedule reports for week commencing 25 January, issue number 04/10 will have to be created outside of the IT system. This will result in some, if not all, planning reports not having an accompanying site plan. The site plan for each application will be available against the application details held on the planning website. Please accept our apologies for any inconvenience caused”

Rebecca Patten
Business Support Manager
Development Services
South Gloucestershire Council
rebecca.patten@southglos.gov.uk

Advanced Notice of proposed trial of changed Agenda Briefing Procedure; –improved consultation with members

The DC Chairs and spokes have agreed to trial revised arrangements for preparing applications to go to the two DC committees. It is hoped that these changes will further improve efficiency and help ensure we can prepare comprehensive and well researched reports which will then assist in sound decision making within the predetermined timings set by Government, in a way which will benefit officers, members and applicants.

Instead of the current arrangements where a briefing is given two weeks before the committee meeting to just the chair and spokes, during the trial a list of the applications coming forward to the committee will be circulated to all members.

This will provide advanced notice of the applications being prepared for committee and give members a chance to feed any issues, or concerns directly to the case officer so that they can be given consideration as the officer report is being finalised. This should help raise awareness with all members of the applications coming forward to committee and ensure the reports are comprehensive, and cover all relevant issues by making use of the experience and on-the-ground knowledge of members. If this process works well it should also reduce the number of times that new issues are raised for the first time at the committee meeting itself, which can lead to a more protracted debate, and in some cases delays to the decision.

The spokes will retain a key role in helping give support to their group members to consider the issues, and if required co-ordinate responses back to officers.

After this notification process, the officer reports will be finalised and the agenda published in the normal way (five days before the meeting). The Chairs and spokes will then attend a briefing session three days before the committee meeting to discuss any issues relating to the smooth running and management of the committee meeting itself.

Following the trial an assessment will be made to see if this has delivered the expected improvements, before any permanent revision to the constitution is contemplated.

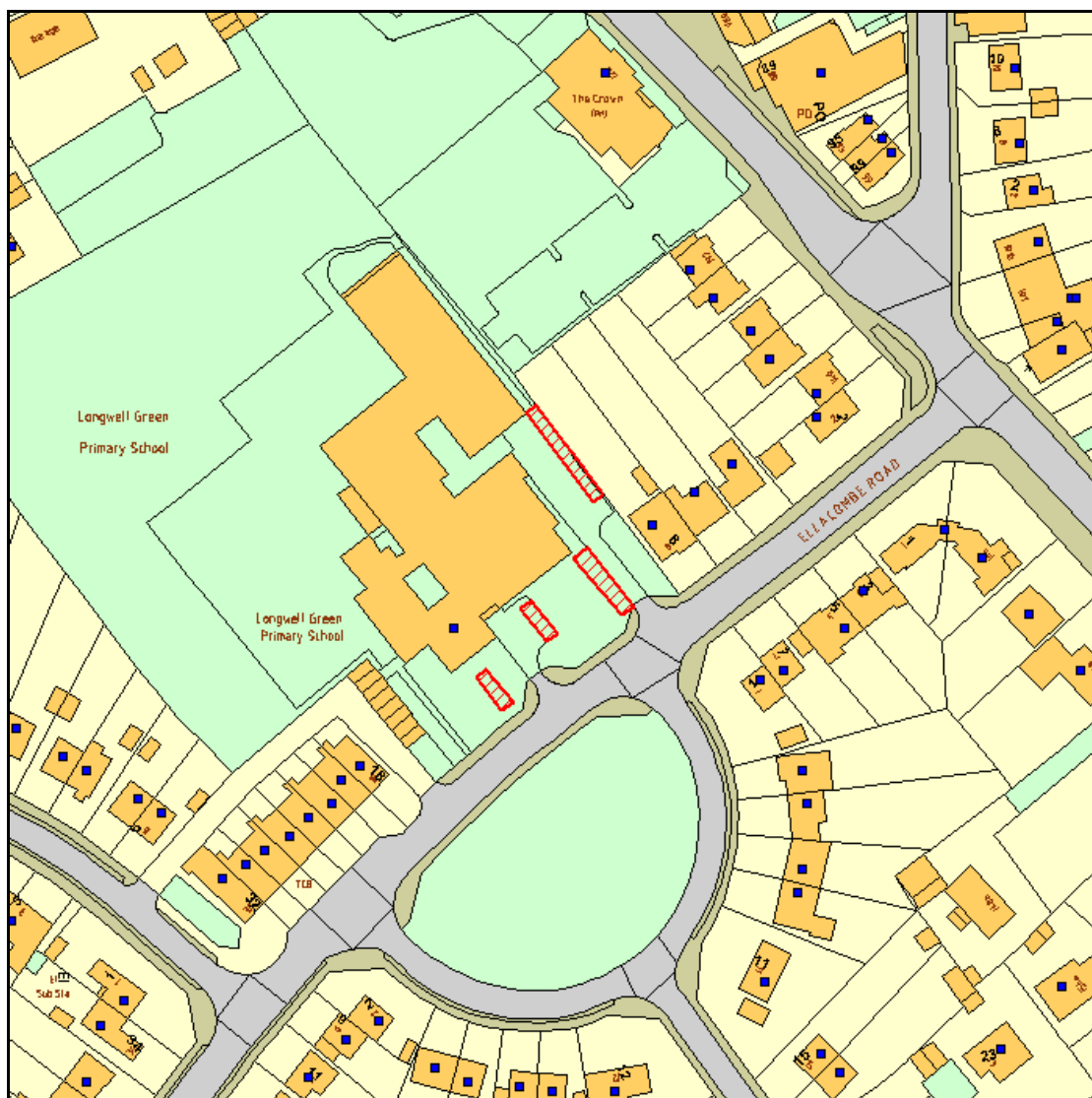
The trial will start from the February for the DC East ctte and March for the West DC ctte

If you have any queries or concerns in the meantime please contact Paul Johnson of Democratic Services.

Brian Glasson
Head of Development Services

CIRCULATED SCHEDULE NO. 03/10 – 22 JANUARY 2010

App No.:	PK09/5479/R3F	Applicant:	Longwell Green School
Site:	Longwell Green Cp School Ellacombe Road Longwell Green Bristol South Gloucestershire	Date Reg:	26th November 2009
Proposal:	Creation of 2 no. cycle shelters consisting of 20 spaces each to replace 7 no. existing car parking spaces. Creation of 6 no. car parking spaces including 1 no. disabled space.	Parish:	Hanham Abbots Parish Council
Map Ref:	365729 170994	Ward:	Longwell Green
Application Category:	Minor	Target Date:	1st February 2010



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100023410, 2008.

N.T.S.

PK09/5479/R3F

INTRODUCTION

This application appears on the Circulated Schedule in accordance with Council procedure as this is a Regulation 3 application – the application is on land within the ownership of South Gloucestershire Council. In addition one letter of objection has been received from a local resident.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of 2 No. cycle stores within the grounds of Longwell Green Primary School. In addition the applicant proposes the relocation of 7 No. parking spaces. The application states that the cycle stores are required as part of the 'Bike It' project and school travel plan.
- 1.2 The two proposed cycle stores would be located to the front of the school where there are 7 existing car parking spaces, these parking spaces would be relocated to the east slightly and would be accessed via an existing vehicular access.
- 1.3 During the course of the application amended plans were requested to correct some inaccuracies and to slightly relocate the proposed parking to ensure sufficient reversing distances. Amended plans were received as requested.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
LC4 Proposals for education and community Facilities within the existing Urban Area
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 Pk00/0352/R3F Erection of two classroom extension
Deemed consent April 2000
- 3.2 PK04/3502/TMP Erection of 2no. Elliott classrooms
Approved temporary consent for 1 year 2004
- 3.3 PK04/2590/R3F Erection of single storey classroom block on
north east elevation, to provide 6no. classrooms and
extension to hall. Erection of link corridor to existing
building on north east elevation.
Deemed consent October 2004

- 3.4 PK01/2960/R3F Erection of single storey extension to provide classroom
Deemed Consent December 2001

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
No objections.

Other Representations

4.2 Local Residents

One letter of response has been received stating the following concerns:

- The car parking is not accurately shown on the plans
- Car parking is several feet from their property and immediately adjacent to the boundary elsewhere.
- Concern about noise, especially when drivers keep their engines running and rubbish collection, adding to the car parking will increase their existing displeasure.
- Concern about smell, exhaust fumes in the garden and when windows are open is most unpleasant. Appeals to the school to request people drive into their spaces rather than reverse have been unproductive.
- More green area will be destroyed
- Wonder how much use the cycle storage will get, the school used to have cycle storage alongside the playground which was hardly ever used.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy LC4 allow for the development and improvement of education facilities provided that the proposal would not unacceptably prejudice residential amenities or result in unacceptable environmental or transportation effects. In addition, policies D1, T7 and T12 the South Gloucestershire Local Plan (Adopted) 2006 are relevant to this planning application. Policy D1 seeks to ensure that the designs of the shelters are appropriate and sympathetic for their setting. Policies T7 and T12 seek to ensure that adequate cycle storage is provided and that the development would not have any adverse impact upon existing levels of highway safety.

5.2 Design and visual Amenity

The proposed shelters are to be made of metal frames with curved clear plastic sides and rears. Given that the bulk of the structures are made of clear plastic, it is considered that they have minimal impact on the visual amenity of the surrounding area. Whilst the structures will be clearly visible from the adjacent public footpath and Ellacombe Road, they are entirely appropriate and in keeping with their setting within the grounds of a school. The proposal includes the relocation of 7 parking spaces, to facilitate this some of the open green to the front of the school will be lost, given the scale of the proposal it is not considered that this loss of green space is of sufficient concern to warrant the refusal of the application.

5.3 Transportation

The provision of additional cycle storage is beneficial. The school is part of the 'Bike It' project organised by South Gloucestershire Council and Sustrans trying to encourage more children to cycle to school. Clearly if more children are cycling to school extra provision needs to be made for the safe storage of bicycles and helmets. The proposed cycle parking would not compromise pedestrian flows and are easily accessible. Furthermore the location of the cycle shelters is well overlooked, as such there are no concerns regarding security.

The proposed car parking spaces have been slightly set back to allow for sufficient reversing distance as such there are no objections to the proposals in highway terms and the application is supported.

5.4 Residential Amenity

Existing parking is located along the boundary of No. 8 Ellacombe Road and continues along the side elevation of the property. The application proposes to extend the grass verge adjacent to the side elevation of No.8 Ellacombe Road, as such reducing the number of cars that can park immediately adjacent to the side of this property.

The proposal includes additional parking to the front of the school this would be accessed via the existing vehicular access. The proposed parking would at its closest point be approximately 10 metres away from the boundary of No. 8 Ellacombe Road and whilst it is accepted that cars would be manoeuvring into and out of these spaces, the retention of the grass verge opposite the proposed parking area restricts vehicles from getting any closer than 6 metres from the side elevation of No. 8. There are currently 14 car parking spaces to the east of the school adjacent to the neighbouring property, the proposal would only increase this by 3 spaces to 17. Furthermore given that the existing spaces that are adjacent to the side elevation of No. 8 Ellacombe Road are to be omitted from the proposed scheme, resulting in less parking spaces being directly adjacent to this property, it is not considered that the proposed parking would result in any significant increase in noise and disturbance to No. 8 Ellacombe Road over and above the existing situation. As such it is not considered that a refusal could be justified or substantiated at appeal.

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 Use of Energy and Sustainability

The proposed cycle storage would support the 'Bike It' project organised by South Gloucestershire Council, trying to encourage more children to cycle to school.

5.7 Improvements Achieved to the Scheme

The existing parking adjacent to the side elevation of No. 8 Ellacombe Road will be replaced by a grass verge area and the proposed parking spaces have been set back slightly to allow for sufficient reversing distance.

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.

6.2 The proposed bike shelters are of an appropriate standard in design and are considered a suitable addition at a school, furthermore the proposal is acceptable in terms of highway safety and is not considered to result in any significant increase in noise and disturbance to the neighbouring property over and above the existing situation. As such the proposal accords with Policies LC4, D1, T7 and T12 of the South Gloucestershire local plan.

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

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions.

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

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 & Country Planning Act 1990 (as amended).

CIRCULATED SCHEDULE NO. 03/10 – 22 JANUARY 2010

App No.:	PK09/5841/F	Applicant:	Mr P Pepperell
Site:	Land At New Pit Lane Bitton Bristol South Gloucestershire BS30 6NT	Date Reg:	30th November 2009
Proposal:	Erection of general purpose agricultural building	Parish:	Bitton Parish Council
Map Ref:	368595 170888	Ward:	Bitton
Application Category:	Minor	Target Date:	20th January 2010



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 100023410, 2008. **N.T.S.** **PK09/5841/F**

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of objections from the adjacent owner and the Bitton Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission to erect an agricultural building on a field, which lies to the south west of New Pit Lane, Bitton.
- 1.2 The applicant states that he owns 8 hectares of the land and the applicant's plan is to establish a small herd of 12-15 English Longhorn suckler cows on the land. The cattle will be over-wintered in one part of the building and the other part of the building will be used for the storage of a tractor, a harrow, small trailer, hedge trimmers and the usual agricultural implements and equipment. Part of the building will be used to store straw and hay. Officers are advised that there will be little traffic generated between the applicant's other farmlands, which generally operate on a self-contained basis. There will be a daily visit by a worker to check on the livestock and to feed them.
- 1.3 The proposed building would measure 12 metres wide by 27.5 metres long and 7.5 metres high to its ridge. The building would be constructed of Yorkshire boarding and concrete panels under a fibre cement roof. A number of rooflights are proposed on both front and rear elevations.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belt
PPS6 Countryside
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
GB1 Green Belt
L1 Landscape
E9 Agricultural Development
- 2.3 Supplementary Planning Guidance
Green Belt SPD

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Objection: Councillors strongly objected to these proposals. This site is presently used for keeping horses and has not been used for agriculture for a long time.

The applicant claims that this site together with others he owns, is a workable agricultural unit but no proof of viability is provided, nor are the other sites actually identified. The fragmented nature of the unit is far from ideal when spread over such a wide area. On its own, this is not a viable unit for agriculture. It has been suggested to councillors that permission for agricultural buildings on the other sites have been obtained, using similar arguments to those in this application: this should not be allowed.

The application states that fouled straw will be taken away to be spread at other sites: again it has been suggested that a similar statement has been made in relation to the other sites: it is not possible for this statement to be made separately in relation to each site as they are claimed to be interdependent and one unit.

Depending on the livestock to be farmed, there could be a significant increase in traffic movements, to which councillors would object given the steep, narrow nature of the lane. In similar cases locally, permission has later been sought for residential facilities in order to care for livestock: this is no an acceptable way of achieving a dwelling in this Green Belt location and must be resisted.

Councillors request that further enquiries about the viability of the enterprise are made and a business plan required to support the application. Also, given the statement by the applicant that this and other sites are interdependent as one unit, the usage and facilities at all the sites should be mutually considered.

If the application is approved, a condition restricting the permission to the applicant alone is requested as, without his other land holdings, this is not a viable agricultural unit.

4.2 Sustainable Transport

Given the relatively small size of the agricultural holding land at this location, it is considered that size of the proposed new barn is disproportionately large.

Notwithstanding this, if there is a case of proven agricultural need then, officers raise no highway objection to this proposal.

Other Representations

4.3 Local Residents

One letter is received and the local resident is concerned that the foul water will be soaked away to neighbour's land. In addition, all the trees screening the proposed barn belong to other owners and it is concerned that this application would prevent the owner from carrying out on the trees.

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. Policy E9 in particular sets the context for agricultural development. Such development is not inappropriate in principle within the Green Belt.

5.2 GB1: Effect on openness of the Green Belt

The site is located in open countryside within the Green Belt to the north east of Bitton. It is presently a hard standing with some parked horse-boxes and shipping containers.

The site is well integrated into the landscape with existing trees and consequently is probably the most visually acceptable location for a building on the holding. It is understood the parked vehicles and shipping containers are to be removed from the site and it is considered this will represent a significant visual enhancement. The proposed building materials are generally acceptable provided that the colour of the roofing material will be 'Anthracite' rather than the 'Serpentine Green'.

Officers therefore consider that there is no landscape character or visual amenity objection to the proposal in the context of Policies L1, GB1 and E9 of the adopted local plan.

5.3 E9 A: Located on Agricultural land and the use could not be located in an existing under-used building

The proposed building would be sited on agricultural land. There is no other under-use building within the site. It is therefore considered that there is an agricultural need for the new building within the farm.

5.4 E9 B: Adequate provision for access and manoeuvring for machinery and livestock

The new building would be set back from the access lane at the front and it is considered, given the available space, that there would be no problem for farm vehicles and livestock to access the building.

5.5 E9 C: Unacceptable Environmental Effects

A concern is raised by the local resident with regard to the discharge of foul water into neighbouring properties / land. The applicant confirmed that no foul water would be directed to soakaway as this would not be acceptable to the Environment Agency.

It is the applicant's intention that the building would have a concrete floor. Soiled bedding would be contained within the building and then removed and spread on agricultural land in accordance with the Farm Waste Management Plan.

The applicant also confirmed that the rainwater from the roof of the building would be piped to soakaway on the appellant's land.

5.6 E9 D: Residential Amenity

There is no residential property adjacent to the proposed building and it is not considered that the proposal would harm existing levels of residential amenity.

5.7 Other Concerns

Of the concerns raised by local residents / parish council, which have not been addressed above, it should be stressed that any concerns about future demands for a dwelling on the site is not material as these would be the subject of separate planning control and would be determined on their individual merits.

With regard to the Parish Council's concerns, councillors are advised that there is no policy requirement for the applicant to submit a business plan or to demonstrate a viability of the farming business.

It is considered that it would be unreasonable to impose a personal condition as the land is currently used as agricultural field and the proposed building will be used for agricultural purposes.

5.8 Design and Access Statement

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

5.9 Use of Energy and Sustainability

Given the nature of the development, this is not required above building regulations.

5.10 Improvements Achieved to the Scheme

None required.

5.11 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. Prior to the commencement of the work, existing horse boxes and shipping containers shall be permanently removed from the application site.

Reason

In the interests of visual amenity and to protect the openness of the Bristol / Bath Green Belt and to accord with Policies D1, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Notwithstanding the submitted details the colour of the roof material for the proposed agricultural building hereby permitted shall be Anthracite.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies D1, L1, GB1 and E9 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 03/10 – 22 JANUARY 2010

App No.:	PK09/5949/F	Applicant:	Mr I Marsh
Site:	69 Kingsfield Lane Hanham Bristol South Gloucestershire BS15 9NR	Date Reg:	16th December 2009
Proposal:	Erection of 1.8 metre high fencing and gates adjacent to highway. (Retrospective).	Parish:	Hanham Parish Council
Map Ref:	365281 172228	Ward:	Hanham
Application Category:	Householder	Target Date:	9th February 2010



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INTRODUCTION

This application appears on the circulated schedule due to the receipt of one letter of objection from a local resident.

1. THE PROPOSAL

1.1 This application seeks retrospective planning permission for the erection of a fence and gates along the boundary of the curtilage separating the applicants garden from the road. This is a retrospective planning application as the works have already been carried out and the fence and gates are already in existence. There are three elements to the proposal – an 8m long section of 1.3 metre high trellis erected behind an existing boundary wall, a 15m long section of 1.8 metre high feathered edge close board fence, and a 4m wide pair of gates with a maximum height of 1.8 metres.

1.2 The application site relates to a dwelling accessed via Kingsfield Lane. Kingsfield Lane is a narrow, single track lane with a rural character despite being within the suburbs of Hanham.

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

T12 Transportation Development Control

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council
No Objection.

Other Representations

4.2 Local Residents
One letter of objection has been received from a local resident who raises the following points of concern:

- Kingsfield Lane is narrow and has no footpath. It is used by pedestrians, dog walkers, mothers pushing pushchairs, horse riders, motorcycles, cars, lorries and oil tankers
- The dangers of the lane have been recognised by the Council that is why no fences or walls have been allowed down the lane
- Numerous incidents have taken place down the lane – resulting in injury and one death
- The surface of the lane is in a poor state and is dangerous in winter with some residents unable to leave their homes because of the ice
- The lane is becoming narrower because residents of Colthurst Drive and Cottingham Court are moving their fences closer and closer to the lane
- Introducing a new 1.8 fence will introduce another hazard for road users and will make it difficult for the applicant to have a clear view of traffic or pedestrians coming up the lane

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) allows for development within existing residential curtilages providing it is of appropriate design and protects the residential amenity of neighbouring dwellings. Policies T12 and H4 seek to ensure that development would not have a detrimental impact upon highway safety in the vicinity of the site.

5.2 Design/Visual Amenity

The fence as erected is of good quality visually integrating into the street scene and character of the area. Whilst the lane has a very rural character with many boundaries being lined with vegetation, other similar fences exist within the immediate vicinity. Most notably, No. 45 Kingsfield Lane has an almost identical arrangement, No. 77 has a 2m wooden fence along its frontage as do the three polytunnels between No. 71 and 77. Part of the frontage of No. 69 across the front of the dwelling is bound by a low stone wall contributing significantly to the character of the area. This old wall is to be retained with the new trellis work erected behind it. This helps to break up the visual impact of the length of fence as erected. It is the considered opinion of your officer that the fences, gates and trellis as erected fully integrate with the street scene and blend successfully with the existing boundary treatments on other properties.

5.3 Residential Amenity

Because of the location of the gates, fence and trellis adjacent to the highway and not immediately adjacent to any neighbouring residential property, existing levels of residential amenity will be protected. The fence is required to afford some privacy to the only area of garden serving No. 69 and therefore considered to significantly improve the levels of residential amenity for the application property.

5.4 Highway Safety

The points of objection as raised by the neighbour are fully appreciated by your officer. It is not however considered that the fence and gates will have any significant impact upon existing levels of highway safety.

It is accepted that the lane is narrow and has no footway. Kingsfield Lane is however a dead-end lane to vehicular traffic and therefore the only vehicles using the lane are likely to be those associated with dwellings along it. Because of this the volume of traffic using the lane is likely to be low. The fence and gates are on the outside corner of a bend and therefore have no impact upon visibility along the lane. The fence and gates do not block any existing sight lines for users of the road.

The objector has pointed out a number of accidents that have occurred along the lane and implies that should the fence not be there, users of the lane could use the garden of No. 69 as a place of refuge to avoid on-coming vehicles. Whilst the logic of this is understood, anybody accessing the land of No. 69 without their permission would in effect be trespassing. This cannot be advocated or encouraged by the Council. Should the application be refused, the applicant would be able to plant any form of hedging along the boundary without the need for planning permission which could obstruct access to the land in the same way as the fence does.

The fencing and gates as erected have no significant or detrimental impact upon existing levels of highway safety and therefore comply with the requirements of Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted)

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 Use of Energy and Sustainability

None required for a scheme of this nature

5.7 Improvements Achieved to the Scheme

None required

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.

- 6.2 The fences and gates as erected integrate fully with the street scene and compliment the character of the area. The fence affords a greater level of privacy to the garden area associated with the dwelling significantly increasing levels of residential amenity for the application property whilst having no detrimental impact upon the neighbouring dwellings. The fences and gates, being erected on the outside of a bend have no impact upon sight lines along the lane and do not further restrict the views of drivers or pedestrians.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application be approved.

