



**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. 32/07

Date to Members: 10/08/07

Member's Deadline: 17/08/07

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

Members will be aware that the Director of Planning, Transportation and Strategic Environment has a range of delegated powers designed to improve the efficiency and effectiveness of the Development Control service. The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Area Committees or under delegated powers including:

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development
- g) Applications for the following major development:
 - (a) Residential development the number of dwellings provided is 10 or more, or the development is to be carried out on a site having an area of 0.5 ha or more and the number of dwellings is not known.
 - (b) Other development(s) involving the provision of a building or buildings where the floor space to be created is 1000 sq. m or more or where the site has an area of 1 ha or more.

GUIDANCE FOR 'REFERRING' APPLICATIONS

Members are entitled to refer any application for consideration by the relevant DC Committee or Sites Inspection Committee, before a decision has been made. However as call-ins will delay the decision on an application in the interests of improving the effectiveness and efficiency of the Development Control service, this option should only be exercised after careful consideration. Members are therefore asked to take account of the following advice:

- Before referring an application always speak to the case officer or Area Team Leader first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. Do not leave it to the last minute
- Always make your referral request in writing, either by letter, e-mail or fax, preferably using the proforma provided. Make sure the request is sent to the Development Control Support Team (East or West as appropriate), not the case officer who may not be around to act on the request, or email planningapplications@southglos.gov.uk. Please do not phone your requests, as messages can be lost or misquoted.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised

CIRCULATED SCHEDULE

DATE: 10/08/07

SCHEDULE NO. 32/07

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.

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

**Dates and deadlines for Circulated Schedule
over the August Bank Holiday Period 2007**

Schedule Number	Date to Members 12 noon on	Members Deadline 12 noon on
34/07	Thursday 23 August 2007	Friday 31 August 2007

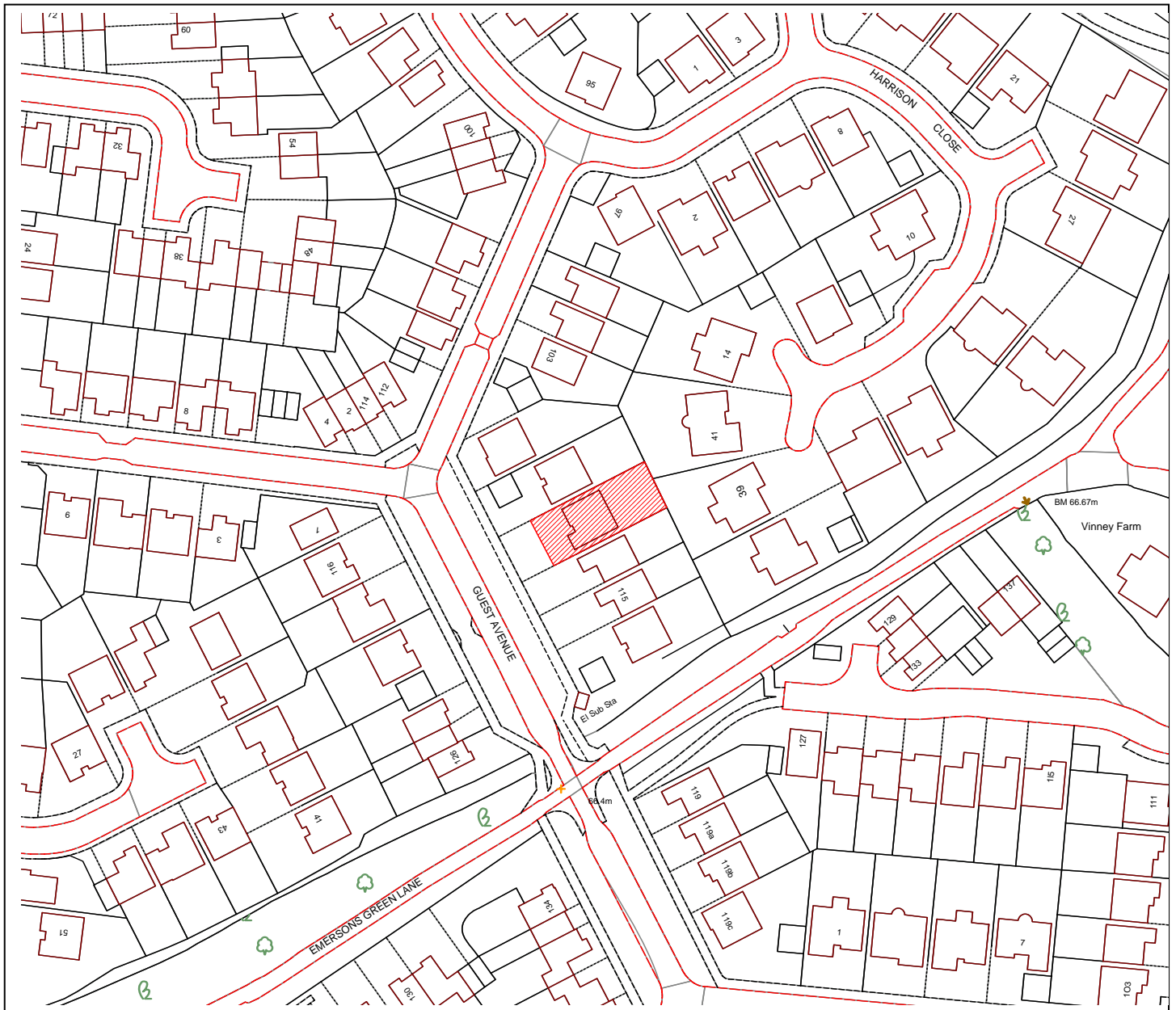
Circulated Schedule 10 August 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK07/1992/F	Approve with conditions	109 Guest Avenue Emersons Green South Gloucestershire BS16 7DA	Emersons Green	Mangotsfield Rural Parish Council
2	PK07/2077/F	Approve with conditions	62 Grimsbury Road Kingswood South Gloucestershire BS15 9SD	Woodstock	
3	PK07/2084/F	Approve with conditions	24-25 Witcombe Yate South Gloucestershire BS37 8SX	Dodington	Dodington Parish Council
4	PK07/2115/F	Approve with conditions	129 North Street Oldland Common South Gloucestershire BS30 8TP	Oldland	Bitton Parish Council
5	PK07/2168/RM	Approve	Land adjoining 28 Burley Crest Downend South Gloucestershire BS16 5PW	Rodway	
6	PT07/1816/F	Approve with conditions	672 Filton Avenue Filton South Gloucestershire BS34 7JY	Filton	Filton Town Council
7	PT07/1876/O	Refusal	Landshire Bristol Road Frenchay South Gloucestershire BS16 1LQ	Frenchay and Stoke Park	Winterbourne Parish Council
8	PT07/2029/CLP	Approve with conditions	899 Filton Avenue Filton South Gloucestershire BS34 7AR	Filton	Filton Town Council
9	PT07/2124/F	Approve with conditions	1 Belle Vue Cottages Southmead Road Filton South Gloucestershire BS34 7QP	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 32/07 – 10 AUGUST 2007

App No.: PK07/1992/F
Site: 109 Guest Avenue Emersons Green
 BRISTOL South Gloucestershire BS16
 7DA
Proposal: Erection of rear conservatory.
Map Ref: 66692 76814

Applicant: Mr & Mrs Adams
Date Reg: 29th June 2007
Parish: Mangotsfield Rural
 Parish Council
Ward: Emersons Green



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N.T.S

PK07/1992/F

INTRODUCTION

The application appears on the Circulated Schedule as representations have been received contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 Planning Permission is sought for the erection of a rear conservatory at 109 Guest Avenue, Emersons Green. The proposed conservatory will measure 3.7 metres in width by 3.6 metres in depth and will have an overall height of 3.2 metres.
- 1.2 The application property consists of a substantial detached two storey brick built dwelling in a road of similar dwellings in the established residential area of Emersons Green.

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 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance
South Gloucestershire Council Advice Note No. 2: House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant history.

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No objection.

Other Representations

- 4.2 Local Residents
The Council has received two responses from a neighbour, raising the following concerns.
- The proposed conservatory will cause a loss of light.
 - The windows on the northern elevation should not be opening to prevent noise disturbance.
 - The windows on the northern elevation should be obscure glazed to prevent a loss of privacy.
 - The Application Form is incorrect; there is a change in ground levels.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety. The principle of development is therefore acceptable subject to the following detailed assessment.

5.2 Design/Visual Amenity

This application seeks planning permission for the erection of a rear conservatory at 109 Guest Avenue, Emersons Green. The proposed conservatory will measure 3.7 metres in width by 3.6 metres in depth and will have an overall height of 3.2 metres. It will be sited 0.8 metre from the boundary to the north. The bricks used in the walls of the conservatory will match the host dwelling. In respect of the design of the conservatory, with the chosen construction materials and its location at the rear of the property, it is considered it is an appropriate addition to the streetscene.

5.3 Residential Amenity

Overbearing Analysis

In terms of the depth of the proposal the Council's guidance contained within "Advice Note 2: House Extensions" stipulates that rear extensions should not exceed "3 metres from the main original wall of the building". However, this advice relates to semi-detached or terraced dwellings. The property is fully detached and the conservatory is to be sited 0.8 metre from the boundary of the nearest property to the proposed development. A neighbour has raised concern over the ground levels on site and in the surrounding area. The officer visited the site and could detect only a minimal change in ground level over the site and the immediate vicinity. It is therefore considered that the increase in ground levels would not have a detrimental impact on the height or overbearing impact of the conservatory. Accordingly, the proposed depth of 3.6 metres is not considered to have an overbearing effect on the adjoining properties.

5.4 Concern is raised that the height of the northern wall of the conservatory may be increased, causing a loss of light. The dimensions of the conservatory will be fixed by way of the plans and alteration to the approved plans cannot be changed without submitting a further application.

5.5 Privacy Analysis

The boundary to the south is situated 5.9 metres from the proposed conservatory. The rear garden is enclosed by a 1.8 metre close boarded fence.

5.6 The conservatory will have a door on the south elevation (away from the nearest property) and on the north elevation there will be top windows only. A neighbouring occupier has requested that these should be fixed shut to prevent noise disturbance and obscure glazed to prevent any loss of privacy. Government Circular 11/95 states that planning conditions should only be imposed where they satisfy the following six tests: (1) The condition is Necessary; (2) Relevant to Planning; (3) Relevant to the development permitted; (4) Enforceable; (5) Precise, and (6) Reasonable. The windows on the north elevation are high level windows that will prevent overlooking. Additionally, the proposed conservatory is to be sited in an existing garden area. It is therefore considered that the top windows will not create a significant adverse affect on the residential amenity of the adjoining occupiers. A

condition of fixing requiring the top windows to be fixed shut therefore does not meet Test (1) of Circular 11/95, and therefore cannot be attached.

5.7 Other Matters

A neighbouring occupier would like the roof to be double glazed for sound insulation. This is not a planning issue and is a matter for the Council's Building Control section.

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 planning permission be **GRANTED** subject to the following conditions.

