



**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. 04/10

Date to Members: 29/01/10

Member's Deadline: 05/02/10 (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: 29/01/10

SCHEDULE NO. 04/10

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

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

CIRCULATED SCHEDULE – 29 JANUARY 2010

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK09/6028/F	Approve with Conditions	43 Chedworth Kingswood South Gloucestershire BS15 4UE	Rodway	
2	PK09/6081/F	Approve	33 Watsons Road Longwell Green South Gloucestershire BS30 9DW	Longwell Green	Oldland Parish Council
3	PT09/1198/CLE	Approve with Conditions	Cloverlea The Hollows Coalpit Heath South Gloucestershire BS36 2UU	Westerleigh	Acton Turville Parish Council
4	PT09/5959/F	Approve with Conditions	816 Filton Avenue Filton South Gloucestershire BS34 7HA	Filton	Filton Town Council
5	PT09/6013/R3F	Approve	Bradley Stoke Leisure Centre 1 Fiddlers Wood Lane Bradley Stoke South Gloucestershire BS32 9BS	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
6	PT09/6045/F	Approve with Conditions	2 Woodlands Road Charfield Wotton Under Edge South Gloucestershire GL12 8LS	Charfield	Charfield Parish Council
7	PT09/6064/F	Approve with Conditions	Landshire Road Frenchay South Gloucestershire BS16 1LQ	Frenchay And Stoke Park	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 04/10 – 29 JANUARY 2010

App No.: PK09/6028/F	Applicant: Mr Clode
Site: 43 Chedworth Kingswood Bristol South Gloucestershire BS15 4UE	Date Reg: 14th December 2009
Proposal: Erection of two storey side and single storey rear extensions to form additional living accommodation.	Parish:
Map Ref: 365478 175035	Ward: Rodway
Application Category: Householder	Target Date: 8th February 2010



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 100023410, 2008. **N.T.S.** **PK09/6028/F**

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of two letters of objection from a local resident.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a two storey side and single storey rear extension at 43 Chedworth, Kingswood. The proposed first floor side extension would measure a maximum of 3.4 metres wide by 9.9 metres in depth and would have an overall height to ridge of 7.5 metres. The proposed single storey rear extension measures 3.5 metres in depth by 3.4 metres in width with an overall height to ridge of 3.6 metres.
- 1.2 The property is a two storey semi-detached dwelling and is located within a residential area of Kingswood.
- 1.3 During the course of the application amended plans were requested to set down the ridge height of the first floor side extension and set back the first floor from the main front elevation of the property, so that the proposal would appear subservient to the original dwelling. In addition it was requested that the rear extension be reduced in depth and hipped away from the neighbouring property. Revised plans were received, showing amendments to the rear extension, however, the applicant was not keen to set down or set back the two storey side elevation.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Site does not fall within any existing parish boundaries

Other Representations

4.2 Local Residents

Two letters of response has been received from a neighbouring resident, stating the following concerns:

- The rear extension would have an adverse effect on their property by reason of a visual, excessive, overbearing and intrusive effect due to its size, location and mass.
- Overshadowing and loss of natural light
- Dominating the views from the kitchen, lounge and patio.
- The resultant extension would result in feeling enclosed
- Weaken the resale value of the property
- The house has already been sympathetically extended
- The large rear extension is not in keeping with the rear of the property and will result in their patio having a terraced house effect.
- Would the Party Wall Act come into force?

Further to the re-consultation of the amended plans, a neighbouring resident raised the following concerns:

- It would be preferred if the ridge height of the extension was set down.
- The adjoining property could never have a similar extension as such the properties will never look symmetrical
- The pair of resultant semi-detached properties will always look unbalanced in appearance if ridge height is not reduced.
- The agents letter did state that a set down may be acceptable, can't this be done?

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design / Visual Amenity

The proposed extension is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. Whilst the extension is quite large, the proposal is of modest size in comparison to the bulk of the main dwelling, furthermore the proposed rear extension has been reduced in scale.

Concern has been raised regarding the resultant appearance of the pair of semi-detached properties being unbalanced given that the proposed two storey side extension has an eaves and ridge height to match the main property. Whilst it was requested that the applicant set down the ridge height of the first floor side extension and set back the first floor from the main front elevation of

the property, the agent submitted details of properties in the immediate vicinity which have existing two storey side extensions of a similar design to the proposal. As such it is not considered that the set down and set back can be insisted upon or that a refusal reason based on the design of the side extension could be substantiated or justified at appeal.

Overall, it is considered that the appearance of the resultant building is well proportioned and would remain in keeping with the scale of the surrounding dwellings. Furthermore, the proposed addition would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling. It is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

The proposed first floor extension would be adjacent to the bottom of the rear gardens of the neighbouring properties, No's 10 and 12 Pool Road and the detached rear garage associated with No. 12 Pool Road. As such given its location, it is not considered that the proposed first floor extension would have any overshadowing or overbearing effect on the neighbouring dwellings.

The proposed single storey rear extension would be adjacent to the boundary of the adjoining property No. 41 Chedworth, which is defined by a wall and closed board fence that reach approximately 2 metres in height. The single storey extension would have a maximum depth of 3.5 metres and would have height to eaves of 2.3 metres and a maximum height to ridge of 3.6 metres. Given that the proposed rear extension would have a roof hipped away from the neighbouring property in combination with the existing boundary treatments in place and the height of the addition, it is not considered that this aspect of the proposal would have any significant overshadowing or overbearing effect on the adjoining dwelling, over and above the existing circumstances. As such it is not considered that a refusal reason based on overshadowing grounds could be justified at appeal.

The proposal includes the addition of three new first floor windows one on the front elevation, one on the western side elevation and one on the rear elevation. Given the location of these windows, it is not considered that the proposal would result in any significant increase in overlooking or loss of privacy over and above the levels of overlooking from the existing first floor windows. This is particularly the case given that the side elevation window would serve an en-suite bathroom and would be obscurely glazed. It is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

5.4 Parking and Highway Safety

Applicant does not propose any change to the existing garage, furthermore the property benefits from driveway space, of a sufficient size to park a several cars. Therefore the parking provision would remain in compliance and within

the Councils required parking standards. Further, with no objections from the Councils Transportation Officer the proposal is considered acceptable.

5.5 Design and Access Statement

None submitted

5.6 Use of Energy and Sustainability

No additional measures proposed

5.7 Improvements Achieved to the Scheme

The rear extension has been reduced in scale. The depth has been reduced from 4.1 metres to 3.5 metres and the roof has been hipped away from the neighbouring property.

5.8 Other Issues

Concern has been raised with regard to the boundary wall, this is a civil matter which will be addressed under non planning legislation in the form of the Building Regulations, The Party Wall Act and other related legislation. However, for the avoidance of doubt, three informatives would be attached to the decision notice to ensure that the applicant / agent is aware that planning permission does not grant rights to carry out works on land outside of the control of the applicant; consent must be sought from the owner of the land; and, that the Building Regulations must be complied with. With regard to the loss of views from neighbouring property, there is no right to a view under planning legislation and as such this is not a material planning consideration.

5.9 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The proposed extensions are of an appropriate standard in design and reflect the character of the main dwelling house and surrounding properties. Furthermore it is not considered that the extensions would result in any significant overshadowing or overbearing effect, over and above the existing circumstances and proposal would not result in any loss of privacy. As such the proposal accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

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

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 04/10 – 29 JANUARY 2010

App No.: PK09/6081/F
Site: 33 Watsons Road Longwell Green
Bristol South Gloucestershire BS30
9DW

Applicant: Mr I Masters
Date Reg: 18th December
2009

Proposal: Erection of detached garage
(Retrospective)