Contact Officer: Marie Bath
Tel. No. 01454 864769

CIRCULATED SCHEDULE NO. 03/10 – 22 JANUARY 2010

App No.:	PK09/5978/R3F	Applicant:	Mr D Plumbridge
Site:	Sir Bernard Lovell School North Street Oldland Common Bristol South Gloucestershire	Date Reg:	24th December 2009
Proposal:	Installation of sprinkler tank to serve new sports hall.	Parish:	Bitton Parish Council
Map Ref:	367334 171703	Ward:	Oldland Common
Application Category:	Minor	Target Date:	10th February 2010



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100023410, 2008.

N.T.S.

PK09/5978/R3F

INTRODUCTION

This application has been submitted by Sir Bernard Lovell School. The application site is owned by South Gloucestershire Council and as such the application is a Regulation 3 submission, which under the Council's current scheme of delegation, must appear on the Circulated Schedule. Furthermore Bitton Parish Council have raised an objection which is contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Sir Bernard Lovell School is situated on the south-western side of North Street, Oldland Common. The location is residential in character and the site is bounded to the south-west by the rear gardens of properties on West Street. To the south the site is bounded by the railway cutting which includes the Bristol to Bath Cycle Way; North Street lies to the front of the school campus, whilst to the north-west a narrow public footpath separates the site from the nearest residential properties on North Street.
- 1.2 A full planning permission is sought for the installation of a sprinkler tank to provide a water supply for the sprinkler system to be installed within the new Sports Hall that is currently under construction.
- 1.3 The proposed sprinkler tank would measure 5m x 4m x 2m high with an overall height of 2.48m; the capacity of the tank would be 30 cu.m. It is proposed to locate the tank at the front of the school adjacent to the recently installed electricity sub-station and close to the rear boundary of nos. 58 & 60 North Street.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 - Delivering Sustainable Development
PPG13 - Transport
Circ 11/95 – The Use of Planning Conditions
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 - Design
L1 - Landscape Protection
T8 - Parking Standards
T12 - Transportation Development Control Policy for New Development
LC4 - Proposals for Educational and Community Facilities within the Existing Urban Area and Defined Settlement Boundary.
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Check List SPD (Adopted) 23 Aug 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 P74/4298 Erection of two terrapin classrooms in accordance with revised plans received on 9th August 1974 (Previous ID: K245)
Approved 11th Sept 1974
- 3.2 P77/4345 Erection of single storey workshop block, floor space approx 2,120 sq.ft. (Previous ID: K245/1)
Approved 19th Sept 1977
- 3.3 P98/4390 Erection of extension to provide new facilities for Design Technology.
Approved 28th Aug 1998
- 3.4 PK00/0823/F Erection of extension to provide a new arts centre.
Approved 10th Aug 2000
- 3.5 PK03/3254/R3F Change of use from dwelling (Class C3) to offices (Class D1) as defined in the Town and Country Planning (Use Class Order) 1987.
Deemed Consent 16th Dec 2003
- 3.6 PK04/2608/R3F Erection of single storey classroom block on South East Elevation and enclosure of existing Atrium.
Deemed consent 01st Nov 2004.
- 3.7 PK05/2738/R3F Erection of extension to form canopy shelter for students (Retrospective).
Deemed Consent 09th December 2005
- 3.8 PK05/3624/R3F Erection of new sports hall and associated works. Construction of all weather football pitch and tennis courts with No.16 floodlights and fencing. Construction of new car park to front of school, new mounds and associated landscaping.
Approved 16th July 2008 S106 signed.
- 3.9 PK08/2901/F Erection of detached single-storey tennis clubhouse and associated works.
Approved 23rd Jan 2009
- 3.10 PK09/5317/R3F Erection of single-storey temporary office accommodation for a period of 5 years.
Approved 27 Nov 2009

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Object to the siting chosen for the proposed tanks. Alternative sites away from neighbouring properties are available, such as to the rear (south) of the Sports Hall. If the tanks are adjacent to buildings it will give rise to the possibility of rainwater run-off being used to fill them.

- 4.2 Other Consultees
None.

Other Representations

- 4.3 Local Residents
No responses.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy LC4 of the adopted South Gloucestershire Local Plan (Adopted) 6th Jan 2006 permits the development, expansion or improvement of education and community facilities within the existing urban area subject to the following criteria:

- A. Proposals are located on sites which are, or will be, highly accessible on foot and by bicycle; and
- B. Development would not unacceptably prejudice residential amenities; and
- C. Development would not have unacceptable environmental or transportation effects; and
- D. Development would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area and highway safety.

- 5.2 Policy D1 seeks to secure good quality designs in new development whilst Policies T8 and T12 relate to parking and highway matters.

- 5.3 The school is a well-established campus, located within the urban area, so subject to the above criteria the proposal would be acceptable in principle.

5.4 Supporting Information and Justification

In support of the application the applicant has submitted the following information:

- South Gloucestershire Education Department have required that all new school buildings should install sprinkler systems, hence the requirement for one in the new Sports Hall that is currently under construction.
- The sprinkler system could be run directly from the nearest main in North Street, where it has been demonstrated that there is currently sufficient water pressure. Bristol Water however has no statutory obligation to maintain this water pressure and in order to reduce the risk of leakage may reduce the water pressure at some time in the future; as a result Bristol Water has declined to allow the sprinkler system to be fed directly from the water main in North Street; therefore in order to function, the system will require a water storage tank.
- Whilst the water to fill the tank would be sourced from the water main, the pressure to the sprinkler system would be provided by a pump located next to the tank.

- There is currently no sprinkler system in the main school buildings but if the school is re-developed in the future, there will be a requirement for a sprinkler system. The proposed tank could also be utilised to serve any future redeveloped buildings as well.
- Engineering considerations dictate that the tank must be located as close as possible to the buildings being served and the source of the water i.e. the main in North Street.

5.5 Scale & Design

The scale of the proposed tank is dictated by its functional requirements. The tank is to be located on a vacant piece of land on the northern perimeter of the school campus, next to a recently installed electricity sub-station. This would conveniently locate the tank midway between the Sports Hall, the main school building and the water main in North Street. Being located next to the main driveway would also allow easier access for maintenance.

5.6 The Parish Council have questioned the proposed siting of the tank and suggested that a more appropriate location would be to the south of the Sports Hall. This would be more remote from the water main and the western part of the main building. The areas around the Sports Hall are to be used for pedestrian circulation; by siting the tank on the plot proposed, this would not restrict any future re-development plans of the school buildings.

5.7 For safety reasons the tank needs to be kept full at all times, so replenishment by rainwater run-off would not be practical. Furthermore the tank has to be periodically emptied and cleaned, then immediately refilled, this again would not be possible using intermittent rainwater run-off.

5.8 Impact Upon Residential Amenity

The tank would be located adjacent to the rear gardens of nos. 58 & 60 North Street. The tank would be 2m high and the smaller pump house 2.5m high. There is however a substantial hedge and a mature Silver Birch tree on this boundary that would screen the tank and pump house from view from the north. It is also proposed to enclose the tank and pump, as well as the existing rather unsightly electricity sub-station, using a 2.5m high Hedera screen fence. This fence is sold in sections with ivy ready grown into the galvanised steel weldmesh, which provides both security and a growing support for the ivy. The proposed tank and pump would therefore not be visible from public or residential areas.

5.9 Landscape Issues

The plot of land to be utilised for the development merely comprises a grassed verge. A mature Silver Birch tree grows in the rear garden of neighbouring no.58 and to some extent the tree's branches overhang the application site such that part of the tank would be below them. The branches are high enough as to not affect the proposal but the root system would extend into the area to be excavated.

- 5.10 The applicant has confirmed that the proposed tank would sit on a concrete raft that would be sunk 300mm into the ground. The Council's Tree Officer has confirmed that although the life expectancy of the tree is short, the root system could be affected. In response the applicant has submitted a method statement confirming that any excavations below or within 1m of the canopy of the tree will be hand dug. Subject to a condition to secure this, there are no landscape objections.
- 5.11 Transportation Issues and PROW
The proposal would have no adverse impact on the existing parking and turning areas within the school campus. The scheme would not adversely affect the nearest PROW – PBN/14/20 which terminates outside the School Campus.
- 5.12 Environmental & Drainage Issues
The proposed scheme is modest in scale and would not result in any increased risk of flooding. There are therefore no objections on environmental or drainage grounds.
- 5.13 Design and Access Statement
The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.
- 5.14 Use of Energy and Sustainability
None
- 5.15 Improvements Achieved to the Scheme
None required
- 5.16 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. All excavation, associated with the development hereby approved, beneath or within 1 metre of the crown spread of the adjacent mature Silver Birch Tree (growing in the garden of no.58 North Street), shall be in accordance with the method statement submitted to and agreed by the Local Planning Authority on 18 Jan 2010.

Reason

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

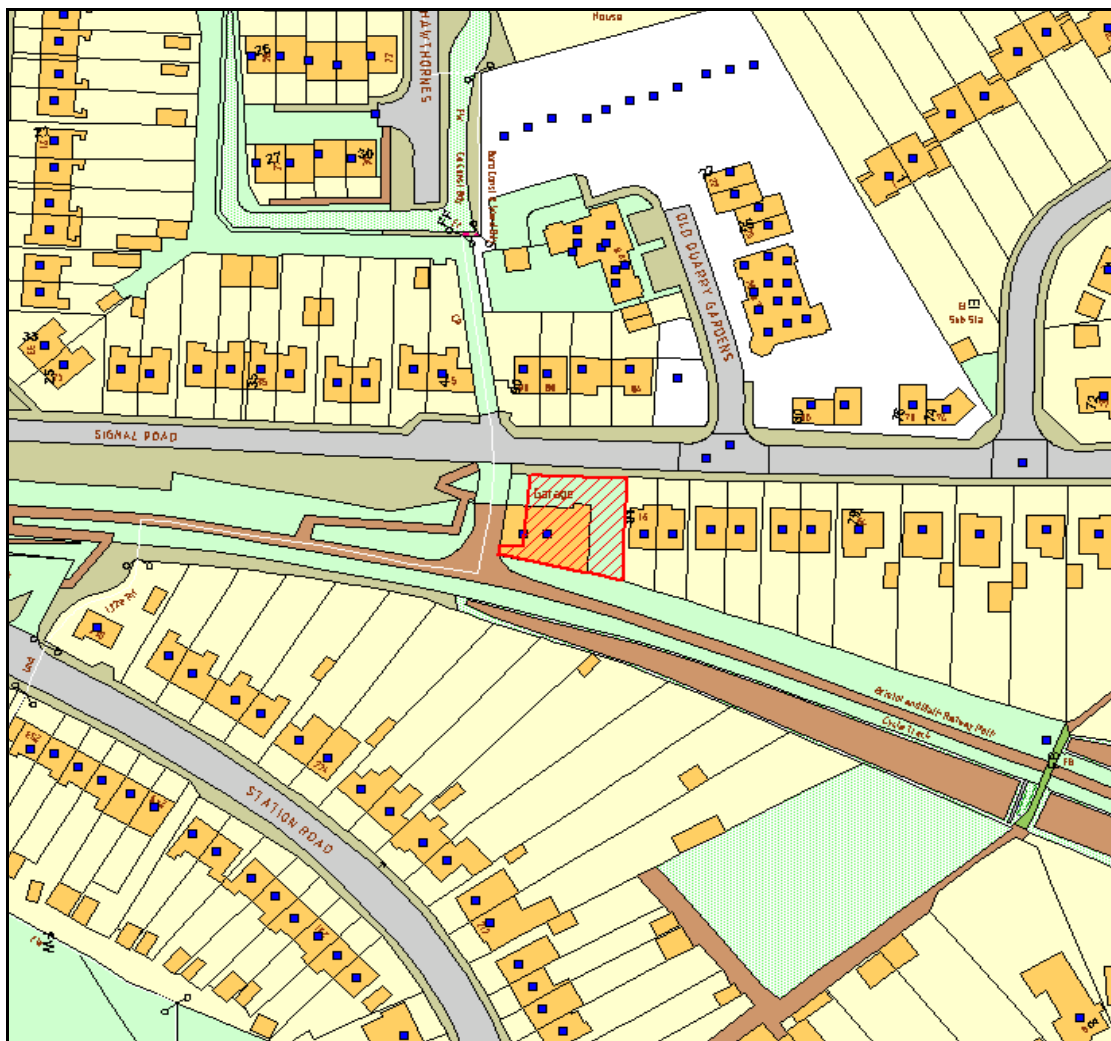
3. Prior to the first use of the development hereby approved, the screen fencing/planting shall be erected/installed in full accordance with the plans hereby approved.

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.

CIRCULATED SCHEDULE NO. 03/10 – 22 JANUARY 2010

App No.:	PK09/5992/O	Applicant:	Mr B Henson
Site:	Bristol M G Workshop Signal Road Staple Hill Bristol South Gloucestershire BS16 5PF	Date Reg:	10th December 2009
Proposal:	Demolition of car workshop to facilitate the erection of 9 no. self contained flats (Outline) with access, layout and scale to be determined.	Parish:	
Map Ref:	365665 175655	Ward:	Rodway
Application Category:	Minor	Target Date:	2nd February 2010



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INTRODUCTION

This application is referred to the Circulated Schedule of Planning Applications to Members in accordance with procedure given that objections have been raised that are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application has been submitted seeking outline planning permission, (with access, layout and scale to be considered) for the residential development of 9 apartments on 448sq.m of land. The appearance and landscaping are reserved for future consideration although detailed indicative elevations have been provided and an indication of possible landscaping.
- 1.2 The site presently consists of a car repair workshop situated at the end of a long row of semi-detached and detached residential properties situated on the southern side of Signal Road with commercial/industrial premises sited opposite. To the south of the site, levels drop away to the Bristol/bath cycle path immediately to the rear. The site lies close to services and facilities in Staple Hill.
- 1.3 The development as amended includes 8 car spaces to the front of the building with a bin and cycle store (space for 12 cycles). The apartments are spread over a lower ground floor (reflecting levels on the site), ground floor and first floor however the difference in levels would ensure that the building would appear as a three storey structure from the rear and two storeys when viewed from the front. The development would comprise 6 no. two bed flats and 3no. one bed flats.
- 1.4 The building is deep set, adopting a contemporary style with the bulk of the building to the rear. Features include balconies on the rear elevation. Indicative materials are indicated as coloured smooth render using a mix of off-white, ochre and terracotta. A flat roof is proposed. Other features include a rear pennant stone-wall with a height of 1.8 metres.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transportation
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
L1 Landscape
H2 Residential Development within the Existing Urban Area
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (SPD) - Adopted August 2007

3. RELEVANT PLANNING HISTORY

3.1 Previous history relates to the former use of the site as a garage. Relevant history is as follows:

PK07/0040/O Residential development on 0.048 hectares of land (Outline - all matters reserved) Approved

PK09/5146/O Demolition of car workshop to facilitate the erection of 8.no apartments (outline all matters reserved). The proposed development was refused for the following reasons:

1. The proposal, due to its excessive bulk, height and its location in relation to adjoining properties in particular No.89 and No.91 Charnhill Drive, and would appear oppressive and overbearing and detrimental to residential amenity contrary to Policy H2 of the South Gloucestershire Local Plan (Adopted January 2006).
2. The proposed building because of its height, mass, bulk and appearance would represent an incongruous, visually jarring feature that would be detrimental to the visual amenity of the locality and thus would be contrary to Policy H2 and D1 of the South Gloucestershire Local Plan (Adopted January 2006).
3. In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions towards education provision would be contrary to Policy LC2 of the South Gloucestershire Local Plan (Adopted January 2006).
4. The proposed development fails to provide any private amenity space for future occupiers as such the proposal is contrary to Policy H2 of the South Gloucestershire Local Plan (Adopted).

4. CONSULTATION RESPONSES

4.1 Parish Council

The area is unparished.

4.2 Sustainable Transport Team

Outline planning permission has previously been granted to erect four semi-detached dwellings on this area of land (PK07/0400/O).

A further application to erect ten 1 & 2 bed flats was withdrawn prior to its determination (PK08/0689/O). A transportation objection was raised on the substandard access proposed.

This current proposal now seeks outline planning permission to erect nine flats on the site. Amended vehicular parking and pedestrian access arrangements have now been submitted to overcome transportation concerns raised with this proposal.

Eight parking spaces are now proposed along the frontage of the site. A separate pedestrian access is also now provided. Given the sustainable location of the site, especially its close proximity to the Bristol and Bath Railway Path, it is considered that the level of parking proposed is acceptable.

On that basis, there is no transportation objection to this proposal.

4.3 Education

The Department for Children & Young People calculates contributions on the basis of 4 primary pupils per 100 flats with one or two bedrooms. Current DCSF cost calculators give a figure of £10,747 per additional primary pupil place, indexed at Q4 2008 prices.

At primary school level there is a projected deficit of places in the local area. The proposed development of nine flats will generate one additional primary school pupil based on the pupil number calculator. A contribution of £10,747 is required for additional primary provision.

There is a projected surplus of places at secondary schools in the local area. No contribution is required for additional secondary provision.

The total contribution required for additional school provision is £10,747.

Should the mix of dwelling change, or should the development not proceed in the near future, the contribution would need to be reassessed. Additionally, the final amount of contribution should be calculated using DCSF cost calculators current at the time of signing a Section 106 agreement, increased in accordance with any increases in the Royal Institute of Chartered Surveyors Building Cost Index.

Other Representations

4.4 Local Residents

One letter of response has been received which indicates concern over whether the parking provision proposed would be adequate to serve the development.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The planning application under consideration relates to a proposal for the erection of 9 no. flats. The application is in outline only with landscape and appearance to be considered in a future reserved matters application albeit indicative plans show the proposed elevations and the details the Design and Access Statement gives are sufficient to make an assessment of other Development Control material considerations. These matters will be addressed in the following analysis of the proposal.

PPS3 states that in determining planning applications, local authorities should have regard to ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups and use land effectively and efficiently. Policy H2 sets out criteria relating to density, education and community facilities, environmental/transportation effects and impact upon residential amenity. Policy T12 considers in more detail the impact of development upon the surrounding highway network, with Policy D1 assessing the design of the proposal having regard to the wider context and the site itself.

The principle of a residential development within this Urban Location is acceptable however consideration must also be given to the following issues.

5.2 Density

The development of 9 dwellings on the site equates to a residential density of approximately 200 dwellings per hectare. Clearly this far exceeds the minimum density of 30 dwellings per hectare set out in PPS3 and indicated in Policy H2 of the South Gloucestershire Local Plan (Adopted January 2006). PPS3 is not prescriptive and subject to good design high density development is considered appropriate. Paragraph 50 of PPS3 indicates that densities should not be stifled by existing style or form and can contribute to the efficient use of land. Paragraph 49 of PPS3 indicates however that higher densities require careful attention to the design and are not always appropriate.

It is considered that a density of 200 dwellings per hectare requires very careful consideration as to the visual impact and impact upon residential amenity. This assessment is made below.

5.3 Design and Visual Amenity

PPS3 (Housing), emphasises the need for high quality development through good and inclusive design to protect and enhance the environment. Paragraph 36 emphasises the need to optimise the potential of the site to accommodate development, with paragraph 38 emphasising the need to guide overall scale, density, massing, height, landscape, layout and access of all new development in relation to neighbouring buildings and the locality more generally without unnecessary prescription on detail. The current proposal is in outline only however the scale is a material consideration at this stage and indicative details have been supplied of the elevations with additional details included within the Design and Access Statement. Given the size of the site and the number of units that are proposed it is considered that it would be difficult to locate or configure the scheme in a different way to that shown.

Policy H2 (paragraph 8.154) of the South Gloucestershire Local Plan (Adopted January 2006) although re-dating PPS3 reflects these aims indicating that 'sensitive design which respects the character of the surrounding area is essential if new dwellings are to be fitted successfully into established residential areas and smaller settlements'. Policy D1, supported through the South Gloucestershire Council Design Checklist (Adopted August 2007), in considering design in more detail indicates among other criteria, that development will only be permitted where good design standards of site planning and design are achieved. Proposals will be expected to demonstrate that 'siting, overall layout, density, form, scale, height, massing, detailing,

colour and materials are informed by respect and enhance the character, distinctiveness and amenity of both the site and the locality’.

Within context apart from the modern residential development constructed opposite, the area is characterised by modest, two-storey, detached and semi-detached properties. Buildings on the southern side of Signal Road/Charnhill Drive follow a distinctive building line to the front and rear. In common with the application site, properties are set above the Bristol to Bath Cycle Path, set to the rear albeit the current buildings on the site drop down to this lower level (a high bank separating other properties and their gardens from the cycle path). The rear of the site is perhaps the most visible being seen from the cycle path itself and although partially screened by vegetation along the path, it can be seen from Station Road to the rear.

The proposed building would appear as a two storey structure from the front and three storey to the rear. The view from the south/rear is considered significant given the cycle path. Furthermore even accounting for screening from trees along the edges of this feature and the rear gardens of properties in Station Road, given raised levels the site can be seen from the south. On the rear elevation the height would be approximately 9 metres from cycle path level and from the front approximately 6 metres. In contrast to the previous scheme where a height above the cycle path of 12 metres was proposed the current proposal is considered more modest and it is not considered that it would appear bulky and out of character with its neighbours particularly when viewed from the south/rear. While it is noted that the current building is of a different form and scale to neighbouring properties (the height for example is less to the front than adjoining semi-detached properties), it is considered that any new development would integrate successfully with the street scene.

The layout is considered appropriate and as indicated above makes effective and efficient use of the available land. While the detailed appearance will be considered as part of any future reserved matters application, a contemporary design is indicated and is considered appropriate. The assessment made in the Design and Access Statement that there is “no over-riding architectural style in the street” and that the site forms a ‘bookend’ to the houses to the east is considered a correct analysis. Furthermore the development although following the lines if not the detailed appearance of the current structure, through the use of more imaginative elevations featuring balconies, glazing, solid walls and flat roof with overhang provides a significant enhancement to the street scene.

In summary it is considered that a modern/contemporary building is an appropriate solution and that the scheme subject to the submission of the reserved matters to include materials would enhance the visual amenity of the locality and is acceptable in design terms and would thus be in accord with the aims and objectives of Policy H2 and D12 of the South Gloucestershire Local Plan (Adopted January 2006).

5.4 Residential Amenity

Policy H2 of the South Gloucestershire Local Plan (Adopted January 2006) indicates that new development should not affect residential amenity. Para 8.163 of the plan states that ‘in seeking to ensure that development does not prejudice residential amenity, the Council will have regard to the amenities of existing residents in the vicinity of the site and to those of future occupiers’.

The impact upon residential amenity is assessed in terms of whether any element of the development would appear oppressive or overbearing when viewed from neighbouring properties or whether overlooking would occur resulting in loss of privacy.

Having regard to the scale and location of the proposal, it is considered that any impact must be assessed against properties to the immediate east of the development, in particular No.91 Charnhill Drive and near neighbours. It is not considered that any loss of privacy would result from the development given the location of windows shown. Any Reserved Matters application would need to demonstrate a similar regard to neighbour's amenity.

A possible concern would be the potential for the overlooking of the garden area and rear of No.91 from the proposed balconies at ground and first floor level nearest to that property. It should be noted however that these are sited approximately 6 metres from the boundary and any direct view of the rear elevation of No.91 (and neighbouring properties), would be blocked by the new building itself and it should be noted that a screen is proposed for the side of the balconies. When the detailed appearance of the development is considered at the reserved matters stage this screen will be expected.