Background Papers **PK07/1992/F**

Contact Officer: **Elizabeth Dowse**
Tel. No. **01454 862217**

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 bricks to be used externally in the development hereby permitted shall match those of the existing building in colour and texture.

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 use or occupation of the conservatory hereby permitted, and at all times thereafter, the proposed windows on the north elevation shall be glazed with obscure glass only.

Reason:

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

CIRCULATED SCHEDULE NO. 32/07 – 10 AUGUST 2007

App No.: PK07/2077/F
Site: 62 Grimsbury Road Kingswood
 BRISTOL South Gloucestershire BS15
 9SD

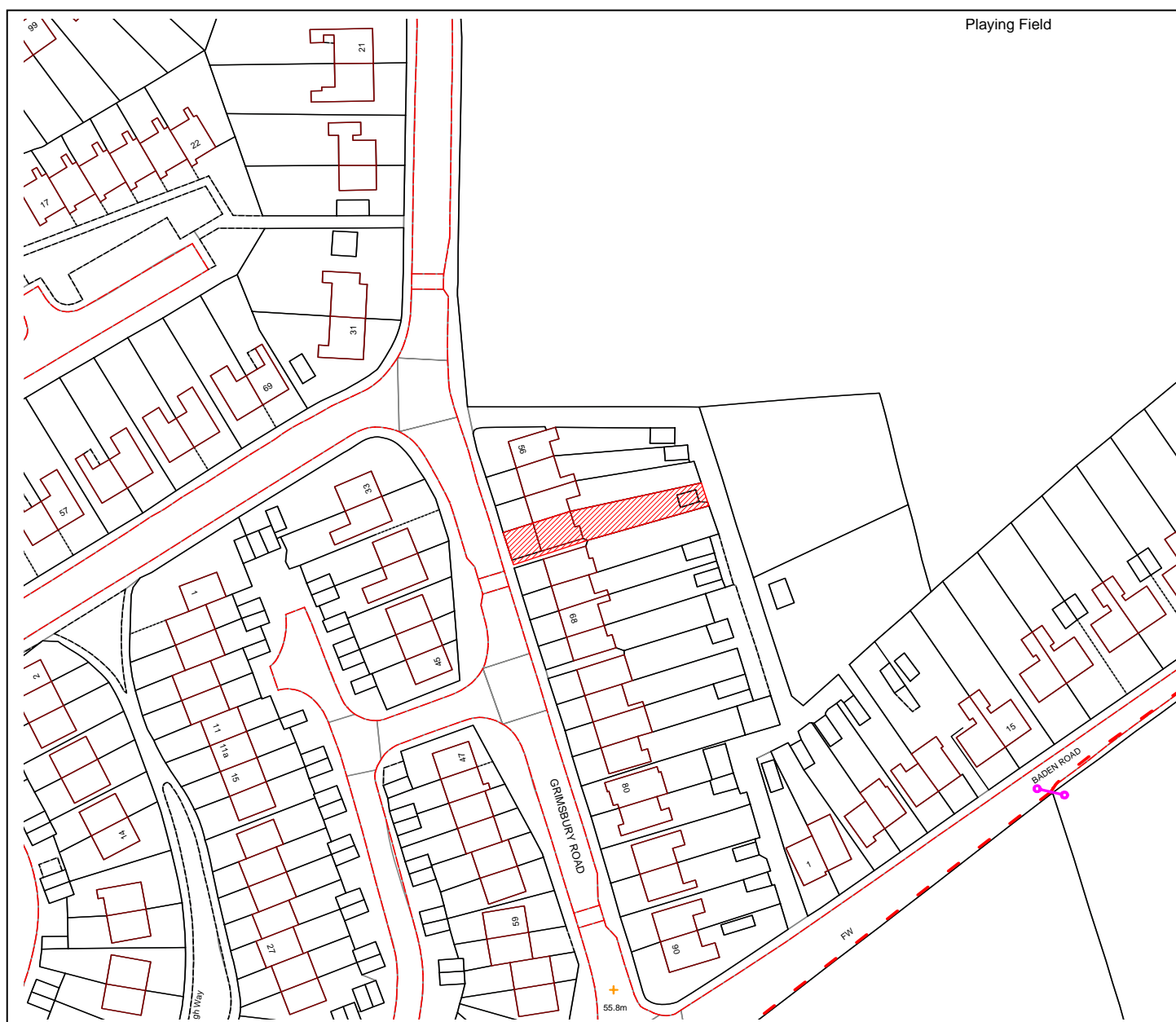
Applicant: Mrs K Britton
Date Reg: 6th July 2007

Proposal: Erection of two storey rear extension to form additional living accommodation.

Parish:

Map Ref: 66266 73336

Ward: Woodstock



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N.T.S

PK07/2077/F

INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule Procedure as a result of objections raised regarding the proposed development.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a two storey rear extension to form additional living accommodation.
- 1.2 The application site relates to a two storey semi detached dwelling sited within the residential area of Kingswood.

2. POLICY CONTEXT

2.1 National Guidance
PPS1

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
H4 Extensions

2.3 Supplementary Planning Guidance
South Gloucestershire Advice Note no.2 Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history relates to the application site:

4. CONSULTATION RESPONSES

4.1 Town/Parish Council
No Town/Parish Council.

Other Representations

4.2 Local Residents

One letter of objection has been received from a local resident raising the following objections regarding the proposed development, which have been summarised by the Planning Officer as follows:

- Existing sewer
- Size and height of extension will be out of keeping with character of other houses
- Depth of extension along with pitched roof will block out light

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to existing dwellings subject there may be no adverse impact on existing visual and residential amenities.

5.2 Visual Amenity

The application site relates to a two storey semi detached dwelling. An objection has been raised on the grounds that the extension would be out of keeping with the character of the area. The application proposes a 3.0m deep two storey rear extension, which by reason of its scale, design and external appearance is considered in keeping with the character of the existing dwelling and immediate surrounding area.

5.3 Residential Amenity

An objection has been raised by the adjoining occupier on the grounds that the proposed extension by reason of its depth and height will block out their light. As the proposed two storey side extension will be set back 3.10m from the adjoining boundary of no. 60 and will measure 3.0m in length which is in line with the Council's guidelines, it is considered that an extension of this scale in terms of length and height and in this location would not have an overbearing impact on existing residential amenities or have a detrimental impact of existing level of light.

5.4 Drainage

Concerns have been raised regarding an existing sewer that crosses the site. Members are advised to consider that this issue will be dealt with as part of the Building Regulations application.

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.

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 be granted subject to the following planning conditions.

Background Papers **PK07/2077/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).

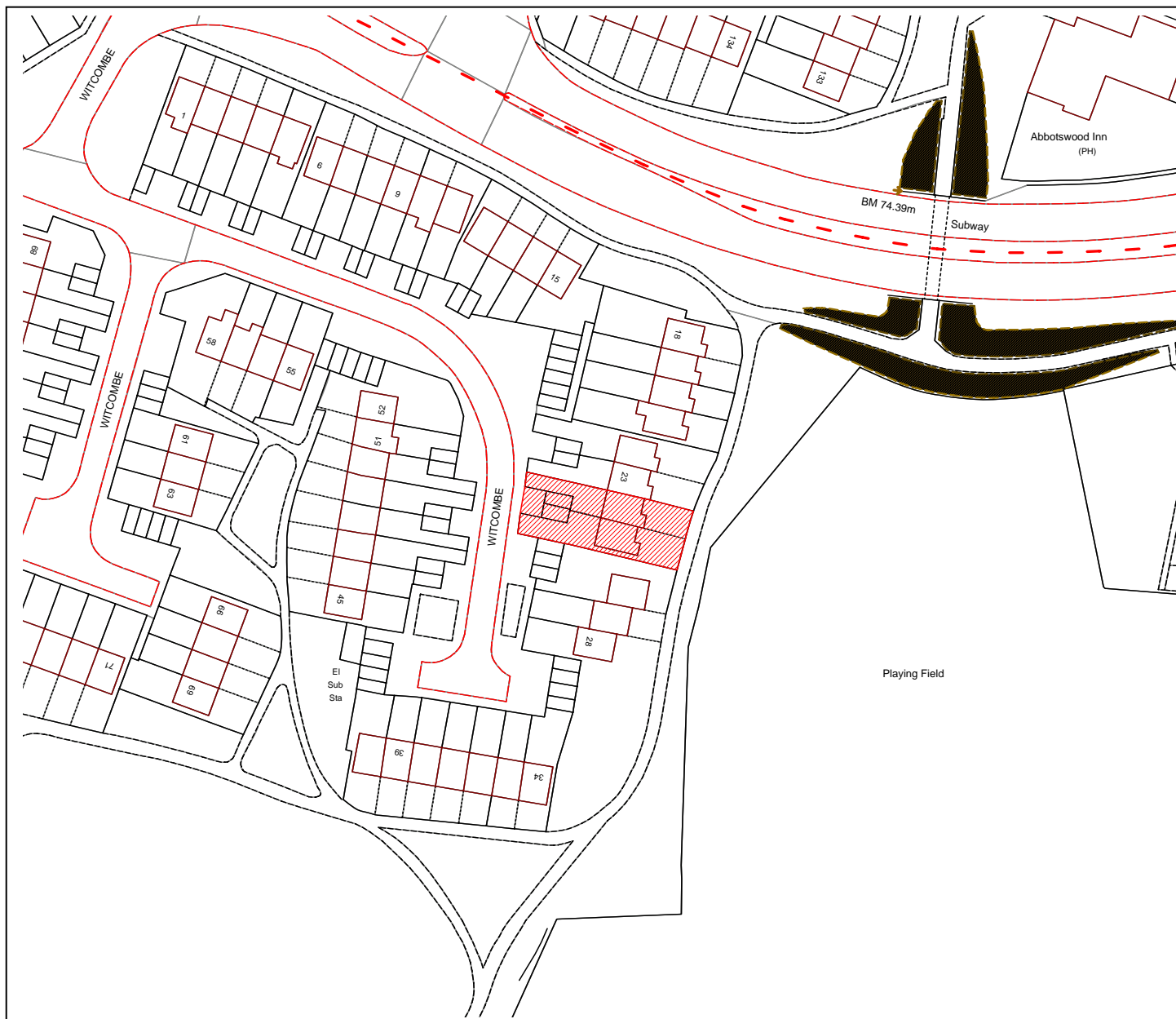
2. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevations of the property.

Reason:

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

CIRCULATED SCHEDULE NO. 32/07 – 10 AUGUST 2007

App No.:	PK07/2084/F	Applicant:	Mr M Hemmings
Site:	24-25 Witcombe Yate BRISTOL South Gloucestershire BS37 8SX	Date Reg:	9th July 2007
Proposal:	Subdivision of existing dwellings to form 4 no. self contained flats with cycle and bin stores and associated works.	Parish:	Dodington Parish Council
Map Ref:	70550 81082	Ward:	Dodington



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N.T.S

PK07/2084/F

INTRODUCTION

This application is placed on the Circulated Schedule given that objections have been raised (see Consultation Responses below)

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the conversion of a pair of two-storey (3 no. bed) terrace properties (24-25 Witcombe) situated on the eastern side of Witcombe to 2 no. flats. The development would consist of a single bedroom flat on each ground floor with a two bedroom flat on each upper floor. No external alterations to the buildings are required to facilitate the development, access will be from the existing front entrance (internal alterations enabling separate entrances to the new flats).
- 1.2 The single bedroom flats will be allocated a single parking space, while the upper floor 2 no. bed flats would be allocated two spaces (a garage and space to the front of the garage for each). Private garden space is allocated to the ground floor flats while there is a communal area to the rear accessible to all the flats (accessible from the front and rear of the properties) that provides a drying area, bin storage and a cycle store (details of the store have been submitted).

