



**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. 09/10

Date to Members: 05/03/10

Member's Deadline: 11/03/10 (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: 05/03/10

SCHEDULE NO. 09/10

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

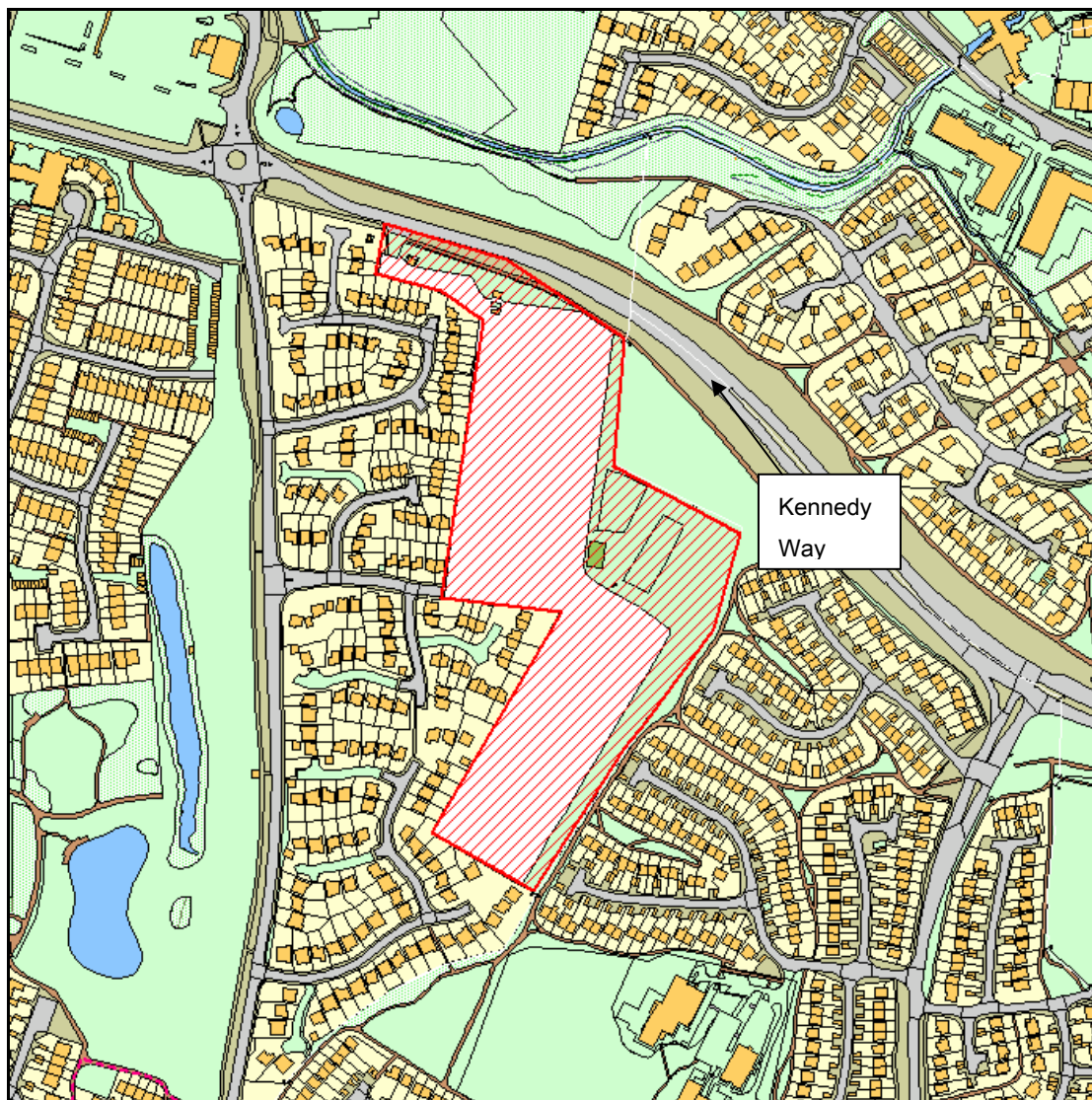
DATE

CIRCULATED SCHEDULE – 05 MARCH 2010

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK09/1388/F	Approve with Conditions	Land At Sea Stores Kennedy Way Yate South Gloucestershire BS37 4DQ	Yate Central	Yate Town
2	PK09/6076/RV	Approve with Conditions	West End Home Barns Marshfield Chippenham South Gloucestershire SN14 8JW	Boyd Valley	Marshfield Parish Council
3	PK10/0071/F	Approve with Conditions	The White Hart High Street Iron Acton South Gloucestershire BS37 9UG	Frampton Cotterell	Iron Acton Parish Council
4	PK10/0112/R3F	Deemed Consent	The Ridge Junior School Melrose Avenue Yate South Gloucestershire BS37 7AP	Yate Central	Yate Town
5	PK10/0133/F	Approve with Conditions	Somerset House Bath Road Bitton South Gloucestershire BS30 6LW	Bitton	Bitton Parish Council
6	PK10/0161/F	Approve with Conditions	20 Kendall Road Staple Hill South Gloucestershire	Staple Hill	None
7	PT09/5772/F	Approve with Conditions	Little Quarry 2 Old Aust Road Almondsbury South Gloucestershire BS32 4HJ	Almondsbury	Almondsbury Parish Council
8	PT10/0076/F	Approve with Conditions	Land At Woodhouse Avenue Almondsbury South Gloucestershire BS32 4HT	Almondsbury	Olveston Parish Council
9	PT10/0089/F	Approve with Conditions	9 Ormsley Close Little Stoke South Gloucestershire	Stoke Gifford	Stoke Gifford Parish Council
10	PT10/0092/F	Approve with Conditions	The Barn The Stream Hambrook South Gloucestershire BS16 1RG	Winterbourne	Winterbourne Parish Council
11	PT10/0093/LB	Approve with Conditions	The Barn The Stream Hambrook South Gloucestershire BS16 1RG	Winterbourne	Winterbourne Parish Council
12	PT10/0157/F	Approve with Conditions	4 Pine Grove Filton South Gloucestershire BS7 0SL	Filton	Filton Town Council
13	PT10/0164/F	Approve with Conditions	19 Charborough Road Filton South Gloucestershire	Filton	Filton Town Council
14	PT10/0171/F	Approve with Conditions	Mount Pleasant Bristol Road Falfield Wotton Under Edge South Gloucestershire GL12 8DW	Charfield	Falfield Parish Council
15	PT10/0182/PN1	No Objection	SWs Off Great Stoke Way Harry Stoke South Gloucestershire BS34 8QQ	Frenchay And Stoke Park	Stoke Gifford Parish Council
16	PT10/0196/EXT	Approve with Conditions	598A Filton Avenue Filton South Gloucestershire BS34 7LD	Filton	Filton Town Council
17	PT10/0204/F	Approve with Conditions	17 Cerimon Gate Stoke Gifford South Gloucestershire BS34 8UN	Stoke Gifford	Stoke Gifford Parish Council

CIRCULATED SCHEDULE NO. 09/10 – 5 MARCH 2010

App No.:	PK09/1388/F	Applicant:	Mr P CourtTaylor Wimpey
Site:	Land At Sea Stores Kennedy Way Yate Bristol South Gloucestershire	Date Reg:	22nd July 2009
Proposal:	Proposed erection of 228 residential units and associated works.	Parish:	Yate Town Council
Map Ref:	371305 182387	Ward:	Yate Central
Application Category:	Major	Target Date:	21st October 2009



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N.T.S.

PK09/1388/F

INTRODUCTION

This application is referred to the Circulated Schedule because it is a major development and there have been representations of objection from third parties received.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission to erect 228 units with associated access, car parking, refuse storage and landscaping. The proposed dwellings will comprise 31 x 2-bed, 56 x 3-bed, 64 x 4-bed and 2 x 5-bed dwelling houses and 16 x 1-bed and 59 x 2-bed apartments. The building heights will vary from 2 to 4 storeys depending on location and proximity to existing residential properties.
- 1.2 The application site comprises approximately 4.78 hectares of land formally known as the 'Sea Stores' site, which was a large depot dating from the Second World War. The site originally featured 4 large portal frame buildings with associated railway sidings. Two of the structures were demolished in the 1980s to make way for a housing estate which is located to the west of the application site. The two remaining structures which were last used by the Highways Agency, have now been demolished and the site is in the process of being cleared.
- 1.3 The site is considered linear in character and surrounded on three sides by existing residential development. The main distributor road of Kennedy Way bounds the northern boundary and as per the existing situation, this will provide vehicular access to the proposed development. Following consultation and negotiation with Highway Officers and local residents, there is proposed a traffic island configuration that would only permit 'left-turn' egress although access would be from left and right directions. There is to be a pedestrian and emergency vehicle access from Shackleton Avenue and in the further interests of permeability, there are to be footpath links to the east to connect the site with the 'Birds estate' – namely Mallard Close and Finch Road. To the north-east and outside of the application site is an area of 0.5 hectares of 'reserved land' which it is envisaged will accommodate a community building at some point in the future. Also to the north-east of the site but within the application site is an area of open space around the former railway sidings which will form a nature conservation area due to its ecological interests and running along the majority of the eastern boundary is an existing run of trees that will largely be retained and added to with an aim of creating a modest linear park area.

1a THE CONCEPT STATEMENT

- 1.4 In light of the scale of development, in accordance with the Council's Statement Of Community Involvement, a concept statement for the residential development of this site was prepared and this was endorsed by the Executive Member on 02 April 2007 which set out that in developing detailed proposals, the Council would expect to see the following:
- A minimum of 0.5 hectares reserved for future town centre/community use
 - A minimum of 0.5 hectares reserved for the open space in the area of the sidings

- A greater commitment to energy efficiency in construction and on-site generation or renewable energy with all homes built to at least Eco-homes 'very good' Standard or the equivalent Code for Sustainable Homes.
- A net density between 50 and 75 dwellings per hectare should be achieved
- A strategy is prepared for the replacement fencing around the site to be agreed with the neighbouring properties;

2. **POLICY CONTEXT**

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPS23	Planning and Pollution Control
PPG17	Planning for Open Space, Sport and Recreation
PPS25	Development and Flood Risk

2.2 Joint Replacement Structure Plan: Saved Policies

Policy 1	Sustainable development
Policy 2	Location of development
Policy 33	Housing provision and distribution

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L1	Landscape Protection and Enhancement
L5	Forest of Avon
L9	Species Protection
L17/18	Water Environment
L11	Archaeology
L17/L18	Protecting the Water Environment
H1	Proposed sites for new residential development (site no.12).
H2	Proposals for Residential Development within the existing Urban Area and Defined Settlement Boundaries
H6	Affordable Housing
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
EP1	Environmental Pollution
EP2	Flood Risk and Development
EP4	Noise Sensitive development
EP6	Contaminated Land
LC8	Open space and children's play in conjunction with residential development.

2.4 Draft RSS for the South West of England and Secretary of State's report:

Development Policy E: High Quality Design
Development Policy RE5: Renewable Energy

2.5 Supplementary Planning Documents

Design Checklist (Adopted).
Biodiversity Action Plan (Adopted).
Affordable Housing SPD

2.6 Other Relevant Guidance

By Design - Urban design in the planning system
By Design – Better places to live by design
Safer Places: The Planning System and Crime Prevention
Car Parking – What Works Where? (English Partnerships)
Manual for Streets

3. RELEVANT PLANNING HISTORY

3.1 There is no relevant planning history on this site.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

In commenting on the initial submission, Yate Town Council objected to the proposed scheme on the following grounds:

- The plans show an increase in height of some of the building around the edge of the site. These are now 2 ½ and 3 storey dwellings overlooking existing 2 storey dwellings.
- The development is too dense and there is insufficient car-parking. The overspill of car parking will affect surrounding areas;
- There is a lack of amenities in the area for younger families, particularly schools.
- Congestion cause by vehicles exiting the site. The Town Council would prefer the exit on Kennedy Way to force a left turn, instead of being able to turn right out of the estate.
- The fencing of public open space. To be called public open space it needs to be unfenced from the remaining land, with just a fence along the frontage to adjoining properties.
- Object to any reintroduction of a water feature.
- It is essential that the access way to Shackleton Road is pedestrian only; that any emergency access is via an agreement to cross the garden of the end house on the new development; there is a planning condition stopping that house or anyone else from the estate using Shackleton Avenue for vehicular access; that a collapsing bollard for use by the emergency services is needed'
- The contamination report has not been seen. As part of the planning process, there should be a full and public consultation on that report to ensure existing and future residents are able to understand and take appropriate judgements about contamination.

4.2 Dodington Parish Council

Support for Yate Town Council's objections was noted.

4.3 Yate Town Council

It can be noted that following Yate Town Council's previous comments, the design, layout and scale of the buildings were amended. In particular plots 98 and 99 were reduced from 2.5 storeys to 2 storeys. Following a re-consultation, the following comments were received (dated 02 March 2010):

- 4.4 *'Providing the massing of the proposed two and a half storey buildings is sorted out (Plots 98 and 99) and providing the developers agree to a condition that the design, elevation and massing at the front of the site are reserved matter and revert to the Town Council with a revised exciting and modern design (changing the gateway building) then Yate Town Council will not oppose consent at this stage'.*

'It was also noted at although the Town Council is worried about levels of off-street car parking and think this would cause a problem. However it is recognised that the proposals meet the provisions specified in the relevant planning legislation and, therefore, the Town Council has no basis for formally objecting'.

4.5 Other Consultees

The Environment Agency

Following clarification over surface water issues (achieved through a suggested conditions), there is no objection to the proposed scheme.

The Highways Agency

The proposal will have no detrimental effect on the Strategic Road Network; we therefore offer a no objections response.

Wessex Water

Points of connection have been discussed in principle but no S104 submissions have been made to date. The storm water disposal relies upon the use of the existing private storm sewers off site that are owned by the local authority. If permission is not granted to use them, then the developer's storm drainage proposals will need to be revisited.

Technical Services

No objection subject to the following advice/ informatives.

Public Right of Way

The development is unlikely to affect any recorded public right of way, however it is suggested that consideration to be taken with regards to the permeability of the development and thought put to providing a footway from Shackleton Avenue to join up with the footways on Bird's Estate to the east side.

Other Representations

4.6 Local Residents

19no. consultation responses were received following consultation on the initial scheme and the following summarised comments were received:

- On behalf of Nos 33 and 34 Cabot Close, we strongly object to the proposed development as the proposed 3 and 4 storey dwellings would invade our privacy and reduce property values. There would be no objection to 2 storey dwellings, but 3 and 4 would be most inappropriate and not a welcome entrance to the town.
- Concerns over the traffic movement in and out of the proposed development and the proposed scheme could generate 400 cars and if controlled by traffic lights, will generate a considerable back-up of traffic on an already busy road. A second site access is suggested possibly off Scott Way that would at least afford an alternative to Kennedy Way.
- The proposed 3 and 4 storey buildings facing onto the dual carriageway are not in keeping with the surrounding areas and would impose on the houses backing onto them.
- The proposed density is out of character with the town – it is more in line with major town and city centres.
- The layout of the houses in the most southerly corner is inappropriate and the overlooking caused by these scaled building is unacceptable.
- The positioning of eleven 2.5 and 3 storey houses in a line is intimidating and overpowers the adjacent cul-de-sac.
- At the nearest point the proposed houses will be about 12 metres from 12 Hudson Close wall-to-wall.
- The proposed footpath opposite No.70 Finch Road will be annoying an intrusive and it should be moved to an existing walkway which is nearby.
- The boundary treatment needs consideration and there are far too many houses for this site.
- Brick paving is going to cause flooding and is not very environmentally friendly
- The proposed 3-storey houses will overlook neighbours gardens and impinge on privacy.
- It would not be unreasonable to expect an average of three residents per household and with 228 units constructed, it would provide a total population of 624 and it would be interesting to see what provision has been made regarding the impact on local services such as schools, healthcare and local transport.
- A communal car –park is situated adjacent to a neighbour's back fence which will no doubt cause noise and a further loss of privacy as well as providing a security risk to the back gardens in our street.
- The proposed scheme proposes a secluded pathway directly behind a neighbours back fence which is freely accessible by anyone and this is considered an unacceptable security risk. This rear parking court area also will contain bin stores and so neighbouring gardens will be subject to the odour of 4 bins.
- The existing wire fence is to be maintained which is considered an unacceptable security risk
- The construction period is likely to cause noise, dust and disruption.
- It is disappointing that no renewable energy sources or benchmark for code for sustainable homes has been noted.
- The Council should be more imaginative than building houses on land already overflowing with houses and not much else. The land should be used for entertainment purposes.

- The footpaths providing rear access to the proposed new units could become an attraction for anti-social behaviour and a security risk for neighbouring residents.
- The scale of the units in the southern end of the site was stated as being a maximum of 2 storey and the prospect of a solid terrace of 11 units running the length of the neighbour's property is unreasonable and unacceptable.
- The proposed application contains no reference to any strategy for replacement fencing around the site.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policies 1 and 2 of the Joint Replacement Structure Plan give support for steering residential development in locations in those settlements, which have significant existing advantages over other locations in respect of public transport, employment and other facilities. In addition Policy 33 of this plan states that priority would be given to the reuse of previously developed land and buildings within urban areas, and that Local Plans will set out proposals to maximise the use of previously developed sites. The application represents development of a previously developed site within an urban setting and is therefore in accordance with these Structure Plan principles

- 5.2 The South Gloucestershire Local Plan (Adopted) January 2006 also identifies the site within the urban area and subject to testing any residential proposal against its specified criteria, Policy H2 allows for new residential development within the existing urban areas and boundaries of settlements. The principle of the development is therefore considered acceptable subject to the following assessment which will address the criteria set out for Policy H2 and all other relevant material considerations.

5.3 Density, Layout and Siting

The proposed scheme would achieve a net density of 65 dwelling per hectare which is considered compliant with both the requirements of the endorsed Concept Statement and the provisions of PPS3. Although it is acknowledged that the proposed density is higher in comparison to the housing estates that surround the site, due to the sustainable position of the site within the Yate urban area (the site is within 800m of Yate town centre and its associated facilities), it is considered that there is an opportunity for a higher density of development that would make an effective re-use of previously developed land. It is also noted that PPS3 advises that the existing density of development should not dictate that of new housing by stifling change or requiring replication of existing style or form. The key is achieving a good design and layout which can be seen as providing a more efficient use of the land without compromising the quality of the local environment. Therefore subject to a good layout and design, although the proposal will lead to an intensification of the urban fabric, if the proposed scheme is seen to enhance the character and quality of the surrounding area, then the density proposed is acceptable.

- 5.4 In accordance with the concept plan, the overall proposed layout is based around two principle routes; north-south, and east west. The former is the main vehicular access into the site providing access to all dwellings, the latter is a potential pedestrian route linking dwellings and local bus routes in the east with amenities at Kingsgate Park and Yate town centre.
- 5.5 The primary north-south route within the site has been the subject of change since the original submission. This has mainly comprised realigning certain sections in order to achieve a better sense of enclosure and uniformity to the street, which will help create a more formal character along this route. It has also allowed rear garden space to be rationalised and give better quality amenity space to new dwellings. These changes are considered an improvement over previous submissions, and will result in a more identifiable character to these different areas of the site.
- 5.6 Permeability across the site has been created by linking pedestrian/ cycle entrances to the west with Shackleton Avenue and east with footpaths on the eastern boundary. This east-west route will help make the scheme easier to navigate by foot to and from residential areas in the east and the town centre to the west. The creation of this route and its emphasis through use of distinct surface materials is beneficial to the scheme as a whole.
- 5.7 The orientation of dwellings has also been modified in order to present a clearer distinction between public and private realms, in particular in blocks along the eastern boundary which will also aid security. Revisions ensure the number of gardens siding onto public routes are minimised, and that side elevations which front the public realm contain windows to habitable rooms.
- 5.8 Overall it is considered that in light of the revisions that have been made to the scheme since it was submitted, the proposed density and layout is acceptable and can be considered compliant with the approved Concept Statement and the requirements of national guidance and local plan policy along with other relevant guidance.
- 5.9 Design and Scale
The proposal comprises a mixture of one, two, three and four storey buildings, the latter being located fronting Kennedy Way to provide a prominent frontage to this important elevation. In principle this approach is considered acceptable in urban design terms. Across the remainder of the site building heights are modified to relate to either the more formal character proposed for the primary routes (where taller buildings with regular massing would front a wider street), or the more informal secondary route (smaller buildings with less regular frontage). Again, in principle, this approach is considered acceptable.
- 5.10 The Design and Access Statement states that *'the design should be in a contemporary idiom.'* (p.20), and that *'Brick will therefore be the main wall materials with reconstituted stone and brick soldier detailing to windows/ doors. Further, render will be used to highlight key and feature buildings. The design will use the above materials as the basis of paying respect to the local style and character but with a modern approach to detailing and construction'* (p.20)

- 5.11 Whilst the surrounding suburban context does not exhibit a particular architectural quality, it is considered that this reinforces the importance of Paragraph 3.5 of the Local Plan, which advises that *'Where a proposed development is located in an area whose character has been eroded or if surrounding development is of poor quality, good design resulting in high quality and distinctive developments is particularly important.'* It further reinforces the national policy objective of achieving the highest standards of design.
- 5.12 As the design and access statement notes this site is in prominent position, being close to the town centre and on one of the main approaches into Yate. In this context whilst it is appropriate for the proposal to create a distinctive character of high quality, it is not considered that the proposals have yet achieved this. Overall there appears a fundamental discrepancy between the 'traditional' detailed design of the majority of the site, and the broader design intentions set out in the Design and Access Statement, which advocate a contemporary design approach.
- 5.13 The proposed elevations, particularly those to Kennedy Way where the development will be most prominent, appear standardised and lack detail. Whilst these have improved since the original submission (largely through the reduction of the scale and massing of the roofs) there is still concern about the overall quality and detailing of the scheme. Minor amendments have been made, for example to incorporate reconstituted stone surrounds to windows, but overall such changes do not go far enough to address concerns previously expressed.
- 5.14 In most cases prior to determination, further negotiations would be undertaken to secure the revisions to improve the quality of the scheme. However, it is understood that the applicant is seeking grant assistance from the Homes and Community Agency (HCA) to help fund the delivery of the affordable housing units. To enable this site to be considered by the HCA, the applicant has stated that a resolution to grant planning permission needs to be received by the end of the financial year. It is considered it would not be feasible to seek the revisions required and consult all parties within that time period. However Officers are mindful of the finite funds available from the HCA but the consequences of a poor housing market should not be a substandard scheme and so it is considered that in this exceptional case, a pragmatic view is required to enable the developer to seek grant funding but not at the expense of the securing the intrinsic quality that is considered necessary for this very important development for Yate.
- 5.15 Therefore with the agreement of the developer, it is recommended that planning permission is granted subject to a condition requiring revised elevations to Kennedy Way to be submitted and approved prior to commencement of development. Conditions requiring the submission of more detailed elevations (highlighting elements such as windows and doors), and the submission of samples of materials, in order to ensure the detailing is of a sufficient quality to accord with policy D1(A), are also to be included to address some of the wider concerns about the quality of the other buildings.