The building, extends to a height of about 9 metres when seen from the rear garden/elevations of the neighbouring properties situated to the east. In contrast to previous schemes which would have appeared oppressive and overbearing because of the close proximity and scale of the proposal the current proposal is considered not to have a significant impact in this regard. A set back from the boundary significantly reduces any impact upon No.91 and the impact upon residential amenity is now considered acceptable.

A condition is recommended to limit hours of working during the construction phase given the close proximity of adjoining properties.

The proposed development is considered acceptable in amenity terms and thus in accord with Policy H2 and D1 of the South Gloucestershire Local Plan (Adopted January 2006).

5.5 Amenity Space

As well as consideration of the impact of development upon the residential amenity of neighbouring occupiers the amenity of future occupiers is also a consideration.

Para 8.163 of the plan (Policy H2) states that 'in seeking to ensure that development does not prejudice residential amenity, the Council will have regard to the amenities of existing residents in the vicinity of the site and to those of future occupiers'. In this regard there has been concern previously over the availability of amenity space to future occupiers but it should be noted that in this case more balconies are provided and some space is provided to the front albeit this is not private amenity space. The ability to provide space to the rear is not possible given the close proximity of the cycle path. It should be noted that two bedroom flats are less likely to attract family occupiers and that the site is within easy reach of public open space.

In summary it is not considered that the limitations on the availability of amenity space would justify the refusal of the application in this case.

5.6 Transportation

Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 considers Parking Standards (maximum) and Policy T12 considers the impact of all new development upon the surrounding highway network with the emphasis upon preserving and where possible enhancing highway safety. A previous application that proposed the erection of 10 no. flats was refused partly on the grounds of a substandard access.

With respect to the current proposal Transportation Officers raised concerns that an initial scheme to provide 9 parking spaces would not have been workable in terms of the effective use of three of the spaces within the proposed layout. Subsequently an amended scheme has been submitted to show a total of 8 spaces across the front of the site.

While it is noted that a letter of concern has been received regarding the provision of nine spaces it is not considered that the provision of eight spaces (with cycle parking) would be unacceptable. The provision falls within the maximum parking standard and it should be noted that the site is in a highly sustainable location close to public transport routes and immediately abuts the Bristol to Bath Railway Path.

A condition is recommended to ensure that the proposed parking is provided and operational prior to the first occupation of the building. Subject to this condition the proposed development is considered to be in accord with policy T8 and T12 of the South Gloucestershire Local Plan Adopted January 2006.

5.7 Landscape Issues

The landscaping of the site has been reserved for future consideration albeit the constraints of the site give limited opportunities for significant landscaping. Indicative drawings indicate a limited amount of landscaping space to the front of the site including trees along the street frontage which would be of benefit to the street scene subject to appropriate species being provided. A landscaping condition would be attached to any future reserved matters application.

5.8 Drainage

A condition is recommended to secure the incorporation of sustainable drainage systems (suds) into the development. The existing site is covered in impermeable paving and the current scheme gives an opportunity to reduce run-off through the use of suds. No objection to the proposal has been raised by the Council Drainage Officers.

5.9 Contamination

Policy EP6 of the South Gloucestershire Local Plan Adopted January 2006 states that 'proposals for development on land which is believed to contain a contamination hazard will not be permitted unless adequate remedial measures are taken to ensure that there is no unacceptable risk of pollution within the site or in the surrounding area.

Given the location of the development on the site of a former garage a condition is recommended to secure a desktop study of the site and to require full mitigation measures if contamination is found in the interests of the health, safety and amenity of future occupiers to accord with Policy EP6.

5.10 Education

Policy LC2 of the South Gloucestershire Local Plan Adopted January 2006 indicates that where local education provision is inadequate to meet the projected need for places arising from the future occupiers of proposals for new residential development, the Council will negotiate with developers to secure provision in scale and kind to meet these needs. This may include provision on-site by the developer and or contributions to provision or enhancements of existing provision within the vicinity.

The Department for Children & Young People calculates contributions on the basis of 4 primary pupils per 100 flats with one or two bedrooms. Current DCSF cost calculators give a figure of £10,747 per additional primary pupil place, indexed at Q4 2008 prices. There is a projected surplus of places at secondary schools in the local area. No contribution is required for additional secondary provision. At primary level however there is a projected deficit of places in the local area. The proposed development of nine flats will generate one additional primary school pupil based on the pupil number calculator and therefore a contribution of £10,747 is required for additional primary provision.

The applicant has agreed to the provision of this sum to be included in an appropriate legal agreement and subject to such an agreement the proposed development would be in accord with Policy LC2 of the South Gloucestershire Local Plan Adopted January 2006.

5.11 Affordable Housing

The number of units proposed falls below the threshold (15 units or 0.5ha) at which the provision of affordable housing would be required.

5.12 Community Services

The number of units proposed falls below the threshold at which the provision of community service provision would be required.

5.13 Use of Energy and Sustainability

The proposed scheme will seeks to achieve Code for Sustainable Homes Level 3 for insulation and air tightness standards ie 25%.

5.14 Improvements Achieved to the Scheme

It has not been necessary in this case to achieve improvements to the scheme.

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 (Adopted August 2007).

5.16 Section 106 Requirements

In this instance, having regard to the above advice, contributions towards Education provision 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.

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 applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- £10,747 towards the provision of one additional primary school places to accord with Policy LC2 of the South Gloucestershire Local Plan Adopted January 2006
- A contribution at a rate of 4% of the total requirement sum for monitoring purposes. This equates to £429.88

2) That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

- 7.2 Should the agreement not be completed within 6 months of the date of the resolution that planning permission be refused.

Contact Officer: David Stockdale
Tel. No. 01454 864533

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

5. The development hereby permitted shall not commence until the developer has submitted to and had approved in writing the following information detailing any potential land contamination and if necessary a proposed scheme of works:1. A preliminary investigation including a desk study report detailing the history of the site and identifying risks to human health and the environment.2. If the above investigation identifies it as being required a main investigation including a site investigation report documenting the types, nature and extent of contamination present, risks to receptors and potential for mitigation within and beyond the site boundary as identified in the preliminary investigation. The investigations and assessments shall be in accordance with current Government and Environment Agency guidance.3. If required, a detailed remediation scheme including a method statement and measures to be taken to avoid risk to human health and the environment, as identified by the desk study and site investigation from contaminants or gases. In this case the construction of buildings shall not commence until the investigator has provided a validation report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification

programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall be detailed in the report. Persons undertaking validation of remedial works shall also provide a validation certificate.

Reason

To ensure that adequate measures have been taken to mitigate against soil contamination/contaminated land to accord with Policies EP1 and EP6 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

7. The hours of working on site during the period of construction shall be restricted to 0730 hours to 1800 hours Monday to Friday and 0800 to 1300 hours Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

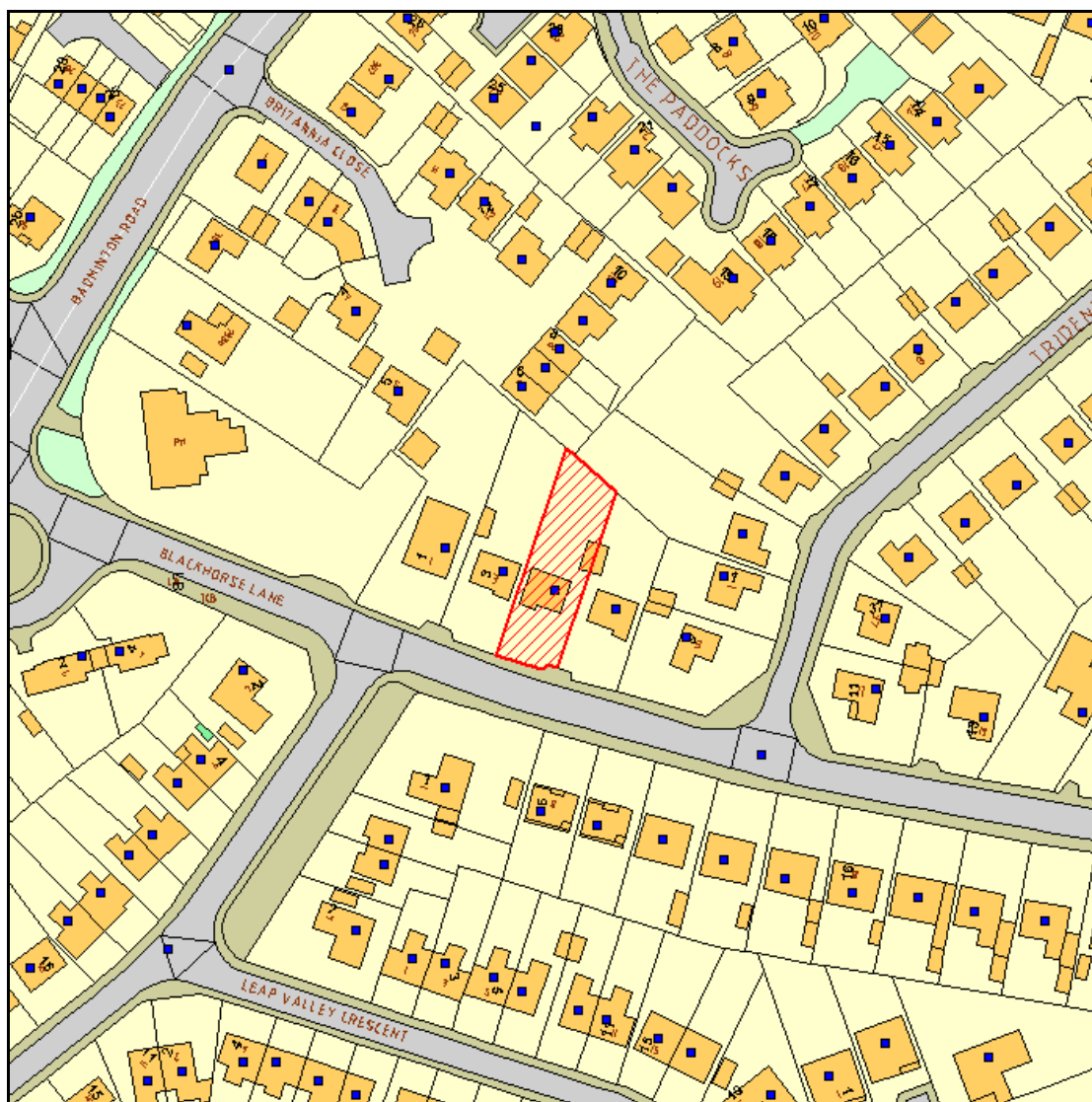
8. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

CIRCULATED SCHEDULE NO. 03/10 – 22 JANUARY 2010

App No.:	PK09/6000/CLP	Applicant:	Miss M Daws
Site:	5 Blackhorse Lane Downend Bristol South Gloucestershire BS16 6TR	Date Reg:	10th December 2009
Proposal:	Application for Certificate of Lawfulness for the proposed erection of rear conservatory.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366020 178025	Ward:	Emersons Green
Application Category:	Minor	Target Date:	1st February 2010



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100023410, 2008.

N.T.S.

PK09/6000/CLP

INTRODUCTION

This application appears on the Circulated Schedule in accordance with the standard procedure for the determination of such applications.

1. THE PROPOSAL

- 1.1 A certificate of Lawfulness for a proposed development has been applied for in relation to the erection of a rear conservatory at 5 Blackhorse Lane, Downend. The property is a detached bungalow and is located within the residential area of Downend.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

- 2.1 Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008

The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No decision could be reached due to the ambiguous wording of the planning application.

Other Representations

- 4.2 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The purpose of this application for a Certificate of Lawful Development is to establish whether or not the proposed development can be implemented lawfully without the need for Planning Consent. This is not a Planning Application but is an assessment of the relevant planning legislation, and as

such the policies contained within the South Gloucestershire Local Plan (Adopted) January 2006 do not apply in this instance.

It stands to be ascertained whether the proposed development falls within the limits set out in Part 1 of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

- 5.2 The proposed development consists of a rear conservatory. This development would fall under the criteria of *Schedule 2, Part 1, Class A*, of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (The enlargement, improvement or other alteration of a dwellinghouse). Developments which fail any of the following criteria would not be permitted:

Class A.1

- (a) **As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**
The property has a substantial rear garden, consequently the proposed conservatory would not exceed 50% of the total area of the curtilage.
- (b) **The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;**
The maximum height of the proposed conservatory would be 2.6 metres and would sit beneath the existing eaves height of the main dwelling house. As such the proposal meets this criterion.
- (c) **The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;**
The entire conservatory would sit lower than the eaves height of the main dwelling. The height to eaves of the proposed conservatory would reach 2.3 metres, in comparison, the height to eaves of the main dwelling measure 2.6 metres.
- (d) **The enlarged part of the dwellinghouse would extend beyond a wall which—**
(i) **fronts a highway, and**
(ii) **forms either the principal elevation or a side elevation of the original dwellinghouse;**
The proposed conservatory would be to the rear of the dwelling not on a principle or side elevation and not fronting a highway, as such the proposal accords with this criterion.
- (e) **The enlarged part of the dwellinghouse would have a single storey and—**
(i) **extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**

(ii) exceed 4 metres in height;

The host dwelling is a detached property. The proposed conservatory would be single storey and would extend a maximum of 3 metres in depth. Furthermore the proposed conservatory would have a maximum height of 2.6 metres.

(f) The enlarged part of the dwellinghouse would have more than one storey

The proposed conservatory is single storey.

(g) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

The conservatory would have a height to eaves of less than 3 metres and is also located over two metres away from any boundaries of the property.

(h) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and..

The proposed conservatory would extend beyond the rear wall, not a side wall.

(i) it would consist of or include—

(i) The construction or provision of a veranda, balcony or raised platform,

(ii) The installation, alteration or replacement of a microwave antenna,

(iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) An alteration to any part of the roof of the dwellinghouse.

The proposal does not include any of the above and consequently meets this criterion.

Class A.2 restricts the development on article 1(5) land. The application site does not fall within Article 1(5) land, as such the criteria outlined in Class A.2 are not relevant to this application.

Conditions

(a) The materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The proposal is for a conservatory and as such is exempt from this condition.

(b) Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

The proposal does not include the installation of any upper floor windows.

- (c) **Where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.**

The proposal is single storey.

5.5 Design and Access Statement
Not applicable

5.6 Use of Energy and Sustainability
No additional measures

5.7 Improvements Achieved to the Scheme
None required

5.8 Section 106 Requirements
Not application

6. **CONCLUSION**

It is considered that the proposal does fall within one of the categories of development which are permitted development, and therefore planning permission is not required.

7. **RECOMMENDATION**

- 7.1 That a certificate of Lawfulness for Proposed Development is granted for the following reason:

Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

CIRCULATED SCHEDULE NO. 03/10 – 22 JANUARY 2010

App No.:	PK09/6039/F	Applicant:	Murgia 2008 Ltd
Site:	17 High Street Hanham Bristol South Gloucestershire BS15 3DL	Date Reg:	16th December 2009
Proposal:	Erection of single storey extension to facilitate the conversion of 1 no. dwelling to 1 no. house and 1 no. flat with associated works. (Resubmission of PK09/5541/F).	Parish:	Hanham Parish Council
Map Ref:	364045 172499	Ward:	Hanham
Application Category:	Minor	Target Date:	5th February 2010



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N.T.S.

PK09/6039/F

INTRODUCTION

This application has been referred to the circulated schedule due to concerns raised by Hanham Parish Council.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the demolition of the existing outbuildings at 17 High street, Hanham, to facilitate the conversion of the existing dwelling and the erection of a single storey extension to form 1no. dwelling and 1no. self contained flat.
- 1.2 The property is a two storey dwelling and is located on the corner of Hanham High Street and Tabernacle Road within a residential area of Hanham. The existing property has several poorly designed extensions that would be demolished to facilitate the proposed works.
- 1.3 This application is a re-submission of a recently refused scheme for the conversion of the existing dwelling and the erection of a two storey extension to form 3no. self contained flats.

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 within the Existing Urban Area and Defined Settlement Boundaries
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
H5 Residential Conversions
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/5541/F Demolition of outbuildings, conversion of existing dwelling and erection of two storey extension to form 3no. self contained flats with access and associated works. Refused December 2009 for the following reasons:

'The proposed development by virtue of its mix of styles and fragmented appearance, would appear visually incongruous in the street scene. As such the proposal is considered contrary to Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.'

'The proposed development would result in the loss of the existing parking facility which serves the site and further leads to additional residential units without any off-street parking. If allowed, the proposal would exacerbate traffic congestion on the public highway all to detriment of highway safety and contrary to the policies T12 and H4 of the South Gloucestershire Council Local Plan.'

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council
Raised concerns regarding the lack of amenity space, especially for the main property.

4.2 Sustainable transport
No objections.

Other Representations

4.3 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policies H4 and H5 of the South Gloucestershire Local Plan are supportive in principle of proposed new dwellings within the existing residential curtilage and the conversion of existing residential properties into smaller units, providing that the design is acceptable, highway safety would not be compromised, adequate parking and amenity space is provided and that there is no unacceptable impacts on residential and visual amenity.

The South Gloucestershire Plan (Adopted) 2006 identifies the site as lying within the urban area. With the exception of design, Policy H2 of the adopted Local plan encompasses all the relevant issues of the above policies. Policy H2 allows for new residential development providing that the following criteria are complied with:-

5.2 **(a) Development would not have unacceptable environmental or transportation effects; and would not significantly prejudice residential amenity.**

In the interests of clarity these two issues will be discussed in turn.

Transportation Issues

The previous application sought an extension to the existing building with the intention to convert it into 3 no. separate dwellings with no off street parking provision.

The current application seeks to convert the existing property into two residential units and it is proposed to provide and maintain car parking on site. In view of the changes to the previous scheme the Councils Highways Officer raises no objections to the proposal subject to a condition ensuring that the proposed parking is provided and maintained. In addition a condition would be attached to ensure the provision of cycle parking.

Residential Amenity

The proposal involves the demolition of several existing outbuildings to facilitate the conversion of the existing dwelling and the erection of a single storey extension to form 1no. dwelling and 1no. flat. All new windows apart from the rear roof lights would face west overlooking the properties front gardens and Tabernacle Road, it is therefore considered that there are no issues of inter-visibility or loss of privacy.

To the east of the site is the parking courtyard associated with flats 17a and 17b, whilst this is currently used as a hardstanding parking area, it is the only possible private rear area associated with these properties. The proposed single storey extension would be located adjacent to this rear courtyard and would have a height to eaves of 2.3 metres and a height to ridge of 4.4 metres. Given that existing outbuildings are already adjacent to the rear courtyard in combination with the fact that the roof of the proposed new dwelling would be hipped away from the neighbouring properties, it is not considered that the proposal would result in any unacceptable overshadowing or overbearing impact.

The plans show a small amount of private and useable amenity space would be provided to serve the proposed dwellings. Whilst the amenity space would be small, PPS 3 indicates that the provision of amenity space is an important criterion for family housing in particular. It is not considered that a large amount of amenity space is required for one bedroom properties as these would be unlikely to attract families, as such this small amount of amenity space is considered acceptable. Furthermore there is public green space located less than half a mile away to the west.

5.3 **(b) The maximum density compatible with the sites location, it accessibility and surroundings is achieved.**

Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3, seeks to avoid development which makes an inefficient use of land. PPS3 (para.47) indicates that a national indicative minimum density of 30 dwellings per hectare should be used.

Officers are satisfied that having regard to the sites constraints, the pattern and scale of existing development, access and impact on residential amenity, no more than one additional dwelling could satisfactorily be accommodated on the site.

5.4 **(c) The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination.**

- The new dwelling would be subjected to no greater levels of noise, dust, pollutants etc than the existing dwellings in the vicinity.
- 5.5 **(d) Provision for education, leisure, recreation etc. in the vicinity is adequate to meet the needs arising from the proposal.**
The proposal is only for one new dwelling only and therefore would not have a significant impact on the area in terms of service provision.
- 5.6 Design / Visual Amenity
The existing outbuildings would be demolished and the two storey gable of the existing dwelling would be retained and converted into a one bed dwelling, in addition a single storey extension measuring 8 metres in width by 5.9 metres in depth, with a maximum height to eaves of 4.4 metres would be erected to facilitate a one bedroom dwelling.
- The proposal would have a smaller footprint than the existing mix of outbuildings and would be a vast improvement on the existing ill proportioned and irregular shaped current outbuildings. The recently refused application, reference PK09/6039/F included a two storey extension which resulted in a cramped and fragmented appearance with the retained two storey gable being awkwardly sandwiched between two buildings. The current application proposes a single storey extension to the side of the existing gable and a single storey front extension to the gable. Whilst the proposal is of a different style to the neighbouring terraced properties on Tabernacle Road, given the scale and ridge height of the proposed side extension, it is considered that the proposal would be subservient in nature and would respect the existing building, Furthermore the proposed addition would be a significant improvement on the existing situation. Insufficient detail has been submitted in relation to the proposed boundary treatments as such a condition would be imposed to ensure details of all boundary treatments and hardstanding are submitted and approved prior to the commencement of development. As such the proposal is considered to be of an appropriate standard in design.
- 5.7 Environmental Issues
Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds.
- 5.8 Design and Access Statement
The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.
- 5.9 Use of Energy and Sustainability
No additional measures proposed.
- 5.10 Improvements Achieved to the Scheme
None.

5.11 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The proposal is of an appropriate standard in design and would be a positive improvement on the existing assortment of extensions. The proposal is acceptable in terms of highway safety, furthermore, adequate parking and amenity space is provided. The proposal would not have any impact on neighbouring residential properties by reason of loss of privacy or overbearing impact. As such the proposal accords with Policies D1, H2, H5 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.

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

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions.

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

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 & Country Planning Act 1990 (as amended).

