



**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. 16/07**

**Date to Members: 20/04/07**

**Member's Deadline: 27/04/07**

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 12 noon)**. 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 (by 12 noon) (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](mailto: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](mailto:planningapplications@southglos.gov.uk). Please do not phone your requests, as messages can be lost or misquoted.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised

## CIRCULATED SCHEDULE

**DATE: 20/04/07**

**SCHEDULE NO. 16/07**

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 12 noon), 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](mailto: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.

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

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

**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 .....**

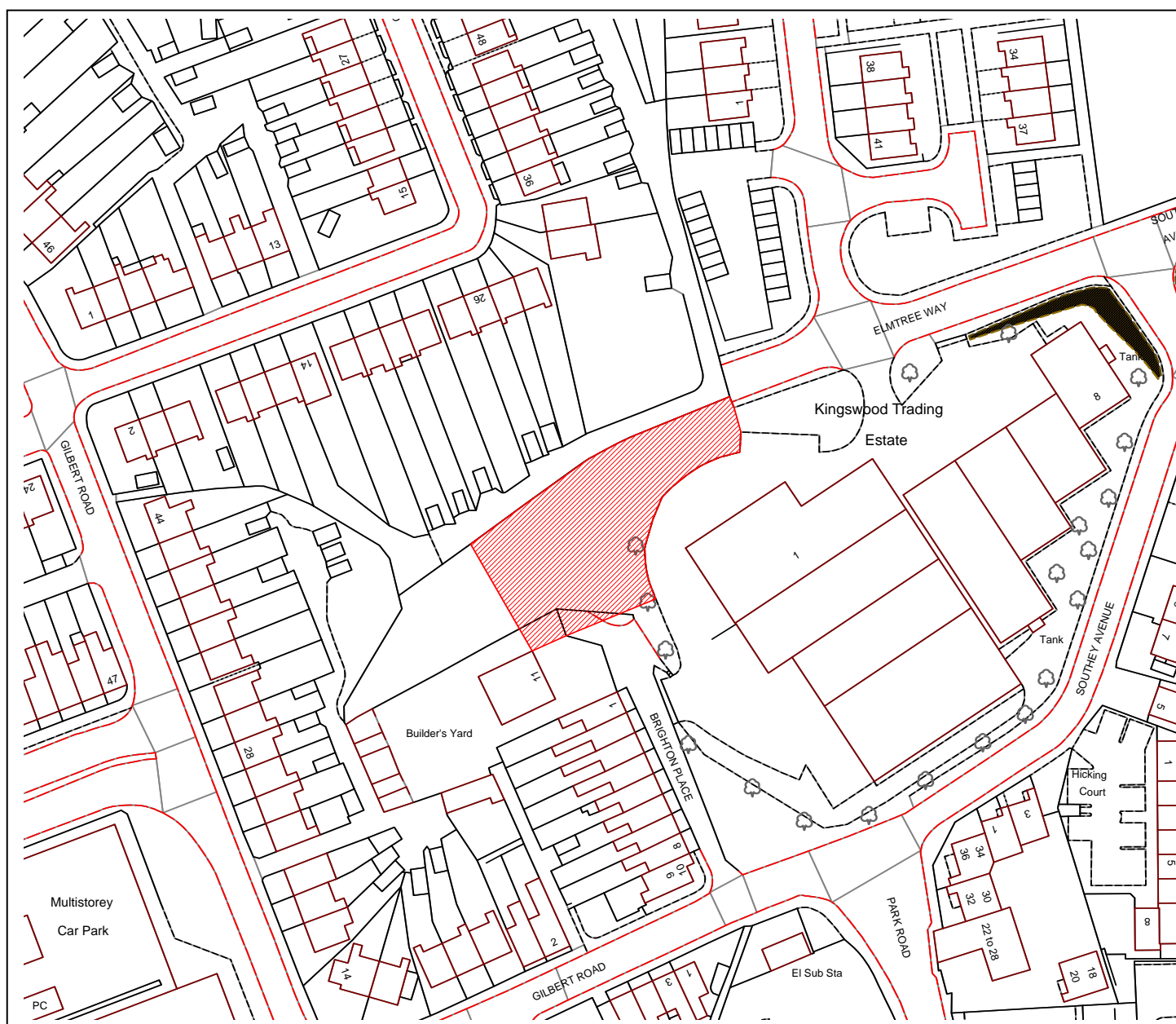
**DATE .....**

# Circulated Schedule 20 April 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK06/1996/F	Approve with conditions	Elm Tree Way Kingswood South Gloucestershire	Kings Chase	
2	PK06/2311/F	Approve	16 Wakeford Way Warmley South Gloucestershire BS30 5HU	Siston	Siston Parish Council
3	PK06/3190/F	Approve with conditions	39 Rushy Way Emersons Green South Gloucestershire BS16 7ER	Siston	Mangotsfield Rural Parish Council
4	PK06/3290/F	Approve with conditions	Land adjacent 76 Shellards Road Longwell Green South Gloucestershire BS30 9 DT	Longwell Green	Oldland Parish Council
5	PK07/0315/F	Approve with conditions	107 Melrose Avenue Yate South Gloucestershire BS37 7AP	Yate North	Yate Town Council
6	PK07/0428/F	Approve with conditions	The Retreat High Street Iron Acton South Gloucestershire BS37 9UQ	Ladden Brook	Iron Acton Parish Council
7	PK07/0437/F	Approve with conditions	76 Downend Road Downend South Gloucestershire BS16 5UE	Downend	Downend and Bromley Heath
8	PK07/0686/F	Approve with conditions	20 Cleeve Lodge Road Downend South Gloucestershire BS16 6AG	Downend	Downend and Bromley Heath
9	PK07/0738/F	Approve with conditions	30 Soundwell Road Soundwell South Gloucestershire BS16 4QW	Staple Hill	
10	PK07/0799/F	Approve with conditions	Land Adjoining 23 Northfield Avenue Hanham South Gloucestershire BS15 3RB	Hanham	Hanham Parish Council
11	PT07/0622/ADV	Approve	23 Flaxpits Lane Winterbourne South Gloucestershire BS36 1JY	Winterbourne	Winterbourne Parish Council
12	PT07/0629/F	Approve with conditions	3 Mortimer Road Filton South Gloucestershire BS34 7LE	Filton	Filton Town Council
13	PT07/0750/F	Approve with conditions	17 North Road Winterbourne South Gloucestershire BS36 1PT	Winterbourne	Winterbourne Parish Council
14	PT07/0815/F	Approve with conditions	47 Watermore Close Frampton Cotterell South Gloucestershire BS36 2NQ	Frampton Cotterell	Frampton Cotterell Parish Council
15	PT07/0817/R3F	Deemed consent	Coniston Primary School Epney Close Patchway South Gloucestershire BS34 5LN	Patchway	Patchway Town Council
16	PT07/0830/F	Approve with conditions	177 Woodlands Road Charfield South Gloucestershire GL12 8LA	Charfield	Charfield Parish Council
17	PT07/0846/F	Approve with conditions	610 Filton Avenue Filton South Gloucestershire BS34 7LD	Filton	Filton Town Council
18	PT07/0998/F	Approve with conditions	17 Greenhill Road Alveston South Gloucestershire BS35 3LS	Alveston	Alveston Parish Council

**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

<b>App No.:</b> PK06/1996/F	<b>Applicant:</b> Alken Properties
<b>Site:</b> Elm Tree Way, Kingswood, South Gloucestershire, BS15	<b>Date Reg:</b> 6th July 2006
<b>Proposal:</b> Erection of 5 No. dwellings with access associated landscaping and works.	<b>Parish:</b>
<b>Map Ref:</b> 64875 74104	<b>Ward:</b> Kings Chase



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N.T.S

**PK06/1996/F**

## **INTRODUCTION**

This application is reported on the Circulated Schedule due to the receipt of a neighbour objection and the requirement for a Section 106 Agreement.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of five two storey dwellings. The site is at present largely overgrown, lying between a builder's yard/ office and an industrial estate. The road which serves the site, also serves the industrial estate. The houses on Kingsholme Road to the north are separated from the site by a breezeblock wall and a rear access lane, before their long rear gardens.
- 1.2 The side of the nearest building on the industrial estate and the end terrace property in Brighton Place, to the south, both present blank elevations to the site. The proposed access is something of a 'dogleg' arrangement, due to landownership issues, which it would not be within the scope of this application to overcome.
- 1.3 The proposal would set the five houses around a small courtyard area, with parking and raised beds, akin to a homezone, at the end of the access drive. All five houses would face north-south, but the one proposed nearest the site entrance would be at 90 degrees to the others, providing some enclosure from the east. Four semis and one detached house are proposed.
- 1.4 This application was submitted prior to the requirement for the submission of a Design and Access Statement.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPG13 Transport
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
H2 Residential Development  
EP6 Contamination  
D1 Design  
T7 Cycle Parking  
T8 Car parking  
T12 Transportation

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK03/2939/F Demolition of storage building to erect 9 houses and 12 flats - Withdrawn
- 3.2 PK04/2145/F As above (Resubmission) - Refused

### **4. CONSULTATION RESPONSES**

- 4.1 Parish/Town Council  
No parish.

#### 4.2 Other Consultees Technical Services

No objection subject to a condition regarding sustainable drainage and the inclusion of informatives.

Environmental Protection  
No objection in principle.

### **Other Representations**

#### 4.3 Local Residents

One letter of objection was received, citing the following concerns:

- \* Inappropriate development – a city farm would be better, or some measure to reduce pollution
- \* Unattractive development with no benefit to the community
- \* Overlooking of properties in Kingsholme Road
- \* Increase in light pollution
- \* The trading estate is currently quiet from 8pm to 8am, so the proposal will lead to an increase in noise
- \* Dangerous bend on approach to the site from Southey Avenue into Church Road. Traffic could be increased if the houses were subdivided into flats
- \* Additional traffic would be created
- \* Breach of Article 8 of the European Convention of Human Rights – right to respect for private and family life. Allowing this application would not be on public interest grounds

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The site, as part of a builders' yard, lying within the urban boundary, is considered to be brownfield and therefore, subject to the analysis below, there is no objection in policy terms to the principle of residential development in this location.

### 5.2 Density of Development

This application is for 5 houses on a site measuring 0.11 hectares. As such, the density of the proposed development would be 45 dwellings per hectare, above the national target threshold of 30 dph and is considered to represent an appropriate density for the provision of houses in this location, close to Kingswood Town Centre. The location is considered to be sustainable, as the town centre provides services and employment opportunities within a short walking distance, as well as bus connections to the city centre.

### 5.3 Design and Street Scene

Planning application PK04/2145/F, which related to this site and adjoining land, was refused on the 9<sup>th</sup> of July 2004. One of the reasons for the refusal related to urban design issues. The current scheme proposals therefore relate to a smaller site than that identified in application PK04/2145/F and that the site will be separated from Brighton Place by the retention of the existing builder's yard. A screen wall is proposed to separate the site from the builder's yard.

The 5m wide access drive, the standard turning head and the on-plot parking arrangements are all characteristic of a sub-urban style of layout but this is counterbalanced by the layout based on a Home Zone, which is appropriate in this location. The built form is considered to be arranged in a coherent fashion, with the street defined by buildings, planting and groundscape materials featuring the following points:

- Dwellings that define the edges of the Home Zone or shared surface should overlook the space.
- Private space, around dwellings that front onto the street, has been kept to a minimum, to ensure that there is a direct relationship between the dwellings and the Home Zone or shared surface space.
- The layout has been designed to accommodate on-street parking, with parking spaces arranged so as not to inconvenience pedestrians and/or cyclists.
- Opportunities for indiscriminate on-street parking have been minimised through the careful arrangement of planting and other features within the street.

The design of this proposal is therefore considered to be successful in urban design terms and complies with policy D1. The suburban appearance of the approach road, governed by its width, is unavoidable, due to the site's separation from the surrounding street pattern, but this is considered to be made up for by the sense of place created in the main part of the site, as well as the effective way in which it functions.

#### 5.4 Residential Amenity

The consultation process has raised the issue of overlooking from the proposed dwellings into the houses on Kingsholme Road. The proposed dwellings face north. The windows are orientated to the north and south as the front and rear of the properties. At the nearest point, they are proposed to be set some 10 metres into the site. Beyond this is a five metre access lane and then the rear gardens of the houses in Kingsholme Road. These houses have rear gardens varying in length between 29 and 32 metres, giving window to window distances of over 40 metres to the site. This distance is well outside the 21 metre standard employed by the Council. Regarding the overlooking of the gardens, the proposal would lead to some overlooking from a new direction, but at a range of around 15 metres to the end of the gardens, which are very long and overlooked by the neighbouring properties in the terrace in the usual pattern. It is considered that at this distance and with such large gardens, there would not be a loss of residential amenity as there would still be substantial areas of each garden which would be private and not overlooked, by both the existing terrace and the proposed dwellings, except at long distance. In the direction of Brighton Place, the distance is shorter, but privacy in those rear gardens would be maintained by the existing boundary treatments. In relation to Gilbert Road, the distance is even longer than that to Kingsholme Road.

With regard to the residential amenity of future occupants, the 5 proposed houses would have private enclosed rear gardens of 42 square metres or more, together with some additional amenity space to the front. This garden size is considered to be adequate to meet the needs of family accommodation. Overall, therefore, it is considered that the proposal would not harm the



residential amenity of surrounding occupiers or future occupiers of the development.

#### 5.5 Transportation

The proposal is for erection of five dwelling on part of land that previously was used as a builder's yard. As a builder's yard, the site is capable of generating a high level of traffic throughout the day. On traffic grounds therefore, it is considered that there can be no reason to object to the principle of the development.

##### *Access*

The proposed vehicular access to the site will be via a private road that will be constructed by the applicant. The existing hammerhead at the end of Elmtree Way, the public highway at this location, is proposed to be extended to provide access to the site. Highway works (i.e. the alteration to the existing hammerhead and footways on Elmtree Way) plus provision of safety barriers will be required to ensure road safety is maintained at this location. These works must be secured under an appropriate legal agreement. The highway works will be subject to safety audit and all costs will have to be met by the developer.

##### *Parking and turning area*

It is proposed to provide 5 parking spaces on site, one space for each unit. This level of parking complies with the Council's maximum parking standards. Revised plans are considered to have removed the initial problem of the remoteness of some of the parking in relation to the proposed dwellings. A turning area has been incorporated into the design and the proposal also indicates details of swept-path for a 6.6m long refuse vehicle.

##### *Conclusion /recommendation*

Subject to relocation of those parking spaces in proximity to the site entrance (as suggested above) and subject to completion of a S106 legal agreement to secure highway works then, there are no highway objections to the proposal.

#### 5.6 Other Issues

It is considered likely that the site will in the past have been subject to some level of contamination, possibly from storage of chemicals, due to its previous use as a builders' yard. For this reason, a condition appears below requiring an investigation of contamination and for remedial action to be taken, if found necessary.

With regard to drainage, a condition appears below requiring the submission of a drainage plan which will incorporate Sustainable Drainage principles.

With regard to the objection over light pollution, the analysis at 5.4 applies equally.

#### 5.7 Human Rights

The objector has raised the issue of the affect of the development on the right to respect for private and family life. For the reasons given in 5.4 above, it is considered that this development proposal would not infringe that right.

## 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, it is considered that a Section 106 Agreement is necessary to mitigate the effects of the development in terms of highway improvements.

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

- 7.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- (i) Works to the public highway to provide a satisfactory access to the site. All works on the public highway will be subject to a safety audit.

The reasons for the Agreement are:

- (i) To provide a satisfactory access and egress for the site in the interests of highway safety.
- (2) That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.

**Background Papers**      **PK06/1996/F**

**Contact Officer:**    **Chris Gosling**  
**Tel. No.**                **01454 863787**

## **CONDITIONS**

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

Reason

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

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

Reason

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

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

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T7 and T10 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No development shall take place until a Waste Management Audit has been submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:
  - (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
  - (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.
  - (c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
  - (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.
  - (e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

Development shall be carried out in accordance with the agreed details.

Reason

To accord with the Local Planning Authority's adopted Waste Management Strategy, and to accord with Policies 37 and 43 of the adopted South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002; and Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results submitted to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any [residential] unit hereby permitted is first occupied.

Reason

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

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

Reason

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

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

Reason

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

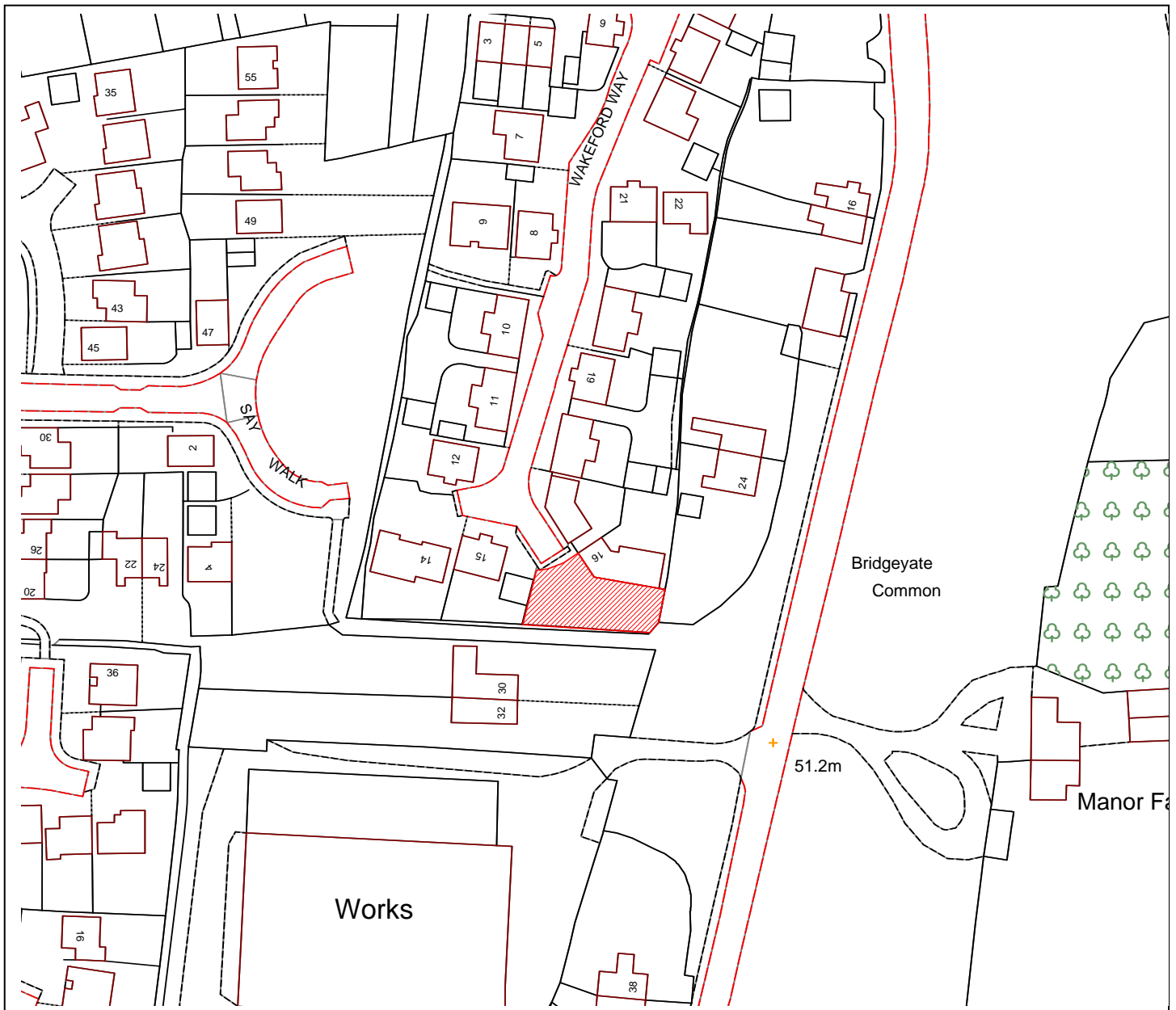
8. No development shall take place until drainage details proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (eg soil permeability, watercourses, mining culverts) within the development have been submitted to and approved in writing by the Local Planning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

Reason

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

**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

<b>App No.:</b> PK06/2311/F	<b>Applicant:</b> Mr & Mrs Budd
<b>Site:</b> 16 Wakeford Way Warmley BRISTOL South Gloucestershire BS30 5HU	<b>Date Reg:</b> 7th August 2006
<b>Proposal:</b> Change of use from adoptable public footpath link from Wakeford Way to Bath Road to private garden; removal of tarmac footpath, removal of lamp post and erection of 1.8m high fence. (Retrospective).	<b>Parish:</b> Siston Parish Council
<b>Map Ref:</b> 67915 73106	<b>Ward:</b> Siston



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**PK06/2311/F**

## **INTRODUCTION**

This application is referred to the Circulated Schedule following the letters of support and a letter of objection received from local residents and the landowner – David Wilson Homes.