- 5.16 With the above conditions in place to secure a design of sufficient quality, this overcomes the previous objections to the appearance of the proposed scheme.
- 5.17 Sustainability
All houses are to be built to Level 3 of the Code for Sustainable Homes and a condition to secure this standard is recommended. Also in accordance with the Council's Design Checklist and the emerging RSS, a condition is also recommended to ensure the proposed scheme should deliver 10% on-site energy production from renewable sources.
- 5.18 Residential Amenity
In considering the impact the scheme would have on the existing residential properties, it was considered that there was 2 key areas of potential conflict – (i) the proposed frontage and the existing properties of Cabot Close; and (ii) the proposed square to the south of the scheme and its relationship with the existing properties of Hudson Close.
- 5.19 (i) The proposed frontage development – It is considered that as the potential impact of the proposed frontage upon the existing properties of Cabot Close increases (due to mainly orientation), the scale of the proposed buildings drops from 4 to 2.5 storeys. For the number of existing properties within Cabot Close that will directly back onto the proposed development, the separation distance between the existing 2-storey houses and the proposed 3 and 2.5 storey dwellings would be approximately 24 metres which is considered sufficient to safeguard privacy and amenity levels. The proposed frontage development will feature 2no. 4-storey blocks, but the closest block to an existing residential property is set off at a 45 degree angle with a minimum separation distance of approximately 21 metres, and so although the proposed 4-storey block would be visible from the nearest existing property (No.35 Cabot Close), due to the orientation and separation distance that would exist, it is considered that the proposed 4-storey buildings would not result in any significant overbearing effects or loss of privacy which would significantly affect the amenities of any of the existing properties.
- 5.20 (ii) 'The Square' - Since submission, in response to local resident's concerns the previously proposed continuous terraces that would have formed the square have been broken up to help reduce the perceived massing of the building blocks and thus any perceived sense of overbearing. The scale of the buildings has also reduced from 3-storey to 2.5 and in some cases 2-storey. With separation distance between existing and proposed buildings being at least 20 metres, it is considered that the proposed development will not harm the existing levels of amenity currently enjoyed by the residents of Hudson Close. It is noted that No.12 Hudson Close is positioned only a few metres from the site boundary, but this building is orientated on an angle that would not directly or squarely look back towards the proposed new buildings and so any views would be at an oblique angle. The closest proposed dwellings (Plots 98 and 99) have also been reduced from 2.5 to 2 storeys in an attempt to minimise their impact upon this existing property. Therefore although a corner of 12 Hudson Close will be approximately only 12 metres from the nearest proposed residential property, it would not be looking directly back towards this property

- and it is considered that this factor along with the reduction in massing of the closest proposed properties would help mitigate any loss of amenity or privacy.
- 5.21 In considering other potential residential amenity issues, to achieve rear garden access, a number of properties are to have footpaths running to the side of their houses. It is considered that these will clearly read as a private lane, although these should be gated with a communal locking strategy where necessary and so in the interests of security a condition is recommended to address this.
- 5.22 The boundary treatment strategy will see the existing boundary fences retained but the areas of barbed wire will be removed. The local residents concern regarding the position of a communal car-park directly adjacent to their rear garden is noted. The proposed scheme would see in total 10no. parking spaces directly adjacent to the long side boundary of No.36 Cabot Close. It is firstly considered that in light of the existing industrial use of the site and the potential levels of disturbance that could arise, the proposed communal car parking area is acceptable in principle and from a site-wide basis, the loss of the commercial/industrial use of this site could result in some significant residential amenity benefits. However, in the interests of safeguarding residential amenity levels, consideration was given as to whether any means of mitigation maybe required. It was considered that the existing substantial boundary treatment of fencing and vegetation of the existing residential property is substantial and would provide an acceptable level of mitigation. Furthermore it was difficult to envisage how the existing boundary treatment could be upgraded to provide any further meaningful mitigation of any adjacent parked cars. Therefore, there are no objections to this proposal on this basis, as due to the existing boundary treatments, amenity levels will not be significantly compromised and there are no considered requirements to upgrade the existing boundary.
- 5.23 The local residents' concern regarding noise generated by the construction period is noted and reasonable and in response the standard condition to restrict hours of construction is recommended.
- 5.24 With regard to the general level of amenity for the prospective residents of this development, each house is provided with an acceptable size garden and in light of the configuration of the site layout, the tolerance levels for privacy and amenity are considered to be acceptable and in keeping with a modern, densely developed site. The proposed on-site open space is limited although there is the informal area of open space that is the nature conservation area that the residents will be able to enjoy. A commuted sum to reflect the limited open space will however be used to enhanced existing facilities in the locality. Overall it is considered that the proposed scheme will afford its residents with an acceptable level of amenity.
- 5.25 Landscaping
The layout has been revised to some degree to accord with previous Landscape Officer comments and is considered a marked improvement. There are still a number of issues however that have not been taken on board and would have improved the overall landscape provision across the site such as more trees could be added to the rear garden boundaries of Plots 1-5 and

also on the fence boundary opposite. Trees and/or hedgerow should be planted along the rear boundary and car-parking areas of plots 200—207, to 'soften' this elevation. At the moment this is shown as a closeboard fence onto the reserved land to the north, which will give a very bleak elevation seen from Kennedy Way,

5.26 Additional trees could be introduced in rear gardens of plots 53-55, 60 61 and 62-70 (as shown on the previous Aug'09 layout). It would also be good to introduce some fruiting varieties of Apple and Pear etc., rather than ornamental species. There is generally a lot of Sorbus throughout the scheme and it would be preferable to amend this to a larger growing species, such as Oak, Ash or Horse Chestnut where space allows i.e. to the rear of flats 184-199. Trees to the rear of plots 137-149 could also be a larger species as there is room. Again the trees planted in the rear gardens generally could be an edible species rather than ornamental. There is also scope for more tree planting to the rear of plots 85-96.

5.27 In conclusion, following previous comments the landscaping scheme has been amended and the scheme now submitted is an improvement. However as stated above there is scope for further tree planting and opportunities to introduce larger species generally throughout the scheme. There is also no detail regarding hard landscape proposals and so to pick up this and all the points made above, a landscaping condition has been attached to ensure that the landscaping of this site is of the highest possible standard especially in light of the density of development.

5.28 Soil Contamination

A soil survey had previously been undertaken on behalf of the Highways Agency in October 2006 which identified 2 metre deep made ground which would have implications for sub-structure design – pile foundations etc. A further investigation by Hydrock Consulting was commissioned by the applicant in 2007 which identified localised areas of contamination and the final report was submitted in support of this application and considered acceptable by the Environment Agency. The proposed method of remediation would have to comply with existing waste management legislation that stands separate from planning legislation, but essentially the contaminated soil would be removed and then backfilled and the whole the site (apart from the nature conservation area which will not require any cover system), will be capped with a 600mm layer of a mixture of soil, clay and other materials. A condition is however recommended to ensure a verification report on the performance of the cover system once in situ is prepared and submitted to the local planning authority for approval prior to any occupation of the site.

5.29 Transportation

The proposed junction with Kennedy Way was to be originally a light controlled junction. However in response to a concern how this would impact on the flow of traffic on both sides of Kennedy Way and the potential congestion that could arise, an alternative solution has been proposed which will see a physical island introduced between the right turn lane and the westbound carriageway. This would prevent vehicles from turning right out of the access as well as providing some protection for vehicles waiting to turn right into the site. The

- overall roadway will however need to be widened to facilitate these works and a retaining wall required to support the embankment adjacent to the eastbound carriageway.
- 5.30 To safeguard pedestrians a signalised Toucan Crossing (suitable for pedestrians and cycles) will be introduced to the east of the site access. This signalised crossing has been positioned to collect footfall from both development and neighbouring residential estates.
- 5.31 Although some of the dwellings remain further away from the highway than is desirable, it is noted that turning facilities have now been provided for the larger apartment blocks and unlike before, it is considered that large service vehicles including a bin lorry, could negotiate the site without excessive manoeuvring. The refuse points are also considered more workable but to demonstrate that each collection point can accommodate the required bins, details are to be submitted to demonstrate that bins will not spill out onto the estate road.
- 5.32 The proposed emergency access onto Shackleton Road is understandably a contentious issue with local residents of the adjacent estate. However it is important that the site has a secondary access that remains available for emergency vehicles use. The link with Shackleton Way will need to be made up to adoptable specifications and so be constructed to a standard pavement design. Some detailed plans have been previously provided which show low level planting within this link, but this will clearly be unacceptable from a highways perspective as in practice would become unusable by the emergency services. Therefore although the emergency access road would be designed and constructed to adoptable standards, unauthorised use of this emergency link will be controlled by lockable, collapsible bollards with the specification to be approved (as part of the hard landscaping plan). Furthermore, although the emergency access will be specified to an adoptable standard, it's width has been kept to a minimum and so would appear more like a lane than a road. Landscaping of this lane is also proposed to help soften it, and so the link from Shackleton Avenue should be fairly unobtrusive.
- 5.33 The parking provision for the site will see a total of 322 parking spaces for a total of 228 dwellings at an average of 1.4 spaces per dwelling. The Council's parking standard states that within urban areas, including Yate, a residential development will not be permitted if more than 1.5 car parking spaces are proposed. It has been confirmed that all affordable housing has been designated at least 1 parking space. In light of the parking provision and the composition of allocation, it is not anticipate that there would be significant level of overspill parking, particularly outside the development boundary.
- 5.34 A number of cycle stores have been provided and the Transport Statement confirms that the level will accord with the minimum standards set out in policy T7. The submitted Travel Plan is considered acceptable and once implemented will reduce dependence on the private car.
- 5.35 The residential estate road is suitable for adoption (via section.38 agreement) and this will include the internal pedestrian / cycle links. Off-site works will need to be covered under a section 106 agreement. The developer will need to

- construct the site access and associated works that include the provision of a right turn facility and a retaining wall. A signalised pedestrian crossing, a lay-by, and footway widening will also form part of the development.
- 5.36 A private safety audit has been carried assessing the off-site development highway infrastructure outlined above. A number of issues were raised and these were addressed in an exceptions report provided by the developer. It is considered that that the key design recommendations have been incorporated into the design shown in the planning layout. Some of the more detailed recommendation relating to road signs, markings and lighting can be dealt with post planning should approval be granted.
- 5.37 The safety audit did recommend the removal of a tree immediately to the east of the proposed access. The removal of this tree would improve visibility from the access and improve forward visibility for westbound traffic. The removal of this tree will be considered as part of a wider landscape review through addressing the requirements of the landscape condition.
- 5.38 The 30mph speed limit may need to be extended on the eastern approach to the development. Right turn movements out of the site should be prohibited and some parking restrictions will be required along Kennedy Way to prevent overspill parking and waiting. A traffic regulation order (TRO) will need to be drafted, advertised and approved.
- 5.39 This development will give rise to an increase in the traffic level generation in the area and so mitigation measures are needed. It has been determined that £145,000 should be contributed towards Traffic Management in the locality with a further £40,000 contributed towards public transport improvements. The contribution towards Traffic Management / Road Safety will most likely cover the following items: safer routes to school, footway / cycleway network, Traffic Regulation Orders, formalise the pedestrian crossing on the link road to open space, junction improvements. The public transport contribution will be used towards a new bus interchange (largely funded by Tesco's) and other services.
- 5.40 In conclusion there are no transportation objections to the proposed scheme subject to the recommended conditions and heads of terms which will form part of any association s106 agreement
- 5.41 Ecology
The main ecological concern is the area of unimproved grassland to the north-east of the site. This grassland is species rich and of considerable botanical interest, particularly on the steep grassed slopes and grassed mounds. Species rich unimproved grassland is recognised as a rare, threatened and fast-declining type of grassland which have resulted in such areas being included on the UK Biodiversity Action Plan as requiring urgent and concerted efforts to arrest its decline. Such areas are also included on the South Gloucestershire Council Biodiversity Action Plan and is listed as a type of habitat of 'principle importance for biodiversity in England' under Section 74 of the Countryside and Rights of Way Act 2000.

- 5.42 The proposed scheme would see degree of encroachment into this area, but this minor encroachment on land immediately to the west of the sidings was established and agreed in the conceptual stages of this scheme in light of the majority of the grassland being retained and through adoption by the local authority, given a sustainable future. The management of this area will require careful consideration and a condition specifying a traditional lowland 'hay meadow' grassland management – namely, late summer cutting and removal of arising is recommended. Moreover, although an area of open space, any formal recreational use of the area will be discouraged. An informal thoroughfare is to be provided but any use as a play area will erode the species rich grassland via trampling and use by dog-walkers will gradually increase nutrient levels that will inevitably ruin the diversity of the area.
- 5.43 In addition to the grassland, a large population of slow-worms has been recorded on site. Slowworms are protected under the Wildlife & Countryside Act 1981 and are also listed on the South Gloucestershire Biodiversity Action plan as a species for which the Council will require developers to take specific measures to conserve and enhance populations.
- 5.44 The proposed development will reduce the site's carrying capacity for reptiles. Whilst part of the population will be retained on site, as part of a reptile mitigation strategy, part of the colony will be translocated to a receptor site. Although the principles and methodology of the reptile mitigation strategy are considered sound, the identification of a suitable receptor site has still yet to be found with discussions between the applicant, South Gloucestershire and Yate Town Councils continuing. Therefore a condition is recommended that prior to any commencement of development, details of suitable receptor site are agreed with the local planning authority.
- 5.45 In conclusion, subject to the conditions suggested above, the ecological interests of the site will be safeguarded.
- 5.46 Archaeology
The site contained important buildings dating from the World War II, which, although of more than local importance, were not capable of reuse and so demolition was permitted subject to recording which has been undertaken and a subsequent report was submitted in support of this application and has been considered acceptable. Apart from the former navel store buildings, it is considered highly unlikely that archaeological structures or deposits of earlier periods survive on the site and so there would be no need for further archaeological assessment of the site.
- 5.47 Affordable Housing
The 33.3% affordable housing provision and proposed tenure split of the are considered compliant with the Council's requirements for affordable housing which will be delivered through the following composition: 20 x 2-bed dwellings; 12 x 3-bed dwelling; 18 x 4-bed dwellings; 1 x 5 bed dwelling; 17 x 2-bed apartments and 8 x 1-bed apartments, giving a total of 76 no.units. 60 of these units will be for social rent with the remaining 16 will be for shared ownership.

5.48 The Council is aware of that the applicant is approaching the Homes and Community Agency for grant assistance to fund the affordable housing units. The Council's Affordable Housing SPD requires affordable housing to be delivered with nil public subsidy. The applicant has recently submitted a financial appraisal to demonstrate a viability gap, but this appraisal has not been ratified yet by the Council and it is considered will take a considerable amount of time. The applicant has however been given to the end of the financial year to make a bid for grant assistance and a resolution of approval would be a minimum requirement. Therefore it is recommended that to allow for a resolution of approval to be made that is not contrary to the provisions of the Affordable Housing SPD, the wording of the relevant head of terms within the s106 agreement will allow for the viability to be resolved at a later date.

5.49 Community Building

For a development of this scale, a contribution towards the provision or enhancement of Community Meeting Spaces is expected. Within the Yate Community Plan, Yate Town Council have highlighted the need for a venue for concerts and events and so the contribution will be directed towards that proposal. In light of the scale of the proposed scheme and the population it will generate, a contribution between £146,205.00 - £175,466.00 (dependant on variables) will need to be secured via a s106 agreement.

5.50 Education

There is a projected surplus at both primary and secondary schools within the area of the proposed development and so no contribution towards the existing educational services is required.

5.51 Dog and Litter Bins

A contribution of £9,501.57 towards dog bin provision and a contribution of £13,814.93 towards litter bin provision is to be secured via a s106 agreement.

5.52 Library Services

A contribution of £33,499.84 towards the new Yate Library to provide the required additional floor space is to be secured via a s106 agreement and this request is consistent with the approach for delivering sustainable development set out in PPS1 and is line with national guidance provided by Museums, Libraries and Archives Council (Public Libraries, Archives and New Development A Standard Charge Approach MLA June 2008).

5.53 Public Open Space

The proposed scheme is not providing any category 1 (formal play areas), category 2 (equipped child's play), or category 3 (unequipped child's play) open space. Although the nature conservation will provide some amenity value, there will clearly be restrictions on what activities will be encouraged. Therefore provision will be made off-site or enhancements to existing facilities will be made. In light of the provision for open space that would be generated by the proposed scheme, a contribution of £326,697.56 is required and will be secured to provide sufficient off-site open space. This figure comprises of the following contributions: £217,540.61 (Cat.1); £30,415.83 (Cat 2), £54,748.49 (Cat.3) and £23,992.63 for formal open space, totalling together the £326,697.56.

5.54 In addition a contribution of £292,104.76 towards the maintenance of the above open space is required and will be secured through the s106 agreement.

5.55 Public Art

PS3 advocates high quality public realm and the creation or enhancement of a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity, while PPS1 is aimed at creating sustainable communities. Public art can help achieve these aims. SGLP LC13 seeks a voluntary contribution of 1% of the development costs to the provision or commission of publicly accessible art, craft and design works for major new developments with the aim of increasing the quality of design. SGLP D1 is aimed at achieving good quality design in new developments. The developers have included an element of public art on their 'Entrance Statement Detail' however given the size of this development the use of a public art strategy that would incorporate public art into the design throughout the development is recommended. Ideally this should reflect the history of the site, helping to create a sense of place.

5.56 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.

5.57 Improvements Achieved to the Scheme

Since submission the design and layout of the buildings has improved, although as noted above, there remains some work to do for the frontage development. The proposed site access junction with Kenneday Way has also improved as has the ability of service vehicles to manoeuvre through the site. The proposed landscaping of the proposed development has also been enhanced since submission.

5.58 Section 106 Requirements

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

6. CONCLUSION

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

- 6.2 It is concluded that the layout of the proposed scheme is consistent with the approved Concept Plan and along with the design and scale of the buildings (subject to further clarification in relation to the frontage), the proposed scheme is compliant with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006. It is concluded that the proposed access to the site, the level of parking provision and the generation of vehicular movement are consistent with the requirements of Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006. Moreover it is concluded that the amenities of both the existing adjacent and prospective residents will be safeguarded and secured and this is consistent with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006. The interests of archaeology and ecology have been addressed and safeguarded respectively and so it is concluded that the proposed scheme is consistent with Policies L9 and L11 of the South Gloucestershire Local Plan (Adopted) January 2006. The affordable housing provision is also considered compliant with Policy H6 of 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 (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:
1. Prior to the occupation of the first dwelling, the developer/owner is to provide the following traffic management and safety measures:
 - a) A right turn facility together with access construction and associated works.
 - b) Widening of the existing footway to 3m across the site frontage and associated works.
 - c) Provision of a service lay-by on Kennedy Way.
 - d) Provision of a Toucon crossing and associated works
 2. That the developer/owner makes a financial contribution of £145,000 towards traffic management / road safety and a contribution of £40,000 towards public transport.
 3. In accordance with South Gloucestershire Local Plan Policy H6 the Council will seek 33.3% affordable housing to be provided on site in line with the assessed need. This planning application scheme will provide 228 dwellings; 76 of these dwellings are to be affordable.
 4. The affordable housing is to be provided in a tenure split of 79% social rent and 21% intermediate affordable housing, which reflects the local housing need.

Therefore, of the 76 affordable dwellings, 60 will be for social rent and 16 for intermediate affordable housing.

5. The affordable housing is to be provided in the following mix and at the following sizes:

Social Rent (60 units)

- 8 x 1 bed, 2 person flats for social rent at 46 sq.m.
- 13 x 2 bed, 3 person flats for social rent at 62 sq.m.
- 2 x 2 bed wheelchair accessible flats for social rent at 71 sq.m.*
- 14 x 2 bed, 4 person houses for social rent at 75 sq.m.
- 7 x 3 bed, 5 person houses for social rent at 85 sq.m.
- 2 x 3 bed wheelchair accessible houses for social rent at 95 sq.m.*
- 13 x 4 bed, 6 person houses for social rent at 101 sq.m.
- 1 x 5 bed, 8 person houses for social rent at 130 sq.m.

Shared Ownership (16 units)

- 2 x 2 bed, 3 person flats for shared ownership at 58 sq.m.
- 2 x 2 bed, 3 person flats over garages for shared ownership at 67 sq.m.
- 4 x 2 bed, 4 person houses for shared ownership at 75 sq.m.
- 3 x 3 bed, 5 person houses for shared ownership at 85 sq.m.
- 5 x 4 bed, 6 person houses for shared ownership at 101 sq.m.

*all wheelchair accessible units must comply with the accessibility standards as set out in the 'Habinteg Design Guide'.

6. All units to meet or exceed the Design and Quality Standards inherited by the Homes and Communities Agency from the Housing Corporation, or in accordance with such other guidance issued by the Homes and Communities Agency or its successor, to achieve Level 3 of the Code for Sustainable Homes, Building for Life certification and minimum Housing Quality Indicators. In addition, the units will meet the Joseph Rowntree Lifetime Homes standard (unless otherwise agreed with the Council), Secured by Design, and to be in full compliance with the selected Registered Provider's design brief.
7. Delivery is preferred through a non-profit making Registered Provider – the Council encourages the developer to work with a Registered Provider that is a member of the HomesWest partnership. In the event of the developer choosing a Registered Provider from outside of the Council's partnerships then the Council will require that set management standards will be met.
8. The affordable housing should be built at the same time as the rest of the housing on site in line with agreed triggers as set out in the S.106 Agreement.
9. Social Rent units to be set at target rents. Shared ownership units to be sold at equity shares of no more than 40% and annual rent to be no more than 1% of the unsold equity.

10. Service Charges payable by the Occupants of any Affordable Dwelling shall be limited to no more than £539 per annum (May 2009 base) inflated by RPI thereafter.
 11. 100% of initial occupants to be nominated by SGC and 75% thereafter.
 12. Social rented accommodation to be retained as affordable housing in perpetuity. Right to Acquire does not currently apply where no public subsidy is provided.
 13. Any capital receipts from the affordable housing to be recycled as capital expenditure on approved affordable housing schemes in South Gloucestershire, on the basis that the subsidy increases by any capital appreciation on that subsidy.
 14. The affordable housing is to be delivered without any public subsidy unless the Council is satisfied that there is a robust and fully justified viability case made by the developer that would mean the heads of terms set out here could not be met without public subsidy to deliver part or all of the affordable housing provision for this proposed scheme. The developer has claimed that the site is unviable and has submitted a financial appraisal to this effect that has yet to be assessed, thus no conclusions are currently available. Officers suggest that, should this application be approved, in order to allow for the outcome where an independent viability assessment may validate their claim, a form of words could be included in the S106 agreement to allow for the possibility of public subsidy to deliver a fully policy compliant scheme in line with the Council's approach set out in the Affordable Housing Supplementary Planning Document.
 15. That the developer/owner makes a financial contribution of £750,484.89 towards the provision and maintenance of off-site formal and informal public open space.
 16. That the developer/owner makes a financial contribution of £33,499.84 towards local library provision in Yate.
 17. That the developer/owner makes a financial contribution of £23,316.51 towards dog and litter bin provision and maintenance.
- 7.2 If the Section 106 Agreement is not sealed within 12 months of this determination then, in view of the length of time, the application should either:
- (a) Be referred to the Development Control Committee for reconsideration; or
 - (b) The application should be refused due to the failure to secure Heads of Terms listed under a Section 106 Agreement, for the reasons listed in Section 7.1.

Contact Officer: Robert Nicholson
Tel. No. 01454 863536

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. No development shall take place until the Local Planning Authority has been provided with, and has approved in writing, a Pre-Assessment of the development carried out by a BRE Licensed Code for Sustainable Homes (CSH) Assessor, proving CSH Level 3 achievement for each dwelling. Each residential unit shall then be subject to a post completion check by the BRE Licensed CSH Assessor (after the Design Stage Report) has been carried out and an interim certificate obtained) and a final Code Certificate of compliance for each dwelling shall be submitted to, and confirmed in writing by, the local planning authority prior to the first occupation of the dwelling or building to which the certificate relates.

Reason:

To ensure the development minimises the use of energy and natural resources as required by PPS1 and its supplement Planning and Climate Change, SGLP Policy D1, the South Gloucestershire Design Checklist and the draft RSS for the South West of England.

3. No development shall take place until a renewable energy scheme for the development hereby approved has been submitted to and approved in writing by the local planning authority. The renewable energy scheme must achieve a minimum 10% CO2 reduction from the target emission rate as defined by Part L 1 9(a) of the Building Regulations current at the time of construction and by reason of energy efficiency improvements and/or on site energy production from renewable energy sources.

Reason:

To ensure the development minimises the use of energy and natural resources as required by PPS1 and its supplement Planning and Climate Change, SGLP Policy D1, the South Gloucestershire Design Checklist and the draft RSS for the South West of England.

4. Notwithstanding the details shown on the submitted elevations, revised drawings showing a re-designed frontage to Kennedy Way that more appropriately reflects its prominent position and function in the street scene and wider context, as advocated by the submitted Design and Access Statement, should be submitted to and approved in writing by the local planning authority prior to the commencement of the relevant part of the development. Development shall be carried out in accordance with the approved details.