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

Reason

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

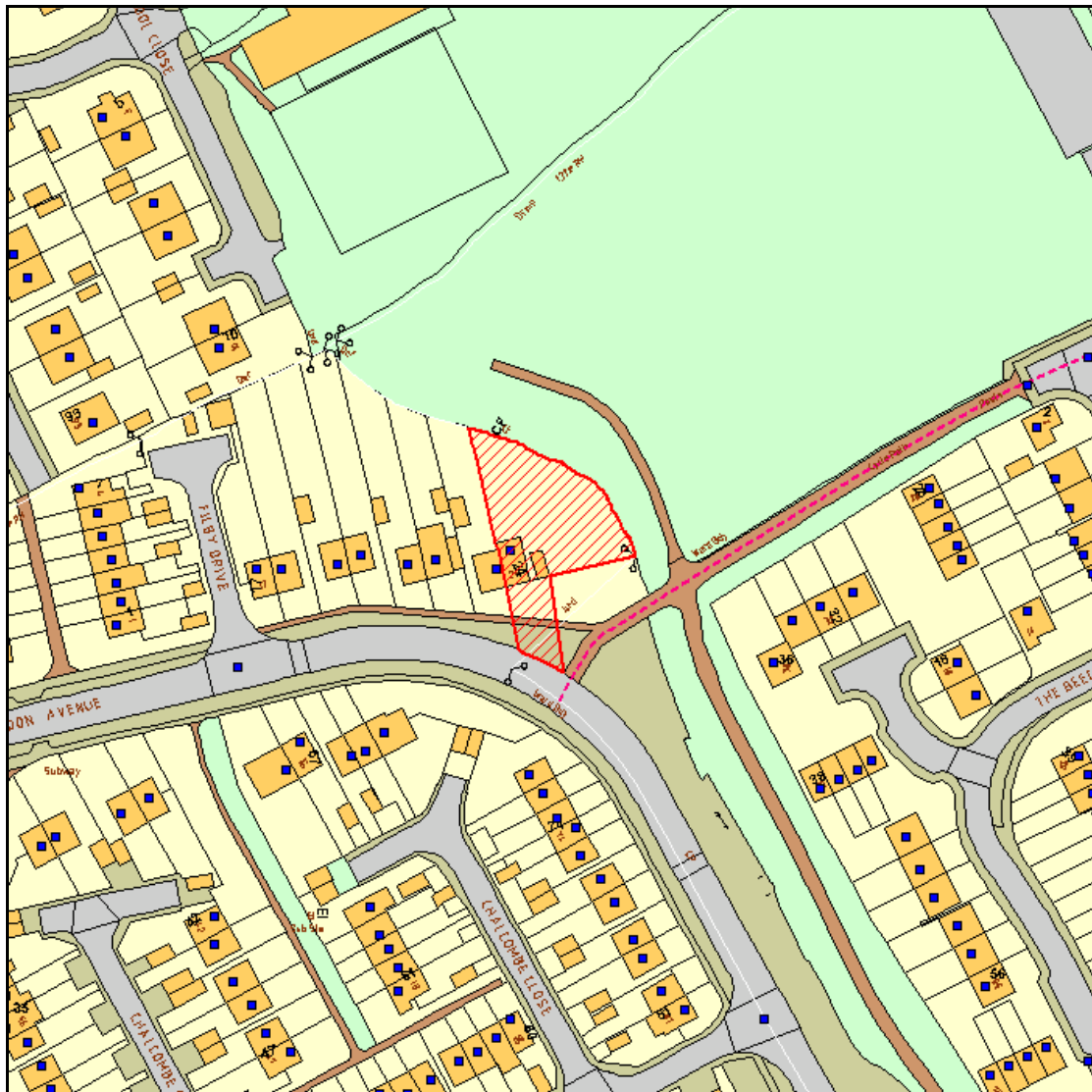
3. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatments to be erected and details of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the approved details.

Reason

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

CIRCULATED SCHEDULE NO. 03/10 – 22 JANUARY 2010

App No.:	PT09/0170/F	Applicant:	Daniel A Homes Ltd
Site:	24 Braydon Avenue Little Stoke South Gloucestershire BS34 6EH	Date Reg:	28th January 2009
Proposal:	Erection of 3 no. dwellings on 0.084 hectares of land. (Resubmission of PT08/2670/F).	Parish:	Stoke Gifford Parish Council
Map Ref:	3614460 1816890	Ward:	Stoke Gifford
Application Category:	Minor	Target Date:	24th March 2009



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1. **INTRODUCTION**

- 1.1 Members may recall this application appeared on the Development Control (West) Committee on the 16th April 2009 where it was resolved to refer the application to the Council meeting on the 20th May 2009 where it was resolved to grant the proposal conditional planning permission, subject to a Section 278 Agreement for a £ 5400 financial contribution towards the North Fringe Development Major Scheme (Transport Matters).
- 1.2 The Section 278 Agreement is required to be signed and sealed within 12 months of the resolution, giving a date of 20th May 2009. The resolution stated that if the agreement is not signed within 12 months of this determination then, in view of length of time the application should either:
 - a) Return to the Circulated Schedule to reconsideration or alternatively;
 - b) The application should be refused due to the failure to secure Heads of Terms listed above under a legal agreement.
- 1.3 Since Officer's recommended approval on this application there has been a material change in circumstances affecting the Council's ability to require a financial contribution towards the North Fringe Development Major Scheme (Transport Matters) following appeal decisions from the Secretary of State. Members are therefore requested to consider the removal of the requirement for this financial contribution.
- 1.4 The original report relating to this application is attached for information. It is not considered that there have been any other material changes to the policy context in the intervening period.

2. **ANALYSIS OF PROPOSAL**

- 2.1 The original recommendation for this application included a £5400 financial contribution towards the North Fringe Development Major Scheme (Transport Matters). This was considered necessary because a previous application (PT08/0999/F) for a similar development on the site granted planning permission included such a contribution. When the original recommendation was made there had been no material changes from a highway perspective, and that the applicant had agreed in principle to make a contribution of £5400 towards the North Fringe Scheme (Transport Measures). On this basis, it was considered that the contribution remained applicable to this application and should be secured via an appropriate legal agreement.
- 2.2 Since this recommendation was made, the Local Planning Authority has received a number of appeal decisions regarding similar developments which included Section 278 Agreements for financial contributions towards the North Fringe Development Major Scheme (Transport Matters). In one such decision at No. 14 Cleve Road, Filton the Inspector concluded '*...there was no policy basis on which to request the infrastructure contribution sought and that it would be contrary to advice in paragraphs B25 and B26 of Circular 05/2005 Planning Obligations*'. In this instance the appellant was awarded costs against

the Council on this matter. This is reiterated in a recent decision at No. 14 Elm Park, Filton where the Inspector concluded that there is insufficient evidence to show how the road network would not be adequate to cater for the development without mitigation. In view of this, it is considered that these appeal decision should be given considerable weight.

- 2.3 It is therefore concluded the interpretation of these since the previous recommendation there has been a material change to policy basis which the Local Planning Authority gave weight when requested a financial contribution for minor windfall development. The appeal decisions received have indicated that the Authority does not currently have sufficient grounds to justify such contributions and have concluded that these requested obligations do not comply with *Circular 05/2005 Planning Obligations*. On this basis, it is considered that conditional planning permission should be granted, without a £5400 financial contribution towards the North Fringe Development Major Scheme (Transport Matters). The recommendation remains the same in all other respects.

3. **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 proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.
- a) The concerns of local residents in relation to the effect of the proposed dwelling on the character and appearance of the street scene have been fully considered. The proposal has been designed to be informed by, respect and enhance the character of the site and locality. In reaching this conclusion the design, siting, height and materials of the existing house and surrounding area have been considered. The development therefore accords with policies D1, H4 and H5 of the South Gloucestershire Local Plan (adopted) January 2006.
 - b) Through careful design the proposals will not harm the amenities of the proposed development or neighbouring properties by reason of loss of privacy or natural light. The development therefore accords with policies H2, H4, H5 and D1 of the South Gloucestershire Local Plan (adopted) January 2006.
 - c) The proposed development equates to a density of approximately 36 dwellings per hectare. The density satisfies the minimum expectation that development will achieve at least 30 dwelling per hectare. The development therefore accord with policy H2 of the South Gloucestershire Local Plan (adopted) January 2006.

- d) The concerns of local residents in relation to the effect on the proposal on highway safety and on-street parking have been fully considered. The proposed development has been designed with careful regard to Transportation. Parking, congestion and access issues have been considered and addressed sufficiently in the design. The development therefore accords to policies D1, H2, H4, H5 and T12 of the South Gloucestershire Local Plan (adopted) 2006.

6.3 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 to be **GRANTED** subject to the following condition(s): -

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

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

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

2. The development hereby permitted shall be constructed in accordance with the 'Arboricultural Impact Assessment, Tree Protection Plan and Preliminary Arboricultural Method Statement' (Dated February 2009) submitted with this application. Any changes to the statement shall first be agreed in writing with the Local Planning Authority, and carried out in accordance with the approved details.

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

3. Written notice shall be submitted to the Local Planning Authority (LPA) 21 days prior to the commencement of development in order for the LPA to inspect the above and below ground tree protection measures as outlined in the 'Arboricultural Impact Assessment, Tree Protection Plan and Preliminary Arboricultural Method Statement' (Dated February 2009).

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

4. No development shall commence until a plan of the access, showing the private drive widened to 4.5m from the highway to the back edge of the existing footpath is

submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

5. No development shall commence until 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.

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

6. No development shall commence until 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.

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.

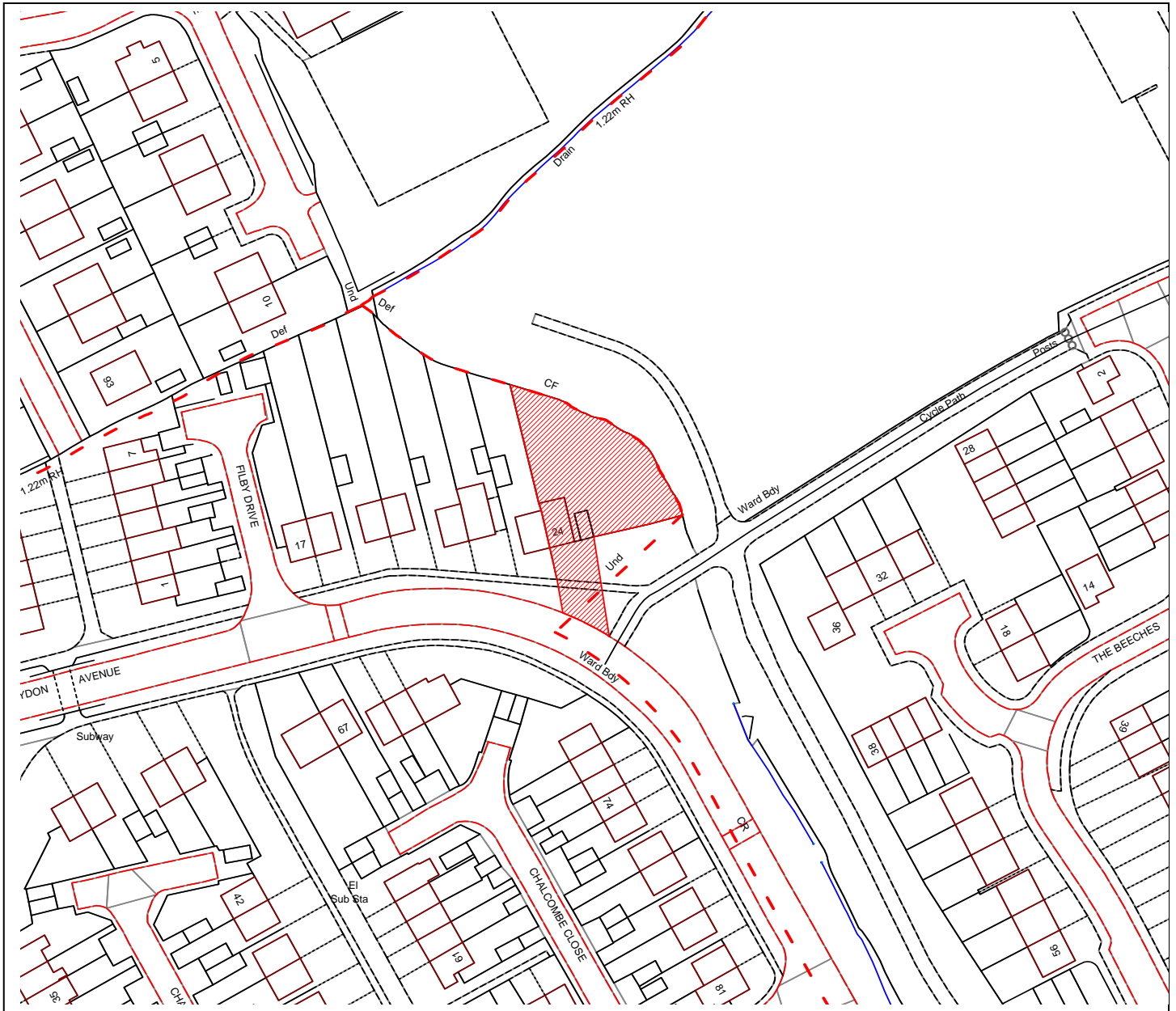
7. No development shall commence until details and samples of the roofing, windows, and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

APPENDIX

DEVELOPMENT CONTROL (WEST) COMMITTEE – 16 APRIL 2009

App No.:	PT09/0170/F	Applicant:	Daniel A Homes Ltd
Site:	24 Braydon Avenue, Little Stoke, South Gloucestershire, BS34 6EH	Date Reg:	28th January 2009
Proposal:	Erection of 3 no. dwellings on 0.084 hectares of land. (Resubmission of PT08/2670/F).	Parish:	Stoke Gifford Parish Council
Map Ref:	61446 81689	Ward:	Stoke Gifford
Application Category:	Minor	Target Date:	24th March 2009



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100023410, 2009.

INTRODUCTION

Members will recall that this application appeared on the Site Inspection (West) Sub-Committee on 3rd April 2008. This application has been referred by Councillor Justin Howells for the reasons of; over development of small plot, unsuitable on this tight bend and the issue of flooding.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of three terrace dwellings.
- 1.2 The proposed development comprises of the erection of three two bedroom dwellings. The dwellings would front onto Braydon Avenue and would have private amenity space to the rear. The vehicular access to the site would be along the existing private driveway, and off-street parking would be provided for six cars.
- 1.3 The application site relates to the established residential curtilage of No. 24 Braydon Avenue. The site is approximately 0.084 ha in area. The site is bounded by public open space to the south, a row of mature trees to the north-east and residential development to the west. The site is situated within a well established residential area within the Bristol North Fringe urban area.
- 1.4 This application is a resubmission of the previously withdrawn application PT08/2670/F.

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1: Delivering Sustainable Development
 - PPS3: Housing
 - PPG13: Transport
- 2.2 Joint Replacement Structure Plan (Adopted) September 2002 (Saved Policies)
 - 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: Achieving Good Quality Design in New Development
 - H2: Residential Development within Defined Settlement Boundaries
 - H4: Development within Existing Residential Curtilages
 - L1: Landscape Protection and Enhancement
 - EP1: Environmental Pollution
 - T12: Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
 - South Gloucestershire Design Checklist SPD (Adopted) 2007

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT08/2670/F Erection of 4 new dwellings on 0.084 hectares of land.
Withdrawn by applicant

4. **CONSULTATION RESPONSES**

4.1 **Stoke Gifford Parish Council**

Object, as previously, on the grounds of overdevelopment, access unacceptable on a busy road bend, and doubt about the accuracy of the NE boundary ownership. Additionally the design and access statement was out of date.

4.2 **Bradley Stoke Town Council**

The land is liable to flooding; boundary unofficially extended; three dwellings equals overdevelopment; interference with drains and roots; parking arrangements will inhibit soak away.

4.3 **Sustainable Transportation**

No objection subject to highway contribution.

4.4 **Local Residents**

In response to the consultation period five letters of objections. The main points have been summarised below:

Material Planning Considerations

- The proposed development is not sympathetic to the existing housing.
- The proposed parking provision is insufficient.
- The development would cause on-street parking.
- High safety issues from on-street parking (e.g. reduce visibility)
- Access onto a bend is dangerous.
- The development would encroach onto Council land.
- Reservations about the amount of traffic that will be crossing the pavement.
- Overdevelopment.
- Creating surfaces for vehicles to park at the rear of the properties will lead to further flooding.
- Concern that works to sewer could lead to additional blockages.
- Issues of noise/disturbance/smell.
- Issues of security.
- Error on Design and Access statement because it refers to 4 dwellings.

Non-Material Planning Considerations

- Devalue house prices in area.

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The application site is situated within Bristol North Fringe urban area, as shown on the South Gloucestershire Local Plan Proposal Maps (Adopted) January 2006. PPS3 (Housing), the Joint Replacement Structure Plan and Policy H2 of

the Local Plan allow for new residential development within the boundaries of settlements. Sensitive design which respects the character of the surrounding area is essential for developments to fit into existing residential areas. Within this context, the Council also expects schemes to make the maximum effective use of the site by achieving the maximum density compatible with the site accessibility, environmental constraints, and its surroundings. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare.

5.2 In addition, Policy H4 of the Local Plan allows for infill residential development within the curtilages of existing dwelling. This is subject to the proposal: -

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

5.3 Density

Policy H2 cites that proposals will be expected to provide the maximum density compatible with the site, location, accessibility and surroundings. Therefore, the expectation is that all development will achieve a minimum density 30 dwellings per hectare with higher densities achieved where local circumstances permit. Not least, in and around town centres, and where well served by public transport, densities of upwards of 50 dwellings should be achieved.

5.4 In this application the density of the site equates to 36 dwellings per hectare (dph). This level is considered satisfy density requirements in accordance with Policy H2 of the Local Plan.

5.5 Design

National Planning Guidance within PPS1 makes it clear that good design ensures attractive, useable, durable and adaptable places and is a key element in achieving sustainable development. This is reiterated at the local level within Policy D1 of the Local Plan and the South Gloucestershire Design Checklist SPD.

5.6 *Design Process*

The applicant has submitted a Design and Access Statement (DAS) which has outlined the context and constraints of the site, and has outlined their design concept. It considered that this indicates a satisfactory design process has been undertaken.

5.7 *Siting and Layout*

Policy D1 of the adopted local plan advises that the layout of new development is informed by, respects and enhances the character, distinctiveness and amenity of both the site, and the locality. This is supported by question 27 of the Design Checklist SPD which states that there should be a coherent response to settlement pattern of the site and surroundings.

5.8 The site is situated on a corner plot and is therefore particularly prominent when you approach the site from the south. The character of the surrounding

area comprises of a mix of residential development. For instance, immediately to the west of the application site there is a row of four pairs of semi-detached “chalet-style” bungalows. The siting of these buildings has been staggered in order to take advantage of the curve of Braydon Avenue. In the wider area there are a number of rows of two-storey “radburn-style” terraces.

5.9 The proposed dwellings would be layout in a terrace and would be situated on the land to the east of No. 24 Braydon Avenue. The proposal would be sited adjacent to a semi-detached pair (Nos. 24 & 25) and would be set back from the front elevation of this building by approximately 1.5 metres. It is considered that this layout and siting of the dwelling would be acceptable. This is because it would respond to, and maintain the established settlement pattern of the surrounding established residential area.

5.10 *Scale and Massing*

The proposed development would be read in combination with the adjacent “chalet-style” bungalows. These existing bungalows are one and half storeys in scale, and have a uniform massing. The proposed development would also be one and half storeys in scale, and the width of the front elevation would echo that of the existing bungalows. It is considered that this design approach would respond to the adjacent residential development, and would ensure that the rhythm of the street scene is maintained.

5.11 *Appearance*

The adjacent “chalet-style” bungalows have a strong horizontal emphasis, due to their wide flat roof front dormers. In order to respond to this design feature, the proposed dwellings would include flat roof dormer windows, and individual flat roof canopies above the front entrance doors. It is considered that the use of these design features would ensure that the proposals would respond to the existing appearance of the adjacent development.

5.12 The proposed development would be finished in double roman tiles and face brickwork. It is considered that these would respect the wider residential area. Nevertheless, to ensure a high quality finish, it is recommended that material samples are submitted prior to the commencement of development.

5.13 *Landscape*

The north-eastern boundary of the application site is adjacent to a row of well established Willow trees. It is considered that this is an important landscape feature which contributes to the visual amenity of the surrounding area. To assess the impact of the proposed development on these trees the Councils Tree Officer has been consulted. The Officer concluded that the proposed tree protection works, as set out in the submitted schedule, are appropriate and would not be detrimental to the health of the trees. As such, it is recommended that a condition is attached to ensure the development is implemented in accordance with submitted schedule, and to ensure that the Tree Officer inspects the above and below ground protection prior to the commencement of development.

5.14 *Conclusion*

In view of the above, it is considered that the proposed development would respect and enhance the character, distinctiveness and amenity of both the site and the locality. As such the proposal accords to policy D1, H4 and L1 of the adopted local plan and the guidance contained in the Design Checklist SPD.

5.15 Residential Amenity

The application site is adjoined by residential development to the west. The impact of the proposed development on the occupiers of these dwellings has been assessed below: -

5.16 *Overbearing Analysis*

The proposed development would be aligned with the adjacent semi-detached pair, and would be separated by approximately 5 metres. In view of this arrangement it is considered that the proposed development would not result in a material overbearing impact.

5.17 *Privacy Analysis*

The proposed development would include windows in the front and rear elevations. The rear facing window would afford some oblique views into the rear gardens of the adjacent residential properties. Nevertheless, these views would be typical of views expected within well established residential areas, and would not be considered to cause a material loss of privacy.

5.18 *Disturbance Analysis*

Objections have been received from local residential on the grounds of noise, disturbance, and smell. Notwithstanding these representations, it is considered that a residential use within a well established residential area would not give rise to unacceptable levels of disturbance. It is noted that the construction period may give rise to some levels of disturbance to neighbours. As such, it is recommended that the standard informative is attached regarding hours of construction.

5.19 Transportation

Representations have been received which have objected to the proposal on the grounds of access and parking. To assess this, the Council Transportation Officer has considered the proposal. It has been concluded: -

5.20 *Access*

The proposed development would gain access to Braydon Avenue by virtue of a private driveway. The Transportation Officer raised no objection to the access on the grounds of visibility. However concerns were raised to the fact two cars would be unable to pass on the existing narrow access between the highway and footpath. In view of this, the Officer concluded that the first 6m of the private drive, measured from the edge of the carriageway, should be widened to 4.5m. It is considered that this can be secured by way of condition attached to any approval of this development.

5.21 *Parking*

The proposed development would provide a total of 6 parking spaces to the rear of the application site. As such, 6 parking spaces would serve the

proposed and existing dwellings at a ratio of 1.5 spaces per dwelling. Part C3, 2 of the council's parking standards (see Local Plan) states that within the North Fringe "residential development will not be permitted if more than an average figure of 1.5 car parking spaces per dwelling is proposed". On this basis the level of parking provided conforms to local parking standards. Moreover, an appropriate level of cycle parking would be provided

5.22 Contribution

In order to mitigate the incremental damage on the North Fringe accumulated via numerous small developments a financial contribution of £5400 is requested towards the North Fringe development proposal (Transport Measures). The applicant has agreed to pay this contribution.

5.23 Drainage and Flooding

It was identified by local residents that the proposed development may cause additional blockages to the sewers and result in further flooding issues. Notwithstanding these comments, the Council's Drainage Engineer has assessed the development and has raised no objection. It is recommended that a planning condition is attached to ensure further plans regarding sustainable drainage systems (SUDS) condition are submitted and approved prior to the commencement of development. This would ensure a satisfactory means of drainage is provided.

5.24 Other Issues

It has been highlighted by local residents that the development would encroach onto Council land. In this application the correct notice has been served (Certificate B) and the landowner has been consulted. This is not a planning consideration and is separate civil matter between the applicant and the Council's property Services department to resolve. For the avoidance of doubt, it is recommended that an informative is attached to any consent to state that planning permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant.

5.25 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.

5.26 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. RECOMMENDATION

- 7.1 That Authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant permission subject to conditions set out below and the applicant first voluntarily enter into an agreement under Section 278 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- 7.2 A contribution of £5400 towards the North Fringe Development Proposal (Transport Matters) initiative. The reasons for this agreement are to mitigate against the impact on the Bristol North Fringe local road network to comply with Policy T12.
- 7.3 Should the section 278 agreement fail to be determined within one year of this resolution, then the application be refused on the failure to secure the contribution to mitigate against transportation impact.

Background Papers **PT09/0170/F**

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

CONDITIONS

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

Reason(s):

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

2. The development hereby permitted shall be constructed in accordance with the 'Arboricultural Impact Assessment, Tree Protection Plan and Preliminary Arboricultural Method Statement' (Dated February 2009) submitted with this application. Any changes to the statement shall first be agreed in writing with the Local Planning Authority, and carried out in accordance with the approved details.

