



**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. 34/07

Date to Members: 23/08/07

Member's Deadline: 31/08/07

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: 23/08/07

SCHEDULE NO. 34/07

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

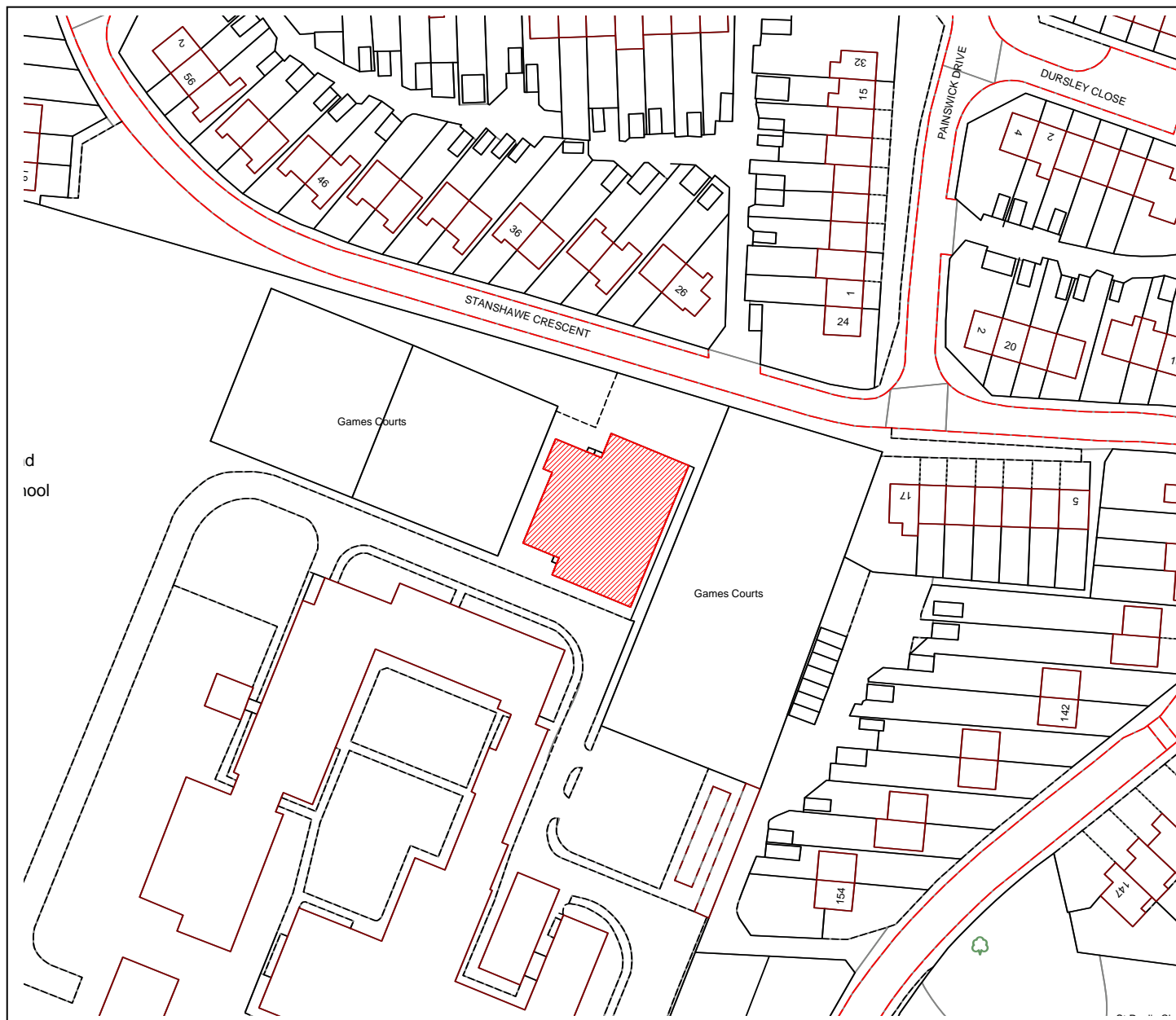
DATE

Circulated Schedule 23 August 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK06/0965/R3F	Deemed consent	King Edmund Community School Sundridge Park Yate South Gloucestershire BS37 4DX	Yate Central	Yate Town Council
2	PK06/3382/O	Approve with conditions	72 Downend Road Kingswood South Gloucestershire BS15 1SP	Kings Chase	
3	PK07/1706/R3F	Deemed consent	The Park Centre Hollow Road Kingswood South Gloucestershire	Woodstock	
4	PK07/1878/TRE	Approve with conditions	65 Cadbury Heath Road Cadbury Heath South Gloucestershire BS30 8BY	Parkwall	Oldland Parish Council
5	PK07/1926/ADV	Approve	Unit E Aldermoor Way Longwell Green South Gloucestershire BS30 7DA	Longwell Green	Oldland Parish Council
6	PK07/2371/F	Approve with conditions	54 Church Road Kingswood South Gloucestershire BS15 4BB	Kings Chase	
7	PT07/1725/F	Approve with conditions	Rolls Royce PLC PO Box 3 Gypsy Patch Lane Filton South Gloucestershire BS34 7QE	Stoke Gifford	Stoke Gifford Parish Council
8	PT07/1873/F	Approve with conditions	Holt Farm Shepperdine Road Oldbury Naite Oldbury-on-severn South Gloucestershire BS35 1RJ	Severn	Oldbury-on-Severn Parish Council
9	PT07/1989/F	Approve with conditions	117 Woodlands Road Charfield WOTTON UNDER EDGE South Gloucestershire GL12 8LT	Charfield	Charfield Parish Council
10	PT07/2173/F	Approve with conditions	7 Sixth Avenue Filton South Gloucestershire BS7 0LT	Filton	Filton Town Council
11	PT07/2181/F	Approve with conditions	13 Fifth Avenue Filton South Gloucestershire BS7 0LP	Filton	Filton Town Council
12	PT07/2220/CLE	Approve with conditions	32 Eighth Avenue Filton South Gloucestershire BS7 0QT	Filton	Filton Town Council
13	PT07/2268/F	Approve with conditions	Railway Tavern 56 Wotton Road WOTTON UNDER EDGE South Gloucestershire GL12 8SR	Charfield	Charfield Parish Council
14	PT07/2295/F	Approve with conditions	11 Redfield Road Patchway BRISTOL South Gloucestershire BS34 6PJ	Patchway	Patchway Town Council
15	PT07/2331/F	Approve with conditions	1 The Dell Bradley Stoke South Gloucestershire BS32 8DZ	Bradley Stoke South	Bradley Stoke Council Town
16	PT07/2361/F	Approve with conditions	675 Filton Avenue Filton BRISTOL South Gloucestershire BS34 7LA	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 34/07 – 23 AUGUST 2007

App No.: PK06/0965/R3F	Applicant: King Edmund Community School
Site: King Edmund Community School Sundridge Park Yate BRISTOL South Gloucestershire BS37 4DX	Date Reg: 7th April 2006
Proposal: Refurbishment of existing Sports Hall to include new roof, windows, doors and internal works.	Parish: Yate Town Council
Map Ref: 71198 82108	Ward: Yate Central



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N.T.S

PK06/0965/R3F

The application appears on the circulated schedule as the applicant is South Gloucestershire Council, and under the current scheme of delegation, falls to be considered as such.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the refurbishment of existing Sports Hall to include new roof, windows, doors and internal works.
- 1.2 The site consists of an existing school within the urban area of Yate. The existing roof is asbestos sheeting, which is proposed to be replaced with insulated composite troughed metal sheeting. All new windows and doors are proposed to be aluminium.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

T12 Transportation Development Control Policy

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK00/2292/R3F Erection of detached prefab garage. Approved 2000
- 3.2 PK04/2189/R3F Installation of windows, doors and roller shutter doors and associated works. Approved 2004
- 3.3 PK04/1849/R3F Erection of two storey extension to form science block and associated works. Approved 2004

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objection

Other Representations

- 4.2 Local Residents
No response

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy LC4 allows for the improvement of education facilities within the existing urban area, subject to certain criteria, including whether the proposals are located on site which are highly accessible on foot and by bike.

- 5.2 The site is very close, within a short walking distance of Yate Town Centre, and is therefore considered to be a highly sustainable location. The principle of development is therefore considered acceptable, subject to the following detailed assessment.
- 5.3 Visual Amenity
The sports hall is within the main body of the school site and the works are minor in scale, and therefore there will be a negligible effect on the visual amenity of the area.
- 5.4 Residential Amenity
The proposal consists of minor works to an existing sports hall within a large school complex, with the nearest residential properties 30m from the site. There is therefore no effect on the residential amenity of the area as a result of the proposals.
- 5.5 Transportation
The proposal involves no alterations to parking arrangements or accesses into the school, and therefore there are no transportation issues arising as a result of the proposal.
- 5.6 Design and Access Statement
The application was submitted prior to the requirement for a Design and Access Statement.
- 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 recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission be GRANTED subject to the following conditions:

Contact Officer: Sarah Tucker
Tel. No. 01454 863780

CONDITIONS

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

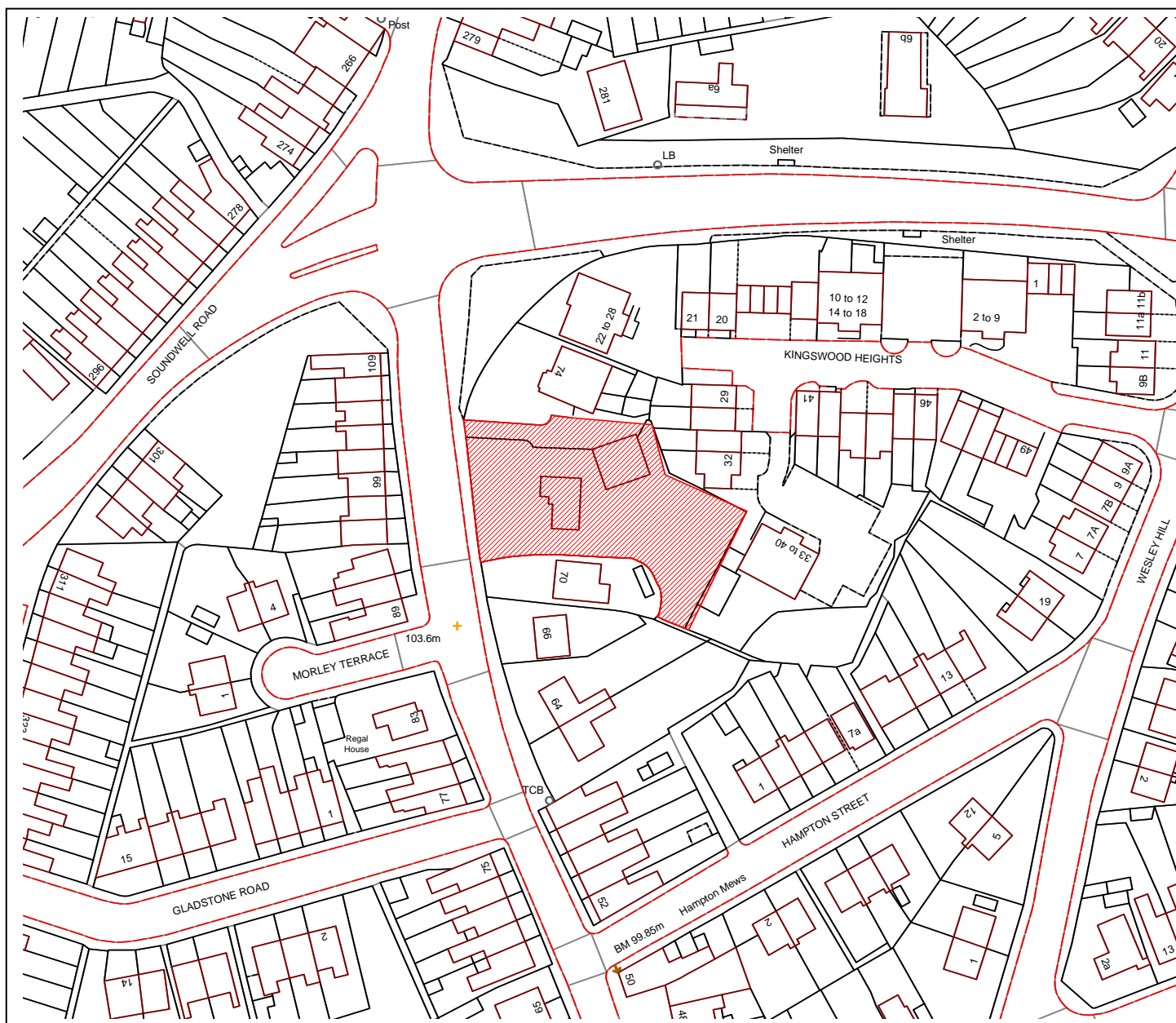
Reason

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

CIRCULATED SCHEDULE NO. 34/07 - 23 AUGUST 2007

App No.: PK06/3382/O
Site: 72 Downend Road Kingswood BRISTOL
 South Gloucestershire BS15 1SP
Proposal: Erection of 6 no. dwellings (Outline) with
 siting, and access to be determined. All
 other matters to be reserved.
Map Ref: 64632 74396

Applicant: Mrs H Woodman
Date Reg: 22nd November
 2006
Parish:
Ward: Kings Chase



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N.T.S

PK06/3382/O

INTRODUCTION

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

1. THE PROPOSAL

1.1 This application seeks outline planning permission for the erection of 6 dwellings, shown on the submitted amended plans as being houses, as follows:

Plot 1: two and a half storey house with 4 bedrooms

Plot 2: two and half storey house with 4 bedrooms

Plot 3: two storey 3 bedroom house

Plot 4: two storey 3 bedroom house

Plot 5: two storey 2 bedroom 'cottage' with single aspect to front

Plot 6: two storey 2 bedroom 'cottage'

The matters to be assessed at this stage are layout, and access. Scale and appearance and landscaping will be dealt with as Reserved Matters.

1.2 The site contains a two storey dwelling at present, with a single storey double garage building behind it. The house stands in the front half of the site, fronting Downend Road and has a large front garden, sloping down to the road, with an even larger rear garden. Access is derived primarily off Downend Road, but an access from the Kingswood Heights development to the rear of the site has been retained. The proposal shows access made available for plots 5 and 6 from the rear and plots 1-4 from the front, using a drive shared with the former No. 74 Downend Road, which has been converted to four flats. The existing house on site conforms broadly to the building line facing the frontage and the proposed dwellings would do the same, with parking for 3 and 4 in front of those houses and 1 and 2 at the back of the site, approximately where the existing garage would be demolished. New landscaping is indicated to consist of 12 trees at strategic points largely around the edge of the site. Residential curtilages for each house would be created to their front and rear.

1.3 The site has a hillside location, close to the light controlled junction of Downend Road and Syston Way. The two storey house on the site contrasts with the bungalow at No. 70 in both mass and height, which is then accentuated by the higher land of the site in relation to No. 70. The proposal is to maintain this relationship, with two storey development at plot 4 close to the site boundary.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development

PPG3 Housing

PPS3 Housing

PPG13 Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H2 Residential Development

H4 Development within residential curtilages

T7 Cycle parking

T8 Car parking

T12 Transportation
L1 Landscaping

3. **RELEVANT PLANNING HISTORY**

3.1 PK06/1144/O Demolition of dwelling and erection of eleven flats and one coach house (outline) Withdrawn

4. **CONSULTATION RESPONSES**

4.1 Parish/Town Council
No parish

4.2 Other Consultees
Environmental Protection
No objection in principle, subject to the inclusion of informatives

Street Care

No objection in principle, subject to the inclusion of a condition requiring drainage details in accordance with Sustainable Drainage principles and informatives

Community Services

The proposal falls below the threshold for consideration of Section 106 contributions

Children & Young People

Projected surplus capacity at both primary and secondary levels: No education contribution required

Other Representations

4.3 Local Residents

Four letters of objection were received, citing the following concerns to the original scheme. Following the receipt of amendments to the plans and the Design and Access Statement, re-consultation was carried out and this led to the receipt of four further objections. All objections are reported below:

- More flats and houses in this location would spoil the area
- The proposal would dwarf neighbouring properties
- Increase in traffic onto a very dangerous road, at a point too close to the junction of Soundwell Road/ Syston Way
- Disappearance of local wildlife
- Overlooking from new dwellings
- Inadequate parking, especially in relation to the access from Kingswood Heights
- Overpopulation of the area
- Traffic and noise pollution increased in Kingswood Heights – also making this a risk to children playing in the cul-de-sac
- Bin store close to the back garden of a house in Kingswood Heights leading to problems with flies and vermin
- Nearby entrance to a mine
- No overspill or visitors parking
- Highway safety issues on Downend Road and at the junction
- Poor access for emergency vehicles
- What will happen to the shared boundary hedge?

- Where will doors and windows be situated?

- Ownership issues over the boundary hedge
- Too much construction work in the area in the last few years

With regard to the last 3 points, detailed design would be dealt with at the Reserved Matters stage and the last point is not a material planning consideration.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the built up part of Kingswood and is currently in residential use. The proposal therefore falls within the classification of brownfield land and the proposal therefore complies with policy in principle. The proposal is in outline only and at this stage the appropriate matters for consideration are layout and access. Landscaping was also originally sought, but has since been omitted from the scheme and will be dealt with as a reserved matter. With regard to the latter, the applicants' agent has confirmed that a condition would be an appropriate to deal with the detail of the landscaping of the site. A design and access statement has been submitted to accompany the application. The analysis below covers the policies listed above.