Reason:

In order to ensure the highest design standards are achieved in accordance with PPS1, PPS3, adopted SG Local Plan policy D1(A) and D1(C), and the South Gloucestershire Design Checklist SPD.

5. Detailed elevations and sections of the proposed windows and doors shall be submitted to and approved in writing by the local planning authority prior to the commencement of the relevant part of the development. Development shall be carried out in accordance with the approved details.

Reason:

In order to ensure the highest design standards are achieved in accordance with PPS1, PPS3, adopted SG Local Plan policy D1(A) and D1(C), and the South Gloucestershire Design Checklist SPD.

6. Samples of all proposed materials shall be submitted to and approved in writing by the local planning authority prior to the commencement of the relevant part of the development. Development shall be carried out in accordance with the approved details.

Reason:

In order to ensure the highest design standards are achieved in accordance with PPS1, PPS3, adopted SG Local Plan policy D1(A) and D1(C), and the South Gloucestershire Design Checklist SPD.

7. Prior to first occupation detailed plans showing the provision of cycle parking facilities shall be submitted and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

8. The travel plan shall be implemented within 6 months of 80% occupation. Details of the appointed person responsible for the Travel Plan must be provided to the council within that timeframe.

Reason

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

9. Prior to first occupation of any dwelling hereby approved, detailed plans shall be submitted showing the layout of the bin collection points to demonstrate that they can accommodate the number of bins that would be stored in each area. It is also noted that the bin collection point for plots 121-124 needs to be reconsidered as both units 121 and 122 have a closer collection point which should be allocated to these properties and this collection point will need to be designed to accommodate these extra bins. Development shall be carried out in accordance with the approved details.

Reason

In the interests of highway safety and the amenity of the area, and to accord with Policies H2 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Notwithstanding the landscape details submitted. prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts including the proposed emergency access and the means of vehicular control; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines indicating lines, manholes). The soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and implementation programme. 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/D1/L1/E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Prior to the commencement of any development, details of a slow-worm mitigation strategy (which will include details of the proposed receptor site and its management) are to be submitted to the local planning authority for written approval.

Reason

To ensure the works are carried out in an appropriate manner in the interests of protected slow-worm colony, species, and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. Prior to the commencement of development, a grassland working methodology and management plan (the plan) to safeguard the unimproved grassland identified by Betts Ecology dated September 2006 shall be submitted to the Local Planning Authority for written approval. The plan should include safeguarding the grassland, both during construction and in perpetuity; and ensure its future sympathetic management. All work should be carried in accordance with the provisions of said plan.

Reason

To ensure the works are carried out in an appropriate manner to safeguard the ecological interests of the accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. The hours of working on site during the period of construction shall be restricted to 08.00 to 18.00 and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any

maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies H2 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. Prior to the occupation of any of the residential units hereby approved, details of the gates and locking strategy for all the rear garden access paths shall be submitted to the local planning authority for written approval. Development shall be carried out in accordance with the approved details.

Reason:

In the interests of amenity and security and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

15. Prior to the commencement of development, surface drainage proposals incorporating Sustainable Urban Drainage Systems (SUDS) and confirmation of hydrological conditions within the development shall be submitted to and shall be the subject of the approval in writing of the local planning authority. Development shall then 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.

16. The construction of storage facilities for oils, fuels, fertilisers or chemicals shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority (LPA) before the development is commenced.

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. NOTE: Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"). Measures should also be taken to ensure the above regulations are complied with during construction of the development.

17. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the LPA. The scheme shall be implemented in accordance with the approved programme and 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.

18. No development approved by this permission shall be commenced until a full drainage operation and maintenance strategy has been submitted to and formally approved in writing by the Local Planning Authority. The strategy shall identify all future land use limitations, identify the ownership, operational and maintenance arrangements for the works over the lifetime of the scheme.

Reason:

To ensure that the works provide the necessary mitigation against flooding for the lifetime of the existing and proposed development.

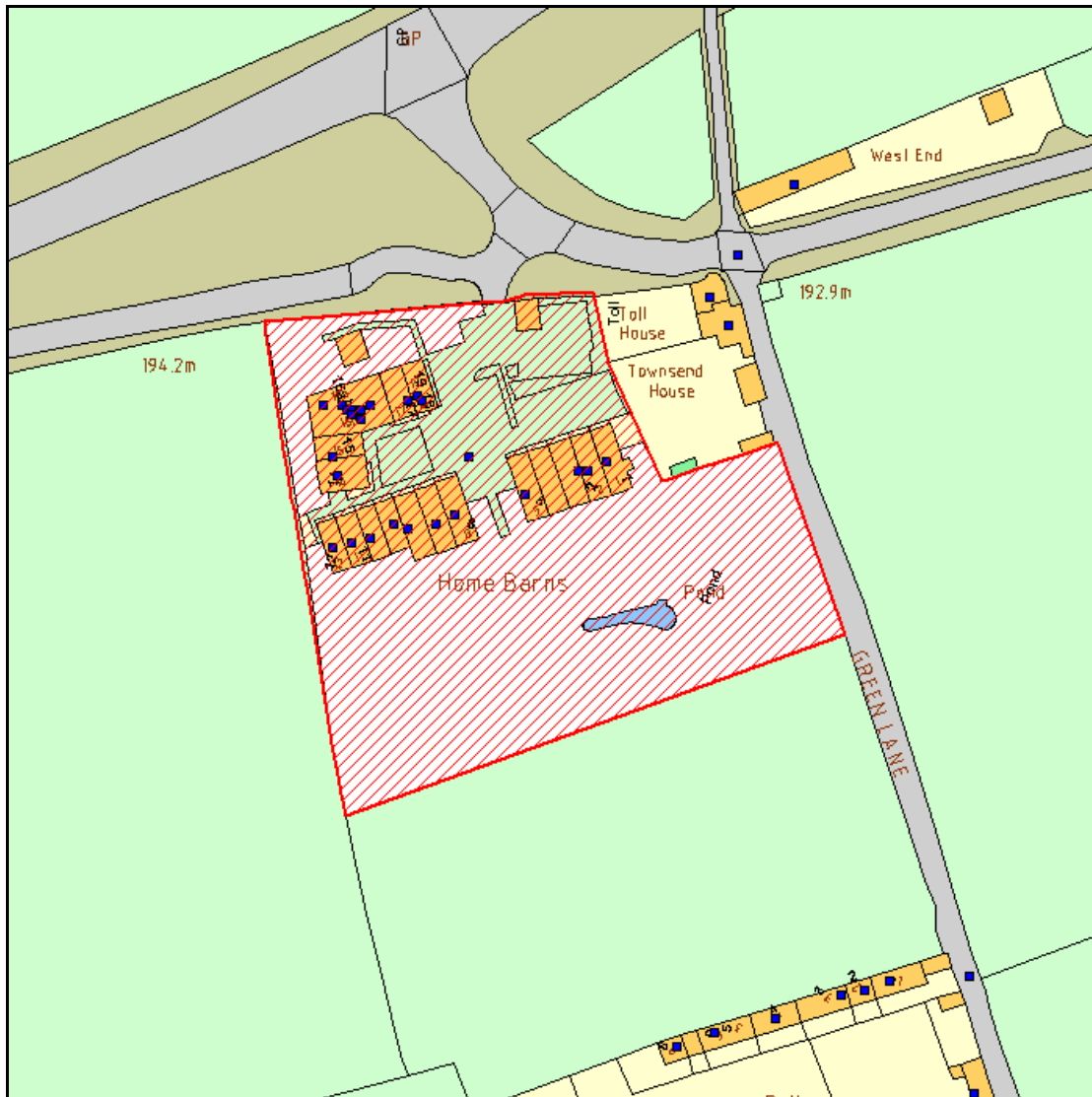
19. Prior to any occupation of any of the units hereby approved, a copy of a verification report for the imposed works as set out within the Remediation Method Statement (as prepared by Hydrock Consultants and dated February 2010), shall be submitted to the local planning authority for written approval.

Reason

To safeguard the health of the prospective residents of the development and the wider environment and to comply with Policy EP6 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 09/10 – 05 MARCH 2010

App No.:	PK09/6076/RVC	Applicant:	Bach Homes (Sunley) Ltd
Site:	West End Home Barns Marshfield Chippenham South Gloucestershire SN14 8JW	Date Reg:	13th January 2010
Proposal:	Removal of condition 5 attached to planning permission PK07/0648/F to allow retention of existing hedge instead of replacing with a stone wall.	Parish:	Marshfield Parish Council
Map Ref:	377234 173699	Ward:	Boyd Valley
Application Category:	Major	Target Date:	12th April 2010



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 100023410, 2008. **N.T.S.** **PK09/6076/RVC**

INTRODUCTION

The application has been referred to Circulated Schedule as the Council received concerns raised by local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission to remove condition 05 of planning permission PK07/0648/F.

Condition 05 states: A dry stone wall shall be erected, details and samples of which are to be agreed by the Local Planning Authority in writing, at the southern boundary of the informal open space hereby approved. The dry stone wall shall be erected in accordance with the approved details and samples before any of live-work are occupied.

Reason: to protect the character and appearance of the area to accord with Policies D1, GB1, L1 and L2 of the Adopted South Gloucestershire Local Plan January 2006.

- 1.2 The site is situated on the western end of the village of Marshfield, outside of the settlement boundary, but within Marshfield Conservation Area. The site is within the Green Belt and the Cotswolds Area of Outstanding Natural Beauty.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS7	Sustainable Development in Rural Areas

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
L2	Cotswolds AONB
L12	Conservation Areas
GB1	Development within the Green Belt
T12	Transportation Development Control Policy for New Development
E3	Criteria for Assessing Proposals for Employment Development within the Urban Area and Defined Settlement Boundaries and/or Permitted by Policies E4/E5/E6
E6	Employment Development in the Countryside
E7	Conversion and Re-use of Rural Buildings
H10	Conversion and Re-use of Rural Buildings for Residential Purposes
LC2	Provision for Education Facilities (Site Allocations and Developer Contributions)

2.3 Supplementary Planning Guidance
Marshfield Conservation Area: Advice Note 2

3. RELEVANT PLANNING HISTORY

- 3.1 Planning permission was granted in the 1980's for the original units, extended in 1992, restricted to the storage of refrigeration equipment and supplies and personal to the applicant. In 2002 permission was granted for the removal of conditions on previous permissions restricting the use and permitted development rights (PK02/2114/RVC, PK02/2116/RVC), so that the site effectively had an open B8 (warehousing) use.
- 3.2 PK04/2406/F Change of use of ground floor from warehouse (Class B8) to 12 office/workshop units (Class B1) and creation of 12 no. live-work accommodation above and associated external alterations. Provision of 24 car parking spaces and landscaping. Approved with conditions 30 March 2005 following the signing of a S106 agreement to ensure the following: commuted sums relating to education and public transport provision, on-site provision of informal open space and that the occupiers of each residential unit are the occupiers of the respective business unit and that no unit shall be entirely occupied as residential use.
- 3.3 PK06/0169/F Change of use of ground floor from warehouse (Class B1) and creation of 12 no. live-work accommodation above and associated external alterations. Provisioning of 34 car parking spaces and landscaping. The application sought to amend the previously approved scheme to increase the number of units to 17 in total. Approved 04.08.06
- 3.4 PK07/0648/F Change of use of ground floor from warehouse (Class B1) to 17 no. office/workshop units (Class B1) and creation of 17 no. live-work accommodation and associated external alterations. Provisioning of 34 car parking spaces and landscaping. The application sought to amend the external and internal alterations of existing buildings and to change the existing facilities, boundary treatment, alignment of parking arrangements. The total number of live-work units is remain 17. Approved 26.06.07.
- 3.5 PK08/3178/VAR Variation of Section 106 Agreement dated 24 March 2005 relating to Schedule 4: Contribution to Secondary School Education. Approved 11.05.09
- 3.6 PK09/1409/F Creation of 3 additional live-work units in Barn C. Conversion of existing bedroom into workspace in Unit A5, B7, B11, B12 and C13 and conversion of part of workspace into additional bedroom in Unit B10. Provision of additional 4 no. parking spaces. Demolition of existing cycle storage and relocation of cycle storage and relocation of cycle parking throughout the site. Installation of rooflights, replacement of enlarged window and formation of new doorway.
Approve subject to S106.

4. CONSULTATION RESPONSES

- 4.1 Marshfield Parish Council
Marshfield Parish Council have no objection to the hedge however they are disappointed to see another condition not being adhered.
- 4.2 Sustainable Transport
No objection
- 4.3 Environment Agency
No objection

Other Representations

- 4.4 Local Residents
One letter has been received and the local residents raised the following concerns:

The proposed dry stone wall will provide a 'rear fence' of the properties in Barns A & B because they may have no individual rear boundary fences / walls. They are therefore exposed as far as security and privacy are concerned. The existing residents purchased their properties on the basis that the southern boundary would be walled as part of the agreed planning conditions.

The existing boundary hedge would not provide any real privacy or security especially from autumn through late spring.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The proposal is to remove condition 05 of planning permission PK07/0648/F. The condition requires to erect a dry stone wall along the southern boundary of the site.

In 2004 planning permission was granted for the change of use of ground floor from warehouse (Class B8) to 12 office/workshop units (Class B1) and creation of 12 no. live-work accommodation above. The Council Conservation Officer commented the original planning application, PK04/2406/F. It was considered that the field should remain open, with some trees and perhaps a dry stone wall close to the buildings to screen the windows, doors and domestic clutter from view. In addition there should not be a gateway into the field from the development site. The Council Landscape Officer also agreed the above comments.

Subsequently, a detailed landscape scheme was submitted in June 2005 and the scheme proposed to erect a 0.9 metre high dry stone wall and to retain the existing hawthorn hedge, which was approximately one metre tall. The Council has not discharged condition 05 as a sample of material has not been

submitted. The principle of an alteration to the condition is therefore acceptable subject to the following.

5.2 Impact upon Marshfield Conservation Area

The Council Conservation Officer has no objection to the proposal providing it is supplemented (to fill gaps) and a satisfactory management regime put in place to ensure its successful establishment. It is considered that the hedge would help to soften the development and fit into the surrounding landscape. The proposal is thus acceptable in relation to the conservation area.

5.3 Landscape character

The hedgerow is relatively young but it has established well and it is being well maintained and the maintenance specification is acceptable. Officers consider that it would not be possible to construct a wall at this stage without removing the established hedgerow. This locality contains both hedgerows and stone walls as boundary treatments, it is therefore considered that the landscape character, ANOB or Green Belt would not be compromised by retaining the hedgerow and consequently is in accordance with Policies L1, L2 and GB1 of the adopted local plan.

However it is considered a condition should be attached requiring that the maintenance specification set out in Notes 03 and 04 on the Illman Young Drawing No: 2626/39 Rev A, should be followed to ensure the hedgerow is managed in a manner that ensures the long term viability of the landscape feature and to plant additional Hawthorn to fill any gaps along the hedgerow in accordance with Policy L1 of the adopted local plan and to address local resident concerns to ensure the creation of a robust boundary treatment.

5.4 Residential Amenity

Local residents are concerned that the existing hedgerow would not provide adequate privacy and security.

Whilst officers acknowledge the residents' concerns, it should be noted that there is currently a barbed wire topped fence alongside the hedgerow, which would be retained. Officers therefore consider that the fence with hawthorn hedgerow would not compromise the security of the site, given that the wall required by the condition would only be 0.9 metre high.

With regard to the privacy concern, the rear boundary hedgerow would be approximately 40 metres from the rear elevation of the properties in Barns A and B. Officers therefore consider that the existing hedgerow, which is approximately 2 metres high, would provide adequate privacy for the existing and future occupiers.

5.5 Transportation

The proposal would not affect the existing parking arrangement, therefore there is no highway objection.

5.6 Design and Access Statement

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

5.7 Use of Energy and Sustainability

The proposed scheme would not affect the use of energy and sustainability of the site although would aid biodiversity of the site.

5.8 Improvements Achieved to the Scheme

None.

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.

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. Each live-work unit hereby approved shall be occupied as a single integrated unit and laid out as shown on the approved plans and shall not be subdivided without the approval, in writing, of the Local Planning Authority.

To ensure that the proposal does not result in an entirely residential use, that would not be acceptable in this location, and to accord with Policies E3, E6, E7 and H10 of the Adopted South Gloucestershire Local Plan January 2006.

2. The work areas within the approved live-work units, as identified on plan nos: 2548AL(0) 16E, 2548AL(0) 17E and 2548AL(0) 18E shall be used for work purposes only and not as residential accommodation.

To ensure that the proposal does not result in an entirely residential use, that would not be acceptable in this location, and to accord with Policies E3, E6, E7 of the Adopted South Gloucestershire Local Plan January 2006.

3. No fence, gate or any form of enclosure to the south (rear) of units 1-12 inclusive, apart from those shown on plan no: 2626/01 shall be higher than 1 metre from ground level at any time.

To protect the character and appearance of the area to accord with Policies D1, GB1, L1 and L2 of the Adopted South Gloucestershire Local Plan January 2006.

4. No temporary or permanent structures for accommodating sports or for any other purposes shall be erected on the land proposed for informal open space without prior written approval of the Local Planning Authority.

To protect the character and appearance of the area to accord with Policies D1, GB1, L1 and L2 of the Adopted South Gloucestershire Local Plan January 2006.

5. The off-street parking facilities, including cycle parking, shown on the approved plan shall be permanently retained for that purposes.

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

6. The refuse store shall be permanently retained for the storage of all refuse associated with the authorised use of the site, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality, and to accord Policies E3 and E6 of the Adopted South Gloucestershire Local Plan January 2006.

7. No outside storage shall take place at the premises without the prior consent in writing of the Local Planning Authority.

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality, and to accord with Policies D1, E3 and E6 of the Adopted South Gloucestershire Local Plan January 2006.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting those Orders with or without modification) no buildings, wall, fences, structures, plant, machinery or any means of enclosure other than those indicated on the plans hereby approved shall be erected or placed on the site without the prior written permission of the Local Planning Authority.

To protect the openness of the Green Belt and to accord with Policy GB1 of the Adopted South Gloucestershire Local Plan January 2006.

9. The hours of working at the premises shall be restricted to 0800 hours to 1900 hours Mondays to Saturdays inclusive, and no working shall take place on Sundays and Public Holidays.

To protect the amenity of the occupants of nearby dwelling houses, and to accord with Policies E3, E6 and E7 of the Adopted South Gloucestershire Local Plan January 2006.

10. The level of noise emission from the live-work units hereby approved, measured at the boundary of the site, shall not exceed 50 dB(A) between 0600 hours and 1800 hours Mondays to Fridays inclusive and between 0600 hours and 1300 hours on Saturdays and shall not exceed 40dB(A) at any other time.

To minimise disturbance to occupants of nearby buildings, and to accord with Policies E3, E5 and E7 of the Adopted South Gloucestershire Local Plan January 2006.

11. The maintenance specification set out in Notes 03 and 04 on the drawing no. 2626/39 Rev A shall be carried out accordingly. Within 3 months from the date of the decision, additional Hawthorn or Holly shall be planted to fill any gaps along the existing hedgerows along the southern boundary and at the southeast and southwest corner of the site boundary. If within a period of 2 years from the date of the planting of any trees, that tree, or any tree planted in replacement of its, is removed, uprooted or destroyed and dies, another tree of the same species and size as the originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

To protect the character and appearance of the site and amenity of occupants and to accord with Policies D1, GB1, L1, L2, E3 and E6 of the Adopted South Gloucestershire Local Plan January 2006.

CIRCULATED SCHEDULE NO. 09/10 – 05 MARCH 2010

App No.:	PK10/0071/F	Applicant:	Greene King Plc
Site:	The White Hart High Street Iron Acton Bristol South Gloucestershire	Date Reg:	18th January 2010
Proposal:	Erection of porch to north elevation. Construction of patio area and pergola to north elevation. Insertion of 2no. windows in north east elevation. (Resubmission of PK09/5846/F).	Parish:	Iron Acton Parish Council
Map Ref:	367671 183628	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	11th March 2010



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100023410, 2008.

N.T.S.

PK10/0071/F

INTRODUCTION

This application has been referred to the circulated schedule due to an objection raised by the parish council.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a porch, a patio and pergola to the north elevation of The White Hart public house in Iron Acton. In addition the proposal includes the insertion of 2 windows in the north east elevation. The proposed porch would measure 2.1 metres wide by 2.6 metres in depth and would have an overall height to ridge of 3.2 metres.
- 1.2 The property is a locally listed building, located within the settlement boundary of Iron Acton. The application site is within the Iron Acton Conservation Area and within the Bristol/ Bath Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
GB1 Development in the Green Belt
L12 Conservation Areas
L15 Buildings and structures which make a significant Contribution to the Character and Distinctiveness of the Locality.
LC4 Proposals for Education and Community Facilities within the Existing Urban Area and defined Settlement Boundaries.
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Council Local List SPD Adopted 2008
South Gloucestershire Council Development in the Green Belt SPD (Adopted) June 2007

3. RELEVANT PLANNING HISTORY

The White Hart has been subject to several planning and advertisement applications in the past. Only those considered relevant to this application have been listed here.

- 3.1 PK09/5846/F Erection of porch, and raised decking and pergola to north elevation. Erection of raised decking and ballustrade and pergola to south and east elevation. Insertion of 2no. windows in north east elevation.
Withdrawn December 2009

- 3.2 P99/2069 Erection of single storey side and rear extensions.
Approved November 1999
- 3.3 P94/2441 Erection of single storey rear extension to provide wash up area, erection of single storey side extension for dining area.
Approved May 1995

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council
Object to the proposal due to the 2no. windows in the north east elevation. It is considered that the windows are not in keeping with the existing building in terms of size, materials and design.

Other Representations

- 4.2 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy LC4 South Gloucestershire Local Plan (Adopted) 2006 allows for development of community facilities such as public houses, provided that the proposal would not unacceptably prejudice residential amenities or would have any unacceptable environmental or transportation effects. Also relevant is Policy GB1 which allows for development provided that it would not have an adverse impact on the visual amenity or compromise openness of the Green Belt.
- 5.2 Design / Visual Amenity
The proposed porch and pergola are of an appropriate standard in design and reflect the character of the main building. The porch is very small in scale and is suitably subservient to the main building, furthermore the proposed addition would incorporate materials to match those of the main building, assisting the successful integration. The pergola is considered to be an appropriate addition at a Public house and is considered in keeping with the character of the building. The installation of 2 new windows on the north east elevation are also considered acceptable in terms of design. Whilst these windows may not match the existing front fenestration, the building has a mix of fenestration and the proposed windows would have timber casements to match the existing windows. As such, given the scale of this element of the proposal, in combination with the fact that the existing windows are of various design, it is considered that the proposed windows are an appropriate addition and would not be harmful to the character and appearance of the building.

The proposed porch and pergola would be located to the side of the property in a non-prominent location and would be partially screened by the existing building. It is therefore considered that the proposal would not be harmful to the character and appearance of the main building and street scene.

5.3 Impact on Green Belt

The proposal is small in scale and given the location on the side of the property, partially screened by the existing building, it is not considered that the proposal would compromise the openness of the Green Belt. The application site is within the settlement boundary of Iron Acton, furthermore, the proposal would not be highly visible, as such it is not considered that the porch and pergola would have any detrimental impacts on the visual amenity of the Green Belt.

5.4 Impact on Conservation Area and Locally Listed Building

The White Hart Inn (restored in 1892) is a traditional stone building located in a prominent position at the end of the historic High Street. It makes an important contribution to the character of the area and acts as a focal point to the west of the village. The property has undergone a number of alterations, some which have not been particularly sympathetic to its historic character. As such, it is considered important to ensure that any further alterations are of a high quality design respecting the character of the building and conservation area.

The application proposes the erection a pergola to the north side of the building by the car park. This is needed to improve facilities and provide a smoking shelter for customers. A new porch, with a pitched roof, will be erected to the side entrance. Both these structures are set away from the principle elevation and the design is considered acceptable. In addition, there are no objections to the proposed windows in the north-east side which will be of a painted wood finish, and are considered acceptable in this context.