Reason(s):

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

3. Written notice shall be submitted to the Local Planning Authority (LPA) 21 days prior to the commencement of development in order for the LPA to inspect the above and below ground tree protection measures as outlined in the 'Arboricultural Impact Assessment, Tree Protection Plan and Preliminary Arboricultural Method Statement' (Dated February 2009).

Reason(s):

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

4. No development shall commence until a plan of the access showing the private drive widened to 4.5m from the highway to the back edge of the existing footpath is submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

5. No development shall commence until 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 Policies H4, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No development shall commence until 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 L17, L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

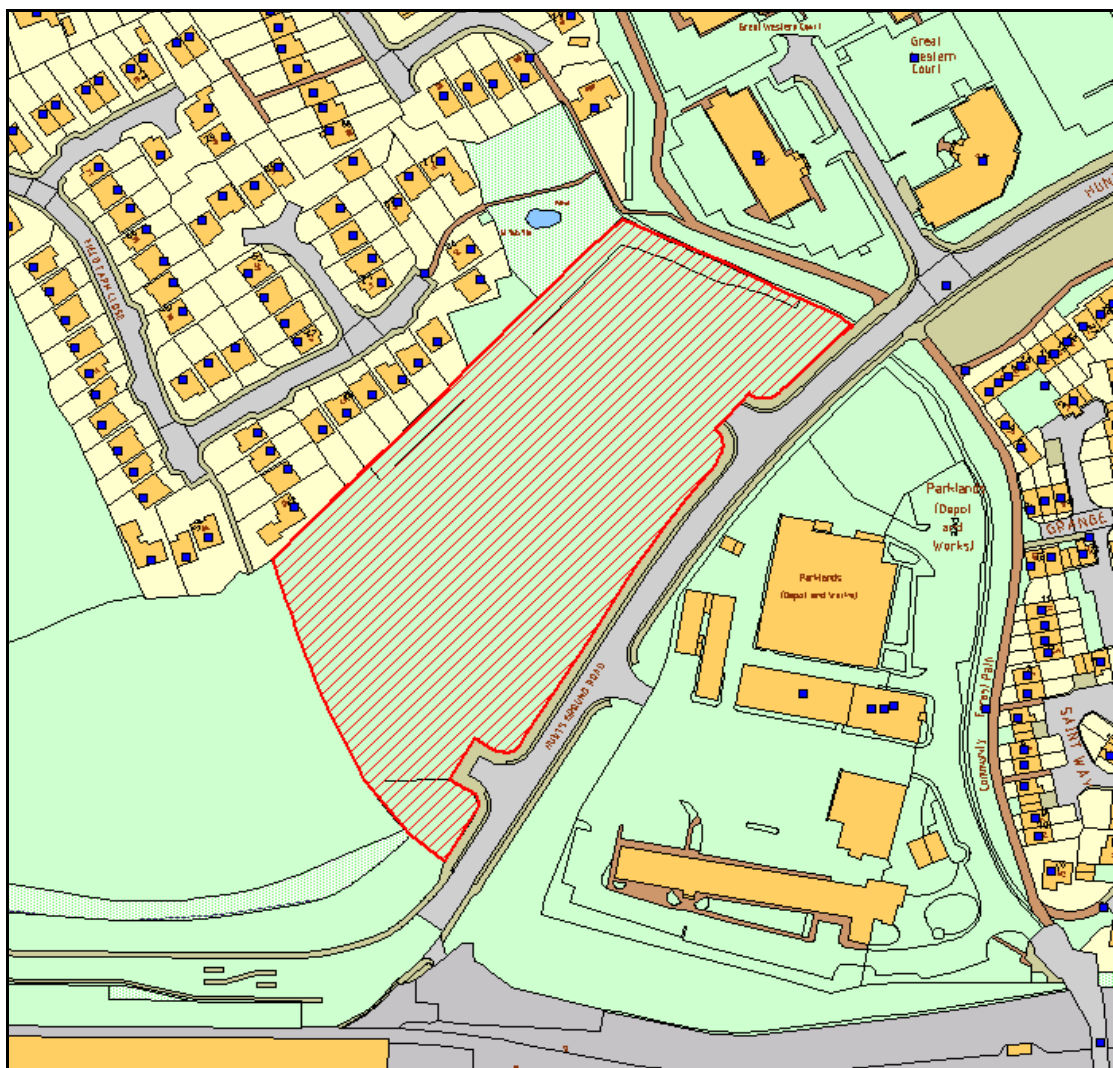
7. No development shall commence until details and samples of the roofing, windows, and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(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. 03/10 – 22 JANUARY 2010

App No.:	PT09/5655/R3F	Applicant:	Mr D Taylor
Site:	Land At Hunts Ground Road Stoke Gifford Bristol South Gloucestershire BS34 8HP	Date Reg:	24th November 2009
Proposal:	Change of use of land to Park and Ride car park with associated fencing and lighting (Re-Submission of PT09/1147/F)	Parish:	Stoke Gifford Parish Council
Map Ref:	362956 179872	Ward:	Stoke Gifford
Application Category:	Major	Target Date:	17th February 2010



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 100023410, 2008. N.T.S. PT09/5655/R3F

INTRODUCTION

This application appears on the Circulated Schedule because it forms a Council application and in view of the comments received that are contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the formation of a Park and Ride facility.
- 1.2 The application relates to land on the north west side of Hunts Ground Road, Stoke Gifford close to Bristol Parkway railway station. The site is allocated within the South Gloucestershire Local Plan (Adopted) January 2006 for use as a Park and Ride facility.
- 1.3 The application comprises a resubmission of application PT09/1147/R3F that was withdrawn last year. This was primarily in view of a lack of supporting ecological information.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development
PPS9: Biodiversity and Geological Conservation
PPG13: Transport
PPG23: Planning and Pollution Control

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
T3: Public Transport Route and Park and Ride Site
T5: Multi-Modal Interchange Strategy
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
EP1: Environmental Pollution
EP6: Contaminated Land
L1: Landscape Protection and Enhancement
L5: Open Areas in the Existing Urban Areas and Settlement Boundaries
L7: Sites of National Nature Conservation Interest
L8: Sites of Regional and Local Nature Conservation Interest
L9: Species Protection
L17: The Water Environment
L18: The Water Environment

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)
Trees on Development Sites (Adopted)
South Gloucestershire Biodiversity Action Plan (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/1147/R3F: Change of use of land to Park and Ride car park with associated fencing and lighting. Withdrawn: 16th September 2009

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No comment

- 4.2 Other Consultees
Highways DC: no objection
Environment Agency: no objection subject to conditions
Arboricultural Officer: no objection
Landscape Officer: no objection
Ecology Officer: condition suggested
National Air Traffic Services: no safeguarding objections
PROW Officer: no objection in principle
Avon Ramblers: Community Forest Path should be preserved to full width and if possible enhanced

- 4.3 Summary of Local Residents/ Occupiers Comments

One letter from local residents received making the following comments:

- o The writers have not had time to consider this application so those comments made in respect of the previous proposal still apply;
- o It is stressed that all the tall conifer trees should be cut down along the northern and eastern boundaries and replaced with native trees and shrubs. The trees are dangerous and native trees will provide a better habitat for local wildlife and will be of a more reasonable height;
- o The writers look forward to seeing the works being carried out.

- 4.4 One letter from a local business expressing the following concerns:

Principle of Development:

- o The description of the proposal as a 'Park and Ride' site is misleading;
- o There is no 'ride' element or provision for such in the form of bus and passenger waiting facilities;
- o The proposal comprises an application for a car park;
- o The proposal is not in accordance with Planning Policies T3 and T5;
- o The entire rationale of the Park and Ride site at Hunts Ground Road is in the balance- the Council failed to exercise its ability under a Section 106 Obligation to secure the land to the north of Hunts Ground Road thus has feted its ability to implement the proposals with this land now subject to an alternative development proposal (currently at appeal). If permission is granted, it is unlikely that the Park and Ride proposal will be deliverable;
- o Uncertainty regarding the deliverability of the Park and Ride site is compounded by the 'sterilisation of significant parts of the allocation' owing to its ecological significance;

- o If planning permission is granted, the site might not be developed into a full multi-modal interchange at a later date. This could increase car use and contribute to congestion counter to these policy objections;
- o Permission should not be granted until use of the site opposite has been resolved with an understanding of how the Park and Ride facility might operate on this reduced site area;
- o There is nothing in the application that provides any timing/ certainty as to the future implementation of the Park and Ride facilities.

Land Use Efficiency:

- o The proposal would fail to make the most efficient use of land- the southern access opposite the existing offices will potentially constrain the future intensification/ development of this site- staggered junctions are generally safer and have a greater capacity than a crossroad configuration;
- o The new crossroad might necessitate extensive access improvements to the existing offices if redeveloped that could involve significant land take;
- o The proposed LRT route along the frontage of Hunts Ground Road would also potentially constrain access improvements;
- o The existing office site opposite is considered a prime development site because it comprises previously developed land (of which there is a shortage) in a highly sustainable location;
- o Detailed proposals for the site opposite have not been developed but the existing buildings are approaching the end of their useful life and feasibility studies suggest that 5,574sq m of office space could be provided- this should be afforded the strongest possible protection;
- o There is no need for two access points- a single access would be acceptable in highway safety terms;
- o Additional parking could be provided in lieu of the second access;
- o The second access could easily be removed to address the objections.

Highway Safety:

- o A staggered junction is safer than a crossroad junction (that would be created by the southernmost access);
- o One access point is better than two if this in itself is sufficient;
- o The second access should be either repositioned or removed.

4.5 The applicant has responded stating that the Park and Ride site is within close walking distance of Bristol Parkway which offers good train and bus services. Further, significant on street parking occurs in the area and this would be removed whilst it is considered that the principle of walking this short distance is well established.

4.6 Further, the Council has no problems in developing this land because it was not subject to any S106 agreement. The development of the land opposite is not considered to be essential to the operation or viability of this site. It is also not considered that the need to minimise the effect of the proposal on the environment would significantly affect its viability.

- 4.7 Finally, the southern access is desirable, but not essential, for operation of the site as first proposed but it will allow future access through the site for buses should circumstances allow (or the rapid transport project if implemented): it will not be possible for buses to enter the site if there is only one access. It is also not possible to relocate the southern access given the environmental constraints and internal layout proposals although it is not considered that having two minor junctions opposite each other represents a significant risk to road users.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site is allocated for use as a Park and Ride facility as part of planning policy T3. This policy designation encompasses 2.5Ha of land on both sides of Hunts Ground Road; this current application relates to the larger parcel of land on the north west side of the highway. The policy advises that any development that would unacceptably prejudice the implementation, function or safety of this facility will not be permitted.

- 5.2 The supporting text to this policy advises that initially, additional parking for the existing multi-modal interchange site at Bristol Parkway Station will be provided on the 0.9Ha of land on the south side of Hunts Ground Road. Later, the site will develop into a full multi-modal interchange in association with enhanced public transport provision.

- 5.3 Policy T3 also provides for a new public transport route that would run from Filton to Cribbs Causeway. The supporting text to this policy advises that South Gloucestershire and Bristol City Councils had initially sought to progress the implementation of a rapid transit route although this work has currently been suspended.

- 5.4 Planning policy T5 relates to multi-modal interchange sites. In this regard, proposals for park and ride/ park and share/ kiss and ride sites will be permitted provided that each proposal:

- o Encourages modal transfer from and a reduction in the use of the private car; and
- o Encourages the use of public transport for longer journeys;
- o Is located on a bus quality partnership corridor or other existing or proposed public transport route; and
- o Provides, where necessary, for bus measures or other measures to ensure frequent, quick and reliable public transport services, free from congestion, to enable users to continue their journeys; and
- o Provides access to and facilities for walkers, people with disabilities, motorcyclists and cyclists; and
- o Complements and contributes to the multi-modal interchange strategy and to other existing or proposed public transport services; and
- o Would not have unacceptable effects on the strategic and local highway network or any other unacceptable transportation effects; and

- o Would not have unacceptable effects on the amenities of local residents; and
 - o Would not have unacceptable environmental effects.
- In the case of a park and share facility, the second, third and fourth criterion would not need to be satisfied.

5.5 Policy T12 details that proposals for new development will be permitted in terms of transportation provided that it (considered here relevant):

- o Provides adequate safe, convenient, attractive and secure access and facilities for pedestrians, cyclists, and people with disabilities; and
- o Provides safe access capable of accommodating the motorised traffic generated by the proposal; and
- o Would not create or unacceptably exacerbate traffic congestion, or have an unacceptable effect on road, pedestrian and cyclists safety; and
- o Would not generate traffic that would unacceptably affect residential amenity or other environmentally sensitive areas in terms of noise, vibration and air quality; and
- o Incorporates traffic management/ calming measures where improved safety and environmental enhancement are required as a result of the development; and
- o Provides for or contributes to public transport and pedestrian cycle links; and
- o In commercial developments, provides for safe, secure and convenient on site loading, unloading and waiting facilities; and
- o Provides for or does not obstruct existing emergency vehicle access.

5.6 Planning policy L1 advises that in order that the character, distinctiveness, quality and amenity of the landscapes of South Gloucestershire are conserved and enhanced, new development will only be permitted where:

- o Those attributes of the landscape which make a significant contribution to the character of the landscape are conserved and where possible enhanced; and
- o 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
- o The amenity of the landscape is conserved and where possible, enhanced.

5.7 Policy L9 relates to species protection. In this regard, development that would directly or indirectly have an adverse effect on nationally or internationally protected species of flora or fauna, or species or habitats listed in national, regional or local biodiversity action plans, will not be permitted unless any damaging effects are capable of being avoided, overcome or offset by mitigation measures.

5.8 Planning History

The application relates to 1.56Ha of land on the north west side of Hunts Ground Road, Stoke Gifford. The site lies within the built up area close to Bristol Parkway Station. Front boundary vegetation helps screen the site from passing views: two entrances along the Hunts Ground Road frontage to the

north and south of the site provide vehicular access (albeit with these protected by stone bollards). The site is largely overgrown although areas of hardstanding are apparent with these linking the aforementioned entranceways and providing a parking area to the north of the site. The present condition of the site would suggest that it provides a catalyst for various forms of anti-social behaviour.

- 5.9 The site is understood to have seen previous use as a brick works. Aerial photographs dating from 1991 appear to show areas of hardstanding across the site with the site used in association with buildings on what now stand on the opposite side of Hunts Ground Road. A number of these buildings have since been demolished. Use of the land would appear to have ceased when the site was dissected by the construction of Hunts Ground Road (pre 1999) with no subsequent use.
- 5.10 The aforementioned land on the now opposite side of Hunts Ground Road (former Parklands depot and works, now demolished) forms part of the Park & Ride facility as allocated by planning policy T3 (this land does not form part of this current application). This land was initially secured by the Council when granting outline planning permission for land to the east of Parkway. Nonetheless, the associated Section 106 trigger dates were not met and the Council lost the option on the land as a result of a High Court decision in favour of the landowner.
- 5.11 In view of the above, two recent planning applications (PT08/3224/F and PT09/0356/O) have been recently considered on this site. The former sought full permission for the erection of a three-storey office building on the south west corner; this was refused for three reasons with the first related to the loss of the proposed Park and Ride facility. The second application encompassed the entire site and sought outline permission for three office buildings (with one as per the previous application). This was refused for the same reasons; an appeal decision is awaited in respect of both applications.
- 5.12 It is noted that the Local Plan proposals map also details provision of an alternative transport link that runs along Hunts Ground Road (initially intended to be a Light Rapid Transport link). This is shown to run on the opposite side of Hunts Ground Road.
- 5.13 Design/ Visual Amenity
The application seeks full planning permission for the creation of a 200 space Park and Ride facility. The proposal would comprise a single deck parking area with spaces arranged into three rows that would run parallel with Hunts Ground Road. Vehicular access into the site would be via two entranceways positioned in the north corner of the site (along the Hunts Ground Road frontage) and opposite the existing vehicular access into the Parklands office development.
- 5.14 The car parking area would occupy some two thirds of the application site given the ecological constraints of the site (discussed below): this would necessitate a wildlife habitat area to measure some 23m (approx.) in width along the north west site boundary and some 50m (approx) in width adjacent to the south west

- site boundary. A further narrow landscape buffer would also be provided along the Hunts Ground Road frontage.
- 5.15 2m high metal fencing would enclose the car parking area with the new vehicular entrances gated; this would help secure the proposal and help to protect the wildlife habitat area. This is considered acceptable with it noted that fencing along the front would be partly concealed by the earth bund and planting to the front. However, in the event that permission is granted, it is suggested that an appropriately worded planning condition be attached to the decision notice in respect of the colour of the proposed fence; submitted details indicate dark green which is considered acceptable.
- 5.16 The ecological constraints have significantly influenced the landscape proposals thus the quantity of planting is lower than what might be otherwise anticipated for a project of this type. However, the proposals are considered to be sufficient to provide an appropriate level of mitigation whilst given that these would comprise almost entirely of native/ semi-native material; such would also contribute to the biodiversity of the site. Accordingly, there is no objection to the current proposal on design/ visual amenity grounds.
- 5.17 Trees
There are considered to be no trees of significance within the main part of the application site though it is noted that a substantial line of conifer trees runs long the north west boundary. These are of considerable height and screen almost all views through to the residential dwellings behind; the landscape plans submitted indicate that these trees would be subject to phased removal with retention of scrub and small trees where possible. The existing landscaping would also be retained where possible.
- 5.18 In response, there is no objection to this current proposal on arboricultural grounds with it considered unlikely that the engineering works would have any direct impact on the retained trees and with these adequately protected by the fencing shown on the landscape plan.
- 5.19 Highway Safety
The application site is allocated as a Park and Ride facility under planning policies T3 and T5 of the adopted South Gloucestershire Local Plan. As such, there is no transportation objection to the principle of development proposed.
- 5.20 Notwithstanding the above, there are concerns that the proposal in its current form would comprise only a car park. However, the site is within easy walking distance of Bristol Parkway railway station that also provides good access to the local bus network. On this basis, it is considered that the proposal would be positioned close enough to these facilities so as to operate as a Park and Ride facility thus complying with these policies. To this extent, existing overspill parking to the station along Hunts Ground Road indicates that patrons are willing to walk the short distance to these additional transport links.
- 5.21 In response to the additional concerns, the applicant has advised that the southern access is considered desirable to allow future access through the site by buses should circumstances allow, or for the rapid transport project if

- implemented. It is cited that it would not be possible for buses to enter the site if there is only one access and it is not possible to relocate the southern access due to the need to minimise the environmental impact of the proposal and given the internal layout of the scheme.
- 5.22 Highway Officer comments also confirm that whilst the proposal would allow two minor road junctions opposite each other, this is not considered to represent a significant risk to road users and would be suitable for the anticipated traffic generation both from this site and any other authorised development using this junction; it is not considered appropriate to assess the proposal based upon what development proposals may be submitted in the future. Such applications would be assessed on their own merits at that time. This would not be sufficient grounds to resist this proposal on an allocated site.
- 5.23 Ecological Concerns
The application site forms an area of overgrown hardstanding; comprising scrub, rough grassland and ruderal vegetation; it is not covered by any statutory or non-statutory nature conservation designations. The site was subject to an extended phase 1 habitat and species' surveys by Wessex Ecological Consultancy between July and September 2009; the issues raised by these surveys prompted the withdrawal of the first application.
- 5.24 These surveys confirm that the site is of considerable botanical interest, containing plants that are regionally scarce (14 species) and a variety of other species that are indicators of (species-rich) unimproved grassland. Species-rich unimproved grassland is recognised as a rare, threatened and fast-declining form of habitat in Britain that has declined significantly.
- 5.25 Unimproved grassland is included on the UK Biodiversity Action Plan with urgent effort required to help slow its decline. It is also included on the South Gloucestershire Biodiversity Action Plan and listed as a type of habitat of 'principal importance for biological diversity in England' under Section 74 of the Countryside & Rights of Way Act 2000. Further, the site also qualifies as a second priority habitat (Mosaics of Open Habitats on Previously Developed Land) on the UK Biodiversity Action Plan whilst the assemblage of rare plants on site is considered to ensure it is of regional importance for nature conservation and worthy of designation as a 'Local Site' (Site of Nature Conservation Interest).
- 5.26 Comments from the Councils Ecology Officer advise that the proposal would have a major impact on the rare flora of the site given and that the footprint of the proposal would result in the loss of the entire population of small mouse-ear and 90% of the population of rue-leaved saxifrage and fern-grass being lost (all county notable species). It would also mean the loss of 75% (approx.) of yellow-wort and 70% of the kidney vetch plants.
- 5.27 A large colony of small blue butterfly is also associated with the site with over fifty individuals recorded and distributed across the whole site; this is reflective of the abundance of kidney vetch, the species' larval food plant, found on site. Small blue butterfly are a priority species on the UK Biodiversity Action Plan and a County Notable Species in Avon; this is the only known site for the

- species in South Gloucestershire and one of seven colonies across Avon (the other six are in the Mendips, North Somerset). This is considered to make the site important for nature conservation in a regional context and worthy of designation as a SNCI.
- 5.28 The reduction in kidney vetch would be likely to reduce the size of the small blue butterfly colony by some 60-70% thus it is unlikely that it would survive in the long term (the only colony in South Gloucestershire). The population of marbled white butterfly would be similarly affected. In total, thirty-two species of butterflies and moths and twelve species of spider have been recorded making it diverse and rich for invertebrates.
- 5.29 Finally, a small population of slowworms have been recorded on site. In view of seasonal constraints, these slowworms have already been moved (translocated) to a reserve area of the same habitat within the retained part of the site (along the north-western and south-western boundaries).
- 5.30 In an attempt to help mitigate these concerns, the application includes a phased and detailed mitigation strategy that aims to ameliorate the impact of the development and combine the use of this land as a Park and Ride facility whilst also retaining a significant proportion of the unimproved and species-rich grassland habitat (and thus the assemblage of invertebrates (butterflies) associated with it). As such, development has primarily been sited over the existing areas of hardstanding to help reduce the loss of grassland habitat/flora. Further, additional areas of hardstanding beyond the parking area would be removed to create new grassland habitat using the existing seed base and spoil thus providing the same mix of flora.
- 5.31 In response, whilst the detail, phasing and overall development approach outlined strategy is considered broadly acceptable, invertebrate (insect) communities and unimproved grassland are extremely delicate and sensitive. They are susceptible to very slight changes in environment, particularly the loss or fragmentation of habitat. As such, comments from the Councils Ecologist advise that the success of this approach cannot be guaranteed. As such, development of the site on the opposite side of Hunts Ground Road would be preferable in ecology terms.
- 5.32 Notwithstanding the above, the site has already been allocated for use as a Park and Ride facility within the adopted Local Plan. Therefore, on balance, it is considered that the strategic need for a Park and Ride facility at this specific location does outweigh the loss of part of the nature conservation interest of this site. This is having regard also to the additional information that has been submitted as part of this application that would facilitate an appropriately worded condition (in the event that planning permission is granted) to require the implementation of the ecological mitigation measures submitted as part of this revised proposal.
- 5.33 Residential Amenity
Neighbouring dwellings within Field Farm Close adjoin the application site along the north west site boundary. These properties sit a higher level and generally face away from the site with their associated rear gardens adjoining

- the site boundary. The aforementioned line of coniferous trees presently screens the site from these properties although this screening would be removed. The trees would be removed in two phases with the trees behind 32 Field Farm Close initially only reduced in height in view of concerns related to the proximity of these trees to the foundations of this property.
- 5.34 The aforementioned ecological constraints dictate that the parking area would be inset from this boundary with the wildlife habitat area providing a buffer between. Further, the landscaping proposals show possible new planting to supplement the existing younger trees that are retained along this boundary; this would reintroduce an element of screening to the site in addition to a 2m high timber hit and miss fence that would be erected following removal of the conifer trees.
- 5.35 8m high lighting columns would illuminate the car park (10m along Hunts Ground Road) with these positioned in and around the perimeter of the parking area (i.e. inset from the north west site boundary). This form of lighting remains as per that previously shown at which time the Councils lighting engineer had confirmed this to be acceptable.
- 5.36 In view of the above, it is not considered that any significant adverse impact in residential amenity would be caused by this current proposal. It is considered that details of the proposed boundary fence should though form the basis of an appropriately worded planning condition.
- 5.37 The two-storey Great Western Court office development sits to the north of the application site beyond a footpath that adjoins this boundary. Tree screening limits views to these buildings whilst in view of the nature of the proposal and this existing use; there is no objection to the proposal on this basis. Similarly, there is no related objection with regard to the Parklands office site opposite (with the concerns raised by the site owner previously addressed within this report).
- 5.38 Outstanding Issues
The Environment Agency has raised no objection to the proposal subject to a number of conditions. The applicant has sought to address these issues prior to the determination of the application and this therefore negates the need for some of the initial conditions suggested.
- 5.39 A footpath runs along the north boundary of the application site adjacent to the Great Western Court office development. Informatives should be attached to any favourable decision notice to ensure this is safeguarded this footpath. In response to the comments from the Avon Ramblers, it is not considered appropriate to request any improvements to this footpath given that is beyond the application site whilst the proposal would not have any direct impact on it.
- 5.40 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.