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transportation
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H5 Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential Purposes
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
EP4 Noise sensitive development

The South Gloucestershire Design Checklist (Draft for Consultation: September 2006)

3. RELEVANT PLANNING HISTORY

No relevant planning history

4. CONSULTATION RESPONSES

- 4.1 Dodington Parish Council

No response received

4.2 Sustainable Transport

The proposal is to convert two existing three-bed dwellings to two two-bed flats and two one-bed flats. Vehicular parking is proposed for each of the flats to the rear, two of which will be in the form of existing garages with parking spaces to the front. These garages and spaces should be allocated to the larger first floor flats with spaces 1 and 4 allocated to the ground floor flats.

It is suggested that as the space between spaces 3 and 4 is wider it would be more beneficial to allocated this space as pedestrian access to the rear of the flats and close up the other suggested access between spaces 1 and 2. It should be noted that the bin store needs to be large enough to accommodate the Council's twin bin system for each of the flats (ie eight bins + recycling boxes).

Subject to the above, there is no transportation objection to this proposal

4.3 Local Residents

Seven letters of objection have been received. The grounds of objection can be summarised as follows:

- The proposed development would result in detriment to highway safety as there are not enough parking spaces
- The additional parking will be unsightly and result in detriment to both highway safety and visual amenity
- The proposed flats are too small and would affect those trying to get on the property ladder
- These are family homes and should not be converted to flats
- The proposal requires a minimum of 8 parking spaces
- There is concern that the proposed development would result in noise and disturbance through the wall to the adjoining properties to the detriment of residential amenity
- Fire safety concerns
- The proposed development would resulting the devaluation of adjoining properties
- There are inaccuracies in the application form

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Concern has been raised that the proposal would affect those seeking to get onto the property ladder. PPS3 (Housing) identifies the planning system as a means of widening housing opportunity and choice, maintaining a supply of housing and creating sustainable residential environments. Paragraph 10 of PPS3 indicates among other criteria that the planning system should deliver a mix of housing, both market and affordable, particularly in terms of tenure and price to support a wide variety of households in all areas, provide a sufficient quantity of housing taking into account need and demands and seeking to improve choice. Furthermore the planning system should provide housing developments in suitable locations, which offer a good range of community facilities with good access to jobs, key services and infrastructure. It is considered that the current proposal is appropriate within this context.

5.2 Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 reflecting the aims and objectives set out in this guidance considers the criteria for proposals for the conversion of existing residential properties into smaller units of self-contained residential accommodation. The policy recognises the important contribution that smaller units can make to the supply, range and mix of housing provision in South Gloucestershire and supports the conversion where appropriate of larger properties subject to consideration of the following criteria.

5.3 Character of Surrounding Area

Policy H5A of the South Gloucestershire Local Plan (Adopted) January 2006 allows for such development provided that there is no adverse impact upon the character of the area. The surrounding area consists of single (family) dwellings within this predominantly residential area. It should be noted that there are no examples of other flat conversions in Witcombe. The area is therefore predominantly one of family housing, however it is not therefore considered that the current proposal could be considered to undermine the character of the area, particularly given the given the guidance in PPS3 (para 10) that has been outlined above that seeks to create mixed and inclusive communities and opening up housing choice within sustainable locations close to local facilities. It is not considered that the refusal of the application could be justified on these grounds

5.4 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to achieve a high standard of design in all new development having regard to scale, form and materials both in relation to the original property and within the wider context. There are no external alterations to the property and the proposal is therefore acceptable in these terms. A new boundary treatment will separate the communal area from the parking area, a condition will be attached to the decision notice requiring the use of matching bricks.

5.5 Residential Amenity

Policy H5B of the South Gloucestershire Local Plan (Adopted) January 2006 considers that such development should be permitted provided that it would not prejudice the amenities of nearby occupiers.

The proposal will not result in any additional overlooking of adjoining properties and as indicated above no assessment is required of the impact of any extensions to the property. It is not considered that the proposed development would adversely affect the amenity of neighbouring occupiers or the amenity of future occupiers of the flats or the original property.

5.6 Transportation

Policy H5C of the South Gloucestershire Local Plan (Adopted) January 2006 considers that such a development would be acceptable provided an acceptable level of parking is identified. Policy T12 assesses development in terms of the impact of the development upon the wider highway network with the priority being highway safety.

Concern has been raised that the proposal should incorporate a higher level of parking. The proposal will provide two parking spaces for the 2 no. bed flats and a single space for the 1 no. bed flats. This marginally exceeds the maximum parking standard that would be 5 spaces (as proposed to the 6 provided), however there is no objection to this level given that we would not

require the removal of an existing garage. It should be noted that in terms of bedspace (the criteria used to assess parking provision), the current scheme totals 6 no. bedrooms and in this respect replicates the existing number of bedrooms.

Subject to conditions requiring the parking and cycle spaces to be provided prior to the first occupation of the flats, that the parking area is surfaced and clearly marked out indicating ownership of the parking spaces and that details of bin storage are provided, there is no transportation objection to this proposal and it is considered that the proposal is in accord with the aims and objectives of Policy T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.7 Amenity Space

Policy H5D requires development to provide adequate amenity space. Amenity space is provided for the ground floor flat only, however it is not considered, (in contrast to a 3 bed dwelling), that there would be an expectation of amenity space provision for this form of development. It is acknowledged that the upper floor flat would overlook the amenity space allocated to the ground floor however this would be outweighed by the benefits of having the amenity space as well and it should also be noted that bin storage and secure cycle storage are provided in a communal area. Public open space is also available within the vicinity of the site. It is considered that the proposal is in accord with this criteria.

5.8 Noise

It is not considered that the addition of an extra two units of accommodation would cause any significant increase in overall noise and disturbance albeit the alignment of rooms between those proposed and those in adjoining existing properties will be different (ie lounge to bedroom etc). Concern has been raised regarding this issue. The Building Regulations (Part E), would cover the issue of sound insulation between the new units themselves and between the new units and the adjoining properties on either side and for the avoidance of doubt a condition will be attached to the decision notice to secure these details.

5.9 Other Issues

Concern has been raised that the proposed development may result in fire safety issues. This is not a specific material planning consideration. The Building Regulations would determine whether the internal layout provides a satisfactory "means of escape" in the event of a fire.

Concern has been raised, that the proposal would result in the devaluation of adjoining properties. This is not a material planning consideration.

Concern has been raised that the application form has indicated that no demolition is required. This is not correct as a small area of wall to the front of No.25 will be removed to accommodate the parking area and the application has been assessed on this basis. Concern has been raised that the application form indicates that 4 parking spaces are to be provided when there will be 6 spaces. Again this statement is correct and the application has been assessed on the basis of 6 parking spaces (an submitted block plan clarifies the parking position and as indicated above this will be the subject of a condition).

5.10 Design and Access Statement

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

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 be granted subject to the following conditions

Background Papers **PK07/2084/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:

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

2. Full details of the provision to be made for the storage of refuse (to accommodate the South Gloucestershire Council Twin BIn Scheme), to include elevations and floor plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the flats hereby approved. The Refuse Storage shall be provided in accordance with the approved details.

Reason:

To ensure adequate provision is made for the storage and collection of waste and recyclable materials to accord with Policy D1(H) of the South Gloucestershire Local Plan (Adopted).

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:

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.

4. Prior to the first occupation of the proposed flats, the parking area shall be constructed in tarmac or concrete and the allocation of the parking spaces shown on the Site Block Plan (1:100 scale) received on 6th August 2007 shall be clearly marked on the ground.

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.

5. The materials to be used in the construction of the boundary treatments 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.

6. No development shall take place until details of a scheme of noise protection and sound insulation (to cover new flat to new flat and also new flat to existing adjoining dwellings) has been submitted to and agreed in writing with the Local Planning Authority. The residential units hereby approved shall not be occupied until the noise protection and sound insulation measures have been provided in accordance with the agreed scheme.

Reason:

To ensure a satisfactory standard of noise protection for the residential units to accord with policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 32/07 – 10 AUGUST 2007

App No.: PK07/2115/F
Site: 129 North Street Oldland Common
 BRISTOL South Gloucestershire BS30
 8TP

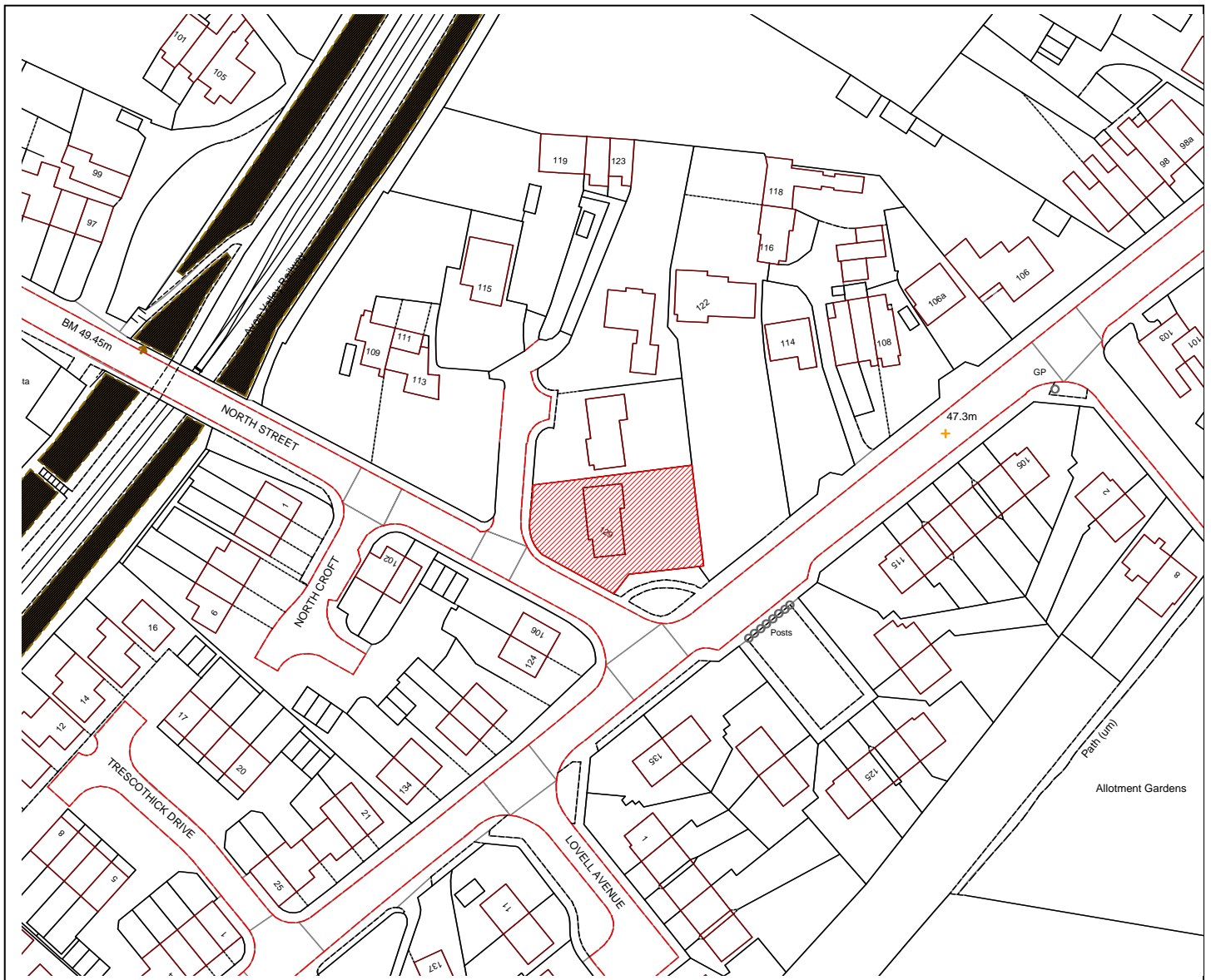
Applicant: Mr R Terry
Date Reg: 10th July 2007

Proposal: Erection of 1no. detached dwelling with associated works and erection of attached garage/office to existing dwelling. (Resubmission of PK07/1007/F).