5.5 Residential Amenity

Given the location of the proposal adjacent to the car park associated with the White Hart Public House, it is not considered that the proposal would result in any overshadowing or overbearing effect on the neighbouring dwellings.

The proposal includes the addition of two new ground floor windows on the north east elevation. Given the location of these windows, it is not considered that the proposal would result in any increase in overlooking or loss of privacy over and above the levels of overlooking from the existing windows. Therefore the impact on residential amenity is subsequently deemed acceptable.

5.6 Highways Issues

The proposal would not effect the existing access or parking facilities. As such there are no objections from the Councils Transportation Officer and the proposal is considered acceptable.

5.7 Design and Access Statement

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

5.8 Use of Energy and Sustainability
No additional measures proposed.

5.9 Improvements Achieved to the Scheme
Pre-application advice has ensured that the issues raised in the previous application have been resolved.

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

6. CONCLUSION

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

6.2 The proposed extensions and insertion of two windows are of an appropriate standard in design and reflect the character of the main building. Furthermore the proposed works would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact and there would be no effect to the existing parking facilities. As such the proposal accords with Policies D1 and LC4 of the South Gloucestershire Local Plan (Adopted) 2006.

The proposed works would preserve the character and appearance of the Conservation Area and would not have any detrimental impacts on the visual amenity of the Green Belt, in accordance with Policies L12 and GB1.

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

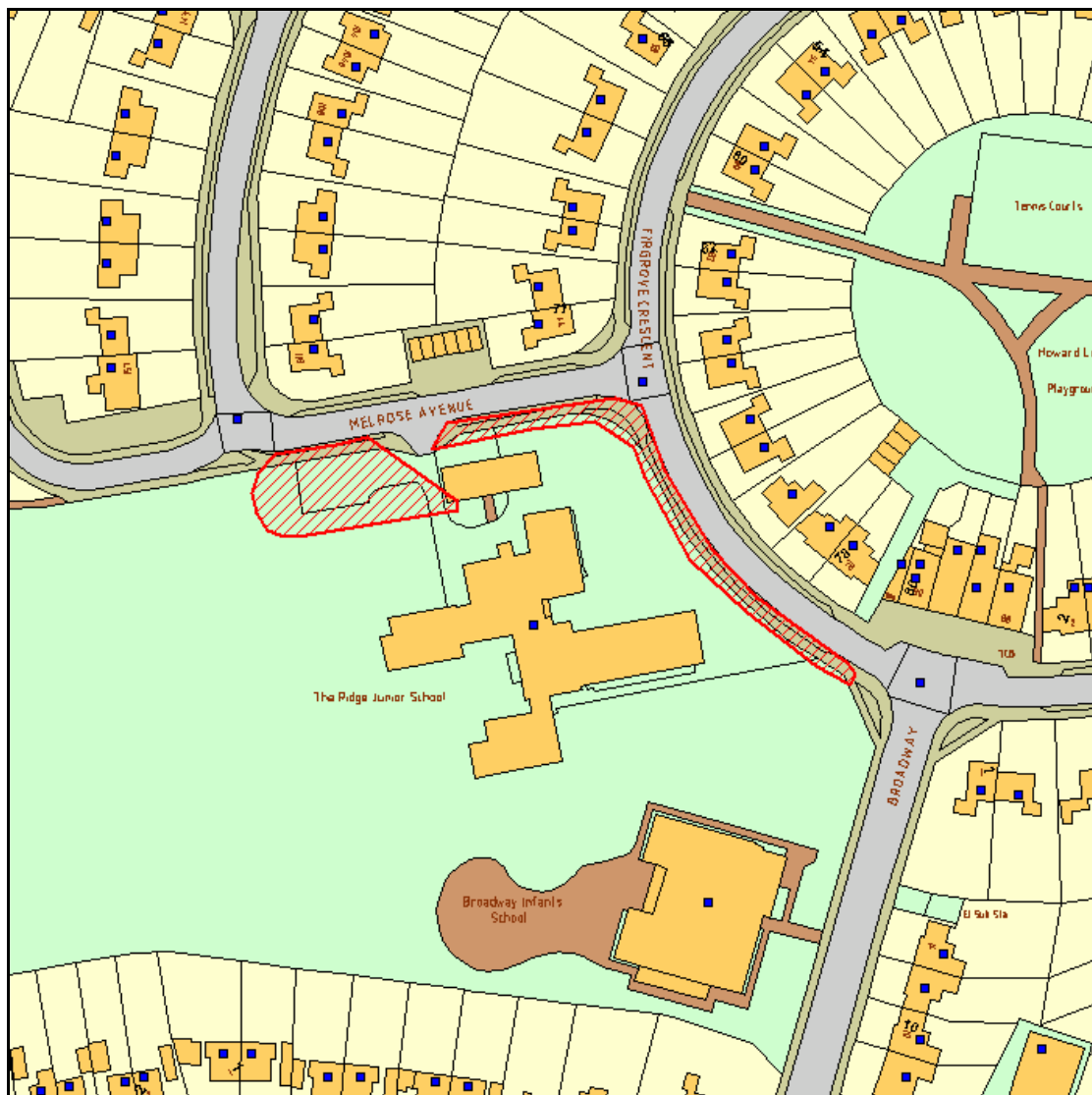
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 09/10 – 05 MARCH 2010

App No.:	PK10/0112/R3F	Applicant:	Mr Boulton
Site:	The Ridge Junior School Melrose Avenue Yate Bristol South Gloucestershire	Date Reg:	29th January 2010
Proposal:	Erection of replacement fencing and gates to north and east boundaries to a maximum height of 1.80 metres.	Parish:	Yate Town Council
Map Ref:	371926 182694	Ward:	Yate Central
Application Category:	Minor	Target Date:	17th March 2010



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PK10/0112/R3F

INTRODUCTION

This application is referred to the Circulated Schedule as the proposal was submitted by the South Gloucestershire Council

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of replacement fencing and gates along the north and east boundary of The Ridge Junior School. The maximum height of the fences would not be more than 1.8 metres above the ground level.
- 1.2 The school is situated within a primary residential area of Yate. There are a number of trees along the boundary but none of trees are protected and the school is located outside a conservation area.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

L1 Landscape Protection and Enhancement

LC4 Proposals for Educational and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries

3. RELEVANT PLANNING HISTORY

- 3.1 P96/1858 Use of land for the stationing of an Elliott Classroom block measuring 144 square metres. Approved 15.07.96
- 3.2 PK02/0624/R3F Stationing of Elliott Classroom (retrospective) Approved 22.04.02

4. CONSULTATION RESPONSES

4.1 Yate Town Council
No objection.

Other Representations

4.2 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy LC4 of the adopted South Gloucestershire Local Plan allows proposal for development within existing schools subject to the following criteria

5.2 **A. PROPOSALS ARE LOCATED ON SITES WHICH ARE, OR WILL BE HIGHLY ACCESSIBLE ON FOOT AND BY BICYCLE**

The proposal would not adversely affect the accessibility of the site as the existing pedestrian and vehicular gateways would be retained.

5.3 **B. DEVELOPMENT WOULD NOT UNACCEPTABLY PREJUDICE RESIDENTIAL AMENITIES**

The proposed fence and gates would be adjacent to a public highway, Firgrove Crescent and Melrose Avenue, and it would be approximately 12 metres from the nearest residential boundary. Officers therefore considered that the proposal would not have an adverse impact upon the residential amenity of the neighbouring properties.

5.4 **C. DEVELOPMENT WOULD NOT HAVE UNACCEPTABLE ENVIRONMENTAL OR TRANSPORTATION EFFECTS**

The proposal is to replace the existing 1.4 metres high weldmesh fence with a maximum 1.8 metres high Gemini surf fence. The new fence will be power-coated with 'moss green' colour.

It is considered that the design of the proposed fence is acceptable and would be appropriate of design to use of the site. Officer considered that the proposal would not be out of keeping with the character of the area.

There are a number of trees along the boundaries. The applicant confirmed that the trees will be retained in-situ and only minor pruning works would be carried out if necessary. These trees are not protected by the Tree Preservation Order and not within a conservation area. Officers consider that a planning condition should be imposed to seek an arboricultural method statement to ensure that the existing trees will be protected during the construction work.

5.5 **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**

The proposal would not affect the existing off-street parking facilities, and therefore would not give any rise to levels of on-street parking. Therefore there is no highway objection.

5.6 **Design and Access Statement**

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

5.7 **Use of Energy and Sustainability**

Given the nature of the development, the proposal would not adversely affect the use of energy and sustainability of the site.

5.8 Improvements Achieved to the Scheme
None required.

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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 development arboricultural survey report including a method statement and a tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. The proposed works shall comply with British Standard BS5837 - Trees in Relation to Construction.

Reason

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.

CIRCULATED SCHEDULE NO. 09/10 – 05 MARCH 2010

App No.:	PK10/0133/F	Applicant:	Mr Hill
Site:	Somerset House Bath Road Bitton Bristol South Gloucestershire	Date Reg:	4th February 2010
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Bitton Parish Council
Map Ref:	369117 169008	Ward:	Bitton
Application Category:	Householder	Target Date:	29th March 2010



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 100023410, 2008. **N.T.S.** **PK10/0133/F**

INTRODUCTION

This application appears on the circulated schedule due to the receipt of a letter of objection from the parish council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey extension to the rear of the existing dwelling. There is an existing lean too conservatory and small extension that would need to be demolished to make way for the extension as proposed. The extension would be single storey in height and have a flat roof with projecting feature roof lights.

2. POLICY CONTEXT

2.1 National Guidance

PPS 1 Delivering Sustainable Development
PPS15 Planning and the Historic Environment

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Extensions and New Dwellings
L15 Buildings that make a positive contribution to the character and distinctiveness of the locality
GB1 Development in the Green Belt
EP2 Flood Risk and Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist Adopted August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 K7033 Refurbish existing coach house and erect single storey rear extension to dwelling. Formation of balcony.
Approved November 1991

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

The Parish Council raised no objections to the proposed extension but councillors felt that the roof lights were inappropriate and unduly obtrusive. They would prefer that there were two rooflights, between the upstairs windows, or that the feature was redesigned.

4.2 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development within existing residential curtilages providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met. The property is a locally listed building and it lies within the Bristol/Bath Green Belt. The requirements of Policies L15 and GB1 must also therefore be taken into consideration. The site is within flood zone 2.

5.2 Green Belt

Policy GB1, PPG2 and the adopted supplementary planning guidance allow for limited extensions to existing dwellings providing they are not disproportionate to the original dwelling and that they will have no detrimental impact on the openness of the green belt.

5.3 The proposed extension is small in scale when compared to the bulk of the original dwelling and is not considered to represent a disproportionate addition to it. The extension will be sandwiched between taller residential properties and will not have any impact on the openness of the green belt. The application therefore complies with the requirements of PPG2 and Policy GB1.

5.4 Design/ Visual Amenity

Somerset House was originally occupied as an Inn but is now a private residential house. The application seeks consent for a single storey extension to the rear of the existing dwelling to form an extended kitchen/dining area. The proposed extension is to have a flat roof with glazing on its rear elevation. The sidewalls of the extensions will be sandwiched between existing structures. The extension is to have a flat roof with three projecting roof lights projecting from it. It is necessary to have projecting roof lights as standard roof lights do not operate efficiently on flat roofs. Whilst being of a more modern design, utilising large areas of glazing, chains to dispense water to the ground, the extension represents a good quality of design that integrates successfully with the existing dwelling.

5.5 Whilst your planning officer agrees that the roof lights are an unusual feature, it is not considered that they are inappropriate or that they have a detrimental impact on the extension. The existing is contained to the rear of the building and will not be visible from the public realm.

5.6 Residential Amenity

The proposed extension will be sandwiched between two existing rear projections – one on the application property and one on the attached dwelling known as The Cottage. The extension will be entirely screened from view from the attached residential property and will therefore have no impact upon it.

Adequate private amenity space will remain to serve the dwelling and therefore impact upon existing levels of residential amenity is deemed to be acceptable.

- 5.7 Transportation
The proposed extension will have no impact upon the existing access arrangements for the dwelling.
- 5.8 Flooding
The dwelling lies in Flood Zone 2. Adequate flood mitigation measures such as floor levels no lower than existing floor levels, water proofed plaster, electrical sockets set above predicted flood level etc have been incorporated into the scheme.
- 5.9 Use of Energy and Sustainability
None above building regulations statutory minima although the extension utilises large areas of glass to ensure maximum natural lighting.
- 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 proposed extension is of good design respecting and enhancing the character of the existing dwelling. The extension will be screened from view from the neighbouring dwelling and the level of residential amenity afforded to the neighbouring dwelling will therefore remain unaltered as a result of the proposal. Adequate flood mitigation measures are proposed to limit the impact of potential flooding on the proposed extension. The extension is modest in scale and does not represent a disproportionate addition to the existing dwelling nor does it have any detrimental impact upon the openness of the green belt.
- 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: Marie Bath
Tel. No. 01454 864769

CONDITIONS

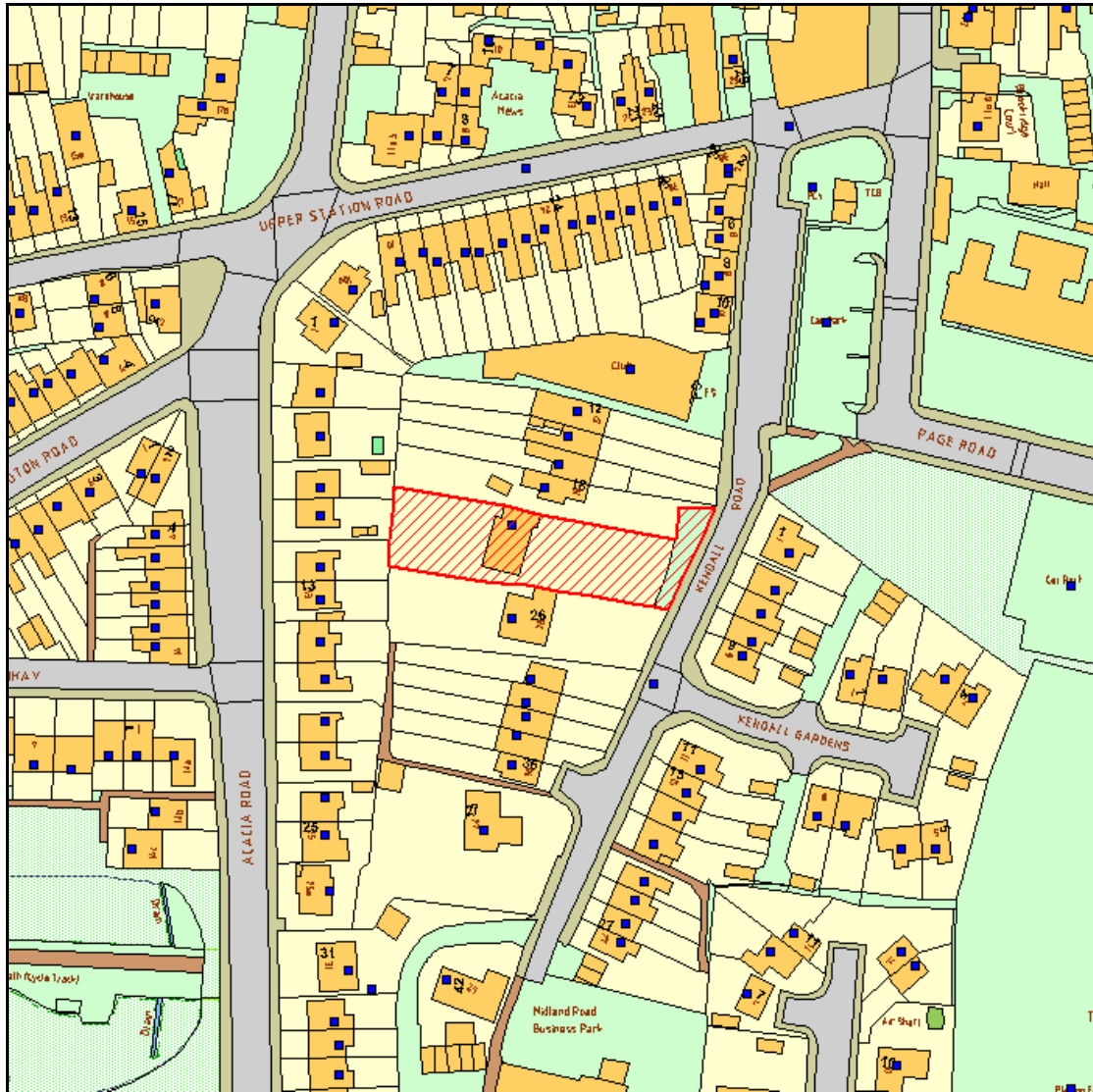
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 09/10 – 05 MARCH 2010

App No.:	PK10/0161/F	Applicant:	Mr And Mrs Driscoll
Site:	20 Kendall Road Staple Hill Bristol South Gloucestershire BS16 4NB	Date Reg:	29th January 2010
Proposal:	Alterations to roofline including installation of 2no. front dormer windows to provide accommodation in roof space. Erection of single storey side and rear extensions to form garage and additional living accommodation.	Parish:	None
Map Ref:	364660 175799	Ward:	Staple Hill
Application Category:	Householder	Target Date:	23rd March 2010



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 100023410, 2008. **N.T.S.** **PK10/0161/F**

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a variety of extensions to the existing dwelling. The works include raising the ridge line and installing two dormer windows into the front roof slope to facilitate a loft conversion, a single storey side extension to form a garage and a single storey rear extension across the dwelling to form a dining room and bedroom.
- 1.2 The application site relates to a detached bungalow standing within substantial grounds. The dwelling is unique within the street scene being surrounded by two storey properties in a wide variety of forms and designs.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 Delivering Sustainable Development
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Extensions and New Dwellings
T8 Parking Standards
L1 Landscape Protection
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist Adopted August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/1531/F Demolition of existing bungalow to facilitate the erection of 6 no. self contained flats with 6 no. car parking spaces, access and associated works.
Approved August 2007

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
The area is un-parished
- 4.2 Local Residents
One letter has been received from a local resident who states that they have concerns about how the extensions will affect their property. The neighbour states that the works will be right up to and including the boundary wall/fence.

Building work has already started and the applicants have not been willing to erect a privacy screen.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met. Policy T8 seeks to ensure that adequate levels of off street parking are provided to serve each residential unit.

5.2 Design/ Visual Amenity

The existing dwelling is unique within the street scene. It is the only bungalow within the immediately surrounding area and the surrounding two storey houses take on a wide variety of sizes, styles and forms. The application includes raising the existing ridge height by approximately 1.7 metres and inserting two dormer windows and one roof light into the front elevation. Whilst these works will significantly alter the appearance of the building, they will not have any detrimental impact on the character of the area. The existing bungalow is not of any noteworthy character and there is no desire to retain its scale or design. Because the surrounding street scene is so varied the roof alterations are considered to be wholly acceptable.

The single storey side extension to form a garage is modest in scale and will integrate successfully with the extended dwelling. The single storey rear extension will be integrated into the main roof rather than having a separate roof and this will give the house an A-symmetrical form. Whilst the character of the existing dwelling will be altered significantly as a result of the proposed extensions, the resultant design is entirely appropriate for its location and will integrate successfully with the surrounding street scene.

5.3 Residential Amenity

The property is a detached dwelling set within a substantial plot. To the north of the site lies No. 18 Kendall Road – a two-storey end of terraced dwelling. There are four windows in the side elevation of this neighbour facing towards the application site – two at ground floor level and two at first floor. The proposed garage extension will be closer to these windows than the existing dwelling. However, the maximum height of the garage on the boundary line will be 5.2 metres and the edge of the garage will be approximately 5 metres away from the windows. The side elevation of the garage facing the neighbour will have no openings and therefore there is no potential for intervisibility or loss of privacy.

Whilst the existing bungalow is set back well behind the rear of the neighbouring dwelling to the south – No. 26 Kendall Road, the rear extension as proposed will have little effect upon this dwelling. The rear extension will have a depth of 4 metres but will be set in 2 metres away from the boundary.

Compared to the existing situation it is not considered that the proposed development would have any significantly detrimental impact on the amenities

of the neighbouring dwelling. Adequate private amenity space will remain to serve the dwelling and therefore impact upon existing levels of residential amenity is deemed to be acceptable.

5.4 Transportation

As a result of the proposed development ample off street parking will remain on the existing driveway.

5.5 Landscaping

The plans show that the row of Sycamore trees to the front of the site are to be retained.

5.6 Use of Energy and Sustainability

None above building regulations statutory minima.

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 extensions demonstrate a good standard of design that will integrate appropriately within the existing varied street scene. Whilst the extensions will be visible from the windows in the side elevation of the neighbouring dwelling No. 18, because of the distances involved, existing levels of residential amenity will be protected. Ample off street parking will be retained to serve the dwelling.

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: Marie Bath
Tel. No. 01454 864769

CONDITIONS

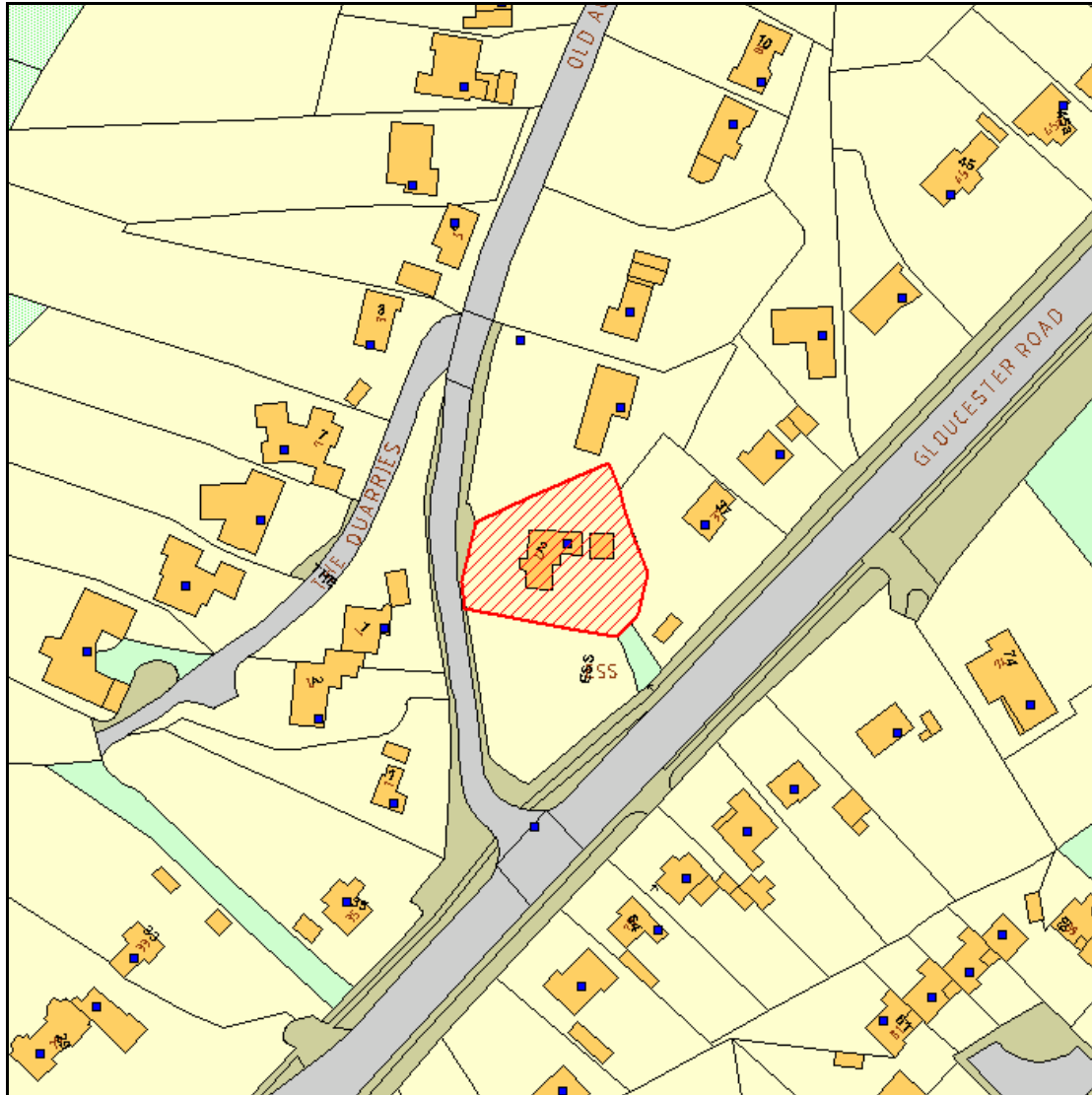
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 09/10 – 05 MARCH 2010

App No.:	PT09/5772/F	Applicant:	Mr E Kahn
Site:	Little Quarry 2 Old Aust Road Almondsbury Bristol South Gloucestershire	Date Reg:	9th November 2009
Proposal:	Erection of first floor front extension, single storey rear and side extension to provide additional living accommodation. Erection of detached double garage.	Parish:	Almondsbury Parish Council
Map Ref:	361069 184518	Ward:	Almondsbury
Application Category:	Householder	Target Date:	31st December 2009



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 100023410, 2008. N.T.S. PT09/5772/F

INTRODUCTION

This application is circulated as a result of the neighbours comments.

