



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY
THE DIRECTOR OF PLANNING, TRANSPORTATION AND STRATEGIC
ENVIRONMENT**

CIRCULATED SCHEDULE NO. 11/10

Date to Members: 19/03/10

Member's Deadline: 25/03/10 (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: 19/03/10

SCHEDULE NO. 11/10

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

**Dates and Deadlines for Circulated Schedule
Over the Easter and May Bank Holiday Period 2010**

Schedule Number	Date to Members 9am on	Members Deadline 5pm on
12/10	Fri 26 March 2010	Thurs 01 April 2010
13/10	Fri 09 April 2010	Thurs 15 April 2010
16/10	Thur 29 April 2010	Thurs 06 May 2010
20/10	Thur 27 May 2010	Thurs 03 Jun 2010

Please note due to Easter Bank Holiday there will be no Circulated Schedule published on Friday 02 April 2010

CIRCULATED SCHEDULE – 19 MARCH 2010

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/0088/F	Approve with Conditions	189 Hanham Road Hanham South Gloucestershire	Woodstock	None
2	PK10/0135/R3F	Deemed Consent	Iron Acton Primary School Wotton Road Iron Acton South Gloucestershire BS37 9UZ	Frampton Cotterell	Iron Acton Parish Council
3	PK10/0136/CA	Approve with Conditions	Iron Acton Primary School Wotton Road Iron Acton South Gloucestershire BS37 9UZ	Frampton Cotterell	Iron Acton Parish Council
4	PK10/0166/F	Approve with Conditions	26 And 28 Church Road Yate South Gloucestershire	Yate North	Yate Town
5	PK10/0212/F	Approve with Conditions	27 Cabot Close Yate South Gloucestershire BS37 4NN	Yate Central	Yate Town
6	PK10/0222/F	Approve with Conditions	45 Rockland Road Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
7	PK10/0236/F	Approve with Conditions	314 North Road Yate Bristol South Gloucestershire BS37 7LL	Ladden Brook	Iron Acton Parish Council
8	PK10/0309/RM	Approve with Conditions	42 Acacia Road Staple Hill South Gloucestershire	Staple Hill	
9	PK10/0312/CLE	Approve with Conditions	14 Chichester Way Yate South Gloucestershire BS37 5TA	Yate North	Yate Town
10	PT09/6032/R3F	Approve with Conditions	New Siblans School Easton Hill Road Thornbury South Gloucestershire BS35 2JU	Thornbury North	Thornbury Town Council
11	PT09/6124/F	Approved Subject to	300 Aztec West Almondsbury South Gloucestershire	Patchway	Patchway Town Council
12	PT10/0245/F	Approve with Conditions	Almondsbury Dental Surgery 37 Lower Court Road Almondsbury South Gloucestershire BS32 4DX	Almondsbury	Almondsbury Parish Council
13	PT10/0292/F	Approve with Conditions	Land Adjacent To 24 Court Avenue Stoke Gifford South Gloucestershire BS34 8PJ	Stoke Gifford	Stoke Gifford Parish Council
14	PT10/0336/F	Approve with Conditions	205 Juniper Way Bradley Stoke South Gloucestershire BS32 0DP	Bradley Stoke South	Bradley Stoke Town Council
15	PT10/0361/TCA	No Objection	Southview Quarry Road Frenchay South Gloucestershire BS16 1LX	Frenchay And Stoke Park	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PK10/0088/F	Applicant:	Mr And Mrs Haines
Site:	189 Hanham Road Hanham Bristol South Gloucestershire BS15 8PB	Date Reg:	21st January 2010
Proposal:	Erection of two storey side and rear extension to provide additional living accommodation.	Parish:	None
Map Ref:	364553 172779	Ward:	Woodstock
Application Category:	Householder	Target Date:	15th March 2010



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100023410, 2008. **N.T.S.** **PK10/0088/F**

INTRODUCTION

The application has been forwarded to the Council's Circulated Schedule for Member consideration as a third party representation has been received raising a view which is contrary to the Officer recommendation.

1. THE PROPOSAL

1.1 The application site is situated within a predominantly residential context in Hanham. The site is set back from the main Hanham Road by a small public verge and paths. A public path also runs adjacent to the side (east) boundary of the site connecting Hanham Road with Quarry Road to the south. The site is bounded by residential development to the west and south and over the path to the east, with vehicular access onto a service track to the south. The site comprises a modern two storey semi detached dwelling with single detached garage to the rear.

The site is situated within the urban area as defined in the adopted Local Plan.

1.2 The application proposes erection of two storey side and rear extension to provide additional living accommodation.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

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

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

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Consultees

None

Other Representations

4.3 Local Residents

One letter of objection received from the occupiers of no.187 raising the following concerns to the original plans submitted:

Overbearing presence when viewed from our side elevation; awkward architectural design which would not sit well in relation to its surroundings; combined mass of existing and proposed dwelling appears to overdevelop the dwelling and is out of character; potential problems with the public drains due to location of the extension; not a well considered proposal.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The dwelling is situated within a suburban residential context. The dwelling the subject of this application is a two storey semi detached dwelling set back from the highway. The proposed extension would be visible from public vantage points from the side and rear via the footpath at the side. However, being set back from Hanham Road and adjacent to the much larger dwelling to the north east (187), the visual impact of the extension when viewed from Hanham Road would be greatly diminished. The original scheme submitted has been amended reducing the rear projection and relating the extension better to the main house. The amended scheme when viewed from the front now appears as a typical subservient side extension. The side element appears in two sections resulting in a stepping back part way through the side elevation. This softens the appearance and bulk of the extension when viewed from the side. The revised rear projection extends by 3.4m to the south which is considered not to be significantly large. The design and materials would be of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Residential Amenity

Adequate rear amenity space to the property would be retained following the erection of the proposed extension. With regard to neighbouring properties, the proposed extension would be situated some distance from the adjacent dwellings to the north east (12m) and south east (30m+). As indicated above the extension would project by 3.4m to the rear at a distance of 5.8m from the boundary with no.191 to the west. The proximity to the adjacent dwellings, scale and position of the extension in relation to the adjacent occupiers would ensure there is no prejudice to the amenity of neighbouring occupiers. A condition is however recommended to ensure no first floor windows are

inserted into the north east elevation to ensure the privacy of the occupiers of no.187 is retained.

5.4 Other issues

The proposal would result in an increase in the number of bedrooms from 3 to 4. This would result in an increase in the requirement for off street parking provision in accordance with the Council's adopted parking standard (Policy T8). There is sufficient space within the site to meet this off street parking requirement.

The objector raised concern that building the extension close too the path adjacent to the side boundary would be likely to cause problems with the public drains nearby. This is a matter that would be controlled through Building Regulations.

5.5 Design and Access Statement

A Design and Access Statement is not required for this application

5.6 Use of Energy and Sustainability

The proposal would use materials similar to those existing. The extension would be of good quality construction. Therefore the proposal would result in a sustainable form of development and the maintenance of the existing level of energy efficiency.

5.7 Improvements Achieved to the Scheme

Following negotiations with the applicant the scheme was amended to bring forward the extension so it related more effectively with the existing dwelling and reduced the length of the rear projection.

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. A summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.

- a) Due to its scale and position in relation to the adjacent dwellings, the proposed side/rear extension is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) It has been assessed that the proposed side/rear extension as amended has been designed to respect and maintain the massing, scale, proportions, materials and overall design and character of the street scene and 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 Consent is GRANTED subject to the following conditions and informatives:

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

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

Reason

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

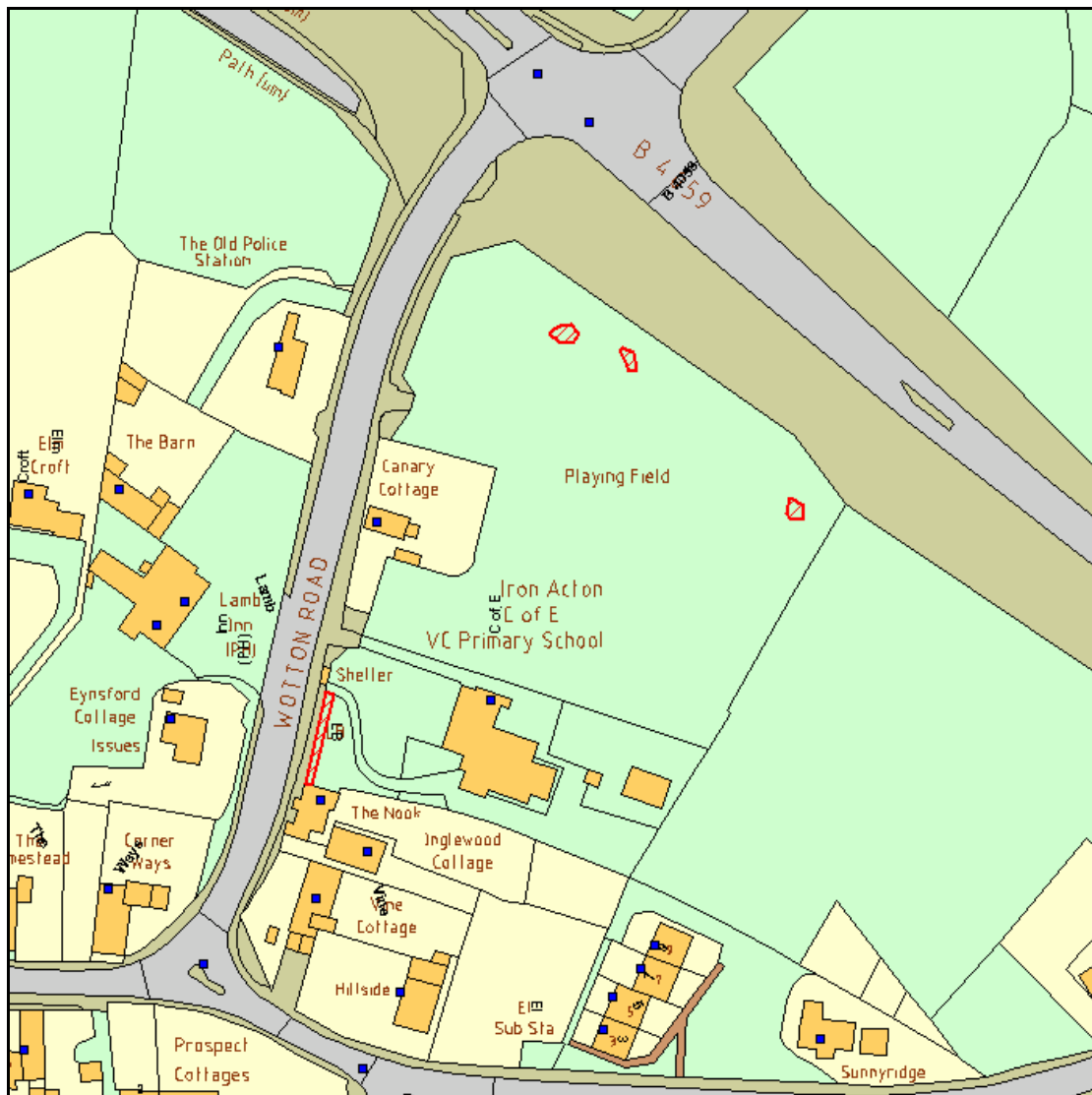
3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the first floor north east elevation of the property.

Reason

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

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PK10/0135/R3F	Applicant:	Mrs Bendeaux
Site:	Iron Acton Primary School Wotton Road Iron Acton Bristol South Gloucestershire	Date Reg:	9th February 2010
Proposal:	Erection of natural stone retaining wall to replace existing wall. Construction of 2 no. outdoor play mounds and a spiral flower garden.	Parish:	Iron Acton Parish Council
Map Ref:	368203 183538	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	2nd April 2010



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PK10/0135/R3F

INTRODUCTION

The application has been forward to the Council's Circulated Schedule for Member consideration in accordance with the Council's adopted scheme of delegation as the application relates to land within the ownership of the Council.

1. THE PROPOSAL

- 1.1 The application site is situated within Iron Acton village and incorporates the local Primary School and playing fields. The site comprises a traditional school building and more modern outbuildings towards the south side of the school site with open playing fields to the north and an open grassed area to the west leading down to Wooton Road.

The grassed area to the west of the school building is situated at a higher level than Wooton Road with a retaining wall forming the west boundary of the site constructed from pennant stone with a cock and hen coping.

The application site is situated within the Iron Acton Conservation Area and the Bristol/Bath Green Belt. The main school building is a locally listed building. The southern part of the site incorporating the school buildings and grassed area to the west leading to Wooton Road is within the settlement boundary of Iron Acton. The playing fields to the north are situated outside the settlement boundary.

- 1.2 The application proposes erection of natural stone retaining wall to replace existing retaining wall on the west boundary. Construction of 2 no. outdoor play mounds and a spiral flower garden in the playing fields to the north.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
GB1 Green Belts
L12 Conservation Areas
L15 Locally Listed Buildings

- 2.3 Supplementary Planning Guidance
Iron Acton Conservation Area Statement
South Gloucestershire Design Checklist – August 2007
Development in the Green Belt – June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 N8391 Extension and remodelling of existing school.
No objection 09.12.1982
- 3.2 P94/1820 Provision of three bay elliott-medway
classroom unit
No objection 22.08.1994

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council

No objection
- 4.2 Other Consultees

Views incorporated into this report

Other Representations

- 4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated within the designated Green Belt where proposals must not compromise the 'openness' of the Green Belt in accordance with policy GB1. The site is also situated within a Conservation Area and policy L12 requires development proposals therein to preserve or enhance the character and appearance of the Conservation Area. Policy L15 seeks to retain locally listed buildings and structures which make a significant contribution to the character and distinctiveness of the locality.

5.2 Visual amenity

The stone retaining wall forms the front boundary to the school and is an important feature of the conservation area. The works of rebuilding are proposed in order to correct an outward lean in the wall due to safety concerns. It will be replaced on a 'like for like' basis with re-pointing using lime mortar. Some weep holes will be introduced near the base to aid drainage – but no details have been given of the size / construction of these, so a condition is recommended for details of these holes to be submitted prior to commencement. An additional condition requiring a sample walling panel is also recommended given the prominent nature of the wall as a feature within the Conservation Area.

It is also proposed to form a series of play mounds and spiral garden within the school playing field area. The two mounds would measure approximately 10m by 4m and 8m by 4m with a maximum height of 1m. The spiral would be 10m wide, to be sited next to a grassed area to encourage wildlife, gravel delimited with wooden stepping stones and planting around the edge. These are relatively small in scale and will not be visible in views from the street scene and are considered acceptable. Therefore the proposed wall, mounds and spiral garden are considered to preserve the character and appearance of the Conservation Area and the character, distinctiveness and amenity of the locality, subject to conditions.

The main school building within the site is included on the Council's local list. Policy L15 seeks only to retain locally listed buildings and the proposal does not relate to the main school building itself, this policy is not a consideration.

5.3 Green Belt

The proposal comprises firstly replacement of a retaining wall with a wall of the same size, scale, location and similar materials. Secondly, two mounds for enhanced recreation within the school playing field and a spiral garden for enhanced leisure/recreation facilities within the school site. All of the proposals listed above are considered to fall within the following criteria of appropriate development within the Green Belt in accordance with the Government's advice in PPG 2 and Policy GB1 of the adopted Local Plan.

The proposal therefore falls within the 5 criteria for limited development which is considered 'appropriate' in accordance with the Government's advice in PPG2. Additionally, in terms of preserving openness, the proposed development is either simply a like for like replacement or modest scaled landscaping within a recreational context. Therefore it is considered that the proposal would preserve the visual amenity and openness of the Green Belt.

5.4 Other issues

The proposal would have no significant highway safety implications.

5.5 Design and Access Statement

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

5.6 Use of Energy and Sustainability

Not applicable for this type of development.

5.7 Improvements Achieved to the Scheme

None necessary

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. A summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.

- a) The proposal is considered to constitute appropriate development in the Green Belt and due to its modest scale or as a replacement of existing development, the proposal is considered preserve the openness and visual amenity of the Green Belt. The development therefore accords to Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the development in the Green Belt SPD.
- b) Due to the modest scale of the proposed mounds and spiral garden and the wall being a replacement of an existing wall feature, the proposed development is considered to preserve the character and appearance of the Conservation Area and the character, distinctiveness and amenity of the locality. The development therefore accords to Policy D1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

7. RECOMMENDATION

7.1 Approve with conditions

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

2. A sample panel of stonework, demonstrating the colour, texture and pointing shall be erected on site and approved in writing by the Local Planning Authority prior to commencement of development. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

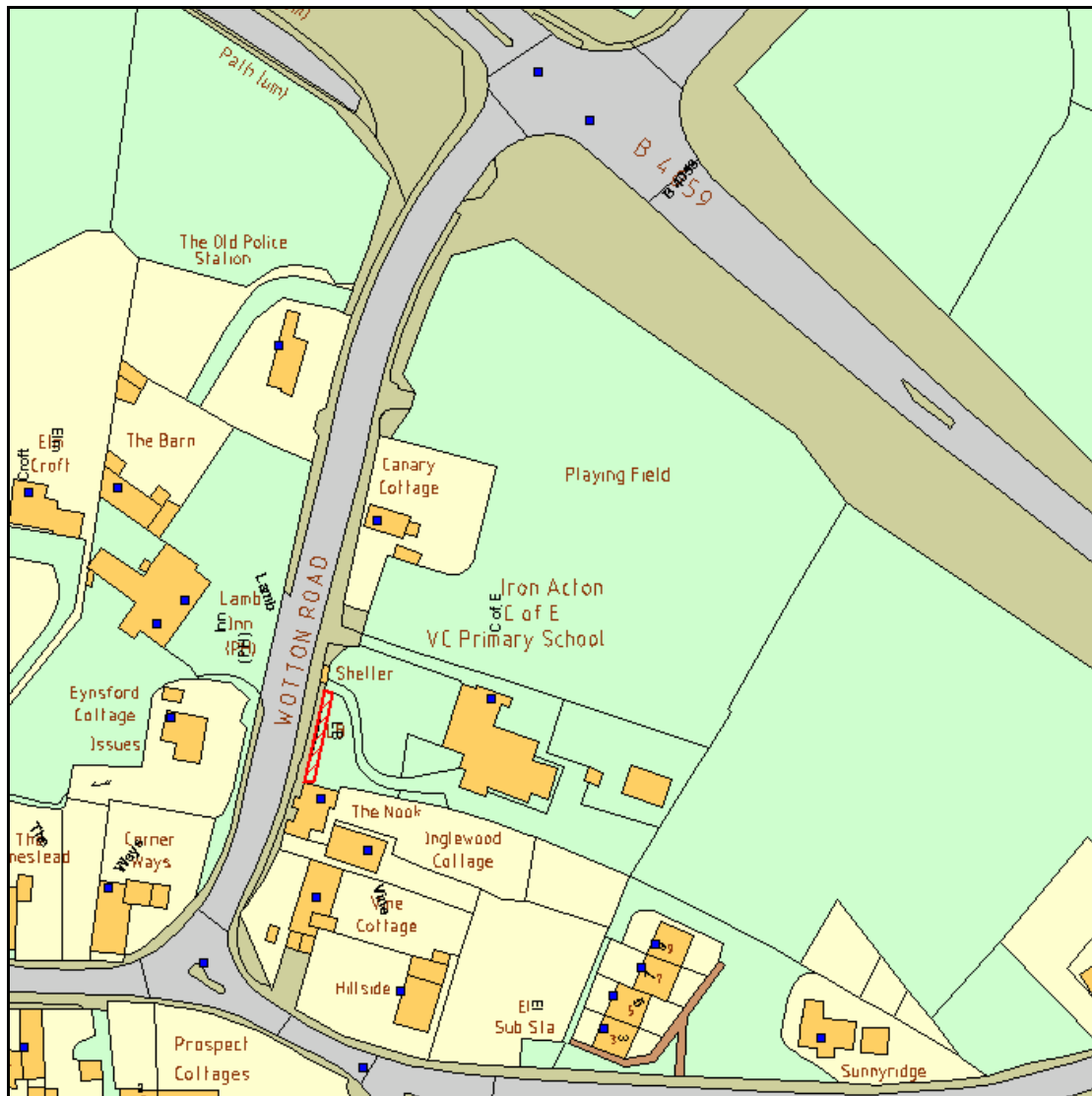
3. No development shall commence until details of the proposed drainage holes have been first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PK10/0136/CA	Applicant:	Mrs Bendeaux
Site:	Iron Acton Primary School Wotton Road Iron Acton Bristol South Gloucestershire	Date Reg:	9th February 2010
Proposal:	Demolition and reconstruction of front boundary wall.	Parish:	Iron Acton Parish Council
Map Ref:	368203 183538	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	2nd April 2010



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 100023410, 2008. **N.T.S.** **PK10/0136/CA**

INTRODUCTION

The application has been forward to the Council's Circulated Schedule for Member consideration in accordance with the Council's adopted scheme of delegation as the application relates to land within the ownership of the Council.