Parish: Bitton Parish Council

Map Ref: 67652 71604

Ward: Oldland Common



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N.T.S

PK07/2115/F

INTRODUCTION

This application is reported on the Circulated Schedule following the receipt of objections from the Parish Council and a local resident.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a detached dwelling to replace the existing attached double garage in this cul-de-sac location. The street scene of the cul-de-sac is primarily one-sided, with two wide houses with blank end elevations facing a short road. A further detached dwelling is accessed from the hammerhead, while opposite the site, the houses are side-on and screened. The proposal would see a half-width detached house stand in between the two detached dwellings, roughly sharing the front and rear building lines, with all windows facing front and rear. A rear conservatory projecting 3.15 metres is also proposed as a single storey element. Parking for the new dwelling would be in the front garden.
- 1.2 Also proposed is an attached single garage set back from the frontage to the side of the residual house. Further parking is proposed to be provided in the front garden. The existing hedge screening the side of the residual house from North Street is proposed to be retained. To the rear of the site is a mature conifer screen hedgerow, taller than the existing and proposed houses.
- 1.3 This application follows the refusal of a similar scheme earlier this year due to the creation of a substandard access in close proximity to North Street.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within residential curtilages
T7 Cycle Parking
T8 Car parking
T12 Transportation
L17, L18 The water environment
EP1 Environmental Pollution

3. RELEVANT PLANNING HISTORY

- 3.1 P80/4154 Three dwellings (outline) Approved
- 3.2 P86/4878 Three dwellings Approved
- 3.3 PK07/1007/F Erection of detached dwelling Refused

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Object on the basis that it 1) represents an over-intensification of the use of the site, 2) adverse effect on the street scene, 3) proximity of the proposed house to the existing house would be closer than the existing garage and this could have a detrimental effect on the existing house.

- 4.2 Other Consultees
Environmental Protection
No objection in principle.

Technical Services

No objection in principle, subject to the inclusion of a sustainable drainage condition.

Other Representations

- 4.3 Local Residents

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

- * Overspill parking on North Street itself
- * Highway safety issue as there is poor visibility leaving the road in front of the site turning right into North Road

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 broadly set by the terms of policy H4, along with transportation considerations and design. In principle, the site lies within the urban area and as an existing garden is considered to be brownland and an acceptable site for residential development, subject to the detailed analysis below. Since the application seeks to overcome only one previous refusal reason, the only details which have been altered in the current scheme relate to the access and parking, which has resulted in a shared access proposed in front of the proposed dwelling, which would also be used to access the residual house. Parking is shown as two open spaces for the proposed dwelling and a single garage with hardstanding in front of that for the residual house.

- 5.2 Design and Street Scene

As stated above, the street scene is one-sided, therefore the critical issue to be examined is the effect of the proposal on the street scene formed by three detached houses, the last of the three being relatively withdrawn in its contribution to the street. The proposal matches the existing front building line, eaves height, roof slope, apex height, materials and design style of the dwellings it would stand between. The only minor exception to this is the detailing on the small break in the eaves line and the porch, which is necessarily not as wide as that next door. It is considered that the above details tying in with the existing street scene and the width of the proposed house being in proportion to the host dwelling ensures that the proposal complies with policy D1 of the Local Plan. The Parish have raised objections regarding the effect of the proposed dwelling on the street scene and the effect of the removal of the hedgerow on the street scene. In regard to the latter point, it is considered that the loss of the hedge, which is a standard garden variety, would not have sufficient impact on the amenity of the area as to warrant refusal of the scheme on these grounds.

- 5.3 Effect on Residential Amenity

Windows are shown as facing front and rear. The overlooking of neighbouring rear gardens would virtually replicate the existing overlooking situation and it is considered that the proposal would not harm residential amenity in this respect.

5.4 Residential Amenity for future occupiers

The rear garden proposed to be created for the new dwelling would have in the order of 45 square metres. Further effectively non-private amenity space is proposed in the form of a small area at the front of the property next to the parking spaces. Together this area is considered to be of an adequate size, taking into account PPS3, to serve the occupants of the proposed three bedroom dwelling. The residual house is larger than that proposed, but only a relatively small proportion of the garden would be lost through this proposal and this is not considered to compromise that dwelling's available amenity space unduly.

5.5 Transportation

This issue will determine whether the current proposal has overcome the previous refusal reason, which was:

“The development results in the creation and use of a substandard access by reason of its location. This would result in additional standing and manoeuvring of vehicles in close proximity to the junction with North Street, thereby interfering with the safe and free flow of traffic. This is detrimental to highway safety and contrary to Policy T12 of the South Gloucestershire Local Plan.”

This current application now proposes the shared use of the existing access for both dwellings. This proposal is considered acceptable, subject to there being no demarcation, change in level or boundary treatment between either the driveway or the access. Subject to this condition, there is no transportation objection to this proposal:

A shared access and driveway for both properties needs to be provided and permanently maintained thereafter. This access and driveway should have a bound surface and there should be no demarcation, change in level or boundary treatment between either dwelling.

5.6 Proposed attached garage for No. 129

Also proposed is the erection of a single garage, with a home office in its rear portion, to serve the residual dwelling. This would replace the double garage to be demolished to make way for the proposed house. The proposed garage would be set back from the front building line by 2.6 metres, thereby reducing its impact in the street scene. When viewed from the side, it is considered that it would appear to be a small scale extension to the house, which would not harm visual amenity nor affect residential amenity in any way.

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 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 PK07/2115/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 first occupation of the dwelling hereby approved a shared access and driveway to serve both the residueal and approved properties shall be provided and permanently maintained thereafter. This access and driveway shall have a bound surface and there shall be no demarcation, change in level or boundary treatment between either dwelling on the access area.

Reason:

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

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

Reason:

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

4. 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. 32/07 – 10 AUGUST 2007

App No.: PK07/2168/RM
Site: Land adjoining 28 Burley Crest Downend
 BRISTOL South Gloucestershire BS16
 5PW

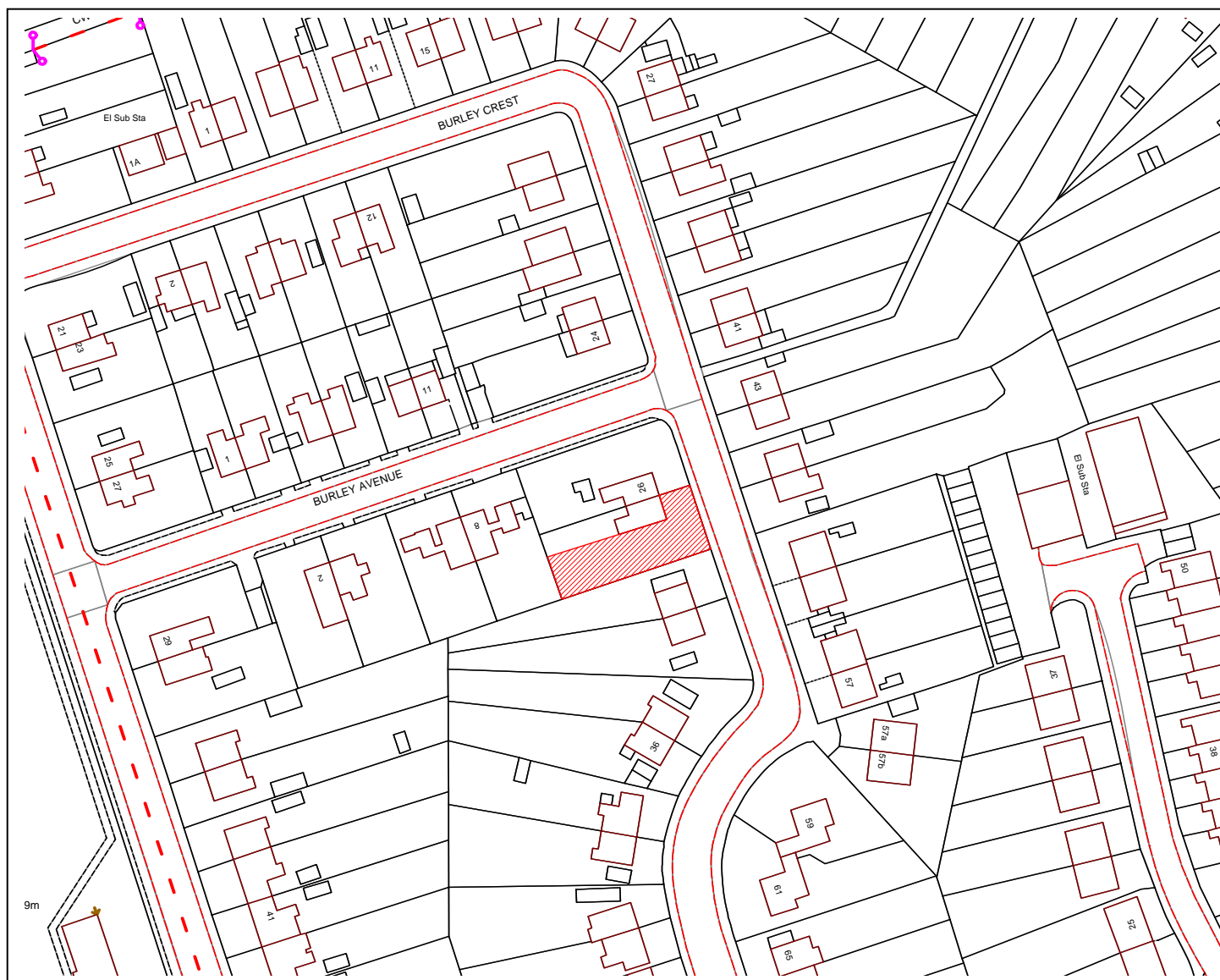
Applicant: Mr M Taylor
Date Reg: 16th July 2007

Proposal: Erection of 1no. detached dwelling.
 (Approval of reserved matters to be read
 in conjunction with outline planning
 permission PK06/1186/O).
 Resubmission of PK07/0640/RM.