5.2 Policy H2 of the emerging Local Plan allows for 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;

a) In transportation terms, no objections are raised to the revised proposal as adequate parking, at two spaces per dwelling, as well as adequate turning is provided within the site. Further analysis appears at 5.5 below.

With regard to residential amenity, the site is considered to be large enough to accommodate the proposed six dwellings without the proposal resulting in loss of privacy/overlooking/overbearing impact. Although views into surrounding rear gardens will occur, they will either be oblique or properties are of such a distance away, at 16 metres from the rear of plot one to the garden of the dwelling behind (the shortest distance with a direct view out of the site), so that views would not to be intrusive. This issue has been raised through the consultation process, where it was acknowledged that there is already some overlooking of the rear gardens of properties in Downend Road from the Kingswood Heights development. Although the houses to the rear of this proposal would be closer than those in Kingswood Heights, they are angled away from those houses and at two storeys would be very much lower than those in Kingswood Heights. The gardens at the rear of these two proposed dwellings would simply replace the existing rear garden to rear garden relationship between No. 70 and No. 72 at this location. It is considered that noise or disturbance would not increase as a result of this proposal to an unacceptable extent which could warrant a refusal. The layout and proposed siting of the dwellings also ensures that loss of privacy will not occur to surrounding properties. Moreover, this can be further considered at reserved matters stage.

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

The site has an area of 0.125 hectares and would accommodate six dwellings. This equates to a housing density of 48 dwellings per hectare, which is clearly in accordance with the adopted local plan which advocates a minimum density of 30 dwellings per hectare and higher densities where local circumstances permit, i.e. in sustainable locations. The site's location is a short walk from the town centre with the full range of facilities available in Kingswood and the proposal therefore is considered to comply with this criterion.

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

The site is not adversely affected by any of the above. Environmental Protection have raised no objection in principle to the proposal.

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

The proposal is for six dwellings. As such it will not impinge significantly in terms of service provision, as confirmed by the replies above from service departments.

E. Within the boundaries of settlements washed over by the Green Belt, such proposal will be restricted to infilling.

The site is not in a Green Belt location.

5.3 Development within Existing Residential Curtilages

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to development within existing residential curtilages. In this case, the existing dwelling would not be retained. However, such development, including new dwellings, is only permitted where the design is acceptable and in keeping with the street scene, would not prejudice residential amenity or highway safety and allows for the retention of adequate garden area for both the existing and proposed dwellings. Residential amenity and transportation issues have already been assessed under policy H2. In terms of the design, this application is in outline with all details except access, and layout reserved for future consideration. The application purely seeks to establish the principle of residential development. Detailed design matters will be assessed under any subsequent reserved matters application. At this stage it should be noted that the submitted plans indicate that the proposed house at plot 5 would be single aspect, to the front. The relationship between the dwelling on site at present, two storeys high, and the bungalow immediately downhill from the site would be maintained through this proposal, as Plot 4 is shown as being two storeys high. The hillside location and the difference in storey heights along the frontage would result in a stepped appearance in the street scene which is considered to be appropriate in this location, in order to mirror the terraced street scene across Downend Road.

5.4 Visual Amenity

It is important to note that this proposal is in outline form only. Therefore, since only the layout and access points have been revealed at this stage, the scope for assessing the appearance of the development is limited. However, the footprints of the dwellings shown on the submitted plans would bind any reserved matters application and the storey heights indicated on the plans and

in the Design and Access Statement will inform the character of the development, as ensured through the relevant condition below. The siting would follow the established building line of this side of Downend Road in respect of the dwellings fronting that road, while the two to the rear would not be totally removed from the Newland Heights development in terms of layout, although they would be divided by rear fences enclosing most of that site. Setting the residential frontage back from Downend Road allows for vehicular access for two of those dwellings, a strip to the front to provide partial screening through landscaping (a reserved matter) and short front gardens. The rear gardens are considered to be of a good depth. Plots 5 and 6 would take a cul-de-sac form, with parking at the front and again adequately sized rear gardens. The terraced row at the front would be stepped down in places to reflect the hillside setting, in between a two and a half storey building uphill from the site and the bungalow downhill. This stepped effect will also be enhanced by the utilisation of roof space for two and a half storey dwellings in the plots closest to No. 74, stepping down to two storey closest to the bungalow at No. 70, with a relationship similar to that which currently exists. The two proposed dwellings to the rear would again be two storey and together this scale of development proposed for the site is considered to be appropriate to the locality.

5.5 Transportation

There has been a previous application and substantial discussion regarding this site. The current proposal seeks outline planning permission to erect 6 dwellings on land that currently has a large residential dwelling. The property is served by a shared access drive with no 74 and that property has recently been given planning permission for conversion to four flats (PK06/0899/F). The previous application (PK06/1144/O) at no 72 was withdrawn. One of the highway issues with the withdrawn application was the substandard access onto Downend Road. It is proposed as part of this development to widen the road to 5.5m and splay the wall to the left of the access to improve vision for pedestrians. Twelve parking spaces are proposed, two for each of the six dwellings. Subject to conditions, Sustainable Transport made no transportation objection to this proposal. Parking and turning to serve the development are both considered to be adequate and it is considered that highway safety would not be compromised as a result of this proposal.

5.6 Other Issues

The consultation process has brought up the issue of badgers on site. Badgers are a protected species and their main setts also benefit from legal protection. The adjoining site, Kingswood Heights, which has recently been developed, contained some main setts and displaced badgers had an artificial sett built for them on that site. It is therefore possible that badgers visit the site, although it is extremely unlikely that they have dug a main sett on this site. It may be, at most an outlying, occasional sett, if indeed badgers live on the site, rather than just forage on it. Since closing a main badger sett is a criminal offence, the onus would rest on the developer and it is therefore in their interests to carry out a survey. An informative attached to the decision notice points this out and in this case, since a badger sett is very unlikely to exist on site, there is considered to be no need to attach a condition to this effect. The issue of bin storage has also been raised as a response to the consultation process. It is correct that a bike and bin area would be next to the rear garden of a property in Kingswood Heights. However, this location would only serve the two properties accessed from that development, therefore limiting the amount of rubbish which would be stored there. It also forms a barrier between these two

houses and the rear garden, preventing parking and movement too close to this relatively secluded rear garden. Given that the degree of rubbish storage would be commensurate with that of other houses in the same terrace, it is not considered that this aspect of the proposed development would result in any harm to residential amenity over and above the existing situation and therefore this would not warrant a refusal reason for this proposal.

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). The design respects the established front building line of Downend Road. The relationship between the existing house on site and the adjoining bungalow would be maintained through this proposal and not create any further overbearing effect. The terraced form of the Downend Road frontage echoes that across that road. Landscaping will be resolved at the Reserved Matters stage, having been withdrawn from the issues to be resolved in the determination of this outline application. The issue raised through the consultation process over the existing hedgerow would be dealt with in the Reserved Matters. It is likely, at the appropriate stage, that the best landscaping solution for the site will be to retain existing features within the site and improve upon them, as is best practice with all residential development sites, where practicable.

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 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 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 **PK06/3382/O**

Contact Officer: **Chris Gosling**

Tel. No. **01454 863787**

CONDITIONS

1. Approval of the details of the appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority 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).

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

4. No development shall commence until surface water drainage systems including Sustainable Drainage Systems (SUDS) for flood prevention, pollution control and environmental protection have been submitted and approved by the Local Planning Authority. Land set aside for this use shall be shown on the Reserved Matters application site layout. Where this is not practicable it must be demonstrated that an acceptable alternative means of public water disposal is incorporated.

Reason

To provide sustainable drainage to accord with policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan.

5. The existing access from the site onto Downend Road shall be widened to 5.5metres in width prior to the first occupation of any of the dwellings hereby approved, surfaced with a bound material and thereafter maintained at such a width and in such a condition.

Reason

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

6. The off-street parking facilities shown on the plan hereby approved shall be provided, surfaced in a bound material, before any of the dwellings is first occupied, and thereafter retained for that purpose.

Reason

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

7. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

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

8. No development shall take place until details of the proposed finished floor levels of each dwelling house relative to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

9. Application for the approval of the reserved matters shall be in accordance with the parameters described in the design and access statement hereby approved.

Reason

To ensure that development proceeds in accordance with the design principles set out at the outline stage to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. The hedgerow along the boundary of the site which borders No. 70 Downend Road shall be retained. Any plants within it which die shall be replaced in the following planting season, with species, size and location to be approved in writing by the Local Planning Authority.

Reason

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

CIRCULATED SCHEDULE NO. 34/07 – 23 AUGUST 2007

App No.: PK07/1706/R3F

Applicant: South Gloucestershire Council

Site: The Park Centre Hollow Road Kingswood South Gloucestershire

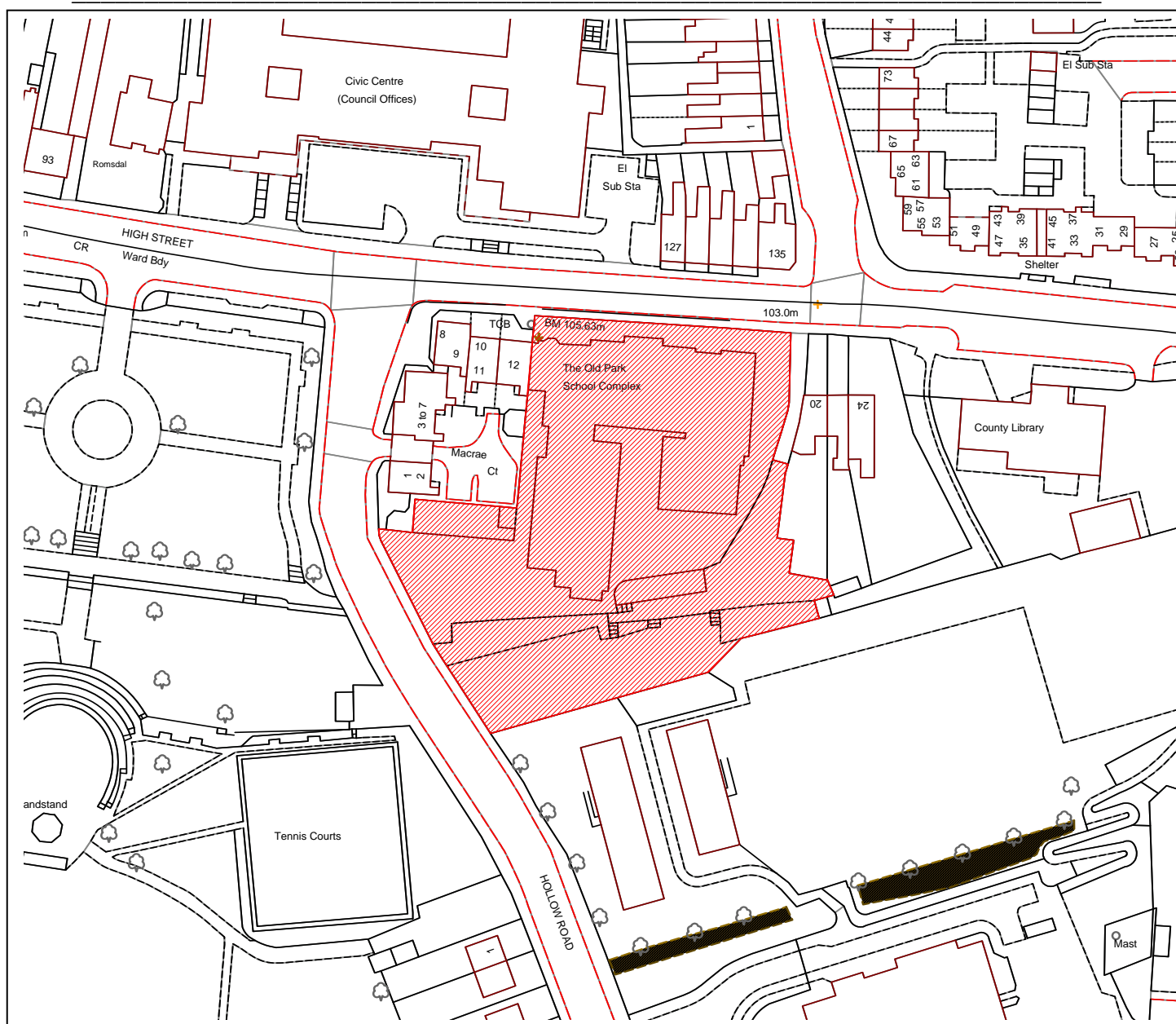
Date Reg: 1st June 2007

Proposal: Erection of single storey extension to form toilet block. Additional fencing and alterations to gates to facilitate revised parking arrangements.

Parish:

Map Ref: 65340 73753

Ward: Woodstock



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N.T.S

PK07/1706/R3F

The application appears on the circulated schedule as the applicant is South Gloucestershire Council, and therefore, under the current scheme of delegation, falls to be considered as such.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of single storey extension to form toilet block. Additional fencing and alterations to gates to facilitate revised parking arrangements.
- 1.2 The site consists of a community centre, formerly a school, dating from the Victorian period in the Kingswood vernacular in pennant stone with limestone dressing, close to the centre of Kingswood.
- 1.3 The proposed single storey extension is 2.4m deep, 5.2m wide and 4m high in stone to match existing. The proposed fencing is 2m high, in black metal hoops, and is contained within the main body of the site. The proposal seeks to relocate the disabled access gates inside the car park and relocate two parking spaces- although the overall parking spaces remain the same. Two metre high fencing of the same design is also proposed to fence off other sections of the grounds within the main body of the centre.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
T8 Parking Standards
T12 Transportation Development Control Policy
LC4 Proposals for Educational and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/1371/R3F Change of use of redundant school (D1) to community facility (D2) and youth centre (sui generis). Construction of car park and alterations to access and associated external works. Approved 2003
- 3.2 PK04/1982/R3F Erection of new access ramp and security fencing. Approved 2004

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Unparished area

Other Representations

- 4.2 Local Residents
No response

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy LC4 allows for the improvement of community facilities within the existing urban area, subject to certain criteria, including whether the proposals are located on site which are highly accessible on foot and by bike.

- 5.2 The site is very close, within a short walking distance of Kingswood Town Centre, and is therefore considered to be a highly sustainable location. The principle of development is therefore considered acceptable, subject to the following detailed assessment.

5.3 Visual Amenity

The proposed toilet block is small in scale and has materials to match existing, which will be conditioned. It will therefore not look out of place on the building, which is of considerable character.

- 5.4 There is existing fencing within the site, which is to be replaced by the proposed fencing to relocate the disabled access. The fencing is within the main body of the community centre grounds, and would therefore have a negligible effect on the visual amenity of the area.

5.5 Residential Amenity

The flats in Macrae Court to the north are situated behind existing buildings within the community centre complex and will not be affected in any way by the proposals. There are no residential amenity issues arising as a result of the proposal.

5.6 Transportation

There is no alteration to the existing access to the community centre from Hollow Road. The relocation of parking bays and fencing on site will increase the turning area available within the car park, and the number of spaces remains at five. There are therefore no transportation issues arising as a result of the proposal.

5.7 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).

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 is GRANTED subject to the following conditions:

Background Papers **PK07/1706/R3F**

Contact Officer: **Sarah Tucker**
Tel. No. **01454 863780**

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 stone work to be used externally in the development hereby permitted shall match that of the existing building in type, colour, texture, size, coursing and jointing.

Reason

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

CIRCULATED SCHEDULE NO. 34/07 - 23 AUGUST 2007

App No.: PK07/1878/TRE

Applicant: Mr S Littlewood
Cotswoldgate Ltd

Site: 65 Cadbury Heath Road Cadbury Heath
BRISTOL South Gloucestershire BS30
8BY

Date Reg: 20th June 2007

Proposal: Works to reduce size by 40% and trim
back branches of 5 no. Leyland Cypress
and 9 no. Lawson Cypress trees covered
by South Gloucestershire Tree
Preservation Order SGTPO 8/06 dated 8
September 2006.

Parish: Oldland Parish
Council

Map Ref: 66572 72394

Ward: Parkwall



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100023410, 2007.

DC0901MW

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

1. THE PROPOSAL

- 1.1 The proposal seeks treeworks consent to reduce size by 40% and trim back branches of 5 no. Leyland Cypress and 9 no. Lawson Cypress trees covered by South Gloucestershire Tree Preservation Order SGTPO 8/06 dated 8 September 2006.
- 1.2 The site consists of the former garden of 65 Cadbury Heath Road, now developed for 14 houses, called Indigo Square and Gabriel Close.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement

South Gloucestershire Design Guide L9: Trees

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/1518/TRE Works to fell Goat willow Tree (A1) covered by SG TPO no. 537 dated 30/3/2006 Approved 2006
- 3.2 PK06/1623/F Demolition of 1 no. dwelling to facilitate erection of 14 dwellings with means of access, car parking and associated works. Approved with conditions 2006

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
No objection

Other Representations

4.2 Local Residents

Three representations have been received to the proposal, making the following comments:

- Disappointing that trees are not being removed, they are too big for the site
- The 40% reduction will still not allow any appreciable increase in light to the houses and is likely to kill the trees
- Developer made no mention of pruning the trees in supporting statement with application and described them as the most significant natural feature of the site

- Tree will look like 'plucked chicken' with no green to be seen
- The houses have such small gardens they are dominated by the trees
- The developer never intended that these trees should remain

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application was submitted as the developer has damaged the root systems of these trees during the construction process for the 14 dwellings, by removing the tree protection fencing and using a mechanical digger to dig a service trench. This is now the subject of a prosecution of Cotswoldgate by the Council, which is currently on-going.