1. THE PROPOSAL

- 1.1 The application is for the erection of a detached garage at the rear of the site and for three extensions to the house. A first floor extension is proposed to the north of the original house, a porch is proposed to the east of the existing single storey extension and a further single storey extension is proposed to the south of the original house.
- 1.2 The garage has been amended since first submission and as such the dormers previously shown on the garage have been removed.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within existing residential cartilages, including extensions and new dwellings

GB1 Development in the Green Belt

2.3 Supplementary Planning Guidance

South Gloucestershire Council Design Checklist SPD Adopted August 2007

Development in the Green Belt SPD adopted May 2007

3. RELEVANT PLANNING HISTORY

N8382 Erection of detached dwelling and garage. Construction of new vehicular and pedestrian access (Outline). Approve with conditions.

P85/2712 Erection of detached dwelling and double garage. Construction of new vehicular and pedestrian access. (Details to be read in conjunction with N8382.) Approval of Reserved Matters

P89/1121 Erection of detached dwelling and garage. Construction of new vehicular and pedestrian access. Full planning approval

P94/1118 Erection of detached dwelling and garage. Construction of new vehicular and pedestrian access (renewal of planning permission P89/1121 dated 9 march 1989) Approval Full Planning

P99/1217 Erection of detached dwelling and garage together with the construction of a new vehicular and pedestrian access. (Renewal of planning permission P98/1121 dated 9 March 1989) Renewal of Temp Consent – App

PT04/1317/REP Renewal of Permission P/99/1217 dated 12th April 1999 for Erection of detached dwelling and garage to include construction of a new vehicular and pedestrian access. Approve with Conditions

PT09/1002/O Erection of 1 no. detached dwelling with all matters reserved. Refusal

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council
No comment/objection

4.2 Highways Officer
No objection

4.3 Local Residents
One letter of objection was received in relation to the following matters:
1 the 'garage' has the potential to be a self contained apartment.
2 loss of privacy from the study window. Would like the window removed or made higher, smaller and obscure glazed.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to residential dwellings. This is subject to the proposed development:

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

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

5.3 Policy GB 1 seeks to restrict development in the green belt to those limited categories of development which are appropriate in the green belt. With regard to this application only limited extension would be permitted.

5.4 Residential Amenity
The proposed extensions to the house would be situated sufficiently far from the neighbours such that neither overlooking nor an overbearing impact would occur. However, the garage is located close to the boundary with two adjoining neighbours and in particular No 4 Old Aust Road could be subject to

overlooking. The scheme has been amended to reduce the chance of this and the applicant has agreed to accept a condition limiting the proposed roof light facing No 4 Old Aust Road to a height which would prevent overlooking. In addition it is considered necessary to maintain the window in a closed position given its close proximity to the neighbouring house and amenity area. On this basis the garage is neither considered to be detrimental in scale to the neighbour nor cause overlooking.

It is therefore concluded that the proposed development would not materially harm residential amenity and would accord to Policy H4 of the adopted local plan.

5.5 Visual Amenity

The proposed dwelling is a detached house. The proposed extensions would have limited impact on the streetscene and be respectful of the scale of the original dwelling. Whilst the garage is large it remains subservient to the house and is set back on the site against the quarry face/steep land behind the house. On this basis it is concluded that the proposed extensions and garage appear proportionate to the host dwelling and would maintain the character and appearance of the existing dwelling and the surrounding residential area. The development therefore accord to policies D1 and H4 of the adopted local plan.

5.6 Green Belt

The proposal represents a further incremental extension of volume to this house in the green belt but they are not considered to be disproportionate to the size of the original dwelling and are located within the village settlement boundary where infill housing might also be permitted. In addition the extensions and garage are relatively discretely located away from the road and against the backdrop of the quarry. As such the proposal would have no impact on the openness of the Green Belt.

5.7 Trees

There are trees around the north and east of the garage but these are not likely to be impacted on by the proposal. No objection is raised by the Council's tree officer.

5.8 Use of the garage building

The rooms above the garage are shown to be a study, playroom and shower/wc. These are uses considered to be ancillary to the use of the house and not a separate use on the site. As such the garage is not considered to be an annex of accommodation and use as an annex or severance from the main dwelling or separate lease or sale would require a further planning application.

5.9 Use of Energy and Sustainability

To current Building Regulation standards.

5.10 Improvements Achieved to the Scheme

Removal of dormer windows to garage.

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 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 overlooking by the neighbour have been considered and addressed by a condition such that the proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.
- 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: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

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

Reason

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

3. The glazing on the north facing roofslope shall have a cill level not lower than 1.7m from finished floor level and shall be permanently fixed in a closed position.

Reason

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

4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north or east elevation of the garage.

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.

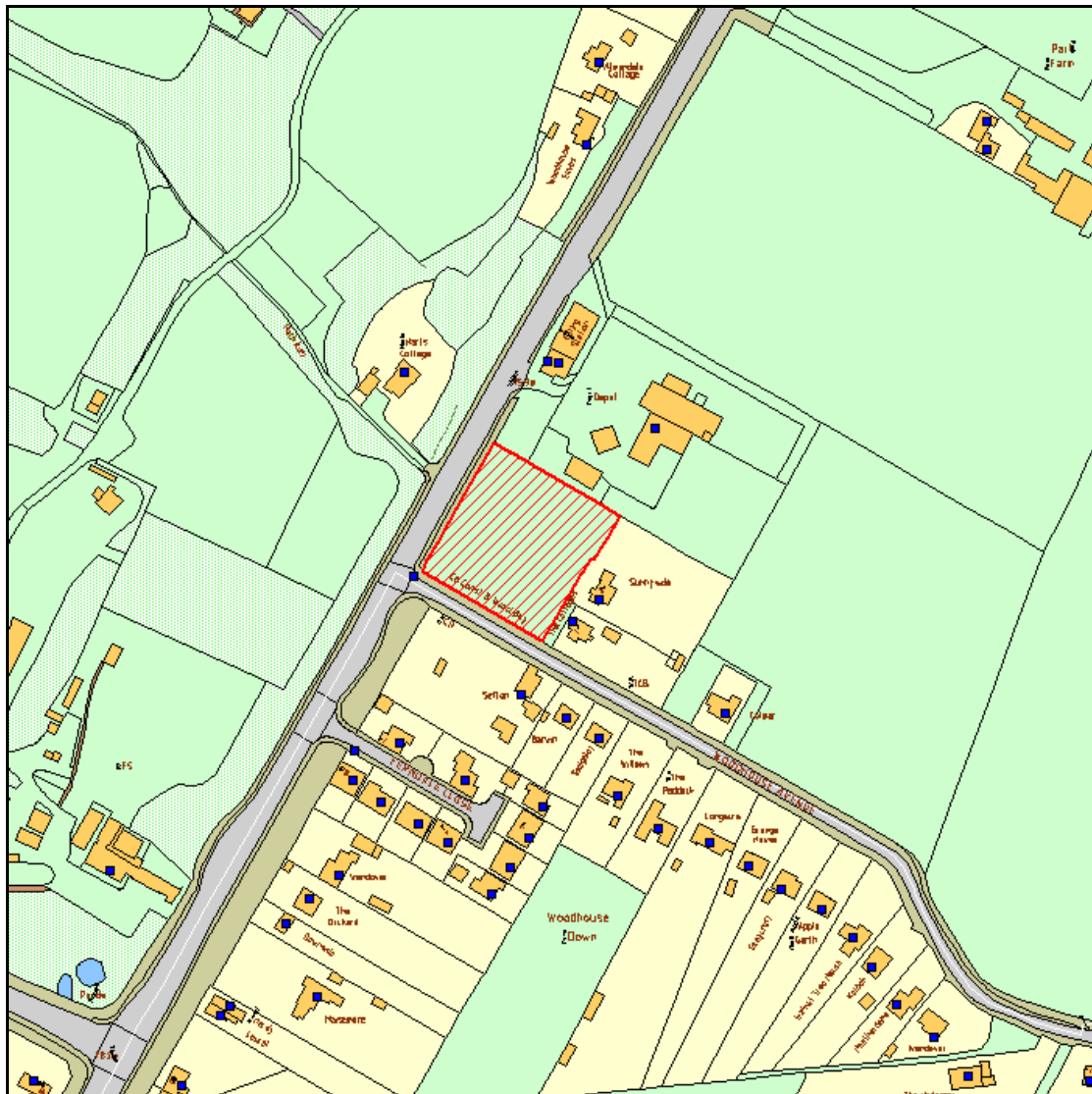
5. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no roof alterations or extensions to the garage building, other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

In order to protect the residential amenity of the neighbour at No.4 Old Aust Road, in the interests of the visual amenity of the site and to accord with policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 10/09 – 05 MARCH 2010

App No.:	PT10/0076/F	Applicant:	Mr T Day
Site:	Land At Woodhouse Avenue Almondsbury Bristol South Gloucestershire BS32 4HT	Date Reg:	20th January 2010
Proposal:	Change of use of land from agricultural to land for the keeping of horses. Erection of stable/storage building.	Parish:	Olveston Parish Council
Map Ref:	362113 185036	Ward:	Almondsbury
Application Category:	Minor	Target Date:	12th March 2010



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 100023410, 2008. N.T.S. PT10/0076/F

INTRODUCTION

This application appears on the Circulated Schedule List because objections have been received from the Parish Council and local residents.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of land from agricultural to land for the keeping of horses. Permission is also sought for the erection of a stable/storage building and re-siting of access to Woodhouse Avenue.
- 1.2 The application site comprises a small plot of land with an area of approximately 0.37 hectares situated on the eastern side of the A38 with the western boundary of the site abutting the highway. The site is located within the open Green Belt outside of the defined settlement boundary.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
GB1 Development within the Green Belt
E10 Horse Related Development
T12 Transportation Development Control Policy for New Development
L1 Landscape Protection and Enhancement
L17/18 The Water Environment
EP1 Environmental Pollution
EP2 Flood Risk and Development
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (adopted)
The South Gloucestershire Development within the Green Belt SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P99/1174, residential development (2 dwellings on 0.38 ha), refusal of outline permission, 11/03/1999.

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
Objection because of the impact on the Green Belt. The Council also has concerns regarding access and the impact on neighbouring properties and the unsustainable use of the site.

Almondsbury Parish Council

We did not realise that agricultural did not included the keeping of horses, we have no objection to the land being used for the keeping of cattle/horses and a stable being erected, but we would object to this land becoming commercialised.

4.2 Transportation DC

No objection

4.3 Local Residents

3no. letters of objection have been received, which raise the following concerns:

- False information;
- Drainage;
- Animal welfare
- Size of site in relation to use;
- Highway safety;
- No provision of fresh water;
- Building out of proportion;
- The site already has three entrances;
- No indication of security fencing proposed;
- Potential for residential development;
- Loss of privacy;
- Green Belt intrusion;
- Noise and disturbance.

In addition, concerns regarding the fact that the applicant is not a farmer or the occupation of the land are not planning issues and require no further consideration. Under the application submitted, the applicants can erect a permanent structure provided that it would adhere to planning policy. Comments regarding the contamination of a local spring from an industrial waste sewer are not strictly relevant to this application.

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 E10 allows for proposals for horse related development such as stables, field shelters and riding schools in the open countryside subject to transportation, residential amenity, environmental, design and existing underused buildings considerations. Planning Policy GB1 allows for the construction of new buildings for essential facilities for outdoor sport and recreation and for other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it. Policy GB1 allows for the change of use of land or buildings where it would not have a materially greater impact than the present authorised use on the openness of the Green Belt and would not conflict with the purpose of including land in it.

5.2 Design/Impact on Landscape

This application seeks planning permission for the change of use of land from agricultural to land for the keeping of horses. Permission is also sought for the erection of a stable/storage building. The application site comprises a small plot of land with an area of approximately 0.37 hectares situated on the eastern side of the Gloucester Road within the open Green Belt outside the defined settlement boundary. The site comprises a gentle slope from east to west and mature vegetation along the boundaries. Existing access from Gloucester Road would be blocked and a new access formed from Woodhouse Avenue adjacent to the southwestern corner of the site.

5.3 The stable/storage building would be located in the northeastern corner of the field and would measure approximately 12 metres in length, 6 metres in width and have an apex of approximately 4 metres at ridge height falling to 3 metres at the eaves. The stables would comprise split doors, which would measure approximately 1 metre in width and 2 metres in height. The building would be steel framed and comprise green metal sheeting for the walls and roof, whilst the doors and windows would be stained timber. The only glazing proposed would be roof lights in the northern roof slope. The building would facilitate the keeping of 1no. mare and 1no. foal, as well as storage for fodder, tack, mower and tools. The building would be orientated lengthways so that the front elevation would face Woodhouse Avenue, with access through the southern elevation of the building. The build would be situated on a concrete apron with space to the front and rear as well as both sides for a horsebox and muckheap. The area would be secured by a post and rail fence with timber gates. No existing buildings are located on the site.

5.4 Concerns have been raised with regards to the size of the site and the number of horses proposed as well as no provision of fresh water. Whilst the British Horse Society recommends the provision of 1 acre per horse, there are numerous variables that must also be taken into consideration. According to the BHS, the acreage required per horse or pony will depend, to a large extent, on the size of the horse as well as effective pasture management. The applicant states that the stable is capable of 1no. mare and 1no. foal, however, one horse would be kept at the site generally. The acreage proposed would therefore, only provide supplementary grazing as opposed to a permanent pasture and the stabling of the horse would allow for management of the pasture to allow the grass and ground to recover. 2no. horses is considered to be the maximum acceptable for the site and will be restricted by condition. Given the proximity of the A38 and dwellinghouses to the site, it is considered that a fresh water supply should be available to serve the site. The proposed stable accords closely with British Horse Society recommendations in terms of design and scale.

The building would be sited in a discreet location in the eastern corner of the site and mature hedging around the perimeter of the site would also help to screen views of the build. The design, scale and colour finish proposed are considered to be acceptable given the proposed use and rural context of the area and would not have a significant adverse impact on the character of the surrounding landscape. Concerns have been raised because no indication of the type or position of security fencing to protect neighbouring properties or the

general public from the horse have been submitted, however, the existing hedges that flank the site are considered sufficient natural barriers. Conditions will be applied, if permission is granted, to ensure that details are submitted in relation to the treatment of the proposed and existing access, infill hedge planting, as well as supplementation of the hedge along the western boundary of the site to ensure that adequate screening is provided. Samples of the materials proposed will also be ensured by condition if permission is granted.

5.5 Residential Amenity

The Cottages and Sunnyside are situated within close proximity to the application site and concern has been raised by local residents with regards to loss of privacy as well as noise and disturbance resulting from the use. The concerns are noted and whilst there might be some additional noise, smell and vehicular movements generated by the use, it is considered that the proposal, which would be for private use only, would be sufficiently small in scale, to not have a significant adverse impact on the residential amenity of the surrounding properties. The treatment and disposal of horse manure could be conditioned and the existing opening in the southeastern boundary conditioned to be replanted to provide screening. Subject to these conditions, it is considered that the impact on the surrounding properties would be acceptable and not unreasonable given the rural context.

5.6 Transportation

Concerns have been raised by local residents with regards to the opening of the new access in the southern corner of the field and the impact that this would have on congestion along Woodhouse Avenue, especially as there is an existing access from the A38 road. However, from a highways perspective, it is safer to form an access from Woodhouse Avenue and its construction should coincide with the closure of the existing access onto the A38, which will be ensured by condition if permission is granted. Given the scale of the stable block proposed, it is not anticipated that the proposal would give rise to a significant increase in traffic generation or have a negative impact on highway safety. The Council Highway Officer has not objected to the proposal.

5.7 Green Belt

Concerns have been raised with regards to possible harm to the openness of the Green Belt. However, the proposed building has been designed and sited to reduce the impact on the surrounding area. The proposed fencing and hard standing are necessary for the proposed use and would not have a significant adverse impact on the openness of the surrounding Green Belt. Weight has also been given to the fact that the Council Landscape Officer has not objected to the proposed scheme. If permission is granted conditions will be applied to restrict horse related paraphernalia such as jumps and fences to protect the openness and visual amenity of the site.

5.8 The proposal complies with Policy GB1 of the South Gloucestershire Local Plan (adopted) January 2006 and the Development within the Green Belt SPD (adopted).

5.9 Further Matters

Concerns have been raised with regards to the impact of the proposed building on a private drainage ditch. This is a civil matter and is not strictly relevant to this application. However, the issue was raised with the applicant, who has moved the location of the stable to avoid the drainage ditch as shown on the amended plan received. Further drainage concerns were raised, however, the Council Drainage Engineer has not objected to the proposed scheme. If permission is granted a condition will ensure further details are received in respect of adequate disposal of surface water and permeable materials for the hardstanding. Any residential development would require separate planning permission.

5.10 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.

5.11 Use of Energy and Sustainability

N/A

5.12 Improvements Achieved to the Scheme

N/A

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 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 proposal, in terms of design, scale, form and materials, would be in-keeping with the character of the surrounding area – Policies D1 and L1 of the South Gloucestershire Local Plan (adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted).

- Through careful design the proposal would not adversely harm the openness or visual amenity of the surrounding Green Belt – Policy GB1 of the South Gloucestershire Local Plan (adopted) January 2006 and the Development within the Green Belt SPD (adopted).
- The concerns of neighbouring occupiers have been carefully considered, however, subject to relevant restrictions regarding the use of the site and given the small scale of the proposal, the residential amenity of the adjacent properties would not be significantly adversely impacted - Policies E10 and EP1 of the South Gloucestershire Local Plan (adopted) January 2006.
- The proposal would not have a negative impact on highway safety or traffic generation – Policies E10 and T12 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).

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

Reason

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

3. The existing access on the A38 shall be permanently closed and abandoned upon construction of the new access.

Reason

In the interests of highway safety and to accord with Policies E10 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.

4. Prior to the commencement of development a scheme of landscaping, which shall include details of access arrangement, including hedge planting and surfacing and the supplementation of the hedge along the western boundary (as well as times of planting) shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policies D1, E10 and L1 of the South Gloucestershire Local Plan (adopted) January 2006.

5. Prior to the commencement of development the method of the disposal of the stripped topsoil shall be submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with the agreed details.

Reason

In the interests of visual amenity and to accord with Policies D1, GB1 and L1 of the South Gloucestershire Local Plan (adopted) January 2006.

6. Notwithstanding the information submitted, prior to the commencement of development details/samples of the 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 Policies D1, E10 and L1 of the South Gloucestershire Local Plan (adopted) January 2006 and the Design Checklist (adopted).

7. No jumps, fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land.

Reason

To protect the character and appearance of the area and to accord with Policies D1, E10, L1 and GB1 of the South Gloucestershire Local Plan (adopted) January 2006.

8. At no time shall the stables and the associated land be used for livery, riding school or other business purposes whatsoever.

Reason

To protect the amenities of the occupiers of the nearby dwellings and to accord with Policy E10 of the South Gloucestershire Local Plan (adopted) January 2006.

9. No burning of manure shall take place at anytime on the property, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order to protect the residential amenity of the occupants of the adjacent properties and to accord with Policies E10 and EP1 of the South Gloucestershire Local Plan (adopted) January 2006.

10. Prior to the commencement of the development a management plan detailing the manner in which horse manure shall be dealt with on the site shall be submitted to and agreed in writing by the Local Planning Authority.

Reason

To protect the residential amenity of the adjacent properties and to accord with Policies E10 and EP1 of the South Gloucestershire Local Plan (adopted) January 2006.

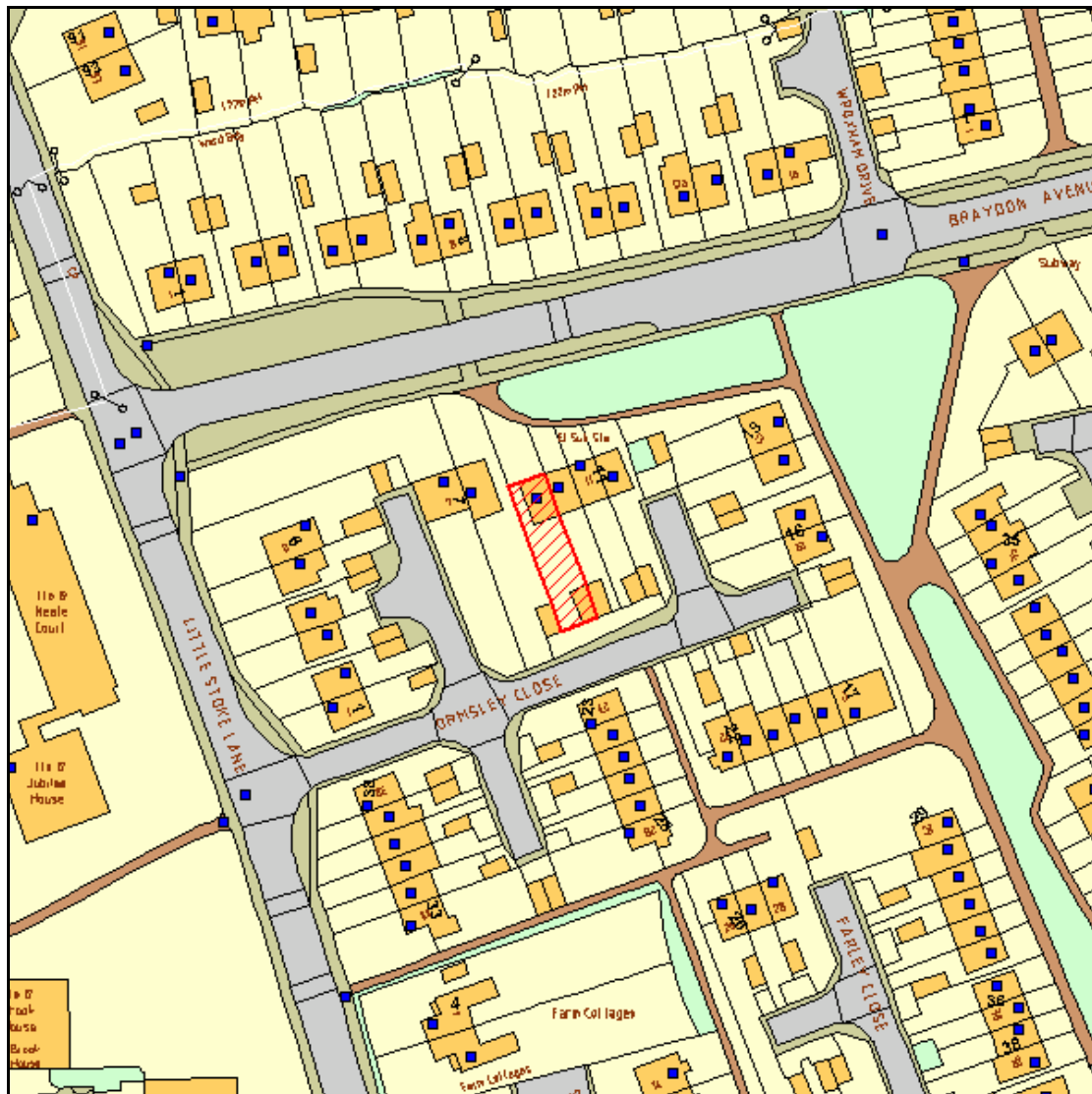
11. The number of horses kept on the site edged in red shall not exceed 2.