### **1. THE PROPOSAL**

- 1.1 This application concerns an existing stretch of footpath that divides the front curtilage of No.16 Wakeford Way for the purpose of providing pedestrian permeability through the recently developed estate on land which formed the former Bridgegate Service Station on land adjacent to the rear of London Road.
- 1.2 The footpath currently remains within the ownership of David Wilson Homes and is awaiting adoption as a public footpath. The footpath dissects the front curtilage of No.16 Wakeford Way, thereby leaving the front garden in two parts with a public footpath running across the front curtilage before leading out onto open space opposite Bridgegate Common and adjacent to Bath Road. However, from visiting the site, it is clear that the footpath has been constructed in the wrong position, for as shown on the approved plans, the footpath was to lead out from the property along its southern boundary when in fact the footpath terminates more on what is considered the eastern side boundary. In addition the layout of the footpath also follows a line that does not accord with the approved plans, for as shown on the approved landscape plan, the footpath should have curved away from the adjacent house of No.16, but as constructed, the footpath is set closer to the dwelling and along a certain section, it runs parallel to the front of the house.
- 1.3 The existing close-boarded fencing encloses the front curtilage and runs across the end of the footpath. The tarmac footpath also stops at the end of the garden and does not continue out onto Bath Road. It can also be noted that there is a drop in level between the garden perimeter and the adjacent open space and with what was considered original boundary treatment still in place (hedging and linked fencing); it is clear no works have been undertaken to continue the footpath out onto Bath Road.

### **1A. BACKGROUND INFORMATION**

- 1.4 In support of this application, the applicant has submitted the following summarised rationale for the application:
- 1.5 Following the construction of the footpath (but not as shown on the submitted layout plan), the site was enclosed by a continuous fence that ran across the end of the footpath. As no east-to-west link through the site can now be achieved because the land in front of No.9 Wakeword Way was not reserved for highway adoption, the footpath would only provide a north-to-south link, which would not be noticeably more convenient or pleasant than Bath Road. The footpath is not along a route to school, nor is the path in the direction of any local shops or services. Due to the walking distance that would be required to reach schools, shops and services in that direction the path would not encourage walking.
- 1.6 It could be a route for the residents of the estate to Bath Road, but as noted there is little advantage to them using such a footpath for the reasons set out above- there are no sufficient destinations in walking in that direction.

Furthermore, the majority of residents are opposed to the footpath being opened.

- 1.7 Wakeford Way is a shared surface without separate pedestrian footway and the concern is that the opening of the footpath would increase the number of pedestrian/ car conflicts. Residents are also concerned about the impact of the route on security. There are instances of adolescents hanging around the open areas of Bath Road and it is not well overlooked. The path would allow any problems of ant-social behaviour being brought onto the estate. It would also provide a useful escape route from the scene of any crimes in the area.
- 1.8 In addition to the above, with the present reported ongoing problems of youths riding mopeds in and around Bridgegate, the path is likely to be abused by occasional motor vehicles and this would both diminish the amenity of the applicants and other residents and would be difficult to control.
- 1.9 The path would have a severe impact at No.16 Wakeford Way, as the house was constructed 1.5 metres forward from its original planned position. This means that the footpath would be even closer to the property than anticipated. The proposed footpath would be approximately 3.6 metres from the windows of No.16 and would afford views into their house and would be a major loss of privacy. Finally, the footpath is likely to give rise to a litter problem and dog fouling.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

PPS1            Delivering Sustainable Development  
PPG13          Transportation

### **2.2 Development Plans**

#### **South Gloucestershire Local Plan (Adopted) January 2006**

D1              Design  
L1              Landscape Protection  
H4              Development within Existing Residential Curtilages including  
                    Extensions  
T12             Transportation Development Control Policy for New Development

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PK02/0125/F – Erection of 39 dwellings and garages on land at former Bridgegate Service Station, London Road, Bridegate: Approved with conditions 23/11/03.

## **4. CONSULTATION RESPONSES**

### **Siston Parish Council**

- 4.1 No objection but the Parish Council feels that the adjoining footpath should be upgraded as it will take all the pedestrian traffic.

#### Cllr Lee

4.2 Support was expressed for this application on the following grounds:

- There is no historic right of way through the area;
- There are perfectly suitable well lit alternatives e.g. Bath Road or between Brunel Close and Francis Way;
- It would not assist in providing a “safe route to school”;
- It would be the end of the cul-de-sac nature of the road;
- It is not required by the residents to access any facilities;
- It would be damaging to the resident’s quality of life by creating a public thoroughfare in front of their homes; and
- The Police Beat Manager has serious concerns about opening up the footpath

#### 4.3 Other Consultees

##### Avon and Somerset Constabulary

During the summer months, a number of children play on the green on Scott Walk. A footpath could jeopardise their safety providing access for them to roam or others approach.

##### Police Community Safety Department

From a crime reduction point of view, there is no objection to this application

##### David Wilson Homes

Comments as summarised below:

As the developers of this site and owners of the footpath, there is strong objection to the application. The footpath in question has already been fenced, without the permission of David Wilson Homes who the land.

The applicant purchased the property, fully aware that there was to be a public footpath linking Wakeford Way and Bath Road to the southeast. The path dissects the plot purchased by the applicant at present. It has always been envisaged that the Council under the Section 38 Agreement dated 17/11/05 will adopt the footpath and the applicant was aware of this when the property was purchased.

Without this footpath, pedestrians from the southern half of the development will have to walk through the entire estate to London Road and then turn back on themselves to reach the same destination. The applicant’s assertion that using the footpath would not be more pleasant or convenient than using Bath Road is disputed.

The footpath is currently not open, having been blocked by a fence placed on the land by the applicant. In addition the path is blocked with topsoil and rubbish, which David Wilson Homes believes has been placed there by the applicant. David Wilson Homes has requested that on several occasions that such items are removed, requests ignored by the applicant. To date no cooperation has come from the applicants and David Wilson Homes will be removing all unnecessary materials from their land to enable its adoption to be completed.



Planning policies seek to encourage walking and discourage the use of the private car. Due to the additional distance that would have to be walked to reach the same destination, it is contended that the closure of this footpath would discourage walking. This footpath is essential to the overall pedestrian permeability of the scheme and was integral to the design of the development.

The applicant has pointed out that there is a footpath between London Road and Say Walk; this however does not provide access to Wakeford Way.

The applicant's view that the footpath would cause a major loss of privacy to No.16 is disputed, as it is not unusual for footpaths to pass in front of the main frontages of houses. It is noted that there are a number of incidences on this estate where the shared surface passes in front of houses, much closer than in this case.

There is concern over the visual impact of the close-boarded fence, which encloses the property. This acts as a visual barrier and is not in keeping with other boundary treatment on this scheme.

#### 4.4 Sustainable Transport

This footpath link has been identified as a critical requirement by traffic management officers and it is in accordance with Policy T12 in that it provides pedestrian and cycle links in the area in order to support sustainable transport. This link would have been negotiated at the time of the Section 38 agreement and is still considered to be a requirement of the developer to provide it.

There is an on-going issue/dispute concerning the fence that has been erected across the pedestrian link thereby preventing its use by members of the public. At present both the developer and the adjacent resident are denying erecting the fence which, had the path been adopted, is an illegal obstruction of the highway.

This fence is therefore blocking the footpath, which is a requirement of the Section 38 agreement between SGC and David Wilson homes dated 17/11/05.

At present the cul-de-sac has not been adopted and this footpath issue may delay the final adoption of the cul-de-sac in its entirety.

It is therefore advised that this application should be refused or at least deferred until the fence issue has been resolved (and removed) so that usage of the footpath can be monitored before the Council gives up a vital link and sets a dangerous precedent.

### **Other Representations**

#### 4.5 Local Residents

1no. letter of objection has been received from a local resident which expressed the following comments:

1. The development was approved with a walkway as shown on the developer's own plan;
2. The footway would provide access and amenity; and
3. The closure of footways should not be encouraged

9no. letters of support have been received from local residents expressing the following views:

1. Wakeford Way and Say Walk currently enjoys increased security, privacy and quality of life due to its cul-de-sac nature;
2. Residents do not require greater access; the existing is sufficient;
3. Youths and scooters already congregate in adjacent developments;
4. The proposal if allowed would create a thoroughfare;
5. The opening of the path would increase burglary rates, petty crime, Vandalism, damage to property/ vehicles and anti-social behaviour;
6. Loss of piece of mind – children can play within secure and enclosed area;
7. Proposal would result in a flow of people walking past windows – loss of privacy;
8. The path would help form a link between two public houses within the vicinity, which could lead to anti-social behaviour.
9. The owners of No.16 did not put up the fence, as the fence was erected by the site manager prior to the applicants moving in;

In addition to the above, a petition in support of the application which contains 22 signatures of the local residents has been also submitted.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The need to provide permeability through a development to encourage more sustainable forms of transport is considered a fundamental principle of urban design. The proposed loss of a footpath that was designed to meet such a principle should be strongly resisted unless significant material considerations indicate otherwise.

- 5.2 It is considered that in this case, there are a number of material considerations that need to be considered. Starting with the comments of the local residents, the concerns over security and anti-social behaviour are understandable, but are not considered significant planning considerations that would outweigh the need to provide permeability through a scheme in the interests of amenity and sustainability.

- 5.3 From inspections of the site, it is considered that the close-boarded fencing panels that enclose the front garden and cut across the end of the footpath were erected at the same time, for the materials and method of fixing are consistent, as is the colour of the fencing - i.e. no fence panels were observed that displayed clear differences in weathering. The failure also to continue the footpath beyond the curtilage is also noted, as is the disparity in the view David Wilson Homes express in their consultation response and the fact that the existing obstruction of two fence panels could be easily and quickly removed. The existing boundary treatment and the failure of David Wilson Homes to follow up their comments are however issues that are not considered significant materials considerations that would outweigh the need for a footpath to be opened for public use.

- 5.4 The principle of having a public footpath running along a front garden is not an uncommon layout and as noted by David Wilson Homes in their comments, there are neighbouring properties in closer proximity to the highway. However although the resident's objection to the principle of the siting of the footpath is not accepted, it is acknowledged that the revised siting of the building has left it

2 metres closer to the footpath combined with the incorrect position of the footpath, it would mean that if the footpath is left in its current position, the concerns over loss of privacy expressed by the occupier's of No.16 are understandable. Furthermore, although the distance between the house and footpath may be greater than elsewhere on the estate, the site context has to be taken into consideration, for although neighbouring properties are in some cases directly overlooking the highway, this occurs in what could be considered a more formal public realm. This is in contrast to the character of the immediate context of the footpath, which can be considered to be one of seclusion and informality. Consequently, it is considered that due to the proximity of the footpath in relation to the house and the character of the site, the potential loss of privacy from the footpath in its current close proximity to the dwelling would be a significant concern.

- 5.5 However, notwithstanding the above the primary issue in the consideration of this application is the position of the footpath. It is undoubtedly the case that the footpath does not accord with the position as shown on the approved plan, regardless of the position of the No.16 Wakeford Way. It is also the case that the position of the footpath does not accord with the Land Registry site plan which shows the position of the footpath and the land either side which has been conveyed to the current owners of No.16. It can also be noted that the Land Registry site plan which shows the position of the footpath also does not accord with the position of the footpath as shown on the approved plan. Therefore it is the case that the footpath, whilst constructed in part on land within the ownership of David Wilson Homes, has also been constructed on land within the ownership of the current owners of No.16 Wakeford Way.
- 5.6 Therefore although the Land Registry site plan shows that a footpath could be implemented by David Wilson Homes by utilising the strip of land that remains within their ownership, this footpath would not be in accordance with the approved plans and if this option were to be pursued, the Council could expect to receive objections from the local residents which would result in a need to consider the expediency of enforcement action to rectify the situation so that the footpath is constructed in the position as approved. Such a remedy however would require land within the ownership of David Wilson Homes and the owners of No.16, and from previous discussions, the owners of No.16 would resist any such proposal. Therefore it is envisaged that to allow for a footpath to be constructed in accordance with the approved plans, enforcement notices would need to be served upon both David Wilson Homes and the owners of No.16 Wakeford Way.
- 5.7 It is considered that in light of the background to this scheme and the level of objection to the opening of the footpath, notwithstanding the urban design principle of providing permeability through a scheme, a pragmatic approach is required. It is considered that although the loss of the footpath is regrettable, it would not be expedient to take the enforcement action to secure the footpath in light of the level of enforcement action required and the overriding objection to the opening of the footpath from local residents.
- 5.8 Therefore in view of the above, it is considered that on balance planning permission should be given for the removal of the existing footpath.

#### 5.9 Section 106 Requirements

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

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

7.1 Planning permission is to be GRANTED.

**Background Papers**      **PK06/2311/F**

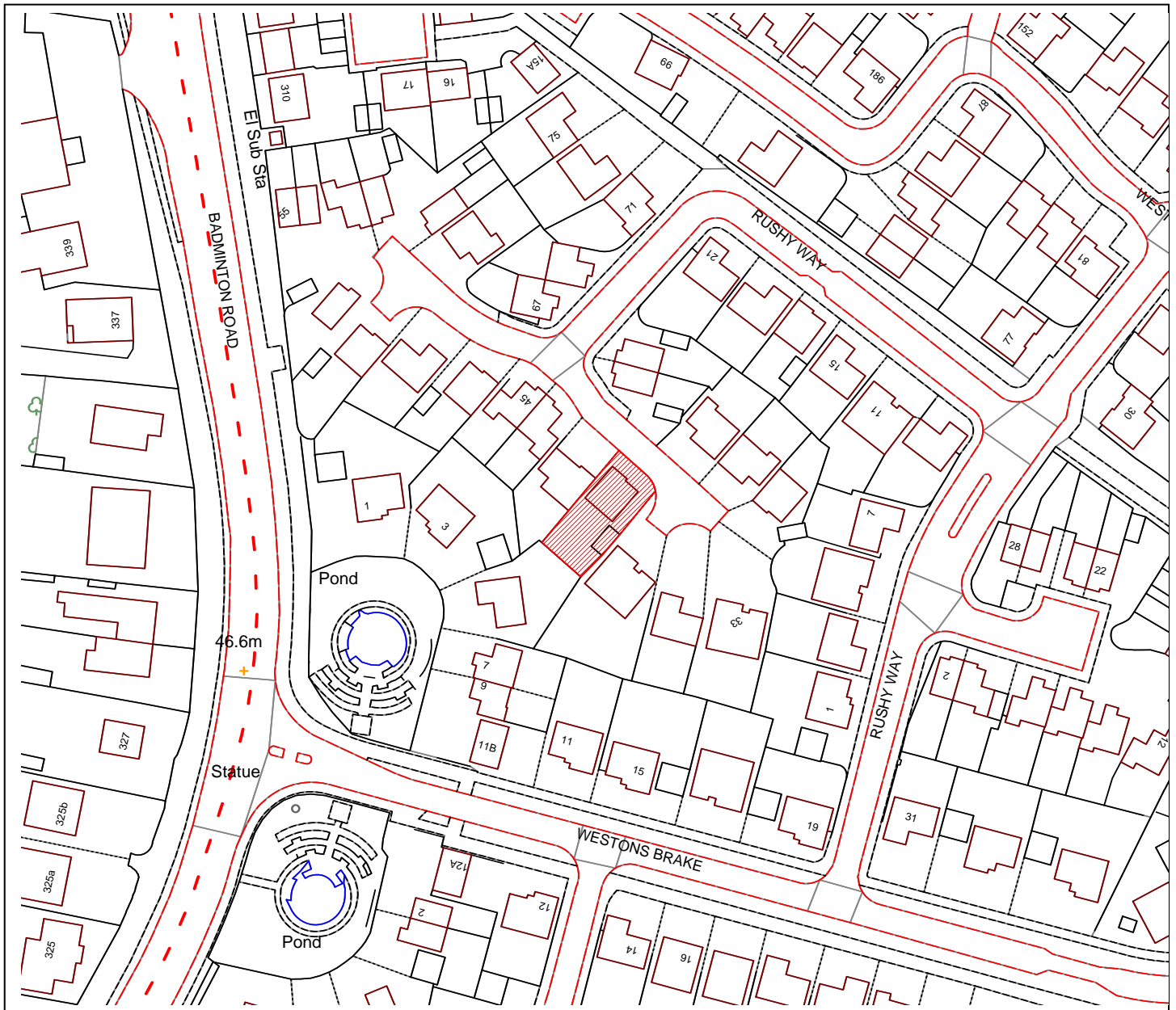
**Contact Officer:**      **Robert Nicholson**

**Tel. No.**                      **01454 863536**

**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

**App No.:** PK06/3190/F  
**Site:** 39 Rushy Way Emersons Green  
 BRISTOL South Gloucestershire BS16  
 7ER  
**Proposal:** Erection of detached timber cabin  
 (retrospective).  
**Map Ref:** 66153 78364

**Applicant:** Mr A Baker  
**Date Reg:** 1st November 2006  
**Parish:** Mangotsfield Rural  
 Parish Council  
**Ward:** Siston



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**PK06/3190/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking retrospective planning permission for the erection of a detached timber cabin within the garden of 39 Rushy Way. The cabin has an 'L' shaped footprint and is divided internally into 3 rooms – a summerhouse, a playroom and a store room. As erected, the cabin has a ridged roof with a maximum height of 3.95 metres. The cabin is erected entirely of timber, has a concrete base and a tiled roof.
- 1.2 The application site consists of a semi-detached property toward the end of a cul-de-sac. The dwelling has an existing detached garage in the rear garden which is surrounded by a 1.8 metre high panel fence. The summer house is erected in the southern corner of the garden behind the existing garage.
- 1.3 During the course of the application amended plans have been requested and received to show a possible alternative roof for the summer house. The applicant has checked with the supplier and it is indeed possible to remove the existing roof and install the roof shown on the revised plans.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPG 1 General Policy and Principles
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance  
Kingswood Advice Note 2: House Extensions

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK04/0534/F           Erection of rear conservatory.  
Approved March 2004

### **4. CONSULTATION RESPONSES**

- 4.1 Mangotsfield Rural Parish Council  
No Objection.

#### **Other Representations**

- 4.2 Local Residents  
One letter of objection has been received from a neighbour in response to the initial set of plans received. A summary of the points of concern is as follows:

- The structure encloses the neighbouring gardens and reduces the feeling of openness
- Insufficient garden space remains to serve the dwelling
- It will set a precedent for similar development
- The building is unattractive and unsightly and is clearly visible above the existing boundary fences
- It will devalue neighbours properties
- Concerns that the cabin will be used for commercial rather than domestic uses
- It does not respect the local surroundings or character of the street scene and surrounding area.

No letters have been received in response to the revised roof details received and thus it is assumed that the initial objection still stands.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met.

### 5.2 Design/ Visual Amenity

Generally it is considered that the cabin has been erected to a high standard. However, your officer agrees with the neighbour that as erected, the cabin is too tall and is prominent in views from the surrounding gardens. In its current form, the cabin is too tall and is out of keeping with the surrounding area. However, negotiations with the applicant have led to the submission of revised plans to show a reduction in the height of the cabin – the ridge can be reduced from 3.9 metres as currently stands down to a maximum height of 3.1 metres. It is considered that the reduction in height of the structure by 80cm will greatly reduce the impact of the structure and its design would be acceptable. Conditions will be attached any consent granted to ensure that within 2 months of the date of the decision, the existing roof is removed and replaced with the new roof as shown on the plans received by the Council on 14<sup>th</sup> February 2007.

### 5.3 Residential Amenity

The cabin is erected in the southern corner of the curtilage behind the detached garage and close to the boundary fence with No 5 Westons Brake and 41 Rushy Way. The curtilage is surrounded by 1.8 metre high close boarded wooden panel fence. The height of the timber cabin to its eaves is 2.35 metres – only 55cm above the fence line.

In its current form, your officer is in agreement with the local resident that the cabin is tall and is clearly visible from the neighbouring properties. In response to this, the ridge height of the cabin is to be reduced to only 3.1 metres – a reduction of 80 cm. It is not considered that the amended cabin will have any detrimental impact on the amenities of the neighbouring properties as it will be significantly screened by the existing boundary treatments.

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. The impact on residential amenity is subsequently deemed acceptable.