5.2 The trees are very tall and in close proximity to the new buildings but provide an important screen between the development and the existing housing in St Davids Avenue.

5.3 The Tree Officer has stated that there is no issue with the reduction in height of the conifers but has suggested that great care needs to be exercised in pruning back the site of the trees. Excessive pruning back to beyond green material will result in the loss of screen as these trees will not regenerate from old wood. The Tree Officer has recommended approval on condition that, other than for the height reduction, no other branches are removed.

5.4 Design and Access Statement

The Design and Access Statement is not required for treeworks applications.

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 treeworks consent is APPROVED subject to the following conditions:

Background Papers **PK07/1878/TRE**

Contact Officer: **Sarah Tucker**
Tel. No. **01454 863780**

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted (or other appropriate timescale).

Reason

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

2. No branches shall be removed apart from those required for the height reduction. Lower branches maybe pruned back but not beyond living (green) wood.

Reason

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

CIRCULATED SCHEDULE NO. 34/07 - 23 AUGUST 2007

App No.: PK07/1926/ADV

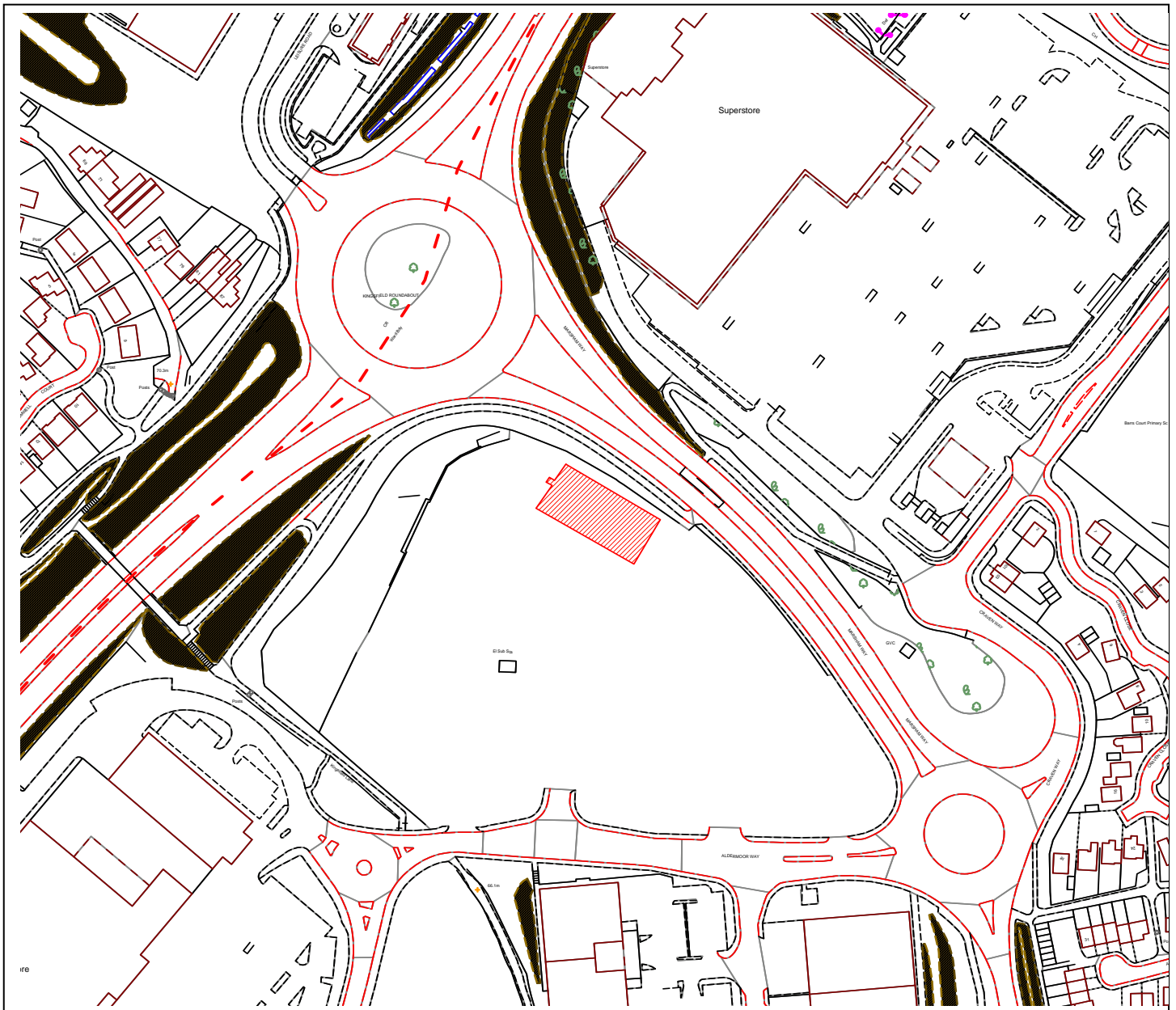
Applicant: Mr T Andiz Arcadia
Store DevelopmentSite: Unit E Aldermoor Way Longwell Green
BRISTOL South Gloucestershire BS30
7DA

Date Reg: 25th June 2007

Proposal: Display of 3 no. internally illuminated
fascia signs, 6 no. back illuminated vinyl
window signs and 2 no. internally
illuminated sign boxes.Parish: Oldland Parish
Council

Map Ref: 65490 72080

Ward: Longwell Green



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100023410, 2007.

N.T.S

PK07/1926/ADV

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

1. THE PROPOSAL

- 1.1 The application seeks advert consent for the display of 3 no. internally illuminated fascia signs, 6 no. back illuminated vinyl window signs and 2 no. internally illuminated sign boxes.
- 1.2 The site consists of the Gallagher's Retail Park, which is currently under construction and approved in 2005 (see planning history below), within the urban area of Longwell Green. The scheme has been amended to reduce the number of fascia signs. The main internally illuminated fascia sign, on the front elevation, is 16.6m long and 4.1m deep. A smaller fascia advert, consisting of individually illuminated 1.1m high lettering, a total length of 6.6m is proposed at the other end of the front elevation. A further internally illuminated advert, 5m long and 3m deep is proposed on the rear elevation. The two internally illuminated sign boxes are proposed directly above the shop entrances.

2. POLICY CONTEXT

2.1 National Guidance

PPG19 Outdoor Advertisement Control
Town and Country Planning (Control of Advertisement) Regulations 1992

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

L19 Display of Advertisements

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/2530/F: Demolition of all existing retail buildings on site and engineering works to produce a level site. Erection of 8 no. new retail units and construction of new central car park, associated servicing areas and landscaping. Approved Sept 2005
- 3.2 PK06/0854/F Demolition of all existing retail buildings on site and engineering works to produce a level site. Erection of 8 no. new retail units and construction of new central car park, associated servicing areas and landscaping (Amendment to previously approved scheme PK04/2530/F) Approved July 2006

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

It was resolved to object to this application on the grounds of a policy to oppose internally illuminated signage thereby creating light pollution.

Other Representations

4.2 **Local Residents**

Six objections have been received to the proposal, as follows:

- Siting of the illuminated/neon/back-lit signs will face directly into bedroom windows of properties in Cromwell Court
- Signs are intrusive, invasive and unattractive and will have adverse impact on visual amenity
- These signs are completely inappropriate to a residential area
- Signs facing inward to the development are acceptable, but signs to rear and side elevations are huge intrusions
- The development already is an eyesore
- Will set a precedent for other illuminated signs in area
- Not enough consultation for the application, only site notice
- Will there be any time restrictions on the use of these signs?
- Form of light pollution

5. ANALYSIS OF PROPOSAL

5.1 **Principle of Development**

The application is for advert consent and therefore the only issues that can be taken into account are amenity and public safety.

5.2 The main proposed fascia advert on the front elevation is large, however, this has to be assessed in the context of the building on which it is proposed to be situated- in this case, a large retail store of 1394 sq metres. As such, in this context this advert is considered appropriate. The other proposed fascia advert, on the front elevation, consists of internally illuminated lettering. Normally, only one fascia advert is acceptable on an elevation, however, given the overall size of the building, it is considered that the proposed internally illuminated lettering is appropriate.

5.3 The proposed internally illuminated signage on the rear elevation is considered to an appropriate scale given the size of the unit on which it is situated. It is not considered that it would dominate the streetscene. The use of hot cathode tubing to internally illuminate such signs is normal practice, and is considered appropriate here. No neon signs have been proposed. Whilst concerns have been raised regarding the effect on the residential amenity of the occupiers of properties in Cromwell Court, the nearest properties in Cromwell Court are 150m to 190m from the site, which is separated by the Avon Ring Road. From this distance there will be no effect on the residential amenity of the occupiers of properties in Cromwell Court of the proposed fascia advert on the rear elevation. It would be visible from Cromwell Court, but would not be large enough, or bright enough from these distances to cause any harm to amenity. Given these distances to the nearest residential properties, a condition restricting the hours of illumination is not considered necessary or reasonable.

5.4 The proposed internally illuminated sign boxes directly above the entrances and the proposed back illuminated vinyl window signs are considered appropriate for the size and scale of the buildings on which they are situated.

5.5 Other matters

Given that each advert application is dealt with on its own merits, it is not considered that the proposal would set a precedent. It is normal for retail parks of this sort to have advertising.

5.6 It is considered that appropriate consultation of the application was undertaken, that conforms to the Town and Country Planning (Control of Advertisement) Regulations 1992.

5.7 Design and Access Statement

The Design and Access Statement is not required for an advert consent 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 grant consent has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

7.1 That advert consent be GRANTED.

Background Papers **PK07/1926/ADV**

Contact Officer: **Sarah Tucker**
Tel. No. **01454 863780**

CIRCULATED SCHEDULE NO. 34/07 - 23 AUGUST 2007

App No.: PK07/2371/F
Site: 54 Church Road Kingswood BRISTOL
 South Gloucestershire BS15 4BB

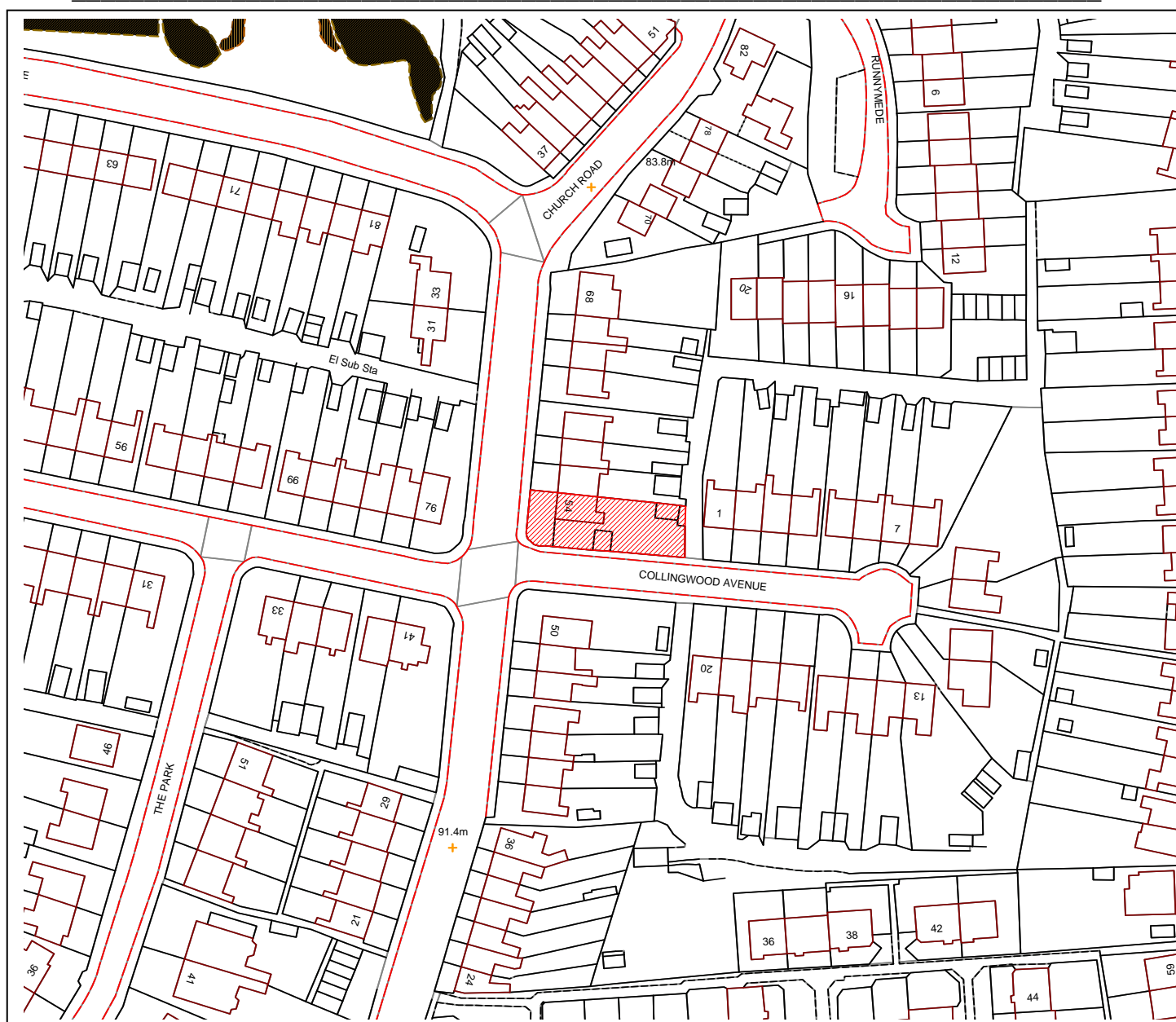
Applicant: Mr P Harris
Date Reg: 2nd August 2007

Proposal: Erection of two storey side extension to facilitate the conversion of existing dwelling to 4no. self contained flats with associated works.

Parish:

Map Ref: 65246 74101

Ward: Kings Chase



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N.T.S

PK07/2371/F

INTRODUCTION

This application is placed upon the Circulated Schedule to Members in accordance with procedure given that objections have been raised.

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the conversion of an end-terrace 1930's style property to 4no. one bed self-contained flats. The flats would be arranged over the ground and first floor with two flats per floor. To facilitate the development a two-storey side extension is proposed.
- 1.2 The extension would have a width of 4 metres, depth of 9.2 metres (being set back from the original front elevation by 0.7 metres). The extension adopting a hipped roof would be set down from the original roof by approximately 0.3 metres. All materials are to match those on the original building.
- 1.3 Four parking spaces are to be provided, accessed from Collingwood Avenue to the side/rear of the site. Existing boundary treatments are to be retained. The area to the rear of the building has been divided such that each flat would have some private amenity space (divided by 1.8 metre high close-boarded fencing). This space would be accessed from the rear of the building for the ground floor flats while the upper floor flats would access space from an entrance off Collingwood Avenue.

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

3. RELEVANT PLANNING HISTORY

There is no relevant planning history

4. CONSULTATION RESPONSES

- 4.1 The area is unparished
- 4.2 Sustainable Transport

The applicant proposes to provide off-street parking facility for all flats based on one parking per each unit and these would be located to the rear of the property. The access to the parking area will be via a private lane off

Collinwood Avenue. The proposed level of parking complies with the council's parking standard.

Cycle parking can also be accommodated on site and there would be a planning condition to secure these facilities on site.

In view of all the above therefore there are no highway objections to the proposal subject to the following conditions;

- 1) Prior to occupation of any dwelling on site provide off-street parking in accordance with submitted and approved plans and subsequently maintain these parking areas satisfactory thereafter.
- 2) Parking spaces on site shall be allocated as one parking space per flat and these shall be maintained as such thereafter.
- 3) All parking and turning area on site shall be surfaced with bound surfaced material and these would be maintained satisfactory thereafter.
- 4) There shall be no access gate to the parking area unless written approval is granted by the planning authority.
- 5) Prior to occupation of any units on site provide secure bike store (one per flats) on site and maintain these satisfactory thereafter.

4.3 Local Residents

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

- The proposed development will exacerbate existing parking/manoeuvring difficulties within the vicinity of the site.
- There is insufficient parking provided
- There will be noise and disturbance to the occupier of the property to the rear
- There are contradictions within the design and access statement
- The maintenance of boundary treatments is in doubt
- The proposed extension would have an overbearing impact
- The proposed development will be detrimental to highway safety

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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 H5 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. Concern has been raised that the development would introduce a different form of tenure/occupier to the area.

The area predominantly consists of single family dwellings and is predominantly residential in character. It should be noted that only one property within the vicinity of the site (No.98 Church Road – PK06/1414/F) has been converted to flats, this being to two flats facilitated by an extension to the property.

In these circumstances it is not considered that the proposal would have an adverse impact upon the character of the area and it is not considered that permitting smaller units of accommodation within this context would provide a valid justification for the refusal of the application particularly given the guidance in PPS3 (para 10) that has been outlined above that seeks to create mixed and inclusive communities. It is not considered that the proposal would adversely affect the character of the area.