1. THE PROPOSAL

1.1 The application site is situated within Iron Acton village and incorporates the local Primary School and playing fields. The site comprises a traditional school building and more modern outbuildings towards the south side of the school site with open playing fields to the north and an open grassed area to the west leading down to Wooton Road.

The grassed area to the west of the school building is situated at a higher level than Wooton Road with a retaining wall forming the west boundary of the site constructed from pennant stone with a cock and hen coping.

The application site is situated within the Iron Acton Conservation Area.

1.2 The application for Conservation Area Consent proposes demolition of the front boundary wall.

2. POLICY CONTEXT

2.1 National Guidance
PPG15 Planning and the Historic Environment

2.2 Supplementary Planning Guidance
Iron Acton Conservation Area Statement

3. RELEVANT PLANNING HISTORY

3.1 N8391 Extension and remodelling of existing school.
No objection 09.12.1982

3.2 P94/1820 Provision of three bay elliott-medway
classroom unit
No objection 22.08.1994

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council

No objection

4.2 Other Consultees

Views incorporated into this report

Other Representations

4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Demolition

Demolition does not usually require planning permission. However in some cases demolition within a Conservation Area can require Conservation Area Consent. In this case the wholesale demolition of a front boundary wall within the Iron Acton Conservation Area required consent. Section 72 of the 1990 Act requires that special attention be paid in determination of an application for Conservation Area Consent to the desirability of preserving or enhancing the character or appearance of a conservation area, the contribution the wall makes to the character and appearance of the Conservation Area and whether a satisfactory scheme for its replacement is available.

5.2 Analysis of the proposal

The existing stone retaining wall forms the front boundary to the school and is an important and prominent feature of the conservation area. The works of rebuilding are proposed in order to correct an outward lean in the wall due to safety concerns. A scheme has been submitted ref PK10/0135/R3F to replace the wall on a 'like for like' basis with re-pointing using lime mortar. The replacement scheme is recommended for approval. A condition is required to retain control of the timescale between demolition and implementation of the replacement wall in the interest of visual amenity. A timescale of 3 months following demolition is recommended for development of the replacement wall to commence. The proposed demolition is therefore considered to preserve the character and appearance of the Conservation Area and subject to conditions the replacement wall will constitute a visual enhancement. Therefore overall the proposal will enhance the character and appearance of the Conservation Area.

5.5 Design and Access Statement

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

5.6 Use of Energy and Sustainability

Not applicable

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 The decision to grant Conservation Area Consent has been taken having regard to the section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained in PPG 15 (Planning and the Historic Environment).

7. RECOMMENDATION

7.1 That Conservation Area Consent is granted, subject to condition

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

2. Works for the demolition of the wall shall not commence until a valid contract for the replacement of the wall in accordance with a valid planning permission has been let, or details of temporary treatment of the site have been approved in writing by the Local Planning Authority, such details to include a programme for carrying out such treatment.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPG15.

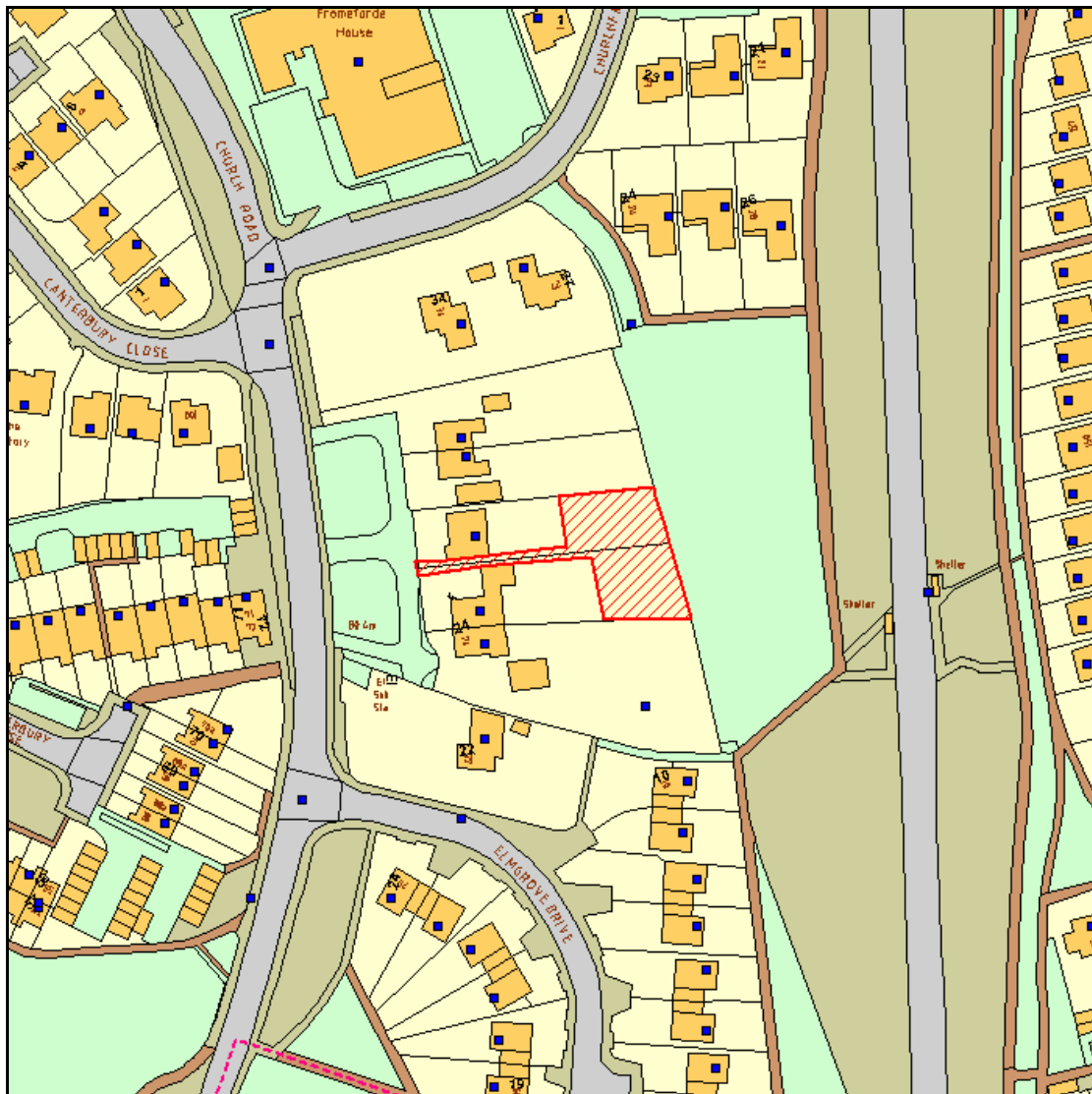
3. The demolition of the wall the subject of this application shall be completed in full within 1 month following commencement of any demolition of the existing wall on site. A replacement wall shall be implemented in full within 3 months following the commencement of demolition on site in accordance with a scheme to be first approved in writing by the Local Planning Authority.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPG15.

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PK10/0166/F	Applicant:	Mrs G Dyer And Mr And Mrs S Pearce
Site:	26 And 28 Church Road Yate Bristol South Gloucestershire BS37 5BQ	Date Reg:	8th February 2010
Proposal:	Erection of 2no detached dwellings with access and associated works.	Parish:	Yate Town Council
Map Ref:	371611 183029	Ward:	Yate North
Application Category:	Minor	Target Date:	1st April 2010



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100023410, 2008. **N.T.S.** **PK10/0166/F**

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of two detached dwellings in the rear garden of No's 26 and 28 Church Road, Yate. Each of the proposed new dwellings would have two bedrooms and would be in the form of a dormer bungalow. The application includes the parking and turning space.
- 1.2 In 2008 outline planning permission was approved for two dwellings on the site. Means of access was the only issue considered at outline stage and this was approved. The access to the dwellings subject of this current application would be between No's 26 and 28 Church Road. This access was previously agreed in the 2008 application and is already in place.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H2 Residential Development in Urban Areas
H4 Development within Existing Residential Curtilages
T8 Parking Standards
T12 Transportation Development Control
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/2854/O Erection of 2 no. detached dwellings (outline) with access to be determined. All other matters reserved.
Approved December 2008
- 3.2 PK07/0689 Erection of detached two storey dwelling with detached garage and associated works. Erection of replacement detached garage for existing dwelling.
Approved September 2007 at neighbouring property No. 24 Church Road

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No Objection

Other Representations

4.2 Local Residents

One letter has been received from a local resident. The letter states that whilst they have no objection to the erection of two dwellings, the neighbours do have concern with respect to access, parking and boundary separation. There are concerns that the vehicles being parked right up against the boundary fence will have an impact on the neighbours garden particularly through noise and pollution. The neighbours garden is not a big as shown on the block plan – they have recently erected a new dwelling within their garden. The boundary treatment between the site and the neighbours property is insufficient.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) allows for development within existing residential curtilages including new dwelling subject to there being no adverse impact on the existing visual and residential amenities within the immediate area. Therefore subject to these constraints, the proposal is considered acceptable in principle.

The government released a Ministerial statement on 19th January 2010 concerning the development of residential curtilages. The statement proposes an amendment to para. 41 of PPS3 which explains that brownfield land is the priority for development but will also now say that '*there is no presumption that previously developed land is necessarily suitable for housing, nor that all of the curtilage should be developed.*' This has been taken into consideration, however in this instance, given that permission has been granted for residential development to the rear of the neighbouring dwelling and the site has the benefit of an extant outline consent, this site is considered to be suitable for housing development.

The South Gloucestershire Local Plan (Adopted) identifies the site as lying within the urban area. With the exception of design, it is considered that Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) encompass all the relevant issues of the above policies. Policy H2 allows for new residential development providing that that following criteria are complied with:-

5.2 **(a) Development would be on previously developed land.**

The proposed site is considered previously developed land by virtue of its status as land being within the curtilage of the existing residential property. This complies with the definition outlined in PPG3 (Annex C).

The site is therefore considered an appropriate site for residential development subject to compliance with the following criteria.

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

Transportation

The plans show that the access to the new dwellings will be along a private driveway running between the two existing dwellings. The new vehicular access will be 3.7 metres wide – sufficient to allow access by a fire engine. The plans also show the provision of two parking spaces for each of the existing and proposed dwellings. The two new dwellings will have a shared driveway and shared turning head. To ensure that vehicles can both enter and leave the site in a forward gear, a condition will be attached to ensure that the shared driveway remains as such as is not divided through and fence, walls etc. It is therefore considered that sufficient off street parking is available for all existing and proposed dwellings sufficient to comply with the requirements of Policy T8.

5.4 Residential Amenity

The plans submitted show the provision of adequate amenity space to serve each of the existing dwellings. The amenity space is both useable and private. Similarly, the total area of garden space proposed to serve each of the proposed new dwellings is also considered to be good. Given that the dwellings are each to have two bedrooms only, the level of garden space provided is ample.

It is also considered that the new dwellings would not result in any issues of overlooking or loss of privacy for neighbouring properties. Both of the proposed dwellings are dormer bungalows with the dormer windows facing out to the rear. Two small roof lights will be positioned in the front roof slope of the dwellings but given the separation distance between the existing and proposed units, these two roof lights will not result in any issues of loss of privacy or overlooking. The rear dormer windows will face out towards a busy highway and will not impact upon existing levels of privacy for neighbouring occupants.

Your officer is also sensitive to the backland nature of the development and the fact that the driveway passes between two existing properties and allows vehicle movements in what is currently rear gardens. It is noted that a neighbour is concerned about possible noise and pollution to their garden as a result of vehicles parking close to the boundary with their property. Consideration must be given to the fact that outline approval has already been granted for two dwellings on the site. Whilst there is indeed some potential for noise from motor vehicles, this is likely to be for only very short period whilst vehicles are entering or leaving the site. It is not considered that the short-term disturbance from vehicles entering or leaving the site will have a significant or detrimental impact on the amenities of the neighbouring dwelling.

5.5 Design and Access Statement

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

5.6 Use of Energy and Sustainability

None above building regulations statutory minima although the buildings do avoid having any windows on the north facing elevation to make maximum benefit of solar gain.

5.7 Improvements Achieved to the Scheme

During the course of the application an amended plan was submitted to show the driveway between the two properties to remain largely open plan.

5.8 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The proposed new dwellings have been carefully designed so as to make efficient use of the land whilst respecting the layout and character of the area. Because of the design of the two dwellings and the distances involved, the existing levels of residential amenity for neighbouring dwellings are protected. The two units will be accessed from a private driveway and ample off street parking will be provided for both of the existing and both of the proposed dwellings. Ample garden space is provided to serve each of the existing and proposed dwellings.

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).

2. The off-street parking facilities for the existing and the proposed dwellings as shown on the plan hereby approved shall be provided before either dwelling new is first occupied, and thereafter retained for that purpose.

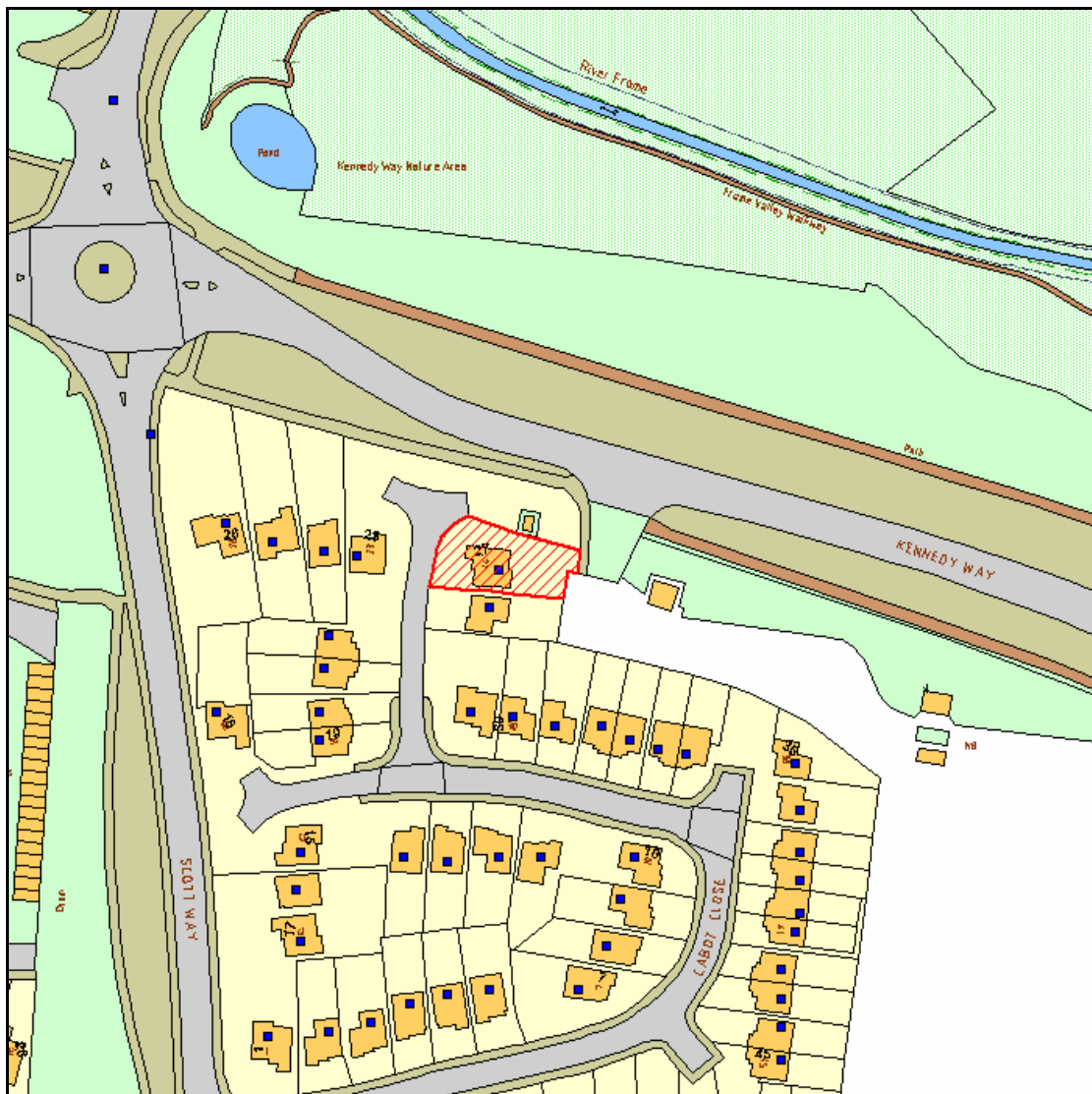
Reason

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

3. Reason
To ensure that adequate space remain on site to ensure that vehicles can both enter and leave the site in a forward gear in the interests of highway safety and to satisfy the requirements of Policy T12 of the South Gloucestershire Local Plan (Adopted)
3. The access drive and parking area for the two new dwellings must be kept as a shared area and no demarcation other than those shown on the approved plans shall be installed at any time. For the avoidance of doubt demarcation includes any walls, fences, gates, planting, kerbing or other physical obstruction.

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PK10/0212/F	Applicant:	Mrs Dear
Site:	27 Cabot Close Yate Bristol South Gloucestershire BS37 4NN	Date Reg:	4th February 2010
Proposal:	Change of use of incidental open space to residential domestic curtilage. Erection of two storey side extension to form garage and additional living accommodation.	Parish:	Yate Town Council
Map Ref:	371762 182187	Ward:	Yate Central
Application Category:	Householder	Target Date:	26th March 2010



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 100023410, 2008. **N.T.S.** **PK10/0212/F**

INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule procedure in light of objections received from the Parish Council regarding the loss of incidental open space.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a two storey side extension to form garage and additional living along with proposed change of use of incidental open space to residential domestic curtilage.
- 1.2 The application site relates to a two storey detached dwelling within established residential area of Yate.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Extensions
- 2.3 Supplementary Planning Guidance
Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Object to loss of incidental open space, unless contributory provisions to open space are put in place.

Other Representations

- 4.2 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan allows for extensions to existing dwellings subject there being no adverse impact on existing visual and residential amenities.

5.2 Visual Amenity

The application site relates to a two storey detached dwelling within a residential cul-de-sac. The property has a timber clad and render finish. The application seeks permission for the erection of a two storey side extension, which is considered to be of a scale and design in keeping with the existing dwelling and immediate surrounding area.

5.3 Land to the side of the site is currently enclosed by an existing fence and used as residential domestic curtilage. The Planning Officer is of the opinion that a section of that land was originally laid out incidental open space. In order to regularise the situation and to enable the development to proceed this application seeks permission for change use of that land to residential domestic curtilage. An objection has been raised by the Town Council with regards the loss of this land.

5.4 The Officer is of the view that regard must be had for the amenity value of the land in question. Having examined aerial photographs of the site, the land is considered small scale and given its alongside the house at the end of the cul de sac, it is not considered to be of high amenity value or contribute significantly to the visual amenities of the immediate surrounding area. Therefore no objection is raised with regard its loss, and no additional provision can be justified.

5.5 Residential Amenity

The application site property is sited at the end of a cul-de sac with no neighbouring properties adjacent the proposed two storey side extension. It is therefore considered that an extension in this location would not impact on the existing amenities neighbouring occupiers in terms of loss of privacy or overbearing impact.

5.6 Transportation Issues

The application proposes an integral garage and this along with existing hard standing within the application site boundary will provide satisfactory levels of on site car parking.

5.7 Design and Access Statement

Not required with this particular type of householder planning application.

5.8 Use of Energy and Sustainability

No specific measures proposed other than Building Regulations requirements.

5.9 Improvements Achieved to the Scheme

None required.

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 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.
- a) The proposed extension has been designed to positively enhance the character and appearance of the dwelling and area taking account of materials, design, siting and scale of development - Policies D1 and H4.
 - b) The proposed development has taken account of neighbouring residential amenities and thorough careful design, the proposal will not materially harm the amenities of neighbouring properties by reason of loss of privacy or overbearing impact-Policy H4.
 - c) The proposed scheme will provide satisfactory levels of on site car parking provision-Policy T8 and T12.