#### 5.4 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 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

### 6. CONCLUSION

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

The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) 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;

**Background Papers**      **PK06/3190/F**

**Contact Officer:**    **Marie Worboys**  
**Tel. No.**                **01454 864769**

#### CONDITIONS

1. Within two months of the date of this decision, the existing roof on the cabin shall be removed and replaced with a new roof exactly in accordance with plans JEI002B, JEI003A and JEI004A received by the Council on 14th February 2007.

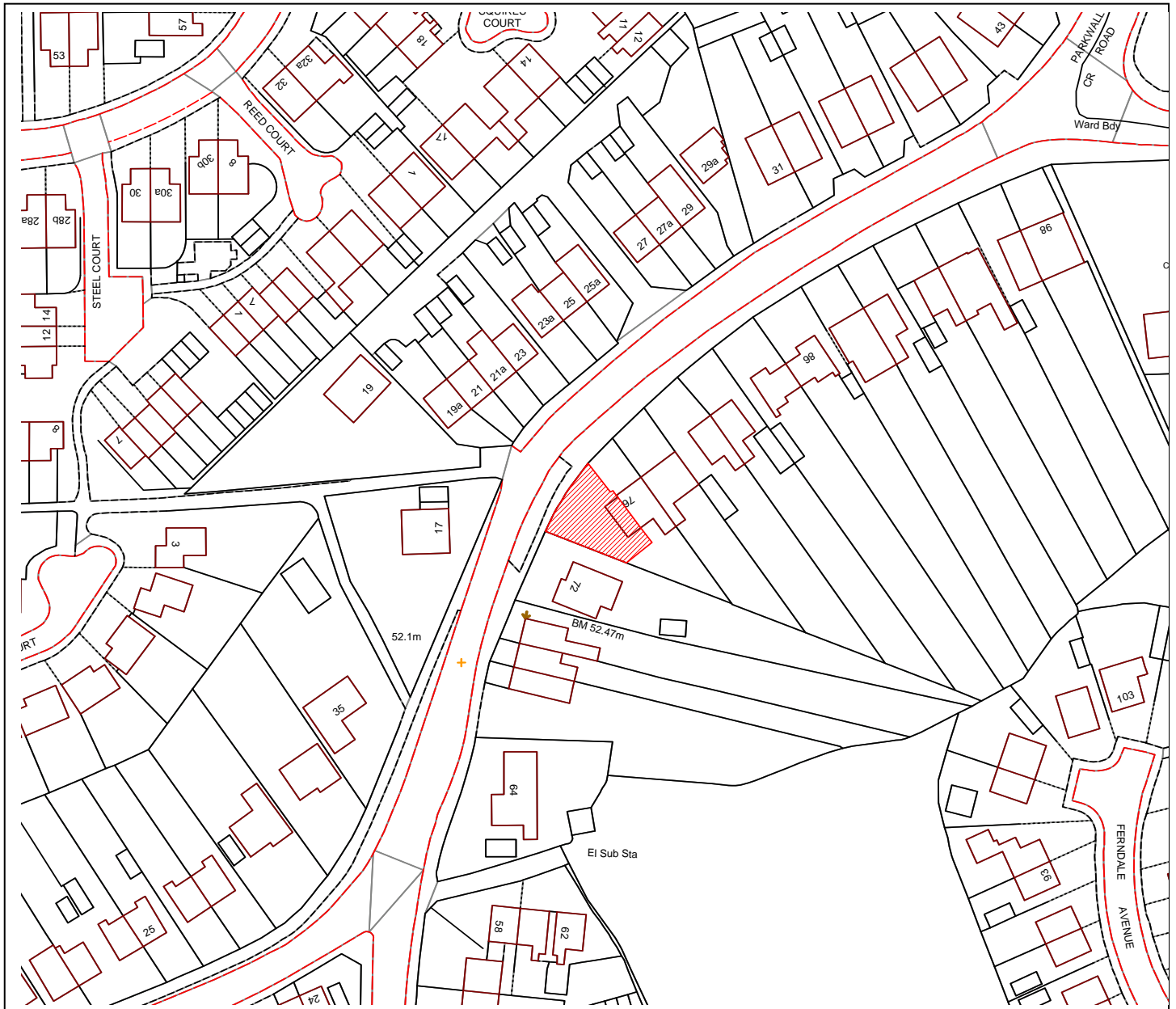
Reason

To ensure a satisfactory standard of external appearance and to protect the amenities of the neighbouring properties in accordance with Policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.



**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

<b>App No.:</b> PK06/3290/F	<b>Applicant:</b> C/o Agent
<b>Site:</b> Land adjacent 76 Shellards Road Longwell Green BRISTOL South Gloucestershire BS30 9DT	<b>Date Reg:</b> 10th November 2006
<b>Proposal:</b> Erection of 2 no. flats and construction of new vehicular access and associated works. (Resubmission of PK06/2160/F).	<b>Parish:</b> Oldland Parish Council
<b>Map Ref:</b> 65887 71394	<b>Ward:</b> Longwell Green



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**PK06/3290/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule due to the receipt of seven letters of objection from local residents.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of a detached building to form two self contained flats. Externally the new building will have the appearance of a detached dwelling, internally it will be divided horizontally into two one bedroomed flats.
- 1.2 This application relates to an area of land, which currently forms the side garden of the existing dwelling No. 76 Shellards Road. To facilitate the erection of the new flats, the existing garage attached to the side of the existing dwelling will be removed, as will a detached outbuilding. A variety of unprotected vegetation in the form of hedgerows and 3 trees will also be removed.
- 1.3 During the course of the application several sets of amended plans have been received both to alter the footprint and design of the proposed building and also to ensure an appropriate provision of off street parking.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1	Delivering sustainable Development
PPS3	Housing
PPG13	Transport - Guide to Better Practice

#### 2.2 Development Plans

##### South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Residential Development in Urban Areas
H4	Development within Existing Residential Curtilages
T8	Parking Standards
T12	Transportation Development Control Policy

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK06/2160/F Erection of 3 No. flats and construction of new vehicular access.  
Withdrawn August 2006
- 3.2 PK06/1115/F Erection of single storey rear extension.  
Approved May 2006

### **4. CONSULTATION RESPONSES**

- 4.1 Oldland Parish Council  
No Objection.

## Other Representations

### 4.2 Local Residents

Seven letters of concern have been received from local residents. A summary of the points of concern are as follows:

- The turning circle is very restrictive
- There will be considerable movement of vehicles on a blind bend
- Parking on the pavement and the electricity box blocks sight lines
- A far less intensive development on the other side of the road has already been refused
- Danger to highway safety
- The proposal represents overdevelopment of the site – shown by the irregular shape of the building
- Removal of vegetation which is currently a barrier to noise
- Loss of views of Lansdown Hill
- Vehicles travel very fast along Shellards Road and it is also a bus route

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

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

5.2 The site is located within the existing built up area, as defined on the Local Plan Proposals Maps. In accordance with Policy H2, new residential development will normally be permitted subject to compliance with a number of criteria relating to density, transportation, noise and local services. It is considered that Policy H4 of the South Gloucestershire Local Plan (Adopted) encompasses all the relevant issues of the above policies, for Policy H4 allows for the erection of a new dwelling within existing residential curtilages providing that the following criteria are complied with;

5.3 **(a) Development would respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area;**

Your officer agrees with the local residents that as initially submitted, the design of the proposal was unacceptable. The irregular footprint of the building was considered to represent a poor and cramped form of development that would visually appear out of keeping with the character of the area. During the course of the application however, amended plans have been received to alter the footprint of the proposed new building.

The building is now shown to have a regular rectangular footprint that is of a similar size to the existing dwellings in the vicinity. The design of the new building is also considered to integrate successfully with the surrounding dwellings. The new building is to have a single storey front canopy and brick quoins in keeping with the surrounding built environment.

The ridge and eaves height of the proposed new building will integrate and continue the heights of the existing dwellings and a chimney stack is to be added onto the end wall. It is therefore considered that the proposed new building containing flats respects the massing, scale, proportions and overall design of the street scene. The design of the building is thus considered to be acceptable.

**5.4 (b) Would not prejudice the amenities of nearby occupiers;**

The proposed new building is to be 2 storeys in height and erected between Nos 76 and 72 Shellards Road. There are no habitable room windows in either side elevation of the neighbouring properties facing towards the application site that would be adversely affected by the works as proposed. Further to this at first floor level there are no windows in the side elevation of the new building facing towards either neighbour.

The rear elevation of the new building will accommodate the bedrooms and bathrooms of the two new flats. The living accommodation for both flats is to be contained to the front of the units with the windows facing out over the public highway. It is not therefore considered that the rear gardens of the surrounding properties will suffer any significant loss of privacy as a result of the proposed development.

Given that the new building is to be to the side of the neighbouring properties and will not protrude beyond the main rear walls of either property, it is not considered that the development will have any overbearing or overshadowing impact on the neighbouring properties. The application is thus considered to be acceptable in terms of residential amenity.

**5.5 (c) Would not prejudice highway safety or the retention of an acceptable level of parking provision, and an acceptable level of parking provision is provided for any new separately occupied dwelling;**

It is noted that Local Residents are concerned about the implications of the application on highway safety in the vicinity of the site. The Council's Highway Officer has worked in conjunction with the planning officer to seek a series of amendments to the initially submitted plans in order to ensure that a satisfactory level of off street parking and turning space is provided. The plans now clearly show how five off street parking spaces will be provided – one for each of the flats, two for the existing dwelling and one visitor space. This is in accordance with Policy T8 of the South Gloucestershire Local Plan (Adopted) and is considered to be a suitable level of parking for the development. Separate secure cycle storage has also been provided for each of the flats.

The Council's Highway engineers have carried out a detailed study of the site. It is accepted that there is indeed an electricity box and also that vehicles sometimes park on the pavement. However, there is a distance of 5.7 metres from the edge of the property curtilage to the edge of the highway over a very wide pavement and grass verge. It is therefore considered that whilst the visibility splays are limited because of the bend in the road, there is ample space for drivers to sit and wait for a safe time to exist the site. In conjunction with the highways officer, amended plans have also been received to increase the amount of on site turning space and also to widen the entrance to the site. These steps all make access and egress to the site much easier and safer.

On balance, highways and planning officers are satisfied that all steps have been taken to ensure that the application will have no detrimental impact on existing levels of highway safety in the vicinity of the site. Vehicles are able to enter and exit the site in a forward gear and it is not anticipated that there will be any additional levels of on street parking as a direct result of the application. There are no objections to the proposal on the grounds of highway safety.

5.6 **(d) Would not prejudice the retention of adequate private amenity space, and adequate private amenity space is provided for any new separately occupied dwelling;**

The application clearly demonstrates how ample garden space will be retained to serve the existing dwelling. Further to this, a moderately sized patio area has been provided to serve the flats. Given that each of the proposed flats is to have one bedroom only, it is considered to be highly unlikely that children will reside in the units and thus the limited amount of patio space is considered to be entirely acceptable.

5.7 Design and Access Statement

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

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 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;

**Background Papers**      **PK06/3290/F**

**Contact Officer:**    **Marie Worboys**  
**Tel. No.**                **01454 864769**

## **CONDITIONS**

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

Reason

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

2. The flats shall be constructed exactly in accordance with the approved plans. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing dwelling No. 76 unless the Local Planning Authority gives written consent to any variation.

Reason

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

3. Prior to the commencement of the construction of the new flats, the existing attached garage shall be demolished and the mouth of the driveway shall be widened in accordance with the approved plans.

Reason

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

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

Reason

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

5. The five parking bays as shown on the approved plan shall be marked using white lines or other similar form of demarcation. All parking and turning areas shall be surfaced with a fully bound material which shall be maintained satisfactorily at all times thereafter.

Reason

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

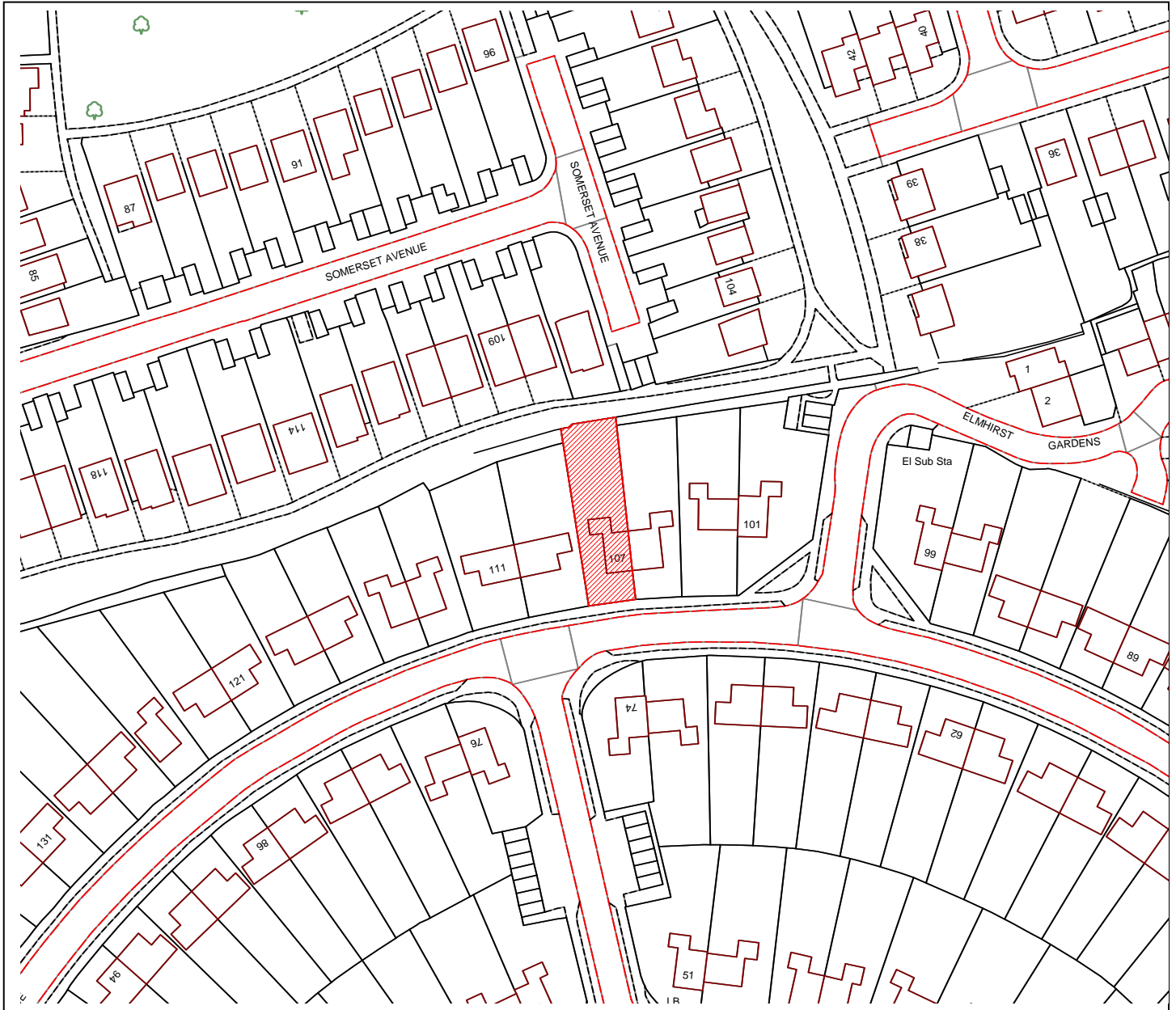
**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

**App No.:** PK07/0315/F  
**Site:** 107 Melrose Avenue Yate BRISTOL  
 South Gloucestershire BS37 7AP

**Applicant:** Mr & Mrs Robinson  
**Date Reg:** 2nd February 2007

**Proposal:** Erection of rear conservatory  
**Map Ref:** 72009 82961

**Parish:** Yate Town Council  
**Ward:** Yate North



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**PK07/0315/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule due to the receipt of one letter of objection from a neighbouring property.

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a conservatory to the rear of the building. The conservatory as proposed would have a maximum depth of 3.2 metres, a width of 6.7 metres and a maximum height to ridge of 3.1 metres.
- 1.2 The semi-detached property is set on a large residential estate. The existing dwelling is constructed predominantly of red brick and has an existing single storey rear extension already in place.
- 1.3 During the course of the application amended plans were requested to alter the design of the conservatory and to pull it away from the boundary with the neighbouring property. Amended plans have been received as requested and the necessary re-consultation carried out.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPG 1 General Policy and Principles
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance  
Kingswood Advice Note 1: Altering Your Home  
Kingswood Advice Note 2: House Extensions

### **3. RELEVANT PLANNING HISTORY**

- 3.1 N9006Erection of single storey side and rear extension to form single garage, dining room, kitchen and porch. Formation of Vehicular Access.  
Approved December 1983

### **4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
No Objection.

#### **Other Representations**

- 4.2 Local Residents  
Two letters of objection has been received from the same local resident (one in response to the initial set of plans and one to the revised plans). A summary of the points of concern are as follows:



- The extension would overshadow the neighbouring garden and house resulting in a severe lack of sunlight.
- The revised plans do not overcome the initial concerns and will still result in loss of light and overshadowing.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met.

### 5.2 Design/ Visual Amenity

There is an existing single storey extension to the rear of the dwelling that has a lean-to type roof. The existing single storey extension spans the entire width of the original dwelling and also extends to the side. The proposed conservatory would be added onto the existing extension. It is accepted that extensions attached onto existing extensions are normally unacceptable because of the design implications of doing such. In this instance however, it is considered that the roof of the proposed conservatory has been designed to integrate successfully with the existing extension. The low ridge height of the conservatory help retain its sense of subservience – both to the host dwelling and to the existing extension. The ridge heights will all step down giving a pleasant rhythm to the property when viewed from the rear.

The structure will be not be visible from the highway and as such, it is not considered the addition would be visually intrusive. Whilst there is a pedestrian footpath to the rear, views into the site are very limited because of the amount of vegetation along the rear boundary. The design of the conservatory is thus considered to be acceptable.

### 5.3 Residential Amenity

The application as initially submitted was considered to be unacceptable as it was considered the conservatory would have an overbearing and overshadowing effect on the amenities of the attached property No. 105 Melrose Avenue. In order to address this concern, the design of the conservatory has now been amended to include a taper so the maximum depth of the conservatory running parallel to the boundary with No. 105 is 2.4 metres. In addition to this, the conservatory has been pulled away from the boundary by 1.5 metres. Consideration must also be given to the fact that the eaves height of the conservatory is only 2.3 metres – thus only 50cm will be visible above the existing 1.8 metre high boundary fence. The ridge height on the conservatory is also relatively low at only 3.1 metres.

Given the low height of the conservatory, the distance from the boundary and the existing boundary treatment it is not considered that the proposal will result in any additional overshadowing for the neighbouring property than currently exists. The neighbouring property has a large garden and it is not considered that the cumulative development will result in any sense of enclosure for the neighbouring property or have a detrimental impact on the enjoyment of their garden.

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. The impact on residential amenity is subsequently deemed acceptable.