Parish:

Map Ref: 65680 76464

Ward: Rodway



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PK07/2168/RM

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks consent for the reserved matters which did not form part of the outline permission approved under PK06/1186/O. That planning permission approved the siting of the dwelling and therefore, under the legislation current at that time, the issues for consideration at this stage are means of access, design, landscaping and external appearance. These form the headings in the analysis below. This application follows the refusal of an earlier Reserved Matters application, details at 3.2 below, due to the lack of details of parking – failing to demonstrate that two vehicles can be parked within the site and due to the design of the proposal, which had a large, unrelieved side elevation which would have been visible from the road.
- 1.2 The site is the side garden of No. 28, where a double detached garage stands at present. This stands within a street of regular, render and tile two storey semi-detached properties, set back from the street on a common front building line. The approved footprint respects the front building line, shows similar width to the other houses in the street, but extends the common back building line to the end of the rear extension/ projecting element of No. 28, rather than the rear building line common to most of this side of the street and No. 30 in particular.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within residential curtilages
T7 Cycle Parking
T8 Vehicle Parking
T12 Transportation
L1 Landscape

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/1186/O Erection of dwelling Outline approval
- 3.2 PK07/0640/RM Reserved matters application for one detached dwelling.
Refused

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Unparished area
- 4.2 Other Consultees
Environmental Protection
No objection in principle

Technical Services

Point out that drainage should not be a reserved matter and that drainage details should comply with the outline permission. Also mention that an informative on mining levels should be applied.

Other Representations

4.3 Local Residents

One reply was received, citing the following concerns:
Insufficient parking provision

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 headings below consist of the reserved matters applied for as well as issues raised by the conditions on the outline permission. The task of this application is overcome the refusal reasons applied to the previous scheme.

5.2 External Appearance

The materials selected would match with the adjoining house and the street scene, so this is considered to be appropriate to the locality. The previously refused scheme was for what was considered to be an abnormally deep dwelling, beyond any domestic scale and particularly in this context. This issue is allied to design, which is covered below.

5.3 Landscape

While the submission of landscaping details is a requirement of the Reserved Matters application in this instance, it is not always appropriate to require the implementation of landscaping in urban areas. In this instance, no landscaping details were submitted. The site is tightly constrained and therefore in this instance, it is considered that it may be difficult to accommodate any planting. The Council's Landscape Officer commented that the frontage treatments in the locality of the site are mixed, although common features were privet hedges and low boundary walls. While either would be considered to be acceptable, the low boundary wall is the only practical option and this could be required by condition, subject to parking constraints. Landscape issues therefore do not form a refusal reason for this proposal, even in the absence of submitted details.

5.4 Design

This application has been designed with the intention of overcoming the design refusal reason applied to the previous scheme. The footprint of the proposed house has therefore been reduced within the red line area approved on the outline permission. The main part of the house would match the front and rear building lines of the houses on either side of the site. An additional element, still within the approved outline footprint, forms what appears as a two storey rear extension, with the same character as of No. 26 and No. 28. This form is considered to be appropriate to the location, as is the proposed two storey elevations. An additional (fourth) bedroom is proposed in the roof area, but this would be lit by rooflights and again this conforms with the local character. Roofslopes, in accordance with the revised footprint, would also fall in line with the local character. Detailing has been kept simple and logical and is also considered to be appropriate to the street scene. It is considered therefore that this proposal has successfully overcome the previous refusal reason in respect of massing and design.

5.5 Means of Access

This reserved matters application is a resubmission of PK07/0640/RM which omitted to include any detail of vehicular parking to be provided. This current application now provides detail of two off-street vehicular parking spaces for both the existing and proposed new dwellings as per condition 11 attached to the outline planning permission previously granted PK06/1186/O. In light of the above, there is no transportation objection to this proposal.

5.6 Conditions on Outline Planning Permission

Condition 4 specifies that no windows shall be inserted in the side elevations of the property. The only windows shown are to serve non-habitable rooms (a bathroom – obscurely glazed – and a landing) which is not considered to harm residential amenity. Condition 5 requires that ridgeline and eaves height should match the adjoining property. This has been adhered to. Conditions 6 and 7 require matching materials and samples to be submitted. Again, this has been adhered to, at least in the design and access statement. No drainage condition was applied to the outline permission, but it should be noted that both water supply and sewerage is available to the site, subject to connections into Wessex infrastructure.

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

Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are appropriate, and a Section 106 Agreement is not a possibility due to this being a reserved matters application.

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 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 The planning permission for the reserved matters is approved. It should be noted that this permission will be read in conjunction with the outline permission and therefore conditions appended to the outline permission which have not been resolved through this application will still apply. This submission is not considered to require the imposition of any further conditions for the proposal.

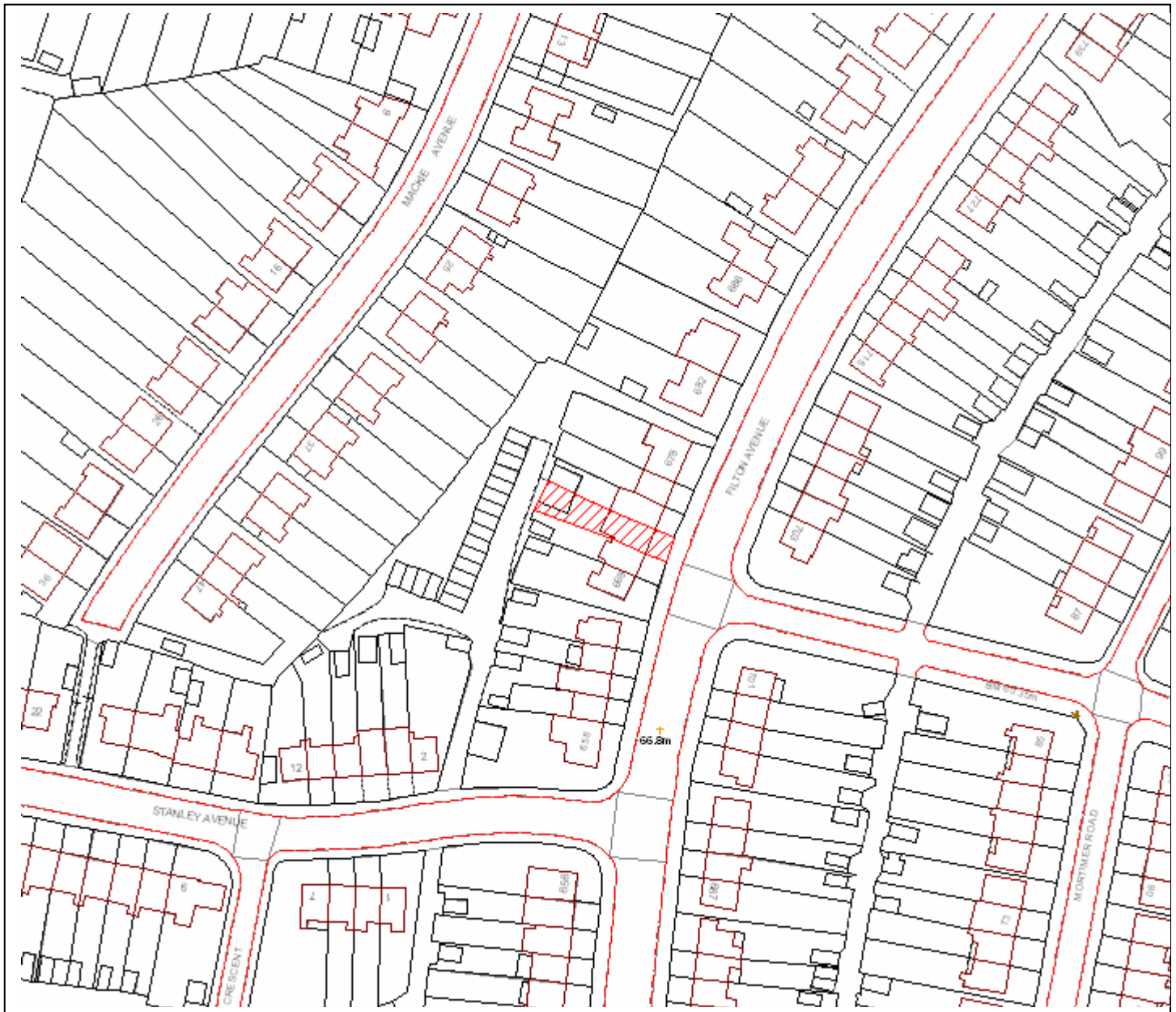
Background Papers PK07/2168/RM

Contact Officer: Chris Gosling

Tel. No. 01454 863787

CIRCULATED SCHEDULE NO. 32/07 – 10 AUGUST 2007

App No.:	PT07/1816/F	Applicant:	Miss C Riccardi
Site:	672 Filton Avenue Filton BRISTOL South Gloucestershire BS34 7JY	Date Reg:	12th June 2007
Proposal:	Conversion of 1 no. existing dwellinghouse to form 2 no. self contained flats.	Parish:	Filton Town Council
Map Ref:	60794 78716	Ward:	Filton



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N.T.S

PT07/1816/F

INTRODUCTION

This application has been placed upon the Circulated Schedule as the Town Council have objected to the proposal.

1. THE PROPOSAL

- 1.1 This full application relates to the conversion of an existing dwelling currently in use as 6 bed sits to form 2 flats. The development will result in the creation of a one and a two bedroom flat. In order to facilitate the conversion the majority of the changes will be internal. A bin store area will be provided in the front garden. Access to the property can be gained from either the front of the property from Filton Avenue, or via the back lane which gives access to the rear garden.
- 1.2 The application site is located on the busy Filton Avenue which is one of the main routes into Bristol City centre from the North of the City. The area is characterised by 1920's terraced properties. This property is mid terraced.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 South Gloucestershire Local Plan

D1	Design
H2	Proposals for Residential Development, including Residential Institutions and Special Needs Accommodation, and Applications to Renew Permission for Residential Development, within the Existing Urban Areas and Defined Settlement Boundaries
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
H5	Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential purposes
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
T7	Cycle Parking Standards

2.3 Supplementary Planning Document Design Checklist (Draft)

3. RELEVANT PLANNING HISTORY

- 3.1 P98/1474 Conversion of house to 2 flatsRefused at appeal the reasons for the refusal were possible impacts upon neighbouring property from noise, with the proposed living room of the first floor flat having an impact upon the bedroom of the neighbouring house. There is poor accessibility to the garden and parking area for the first floor flat.

It should be noted that since this application there have been changes in national legislation most notably PPS3: Housing which encourages a much more efficient land use, including the sub-division of housing and the creation

of smaller units. Accessibility to the garden can be achieved for both upper and lower flats in this current scheme whilst the sustainable location, rear parking space and cycle parking overcome the parking concerns.