5.41 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to **GRANT** permission is for the following reasons:
1. The application site is allocated for use as a Park and Ride facility under Planning Policy T3 (Public Transport Route and Park and Ride) of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. The proposal would allow the creation of a Park and Ride facility within walking distance of Bristol Parkway railway station that also provides access to local bus routes whilst the design would allow for future bus/ rapid transit access. The proposal is therefore considered to accord with Planning Policies T3 (Public Transport Route and Park and Ride) and T5 (Multi Modal Interchange Strategy) of the South Gloucestershire Local Plan (Adopted) January 2006.
 3. The proposal would cause no significant adverse impact in residential amenity and thus is considered to accord with Planning Policies T5 (Multi Modal Interchange Strategy) and T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.
 4. The proposal would incorporate ecological mitigation measures to help safeguard the ecological sensitivity of the application site. Therefore, on balance, the proposal is considered to be acceptable having regard to the provisions of Planning Policy L9 (Protected Species) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

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

Reason

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

2. The development hereby approved, shall accord strictly with the Ecological Mitigation Strategy (all plans hereby approved and the Construction Works and Environmental Mitigation Programme submitted) proposed as part of this application to include the working methodology, timing and phasing. All works shall accord with these approved details with any variation from these approved details to require the prior written agreement of the Local Planning Authority..

Reason

To protect the wildlife and the ecological interests of this sensitive site, in accordance with Planning Policies L7, L8 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The 2m high metal fencing enclosing the Park and Ride facility hereby approved shall be painted dark green and thereafter retained as such.

Reason

In the interests of visual amenity and to accord with Planning Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of development, a completed risk assessment, options appraisal and remediation strategy in respect of land contamination shall be submitted to and agreed in writing with the Local Planning Authority. The submitted information shall include full details of the remediation measures required, proposed methodology and the verification of results. Details shall also include the proposals for any long-term monitoring in respect of pollutant leakages, maintenance and arrangements for contingency action. Development shall accord strictly with these agreed details.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land and to protect controlled waters in accordance with Planning Policies EP1, EP6 and L17 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the commencement of development, a scheme for the provision of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority. Development shall accord with the details and timetable agreed.

Reason

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

6. Prior to the commencement of development a detailed landscaping scheme in respect of the proposed landscaping of the application site, which shall include details of existing trees and hedgerows to be retained, and details of all new supplementary planting and times of planting shall be submitted to the Local Planning Authority for approval. Development shall accord with the approved details.

Reason

To protect the character and appearance of the area and in the interests of residential amenity, to accord with Planning Policies D1, L1 and T5 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of development, details of the proposed hit and miss fence to be erected along the rear (north west) site boundary shall be submitted to and agreed in writing with the Local Planning Authority. Development shall accord with these agreed details.

Reason

In the interest of visual and residential amenity and to accord with Planning Policies L1, D1, T5 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The proposal shall be completed in accordance with plans hereby approved and with the spaces laid out prior to the first use of the Park and Ride facility.

Reason

In the interest of highway safety and visual amenity and to accord with Planning Policies L1, D1 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 03-10 – 22 JANUARY 2010

App No.:	PT09/5812/F	Applicant:	Mr N Alltimes
Site:	The Larches Bristol Road Thornbury Bristol South Gloucestershire	Date Reg:	12th November 2009
Proposal:	Erection of 2no. new dwellings and 2no.detached garages with associated works	Parish:	Thornbury Town Council
Map Ref:	363649 189450	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	29th December 2009



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 100023410, 2008. N.T.S. PT09/5812/F

INTRODUCTION

This application appears on the Circulated Schedule because consultation replies have been received contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of two dwellings on the site. This follows approval of an outline permission in 2008, for two dwellings determining the scale, layout and means of access at that stage. A separate application (see below) has been submitted to deal with the reserved matters from the outline consent, but the applicant has agreed to withdraw that application, should this full application prove to be acceptable.
- 1.2 The application site comprises the front garden area of an existing two-storey detached property on the east side of Bristol Road, Thornbury. The site lies within the development boundary for Thornbury. The site lies amongst established ribbon development along Bristol Road, much of which is set back behind the road frontage and separated from it by a high wall and trees behind it. A characteristic of this development is that accesses to the houses are often shared. This proposal would also share an existing access which serves the dwelling on site and two bungalows to the south. The site benefits from tree cover to the front and separating it from the Larches itself. There is a laurel hedge along the site's northern boundary, partially obscuring a wall. Unusually, this application proposes the two dwellings to be set at 45 degrees from the road frontage, although given the level of tree cover, the orientation of the houses would be difficult to discern from Bristol Road itself.
- 1.3 Additional details have been received as part of this application in the form of an Arboricultural Method Statement.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPS3: Housing
PPG13: Transport
- 2.2 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
L9: Protected Species
L18: The Water Environment
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 N1672: Single-storey addition to provide washroom, utility and WC. Permitted: 10 July 1975
- 3.2 N4483: Two-storey extension to form domestic garage and utility room with two bedrooms and bathroom over. Permitted: 25 May 1978
- 3.3 PT05/0164/F: Roof line alterations to provide additional bedrooms & bathroom accommodation; conversion of garage to provide bathroom & bedroom; single-storey rear extension to form extended utility and WC; single-storey front porch and installation of front double doors with balcony at first floor. Permitted: 17 February 2005
- 3.4 PT08/0871/O: Erection of 1 dwelling (outline) with scale, layout and means of access to be determined; all other matters reserved. Refused: 21 May 2008
- 3.5 PT08/1811/O Erection of 2 dwellings (outline) resubmission of PT08/0871/O
- 3.6 PT09/5331/F Erection of two storey and single storey extensions Approved
- 3.7 PT09/5747/RM Reserved Matters application for appearance and landscaping, to be read in conjunction with PT08/1811/O Undetermined

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection

- 4.2 Other Consultees

- Transportation

- This parking and turning arrangement is acceptable. The planted area will not have a significant impact on turning movements. The principle of this development has been agreed through the approval of the outline planning application, PT08/0871/O. The submitted plan includes access road widening which is necessary to facilitate 2-way vehicle movements. The parking arrangements remain fundamentally the same as previously agreed.

- I recommend no transportation objection be raised subject to the following condition being attached:-

- 1. The proposed vehicular access provisions shall be constructed in accordance with submitted plan P/002 B prior to the occupation of the dwellings hereby approved and thereafter retained as such.

- 4.3 Summary of Local Residents Comments:

- Three letters were received expressing the following concerns:

- o The siting of the two houses at an angle significantly reduces the distance from the new house to the boundary of the property to the north of the site, reducing space for screening
- o In comparison with the outline scheme, the present proposal omits the screening planting to the northern site boundary. This objection would not stand if the screen planting was indicated again.
- o The houses would be significantly larger than on the outline scheme and have increased from 3 beds to 4 beds, being disproportionate to the surrounding area
- o The houses would reduce existing views
- o Increase in traffic on and off a busy road and the shared drive
- o The new proposal departs from the 'L' shaped design of the outline approval, which mirrored the host dwelling
- o The garage would be closer to the site boundary

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. In this case, it is a significant material consideration that outline planning permission has already been approved for two dwellings on this site. Planning policies H2 and H4 allow for new residential development within development boundaries, subject to considerations of design, residential amenity and highway safety. Further, policy H2 cites that the maximum density compatible with the site, its location, accessibility and surroundings should be achieved. As such, the expectation is that a minimum of 30 dwellings per hectare will be provided with upwards of 50 units per hectare where local circumstances permit. In this case, the significant material consideration that outline planning permission has already been approved for two dwellings on this site is considered to settle the issue of the principle of development.

5.2 More specifically, policy H4 states that new development will only be permitted where it respects the massing, scale, proportions, materials and overall design and character of the street scene and the surrounding area. Further, proposals should not prejudice the retention of adequate private amenity space with such provided for any new separately occupied dwelling. In this regard, it should be noted that amended plans were received, altering the layout of the site and pulling the two proposed dwellings closer to Bristol Road, introducing further planting appropriate to the locality, including the hedgerow which had been shown on the outline scheme, along the site's northern boundary.

5.3 Policy T12 details that development will only be allowed where it provides safe access capable of accommodating motorised traffic generated by the works and does not have unacceptable impact on road, pedestrian and cyclist safety.

5.4 Policy L1 cites that those attributes of the landscape, including trees, which make a significant contribution to the landscape should be either conserved or enhanced.

5.5 Design/ Visual Amenity

The application relates to the front garden of the host dwelling that is largely overgrown and which sits some 2m higher than the adjoining highway retained behind a front boundary wall. The site is well screened from public view by virtue of mature tree/ hedgerow screening along the front boundary.

5.6 The application seeks planning approval for two detached dwellings and associated detached garage buildings. The amended layout shows that the dwellings would stand in approximately central positions with the site, not directly facing the existing dwelling, or any adjoining dwelling. The proposed dwellings would be 'L' shaped, but the footprint appears more square with a missing corner than the conventional 'L' shape of the Larches. One detached double garage would separate between the two proposed dwellings with the second garage in the far northern corner of the site, separated from the adjoining dwelling by a screen hedgerow. The entrance drive would occupy the part of the site closest to the host dwelling, leading to the garage in the corner. A planting feature including trees would mark the end of the turning head for the Larches, separating the site from the host dwelling and helping to break up the bulk of the driveway area

5.7 With regards to the siting of the proposals, it is noted that there is no obvious building line on this side of Bristol Road with those properties to the north of the application site within close proximity of the highway; these comprise recently completed units also within the former garden of an existing dwelling. Further, there is no objection to the orientation of the proposals given the lower level of the adjoining highway and the tree screening that exists along this boundary. The orientation would allow for some solar gain.

5.8 Regarding to the detailed design of the proposals, the houses would be constructed from dark coloured engineering bricks as a plinth and a feature of parts of the ground floor. Above this would be self-coloured render, under a natural slate roof. Each unit would have four bedrooms. The appearance of the proposed houses would be crisp and relatively simple, with a two storey porch with hallway above forming a gable feature on each front elevation, helping to identify the front of each house. Each garage would be adequate for two cars, have a flat roof and be constructed from the same dark coloured engineering brick as featured in the houses. Attached to each of the garages would be a felt-roofed timber bike store and a timber bin store, giving the appearance of a group of outbuildings forming an 'L' shape, with elements of varying height and size. The scale of these two clusters of outbuildings is considered to compliment the proposed dwellings successfully and add interest to the site.

5.9 Density

Planning policy H2 advises that the maximum density compatible with the site, its location, its accessibility and surroundings should be achieved. In so doing, the expectation is that development will achieve a minimum density of 30 units per hectare with higher densities achieved where circumstances permit.

5.10 This scheme for two dwellings on .093 ha would achieve a density of development equating to 22 dwellings per hectare; below the required

- threshold. However the density of development has already been set through the approval of outline permission and the justification was that this site is constrained by the number of houses permissible off a private drive, the character of the area and to reduce the affect on neighbours and the existing dwelling’.
- 5.11 In view of the above, it was noted that three units would be required to achieve the aspired threshold. However, given the site size, position of neighbouring dwellings and the site access (discussed below); three new dwellings would be unacceptable; two could however be achieved. As such, this current proposal of 22 units per hectare is considered to be the maximum possible on this site.
- 5.12 It is also worth noting in this analysis that a material consideration in this instance of direct local significance: An application for two new dwellings within the garden of the adjoining Cedar Cottage (PT02/0780/F) was refused given that it was not considered to make the most efficient use of the site; a subsequent application for four dwellings (PT02/2549/O) was approved.
- 5.13 Residential Amenity
The modern neighbouring properties to the north of the site face away from it, but present rear elevations with standard window pattern which overlook it at first floor level. The rear gardens of these houses have very limited rear gardens adjoining the shared boundary; this dictates that overlooking first floor windows are within relative close proximity. Again, whether the principle of this degree of overlooking is acceptable has been settled through the outline permission. The task of this application therefore is to minimise the effects for prospective occupiers of the two proposed dwellings.
- 5.14 This amended proposal sets the two proposed houses within the middle of the site, when measured from front to back. The northerly proposed dwelling would be some 10 metres from the nearest house off site, measured building to building. Due to the oblique relationship between the proposed and existing properties, the usual relationship between the existing and proposed would not exist. The habitable room window to window distance would be at a minimum of some 12 metres at first floor level, but at an angle of close to 45 degrees, rather than square on. It should be noted that the only window pointing in the direction of the houses to the north of the site would be a secondary window for bedroom 2, which would have two further windows. It is important to recognise at this stage that the layout of the proposed dwellings has not been contrived in order to offset the window to window distances, but to aid factors analysed at 5.22 below. Due to the angle between the properties and the fact that the only window in the ‘facing’ elevation would not be a primary window for a habitable room, it is not considered that any significant adverse impact in residential amenity would be caused. In regard to the detached garage that would also be inset from the boundary and single-storey, of a height not significantly greater than the boundary treatment. As such it is not considered to give rise to any overbearing impact on the neighbouring property. The proposal is considered to accord with policies H2 and H4 in this respect.
- 5.15 The host dwelling to the east faces the application site although existing tree screening, to be further enhanced through compliance with the relevant

- condition shown below, would limit views. Further, the provision of two smaller dwellings has arguably reduced the impact of the proposal on the host dwelling given the spacing provided between the two new units opposite this existing dwelling. The amended plans show these dwellings situated 1.1 metres further from the host dwelling from the position approved at outline stage. As such, and with a distance of some 16m between the proposed dwellings and the existing unit, it is again not considered that any significant adverse impact in residential amenity would be caused.
- 5.16 Properties to the south comprise single-storey units that align with the existing host dwelling. To this extent, and in view of the boundary screening that would help limit views of the buildings, it is not considered that any significant adverse impact in residential amenity would be caused. Overall, in respect of residential amenity, the proposal is considered to accord with policy.
- 5.17 Highway Safety
The site is accessed via the B4061 (Bristol Road), which provides access to the wider highway network. The proposal would result in the intensification of an existing access which is narrow, steep and poorly surfaced. A shared access such as this should be capable of providing for two-way vehicular movements, to enable cars to manoeuvre onto and off the busy adjoining highway without the potential for conflict. Bin storage facilities should also be provided close to the frontage of the site given that service vehicles would not be able to enter. However, again, this issue was resolved in principle at the stage of approving outline permission.
- 5.18 It is considered that the existing access would be brought up to an appropriate standard to serve this development with the access widened allowing two-way vehicular movements. Furthermore, it is considered that adequate on site parking would be provided in the form of a double garage to serve each dwelling. As such, there is no objection to this current proposal, subject to the condition shown below.
- 5.19 Ecology
The Council's Ecologist was consulted as part of the application and an ecological assessment was submitted as part of the scheme. It is considered that, particularly in light of the outline permission that exists for this site, there is no ecological reason why full planning permission should not be approved. The site has been surveyed and the potential in the roadside trees for bat roosting cannot be ruled out but is unlikely similarly, there is only limited possibility of the use of the garden as a habitat by slow worms. The pond in the garden is also considered to represent a poor habitat for newts, but the garden could be a suitable habitat for hedgehogs. As such, conditions have been appended below requiring further surveys, a mitigation strategy for hedgehogs and slow-worms and the provision for nesting boxes for birds in order to offset the loss of nesting habitat which would be caused by the proposal. It is noted that new planting also required by condition would, in time, have the opportunity of providing additional bird habitat.

5.20 Landscaping

The application site benefits from mature tree screening along its frontage with a number of other trees within the site. In this regard, the proposal would retain those trees to the front although those towards the centre of the site would be felled. This issue has been assessed by the Council's Tree Officer who considers the arboricultural report which accompanies this application to be adequate to demonstrate that the loss of the identified trees would not be harmful as they are of poor quality. Tree protection measures for the trees to be retained is considered to be effective and this has been conditioned below to ensure that these measures are implemented. Subject to this control, it is considered that the proposal would accord with policy L1 in this instance. With regard to the hedgerow along the northern boundary of the site, this is mostly laurel at present and will need to be trimmed at times to ensure that it does not grow into the telephone lines above it. The plans show a thickening of planting of this hedge and it would be a good opportunity to thicken it with more appropriate native species, therefore this part of the proposal has been covered by a condition shown below, requiring planting details, which also covers the new planting bed in the driveway.

5.21 Other Issues

The consultation procedure raised a couple of objections from the public which have not been addressed above, one is that the outline scheme was for 3 bedroom properties and this proposal is for 4 beds. The result of this change is that each house could be occupied by a larger family than originally anticipated. The effect of this would be felt on the size of the garden. Although the size of the house has been increased, the garden has not, but each proposed property would stand in a plot of around 220 square metres. Once the driveway and footprint of each house is subtracted from this, it is considered that the garden sizes proposed would be more than adequate to serve four-bedroom dwellings. The second objection raised under this heading was the reduction in views enjoyed by the neighbouring properties, but this is not a matter appropriately considered in the determination of this planning application. Once again, the principle of erecting two houses on this site has already been settled through the approval of outline planning permission.

5.22 Use of Energy and Sustainability

The design of each house is to a standard high enough to achieve level 3 of the Code for Sustainable Homes. The scheme also fully conforms to the Lifetime Homes Standard relating to suitability and adaptability of dwellings. The orientation of the floorplates makes this proposal unusual, but has allowed the north-facing windows to be small, while a greater level of glazing has been shown as provided for the southerly elevation, where the principal living accommodation is located. As well as promoting solar gain, the proposed orientation also brings about a better relationship between each house and its garden. The relevant condition shown below will ensure that sustainable drainage is provided for each dwelling. An air-source heat pump is intended to be used to provide thermal energy for under floor heating. Domestic hot water will be heated through a combination of solar energy and off-peak electricity. There will be controlled ventilation and high levels of thermal insulation. A home office is integral to the design in order to promote the opportunity of home working.

5.23 Improvements Achieved to the Scheme

Amendments were sought to reintroduce the northern boundary hedgerow which was included on the outline approval, also to amend the layout so that the proposed dwellings sit better in the middle of the site. Garage positions have been changed, bringing the garage to be located along the northern boundary away from it, leaving room for the hedgerow. Finally, the driveway leading to the two proposed dwelling has had a planting bed for trees and shrubs added to the drawings, introducing further tree planting to enhance the site's setting and to change what was considered to be an inappropriate straight line along the site boundary formed by the driveway.

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.
- 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.
- 6.3 The two houses as proposed are considered to be appropriate to this location, given the development along Bristol Road is characterised by groups of dwellings sharing accesses. Boundary trees would be retained and added to which is again appropriate to the character of the locality. The impact on existing levels of residential amenity caused by the scheme would be negligible and the additional movements onto and off the highway network via the existing access would not exacerbate existing levels of highway safety. The proposal accords with policies D1, L1, H2, H4, T8 and T12 of the adopted South Gloucestershire Local Plan.

7. RECOMMENDATION

7.1 Planning Permission is approved subject to the following conditions:

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

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

Reason

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

2. 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, including any areas of hardstanding, shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

3. The proposed vehicular access provisions shall be constructed in accordance with submitted plan P/002 B prior to the occupation of the dwellings hereby approved and thereafter retained as such.

Reason

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

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

Reason

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

5. Prior to the commencement of development details/samples of the roofing and external 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.

6. 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, proposed planting (and times of planting) to thicken the existing hedge along the northern boundary of the site and to create a planted area within the access drive; boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

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

7. The tree protection details contained in the Arboricultural Assessment and plan relating to this application (TP 1091/0808/TPP) shall be implemented prior to the commencement of development and not removed until construction works on the site are complete.

Reason

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

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

Reason

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

9. Prior to the commencement of development a mitigation strategy for reptiles (slow-worms) be submitted to the Council for approval in writing. All works are to be carried out in accordance with the approved strategy.

Reason

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

10. Prior to the commencement of development a mitigation strategy for hedgehogs be submitted to the Council for approval in writing. All works are to be carried out in accordance with the approved strategy.

Reason

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

11. Prior to the commencement of development, details of the installation of bird nesting boxes shall be submitted to the Council for approval in writing. Prior to the felling of

any trees on site, the nesting boxes shall be installed as agreed and retained thereafter in the agreed locations.