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.

It is considered that the form, scale and overall design of the proposed extension is appropriate both in respect of the original house on this corner plot and within the wider context. A condition is recommended to require the use of matching materials to ensure that the extension integrates successfully with the original building.

In terms of the overall layout, the garden arrangement is unusual but not refuse able.

5.5 Residential Amenity

Policy H5 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. It is not considered that the proposal would cause any significant increase in noise and disturbance.

Concern has been raised that the proposed extension would have an overbearing impact upon No.1 Collingwood Avenue to the rear of the site. Given the scale of the proposal and the location which would be approximately 23 metres from the front of that property it is not considered that any impact would be significant such as would justify the refusal of the application.

Part E of the Building Regulations assesses noise insulation between new flats but does not cover in detail the impact of new flats upon existing adjoining buildings. In these circumstances a condition is considered reasonable to require a detailed scheme of noise insulation measures to be submitted to and

approved in writing by the Local Planning Authority to protect the existing dwelling. The approved details shall be implemented in full prior to the first occupation of the flats and be permanently retained.

5.6 Transportation

Policy H5 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 proposed development will result in highway safety issues including parking and manoeuvring difficulties, exacerbating existing problems.

The applicant proposes to provide off-street parking facility for all flats based on one parking per each unit and these would be located to the rear of the property. The access to the parking area will be via a private lane off Collinwood Avenue. The proposed level of parking complies with the council's parking standard. It should be noted that the site lies close to local facilities and public transport routes. Although access to the parking area is satisfactory, it is considered preferable if the boundary abutting the parking area is reduced by 2 metres at the opening for ease of access and a condition is recommended to ensure this.

Cycle parking can also be accommodated on site and there would be a planning condition to secure these facilities on site. There is no transportation objection subject to conditions to ensure that all parking indicated is in place prior to first occupation, parking spaces are allocated as one space per dwelling and these spaces are clearly marked on the ground, the parking area is surfaced with a bound surface and would be maintained as such thereafter. Furthermore conditions are recommended that there shall be no gate access to the parking area unless written approval is granted by the planning authority and that prior to first occupation secure bicycle storage is provided on site at a rate of one per flat.

5.7 Amenity Space Provision

The provision of amenity space for one bedroom flats is not usually required, particularly in an Urban location, close to local park facilities. This is because a one bed flat would not generally be for a family. The current scheme does provide for amenity space for each flat (albeit in an unusual form). The scheme is considered acceptable in these terms.

5.8 Other Issues

Concern has been raised that the provision of four car parking spaces would result in noise and disturbance to adjoining occupiers in particular to No.1 Collingwood Avenue. It is not considered that any impact/intensification in this respect would be so significant such as would justify the refusal of the application and it should be noted that the lane already serves many properties (for garaging/parking) in Church Road and Collingwood Avenue.

Concern has been raised regarding the width of the footway indicated in the design and access statement as 2 metres rather than 1.48 metres. Given that

the footway lies outside the red line area and this width affected by the development this is not a material planning consideration.

Concern has been raised regarding the future maintenance of the boundary treatment, in particular the tall overgrown hedge. Such maintenance as well as the maintenance of communal area will be the subject of a condition attached to the decision notice requiring the submission of a scheme for the management of the communal areas both internal and external prior to the first occupation of the development.

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning Permission be granted subject to the following conditions

Background Papers **PK07/2371/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. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of noise insulation measures to protect existing dwellings and the proposed

flats. The approved details shall be implemented in full prior to the first occupation of the flats and be permanently retained.

Reason

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

3. The off-street car parking facilities shown on the plan hereby approved shall be provided before the building is first occupied at a rate of one space per unit (and clearly marked as such on the ground), 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. Prior to the commencement of development, detailed plans showing the provision of secure cycle parking facilities in accordance with the standards set out in Policy T7 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

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

5. All parking and turning areas on the site shall be surfaced with a bound surfaced material and maintained as such thereafter.

Reason

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

6. There shall be no access gate to the parking area unless written approval is granted by the Local Planning Authority.

Reason

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

7. Notwithstanding the details shown on drawing 1396-1 hereby approved, details of the boundary adjoining the access onto Collingwood Avenue, to show a reduction of 2 metres at the entrance, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall proceed in accordance with these details.

Reason

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

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

Reason

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

9. 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

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

CIRCULATED SCHEDULE NO. 34/07 – 23rd AUGUST 2007

App No.: PT07/1725/F

Applicant: Mr D Winter Rolls-Royce Plc

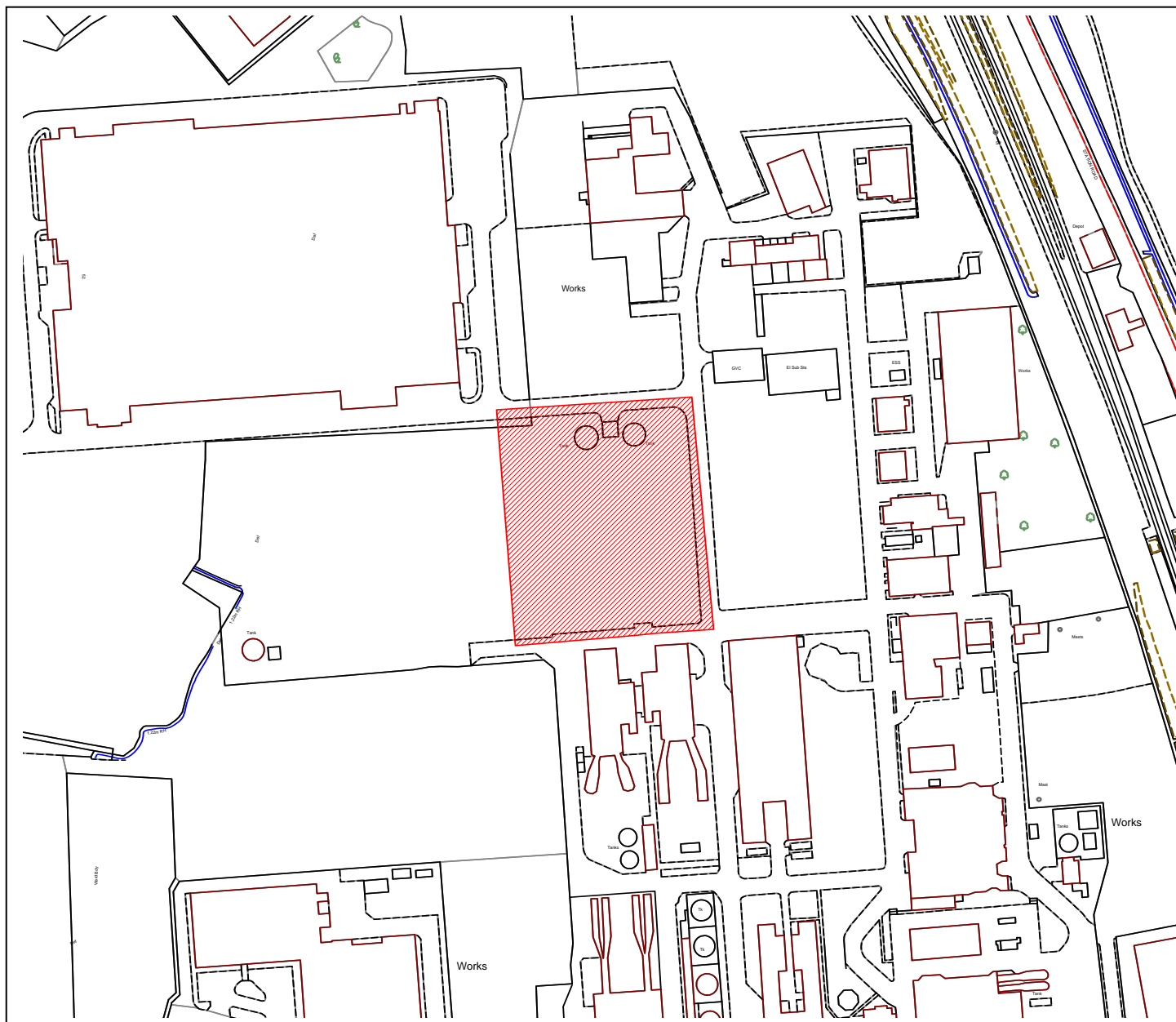
Site: Rolls Royce PLC PO Box 3
Gypsy Patch Lane Filton BRISTOL
South Gloucestershire BS34 7QE

Date Reg: 4th June 2007

Proposal: Erection of defence aerospace parts
storage building with associated works.Parish: Stoke Gifford Parish
Council

Map Ref: 60840 80974

Ward: Stoke Gifford



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N.T.S

PT07/1725/F

This application appears on the Circulated Schedule as it is a Major Planning Application.

1. **THE PROPOSAL**

- 1.1 The site consists of an area of land located to the East of the new Defence Aerospace Assembly Facility (PT05/0351/F) associated with Rolls Royce PLC. The land is currently un-occupied and is cleared. The main access to the site is from Security Gate 1 (off the A38). This gate is also the access to the Defence Aerospace Assembly Facility. Access will also be from Gypsy Patch Lane via Security Gate 5.
- 1.2 The proposed development consists of the introduction of a new building to provide storage facilities associated directly with the Defence Aerospace Assembly Facility immediately to the West of this site. This building will facilitate the relocation of storage from its current location within the East Works of the Rolls Royce Site.

2. **POLICY CONTEXT**

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG13 Transportation

2.2 Joint Replacement Structure Plan (adopted 2002)

Policy 12 North Fringe development
Policy 30 Safeguarded employment areas

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development
E3 Employment development in the Urban Area and Defined settlement boundaries
E4 Safeguarded Employment Areas
T12 Transportation Development Control Policy for New Development
T8 Parking Standards
T7 Cycle Parking Standards
L18 The Water Environment

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Draft) September 2006.

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT05/0351/F Erection of new aerospace assembly facility with ancillary offices and new conference centre. Erection of extensions to Whittle House and central amenity building. Erection of waste management, surface water treatment, and trade effluent facilities with associated parking, access and landscaping. (Phase II)
Approved with Conditions
- 3.2 PT07/0911/F Erection of single storey extension to form heritage centre and offices
Approved

4. CONSULTATION RESPONSES

4.1 Filton Town Council
No Objection

4.2 Patchway Town Council
No Objection

4.3 Stoke Gifford Parish Council
No Objection

4.4 Sustainable Transport
The proposed development will replace an existing facility located within No1 East Works. and will facilitate the centralisation of activity onto one part of the Rolls Royce Site.

Having regard to the above there is no objection in transportation terms

4.5 Local Residents
No Comments Received

4.6 Regional Development Agency
Support

4.7 Highways Agency
No Objection

4.8 Health and Safety Executive
No Objection

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the construction of a new 2314 square metre building to accommodate storage of parts directly associated with the Defence Aerospace Headquarters (DAH) Building which is currently under construction (PT05/0351/F). The location of the proposed building takes account of the functional requirements of the DAH building now nearing completion. The proposed building will replace the existing storage facility located within the No1, East Works site. The DAH building and associated works approved under PT05/0351/F is no longer to be built out to the extent of that permission. The later consent under PT07/0911/F effectively rationalised the accommodation originally required to the extent that the approved floor space has been significantly reduced. The building proposed by this application (at 2314 square metres) will take place on an empty area of the Rolls Royce Works. The total floor space proposed by this application and the previous approval under PT07/0911/F would not exceed the total floor space previously permitted under PT05/0351/F.

5.2 Principle of Development
This site is retained for employment uses under Policy E4 of the South Gloucestershire Local Plan (Adopted) January 2006. The proposed development is directly related to the employment use associated with Rolls Royce PLC and as such is consistent with this policy. Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006 is also relevant to this

planning application. The policy indicates that the proposed development is acceptable subject to the following considerations.

5.3 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design that achieves good energy/sustainability objectives and respects and enhances the site and the surrounding locality. The Draft South Gloucestershire Design Checklist reinforces this principle.

5.5 The proposed building is primarily a steel framed structure clad in a mixture of profiled metal cladding. The appearance of the building is functional and is informed by the larger DAH building located immediately to the West. The site is located centrally in the Rolls Royce Works and would not be easily visible from the surrounding area. Nonetheless, it is considered that the design of the building is consistent with the nature of the adjoining building to which it directly relates and is acceptable in visual terms.

5.6 In energy and sustainability terms, there is no submission that indicates how this building would perform in sustainability terms. However, the design submitted is such that it would clearly be able to accommodate sufficient components (such as low energy ventilation and heating systems), orientation and location to score highly in sustainability terms. However, in order to ensure that a high performance building is delivered as part of the re-development of this site, it is considered appropriate to require that this building achieve a minimum BREEAM standard of 'very good'. This is appropriately the subject of a planning condition attached to any approval of this development proposal.

5.8 Having regard to the above assessment and subject to the above condition, it is considered that the proposed development meets the design objectives set within Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the Draft South Gloucestershire Design Checklist.

5.9 Landscape Considerations

Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development effectively contributes to the conservation and enhancement of the landscapes of South Gloucestershire. Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 is supportive of this principle.

5.10 The proposal site is currently empty. There is no landscaping on this site and there is not significant planting or landscaping within the Rolls Royce Works itself. The landscape character within this site is industrial with open space between buildings being road and circulation space, or laid to turf.

5.11 The applicant has submitted that the site is located centrally within the operational industrial site and out of public views; and as such would not require any planting. Officers would agree that the site is not easily visible from the surrounding public realm and as such the landscaping of the immediate area surrounding the building is not as essential as if the site fronted onto a public highway. Nonetheless, the applicant has confirmed that the space immediately surrounding the building will received very basic planting treatment and has agreed that further details can be submitted by way of an appropriately worded planning condition.

- 5.12 Subject to the above condition, the proposed development is acceptable in landscape terms.
- 5.13 Residential Amenity
Given the location of the site and its relationship with surrounding dwellings, it is not considered that there would be any material impact upon residential privacy and amenity as a result of this development.
- 5.14 Transportation
Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon the safety and amenity of the surrounding highway network. Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides the maximum parking standards for new development.
- 5.15 The proposed development will utilise the main site access from the A38 at Security Gate No.1. Access will also be available from Gate 5, off Gypsy Patch Lane. In this instance, the proposed development would replace the existing storage facility at No.1 Shop in the East Works office. It is considered that the proposed access is sufficient to cater for the traffic associated with this development and that the development would not have a detrimental impact upon highway safety and amenity.
- 5.16 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).
- 5.17 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That Planning Permission is granted subject to the following conditions

Contact Officer: Simon Penketh
Tel. No. 01454 863433

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 the roofing and external facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

3. 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 H4/D1/L1/E3 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(s):

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

5. The hours of working on site during the period of construction shall be restricted to 08:00 hours until 18:30 (Monday to Friday); 08:00 until 13:00 (Saturday) and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason(s):

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

6. No development shall take place until details of wheel-washing facilities to be provided on site have been submitted to and approved by the Local Planning Authority. These facilities shall be provided prior to development commencing and maintained during the period of construction. All commercial vehicles shall have their wheels washed before entering the public highway.

Reason(s):

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

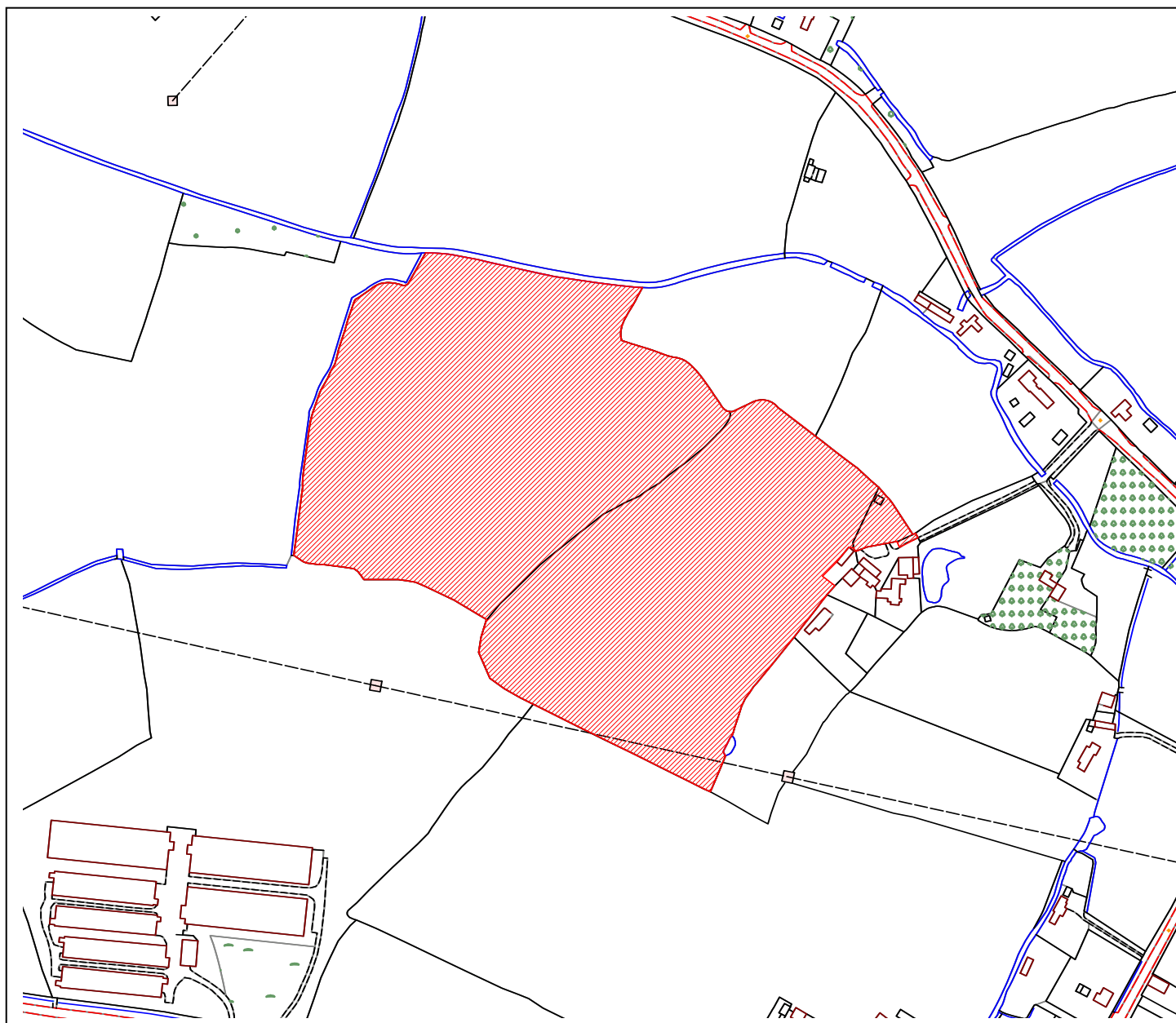
7. Prior to the first occupation the development hereby approved a formal assessment is to be undertaken by a licensed BREEAM assessor (or equivalent) shall confirm (and a copy of the appropriate report shall be provided to the Local Planning Authority) that this development has achieved a BREEAM standard of 'very good'.