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Objects to the proposal on the following grounds ...

- Inadequate parking provision
- Suggest possible hardstanding to discourage possible outside storage
- Town Council object to the increasing numbers of family housing being turned in flats.

4.2 Local Residents

No response received to consultation exercise

4.3 Highways Section

No objection to the proposal. .

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site lies within the defined urban area of Filton. Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allow for residential development within existing urban areas, subject to a number of criteria including transportation, residential amenity, density and design considerations.

5.2 In terms of the conversion element of the proposal, advice contained within PPS3 encourages the conversion of housing into extra residential accommodation, regarding it as an important source of additional housing, particularly in town centres. This advice is reflected in the Adopted Joint Replacement Structure Plan where policies encourage a mixture of housing types in sustainable locations, especially dwellings for smaller households. This policy stance is reflected in policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006. This policy allows for the conversion of existing residential properties into smaller units of self-contained accommodation provided the following criteria are complied with:-

A. the development would not prejudice the character of the surrounding area;

The proposed conversion can be adequately achieved without detriment to the character of the surrounding area. The proposal will appear as an ordinary dwelling as the property will only have one front door. Inside the property there will be one flat on the ground floor and one flat on the first floor.

As such it is considered that the proposal would be in keeping with the character of the locality and therefore complies with this criterion.

B. it would not prejudice the amenities of nearby occupiers;

The site of the proposal is within the urban area of Filton in a predominately residential locality. The proposal will not prejudice the amenities of nearby

occupiers to any greater extent than exists at present, especially as the development is for 2 flats within the existing built form.

The internal layout of the first floor 2 bed flat is not the norm with the living space being located in the roof. This said it is not thought that this would give rise to unacceptable living conditions for either the occupier of the flat or the occupier of the neighbouring property. To aid this situation a condition is suggested requiring a noise insulation scheme to be submitted.

C. it would identify an acceptable level of off-street parking;

The site as previously stated is on busy road where there is degree of on street parking. There is also space for a parking space at the rear of the site, which can be accessed off the back lane. Cycle storage is provided within the built form of the building for both flats.

The parking provided is below the maximum permitted in Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006. However given the sites location close to one of the busiest public transport routes in Bristol, a refusal reason on the lack of off-street parking space could not be substantiated. It is also noted that the applicant has tried to encourage other methods of transport by including cycle racks within the design for the site in line with policy T7.

In light of the above there is no transportation objection to the scheme bar the requirement for any off street parking spaces to be finished in a bound material.

D. It would provide adequate amenity space.

There is sufficient amenity space for development. The whole of the rear garden will be a communal rear garden which will lead to the off street parking space. Whilst at the front of the property there will a joint bin storage area. There is also a large playing field with associated playing equipment less than 200 metres away from the site. Both properties will have access to the rear garden, as a corridor is proposed which will go the length of the property. Hence the amenity situation is now acceptable when compared to the original as both flats will have direct access to the rear communal garden.

5.3 Other Considerations

Policy H4 of the Adopted South Gloucestershire Local Plan is also relevant as it specifically relates to development within existing residential curtilages, including extensions and new dwellings. All the issues relating to this policy have already been addressed under policy H5 above.

In terms of the objection raised to the proliferation of flat conversions in Filton. Also as stated above national guidance encourages Councils to create mixed communities with a diversity of house types. It is considered that the vast majority of properties in Filton are Houses. Again the occupiers of the units is a decision for owners and not the planning system.

The application is therefore considered acceptable when assessed against all the criteria set down for development of this type both nationally and locally.

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 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.

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 PT07/1816/F

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).

2. No development shall take place until details of a scheme of noise protection and sound insulation has been submitted to and agreed in writing with the Local Planning Authority. The residential units hereby approved shall not be occupied until the noise protection and sound insulation measures have been provided in accordance with the agreed scheme.

Reason(s):

To ensure a satisfactory standard of noise protection for the residential units to accord with policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The residential units hereby approved shall not be occupied until a scheme for the management of the communal areas of the development both internal and external has been submitted and agreed in writing by the Local Planning Authority. The scheme should include management responsibilities and maintenance schedules. The scheme for the management of communal areas shall be carried out as approved.

Reason(s):

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

4. No development shall take place until details of provision of storage for refuse bins and boxes has been submitted to and agreed in writing by the Local Planning Authority. The residential units hereby approved shall not be occupied until the storage areas have been provided in accordance with the agreed details.

Reason(s):

To ensure a satisfactory standard of external appearance and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

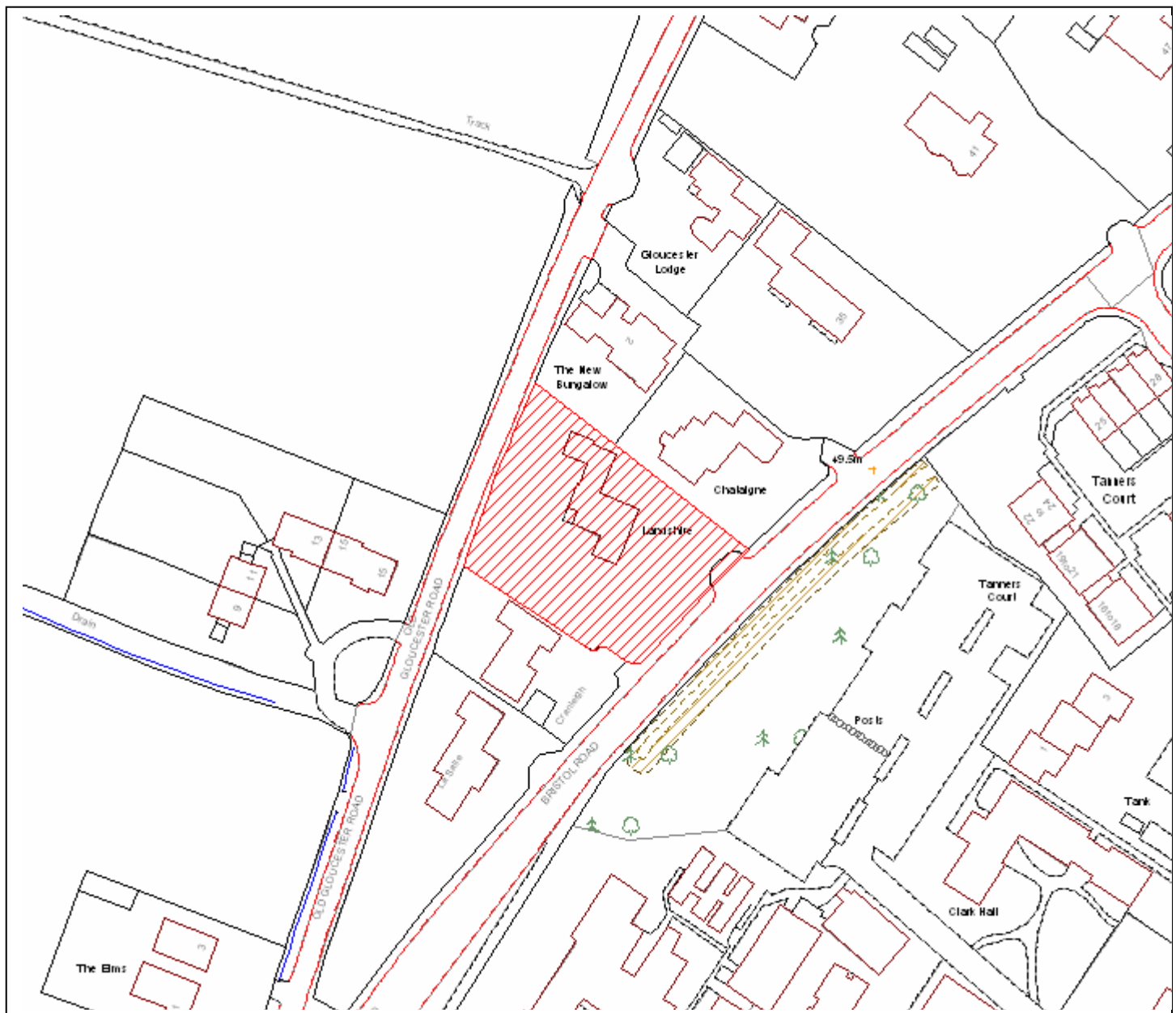
5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection 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(s):

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

CIRCULATED SCHEDULE NO. 32/07 – 10 AUGUST 2007

App No.: PT07/1876/O	Applicant: UK Screeders
Site: Landshire Bristol Road Frenchay BRISTOL South Gloucestershire BS16 1LQ	Date Reg: 19th June 2007
Proposal: Erection of 14 no.2 bedroom dwellings on 0.18 hectares of land (Outline) with layout, scale and access to be determined. All other matters reserved.	Parish: Winterbourne Parish Council
Map Ref: 63543 78007	Ward: Frenchay and Stoke Park



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100023410, 2007.

DC0901MW

INTRODUCTION

This application is a Major application and as such must be determined under the Circulated Schedule Procedure.

1. THE PROPOSAL

- 1.1 This outline application relates to the demolition of the existing detached bungalow known as 'Landshire', and the erection of 14 no. residential units comprising 6 no. two bedroom houses and 8 no. two bedroom apartments on land at 'Landshire', Bristol Road, Frenchay. Details of siting/layout, scale and access are to be determined with all other matters reserved for subsequent approval.
- 1.2 The application site has an area of 0.175 hectares. It is located within the settlement boundary of Frenchay. The front of the site borders Bristol Road and Old Gloucester Road forms the rear boundary to the site. The existing vehicular access off Bristol Road is to be relocated further to the south-west to provide increased visibility to serve the proposed development. The rear boundary consists of a well-established hedgerow and two mature poplars are located to the front of the site. These are to remain as part of the development.
- 1.3 A parking court providing 14 car parking spaces is provided to the front of the site. An enclosed cycle store to accommodate 14 cycles is also proposed as well as a refuse store.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPG24	Planning and Noise

2.2 Joint Replacement Structure Plan

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 33	Housing Provision and Distribution
Policy 34	Re-use of Previously Developed Land
Policy 35	Housing Density
Policy 59	New Development – Transport Issues

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L1	Landscape Protection and Enhancement
L4	Forest of Avon
H2	Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2159/O Erection of 3 no. dwellings (outline) with siting and means of access to be considered.
Approved 29 August 2006.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Object to the proposal on the following grounds:-
- a) gross overdevelopment;
 - b) 2 storeys within row of bungalows;
 - c) Parking at front of site unsightly;
 - d) Access is on an extremely busy road and within 100m of main access to the A&E at Frenchay Hospital;
 - e) Loss of trees has already occurred;
 - f) Insufficient parking.

Other Consultees

- 4.2 Sustainable Transport
Object to the proposal.

- 4.3 Wessex Water
No objections/standard comments.

Other Representations

- 4.4 Local Residents
46 letters have been received, 1 in support of the application on the following basis:-
- i) proposal makes better use of limited land available;
 - ii) will increase the number of one-person properties without developing Green Belt and farmland.

