



**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. 05/07**

**Date to Members: 02/02/07**

**Member's Deadline: 09/02/07**

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by the Planning and Transportation Committee on 21 November 1996. The procedure is designed to increase the effectiveness and efficiency of the Development Control Service. Under the arrangement reports are circulated on a weekly basis.

The reports assess the application, consider representations which have been received, and make a recommendation regarding the proposal. The procedure is designed to ensure that Members are aware of any concern expressed by interested parties in their ward and indicate a recommendation.

Having considered the reports, those applications that Councillors feel should be referred to an appropriate Area Development Control Committee must be notified to the Development Control section **within five working days of the publication of the schedule (by 12 noon)**. If there has been no member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule. **Before referring an item to the Committee, Members may wish to speak to an officer about the issue, in order that any problems can perhaps be resolved without the need for referral to a Committee.**

## **NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS**

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Area Committee, please let the Director of Planning, Transportation and Strategic Environment know within 5 working days of the date of this Schedule (by 12 noon) (see cover page for the date). A proforma is attached for your use and should be forwarded by fax to the appropriate Development Control Support Team, or by sending an email with the appropriate details to [PlanningApplications@southglos.gov.uk](mailto:PlanningApplications@southglos.gov.uk)

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

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

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

## **GUIDANCE FOR 'REFERRING' APPLICATIONS**

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

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

## CIRCULATED SCHEDULE

**DATE: 02/02/07**

**SCHEDULE NO. 05/07**

If you wish any of the applications to be considered by the appropriate Area Committee you should return the attached pro forma not later than 5 working days from the date of the appropriate schedule (by 12 noon), to the appropriate Development Control Support Team. For the Kingswood area, extension 3544 (fax no. 3545), or the Development Control Support Team at the Thornbury office, on extension 3419 (fax no. 3440), or email [Planningapplications@southglos.gov.uk](mailto:Planningapplications@southglos.gov.uk).

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

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

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

**Please note: - Reason for Referral**

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

**SIGNATURE .....**

**DATE .....**

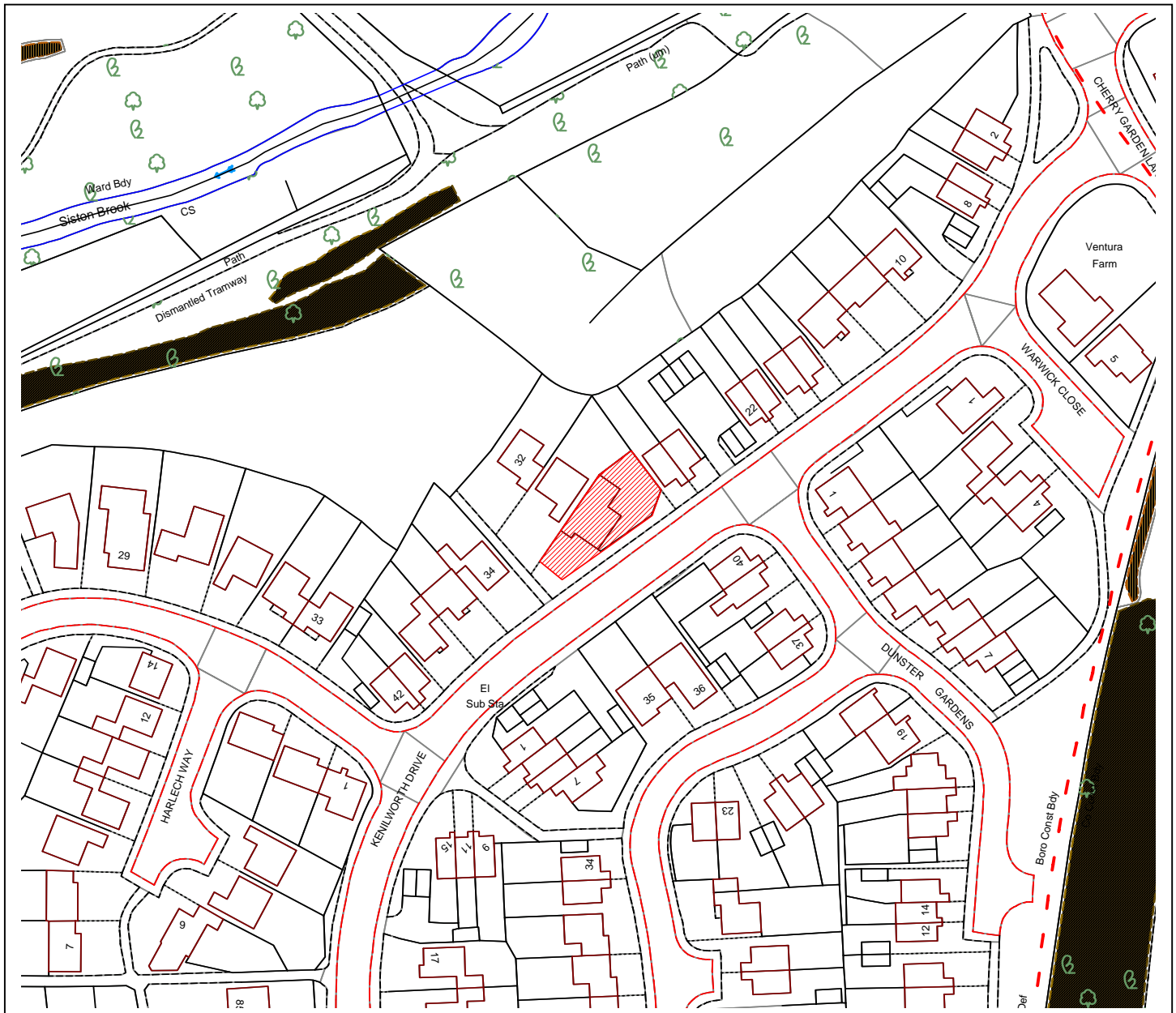
# Circulated Schedule 02 February 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK06/2884/F	Approve with conditions	28 Kenilworth Drive Willsbridge South Gloucestershire BS30 6UP	Bitton	Oldland Parish Council
2	PK06/3139/F	Approve with conditions	Bitton Recreation Club Bath Road Bitton South Gloucestershire BS30 6HX	Bitton	Bitton Parish Council
3	PK06/3333/F	Approve with conditions	79 Gays Road Hanham South Gloucestershire BS15 3JX	Hanham	Hanham Abbots Parish Council
4	PK06/3472/CLP	Approve with conditions	3 Henderson Road Hanham South Gloucestershire BS15 3AJ	Hanham	Hanham Parish Council
5	PK06/3478/F	Approve with conditions	274 North Road Yate South Gloucestershire BS37 7LQ	Ladden Brook	Iron Acton Parish Council
6	PK06/3483/LB	Approve with conditions	Ridgewood Community Centre Station Road Yate South Gloucestershire BS37 4AF	Yate North	Yate Town Council
7	PK06/3493/F	Refusal	38 Counterpool Road Kingswood South Gloucestershire BS15 8DQ	Woodstock	
8	PK06/3529/F	Approve with conditions	134 New Cheltenham Road Kingswood South Gloucestershire BS15 1UN	Kings Chase	
9	PK07/0046/F	Approve with conditions	34 Fallowfield Warmley South Gloucestershire BS30 8YS	Oldland Common	Bitton Parish Council
10	PK07/0057/F	Approve with conditions	5 Forest Walk Kingswood South Gloucestershire BS15 8DF	Woodstock	
11	PT06/3306/F	Approve with conditions	Avon & Somerset Constabulary Gloucester Road Almondsbury South Gloucestershire BS32 4AG	Almondsbury	Almondsbury Parish Council
12	PT06/3598/F	Approve with conditions	677 Filton Avenue Filton South Gloucestershire BS34 7LA	Filton	Filton Town Council
13	PT06/3605/CLE	Approve	3 Rose Cottage Westerleigh Road Westerleigh South Gloucestershire BS37 8QG	Westerleigh	Westerleigh Parish Council
14	PT06/3618/F	Approve with conditions	Vine Farm The Naite Oldbury on Severn BS35 1RU	Severn	Oldbury-on-Severn Parish Council
15	PT06/3681/PN1	No objection	Land at Bradley Stoke Way Bradley Stoke South Gloucestershire	Bradley Stoke Bowsland	Bradley Stoke Town Council
16	PT07/0008/F	Approve with conditions	11 The Land Coalpit Heath South Gloucestershire BS36 2LJ	Frampton Cotterell	Frampton Cotterell Parish Council

**CIRCULATED SCHEDULE NO. 05/07 – 2 FEBRUARY 2007**

**App No.:** PK06/2884/F  
**Site:** 28 Kenilworth Drive Willsbridge  
 BRISTOL South Gloucestershire BS30  
 6UP  
**Proposal:** Erection of first floor side extension to  
 provide additional living accommodation.  
**Map Ref:** 66820 70820

**Applicant:** Mr & Mrs Smith  
**Date Reg:** 5th October 2006  
**Parish:** Oldland Parish  
 Council  
**Ward:** Bitton



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**PK06/2884/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule following an objection from a neighbour.

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the erection of a first floor side extension. This would be sited above a ground floor side extension granted permission in 1988.
- 1.2 The application property consists of a two-storey detached dwelling located off Kenilworth Drive within the established residential area of Willsbridge.
- 1.3 The original plans presented an extension that matched the ridge height and front and rear elevation of the host dwelling. However, following officers concerns and subsequent negotiation with the agent, the extension has been amended in design so that it now adopts subservient principles, with a ridge height set down by 0.1 metres and the front elevation set back from the front elevation by 0.5 metres.

### **2. POLICY CONTEXT**

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

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

- 3.1 P88/4608 Single storey side and rear extension (Previous ID: K5960).  
Approved: 9<sup>th</sup> September 1988.
- 3.2 P96/4198 Re-location of boundary fence  
Refused: 11<sup>th</sup> July 1996.

### **4. CONSULTATION RESPONSES**

- 4.1 Oldland Parish Council  
No objection.

#### **Other Representations**

- 4.2 Local Residents  
One letter of objection received from an immediate neighbour. The contents is summarised below:

- extension would be overbearing
- extension would have a negative impact on the open plan streetscene
- request an alteration with the front wall set back and ridge height lowered accordingly

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety.

### 5.2 Design/Visual Amenity

Planning permission is sought for the erection of a first floor side extension. This would be sited above a ground floor side extension granted permission in 1988. In line with Council Supplementary Planning Guidance (Advice Note 2: House Extensions) the amended plans present an extension that adopts subservient principles. The ridge height is set down by 0.1 metres and the front elevation is set back from the front elevation by 0.5 metres. Accordingly, it is considered that the extension is an appropriate addition to the dwelling and the surrounding streetscene.

### 5.3 Residential Amenity

#### Overbearing Analysis

It is necessary to consider whether the proposal would be overbearing for the occupiers of No. 30 Kenilworth Drive.

The current occupiers expressed the view that the original plans would lead to a development that would have a detrimentally overbearing effect. They requested the extension be set back from the front wall of the house and ridge height lowered accordingly. The agent has submitted changes that accord with this request. This amendment enables a clear 45-degree splay of visibility from the closest window (in No. 30) to the extension.

It should also be noted that the east elevation of No. 30 (facing No. 28) does contain three windows; two at ground floor level and one at first floor level. All three are obscure glazed and do not serve habitable rooms. As a result of this fact, together with the amended plans, it is considered that the occupiers of No. 30 would not experience an overbearing impact.

The other surrounding neighbours will be unaffected by the proposal owing to its subservient design and location on the side of the dwelling.

### 5.4 Privacy Analysis

The extension will incorporate windows in both the front and rear elevation. These will not have a greater impact than the present situation. The side elevation, facing towards No. 30, will contain just one obscure glazed window serving an en-suite bathroom. Consequently it is considered that a loss of privacy will not be experienced by any of the surrounding occupiers.

### 5.5 Amenity Space

As the development is at first floor level the current amenity arrangements for the property will be unaffected.

5.6 Highway Safety Analysis

As the development is at first floor level the current parking and highway arrangements for the property will be unaffected.