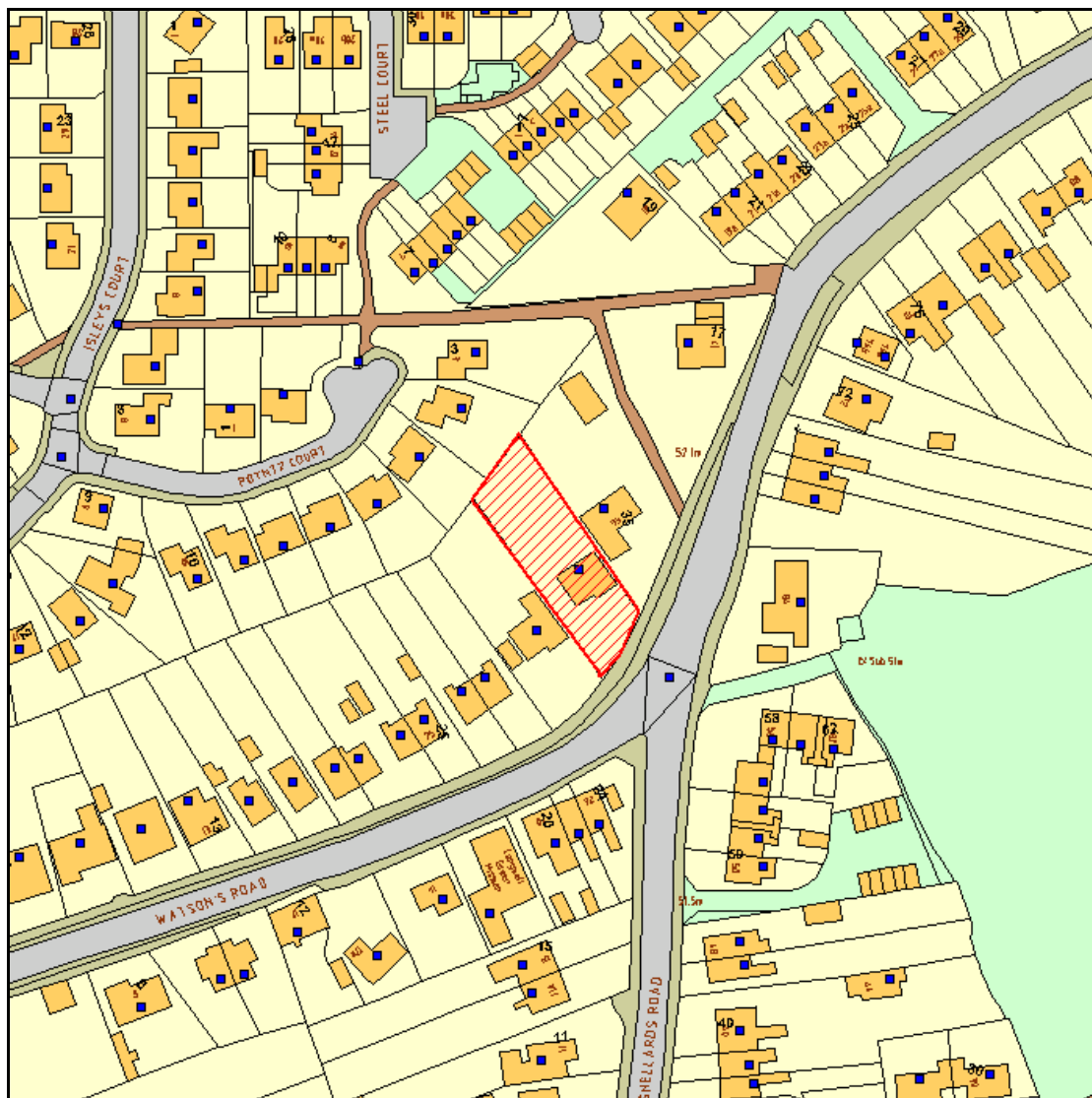
Parish: Oldland Parish
Council

Map Ref: 365826 171343

Ward: Longwell Green
Target 9th February 2010

Application Householder
Category:

Date:



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100023410, 2008. **N.T.S.** **PK09/6081/F**

INTRODUCTION

This application has been referred to the Circulated Schedule due to an objection being raised by Oldland Parish Council.

1. THE PROPOSAL

1.1 The applicant is seeking full retrospective planning permission for the erection of a detached garage at 33 Watsons Road, Longwell Green. On visiting the site, whilst not entirely complete, the garage was in place. The garage measures 3.6 metres wide by 5.6 metres in depth and would have an overall height to ridge of 3.3 metres. It should be noted that this application is for the detached garage only.

1.2 The property is a detached bungalow and is located within a residential area of Longwell Green

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

3.1 None relevant

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council
Object to the proposal on grounds of serious concerns regarding the appropriateness and legality of the proposed development. The following concerns were raised:

- The existing dropped curb is neither wide enough or designed for vehicular weights.
- The dropped kerb is for pedestrian use.
- The plans do not show a drive to the garage or turning space
- On street parking would add to the dangers of the busy corner
- Part 5 of the application fails to address access and footway issues.

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

5.2 Design / Visual Amenity

The garage is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. The garage is of modest size in comparison to the bulk of the main dwelling, furthermore, the proposed addition will incorporate materials to match those of the main dwelling, ensuring the garage is in keeping with the host dwelling.

The garage is to the rear of the existing dwelling, set back from the road. It is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

The garage is set back 1.2 metres from the boundary with the neighbouring property, No. 31 Watsons Road, which is defined by a 1.4 metre high timber fence. The garage has a height to eaves of 2.5 metres with the roof hipped away from the neighbouring property. Given the existing boundary treatments in place, combined with the depth and height of the garage, it is not considered that the garage has any overshadowing or overbearing effect on the neighbouring dwellings.

It is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

5.4 Other Issues

Concern has been raised regarding the new vehicular access to the site and the highways issues that would result from this. The planning application is for the detached garage only, no vehicular access to the garage is proposed. However whilst visiting the site it was apparent that new hard standing was being laid. Provided that this hard standing is made of porous material or provision for the run off is provided within the curtilage of the dwelling, this work falls under Class F of the Town and Country Planning (General Permitted Development) Order (Amendment) (No.2) 2008 and does not require planning permission. The agent has confirmed that the front boundary wall will be rebuilt across the front boundary with a small pedestrian access gate. As such no vehicular access is being created. For the avoidance of doubt, an informative

will be attached to the permission highlighting the fact that the creation of new vehicular access would require planning permission.

5.5 Design and Access Statement

None submitted

5.6 Use of Energy and Sustainability

No additional measures submitted

5.7 Improvements Achieved to the Scheme

None required

5.8 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The proposed garage is of an acceptable standard of design and is in keeping with the character and appearance of the host dwelling and surrounding area. The proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. As such the proposal accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

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

7. RECOMMENDATION

7.1 That the application be approved.

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

CIRCULATED SCHEDULE NO. 04/10 – 29 JANUARY 2010

App No.:	PT09/1198/CLE	Applicant:	Mr W G Foley
Site:	Cloverlea The Hollows Coalpit Heath South Gloucestershire BS36 2UU	Date Reg:	1st July 2009
Proposal:	Use of Unit 1 for the storage and distribution (B8) of groceries and use of Unit 5 for the storage and distribution (B8) of upholstery and cardboard boxes in relation to accompanying amended plan received by South Gloucestershire Council on 2nd November 2009.	Parish:	Westerleigh Parish Council
Map Ref:	367490 179008	Ward:	Westerleigh
Application Category:	Minor	Target Date:	26th August 2009



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INTRODUCTION

This report is being circulated among Members because it is a Certificate of Lawfulness for Existing Use. This is a resubmission of P99/1637/CL.

An amended site plan has been submitted with only Units 1 and 5 (with associated access) shown. These are solely the subjects of this Certificate of Lawful Existing Use application.

1. DESCRIPTION OF DEVELOPMENT

- 1.1 This application is for a Certificate of Lawfulness for Existing Use of Units 1 and 5 for storage and distribution purposes (Class B8) with associated access as shown on the amended site plan with the Units in question being shown edged red. This report is being circulated to Member's as a matter of standard formal procedure.
- 1.2 The application site relates to an agricultural holding comprising of a dwellinghouse and several commercial/industrial units in a primarily rural location situated off The Hollows in Coalpit Heath.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24
Circular 10/97 Enforcing Planning Control

3. RELEVANT SITE HISTORY

- 3.1 P99/1637/CL Certificate of Lawfulness for Units 1-5 inclusive for storage and distribution purposes (Class B8).
Refused. 1999.

4. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

The applicant, in relation to this application, submitted a large amount of a variety of evidence.

- 4.1 Several statutory declarations have been received from the following:
- Keith Thomas Harding
 - Maurice Arthur Bishop
 - Robert James Pursey
 - William Geoffrey Foley
 - Darrell Henry Grace
 - Hayden Harrison-Rees
 - R B Hilton
- 4.2 Financial information consisting of:

- Photocopies of Income from Rented Property Accounts (1983,1984,1985)
- Photocopies of Income from Rented Property Accounts (1988)
- Photocopies of Inland Revenue Income Tax Receipts (1982-1989)
- Photocopies of Northavon Council Tax Receipts 1988 (Bungalow, Three Garages and Stables, Two Stores)
- Photocopies of Northavon Council Tax Receipts 1989 (Bungalow, Three Garages and Stables)
- Photocopies of Northavon Council Tax Receipts 1990 (Workshop and Premises)
- Photocopies of Receipt from Evening Post for advertisement regarding H&M marketing in 2001.
- Photocopy of Letter from accountants stating they have knowledge of the units and done the accounts for the applicant since February 1992.
- Photocopies of various receipts for works to the units from 1984 – 1996.
- Photocopy of a phone bill from 1993
- Photocopy of the BT Phone Book from 1996.
- Photocopy of letter from valuation Office confirming site rated as store and premises.
- Photocopy of letter from insurance company confirming provision of insurance in respect of business stores at application site since 1984;
- Photocopy of letter of Electricity Supply terms for business use at application site in 1987.