47 representations object to the proposal on the following grounds:-

- a) Density of site;
- b) Overbearing;
- c) Increased traffic;
- d) Highway safety;
- e) No provision for visitor parking;
- f) Out of character with area;
- g) Loss of privacy/overlooking;
- h) Doctors Surgery and Bakers shop have both closed;
- i) Devaluation of property;
- j) Inadequate parking;
- k) Refuse;
- l) Irregular bus service;
- m) Noise;
- n) Overdevelopment of site;
- o) Overloading of drains;
- p) No pharmacy or National Health Dentist is within walking distance;
- q) Supporting information incorrect;
- r) Number of dwellings ensures that no affordable housing has to be provided;

- s) Additional traffic could hamper emergency vehicles accessing Frenchay Hospital;
- t) No footway;
- u) No schools in the vicinity;
- v) Applicant's require but have not requested consent to connect to the private sewer;
- w) Loss of light;
- x) Location and amount of refuse bins would cause a smell and refuse vehicles will hamper traffic;
- y) Set a precedent;
- z) Pollution;
- aa) Trees have already been felled.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Advice contained within PPS3 encourages the provision of additional housing on previously developed land within existing towns and cities to promote more sustainable patterns of development. This policy stance is reflected in policies contained within the Adopted Joint Replacement Structure Plan and the adopted local plan.

- 5.2 The application site lies within the settlement boundary of Frenchay. Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for new residential development within the boundaries of settlements provided the following criteria are complied with:-

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

5.3 Transportation Issues

The site is located on Bristol Road (B4058), a busy classified highway. This road acts as the main route to Frenchay Hospital for emergency vehicles, the hospital entrance being approximately 120m to the south of the site. In the immediate vicinity of the site there are two bus stops that would provide linkages to the wider area. The speed limit in force is 30mph and there are no parking restrictions in force on the B4058 in the vicinity.

- 5.4 Although the site is reasonably well located for public transport, it fails in terms of accessibility to local services, in particular education establishments. The nearest primary schools are in excess of 1400m away, with walking routes compromised by the lack of footway and inadequate width adjacent to busy roads, making the 'experience' intimidating and clearly not considered a 'safe route to school'. Guidance suggests that the optimal distance is 300m.
- 5.5 Secondary school education is located approximately 3,100m via the shortest route. This route however, due to the geometry of the local highway network is again an 'intimidating' route for those wishing to cycle or walk. As a consequence of the nature of the linkages between the proposed development and the educational establishments, the majority of children are likely to be driven to school, increasing car-borne trips in the area.

- 5.6 In addition to the problems faced by children of school age, the remoteness of local facilities and safe routes to them will also increase the number of car-

bourne trips as a result of this proposal. This will have a cumulative effect on the number of vehicle trips and the suitability of the available parking facilities.

- 5.7 The development also does not provide parking at a level that will negate the potential for on-street parking. Any on-street parking will create congestion by reducing the available width for vehicles on the highway, which in turn will likely interfere with the safe and free passage of emergency vehicles to/from Frenchay Hospital to the detriment of safety and contrary to policy 59 of the Adopted Joint Replacement Structure Plan and policies D1, H2, H4, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.8 Residential Amenity Issues

With regard to residential amenity the proposal is also considered unacceptable. The density of the proposed development is such that it is completely at odds with its surroundings which are characterised by detached bungalows on substantial plots. The proposal introduces two terraced ranks approximately 33m in length and of a height some 3m higher than the adjacent dwellings. This will have an adverse impact upon the visual amenities of surrounding occupiers and the area in general. The rank facing onto Gloucester Road will also result in an overbearing impact upon the residential amenities of the adjacent bungalow of 'Cranleigh'. This rank is situated only some 4m away and extends some 9.4m beyond the rear building line of this bungalow. The development will therefore result in an overbearing impact upon the occupiers of this property. Although the issue of design is a reserved matter, it would appear from the layout that overlooking to adjacent properties will also result from the proposal. The provision of a parking forecourt and bin store to the front of the site will also detract from the visual amenities of the area and the residential amenities of adjacent occupiers.

- 5.9 The location of the cycle store is also within 3m of the side lounge window of 'Cranleigh', with the pedestrian access serving the cycle store and proposed dwellings within 2m of this boundary. It is considered that the intensification in residential use of the site will undoubtedly result in a significant increase in noise and disturbance to surrounding occupiers, and in particular 'Cranleigh'.

- 5.10 In terms of the residential amenity of future occupiers of the proposed development the layout is also poor. The minimum back to back distance is some 9m, and the maximum is 12m. In terms of intervisibility between each terraced rank, this will result in an overbearing impact and overlooking/loss of privacy to all occupiers. The garden areas are also distinctly cramped in size and have a poor relationship with each other. For example, the gardens associated with 13 and 14 extend directly to the rear elevation of apartments 1 and 2 which have no private amenity space. The garden area associated with apartment 10 and 11 has a maximum depth of 4.4m and an area of under 20m². In conclusion the proposal is seriously flawed in a number of respects. The siting, overall layout, density, form, scale, height and massing do not respect or enhance the character, distinctiveness and amenity of either the site or the locality and as such fails this criterion.

B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved;

- 5.11 The application site has an area of some 0.175 hectares resulting in a density of 80 dwellings per hectare. Advice contained within PPS3 encourages housing at higher densities that make more efficient use of the land where such

locations are sustainable. Indeed the adopted local plan promotes densities upwards of 50 dwellings per hectare where local circumstances permit, especially in and around existing town centres and locations well served by public transport.

- 5.12 However, it is considered that the proposed housing density is not compatible with the character of the area or its location. The resulting density is significantly higher than its surroundings and completely at odds with the locality. The high density of the development will not be readily assimilated within the street scene and would have an adverse impact upon the visual and residential amenities of the locality. Moreover, the site is not particularly accessible, especially in terms of local services. As such the application fails this criterion.

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

- 5.13 The site, due to its proximity to the M32 and Bristol Road may be adversely affected by noise and as such an acoustic survey has been requested by the Council's Environmental Service. As the application is to be recommended for refusal it is not considered expedient to request the applicant to provide such a survey at this stage. However, due to the lack of information submitted it is considered that this is an acceptable ground for refusal in the eventuality of an appeal being submitted.

D. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposal.

- 5.14 The proposal is for 14 dwellings within an urban area. As such it is considered that the proposal will not impinge upon levels of service provision within the locality to a material degree. Indeed, in terms of education, the site is located within an area of some surplus capacity.
- 5.15 Policy H4 of the local plan is also relevant as it relates to residential development within existing residential curtilages and is concerned with more detailed design issues. This policy allows for new development provided the massing, scale, proportions, materials and overall design and character of the existing property and street scene are respected; the amenities of nearby occupiers are not adversely affected; highway safety/parking is acceptable and adequate private amenity space is available for the existing and proposed dwelling. As the application has been submitted in outline, design/appearance and landscaping are reserved for future consideration. However, the proposal fails this policy in terms of residential amenity and transportation issues as outlined under the foregoing paragraphs.

5.16 Design Issues

Advice contained within PPS1 states that “ *Good design ensures attractive, useable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible for good planning*”.

- 5.17 This advice is reflected in Policy D1 of the adopted local plan as well as supplementary planning guidance contained within the soon to be adopted South Gloucestershire Design Checklist. In particular, development will only be permitted where the siting, overall layout, density, form, scale, height and

massing are informed by and respect and enhance the character, distinctiveness and amenity of both the site and locality. As has been previously discussed, the proposal fails this criterion.

5.18 Trees

On the Bristol Road frontage there are two fully mature Poplar trees. The root systems of Poplar trees can extend some two to three times the height of the tree. The root systems of the subject trees will therefore extend throughout the site. The parking forecourt is located beneath the canopy and as such will impact dramatically on the root systems. This will have an adverse impact upon the health of the trees and may result in the loss of the trees which are an important feature within the overall street scene. As such the proposal does not safeguard or conserve these existing landscape features and fails policies D1 and L1 of the adopted local plan.

5.19 Design and Access Statement

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

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

7. RECOMMENDATION

7.1 Outline planning permission be refused.

Background Papers **PT07/1876/O**

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

REFUSAL REASONS

1. The proposal represents an over-development of the site which would be cramped in appearance and would detract from the visual amenities of the locality. The proposal is therefore contrary to advice contained with PPS1 and PPS3, Policy 35 of the Adopted Joint Replacement Structure Plan and Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

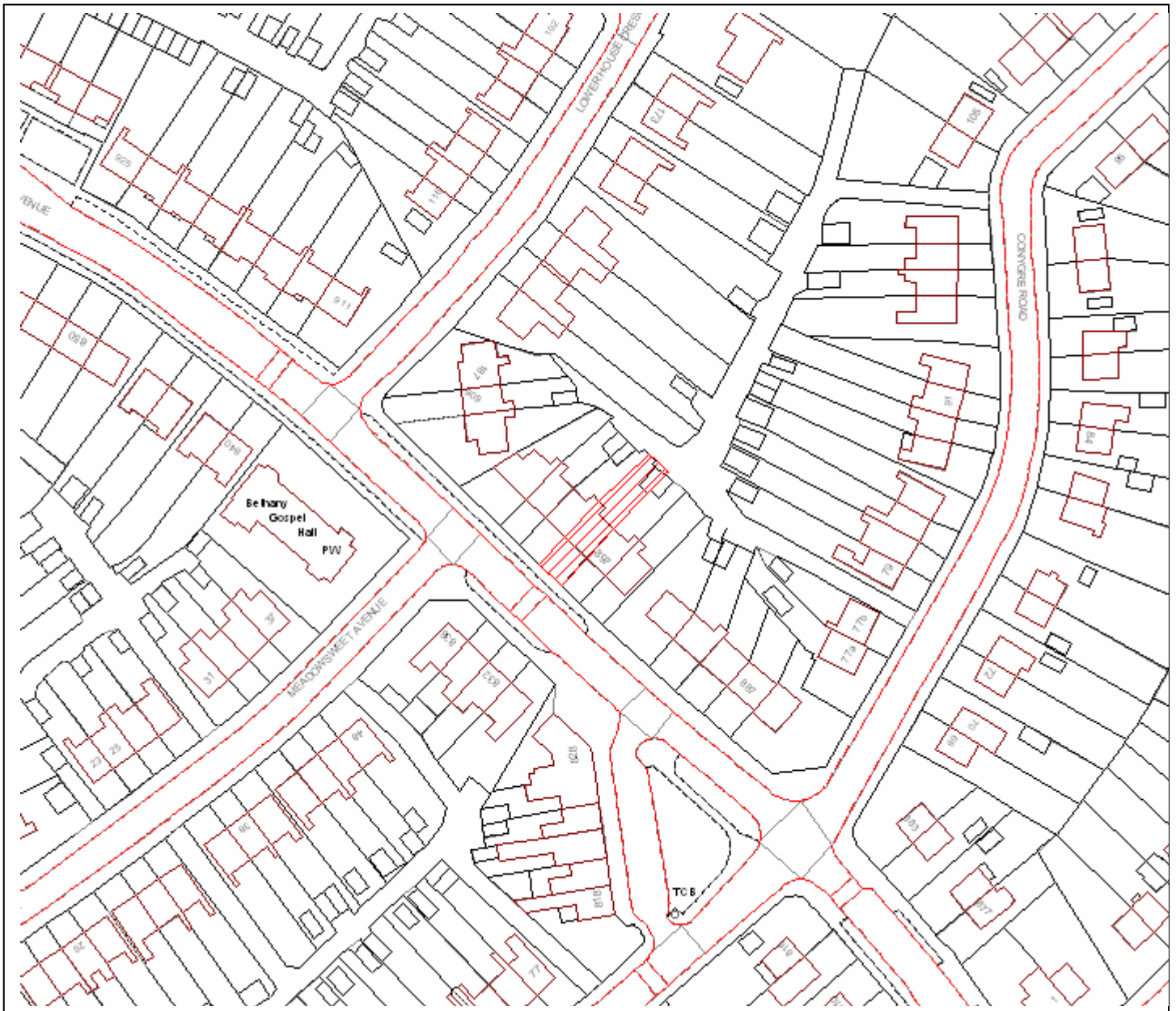
2. The proposal does not provide a degree of parking to a level that will negate the potential for on-street parking. This will result in additional on-street parking that will create congestion by reducing the available width for vehicles on the classified B4058 highway, which in turn will likely interfere with the safe and free passage of emergency vehicles to and from Frenchay Hospital to the detriment of highway safety and