7. RECOMMENDATION

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

Contact Officer: Tracey Price
Tel. No. 01454 863424

CONDITIONS

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

Reason

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

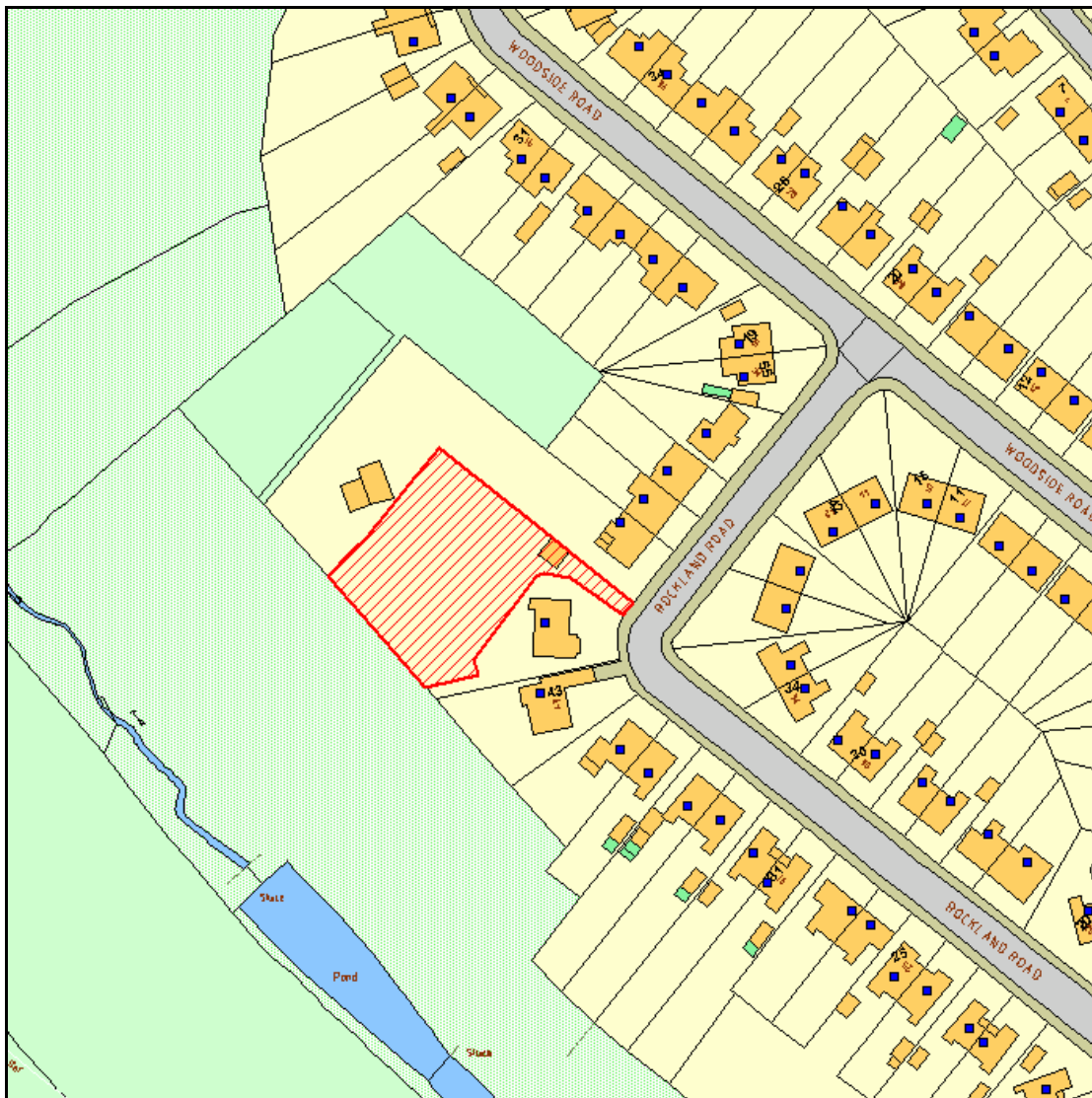
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PK10/0222/F	Applicant:	Trustees Of H.G Turner
Site:	45 Rockland Road Downend Bristol South Gloucestershire BS16 2SW	Date Reg:	5th February 2010
Proposal:	Erection of 3no. detached dwellings with associated parking and access (Resubmission of PK09/0651/F)	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364436 177246	Ward:	Downend
Application Category:	Minor	Target Date:	30th March 2010



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 100023410, 2008. **N.T.S.** **PK10/0222/F**

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of three letters of objection.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of 3no. detached dwellings with associated parking and access, to the rear of No. 45 Rockland Road, Downend. The properties would be accessed by a road which would run adjacent to the existing dwelling.
- 1.2 The application property is a two storey detached dwelling and is located on the outer edge of a bend in Rockland Road. The property is located within a residential area of Downend, which is mostly characterised by semi detached houses. The south west of the site borders the designated Frome Valley woodland area

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPS13 Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
L1 Landscape protection and Enhancement
L9 Species Protection
L17 &18 Water Environment
EP1 Environmental protection
H2 Residential Development within the Existing Urban Areas
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T7 Cycle parking
T8 Parking Standards
T12 Transportation Development Control Policy
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

There is no relevant planning history for the application site, No. 45 Rockland Road, however the history for the neighbouring site No. 47 Rockland Road is relevant to this application and is listed below;

- 3.1 PK07/0970/O Erection of 3 no. Dwellings with garages and detached garage for existing dwelling (outline)
Allowed at appeal January 2008

- 3.2 PK09/0964/RM Erection of 3 no. dwellings with garages and detached garage for existing dwelling (reserved matters in conjunction with PK07/0970/O)
Approved July 2009

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objections.
- 4.2 Sustainable Transport
No objections.

Other Representations

- 4.3 Local Residents
Three letters of objection have been received from neighbouring residents raising the following concerns:

- Street scene is not shown from Rockland Road, this needs to be amended to obtain correct perspective
- Plot three would overlook a property on adjoining new development.
- Access unacceptable, two roads running parallel, meaning front pavement would cross 10m of access road.
- Turning head too small
- Parking for existing property too close to exit point
- No garages and no cycle provision
- House design is bland with ridges too high, they do not fit in with existing and proposed surrounding development
- Overlooking between proposed and existing properties.
- Not all properties are south facing as stated
- Plot three west elevation shows a living room window not shown on the ground floor plan.
- Increase in vehicles on a blind corner
- Inconvenience of building site, dust and noise.
- Require good boundary treatment at rear between No. 43 and 45.
- Value of properties would fall
- Loss of views of wood
- Plenty of housing in the area, therefore how can building in back gardens be in line with housing objectives.
- The woods and surrounding area are natural habitat for many species
- The gardens act as a buffer zone between houses and woodland as recommended in the South Gloucestershire biodiversity action plan.

With regard to loss of views and decrease in home values, it should be noted that these are not material planning considerations.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

A material consideration in the assessment of this application is the fact that permission has been granted for 3no. detached dwellings to the rear of the site. These dwellings have yet to be constructed but work on the site has begun. The development of 3 no. detached dwelling to rear of No. 47 Rockland Road and the rear of the application site, reference PK07/0970/O was allowed at appeal in January 2008. The Inspector for this case considered that the location of these properties, sited some distance from Rockland Road, would have a minimal impact on the existing street scene. It was concluded that whilst the proposed development would be of a higher density than the surrounding area and would inevitably change the appearance of the backland area, the proposal would not unacceptably harm the character and appearance of the surrounding area. With regard to access, the Inspector was of the opinion that the additional traffic movements associated with the proposed dwellings would not have an adverse impact on highway safety, given the suburban and lightly trafficked nature of the location. Furthermore the Inspector did not consider the issue of tandem development a reason to resist the proposal given that it would sit comfortably in its setting and would not have an unacceptable effect on visual or residential amenity.

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposed new dwellings within the existing residential curtilage, providing that the design is acceptable, highway safety would not be compromised, adequate parking and amenity space is provided and that there is no unacceptable impact on residential and visual amenity.

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

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

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

Transportation Issues

Planning permission for residential development was granted recently on the adjoining land to the rear of 47 Rockland Road. All transportation issues (including access and parking) relating to this development are similar to that of the adjoining site, No. 47 Rockland Road, therefore, the Councils Transportation Officer does not raise any highway objections to the proposed scheme.

In respect of access, the proposal includes the construction of a new access that runs parallel with the adjoining access already approved on the adjoining site.

Whilst this would result in a large section of pavement being crossed by the two access roads, given the scale of the development, in combination with the good visibility and the low traffic speeds at this location, it is not considered that the proposal would have a detrimental impact on pedestrian safety. The new access is a short length of private drive, 4.5m wide and it would terminate in a turning area, which is considered to be of a sufficient size to accommodate private vehicle use. The new access is considered adequate for the scale of development. With regards to parking, it is proposed to provide two parking spaces for each dwelling on the site and that complies with the Council's parking standards. Furthermore cycle and bin storage would be provided for each dwelling. Whilst concern has been raised regarding the parking for the existing property, and the lack of garages, sufficient parking has been provided for each dwelling and there are no concerns regarding the location and access to the parking areas in terms of highway safety. As such, subject to conditions to ensure the provision of the parking is provided prior to the occupation of the dwelling and to ensure the materials of the access road, the proposal is considered acceptable in highway terms.

Residential Amenity

The closest proposed dwelling would be located over 9 metres away from the rear elevation of No. 45 Rockland Road. Furthermore property 3 would be located over 2 metres away from the side elevation of the approved dwelling to the rear of the site. As such it is not considered that the proposal would result in any overshadowing or overbearing effect on either the existing or proposed neighbouring dwellings.

Whilst concern has been raised regarding overlooking by neighbouring properties, given the location and orientation of the proposed dwellings it is not considered that the development would have any detrimental impact upon existing levels of residential amenity for the neighbouring occupiers, furthermore it is not considered that the proposal would have any detrimental impact on the residential amenity of future occupiers of the approved development to the rear of the site. The siting of the dwellings does not allow for any direct inter-visibility between habitable room windows or any unacceptable levels of overlooking. It is accepted that some degree of overlooking of rear gardens from first floor windows will occur but this is considered to be a common occurrence in urban developments and as such is not considered to be of sufficient concern to warrant the refusal of the application.

The plans show adequate private and useable amenity space would be provided to serve both the existing and proposed dwellings. The impact on residential amenity is therefore considered to be entirely acceptable.

Concern has been raised regarding the boundary treatment between No's 43 and 45 Rockland Road, no changes are proposed to this boundary and there is no reason to believe it would be affected by the proposed development, as such the boundary would remain as existing.

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

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

A density calculation on the site provides a density of approximately 20 per hectare. Officers are satisfied that having regard to the sites constraints, the pattern and scale of existing development, access and impact on residential amenity, no more than three additional dwellings could be accommodated on the site, and as such the density is acceptable.

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

The new dwelling would be subjected to no greater levels of noise, dust, pollutants etc than the existing dwellings in the vicinity.

5.5 **(d) Provision for education, leisure, recreation etc. in the vicinity is adequate to meet the needs arising from the proposal.**

The proposal is only for 3 dwellings and therefore would not have a significant impact on the area in terms of service provision.

5.6 Design / Visual Amenity

The government released a Ministerial statement on 19th January 2010 concerning the development of residential curtilages. The statement proposes an amendment to para. 41 of PPS3 which explains that brownfield land is the priority for development but will also now say that '*there is no presumption that previously developed land is necessarily suitable for housing, nor that all of the curtilage should be developed.*' This has been taken into consideration, however in this instance, given that permission has been granted for the land to the rear of the site to be developed, it is considered that the application site is suitable for housing.

In terms of scale the proposed dwellings are considered to be of a similar scale to No.45 Rockland Road and to the approved development to the rear of the site. Whilst concern has been raised that the ridge height is too high, the proposed dwellings would have a height to ridge of approximately 8.8 metres similar to that of No. 45 Rockland Road, furthermore whilst it is accepted that the approved dwellings to the rear of the site are at a slightly lower level, these would have a height to ridge of approximately 8.7 metres. It is considered that the proposed development would relate well to the approved development to the rear of the site, with the orientation and front elevation fenestration of Plot 3 following the same pattern as that of the approved properties.

Rockland Road is characterised by semi-detached dwellings in large plots however, No's. 43 and 45 Rockland Road are detached properties. Whilst it is accepted that the proposed development would be of a higher density than the surrounding area, it is considered that the proposal is in keeping with the approved dwellings to the rear of the site. In addition, given the location of the proposed dwellings to the rear of No's 45 and 47 Rockland Road, the proposed development would be partially screened from the highway and any views of the site would be seen against the backdrop of the approved detached

dwellings to the rear of No. 47 Rockland Road. As such, it is not considered that the proposal would unacceptably harm the character and appearance of the street scene.

Whilst it is not ideal for two access lanes to run parallel to each other, given that there are no objections in terms of highway safety, it is not considered that the design of this aspect of the proposed scheme is of sufficient concern to warrant the refusal of the application.

5.7 Landscape and Ecology Issues

The application site is an existing detached domestic property off Rockland Road in Downend. While the application site is not covered by any statutory or non-statutory nature conservation designations, it abuts Lincombe Barn Open Space Site of Nature Conservation Interest (SNCI), designated for its broadleaved woodland, flowing open water and bank side vegetation.

Whilst the application site abuts the Lincombe Barn Open Space SNCI, the development is entirely confined to the garden of the existing dwelling and distanced from the boundary with the SNCI. As such, it is not considered that the proposed works would have any impact upon the site.

Concern has been raised that the proposal may impact the habitat of native species such as slow worms. Slow-worms are a species associated with the gardens of domestic properties and are protected against intentional or reckless killing or injury under the Wildlife & Countryside Act 1981 (as amended) and CROW Act 2000. They are also included on the South Gloucestershire Biodiversity Action Plan (BAP) as a species for which the Council will require measures to be taken to conserve and enhance populations. Hedgehogs are also widely associated with domestic gardens and are a Priority Species nationally and are included on both the UK and South Gloucestershire Biodiversity Action Plan. As such a condition would be attached to any permission requesting a site survey to ascertain whether slow worms are present or absent, and requesting an ecological survey providing an appraisal of the habitat for use by hedgehogs. If either are present, a mitigation strategy to safeguard the species will be need to be drawn up and agreed with the Council prior to development commencing on site.

With regard to concern raised that the garden acts as a buffer zone between houses and woodland, the gardens of the proposed dwellings would be adjacent to the woodland area, leaving a distance of at least 12 metres between the woodland and the housing. In addition a landscaping condition would be attached to the permission to ensure the protection of all significant trees and hedgerows during construction.

5.8 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds. In terms of drainage the Councils Drainage Engineer has raised no objection to the proposal.

A condition would however be required to secure the submission of a full drainage scheme for approval before development could commence, to ensure a sustainable drainage approach is adopted for the site.

5.9 Design and Access Statement

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

5.10 Use of Energy and Sustainability

No measures of achieving sustainability have been specifically mentioned in the design and access statement. The proposal would meet the standards controlled by Building Regulations and would be conditioned to incorporate sustainable drainage.

5.11 Improvements Achieved to the Scheme

None required, the previous application was withdrawn and the re-submitted proposal is based on Officers recommendations.

5.12 Other Issues

Concern has been raised that the street scene is not shown from Rockland Road, that not all the housing is south facing as stated and that a drawing does not correctly show the location of windows for plot 3. The street scene drawing has been submitted to show the proposed dwellings in relation to the existing and proposed properties to either side. Whilst a street scene from Rockland Road has not been submitted, the site location plan and layout plan show the position of the proposed dwellings in relation to the surrounding area. It is noted that the properties are mostly south west facing, in addition, the drawing for plot 3 has been checked and is considered to be correct.

5.13 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The scheme is considered to demonstrate that the siting, overall layout, form, scale, height, massing, detailing and materials are informed by and respect the character of the existing property and locality in general. In accordance with policies H2, H4 and D1 of the South Gloucestershire Local Plan.

Furthermore the scheme would not prejudice the residential amenities of existing or proposed neighbouring properties or prejudice highway safety. As such the proposal accords with Policies H2, H4, T8 and T12 of the South Gloucestershire Local plan.

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

7. RECOMMENDATION

- 7.1 That the application be approved subject to the following conditions:

Contact Officer: Kirstie Banks

Tel. No. 01454 865207

CONDITIONS

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

Reason

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

2. Prior to the occupation of any dwelling on site, all parking spaces and turning areas on site shall be provided in accordance with the submitted and approved plans and maintained satisfactory thereafter.

Reason

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

3. The access road shall be surfaced with bound surface (permeable) materials and it shall be maintained satisfactory thereafter.

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.

4. Details of access and crossover with the public highway shall be agreed with the Councils Street-Care Manager and such access shall then be constructed to full satisfaction of the Council.

Reason

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

5. Prior to the commencement of development, the site shall be surveyed for slow-worms and if present, a mitigation strategy for slowworms must be drawn up and agreed in writing by The Local Planning Authority.

Reason

To protect the wildlife and the ecological interests of the site, in accordance with Policy L9 of the South Gloucestershire Local plan (Adopted) January 2006.

6. Prior to the commencement of development, the site shall be surveyed for hedgehogs and if present, a mitigation strategy for hedgehogs must be drawn up and agreed in writing by The Local Planning Authority.

Reason

To protect the wildlife and the ecological interests of the site, in accordance with Policy L9 of the South Gloucestershire Local plan (Adopted) January 2006.

7. The hours of working on site during the period of construction shall be restricted to Monday - Friday 07.30 - 18.00, Saturday 08.00 -13.00 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 minimise disturbance to occupiers of nearby buildings and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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.

9. Prior to the commencement of development samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

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

Reason

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

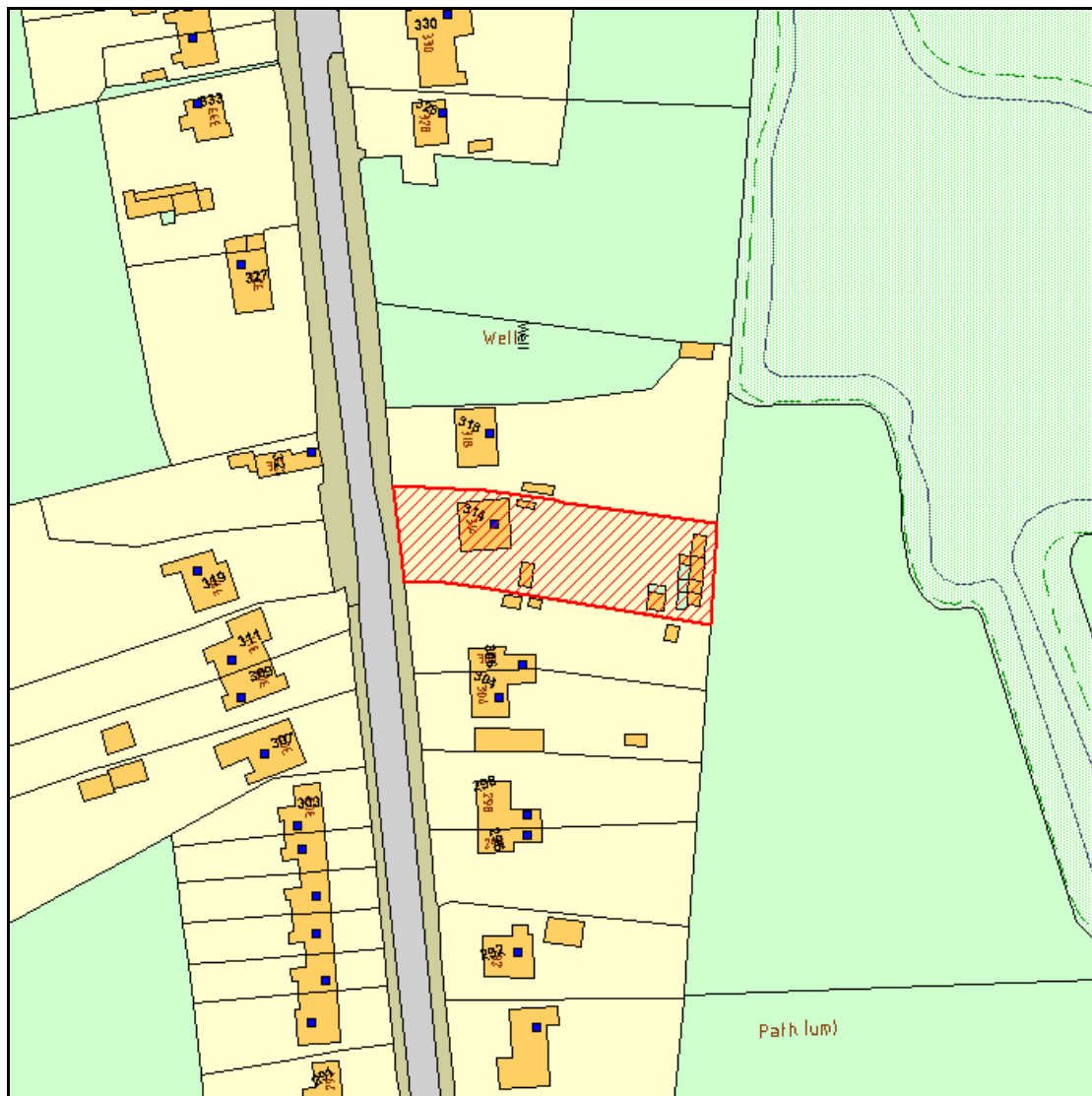
11. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); 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 Policies H4, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

<p>App No.: PK10/0236/F Site: 314 North Road Yate Bristol South Gloucestershire BS37 7LL</p> <p>Proposal: Erection of two storey side and rear extensions to form additional living accommodation. Installation of 2no. front dormer windows to facilitate loft conversion.</p> <p>Map Ref: 369872 184168 Application Category: Householder</p>	<p>Applicant: Mr Rushent Date Reg: 8th February 2010</p> <p>Parish: Iron Acton Parish Council</p> <p>Ward: Ladden Brook Target Date: 1st April 2010</p>
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 100023410, 2008. **N.T.S.** **PK10/0236/F**

INTRODUCTION

The application has been forwarded to the Council's Circulated Schedule for Member consideration as a representation was received which raised a view contrary to the Officer recommendation.