Reason(s):

In order to provide a sustainable form of development in accordance with policy D1 of the adopted South Gloucestershire Local Plan (January 2006); and PPS1 and PPS3

CIRCULATED SCHEDULE NO. 34/07 – 23rd AUGUST 2007

App No.:	PT07/1873/F	Applicant:	B Tibbenham & L Pepper
Site:	Holt Farm Shepperdine Road Oldbury Naite Oldbury-on-severn BRISTOL South Gloucestershire BS35 1RJ	Date Reg:	19th June 2007
Proposal:	Change of use of land from agricultural to stud farm.	Parish:	Oldbury-on-Severn Parish Council
Map Ref:	61857 93974	Ward:	Severn



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100023410, 2007.

N.T.S

PT07/1873/F

This application has been placed on the Circulated schedule due the size of the change of use being classed as a major application, and a letter of objection has been received from a neighbouring property.

1. THE PROPOSAL

- 1.1 The application seeks retrospective planning permission for a change of use of small holding and associated buildings to the keeping of horses.
- 1.2 The application comprises 7.84Ha of agricultural land within the open countryside, outside of any settlement boundary. Access to the site is via the joint access to Holt farm and Wrenwood Barn. A large agricultural building is on the holding and this will also be subject to the change of use.
- 1.3 Wrenwood barn which is the residential unit associated this unit, is curtilage listed, as Holt farm its primary building is Grade II listed. This site lies outside the curtilage, of Holt farm but any change of use could have an impact upon its setting.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering sustainable communities
PPS7	The Countryside
PPG17	Sport and Recreation
PPS 25	Flooding
PPG15	Planning and the Historic Environment

2.3 South Gloucestershire Local Plan

L1	Landscape protection
LC5	Sport and recreation outside settlement boundaries
D1	Design
E10	Horse related development
L16	Protecting the best agricultural land
EP2	Development and Flood risk
L13	Listed Building

2.3 Supplementary Planning Guidance

Advice Note 9 – Development involving horses

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/2384/PNA Erection of Agricultural BuildingNo Objection
- 3.2 PT07/0942/F Land adjacent – Conversion of agricultural building to form 1 no. dwelling with ancillary office space for farm and equine business. Planning permission granted 16 August 2007
- 3.3 PT07/0948/LB Corresponding Listed Building consent
Granted 16 August 2007

4. CONSULTATION RESPONSES

- 4.1 Oldbury-on Severn Parish Council:
No response received

4.2 Environment Agency
No response received

4.3 Local Residents

The neighbour has responded and raises the following objections.

- a) Safety issues of having a stud farm next to a residential property
- b) Smells emanate from the stables affecting nearby residents
- c) The nearby residents will endure a loss of privacy
- d) Applicants do not own the access all the way to the public highway
- e) It is alleged that the applicant has always used the site for equine purposes.

4.4 Sustainable Transport

No overall objection to the scheme, but a slight concern exists over the visibility at the junction of the site with the highway. Consequently a condition is suggested to overcome this which requires a 2 x 50 metre visibility splay in each direction. Other conditions are suggested in relation to the number of brood mares on the site, the type of livery at the site, and a restriction on the sub-letting of the stables.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy E10 of the emerging South Gloucestershire Local allows for horse related development such as stables, outside the boundaries of settlements subject to the following criteria:

A) Development would not have unacceptable environmental effects;

It is considered that in this instance given that the proposal involves no additional physical development only a change of use of land and buildings, there will be no significant environmental impacts. The only impact could be from the smell and noises from the horses on the site. However the site is presently agricultural so animals such as pigs and sheep could be on the land and these would produce similar noise and smells. The proposal is not considered materially different to the present situation.

It is also considered that given the proposed use is similar to the existing use of the land, and no additional new building is proposed then it will not impact upon the character or setting of the Listed building at Holt Farm.

b) Development would not prejudice the amenities of neighbouring residential occupiers;

5.2 As stated above the application is for a change of use from agriculture to equine usage. The uses are considered to be similar to each other in character, and as such the new use will not additionally prejudice the neighbouring properties. A condition is suggested requiring plans to be submitted showing the location of the manure heaps, these should be located away from the neighbouring residential property.

c) Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety;

- 5.3 Access to the site is gained via a private drive off Sheperdine Road which also serves Holt Farm. The junction between this private drive and Shepperdine road is substandard as visibility is restricted. In order to allow the consent a minimum visibility splay of 2 x 50 metres is required in each direction. This is the subject of a suggested condition.

There is sufficient turning space and parking areas within the site to accommodate the traffic associated with development of this type.

Conditions are also suggested in relation to the number of brood mares on the site, the type of livery allowed on the site, and stopping of the unit being sublet. This is in the main due to the isolated location of the development which not easily served by transportation links hence it could result in an increase in traffic movements to the site.

d) Safe and convenient access to bridleways and riding ways is available to riders;

Numerous bridleways exist within the vicinity of the site and as such the proposal accords with this criterion.

e) There are no existing suitable underused buildings available and capable of conversion;

The development seeks a change of use of an existing agricultural building hence it complies with the policy.

f) The design of buildings, the size of the site and number of horses to be accommodated has proper regard to the safety and comfort of horses.

Advice contained within the document "Horses in the Countryside" – Countryside Commission recommends that between 1 and 2 acres (0.4 – 0.8 ha) of pasture is required to provide grazing for a single horse through the Summer months. The site has an area of some 7.84ha. Therefore there is sufficient grazing available for the horses on this site. It is also considered that the size of each horse box is in line with the British Horse Society recommendations.

5.4 Loss of Agricultural Land

Policy L16 of the South Gloucestershire Local Plan both seek to protect the best quality agricultural land from development. The land subject to this application falls within category three of the former Ministry of Agriculture, Fisheries and Food classification. This is land is middle ranking with the best land being 1 and 2. It is not considered that the change of use of this parcel of land will result in a loss of the best agricultural land.

5.5 Flood Risk

This development site lies within Flood zone 3 as identified on the Environment Agencies flood risk Matrix. Due to this a Flood Risk assessment is required, one has been submitted, and sent to the Environment Agency for their comment, but they have not commented. Given the type of development applied for the countryside is the only feasible location for it given the land required, and the cost of land within urban areas.

Given the type of development proposed it will not obstruct the flow of water as no additional physical development is proposed. It is not considered that flood risk is materially affected.

5.6 Other Issues

The issue of land ownership and safety issues raised by the neighbour are not considered material planning considerations as they are covered by more specific legislation.

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

6.2 The decision to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan 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 conditions below.

Background Papers PT07/1873/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 the junction between the proposed access road and the highway have been submitted to and approved in writing by the Local Planning Authority. The use shall not commence until the junction has been constructed and is available for use in accordance with the approved plans. There shall be no obstructions to visibility exceeding 0.9 metres in height within the splayed areas.

Reason(s):

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

3. At no time shall the stables and the associated land be used for DIY livery.

Reason(s):

To protect the character and appearance of the area, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

4. The number of Brood mares on site kept on the site edged in red shall not exceed 6.

Reason(s):

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

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

5. No waste removed from the stables shall be stored within 50 metres of the boundary with any residential property.

Reason(s):

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

CIRCULATED SCHEDULE NO. 34/07 – 23rd AUGUST 2007

ITEM 9

App No.: PT07/1989/F
Site: 117 Woodlands Road Charfield
WOTTON UNDER EDGE

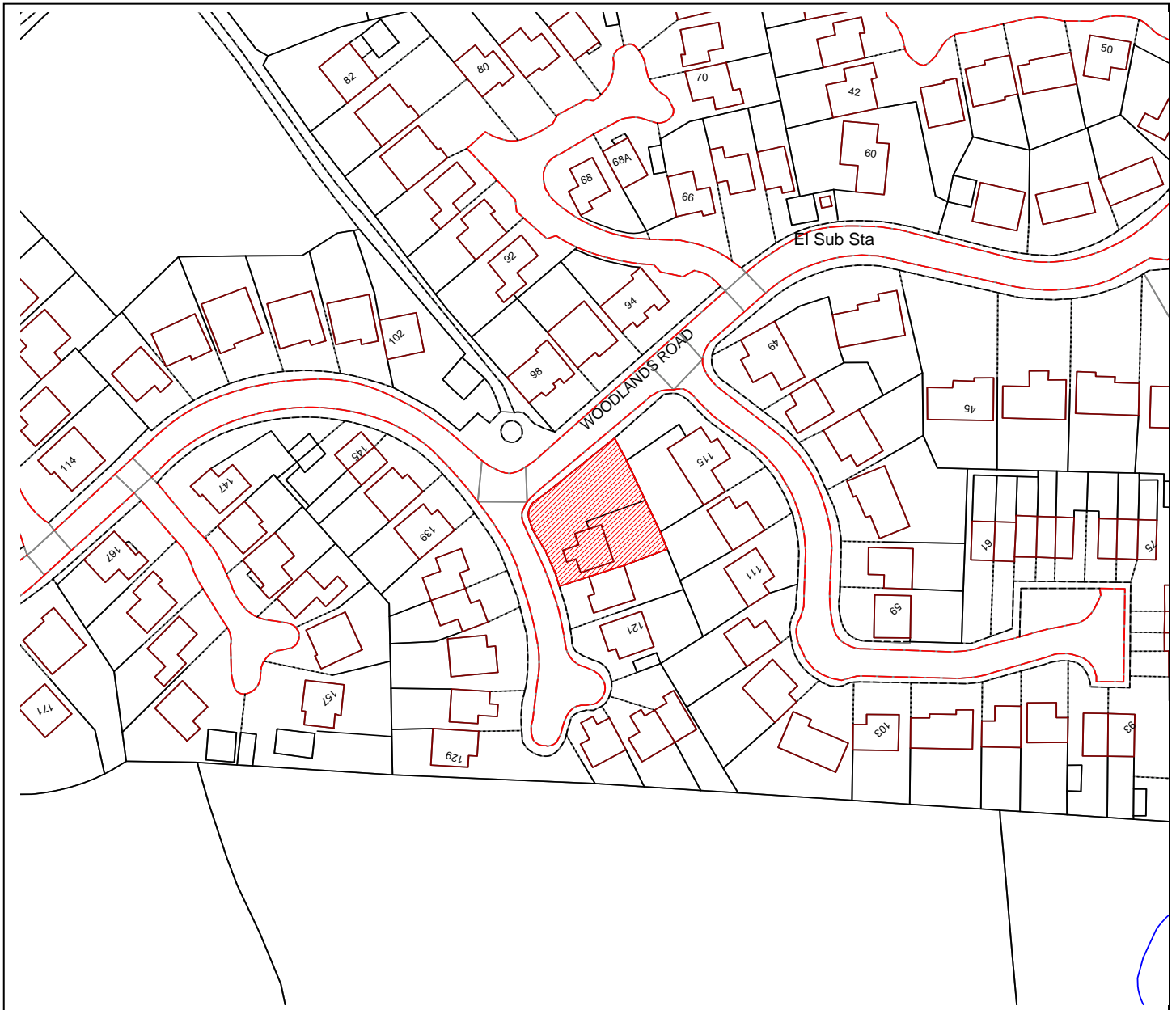
Applicant: Mr P D Davies
Date Reg: 29th June 2007

South Gloucestershire GL12 8LT
Proposal: Change of Use from open space to residential curtilage. Erection of 1.8 m high fence.

Parish: Charfield Parish Council

Map Ref: 72381 91751

Ward: Charfield



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N.T.S

PT07/1989/F

The application appears on the Circulated Schedule following a letter of objection from a neighbour and Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission to change the use of land from open space and the erection a 1.8 metre high side fence, to provide additional private rear garden space. The application site relates to a detached dwelling, set within a modern estate within the settlement of Charfield.
- 1.2 The application forms a resubmission of a previously withdrawn application. The previous application was for a 1.8 metre fence only and not change of use. It was advised by Officers that a change of use is necessary to use the land in connection with the dwelling; as such the application has been resubmitted.
- 1.3 During the course of the application a letter of support was received from the applicant stating the following
 - a) Parish Council previously had no concern over the withdrawn application
 - b) Many examples of moving boundaries within estate
 - c) Not intention to remove all open aspect some will remain outside of fencing

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
H4 Development within the Residential Curtilage

3. RELEVANT PLANNING HISTORY

- 3.1 P93/2135 Change of Use of Public amenity space to private garden attached to plot 60. substitution of house types to those previously on plots 61, 64, 65, 66, 68, 70 & 71 under planning permission reference No. P91/1230. Approval 13 October 1993.

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
Objects to this proposal due to its detrimental effect on the street-scene and the loss of open space. Removing the open aspect of the area significantly alters the appearance of the estate.
- 4.2 Local Residents
One letter of objection received in summary:
 - a) The land is been public open space for at least 14 years
 - b) Have a general effect on the general ambience of this road
 - c) Mini 'wildflower meadow' attracting insects, birds and wildlife

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for development within residential curtilages subject to there being no adverse impact, in this instance, upon existing residential and visual amenities.

5.2 Design/ Visual Amenity

The proposed fencing would be positioned in line with the fencing at 115 Woodlands. The fencing at 115 Woodlands Road received retrospective planning consent in 1993 to allow the change of use from open space to private garden. The fencing would be set 4 increasing to 6 metres from the pavement, still allowing for open views and would be in keeping with the general character of the area. Considering that the proposal matches the fencing behind the site and that the fencing is not sited front of the dwelling the fencing is considered an acceptable addition to the street-scene.

5.3 Residential Amenity

Due to the proposed position of the fence, and intended height of 1.8 metres the fencing would not adversely impact any adjacent neighbours in terms of loss of overbearing nature.

5.4 Other Issues

A neighbour has raised concern that the proposal would replace open space which the public uses. The applicant has provided a land registry copy that shows the land to be within their ownership, as such there would not be a loss of public open space as it is privately owned land.

It has also been raised the proposal would result in a loss of a mini 'wildflower meadow'. The site is not afforded any special nature designation. As the land is under the ownership of the applicant there is no control over the planting/upkeep of the land.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be approved subject to the following conditions:

Background Papers PT07/1989/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).

CIRCULATED SCHEDULE NO. 34/07 – 23rd AUGUST 2007

App No.: PT07/2173/F
Site: 7 Sixth Avenue Filton BRISTOL
 South Gloucestershire BS7 0LT
Proposal: Erection of single storey rear extension
 to facilitate conversion to 2 no. flats with
 associated works. (Resubmission of
 PT07/0472/F)
Map Ref: 60485 78039

Applicant: Mr D Prior
Date Reg: 16th July 2007
Parish: Filton Town Council
Ward: Filton



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N.T.S

PT07/2173/F

This appears on Circulated Schedule as a result of the neighbours objection.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the conversion of this terraced house into two flats. This follows the refusal of the application for the following reason.
- 1.2 The proposal represents an unsatisfactory form of flat conversion which fails to provide adequate useable amenity space for the first floor flat, contrary to policies H5 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (SPD) (Consultation Draft).
- 1.2 The external appearance of the site will remain unchanged from the front with the exception of the enclosure of the existing internal porch. The property would be divided horizontally. A ground floor rear extension is proposed to create a bathroom for the lower level flat. The rear garden would be allocated to the ground floor flat only with a lockable gate arrangement providing secure cycle storage at the rear for both properties. Two parking spaces are provided at the rear of the garden. The car and cycle parking space for the first floor flat would need to access these via the short walk around the neighbours house. Bin stores are provided at the front and rear of the site for each of the flats. There is no route through the building to the rear garden for the upper flat.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG24	Planning and Noise

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H4	Development within Residential Curtilages
H5	Residential Conversions
T7	Cycle parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) (Consultation Draft)

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0472/F Conversion of existing dwelling to form 2 no. self contained flats, 2 no. parking spaces, bin store and cycle store. Erection of single storey rear extension to provide bathroom. Refused by delegated powers 5 April 2007.