Reason

In the interests of the welfare of horses, to accord with the guidance of the British Horse Society; and Policy E10 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 09/10 – 05 MARCH 2010

App No.:	PT10/0089/F	Applicant:	Mrs G Flynn
Site:	9 Ormsley Close Little Stoke Bristol South Gloucestershire BS34 6EN	Date Reg:	1st February 2010
Proposal:	Erection of single storey side and rear extension to form additional living accommodation and conservatory.	Parish:	Stoke Gifford Parish Council
Map Ref:	361246 181599	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	24th March 2010



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 100023410, 2008. **N.T.S.** **PT10/0089/F**

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of representations from a local resident that was contrary to the Case Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a single storey side and rear extension. The proposed extension would be L-shaped and would wrap around the corner of the existing dwelling. The extension would be 5.4m in length, 3.7m in width and 3.5m in height.
- 1.2 The application site relates to semi-detached 'radburn' style dwelling and its associated curtilage. The site is situated within a well-established residential area within the Bristol North Fringe.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

H4: Development within Existing Residential Curtilage

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/0229/F Erection of two storey side extension to provide shower and dining area with additional bedroom and study over.
Withdrawn 18.02.2005

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

No comments.

4.2 Local Residents

One letter has been received in response to this application. The main concerns are summarised below: -

A. Concerns about the position of the boundary line.

B. The proposed extension must lie within the boundary of No. 9.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

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

5.3 Residential Amenity

It is acknowledged that the proposed extension would be situated along the boundary shared with No. 8. Nevertheless due to the staggered building of the existing dwelling the proposal would be 'step in' from this adjacent dwelling. Moreover the proposed extension would be single storey in scale and would not include any window that would overlook the adjacent properties. For these reasons, it is considered that the proposal would not give rise to overbearing effect or a material loss in privacy. On this basis it is concluded that the proposal would not harm residential amenity.

5.3 Visual Amenity

The proposed single storey extension would be situated on the side and rear elevations. The proposed extension would be subservient and proportionate to the existing dwelling in terms of its height, scale, and massing, and moreover its detailing and materials would match the existing. On this basis, it is considered that the proposed development would respect the character and appearance of the existing dwelling and the surrounding residential area.

5.4 Outstanding Matters

It is acknowledged that the neighbouring occupier is concerned that the proposed development may be situated on land within their boundary. With regard to this matter, the applicant has certified through Certificate A that the land edged in red on the location plan is within the control of the applicant. Notwithstanding this, the onus is upon the applicant to ensure that the proposal is constructed within land that they control. On this basis, a informative shall be attached to advise that this 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.

5.5 Use of Energy and Sustainability

To be built to Building Regulations standards.

5.6 Improvements Achieved to the Scheme

None.

5.7 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and

05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

a) The proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

b) The proposed extension would respect the overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

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

7. RECOMMENDATION

7.1 Planning permission to be **GRANTED** subject to the following reason(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.

Reason

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

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the creation of an orangery and agricultural machine storage building; the proposal would utilise two walls of a former barn.
- 1.2 The application relates to a derelict barn within the grounds of the Grade II Listed Hambrook House. The dwelling sits on the corner of Bristol Road and The Stream with its associated grounds extending behind those dwellings that front these two highways. The host property is located within the Hambrook Conservation Area and the settlement boundary (washed over by the Green Belt) although its grounds extend into the open Green Belt.
- 1.3 The subject of this application is described as a derelict barn although only two walls remain that appear to form the garden boundary wall and an adjoining parallel wall. Nonetheless, historical maps show a structure did exist in this position although its origins and use are unclear.
- 1.4 A concurrent Listed Building application has been received; PT10/0093/LB.
- 1.5 There is a history of applications related to this building with planning permission and listed building consent granted in 2006. These consents lapsed and thus planning permission and listed building consent was again granted last year. This application seeks an amendment to the approved scheme that would primarily allow a reduction in the size of the proposal; this would safeguard a tree within the neighbouring garden and help reduce the impact of the proposal on the neighbouring properties.
- 1.6 At the time of the Officer site visit, limited development works had taken place.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG2: Green Belts
PPG15: Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
L1: Landscape Protection and Enhancement
L9: Species Protection
L11: Archaeology
L12: Conservation Areas
L13: Listed Buildings
L18: The Water Environment
E9: Agricultural Development

H4: Development within Residential Curtilages

3. **RECENT PLANNING HISTORY**

- 3.1 PT04/0065/TCA: Removal of 6 trees to allow uninhibited growth of remaining chestnut tree. No objection: 30 January 2004
- 3.2 PT04/0964/PNA: Construction of vehicular access onto agricultural land. No objection: 30 March 2004
- 3.3 PT04/2842/CA: Demolition of walls to existing cow shed. Permitted: 5 October 2004
- 3.4 PT06/0332/LB: External and internal restorations to derelict barn to create an agricultural machinery store and orangery. Permitted: 10 March 2006
- 3.5 PT06/0395/F: Restoration of derelict barn to create agricultural store and orangery. Permitted: 10 March 2006
- 3.6 PT09/0666/F: Restoration of derelict barn to create agricultural store and orangery. Permitted: 24 June 2009
- 3.7 PT09/0667/LB: External and internal restorations to derelict barn to create an agricultural machinery store & orangery (renewal of PT06/0332/LB). Permitted: 24 June 2009
- 3.8 PT10/ 0093/LB: Restoration of derelict barn to create agricultural store and orangery (amendment to previously approved scheme PT09/0667/LB). Decision Pending

4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council
'The proposed roof is far too high and is intrusive to neighbours. The large amount of glass would cause a great deal of reflection into the neighbours' property. Inappropriate development of barn to which local people are opposed'
- 4.2 Other Consultees
Landscape Officer: No objection
Conservation Officer: No objection subject to conditions
Tree Officer: no objection
Technical Services (Drainage): no adverse comments
- 4.3 Summary of Local Residents Comments:
One letter received expressing the following concerns:
 - o Has drainage been put in place regarding the rainwater from the orangery roof?
 - o Has consideration been given to the fact that the application site is considerably higher than that of the adjoining property – will significant

drainage be put into place to prevent water seeping through to the adjoining garden, weakening the wall that could result in its collapse?

- o There is no need to enlarge the windows in the side of the barn- it is only an agricultural store!

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning policy E9 allows for the erection of agricultural buildings provided that:

- o They are on land used for agricultural purposes whilst there should be no existing underused buildings available;
- o Adequate provision is made for access and manoeuvring;
- o Development would not have an unacceptable environmental impact;
- o The proposal would not prejudice neighbouring residential amenity.

5.2 Policies L12 and L13 allow development proposals that would either preserve or enhance the character and appearance of the Conservation Area and which would not adversely effect the setting of a Listed Building respectively.

5.3 Policy GB1 cites that planning permission will be granted for the erection of new buildings within the Green Belt subject to limited criterion; one such criterion allows buildings that are for agricultural and forestry.

5.4 The application seeks amendments to a previously approved scheme; the main change would allow a reduction in the length of the approved orangery with a gabled entrance porch into the building also deleted.

5.5 Design/ Visual Amenity

The application relates to the Grade II Listed Hambrook House sited within the Hambrook Conservation Area and settlement boundary (washed over by the Green Belt). The property forms a substantial dwelling that benefits from extensive grounds extending to the west beyond the settlement boundary into the open Green Belt. These grounds are partly encompassed by a stone boundary wall that appears to denote the extent of the residential curtilage with an orchard beyond. The proposal includes part of this wall and occupies a corner position within the orchard. As such, the application site lies beyond the settlement boundary within the open Green Belt and the Conservation Area.

5.6 The application would allow the restoration of a former barn to allow its use as an orangery and agricultural machine storage shed. Little remains of this barn with only two walls in situ: one forms the aforementioned boundary wall. Nonetheless, historical maps show a building in this position although its use/ origins remain unclear.

5.7 In view of the above, it is considered that this proposal would allow the erection of a new agricultural building. This would measure 29.5m in length (utilising the existing walls with these forming the front and back of the building) and 8.5m in width. The south half of the proposal would provide an orangery with a glazed

- pitched roof and glazed southern elevation. The north half would provide a farm machinery store with a potting shed at the centre of the building.
- 5.8 In view of the above, it is noted that this revised proposal would be 3m shorter than that previously approved with the orangery reduced in length. Further, a gabled entrance porch on its east side has been removed. The overall size and massing of the building has therefore been reduced; albeit with the existing walls retained beyond the end of the orangery. The size of ground floor windows within the machine store has also been slightly enlarged.
- 5.9 In considering the revised proposal, the relevant planning policies of the Local Plan remain unchanged from the time of the initial applications; to this extent it was accepted that provision of this building for agricultural purposes (in connection with the orchard) would comply with policy E9 with it to utilise the remains of a former structure. Therefore, and with the size of the build reduced (but with the general design unchanged), the proposal is considered acceptable on design/ visual amenity grounds.
- 5.10 Further to the above, and having regard to the further provisions of planning policy E9, it is noted that there are no existing suitable underused buildings whilst there is adequate space for vehicle manoeuvring with the orchard also benefiting from its own separate access.
- 5.11 Impact on the Openness of the Green Belt
Green Belt policy allows for the construction of new buildings, which are for the purposes of agriculture and forestry. As such, as per the previous approvals, the proposal is considered to be compliant with Green Belt policy.
- 5.12 Analysis of Proposal: Listed Building/ Conservation Area Considerations
This is a resubmitted scheme for the restoration and conversion of a derelict outbuilding in the setting of the Grade II listed Hambrook House. Planning permission dating back to 2006 lapsed prior to commencement although much of the information in respect of the attached conditions had been submitted; this accompanies this current application and is effectively as agreed with the applicant and agent prior to the submission of this third planning application.
- 5.13 This amended application has been received to accommodate a tree in close proximity to the building and to help reduce the impact of the build on the neighbouring properties. Accordingly, the amendment includes the reduction in length of the orangery by 3m, and omits the gabled entrance to the orangery on the east elevation. Accordingly, and in view of the extant planning permission, there is no objection to the revised proposal subject to similar conditions as were attached to the previous permission (with some details having now been agreed). However, the appropriateness of brick to create the new piers and the jambs of the glazing in lieu of stone is questioned thus should be assessed on site; the condition related to materials should therefore read ' notwithstanding the details received'.
- 5.14 This above recommendation accounts for the acceptance of an agricultural/ horticultural building in this position with the profile of the proposal considered to be similar to that of the likely original structure.

5.15 Residential Amenity

The proposed reduction in length of the orangery would increase the separation distance to the neighbouring dwellings that stand to the south of the application site fronting The Stream. This would improve the approved relationship between these neighbouring properties and the build thus it is not considered that planning permission could be reasonably in this instance.

5.16 In further support of the above, it is noted that an existing stone boundary wall provides screening to that property immediately behind restricting views of this dwelling to the roof (from within the application site). Properties either side stand either side of the host 'building' with their main outlook not directly focused towards the application site. With further boundary screening also helping to limit views, it is the glazed roof of the orangery that would appear most prominent to these residents. As per the previous permission, a condition to require non-reflective glazing should be attached to any favourable decision notice. This would also help address the concerns that have been raised by the Parish Council whilst given that the proposal is now smaller (the height is the same), there could be no sustainable objection on this basis.

5.17 Finally, having regard to those concerns raised in respect of the side windows, these would not face the neighbouring dwellings thus it is not considered that planning permission could be withheld on this basis.

5.18 Outstanding Issues

The application site is located within an area of archaeological sensitivity and a programme of archaeological works would be required. It is suggested that this should form the subject of an appropriately worded condition in the event that planning permission is approved (as per the previous permission).

5.19 Whilst a variety of species of bats and native birds, including swallows and barn owls, are characteristically and traditionally associated with farm outbuildings this building is derelict with the roof having previously collapsed. On this basis, the building would not offer the type of attractive breeding environment (warm, stable temperatures and dry conditions) required by bats and birds. However, single bats can utilise cracks and crevices in stonework throughout the year, thus the dismantling of any stonework should proceed with caution with an associated informative attached to any planning permission.

5.20 Further, fitting a 'bat slate' to the tiles on the east roof pitch above the proposed machinery store would be a positive measure and potentially benefit local bat populations, particularly given that the building adjoins a large orchard which would provide a plentiful source of insects; this is shown on the drawing received and should be conditioned in the event that planning permission is granted.

5.21 Further to concerns raised in respect of drainage from the proposal, the Councils Drainage Engineer has not raised any adverse comments in respect of the proposal whilst the Councils Building Control Officer does not envisage any related problems with satisfactory drainage measures achievable. On this

basis, there is no objection to this current proposal although it is recommended that the standard drainage condition be applied.

5.22 Design and Access Statement

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

5.23 Section 106 Requirements

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

6. CONCLUSION

- 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 proposal would be utilised for the purpose of agricultural and horticultural and is therefore considered to comply with Planning Policies E9 (Agricultural Development) and GB1 (Development within the Green Belt) of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. The proposal would cause no significant adverse impact in residential amenity and thus is considered to accord with Planning Policy E9 (Agricultural Development) of the South Gloucestershire Local Plan (Adopted) January 2006.
 3. The proposal would conserve the appearance of the Conservation Area and would respect the setting of the neighbouring Listed Building. The proposal is therefore considered to accord with Planning Policies L12 (Conservation Areas) and L13 (Listed Buildings) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Background Papers **PT09/0666/F**

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

CONDITIONS

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

Reason

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

2. Notwithstanding the submitted drawings, within one month of the date of this decision, details of the roofing and external facing materials proposed to be used shall be submitted and approved in writing by the Council and all such materials used in construction of the building hereby authorised shall conform to the details so approved.

Reason

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

3. A sample panel of repaired stonework and lime mortar pointing (minimum area of 1 square metre) must be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the work is complete. The stonework and pointing carried out in the development must match the approved sample panel.

Reason

To maintain and enhance the character and setting of the listed building and the character and appearance of the Conservation Area to accord with Planning Policies D1, L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To maintain and enhance the character and setting of the listed building and the character and appearance of the Conservation Area to accord with Planning Policies D1, L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The eaves details must comprise a concrete ring beam concealed by stone facings as detailed by drawing HH/SC/2008/1 Rev E.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Planning Policies D1, L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No windows other than those shown on the plans hereby approved shall be inserted at any time in the building unless the Local Planning Authority gives consent in writing to any variation.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Planning Policy E9 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The building hereby approved shall be used for agricultural/ horticultural purposes only and for no other use without the prior consent, in writing, of the Local Planning Authority.

Reason

In view of the position of the building beyond the residential curtilage of the application site and to safeguard the residential amenities of the adjoining occupiers in accordance with Planning Policies E9, L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The proposed bat slate shall be installed in accordance with details hereby approved and thereafter retained in perpetuity.

Reason

In the interests of species protection and to accord with Planning Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

10. The glazed roof above the orangery hereby approved (including that within the southern gable of the building) shall comprise non-reflective glass (and be retained as such), details of which shall firstly be approved in writing with the Local Planning Authority.

To help safeguard the residential amenities of the neighbouring occupiers and to comply with Planning Policy E9 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Prior to the commencement of the relevant part of development, full details of the proposed boundary wall adjoining the southern end of the building hereby approved shall be submitted to, and agreed in writing with the Local Planning Authority. Development shall proceed in accordance with these agreed details.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to safeguard the character of the Conservation Area and Listed Building in accordance with Planning Policies D1, H4, L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

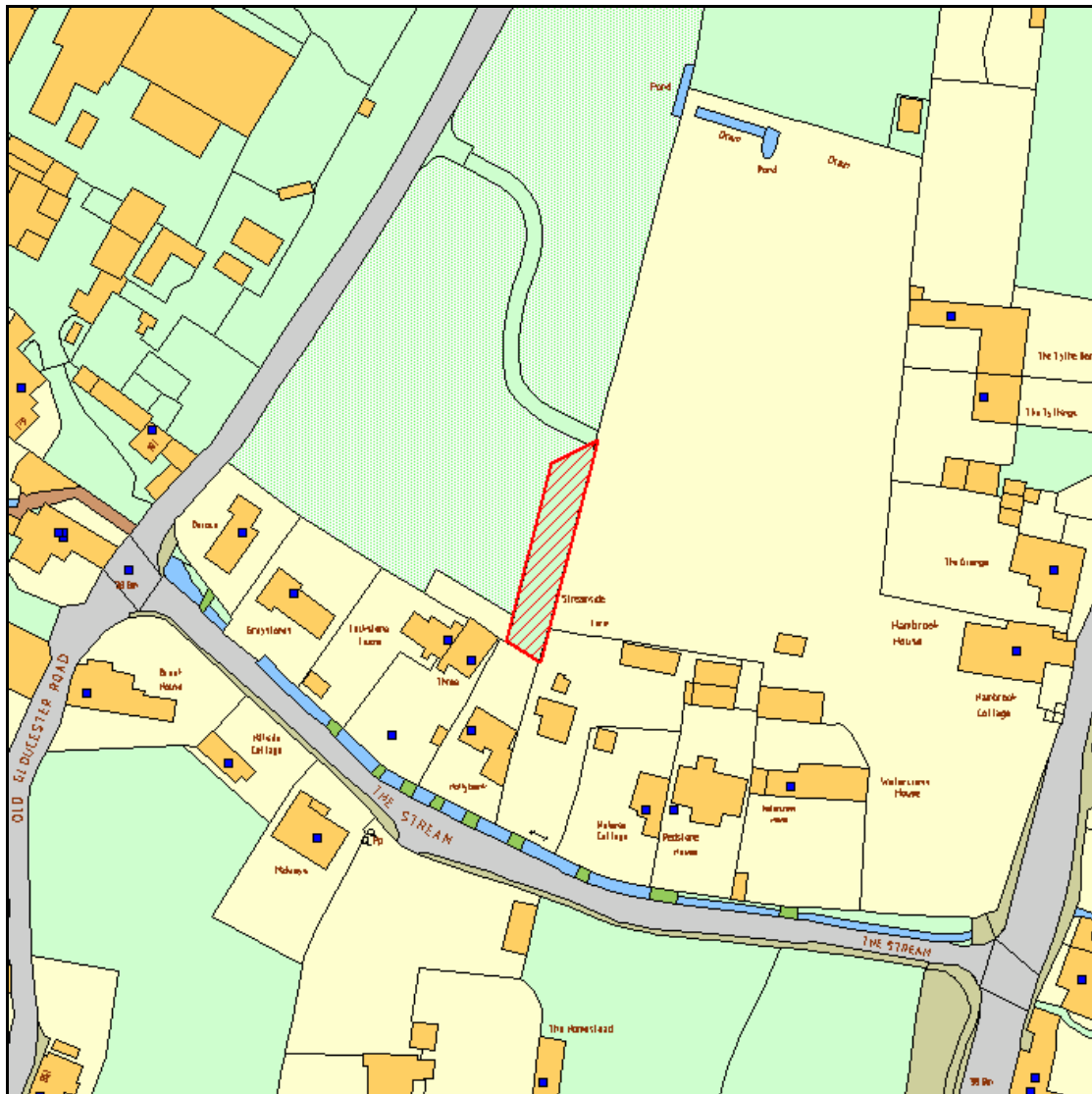
12. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning 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 planning policy L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 10/09 – 05 MARCH 2010

App No.:	PT10/0093/LB	Applicant:	Mr Scott Carlton
Site:	The Barn The Stream Hambrook Bristol South Gloucestershire	Date Reg:	29th January 2010
Proposal:	Restoration of derelict barn to create agricultural store and orangery. (Amendment to previously approved scheme PT09/0667/LB).	Parish:	Winterbourne Parish Council
Map Ref:	364045 178801	Ward:	Winterbourne
Application Category:	Minor	Target Date:	23rd March 2010



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 100023410, 2008. N.T.S. PT10/0093/LB

INTRODUCTION

This application appears on the Circulated Schedule in view of the letters of objection received from Winterbourne Parish Council and neighbouring resident.

1. THE PROPOSAL

- 1.1 The application seeks listed building consent for the creation of an orangery and agricultural machine storage building; the proposal would utilise two walls of a former barn.
- 1.2 The application relates to a derelict barn within the grounds of the Grade II Listed Hambrook House. The dwelling sits on the corner of Bristol Road and The Stream with its associated grounds extending behind those dwellings that front these highways. The host property is located within the Hambrook Conservation Area and the settlement boundary (washed over by the Green Belt) although its grounds extend into the open Green Belt.
- 1.3 The subject of this application is described as a derelict barn although only two walls remain that appear to form the garden boundary wall and an adjoining parallel wall. Nonetheless, historical maps show a structure did exist in this position although its origins and use are unclear.
- 1.4 A concurrent planning application has been received; PT10/0092/F.
- 1.5 There is a history of applications related to this building with planning permission/ listed building consent having been granted for conversion in 2006. These lapsed thus planning permission/ listed building consent was again granted last year. This application seeks an amendment to the approved scheme that would primarily allow a reduction in size of the proposal to safeguard a tree within the neighbouring garden and also help reduce its impact on the amenity of the neighbouring properties.
- 1.6 At the time of the Officer site visit, limited development works had taken place.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG2: Green Belts
PPG15: Planning and the Historic Environment

3. RECENT PLANNING HISTORY

- 3.1 PT04/0065/TCA: Removal of 6 trees to allow uninhibited growth of remaining chestnut tree. No objection: 30 January 2004
- 3.2 PT04/0964/PNA: Construction of vehicular access onto agricultural land. No objection: 30 March 2004

- 3.3 PT04/2842/CA: Demolition of walls to existing cow shed. Permitted: 5 October 2004
- 3.4 PT06/0332/LB: External and internal restorations to derelict barn to create an agricultural machinery store and orangery. Permitted: 10 March 2006
- 3.5 PT06/0395/F: Restoration of derelict barn to create agricultural store and orangery. Permitted: 10 March 2006
- 3.6 PT09/0666/F: Restoration of derelict barn to create agricultural store and orangery. Permitted: 24 June 2009
- 3.7 PT09/0667/LB: External and internal restorations to derelict barn to create an agricultural machinery store & orangery (renewal of PT06/0332/LB). Permitted: 24 June 2009
- 3.8 PT10/0092/F: Restoration of derelict barn to create agricultural store and orangery (amendment to previously approved scheme PT09/0666/F). Decision Pending

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

'The proposed roof is far too high and is intrusive to neighbours. The large amount of glass would cause a great deal of reflection into the neighbours' property. Inappropriate development of barn to which local people are opposed'.

4.2 Other Consultees

Landscape Officer: No objection

Conservation Officer: No objection subject to conditions

Tree Officer: No objection

English Heritage: No comment

The Garden History Society: No comment

Society Protection of Ancient Buildings: no comment

4.3 Summary of Local Residents Comments:

One letter received expressing the following concerns:

- o Has drainage been put in place regarding the rainwater from the orangery roof?
- o Has consideration been given to the fact that the application site is considerably higher than that of the adjoining property – will significant drainage be put into place to prevent water seeping through to the adjoining garden, weakening the wall that could result in its collapse?
- o There is no need to enlarge the windows in the side of the barn- it is only an agricultural store!

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPG15 provides guidance on planning and the historic environment. It is advised that the issues that are generally relevant in considering listed building applications concern the importance of the building, its particular physical features, setting and contribution to the local scene and any benefits that the proposal might have.

5.2 A full report relating to this application appears under reference PT10/0092/F.

5.3 The application seeks amendments to a previously approved scheme; the main change would allow a reduction in length of the approved orangery.

5.4 Analysis

The application relates to the Grade II Listed Hambrook House within the Hambrook Conservation Area and settlement boundary (washed over by the Green Belt). The property forms a substantial dwelling that benefits from extensive grounds extending to the west beyond the Hambrook settlement boundary. These grounds are partly encompassed by a stone boundary wall that appears to denote the extent of the residential curtilage with an orchard beyond. The proposal includes part of this wall and occupies a corner position within the orchard. As such, the application site lies beyond the settlement boundary within the Green Belt (and the Conservation Area).