1. THE PROPOSAL

1.1 The application site is situated on the east side of North Road in Engine Common, north of Yate. The application site is bounded by residential development to the north and south open fields to the east with a vehicular access onto North Road to the west. The site comprises a detached bungalow situated towards the west side of the plot, which has been extended some years ago at the rear. The dwelling is currently unoccupied but a static caravan is situated at the rear of the dwelling.

The application site is situated within the defined settlement boundary of Engine Common.

1.2 The application proposes erection of two storey side and rear extensions to form additional living accommodation. Installation of 2no. front dormer windows and 2no. rear dormers to facilitate loft conversion. Erection of front porch.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS7 Sustainable Development in Rural Areas

2.2 Development Plans

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

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

3. RELEVANT PLANNING HISTORY

3.1 PK08/2770/O Erection of 2no. dwellings (Outline). All matters reserved.
Refused 05.12.2008

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council

No objection.

4.2 Other Consultees

None.

Other Representations

4.3 Local Residents

One letter received from the occupier of 318 North Road raising the following concerns to the original plans submitted:

The new window in the first floor north elevation would look straight into back door and kitchen of no.318 resulting in total loss of privacy.

The scheme has since been amended removing first floor windows in both the north and south elevations. No further representations have been received since publicity of the amended plans.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The dwelling is situated within a semi rural context where the street scene is predominantly residential with spaces between dwellings where views can easily be afforded to the open fields beyond. The dwelling the subject of this application is a bungalow in need of modernising. The proposed rear extension would be well screened from public vantage points by the existing dwelling. The proposed side extension is proportionate to the existing dwelling in terms of form and scale. The scheme has been amended to reduce the number of front dormers from 3 to 2, thus providing symmetry to the front fenestration. Dormers are characteristic and can be found on a number of dwellings in the area. The design and materials for both extensions, porch and dormers would be of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Residential Amenity

Ample rear amenity space to the property would be retained following the erection of the proposed extension. With regard to neighbouring properties, the proposal has been amended to remove the first floor windows in both north and south (side) elevations and a condition is recommended to retain control of future windows facing north or south.

As such it is considered that the proposal would result in no material loss of privacy to the neighbouring occupiers. The rear extension would measure the same height as the existing dwelling to eaves and ridge with a rear projection of 4, and width of 7m. The rear extension would be situated some distance (approximately 10m) from the adjacent dwelling to the north and 20m from no.306 to the south. The two storey side extension would be more than 15m from the dwelling to the south. Accounting for all of the above matters the proposal is considered not to prejudice to the amenity of neighbouring occupiers.

5.4 Other issues

The proposal would result in an increase in the size of the existing dwelling from 2 bedrooms to 4. This will require 1-2 additional off street parking spaces to be provided in accordance with the Council's adopted parking standard in policy T8 of the adopted Local Plan. There is already ample provision on site for in excess of the new parking requirement. As such it is considered that the proposal would result in no significant additional material highway safety issues.

5.5 Design and Access Statement

A Design and Access Statement is not required for this application

5.6 Use of Energy and Sustainability

The proposal would use materials similar to those existing. The extension would be of good quality construction. Therefore the proposal would result in a sustainable form of development and the maintenance of the existing level of energy efficiency.

5.7 Improvements Achieved to the Scheme

The following improvements were made to the application as originally submitted following negotiations between Officers and the applicant:

- First floor windows in the north and south elevations were removed to resolve any privacy issues.
- A front dormer was removed to provide greater symmetry to the front fenestration.

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. A summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.
- a) Due to its scale and position in relation to the adjacent dwellings, the proposed extensions, porch and dormers are considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - b) It has been assessed that the proposed extensions, porch and dormers have been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the street scene and 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 Consent is GRANTED subject to the following conditions and informatives:

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing dwelling.

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

3. No windows/dormers/rooflights other than those shown on the plans hereby approved shall be inserted at any time in the first floor north or south facing roof slopes or elevations of the property.

Reason

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

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PK10/0309/RM	Applicant:	Zaus Haus Ltd
Site:	42 Acacia Road Staple Hill Bristol South Gloucestershire BS16 4PY	Date Reg:	15th February 2010
Proposal:	Erection of 1no. dwelling with associated works. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK09/0956/O).	Parish:	Unparished
Map Ref:	364521 175519	Ward:	Staple Hill
Application Category:	Minor	Target Date:	16th April 2010



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PK10/0309/RM

INTRODUCTION

This application is referred to the Circulated Schedule to Members in accordance with procedure given that a representation has been received that is contrary to the officer recommendation.

1. PROPOSAL

- 1.1 The applicant seeks approval of the outstanding reserved matters following outline consent for the erection of a detached property on land to the rear of No.42 Acacia Road (PK09/0956/O). Access arrangements and layout (in addition to the principle of developing the site) were considered at the Outline with stage thus appearance, landscaping and scale (albeit parameters were set within the design and access statement and shown on indicative plans are now being considered.
- 1.2 The site would be accessed via a gap to the side of No.42. The site area including the access is 195 sq.m (the development therefore equating to a density of 51 dwellings per hectare). The site currently is occupied by a double pitched roof garage which would be demolished as part of the process and is surrounded on all sides by neighbouring residential properties and their associated garden/amenity areas.
- 1.3 The proposed development is single storey in height. The building would have a flat roof and would at the highest point appear approximately 3.3 metres above ground floor level although a section on the western boundary would stand approximately 2.4 metres above natural ground level. In terms of proposed boundary treatments these are largely as existing with a 2.4 metres high blockwork wall on the southern boundary adjacent to the new property, bushes along the western boundary, fencing and much larger trees along the northern boundary (see analysis) and a 1.8 metre wall to the front. A single parking space is proposed.
- 1.4 A previous outline application (PK08/1605/O) for the erection of a two storey building (to include a basement level) was approved by members on 4th September 2008. The current proposal differs from that scheme in so far as the proposed building only has one level. The footprint/location is largely identical to that previously approved albeit part of the building is shorter by 0.7 metres. The form of the building is as per that approved. Some alterations have been made to the location of openings.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transportation

2.2 South Gloucestershire Local Plan (Adopted) January 2006

H2	Proposals for Residential Development, Including Residential Institutions and Special Needs Accommodation, and Applications to Renew Permissions for Residential development, within the Existing Urban Area and Defined Settlement Boundaries.
D1	Achieving Good Quality Design in New 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

3. RELEVANT PLANNING HISTORY

Previous history relates largely to No.42 Acacia Road itself rather than this plot of land to the rear. Of relevance is the following:

PK06/2093/F (No.42) Conversion of existing dwelling to form 4 no. self contained flats. Erection of associated bin and cycle storage (Approved with conditions)

PK07/3394/O (on the current site) Erection of 7 no. flats (outline), with layout, scale, external appearance and access to be considered with other matters reserved (Withdrawn)

PK08/0528/O Erection of 1 no. dwelling (Outline) with Layout, Scale, External Appearance and Means of Escape to be considered and other matters reserved (Withdrawn)

PK08/1605/O Erection of 1 no. dwelling at ground and basement level (outline) with layout and access to be determined – Approved subject to conditions 4th September 2008.

PK09/0956/O Erection of 1 no. dwelling with associated works (Outline consent) Approved

4. CONSULTATION RESPONSES

4.1 Parish Council

The area is unparished.

4.2 Sustainable Transport

The issue of access has already been approved before. Approval was granted in principle of the development on the site and access details were approved as part of the previous schemes in 2008 (as part of planning application no PK08/1605/O) and in 2009 (as part of planning application no. PK09/0956/O).

Associated with the current planning application, the applicant has submitted details of parking and turning area. I am satisfied with parking and turning area on site.

Approval is therefore recommended subject to the following condition:

- 1) Prior to occupation of the dwelling, the applicant must provide car parking area plus the turning area as indicated on the submitted and approved plan and he must then maintain these satisfactory thereafter.

4.3 Local Residents

One letter of objection has been received. The grounds of objection can be summarised as follows:

- The proposal will adversely affect light and views to the neighbouring occupier
- The proposal is too close to the boundary and will result in subsidence
- The access road is too narrow to afford access to emergency services
- The proposal will overload the sewerage system causing flooding of neighbouring property

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The applicant seeks approval of the outstanding reserved matters following outline consent for the erection of a detached property on land to the rear of No.42 Acacia Road (PK09/0956/O). Access arrangements and layout (in addition to the principle of developing the site) were considered at the Outline with stage thus appearance, landscaping and scale (albeit parameters were set within the design and access statement and shown on indicative plans are now being considered.

The principle of residential development on the site has been established through the earlier consent. The issues for consideration relate therefore to the development is considered acceptable in principle.

5.2 Design/Scale

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure a high standard of design, this policy is reiterated in Policy H4 and is required by H2 in terms of environmental impact.

In terms of the design of the building, this is of a contemporary style with a flat roof and minimal detailing. All windows are to be timbered framed and painted to match the external elevations. The layout of the building is as previously approved.

Within context the building is of a completely different design to the more traditional hipped roof structure within the immediate vicinity however the site is extremely secluded and therefore the building will not be viewed from the public realm and more importantly does not form part of a group of buildings or established building line.

The scale of the building in particular its height and its position in relation to existing boundary treatments will ensure that the building is also largely hidden from view.

The design although out of character with the context is considered interesting and there is no guidance that indicates that a building is not appropriate because it is of a different character.

The design is identical to that shown on the previous indicative plans submitted as part of the outline application and is considered acceptable and in accord with Policy H2, H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.3 Residential Amenity

Concern has been raised by a neighbouring occupier that the development will obstruct light and the view from their property.

The impact of the proposal upon the residential amenity of neighbouring occupiers was assessed previously albeit the scale of the proposal is now confirmed. An assessment of the impact of the scheme upon residential amenity will be repeated.

Policy H2 indicates that new development shall be assessed in terms of the impact upon the residential amenity of neighbouring occupiers. Paragraph 8.163 states that "in seeking to ensure that development does not prejudice residential amenity, the Council will have regard to the amenities of existing residents in the vicinity of the site and to those of future occupiers of the development". The impact upon amenity is assessed against the physical impact of the development in terms of whether it appears oppressive or overbearing and whether a proposal would result in loss of privacy from overlooking.

Given the low height of the development which has a flat roof (less than 4 metres above natural ground level at the highest point), and its position to the rear of boundary walls and trees/bushes in combination with the distance to neighbouring properties (12.5 metres to the nearest part of No.44, 14 metres to No.46 and 15 metres to the nearest part of No.48 Acacia Road) it is not considered that the proposal would appear oppressive or overbearing when viewed from adjoining properties. Furthermore with respect to the impact upon light, the location to the north and north-west of the nearest properties as set out above would ensure that any impact would be restricted to the late evening when the sun is in the west, but given the scale of the proposal in particular its height it is not considered that any such impact would be significant such as would justify the refusal of the application.

With respect to privacy issues, to the south lies the terrace of No.44 to 50 Acacia Road. Any development on this site has the potential to result in loss of amenity by reason of the overlooking of the rear elevations and gardens of these properties. There are no windows in the south elevation aside from an entrance set over 7 metres from the boundary, it should also be noted that a 2.4 metres high boundary wall along the southern boundary would in any case preclude

overlooking. To the north the building is alongside the end of the garden of No.40 Acacia Road and even had the building been greater in height, the rear of that property could not be viewed. There is a single window proposed in this elevation.

To the east, the building would be sited between 19 and 21metres from the rear of No.42 Acacia Road. Given this distance and the height of the proposed building it is not considered that any overlooking would be significant such as could justify the refusal of the application. To the west the site adjoins the gardens of properties in Frampton Crescent. On this elevation, there are windows proposed serving a second bedroom, however given the height of the building and a rear boundary fence with bushes/landscaping to the rear of properties in Frampton Crescent views to these dwellings would be effectively blocked. There is also a gap of between 19 and 21 metres to the rear elevations of properties in Frampton Crescent.

In summary therefore, given the unusual design of the building ensuring a height of less than 4 metres above natural ground level and the existing boundary treatments coupled with the position relative to adjoining properties, it is not considered that there would be any significant detriment to the amenity of neighbouring residential occupiers. With respect to the amenity of future occupiers, it is considered that the proposal affords limited but adequate amenity space. The position relative to neighbouring properties, with the existing boundaries ensures that the amenity space would be private.

A condition was attached to the outline consent to restrict the working hours during the construction period that remains in force.

In summary it is not considered that the proposed development will affect the residential amenity of neighbouring occupiers and is therefore in accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.4 Transportation

Concern has been raised that the access is not sufficient to allow the passage of emergency vehicles. The access is deemed acceptable by transportation officers and it should be noted that this issue was dealt with along with parking at the outline stage.

5.5 Landscaping/Trees

The proposal will involve the removal the removal of planting on the western boundary in order to provide a small area of amenity space. Some existing cypress trees along the northern boundary will be retained. The Council Tree Officer has previously visited the site and has confirmed that the vegetation to the side of the garages at the above property is of little significance/value. It is predominantly a Cypress hedge of little stature along with an early-mature Ash and some Hawthorn. The latter appears to have suffered some damage reflected in dead foliage.

There is limited opportunity for planting given the size of the site.

5.6 Drainage

Concern has been raised that the proposal could result in overloading the existing sewer system and result in flooding.

It should be noted that drainage issues were considered as part of the outline consent. Connection will be to the sewerage system and would be agreed with the provider. No objection to the proposal was previously raised by the Council Drainage Engineers. Conditions previously attached to the outline consent to secure a mining report, (given that the site lies in an area where subsidence may occur given the former mining history), and details of the sustainable drainage have been accepted by the Drainage Officers and the conditions discharged. Conditions are recommended to ensure that all works are carried out in accordance with the submitted/approved details within the mining report and Suds scheme.

5.7 Use of Energy and Sustainability

The building will be completed to the latest building regulation standards for energy efficiency, insulation and construction. The building is located in a highly sustainable location close to local facilities, employment, services and public transport.

5.8 Improvements achieved to the scheme

It has not been necessary to seek improvements to this scheme, which is similar in form, scale and layout to that previously approved.

5.9 Other Issues

Concern has been raised that the proposal would result in the loss of a view. It should be noted that the impact upon private views is not a material planning consideration that can determine the outcome of a planning application.

Concern has been raised that the proposed development may damage a boundary wall and may result in subsidence. If such damage results from the development, that would be a civil legal matter between the parties rather than a matter that can determine the outcome of a planning application. The Party Wall Act 1996 requires anyone carrying out such works to notify adjoining owners at least two months before starting work and although a neighbour cannot stop someone undertaking their rights under the act, they can influence how and when the work is completed.

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 South Gloucestershire Council Design Checklist (Adopted August 2007).

6. **CONCLUSION**

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

7. **RECOMMENDATION**

71. Planning Permission be granted subject to the following conditions:

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

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

Reason

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

2. All works shall be carried out in accordance with the Mining Report submitted 2nd March 2010 unless otherwise approved in writing by the Local Planning Authority.

Reason

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

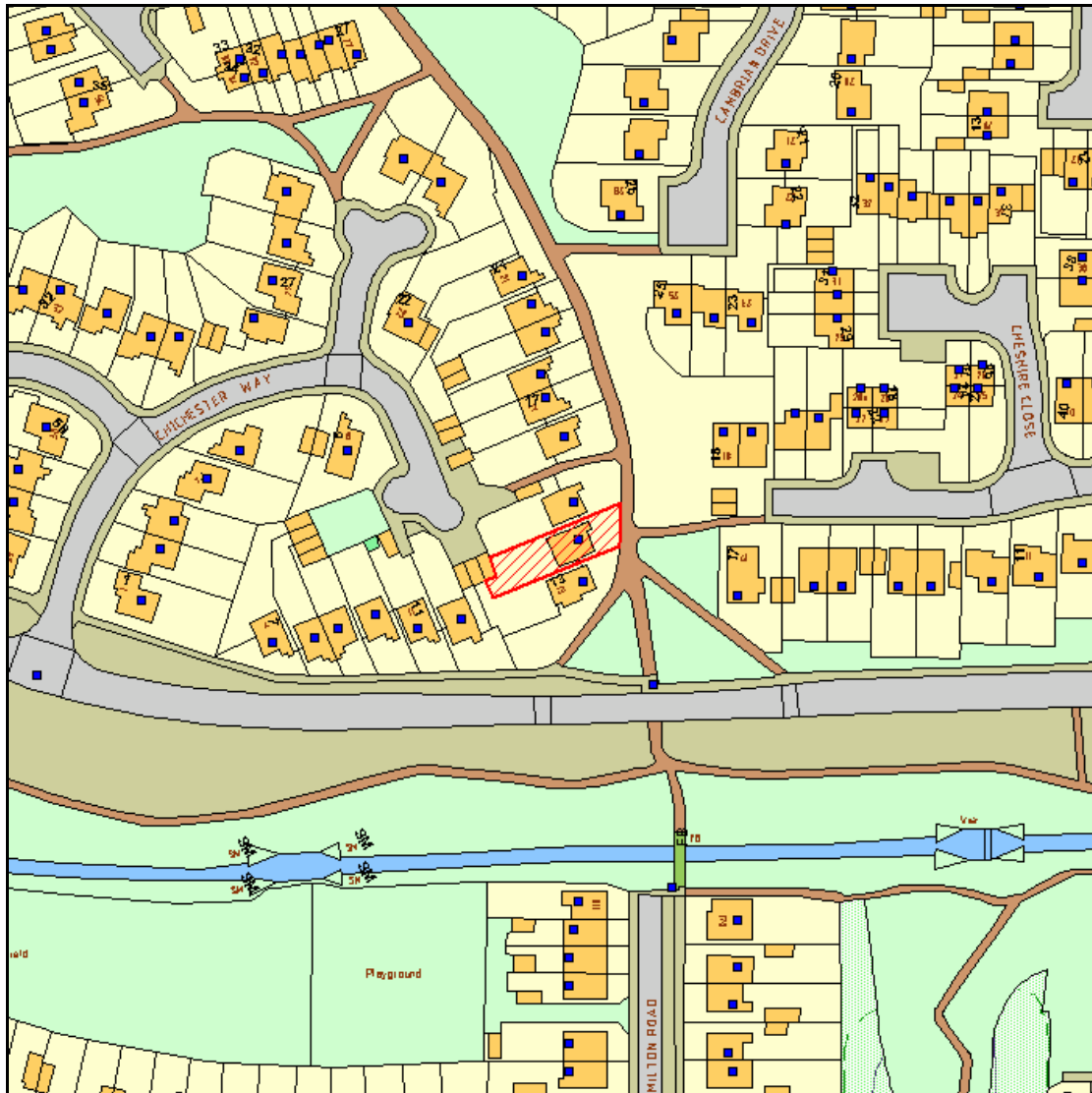
3. All drainage works shall be carried out in accordance with the approved drainage scheme received 2nd March 2010 unless otherwise agreed in writing by the Local Planning Authority.

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.

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PK10/0312/CLE	Applicant:	Ms Blaker
Site:	14 Chichester Way Yate Bristol South Gloucestershire BS37 5TA	Date Reg:	16 th February 2010
Proposal:	Certificate of Lawfulness for erection of rear conservatory.	Parish:	Yate Town Council
Map Ref:	371022 183139	Ward:	Yate North
Application Category:	Householder	Target Date:	8th April 2010



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100023410, 2008. **N.T.S.** **PK10/0312/CLE**

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application is for a certificate of Lawfulness to establish the erection of a rear conservatory at 14 Chesterway, Yate. The property is a two storey detached dwelling and is located within the residential area of Yate. It is claimed that the conservatory was started in March 2000 and completed June 2000.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Procedures) Order 1995 Article 24
Circular 10/97: Enforcing Planning Control.

2.2 Development Plans

As the application is for a Certificate of Lawfulness the policy context is not directly relevant. The applicant need only prove that on the balance of probability the rear conservatory has been in place for a period of at least the last 4 years prior to the receipt of the application (February 2010).

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/3739/CLE Certificate of lawfulness for the erection of rear conservatory
Refused February 2007. Due to a lack of evidence being submitted to prove that the conservatory had existed on site for four years prior to submission.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objections

Other Representations

- 4.2 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

- 5.1 The only issue which is relevant to the determination of an application for a Certificate of Lawfulness is whether, in this case, the conservatory described has been in place for at least 4 years. As noted in the 'History' section above, there is no Enforcement Notice in force.