4. CONSULTATION RESPONSES

4.1 Filton Town Council

The council did not object to the application but raised

- a) Concerns over parking.

- b) Pleasing to see dual use of back gardens.

4.2 Sustainable Transport

The applicant is providing car parking and cycle storage to the Council's standards, the traffic generation by subdivision to form two flats would be comparable to that of the original dwelling.

No transportation objection to this proposal.

4.2 Building Control

No building control issues to report.

4.4 Local Residents

One neighbour has written in objection in relation to the following matters:

- a) Kitchen , dining and living room would be adjacent to No 5 Sixth Avenue's bedroom wall. Concerns that the noises currently heard through the wall will increase.
- b) Loss of privacy
- c) The proposed design shows sink unit and associated appliances are to be fitted up against this bedroom wall. An extractor fan will be required to remove kitchen smells. Lounge area will no doubt have TV etc fitted. All these and the extra traffic in this room will make neighbour bedrooms unusable.
- d) Extra traffic in the this room, the generated noises and smells , writers bedroom will be made unusable.
- e) Additional road traffic in an already congested area, especially with the construction of 21 flats in Filton Avenue with 11 parking spaces.
- f) The area is being degraded from what was and should be a family oriented district to a transient area where any sense of a community is going to be lost.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H5 of the South Gloucestershire Local Plan allows for the conversion of residential properties into smaller units provided that the proposal:

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

5.2 Design/ Visual Amenity

The application site comprises a mid terraced dwelling with two parking spaces being provided at the rear in place of the existing garage on site. A single storey rear extension is proposed which would sit alongside the neighbours smaller outhouse type structure. This extension has no impact on the residential amenity of either neighbour and would be constructed in matching materials. This is therefore acceptable in appearance.

- 5.3 The property is currently a three-bed house. The proposal would retain three bedrooms overall. The proposal would allow the creation of two independent units, one above the other. Internally both properties would be accessed via a communal lobby. At ground floor the lounge would become a bedroom at the front of the property. The second floor would retain bedrooms at the front and

create a lounge/kitchen at the rear of the property by internal alteration of the floor space.

5.4 It is not considered the character of this residential area would be harmed by introducing smaller units and indeed PPS3 encourages a mix of housing types. Covered bin storage is provided for both flats by way of rendered/roofed units which are 1075mm high, 850mm deep and 1350 wide. These appear to be sufficient to house two small bins each. The limited size, and in particular height, of the bin stores, coupled with the fact that the gardens are already enclosed by railings and low walling results in an acceptable form of development in the front garden.

5.5 Residential Amenity

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

5.6 Having regard to the neighbours concerns about noise travel through the party wall, the building regulations process will address this issue and it may be necessary to insulate the party walls.

5.7 The internal layout of the property is not considered to cause new issues of overlooking as the existing bedroom is already considered to be a habitable room.

5.8 Amenity Space

The dwelling has a small rear garden area, accessed directly via the ground floor flat. There would be no access to the rear garden from the first floor flat and it is not considered necessary to provide a garden for the flat as it would be unlikely to attract families. The back garden and area to the rear of the garden is also proposed to include a locked bike store, two parking spaces and two bin stores.

In light of the above the layout and design of the development would facilitate the conversion of this house to two flats with adequate bin storage, car parking and cycle storage in addition to a private garden for the ground floor flat. This is achieved without detriment to the street scene and is considered to accord with the South Gloucestershire Design Checklist (SPD) and contrary to policy D1.

5.9 Highway Safety/Parking

Policy T8 advises that in the case of one-bedroom units, a maximum of one space each should be provided. These are provided at the rear in addition to a cycle storage building. As such no transportation objection is raised.

5.10 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) as it is scant in detail but this does not justify a refusal in this case.

5.11 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The alterations made to this application which include the sole use of the garden by the ground floor flat, provision of suitable cycle and parking measures and small bin stores have overcome the objection to the previous application.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Background Papers **PT07/2173/F**

Contact Officer: **Karen Hayes**
Tel. No. **01454 863472**

CONDITIONS

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

Reason(s):

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

2. 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) and showing the allocation of bin and cycle storage for the first 2 years of occupation 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 ensure a satisfactory standard of external appearance and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

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

4. The bin storage facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason(s):

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

CIRCULATED SCHEDULE NO. 34/07 – 23rd AUGUST 2007

ITEM 11

App No.: PT07/2181/F
Site: 13 Fifth Avenue Filton BRISTOL
South Gloucestershire BS7 0LP
Proposal: Erection of single storey rear extension
to facilitate conversion of existing
dwelling to 2 no. flats with associated
works. (Resubmission of PT07/0922/F).
Map Ref: 60372 78081

Applicant: Mr R Morgan
Date Reg: 16th July 2007
Parish: Filton Town Council
Ward: Filton



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N.T.S

PT07/2181/F

The application is circulated on the schedule as a result of the neighbour and Town Council objections.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the conversion of this mid-terraced house into two flats.
- 1.2 The external appearance of the site will remain unchanged. The property would be divided horizontally. A 3 metre deep ground floor rear extension is proposed to create an additional bedroom and the kitchen at ground floor. The rear garden would be allocated to the two bedroomed ground floor flat only with a fence and gate to the rear of the garden. There is no route through the building to the rear garden for the upper flat.
- 1.3 A bicycle store for the ground floor flat is located within the garden and there is a 2.4m space beside the garage which could accommodate a car. The existing garage on site is retained to provide locked cycle and car parking facilities for the first floor flat. The car and cycle parking for the first floor flat would only be accessed by the rear service road.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG24	Planning and Noise

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H4	Development within Residential Curtilages
H5	Residential Conversions
T7	Cycle parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) (Consultation Draft)

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0922/F Conversion of single dwelling to 2 no. flats. Erection of 1 no. bin store and 1.8 metre high fence. Erection of single storey rear extension to provide additional bedroom and kitchen area. Withdrawn

4. CONSULTATION RESPONSES

4.1 Filton Town Council

The council object

- a) Insufficient parking provision.
- b) Lack of landscape or management facilities for garden.

4.2 Sustainable Transport

The principle of the conversion is acceptable in principle in this location.

There is adequate bin storage provided in the front garden.

The issue of cycle storage provision is as shown is not currently acceptable, but these issues could be overcome. By providing an apex cycle store for the first floor flat in the front garden, so that it can be easily accessed by its occupants. As for the ground floor flat, the cycle storage can be provided by the existing detached garage, while still being used to provide space for one parked car.

Ideally there should also be another car parking space provided for the first floor flat, however, given the location is on a major bus corridor and close to local amenities there are no transportation objections to this proposal in principle providing that conditions are attached as follows.

- a) Provide and maintain the existing detached garage for the use of a private car and storage of cycles for the ground floor flat;
- b) Provide and maintain an apex cycle store in the front garden for use of the first floor flat;
- c) Provide and maintain the bin storage areas for both flats in the front garden.

4.3 Building Control

No building control issues to report.

4.4 Local Residents

One neighbour has written in objection in relation to the following matters:

- a) Filton is already a high density location
- b) Conversions have an impact on the quality of life of existing residents.
- c) More money to local services is needed
- d) Additional cars will be parked on the street. Parking is already an issue.
- e) The rear extension will damage neighbouring houses since it will steal away light and view sight.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H5 of the South Gloucestershire Local Plan allows for the conversion of residential properties into smaller units provided that the proposal:

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

5.2 Design/ Visual Amenity

The application site comprises a mid terraced dwelling which would be extended to the rear by a modest ground floor extension. This would be finished in materials to match the existing house and is therefore acceptable in appearance.

A bin area is shown by fencing in the front garden which would only accommodate two bins. This would need to be extended to facilitate four bins to serve the twin bin system for each of the two flats and should be solidly built with a roof over. It is anticipated the small flip top bins would be adequate for

the flats and as such the size of a covered store to accommodate these bins would be acceptable. This can be agreed by condition.

The retained garage and proposed cycle store in the rear garden area acceptable visually and has no impact on the residential amenity of either neighbour. This is therefore acceptable in appearance.

5.3 The property is currently a three-bed house. The proposal would retain three bedrooms overall. The proposal would allow the creation of two independent units, one above the other. Internally both properties would be accessed via a communal lobby. At ground floor the lounge would become a bedroom at the front of the property and the second bedroom and living area would be located to the rear. The second floor would retain the master bedroom at the rear and the front would be changed to living accommodation and the kitchen. This is not an ideal solution as like rooms are not above and below each other but it would not warrant refusal of the application.

5.4 It is not considered the character of this residential area would be harmed by introducing smaller units and indeed PPS3 encourages a mix of housing types.

5.5 Residential Amenity

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

5.6 The internal layout of the property is not considered to cause new issues of overlooking as the existing bedroom is already considered to be a habitable room.

5.7 The proposed 3m deep mono-pitched rear extension does not detrimentally affect the residential amenity of the neighbouring houses, not least due to its limited depth and southern aspect. In addition it is in effect only 1.5 cubic metres over the volume which would be permitted development if the house remained as one unit.

5.8 Amenity Space

The dwelling has a small rear garden area, accessed directly via the ground floor flat. There would be no access to the rear garden from the first floor flat and it is not considered necessary to provide a garden for the flat as it would be unlikely to attract families. The back garden also provides secure cycle parking for the ground floor flat. The area to the rear of the garden provides car and cycle parking for the first floor flat.

In light of the above the layout and design of the development would facilitate the conversion of this house to two flats with adequate bin storage, car parking and cycle storage in addition to a private garden for the ground floor flat. This is achieved without detriment to the street scene and is considered to accord with the South Gloucestershire Design Checklist (SPD) and comply with policy D1.

5.9 Highway Safety/Parking

Policy T8 advises of maximum parking standards and as this is a sustainable location with good public transport it is not considered necessary that parking is

provided. However cycle parking is provided for both flats and the first floor flat has use of the existing garage via the back lane. It is acknowledged that the location of parking facilities via the back lane is not ideal for the occupants but given the sustainable location of the site and the desire to minimise storage facilities in the street scene this is considered an acceptable solution on balance.

As such no transportation objection is raised.

5.10 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) as it is scant in detail but this does not justify a refusal in this case.

5.11 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT07/2181/F**

Contact Officer: **Karen Hayes**
Tel. No. **01454 863472**

CONDITIONS

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

Reason(s):

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

2. 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) for the first [2 years] of occupation has been submitted and agreed in writing by the Local Planning Authority. The scheme should include the type of bins to be provided and management responsibilities and maintenance schedules. The scheme for the management of communal areas shall be carried out as approved.

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.

3. No development shall take place until details of provision of covered storage for small refuse bins 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.

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

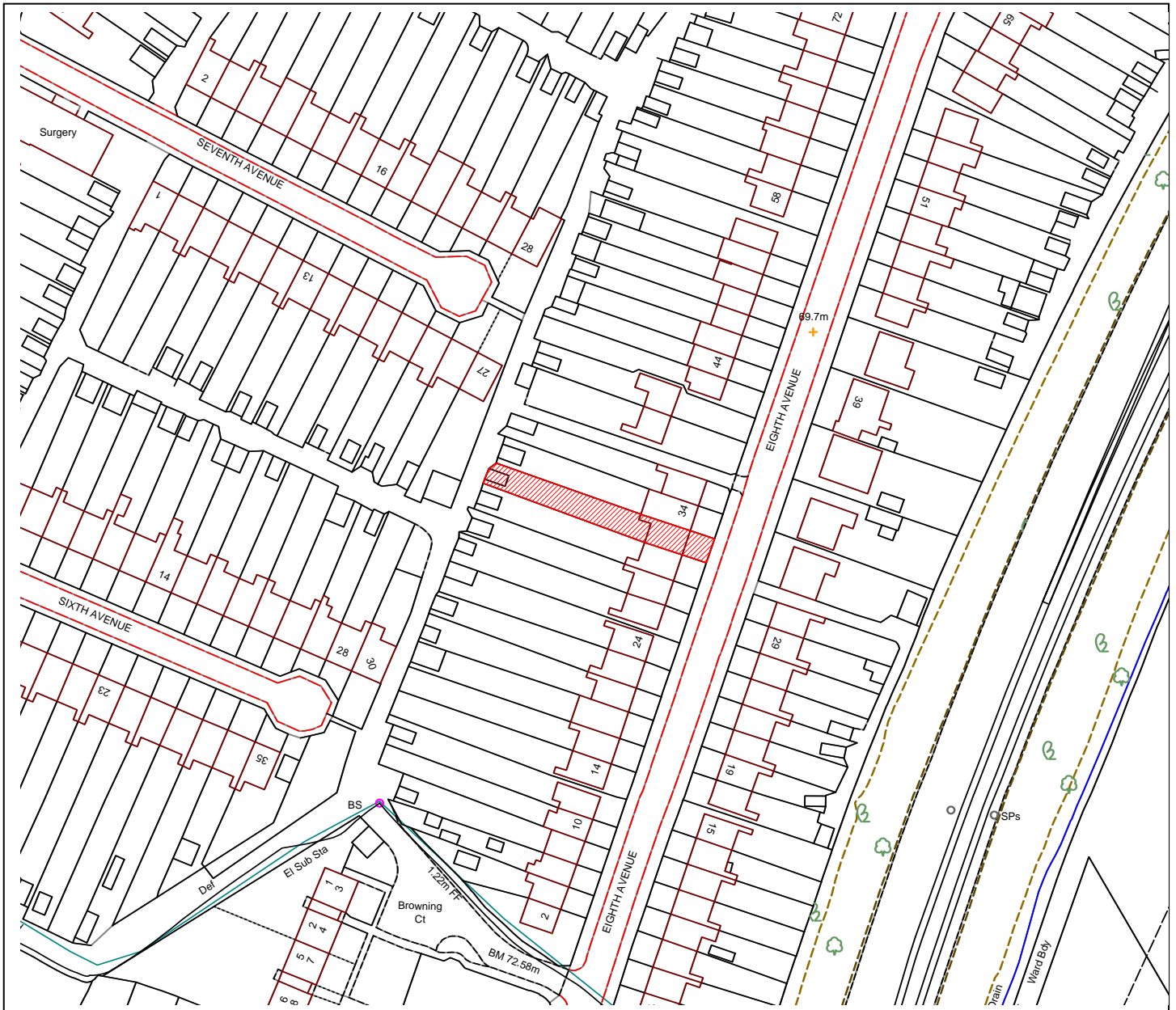
Reason(s):

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

CIRCULATED SCHEDULE NO. 34/07 – 23 AUGUST 2007 ITEM 12

App No.: PT07/2220/CLE
Site: 32 Eighth Avenue Filton BRISTOL
South Gloucestershire BS7 0QT
Proposal: Application for certificate of lawfulness
for existing use of single storey rear
extension and detached double garage
Map Ref: 60639 78059

Applicant: Ms L Vaughan
Date Reg: 20th July 2007
Parish: Filton Town Council
Ward: Filton



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N.T.S

PT07/2220/CLE

This application is for a Certificate of Lawfulness, and as such, under the current scheme of delegation, falls to be considered under the circulated schedule procedure.

1. THE PROPOSAL

- 1.1 The application is for a Certificate of Lawfulness to establish the development of a small extension to the rear of the dwelling; and for the construction of a garage within the residential curtilage.
- 1.2 The site consists of a terraced dwelling and associated domestic curtilage. Access is from Eighth Avenue and from the rear service lane. The subject garage is located immediately adjacent to the service lane.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 4.1 The applicant has submitted a site location plan/block plan showing the positions of the extension and the garage forming the subject of this application. Also submitted is a statement of fact providing the period and extent of the works that were carried out

5. SUMMARY OF CONTRARY EVIDENCE

- 5.1 There is no contrary evidence.

6. OTHER REPRESENTATIONS RECEIVED

- 6.1 No third party comments have been received

7. EVALUATION

- 7.1 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to provide precise and unambiguous evidence.
- 7.2 The kitchen extension encompasses the former coal store that was constructed with the dwelling. The net increase in the size of the dwelling itself amounts to approximately 25 cubic metres. This is below the threshold of 50 cubic metres detailed in Schedule 2, Part1, Class A of the Town and Country Planning (General Permitted Development) Order 1995. As such, this element of the development is 'permitted development' and the extension can be constructed without the need for planning consent; and as such would be lawful.
- 7.3 Notwithstanding the above, the garage is located adjacent to the service lane. The service lane is classed as a highway and as such, garage development will

require planning permission. In this instance it must be proven that the garage subject to this application has been in place for a period in excess of 4 years as it would require planning consent when built.

7.4 The applicant has submitted that a garage has stood in this position for a period of 17 years prior to 2003. The existing garage was constructed as a replacement to the original in 1999. The subject garage is well established and given the appearance of the building the claim that it has been in place since 1999 is reasonable. There is no contrary evidence to show otherwise.