#### 5.4 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 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

### 6. CONCLUSION

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

The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) 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;

**Background Papers**      **PK07/0315/F**

**Contact Officer:**    **Marie Worboys**  
**Tel. No.**                **01454 864769**

#### CONDITIONS

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

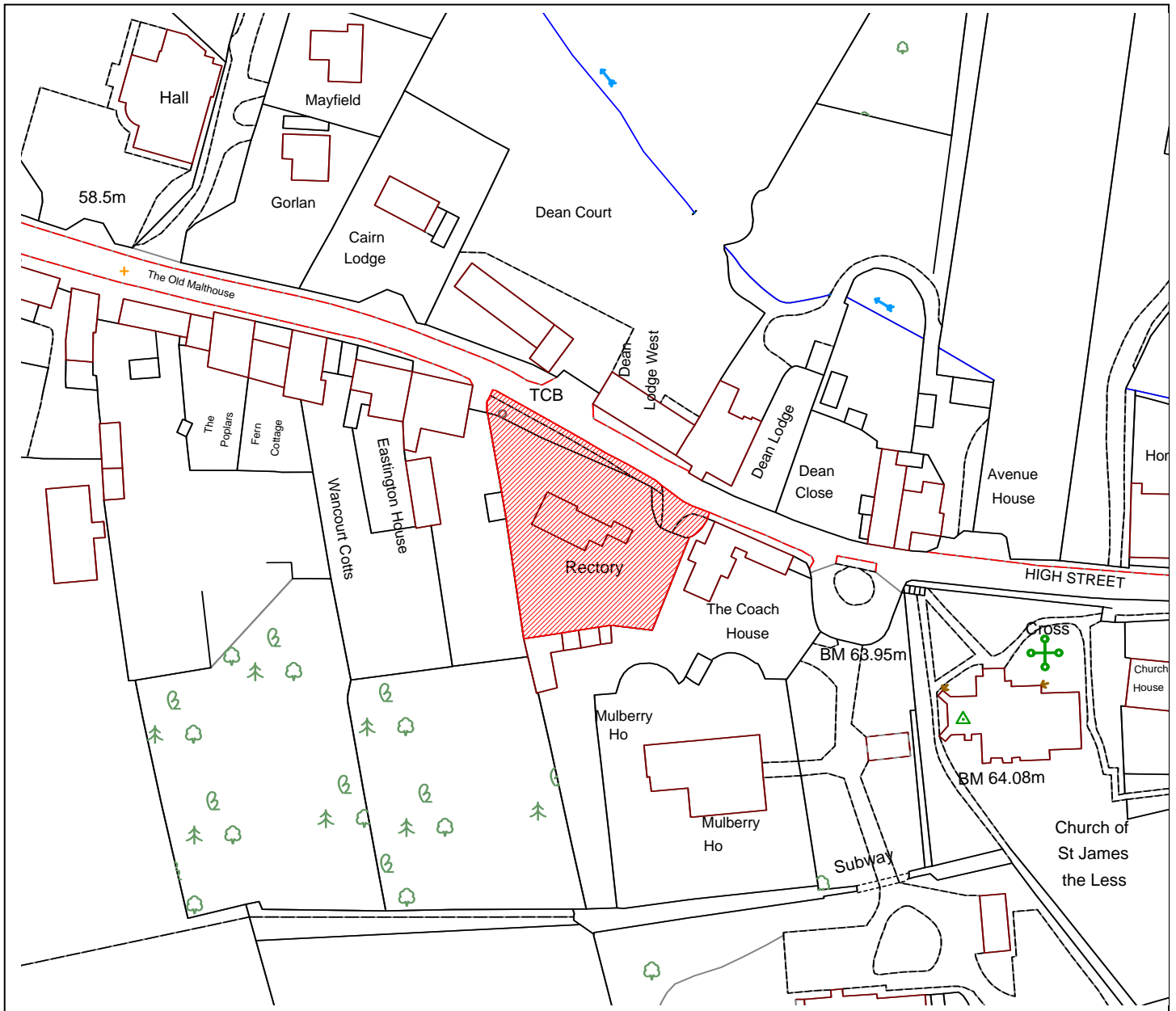
Reason

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

**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

**App No.:** PK07/0428/F  
**Site:** The Retreat High Street Iron Acton  
 BRISTOL South Gloucestershire BS37  
 9UQ  
**Proposal:** Demolition of existing garage. Erection  
 of two storey front extension to form  
 additional living accommodation.  
 Erection of side conservatory.  
**Map Ref:** 67981 83495

**Applicant:** Mr C Boyce  
**Date Reg:** 9th February 2007  
**Parish:** Iron Acton Parish  
 Council  
**Ward:** Ladden Brook



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**PK07/0428/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for demolition of an existing garage, erection of a two storey front extension to form additional living accommodation and erection of side conservatory.
- 1.2 Members are advised to consider that this scheme had originally sought planning permission for the creation of a new vehicular access and an integral garage at ground floor level of the proposed two storey front extension. Both elements have now been omitted from the scheme and the proposed integral garage has been replaced with a games room.
- 1.3 The application site relates to a two storey detached dwelling within the established village development boundary of Iron Acton and within the designated Conservation Area and Green Belt.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1	Design
PPG2	Green Belt
PPG15	Historic Environment

#### 2.2 Development Plans

##### South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H4	Development within existing Residential Curtilages
GB1	Green Belt
L12	Conservation Area

#### 2.3 Supplementary Planning Guidance

Iron Acton Supplementary Planning Guidance

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P87/2349/C Incidental works of demolition to facilitate erection of single storey extension and installation of dormer windows  
Conservation Area Consent September 1987

### **4. CONSULTATION RESPONSES**

#### 4.1 Iron Acton Parish Council

The following objections raised by the Parish related to the original submitted plans. Members are advised to consider however that the Parish have confirmed that they have no observations to make regarding the amended plans.

- Impact of proposed vehicular access
- Loss of historic wall
- Extension will dominate

- Overlooking
- Insufficient parking
- Not enough garden for future intention to build house

### **Other Representations**

#### 4.2 Local Residents

4 letters have been received from local residents relating to the original submitted plans raising the following objections regarding the proposed development:

- Extension will dominate street scene
- Loss of wall
- Object to proposal for new dwelling
- Overlooking
- Removal of fruit trees

1 letter has been received in response to the amended plans withdrawing the objection.

#### 4.3 5 letters of support have been received regarding the proposed development:

- Proposed scheme will enhance this part of the High Street and building
- Now that access has been omitted happy to support the application

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2007 allows for extensions to existing dwellings subject to there being no adverse impact on existing visual and residential amenities.

5.2 Regard must also be had for the impact of the proposed development on the Iron Acton Conservation Area. Policy L12 of the SGLP only permits development where it would preserve or enhance the character or appearance of the conservation area.

5.3 Regard must also be had for the Green Belt. Policy GB1 of the SGLP only permits limited extensions.

### 5.4 Green Belt

It is Council practice to ensure that extensions to existing dwellings that are sited within the designated Green Belt, do not exceed the size of the original dwelling by no more than 30%. This is to ensure that extensions do not result in disproportionate additions over and above the size of the original dwelling.

5.5 In this instance the proposed works would approximately increase the size of the original dwelling by 35%, and whilst this would marginally exceed the 30% allowance it is considered that the proposed works by reason of their scale and design would not result in a disproportionate addition when viewed in context with the original dwelling.

### 5.6 Conservation Area

The application site relates to a large modern detached dwelling with stone cladding situated behind a stone boundary wall on the High Street. The height of the existing property and raised ground level of the site results in a property which is generally higher than surrounding traditional properties.

- The scale, form and details of the property are not in keeping with the traditional character, but its location set behind the high stone boundary wall and planting help to lessen the impact of the property on the historic High Street.
- 5.7 As discussed above this application had originally proposed to demolish a section of stone wall in order to create a new vehicular entrance, however in light of objections raised by the Conservation and Planning officer on the grounds that this would result in a loss of enclosure and have a detrimental impact on the character and appearance of the conservation area. This element has now been omitted.
- 5.8 The application seeks planning permission for a conservatory on the western elevation of the dwelling and a two storey front extension. Objections have been raised by local residents and the Parish Council regarding the impact of the proposed two storey extension. Members are advised to consider that revised plans have subsequently been received in light of objections raised by the Planning and Conservation Officer regarding the scale and design of the proposed extension and in particular it's dominating impact. This has resulted in reduction in the ridge height and eaves level and also in reduction in the projected length of the extension.
- 5.9 The applicant has also agreed to some tree planting which would be provided to the front, which will help soften the impact of the house in views from the street. Should planning permission be granted a condition will be imposed requiring the submission of landscaping details to be agreed prior the commencement of work.
- 5.10 The Council's Conservation officer has advised that although a reduction in the gable width would have been preferable it is considered that on balance that in light of the proposed amendments which help to make the proposed extension less prominent in the street and with the other changes to improve the appearance of the building i.e. improvements to the window proportions and use of render to replace the unsympathetic stone cladding which will improve the appearance of the building, that no objection is raised.
- 5.11 The Planning Officer concurs with the Conservation Officer and considers that the proposed works by reason of their scale, design and siting will not have an adverse impact on the character of the existing dwelling or that of the Iron Acton Conservation Area.
- 5.12 Residential Amenity  
Concerns have been raised regarding overlooking and loss of privacy as a result of the proposed two storey front extension. Council guidelines advise that there should be a minimum distance of 21.0m between the elevations that face one another with habitable room windows.
- 5.13 In this instance the application proposes a first floor bedroom window on the gable elevation. There is an existing dormer window on the front elevation of Dean Lodge West, which presumably serves a bedroom. This window is set back approximately 1.0m into the roof plane. There will approximately be a distance of 17.50m between the two windows. It is considered that given the position of the dormer within the roof plane and existing floor levels, that there will no issues of direct intervisibility between the two windows and therefore no

adverse impact on existing levels of privacy currently enjoyed by the existing occupiers of Dean Lodge West.

5.14 It is also considered that given the position of the proposed two storey front extension in relation with adjacent occupiers that it will not have an overbearing impact.

5.15 Design and Access Statement

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

5.16 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**Background Papers**      **PK07/0428/F**

**Contact Officer:**    **Tracey Price**  
**Tel. No.**                **01454 863424**

## CONDITIONS

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

Reason

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

2. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details.

Reason

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

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

Reason

To protect the character and appearance of the area to accord with Policies H4/D1/L1/E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No development shall take place until samples of the roofing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

5. A sample panel of the render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason

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



**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

**App No.:** PK07/0437/F  
**Site:** 76 Downend Road Downend BRISTOL  
 South Gloucestershire BS16 5UE  
**Proposal:** Erection of single storey rear extension  
 to facilitate the conversion of existing  
 dwelling to form 2 no. flats and  
 associated works.  
**Map Ref:** 64800 76550

**Applicant:** Mr Arber  
**Date Reg:** 9th February 2007  
**Parish:** Downend and  
 Bromley Heath  
**Ward:** Downend



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**PK07/0437/F**

This application appears on the Circulated Schedule as a result of objections raised by local residents, the objections being contrary to the officer recommendation.

## **1. PROPOSAL**

- 1.1 The application relates to a 3 bedroom, semi-detached dwelling house, located on the northern side of Downend Road, close to the centre of Downend. A mix of two-storey detached and semi-detached dwellings make up the street scene in this predominantly residential locality. The property is served by a single garage located in a block located to the rear of the site in Dial Lane.
- 1.2 It is proposed to convert the house into 2no. self-contained two-bedroom flats. The existing front doorway would provide pedestrian access from Downend Road, internal stairs off the hallway would be utilised to provide separate internal accesses to the flats. In order to facilitate the conversion it is also proposed to erect a single storey rear extension to provide a lounge for the ground floor flat.
- 1.3 The rear garden would be subdivided to provide separate amenity space for each flat, the rearmost portion being allocated to the top-floor flat. Bin storage for both flats would be located in the front garden. The existing single garage would be allocated to the ground floor flat only.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

- PPS1 - General Principles and Policy
- PPG3 - Housing
- PPG13 - Transport

### **2.2 Development Plans**

#### Joint Replacement Structure Plan

- Policy 02 - Location of Development
- Policy 33 - Housing Provision and Distribution
- Policy 59 - New Development – Transport Issues

#### South Gloucestershire Local Plan (Adopted ) 6<sup>th</sup> January 2006

- D1 - Design
- H4 - Development within Existing Residential Curtilages
- H5 - Residential Conversions
- T8 - Parking Standards
- T12 - Transportation Development Control Criteria

### **2.3 Supplementary Planning Guidance**

- Advice Note 1 – “Altering Your Home’
- Advice Note 5 – “Conversion of Houses into Flats”

## **3. RELEVANT PLANNING HISTORY**

- 3.1 P87/4728 - Single Storey Rear Extension  
Approved 18<sup>th</sup> December 1987

## **4. CONSULTATION RESPONSES**

4.1 Downend and Bromley Heath Parish Council  
No objection.

4.2 Other Consultees  
None.

### **Other Representations**

4.3 Local Residents

Following the initial submission of inaccurate plans there have been three rounds of consultations. In all there have been 8 letters of objection received from the local residents; the concerns raised are summarised as follows:

- Increased on-street parking in Dial Lane to detriment of highway safety.
- Inaccurate plans showing garage in neighbour's garden and subsequently wrong garage.
- Internal works to carry out conversion will have adverse effect on structure of house.
- Likely increased noise through party wall.
- Loss of trees in rear garden.
- Loss of a family home.
- Proposed extension is too large.
- Overlooking of the garden of no.23 Dial Lane.
- The proposed garden for the first floor flat is not directly accessible.

4.4 Community Services Department

The proposal is for 2no. flats only and since this falls below the 10 unit threshold for contributions to Community Services, no contributions are requested in this case.

4.5 Education Service

Due to the relatively small size of the development i.e. only 2 no. flats, it is considered that no contributions to education provision can be justified for this development.

4.6 Affordable Housing

The site area is below 0.5 hectares in area and the proposed number of units (2) is below local and national policy guidance on the threshold for requiring affordable housing (15). There is therefore no requirement for the provision of affordable housing in this case.

4.7 Sustainable Transport  
No objection.

4.8 Environmental Services  
No objection.

## **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site is located within the established residential area of Downend. The supporting text to Policy H5 (para. 8.179) of the South Gloucestershire Local Plan (Adopted) 6th January 2006 states that 'the

conversion, where appropriate, of larger residential properties and other buildings into small units of accommodation can make a valuable contribution to the supply and range of housing within South Gloucestershire, suitable for the growing numbers of single person and small households, many of which may not wish or cannot afford to live in larger properties'. The sub-division of the property to provide 2 units of self-contained living accommodation. is therefore considered acceptable in principle, subject to compliance with detailed development control criteria outlined within Policy H5 addressed within this report.

5.2 Policy H5 of the South Gloucestershire Local Plan allows for the conversion of existing residential properties into smaller units of self-contained accommodation, subject to the following criteria:

- Would not prejudice the character of the surrounding area
- Would not prejudice the amenities of nearby occupiers
- Would identify an acceptable level of off-street parking
- Would provide adequate amenity space

5.3 Impact upon the Character and Visual Amenity of the Area

The external alteration to the property relates only to the addition of a rear extension. The proposed extension is modest in scale measuring 2.9m deep x 4.4m long and 2.5m to eaves level with a mono-pitch roof above. Furthermore the materials to be used in construction would match those of the existing house. Being to the rear of the property the extension would not be readily visible within the street scene. The proposed external works to the building are therefore relatively minor, so much so that the appearance and character of the dwelling would not significantly alter from that existing. Bins are already stored to the front of the property. Any vegetation that would be lost comprises only small garden trees and shrubs that are not protected by Tree Preservation Order and have only minimal amenity value. The overall character and visual amenity of the area would not therefore be adversely affected.

5.4 Impact Upon Residential Amenity

Adequate amenity space would be retained in the existing garden areas to serve both of the proposed flats. Whilst the garden area for the top floor flat would not be directly accessible from the house, this is still considered to be preferable than having no private amenity space at all, which is often the case with top floor flats in Town Centre locations and is not therefore considered to be justification alone for refusal of planning permission. No windows are proposed for the side elevations of the new extension and since the rear garden is relatively well enclosed there would be no significant loss of privacy from overlooking or inter-visibility.

5.5 The required 21 metres between facing habitable room windows is achieved to both front and rear. Officers are satisfied that there would be no significant loss of privacy due to overlooking or inter-visibility resulting from the proposal, the existing use of the building for residential purposes would not change.

5.6 In reaching their recommendation, officers have taken into consideration the latest government guidelines contained in PPS3 – Housing, as well as the relevant policies contained in the South Gloucestershire Local Plan. PPS3 positively supports a greater choice and mix of housing type and size, particularly in sustainable town centre locations such as Downend. In such locations a much higher density of residential development is also supported.

Furthermore the majority of projected growth is in one-person households and the government positively supports mixed communities. The application site is located close to the centre of Downend.

5.7 With this guidance in mind and having regard to the site's sustainable location close to Downend Centre, officers consider that the intensity of development proposed would not justify refusal of planning permission.

5.8 There is easily room to store two bins per flat within the existing residential curtilage.

5.9 On balance therefore and having regard to the latest government guidelines and Local Plan Policy, officers are satisfied that the proposal would not have a significant adverse impact on residential amenity

5.10 Design and Layout

The conversion would not result in any significant alteration to the appearance of the property. The design and layout are therefore considered to be acceptable and would be in line with Policy D1 of the South Gloucestershire Local Plan.

5.11 Transportation

The SGC parking policy requirement for a 3 bedroom house is 2 car parking spaces, whilst that for a 1/2 bedroom flat is 1 car parking space. So for the two flats proposed two spaces are required and this is no different than the existing 3 bedroom house. The existing garage would provide adequate car parking space for the ground floor flat but the first floor flat would have no off-street parking provision at all. Furthermore there is already an on-street parking problem in Dial Lane to the rear of the site. The site is however in a very sustainable location, close to the centre of Downend with its shops, amenities and regular bus services. Officers however consider it appropriate that in mitigation for the absence of off-street parking provision for the proposed top floor flat, the applicant should enter into a S106 Agreement to secure an annual bus pass for a period of three years, for the sole use of future occupants of the first floor flat; the applicant has already informally agreed to do this.

5.12 There are therefore no highway objections to the proposal which meets the guidance contained in Policy T12 of the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> January 2006.

5.13 Environmental Issues

Surface water and foul sewage would be disposed of via the existing system. The Council's Environmental Health Officer raises no objection to the proposal. An appropriate condition to ensure adequate sound proofing between the flats and neighbouring dwellings is considered to be justifiable in this case. This matter would also be controlled and tested under building control.

5.14 Other Concerns Raised

Of the concerns raised by the neighbours that have not been addressed above:

- Any internal works would be the subject of Building Regulation approval.

#### 5.15 Design and Access Statement

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

#### 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, having regard to the above advice, the provision of an annual bus pass for a period of three years to be used by the future occupants of the proposed top floor flat are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

7.1 That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

1. A contribution of £2,700 is paid to South Gloucestershire Council prior to the first occupation of the top floor flat or six months from the commencement of development, whichever is the sooner. South Gloucestershire Council will then provide the occupier of the top floor flat with a bus pass on an annual basis for a period of up to three years or whenever the contribution is spent, whichever is the sooner.

The reason for this Agreement is:

- (i) To mitigate the affect of lack of off-street parking provision for the proposed top floor flat.
2. That the Head of Legal and Democratic Services be authorised to prepare and seal the Agreement.

**Background Papers**      **PK07/0437/F**

**Contact Officer:**    **Roger Hemming**  
**Tel. No.**                **01454 863537**

**CONDITIONS**

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

Reason

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

2.     Details of a proposed scheme of noise protection measures relating to the existing party walls and floors shall be submitted to and approved in writing by the Local Planning Authority and shall be completed prior to the occupation of the development hereby approved.