5.5 The application would allow the restoration of a former barn to allow its use as an orangery and agricultural machine storage shed. Little remains of this barn with only two walls in situ: one of which forms the above mentioned boundary wall. Nonetheless, historical maps show a building in this position although its use/ origins remain unclear.

5.6 Accordingly, it is considered that this proposal would allow the erection of a new agricultural building. This would measure 29.5m in length (utilising the existing walls with these forming the front and back of the building) and 8.5m in width. The south half of the build would provide an orangery with a glazed pitched roof and glazed southern elevation. The north half would provide a farm machinery store with a potting shed at the centre of the proposal.

5.7 In view of the above, it is noted that this revised proposal would be 3m shorter than that previously approved with the orangery reduced in length; this is to accommodate a tree within the neighbouring garden and reduce its impact on the adjoining residential properties. Further, the proposal omits the gabled entrance to the orangery on the east elevation. The overall size and massing of the building proposed has therefore been reduced; albeit with the existing walls retained beyond the end of the orangery. Further minor alterations would also allow a slight increase in size to the ground floor machine store windows.

5.8 The original consent (2006) for the conversion of this building lapsed prior to commencement although much of the information in respect of the attached conditions has been submitted; this accompanies this current application and is

effectively as agreed with the applicant and agent prior to the submission of this third listed building application.

5.9 Accordingly, and in view of the extant consent, there is no objection to the revised proposal subject to similar conditions as previously attached.

5.10 Design and Access Statement

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

6. CONCLUSION

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

7. RECOMMENDATION

7.1 Listed Building Consent is **GRANTED** subject to the following conditions:

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

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

Reason

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

2. Notwithstanding the submitted drawings, within one month of the date of this decision, details of the roofing and external facing materials proposed to be used have been submitted to and approved by the Council and all such materials used in construction of the building hereby authorised shall conform to the details so approved

Reason

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

3. A sample panel of repaired stonework and lime mortar pointing (minimum area of 1 square metre) must be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample

panel shall be kept on site for reference until the work is complete. The stonework and pointing carried out in the development must match the approved sample panel.

Reason

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

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

Reason

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

5. The eaves details must comprise a concrete ring beam concealed by stone facings as detailed by drawing HH/SC/2008/1 Rev E.

Reason

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

6. The proposed bat slate shall be installed in accordance with the details hereby approved and thereafter retained in perpetuity.

Reason

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

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

Reason

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

8. The glazed roof above the orangery hereby approved (including that within the southern gable of the building) shall comprise of non-reflective glass (and be retained as such), details of which shall firstly be approved in writing with the Local Planning Authority.

Reason

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

9. Prior to the commencement of the relevant part of development, full details of the proposed boundary wall adjoining the southern end of the building hereby approved shall be submitted to, and agreed in writing with the Local Planning Authority. Development shall proceed strictly in accordance with these agreed details.

Reason

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

CIRCULATED SCHEDULE NO. 09/10 – 5 MARCH 2010

App No.:	PT10/0157/F	Applicant:	Mr Robinson
Site:	4 Pine Grove Filton Bristol South Gloucestershire BS7 0SL	Date Reg:	2nd February 2010
Proposal:	Erection of single storey side and rear extension to form attached garage and additional living accommodation.	Parish:	Filton Town Council
Map Ref:	360006 178396	Ward:	Filton
Application Category:	Householder	Target Date:	26th March 2010



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INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey side and rear extension to form an attached garage and additional living accommodation.
- 1.2 This is a semi detached property located within the urban area of Filton, on the south side of Pine Grove. The proposal consists of an 'L' shaped single storey extension with materials to match existing. An existing outbuilding is to be demolished in order to facilitate the development.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG13 Transport
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
H4 Development within Existing Residential Curtilage
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

No relevant history.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No objection raised.
- 4.2 Local Residents
One letter of objection received raising the following concerns:
- Work on sewage pipes could cause drainage problems to neighbouring property.
 - Proposal would cause shading to neighbouring property's garden.

- Demolition of outbuilding could cause damage to neighbouring property.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Residential Amenity

Overbearing Analysis

Due to the overall scale and size of the proposed development and its location adjacent to an outbuilding at the rear of no. 2 Pine Grove the proposal would not be overbearing on the residential amenity of neighbouring occupiers. The proposed structure would be of an acceptable height and depth, to the rear, not to cause any undue loss of light to neighbouring occupiers.

Privacy Analysis

The proposal is single storey and no windows are proposed on the side elevation wall of the proposal. To the rear windows are proposed but these would not cause any undue loss of privacy to neighbouring occupiers due to their ground floor location and distance from neighbouring properties. Therefore there would be no overlooking or loss of privacy as a result of the proposal.

Amenity Space

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

Highway Safety Analysis

A small integral garage is proposed and one off street parking space would remain to the front of this therefore there is no objection in respect of highway safety.

5.3 Design / Visual Amenity

The proposal is modest in scale and fits with the character of the existing property. Its massing and form, together with the chosen construction materials, which match the palette of materials displayed in the existing building, means that this is an appropriate addition to the dwelling and streetscene. Overall, the proposed development would not have an adverse impact on the visual amenity of the area and the proposal therefore complies with Policies D1 and H4 of the Local Plan.

5.4 Drainage

No drainage details are submitted with the application and so a condition will be attached to the decision notice requiring details to be submitted prior to the commencement of development.

5.5 Other Matters

Concern has been raised that the demolition of the outside storage cupboard to the rear of no. 4 Pine Grove may cause damage to a neighbouring property. This is not considered as 'material' to the determination of this application and any damage to a neighbouring property would need to be pursued as a civil matter.

5.5 Improvements to Scheme

No improvements considered necessary.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

The 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 proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

7. RECOMMENDATION

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

Contact Officer: William Collins
Tel. No. 01454 863819

CONDITIONS

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

Reason

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

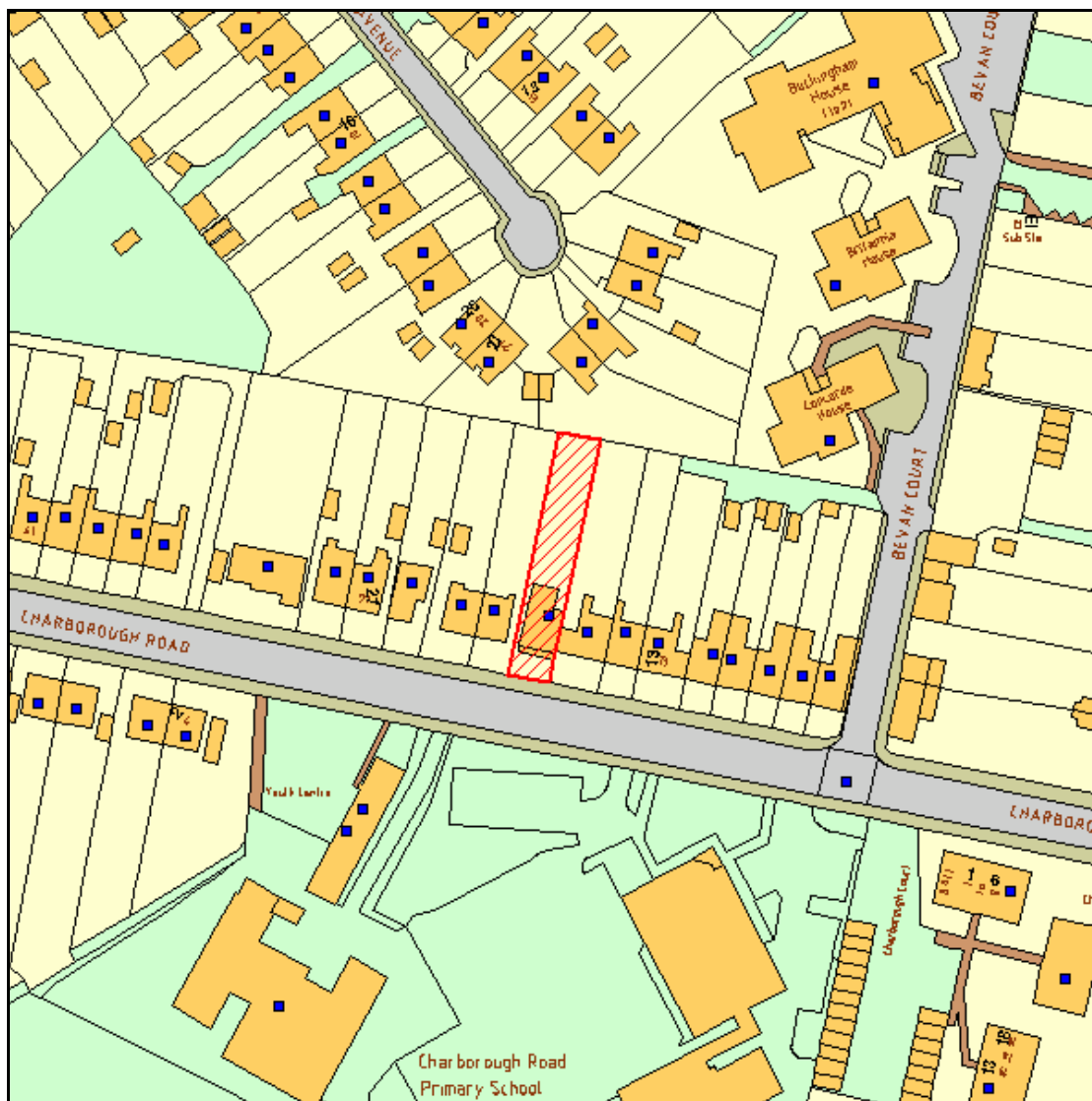
2. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning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

Reason

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

CIRCULATED SCHEDULE NO. 09/10 – 5 MARCH 2010

App No.:	PT10/0164/F	Applicant:	Miss L Chiren
Site:	19 Charborough Road Filton Bristol South Gloucestershire BS34 7RA	Date Reg:	29th January 2010
Proposal:	Erection of single storey rear extension and alteration to roofline.	Parish:	Filton Town Council
Map Ref:	359926 178749	Ward:	Filton
Application Category:	Householder	Target Date:	23rd March 2010



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INTRODUCTION

This application appears on the Circulated Schedule following the receipt of representation from local residents that were contrary to the Case Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a single storey rear extension. The proposal would be approximately 4m in depth, 7m in width, and 5.2m in height.
- 1.2 The application site relates to a detached dwelling and its associated curtilage. The site is situated within a well established residential area in Filton and within Bristol North Fringe.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

H4: Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.2 None.

4. CONSULTATION RESPONSES

4.1 Filton Town Council

No objection.

4.2 Local Residents

Three letters have been received from local residents. The main points are summarised below: -

- A. Overbearing.
- B. Loss of outlook.
- C. Loss of light.
- D. Extending past rear building line.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

- respecting the character and appearance of the existing dwelling and the surrounding area;
 - not prejudicing the amenities of nearby occupiers,
 - maintaining highway safety; and
 - providing adequate amenity space.
- 5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.
- 5.3 Residential Amenity
The proposed development relates to a single storey extension to the existing dwelling. The extension would be 4m in depth and would maintain the existing dwelling's ridge height (5.2m). It is acknowledged that in response to this proposal there have been a number of representations from local residents. These have objected to the development on the grounds of an overbearing effect, a loss of outlook, and a loss of light. These matters regarding residential amenity are addressed below.
- 5.4 In terms of an overbearing effect, the proposed extension would not significantly exceed the rear building lines of the adjacent properties. This is mainly because both of these adjacent properties have single storey rear extensions. Nevertheless it is acknowledged that in terms of height the proposed extension would be greater than an average single storey rear extension, and to some extent this effect would be increased by the topography of the site, especially in relation to the adjacent property (No. 21). Notwithstanding this, it is important to consider that the building would remain single storey in scale, and it would include a hipped roof. On this basis, it is considered that the side elevations that would face onto the neighbouring dwellings would not result in a material overbearing effect or a loss of light. In terms of loss of outlook, it considered that the proposal would not significantly prejudice views from either neighbouring property, nevertheless in any case loss of outlook would not normally be a material planning consideration. In terms of privacy, the proposed development would not include any windows that would have direct views into the neighbouring properties.
- 5.5 In view of the above analysis, is considered that the proposal would not result in a material overbearing effect, or a loss of privacy. It is therefore concluded that the proposal would not harm residential amenity.
- 5.6 Visual Amenity
The proposed single storey extension would be situated on the rear elevation. The proposed extension would be proportionate to the existing dwelling in terms of its height, scale, and massing, and moreover its detailing and materials would match the existing. On this basis, it is considered that the proposed development would respect the character and appearance of the existing dwelling and the surrounding residential area.
- 5.7 Use of Energy and Sustainability
To be built to Building Regulations.

5.8 Improvements Achieved to the Scheme

None.

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.

Notwithstanding the views of the local residents, the proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

The proposed extension would respect the overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

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

7. **RECOMMENDATION**

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

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

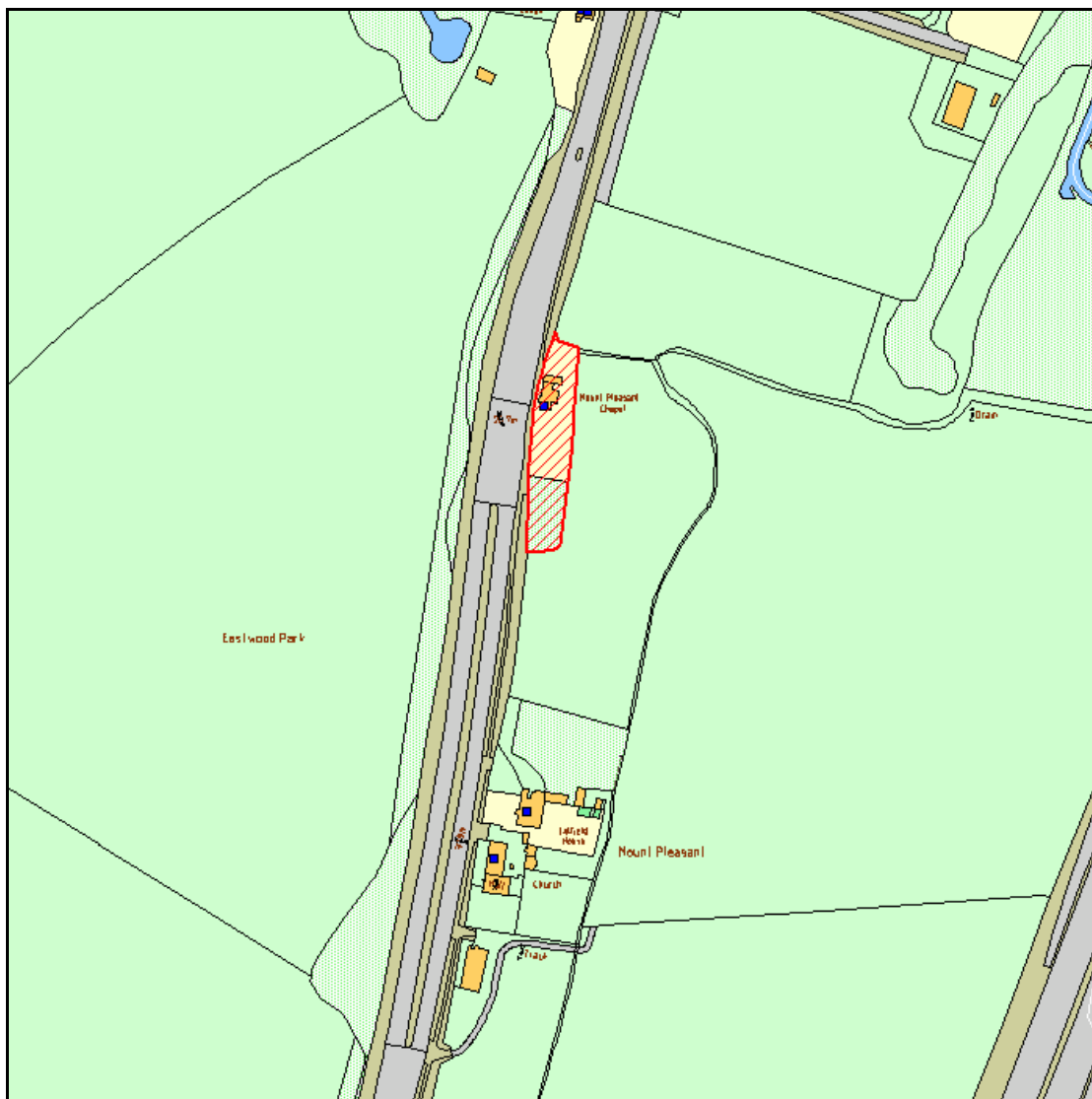
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 09/10 – 05 MARCH 2010

App No.:	PT10/0171/F	Applicant:	Mr S Cox
Site:	Mount Pleasant Bristol Road Falfield Wotton Under Edge South Gloucestershire	Date Reg:	3rd February 2010
Proposal:	Erection of two storey rear extension to provide additional living accommodation. Erection of front porch. Construction of new access and formation of hardstanding.	Parish:	Falfield Parish Council
Map Ref:	368189 192795	Ward:	Charfield
Application Category:	Householder	Target Date:	24th March 2010



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 100023410, 2008. N.T.S. PT10/0171/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of a representation from a local resident that was contrary to the Case Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a two-storey rear extension and a front porch, and the construction of a new access and hardstanding.
- 1.2 The application site relates to a detached cottage and its associated residential curtilage. The site is situated outside of the Falfield settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development.

H4: Development within Existing Residential Curtilages

T8: Parking Standards

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 N6824 Erection of two storey rear extension to provide kitchen and bathroom.
Approved on 14.08.1980.

4. CONSULTATION RESPONSES

4.1 Falfield Parish Council

No objection however the Parish were considered with regard to the access onto the A38 and highway safety.

4.2 Sustainable Transport

The Highway's Officer visited the site and was satisfied that adequate visibility can be achieved from the proposed access across the frontage to the north but visibility is constrained by a brow in the hill to the south. The formation of 2 accesses in close proximity is also generally not desirable on a relatively fast stretch of road given the potential for conflict between turning vehicles.

The existing double garage and turning area could accommodate 2 cars though council parking standards indicate that 3 parking spaces would be permitted for

a 4-bed-dwelling. If a third or fourth car were parked within the existing site then this could lead to a lack of manoeuvring space and the possibility of vehicles reversing back out onto the highway. The proposed access facilitates additional parking and turning space should it be required.

The prospect of vehicles reversing out of the existing access represents a greater hazard than the deficiencies identified with the proposed access. On this basis the Highway's Officer raised no transportation objection.

4.3 Local Residents

One letter has been received in response to this application. The main concerns related to highway safety issues arising from the new access onto the A38.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

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

5.3 Residential Amenity

The application site relates to an isolated residential dwelling, which is not sited in close proximity to any another residential property. It is therefore considered that this proposal for a two-storey rear extension, and a new access and hardstanding would not harm residential amenity.

5.4 Visual Amenity

The proposed two-storey extension would be situated on the rear elevation. The proposed extension would be subservient and proportionate to the existing dwelling in terms of its height, scale, and massing, and moreover its detailing and materials would match the existing. On this basis, it is considered that the proposed development would respect the character and appearance of the existing dwelling and the surrounding rural area.

5.5 Highway Safety

The Parish Council and a local resident have raised concerns to potential highway safety issues resulting from the proposed additional access onto the A38. To address these issues the Council's Transport Engineer has been consulted and their comments are report under paragraph 4.2. In view of these, it is considered that the proposed development would provide satisfactory access, turning and parking arrangement that would not prejudice highway

safety. This is subject to a condition being attached to ensure that the existing and proposed access points are implemented and maintained.

5.7 Use of Energy and Sustainability
To be built to Building Regulations.

5.8 Improvements Achieved to the Scheme
None.

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.

- a) The proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed extension would respect the overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.
- c) Notwithstanding the concerns of the Parish Council and the local resident. The proposed access and hardstanding would not prejudice highway safety and would provide an acceptable level of parking provision. The development therefore accords to Policy H4, T12 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

7. RECOMMENDATION

7.1 Planning permission 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.

Reason

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

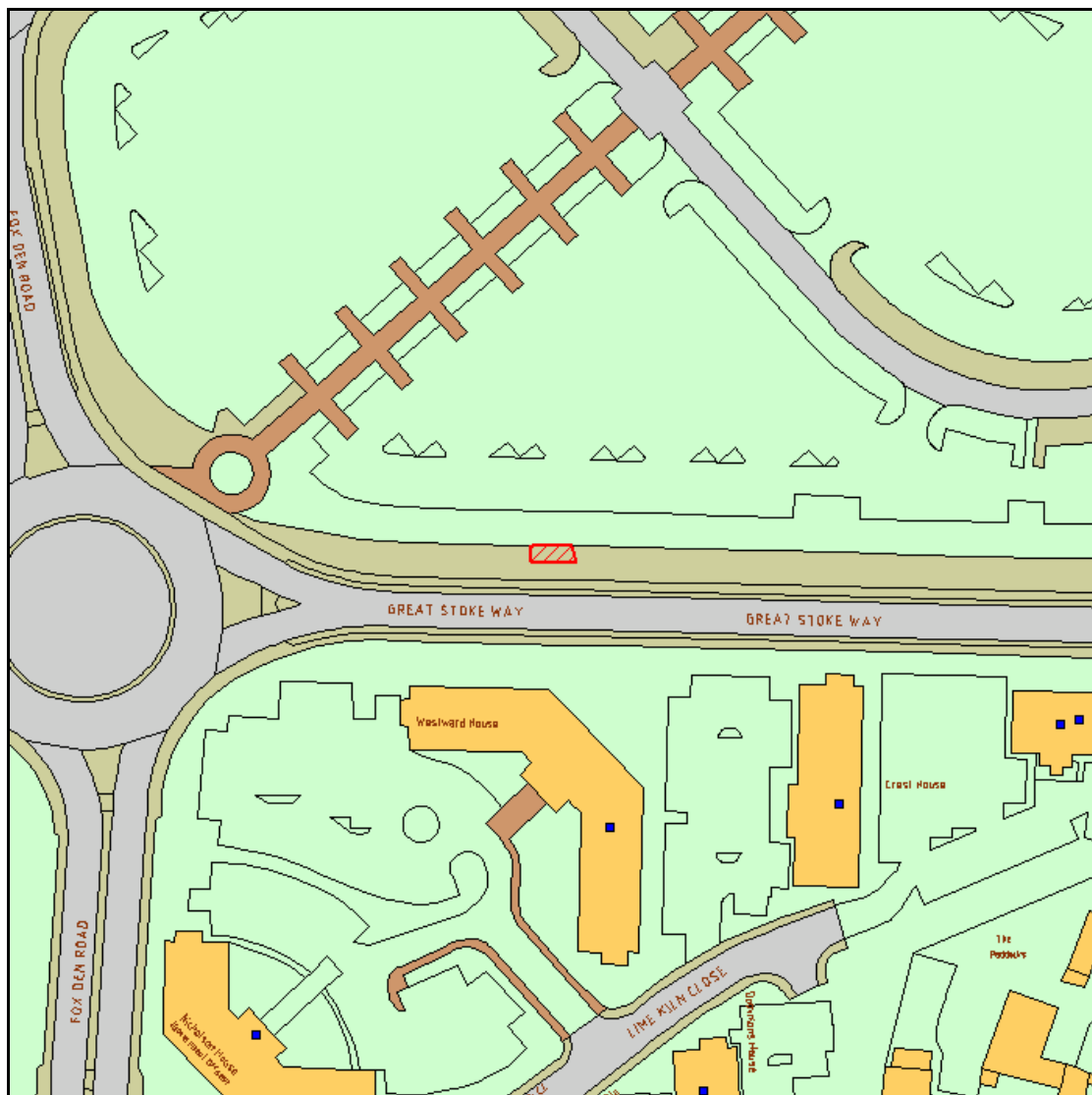
2. The extension hereby permitted shall not be occupied until the proposed vehicular access has been provided in accordance with Drg. No. AE/2010/1/4 and shall be retained as such, unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt the existing access (Shown on Drg. No. AE/2010/1/4) shall be retained in its current form, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of highway safety, and to accord with Policy H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 09/10 – 5 MARCH 2010

App No.:	PT10/0182/PN1	Applicant:	O2 UK Ltd
Site:	SWs Off Great Stoke Way Harry Stoke Bristol South Gloucestershire BS34 8QQ	Date Reg:	1st February 2010
Proposal:	Prior notification of the intention to install 1 no. 15 metre monopole, 2 no equipment cabinets with ancillary development.	Parish:	Stoke Gifford Parish Council
Map Ref:	362493 179334	Ward:	Frenchay And Stoke Park
Application Category:		Target Date:	24th March 2010



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100023410, 2008.