7.5 Having regard to the above, it is considered that the evidence presented by the applicant shows that, on the balance of probability, the garage has been in position for a period in excess of four years

8. RECOMMENDATION

8.1 A Certificate of Existing Lawful Use be granted single storey rear extension and detached double garage.

Background Papers **PT07/2220/CLE**

Contact Officer: **Simon Penketh**
Tel. No. **01454 863433**

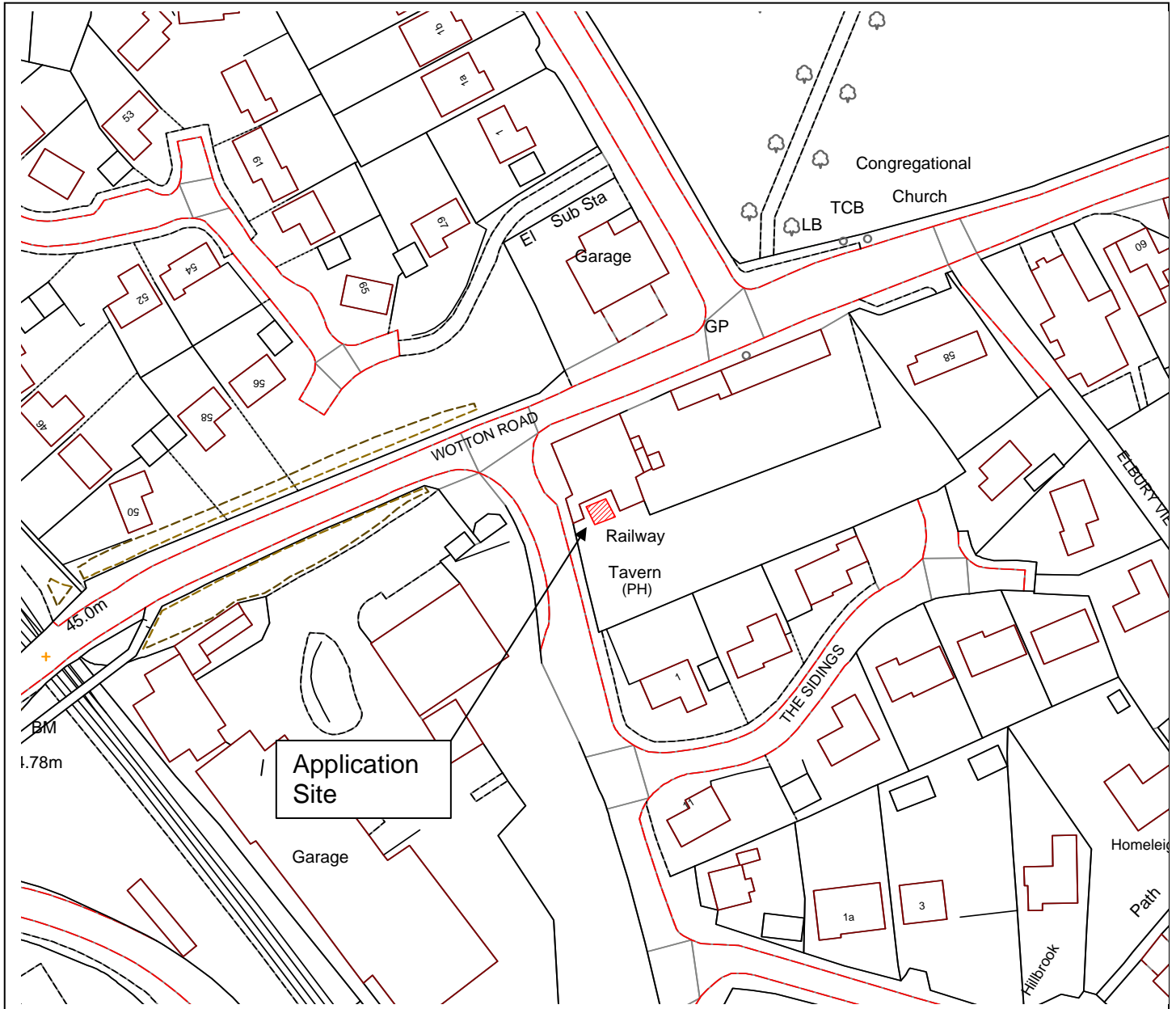
CONDITIONS

1. The extension to the dwelling as detailed within this application does not require planning consent as it is below the threshold of 50 cubic metres as detailed in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 and as such is lawful. The evidence submitted regarding the garage as detailed within this application shows that on the balance of probability the garage has been in place for a period exceeding 4 years; and is therefore lawful.

CIRCULATED SCHEDULE NO. 34/07 – 23rd AUGUST 2007 ITEM 13

App No.: PT07/2268/F
Site: Railway Tavern 56 Wotton Road
Charfield WOTTON UNDER EDGE
South Gloucestershire GL12 8SR
Proposal: Erection of smoking shelter
(retrospective)
Map Ref: 72470 92327

Applicant: Mr M Redmond
Date Reg: 25th July 2007
Parish: Charfield Parish
Council
Ward: Charfield



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N.T.S

PT07/2268/F

This application has been placed on the Circulated Schedule due to a letter of objection.

1. THE PROPOSAL

- 1.1 This application relates to the erection of a smoking shelter (retrospective) as a result of new Government Smoke Free legislation introduced on 1st July 2007, at the Railway Tavern Public House, Wotton Road, Charfield.
- 1.2 The smoking shelter has been sited to the rear of the building. It infills a small area and does not extend beyond the rear building line of the premises. It measures 6m in length, 3.8m in depth and has a lean-to roof, maximum height 2.3m. The shelter is constructed of timber and has a Perspex roof. It is open on all sides. The site is well screened from any public view point and is only visible from the rear beer garden.

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
EP1 Environmental Pollution
T12 Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
No objection.
- 4.2 Environmental Services
No response received.
- 4.3 Sustainable Transport
No objection.
- 4.4 Local Residents
1 letter has been received objecting to the proposal on the following grounds:-
a) proximity to children's play area;
b) materials;
c) increased noise;
d) hours of use;
e) use of heaters in Winter months;
f) people have not been using the shelter.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
In the assessment of this application, policies D1 and EP1 are particularly relevant. These policies seek to achieve the highest standards of design whilst protecting the amenity of surrounding users.

- 5.2 Shelters should not generally be sited on a front elevation or visually prominent elevation to ensure that the character of the host property and surrounding street-scene is not harmed. They should also be acceptable in design terms, incorporate materials that respect the character of the host property and the surroundings, and not appear excessively dominant. Careful consideration should also be given to the siting of shelters to ensure they do not result in a nuisance to adjoining property and occupiers.
- 5.3 The smoking shelter is low key in size and unobtrusive in appearance. It is well related to the existing building, infilling a small area to the rear. As such the proposal does not detract from the visual amenities of the locality. The shelter is also well screened by the existing building and boundary treatment and is only visible from the rear beer garden itself. The nearest dwelling is that of 1 The Sidings, over 30m away. The proposal will not adversely affect the residential amenities of neighbouring occupiers in terms of noise/smell due to its location and the fact that the existing beer garden can and is also used for smoking purposes. As such the proposal complies with the adopted plan and is acceptable.
- 5.4 Other Issues
With regard to the points raised by a local objector, the entire beer garden could be used for smoking purposes without planning permission. It is also considered that the proposal will not result in any material increase in noise, especially as it is located directly adjacent to the existing premises and is enclosed on three sides by existing buildings. The hours of use of the smoking shelter would be the same as for the public house and as such this situation will also remain unchanged. With regard to the use of outdoor heaters, this will not require planning permission and is outside the remit of planning control.
- 5.5 Design and Access Statement
The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).
- 5.6 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 Retrospective planning permission be granted.

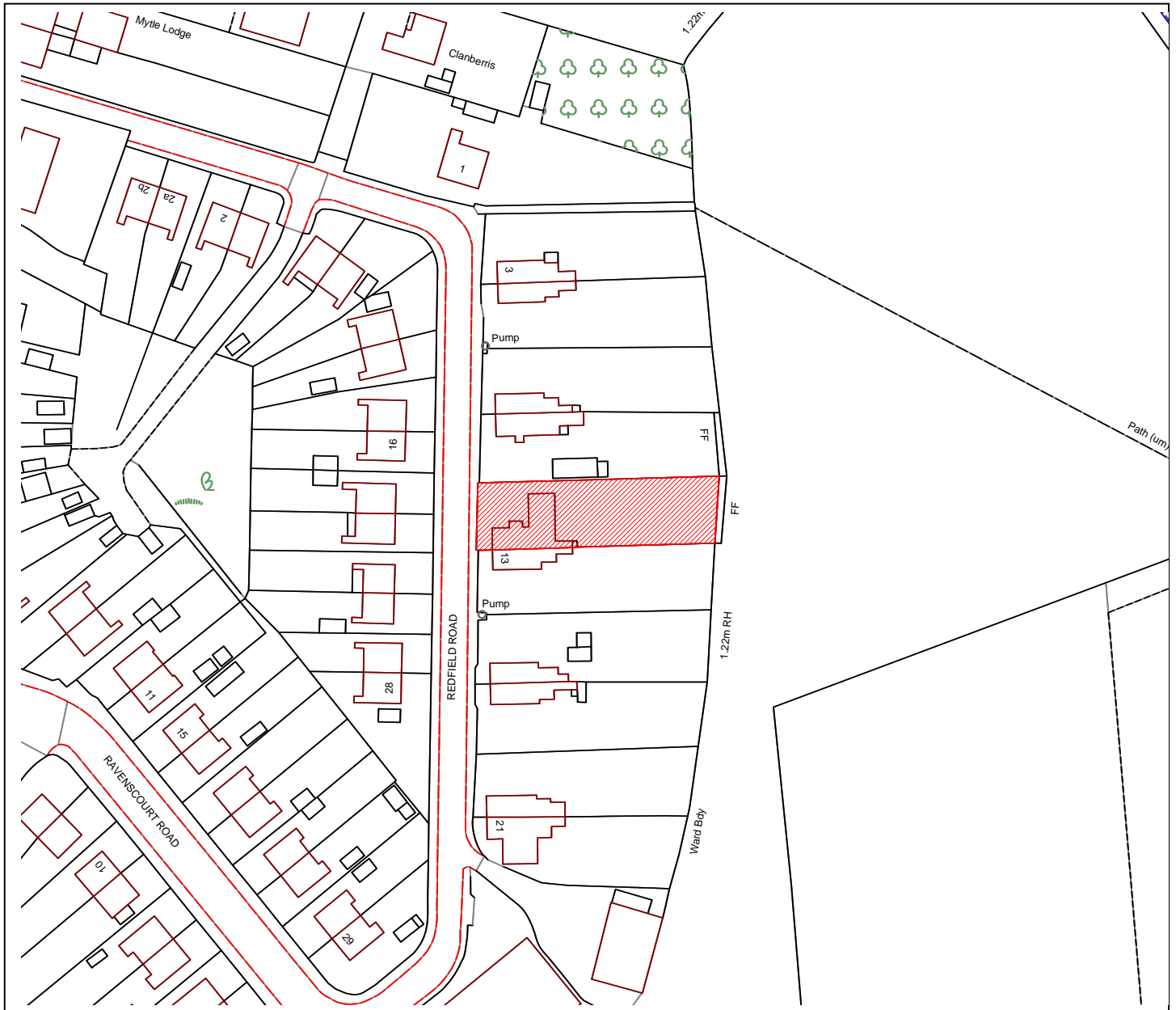
Background Papers **PT07/2268/F**

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

CIRCULATED SCHEDULE NO. 34/07 – 23rd AUGUST 2007 ITEM 14

App No.: PT07/2295/F
Site: 11 Redfield Road Patchway BRISTOL
South Gloucestershire BS34 6PJ
Proposal: Erection of detached residential annexe
and detached garage
Map Ref: 60715 81304

Applicant: C/o Agent
Date Reg: 26th July 2007
Parish: Patchway Town
Council
Ward: Patchway



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N.T.S

PT07/2295/F

This application appears on the Circulated Schedule as a legal agreement is recommended

1. THE PROPOSAL

- 1.1 This full application relates to the erection of a detached single storey annexe to provide lounge/dining room, kitchen, bathroom and 2 bedrooms and detached double garage at 11 Redfield Road, Patchway. The annexe measures 8m in width and depth and has a ridge height of 4.5m, located to the rear of the site. The double garage has a width of 6m, depth of 5m and ridge height of 3.8m. It is also located within the rear garden.
- 1.2 The application site is an extended semi-detached property located within the urban area of Patchway. Vehicular access is to the front of the site off Redfield Road and the rear of the property backs onto an agricultural field which comprises land associated with Rolls Royce, allocated as a Safeguarded Employment Area. The site has a large rear garden area.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
Design Checklist (As Intended to be Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
No response received.
- 4.2 Sustainable Transport
No objection subject to a financial contribution and a condition ensuring that the proposal is ancillary accommodation to the main dwelling.
- 4.3 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The proposal has been submitted on the basis of annexe accommodation and therefore it is considered that Policy H2 of the adopted local plan is not relevant in the assessment of this application.

- 5.2 In assessing applications for development within existing residential curtilages, policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant. Such development is normally permitted provided it respects the massing, scale, overall design and character of the existing property and street scene and would not prejudice amenities of nearby occupiers, highway safety or the retention of adequate private amenity space.
- 5.3 The application comprises two elements. With regard to the detached garage this part of the proposal is considered acceptable. The design of the garage is in keeping with the area in general and is of a size that can be accommodated on the site. Its design, incorporating a hipped roof, and its siting with its rear elevation next to the adjacent property's boundary ensures that it will not have any adverse impact upon the residential amenities of surrounding occupiers.
- 5.4 With regard to the annexe, this element of the proposal is also considered, on balance, to be acceptable. The proposed annexe is small in size and has a floor area of only 64m². Its single storey nature and pyramidal hipped roof ensures that the maximum height of the proposal is 4.5m. Its location to the rear of the site, single storey height and existing/proposed boundary treatment ensures that no loss of privacy or overlooking will result from the development. As the proposal is for annexe accommodation, the provision of private amenity area is not a necessity. However, the proposal does provide a degree of private garden area to the side and rear of the proposed annexe of some 116m². Moreover, some 130m² garden area still remains for the main dwelling. In terms of its design, the area is characterised by varying types of dwelling, the predominant feature being the hipped roof style. As such the proposal will not be out of keeping with the locality and the proposal is considered acceptable.
- 5.5 Transportation Issues
No transportation objection is raised to the proposal subject to a contribution of £900 to offset the incremental increase in traffic associated with the proposal which should be secured by an appropriate legal agreement. This contribution will go towards the North Fringe Development Major Scheme (Transport Measures). It is considered this could be secured under a S278 agreement under the Highways Act.
- 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, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 106 Agreement (or similar agreement) and would satisfy the tests set out in Circular 05/2005. However this contribution could equally well be secured through a S278 agreement under the Highways Act.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering a legal agreement to secure the following:
- (a) A financial contribution of £900 towards the North Fringe Development Major Scheme (Transport Matters).
- Reason: To provide a contribution commensurate to the scale of the development towards the North Fringe Development Major Scheme (Transport Matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with policies T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- (2) If the legal agreement is not signed and sealed within 12 months of this determination then, in view of the length of time the application should either:
- (a) Return to the Development Control Area Committee for reconsideration or alternatively;
- (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a legal agreement, for the reasons listed in section (1) a.

Background Papers **PT07/2295/F**

Contact Officer: Vivian Butt
Tel. No. 01454 863427

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the annexe accommodation is occupied. Development shall be carried out in accordance with the approved details.

Reason(s):

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

4. The occupation of the development hereby permitted shall be used wholly in conjunction with, and ancillary to, the use of the existing property as a single dwelling house and shall not be separated and altered in any way so as to create two or more separate units of accommodation.