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 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      **PK06/2884/F**

**Contact Officer: Edward Purnell**

**Tel. No.                    01454 863056**

CONDITIONS

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

Reason

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

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

Reason

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



**CIRCULATED SCHEDULE NO. 05/07 – 2 FEBRUARY 2007**

**App No.:** PK06/3139/F  
**Site:** Bitton Recreation Club Bath Road Bitton  
 BRISTOL South Gloucestershire BS30  
 6HX

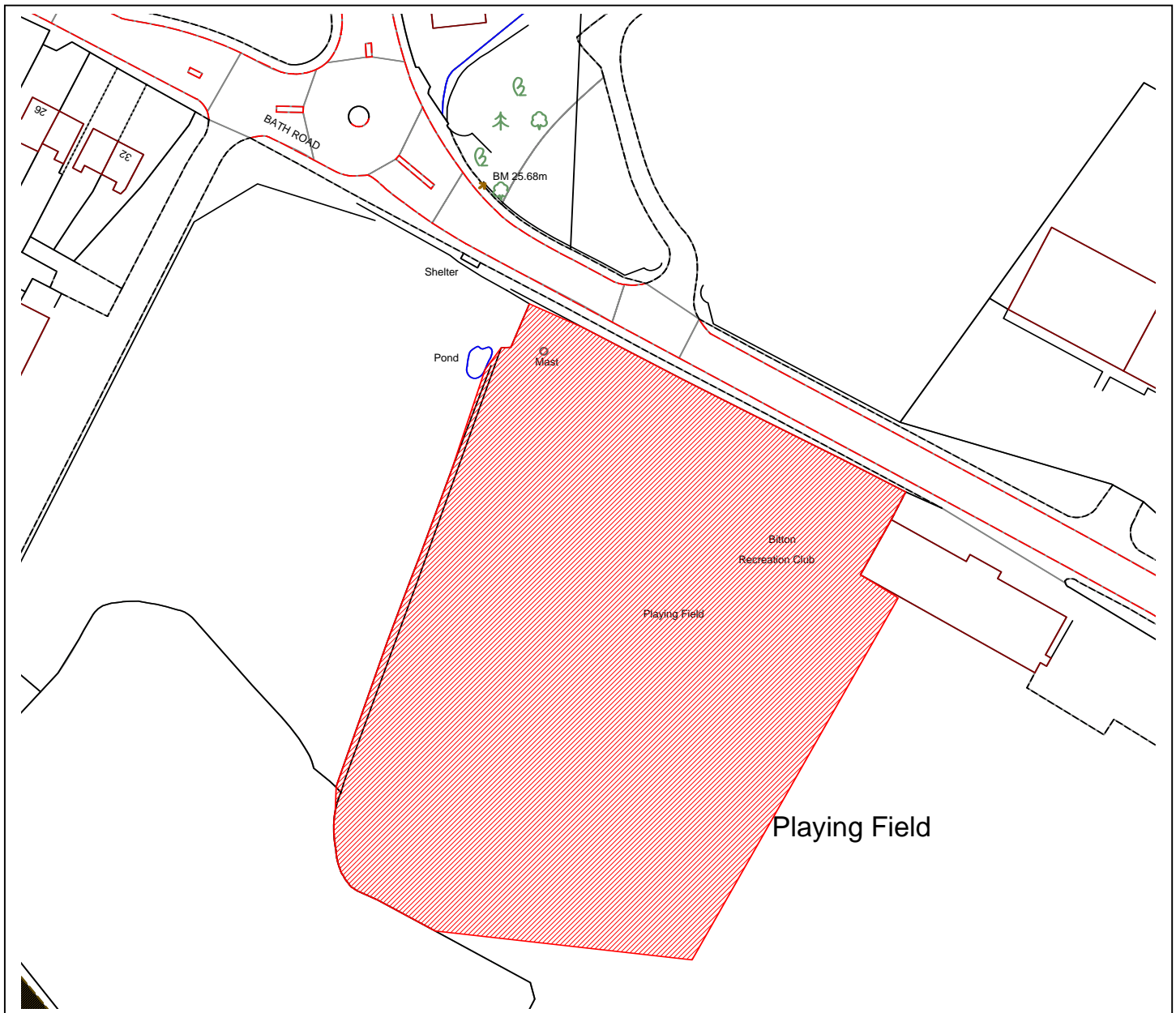
**Applicant:** T - Mobile (UK) Ltd  
**Date Reg:** 27th October 2006

**Proposal:** Erection of 20m dual user  
 telecommunication mast with 2 no.  
 ground based cabinets and 3 no. 3G  
 antennae and 3 no. 2G antenna and  
 associated works.

**Parish:** Bitton Parish  
 Council

**Map Ref:** 67305 70031

**Ward:** Bitton



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**PK06/3139/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule as a result of objections received from Councillor Virginia McNab, Bitton Parish Council and local residents. The objections are contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 T-Mobile (UK) Ltd. seeks a full planning permission for the erection of a 20m dual user telecommunications mast with 3no 3G antennae and 3no. 2G antennae, 2no. ground based cabinets and associated works at Bitton Association Football Club, Bath Road, Bitton.
- 1.2 The site is located on the southern side of Bath Road, just outside the Established Settlement Boundaries and within open countryside designated as Green Belt within the Local Plan. The football pitch lies adjacent to the Community Centre and Cricket Ground, other football pitches and all-weather courts lie to the south. The recreation ground is bounded to the south by a railway embankment upon which, lies the Bristol to Bath Cycle Path. An existing Hutchinson 3G telecommunications mast/floodlight pylon is located at the north-western corner of the main football pitch, adjacent to Bath Road.
- 1.3 It is proposed to replace an existing 15m high floodlight pylon, located at the south-western corner of the main football pitch, with the proposed 20m mast, which in addition to housing the telecommunications antennae would double as a floodlight pylon.
- 1.4 Within the supporting information, the applicant T-Mobile (UK) Ltd. states that the proposed mast is to provide 2G and 3G technology, in a coverage deficient area. The applicant has submitted existing and proposed coverage plots, which demonstrate the need for the mast.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1 - Delivering Sustainable Development  
PPG2 - Green Belts  
PPG8 - Telecommunications  
The Stewart Report – Mobile Phones and Health

#### **2.2 Development Plans**

##### Joint Replacement Structure Plan

Policy 1 Principles of Sustainable Development  
Policy 16 Green Belt

##### South Gloucestershire Local Plan ( Adopted) 6th January 2006

D1 Design  
GB1 Green Belts  
L1 Landscape Protection and Enhancement  
T12 Transportation Development Control Policy for New Development  
S5 Telecommunications

#### **2.3 Supplementary Planning Guidance**

Telecommunications Network Infrastructure – Adopted August 2005

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

- 3.1 PK01/3158/PN1 - Prior notification of the intention to erect a 15 metre high monopole with 3no. 1.7metre diameter antenna, floodlights and associated equipment cabinets and meter cabinets.  
No objection 13<sup>th</sup> December 2001

### **4. CONSULTATION RESPONSES**

#### **(a) Statutory Consultees**

##### 4.1 Bitton Parish Council

Object on the following grounds:

- Possible health risks caused by the location of the existing and proposed masts on a recreation field used regularly by children, and to nearby housing and commercial premises.
- Concern that a second mast at the site would increase any emissions.
- Concerns about land ownership and control of the site.
- Some local residents were not consulted.

#### Other Consultees

##### 4.2 Councillor Virginia McNab

Object on the following grounds:

- Ownership of land.
- Impact on health for local residents of 2G/3G equipment.
- Primary schools lie within 400m and 1/8<sup>th</sup> mile of the site.

#### **(b) Other Representations**

##### 4.3 Local Residents

2no. letters of objection have been received. The concerns raised are summarised as follows:

- Adverse impact on health, increased danger from two masts.
- Health risks to children using the site and for The Meadows Primary School.
- Mast would not be in-keeping with the area.

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

#### 5.1 Principle of Development

The application site is located within the Bristol and Bath Green Belt. In the first instance therefore the proposal should be assessed against the guidance given in PPG2 and Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. The proposed development does not fall within the limited categories of development defined within PPG2 and Policy GB1, that are considered appropriate within the Green Belt; the proposal is therefore by definition harmful to the openness of the Green Belt. The onus is therefore on the applicant to demonstrate that there are very special circumstances, which would justify the grant of planning permission.

The application for the erection of a 20 metres high telecommunication mast with associated equipment must also be considered against the guidance contained within PPG8 and Policy S5 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

Policy S5 establishes the criteria for assessing applications involving telecommunications facilities or apparatus. These are as follows:

1. Development would not affect residential amenity
2. They could not be located on an existing building
3. The impact upon the built and natural environment are minimised
4. There are no possibilities of sharing an existing facility.

The proposed development is assessed against the above policies and addressed in the following paragraphs.

5.2 Very Special Circumstances

Planning Policy Guidance 8 (PPG8) states that in Green Belts, telecommunications development is likely to be inappropriate unless it maintains openness. Inappropriate development may proceed only if very special circumstances are demonstrated which outweigh the degree of harm to the Green Belt. The lack of a suitable alternative site that would meet the needs of network coverage or capacity might be considered as a very special circumstance.

- 5.3 Officers are satisfied that the applicant's supporting information i.e. 2G & 3G coverage plots, confirms that Bitton is a coverage deficient area and that a new installation is required to alleviate the deficiency. A detailed survey sought to identify existing telecommunications installations and structures that might be utilised to site the new equipment. The survey concluded that there are no existing telecommunications structures available to utilise without significant adverse environmental intrusion. The proposal would however modify an existing structure to achieve the telecommunication cell objective whilst minimising visual intrusion. Any sharing of the existing H3G telecommunication installation at Bitton F.C. would require a significant increase in the size of the mast in order to maintain the floodlights and accommodate all of the equipment above it. It is therefore considered that the submitted information adequately demonstrates that very special circumstances do exist in this instance to justify the proposed development within the Green Belt.

5.4 Visual Amenity

By replacing the existing 15m high floodlight pylon with a 20m dual purpose telecommunications/floodlight mast, the proposal would not result in the introduction of further unsightly vertical structures into the locality. Whilst it is acknowledged that the proposed mast would be taller than the existing floodlight pylon the proposal seeks to minimise the amount of visual intrusion whilst at the same time satisfying the operators technical needs.

5.5 Health Implication

The Council's Environmental Health Officer has no objection in principle to the proposal. It is mentioned that overall, existing scientific knowledge covering toxicology, epidemiology and other data relevant to health, provides no convincing evidence that radio-telephones and associated equipment pose a long term public health hazard.

- 5.6 In line with guidance contained within PPG8, the applicant has submitted an ICNIRP Declaration, and therefore the health implications of the proposed mast should not be considered further in the determination of this application.

5.7 Paragraph 4.30 of the Stewart Report mentions that a large proportion of the power from telecommunications masts is focussed into an approximately horizontal beam typically about 6° wide in the vertical direction and the rest goes into a series of weak beams. The main beam is tilted slightly downwards but does not reach ground level until the distance from the tower is at least 50 metres (usually 50 - 200 metres). The nearest school, Meadows School, is approximately 400 metres away, and therefore its siting complies with guidance contained within the Stewart Report, which provides a precautionary approach to locating masts in close proximity to schools. Notwithstanding this advice, PPG8 states that LPA's should not implement their own precautionary policies such as "safe distances" from schools and other sensitive land uses.

5.8 Transportation Implication

The erection of telecommunication equipment at this location is unlikely to raise any highway issues. Access would be via the car park adjacent to the Clubhouse, there would be no need for an additional access route. Once operational, routine maintenance of the equipment cabinet would be required approximately once a month by a pedestrian operative. The antennas require routine maintenance on an annual basis only. The Council's Highway Officer raises no objection to the proposal.

5.9 Landscaping Implications

The Council's Landscape Architect considers that the proposed location for the mast is considered to be preferable than siting it within the Bitton Conservation Area. The football ground is afforded some screening from existing trees to the west and the railway embankment to the south; furthermore the sports ground already has a number of existing vertical elements within it.

5.10 The cumulative effect of an additional dual-purpose telecommunications / floodlight mast on the site, would have some detrimental visual impact, but this can be mitigated for by some additional tree planting to the south of the football pitch. Subject to a condition to secure this additional screen planting, there are no Landscape objections.

5.11 Impact upon Residential Amenity

The mast would be located approximately 130 metres from the nearest residential properties along Bath Road and the mast would in part be screened by the existing trees along the field boundary to the west and the railway embankment to the south. Whilst part of the mast would be seen from properties within the area, it is considered that this would not prejudice existing levels of residential amenity to such an extent that a refusal of planning permission would be justified in this instance.

5.12 Other Concerns Raised

Of the concerns raised that were not addressed above:

- Issues of land ownership are civil matters not to be resolved by the planning system.
- In response to concerns raised a wider consultation of local residents was carried out on the 14<sup>th</sup> November 2006.

5.13 Design and Access Statement

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

#### 5.14 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 recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) 6th January 2006 set out above, and to all the relevant material considerations set out in the report.

### 7. RECOMMENDATION

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

#### Background Papers      PK06/3139/F

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

#### CONDITIONS

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

##### Reason

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

2. Notwithstanding the submitted details, the mast and ancillary equipment hereby granted permission shall not be erected until their colours have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and maintained thereafter.

##### Reason

To protect the character and appearance of the area and to accord with Policies D1, L1, GB1 and S5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 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) to include screen planting to the south of the football pitch; boundary treatments and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area and to accord with Policies D1, L1, GB1 and S5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

Reason

To protect the character and appearance of the area and to accord with Policies D1, L1, GB1 and S5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

**CIRCULATED SCHEDULE NO. 05/07 – 2 FEBRUARY 2007**

**App No.:** PK06/3333/F  
**Site:** 79 Gays Road Hanham BRISTOL South Gloucestershire BS15 3JX  
**Proposal:** Erection of 1 no. attached dwelling and 1no. single detached garage.  
**Map Ref:** 63763 71507

**Applicant:** Mr G Marshall  
**Date Reg:** 16th November 2006  
**Parish:** Hanham Abbots Parish Council  
**Ward:** Hanham



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**PK06/3333/F**



## **INTRODUCTION**

This application appears on the circulated schedule due to the receipt of letters of objection from the Parish Council and also from 6 local residents.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of one two-storey dwelling to be attached to the side of the existing dwelling. The application also proposes to sub-divide the existing garden provide each dwelling with an area of garden, a garage and a separate off street parking space. The two storey attached dwelling as proposed would have three bedrooms and would form a new end of terrace.
- 1.2 The application relates to a rendered end of terrace two-storey property within a residential area of Hanham. The site lies at the junction of Gays Road with a cul-de-sac named 'The Glen'. The property originally had a detached garage at the bottom of the rear garden but this has previously been demolished. Two small outbuildings stand in the garden but these are to be demolished as part of the application. The site is currently very open to views from the highway with a lack of boundary treatments. Large areas of the rear garden appear to be used for parking.
- 1.3 This application is the resubmission of a previously refused application on the site reference PK06/2178/F. The previous application sought to erect two additional properties on the site rather than the one now for consideration. Please see section 3 below for details of the previously refused scheme.
- 1.4 During the course of the application amended plans were requested from the agent to clearly show how two off street parking spaces would be provided on site – two to serve each the existing and proposed dwellings. Amended plans have been received as requested and the necessary re-consultation carried out.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 – Delivering Sustainable Development  
PPG3 – Housing (PPS3 – Housing)

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Achieving Good Quality Design
- T7 Cycle Parking
- T8 Parking Standards
- T12 Transportation Development control
- H4 Development in Existing Residential Curtilages

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

- 3.1 PK06/2178/F Erection of 1 No. attached dwelling and 1 No. detached bungalow with associated works.  
Refused September 2006

The refusal reasons for the above application were as follows:

1. The proposal represents over-development of the site which would result in a cramped form of development out of keeping with the traditional layout of the area and would detract from the visual amenities of the street scene. The proposal is therefore contrary to Policies D1, H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposed bungalow, being single storey and with its hipped roof with a central apex, would be out of keeping with existing development in the area and would detract from the visual amenity of the area. The application is thus considered to be contrary to Policies D1, H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The proposed bungalow would not be afforded a sufficient degree of privacy - by reason of direct overlooking and intervisibility from habitable room windows in the existing and proposed two-storey dwellings, with a detrimental impact on levels of residential amenity. The application is thus considered to be contrary to Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
4. Insufficient off-street parking has been provided to serve each of the proposed two-storey dwellings. In turn, this will result in increased levels of on street parking in the area resulting in increased levels of congestion and associated highway safety implications. The application thus fails to comply with the requirements of Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
5. Insufficient levels of private, useable amenity space have been provided to serve the proposed new dwellings. The application is thus considered to be contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

The application now for consideration seeks to overcome each of the above refusal reasons via the complete omission of the original bungalow from the plans.