5.2 The relevant test of the submitted evidence

The onus of proof is firmly on the applicant and the relevant test of the evidence on such matters is “on the balance of probabilities”. Advice contained in Circular 10/97 states that a certificate should not be refused because an applicant has failed to discharge the stricter criminal burden of proof, i.e. “beyond reasonable doubt.” Furthermore, the applicant’s own evidence need not be corroborated by independent evidence in order to be accepted. If the Council has no evidence of their own, or from others, to contradict or otherwise make the applicant’s version of events less than probable, there is no good reason to refuse the application, provided the applicant’s evidence alone is sufficiently precise and unambiguous. The planning merits of the use are not relevant to the consideration of the purely legal issues which are involved in determining an application. Any contradictory evidence which makes the applicant’s version of events less than probable should be taken into account.

5.3 Summary of Evidence Submitted in support of the application

The applicant, Hannah Blaker, has submitted a statement stating the following:

- a) In 2000 Coldseal designed and erected the rear conservatory, at this time the surveyor stated that due to the size and position planning permission was not required.
- b) On the 4th February 2010, it was confirmed by the council that an application had been submitted and rejected in February 2008 on ground of missing paper work.

Furthermore, the applicant submitted the following information;

- a) A copy of a dated letter from Coldseal Limited stating the start date for building works. Dated 9th march 2000.
- b) Dated elevation and plan drawing of the conservatory. Dated 31st January 2000
- c) Dated invoice for the conservatory, dated 5th June 2000
- d) Credit agreement for the conservatory dated 15th January 2000.
- e) Photographic mages of the conservatory.

5.4 Contradictory Evidence.

There is no contradictory evidence relating to the conservatory for the period of 4 years prior to receipt of this application. On visiting the site the conservatory was in place and appears to have been insitu for some time, furthermore the Officer report for the Certificate of Lawfulness submitted in 2007 confirms that the conservatory was in place at that time.

5.6 Section 106 Requirements
Not applicable.

6. CONCLUSION

6.1 Given the evidence presented by the applicant and considering that the conservatory seems well established, based on its appearance, the claim that the conservatory has been in place for at least 4 years has been demonstrated on the balance of probability.

6.2 The applicant has demonstrated that on the balance of probability, that the rear conservatory at 14 Chichester Way, Yate, has been in place for at least 4 years up to the date of this application.

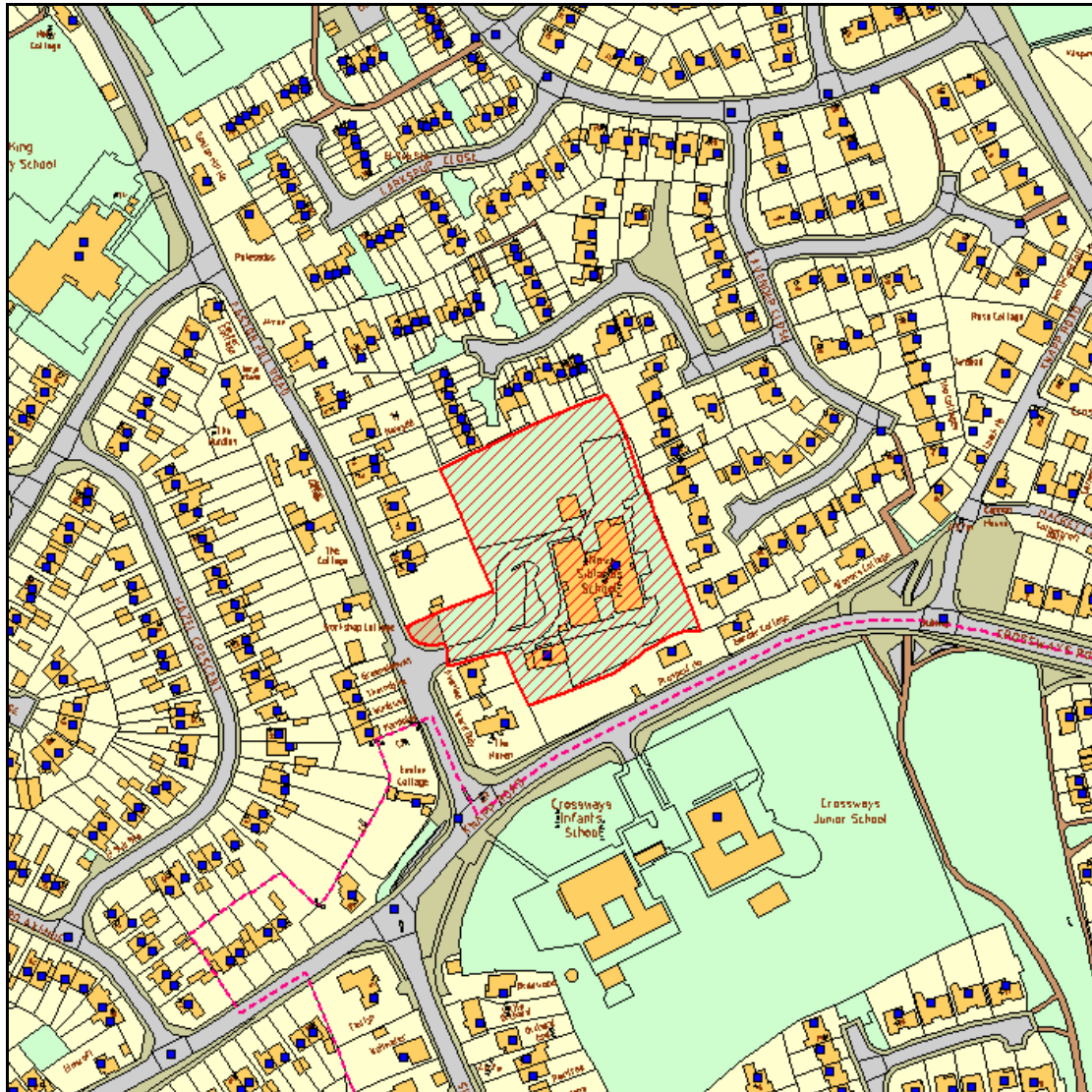
7. RECOMMENDATION

7.1 That a Certificate of Existing Lawful Use be Granted for the rear conservatory at 14 Chichester Way, Yate.

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

CIRCULATED SCHEDULE NO. 10/11 – 19 MARCH 2010

App No.:	PT09/6032/R3F	Applicant:	Mr Ray Wiggins
Site:	New Siblands School Easton Hill Road Thornbury Bristol South Gloucestershire	Date Reg:	11th January 2010
Proposal:	Erection of two storey and single storey building and refurbishments of existing school. Extension of existing bungalow. Landscaping and associated works.	Parish:	Thornbury Town Council
Map Ref:	364775 190318	Ward:	Thornbury North
Application Category:	Major	Target Date:	9th April 2010



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 100023410, 2008. N.T.S. PT09/6032/R3F

INTRODUCTION

The application appears on the Circulated Schedule because it forms a Council application and in view of the letters of objection that have been received.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two-storey and single-storey extension to an existing school. It would also allow refurbishment works to the existing building and the extension to an existing bungalow within the school grounds. The proposal encompasses landscaping and associated works.
- 1.2 The application relates to the New Siblands School on the east side of Easton Hill Road, Thornbury. The application site is within the Thornbury settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development
PPS9: Biodiversity and Geographical Conservation
PPG13: Transport
PPG17: Open Space, Sport and Recreation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
L1: Landscape Enhancement and Protection
L9: Protected Species
L17: The Water Environment
L18: The Water Environment
T7: Cycle Parking
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
LC4: Proposals for Educational and Community Facilities

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 N2889: proposed erection of special school with external teaching play areas, caretaker's dwelling and garage; construction of new pedestrian and vehicular access (outline). No Objection: 29 September 1976
- 3.2 N2889/AP: Erection of special school with external teaching and play areas. No Objection: 14 February 1977

- 3.3 N2889/AP1: Erection of caretaker's bungalow. No Objection: 22 March 1977
- 3.4 N2889/AP2: Erection of caretaker's bungalow. No Objection: 12 October 1983
- 3.5 PT00/1687/R3F: Conversion of caretaker's bungalow to life skills teaching unit. Deemed Consent: 31 July 2000
- 3.6 PT00/2960/R3F: Extensions to library and classroom. Deemed Consent: 27 February 2001
- 3.7 PT01/0656/F: Erection of Elliot classroom and covered way. Permitted: 4 June 2001
- 3.8 PT07/2722/R3F: Erection of Elliot classroom block (temporary consent for three years). Deemed Consent: 19 October 2007
- 3.9 PT09/075/SCR: Screening Opinion issued in respect of current planning application. Decision: Environmental Impact Assessment not required: 8 January 2010

4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council
No objection

4.2 Other Consultees
Environment Agency: no comment
Highways DC: no objection subject to conditions
Sport England: no objection

4.3 Summary of Local Residents Comments:
Seven letters received expressing the following concerns:

Design:

- o The overall height of the buildings will dominate the surroundings;
- o Roof heights should be reduced to keep the buildings more in proportion with the neighbouring properties;
- o The profiled metal roof and blue rendered block work are out of keeping with the surrounding residential buildings;
- o The building is unnecessarily high with the single-storey classrooms having a large void at roof level- the height of this and the overall development should be lowered.

Trees/ Landscaping:

- o Existing illegally planted trees adjacent to the southern site boundary have caused problem to neighbours and have not been maintained;
- o The trees were planted contrary to the landscaping scheme originally approved when the first phase of the school was built in 1976;

- o The trees have been planted in a raised area immediately adjacent to the site boundary and are not in accordance with the relevant code of practice concerning spacing and distance from foundations;
- o The trees are overbearing and oppressive during the summer months;
- o A meeting was to be arranged between these neighbours and the Councils Capital Projects Officer but has not yet taken place;
- o No specific tree location plan is included whilst two landscape plans are shown (one appears superseded), which is correct? (One of these plans would raise further objection.)
- o All existing trees adjacent to this boundary (which are considered to be poor in visual amenity terms) should be removed- they do not accord with the relevant BS standards thus the application can't be approved;
- o Surplus soil deposited in this location should be removed;
- o Greater use could be made of this area, e.g. a sensory garden;
- o If this area is not cleared, it will become rat infested;
- o Loss of the grassy area and shrubs outside of the school would be detrimental to the street scene;
- o The plans show a significant reduction in trees and grassland adjacent to a neighbouring property increasing the visual impact of the build;
- o New planting should be maintained and not cause problems to neighbouring residents.

Ancillary Structures:

- o The proposed relocation and proliferation of up to seven sheds along the south boundary is not acceptable- the same is true for the shipping container on the Lavender Road elevation;
- o The sheds will act as a 'magnet' attracting petty criminal activity;
- o The spacing/ location of the sheds will add to the existing rat problem;
- o Proposed building works will cost the taxpayer in the region of £15m and the existing storage solution is not acceptable;
- o The proposed school extension was 'sold to residents' on the basis that all temporary buildings would be removed- this is not the case.

Highways/ Car Parking:

- o There is insufficient car parking that will lead to more off site parking;
- o The application should not be approved if likely on street parking will be detrimental to neighbouring residents;
- o Extended school hours and more school employees at all four schools (Crossways Infants/ Crossways Junior/ Christ the King/ New Siblands) with no increase in parking provision has affected quality of life with no street cleansing and continuous conflict with parents/ staff parking across driveways;
- o The narrow road is a bus route and with the current parking arrangements allowing cars to park on both sides, is near impassable at some times during the during the school term;

- o The west side of Easton Hill Road should be marked with a single yellow line to stop parking between 08.00 & 16.00 (school term)/ there should be no parking along the road between 8.30am to 4.30pm;
- o There is a serious problem with cars parking along Easton Hill Road;
- o A bus stop and disabled parking bay can hinder traffic movement on Easton Hill Road.

Boundary Treatments:

- o If the new wall on the west of the site were extended the full length of this boundary this would prevent children damaging the existing fence;
- o The front entrance fencing and gates would be dominant in the street scene and inappropriate so close to residential properties;
- o The front entrance gates have been moved forwards;
- o The neighbours 1.5m high fence would compromise school security even if the schools fence was raised in height;
- o Any new entrance gates should be no higher than the existing- 1.5m;
- o The design of the front gates is insensitive and reminiscent of a detention centre/ prison;
- o The front gates are better suited to industrial/ commercial area;
- o The gates should be repositioned and redesigned;
- o The existing picket style wooden fence has been appropriate for a number of years whilst the gate is rarely shut- there is no known security problem;
- o Neighbours do not give permission for any changes to their boundary treatments whilst sufficient space should be left to neighbouring boundary treatments for maintenance;
- o Boundary treatments adjoining the neighbouring property (1 Easton Hill Road) should be increased in height to 2.4m- 1.8m is not secure;
- o The presence of an underground cable should not prevent the erection of effective boundary treatments even if they cost more;
- o The new entrance gates will hinder visibility along the road for the neighbouring resident.

Outstanding Issues:

- o The potential use of the sports pitch outside of school hours would represent a significant change to the current use of the building;
- o Bin storage adjacent to neighbouring properties raises concerns about smells and bins being in the direct line of site.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy LC4 allows the development, expansion or improvement of educational and community facilities within the existing urban area and the defined settlement boundaries provided that:

- o Proposals are located on sites that are/ will be highly accessible on foot and by bicycle; and
 - o Development would not unacceptably prejudice residential amenity; and
 - o It would not have an unacceptable environmental or transportation effect; and
 - o Development would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area and highway safety.
- 5.2 Planning policy T12 cites that new development will be permitted in terms of transportation provided that it (considered here most relevant):
- o Provides adequate safe, convenient, attractive and secure access for facilities and pedestrians, cyclists and people with disabilities; and
 - o Provides safe access capable of accommodating the motorised traffic generated by the proposal; and
 - o Would not create or unacceptably exacerbate traffic congestion, or have an unacceptable effect on road, pedestrian and cyclist safety; and
 - o Would not generate traffic that would unacceptably affect residential amenity or other environmentally sensitive areas in terms of noise, vibration and air quality; and
 - o Incorporates traffic management/ calming measures where improved safety and environmental enhancement are required as a result of the development; and
 - o Provides for or does not obstruct existing emergency vehicle access.
- 5.3 The Proposal
The application relates to New Siblands School on the east side of Easton Hill Road, Thornbury. The proposal would allow the creation of a new special needs secondary school that would provide for 45 students aged between 11 and 19. The existing school provides special need education for both primary and secondary school pupils; primary school pupils would be transferred to the Gillingstool site.
- 5.4 Development would be split into two phases to allow the school to remain open during development. As such, phase I would allow for the new build extension and phase II would allow the refurbishment of the existing premises.
- 5.5 The existing school building forms a single-storey block work construction, which occupies a confined site with a single access off Easton Hill Road. The building sits to the south of the site in front of the site entrance with playing fields/ the playground to the north. A significant feature of the school site is the proximity of the neighbouring residential dwellings that adjoin all four boundaries and provide a sense of enclosure to the site.
- 5.6 Design/ Visual Amenity: Extension
Phase 1 of the proposal would allow the erection of two-storey and single-storey extensions to the north side of the existing school building. These would extend along the north elevation of the school and wrap around its northwest

- corner to allow retention of hard/ soft play areas beyond and spacing to the neighbouring properties that adjoin the north site boundary.
- 5.7 The extension would split into four distinct blocks with each encompassed by a mono-pitched roof. That closest to the north east corner of the site would project some 21m beyond the existing single storey building and measure a little over 18m in width. This would provide a new sports hall and associated changing room/ toilet facilities. As such, this element of the build would contain only a single level of accommodation albeit with the raised mono-pitched roof (sloping down to the east side boundary) necessary to allow indoor sport and games.
- 5.8 Two-storey classroom accommodation would be provided within a second block that would sit centrally across the site to the north of the existing school and west of the sports hall. Its outer most north flank wall would be inset from that of the sports hall with this element of the build projecting some 17.5m beyond the existing building. This would contain four classrooms, associated storage and would be encompassed by a mono-pitched roof sloped towards the north site boundary.
- 5.9 The third block would stand towards the northwest corner of the existing school building. This would contain ground floor accommodation with two classrooms and associated storage space provided. This element of the build would measure some 12.5m x 18.5m in footprint.
- 5.10 Finally, a new school entrance, staircase and two lifts would be contained to the front of the existing school building alongside the aforementioned classrooms (with the proposal occupying an 'L' shaped footprint). This element of the build would be set back from these two classrooms but stand some 14.5m forward of the existing school.
- 5.11 All parts of the extension would be linked with the main access through from the existing school provided via a single-storey extension that would continue between the sports hall and new classrooms.
- 5.12 Externally, the proposal would be characterised by its mono-pitched roofs that would all slope down to the site boundaries and a palette of materials that would comprise white and blue render and timber cladding. As such, it would contrast with the existing single-storey block work building with its conventional roof structure; the proposal does not seek to replicate the existing build given its utilitarian design and the limitations that this would impose.
- 5.13 In response, it is considered that the proposal provides a well-considered response to the site with a two-storey extension to the existing single-storey building considered to be acceptable in design terms. Comments received from the Councils Urban Design Officer advise that the proposed detailing and materials provide a welcome contrast to the existing building with this considered to enhance the site and locality. It is also considered that the proposed massing, materials and detailing would make a positive contribution to the character and distinctiveness of the locality and thus the proposal is considered to accord with the requirements of planning policy D1. On this

- basis, there is no objection to the current proposal on design/ visual amenity grounds. This would be subject to an appropriately worded condition to ensure that the building achieves a BREEAM rating of 'good' as outlined by the Design and Access Statement.
- 5.14 Design/ Visual Amenity: Bungalow Extension
Phase II would in part, facilitate the extension and refurbishment of the existing bungalow that stands to the south of the school building adjacent to the existing access. Already utilised as classroom space, this would be extended lengthways with a 7.7m extension added to its east side. This would allow a new classroom with the host building remodelled to provide a larger kitchen, shower room and bathroom, bedroom and group room.
- 5.15 These works are considered acceptable whilst it is also noted that the external elevations of this former caretaker's property would be similarly treated to that of the proposed extension. As such, there is no objection to this element of the proposal on design/ visual amenity grounds.
- 5.16 Design/ Visual Amenity: Existing School Building
The existing school building would be refurbished as part of phase II with its remodelling also to allow connection to the aforementioned extension. Externally, it is considered that the works would enhance its appearance and help integrate this existing building with the extension. As such, there is also no objection to this element of the proposal on design/ visual amenity grounds.
- 5.17 Residential Amenity
The school occupies a confined site adjoined by residential properties on all sides that generally back onto the school overlooking the site from their rear elevations. Consequently, in formulating the design approach that is shown, attention has been focused on reducing the visual impact of the proposal when viewed from these properties and increasing the level of spacing between. It is also understood that the applicant has undertaken further pre-application works consulting neighbours on the proposal and attempting to accommodate their concerns within the submitted scheme.
- 5.18 Properties to the north of New Siblands School generally comprise two-storey terraced units that appear to date to the 1980's. These dwellings have relatively short rear gardens but benefit from the position of the school building to the south of the site with hard/ soft play areas between.
- 5.19 This current proposal would retain both hard and soft play areas adjacent to this boundary with the extension set back a minimum of 24m from this boundary. Facing windows would be limited but would nevertheless serve classrooms and would help to soften the appearance of the building; this would be in addition to the palette of materials proposed. On this basis, it is not considered that any significant adverse impact in residential amenity would be caused with the level of separation between buildings helping to ensure that any associated refusal reason would be unlikely to prove sustainable. As such, subject to an appropriately worded planning condition in respect of external lighting and the use of the play areas, there is no objection to the current proposal on this basis.