Reason

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

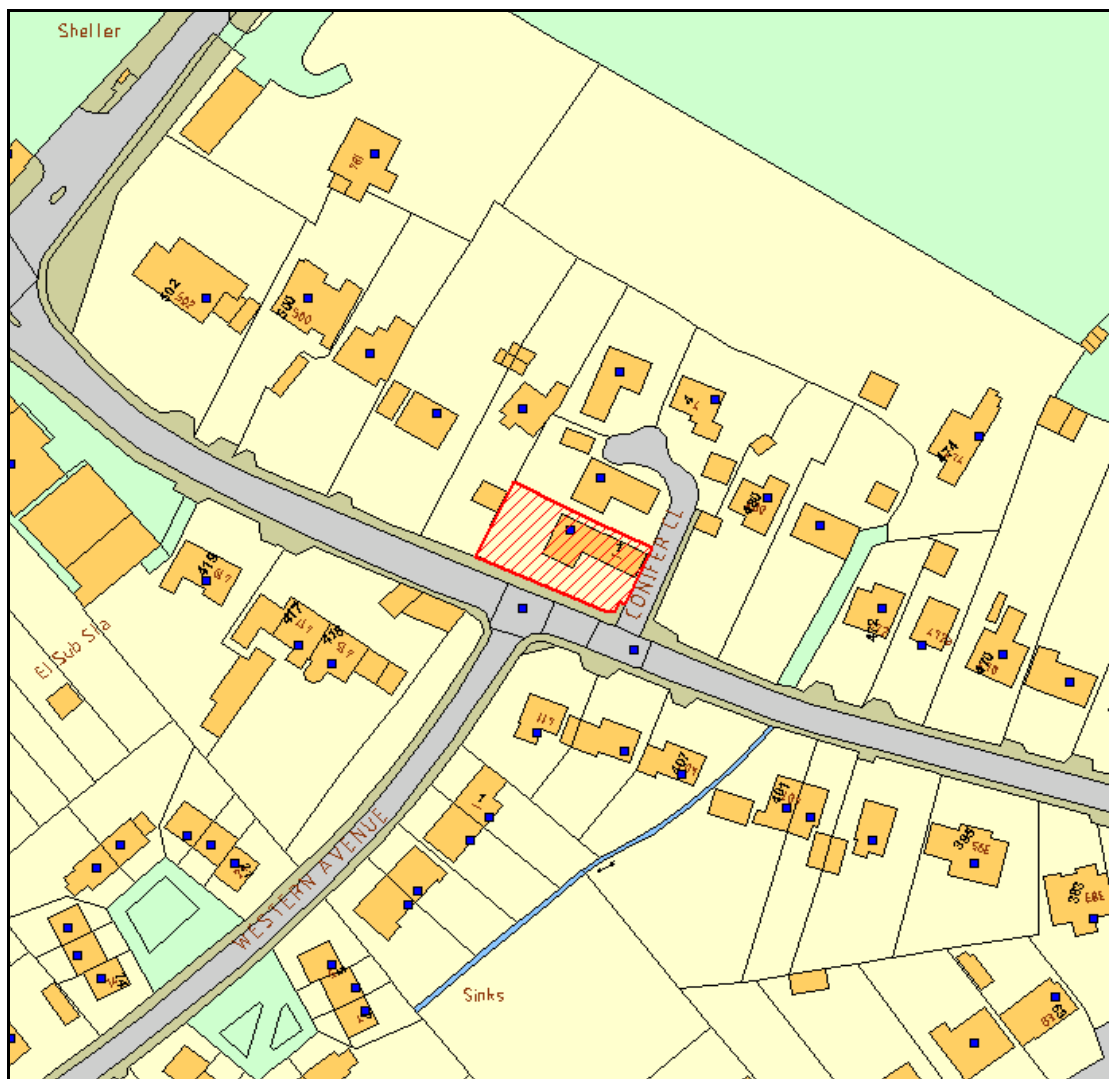
12. Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority in respect of measures to:
 - (i) Identify, through site survey of the pond on site, amphibians of protected wildlife species (as designated under the Wildlife and Countryside Act 1981 (as amended)
 - (ii) If present, a strategy for protecting herpetofauna, including the provision of a new garden pond, shall be submitted to the Council for approval in writing. The approved measures shall be implemented in full unless the Local Planning Authority gives written consent to any variation.

Reason

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

CIRCULATED SCHEDULE NO. 03-10 – 22 JANUARY 2010

App No.:	PT09/5980/F	Applicant:	Mr P Ambrose
Site:	1 Conifer Close Frampton Cotterell Bristol South Gloucestershire BS36 2AZ	Date Reg:	21st December 2009
Proposal:	Erection of first floor front extension to provide additional living accommodation (Retrospective)	Parish:	Frampton Cotterell Parish Council
Map Ref:	366152 182117	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	11th February 2010



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 100023410, 2008. N.T.S. PT09/5980/F

INTRODUCTION

This application appears on the Circulated Schedule List because a letter of support has been received from a neighbouring occupier.

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission for the erection of a first floor extension to the front of the property.
- 1.2 The application site comprises a large detached property situated on the western side of the cul-de-sac Conifer Close within the established residential area of Frampton Cotterell.
- 1.3 Planning permission for the proposed development has already been refused by the Council (PT04/1942/F). The applicant was granted planning permission by the Committee for a smaller extension (PT05/0549/F), however the extension that has been constructed corresponds with the refused plans. The applicant seeks retrospective planning permission to retain the extension.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT00/0235/F, 2 Conifer Close Frampton Cotterell, approval, 30/03/00.
- 3.2 PT04/1942/F, Erection of first floor side extension to form master bedroom with dressing room and ensuite facilities, refusal, 13/07/04.
- 3.3 PT04/3922/F, Erection of first floor side extension to form bedroom with ensuite facilities, refusal, 14/01/05.
- 3.4 PT05/0549/F, Erection of first floor side extension to form bedroom with ensuite facilities, approval at committee, 19/04/05.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
Objection – The Council objects to the retrospective planning application on the grounds that this construction is intrusive and over sized.

4.3 Local Residents

One letter of objection has been received from a local resident. The resident objects on the basis that the Council has already refused permission for the extension.

A letter of support has also been received from a neighbouring property. The neighbour states that they have no objection to the granting of retrospective planning permission. The neighbour considers that the extension has been done in a way, which is sympathetic to the overall feel of the close.

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 residential extension subject to design, residential amenity and transportation considerations.

5.2 Design/Visual Amenity

This application seeks retrospective planning permission for the erection of a first floor front extension. The extension has been built directly over an existing ground floor projection located adjacent to the northern and eastern boundaries of the site covering its entire length. The footprint of the dwelling follows an 'L' plan with the extended wing comprising 3no. garages as well as a study at ground floor level and a master bedroom with a dressing room and ensuite above. The extension measures approximately 12.6 metres in length, 5.8 metres in width and has an apex of 7 metres at ridge height falling to 5 metres at the eaves. The extension is encompassed by a hipped roof, which is set down approximately 0.45 metres from the main roof ridge. The property occupies a corner plot on the western side of Conifer Close with the side elevation facing Church Road. The host dwelling, similar to the 3no. properties located in Conifer Close is a large, modern, detached property. No. 2 immediately to the north has a similar two-storey front extension, although it is approximately 4 metres shorter.

5.3 Although the applicant has used materials for the extension, which match the existing dwellinghouse, which helps with integration, the extension has formed an elongated and bulky wing, which cannot be said to be in keeping with the proportions or scale of the existing dwellinghouse or the surrounding properties in Conifer Close (the extension at no.2 is 4 metres shorter in length and therefore, is more in-keeping with the proportions of the dwellinghouse and less bulky). The extension does not appear subservient to the main dwellinghouse by reason of its scale and bulk and dominates the original dwelling. The extension is therefore, considered to be out of keeping with the character of the existing dwelling, as well as other dwellinghouses within Conifer Close.

5.4 Residential Amenity

The host dwelling benefits from its corner location by only having one neighbouring occupier located to the north. The neighbouring dwelling has a similar 'L' shaped footprint to the host dwelling and has benefited from a two-storey extension over the projecting wing similar to the host dwelling. The

projecting wings of the host and neighbouring properties extend parallel to each other at a distance of approximately 8 metres apart. The first floor windows in the northern elevation serve ensembles for a bedroom and master bedroom and on this basis, it is considered that there are no significant adverse overlooking or inter-visibility issues.

5.5 There are concerns however, regarding the loss of daylight directly to the South to neighbouring large windows given that the host dwelling is located directly south of the neighbouring property. The proximity of the two-storey element to the neighbouring property encloses a parking area to the front of the neighbouring property and given the layout and orientation of the properties, it is considered that the extension would result in adverse loss of light to the lounge area of the neighbouring property. Moreover, the neighbouring property is faced with a two-storey blank wall, which it is considered, is significantly more overbearing than the previous single storey projection and is harmful to the living conditions of the neighbouring occupiers.

5.6 Design and Access Statement
A design and access statement is not required.

5.7 Use of Energy and Sustainability
N/A

5.8 Improvements Achieved to the Scheme
N/A

6. CONCLUSION

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

6.2 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.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

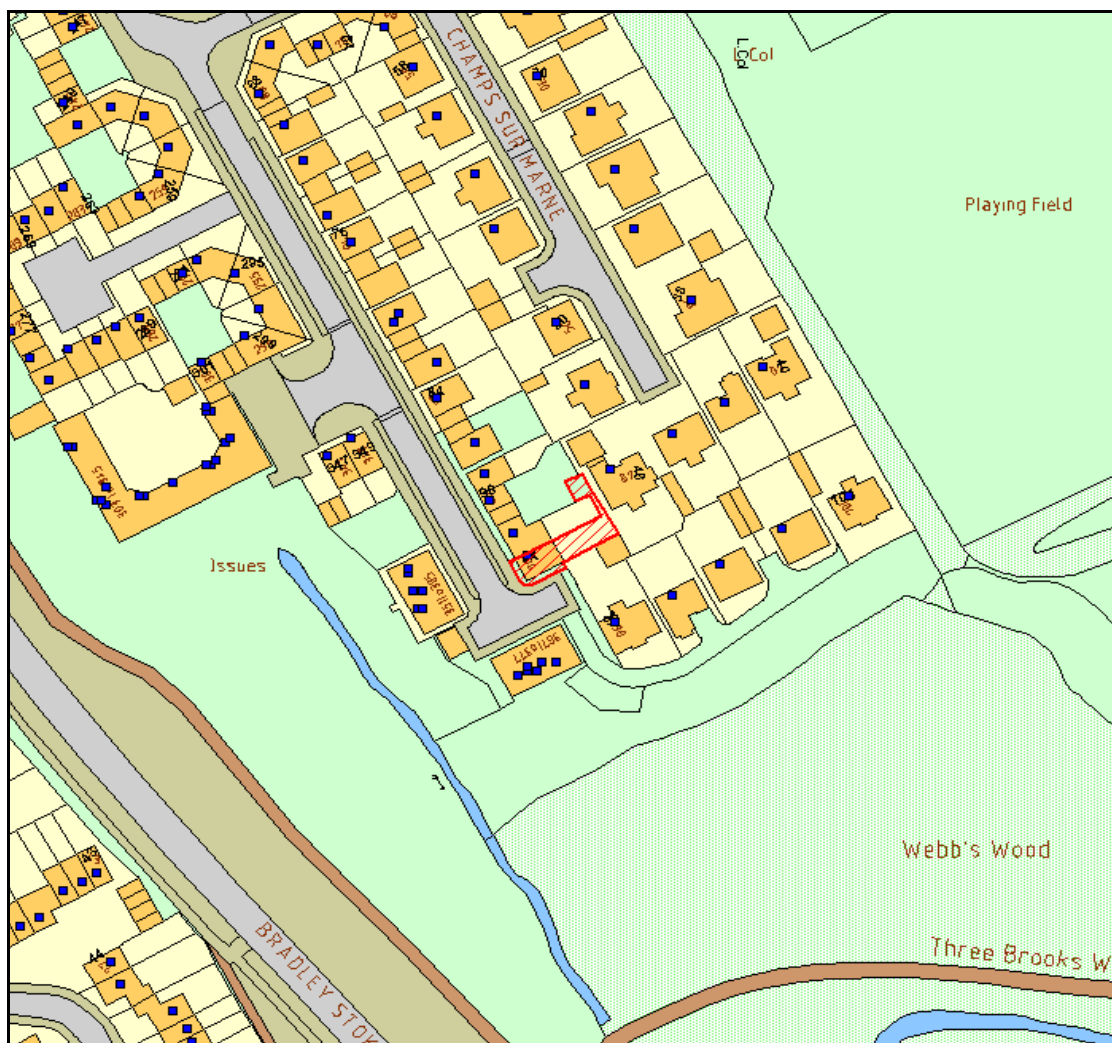
REASONS FOR REFUSAL

1. The extension by reason of its scale, massing and proportion is out of keeping with the character of the host dwelling and other properties in Conifer Close. The extension also has an overbearing impact and will have an unreasonable impact on the living

conditions of the occupants of the adjacent property contrary to Policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006 and the South Gloucestershire Design Checklist (adopted).

CIRCULATED SCHEDULE NO. 03/10 – 22 JANUARY 2010

App No.:	PT09/5984/F	Applicant:	Mr I Dodd
Site:	94 Champs Sur Marne Bradley Stoke Bristol South Gloucestershire BS32 9BJ	Date Reg:	14th December 2009
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Bradley Stoke Town Council
Map Ref:	362450 181600	Ward:	Bradley Stoke South
Application Category:	Householder	Target Date:	4th February 2010



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 100023410, 2008. N.T.S. PT09/5984/F

INTRODUCTION

This application appears on the Circulated Schedule List because an objection has been received from the Town Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey rear extension to form additional living accommodation.
- 1.2 The application site comprises a two-storey semi-detached dwellinghouse, with accommodation in the roof located on the eastern side of the cul-de-sac Champs-sur-Marne and within the established residential area of Bradley Stoke.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
Objection – a large extension in a cramped situation that would be detrimental to neighbouring properties.
- 4.2 Local Residents
No comments received

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 residential extensions subject to design, residential amenity and transportation considerations.
- 5.2 Design/Visual Amenity
This application seeks planning permission for the erection of a single storey rear extension to provide additional living accommodation. The extension would

- measure approximately 4 metres in length, 4.9 metres in width, with an apex of 3.5 metres at ridge height and falling to 2.1 metres at the eaves. The build would be encompassed by a lean-to roof, which would comprise 4no. roof lights, whilst the front elevation would comprise double pedestrian access doors and 2no. windows. A new window would also be inserted into the southern side elevation of the existing dwelling.
- 5.3 It is considered that the proposed extension would be in-keeping with the character of the existing dwelling in terms of overall design, form, scale and siting. The extension would also be well screened from the public realm by existing built form and would not have an adverse impact on the character of the area. The agent has specified that the materials would match the existing dwelling, therefore, a condition on this basis is not required.
- 5.4 Residential Amenity
The host dwelling is flanked by no. 92 adjoined to the northern elevation and no. 96 located to the south. No windows are located in either side elevation of the extension, which would ensure that there would be no significant adverse privacy issues. The window proposed in the side elevation of the existing property would serve a downstairs toilet and would be obscure glazed, which would bring about no significant adverse privacy issues.
- 5.5 The concerns of the Town Council with regards to the length of the extension are noted. The Officer requested amendments from the agent to reduce the length of the extension as well as the width to move it further away from the boundary. Whilst the agent has not acceded with this request, it is considered that a refusal would not prove sustainable at appeal. The single-storey form of the extension, as well as the lean-to design would limit the bulk of the extension; whilst a 1.8 metre closed timber fence along the shared boundary would also help screen the majority of the extension. On this basis, and on balance, it is considered that the proposal would not have a significant adverse overbearing impact on the neighbouring property.
- 5.6 Design and Access Statement
A design and access statement is not required.
- 5.7 Use of Energy and Sustainability
The proposal would comply with building regulation specifications.
- 5.8 Improvements Achieved to the Scheme
N/A
- 5.9 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the 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 for the following reasons:

The extension would be informed by the scale, form, design and materials of the existing dwellinghouse and be in keeping with the character of the surrounding area – Policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The extension would not have a significant adverse impact on the neighbouring properties through loss of natural light or privacy – Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

- 7.1 Planning Permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

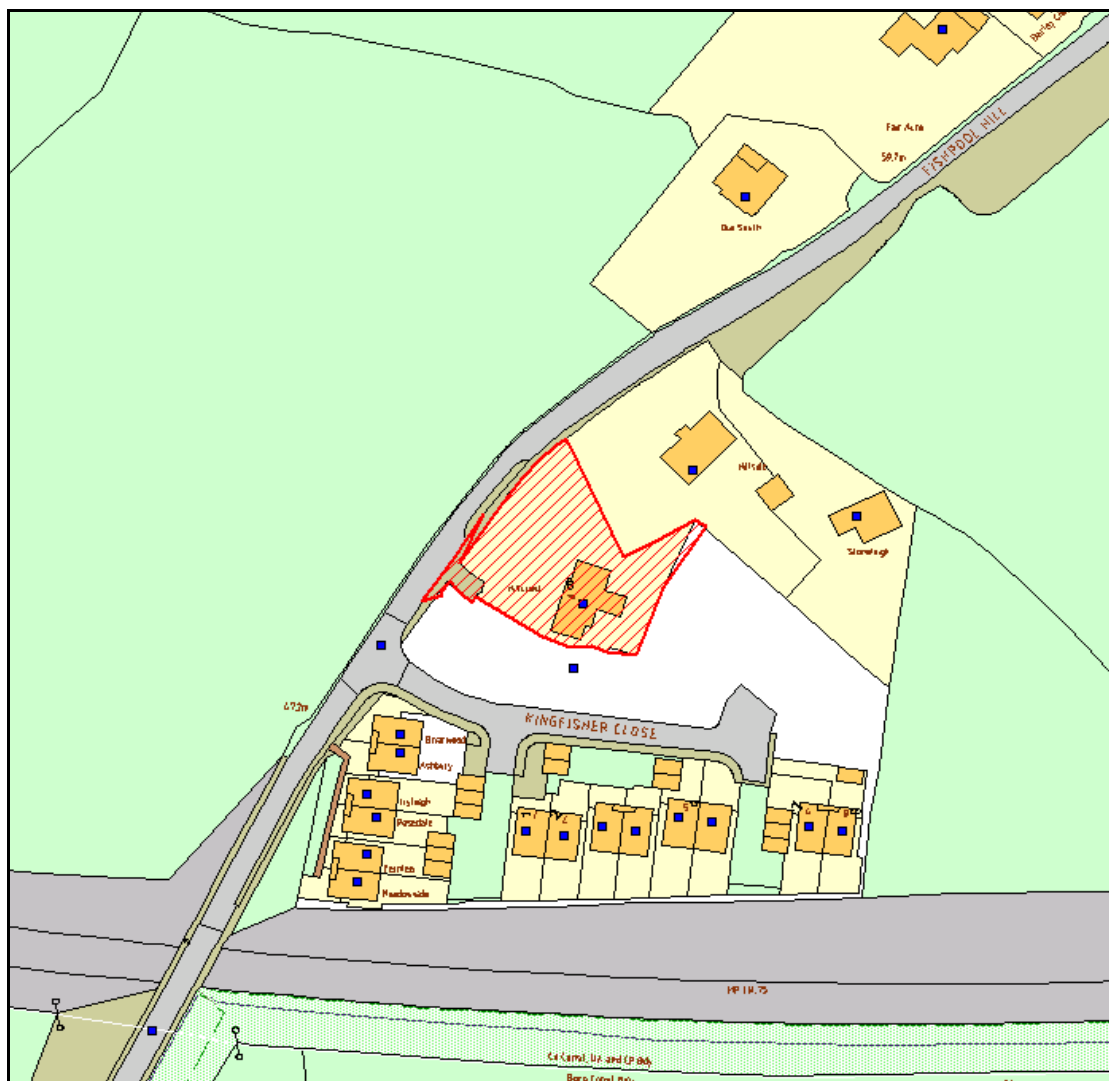
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 03/10 – 22 JANUARY 2010

App No.:	PT09/6051/F	Applicant:	Mr P Murphy
Site:	Hillcrest Fishpool Hill Brentry Bristol South Gloucestershire	Date Reg:	18th December 2009
Proposal:	Erection of 1 no detached dwelling and 2 no semi-detached dwellings, alteration to access and associated works.	Parish:	Almondsbury Parish Council
Map Ref:	357752 179665	Ward:	Patchway
Application Category:	Minor	Target Date:	4th February 2010



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 100023410, 2008. N.T.S. PT09/6051/F

INTRODUCTION

The application appears on the Circulated Schedule as there is an objection to the proposed development where the officer recommendation is one of approval.

1. THE PROPOSAL

- 1.1 The site is located on Fishpool Hill and is within the Bristol North Fringe Urban Area. The site itself occupies a steeply rising bank and is currently occupied by a modest single storey dwelling. The entire site is currently in residential use.
- 1.2 It is proposed to demolish the existing single storey dwelling and introduce three new dwellings onto the site and create an improved access onto Fishpool Hill.

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	New Residential Development in the Urban Areas and Settlement Boundaries
H4	New Development in Existing Residential Curtilages
T12	Transportation Development Control Policy

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 PT01/2427/F Erection of attached side garage, single storey side extension and balcony to front.
Approval
- 3.2 PT05/2961/F Installation of front and rear dormers to facilitate loft conversion.
Approval
- 3.3 PT08/1358/F Erection of 1 no. detached dwelling with associated works
Refusal
- 3.4 PT09/5734/F Erection of detached dwelling and construction of new vehicular access with associated works.
Approved

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

Object on the grounds that the proposal represents over development on the site; and the development would have an adverse effect on the established community.

4.2 Sustainable Transport

No Objection

4.3 Local Residents

6 emails have been received during the consultation period. All the comments show general support of the development proposal. The comments can be summarised as follows;

- i) The development will be of benefit to the neighbourhood.
- ii) The development is of an acceptable design that will fit in with the existing development nearby

5. ANALYSIS OF PROPOSAL

5.1 The development consists of the construction of three new dwellings on the site.

5.2 Principle of Development

Policy H2 of the South Gloucestershire Local Plan is relevant to this development proposal. Policy H4 is also relevant as the development is proposed to be carried out in existing residential curtilage. The policies indicate that the development is acceptable in principle subject to the following considerations.

5.3 Housing Density

PPS3 sets out that new housing development should make the most efficient use of land having regards to the constraints and characteristics of the site. This is a principle carried forward in Policy H2 of the South Gloucestershire Local Plan. The expectation is that development will achieve a minimum density of 30 dwellings per hectare.

5.4 In this instance the proposed development of three dwellings would translate to 24 dwellings per hectare. This is lower than the minimum normally expected and this is acknowledged in the submitted Design and Access Statement. The applicant argues that the characteristics of the site (in particular the topography of the site) and its relationship with the immediate surrounding locality.

5.5 Officers have considered the specific constraints on this site carefully in addressing the density of the proposed residential development. It should be noted that it is appropriate to consider recent planning permissions where they are adjacent to the application site, which in this instance include a new dwelling immediately to the North of the application site. (Approval PT09/5734/F)

5.6 In this instance the site slopes steeply upwards towards the East and North such that the eastern area of the site would be very difficult to develop with buildings or indeed as access or parking facilities. The site is also a very awkward shape with part of it (to the Northeast corner) being impractical for physical development. The immediate locality is characterised by a suburban feel dominated by detached and semi-detached houses. It is considered that, given the steep slope on the site and the nature of the buildings in the locality that a development of flats would not be compatible with the site. It is also considered that the characteristics of the site and the immediate adjoining development (including recent planning permissions) are such that the addition of a further dwelling would be very difficult to achieve without compromising the visual characteristics of the site and surrounding locality.

5.7 On the basis of the above, officers consider in this instance, the proposed density (24 dwellings per hectare) is sufficient and make the most efficient use of the land.

5.8 Design

The design of the development has taken account of the new development immediately to the South of the applications site. Plots one and two are proposed to take the form of a pair of semi-detached dwellings which are very similar in design to those immediately to the South of the site. The proposed dwellings are designed to accommodate under-croft garaging and this is consistent with the adjacent development. Plot three takes on a bespoke appearance and is more modest in scale than plots one and two. Notwithstanding this approach, the ridge heights are consistent throughout the development due to the topography of the site. It is considered that the proposed dwelling on Plot three is well designed and distinctive in its own right. In particular, the design approach will provide a good transition between the new development to the South and the more modest scaled development to the north of the site. The topography of the site and access constraints necessitates a relatively large area of hard-standing to the front of Plots one and two. This is acceptable in principle and is an approach consistent with the new development to the South of this site. The developer is proposing to use block paving and tarmac. Again this approach is acceptable in principle. However, in order to ensure that appropriate materials are used in terms of the appearance of them and condition requiring sample material is appropriate in this instance. Similarly, the general approach to materials in the building development is acceptable, however it is appropriate to condition the requirement for samples to ensure a consistent appearance across the existing and proposed developments. Subject to the use of the suggested conditions, the proposed development is considered acceptable in design terms.