Reason

To minimise disturbance to occupiers of nearby buildings, and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

3.     No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevations of the extension hereby approved, unless the Local Planning Authority gives consent in writing to any variation.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

4.     The hours of working on site during the period of construction shall be restricted to 07.30 to 18.00 hours Monday to Friday, 0800 to 13.00 hours on Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

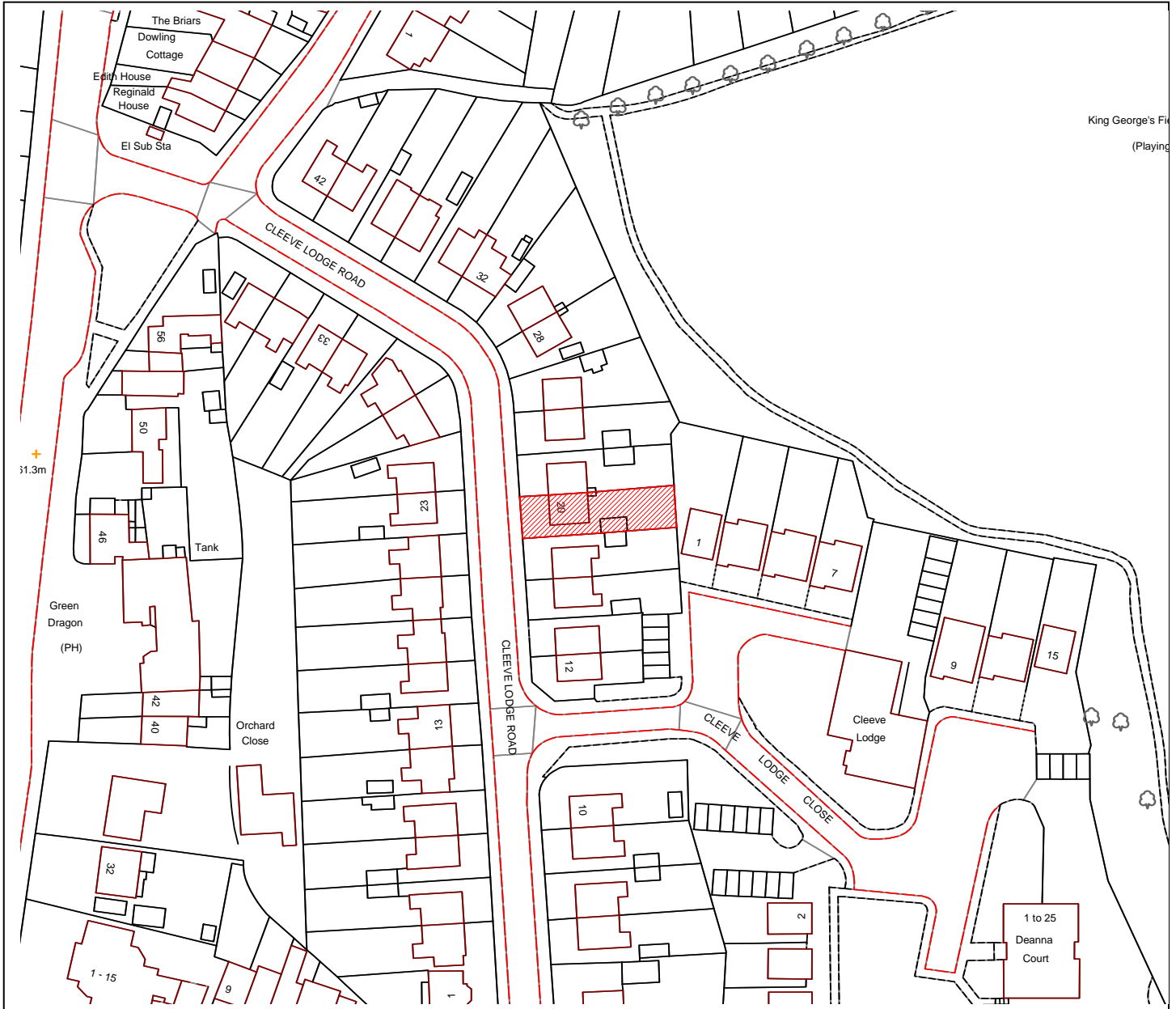
Reason

To protect the amenity of neighbouring occupiers, and to accord with Policy H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

**App No.:** PK07/0686/F  
**Site:** 20 Cleeve Lodge Road Downend  
 BRISTOL South Gloucestershire BS16  
 6AG  
**Proposal:** Erection of front porch.  
**Map Ref:** 65302 76959

**Applicant:** Mr T Meech  
**Date Reg:** 28th February 2007  
**Parish:** Downend and  
 Bromley Heath  
**Ward:** Downend



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**PK07/0686/F**



## **INTRODUCTION**

This application appears on the Circulated Schedule due to the receipt of one letter of objection from a local resident

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of porch to the front elevation of the existing dwelling. The porch would have a maximum depth of 1.4 metres, a maximum width of 2.4 metres and a maximum height to the ridge of 3.1 metres.
- 1.2 The application site relates to a large semi-detached property that has been extended in the past. The property is sunken slightly below road level – as is a common feature in the street.
- 1.3 During the course of the application amended plans were requested to alter the roof from a gable end to a hipped end. Amended plans were received as requested

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 Delivering Sustainable Development
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Extensions and New Dwellings  
T8 Parking
- 2.3 Supplementary Planning Guidance  
Kingswood Advice Note 2: House Extensions

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK01/0903/F Erection of two storey side and single storey rear extension and rear conservatory and erection of pitched roofs over existing front and rear extensions.  
Approved April 2001

### **4. CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
No response received.

#### **Other Representations**

- 4.2 Local Residents  
One letter has been received on behalf of a local resident. The resident is concerned that:
  - The porch would not be in keeping with the overall character and appearance of the road

- A porch is not suitable on a semi-detached property
- The porch would project into the garden
- The porch would reduce the number of off street parking spaces which could have 4 cars

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) allows for development keeping in character of the area with criteria for design, scale, highway and impact upon visual and residential amenities met.

### 5.2 Design/ Visual Amenity

The porch is of an appropriate design and materials in relation to the characteristics of the main dwelling house and surrounding properties. The amended roof has been clearly designed to match and reflect the unusual characteristics of the main dwelling and will have a pitch that integrates successfully. The porch is to incorporate brick detailing as is currently found around the front door and is thus considered to be in keeping with the street scene.

Whilst the porch will be visible from the highway, a number of other dwellings in the row have various front porches, bays and canopies already in place. Subject to conditions to ensure that the materials to be used in the construction of the porch matches those of the existing dwelling, it is not considered the porch would have a detrimental impact upon the character and appearance of the area. In this context, therefore, the addition is visually acceptable.

### 5.3 Residential Amenity

Due to the small size of the porch and the fact that it is to be erected away from the boundaries with the neighbouring properties, it is not considered that the porch as proposed will have any impact on the surrounding dwellings.

Further to this, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. The impact on residential amenity is subsequently deemed acceptable.

### 5.4 Transportation

Sufficient space will remain to the front of the dwelling to allow for the parking of two vehicles. The application is thus in full compliance with the requirements of Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006.

### 5.5 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

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

**Background Papers**      **PK07/0686/F**

**Contact Officer:**    **Marie Worboys**  
**Tel. No.**                **01454 864769**

### **CONDITIONS**

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

Reason

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

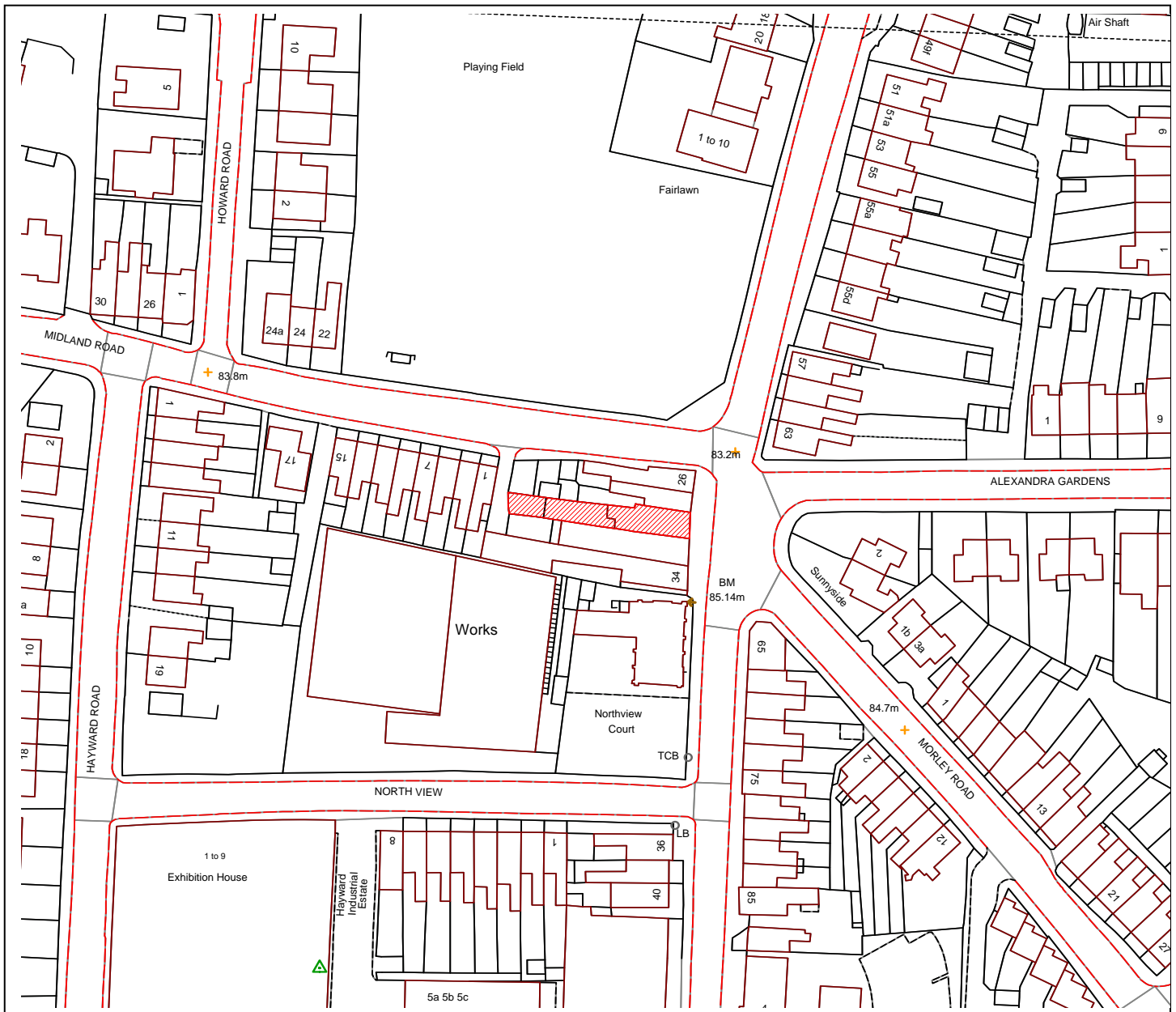
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

<b>App No.:</b> PK07/0738/F	<b>Applicant:</b> Mr & Mrs J Oluwasanmi
<b>Site:</b> 30 Soundwell Road Soundwell BRISTOL South Gloucestershire BS16 4QW	<b>Date Reg:</b> 9th March 2007
<b>Proposal:</b> Conversion of existing dwelling to form 2 no. self contained flats with associated works.	<b>Parish:</b>
<b>Map Ref:</b> 64803 75586	<b>Ward:</b> Staple Hill



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**PK07/0738/F**

## **INTRODUCTION**

This application is reported on the Circulated Schedule due to the receipt of neighbour objections.

### **1. THE PROPOSAL**

- 1.1 This application seeks permission to change the current 4 bedroom residential unit to two flats. The site was formerly a shop with a flat above, but has planning permission to be used as a house. The character of the area is a mixture of residential streets and short rows of shops. The site lies in the middle of such a row of shops.
- 1.2 There is a small yard to the rear of the site to provide limited amenity space. No off street car parking can be provided on site. The proposal would create a one bedroom flat at ground floor level. At first floor level there would be a two bedroom flat.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
H5 Subdivision of residential property  
T7 Cycle Parking  
T8 Car parking  
T12 Transportation

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK05/2741/CLE Cert. Of Lawfulness for existing use of shop as lounge area  
Refused
- 3.2 PK06/0307/F Change of use of shop to residential - Approved

NB Both applications left the first floor of this premises with a residential use.

### **4. CONSULTATION RESPONSES**

- 4.1 Parish/Town Council  
No parish.

#### **Other Representations**

- 4.2 Local Residents  
Two letters of objection have been received, citing the following concerns:
- \* Walls on forecourt area at front of site would hinder pedestrian traffic to the shops
  - \* The change from shopfront to a cottage will be an improvement
  - \* There is a lot of disorder in the area and any loose material is used for missiles
  - \* Disabled or blind people could injure themselves on the railings at the front of the site

\* The loss of the shopfront may have an effect on existing businesses

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The issues to be resolved are the effect of the proposal upon residential amenity, visual amenity/ street scene and transportation/ parking.

### 5.2 Residential Amenity

The usable amenity space created through this proposal would be acceptable to serve future occupiers, in comparison with the existing situation, where the rear yard serves a four bedroom dwelling. Although the existing flat above the shop could offer family accommodation, the ground floor flat would be single bedroom and would not therefore add the needs of a second family to the site. The rear yard is considered to be of an adequate size to serve less bedrooms than are on site at present. It is considered that the adjoining uses would not affect the residential amenity of the site.

### 5.3 Transportation

Planning permission was granted in 2006 (PK06/0307/F) to convert the existing retail element of the site into residential accommodation. This current proposal is to convert the existing four-bed house into two two-bed flats. The existing dwelling has one parking space in the form of a garage to the rear of the site. No additional vehicular parking is proposed or can be provided as part of this development. The difference between this proposed development and the existing dwelling is considered to be de-minimus. Cycle parking of one space per flat is required. This should be located in a secure covered and overlooked position (Cyclesafe or similar). This has been required by condition as shown below. Subject to this condition, no objection has been raised to this proposal.

### 5.4 Design and Street Scene

The proposal in visual amenity terms is to replace a shop front with a residential frontage. This is considered to be a logical case of form following function and it is considered that this would make the site legible as a dwelling. This process also requires a similarly logical approach to the front of the site. Amended plans have been requested and received showing a similar treatment, low wall topped by railings, similar to those in the vicinity. This boundary treatment would enclose a hard-paved area as it is considered that to create a soft landscaped garden in this area, particularly between two shop fronts, would be inappropriate. The treatment of this area at the front of the site has led to comments through the consultation process. This has led to some revisions to the plans, but the end result is considered to be a treatment which respects the urban context, while providing some enclosure similar to the present situation. The fact that customers moving from one shop to another in the rank will still have to step away from one shop front before visiting the next shop is not considered to be relevant when set against appropriate design which helps to identify this site as not belonging to the retail frontage. In addition to this, the revised design has dealt with some of the concerns raised.

### 5.5 Other Issues

The enclosure to the front of the site could potentially be hazardous for blind or disabled people, but it is considered that this would be to no greater an extent than similar development in other places. As stated above, the railings are of an appropriate design to the Victorian/ Edwardian location and frontage. The amended plans have removed soft landscaping and replaced it with hard paving.

### 5.6 Design and Access Statement

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

### 5.7 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**Background Papers**      **PK07/0738/F**

**Contact Officer:**    **Chris Gosling**  
**Tel. No.**                **01454 863787**

## CONDITIONS

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

Reason

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

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

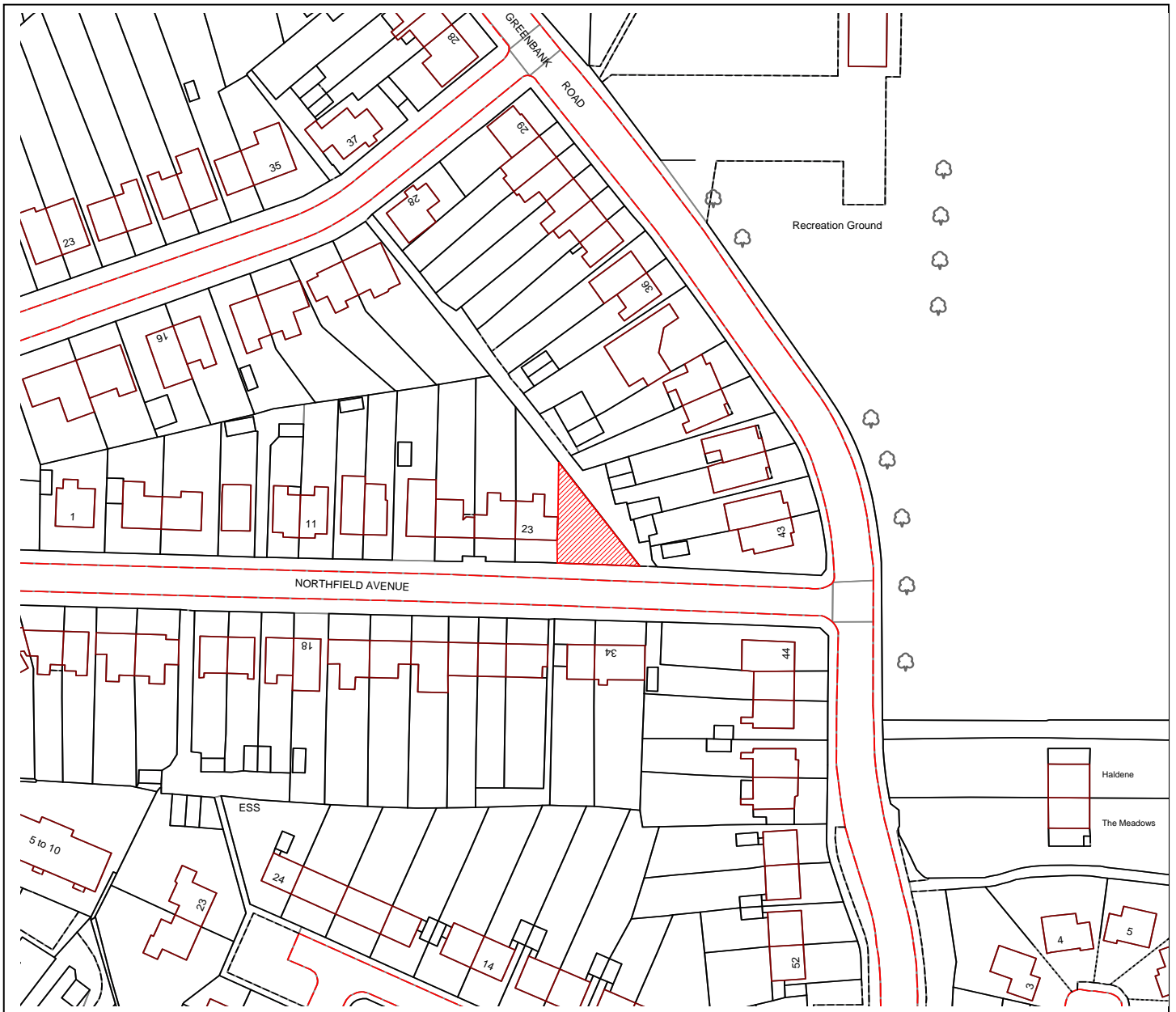
Reason

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



**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

<b>App No.:</b>	PK07/0799/F	<b>Applicant:</b>	Penholm Properties Ltd
<b>Site:</b>	Land Adjoining 23 Northfield Avenue Hanham BRISTOL South Gloucestershire BS15 3RB	<b>Date Reg:</b>	14th March 2007
<b>Proposal:</b>	Erection of 2 no. self contained flats with 2 no. parking spaces and associated works.	<b>Parish:</b>	Hanham Parish Council
<b>Map Ref:</b>	64908 72161	<b>Ward:</b>	Hanham



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**PK07/0799/F**

## **INTRODUCTION**

This application is reported on the Circulated Schedule due to the receipt of neighbour objections and an objection from the Parish Council.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission to erect a two storey building to incorporate two one bedroom flats in the side garden of a semi-detached two storey house in a road of similar development. Some of the semis have front gables, but most do not. There is a common building style and front building line on both sides of this straight residential road.
- 1.2 No. 23, next door to the site, has a first floor window facing the site, which serves a non-habitable room. It has a lean-to garage at its side. To the other side of the site, divided from it by a hedge is a rear access lane. The site is slightly downhill from No. 23.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport: Guide to Better Practice

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan (Adopted) January 2006**

H4	Development within Residential Curtilages
D1	Design
T8	Car parking standards
T12	Transportation

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK06/3288/F Erection of dwelling - Withdrawn  
NB – This scheme occupied a similar footprint to the current proposal.

### **4. CONSULTATION RESPONSES**

#### **4.1 Hanham Parish Council**

Objection - cramped form of development.

#### **4.2 Environmental Protection**

No objection in principle. Recommended informatives.

#### **4.3 Technical Services Unit**

No objection in principle, subject to a condition requiring the implementation of sustainable drainage principles and an informative regarding highway drainage.

#### **Other Representations**

##### **4.4 Local Residents**

Seven letters of objection have been received, citing the following concerns:

- Lack of off street parking at a time when weekend additional parking is causing problems
- Overlooking and loss of privacy

- The flats would be unattractive and a house would be better
- Cramped form of development – small size and poor shape of plot
- Out of keeping with the street and would harm the symmetry of the street and its landscape character
- Front facing windows will infringe privacy across the street
- Loss of boundary hedge will have a detrimental impact on wildlife
- Drug problems in bedsits
- On street parking in this location will obscure a fire hydrant, thereby exposing nearby homeowners to the risk of a fire not being put out
- Overlooking from the east elevation of the proposed flats

A further letter was received, making a general observation that there was a lot of development in the vicinity

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The proposal is on a brownfield site within the urban area, being land used as a side garden for No. 23. As such, there is no objection in principle to the proposal, subject to the detailed analysis below.

### 5.2 Design and effect on Residential Amenity

The proposed siting shown fails to match the rear building line of the adjacent semi-detached property next door, but is generally within the established building line and street pattern, following the front building line of this side of the road. This reduces the possible effect upon residential amenity of the surrounding properties to the effect on the first floor side window in No. 23, which would be little more than a garage width away from the proposed dwelling. This window serves a non-habitable room and therefore it is considered that the proposal would not harm the residential amenity of this property. With regard to other nearby properties, the proposed flats would have windows in the rear elevation. At ground floor level, any views out would be curtailed by the proposed boundary treatment. At first floor level, the bedroom window would have a view over the rear of gardens of houses in Greenbank Road, but only the ends of the gardens. This would introduce some degree of overlooking from a different direction to that experienced from other dwellings in Greenbank Road, but similar overlooking in comparison with the rear of the houses in Northfield Road. The distance from this proposed first floor bedroom window to the nearest rear garden in Greenbank Road is 9 metres, but there is some screening of views from a garage building in an adjacent rear garden. With regard to the concerns raised through the application process, it is considered that any level of intervisibility between habitable rooms across Northfield Avenue would replicate that already experienced in the street, as the proposal would maintain the existing front building line. With regard to overlooking to the east of the site, across the access lane, this could only be achieved from a stairway, a non-habitable room.