4.3 Photocopies of various documents relating to vehicle operator's licence (1964, 1971, 1986).

4.4 Photocopies of various letters from customers and tenants saying they have worked with/rented units from the applicant.

4.5 Miscellaneous

- Unreadable poor photocopy of 1 receipt;
- Indiscernible photocopy of 2 photographs.

5. **SUMMARY OF CONTRARY EVIDENCE**

5.1 No evidence was received that was contrary to the application although a small proportion of that submitted is unidentifiable/unreadable and hence could not be taken into account.

6. **OTHER REPRESENTATIONS RECEIVED**

6.1 **Westerleigh Parish Council**
No objection.

6.2 **Transportation**
No objection.

6.3 **Environment Agency**

No objection in principle although facilities for oil/chemical storage and drainage should be approved with LPA prior to commencement.

7. **EVALUATION**

7.1 The application for a Certificate of Lawfulness is purely an evidential test. The test of evidence to be applied is whether the case has been shown in the balance of probability for the requisite time period. As such the applicant needs to provide precise and unambiguous evidence.

7.2 In this instance the requisite time period was 10 years prior to the first submission of the application in 1999. The application was not determined at that time and as such still remains to be resolved. The applicant has indicated that they would like this dormant application to be determined rather than resubmitting further evidence for the time period that has elapsed since.

7.3 **Unit 1**

The statutory declaration of Mr W Foley (the applicant) swears that Unit 1 had been used by Self Scoop foods from 1995 until 1999 to store groceries. Prior to this Mr M Page used Unit 1 to store groceries from 1989. This is confirmed by a letter from Mr Page, which is referred to by Mr Foley in his declaration at paragraph 9. Mr Page confirms that he rented Unit 1 from 1989 “or late 1988”. There is also a letter from Ms Taylor confirming that she purchased Self Scoop foods from Mr Page in 1995 and “used the unit continuously for the storage of foodstuffs and general grocery items to [1999]”.

Accordingly on the basis of this evidence it is considered that precise and unambiguous evidence has been submitted in relation to the use of storage of groceries at Unit 1 from 1989 – 1999. As such a Certificate of Lawful Use should be granted to this effect.

7.4 **Unit 5**

The statutory declaration of Mr W Foley (the applicant) swears that Unit 5 had been let to Mr R Pursey from 1989 until 1993 to store upholstery related items. After which, states Mr Foley at paragraph 17, Mr “Harding occupied the building ever since that time and keeps...cardboard boxes there which he collects...and then redistributes”. This is supported by the statutory declarations of Mr R Pursey and Mr K Harding. Mr R Pursey states, “...I occupied what is shown as Unit 5...about [1993] I did a swap and took over Unit 2...” (paragraph 5). Mr K Harding states “ I...took over occupation of Unit 5...in about 1993, and have remained in occupation of the unit ever since”(paragraph 7). Other statutory declarations say they remember there being a cardboard box storage business but do not state the unit within which it is based. Additionally evidence in the form of photocopies of the BT Phone Book show that there was a cardboard box business and upholstery business operating from the site but the dates are ambiguous and no specific unit is mentioned.

Accordingly on the basis of this evidence it is considered that sufficient evidence has been submitted in the form of the statutory declarations which have some support from circumstantial evidence as detailed above relating to the use of storage and distribution of upholstery and cardboard boxes/cartons at Unit 5 from 1989 – 1999. As such a Certificate of Lawful Use should be granted to this effect.

7.5 During consideration of this application it was considered that the evidence did not extend to Units 2-4. As such, these have been removed from the application and the site plan amended accordingly.

RECOMMENDATION

That a Certificate of Lawful Existing Use is **GRANTED** for Unit 1 for storage and distribution of groceries (Class B8) and for Unit 5 for storage and distribution of upholstery and cardboard boxes (Class B8) with associated access as identified on the accompanying amended plan received by South Gloucestershire Council on 2nd November 2009.

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

CIRCULATED SCHEDULE NO. 04/10 – 29 JANUARY 2010

App No.:	PT09/1198/CLE	Applicant:	Mr W G Foley
Site:	Cloverlea The Hollows Coalpit Heath South Gloucestershire BS36 2UU	Date Reg:	1st July 2009
Proposal:	Use of Unit 1 for the storage and distribution (B8) of groceries and use of Unit 5 for the storage and distribution (B8) of upholstery and cardboard boxes in relation to accompanying amended plan received by South Gloucestershire Council on 2nd November 2009.	Parish:	Westerleigh Parish Council
Map Ref:	367490 179008	Ward:	Westerleigh
Application Category:	Minor	Target Date:	26th August 2009



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INTRODUCTION

This report is being circulated among Members because it is a Certificate of Lawfulness for Existing Use. This is a resubmission of P99/1637/CL.

An amended site plan has been submitted with only Units 1 and 5 (with associated access) shown. These are solely the subjects of this Certificate of Lawful Existing Use application.

1. DESCRIPTION OF DEVELOPMENT

- 1.1 This application is for a Certificate of Lawfulness for Existing Use of Units 1 and 5 for storage and distribution purposes (Class B8) with associated access as shown on the amended site plan with the Units in question being shown edged red. This report is being circulated to Member's as a matter of standard formal procedure.
- 1.2 The application site relates to an agricultural holding comprising of a dwellinghouse and several commercial/industrial units in a primarily rural location situated off The Hollows in Coalpit Heath.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24
Circular 10/97 Enforcing Planning Control

3. RELEVANT SITE HISTORY

- 3.1 P99/1637/CL Certificate of Lawfulness for Units 1-5 inclusive for storage and distribution purposes (Class B8).
Refused. 1999.

4. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

The applicant, in relation to this application, submitted a large amount of a variety of evidence.

- 4.1 Several statutory declarations have been received from the following:
 - Keith Thomas Harding
 - Maurice Arthur Bishop
 - Robert James Pursey
 - William Geoffrey Foley
 - Darrell Henry Grace
 - Hayden Harrison-Rees
 - R B Hilton
- 4.2 Financial information consisting of:

- Photocopies of Income from Rented Property Accounts (1983,1984,1985)
- Photocopies of Income from Rented Property Accounts (1988)
- Photocopies of Inland Revenue Income Tax Receipts (1982-1989)
- Photocopies of Northavon Council Tax Receipts 1988 (Bungalow, Three Garages and Stables, Two Stores)
- Photocopies of Northavon Council Tax Receipts 1989 (Bungalow, Three Garages and Stables)
- Photocopies of Northavon Council Tax Receipts 1990 (Workshop and Premises)
- Photocopies of Receipt from Evening Post for advertisement regarding H&M marketing in 2001.
- Photocopy of Letter from accountants stating they have knowledge of the units and done the accounts for the applicant since February 1992.
- Photocopies of various receipts for works to the units from 1984 – 1996.
- Photocopy of a phone bill from 1993
- Photocopy of the BT Phone Book from 1996.
- Photocopy of letter from valuation Office confirming site rated as store and premises.
- Photocopy of letter from insurance company confirming provision of insurance in respect of business stores at application site since 1984;
- Photocopy of letter of Electricity Supply terms for business use at application site in 1987.

4.3 Photocopies of various documents relating to vehicle operator's licence (1964, 1971, 1986).

4.4 Photocopies of various letters from customers and tenants saying they have worked with/rented units from the applicant.

4.5 Miscellaneous

- Unreadable poor photocopy of 1 receipt;
- Indiscernible photocopy of 2 photographs.

5. **SUMMARY OF CONTRARY EVIDENCE**

5.1 No evidence was received that was contrary to the application although a small proportion of that submitted is unidentifiable/unreadable and hence could not be taken into account.

6. **OTHER REPRESENTATIONS RECEIVED**

6.1 **Westerleigh Parish Council**
No objection.

6.2 **Transportation**
No objection.

6.3 **Environment Agency**

No objection in principle although facilities for oil/chemical storage and drainage should be approved with LPA prior to commencement.

7. **EVALUATION**

7.1 The application for a Certificate of Lawfulness is purely an evidential test. The test of evidence to be applied is whether the case has been shown in the balance of probability for the requisite time period. As such the applicant needs to provide precise and unambiguous evidence.