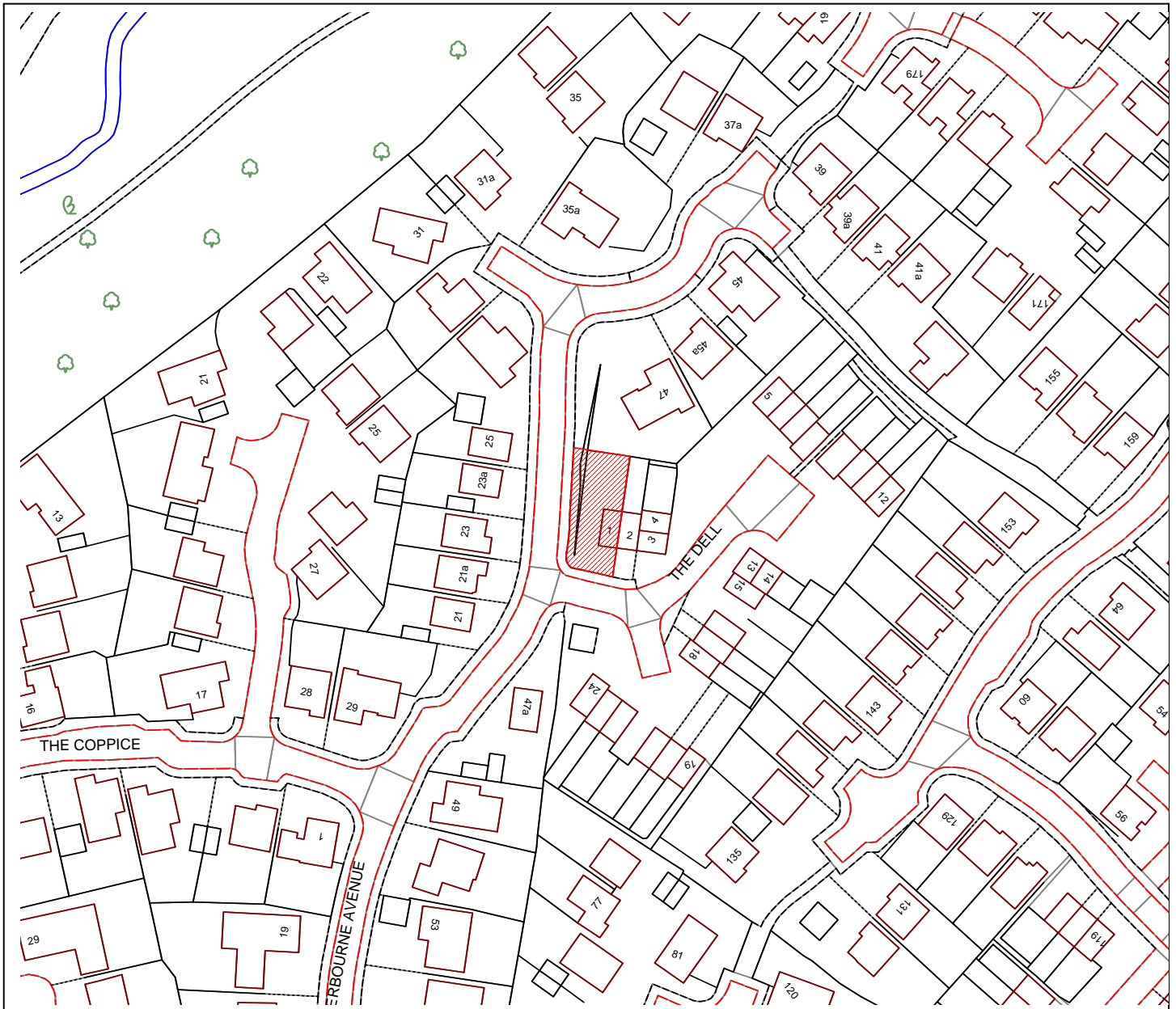
Reason(s):

The application has been assessed on the basis of annexe accommodation. An independent dwelling on the site would require further consideration, in accordance with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 34/07 – 23rd AUGUST 2007

App No.: PT07/2331/F
Site: 1 The Dell Bradley Stoke BRISTOL
 South Gloucestershire BS32 8DZ
Proposal: Erection of 1 no. attached dwelling with
 associated works (in accordance with
 amended plans received by the Council
 on 7 August 2007)
Map Ref: 62350 81207

Applicant: Mr R Sprackman
Date Reg: 31st July 2007
Parish: Bradley Stoke Town
 Council
Ward: Bradley Stoke South



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 100023410, 2007.

N.T.S

PT07/2331/F

This application appears on the Circulated Schedule due to local residents objections and because a legal agreement is recommended.

1. THE PROPOSAL

1.1 This full application relates to the erection of attached dwelling at 1 The Dell, Bradley Stoke. The proposal continues a small terraced rank and is located on a large corner plot. The side of the site lies adjacent to Sherbourne Avenue with vehicular access to the front of the site off the small cul-de-sac of The Dell. The development provides two-bed accommodation and two off-street parking spaces.

1.2 The site lies within the urban area of Bradley Stoke.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing

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

2.3 South Gloucestershire Local Plan (Adopted) January 2006

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

2.4 Supplementary Planning Guidance

Design Checklist (As Intended to be Adopted)

3. RELEVANT PLANNING HISTORY

3.1 PT01/1021/F Erection of two storey side extension.
Approved 4 May 2001.

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

No comments received

4.2 Sustainable Transport

No objection subject to a financial contribution towards the North Fringe Development Major Scheme (Transport Measures).

4.3 Local Residents

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

- a) loss of privacy;
- b) proximity to single storey rear extension will bring it closer to our property;
- c) increase in parking/traffic hazard;
- d) adversely affect views;
- e) should match the existing buildings in The Dell or would be completely out of character.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site lies within the urban area of Bradley Stoke. Advice contained within PPS3 states that priority for new residential development should be on previously developed land. Using land efficiently is a key consideration in planning for housing. This advice is generally reflected in the Adopted Joint Replacement Structure Plan and the South Gloucestershire Local Plan (Adopted) January 2006.

5.2 Housing Policy

Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for 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;**

In transportation terms, the site is located off the cul-de-sac of The Dell, which itself is accessed off the estate road of Sherbourne Avenue. The proposal provides adequate off-street parking and cycle storage for the existing and proposed properties and as such complies with Policies T7 and T8 of the adopted Local Plan. A contribution of £1,800 is required to offset the incremental increase in traffic associated with the proposed dwelling which should be secured by an appropriate legal agreement. This contribution will go towards the North Fringe Development Major Scheme (Transport Measures).

- 5.3 With regard to residential amenity, the location of the dwelling and the size of the site are large enough to accommodate one dwelling without the proposal resulting in loss of privacy/overlooking/overbearing impact to adjoining and surrounding occupiers. The rear elevation is located some 12m from the boundary of 47 Sherbourne Avenue but does not result in a greater degree of overlooking than already exists from the existing properties of 1 and 2 The Dell, and only overlooks the side garden area of this property in any event. The properties of 23 and 23a Sherbourne Avenue directly face onto the side elevation of the dwelling but a distance of some 19m exists between these elevations. Moreover, the only window on the side elevation at first floor level serves a bathroom and will be obscurely glazed. The front elevation of the dwelling faces onto a detached garage some 16.5m away which effectively shields the facing property of 24 The Dell.

- 5.4 In design terms the proposal continues the terrace and follows the ridge, eaves and wall position of the rest of the terrace. It has been designed to blend with the rest of the block but does not copy the detailed design features. The

windows are slightly larger and of a simpler design. The facing brickwork matches the existing terrace but also incorporates contrasting areas of buff brickwork on the front elevation lining through with the ground and first floor window. A small rear extension to the living room on the ground floor is also to be constructed of this buff colour brick. This contrasting brick colour has been amended to that originally submitted (a blue-grey colour) in that it is now more muted and in keeping with surrounding dwellings. It is considered that this will still add visual interest to the building without compromising the overall appearance of the terrace. The proposed roof tiles will also match the existing block.

It is therefore considered that the development will integrate well within the street scene by respecting the existing built form and layout of the area as well as maintaining the site frontage of The Dell. Although it is recognised that the side of the dwelling is a minimum distance of 1.75m from the pavement edge of Sherbourne Avenue, there is no defined building line along this side of Sherbourne Avenue. Indeed, the dwellings of 27 and 47a are 0.5m and 1.5m away respectively from the pavement edge. As such the proposal will not compromise the building line or appear out of place within the street scene. A condition requiring details of boundary treatment will however be imposed to ensure that landscaping of this boundary is achieved, ensuring that this boundary is softened with no built structure such as a wall or fence directly abutting the pavement edge. This will ensure a degree of openness that will enhance the visual amenities of the locality. The proposal therefore complies with this criterion.

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

- 5.5 The area of the site, including the existing dwelling has an area of 0.0265 hectares. The erection of an additional dwelling equates to a housing density of 75 dwellings per hectare. The adopted local plan advocates a minimum density of 30 dwellings per hectare and higher densities of upwards of 50 dwellings where local circumstances permit, ie in sustainable locations. Although the density is above this level, the size of the dwelling and the site itself is comparable with other properties of The Dell which is characterised by small properties with limited garden areas. The proposal therefore complies with this criterion.

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

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

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

The proposal is for an additional one dwelling. As such it will not impinge significantly in terms of service provision.

- 5.6 Development within Existing Residential Curtilages
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to development within existing residential curtilages. Such development, including new dwellings, is only permitted where the design is

acceptable and in keeping with the street scene, would not prejudice residential amenity or highway safety and allows for the retention of adequate garden area for both the existing and proposed dwellings.

- 5.7 Residential amenity, transportation and design issues have already been assessed above under policy H2. With regard to garden area, the existing property will have a garden depth of 11.5m and an area of some 46m². The proposed dwelling has a depth of 9.3m and an area of approximately 75m². It is considered that the size of both garden areas is commensurate with the size of dwellings they serve, as well as other properties of The Dell. A rear access for the existing garden serving 1 The Dell is also proposed. The proposal is therefore acceptable in this respect.

5.8 Design and Access Statement

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

5.9 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 106 Agreement (or other similar agreement) and would satisfy the tests set out in Circular 05/2005. It is considered that this would be best secured via an agreement under S278 of the Highway Act.

6. CONCLUSION

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

7. RECOMMENDATION

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

- (a) A financial contribution of £1,800 towards the North Fringe Development Major Scheme (Transport Matters).

Reason: To provide a contribution commensurate to the scale of the development towards the North Fringe Development Major Scheme (Transport Matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with policies T12, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

- (2) If the Section 106 Agreement (or similar agreement) is not signed and sealed within 12 months of this determination then, in view of the length of time the application should either:

- (a) Return to the Development Control Area Committee for reconsideration or alternatively;
- (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a legal agreement, for the reasons listed in section (1) a.

Background Papers **PT07/2331/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

3. The hardstanding areas shall be constructed of a bound surface.

Reason(s):

In the interests of the amenities of nearby occupiers, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. 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 H4/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D and E), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason(s):

To protect the residential and visual amenity of neighbouring occupiers and to accord with Policy D1/H2/H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

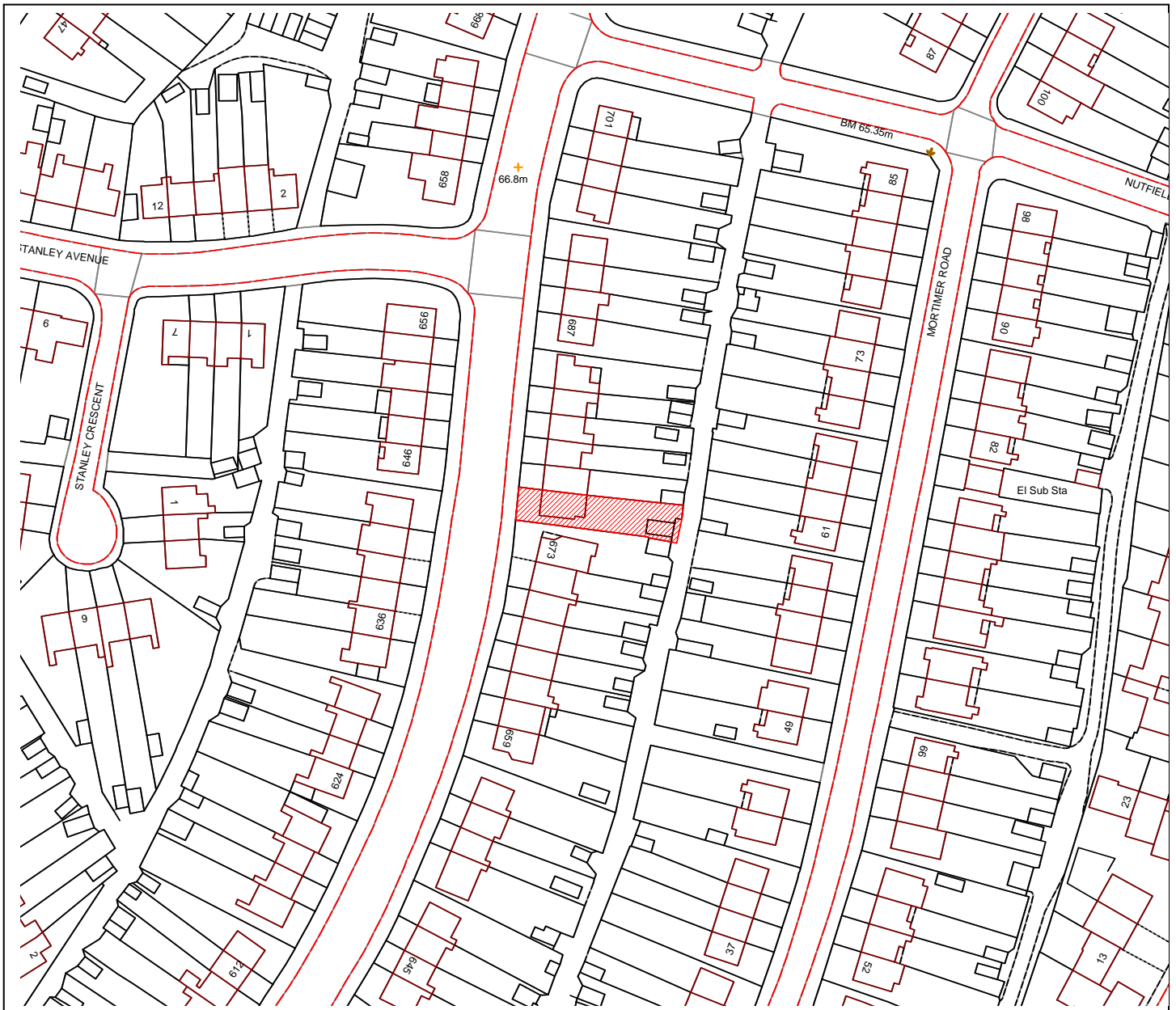
To ensure that a satisfactory means of drainage is provided, and to accord with Policies L17 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 34/07 – 23 AUGUST 2007

ITEM 16

App No.: PT07/2361/F
Site: 675 Filton Avenue Filton BRISTOL
South Gloucestershire BS34 7LA
Proposal: Erection of first floor rear extension to
form extended bedrooms. Erection of
single storey side extension to form W/C
(Resubmission of application
PT07/1667/F).
Map Ref: 60821 78601

Applicant: Mr & Mrs Co.
Date Reg: 2nd August 2007
Parish: Filton Town Council
Ward: Filton



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N.T.S

PT07/2361/F

This application appears on the Circulated Schedule due to the objection from the Town Council.

1. THE PROPOSAL

- 1.1 This application relates to the erection of a first floor rear extension and single storey side extension at 675 Filton Avenue, Filton.
- 1.2 The application site is an end-terraced property in a rank of six with vehicular access via a lane to the rear of the site. Off-street parking also exists to the front of the site off Filton Avenue. The site lies within the urban area of Filton.
- 1.3 The first floor rear extension measures 3m in depth, 5.2m in width and has a ridge height of 7.8m. The side extension is single storey in nature and has a depth of 4m, 1.3m in width and has a maximum height of 3.3m. All materials are to match existing.
- 1.4 This application is a resubmission of application PT07/1667/F which related to a first floor rear extension; alteration of roof line from hipped form to gable to facilitate erection of two rear dormers, and single storey side extension.

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
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
Design Checklist (As Intended to be Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/1667/F Erection of first floor rear extension. Erection of two rear dormers and alteration to roofline to facilitate loft conversion. Erection of single storey side extension. Refused 21 June 2007 on the following grounds:-
 - a) alterations of roof line from hipped to gabled roof form would unbalance appearance of rank of terraces to the detriment of the street scene and visual amenities of area;
 - b) rear extension and dormers due to size, design and external appearance would be out of keeping with existing and surrounding dwellings to the detriment of visual amenity;
 - c) overbearing impact of rear extension on occupiers of 677 Filton Avenue.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
Object to the proposal on the following grounds:-

- a) over-intensive;
- b) not in keeping with surrounding area;
- c) roofline is prejudicial to the character of the area;
- d) no regard given to existing residents in the vicinity.

4.2 Sustainable Transport
No objection.

4.3 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

5.1 Background

As can be seen from the planning history, the previous planning application was refused on three grounds due to its design and adverse impact on visual and residential amenity. The current application has been significantly altered in its design and reduced in size.

5.2 Principle of Development

In assessing applications for residential extensions, policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant. Extensions are normally permitted provided they respect the massing, scale, overall design and character of the existing property and street scene and would not prejudice amenities of nearby occupiers, highway safety or the retention of adequate private amenity space.

5.3 It is considered that the resubmitted application overcomes the previous refusal reasons and accords with the above policy criteria. The area is characterised by terraced properties with hipped roofs. The roof line of the existing dwelling remains unchanged and maintains the symmetry and balance of the terrace as a whole, the front elevation remaining unaltered. The first floor rear extension now incorporates a hipped roof rather than a gable which ensures that it is in keeping with the existing and surrounding dwellings and the street scene in general. Although the depth of the extension still remains at 3m it is considered that, on balance, as the roof has altered to a hip, and coupled with the removal of the rear dormers, its overall impact has been reduced to a level that is acceptable in terms of any overbearing impact, especially as the adjoining property has a single storey rear extension the depth of the proposal. No windows are proposed on the side elevation at first floor level ensuring that no overlooking will occur to the adjoining property and this will be a condition of any planning permission. The single storey side extension due to its very modest size, single storey nature and location is also in keeping in design terms and will not adversely affect surrounding residential amenity.

5.4 The proposal is therefore acceptable in design and residential amenity terms and accords with policies D1 and H4 of the adopted development plan and is unacceptable.

5.5 Design and Access Statement

A Design and Access Statement is not required for a Householder application.

5.6 Section 106 Requirements

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

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Planning permission be granted.

Background Papers PT07/2361/F

Contact Officer: Vivian Butt
Tel. No. 01454 863427

CONDITIONS

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

Reason(s):

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

2. No windows shall be inserted at any time at first floor level in the side elevations of the first floor extension hereby permitted.

Reason(s):

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