### 5.3 Design and Appearance

The proposed design has attempted to fit in with the style established by the semi detached cottages to the east of the site, using the same features, such as the face brick arch over the entrance, the strong gabled bay element and the use of similar building materials, indicated on the submitted plans.

The footprint of the dwelling is not identical to the nearby cottages in that it is 'L' shaped and not as deep. The general design is considered to respect local distinctiveness of the street and comply with policy D1, with the exception of the scale of the proposed building, which due to the reduced footprint is smaller than the surrounding dwellings in all relevant dimensions. The scheme was presented to the Council's Architects Panel, which found the proposal to be appropriate to the site's location.

#### 5.4 Drainage

Technical Services are satisfied that the drainage details submitted with this application are satisfactory and a condition appears below to ensure that the drainage measures are implemented.

#### 5.5 Amenity Space

Amenity space to serve the proposed two one bedroom flats amounts to around 21 square metres to the side and rear of the site, the only areas which could be considered to be private. This is considered to be adequate to serve the purpose of sitting out and drying washing for non-family accommodation. If the dwellings were designed to accommodate families, it is considered that the provision of private amenity space may be inadequate. The amount of amenity space indicated on the plans is low, but it should be considered that in many cases, first floor flats do not possess any discrete amenity space. A plan was submitted demonstrating that each flat will have its own discrete garden or yard area. A condition below ensures the implementation of that plan. It should be noted that since this proposal is for flats, they would not have any permitted development rights. Any extension of the building, or development within its curtilage would therefore require planning permission, which would entail a detailed consideration of the issues at that stage.

#### 5.6 Transportation

This proposal is a resubmission of a previously withdrawn application (PK06/3288/F). That proposal sought to erect a two-bed dwelling. No highway objection was raised to this application. This current proposal seeks to erect two one-bed flats on land adjacent to the existing dwelling. Two vehicular parking spaces are proposed, one per flat. This is within the residential parking standards set out in Policy T8 of the SGLP and is therefore considered acceptable. Subject to the following conditions, there is no transportation objection to this proposal.

#### CONDITIONS

1. No built form higher than 0.9m along the site frontage of the existing and proposed dwellings, this area to also include the landscaped corner area adjacent to the rear access lane.
2. Both the parking spaces for the flats and the driveway for the existing dwelling to have a bound surface and to be satisfactorily maintained as such.

#### 5.7 Other Issues

The removal of the hedge along the side of the site forms part of this proposal. This hedgerow is not covered by the Hedgerow Regulations and its loss is not considered to be detrimental to the street scene of the rear access lane. The replacement boundary treatment is proposed to be a return of the low front boundary wall up to the building and then a 2 metre high screen fence. These measures are considered to be appropriate in this location. The hedgerow is not considered to be substantial enough to support a great deal of wildlife and it does not form a link between species-rich locations.

The issue of drug use in bedsits was raised through the consultation process. It is considered that there is no reason to assume that such activities would take place at this location. Also raised was the issue of the fire hydrant being obscured. This could occur whether the proposal was implemented or not and is therefore considered to be irrelevant to the determination of this application.

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 (Consultation Draft).

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 would deal with the relevant concerns and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

7. RECOMMENDATION

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

**Background Papers**      **PK07/0799/F**

**Contact Officer:**    **Chris Gosling**  
**Tel. No.**                **01454 863787**

**CONDITIONS**

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

Reason

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

2. The off-street parking facilities for all vehicles, including cycles shown on the plan hereby approved shall be provided with a bound surface before the building is first occupied, and thereafter retained in that condition 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 Policy T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. There shall be no obstructions to visibility exceeding 0.9 metres in height within the visibility spalys along the site frontage and the landscaped corner area adjacent to the rear access lane.

Reason

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

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

Reason

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

5. Prior to the first occupation of either dwelling hereby approved, the separate amenity spaces to serve each flat shall be provided in accordance with the plan received by the Council on 11 April 2007 and thereafter retained.

Reason

In order to provide an amenity area for each flat to accord with policy D1 and H4 of the adopted South Gloucestershire Local Plan.

6. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason

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

**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

<b>App No.:</b>	PT07/0622/ADV	<b>Applicant:</b>	M Swain
<b>Site:</b>	23 Flaxpits Lane Winterbourne BRISTOL South Gloucestershire BS36 1JY	<b>Date Reg:</b>	26th February 2007
<b>Proposal:</b>	Installation of 2 no. illuminated fascia signs on front and side elevation.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	64900 80567	<b>Ward:</b>	Winterbourne



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**PT07/0622/ADV**

## **INTRODUCTION**

The application appears on the Circulated Schedule following a letter of objection from a local resident and parish council.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks advertisement consent for the display of two fascia signs on the front and side elevation, to be illuminated through external swan neck lights.
- 1.2 The application site relates to a unit within a shopping parade in Winterbourne. The existing use is A1 hairdressers, the advert is in conjunction with a proposed A5 takeaway use. This change of use is covered under a separate planning application PT07/0409/F, and does not form part of the assessment of this advertisement consent.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPG19 Outdoor Advertisements
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
L19 Display of Advertisements

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT07/0409/F Change of use from Hairdressers (Class A1) to Takeaway (Class A5) as defined in the Town and Country Planning (Use Classes) Order 1988 (as amended). Installation of extractor fan. Current application not yet determined.

### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
Objection- oversized illuminations not in sympathy with surrounding shops
- 4.2 Transportation  
No objection
- 4.3 Local Residents  
One letter of objection received, in summary:
  - a) The sign would be obtrusive
  - b) Sign would distract motorists
  - c) Would use electricity when should be saving the environment
  - d) Gives the impression that PT07/0409F is a forgone conclusion

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
PPG19 Outdoor Advertisement Control states that applications should only be considered in the interests of public safety and visual amenity. Policy L19 of the South Gloucestershire Local Plan (Adopted) January 2006 carries through this



theme of considering only public safety and visual amenity, and emphasises the assessment of cumulative impact of advertisements.

5.2 Design/ Visual Amenity

The existing hairdressers currently display fascia signs to the front and right hand side of the building. The proposal is to replace these signs with signs identical in terms of position, dimensions and colouring. The lettering would read *Fairbanks Traditional Fish & Chips*. The colouring would be burgundy red and gold.

5.3 It is proposed to light the sign by external swan neck light fittings. There are to be six on the front of the site, and five on the side. These are not considered to adversely impact the visual amenity of the area. The site is within an established rank of shops, and it is considered that the proposed signage is in keeping with the character of this area.

5.4 Public Safety

Transportation have raised no objections over the proposed signage. There are no contact detail signs, and would not pose a threat to public safety.

5.5 Other Issues

Concern has been raised that the acceptance of this application suggests that planning application PT07/0409/F for the change of use from a hairdressers to a takeaway, is a foregone conclusion. It is stressed that this application for advertisement consent only- with only an assessment made to the visual amenity and public safety of the proposed signs; not the acceptability of the use; the change of use application is yet to be determined.

5.6 As the proposal can only be considered in terms of design/visual amenity and public safety as prescribed in PPG19 , the use of electricity is not considered a material consideration in determining this advertisement consent.

6. **CONCLUSION**

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

6.2 The decision to 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 Advertisement Consent be approved:

**Background Papers**      **PT07/0622/ADV**

**Contact Officer:**      **Charlene Baker**  
**Tel. No.**                      **01454 863819**

**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

**App No.:** PT07/0629/F  
**Site:** 3 Mortimer Road Filton BRISTOL South Gloucestershire BS34 7LE  
**Proposal:** erection of two storey side extension to provide playroom and shower room/wc with bedroom above  
**Map Ref:** 60790 78406

**Applicant:** Mr D Osborne  
**Date Reg:** 26th February 2007  
**Parish:** Filton Town Council  
**Ward:** Filton



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**PT07/0629/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule in view of comments received from Filton Town Council.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a two-storey side extension to provide a playroom and WC on the ground floor with a new bedroom and extended bedroom above.
- 1.2 The application site comprises an end of terrace two-storey dwelling on the corner of Wallscourt Road South and Mortimer Road, Filton.

### **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 House Extensions
  - T8 Parking Standards
  - T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Advice Note 2: House Extensions.

### **3. RELEVANT PLANNING HISTORY**

- 3.1 None

### **4. CONSULTATION RESPONSES**

- 4.1 Filton Town Council  
Double footprint; removal of parking provision by demolition of existing garage
- 4.2 Other Consultees  
No comments received
- 4.3 Local Residents  
No comments received

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy H4 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety.
- 5.2 Design/ Visual Amenity  
The application site forms an end of terrace two-storey property on the corner of Wallscourt Road South and Mortimer Road, fronting the latter. The proposal seeks to allow the erection of a two-storey side extension to provide a playroom and WC at ground floor with an extended bedroom and new bedroom above.

- 5.3 The proposal would measure 3.5m in width and would build flush with the front and rear walls of the dwelling. Further, the ridgeline of the existing build would be continued to encompass the proposal. As such, the works would not adopt a subservient appearance as required by supplementary planning guidance.
- 5.4 In response, it is noted that the front corner of the dwelling aligns with the building line behind along Mortimer Road. Nonetheless, in this regard, it is further noted that the position and orientation of the unit ensures that visually, it does not appear as part of this established building line but instead stands isolated from this fronting the road junction.
- 5.5 In the light of the above, the proposal is considered acceptable in principle with it also noted that some 2.5m would be retained between the forward corner of the proposal and the highway. Further, it is not considered that a subservient appearance to the extension would necessarily be appropriate with this likely to highlight the erosion of the building line (as detailed) whilst appearing visually weak at the end of the terrace on this more prominent corner position.
- 5.6 In the light of the above, the proposal is on balance considered acceptable. In this regard, it also noted that a number of similar extensions within the vicinity (including opposite) fail to adopt a subservient appearance.
- 5.7 Residential Amenity  
The neighbouring property to the north east fronts Mortimer Road adjoining the host dwelling at an oblique angle due to their corner positioning. With regard to any impact on this property, it is noted that this unit also benefits from a two-storey side addition with one ground floor obscured glazed window facing; this is currently concealed behind the applicants existing detached single garage.
- 5.8 In view of the above, and with the garage to be removed and an appreciable distance retained between dwellings, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.9 All other properties are positioned at a distance from the proposal. Therefore, it is again not considered that any significant adverse impact in residential amenity would be caused.
- 5.10 Highway Safety  
The proposal would require the demolition of the existing detached garage with the front corner of the proposal to encroach slightly onto its footprint. However, sufficient space would be retained to provide two vehicular off road car parking spaces. Therefore, with policy T8 citing maximum standards (three spaces for a four bed unit); it is not considered that the works would compromise highway safety; subject to a condition requiring the provision/ retention of two spaces.
- 5.11 Section 106 Requirements  
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## 6. CONCLUSION

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

## 7. RECOMMENDATION

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

### Background Papers      **PT07/0629/F**

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

### CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

- 3 Prior to the first occupation of the dwelling as extended, provision shall be made for two off street car parking spaces. These spaces shall be provided within a bound surface and thereafter retained for that purpose.

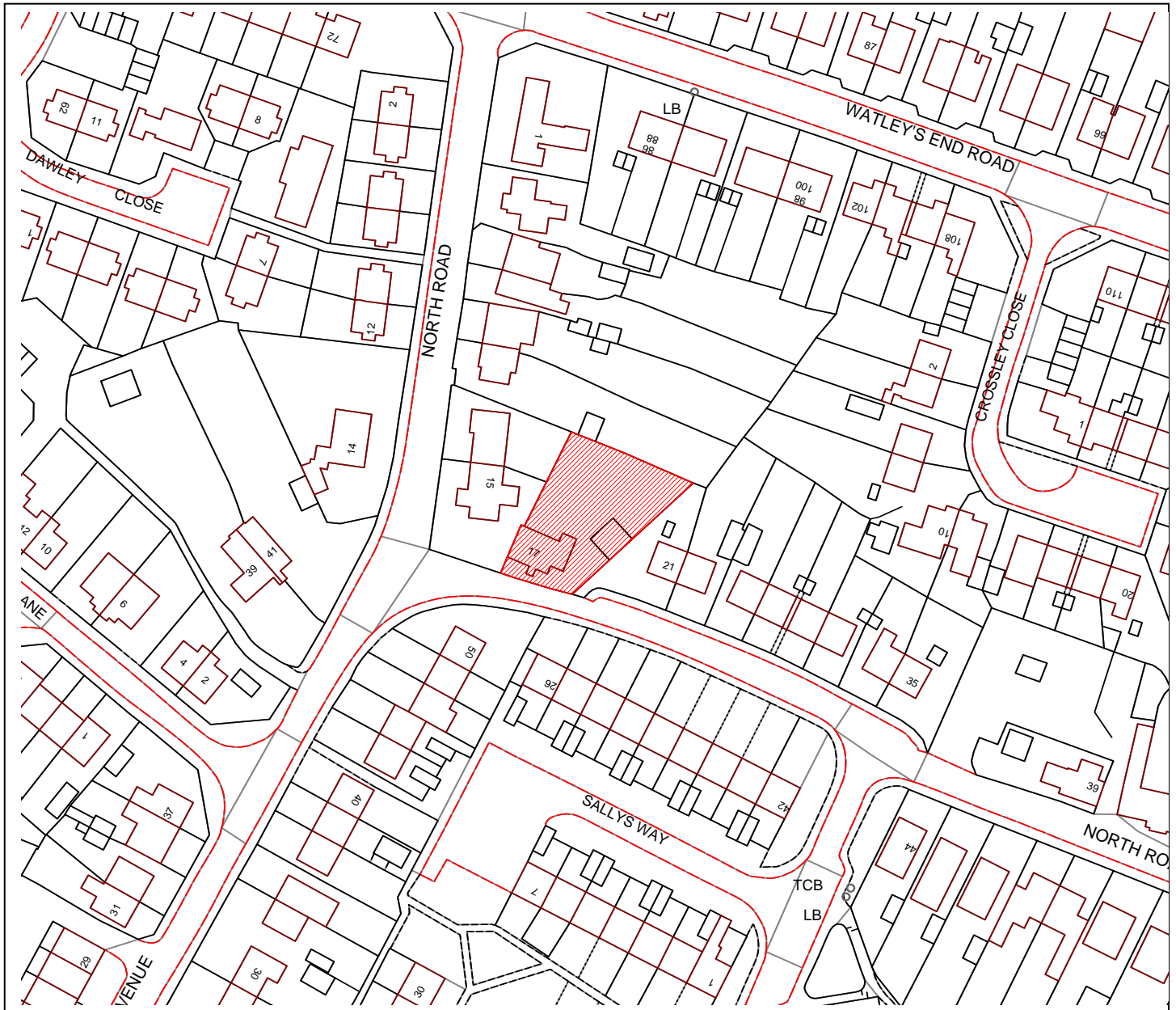
Reason(s):

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

**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

**App No.:** PT07/0750/F  
**Site:** 17 North Road Winterbourne BRISTOL  
 South Gloucestershire BS36 1PT  
**Proposal:** Erection of 1 no. detached dwelling with  
 associated works. Erection of single  
 storey side extension to form  
 study/family room.  
**Map Ref:** 65557 81193

**Applicant:** Mr L Batt  
**Date Reg:** 12th March 2007  
**Parish:** Winterbourne Parish  
 Council  
**Ward:** Winterbourne



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**N.T.S**

**PT07/0750/F**

## **INTRODUCTION**

This application has been placed on the Circulated Schedule given objections that have been received.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks consent for the erection of a single detached, two-storey property (7.5 metres in height) on a site on the northern side of North Road Winterbourne and the erection of a single storey extension to the existing cottage.
- 1.2 With respect to the dwelling, this would be sited within the existing curtilage/garden area of No.17. The dwelling would be situated on approximately 675 sq.m (to include the existing property). An area of parking for both the existing and proposed dwellings is shown. An area of garden space to the rear of the property would provide amenity space. A 1.8 metre close boarded fence would be sited along the boundary with No.17 and a similar fence erected within the existing stone wall to the rear and along the boundary with No.21. A number of bushes and trees will be removed to accommodate the proposal as well as an existing garage demolished.
- 1.3 With respect to the extension to the original cottage, this would be gable ended with a depth of 4.0 metres and width of 4.3 metres and height to the top of the roof of approximately 3.4 metres.
- 1.4 The site is situated within the settlement boundary of Winterbourne. Within context the site is situated within a residential area comprising a mix of semi-detached, terraced and detached properties. There have been a number of infill developments including most recently at No.14 North Road. Plans submitted indicate that part of the site to the front adjoining No.21 is within Local Authority ownership (no objection is raised to the purchase of the land – see comments below).
- 1.5 Previous applications have been refused and approved on the site (see previous history below). Most recently the erection of a new dwelling at the site was approved (PT06/3004/F). The current scheme differs from that previously approved because of the proposed extension to the original property and because the site area has been reduced.

### **2. POLICY CONTEXT**

- 2.1 National Guidance
  - PPS1 Delivering Sustainable Development
  - PPS3 Housing
  - PPG13 Transport
- 2.2 Adopted Joint Replacement Structure Plan
  - Policy 1 Sustainable development objectives
  - Policy 2 Location of development
  - Policy 33 Housing provision and distribution
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
  - D1 Achieving Good Quality Design in New Development
  - L1 Landscape Protection and Enhancement

H2	Proposals for Residential Development within the existing Urban Area and Defined Settlement Boundaries
H4	Development within Residential Curtilages
T12	Transportation Development Control Policy for New Development
T8	Parking Standards

### 3. **RELEVANT PLANNING HISTORY**

- 3.1 N5082 Alterations and extensions to dwelling house. Erection of double domestic garage and construction of new pedestrian access (Approve)
- 3.2 N5082/1 Erection of single storey side extension to form store and w.c (Approve)
- 3.3 PT06/0429/F Erection of new dwelling and formation of new access. The application was refused for the following reasons:- The proposed development was cramped and detrimental to visual amenity, the parking areas was detrimental to visual amenity, the dwelling would result in detriment to the amenity of neighbouring occupiers and detrimental to highway safety.
- 3.4 PT06/1065/F Erection of new dwelling and formation of new access. The application was refused for the following reasons:- The proposed development would result in a cramped development detrimental to visual amenity, the parking areas would be detrimental to visual amenity and the building would appear oppressive and overbearing when viewed from the neighbouring property No.17.
- 3.5 PT06/1724/F Erection of new detached dwelling with associated works:- The application was refused for the following reasons:- The proposal represents a cramped development, would appear oppressive and overbearing when viewed from the neighbouring property, the design would not be acceptable and the footway would not be acceptable and detrimental to highway safety.
- 3.6 PT06/2285/F Erection of new dwelling with associated works (Withdrawn as red line not correct and notice not served on Council as owner of part of the site)
- 3.7 PT06/3004/F Erection of new dwelling with associated works (Approved subject to conditions)

### 4. **CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council  
No objection

4.2 Sustainable Transport  
This site has been the subject of a number of planning applications (PT06/0429/F, PT06/1065/F, PT06/1724/F, PT06/2285/F and PT06/3004/F). This proposal features the erection of a detached four bed dwelling between No. 17 and No. 21 North Road, and an extension to form a study/family room to No. 17 North Road. Three parking spaces



are proposed. One for the existing dwelling and two for the new dwelling. Although this is below the Council's maximum standards in Policy T8 of the South Gloucestershire Local Plan 2006, this is considered acceptable due to being in a sustainable location.

4.3 It is requested, however, that the car parking space closest to No. 17 is allocated and maintained for the sole purpose of this dwelling.

4.4 Subject to the following conditions, there are no transportation objections to this current proposal.

- a) Provide and maintain the closest car parking space for No. 17 North Road;
- b) All driveway and car parking areas to have a bound surface;
- c) A 1.8 metre wide footway to be constructed along the whole frontage to the application site. To be completed to the full and final satisfaction of the Street Care Manager, and dedicated as highway prior to the first occupation of the new dwelling;
- d) The new footway to be secured via a Section 106 Agreement;
- e) The existing telegraph pole should be relocated prior to the first occupation of the new dwelling;
- f) No boundary treatment greater than 0.9 metre to be allowed along the site boundary. No planting or built form greater than 0.9 metre allowed within 2.0 metres of the carriageway edge.

4.5 Property Services

There is no objection to the proposal. The proposal does not now incorporate part of the garden of No.21 as per the previous proposal.