7.2 In this instance the requisite time period was 10 years prior to the first submission of the application in 1999. The application was not determined at that time and as such still remains to be resolved. The applicant has indicated that they would like this dormant application to be determined rather than resubmitting further evidence for the time period that has elapsed since.

7.3 **Unit 1**

The statutory declaration of Mr W Foley (the applicant) swears that Unit 1 had been used by Self Scoop foods from 1995 until 1999 to store groceries. Prior to this Mr M Page used Unit 1 to store groceries from 1989. This is confirmed by a letter from Mr Page, which is referred to by Mr Foley in his declaration at paragraph 9. Mr Page confirms that he rented Unit 1 from 1989 "or late 1988". There is also a letter from Ms Taylor confirming that she purchased Self Scoop foods from Mr Page in 1995 and "used the unit continuously for the storage of foodstuffs and general grocery items to [1999]".

Accordingly on the basis of this evidence it is considered that precise and unambiguous evidence has been submitted in relation to the use of storage of groceries at Unit 1 from 1989 – 1999. As such a Certificate of Lawful Use should be granted to this effect.

7.4 **Unit 5**

The statutory declaration of Mr W Foley (the applicant) swears that Unit 5 had been let to Mr R Pursey from 1989 until 1993 to store upholstery related items. After which, states Mr Foley at paragraph 17, Mr "Harding occupied the building ever since that time and keeps...cardboard boxes there which he collects...and then redistributes". This is supported by the statutory declarations of Mr R Pursey and Mr K Harding. Mr R Pursey states, "...I occupied what is shown as Unit 5...about [1993] I did a swap and took over Unit 2..." (paragraph 5). Mr K Harding states "I...took over occupation of Unit 5...in about 1993, and have remained in occupation of the unit ever since"(paragraph 7). Other statutory declarations say they remember there being a cardboard box storage business but do not state the unit within which it is based. Additionally evidence in the form of photocopies of the BT Phone Book show that there was a cardboard box business and upholstery business operating from the site but the dates are ambiguous and no specific unit is mentioned.

Accordingly on the basis of this evidence it is considered that sufficient evidence has been submitted in the form of the statutory declarations which have some support from circumstantial evidence as detailed above relating to the use of storage and distribution of upholstery and cardboard boxes/cartons at Unit 5 from 1989 – 1999. As such a Certificate of Lawful Use should be granted to this effect.

7.5 During consideration of this application it was considered that the evidence did not extend to Units 2-4. As such, these have been removed from the application and the site plan amended accordingly.

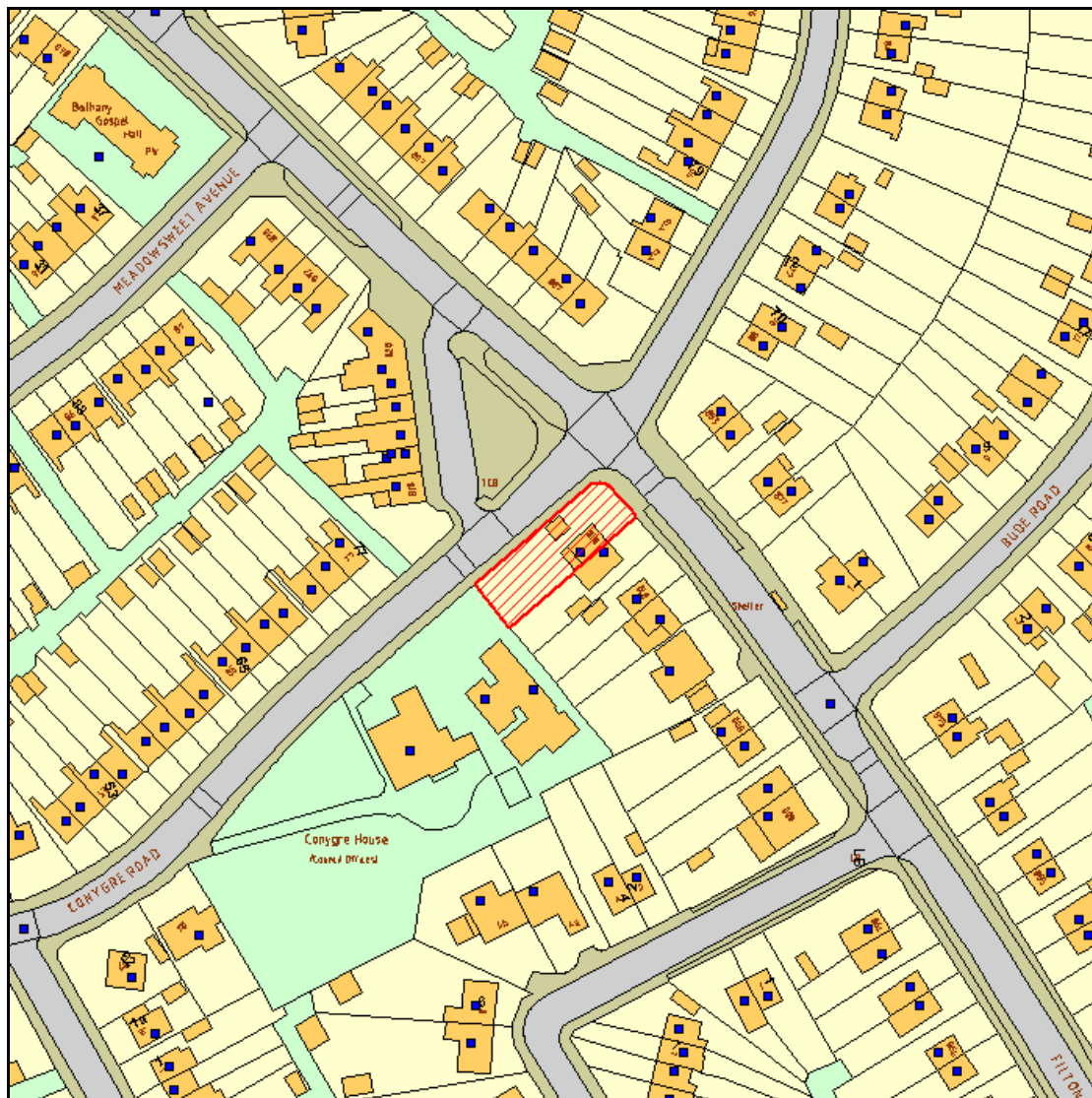
RECOMMENDATION

That a Certificate of Lawful Existing Use is **GRANTED** for Unit 1 for storage and distribution of groceries (Class B8) and for Unit 5 for storage and distribution of upholstery and cardboard boxes (Class B8) with associated access as identified on the accompanying amended plan received by South Gloucestershire Council on 2nd November 2009.

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

CIRCULATED SCHEDULE NO. 04/10 – 29 JANUARY 2010

App No.:	PT09/5959/F	Applicant:	Mr A Tibbs
Site:	816 Filton Avenue Filton Bristol South Gloucestershire BS34 7HA	Date Reg:	17th December 2009
Proposal:	Erection of two storey side and single storey rear extension to facilitate the conversion of existing dwelling to form 2no. dwellings with associated works. Erection of detached double garage.	Parish:	Filton Town Council
Map Ref:	360790 179449	Ward:	Filton
Application Category:	Minor	Target Date:	8th February 2010



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 100023410, 2008. **N.T.S.** **PT09/5959/F**

INTRODUCTION

This application appears on the Circulated Schedule as Filton Town Council's consultation response requests that a site visit is undertaken.

1. THE PROPOSAL

- 1.1 This is an application for the erection of an attached additional single dwelling house on 420 square metres of land which is currently part of the garden of 816 Filton Avenue, a semi-detached house.
- 1.2 The application is a full planning application within the urban area of Filton. Access is shown to be maintained to the front and a new access would be created at the rear of the plot to facilitate two garage and two parking spaces.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing

2.2 Adopted Joint Replacement Structure Plan

Policy 1 Sustainable Development objectives
Policy 2 Locational Strategy

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
H2 Residential Development
H4 Development in residential curtilages
T6 Cycle Parking
T7 Vehicle Parking
T12 Transportation Development Control Policy
L1 Landscaping

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Supplementary Planning Guidance)
Adopted August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Suggest a site visit (comment dated 5/1/2010 prior to amended plans.)

4.2 Highways

No objection

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the urban area of Filton where new housing is acceptable in principle subject to considerations set out below.