contrary to Policy 59 of the Adopted Joint Replacement Structure Plan and Policies D1, H2, H4, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The proposed development by reason of its remoteness from local facilities and education establishments, when coupled with the lack of footway along the site frontage/inadequate pavement width, is likely to result in an increased number of car borne trips which would result in an unsustainable development. As such the proposal is contrary to Policies 1, 2, 35 and 59 of the Adopted Joint Replacement Structure Plan and Policies D1, H2 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The proposed development by reason of its siting in relation to the property of 'Cranleigh' would result in an overbearing impact upon the occupiers of this property to the detriment of residential amenity. The proposal is therefore contrary to Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
5. The proposal by reason of the intensity of use of the residential site with its vehicle and pedestrian movements would result in increased noise and disturbance to occupiers of surrounding properties to the detriment of residential amenity. As such the proposal is contrary to advice contained within PPS1 and Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
6. The proposed development by reason of its siting and layout is likely to lead to overlooking and loss of privacy to surrounding occupiers to the detriment of residential amenity. The proposal therefore falls contrary to advice contained within PPS1 and policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
7. The proposed development by reason of its siting, cramped appearance and layout, in particular the garden areas and the maximum distance of 12m between the rear elevations of both ranks of terraces would represent an unsatisfactory form of development which would result in loss of privacy and have an overbearing impact upon the future occupiers of the proposed dwellings to the detriment of residential amenity. As such the proposal falls contrary to advice contained within PPS1, PPS3, Policy 35 of the Adopted Joint Replacement Structure Plan and Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
8. The application site is in close proximity to the M32 and Bristol Road and no acoustic report has been submitted to demonstrate how the impact of noise will affect the proposed development. As such the proposal falls contrary to advice contained within PPG24 and Policies D1, EP1, EP4, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
9. The proposed parking forecourt by reason of its location beneath the canopy of two mature Poplar trees would be detrimental to the health of these trees which are an important feature within the locality. The proposal would therefore adversely affect the visual amenities of the area and be contrary to advice contained within PPS1 and Policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 32/07 – 10 AUGUST 2007

App No.:	PT07/2029/CLP	Applicant:	Mr S Tutty
Site:	899 Filton Avenue Filton BRISTOL South Gloucestershire BS34 7AR	Date Reg:	3rd July 2007
Proposal:	Application for Certificate of Lawfulness for the proposed erection of rear dormer to facilitate loft conversion.	Parish:	Filton Town Council
Map Ref:	60756 79541	Ward:	Filton



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PT07/2029/CLP

INTRODUCTION

This application comprises a Certificate of Lawfulness in respect of a proposed rear dormer and thus appears on the Circulated Schedule.

1. THE PROPOSAL

- 1.1 The application forms a Certificate of Lawfulness for a proposed rear dormer that is required to provide an ensuite bedroom. The proposal would comprise a box style flat roofed dormer that would encompass the entirety of the rear roof slope.
- 1.2 The application site comprises a mid terraced two-storey dwelling on the north east side of Filton Avenue, Filton.

2. POLICY CONTEXT

- 2.1 Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
Objection: out of keeping with the neighbouring properties
- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
It must be ascertained whether the proposal would exceed those limits set within the General Permitted Development Order Class B, Part 1 of Schedule 2 (the enlargement of a dwelling house consisting of an addition or alteration to its roof) by means of its size and positioning.
- 5.2 General Permitted Development Order Class B
Class B1 of the General Permitted Development Order restricts additions and alterations to the roof of a property. These restrictions limit proposed changes to those which do not exceed the highest part of the roof and to those which, as a result of the work undertaken, do not extend closer to a highway than any part of the existing roof slope. Further, alterations and additions to the roof should not exceed 40 cubic metres in volume, whilst total extensions to the property as a whole must not exceed 50 cubic metres or 15%, whichever is greater.

5.3 Height of Dormer

With regard to the height of the proposal, no part would exceed the highest part of the existing roof structure with the proposed dormer set slightly down from the ridgeline. This section of the legislation is therefore satisfied.

5.4 Proximity to Highway

The application site benefits from vehicular access to the rear with a detached garage within the garden. Access to this is via a rear access way that forms a loop running between dwellings fronting Lower House Crescent and Conygre Grove. The site sits just off this loop on a short spur leading to 5 further units.

5.5 In view of the above, it is noted that no definition to the term 'highway' is given. As such, many Inspectors have tended to define a highway as 'any way over which the public have the right to pass or repass'. Further, in respect of a similar case in Gateshead, the Inspector concluded that a highway formed 'a route all persons rich or poor can pass and repass as often and whenever they wish without let or hindrance and without charge' (Gateshead MBC 31/05/05 DCS No. 100037420).

5.6 Having regard to the above, it is considered that this definition could not be reasonably applied to that part of the lane directly behind the application site given that the site is just beyond the aforementioned loop. Accordingly, on balance, the proposal is considered to satisfy this section of the legislation.

5.7 Volume Considerations

The volume of the proposal has been calculated at 27.5 cubic metres. The unit has however also benefited from a rear lean-to extension which measures 13.5 cubic metres. In this regard, the combined size of these two additions equates to 41 cubic metres; below the 50 cubic metre allowance. This section of the legislation is therefore satisfied.

5.8 Further, it should be noted that the existing porch extension falls within Class D of Schedule 2 thus its volume can not be included. Similarly, the detached rear garage stands over 5m from the dwelling and thus comprises an outbuilding as opposed to an extension to the property.

5.9 Outstanding Issues

Filton Town Council has expressed concern that the proposal would be out of keeping with the neighbouring properties. However, by virtue of the type of application, it should be noted that the planning merits of the proposal are not under consideration.

6. RECOMMENDATION

6.1 That a Certificate of Proposed Lawful Development is **GRANTED** for the following reason:

Background Papers PT07/2029/CLP

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

The proposed development (in addition to the existing rear lean-to) would satisfy the requirements for extensions as set out in Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995.

CIRCULATED SCHEDULE NO. 32/07 – 10 AUGUST 2007

App No.:	PT07/2124/F	Applicant:	Steven Wright & Adrian Wright
Site:	1 Belle Vue Cottages Southmead Road Filton BRISTOL South Gloucestershire BS34 7QP	Date Reg:	11th July 2007
Proposal:	Erection of single storey rear extension to facilitate conversion of 1 no. dwelling into 2 no. flats. Erection of bike store. (Resubmission of PT07/0462/F).	Parish:	Filton Town Council
Map Ref:	60078 79012	Ward:	Filton



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100023410, 2007.

DC0901MW

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey rear extension, to facilitate the conversion of one dwelling into two flats; the works include erection of a bike store.
- 1.2 The application site relates to a pair of semi-detached dwellings on a major roundabout in Filton. The site is near a public house. There are no parking facilities associated with the dwelling.
- 1.3 The application forms a resubmission of a previously refused application PT07/0462/F, the proposed dormer was considered inappropriate in terms of design.

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1 Delivering Sustainable Development
 - PPG24 Noise and Planning
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
 - D1 Achieving Good Quality Design
 - H4 Development within the Residential Curtilage
 - H5 Residential Conversions, Houses in Multiple Occupation and Reuse of Buildings for residential purposes
 - T12 Transportation Development Control Policy
 - T8 Parking Standards
 - T7 Cycle Parking

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council

Objection- Concerns over parking on busy junction. Inadequate parking and garden details. No demand for this type of small accommodation
- 4.2 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 existing residential properties into smaller units of self-contained residential accommodation provided that the proposal would

 - a) Not prejudice the character of the surrounding area

- b) Not prejudice the amenities of nearby occupiers
- c) Identify an acceptable level of off-street parking
- d) Provide adequate amenity space

5.2 Design/ Visual Amenity

It is proposed to construct a single storey rear extension which provides a bathroom and an entrance to the ground floor property. This would feature a lean-to roof. Additionally a bike store would be added onto the back of the dwelling, this would be concreted, and covered by a corrugated area, and a pitched roof would be placed over an existing flat roof extension. It is considered that these additions compliment the existing design of the dwelling and are acceptable additions.

The previously refused application featured a rear box dormer, which was considered to be out of keeping with the design and character of the dwelling. In this resubmission there are no dormers. As such the proposal is considered acceptable

5.3 Residential Amenity

Internally one flat would be self-contained on ground floor level, this would have one bedroom, using a side door as the main access. At first floor would be a self-contained one bedroom flat using the ground floor front door as the main access.

The proposal would see like for like rooms above each other which would minimise noise disruption between the two flats. Additionally the applicant has stated that the proposal would be insulated to meet building regulations.

There would be a pitched roof over the existing flat roof extension, and a bicycle shed behind that. It is considered that the proposal would not result in an overbearing impact or loss of privacy for the adjoining.

5.4 Transportation

The dwelling is located on a busy street within a residential area. The dwelling is in close proximity to shops. Accessibility to main bus routes is good, the dwelling is in a sustainable transportation location.

Dwellings with no parking in this location are not an ideal situation and we would not encourage it in new build properties.

However, given that this unit is existing, could be used for four separate residents under Permitted Development rights now and the extension is only minimal to allow reasonable conversion, there is no basis for a transportation objection on this occasion

The applicant is to provide cycle storage space, it is considered that the provision of two cycle storage spaces would be appropriate to encourage the use of bicycles for both flats, as such a condition would be added to ensure that adequate storage facilities are provided.

5.5 Amenity Space

There is a shared paved area which would allow circulation through the site, and accessibility to the cycle storage. There is sufficient space to store bins. The existing dwelling is only served by a courtyard space, it is considered that the proposed share of this space adequately serves the two flats.

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 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 approved subject to the following conditions:

Background Papers **PT07/2124/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 cycle storage facilities, 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 T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.