4.6 Local Residents

At the time of preparing this report for the Circulated Schedule, there have been 3 letters of objection received. The grounds of planning grounds of objection can be summarised as follows:

- a) The proposal will result in detriment to highway safety
- b) The proposal will result in additional noise and pollution
- c) The proposal will have an impact upon the use of the garden of No.15 North Road.
- d) The proposal will be detrimental to visual amenity and appear cramped

## 5. ANALYSIS OF PROPOSAL

5.1 The applicant seeks consent for the erection of a new dwelling and an extension to the original property. The report will firstly consider the new dwelling and then consider the extension to the original property.

### PROPOSED NEW DWELLING

5.1 Principle of Development

Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 supported by Policy H4 are relevant setting the criteria against which the proposal should be assessed. Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 considers in more detail the impact of the proposal upon the surrounding highway network with Policy D1 considering in more detail the design and siting of the proposal.

Policy H2, following guidance in PPS3 allows for residential development within existing defined settlement boundaries subject to the following criteria:-

**A) Development would not have unacceptable environmental or transportation effects and would not significantly prejudice residential amenity;**

While it is noted that PPS3 seeks to maximise housing choice and opportunity it is also important to note that importance is given to the creation of places and spaces with the needs of people in mind which are attractive and enhance the local character. New housing development of whatever scale must not be viewed in isolation but should consider the wider context. The impact upon residential amenity is assessed separately below.

In terms of environmental impact, the siting and scale of the proposed dwelling has been amended from earlier proposals and is no longer considered cramped. Adequate amenity space is provided for the proposed dwelling and is retained by the original property. It is acknowledged that a small section of wall to the front of the property will be removed however a section of wall will be relocated to the front of the original property. This treatment is considered satisfactory. To the side and rear fencing will be located within the existing boundary wall.

It is considered that the proposal would be in accord with this element of the criteria.

**B) The maximum density compatible with the sites location, its accessibility and its surroundings is achieved;**

The density of the development taking into account the two dwellings on 675sqm equates to a density of 29.7 dwellings per hectare which falls marginally below the target of 30 dwellings per hectare however given the constraints of the site, and the access (in particular the need to dedicate a footpath to the front of the site) it is considered that the development is acceptable in these terms.

**C) The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination;**

The site is not adversely affected by any of the above.

**D) provision for education, leisure, recreation etc. within the vicinity of the site is adequate to meet the needs arising from the proposal.**

The proposal is for 1 dwelling and is therefore not likely to impact upon the area significantly in terms of service provision.

Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 indicates that development will only be permitted where good standards of site planning and design are achieved having regard for scale, form detailing, colour, materials (among other criteria) that respect and enhance the character,

distinctiveness and amenity of both the site and the locality. Essentially new development must enhance the character and quality of the surrounding local environment.

The design of the current proposal is identical to that previously approved and has been amended from the earlier submissions, to include the use of natural stone on the front elevation, a more sympathetic scale with a width of 7 metres across the front elevation as opposed to 10 metres on a previous scheme, a porch to add detail on the front elevation and more balanced window detailing. It is considered that the building while obviously of a different style to No.17, a traditional cottage, will sit well within the street scene and certainly matches or improves upon properties at No.21 onwards in design terms. No.17 itself will not be directly affected by the proposal. The design of the proposal is considered acceptable, subject to a condition requesting the submission of samples and full schedule of materials prior to the commencement of development.

#### Residential Amenity

Policies H2 and H4 consider the impact of development upon the amenity of neighbouring occupiers. This assessment would be made against the impact on privacy as well as the physical impact of the new building. Three previous applications were refused partly on the basis that these schemes would have a direct impact upon the residential amenity of neighbouring occupiers.

The current scheme locates the property closer to the front of the site and away from the boundary with No.21 North Road and in the light of these changes it is no longer considered that the development would cause detriment to amenity, subject to a condition to ensure that the first floor windows in the east and west (side) elevations are obscure glazed and a condition requiring consent for further windows in the first floor side elevations given the potential to overlook both No.21 and No.17 the original property.

It is considered that the proposal is in accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

#### Transportation

Policy T12 considers the impact of new development upon the surrounding highways network specifically in relation to the impact upon highway safety. The proposed development will have access onto North Road.

A previous application on this site (PT06/1065/F) was considered acceptable on transportation grounds however the other schemes have been refused on the grounds that it has failed to provide a safe turning area, adequate visibility and a refuge for pedestrians. While concerns are noted it is considered that the footway (secured by agreement) will improve visibility into and out of the site particularly for vehicles approaching from the west. Without the footway the proposal would result in an increase in traffic through an access with substandard visibility onto a single track section of highway. The footway also provides a refuge for pedestrians. The parking provided is considered acceptable.

Conditions are recommended to require the parking space closest to No 17 to be allocated and maintained for the sole use of this dwelling, and to ensure that the vehicle access and parking spaces have a bound surface

with no gates to be fitted. The telegraph pole outside of the site must be relocated prior to first occupation of the new dwelling. Furthermore a condition will require that there is no planting or built form greater than 0.9 metres along the site boundary within 2 metres of the edge of the carriageway. A new footway will be secured by a Section 106 agreement (this should be constructed to the satisfaction of the Council prior to the commencement of the development).

#### Drainage

The Council Technical Services Unit raise no objection to the development subject to the use of current best drainage practice.

### **PROPOSED EXTENSION**

#### Principle of Development

Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 considers the design of new development having specific regard to the form, scale, height, materials and appearance. Policy H4 specifically considers the impact of residential development upon the amenity of adjoining occupiers.

#### Design

It is considered that the design of the proposed extension is appropriate in terms of the criteria set out in Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006. A condition will be attached to the decision notice to require the submission of samples and full schedule of materials.

#### Residential Amenity

Concern has been expressed that the extension to the original house will affect the residential amenity of the adjoining occupier at No.15 North Road. It is not considered given the scale of the extension and the angle between the properties that there would be any significant loss of residential amenity. In particular it should be noted that the extension would have a height to eaves level of 2.4 metres with a roof hipped away from the boundary to a height of 3.4 metres appearing between 1.3 and 2.1 metres above the existing boundary treatment. It is not considered that the proposal would compromise the aims and objectives of Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

#### 5.5 Design and Access Statement

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

#### 5.4 Section 106 Requirements

In this instance, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering in an appropriate agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- a) A 1.8 metre wide footway to be constructed along the whole frontage of the site. The footway to be completed to the satisfaction of the Council and dedicated as highway prior to the first occupation of the dwelling.
- 7.2 That the Head of Legal and Democratic Services be authorised to check the agreement.
- 7.3 If within one year of the date of the resolution the Section 106 agreement has not been signed then the application be refused on transportation grounds, due to inadequate mitigation measures.

**Background Papers**      **PT07/0750/F**

**Contact Officer:**    **David Stockdale**  
**Tel. No.**                **01454 863131**

## **CONDITIONS**

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

Reason(s):

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

- 2 The parking space indicated on the drawings hereby approved located closest to No.17 shall be retained solely for the use of that property hereafter.

Reason(s):

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

- 3 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(s):

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

- 4 The telegraph pole to the front of the site shall be relocated prior to the first occupation of the dwelling.

Reason(s):

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

- 5 No planting or built form greater than 0.9 metres shall be erected within two metres of the carriageway edge.

Reason(s):

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

- 6 No development shall take place until a full schedule of external materials and samples of the roof tiles and external facing to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

- 7 No windows other than those shown on the plans hereby approved shall be inserted at any time in the first floor side (east and west) elevations of the property, unless the Local Planning Authority gives consent in writing to any variation.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers and to accord with Policy H2 and H4 of the South Gloucestershire Local Plan (adopted)

- 8 Prior to the use or occupation of the building hereby permitted, and at all times thereafter, the proposed first floor side windows on the side (east and west) elevations shall be glazed with obscure glass only.

Reason(s):

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

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

Reason(s):

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

- 10 Details of all boundary treatments (walls, railings or fences) to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the development shall only be carried out in accordance with the details so approved.

Reason(s):

To protect the character and appearance of the area to accord with Policies H2, H4 and D1 of the South Gloucestershire Local Plan (Adopted)

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

Reason(s):

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

**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

**App No.:** PT07/0815/F  
**Site:** 47 Watermore Close Frampton Cotterell  
 BRISTOL South Gloucestershire BS36  
 2NQ

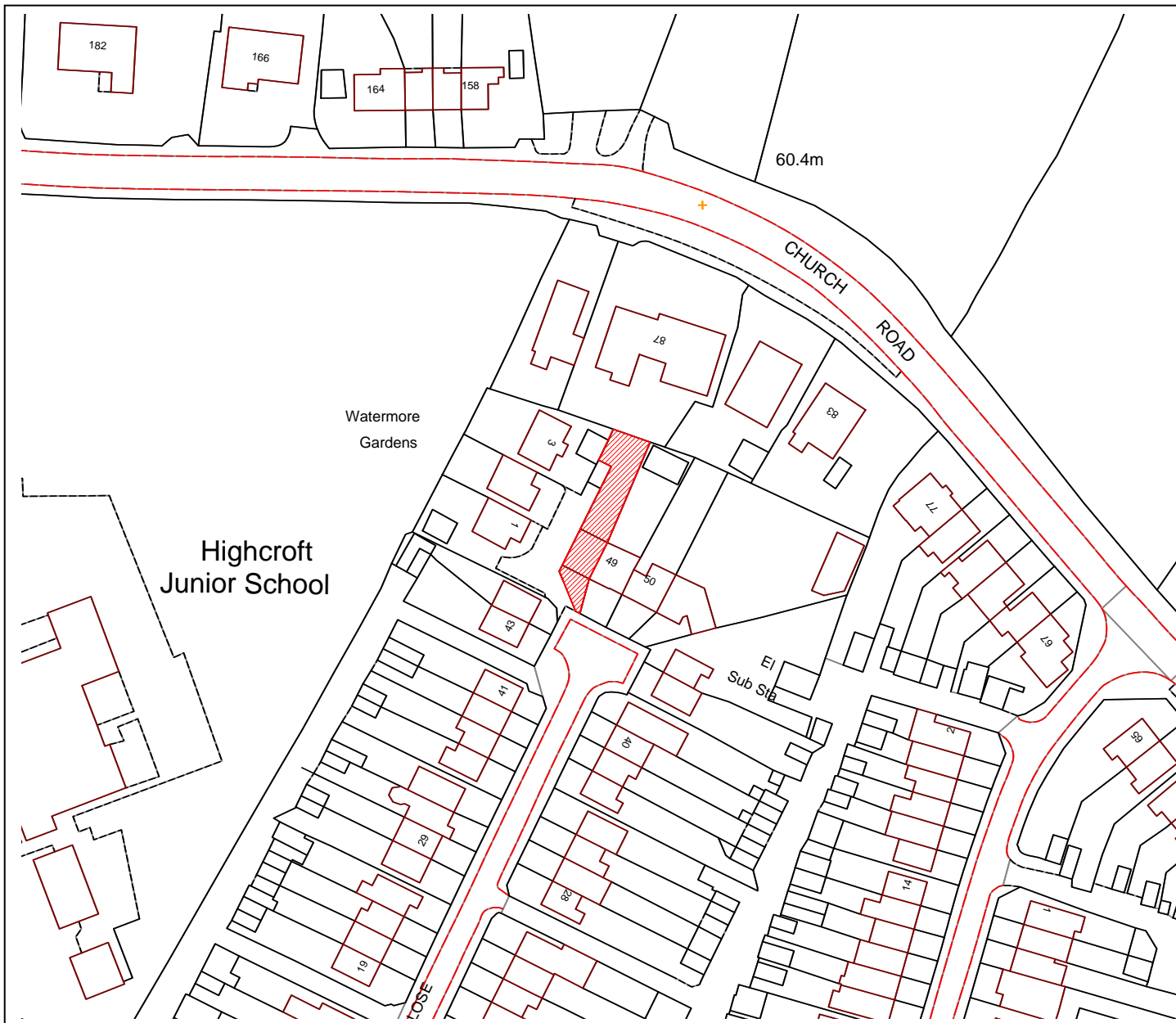
**Applicant:** Mr W Debenham  
**Date Reg:** 14th March 2007

**Proposal:** Erection of first floor rear extension over  
 existing kitchen to form extended  
 bathroom.

**Parish:** Frampton Cotterell  
 Parish Council

**Map Ref:** 67521 81573

**Ward:** Frampton Cotterell



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**N.T.S**

**PT07/0815/F**



## **INTRODUCTION**

This application appears on the Circulated Schedule following a letter of concern over the proposal.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of a first floor rear extension over an existing kitchen to form an extended bathroom. The proposal would have a depth of 2 metres.
- 1.2 The application site relates to a semi-detached dwelling set within the established residential area of Frampton Cotterell. Three new dwellings have been built to the side/rear of the proposal site.

### **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  
H4 Development within the Residential Curtilage

### **3. RELEVANT PLANNING HISTORY**

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council  
No objection
- 4.2 Local Residents  
One letter of comment, no objection to the extension, but want construction work to be confined to 8am and 4pm.

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to residential dwellings subject to there being no adverse impact on the existing residential and visual amenities.
- 5.2 Design/ Visual Amenity  
The proposed extension would feature a hipped roof, set down from the ridge height of the dwelling. Materials are proposed to match existing. It is considered that the extension is in keeping with the design of the dwelling, and character of the street-scene.
- 5.3 Residential Amenity  
The first floor extension is on the rear elevation of the property with a depth of 2 metres, and width of 2.7 metres. The extension is approximately 2.3 metres from the boundary of the adjoining dwelling, and given its depth the proposal would not result in an overbearing impact for the adjoining neighbour. Similarly

the neighbours to the side of the proposal are at a distance of approximately 10 metres from the side, and given its small scale would not adversely impact surrounding neighbours. It is proposed to insert one rear window to serve the bathroom which would be conditioned as obscure glazed. Other than the existing window serving the hall there are no side windows on the west elevation.

5.4 A neighbour has raised concern over the construction of the proposal, and that it should be done within certain hours of the day (8am -4pm). It is not usual to restrict construction working hours for residential extensions, and it is considered that should there be excessive or nuisance noise this is satisfactorily covered under and can be investigated under Environmental Health and Protection.

5.5 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 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 decision to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

7.1 Planning permission be approved subject to the following conditions:

**Background Papers**      **PT07/0815/F**

**Contact Officer:**      **Charlene Baker**

**Tel. No.**                      **01454 863819**

## CONDITIONS

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

Reason(s):

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

- 2 Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the rear elevation to serve the bathroom shall be glazed with obscure glass only.

Reason(s):

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

**CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007**

**App No.:** PT07/0817/R3F

**Applicant:** South Gloucestershire Council

**Site:** Coniston Primary School Epney Close  
Patchway BRISTOL South  
Gloucestershire BS34 5LN

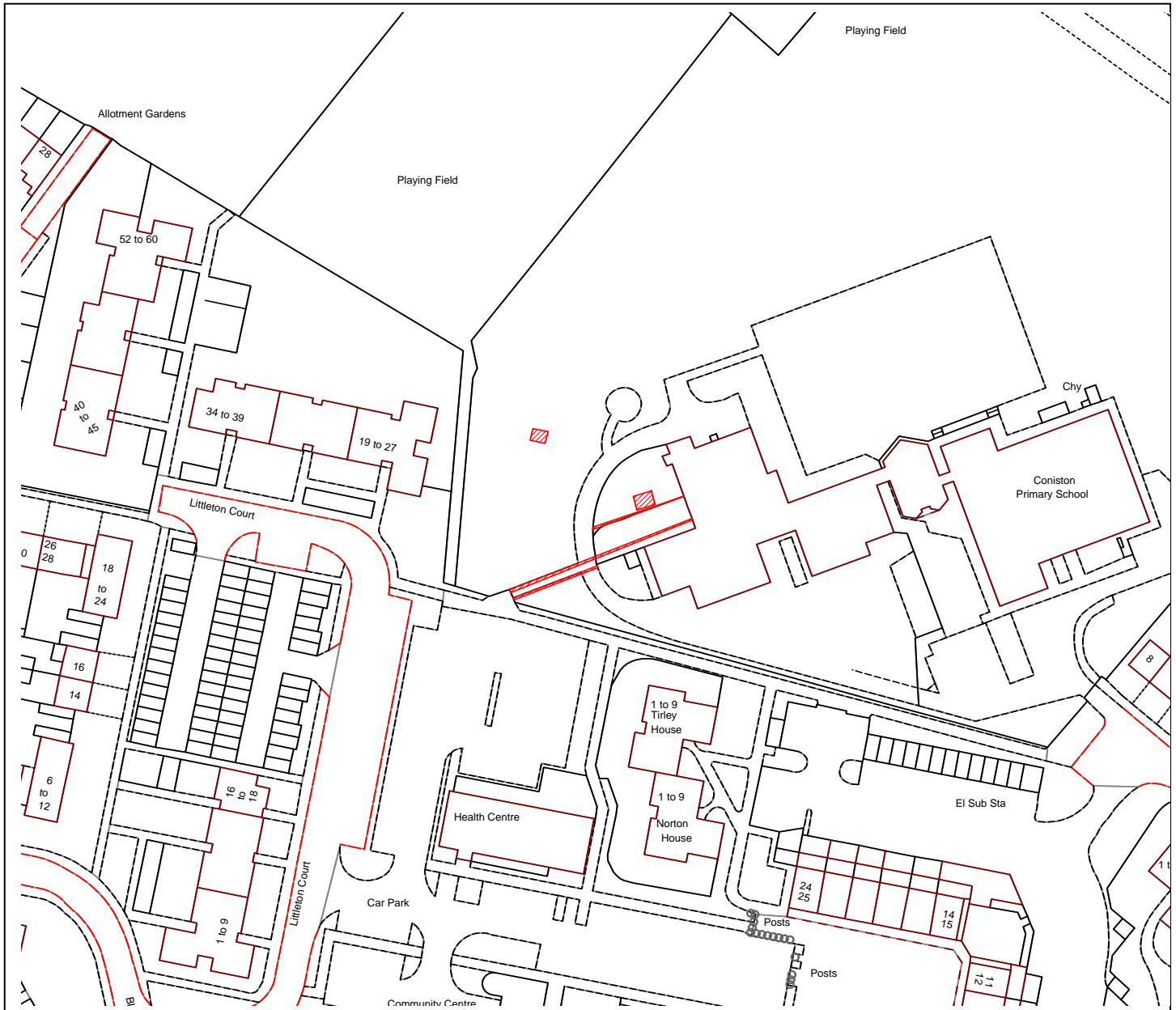
**Date Reg:** 15th March 2007

**Proposal:** Erection of 2 no. timber gazebos.  
Erection of 1.8 metre high fence/gates.

**Parish:** Patchway Town Council

**Map Ref:** 59611 82413

**Ward:** Patchway



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**N.T.S**

**PT07/0817/R3F**

## **INTRODUCTION**

This application is placed on the Circulated Schedule List, as it is an application for development on Council Land.

### **1. THE PROPOSAL**

- 1.1 This application is for full planning permission to erection of two wooden gazebos and the erection of approximately 55 metres of 1.8 metre high green hoop top fencing around the entrance to the school. The gazebos will be located within the play area to the west of the main school buildings and will provide cover for the children. The school is located within the established residential area of Patchway.
- 1.2 The proposed square wooden gazebos will be 4.5 metres wide, 3.8 metres high to the apex of the roof.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPG1 Planning Policy and Principles
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
LC4 Proposals for Education and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries  
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Document  
Design Checklist (Draft)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 None which affect the determination of this application

### **4. CONSULTATION RESPONSES**

- 4.1 Patchway Town Council  
No response received objection.
- 4.2 Local Residents  
No response received.
- 4.3 Sustainable Transport  
No response received

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy LC4 of the emerging South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to the development, expansion or improvement of education facilities within existing urban areas provided criteria regarding; accessibility by foot and bicycle; residential amenity, environmental and transportation effects; and highway safety are met.

5.2 The proposal seeks to erect 2 gazebos and a section of 1.8 metre security fencing around the entrance to the school. There will be no increase in the capacity of the school, so implications for access by foot and highway safety (in terms of traffic generation) are not relevant. It is considered that there will be little impact on neighbouring occupiers as the proposed development is at least 35 metres away from residential properties. The buildings will only also be used during school hours; this contributes to minimal impact upon surrounding properties. Finally it is considered that the design of the proposed gazebos and fence in terms of their size and design are in keeping with overall appearance of the school and the area generally.

5.3 Consequently the proposal is in line with the local plan policies for development of this type in this location.

5.4 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 (Consultation Draft).