5.2 Density

Policy H2 seeks densities of between 30 and 50 dwellings per hectare should generally be sought but this should be raised to over 50 where the site is particularly close to a town centre or well served by public transport. The density of this site is calculated at 47 dwellings per hectare which is akin to that found locally and acceptable given that the site is located in an urban area and directly on a bus route but not directly in a town centre.

5.3 Transportation

The proposal seeks to create new parking areas at the bottom of the gardens from Conygre Road and also use the existing access onto Filton Avenue. Both of these accesses are very close to traffic cushions. Both of these roads are class 'c' roads and as such planning permission is required for new vehicular accesses. It is clear from aerial photography that the informal rear access onto Conygre Road has only been created since the summer of 2008 and no planning permission was granted to create that access into the garden. It is considered that the relocation of the access to the current property to the rear garden and for this to also serve the proposed dwelling would be an overall marginal benefit to road safety. As such an appropriate condition is proposed to close the access onto Filton Avenue to vehicular traffic.

5.4 Design /Visual Amenity

The site forms part of the garden area at the side of this semi-detached house. The immediate area is a mix of terraced and semi-detached housing. The site and other properties in the locality are generally set back from the highway edge and corner sites offer an open spacious feeling to the street scene. Notwithstanding this the proposal mimics the form and proportions of the attached dwelling and retains approximately two metres between the proposed house and the side boundary to the plot. The frontage remains undeveloped and given that the vehicular access required to be closed the frontage will also be free of vehicles.

The current proposal has been amended since first submission and now takes the form of a new house rather than a large extension which is more appropriate in this instance. The rear projection reflects that of the neighbouring house and as such the scale of the development is acceptable. The materials proposed are tiles to match the existing house and render to be agreed.

- 5.5 Privacy and Residential amenity
The new dwelling would not overlook neighbouring properties and have an acceptable relationship with the host dwelling. The garage would abut the boundary of 814 Filton avenue but it's modest height and distance from the rear of that property indicate that there will be no materials harm to the residential amenity of the neighbours.
- 5.6 Other issues
The additional unit is considered to make a negligible strain on the public services and as such no S.106 contributions are sought. The site is not required to make provision for affordable housing.
- 5.7 Should planning permission be granted the site would be expected to provide a Sustainable Urban Drainage Scheme for surface water (including driveways) and this can be secured by the condition recommended.
- 5.8 Design and Access Statement
The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.
- 5.9 Use of Energy and Sustainability
To be built to meet Building Regulations.
- 5.10 Improvements Achieved to the Scheme
Redesign of frontage and roofline to prevent appearance of an overbearing extension.
- 5.11 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

The proposal has been designed to be in keeping with the character of the area taking into account the design, siting, height and materials of the existing house and surrounding area – Policies H4 and D1 South Gloucestershire Local Plan (adopted) January 2006; South Gloucestershire Design Checklist SPD.

The proposal would provide a level of parking for each dwelling, which is acceptable in terms of highway safety – Policies T12, T6 and T7 South Gloucestershire Local Plan (adopted) January 2006.

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

7. RECOMMENDATION

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

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. 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 (including driveways) 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.

3. The development shall be carried out in materials to match that of the host house unless details or 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 prior to commencement of the development. Development shall be carried out in accordance with the approved details.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The dwelling hereby approved shall not be first occupied until the existing access onto Filton Avenue has been stopped up and permanently abandoned in relation to vehicular traffic in a manner to be previously agreed in writing by the Local Planning Authority

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 D1, T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. 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. 04/10 - 29 JANUARY 2010

App No.:	PT09/6013/R3F	Applicant:	Mr Ian Jones
Site:	Bradley Stoke Leisure Centre 1 Fiddlers Wood Lane Bradley Stoke Bristol South Gloucestershire	Date Reg:	21st December 2009
Proposal:	Change of Use from IT/training rooms (Class D1) to ancillary Office Use for the leisure centre (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Retrospective.	Parish:	Bradley Stoke Town Council
Map Ref:	362247 182062	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Minor	Target Date:	15th February 2010



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 100023410, 2008. **N.T.S.** **PT09/6013/R3F**

INTRODUCTION

This application appears on the Circulated Schedule as the applicant is submitting the application on behalf of South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 The applicant seeks retrospective planning permission for the change of use from IT/training rooms (Class D1) to ancillary office use for the leisure centre (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The application site consists of Bradley Stoke Leisure Centre, located within the urban area and within close proximity to the newly built Willow Brook Centre (Bradley Stoke town centre).
- 1.3 Planning permission was granted in 2003 for the change of use of existing store rooms into IT / training rooms used by Filton College. Under this application the Leisure Centre's head office is moving from the ground floor to the two rooms upstairs. Three partition walls have been added to facilitate meeting rooms / private desk space. On visiting the site it was apparent that the use of the rooms as office space had already commenced.

2. POLICY CONTEXT

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Development
PPG13	Transport
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
LC3	Proposals for Sports and Leisure Facilities
T12	Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

PT03/0591/R3F – Change of use of existing store rooms (Class D2) to IT / training rooms (Class D1). Approved 17/04/2003.

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

No objection raised.

Transportation

No objection.

Other Representations

4.2 Local Residents

No response.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The change of use will involve the IT / training rooms reverting to their former D2 Use Classification. The change of use requires planning permission as there is no 'permitted change' from a D1 Use Classification.

The change of use is considered acceptable subject to the following detailed assessment.

Policy LC3 of the Local Plan states that 'proposals for the development, expansion or improvement of indoor sports and leisure facilities within the existing urban area, will be permitted provided that:'

5.2 **A: Proposals for facilities which are likely to be major travel generators are located on sites which are, or will be, highly accessible by public transport, on foot and by bicycle; and**

The offices would be used ancillary to the leisure centre and are being moved from their existing location on the ground floor. It is understood that when the IT / training rooms were in use up to 20 people would be in each room, whereas now the two offices seat no more than 12 workers in each office. It is not considered that the change of use would generate a high level of traffic although it is noted that regular buses run to the Willow Brook centre which is in close proximity to the leisure centre.

5.3 **B: Development would not unacceptably prejudice residential amenities; and**

The change of use is taking place within the existing leisure centre and therefore no neighbouring residential properties would be adversely affected.

5.4 **C: Development would not have unacceptable environmental or transportation effects; and**

It is not considered that the change of use proposed would have any unacceptable environmental effects. The change of use would not see an unacceptable rise in traffic movements to and from the site and therefore the scheme is considered acceptable in highway safety terms.

5.5 **D: Development would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area and highway safety; and**

The Council's Highways Officer does not anticipate a significant increase in traffic generation or parking demand given the scale of the development and thus raises no transportation objection.

5.6 Visual Amenity

The change of use would have no impact on visual amenity.

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 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 change of use would not have unacceptable environmental effects and would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy D1 and Policy LC3 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed change of use would not prejudice highway safety and the location is well served by public transport. The development therefore