#### **4. CONSULTATION RESPONSES**

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

Object to the application on the basis that the proposed development, in particular the two-storey addition to the rear, would be out of keeping with other properties in the terrace. It would constitute overdevelopment of the site and have an overpowering effect on the neighbouring properties. The proposed path to the side of the development appears to be too narrow. Notwithstanding the proposed off street parking, the development is likely to create greater pressure on parking space in an already narrow and congested roads.

##### **Other Representations**

##### **4.2 Transportation**

No objection providing amended plans are submitted to show that two off street parking spaces will be provided to serve both the existing and proposed dwellings and that the parking spaces are to be fully surfaced with a bound surface material.

(Amended plans have subsequently been received to show the provision of two parking spaces for each dwelling)

#### 4.3 Local Residents

6 letters of objection have been received from local residents, a summary of the concerns raised is as follows;

- The application still proposes to overdevelop an area which is crammed with houses
- Many houses occupants already own 2 cars and if the new property is built there will be more cars parked on the road
- The proposal could set a precedent and the house on the opposite corner could develop causing The Glen to become a virtual tunnel
- Residents not wanting to have to look out on yet another building
- The provision of extra driveways will not be sufficient
- The entrance to The Glen will be difficult to use because the property is to be built so very close to the boundary
- The majority of the existing garden would be lost
- The present symmetry at the junction would be changed
- No other house in the terrace has a two storey rear extension
- The design and access statement is at odds with the plans which show 2 off street parking spaces for each property
- Congestion, parking and traffic problems (this issue is reiterated by all objectors)
- It's not in keeping with the rest of the houses on Gays Road.

4.4 Following re-consultation on the revised plans, a further letter has been received from the Parish Council who confirm their objection is upheld and one letter from a local resident who also wished to uphold their objection.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The South Gloucestershire Local Plan (Adopted) identifies the site as being within the established urban area. Policy H4 of the South Gloucestershire Local Plan (Adopted) permits the erection of dwellings within existing residential curtilages providing a number of criteria are satisfied. Policy H2 of the Local Plan also addresses a number of criteria that must be met to ensure residential development in the existing urban areas is acceptable. Policy T12 also identifies factors relating to parking, access and highway safety that must be taken into consideration. PPG3 identifies that the development plans are the framework against which decisions should be made and thus this application stands to be assessed against the policies listed above and in the light of all material considerations. Policy H4 identifies that residential development within the existing urban area will be permitted provided that the development:

### 5.2 **A. Respects the massing, scale, proportions, materials and overall design and character of the existing property and the character of the street scene and surrounding area;**

The application site is surrounded on all sides by residential properties – predominantly in the form of two storey-terraced houses. The application proposes to erect an attached dwelling onto the side of the existing dwellinghouse - effectively extending the row of terraces by one house. The existing end of terrace property would then become a mid-terrace house.

It is clear that the proposed new dwelling, particularly when viewed from the front elevation respects the character, scale and design of the existing dwelling on the site. The windows and door to be added into the front elevation have clearly been designed to match those of the host dwelling. The proposed new dwelling is of a similar width and the same height as the existing dwelling thus encouraging its successful integration.

The application proposes to add a two-storey element to the rear of the new dwelling. It is noted that a number of local residents are concerned that this two-storey element is out of keeping with the character of the area. Whilst it is not disputed that the two-storey element will be visible from The Glen, just because the existing dwellings in the terrace do not have two-storey rear extension, this does not automatically mean that the two-storey rear feature is inappropriate. For the two-storey rear element to warrant the refusal of the application, it has to have a detrimental impact on the character of the area. The two-storey element however is designed in sympathy to the main bulk of the dwelling and has the appearance of a regular rear extension. The roof pitch will match the roof of the existing building and the ridge height will be kept to a minimum. Your officer is of the opinion that should any of the other dwellings in the terrace put in a planning application for a two-storey rear extension similar to that shown on the plans, it is unlikely that any planning objection would be raised. In light of the above, it is not considered there is any objection to the two-storey rear element as proposed.

It is not disputed that the area to the side of the dwelling is currently open garden space and that this garden space does add to the open character of the area. However, it must be remembered that this is garden space and not safeguarded amenity space. The dwelling will inevitably be erected closer to The Glen than the existing property and it will to a certain extent 'close in' the entrance to The Glen. However, there is an existing row of tall and imposing Leylandii trees growing on the opposite side of the junction that are considered to have a very similar effect. There are examples of other similar development in the vicinity - such as the two-storey side extension at 43 Marion Road. Generally, the proposed new dwelling respects the existing building line and is in keeping with the massing, scale, proportions, materials and overall design and character of the existing property and surrounding dwellings. It is not considered that the new dwelling will have any detrimental impact on the character of the area sufficient to warrant the refusal of the application.

**5.3 B. Would not prejudice the amenities of nearby occupiers;**

It is not considered that the proposed two-storey dwelling will have any impact on the amenities of the existing neighbouring properties. The new dwelling is to be erected to the eastern side of the existing property and thus, will not have any impact on the attached dwelling No. 77 Gays Road or indeed the rest of the terrace. It is noted that some local residents are concerned that the new house will restrict their views – currently over the open garden and that local residents do not wish to look out on yet another dwelling. It must be taken into account however that the site is located within an existing residential estate where houses are clearly the dominant land use. The site is currently open garden space but is still a private garden and surrounding occupiers do not have a right to a view over this garden.

The proposed new dwelling is to follow the existing building line and will not be any closer to the existing properties on the south side of Gays Road than the existing row of terraces on the northern side. The distance between the front walls of the dwellings on the north and south side of Gays Road is currently approximately 20.5 metres. The front wall of the proposed new dwelling will also be 20.5 metres from the front wall of the dwelling on the opposite side of the road. It is not therefore considered that there are any exacerbated issues of overbearing or intervisibility. The dwelling will be in excess of 25 metres from any of the dwellings in The Glen and as such, because of this distance, it is not considered that it will have any impact on the amenity of these dwellings.

It is not therefore considered that the proposed new dwelling will have any adverse effect on existing levels of residential amenity and the application is thus considered to be acceptable.

5.4 **C. Would not prejudice highway safety or the retention of an acceptable level of parking provision, and an acceptable level of parking provision is provided for any new separately occupied dwelling;**

Highways officer recognise that on-street congestion is a problem on The Glen and Gays Road within the vicinity of the site. The initially submitted plans showed the provision of two off street parking spaces for the proposed dwelling but only one space for the existing dwelling. An objection was raised to this by both Highway Officers and the planning officer and as a result, amended plans have been received to clearly show how two off street parking spaces will be provided to serve each dwelling. Both the existing and proposed dwellings would have the benefit of one garage space and one additional off street parking space.

The highways officer did initially suggest that it may be possible to gain access to the dwellings directly off Gays Road itself. Whilst this is indeed a viable option, it was considered that this would result in the loss of space that is currently used for on street parking and would exacerbate the situation further. It has thus been decided to keep all off street parking off the access to the rear of the site.

Policy T8 of the South Gloucestershire Local Plan (Adopted) advised of maximum parking standards only. The policy clearly identifies that the maximum number of off street parking spaces that should be provided to serve a three bedroomed dwelling is 2 spaces per dwelling. The application thus demonstrates that it fully complies with the Council's parking policy and provides the maximum number of off street parking spaces permissible.

It is not considered that the new dwelling will have any detrimental impact on levels of highway safety in the area and it will not obstruct visibility splays. Whilst the dwelling is to be erected close to the curtilage of the property, the main front wall of the dwelling is set back approximately 7 metres from the give way line at the junction of The Glen with Gays Road. It is clear therefore that the proposed new dwelling will be out of any visibility splays and will have no impact on levels of safety for road users at the junction of the two roads.

The design and access statement clearly identifies that there 'will be new off street parking built to the rear of 79 Gays Road and for the new development, in the form of a single garage and hard standing for each property'. The plans clearly show how this will be achieved and it is therefore considered that the plans fully comply with the design and access statement.

Should the recommendation be for that of approval, conditions will be added to any consent granted to ensure that the parking arrangements are fully provided before the new dwelling is occupied. Subject to the attachment of conditions, it is not considered that the proposed development will have any adverse impact on existing levels of highway safety in the vicinity of the site.

**5.5 D. Would not prejudice the retention of adequate private amenity space, and adequate private amenity space is provided for any new separately occupied dwelling.**

The application proposes to simply divide the existing garden in half and will allocate half of the garden space to the new house and half to the existing house. A calculation shows that following the completion of development the existing dwelling will retain 73 square metres of garden space and the proposed new dwelling will be provided with 76 square metres of garden space. When this is compared with the garden space available to serve the attached property No. 77 Gays Road being 69 square metres, it is clear that ample and sufficient amenity space is provided to serve each of the existing and proposed dwellings.

**5.6 Design and Access Statement**

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

**5.7 Section 106 Requirements**

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

**6. CONCLUSION**

6.1 In accordance with Section 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 the application be approved subject to the following conditions:

**Background Papers**      **PK06/3333/F**

**Contact Officer:**    **Marie Worboys**

**Tel. No.**                **01454 864769**

### **CONDITIONS**

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

Reason

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

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

Reason

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

3. The hours of working on site during the period of construction shall be restricted to 7.30 to 18.00 Monday to Friday, 8.00 to 13.00 on Saturday, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to occupiers of nearby dwellings and to accord with Policy H4 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 plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

Reason

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

5. The off-street parking facilities shown on the plan hereby approved shall be provided before the new dwelling is first occupied, and thereafter retained for that purpose. In the interests of clarity, this includes both the garages and the hardstandings which shall be provided exactly as per the approved plans. The areas of hardstanding must be surfaced with a fully bound material that shall be maintained thereafter.

Reason

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

6. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) the garages hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles and ancillary domestic storage without the prior written consent of the Local Planning Authority.

Reason

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



## CIRCULATED SCHEDULE NO. 05/07 – 2 FEBRUARY 2007

**App No.:** PK06/3472/CLP  
**Site:** 3 Henderson Road Hanham BRISTOL  
 South Gloucestershire BS15 3AJ  
**Proposal:** Application for Certificate of Lawfulness  
 for proposed installation of 1no. dormer  
 to facilitate loft conversion.  
**Map Ref:** 63772 72121

**Applicant:** Mr & Mrs Durnford  
**Date Reg:** 1st December 2006  
**Parish:** Hanham Parish  
 Council  
**Ward:** Hanham



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100023410, 2006.

N.T.S

**PK06/3472/CLP**

## **INTRODUCTION**

This application appears on the Circulated Schedule because it comprises of a Certificate of Lawfulness for a Proposed Development.

### **1. THE PROPOSAL**

- 1.1 This application seeks approval for a Certificate of Lawfulness for the installation of 1 No. dormer to facilitate a loft conversion to the rear of 3 Henderson Road, Hanham.
- 1.2 Members are advised that the only assessment that can be made for this type of development is whether the proposal is permitted development under the terms of the Town & Country Planning (General Permitted Development Order) 1995.

### **2. POLICY CONTEXT**

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

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

- 3.1 No history.

### **4. CONSULTATION RESPONSES**

- 4.1 Hanham Parish Council  
No comment.

#### **Other Representations**

- 4.2 Local Residents  
No comments received.

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

- 5.1 Supporting Evidence

The following plans (received by the Council on 23<sup>rd</sup> November 2006):

Ground Floor Plan – Existing  
First Floor Plan – Existing, & Second Floor Plan – Existing  
Cross Section – Existing  
Long Section – Existing  
First Floor Plan – Proposed, & Second Floor Plan – Proposed  
Cross Section – Proposed, & Long Section – Proposed  
Existing Elevations, & Proposed Elevations  
3D Views – external & internal  
Building Regulations information

5.2 Section 12 of the application form requires the applicant / agent to state why a Lawful Development Certificate should be granted. The agent has stated

'The dormer will not overlook a highway, exceed the ridgeline and in volume will not exceed 50 cubic metres'.

5.3 Contrary Evidence

None.

5.4 Analysis

'Development' for Planning purposes is defined in Section 55 (l) of the Town & Country Planning Act as:

a) The carrying out of building operations, engineering operations, mining operations and other operations in, on, over and under the land.

OR

b) The making of any material change in the use of any buildings or other land.

The proposed installation of a dormer falls within this description (part (a)) and does not fall within any of the exceptions set out in the Planning Act.

5.5 It is considered that based on the evidence supplied the proposed rear dormer would not require planning permission. This is due to the following reasons:

5.6 The enlargement of a dwellinghouse, consisting of an alteration or addition to its roof, is assessed against the tests contained within Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995. This states that development is not permitted by Class B if -

A) *Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof.*

The proposed rear dormer will not exceed the highest part of the existing roof.

B) *Any part of the dwelling would, as a result of the works, extend beyond the plane of any existing roof slope which fronts any highway.*

The proposed rear dormer is positioned on the rear roof slope facing towards an access lane serving No. 1 to 5 Henderson Road. It is considered that the access lane is not a highway because it is not an adopted highway; not a public right of way; leads to a dead end and is not available to the public at large (rather, it is only available to a closed group – the residents of Nos. 1 to 5 which back onto the lane).

C) *It would increase the cubic content of the dwellinghouse by more than 40 cubic metres, in the case of a terrace house, or 50 cubic metres in any other case.*

The proposed rear dormer would have an approximate volume of 18 cubic metres. The dwelling is a mid terrace property. Consequently, the proposal does not exceed the permitted tolerance of 40 cubic metres.