5.5 Section 106 Requirements

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

**6. CONCLUSION**

6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

**7. RECOMMENDATION**

7.1 Planning permission be approved with th following conditions.

**Background Papers**      **PT07/0817/R3F**

**Contact Officer:**    **Gareth John**  
**Tel. No.**                **01454 863438**

**CONDITIONS**

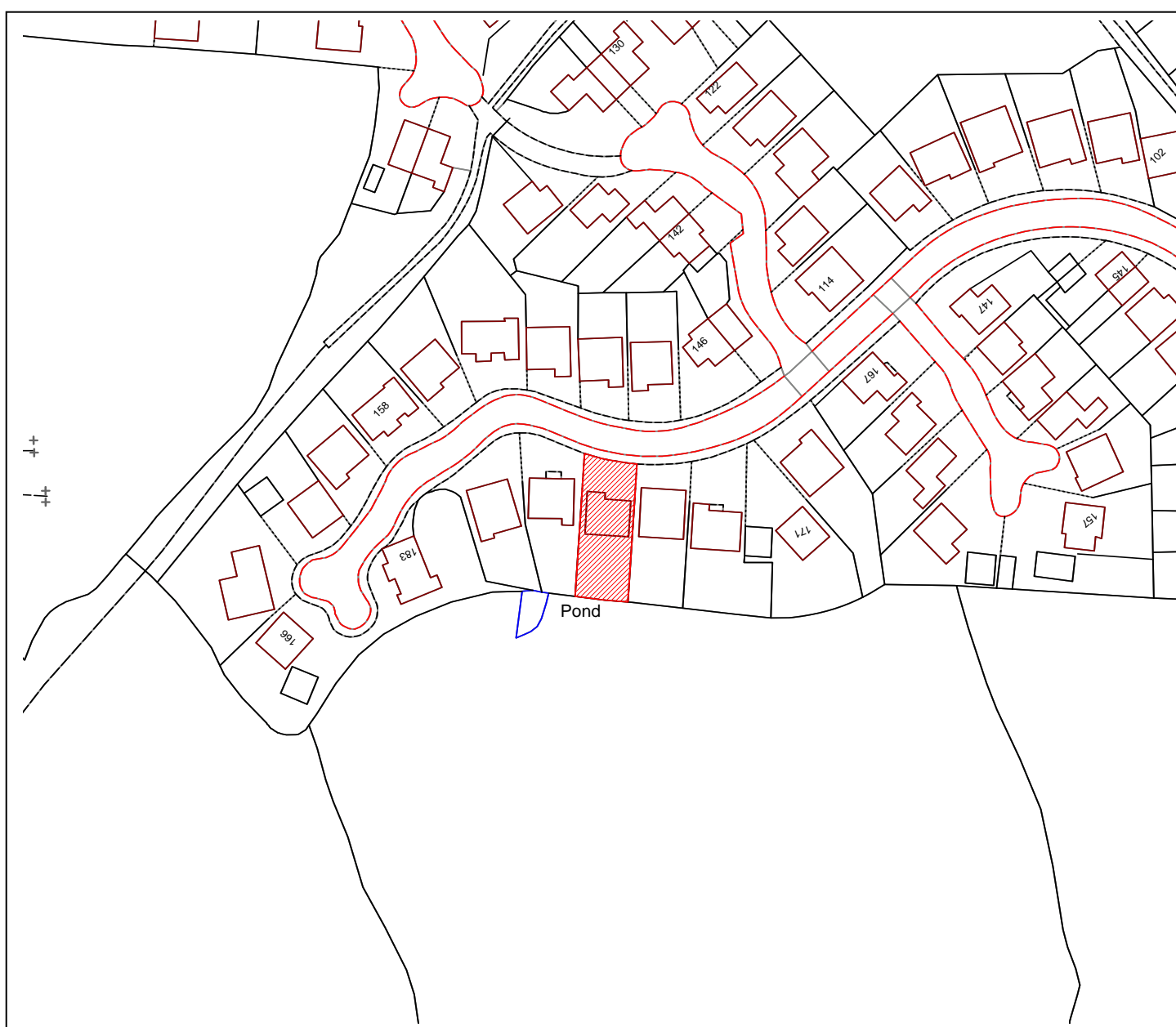
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

## CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007

<b>App No.:</b>	PT07/0830/F	<b>Applicant:</b>	Mr & Mrs P Fettis
<b>Site:</b>	177 Woodlands Road Charfield WOTTON UNDER EDGE South Gloucestershire GL12 8LA	<b>Date Reg:</b>	16th March 2007
<b>Proposal:</b>	Erection of two storey rear extension to form extended dining area and kitchen with bedroom above. Extension to utility room and formation of bedroom above garage/ utility. (Amendment to previously approved application PT03/3615/F)	<b>Parish:</b>	Charfield Parish Council
<b>Map Ref:</b>	72227 91712	<b>Ward:</b>	Charfield



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## **INTRODCUTION**

This application appears on the Circulated Schedule following the receipt of one objection letter from the neighbouring resident.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a two-storey rear extension and ground and first floor side extensions.
- 1.2 The application site comprises a detached two-storey dwelling on the south side of Woodlands Road, Charfield. The property lies within the settlement boundary which is surrounded by the open countryside.
- 1.3 The application forms a resubmission of application PT03/3615/F, which was approved on December 30<sup>th</sup> of that year. This current proposal seeks minor changes to this scheme to allow an increase in the size of the existing utility room.

### **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 House Extensions
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Advice Note 2: House Extensions  
South Gloucestershire Urban Design Checklist: Consultation Draft (Sept 2006)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT03/2615/F: Erection of two-storey rear extension to form extended dining area and kitchen with utility area with side extension over garage to provide a new bedroom. Permitted: 30 December 2003

### **4. CONSULTATION RESPONSES**

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

#### **Other Representations**

- 4.3 Summary of Local Residents Comments:  
One letter received expressing the following concerns:
  - a) The proposal comprises an over development of the site;
  - b) It would have an overbearing impact on the adjacent properties;
  - c) The proposal is not in proportion with neighbouring properties;
  - d) Light into the neighbouring property will be restricted;

- e) The size of the works will cause a loss of outlook to the adjoining unit.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy H4 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety.

### 5.2 Design/ Visual Amenity

The application site contains a detached two-storey dwelling on the south side of Woodlands Road, Charfield. The property lies within the settlement boundary with this aligning with the rear boundary of the application site.

- 5.3 The application seeks full planning permission for the erection of a two-storey rear extension to provide a dining room and kitchen at ground level with a new ensuite bedroom above. Further, the proposal would also allow the creation of a new bedroom above the existing garage and extended utility room.

- 5.4 Concerning the two-storey rear extension, this is near identical to that approved as part of the previous planning application. As such, it would project 3.5m into the rear garden (previously shown at 3.7m) with the first floor inset from the east flank boundary. It would be encompassed by a pitched roof culminating in a rear gable. Therefore, and in view of the outstanding valid permission, this element of the proposal is considered to be acceptable.

- 5.5 The extension to the utility room would measure 1.2m in depth allowing a new door beyond the rear wall of the dwelling into the extension. Consequently, this would raise the ridge height above the utility and garage by a little under 1m as before with the rear roof slope now extended to cover the extension. In this regard, it is noted that the raised roof would retain the visual spacing between units thus element of the proposal is also considered to be acceptable.

### 5.6 Residential Amenity

The neighbouring property to the east is devoid of any rear extension whilst is also set slightly forward of the host unit. However, the rear addition is inset at first floor by 1.6m to help reduce the impact on this dwelling whilst there are no facing windows shown. Accordingly, and in view of the previous permission, it is not considered that permission could be reasonably withheld in this instance.

- 5.7 With regard to that property to the west of the application site, it is the attached garage which stands adjacent to the boundary with a habitable room behind. In this regard, and in view of the limited works to this side of the property, it is not considered that any significant adverse impact in residential amenity would be caused. A close-boarded 1.8m high (approx.) fence would also screen views at ground level.

### 5.8 Design and Access Statement

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

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

## 7. RECOMMENDATION

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

**Background Papers**      **PT07/0830/F**

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

## CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- Reason(s):  
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No windows other than those shown on the plans hereby approved shall be inserted at any time in the east and west elevations of the property.
- Reason(s):  
To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 3 The glazing in the first floor bathroom window on the west elevation shall at all times be of obscured glass.
- Reason(s):  
To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007

**App No.:** PT07/0846/F**Site:** 610 Filton Avenue Filton BRISTOL  
South Gloucestershire BS34 7LD**Proposal:** Conversion of a single dwelling into 2 no.  
flats to include bin and cycle store.**Map Ref:** 60734 78509**Applicant:** Mr N Rimmell**Date Reg:** 19th March 2007**Parish:** Filton Town Council**Ward:** Filton

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PT07/0846/F

## **INTRODUCTION**

This application appears on the Circulated Schedule following a letter of objection from the Town Council.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the conversion of a single dwelling to provide two flats, with associated bin storage and bicycle parking. The ground floor flat would have two bedrooms, and the first floor flat would have one bedroom.
- 1.2 The application site relates to a mid-terraced property within the residential area of Filton. It is proposed to provide parking space to the rear with cycle parking, and use of the garden for the ground floor flat. On the front garden would be further cycle parking, bin storage and the entrance to the two flats.

### **2. POLICY CONTEXT**

- 2.1 National Guidance
  - PPS1 Delivering Sustainable Development
  - PPG3 Housing
  - PPG24 Planning and Noise
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
  - D1 Achieving Good Quality Design
  - H4 Development within the Residential Curtilage
  - H5 Residential Conversions
  - T8 Parking Standards
  - T12 Transportation Development Control Policy
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist

### **3. RELEVANT PLANNING HISTORY**

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Filton Town Council  
Concern over fire hazard, bedroom 1 means of escape not acceptable, 1<sup>st</sup> floor door to living room not acceptable. Insufficient parking
- 4.2 Building Control  
Bedrooms at first floor and rear bedroom at ground floor must have a window with an opening light suitable for means of escape in case of fire.
- 4.3 Local Residents  
No comments received

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the conversion of residential properties into smaller units, provided that the proposal:

- a) Would not prejudice the character of the area
- b) Would not prejudice the residential amenities of neighbouring occupiers
- c) Allows an acceptable level of off street parking provision
- d) Would provide adequate amenity space

### 5.2 Design/ Visual Amenity

The application sites forms a mid terraced two bedroom dwelling along Filton Avenue. An existing single storey extension stands to the rear of the dwelling. An unadopted lane runs to the rear of the site. There are no external works to the dwelling. In light of this, the proposal is considered acceptable and in keeping with the general character of the area.

5.3 Bicycle and bin storage facilities are associated with the proposal. Details have been submitted of the proposed bicycle storage facilities, and would be constructed from timber and is considered an appropriate structure. Additionally the bin storage has been commented on the Design and Access Statement and position shown on the submitted block plan, the storage area would be surrounded by 1.2m trellis with planting and is positioned away from the front door.

### 5.4 Residential Amenity

The supporting text to Policy H5 advises that any internal alterations should be designed so as to minimise the impact of noise and disturbance on any directly adjoining residential property. In this regard, the scope for Building Regulations consideration was extended in 1991 to cover detailed requirements for sound insulation between converted flats and adjoining properties.

5.5 Rear windows at first floor would remain the same serving the same rooms. It is not therefore considered that any new issues of overlooking would be introduced. Given this it is not considered that there would be any significant adverse impact upon residential amenity.

### 5.6 Transportation

Given that there is no existing off street parking, no proposed extension and the site is located on a bus route and near some local services there is no basis for a transportation objection on this occasion. The proposal would provide a parking space for the ground floor flat, which has two bedrooms; and both flats have easy access to cycle parking, in the front and rear gardens.

### 5.7 Amenity Space

The property benefits from a lengthy rear garden all of which would be retained, there is also a small front garden. Therefore, sufficient space would be retained for a bin storage facility and thus whilst only the ground floor flat would have access to the rear garden, it is not considered that the proposal would conflict with this policy requirement. The first floor flat has one bedroom and is unlikely to be a family property which would be more likely to require garden space.

## 5.8 Other Issues

The Town Council has raised concerns over fire hazards, and escape windows. This is a matter dealt with under Building Regulations. Comments have been received from the Councils Building Control, and subject to windows having an opening light the proposal is acceptable- this in itself would not fall under planning control but the applicants' attention would be drawn to this via an informative.

## 5.9 Design and Access Statement

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

## 5.10 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

7.1 Planning permission be approved subject to the following conditions:

**Background Papers**      **PT07/0846/F**

**Contact Officer:**    **Charlene Baker**  
**Tel. No.**                **01454 863819**

## CONDITIONS

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

Reason(s):

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

- 2 The parking facilities, both vehicular and bicycle storage, shall be constructed in accordance with the submitted plans prior to the first occupation of the building; and thereafter retained for that purpose.

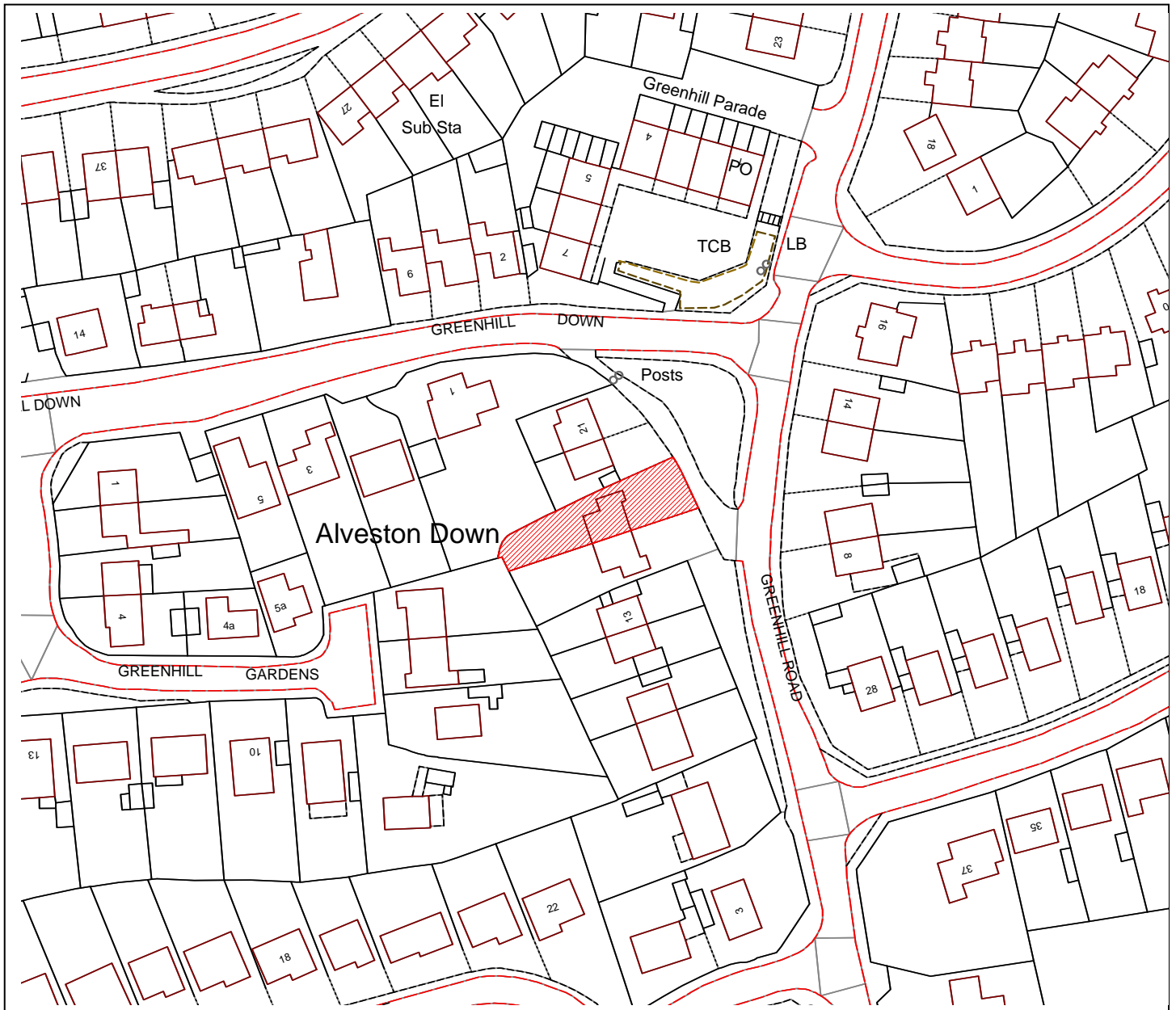
Reason(s):

To ensure the satisfactory provision of parking facilities and in the interest of highway safety. to accord with Policy T8 and T12 of the South Gloucestershire local Plan (Adopted) January 2006.



## CIRCULATED SCHEDULE NO. 16/07 – 20 APRIL 2007

<b>App No.:</b>	PT07/0998/F	<b>Applicant:</b>	Mr & Mrs Lloyd
<b>Site:</b>	17 Greenhill Road Alveston BRISTOL South Gloucestershire BS35 3LS	<b>Date Reg:</b>	29th March 2007
<b>Proposal:</b>	Erection of 2 storey side extension to provide additional living accommodation and garage. Erection of front porch.	<b>Parish:</b>	Alveston Parish Council
<b>Map Ref:</b>	63212 87965	<b>Ward:</b>	Alveston



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**N.T.S**

**PT07/0998/F**

## **INTRODUCTION**

### **1. THE PROPOSAL**

- 1.1 This application relates to the erection of a two storey side extension and front porch at 17 Greenhill Road, Alveston. The existing attached garage is to be demolished and incorporated into the new extension.
- 1.2 The application site is a semi-detached property located within the settlement boundary of Alveston which is also washed over by Green Belt. Vehicular access is to the front of the site, off a no-through drive and footpath off Greenhill Road. The site is surrounded by other residential property.
- 1.3 The two storey extension is 3.3m in width, 8.8m in length and has a ridge height to match existing. The porch element measures 0.8m in depth, 2.5m in width and has pitched roof, 3m maximum height. The site level of the adjacent property of 19 Greenhill Road is some 0.5m higher.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

- PPS1 Delivering Sustainable Development  
PPG2 Green Belts

#### **2.2 Joint Replacement Structure Plan** Policy 16 Green Belts

#### **2.3 South Gloucestershire Local Plan (Adopted) January 2006**

- D1 Achieving Good Quality Design in New Development  
GB1 Development Within the Green Belt  
L4 Forest of Avon  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
T12 Transportation Development Control Policy for New Development

#### **2.3 Supplementary Planning Guidance** Design Checklist Development in the Green Belt

### **3. RELEVANT PLANNING HISTORY**

- 3.1 None.

### **4. CONSULTATION RESPONSES**

- 4.1 Alveston Parish Council  
No objection.

- 4.2 Sustainable Transport  
No objection.

#### **4.3 Local Residents**

1 letter has been received objecting to the proposal on the following grounds:-

- a) proximity to boundary;

- b) loss of light;
- c) loss of privacy;
- d) may prejudice similar development on neighbouring property;
- e) foundations of garage may be undermined;
- f) erection of scaffolding may cause trespassing.

4.4 Of the above, d, e and f are not relevant planning considerations.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

In assessing applications for residential extensions, policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant. Extensions are normally permitted provided they respect the massing, scale, overall design and character of the existing property and street scene and would not prejudice amenities of nearby occupiers, highway safety or the retention of adequate private amenity space. Moreover, as the site lies within the Green Belt, any extension must be limited and must not result in a disproportionate addition over and above the size of the original dwelling.

5.2 It is considered that the application accords with the above policy criteria. The size and design of the extension is in keeping with the existing property and area in general and due to its side location will not adversely affect the amenities of adjacent occupiers by reason of overbearing impact/overshadowing/loss of privacy. The existing boundary treatment consists of a 1.5m timber fence which affords little privacy to either property, especially as the adjacent dwelling is some 0.5m higher. Although the side kitchen door will be approximately 0.6m from this boundary, it is considered that loss of privacy will be no greater than exists from the current side kitchen door. A condition can however be imposed requesting that this door be obscurely glazed. Adequate garden area will remain and access/parking arrangements are unchanged by the proposal.

5.3 With regard to Green Belt issues, the property has not previously been extended. The existing volume of the property (excluding roof space) is approximately 305m<sup>3</sup>. The proposed extension (excluding roof space) has a volume of 108m<sup>3</sup>. This will result in an increase of some 35%. This is considered to be a limited extension and a proportionate addition and as such complies with Green Belt policy.

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

## **7. RECOMMENDATION**

- 7.1 Planning permission be granted.

### **Background Papers**      **PT07/0998/F**

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

### **CONDITIONS**

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

Reason(s):

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

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

Reason(s):

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.

- 3 No windows shall be inserted at any time at first floor level in the side [north] elevation of the extension hereby permitted.

Reason(s):

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

- 4 The glazing to the kitchen door shall at all times be of obscured glass.

Reason(s):

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