accords to Policies LC3 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

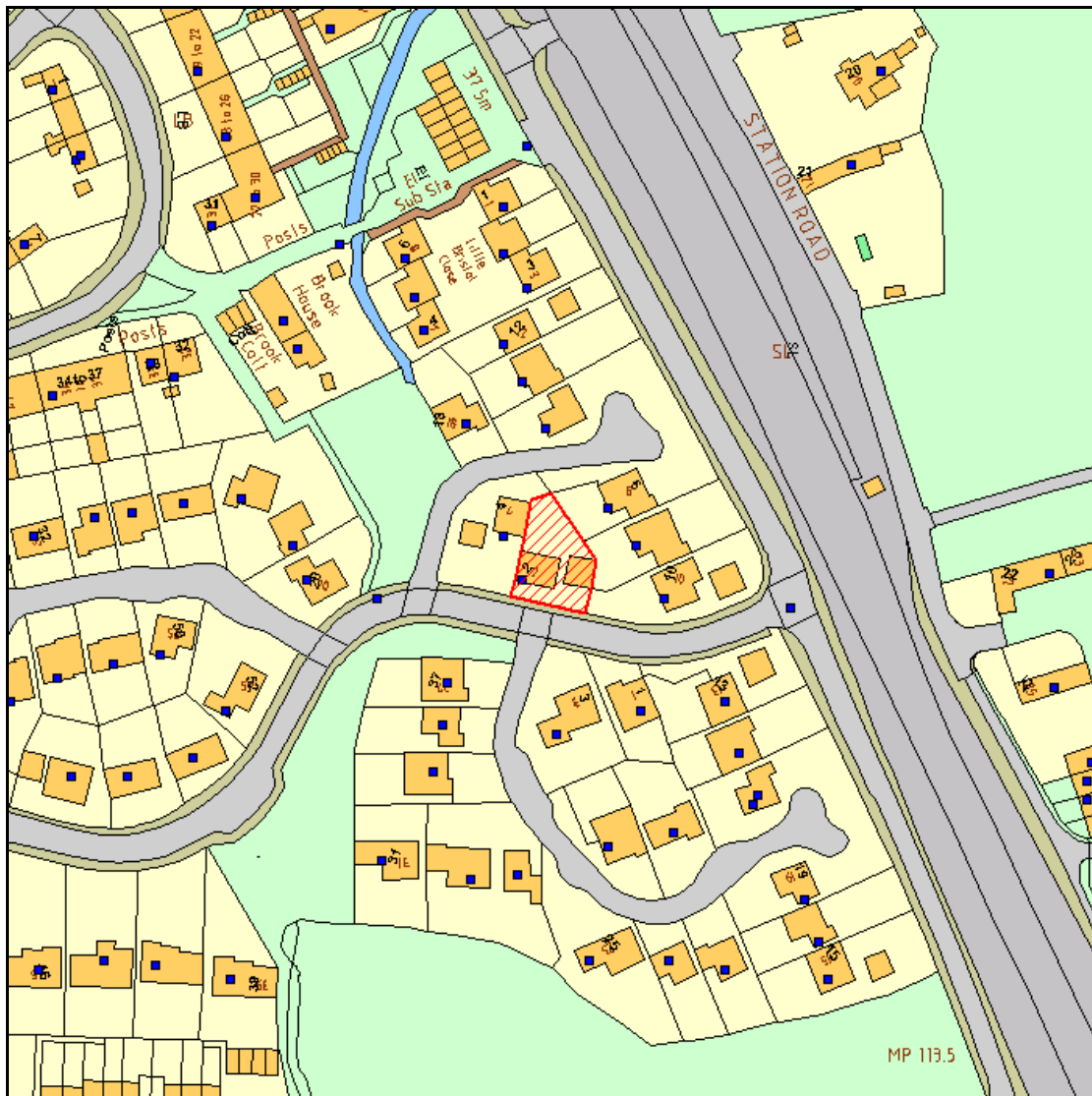
7. RECOMMENDATION

7.1 That planning permission is **GRANTED**.

Contact Officer: William Collins
Tel. No. 01454 863819

CIRCULATED SCHEDULE NO. 04/10 – 29 JANUARY 2010

App No.:	PT09/6045/F	Applicant:	Mr And Mrs D Field
Site:	2 Woodlands Road Charfield Wotton Under Edge South Gloucestershire GL12 8LS	Date Reg:	17th December 2009
Proposal:	Erection of first floor link side extension over existing garage to form additional living accommodation.	Parish:	Charfield Parish Council
Map Ref:	372561 191856	Ward:	Charfield
Application Category:	Householder	Target Date:	8th February 2010



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 100023410, 2008. **N.T.S.** **PT09/6045/F**

INTRODUCTION

This application appears on the circulated schedule list because objections have been received from neighbouring properties.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a first floor link side extension over an existing garage to form additional living accommodation.
- 1.2 The application site comprises a large detached two-storey dwellinghouse located on the northern side of Woodlands Road within the established residential area of Charfield.
- 1.3 This application forms a resubmission of application no. PT07/2758/F, which was refused planning permission for the following reasons:
 - The proposed first floor side extension, by reason of its size, design and external appearance, would detract from the appearance of the existing dwelling and if allowed, would detract from the visual amenities of the locality. The proposal is therefore, considered contrary to Policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - The proposed two-storey side extension by reason of its position, mass and height would have an overbearing and oppressive effect on the occupiers of the adjoining property which would be to the detriment of residential amenity and would be contrary to Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - The proposed first floor side extension by reason of the rear first floor bedroom windows proposed (within close proximity of the tapered boundary) would have a detrimental effect on the residential amenity of the adjoining occupiers and would be contrary to Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/2758/F, erection of first floor side extension to form linked garage with bedroom and bathroom over. Erection of front porch, refused, 18/10/07.

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
No objection

Other Representations

- 4.3 Local Residents
3no letters of objection have been received from neighbouring occupiers, which highlight the following issues:

- Design
- Residential amenity – overbearing and loss of daylight
- Residential amenity – loss of privacy

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning Policy D1 applies to all types of development and ensures that a good standard of design is achieved. Planning Policy H4 allows for residential extensions subject to design, residential amenity and transportation considerations.
- 5.2 Design/Visual Amenity
The first floor extension would be located over an existing detached double garage and adjoin the garage and dwelling at first floor level creating a covered walkway to the garden area below. The application site comprises a two-storey detached dwellinghouse, which is prominently located on the northern side of Woodlands Road. A detached double garage is situated on the eastern side of the property and is set back approximately 2 metres from the front elevation of the host dwelling. Access into the garden is between the dwelling and garage.
- 5.3 The extension would continue the existing front elevation of the garage into the build, whilst the rear elevation would be stepped in to finish level with the rear elevation of the dwellinghouse. The extension would be encompassed by a pitched roof, which would be approximately 0.7 metres lower than the existing roof apex. The first floor extension would measure approximately 4 metres in width, which would leave 2.6 metres of the existing garage protruding at ground floor level.
- 5.4 The neighbouring concerns regarding design are noted. The proposed design is unconventional as a result of linking the existing detached garage and dwellinghouse and it is considered that the removal of the existing garage could help facilitate an improved design. Nevertheless, the proposal would not be adversely harmful in terms of design and a refusal on this basis would not prove sustainable at appeal. The proposal, set back clear of the existing front elevation of the dwellinghouse, would not impose adversely on character of the existing dwelling or streetscene. The materials proposed are considered

acceptable and will be conditioned to ensure that they would match the existing garage/dwelling. This will help integrate the proposal with the existing dwelling. Given the above, the proposal complies with policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006 and the South Gloucestershire Design Checklist (adopted).

5.5 Residential Amenity

The application site is flanked by 4no. neighbouring properties. No. 4 is set back from the host dwelling on the western side, whilst the other 3 properties are located on the eastern side and orientated so that the rear elevations face towards the host dwelling and garage. In the previous application the Officer considered that the proposal would have a negative impact on the residential amenity of the neighbouring properties in terms of privacy given the proposed proximity of rear first floor windows to the neighbouring boundaries. The revised scheme proposes a single window in the rear elevation of the proposed extension, which would comprise obscure glazing. Concerns have however, been raised by neighbouring properties because the plans do not specify a non-opening window. Given the proximity to the neighbouring boundary a window with a top level opening would be more appropriate in this instance and this will be ensured by condition if permission is granted. As such, it is considered that no new privacy issues would be introduced as a result of the proposal.

5.6 The previous application was also refused because it was considered by the Officer that the extension proposed would have an adversely overbearing and oppressive impact on the neighbouring occupiers. These concerns have also been raised by neighbouring occupiers for this application. The current proposal has been reduced in scale and would be approximately 3 metres from the neighbouring boundary. Given the reduction in scale and the increased distance from the boundary, it is considered that the proposal would not result in a significant adverse impact in terms of loss of daylight or outlook than the existing situation. It is considered that the previous refusal reasons in terms of residential amenity have been addressed acceptably.

5.7 Design and Access Statement

A design and access statement is not required.

5.8 Use of Energy and Sustainability

The proposal would comply with building regulation specifications.

5.9 Improvements Achieved to the Scheme

N/A

6. CONCLUSION

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

6.2 The recommendation to 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 development would be in-keeping with the character of the existing dwelling in terms of materials, design, form and siting and would not have a negative impact on the visual amenities of the surrounding area – Policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- Through careful design the proposal would not have an adverse impact on the residential amenity of the neighbouring occupiers through loss of daylight or privacy – Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

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

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 Policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006 and the South Gloucestershire Design Checklist (adopted)

3. Notwithstanding the information submitted, prior to the commencement of the development an amended plan demonstrating an obscure glazed window with a top level opening section in the proposed first floor rear elevation shall be submitted to the Planning Department for approval. The development shall be carried out in accordance with the agreed details.