- D) *The cubic content of the resulting building would exceed the cubic content of the original dwellinghouse*
- i) *In the case of a terrace house by more than 50 cubic metres or 10%, whichever is the greater*
  - ii) *In any other case, by more than 70 cubic metres or 15%, whichever is the greater, or*
  - iii) *In any case, by more than 115 cubic metres*

The proposed rear dormer would have an approximate volume of 18 cubic metres. The property does not appear to have benefited from previous extensions. As such the proposal does not exceed the permitted tolerance of 50 cubic metres or 10% of the original volume of the property.

E) *The dwellinghouse is on article 1(5) land*

The property is not situated on Article 1(5) land, such as a National Park, an Area of Outstanding Natural Beauty, a Conservation Area, or other environmentally sensitive site.

Finally the dwelling benefits from Permitted Development Rights.

- 5.7 Therefore, in respect of the above, the proposal is deemed to be permitted development under the terms of the Town & Country Planning (General Permitted Development Order) 1995 and does not require planning permission

## 6. **RECOMMENDATION**

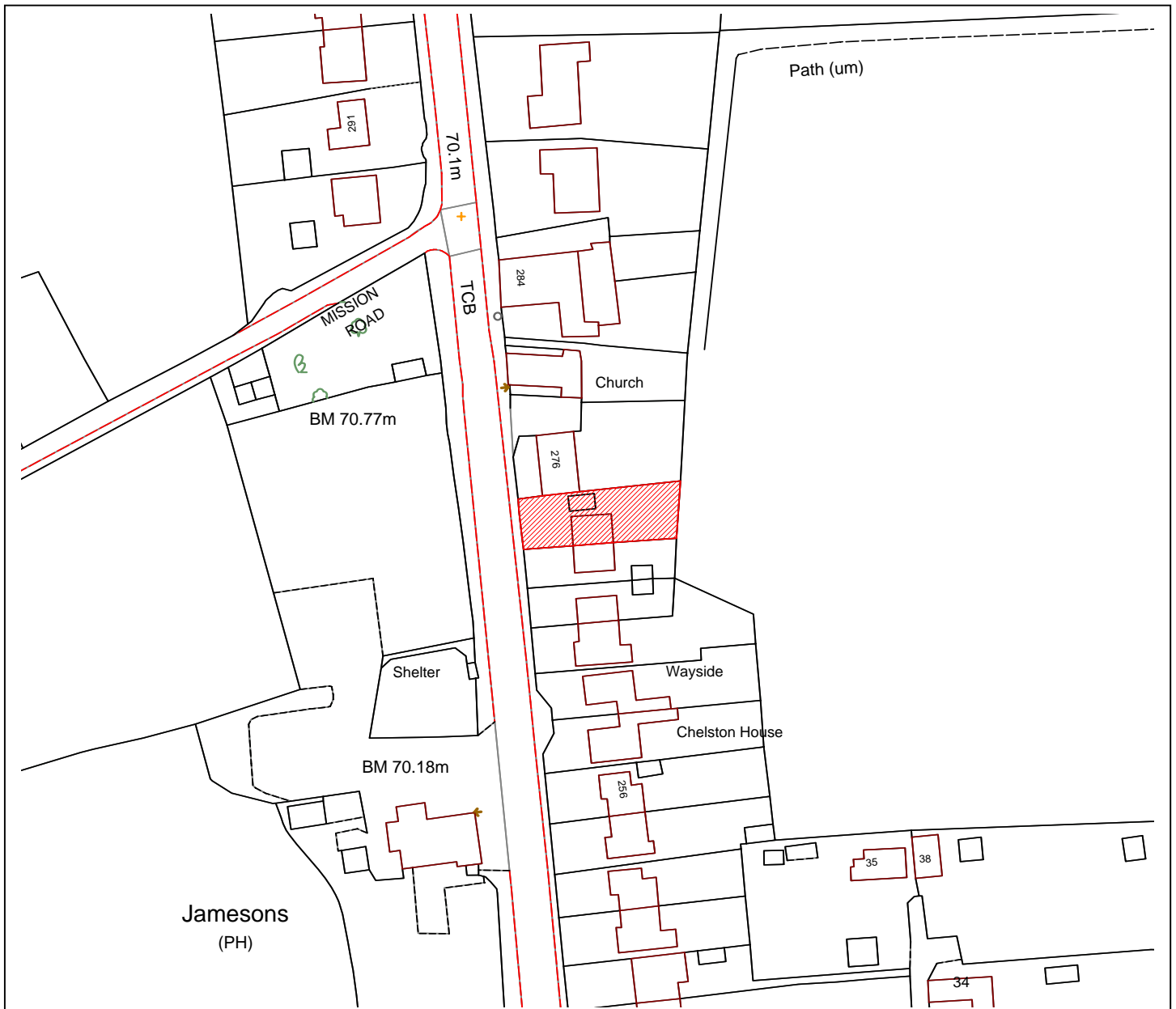
- 6.1 A Certificate of Lawfulness for a Proposed Development be **GRANTED**.

**Background Papers**      **PK06/3472/CLP**

**Contact Officer:**    **Edward Purnell**  
**Tel. No.**                **01454 863056**

## CIRCULATED SCHEDULE NO. 05/07 – 2 FEBRUARY 2007

<b>App No.:</b> PK06/3478/F	<b>Applicant:</b> Mr & Mrs Purchase
<b>Site:</b> 274 North Road Yate BRISTOL South Gloucestershire BS37 7LQ	<b>Date Reg:</b> 1st December 2006
<b>Proposal:</b> Erection of two storey side and single storey rear and front extensions with canopy over to provide additional living accommodation.	<b>Parish:</b> Iron Acton Parish Council
<b>Map Ref:</b> 69887 83968	<b>Ward:</b> Ladden Brook



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N.T.S

PK06/3478/F

## **INTRODUCTION**

This application has been referred to the Circulated Schedule due to the receipt of local resident's objection with regard to the proposed rear extension.

### **1. THE PROPOSAL**

- 1.1 This is a full planning application for the erection of a two-storey side extension, a single storey rear extension and front extensions with canopy over at No. 274 North Road, Yate. The proposed side extension would measure 1.8 metres wide by 9.2 metres deep and 8.3 metres high, and the proposed rear extension would measure 3 metres deep by 5.8 metres wide and 3.5 metres high.
- 1.2 The property is a two-storey semi-detached dwelling and is located within a residential area of Yate.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPG3	Housing
PPG13	Transport

#### **2.2 Development Plans**

##### Joint Replacement Structure Plan

Policy 1	Principles of Sustainable Development
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##### South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
T12	Transportation Development Control Policy for New Development
H4	Development within existing residential curtilages

#### **2.3 Adopted Supplementary Planning Guidance**

Advice Note No 1 Altering you home  
Advice Note No 2 Extension

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

- 3.1 None.

### **4. CONSULTATION RESPONSES**

- 4.1 Iron Acton Parish Council  
No response received.

#### **Other Representations**

#### **4.2 Local Residents**

One objection letter is received and the local resident is concerned that the proposed rear extension would cause significant loss of light.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for garages and extensions to existing dwellings and development within existing curtilages, subject to there being no adverse impact on existing visual and residential amenity. In addition, the proposal would not prejudice highway safety and the retention of an acceptable level of parking provision.

### 5.2 Visual Amenity

The proposal is to erect a two-storey side/front extension and a single storey rear extension at the property. The dwelling is set back from the adjacent property, No. 276, by approximately 5 metres.

Although the proposed side extension would not be set back and set down, officers consider that the design of the extension would be appropriate as it would be in keeping with the character and appearance of the principal building.

The proposed rear extension would have a lean-to roof, which is considered to be appropriate.

It is therefore considered that the proposal would not be detrimental to the street scene. In addition the proposal would still keep sufficient amenity space and therefore it is considered that the proposal would not result in over development.

### 5.3 Residential Amenity

A utility room window and a landing window are proposed in the side elevation. As these windows are non-habitable windows, provided that these windows would be obscured glazed, officers do not feel that they would cause significant loss of privacy upon the neighbouring properties. A planning condition is therefore imposed to ensure this is the case.

The proposed rear extension would project beyond the rear building line by approximately 3 metres, it is considered that the proposed projection would comply with the Council Supplementary Planning Guidance, and would not cause significant harm to warrant a refusal of planning permission in this instance.

With regard to the proposed side extension, although the proposed extension would project beyond the rear building line of the neighbouring property, No. 276, by approximately 5 metres, the extension would be approximately 3.5 metres away from the gable wall of the neighbouring property. Officers therefore consider that the proposed side extension would not cause significant overbearing impact.

### 5.4 Design and Access Statement

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

## 5.5 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

### Background Papers      **PK06/3478/F**

**Contact Officer:**    **Olivia Tresise**  
**Tel. No.**                **01454 863761**

### 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 tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

Reason

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

3. The colour, type and texture of the rendered finish to the external walls of the proposed extension shall match that of the existing building.

Reason

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



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

Reason

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

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

Reason

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

## CIRCULATED SCHEDULE NO. 05/07 – 2 FEBRUARY 2007

App No.: PK06/3483/LB

Applicant: South  
Gloucestershire  
CouncilSite: Ridgewood Community Centre Station  
Road Yate BRISTOL South  
Gloucestershire BS37 4AF

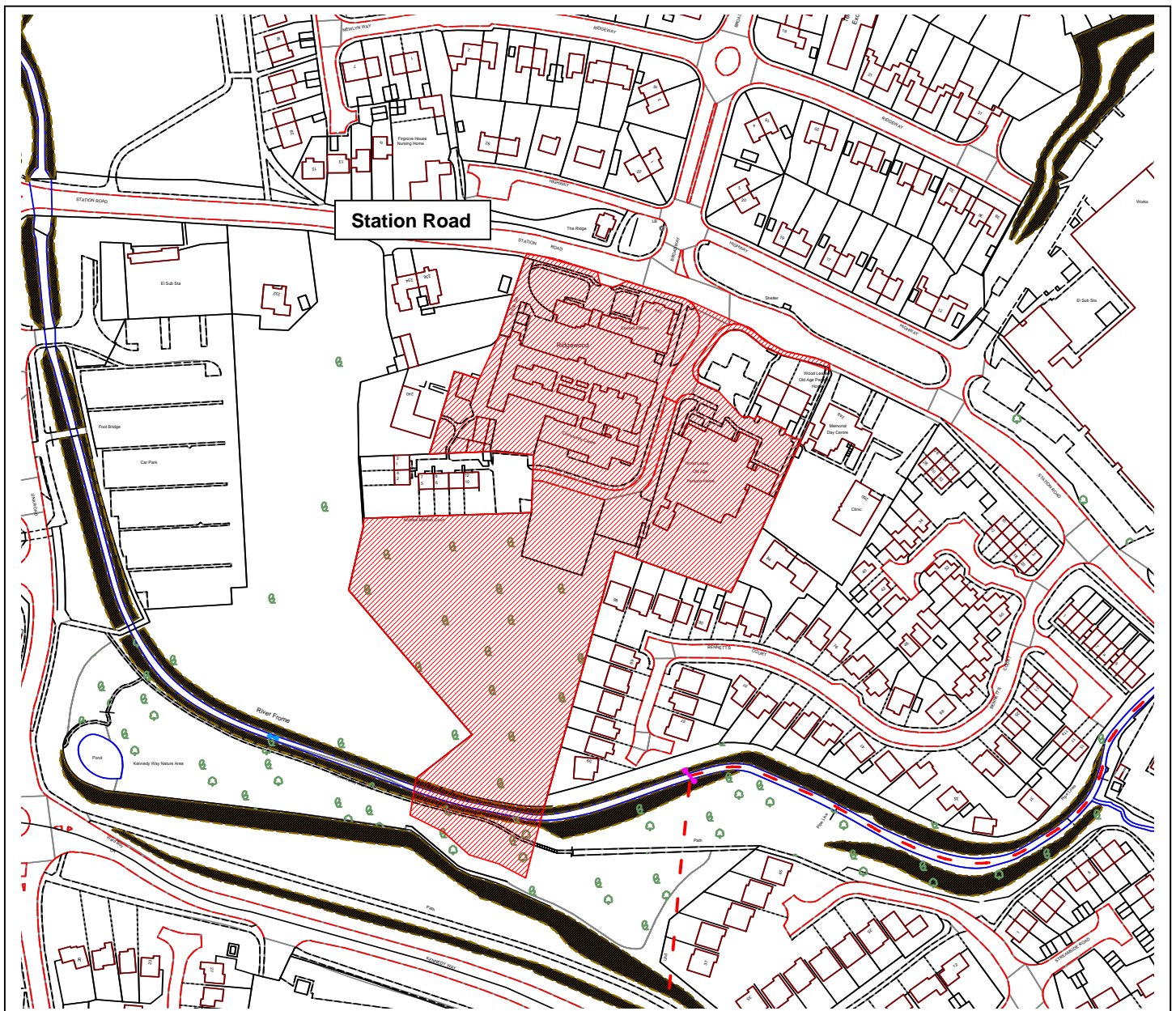
Date Reg: 4th December 2006

Proposal: Display of 1no. non-illuminated wall  
mounted sign.

Parish: Yate Town Council

Map Ref: 71917 82355

Ward: Yate North



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N.T.S

PK06/3483/LB

## **INTRODUCTION**

The application appears on the Circulated Schedule as the proposal is submitted on behalf of South Gloucestershire Council.