- 5.20 Properties to the east form part of the same estate but generally comprise detached units albeit with similarly limited rear gardens. The existing school building stands a little over 12m from this boundary but with the boundary tapered, the sports hall (which aligns with the existing building) would stand slightly closer at a minimum distance of 10m.
- 5.21 The sloping roof of the sports hall would reduce the eaves height when viewed from this east elevation whilst the render (ground floor) and timber boarding (first floor) would soften its appearance. Given its proposed use, there would be no overlooking windows within this elevation. For these reasons, there is no objection to the proposal on this basis with any associated refusal reason considered unlikely to prove sustainable.
- 5.22 Properties fronting Eason Hill Road adjoin the west flank site boundary; these are older, comprise a mix of semi-detached and detached units and benefit from larger gardens. The single-storey classroom block would face this boundary with a minimum of 8m retained to this boundary. Facing windows would be at ground floor level whilst the roof would again slope inwards towards the centre of the site. On this basis, and with some tree screening along this boundary within the rear gardens of these dwellings helping to provide screening to the proposal, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.23 There is only one neighbouring property that directly adjoins the southern flank boundary of the site with this occupying a narrow but wide plot that stretches the full length of the school boundary. The main building works would be concentrated away from this property thus notwithstanding the concerns raised relating to the boundary trees (addressed below), it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.24 With regards to the concerns raised about the height of the proposal, the existing building is single-storey thus the new build would appear more prominent in this residential context than the existing. However, its design would position the two-storey building at the centre of the site with all roofs sloped away from the adjoining residents to help offset its impact on residential amenity. The architect has also confirmed that the eaves height shown is the lowest permissible as recommended by the Police Architectural Liaison Officer in order to prevent persons climbing on the roof of the new school building. Concerning the palette of materials, this is considered acceptable for a building of this type with no overarching need to replicate that of the surrounding residential dwellings.
- 5.25 Highway Safety
Alterations to the existing school access would include the introduction of a segregated footpath to the north of the existing access adjacent to 1 Easton Hill Road and the use of tactile paving for the visually impaired. Further, the parking layout would be reconfigured but the overall level of parking would remain broadly the same at 25 spaces for the 22 staff. This level of parking exceeds the Councils parking standards that suggest 1 space per 2 members of staff. However, it is considered that regard should be had to the special

- needs of the students and so above average car reliance would be expected. Further, in response to some of the concerns that have been raised, it is noted that staffing levels would reduce following the extension due to the displacement to the Gillingstool site thus overspill parking on neighbouring streets should decrease.
- 5.26 Highway Officer comments confirm that the site could accommodate medium sized service vehicles although it is not anticipated that a refuse vehicle would necessarily turn within the site.
- 5.27 It is understood that work has commenced on a Travel Plan; in the event that planning permission is granted, this should form the basis of an appropriately worded condition. The Travel Plan should aim to manage parking within the site and promote sustainable travel with cycle parking facilities to be included as part of this scheme.
- 5.28 For the above reasons, there is no transportation objection to this current proposal subject to conditions as detailed including a further condition in respect of the proposed access arrangements and associated works to the front of the application site. Finally, having regard to the possibility of additional parking controls within the local area, it is considered that there is no justification for this given the over provision of car parking spaces and the reduction in staff. However, this situation can be reviewed and parking controls introduced at a later date if necessary.
- 5.29 Ecology
The site is not covered by any statutory or non-statutory conservation designations and was subject to an extended Phase 1 habitat and walkover survey last year. In this regard, it is noted that it predominantly consists of semi-improved (species-poor) and improved grassland, with dense scrub and a defunct species-rich hedgerow along the southern site boundary. There is also species-poor hedging along the east and west boundaries. Further, it contains large areas of hard standing and would generally be classified as of being of low interest for wildlife.
- 5.30 No evidence was found of badgers and whilst the hedgerows offer native shrub species suitable for dormice, the site is completely isolated from any known dormouse populations or suitable habitat.
- 5.31 The application site offers and adjoins habitat (domestic back gardens) having potential for use by slow-worms. Slowworms are protected under the Wildlife & Countryside Act 1981 (as amended) and CROW Act 2000. Slowworms are also listed on the South Gloucestershire Biodiversity Action Plan as a species for which the Council will require specific measures to conserve and enhance populations. No specific survey for slowworms appears to have been undertaken despite the report correctly identifying that areas of habitat were suitable. On this basis, in the event that planning permission is granted, an appropriately worded condition to require an ecological management and mitigation strategy would need to be included.

- 5.32 No water bodies were found to be present within the school grounds and no ponds were located within 500 metres of the site, making it highly unlikely that any amphibians would use New Siblands. The survey identified the trees (willows) and buildings on site as having 'low potential' for bats but no specific additional survey work was considered justifiable; contractors should be made aware of the potential for bats to be present at any time of year and the requisite procedure should they be discovered during development. The range of bird species noted during the survey were commonplace and those expected within such habitat.
- 5.33 For the above reasons, there is no associated refusal reason in respect of this application subject to the above condition and informatives in respect of nesting birds and bats.
- 5.34 Arboricultural Considerations
The application is supported by a comprehensive arboricultural report and tree protection plan. To this extent, it is noted that the trees that would be removed are not considered suitable for protection by a Tree Preservation Order thus there is no objection to the current application on this basis. This would be subject to an appropriately worded condition to ensure that retained trees are protected in accordance with the tree retention and protection plan.
- 5.35 Landscaping Considerations
The application site contains a number of trees some of which would be lost although a suitable level of replacement trees are included as part of the landscaping proposals. The landscaping proposals are presented in the form of a master plan and whilst this is considered acceptable further details would be required; it is also noted that some species would be inappropriate for this location.
- 5.36 For the above reasons, there is no related objection to the development subject an appropriately worded planning condition in respect of a revised landscaping plan. This would be in addition also to a further condition in respect of boundary treatments with both conditions helping to address the concerns that have been raised by the neighbouring residents.
- 5.37 Notwithstanding the above, the proposed 2.4m high boundary fence to the front of the school is considered to be unacceptable with its height and prominent forward position considered to be inappropriate. Accordingly, in the event that planning permission is granted, this fence should be conditioned out of the proposal.
- 5.38 Improvements Achieved to the Scheme
This application has been subject to pre-applications discussions with the focus of reducing the impact of the build on the residential amenities of the adjoining occupiers.
- 5.39 To this extent, the original plans submitted showed a two-storey extension extending northwards aligning with the front wall of the school reaching the north flank site boundary. Single-storey accommodation would have been provided adjacent to this north boundary providing an enclosed play area

- adjacent to the west site boundary. This approach was considered unacceptable given that it would have spread the built form across the entire site and would have had an oppressive and overbearing impact on the neighbouring properties.
- 5.40 Subsequent discussions have sought to focus the building works to the centre of the site and reduce the scale and massing of the development proposed. It was agreed that it would not be necessary to replicate the design of the existing building with it confirmed that financial requirements dictated that the existing school building would need to be retained.
- 5.41 Outstanding Considerations
The plans show a new fire escape that would provide an alternative exit from the site onto Lavender Close. However, this would lead directly onto two privately owned parking spaces between two dwellings. This is considered to be unacceptable; especially given that it would be difficult to control the use of this access by condition. (It is understood this access would only be implemented if the Council were able to secure this land.)
- 5.42 In view of the above, comments received from the Councils Building Control Officer confirm that this second exit would not necessarily be requested and a workable solution could be found using the existing single access. On this basis, in the event that permission is granted, it is recommended that a condition be added to omit this access from the development.
- 5.43 Concern has been raised regarding the retention of the existing wooden sheds and the shipping container with these repositioned around the site boundaries. In response, these elements of the proposal are considered to be unacceptable primarily by virtue of the number of sheds and the nature (design) of the shipping container. As such, in the event that permission is granted, it is considered that an appropriately worded condition should omit these elements from the proposal.
- 5.44 Concern has also been raised in respect of the bin storage compound and its proximity to the neighbouring residents. The architect has responded to these concerns by inseting the refuse storage area further away from this neighbours boundary. As such, it is not now considered that planning permission could be reasonably withheld on this basis.
- 5.45 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.
- 5.46 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 development proposed would comprise a high standard of design that would enhance the visual appearance of the existing school and respect the physical constraints of the application site. The proposal is therefore considered to accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and LC4 (Proposals for Education and Community Facilities) of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. The development proposed would not have a significant adverse impact on residential amenity. The proposal is therefore considered to accord with Planning Policy LC4 (Proposals for Education and Community Facilities) of the South Gloucestershire Local Plan (Adopted) January 2006.
 3. The proposal is considered to be acceptable in highway safety terms with the level of parking and access arrangements considered to be acceptable. The proposal is therefore considered to comply with Planning Policy T8 (Parking Standards) and T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

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

Reason

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

2. The materials used in the development hereby approved shall accord with the submitted details. These comprise:

White/ Blue Render to the Proposed Elevations

Western Red Cedar Timber Cladding

Ibstock Himley Golden Russet (Base Brick)

Metal Curtain Walling and Windows; colour RAL 7015

Metal Profiled Roof; colour RAL 7005

Reason

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

3. Notwithstanding the submitted details, prior to the commencement of development details of any floodlighting and external illuminations, including measures to control light spillage and times of illumination, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the avoidance of doubt, the outdoor play areas shall not be externally illuminated.

Reason

To minimise disturbance to occupiers of the neighbouring dwellings and to accord with Planning Policy LC4 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 and in the interest of visual amenity, all to accord with Planning Policies D1, L1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To protect the character and appearance of the area and in the interest of visual amenity, all to accord with Planning Policies D1, L1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. 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 building is occupied. Development shall be carried out in accordance with the approved details. For the avoidance of doubt, the 2.4m high metal fencing/ gates at the school entrance and adjacent to the north flank boundary fronting Lavender Close is not approved.

Reason

To protect the character and appearance of the area and in the interest of visual amenity, all to accord with Planning Policies D1, L1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to the Local Planning Authority for approval. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

To protect the character and appearance of the area and in the interest of visual amenity, all to accord with Planning Policies D1, L1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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.

9. No development shall commence until an ecological management and mitigation strategy for the site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall focus on demonstrating how development will contribute towards the targets of the South Gloucestershire Biodiversity Action Plan. The development and the requirements of the management and mitigation strategy shall subsequently be commenced prior to the development being occupied and carried out in accordance with the approved details.

Reason

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

10. Within six months of the first occupation of the development hereby approved, a School Travel Plan shall be firstly submitted to the Local Planning Authority for approval and subsequently implemented. The agreed Travel Plan shall include contact details for the appointed person responsible for its implementation.

Reason

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

11. Prior to the commencement of development, detailed plans showing the vehicle access arrangements and associated works shall be submitted to and approved in writing by the Local Planning Authority. Development shall accord strictly with these approved details.

Reason

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

12. Prior to the commencement of development detailed plans showing the provision of cycle parking facilities 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 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.

13. Prior to the commencement of development, an amended site layout plan removing the proposed fire escape onto Lavender Close shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter development shall accord with these approved details. For the avoidance of doubt, this fire escape onto Lavender Close is not approved.

Reason

The proposed fire escape would lead directly onto private car parking spaces between existing residential properties which in the interests of residential amenity is not considered to be acceptable and to accord with Planning Policies D1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. Prior to the commencement of development, an amended site plan shall be submitted to and agreed with the Local Planning Authority detailing removal of the metal shipping container and the wooden sheds located adjacent to the north and south site boundaries respectively. Thereafter prior to the first occupation of the building hereby approved the metal container and sheds shall be removed in accordance with the agreed details.

Reason

In the interests of visual amenity and to accord with Planning Policies D1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

15. The development hereby approved shall be constructed to a BREEAM standard of 'good'. A formal assessment following construction shall be undertaken by a

licensed BREEAM assessor and a copy of the assessors report and the certificate shall be submitted to the Local Planning Authority prior to the use of the building.

Reason

To ensure the development minimises the use of energy and natural resources in accordance with PPS1 and its draft supplement Planning and Climate Change, draft RSS Policy G, the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.

16. No new windows shall be inserted at any time in the east elevation of the sports hall hereby approved.

Reason

In the interests of residential amenity and to accord with Planning Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

17. The proposed Astroturf Play Area and Hard Play Area shall not be used outside of the hours of 09.00am - 18.00pm on Mondays- Fridays.

Reason

In the interest of residential amenity and to accord with Planning Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

18. All retained trees shall be protected in accordance with the details provided as part of the submitted tree protection plan.

Reason

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

CIRCULATED SCHEDULE NO. 11/10 - 19 MARCH 2010

App No.:	PT09/6124/F	Applicant:	Sir/Madam
Site:	300 Aztec West Almondsbury Bristol South Gloucestershire BS32 4RG	Date Reg:	4th January 2010
Proposal:	Demolition of existing building to facilitate erection of 2 no. office buildings (Class B1 use) with associated car parking and landscaping. Creation of new vehicular and pedestrian access.	Parish:	Patchway Town Council
Map Ref:	360513 182628	Ward:	Patchway
Application Category:	Major	Target Date:	5th April 2010



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 100023410, 2008. N.T.S. PT09/6124/F

INTRODUCTION

This application appears on the Circulated Schedule as there are objections to the development where the officer recommendation is one of approval.

1. THE PROPOSAL

- 1.1 The site is located within the Aztec West Business Park. The position of the site is such that it is located in the Eastern area of the park and backs onto Hempton Lane which is a residential street.
- 1.2 Access to the site is off Park Avenue via the parks access onto the A38 that consists of a traffic controlled roundabout. The existing site is developed with a large two storey office building which is dated and has reached the end of its useful life.
- 1.3 It is proposed to replace this building with two separate buildings to provide new office space. It is also proposed to provide car parking within the site and this includes 'under-croft parking' below the South building.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPG13	Transportation

2.2 Development Plans

Joint Replacement Structure Plan

Policy 30	Safeguarding Employment Sites
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Regional Spatial Strategy

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
E3	Criteria for Assessing Proposals for Development within the Urban Area and Defined Settlement boundaries and/or Permitted by Policies E4/E6/E7
E4	Safeguarded Employment Areas
L9	Protected Species
T6	Cycle Routes and Pedestrian Routes
T7	Cycle Parking
T8	Parking Standards
T9	Car Parking Standards for People with Disabilities
T10	Travel Plans
T12	Transportation Development Control Policy

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

2.4 Other Material Considerations

South Gloucestershire Core Strategy Pre-submission Draft

- 1 *The site is retained as a safeguarded employment area under General Core Strategy Chapter 9 – Maintaining Economic Prosperity*
- 2 *Area Based Policy – North Fringe Policy*

3. RELEVANT PLANNING HISTORY

3.1 PT09/080/SCR (Screening Opinion)

Environmental Impact Assessment No Required in relation to this development proposal.

4. CONSULTATION RESPONSES

4.1 Patchway Town Council

No Comments Received

4.2 Highways Agency

No Objection

4.3 Sustainable Transport

No Objection subject to the provision of £20,988 towards highways improvements to improve access into Aztec West; in conjunction with the measures for mitigation as set out in the submitted travel plan.

4.4 Local Residents

7 letters/emails have been received (although this includes two emails from two individual households). 5 local residents have commented directly. There is also a petition signed by 31 persons. All the signatories reside on Hempton Lane.

The petition objects to the introduction of a cycle/pedestrian access direct from Hempton Lane onto the site.

The comments raised by local residents can be summarised as follows;

Concern is raised regarding the introduction of a pedestrian and vehicular access from Hempton Lane onto the site. Such an access would be dangerous to residents and school children attending the nearby school.

It should be noted that the proposed access onto Hempton Lane from the site is for use only by pedestrians and cyclists and is not intended for use by motorised vehicles (including motorcycles)

The introduction of an access onto Hempton Lane is unnecessary and would be detrimental to the residents of Hempton Lane which is a quiet residential area.

There is an ongoing problem with workers from Aztec West using Hempton Lane to park vehicles.

Concern is raised as to the potential for the use of Hempton Lane for access and parking during the construction of the development.

The proposed development would be closer to the dwellings on Hempton Lane than the existing development and as such would impact upon the privacy and residential amenity of the nearby residents. The proposed screening would not be sufficient to overcome this.

The statement of community involvement does not reflect the concerns of local residents; in particular the hours of working during construction.

Concern is raised as to the excessive use of energy should the development be lit up for 24 hour periods.

Concern is raised as to noise generated by contractors emptying bins during the early hours.

Residents draw attention to an original agreement regarding the restriction of the heights of buildings to two storeys.

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the provision of a replacement office within two new buildings.

5.2 Principle of Development

The site is located within a well established business park, which is itself protected for employment uses under Policy E4 of the South Gloucestershire Local Plan. The emerging Core Strategy would also safeguard this area for employment. It specifically states that the 'B' type use classes (such as B1 office) are acceptable. Notwithstanding the commentary in PPS4 in respect of office uses and the Town Centre it is acknowledged in the emerging Core Strategy that the existing pattern of development in the North Fringe is in line with Local and Sub-regional Policy in relation to the 'B Class' uses in the safeguarded employment areas. On this basis policy E4 of the South Gloucestershire Local Plan (adopted) January 2006 is considered to be an up to date development plan for the purposes of PPS4. The development would provide for employment uses and as such is acceptable in principle, subject to the following considerations.

5.3 Design and Layout

The existing building is positioned centrally within the site and is surrounded by level car parking. There is well established planting within the site as well as open areas of lawn. The building itself is two storey and linear in character. It is typical of its era and is of no particular architectural merit.

5.4 The proposed development is presented as two separate buildings (North and South Building). The North building has three floors whilst the South Building

- has two floors with an under-croft car park. Both buildings are designed to a high standard and the concept is strongly influenced by the commitment to provide new buildings to BREEAM 'Very Good' Rating. In particular the proposed development is characterised by the contrast of large areas of glazing on the North Elevations of the buildings and the more 'solid' elevations proposed for the South Elevations. This will make the most of solar gain available on this site.
- 5.5 It is proposed to use the buildings to enclose the site and provide car parking which would be out of view from the general public realm. This is considered to be a marked improvement over the existing situation and will allow the new buildings to inform the site as apposed to the car parking at present. This would be enhanced by specific landscaping proposals, and the layout of which is considered appropriate in principle. However, further details need to be submitted in order to fine tune the specific plant species and numbers to be used. Again this is appropriately the subject of a planning condition should this application be approved.
- 5.6 The proposed materials are considered to be of a high quality and are proposed to be of sustainable materials. Specific details and samples have not been submitted and this is appropriately the subject of a planning condition should this application be approved. Nonetheless, the submitted plans and Design and Access Statement demonstrate a well informed design solution to this development. In particular, it is considered that the proposed development would provide a high quality development and one which would enhance the site (and the surrounding Business Park) considerably. On this basis, the proposed development is considered acceptable in design terms.
- 5.7 Residential Amenity
The proposed development has been design to respond to the nearby residential development located along Hempton Lane. Despite this, there is concern over the impact of the development in respect of residential amenity upon the residents of Hempton Lane. Particular concern is raised regarding the height of the development and its proximity with the nearest dwellings. In this instance, there is no evidence that there are restrictive covenants restricting the heights of buildings on this site or the Business Park generally.
- 5.8 The design and access statement provides an indicative cross section of the development in relation to the residential development along Hempton Lane. This demonstrates the solution to reduce the height of the development as it gets closer to Hempton Lane. Essentially the South Building is two storeys in height whilst the North Building (away from Hempton Lane) is three storeys in height. This also coincides with the fall of the site towards Hempton Lane. The upper floor of each building is also designed to step back to reduce impact further. It is also proposed to bolster the existing boundary treatment along Hempton Lane (and this would fall under the previously suggested landscaping condition for further consideration and agreement). The buildings themselves are at an oblique angle to the existing dwellings on Hempton lane. Indeed this is approximately 45 degrees and as such would not allow direct views into the opposing dwellings. The proposed development of South Building would bring the closest point to the opposing residential dwellings to no less than 31

metres. This is measured between the southern most corner of the building and the dwelling at number 8 Hempton Lane. The windows on the Southeast Elevation of this building would be well in excess of 30 metres to dwellings at 9 Hempton Lane upwards. Views across Hempton Lane would be restricted as a result of this distance and the relatively low level of this particular building. The angle of relationship would further add to restricted views across to the residential dwellings. It is further considered that the distance between the development and the residential dwellings is such that there would be no material overbearing impact. It is also necessary to consider the impact of the development against the back drop of the existing development and its existing impact as well as the general nature of the business park and its relationship with Hempton Lane. In particular, it is considered that the proposed development would have a materially greater impact than the existing development and would not have a materially greater impact upon the impact of the business park generally. On this basis it is considered that the proposed development would not materially impact upon the residential amenity of the occupants of the dwellings along Hempton Lane.

5.9 Specific concern has been raised as to the impact of servicing the existing development and in particular bin collections. In this instance, the bin stores are located away from the residential dwellings within the proposed car parking areas associated with the development. It is considered that the bin stores are appropriately located. The issue of noise and timing of the servicing of them would be more appropriately governed by the relevant Noise Nuisance sections of the Environmental Health Legislation rather than as part of this planning application. On the basis that it is considered that the buildings can be serviced and maintain a reasonable relationship with residential neighbours, it is considered that the proposed development is acceptable in this respect.

5.10 Ecology

The application is submitted with a stage 1 Habitat Survey. Officers have concluded that the site carries very limited ecological value and the development would not have any material impact in ecological terms. However, the Ecology Officer recommends that the boundary hedging on the southern boundary should be restored and managed in a traditional fashion via gap planting and native species to improve its diversity. This can be achieved through further detail in relation to the previously discussed Landscaping Condition.

5.11 Drainage

The site is located with easy access to the foul drainage system. The surface water will be installed to a sustainable standard as part of the commitment to achieve BREEAM 'Very Good' rating. A planning condition will be imposed to achieve this rating as discussed later in this report. As such a separate drainage condition is unnecessary in this instance.