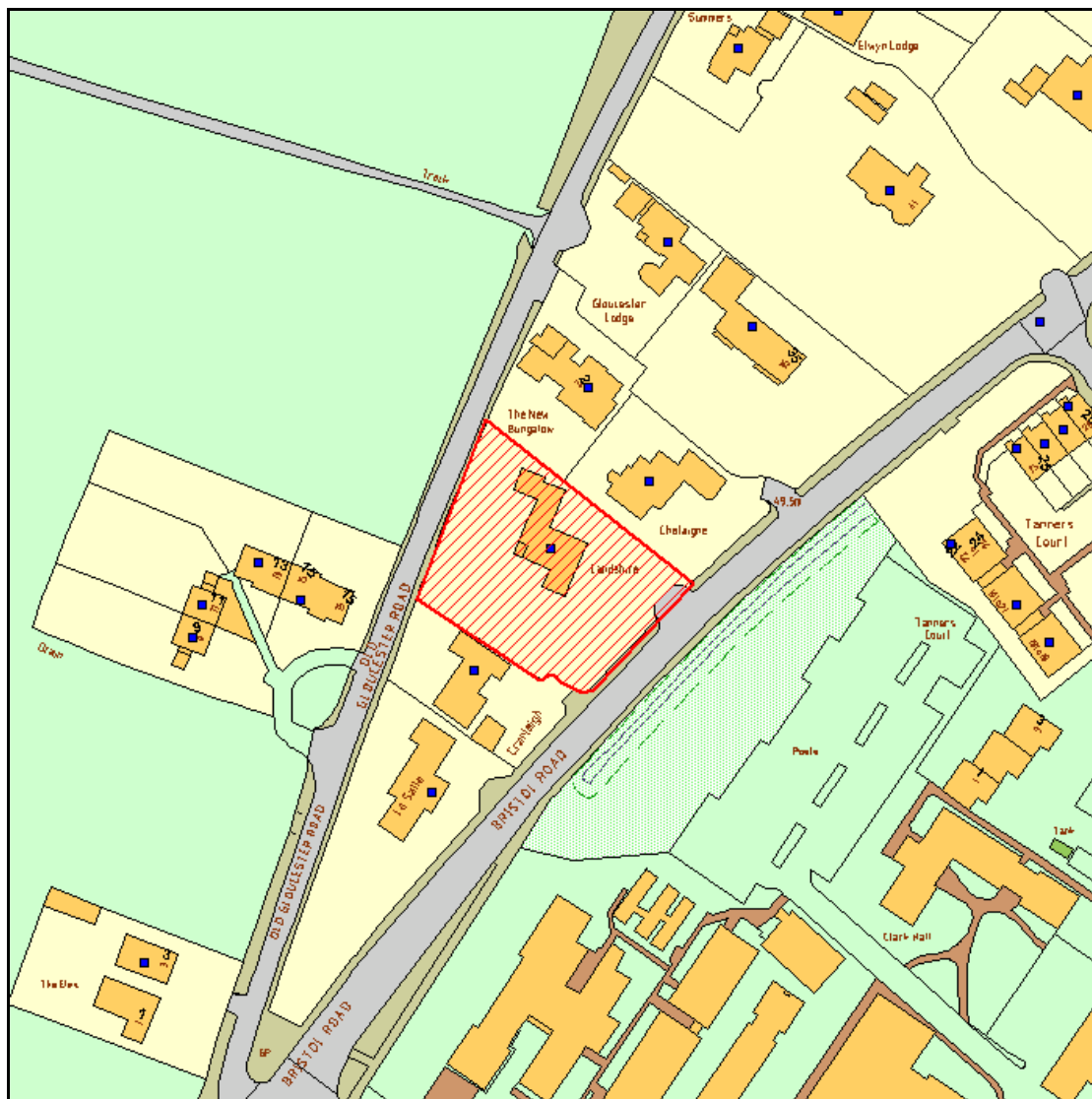
Reason

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

CIRCULATED SCHEDULE NO. 04/10 – 29 JANUARY 2010

App No.: PT09/6064/F
Site: Landshire Bristol Road Frenchay
 Bristol South Gloucestershire
Proposal: Erection of 4 no. detached dwellings
 and ancilliary outbuildings.
Map Ref: 363542 178008
Application Category: Minor

Applicant: Frenchay Construction
Date Reg: 23rd December 2009
Parish: Winterbourne Parish
 Council
Ward: Frenchay And Stoke
 Park
Target Date: 9th February 2010



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 100023410, 2008. N.T.S. PT09/6064/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of an existing bungalow and the erection of 4no. detached dwellings and ancillary outbuildings.
- 1.2 The application site comprises a large rectangular plot of land measuring approximately 0.175 hectares in area. The front of the site borders Bristol Road with Old Gloucester Road to the rear. Existing vehicular access is from Bristol Road and this would serve the proposed development. The site is located within the established residential area of Frenchay.
- 1.3 Outline planning permission was granted for 3no. detached two-storey dwellings on the site in 2006 and following several unsuccessful applications to develop the site, including a proposal for 14no. dwellings, planning permission was granted for the erection of 3no. detached dwellings.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H2 Proposals for Residential Development within the Existing Urban Area and Defined Settlement Boundaries
H4 Residential Development within Existing Residential Curtilages
L1 Landscape Protection and Enhancement
L17/18 The Water Environment
EP1 Environmental Pollution
T12 Transportation Development Control Policy for New Development
T7 Cycle Parking
T8 Parking Standards
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2159/O, Erection of 3 no. dwellings (outline) with siting and means of access to be considered, Approved 29 August 2006
- 3.2 PT07/1876/O, Erection of 14 no. 2 bedroom dwellings with layout, scale and access to be determined, Refused 17 August 2007

- 3.3 PT07/3631/F, Demolition of existing dwelling to facilitate erection of 3 no. dwellings with associated works, Refused 15 January 2008
- 3.4 PT08/2316/RM, Demolition of existing bungalow and the erection of 3 dwellings, Refused 9 September 2008
- 3.5 PT08/2835/F, Demolition of existing dwelling to facilitate erection of 3no. detached dwellings, Approved, 28 November 2008.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

The site has planning permission for three dwellings. The proposal for four, four bedroomed houses with no garages would be overdevelopment and overcrowding. There are only 8 parking spaces with no street parking possible due to the introduction of double yellow lines, the site is very visible from both the front and the rear.

4.2 Transportation

No objection

4.3 Local Residents

20 letters of objection have been received from local residents with regards to the proposed scheme as well as the amended plans. The residents highlight the following concerns:

Loss of light;
Impact on the hedge to the rear;
Loss of privacy;
Lack of parking;
Highway safety issues;
Summer houses could become houses;
High density/over development;
Overbearing impact;
Out of keeping with the surrounding area;
Lack of clarification regarding sewage;
Increased risk of flooding;
Issues regarding noise generated from additional occupants and cars;
Possibility of asbestos.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Advice contained within PPS3 promotes housing development, which makes the best use of the land available. PPS3 makes it clear however, that this cannot be at the expense of good design.

Planning Policies H2 and H4 allow for the principle of new residential development within existing settlement boundaries and residential curtilages

subject to design, residential amenity, Transportation and density considerations.

5.2 Design/Visual Amenity

This application seeks planning permission for the demolition of an existing bungalow and the erection of 4no. detached dwellings and ancillary outbuildings. The application site comprises a large rectangular plot of land with an area measuring approximately 0.175 hectares. The site is located between Gloucester Road and Bristol Road and vehicular access is from Bristol Road. Whilst the site is flanked by single storey development with large curtilage plots. The wider area is less uniform with no strict pattern of development. The Frenchay Hospital complex is located immediately opposite the application site on the eastern side of the road, with the modern terrace flats of Tanners court further north and detached two-storey development beyond. The dwellings on the eastern side of Bristol Road are generally set well back from the street.

5.3 The proposed dwellings would reflect the general existing front and rear building lines of existing built form with the dwellings set back approximately 17 metres from the street. The proposed dwellings would be two-storeys in height and finished in white render, with pitched or mono-pitched roofs and integral porches. The dwellings would comprise a subservient two-storey flat roof build, which would be finished in cream brick and set back from the primary front elevation by approximately 2.7 metres. The main part of the dwelling houses would measure 4.1 metres in width, 12.5 metres in length and have an apex of 7.5 metres at ridge height, falling to 5.1 metres at eaves level. The subservient section would measure approximately 2.85 metres in width, 8.2 metres in length and 5.4 metres in height. The dwellings would be characterised by a large prominent window at first floor level with an integral porch below comprising the main pedestrian access as well as a full-length narrow window, with 2no. full-length windows at ground and first floor level in the subservient part of the build. The rear elevation would comprise similar fenestration to the front notwithstanding 2no. and 4no. pane pedestrian doors instead of windows at ground floor level. The dwellings would be situated in relatively long, narrow curtilage plots with a large summer room and store located at the bottom of each garden. The plans demonstrate that an existing low stone boundary wall to the front of the site and a hedge to the rear would be retained in the development.