### **1. THE PROPOSAL**

- 1.1 The application seeks Listed Building Consent for 1 No. non illuminated fascia sign. It should be noted that the plans also include 2 No. free standing signs. These, however, do not require Listed Building Consent because they are not physically attached to the Listed Building itself.
- 1.2 The fascia advertisement would be sited on the east elevation of a wall, directly alongside the vehicle entrance to the parking area at the front of the Community Centre.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG15 Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design  
L13 Listed Buildings

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

- 3.1 PK02/1726/LB Minor demolition of various outbuildings, erection of porch, canopy and glazed entrance. Extension to existing outbuildings. Installation of roof to provide court yard. Replace roof to annex, other external and internal alterations.  
Approved: 15<sup>th</sup> October 2002
- 3.2 PK02/1721/RF3 Demolition of link buildings between The Ridgewood Centre and Brick annex. Demolition of outbuildings WC, boiler, store and chimney to the Ridgewood Centre and removal of existing walkways through the building. Erection of new glazed porch and canopy to the Ridgewood Centre. Extension to existing outbuilding attached to The Ridgewood Centre. Installation of frame-less glazing to provide courtyard roof in-fill between The Ridgewood Centre and The Brick Annex. Replacement of roof to brick annex. Erection of glazed entrance to 244 Station Road and demolition of WC, with car parking landscaping and other associated works.  
Approved: 15<sup>th</sup> October 2002

### **4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
No comment received.

## Other Representations

- 4.2 Local Residents  
No comment received.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

PPG 15 states that when considering whether to grant listed building consent for development which affects a listed building or its setting, special regard should be had to the desirability of preserving the building, or its setting, or any features of architectural or historic interest which it possesses. Policy L13 (Listed Buildings) of the Adopted Local Plan indicates that proposals that affect Listed Buildings will only be allowed where the building and its setting is preserved; features of historical or historic interest would be retained; and the character, historic form and integrity of the building is retained.

### 5.2 Listed Building Analysis

The application seeks Listed Building Consent for 1 No. non illuminated fascia sign. It should be noted that the plans also include 2 No. free standing signs. These, however, do not require Listed Building Consent because they are not physically attached to the Listed Building itself.

- 5.3 The Council's Listed Building Officer has assessed the proposal and has no objection. It is therefore considered that the proposal complies with the tests contained within PolicyL13 and thus is acceptable.

### 5.4 Other matters arising – advertisement consent

It should be noted that the fascia sign and the two freestanding signs still require advertisement consent. To this end an informative will be added to the decision notice.

## 6. CONCLUSION

- 6.1 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 Listed Building consent be **GRANTED** subject to the following conditions:

Background Papers      **PK06/3483/LB**

**Contact Officer: Edward Purnell**  
**Tel. No.            01454 863056**

## CONDITIONS

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

Reason

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

**CIRCULATED SCHEDULE NO. 05/07 – 2 FEBRUARY 2007**

**App No.:** PK06/3493/F  
**Site:** 38 Counterpool Road Kingswood  
 BRISTOL South Gloucestershire BS15  
 8DQ

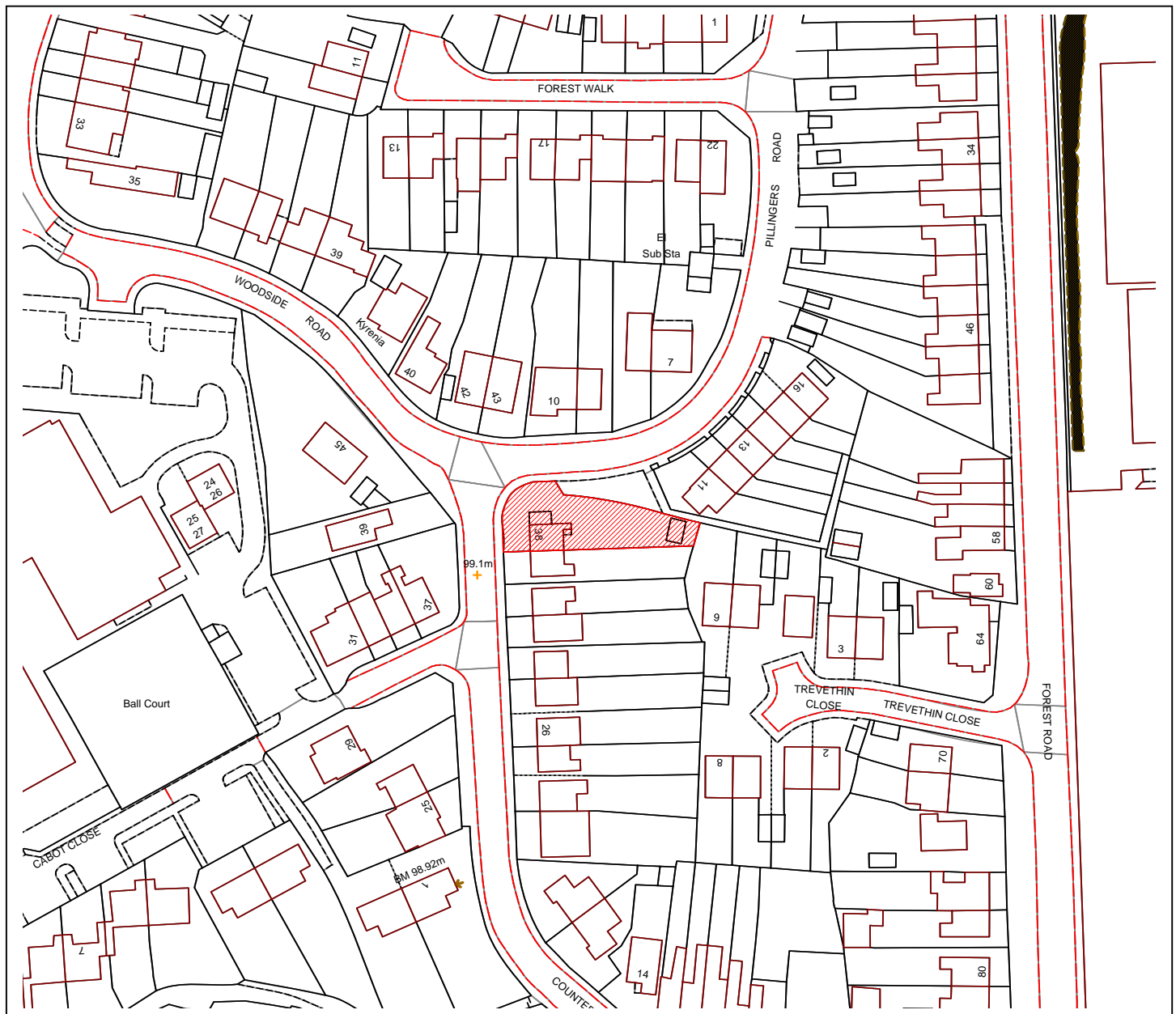
**Applicant:** Teamallet  
**Date Reg:** 5th December 2006

**Proposal:** Erection of single storey rear extension to facilitate conversion into two separate flats with 2 no. cycle sheds, bin store and associated works.

**Parish:**

**Map Ref:** 64445 73301

**Ward:** Woodstock



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N.T.S

**PK06/3493/F**

This application was referred to the Circulated Schedule Agenda due to the receipt of one representation, which is contrary to officers' recommendations.

## **1. INTRODUCTION**

- 1.1 This application is to erect a single storey extension at the rear of No. 38 Counterpool Road, Kingswood and to facilitate conversion into two flats with cycle sheds, bin stores.
- 1.2 The proposed rear extension would measure 3 metres deep by 5.35 metres wide and 7 metres high. The proposed cycle store would measure 0.8 metres deep by 2.12 metres wide and 1.61 metres high, and the proposed bin store would be located in the front of the property.
- 1.3 The main differences of the current proposal from the previous proposals referred to in paragraphs 3.1 and 3.2 are:
  - No side extension is proposed.
  - The proposed rear extension is a single storey structure.
  - No alteration is proposed in the front elevation.
- 1.4 The host building is a two-storey semi-detached dwelling and is located at the 'Y' junction of Counterpool Road, Woodside Road and Pillingers Road. Most of the neighbouring properties in the vicinity are two-storey semi-detached dwellings.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing
PPS3	Housing (published November 2006)
PPG13	Transport

### 2.2 Development Plans

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

D1	Design
L1	Landscape
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
H4	Development within existing residential curtilages
H5	Residential Conversions, Houses In Multiple Occupation and Re-use of Buildings for Residential Purposes

### 2.3 Adopted Supplementary Planning Guidance

Advice Note No 1 Altering you home  
Advice Note No 2 Extension

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PK03/1127/F Erection of two storey side and single storey rear extension, extend existing front canopy and erection of front porch with ramp to facilitate conversion to 4 flats with associated works.

Refused 16.06.06 on the following reasons:-

- The proposed two-storey side extension, by virtue of its width, would spoil the character and appearance of this pair of semi-detached dwelling. The proposal would also detract the character and appearance of principal dwelling.
- The proposed two-storey side extension, by virtue of its location and scale, would create an incongruous element in the street screen and would be harmful to the character and appearance of the area.
- This proposal would lead to additional congestion on the adjoining road network, in close proximity to a school, thus increasing the hazards faced by all road users but especially child pedestrians.
- The applicant has not submitted sufficient information with regard to the proposed access, the provision of adequate off-street parking and turning facilities within the site.
- A footpath, a bin store and cycle shed are proposed at the close proximity to the protected trees. The proposal has not submitted sufficient information with regard to the construction of these outbuildings and footpath, and no information is submitted to demonstrate how the trees to be protected.
- No detailed information with regard to the proposed bin store and cycle shed, which are situated at a prominent location.
- No detailed information with regard to the boundary treatment.

3.2 PK06/0185/F Erection of two-storey side and rear extensions, extend existing front canopy and erection of front porch with ramp to facilitate conversion to 4 flats.

Refused 17.02.06 on the following reasons:

- The proposed two-storey side extension, by virtue of its design and scale, would spoil the character and appearance of this pair of semi-detached dwelling.
- The proposed two-storey side extension, by virtue of its location and scale, would create an incongruous element in the street scene and would be harmful to the character and appearance of the area.
- The proposal, by virtue of its location and design of the bin storage area, would have a detrimental effect on the appearance of the street scene.
- The proposal would lead to additional congestion on the adjoining road network, in close proximity to a school, thus increasing the hazards faced by all road users but especially child pedestrian.
- This proposal has inadequate cycle parking and therefore undermines the principle of provision for alternative travel modes to the car.
- The applicant has not submitted sufficient information with regard to the existing and proposed access, the provision of off-street parking and turning facilities within the site.
- The proposal has not submitted sufficient information with regard to the provision of adequate private amenity area for the future occupiers of the proposed units within the site.
- The proposal has not submitted sufficient information with regard to the protection of the existing trees, which have amenity value in the vicinity.
- The proposal has not submitted sufficient information with regard to the installation of adequate sound-proof scheme on the existing party wall within No. 36 Counterpool Road.



## 4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council  
The application falls within an unparish area.
- 4.2 Sustainable Transport  
Objection.
- 4.3 Environmental Services  
No adverse impact.
- 4.4 Building Control  
No objection.

### Other Representations

- 4.5 Local Residents  
The Council received 36 letters of objections and one letter of support. The local residents' concerns are summarised as follows:

- The highway hazards to pedestrian, particularly to children and the elderly, would increase.
- The proposal does not provide sufficient off-street parking.
- The proposal would affect the protected trees.
- The junction by this proposal is hazardous, particularly the congestion caused by the traffic for the School.
- The area is suffering parking and traffic problems due to the close proximity of the School.
- The proposal would cause noise nuisance to the neighbouring properties.
- There are plenty or more than enough flats provided in the area.
- Government policy encourages more family homes.
- The proposal would set a precedent within the vicinity.

One letter supports the proposal, and the local resident raised that the site is large enough for 4 units, cheap housing is needed in the area, the TPO trees are in a poor state and the design is attractive.

## 5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows proposals for new dwellings and development within existing built-up areas subject to a number of criteria including satisfactory site layout, scale and design, and not prejudicing residential amenity and highway safety.

Policy H5 allows proposals for conversion of existing residential properties into smaller units of self-contained residential accommodation subject to the similar criteria

- 5.2 Density  
A density calculation of this proposal provides a density of approximately 52.6 units per hectare. This is slightly higher than the Government suggested density. PPG3 encourages a higher density residential development within established residential area in order to make efficient use of the land provided that it would not prejudice the residential and visual amenity.

With regard to the type of housing provision, it is national government policy to provide a variety of housing and a mix of different households.

### 5.3 Visual Amenity

The area is characterised by a group of two-storey dwellings, and there are groups of semi-detached and terraced dwellings.

The proposal is to erect a single storey rear extension. The proposed side extension would have a lean-to roof and would be finished with matching materials. It is considered that the proposed extension would be subservient to the principal building and would not be harmful to the character and appearance of the street scene.

With regard to the proposed cycle-shed, officers consider that the shed is modest in scale and its location, design and timber material would be acceptable.

A bin store area would be located to the front of the flats. As the property is situated at a prominent location and the bin store area would be in front of the property, officers are concerned that the bin store would detract from the current appearance of the area and would have a detrimental impact upon the street scene.

With regard to the boundary treatment of the site, the drawing shows that a 1.8 metres high timber fencing along the north side boundary. Nevertheless, no details are submitted regarding the remaining boundary treatment.

### 5.4 Residential Amenity

Overlooking and inter-visibility:

No windows are proposed in either side elevations of the proposed rear extension. On the proposed rear extension, a bedroom window and a living room patio door would look over its rear garden. These windows/doors would be approximately 20 metres from the rear boundary / the rear garden of the nearest property, No. 9 Trevethin Close.

It is therefore not felt that the proposal would cause significant overlooking issues to the existing and future occupiers.

Overbearing:

The proposed rear extension would be approximately 3 metres deep and it would comply with the Council's Supplementary Planning Guidance. It is therefore considered that the proposal would not cause significant overbearing impact to the adjacent properties.

Noise nuisance:

Part of the proposal is to convert the dwelling into two flats. Officers consider that the proposed living room on the first floor may cause a noise nuisance to the neighbouring property. In addition, a living room on the first floor would be above a bedroom of the ground floor flat. In this instance, it is considered that a detailed soundproofing scheme on walls and floors should be submitted to demonstrate the proposal would not have significant adverse impact upon the future occupiers and adjacent occupiers.

Amenity space:

The proposal demonstrates that there are sufficient amenity spaces provided for each flat.

#### 5.5 Highway Issues

This proposal involves the removal of the existing garage (off street parking reduction) and the formation of two separate residential units, including an increase of the building's footprint. It is presumed that the existing driveway will be retained, although the submitted plans do not show this.

Parents dropping off and picking up from the nearby CTC school heavily park this part of Counterpool Road and there are significant levels of child pedestrians in the area at those times. This proposal would be likely to lead to additional on street parking, exacerbating the current congestion and increasing the risk of accidents to the travelling public and especially to child pedestrians.