5.12 Construction Considerations

Concern is raised as to the impact of the development during its construction phase. In particular, local residents are concerned that construction workers will park vehicles on Hempton Lane when attending the site. Hempton Lane is a public highway and as such it is not possible to control the parking of vehicles

through the planning system. Whilst consideration has been given to whether this issue might be conditioned, it is not a straight forward exercise to confirm who vehicles belong to and the reason for their presence, and as such any condition imposed to control the parking of vehicles during the construction of the building could not be reasonably enforced and would fail one of the tests set out in Circular 11/95. Should Hempton Lane become dangerous due to indiscriminate parking (at any time, not just during the construction phase for this building) then this is a matter for the Police. Nonetheless, any approval of this application will be issued with an informative intended to highlight the nature of Hempton Lane and to encourage the developer to require site operatives to park on the site and not on Hempton Lane. This would however, be a matter for the developer to enforce privately.

5.13 Given that the access to the site is via Park Avenue, it is very unlikely that construction deliveries would take place from Hempton Lane. However, it is reasonable to condition that any approval such that deliveries to the site do not take place from Hempton Lane, in the interests of highway safety and residential amenity. Similarly, the hours of working during construction can be restricted by way of planning condition.

5.14 Transportation

There is local concern relating to the impact of the development upon the highway safety and amenity of the Hempton Lane itself. The Lane is used as access to the local high school and gives a 'no thorough route' access to the dwellings along Hempton Lane. There is also particular local residents objection to the introduction of a pedestrian/cycle access direct into the site off Hempton Lane. This objection is supported by a signed petition and is made on the basis of highway safety. Residents also raise the issue of parking along Hempton Lane by non residents who work on the Aztec West Business Park. There is concern that the proposed development would compound this problem.

5.15 In this instance it is not appropriate to control parking on residential streets beyond the site directly through the planning system and through the consideration of this particular planning application. However, the Local Authority is committed to providing improved cycling and pedestrian links (which take in nearby bus stops) to encourage sustainable modes of transport to Aztec West and the North Fringe of Bristol generally. Part of this scheme includes improvements to the links through Aztec West itself to Patchway generally, and it is proposed to introduce parking restrictions to restrict indiscriminate parking along Hempton Lane which can impede upon the amenity of local residents. The introduction of the new cycle/pedestrian link direct onto the site from Hempton Lane would provide a useful link into this site from the emerging access network and would not undermine the principle of providing those links. Furthermore the provision of the proposed access is not itself considered to represent a highway safety problem.

5.16 The development would provide its own off street parking for 142 vehicles including 7 spaces for disabled drivers. There are also 36 secure and overlooked cycle parking spaces. This is consistent with the requirements of the South Gloucestershire Local Plan under Policy T7 and T8.

- 5.17 It is generally acknowledged that Aztec West has historically been problematic in respect of traffic generation in that there has been a reliance on the private car. In this instance, the additional floor space will inevitably lead to additional vehicular movements. Nonetheless, the Highway Authority is actively promoting more sustainable modes of transport as part of the future of Aztec West itself. These measures include the implementation of cycle and pedestrian routes into and around the business park linking into the wider context of the Bristol North Fringe. In addition, it is for the developer to show what measures can be introduced to encourage more sustainable modes of transport in respect of this development proposal. In this instance, the submitted Transport Assessment and Travel Plan are consistent with good practice. The Highways Agency is content with the approach contained within the Travel Plan and raises no objection to the development on this basis. The principles of the Travel Plan are considered acceptable to the Highway Authority (Sustainable Transport). Nonetheless, when considered against the broader transport context of Aztec West under Policy T12, it remains necessary to provide additional mitigation beyond the aspirations of the submitted Travel Plan to respond to the traffic generated by this development.. As such, the development will generate a requirement for a commuted sum of £20,988 towards the implementation improvements to the highway to allow alternative modes of transport to the motor car in the vicinity of the development. This should be provided along side the measures set out in the Travel Plan itself. The requirements of the Travel Plan can be enforced by way of planning condition, whilst the commuted sum will need to be secured by way of a legal agreement. Essentially, the developer has agreed to enter into this legal agreement. Subject to this provision, the proposed development is considered acceptable in transportation terms.
- 5.18 Design and Access Statement
The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.
- 5.19 Use of Energy and Sustainability
The developer has committed to the provision of the building to BREEAM 'Very Good' rating. This would be a strong improvement in respect of Part L of the Building Regulations. A suitably worded condition can be applied to any approval to ensure that this commitment is upheld.
- 5.20 Improvements Achieved to the Scheme
In this instance, pre-application discussion regarding the development of this site was held and has resulted in an acceptable proposal.
- 5.21 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are appropriate, and having

regard to the above advice, the transportation improvements, 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 In this instance it is concluded that the proposed development would not result in a material impact upon the residential amenity of the occupants of Hempton Lane and would not have a material impact upon the highway safety and amenity of Hempton Lane; and subject to the imposition of appropriate planning conditions and obligations, the wider highway network. The development is therefore consistent with the requirements of Policy E3, E4 and T12 of the South Gloucestershire Local Plan. It is concluded that the proposed development would represent good quality design in respect of visual amenity and energy conservation and efficiency and would not materially impact upon the ecological merit of the site. The proposed development is therefore consistent with the requirements of Policy D1, E3, E4 and L9 of the South Gloucestershire Local Plan.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That 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) within 12 months to secure the following:
- The total provision of £20,988 towards providing improvements to the highway to allow alternative modes of transport to the motor car in the vicinity of the development to accord with Policy T12 of the South Gloucestershire Local Plan.
- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.
- 7.3 Should the Section 106 Agreement not be completed within 6 months of the date of determination then the application be refused or returned to the Circulated Schedule for further consideration on this basis.

Contact Officer: Simon Penketh

CONDITIONS

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

Reason

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

2. Prior to the commencement of development [details/samples] of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

3. The development hereby approved shall be constructed and maintained so as to achieve a minimum BREEAM rating of 'Very Good' and thereafter shall be retained as such. The developer/occupier shall provide written proof that the development has achieved this rating within six months of the first occupation of the building.

The developer has committed to achieving a BREEAM Rating 'Very Good' in support of the planning application; and to ensure that the building achieves a high standard of design and energy efficiency and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006; and the South Gloucestershire Design Checklist.

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

Reason

To protect the character and appearance of the area to accord with Policies D1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. At no time during the construction of the development hereby approved shall deliveries of construction materials take place from Hempton Lane.

Reason

In the interests of highway safety and to minimise disturbance to occupiers of dwellings on Hempton Lane and to accord with Policy T12 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The hours of working on site during the period of construction shall be restricted to 08:00 hours to 18:00 Monday to Friday; and 08:00 hours until 13:00 hours on Saturday; and no working shall take place on Sundays or Public Holidays. The term *working* shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to occupiers of dwellings on Hempton Lane and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The development hereby approved shall be implemented and continuously occupied in accordance with the agreed Travel Plan Framework (as received by the Council on 22nd December 2009), unless the Local Planning Authority agrees to any variation in writing.

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

Reason

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

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PT10/0245/F	Applicant:	Almondsbury Dental Surgery
Site:	Almondsbury Dental Surgery 37 Lower Court Road Almondsbury Bristol South Gloucestershire	Date Reg:	15th February 2010
Proposal:	Erection of two storey side extension to provide additional facilities	Parish:	Almondsbury Parish Council
Map Ref:	360443 184227	Ward:	Almondsbury
Application Category:	Minor	Target Date:	1st April 2010



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INTRODUCTION

This application appears on the Circulated Schedule List because an objection has been received from a local resident.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two-storey side extension to provide additional facilities.
- 1.2 The application site comprises a detached, two-storey dental surgery situated on the northern side of Lower Court Road within the Almondsbury settlement boundary and within the Conservation Area and Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG15 Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
E3 Criteria for Assessing Proposals for Employment Development within the Urban Area and Defined Settlement Boundaries
LC4 Proposals for the Development Expansion or Improvement of Community Facilities within the Existing Urban Area and Boundaries of Settlements
L12 Conservation Areas
GB1 Development within the Green Belt
T7 Cycle Parking
T12 Transportation Development Control Policy in New Development
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)
Development within the Green Belt SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/2077/F, conversion and extension of existing outbuilding to form office and storage area, 19/09/05, approved.
- 3.2 P99/1034, erection of single storey side extension, 05/03/99, approved.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
The Parish Council has no objection to this application as long as no car parking space is being taken up from the extension, as the surgery is very busy and parking often spills out onto the surrounding narrow roads.

Transportation DC

No objection subject to a level of cycle parking being introduced.

4.3 Local Residents

One letter received, which raises concerns regarding:

- Existing difficulty accessing the Belgrave Buildings garages and parking area due to dental surgery;
- Dental practise has not demonstrated a current need for the proposed extension.

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 Policies E3 and LC4 allow for the principle of the proposed development subject to environmental, transportation, residential amenity, visual amenity and density considerations. In addition, Policy E3 states that within the boundaries of settlements defined on the proposals map and washed over by the Green Belt, proposals for employment development will be restricted to infilling, extensions, and conversions and reuse of existing buildings. Planning Policy L12 only allows for development within or affecting a Conservation Area where it would preserve or enhance the character or appearance of the Conservation Area.

Planning Policy E3 of the Local Plan allows for the principle of extensions for employment development within the boundaries of settlements, which are washed over by the green belt. Therefore, a refusal on the basis that the applicants have not demonstrated a current need would not be justified on the policy requirements. The host building is a dental surgery (Use Class D1) and not a dwellinghouse, however, the disproportionate test specified in the South Gloucestershire Development in the Green Belt SPD (adopted), whilst not strictly applicable, is still a useful guide with regards to extensions in the green belt. The SPD states that as a general guide, additions resulting in a volume increase less than 30% of the original building would likely be acceptable, however, extensions that exceed 30% will be carefully assessed with regards to the appearance. An addition resulting in a volume increase of 50% or more of the original building would most likely be considered in excess of any reasonable definition of 'limited extension'. The extension calculates to a volume increase of approximately 41% of the volume of the existing building. It is considered that extension would be in keeping with the scale and design of the existing building and if permission is granted, the materials would be conditioned to match the existing building to help integrate the extension.

Given the above, it is considered that the proposal adheres to Policy GB1 and E3 of the South Gloucestershire Local Plan (adopted) January 2006 and the Development in the Green Belt SPD (adopted).

5.2 Design/Visual Amenity

This application seeks planning permission for the erection of a two-storey side extension to provide additional facilities. The application site comprises a two-

storey, detached dental surgery situated on the northern side of Lower Court Road. The site is located within the Green Belt and the Almondsbury Conservation Area and settlement boundary. The immediate area is characterised by a mix of modern and traditional properties. The host property, which comprises a domestic appearance with dormer windows and an enclosed garden area to the rear, is orientated to face east onto a car park, which serves the dental surgery. The property benefits from a single storey side extension, which would be replaced by the proposal. The proposed extension would allow for a larger surgery and a decontamination room on the ground floor, as well as office/storage space at first floor level.

- 5.3 The proposal would extend the existing ridge height and eaves across the build and measure approximately 3.6 metres in width. The existing front and rear dormer windows would be replicated in the extension, as would the fenestration on the southern elevation. Emergency exit doors would be located in the eastern and southern elevations. The materials proposed would comprise brick for the elevations, double Roman roof tiles and uPVC fenestration. It is considered that the extension would be in-keeping with the character of the existing building in terms of scale, form, design, siting and materials. A condition will be applied to the consent, if permission is granted, to ensure that the materials would match the existing building.
- 5.4 Whilst the extension would be situated within close proximity to the street, it is considered that adequate spacing would be retained between the building and the street and the proposal would not appear adversely out of keeping with the character of development nearby. It is considered therefore, that the proposal would preserve the character and appearance of the surrounding Conservation Area.
- 5.5 Residential Amenity
The application site is flanked by no.10 to the north, which has recently sought planning permission for the erection of a first floor side extension, and no.27 to the south. Given that the proposal would not extend past the existing front and rear building lines of the existing dwelling, it is considered that the proposal would not have a significant adverse impact on no.10 to the north in terms of loss of privacy or daylight. Whilst the building would be approximately 3.6 metres closer to the neighbouring property to the south, the neighbouring property is orientated so that the side elevation faces the application site and it is considered that the proposed development would not be significantly more overbearing than the existing situation. No new privacy issues would be introduced as a result of the development, therefore, the proposal would not have a significant adverse impact in terms of loss of privacy. It is considered that all other surrounding properties are located a sufficient distance from the application site to not be significantly adversely impacted by the proposed development.
- 5.6 Transportation
The extension would increase the size of the practice, which is likely to lead to additional traffic generation and parking demand. Given that the existing allocated parking provision would remain unchanged at 10 spaces, it is anticipated that some additional on-street parking would result from the

development. Concerns of a local resident with regards to the current difficulty accessing the Belgrave Buildings garages as a result of blocking by customers of the dental practise as well as the loss of a tarmac area that that is often used for parking are noted. The Council Transportation Officer however, considers that the potential off-street parking would be unlikely to reach levels that would compromise highway safety on the surrounding, largely residential road network and does not object to the development. The site is readily accessible on foot and by bicycle and it is considered that a level of cycle parking should be introduced to reduce the reliance on the car. This will be ensured by condition.

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

The proposal would comply with building regulation specifications.

5.9 Improvements Achieved to the Scheme

N/A

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 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 would be in-keeping with the character of the existing property in terms of design, scale, form, siting and materials and would preserve the character and appearance of the surrounding Conservation Area – Policies D1, L12 and E3 of the South Gloucestershire Local Plan (adopted) January 2006 and the Design Checklist SPD (adopted).

Through careful design the proposal would not adversely harm the residential amenity of the surrounding occupiers through loss of privacy or natural light – Policies E3 and LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

The existing access and allocated parking arrangements will not change as a result of the development. Whilst there is likely to be a small increase in congestion, the Transport Officer considers that it would not be detrimental to highway safety. The increase in congestion will be offset through the provision of bicycle facilities – Policies E3, T12, T7 and LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal represents a proportionate extension to the building, which constitutes appropriate development within the Green Belt – Policies GB1, E3 and the Development in the Green Belt SPD (adopted).

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance to accord with policies D1, L12, E3 and GB1 of the South Gloucestershire Local Plan (adopted) January 2006 and the Design Checklist SPD (adopted).

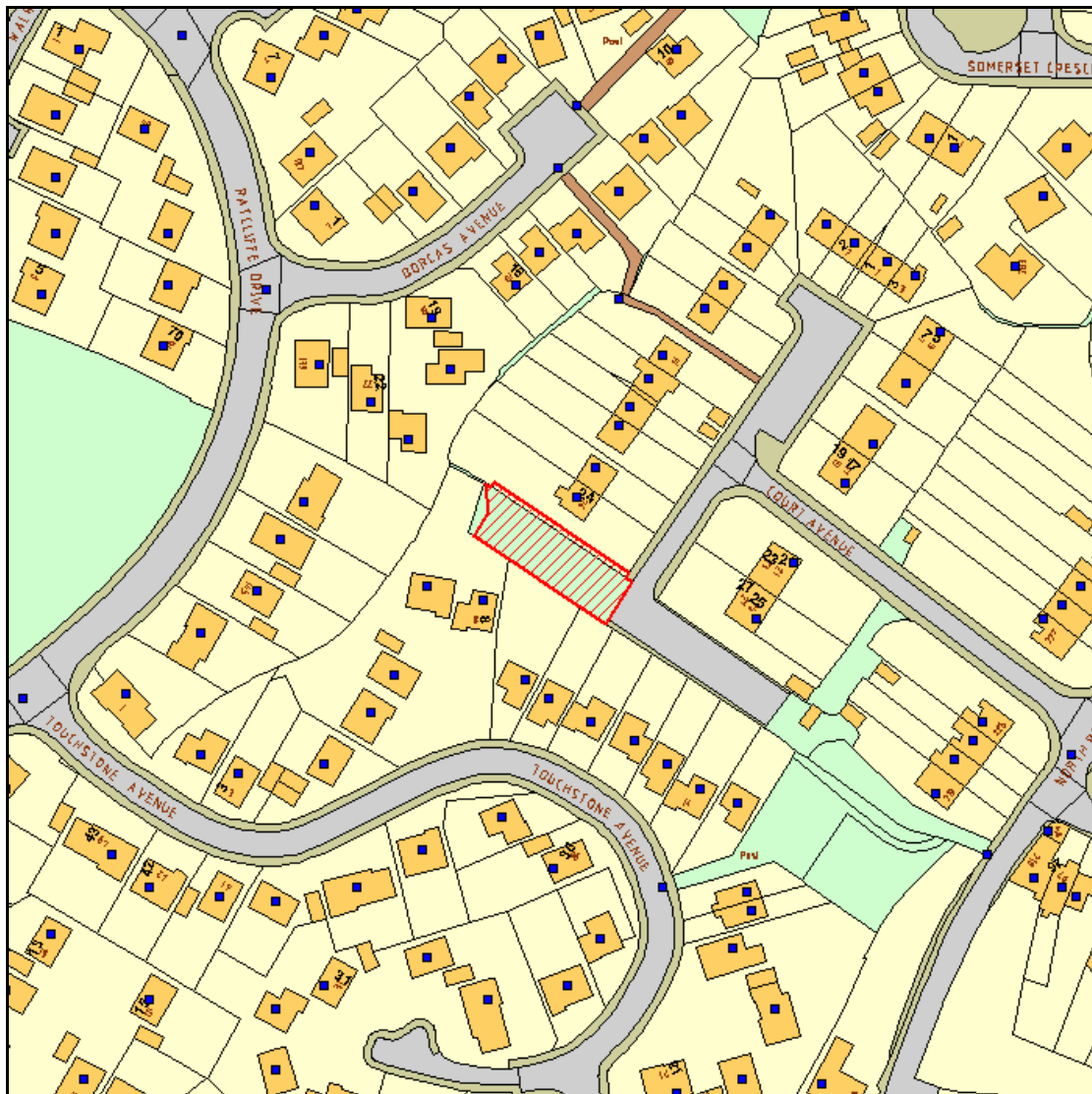
3. Prior to the commencement of the development, detailed plans showing cycle parking facilities in accordance with the standards set out in policy T7 of the Local Plan shall be submitted and approved in writing by the Local Planning Authority.

Reason

To encourage means of transportation other than the private car and to accord with Policies T7 and T12, E3 and LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PT10/0292/F	Applicant:	M J Osborne
Site:	Land Adjacent To 24 Court Avenue Stoke Gifford Bristol South Gloucestershire BS34 8PJ	Date Reg:	15th February 2010
Proposal:	Erection of 2. no. dwellings with associated works (Amendment to previously approved scheme PT08/2626/F)	Parish:	Stoke Gifford Parish Council
Map Ref:	362584 180232	Ward:	Stoke Gifford
Application Category:	Minor	Target Date:	6th April 2010



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 100023410, 2008. N.T.S. PT10/0292/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of two semi-detached dwellings.
- 1.2 The application site forms 0.05Ha of land on the north side of Court Avenue, Stoke Gifford. The application site forms a relatively narrow strip of grassland at the far end of this cul-de-sac that runs parallel with the adjoining property and which is understood to have been previously Council owned.
- 1.3 The application forms a resubmission of PT08/2626/F that was approved on February 4th this year. This revised scheme would allow enlarged ground floor accommodation by means of single-storey front extensions and a rear conservatory to each dwelling.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H2: Development within Residential Curtilages
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 P88/1593: Residential development on 0.08 acres of land (outline). Permitted: 27 April 1988
- 3.2 P90/2901: Residential development on 0.08 acres of land (outline). Permitted: 20 February 1991
- 3.3 P93/2623: Residential development on 0.08 acres of land (outline). Permitted: 9 February 1994

- 3.4 P97/1765: Residential development on 0.34 hectare (outline). Permitted: 15 July 1997
- 3.5 PT00/1648/R30: Residential development on 0.34 hectare (renewal of outline). Deemed Consent: 4 August 2000
- 3.6 PT03/2413/R30: Residential development on 0.34 hectare (renewal of outline). Deemed Consent: 29 September 2003
- 3.7 PT06/2484/R30: Residential development on 0.34 hectare (renewal of outline). Withdrawn: 21 November 2006
- 3.8 PT08/2165/F: Erection of four dwellings and associated works. Refused: 8 September 2008
- 3.9 PT08/2626/F: Erection of two dwellings with associated works. Permitted: 4 February 2010

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
Objection- appears to contravene 3rd condition outlined by PT08/2626/F
- 4.2 Other Consultees
Technical Services (Drainage): condition required
Highways DC: no objection subject to conditions
Archaeological Officer: no adverse comments
- 4.3 Summary of Local Residents Comments:
Two letters received stating the following:
 - o Based on the results of previous excavations, this area is likely to be rich in archaeological information- it is suggested making it a condition of the application that an archaeological investigation be carried out;
 - o The proposal allows a slight improvement on the previous scheme and the writer has 'nothing against it'.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning policy D1 details that development will only be permitted where good standards of site planning and design are achieved. In particular, proposals will be required to demonstrate that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and locality.
- 5.2 Planning policy H2 allows the principle of residential development subject to considerations of design, residential amenity and highway safety. Furthermore, the maximum density compatible with the site, its location, accessibility and its surroundings should also be achieved. In this regard, proposals should seek to

achieve a density of 30 dwellings per hectare and upwards of 50 dwellings per hectare where local circumstances permit.