5.4 Whilst the immediate development is predominantly single storey, it is considered that two-storey development is not unacceptable in this location, the principle has already been established by virtue of the previous approved application. The proposed dwellings would be approximately 0.5 metres lower in height than the 3no. dwellings approved previously on the site and given the proposed set back; it is considered that they would not be adversely dominant in the streetscene. Concerns regarding the increase in the number of dwellings proposed and the impact on the character of the area are noted. However, the design of the dwellings and in particular, the vertical proportions and the setback of the secondary section, would help to increase the sense of space between the dwellings. The dwellings would comprise a more contemporary, streamlined design, with the scale and bulk reduced and it is considered that the proposed higher density could be integrated into the streetscene without

appearing adversely cramped or prominent in the street. Concerns have also been raised as to the acceptability of the design in the context. The site, although in Frenchay, is located outside the Conservation Area and therefore, the Frenchay Conservation Area SPD is not relevant in this instance. Although single storey development flanks the immediate site, it is considered that there is no particular pre-dominant character in the surrounding area with a mix of architectural styles and types of property. Planning Policy D1 allows for high quality distinctive design where development would be located in an area where the character has been eroded. With appropriate detailing to ensure a high quality standard of external appearance it is considered that the proposal would accord with Policy D1 of the South Gloucestershire Local Plan (adopted) January 2006 and the South Gloucestershire Design Checklist (adopted). Conditions will be applied to consent if planning permission is granted in respect of detailing for the fenestration and external surfaces.

5.5 Transportation

The Council Transport Officer has no objections to the scheme. The access would allow for 2-way vehicle movements and the visibility splays proposed, which would need to be maintained, would provide adequate visibility. The parking provision proposed for each dwelling of 2no. spaces complies with the Council's maximum standards for a 4no. bedroom house. The proposed store at the end of the gardens would facilitate the storage of 2no. or more bicycles, which complies with the Council's cycle parking standards. Given the above it is considered that the proposal complies with Policies T12, T7 and T8 of the South Gloucestershire Local Plan (adopted) January 2006.

5.6 Residential Amenity

The application site is flanked by single storey development comprising The New Bungalow and Chataigne to the north and Cranleigh to the south. Concerns have been raised by local residents as to the impact on the surrounding properties in terms of loss of privacy and natural light. However, the plans submitted demonstrate that the dwellings would not be located significantly closer to the neighbouring properties than in the previous approved scheme (PT08/2835/F) and would not overhang the existing neighbouring properties significantly more.

5.7 It is considered that the main impact will be on the dwelling Chataigne to the northeast of the site. Amended plans have been received, which have revised the location of dwelling no.4, moving it further forward towards the street. It is noted that Chataigne would still be forward of plot 4, however, the amended location of dwelling no.4 would reduce the overhang on this property and be less overbearing. On this basis, and given that the bulk and scale of the dwellings have been reduced from the previous consent, it is considered that, on balance, the proposal would have less of an impact on the dwelling Chataigne overall than the approved scheme. The amended location further forward would also have less of an impact on the neighbouring property Chataigne in terms of loss of natural light. The amended plans have also revised the position of dwelling no.1, moving it back slightly, so that it would be only slightly forward of the front building line of the property Cranleigh. As such, it is considered that the proposal would not have an adverse overbearing impact on this neighbouring property.

- 5.8 The only fenestration that would face the neighbouring properties to the north and south would be a ground floor pedestrian door, which would not introduce any significant adverse overlooking or inter-visibility issues. The rear windows would not face any of the neighbouring properties directly and any potential views across the garden area of The New Bungalow, from dwelling no.4 would be oblique. As such, it is considered that the proposal would not have a significant adverse impact on the neighbouring properties in terms of loss of privacy. All other properties are located at a sufficient distance from the application site to not be significantly impacted by the proposed development. The facing side windows between dwelling nos. 2 and 3 would be obscure glazed, which would ensure no inter-visibility.
- 5.9 Concern has been raised with regards to the possible overlooking into the garden area of dwellings on the western side of Old Gloucester Road. The proposed dwellings would be approximately 20 metres from the boundary of this dwelling, which is considered an acceptable distance and the proposal would not be significantly more harmful in terms of overlooking than the approved scheme. Concerns have also been raised with regards to the size of the summer rooms and the possibility of them being used for separate accommodation. Permitted development rights allow large single storey buildings to be constructed in the rear gardens without the need for planning permission, therefore, a refusal on the basis of their large size would be unlikely to prove sustainable at appeal. If permission is granted, a condition will ensure that the summer houses could only be used ancillary to the enjoyment of the associated dwellinghouse, which would ensure that they could not be used as a separate dwelling.
- 5.10 Impact on Trees/Hedges
Prominent poplar trees are located to the front of the property and various other trees are located around the site, which would be within close proximity to the proposed development. To fully assess the impact on the trees, the Council Tree Officer requested the submission of an arboricultural report. An Arboricultural Report has been submitted and is considered acceptable by the Tree Officer. If consent is granted, a condition will ensure that the works would be undertaken in accordance with the submitted Arboricultural Report, which would ensure that the trees and hedge will be adequately protected during the development.
- 5.11 Density
Concerns have been raised as to the high density proposed and possible over development of the site. However, PPG3 and H2 encourage high-density development where local circumstances permit. The application site is large in size and the proposed development calculates to a density of approximately 22 dwellings per hectare. PPS3 and Policy H2 specify that the maximum density compatible with the site and its location should be achieved with the expectation for all developments to achieve a minimum density of 30 dwellings per hectare or higher where local circumstances permit. Whilst the proposed density is lower than the density specified in PPS3 and Policy H2, a higher density development would likely to appear adversely cramped and would not respect the existing front and rear building lines. The previous approved

application calculated to a density of 17 dwellings per hectare, which was considered to be the maximum density for the size and design of the dwellings. The proposed streamlined footprint would allow for a higher density, which would integrate acceptably with the site and streetscene. The proposal therefore, adheres to PPG3 and Policy H2 of the South Gloucestershire Local Plan (adopted) January 2006. Accordingly this more innovative design allows for a slightly more efficient use of the land by 1 unit. This is an improvement, but is not significantly different in terms of the impact on the surrounding area from the previously approved scheme.

5.12 Further Matters

If asbestos is found in the original building, the applicant must contact the Health and Safety Executive and follow their guidelines with regards to the correct method of disposal. An informative will be added to the consent if permission is granted advising the applicant of this.

The Council Drainage Officer has no objections to the proposed development. In terms of the sewage and drainage issues highlighted by local residents. The Council Drainage Officer has no objection in principle to the proposed works. Further details are required in respect of methods of surface water drainage and sewage disposal. A condition will ensure that further details are submitted to the Planning Authority in this respect before the commencement of the development.

5.13 Design and Access Statement

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

5.14 Use of Energy and Sustainability

The design and access statement notes that the buildings are orientated so that they would benefit from passive solar gain when it is most beneficial i.e. in the early morning and later afternoon. In Addition, the dwellings would comply with building regulation specifications.

5.15 Improvements Achieved to the Scheme

Amended the location of dwellings 1 and 4 to reduce the impact on the neighbouring properties.

5.16 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant 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 dwellings, by reason of the proposed design and location, would not have a significant adverse impact on the neighbouring occupiers by reason of loss of natural light or privacy – Policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - The general form, scale, design, massing and siting of the dwellings is considered to be acceptable and would not have a negative impact on the character of the surrounding area – Policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - The proposed access and parking arrangements are considered to be acceptable and the dwellings would not have an adverse transportation impact in terms of congestion or highway safety – Policy T12, T7, T8 of the South Gloucestershire Local Plan (adopted) January 2006.
 - The proposed development calculates to a density of approximately 22 dwellings per hectare. Whilst this falls short of the density advised in National and Local Guidance, it is considered to be the maximum density compatible with the site – Policy H2 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

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

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

Reason

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

3. The development hereby approved shall be carried out in accordance with the Arboricultural Reports submitted with the application.

Reason

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

4. 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 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 Policies D1, H2, H4 and L1 of the South Gloucestershire Local Plan (adopted) January 2006.

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

To ensure a satisfactory standard of external appearance and to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

6. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2008 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 Classes A, B, D, F, G and H, other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure a satisfactory external appearance of the development in the interests of visual amenity and to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

7. A visibility splay measuring 2 metres x 43 metres shall be maintained at the entrance of the site with no obstruction exceeding 0.9 metres in height within the splayed areas.

Reason

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

8. Prior to the occupation of the dwellinghouses, the proposed access shall be constructed in accordance with the submitted site plan "07-15-01".

Reason

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

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

To minimise disturbance to occupiers of neighbouring dwellings and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

10. The outbuildings in the site plan "07-15-01B" shall not be occupied at any time other than for purposes ancillary to the enjoyment of the associated dwellings.

Reason

In the interests of residential amenity and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.