The plans indicate that Apex Timber stores for each proposed flat would be provided for cycle parking.

#### 5.6 Tree Issues

The Council Tree Officer considers the proposal and do not feel that the proposal would have an adverse impact upon the health of the trees.

#### 5.7 Other Matters

The local residents' concerns have been considered. The issues related to residential and visual amenity, adverse impact on the existing trees and highway safety have been assessed in the above paragraphs. Other issues are assessed as below:

Cheap accommodation: It is an intention of the Government that everyone should have the opportunity of a decent home. It is further intention that there should be greater choice of housing and that housing should not reinforce social distinctions. Provided that the new housing and residential environments are well designed and make a significant contribution to promoting urban renaissance and improving the quality of life, proposals for low-cost accommodation would be acceptable in principle.

Community facilities: The proposal does not fall within the threshold of the provision of, or contribution towards services, amenities and infrastructure.

#### 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).

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

## **7. RECOMMENDATION**

7.1 That planning permission be refused.

**Background Papers**      **PK06/3493/F**

**Contact Officer:**    **Olivia Tresise**

**Tel. No.**                **01454 863761**

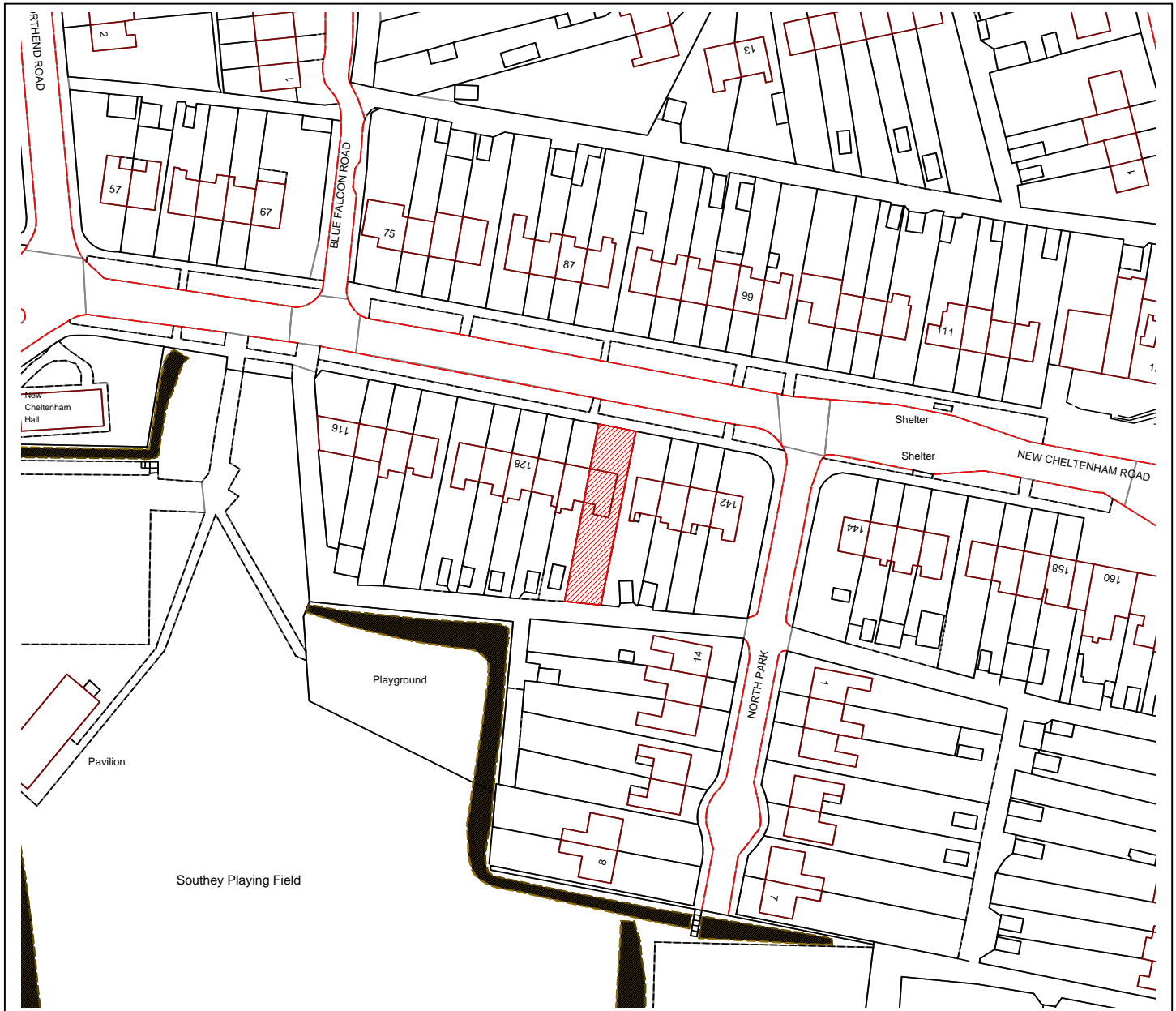
## **REFUSAL REASONS**

1. The proposal, by virtue of its location of the bin storage area, would have a detrimental effect on the appearance of the street scene. The proposal is therefore contrary to Policy D1, H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposal has not submitted sufficient information with regard to the installation of adequate sound-proof scheme on the existing party walls and floors. The proposal is therefore contrary to Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The proposal does not clearly demonstrate the details of boundary treatment, and would be contrary to Policy D1, H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The proposal would lead to additional congestion on the adjoining road network, in close proximity to a school, thus increasing the hazards faced by all road users but especially child pedestrians contrary to Policy T12 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 05/07 – 2 FEBRUARY 2007**

**App No.:** PK06/3529/F  
**Site:** 134 New Cheltenham Road Kingswood  
 BRISTOL South Gloucestershire BS15  
 1UN  
**Proposal:** Creation of new vehicular access.  
**Map Ref:** 65157 74365

**Applicant:** Mr D Gane  
**Date Reg:** 8th December 2006  
**Parish:**  
**Ward:** Kings Chase



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N.T.S

**PK06/3529/F**

## **INTRODUCTION**

This application re-appears on the Circulated Schedule due to the receipt of one letter of objection from a local resident. The application has previously appeared on the circulated schedule dated 12<sup>th</sup> January 2007. Whilst the application was not called to committee following the previous circulation, further detail has now been added to the report to fully take into account the neighbour's concerns.

### **1. THE PROPOSAL**

- 1.1 This planning application seeks permission for the creation of a vehicular access point. Planning permission is required as the proposed access fronts onto a classified road
- 1.2 The surrounding land uses are mainly residential.
- 1.3 The neighbouring property has recently created a new vehicular access. Whilst resisted by the Council, the vehicular access at the neighbouring property was granted consent at appeal in March 2006.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 – Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
T12 Transportation Development Control Policy for Development

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

- 3.1 PK01/2497/F - Erection of rear conservatory  
Approved October 2001

### **4. CONSULTATION RESPONSES**

- 4.1 Town/Parish Council  
The area is unparished

#### **Other Representations**

- 4.2 Local Residents  
One letter of objection has been received from a local resident. A summary of the points of concern are stated below;
  - Because the neighbours application for access was refused (The access was subsequently granted consent at appeal)
  - The existing lamp post and parked cars restricts visibility
  - It is not needed as they can park on the grass crete
  - It is not possible to turn on site
  - Insufficient justification for the need for the driveway
  - The application should be refused because they have back access
  - The minimum number of dropped kerbs is 6 – there is not enough space to drop six curb stones.

- That there are existing complaints in with the Council that need to be investigated first.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy T12 of the South Gloucestershire Local Plan allows for development subject that it does not have an adverse impact on highway safety and satisfies a number of criteria.

### 5.2 Transportation Issues

A material consideration in the determination of this application is the recent appeal decision received in March 2006 relating to the neighbouring property No. 132 New Cheltenham Road. This application is almost identical to that allowed by the Inspector at the neighbouring property. Other than the siting of the lamp-post, visibility and issues of road safety are exactly the same. The Inspector concluded at the neighbouring property that the new access would not result in any undue issues of highway safety.

In addition to the above, and since the Council's recommendation for refusal on the neighbouring property, the South Gloucestershire approach to determining applications such as this has altered slightly. The issue of requiring off street turning areas for newly created off-street parking spaces was considered at the Development control (East) Committee on 16<sup>th</sup> February 2006. At this meeting it was resolved '*that (subject to the resolution of the Development Control ((West) Committee) for the purposes of Development Control, the Council will not require turning areas on driveways for existing individual dwellings onto class 3 Highways in urban areas where the statutory speed limit is 30mph or less*'. In light of this resolution, a turning space is not required for this development and thus there are no objections to the application as proposed.

It is accepted that there is a lamppost and protective bollards in the centre at the front of the site. However, the very narrow width of the lamppost is not considered to pose any issues of insufficient visibility. There is sufficient space either side of the lamppost to access the driveway.

### 5.3 Advice from Street Care

Should the officer recommendation be for that of approval, an informative will be attached to remind the applicant of the need to obtain consent from the Council's Street Care department to create the dropped kerb. It is the Street Care department that will then advise of the requirements for a dropped kerb – such as the need for the width of a new access to be 6 kerb stones wide. This however is not a planning consideration and is not for consideration as part of the planning application.

Nonetheless, contact has been made with the Street Care manager in respect of this specific application. The Street Care manager does not object to the principle of the development providing it is constructed in agreement with the Street Care manager who will instruct the applicant to ensure that the access is created safely. The Street Care manager identifies that there is sufficient space between the lamppost and No. 136 to allow for vehicle access. It is identified that the lamppost may need to be moved slightly at the applicant's own expense. If necessary, the movement of the lamppost would not require planning permission and would be negotiated directly between the applicant and Street Care.

By moving the lamppost slightly, this may then allow for the creation of a footway crossing between the lamppost and No. 132. The Street Care manager does suggest that the access be to one side of the lamppost only – not both sides as shown on the plan. Again, these issues are for direct discussion between the applicant and the Street Care manager and are not for discussion as part of this application.

All details relating to the exact creation of the driveway will be fully agreed with the Street Care manager who will ensure that the access is created in a safe and useable manner.

#### 5.4 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**Background Papers**      **PK06/3529/F**

**Contact Officer:**    **Marie Worboys**

**Tel. No.**                **01454 864769**

### **CONDITIONS**

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

Reason

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

2. The new driveway and turning area shall be surfaced with a fully bound material and this shall be maintained satisfactorily at all times thereafter.

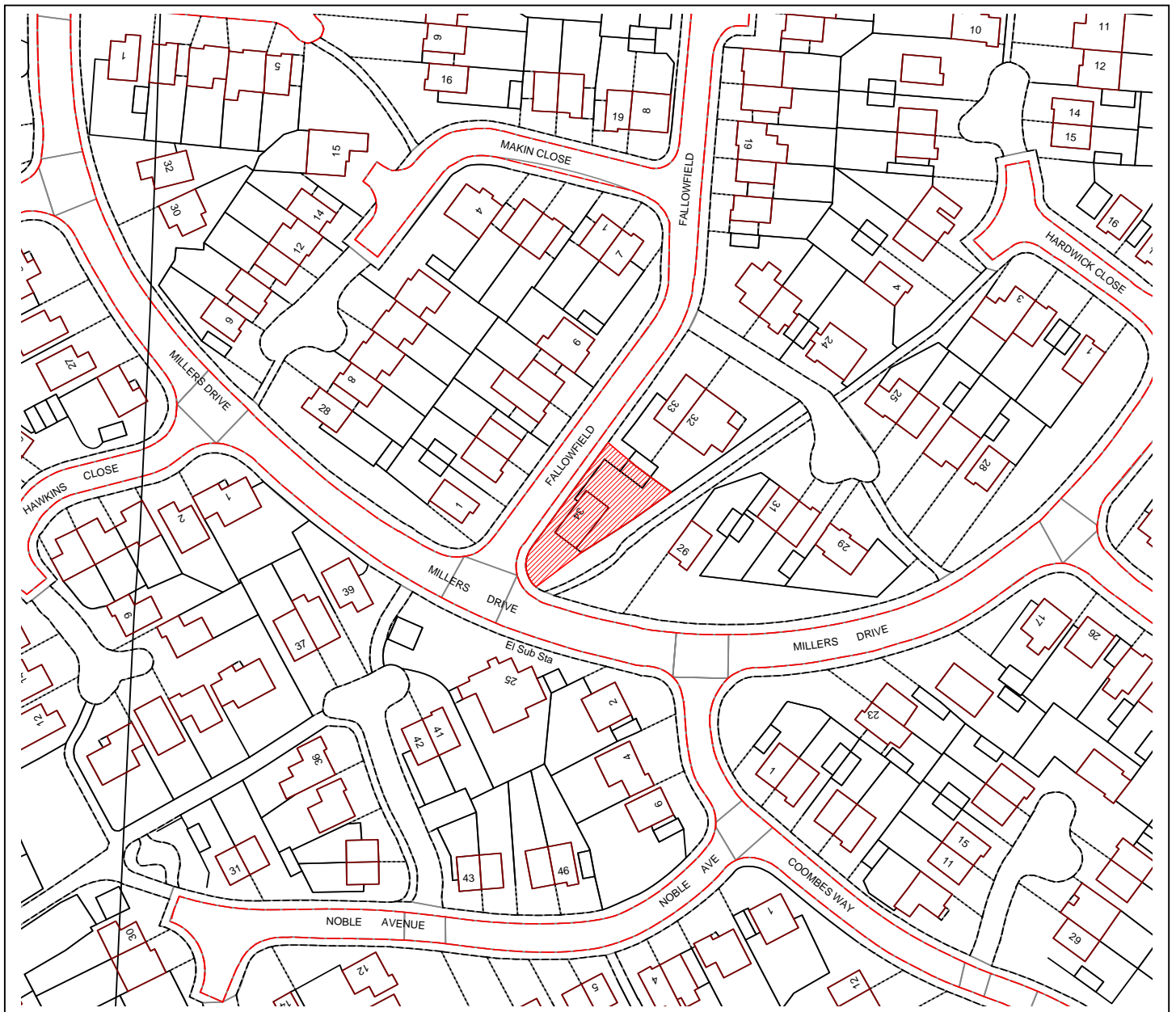
Reason

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



**CIRCULATED SCHEDULE NO. 05/07 – 2 FEBRUARY 2007**

<b>App No.:</b> PK07/0046/F	<b>Applicant:</b> Miss K Goodman
<b>Site:</b> 34 Fallowfield Warmley BRISTOL South Gloucestershire BS30 8YS	<b>Date Reg:</b> 5th January 2007
<b>Proposal:</b> Erection of two storey side extension to form additional living accommodation.	<b>Parish:</b> Bitton Parish Council
<b>Map Ref:</b> 67493 72003	<b>Ward:</b> Oldland Common



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N.T.S

**PK07/0046/F**

This application appears on the Circulated Schedule as a result of an objection from the Parish Council.