5.9 Residential Amenity

The layout of the proposed development has been designed to take account of the surrounding development and recent planning permissions. In this instance the layout of the development is such that there would be no direct inter-visibility between the development and existing/approved development. Given the topography of the site and the position of the proposed dwellings it is considered that there would be no material impact upon the residential amenity

of the occupants of nearby dwellings. The development is therefore acceptable in residential amenity terms.

5.10 Transportation

The site is accessed off Fishpool Hill. Recent traffic regulation orders and associated traffic calming have been implemented as part of the development to the South of this site which is now nearing completion. Essentially, the new traffic calming measures (which are complete) have provided sufficient improvements to enable the introduction of this development without compromising highway safety. Sufficient off street turning and parking is to be provided within the application site which relates to each dwelling individually. There is sufficient storage space to provide for cycle parking within the development itself. Accordingly, it is considered that the proposed development is acceptable in Highway Safety terms.

5.11 Design and Access Statement

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

5.12 Use of Energy and Sustainability

Given the amount and scale of the proposed development it is considered that the Building Regulation requirements are sufficient to achieve the required level of energy efficiency for the proposed dwellings.

5.13 Improvements Achieved to the Scheme

None required.

5.14 Section 106 Requirements

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

6. CONCLUSION

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

6.2 It is concluded that the proposed density of the development would provide the most efficient use of the site compatible with the characteristics of the site, its location and accessibility. The proposed development would not materially impact upon the residential amenity of the occupants of nearby dwellings and the design and layout of the development is consistent with the character of the site and the surrounding locality. It is therefore concluded that the proposal

would not represent an over-development of the site and would not have an adverse impact upon the surrounding established community. It is also concluded that the proposed development would have no material impact in respect of highway safety. The proposed development is therefore consistent with Policies H2, D1 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

7. RECOMMENDATION

- 7.1 That Planning Permission is Granted subject to the following conditions;

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

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

Reason

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

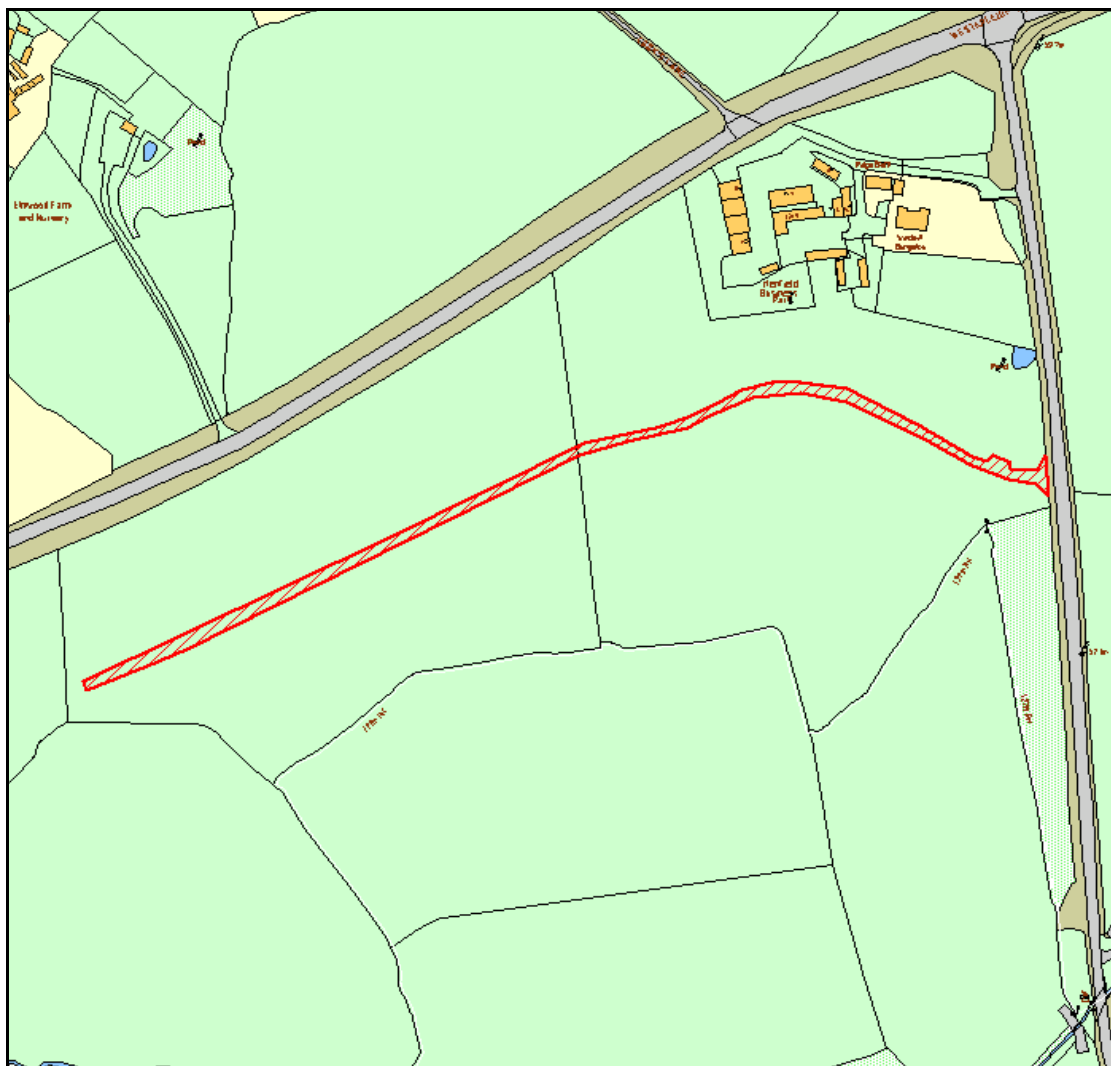
2. Prior to the commencement of development details and samples of all roofing and external facing materials proposed to be used to all new dwellings; and all new surfacing materials to be used within the new access and parking areas of the development, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained 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. 03/10 – 22 JANUARY 2010

App No.:	PT09/6053/F	Applicant:	
Site:	Windmill Golf Academy Henfield Road Westerleigh Bristol South Gloucestershire	Date Reg:	15th December 2009
Proposal:	Construction of access and haul road. Temporary consent for the period of 30 months. (To be read in conjunction with planning application PT09/5310/RVC).	Parish:	Westerleigh Parish Council
Map Ref:	367961 179071	Ward:	Westerleigh
Application Category:	Minor	Target Date:	1st February 2010



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 100023410, 2008. N.T.S. PT09/6053/F

INTRODUCTION

This application appears on the Circulated Schedule as there is concern raised by local residents with regards to the development where the officer recommendation is one of approval.

1. THE PROPOSAL

- 1.1 The site is part of the Henfield Golf Academy which is currently under construction (Approved at Appeal APP/P0119/A/07/2045500).
- 1.2 The proposed development consists of the creation of a new temporary access to be positioned approximately 110 metres to the North of the existing construction access to the site; and for the provision of a new temporary haulage road into the site from the proposed access. It is proposed that the temporary period is for 30 months.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS7	Sustainable Development in Rural Areas
PPG9	Nature Conservation
PPG13	Transport
PPG16	Archaeology and Planning
PPG17	Sport and Recreation
PPG25	Development and Flood Risk

2.2 Joint Replacement Structure Plan

Policy 1	Sustainable development
Policy 16	Green belt
Policy 17	Landscape
Policy 18	Nature conservation
Policy 19	Built and historic environment (incl. Archaeology)
Policy 20	Agricultural land
Policy 23	Water resources
Policy 29	Waste management
Policy 43	Recreation and leisure development
Policy 45	Recreation in the countryside
Policy 47	Transport
Policy 51	Cycling and Walking
Policy 54	Car parking
Policy 59	Transport

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	design
L1	Landscape
L9	Species Protection
L11	Archaeology
L16	Agricultural Land

L17/18	Water environment
EP1	Environmental pollution
EP2	Flood Risk
GB1	Green Belt
T6	Cycle and Pedestrian Routes
T7	Cycle parking
T8	Car parking
T9	Parking for people with disabilities
T10	Travel plans
T12	Transportation
LC5	Outdoor sport and recreation outside the urban area and settlement boundaries
LC12	Recreational routes
S1	Service infrastructure

2.4 Adopted Minerals and Waste Local Plan

Policy 6	Landscape Protection.
Policy 9	Green Belt.
Policy 15	Protected species.
Policy 19	Agricultural Land.
Policy 20&21	Water Resources.
Policy 22	Residential amenities

2.5 Supplementary Planning Guidance

Environmental Guidelines for Golf Course Development
Landscape Character Assessment

2.6 Circulars

Circular 11/95	Conditions
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3. RELEVANT PLANNING HISTORY

- 3.1 PT03/1313/F Construction of football complex, golf academy, fishing lakes, fitness trail, nature reserve, car parking, changing facilities and associated works.
Withdrawn.
- 3.2 PT06/0326/F Change of use from Agricultural Land to facilitate construction of Golf Academy, Fishing Lakes, Nature Reserve, Pavilion and Golf Course Maintenance Shed, Car Parking and associated works to include new access. (Re-submission of PT03/1313/F)
Refused by South Gloucestershire Council and Allowed at Appeal (APP/P0119/A/07/2045500)
- 3.3 PT09/5310/RVC Application to vary Condition 07 attached to planning permission PT06/0326/F relating to timescales to import construction materials.
Approved

4. CONSULTATION RESPONSES

4.1 Westerleigh Parish Council
No Objection

4.2 Sustainable Transport
No Objection subject to provision of wheel washing facilities.

4.3 Local Residents
Two emails have been received from Local Residents. The comments can be summarised as follows;

There is concern raised as to the condition of the highway during the construction of the Golf Course, in particular that there is a high level of mud being deposited on the highway. Concern is raised as to the impact upon the safety of and amenity of the users of the highway such as cyclists and walkers.

There is concern that the additional access will lead to the increased number of vehicles using the highway in relation to the construction of the golf course and the level of impact that this will have on the safety and amenity of the lane for horse riders.

In addition to the above, the Avon Ramblers Association have requested that the Public Right of Way crossing the site is kept open for use at all times.

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the introduction of a temporary access and haulage road in connection with the construction of the Henfield Golf Course.

5.2 Principle of Development
The proposed development is directly related to ongoing construction works as approved under PT06/0326/F. The principle of the development of the golf course is established.

5.3 In respect of this planning application it is necessary only to consider the impact of the development of the access and haulage road, taking into account that the proposal is for a temporary period of 30 months. This is considered as follows;

5.4 Green Belt
In this instance officers consider that the development would constitute a Change of Use of Land. Policy GB1 of the South Gloucestershire Local Plan makes provision for the Change of Use of Land provided that the use would not have a materially greater impact than the present use in terms of the openness of the Green Belt and would not conflict with the purpose of including land within it.

5.5 In this instance no building is proposed. It is acknowledge that there would be physical construction in the form of the access and haulage track. In this

instance, it is considered that this level of construction would not itself reduce openness and as such does not conflict with the purpose of including the land within the Green Belt. The creation of the access itself will result in the loss of approximately 25 metres of hedge row. Notwithstanding the fact that such an exercise would not itself require planning permission, it is considered that the removal of the hedgerow would also not conflict with the purpose of including the land within the Green Belt; and as such is appropriate development. On this basis, it is considered that the proposed development is acceptable in Green Belt Terms.

5.6 Landscape and ecological Considerations.

The long term landscape impact of the golf course has been considered as part of the original application and subsequent planning appeal. In this instance, it is acknowledged that the introduction of the haulage track and access will be unsightly during the construction of the development. However, this would not be material when considered against the appearance of the site as a whole during the construction of the golf course. Indeed, it is a necessary part of the construction of the Golf Course. The proposed access and haulage track is for a temporary period of 30 months. It is considered that appropriate reinstatement methods available in respect of new hedging when the access is closed after the temporary period. It is not considered that the existing hedge is of such ecological value that development should be resisted on ecological grounds, and with appropriate reinstatement it is considered that the ecological value of the landscape in general will not be material affected.

5.7 Notwithstanding the above, it is appropriate to apply conditions to any approval such that further details of the methods of reinstatement are submitted to and agreed by the Local Planning Authority to ensure that this work is carried out effectively.

5.8 Transportation

Comments have raised specific concern regarding the current access and its use resulting in mud upon the highway. In this regard, it is not appropriate to consider this matter as part of this application as it relates to the existing planning consent specifically. Nonetheless, this proposal includes the provision of wheel washing facilities within the site and adjacent to the proposed access. It is considered that, subject to the submission of additional details, the proposed access and wheel washing facilities are sufficient to allow a safe access and egress to the site and that there is sufficient provision to prevent unacceptable levels of mud entering the highway. This additional information can be required by condition in the event that this application is approved.

5.9 In relation to the potential use of two access points and increased numbers of HGV construction traffic accessing the site, it is appropriate to prevent the use of the existing access, by way of planning condition, for HGV construction traffic for the period that the proposed access is in use. It is also appropriate to impose a condition restricting the numbers of vehicles entering the site such that the use of this access is consistent with the original planning consent. This would prevent any material increase in the level of movements over and above that which is currently authorised. Subject to the introduction of these

conditions, the proposed development is considered acceptable in highway safety terms.

5.10 Other Matters

It is noted that the site contains public right of way. Any approval of this development proposal would not authorise the closure of any public right of way crossing the site. If this occurs, then this can be enforced under the Highways Act Legislation and as such cannot be considered under this planning application.

5.11 Design and Access Statement

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

5.12 Section 106 Requirements

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

6. CONCLUSION

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

6.2 It is concluded that the proposed temporary access and haulage road would not have a greater material impact upon the openness of the Green Belt. It is also concluded that the development would not result in a material impact in respect of highway safety and amenity and would not result in a material impact in respect of the character and visual amenity of the site and the surrounding landscape. The proposed development is therefore consistent with Policy GB1, D1, L1 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

7. RECOMMENDATION

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

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

1. The access and haulage road hereby permitted shall be discontinued and the hedgrow reinstated in accordance with the Condition 2 of this planning permission; and the haulage road removed on or before July 31st 2012.

Reason

The form and appearance of the development is out of character with the surrounding area and is permitted for a limited period only because it is required to implement development otherwise approved under PT06/0326/F.

2. Prior to the commencement of the development, a scheme of reinstatement of the 25 metre length of hedgerow to be removed to facilitate the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the reinstatement of the hedge shall be carried out in accordance with the agreed details and in accordance with Condition 1 of this planning permission and shall thereafter be retained as such. Any planting carried out in accordance with the agreed details which dies or becomes seriously damaged within five years of the reinstatement shall be replaced in accordance with the agreed details.

Reason

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

3. Notwithstanding the submitted details, no development shall commence until full details showing the method of providing wheel wash facilities within the site have been submitted and agreed in writing by the Local Planning Authority. Thereafter the agreed wheel washing facilities shall be installed in accordance with the agreed details prior to the first use of the development hereby approved and shall be retained for that purpose for the full duration of the use of the access and haulage road. All heavy goods vehicles accessing the site shall pass through the wheel washing facilities prior to leaving the site.

Reason

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

4. For the purposes of importing fill onto this site, the access and haulage road hereby approved shall be used as an alternative to the existing access onto the site and not in addition to the existing access as approved under planning permission PT06/0326/F. For the avoidance of doubt the existing access as approved under planning permission PT06/0326/F shall no longer be used for the purpose of delivering fill to the site and shall be used only for public and service access to the site.

Reason

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

5. No more than 40 lorry loads of fill shall be delivered to the site in any one day.

Reason

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

CIRCULATED SCHEDULE NO. 03/10- 22 JANUARY 2010

App No.:	PT09/6058/F	Applicant:	North Bristol NHS Trust
Site:	Frenchay Hospital Frenchay Park Road Frenchay Bristol South Gloucestershire	Date Reg:	17th December 2009
Proposal:	Erection of sub station to include generator, switch gear and 2.4 metre high fence.	Parish:	Winterbourne Parish Council
Map Ref:	363383 177635	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	8th February 2010



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 100023410, 2008. N.T.S. PT09/6058/F

INTRODUCTION

This application appears on the Circulated Schedule List because an objection has been received from the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a sub station to include a generator, switchgear and 2.4 metre high fence.
- 1.2 The application site comprises a small, enclosed garden area situated within the Frenchay Hospital complex. The site is located within the settlement boundary defined in the South Gloucestershire Local Plan Proposals Map (adopted) 2006, whilst Frenchay Conservation Area is located immediately to the south and adjoins the application site. Access to the site is from Begbrook Park/Frenchay Park Road through an attractive avenue of Lime Trees. The Frenchay Hospital site is located within the former manor of Frenchay Park – a grade II listed building and the site is designated as a historic garden area.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS15 Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
L12 Conservation Areas
L1 Landscape Protection and Enhancement
L5 Open Areas within the Existing Urban Area
L10 Historic Parks and Gardens
LC4 Proposals for Education and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries
- 2.3 Supplementary Planning Guidance
The Frenchay Conservation Area SPD (adopted) April 2007
Trees on Development Sites SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/0842/F, Erection of single storey building to provide relocated speech and hearing therapy unit with associated works, approval, 26/06/09.

4. CONSULTATION RESPONSES

- 4.1 Frenchay Parish Council
Strong objection – The proposed site is within the Frenchay Preservation Area. The proposed site is located within the avenue of Lime trees know as Lime Tree Avenue, which help to screen the modern buildings beyond. The development should be set back from the trees and loss of any trees must be avoided.

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning Policy LC4 allows for the development, expansion or improvement of community facilities within urban areas subject to accessibility, residential amenity, environmental and transportation considerations. Policy L12 only allows for development, which affects a Conservation Area where it would preserve or enhance the appearance of the Conservation Area.

Policies L1 and L5 allow for development provided that significant landscape features and open spaces are not adversely affected.

The adjacent avenue of Lime trees immediately to the south of the site is identified as an important element of the Conservation Area providing an attractive setting to the listed buildings and historic character. An aim of the SPD stated is to retain and enhance the integrity of Lime Tree Avenue and resist development, which is harmful to the character of the area. In addition, policy L5

5.2 Design/Visual Amenity and Impact on Conservation Area

This application seeks planning permission for the erection of a sub station to include a generator, switchgear and 2.4 metre high fencing. The generator is required in relation to the function of an existing hospital building. The proposal would be replace an existing garden area on the southern edge of the Frenchay Hospital Complex. The Frenchay Conservation Area is located immediately south of the application site and the entire complex is designated as a historic garden. Protected Lime trees form an avenue immediately to the south of the site.

- 5.3 The generator would measure 11.9 metres in width, 3 metres in length and 3.7 metres in height. The switchgear building would measure 7.25 metres in width, 3.6 metres in length and 3 metres in height. Both structures would be rectangular in form with a flat roof, orientated horizontally and situated on a level concrete base. The site would be secured by a 2.4 metre high open boarded timber fence, which would adjoin an adjacent building to the east. The switchgear building would be set back approximately 3.3 metres from an existing electric substation building to the east and the generator would be located approximately 1.2 metres beyond.

- 5.4 The hospital buildings to the north of Lime Tree Avenue are predominantly low-rise and comprise various hospital and operational buildings constructed from a variety of materials. The proposal would be functional in appearance and in-keeping with the existing development in terms of scale and character. Whilst the Council Conservation Officer has raised objections regarding the impact on the character of Lime Tree Avenue and the Conservation Area, it is considered that since the proposal would be contained within the building line of the existing built form, it would not in the view of the case officer be materially more

harmful to the character of the Conservation Area or Lime Tree Avenue than the existing situation. The Lime trees would also help to screen views of the proposed generator from the wider area, as would the proposed surrounding timber fence. A refusal on this basis would be unlikely to prove sustainable at appeal. A condition will be attached to the consent to ensure that the generator and switchgear building are removed and the land restored to its original condition when their use is no longer required to protect the character of the Conservation Area and locality long term. Further details regarding the colour finish of the fencing will be ensured by condition. It is acknowledged that the appearance of the existing hospital infrastructure along Lime Tree Avenue is of low design quality. Nevertheless this is part of the context and this minor addition (which will assist in the operation of the hospital) will have a negligible effect on the adjacent Conservation Area.

5.5 Loss of Open Space

Whilst the proposal would replace an existing open area, it is considered that its loss would not adversely affect the character, amenity and distinctiveness of the locality. The space is small in size and surrounded on three sides by existing built form. As such, and given that it is relatively well screened by prominent trees, it is considered that the space does not contribute significantly to the visual amenity of the surrounding locality.

5.6 Impact on Trees

There are 2no. mature Lime trees, which could be affected by the proposed development, both of these trees are covered by a South Gloucestershire Council Tree Preservation Order. The Arboricultural Assessment, Tree Constraints Plan and Tree Protection Plan, which accompany this application address and mitigate any potential impact the proposed development may have on the 2no. existing Lime trees. The Arboricultural documents provided are in accordance with BS5837:2005 and are acceptable to South Gloucestershire Council. The works should be undertaken in accordance with the Arboricultural Method Statement and Tree Protection Plan to safeguard the health and longevity of the trees in accordance with policy L1 of the South Gloucestershire Council Local Plan (adopted) January 2006. The Council Tree Officer has been consulted and does not object to the proposed development.

5.7 Residential Amenity

Given that the proposal would be located within the Frenchay Hospital site, with no residential properties within close proximity, it is considered that the proposed development would not have a significant adverse impact in terms of residential amenity.

5.8 Transportation

The proposal would be set back from Lime Tree Avenue and would not interfere with pedestrian or vehicular movements around the site. The proposal complies with Policy T12 of the South Gloucestershire Local Plan (adopted) January 2006.

5.9 Design and Access Statement

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

5.10 Use of Energy and Sustainability

N/A

5.11 Improvements Achieved to the Scheme

N/A

5.12 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The recommendation to grant 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 for the following reasons:

- The supporting information provided with the application is sufficient to mitigate any potential impacts of the proposed development on the adjacent protected trees – Policies LC4 and L1 of the South Gloucestershire Local Plan (adopted) January 2006.
- The proposal would be in-keeping with the scale of the surrounding development and would not have an adverse impact on the character of the locality and the Frenchay Conservation Area – Policies D1, L5 and L12 of the South Gloucestershire Local Plan (adopted) January 2006 and the Frenchay Conservation Area SPD (adopted).

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following conditions.

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

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

2. All works shall be comply with the provided Arboricultural Method Statements and Tree Protection Plan. Any deviation will require prior written consent from the Local Planning Authority.

Reason

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

3. The buildings and fencing hereby permitted shall be removed and the land reinstated to its former condition when their use is no longer required.

To protect the character of the Frenchay Conservation Area and locality long term.

4. Prior to the commencement of the development, a colour finish for the proposed fencing shall be submitted to the Local Planning Authority for approval. The proposed fencing shall be finished in accordance with the approved details.

To protect the character and appearance of the area to accord with Policies D1 and L12 of the South Gloucestershire Local Plan (adopted) January 2006.