N.T.S.

PT10/0182/PN1

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of representations from Stoke Gifford Parish Council that are contrary to the Case Officer's recommendation. However, Members should be aware that there is insufficient time to refer this application to the next available Development Control (West) Committee as the date of the meeting falls after this application expires. Should the Local Planning Authority fail to notify the applicant of their decision by 24th March 2010, then the applicant can carry out the development in any case.

1. THE PROPOSAL

- 1.1 The applicant seeks Prior Notification for the installation of one 15m monopole mast within two equipment cabinets. This development would replace the existing O2 installation that comprises of a 12.5m monopole which was approved under application ref: PT09/0327/PN1.
- 1.2 The development is required to enable the mast to be shared by two operators (O2 and Vodaphone) and to provide a improved coverage for the local area.
- 1.3 The application site is situated within the adopted highways verge on Great Stoke Way, Harry Stoke. The site is situated within the Bristol North Fringe urban area and the surrounding area comprises of a mix of commercial, retail and residential uses.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG8: Telecommunications
Code of Best Practice on Mobile Phone Network Development
- 2.2 Statutory Instruments
Town and Country Planning (General Permitted Development) Order 1995
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
Policy D1: Achieving Good Quality Design in New Development
Policy L1: Landscape Protection and Enhancement
Policy S5: Telecommunications
- 2.4 Supplementary Planning Guidance
South Gloucestershire Telecommunications Network Infrastructure (Adopted) August 2005

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/0327/PN1 Prior notification of the intention to install 1 no. 12.5 metre linear column and ground base equipment with ancillary development.
No objection 03.04.2009

4. **CONSULTATION RESPONSES**

- 4.1 **Stoke Gifford Parish Council**
Objection on the grounds of height, design and multiplicity.
- 4.2 **Sustainable Transportation**
No objection.
- 4.3 **Local Residents**
None received.

5. **ANALYSIS OF PROPOSAL**

- 5.1 **Principle of Development**
The proposed development is permitted under Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995, however the apparatus requires prior approval of Council over siting and appearance. Where approval is required the Council will require developers to demonstrate what attempts have been made to minimise the impact through appropriate siting and design of appearance in terms of materials, colours, height, etc. In all instances the main material consideration will be the technical needs of the operator as demonstrated by the applicant and the need to facilitate development.
- 5.2 The Council can only determine this application with regard to its siting and appearance. To assist the determination, advice is given within Policy S5 of the South Gloucestershire Local Plan (adopted) January 2006 and the Telecommunication Network Infrastructure SPD (Adopted) August 2005. Both of these documents are material considerations and therefore weight is attached to the guidance when considering applications for prior approval.
- 5.3 **Siting and Appearance**
In terms of siting and appearance, it is important to acknowledge that this application involves the replacement of the existing 12.5m mast with a new 15m mast. On this basis, the only change to the street scene would be that the height of the existing mast would be increased by 2.5m.
- 5.4 It is understood that traditionally, street works installations have been difficult, if not impossible to share between operators. As a result of this there have been a number of street work installation allowed within close-proximity to each other else within the authority. This application demonstrates a solution whereby a 15m street works mast has been adapted to allow two operators to share a single mast. It is considered that this small increase to the height of the existing mast would be significantly less harmful to the visual amenity of the street scene than two separate masts.
- 5.5 This stance is supported by paragraph 5.8 of the adopted Telecommunications Networks Infrastructure SPD which provides guidance on "Cumulative Effect". The SPD explains that the '*...cumulative effect of two or more facilities in a small area is likely to change its character*'. The SPD also states that

'...proposals likely to create adverse cumulative visual effects from clusters of separate installations are not likely to be approved'.

5.6 Therefore, in view of these factors, it is considered that the alternative of a separate mast within the street scene would cause more visual harm than small increase to the height of the existing mast. As such, it is considered that the proposed siting and appearance would be acceptable in this instance.

5.7 Alternative Sites and Mast Sharing

The applicant has submitted evidence that identifies that seven alternative sites have been considered. This demonstrates there are no other suitable locations, existing masts, tall buildings, or other structures that would meet the technical needs of the applicant. Officers are satisfied that the applicant has undertaken a robust site selection process, and it is agreed that there is not a more suitable alternative site.

6. CONCLUSION

6.1 The decision to raise no objection 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 **NO OBJECTION** is raised in respect of this prior notification.

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 09/10 – 05 MARCH 2010

App No.:	PT10/0196/EXT	Applicant:	Mrs S Boulton-Major
Site:	598A Filton Avenue Filton Bristol South Gloucestershire BS34 7LD	Date Reg:	5th February 2010
Proposal:	Conversion of single dwelling house to form 4 no. flats (consent to extend time limit implementation for PT06/0595/F)	Parish:	Filton Town Council
Map Ref:	360725 178476	Ward:	Filton
Application Category:	Minor	Target Date:	29th March 2010



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100023410, 2008.

N.T.S.

PT10/0196/EXT

INTRODUCTION

This application appears on the Circulated Schedule in view of the comments received from the Town Council and two neighbouring residents.

1. THE PROPOSAL

- 1.1 The application seeks an extension of time to a previously granted planning application (PT6/0595/F) in respect of the conversion of an existing end of terrace two-storey dwelling to provide four self-contained one-bedroom flats.
- 1.2 The host dwelling stands on the corner of Filton Avenue and Wallscourt Road (fronting the former), Filton.

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
H4 Development within Existing Residential Curtilages
H5 Residential Conversions
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 N4631: Single storey rear extension to form kitchen and utility room; demolition of existing lean-to. Permitted: 06 July 1978
- 3.2 N6802: Two-storey side extension to form a kitchen diner with two bedrooms above. Permitted: 14 August 1980
- 3.3 PT06/0595/F: Conversion of single dwelling to provide four flats. Refused: 7th September 2006; Appeal Allowed: 19 February 2007

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
'Object to consent to extend time limit following appeal in 2006'
- 4.2 Other Consultees
Highways DC: no objection

4.3 Summary of Local Residents Concerns

Two letters received expressing the following concerns:

- The site has inadequate parking;
- A bus stop in front of the dwelling limits the on street parking options;
- It is likely that residents would park along Wallscourt Road but this is already fully occupied by residents;
- Objections to the original application have not changed since which time the parking situation along Wallscourt Road has worsened;
- The new bus lane along Filton Avenue now causes residents to park in side roads;
- The additional dropped kerbs along Wallscourt Road has made the parking situation worse;
- It would have a detrimental effect on the area causing overcrowding and significant road safety issues;
- Decision makers do not live in the road or see the situation on a day-to-day basis.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy H5 allows for the conversion of existing residential properties into smaller units of self-contained residential accommodation provided that the proposal would:

- Not prejudice the character of the surrounding area;
- Not prejudice the amenities of nearby occupiers;
- Identify an acceptable level of off street parking;
- Provide adequate amenity space.

5.2 Planning policy T8 advises that on site car parking should not exceed one car space per dwelling for one-bedroom units. Further, at sites that have good accessibility by non-car modes and where there is adequate public off-street or share parking available, a provision below this standard will be expected.

5.3 Policy T12 advises that proposals will be permitted (in terms of transportation) provided that it (here considered relevant):

- Provides adequate safe, convenient, attractive and secure access and facilities for pedestrians, cyclists, and people with disabilities, and
- Provides access capable of accommodating the motorised traffic generated by the proposal; and
- Would not create or unacceptably exacerbate traffic congestion, or have an unacceptable effect on road, pedestrian and cyclist safety; and
- Would not generate traffic that would unacceptably affect residential amenity or other environmental sensitive areas in terms of noise, vibration and air quality;
- Provides for or does not obstruct existing emergency vehicle access.

5.4 The Proposal

The existing property comprises an end of terrace dwelling on the west side of Filton Avenue and adjoins Wallscourt Road along its southern boundary. The dwelling has previously benefited from a two-storey side addition.

5.5 The proposal seeks an extension of time to PT06/0595/F that granted planning permission for the conversion of this dwelling to provide four one bed self-contained flats. These would be accessed via the existing front door with the

only external alteration involving the replacement of the back door with a window. As previously approved, part of the rear garden would be given over to hard standing allowing two parking spaces with the retention of some garden space; this was the subject of an amended plan with the entire rear garden originally to have been covered by hardstanding. In this instance, this original plan showing the loss of the whole rear garden has again been submitted; it is considered that the previously agreed amendment could form the basis of an appropriately worded condition (in the event that permission is granted).

5.6 Analysis of Proposal: Design/ Visual Amenity

Planning application PT06/0595/F was initially refused planning permission for the following reason:

'The proposed development, by reason of the number of units proposed, would amount to an over development of the site having regard to the character and amenities of this residential area. The proposal is therefore considered contrary to planning policies D1 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.'

This committee decision was contrary to the Officer recommendation and was overturned at appeal with permission granted on February 19th 2007. At this time, the Inspector commented that:

'The Council claims that the proposal would result in a density of development more than twice that originally planned for the locality. It contends that the consequential site works within the rear garden, including provision of facilities to accommodate bins and cycles, would be out of keeping with the context and indicative of over development. I saw that the rear garden comprises a mainly hard surfaced, open area contained by fencing. Although both parties have referred to the siting of the garage, I saw that this has since been removed. However, I noticed that there is an adjacent garage and extension at the adjoining property No. 600 Filton Avenue. Taking all of these factors together, and bearing in mind also the opportunity to secure a scheme of landscaping on the site through a planning condition, which would help to soften the visual impact of the proposals, I am satisfied that in spite of its residential density the proposal would neither be visually intrusive nor out of keeping. I conclude that it would therefore not prejudice the character or the amenity of the area and accords with Policies H5 and D1 in the South Gloucestershire Local Plan.'

5.7 In this instance, given the nature of the application, the proposal remains as per the previously approved scheme with the exception of the rear garden area; this would therefore be conditioned. To this extent, external alterations to the dwelling would be minimal allowing the replacement of the back door with a window whilst two car parking spaces would be formed within the rear garden; this would allow the retention of some amenity space and help offset the visual impact of the proposed car parking spaces.

5.8 For the above reasons, this proposal is considered acceptable subject to the above-mentioned condition and a further condition in respect of landscaping (as attached to the appeal decision notice).

5.9 Residential Amenity

Internally, two flats would be provided at ground level with two above. The floor plan for each would be near identical with combined kitchen/ living areas at the front occupying the existing lounge and dining area at ground floor and two of

- the existing bedrooms above. Bedroom and bathroom space would occupy the rear of the dwelling utilising the existing through lounge and kitchen at ground floor and existing bedrooms and the bathroom above.
- 5.10 Overlooking at the rear would therefore be from bedroom and bathroom windows as per the existing arrangement. Properties opposite are sited at an appreciable distance on the far side of Filton Avenue. However, as shown, dining/ kitchen accommodation would adjoin what is likely to be the bedroom of the neighbouring property. Whilst not ideal, it is not considered that planning permission could not be reasonably withheld with this issue appropriately dealt with by the Building Regulations process.
- 5.11 Externally, as previously approved the proposal would necessitate the loss of part of the rear garden to provide two parking spaces. These spaces would be provided at the far end of the garden away from the rear of the building. It is considered that this would also help to reduce any subsequent impact on the neighbouring property. Subject to the same arrangement this time (to form the basis of a condition), it is therefore not considered that any significant adverse impact in residential amenity would be caused.
- 5.12 Properties behind stand at an appreciable distance from the host dwelling fronting Wallscourt Road. It is not therefore considered that any significant adverse impact in residential amenity would be caused.
- 5.13 Concerning the proposed relationship between the new residential units, the aforementioned scheme of landscaping (to be conditioned) would need to safeguard the residential amenities of the ground floor occupiers (with these associated bedrooms at ground level). This is typical of a development of this type and again, it is not considered that permission could be reasonably withheld on this basis.
- 5.14 Highway Safety
The previous application was allowed on appeal at which time the Inspector was satisfied with the level of parking provided (two spaces). The application form indicates that the same level of parking would again be provided; this should be subject to appropriately worded condition as attached to the appeal decision. Further, since the time of this approval, bus priority works have taken place in the area to help make the site more accessible by non-car modes.
- 5.15 For the above reasons, there is no transportation objection to this proposal. To this extent, having regard to the concerns that have been raised by the local residents, it is considered that any associated refusal would be very unlikely to prove sustainable in view of the previous appeal decision and with the proposal compliant with planning policy T8 (Parking Standards).
- 5.16 Provision of Amenity Space
The previous proposal allowed the retention of half of the rear garden and the existing garden space to the front and side of the host dwelling. Subject to an appropriately worded condition to secure the same arrangement, it is considered that an acceptable level of amenity space would again be provided.
- 5.17 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under

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

6. CONCLUSION

- 6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the 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 proposal would not prejudice the character of the surrounding area. Accordingly, the development proposed is considered to be compliant with Planning Policies D1 (Achieving Good Quality Design in New Development) and H5 (Residential Conversions) of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. The proposal would cause no significant adverse impact in residential amenity. The proposal is therefore considered to accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and H5 (Residential Conversions) of the South Gloucestershire Local Plan (Adopted) January 2006.
 3. An acceptable level of off street parking would be provided as part of the development proposed. The proposal is therefore considered to comply with Planning Policies H5 (Residential Conversions), T8 (Parking Standards) and T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.
 4. Adequate private amenity space would be provided in accordance with Planning Policy H5 (Residential Conversions) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

- 7.1 Planning Permission be **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. Prior to the commencement of development, an amended plan showing the provision of two car parking spaces and an area of rear garden space shall be submitted to and approved in writing by the Local Planning Authority. Development shall accord with these agreed details with the two car parking spaces provided prior to the commencement of development and thereafter retained for that purpose. For the avoidance of doubt, this plans shall be the same as that approved as part of planning application PT06/0595/F.

Reason

In the interests of visual amenity and to accord with Planning Policies D1 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

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

Reason

To protect the character and appearance of the area to accord with Planning Policies H5, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before the residential units are occupied. Development shall be carried out in accordance with the approved details.

Reason

To protect the character and appearance of the area to accord with Planning Policies H5, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

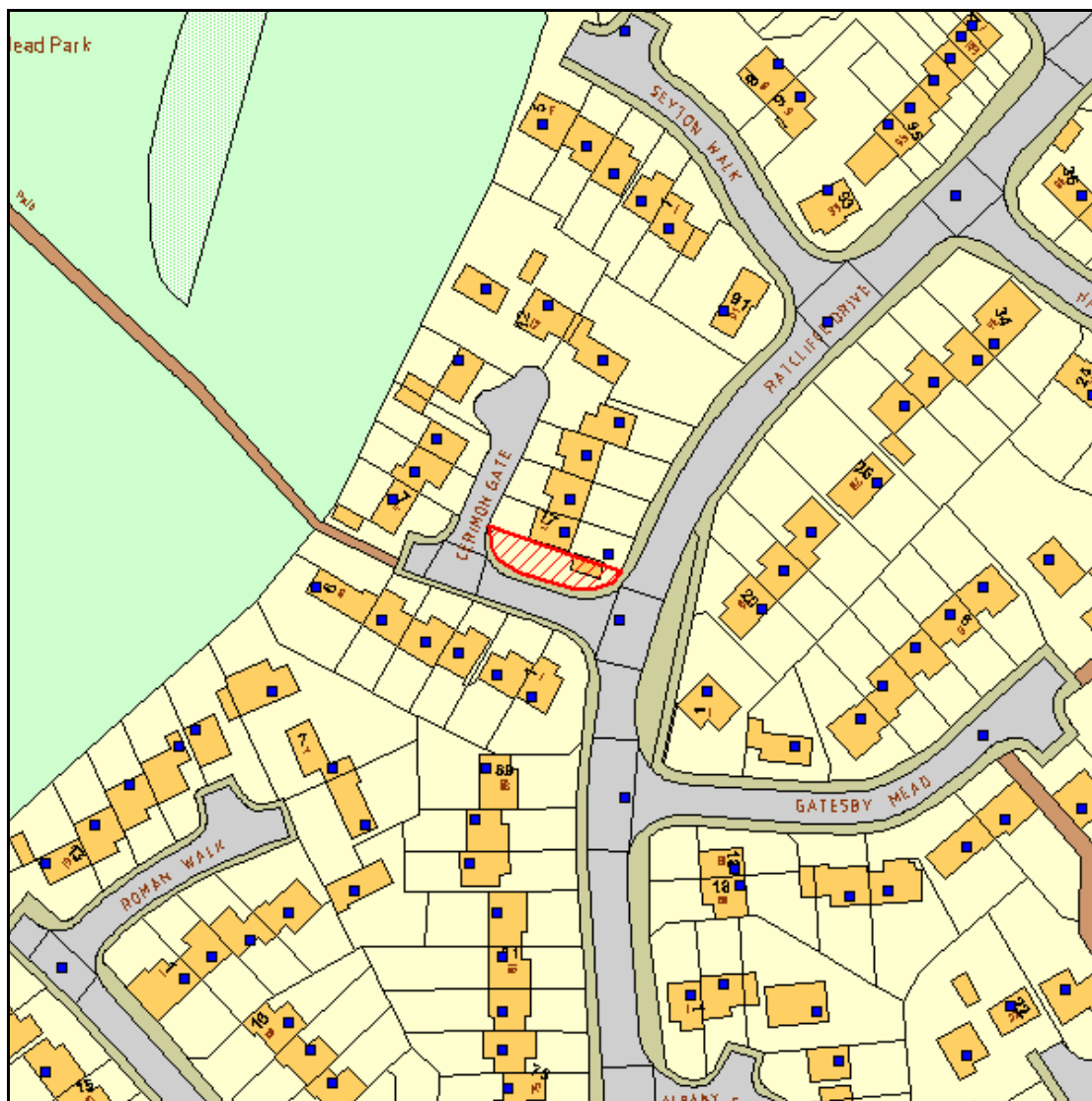
6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason

To protect the character and appearance of the area to accord with Planning Policies H5, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 09/10 – 5 MARCH 2010

App No.:	PT10/0204/F	Applicant:	Mr A Jones
Site:	17 Cerimon Gate Stoke Gifford Bristol South Gloucestershire BS34 8UN	Date Reg:	4th February 2010
Proposal:	Erection of 1 no detached dwelling and associated works.	Parish:	Stoke Gifford Parish Council
Map Ref:	362168 180251	Ward:	Stoke Gifford
Application Category:	Minor	Target Date:	29th March 2010



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 100023410, 2008. **N.T.S.** **PT10/0204/F**

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1 no detached dwelling and associated works.
- 1.2 The application site refers to land to the side of no. 17 Cerimon Gate, Stoke Gifford. The site is located within the established urban area. The proposal involves the demolition of an existing detached garage in order to facilitate the erection of a detached dwelling. Two parking spaces are proposed, one for the existing dwelling and one for the proposed.

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
H2	Residential Development within Existing Urban Areas
H4	Development within Existing Residential Curtilage
T8	Parking Standards
T12	Transportation Development Control Policy for new Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

No relevant history.

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

Objection on the grounds of reduced parking provision.

4.2 Other Consultees

Highways

No objection.

4.3 Local Residents

Two letters of objection were received raising the following concerns:

- Insufficient provision of off street parking.
- On street parking and increased traffic would lead to highway safety issues.
- Granting permission would set a precedent for allowing dwellings to be built on corner plots/end terraces leading to a higher housing density.
- Loss of outlook from neighbouring properties.
- Construction of dwelling would lead to noise pollution and commercial vehicles blocking access.
- The proposed dwelling would overlook property opposite.
- Children use Cerimon Gate to access Meade Park and increased traffic would be a safety hazard.
- New dwelling would block sunlight from existing properties.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

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

5.2 Design and Visual Amenity

The application seeks full planning permission for the erection of 1 no. detached new dwelling to the side of 17 Cerimon Gate, Stoke Gifford. The site is situated on the corner of the junction between Cerimon Gate and Ratcliffe Drive. An existing detached garage located to the side and rear of no. 17 Cerimon Gate is to be demolished. Boundary treatment is in the form of a 2 m high wall adjacent to the pavement and highway.

5.3 No. 17 Cerimon Gate sits on the end of a row of three identical properties. The proposed dwelling would be the same height as these properties and slightly slimmer in terms of its width. The proposed dwelling would be marginally deeper than the existing dwelling and would incorporate a similar front porch detail and facing materials to match the row of existing three dwellinghouses.

5.4 It is considered that the proposal is suitable in scale and fits with the character of the surrounding area. Its location to the side of the existing row of terrace properties together with the chosen construction materials, which match the palette of materials displayed in the existing building, means that this dwelling is an appropriate addition to the streetscene. It is not considered that

neighbouring occupiers would suffer unduly from a loss of outlook as the character of the area is already that of fairly dense residential development.

5.5 Density

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

In this instance, the total site area equates to 0.01ha providing for a density of some 30 dwellings per hectare. Therefore, the proposal comfortably falls within the threshold required. It is not considered that any more than one dwelling could be provided for given the design, access and transportation issues which would arise from more than one dwelling on this site. As such, there is no objection to the proposal on this basis.

5.6 Residential Amenity

Overbearing Analysis

Due to the overall scale and size of the proposed development and its location to the side of an existing property and with public highway space surrounding the other sides of the proposed development, it is not considered that the proposal would be overbearing on the residential amenity of neighbouring occupiers. Given the distance the proposed dwelling would be from properties to the east, south and west it is not considered that the proposal would lead to an undue loss of light to neighbouring occupiers.

5.8 Privacy Analysis

To the rear the nearest habitable room of an occupying property is some 26 m away and to the front the windows proposed would be approximately 21 m away from habitable rooms at the properties directly opposite the proposed dwelling, namely no's 7 and 8 Cerimon Gate. This is considered a sufficient distance for there to be no undue overlooking or loss of privacy as a result of the proposal.

5.9 Amenity Space

Sufficient garden space will remain to serve occupiers of the existing property and sufficient private amenity space is also provided as a part of the new dwelling.

5.10 Transportation

This development includes the provision of 1 parking space for the existing dwelling and 1 parking space for the proposed dwelling. Whilst some additional off-street parking would be permitted under Policy T8, it could not be demanded at this location.

5.11 Stoke Gifford is considered to be relatively accessible and the site is within walking distance of shops, schools, public transport, doctors and other services. The site is also within cycling distance of employment opportunities.

The availability of on-street parking is variable but there are no parking restrictions in the immediate vicinity.

- 5.12 Planning Policy Guidance 13 does not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety. Whilst some additional on-street parking may occur as a result of this development, the Council's Highway Officer does not envisage significant implications on road safety. In addition, the building itself will not interfere with visibility splays along the adjoining road. Matters concerning illegal parking blocking existing accesses would need to be taken up as a civil matter, and cannot be controlled through the planning system.
- 5.13 Other Matters
The proposal has been assessed on its own individual merits and set of circumstances. Any future proposal that is similar will also be assessed on individual merits and it is therefore considered that this recommendation would not set any kind of precedent for proposals of this nature.
- 5.14 No drainage details were submitted with the application and so a condition will be attached to the decision notice requiring information on drainage to be submitted prior to the commencement of development.
- 5.15 Design and Access Statement
The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.
- 5.16 Use of Energy and Sustainability
None specified.
- 5.17 Improvements Achieved to the Scheme
None deemed necessary.
- 5.18 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

The 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 proposed dwelling would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed dwelling has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The proposal achieves an acceptable density. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.
- c) The proposed dwelling would provide an acceptable level of off street parking and would not prejudice highway safety. The development therefore accords to Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: William Collins
Tel. No. 01454 863819

CONDITIONS

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

Reason

To comply with the requirements of Section 91 of the Town & 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 shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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