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a two-storey side extension to provide additional living accommodation. The extension would have a maximum width of 3m, a maximum height of 6.9m and a maximum depth of 6.4m.
- 1.2 The modern two-storey detached dwelling is located in an established residential area of Warmley. The area is characterised by dwellings of similar age and design and No.1 Fallowfield on the opposite side of the road has been extended almost identically to that proposed. The extension would be 700mm within the existing side boundary wall and there would be no encroachment onto third party land as the wall was legitimately re-positioned further from the house than indicated on the original site plan under planning approval ref P90/4584.
- 1.3 The property has previously been extended with a modest first floor rear extension above the original 2m deep lean-to element.

## **2. POLICY CONTEXT**

### **2.1 Development Plans**

South Gloucestershire Local Plan (adopted) January 2006

D1 Design

H4 Extensions

### **2.2 Supplementary Planning Guidance**

South Gloucestershire Council Advice Note no.2 House Extensions

## **3. RELEVANT PLANNING HISTORY**

- 3.1 P90/4584 Re-positioning of side boundary wall: Approved 29/10/1990
- 3.2 P93/4151 Erection of first floor rear extension: Approved 23/04/1993

## **4. CONSULTATION RESPONSES**

### **4.1 Bitton Parish Council**

Councillors opposed the application as they felt that the proposed extension should be subservient to the main dwelling as it was too massive as shown. It was noted that on the plans the extension is shown as going beyond the site boundary, onto land which is presumably open space owned by South Gloucestershire Council.

### **4.2 Other Representations**

Local Residents

None received.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006 allows for extensions and alterations to existing dwellings, subject to there being no adverse impact on the existing visual and residential amenities of the immediate area.

### 5.2 Design / Visual Amenity

The proposed two-storey side extension would be of materials and a design appropriate to the host dwelling. The extension would be in line with the front of the dwelling and would have a single storey front extension 600mm deep to match the depth of the existing lean-to porch. Whilst the extension would not be set back or set down, the roof ridge tying in to the existing ridge, the dwelling is detached and the resulting overall design is not uncommon. The 3m width of the extension does not appear disproportionate and it is considered that the extension would add some visual interest to what is otherwise a dwelling with little architectural merit. Further, No.1 Fallowfield directly opposite and more prominent in the street scene has been extended almost identically in proportions to that proposed and does not appear incongruous. The proposed extension is therefore considered visually acceptable.

### 5.3 Residential Amenity

The proposed two-storey addition would be adjacent to a public footway with amenity planting on the 1.5m deep verge outside of the side boundary wall of the application site. The side elevation of the extension would have one obscure glazed ground floor window in an otherwise blank façade. The rear windows would be further from neighbouring garden areas and facing windows than those on the existing building. In this context the proposal is not considered to result in any loss of privacy or overbearing impact and is deemed acceptable.

### 5.4 Section 106 Requirements

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

## 6. CONCLUSION

- 6.1 In accordance with Section 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 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**      **PK07/0046//F**

**Contact Officer:**    **Jan Saward**  
**Tel. No.**                **01454 864969**

### **CONDITIONS**

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

Reason

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

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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

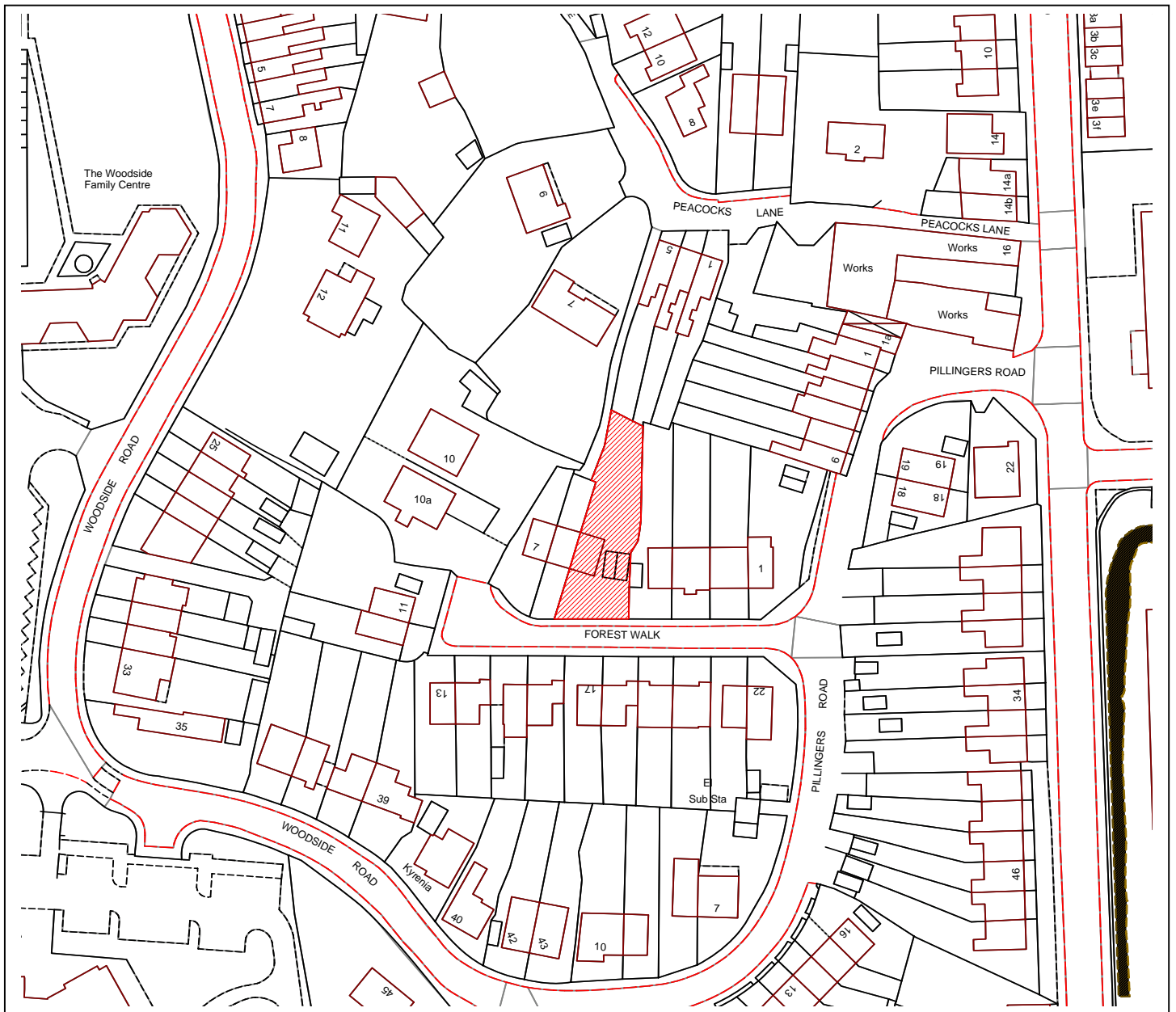
4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the first floor side elevation of the extension.

Reason

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

**CIRCULATED SCHEDULE NO. 05/07 – 2 FEBRUARY 2007**

<b>App No.:</b> PK07/0057/F	<b>Applicant:</b> Willowdean
<b>Site:</b> 5 Forest Walk Kingswood BRISTOL South Gloucestershire BS15 8DF	<b>Date Reg:</b> 8th January 2007
<b>Proposal:</b> Erection of two storey side extension to form 2no. flats. with associated works.	<b>Parish:</b>
<b>Map Ref:</b> 64435 73414	<b>Ward:</b> Woodstock



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**PK07/0057/F**

This application appears on the Circulated Schedule due to the receipt of numerous objections from local residents.

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a two-storey side extension to 5 Forest Walk, Kingswood to form 2no. one bedroom flats, with associated works. The extension would have a maximum height of 7.6m, a maximum width of 4.9m and a maximum depth of 9.2m. The application would also involve the widening of the vehicular access, the provision of a new pedestrian access, the sub-division of the rear garden and the provision of cycle and bin storage facilities for the new flats. The proposal would also involve the demolition of an existing flat roofed detached double garage located to the side of the dwelling.
- 1.2 The 1950's two storey rendered end terrace is located in a residential area of Kingswood. The immediate vicinity in the cul-de-sac is characterised by dwellings similar in age and design, some terraced and others semi-detached. The dwelling is located well back from the highway and has a large hardstanding area in front of the house and garage and a reasonably steep access up from the highway. The front garden to the side of the access is terraced as a result of the change in levels between the ground floor of the house and the highway.
- 1.3 The original plans indicated two off street parking spaces, one for the existing dwelling and one for the two flats. Sustainable Transport considered that in light of the narrow cul-de-sac and the existing propensity for on-street parking, the parking provision was inadequate. Consequently, after negotiation with the applicant revised plans were submitted indicating 3no. off-street parking spaces perpendicular to the highway.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

PPS1 Delivering Sustainable Development  
PPG3 Housing

### **2.2 Development Plans**

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, including Extensions and New Dwellings  
T7 Cycle Parking  
T8 Parking Standards  
T12 Transportation Development Control Policy for New Development

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None.

#### **4. CONSULTATION RESPONSES**

4.1 Parish Council  
Unparished.

4.2 Other Consultees  
None.

#### **Other Representations**

4.3 Local Residents

15 objections were received from residents in Forest Walk and these can be summarised as follows:-

- Number of parking spaces for the house and flats will be less than the existing off-street parking provision and therefore increase the amount of on-street parking.
- The flats will result in a loss of privacy and will block light to the adjacent property.
- The access for emergency vehicles is already extremely difficult with the current level of on-street parking and the proposal would make matters worse.
- The extension will increase noise pollution.
- The parking situation during the building works will be made worse.
- The flats would be out of keeping with the houses in the cul-de-sac, these all being of similar age and design and there are enough flats in the area.
- The increase in traffic would be a risk to the safety of children playing in Forest Walk.
- Council refuse vehicles already struggle to gain access because of the number of vehicles parked on the road.
- Increased parking on the pavements will make it even more difficult for disabled residents to negotiate the footway.

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

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for new dwellings within existing residential cartilages subject to satisfying criteria relating to design, visual and residential amenity and highway safety.

5.2 Design/Visual Amenity

The proposed extension would be of materials to match the existing house and of a scale and design that would compliment the existing dwelling. The extension would be set back from the front of the dwelling by 1m and set down from the roof ridge and at the eaves by 0.7m. Additionally, due to the change in ground level to the side of the dwelling the finished floor levels of the extension would be approximately 350mm lower than the existing dwelling. To the rear the extension would have a gable end and would extend 2.3m beyond the rear of the existing building and this element would not be visible from the public realm. Whilst the set back and down result in the extension not entirely integrating with the terrace, the change in levels would have made this awkward to achieve. Furthermore, the extension would read as a distinct entity with its own yet complimentary design details and would add some visual

interest in this otherwise unremarkable street scene. In this context the extension is considered visually acceptable.

5.3 Residential Amenity

The extension would have a blank side elevation to No.4 Forest Walk and would extend 2.6m beyond the rear building line of that property at a distance of 1.4m from the boundary and approximately 5m from its rear facing windows. It is not considered by officers that this would have an overbearing impact upon the occupiers of No.4 or result in any loss of privacy, though it is suggested that a condition is attached to any permission preventing the addition of windows in the side elevation without the prior approval of the Local Planning Authority. The extension would extend 2.4m beyond the rear building line of the existing house and would be adjacent to a ground floor kitchen window and first floor bedroom or bathroom window. Again, this is not considered to result in any unacceptable impact upon the amenities enjoyed by the occupiers of 5 Forest Walk. There are no other concerns regarding existing levels of residential amenity in the area, the rear of properties on Peacock Lane backing on to the application site being some 50m distant and the rear gardens 25m distant.

5.4 The application would involve the division of the existing garden to provide sufficient private amenity space for the existing 3 bedroom dwelling and separate garden areas for both the proposed one bedroom flats. One garden for the ground floor flat would be accessed directly from the flat and the garden for the first floor flat would be located beyond this and accessed to the side of the extension. Sheds for cycle storage would be provided in both the flat gardens and bin storage facilities would be provided in an area to the side of the extension adjacent to the boundary abutted by the neighbour's garage. It is suggested that a condition is attached to any permission requiring details of the cycle and bin storage shelters.

5.5 In light of the above the impact of the proposed development upon residential amenity is deemed acceptable.

5.6 Sustainable Transport

It is acknowledged that there is a lot of concern amongst local residents regarding the impact of the development upon the on-street parking situation in Forest Walk. A number of objectors have mentioned that on-street parking and the resulting partial blocking of the footways is already problematic. The narrowness of the road also leads to problems for service and emergency vehicles and it has been suggested that on occasion it has already been impossible for emergency services to access the road due to existing levels of on-street parking. Access to existing drives is already difficult with parking partially obstructing these drives.

5.7 However, each application has to be considered on its own merits and considered against adopted policy. Initially it was considered that the provision of 2no. off-street parking spaces was inadequate for the number of units resulting from the proposed development (1no. 3 bedroom house and 2no. 1 bedroom flats). Revised plans were submitted indicating 3no parking spaces and these are considered acceptable when considered against the Councils adopted maximum parking standards. The maximum parking permitted for a 3 bedroom dwelling is 2no. off-street parking spaces and for a one bedroom flat 1no. off-street parking spaces. As such the maximum parking provision for the resulting development on site would be 4no. spaces. However, paragraph 6.118 in the supporting statement to Policy T8 Parking Standards of the South



Gloucestershire Local Plan states that 'proposals at locations which have good accessibility by non car modes....will be expected to make provision for levels of parking below the maximum parking standards derived from Policy T8.' It is considered that Forest Walk is within easy walking/cycling distance of shops, services and bus routes at Kingswood Town Centre and as such has good accessibility. In this context therefore the provision of one space less than the maximum permitted on this site is considered acceptable.