- 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 Design/ Visual Amenity

The application seeks full planning permission for two semi-detached dwellings on an area of grassland at the far end of Court Avenue, Stoke Gifford. There has been a history of outline applications that established the principle of residential development on this site whilst full planning permission was granted for two-semi detached units (PT08/2626/F) earlier this year. This application seeks a number of amendments to this approved scheme.

- 5.5 The basic footprint of each unit would remain the same, as would the overall height of the properties; in this regard the proposals would remain comparable with the existing two-storey dwellings to the north. First floor accommodation would also remain unaltered with each unit providing two bedrooms, one at the front, one at the rear and a central bathroom.

- 5.6 At ground floor, each unit would now benefit from a single-storey lean-to across the front that would replace the approved separate entrance porches. These lean-to extensions would join to form one single-storey extension across the front of the building that would project 1.5m forward of the main building and provide entrance and cloakroom facilities. This would allow an enlarged kitchen to the front of the properties with living/ dining room accommodation behind. Rear conservatories are also now shown; these would measure 3.3m in length, extend the full width of the respective dwelling and with each abutting a 2.7m high-shared boundary wall.

- 5.7 In considering the above, it is noted that Court Avenue is characterised by two-storey development which fronts the highway set back behind a strong building line on either side of the road. The area benefits from a sense of spaciousness by virtue of the front gardens provided and the rear gardens behind. The scale and massing of all buildings appears broadly similar with dwellings occupying wide but relatively shallow footprints and encompassed by roof structures of equal height.

- 5.8 The basic form of the dwellings now proposed would replicate those that have been granted and thus are considered to respect the characteristics of the

- existing residential development within Court Avenue. The front lean-to extension would appear subservient to the main dwellings and thus despite stepping forward of the building line are considered to be acceptable. The conservatories now shown would not be readily visible from the public viewpoints. Therefore, the amended proposals are considered to be acceptable with no objection on design/ visual amenity grounds.
- 5.9 Notwithstanding the above, there is some concern with regards to the lack of detailing shown with for example, the proposed chimneystack removed from the permitted scheme with this having been added further to an Officer request for additional detailing. It is considered that these revisions could form the basis of an appropriately worded condition in the event that permission is granted.
- 5.10 Density
Policy H2 seeks to ensure that proposals for new residential development provide a minimum density of 30 dwellings per hectare with upwards of 50 units per hectare where local circumstances permit. In this instance (and as per the approved scheme), the proposal would provide a density of development equating to 40 dwellings per hectare; accordingly there is no objection to the application on this basis.
- 5.11 Residential Amenity
The neighbouring dwelling to the north of the application site forms a two-storey semi-detached property fronting Court Avenue. One secondary kitchen window within the flank wall faces the application site whilst some boundary screening in the form of a 1.6m high (approx.) close-boarded fence is provided along the rear garden.
- 5.12 The proposals would stand some 6m from this dwelling in near alignment with this property. Flank windows within the proposal would be limited to a bathroom window at first floor but with kitchen and living rooms windows below; this is considered acceptable subject to an appropriately worded planning condition in respect of proposed boundary treatments. On this basis, it is not considered that any significant adverse impact in residential amenity would be caused. In this regard, it is noted that the proposals would now project some 5m beyond the rear building line of this existing neighbouring property. However, the main part of this would comprise the single-storey rear conservatories whilst the spacing between these properties would also help to offset any impact.
- 5.13 Neighbouring properties to the south comprise two-storey detached dwellings that front Touchstone Avenue. In view of the identical design of the new units (albeit handed), openings to this side would comprise a first floor bathroom window with ground floor kitchen and living room windows. Given the screening provided within the neighbouring rear gardens and subject to appropriate boundary treatment (conditioned), it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.14 Dwellings behind front Dorcas Avenue and are offset from the orientation of the new dwelling. Further, the rear gardens of both dwellings would help to retain

- an appreciable level of spacing between these properties. On this basis, and as per the recent permission, it is again not considered that any significant adverse impact in residential amenity would be caused
- 5.15 There are no properties immediately opposite the application site with this area of land instead given over to hardstanding and formerly providing an area of car parking.
- 5.16 Highway Safety
There is no highway objection to the access, parking and turning arrangements although a condition would need to be added to any favourable decision to provide further details regarding cycle storage facilities. (A landscaping condition should also be added to help offset the visual impact of the proposed parking spaces.)
- 5.17 Further, it is noted that at the time of the previous application, in an attempt to address concerns related to the area of hardstanding at the front of the site, it was suggested that a formal turning head be provided that would be adopted as part of the highway. However, the applicant resisted this suggestion thus as per the approved scheme, the area of hardstanding remains. This is necessary to allow for vehicle turning and formed the basis of a condition attached to the previous permission. The same requirement would remain in this instance.
- 5.18 Outstanding Issues
Concerns have been expressed regarding a need for an archaeological condition if permission is granted given previous excavations within the area. However, the Councils Historic Environment Records Officer has advised that given that there was no condition attached to the previous permission, it would only be possible in exceptional circumstances to condition this amendment. However, it is considered unlikely that this type of condition would have been requested in the first instance had this issue arisen given that the site as a whole will have been substantially disturbed by the housing development of the 1980's. Accordingly, it is not considered appropriate/ necessary to condition this amended application.
- 5.19 The Parish Council have objected to the application on the basis that it contradicts condition 3 of the previous permission (PT08/2626/F). This read:

'No windows other than those shown on the plans hereby approved shall be inserted at any time in the north and south (flank) elevations of the dwellings.'

Reason: 'To protect the privacy and amenity of neighbouring occupiers, and to accord with Planning Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.'
- 5.20 In response, the proposed windows are considered to be acceptable as outlined above with those at ground floor not comprising main openings to habitable rooms and likely to be obscured by boundary treatments. The windows at first floor would serve the new bathrooms and thus would be obscure glazed. It is however suggested that an appropriately worded condition be attached to any new permission to prevent further openings.

5.21 Comments received from the Councils Drainage Officer requests further details in respect of the proposal. It is considered that in the event that planning permission is granted, a drainage condition should be attached to help secure this information.

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 proposed dwellings would appear in keeping with the general character of the area and thus would accord with Planning Policies D1 (Achieving good Quality Design in New Development) and H2 (Proposals for Residential Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The proposed development would provide two new dwellings at a density that is considered to be acceptable. The proposal is therefore considered to accord with Planning Policy H2 (Proposals for Residential Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

3. It is considered that the development proposed would not cause any significant adverse impact in residential amenity. The proposals is therefore considered to accord with Planning Policy H2 (Proposals for Residential

Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The proposal is considered to be acceptable in highway safety terms. Accordingly, the proposal is considered to comply with Planning Policies T8 (Parking Standards) and T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. **RECOMMENDATION**

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

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

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

Reason

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

2. Prior to the commencement of development samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north and south (side) elevations of the dwellings hereby approved.

Reason

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

4. The glazing in the north and south facing first floor bathroom windows shall at all times be of obscured glass to a level 3 standard or above with any opening being 1.7m above the floor level of the room in which it is installed.

Reason

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

5. Prior to the commencement of development a scheme of landscaping, which shall include details of all 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 D1, H2, H4 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 D1, H2, H4 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. 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 before the buildings 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 D1, H2, H4 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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.

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

Reason

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

10. Prior to the commencement of development detailed plans showing the provision of cycle parking facilities 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 parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

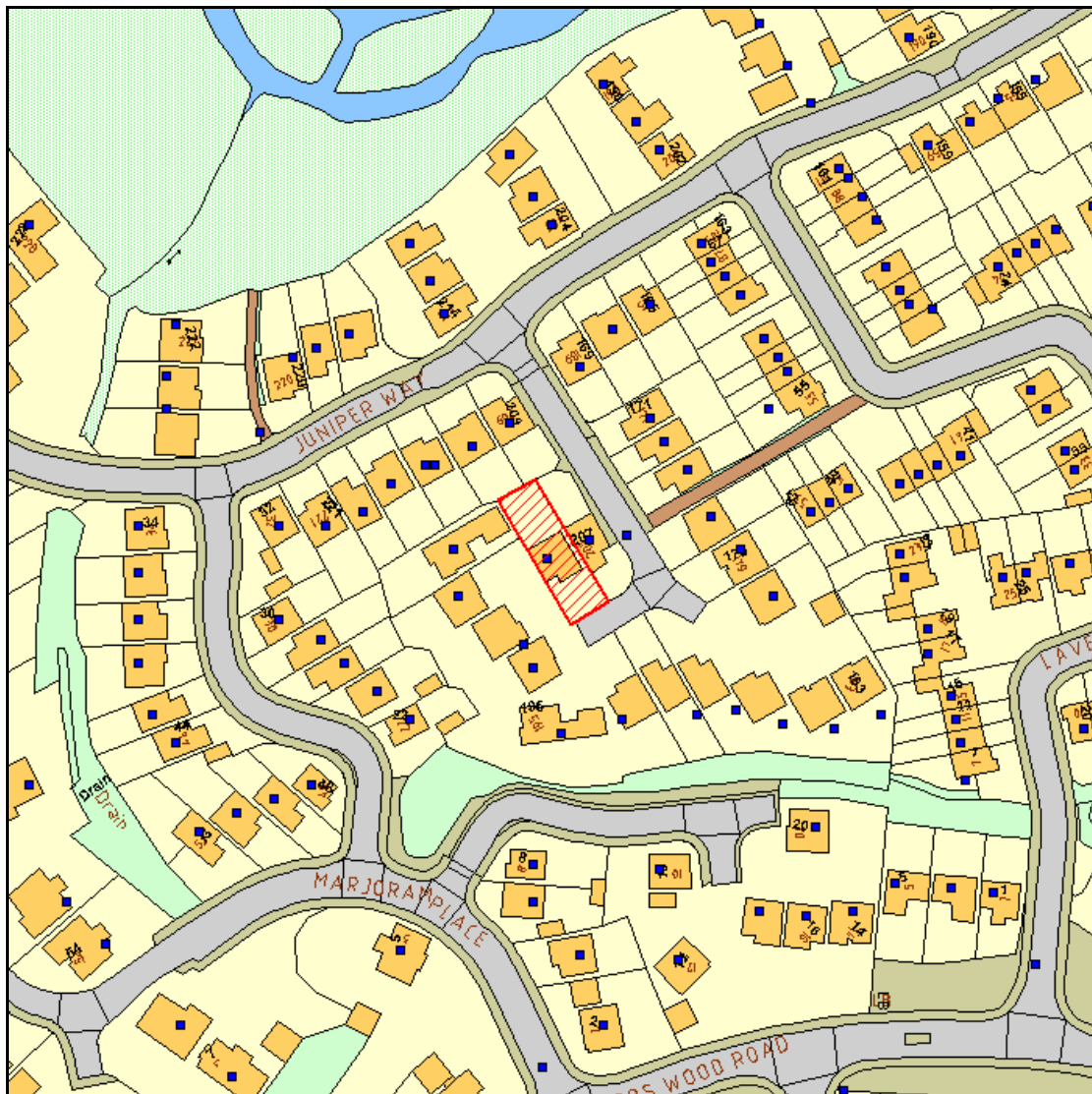
To encourage means of transportation other than the private car, to accord with Planning Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Prior to the commencement of development, an amended plan showing a chimney stack for the dwellings proposed shall be submitted to and agreed in writing with the Local Planning Authority. Development shall accord with these agreed details. For the avoidance of doubt, the amended details submitted shall reflect that of the approved scheme; PT08/2626/F.

To help achieve a good standard of design and to accord with Planning Policies D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PT10/0336/F	Applicant:	Mr John Blackwell
Site:	205 Juniper Way Bradley Stoke Bristol South Gloucestershire BS32 0DP	Date Reg:	17th February 2010
Proposal:	Raising of existing roofline to dwelling to form additional bedrooms and bathroom accommodation	Parish:	Bradley Stoke Town Council
Map Ref:	362847 181313	Ward:	Bradley Stoke South
Application Category:	Householder	Target Date:	13th April 2010



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N.T.S.

PT10/0336/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 raising of the existing roofline of dwelling to form additional bedrooms and bathroom accommodation.
- 1.2 This is a large detached dwelling located within the existing urban area of Bradley Stoke. The proposal consists of raising the roofline of the property by approximately 1.2 m to facilitate a loft conversion to include two bedrooms and a bathroom.

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 Bradley Stoke Town Council

Bradley Stoke Town Council object to this planning application on the following grounds; over-development of the site, and proposal not in-keeping with surrounding area.

4.2 Local Residents

One letter of objection received raising the following concerns:

- Over-development of the site.
- The proposal would be overbearing / lead to loss of light.
- Scaffolding and access may have to take place on land not owned by the applicant.
- Proposal could lead to drainage / sewerage problems.
- Parking / noise issues as a result of additional bedrooms and bathroom.

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

It is not anticipated that the addition of two bedrooms would lead to unsatisfactory levels of noise pollution.

Overbearing Analysis

The proposal would involve the raising of the existing ridge height of the dwelling by approximately 1.2 m. It is considered that the development may lead to some additional shadowing in the rear gardens of no's 207, and possibly 209 and 211 Juniper Way however it is not considered that this would prejudice residential amenity and there would be no loss of light to habitable rooms of neighbouring properties.

Privacy Analysis

Rooflights are proposed in the front and rear elevations of the development. There are existing upper level windows on both these elevations and so there would be no additional overlooking or loss of privacy as a result of the proposal.

Amenity Space

The proposal would not impact upon the existing private amenity space provided for no. 205 Juniper Way.

5.3 Highway Safety

Ample off street parking is provided with an integral garage and two spaces in front of this.

5.4 Design / Visual Amenity

It is considered that the proposed development would be in keeping, in terms of size and scale, with the 'built up' nature of Juniper Way and the wider Bradley Stoke area. No. 187 Juniper Way had a similar proposal approved under application PT04/3716/F for the raising of the roofline to facilitate a loft conversion. Juniper Way resides on sloping land and as a result the street's properties are at various height levels, meaning the overall visual impact of the raised roofline would be minimal. Materials being used are to match existing and this is considered acceptable.

5.5 Other Matters

Concern was raised regarding scaffolding and access taking place on land outside of the applicant's control. Any development or access needed on third party land is outside of planning control and would be a civil matter. No drainage details were submitted with the application and so a condition will be attached to the decision notice requiring further details to be submitted prior to the commencement of development.

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.

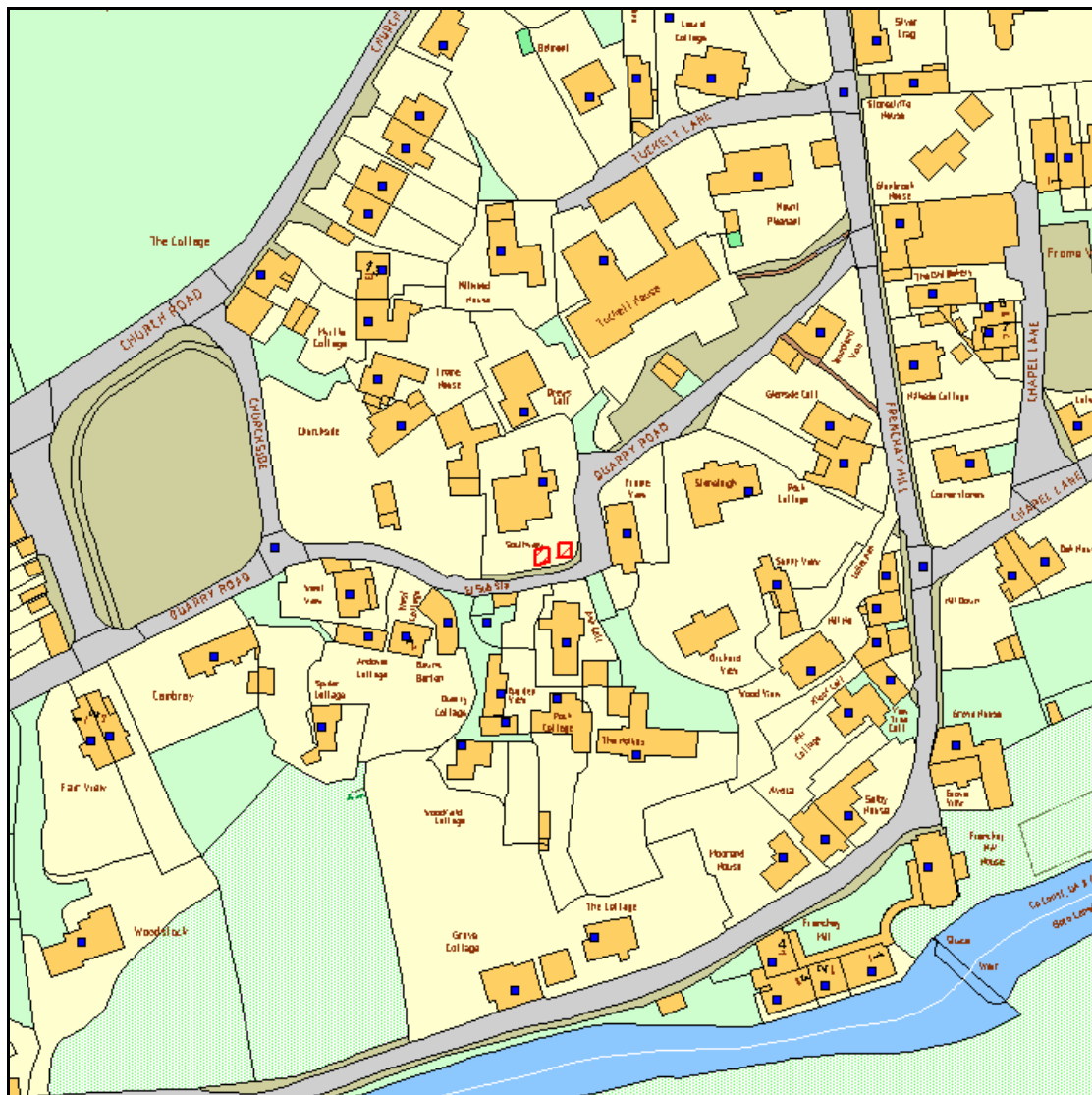
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 11/10 – 19 MARCH 2010

App No.:	PT10/0361/TCA	Applicant:	Mr Philip Turner
Site:	Southview Quarry Road Frenchay Bristol South Gloucestershire	Date Reg:	18th February 2010
Proposal:	Works to 1no. Rowan Tree to reduce crown by 30% and the removal of 1no. White Beam Tree all situated within the Frenchay Conservation Area.	Parish:	Winterbourne Parish Council
Map Ref:	364053 177359	Ward:	Frenchay And Stoke Park
Application Category:		Target Date:	31st March 2010



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 100023410, 2008. **N.T.S.** **PT10/0361/TCA**

INTRODUCTION

This application appears on the Circulated Schedule List because the Parish Council have objected to the proposed works. 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 31st March 2010, then the applicant can carry out the development in any case.

1. THE PROPOSAL

- 1.1 This application seeks approval for works to 1no. Rowan tree to reduce the crown by 30% and the removal of 1no. White Beam tree.
- 1.2 The application site comprises Southview, which is situated on the northern side of Quarry Road within the Frenchay Conservation Area. The trees are situated within the garden of the property adjacent to the southern boundary.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS15 Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
L1 Landscape Protection and Enhancement
L12 Conservation Areas
- 2.3 Supplementary Planning Guidance
The Frenchay Conservation Area SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection to the removal of the White Beam as it is situated within the Frenchay Conservation Area, inspection required by South Gloucestershire Council Arboriculturalist.
- 4.2 Tree Officer
No objections to the proposed works.
- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is recognised that trees can make a special contribution to the character and appearance of a conservation area. This Act makes special provision for trees in conservation areas, which are not the subject of a Tree Preservation Order. Under Section 211, subject to a range of exceptions, planning permission is required for proposals to cut down, top or lop a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their general control by making a TPO in respect of it. When considering whether trees are worthy of protection in conservation areas, the visual, historic and amenity contribution of the tree(s) should be taken in to account.

5.2 Consideration of Proposal

The Council Arboriculturalist has inspected the trees and considers that the works proposed would retain the Rowan tree in proportion to the setting. It is considered that the White Beam does not contribute significantly to the character of the Conservation Area given its modest size and condition and its removal would not be adversely harmful to the character of the Conservation Area. In addition, the Council Arboriculturalist considers that the tree is not worthy of a TPO. Consequently, there are no objections to the proposed works.

6. CONCLUSION

6.1 The recommendation to not object 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 to the proposed tree works.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538