#### 5.8 Design and Access Statement

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

#### 5.9 Section 106 Requirements

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

**Background Papers**      **PK07/0057/F**

**Contact Officer:**    **Jan Saward**  
**Tel. No.**                **01454 864969**

### 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 tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The colour and texture of the rendered finish to the external walls of the proposed extension shall match that of the existing building.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

5. The building shall not be occupied until a means of access for pedestrians has been constructed in accordance with the approved plans.

Reason

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

6. The off-street parking facilities shown on the plan hereby approved (Drg No 1734/3) shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

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

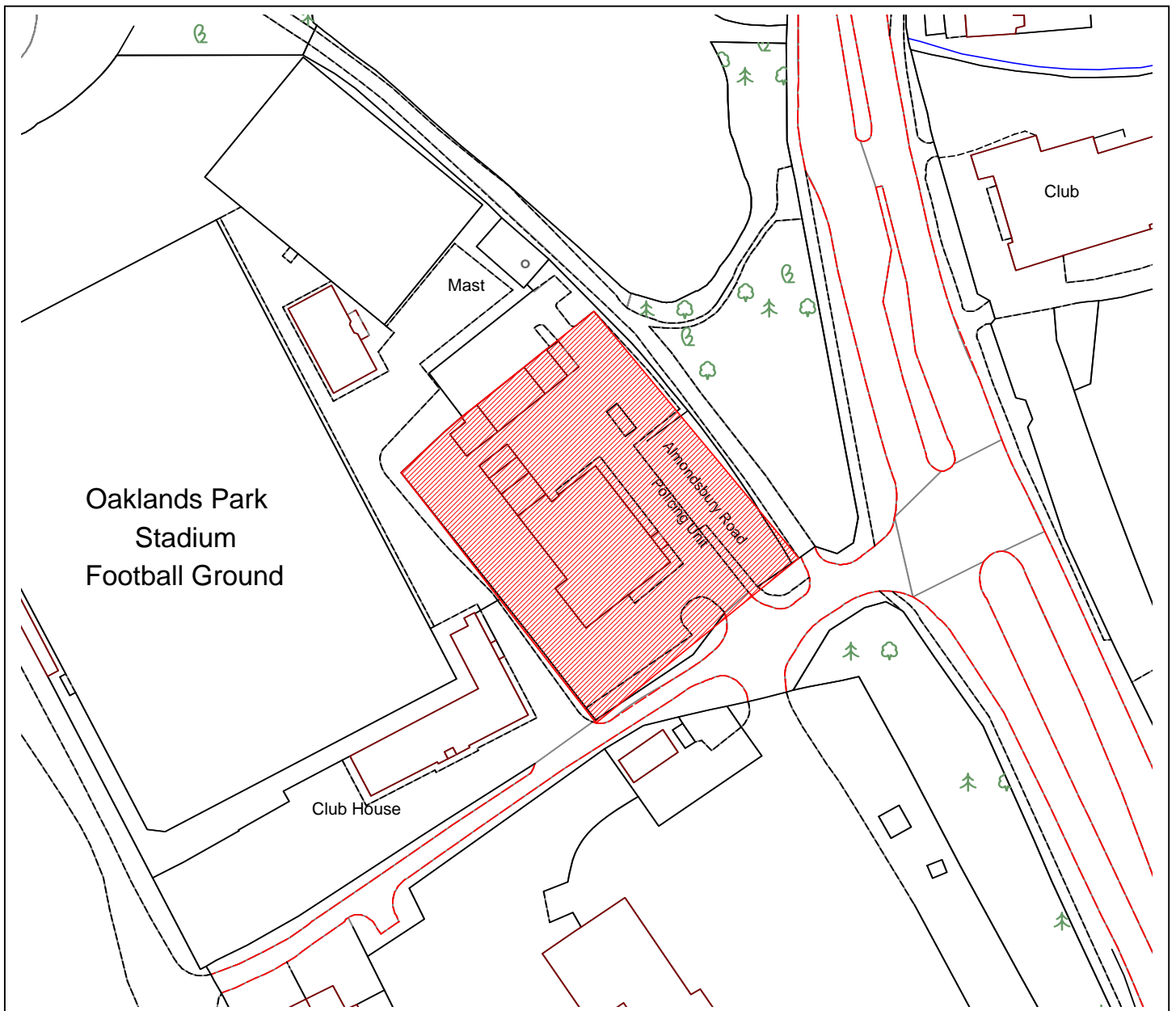
Reason

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

8. Prior to the commencement of development, detailed plans showing the provision of bin storage facilities 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 bin storage facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

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

**CIRCULATED SCHEDULE NO. 05/07 – 02 FEBRUARY 2007****App No.:** PT06/3306/F**Applicant:** Avon & Somerset  
Constabulary**Site:** Avon & Somerset Constabulary  
Gloucester Road Almondsbury BRISTOL  
South Gloucestershire BS32 4AG**Date Reg:** 14th November  
2006**Proposal:** Erection of 2.2 metre high palisade  
fencing and provision of new vehicular  
and pedestrian access gates.**Parish:** Almondsbury Parish  
Council**Map Ref:** 60531 83497**Ward:** Almondsbury

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**N.T.S****PT06/3306/F**

## **INTRODUCTION**

The application appears on the Circulated Schedule following concerns raised by a local football club neighbouring the site.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of a 2.2 metre high palisade fencing, with provision of new vehicular and pedestrian access gates.
- 1.2 The application site relates to a police station set within designated Green Belt. The station is located off the A38, and shares the access with a Football club and a Council depot.

### **2. POLICY CONTEXT**

- 2.1 National Guidance
  - PPS1 Delivering Sustainable Development
  - PPG2 Green Belts
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
  - D1 Achieving Good Quality Design
  - T12 Transportation Development Control Policy
  - GB1 Green Belt Development
- 2.3 Supplementary Planning Guidance
  - South Gloucestershire Design Checklist (Consultation Draft)
  - Development in the Green Belt (Consultation Draft)

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

- 3.1 None relevant to the determination of this application

### **4. CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council

No objection to this application
- 4.2 Local Residents

Ask the Planning Authority to consider the potential Highway Safety issue. Concern is that a 2.2m fence at the exit to the Gloucestershire car park will reduce visibility and make turning movements out of the car park potentially unsafe. Single lane is used extensively during the evenings, with nearly all arriving by car. There has been one Road Traffic Accident at this exit April 2006. Perhaps the fence corner layout could be change to have a 45-degree angle than 90 degrees?

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

- 5.1 Principle of Development

Policy D1 of the South Gloucestershire Local Plan seeks design that is of a high standard, relevant to this application it is important to show that existing landscape, access issues, and security features are considered. Policy T12 seeks to ensure that the development would maintain highway safety.

## 5.2 Design

The proposed fencing would be Palisade in design, finished in green. The fencing would have a height of 2.2 metres, and is proposed to be erected on the south, east and west elevation. On the north elevation the fencing would remain unchanged, from chainlink and barbed wire.

5.3 Opposite the site, there are examples of palisade fencing. The proposed fencing would be green in colour, and of height and style to match that opposite. The proposed works would feature automatic vehicle access gates along with a separate pedestrian entrance. The palisade fencing allows inter-visibility through the site. It is considered that the proposed fencing is in general keeping with the context of the immediate area, and would improve security, consistent with the advice contained with Policy D1 of the South Gloucestershire Local Plan.

## 5.4 Transport

Following consultation with the Council's Transport Officer, it was recommended that the fence at the south west corner that allows vehicles moving to and from the nearby football club be set at a 45 degree angle allowing better visibility, and a 4 x 4 metre visibility splay. Amended plans were received that changed the angle of the fencing, as such there are no transportation objections.

## 5.5 Green Belt

The site lies within the open Green Belt. The proposed fencing does not constitute a built enclosed form. As such the principle of such a development is considered acceptable in the Green Belt. In this instance, the fencing allows for inter-visibility, added with the proposed green finish, the fencing would not impinge the openness of the Green Belt at this point.

## 5.6 Design and Access Statement

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

## 5.7 Section 106 Requirements

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

# 6. CONCLUSION

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

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

## **7. RECOMMENDATION**

7.1 Planning permission be approved subject to the following conditions:

**Background Papers**      **PT06/3306/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. 05/07 – 02 FEBRUARY 2007**

**App No.:** PT06/3598/F

**Applicant:** Ms A Ng

**Site:** 677 Filton Avenue Filton BRISTOL  
South Gloucestershire BS34 7LA

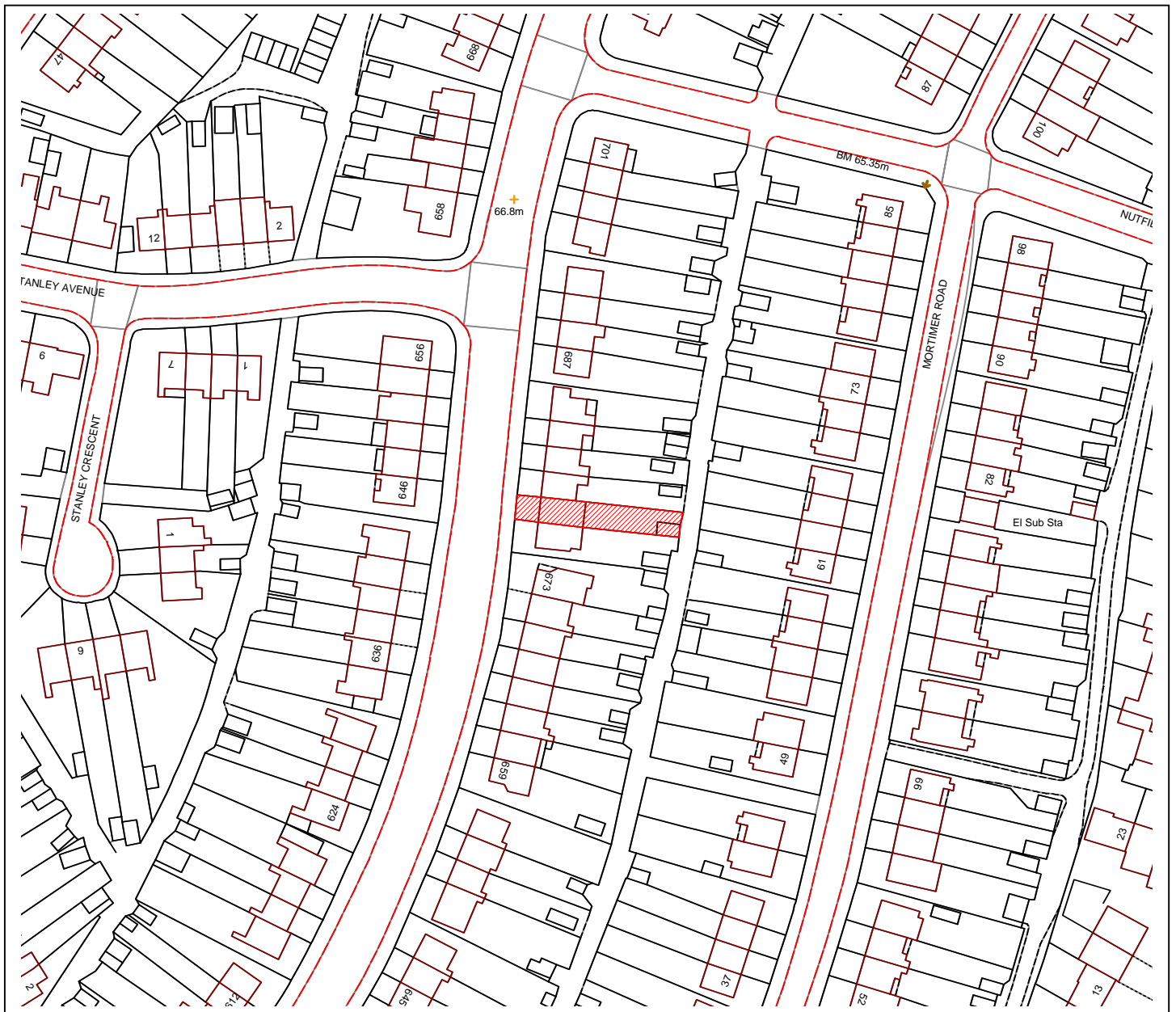
**Date Reg:** 13th December  
2006

**Proposal:** Construction of new vehicular access  
with associated works

**Parish:** Filton Town Council

**Map Ref:** 60822 78608

**Ward:** Filton



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**N.T.S**

**PT06/3598/F**



## **INTRODUCTION**

The application appears on the Circulated Schedule following concerns raised by a neighbour.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the construction of a new vehicular access to serve 677 Filton Avenue. Planning permission is required because Filton Avenue is a classified highway.
- 1.2 The proposal also includes details of a new hardstanding, which have been completed under householder permitted development rights. The applicants have also confirmed that the existing lamppost outside of their property shall be removed and replaced.

### **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  
T12 Transportation Development Control Policy
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Consultation Draft)

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

- 3.1 None relevant on site

### **4. CONSULTATION RESPONSES**

- 4.1 Filton Town Council  
No objection
- 4.2 Sustainable Transport  
No objection subject parties agreeing relocation of lamp post
- 4.3 Local Residents  
One letter received, do not object to the application but would object if the lamppost was relocated to the front of 679 Would prefer the lamppost to be relocated to in between 679 and 677.

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

- 5.1 Principle of Development  
Policy T12 of the South Gloucestershire Local Plan seeks to ensure that for residential development there is provision for safe access capable of accommodating motorised traffic generated by the proposal. Further, the proposal should not generate additional traffic that would compromise highway safety or residential amenity within the surrounding area.

- 5.2 Filton Avenue is a classified highway and heavily used by vehicular traffic. The Council is trialling on urban class 3 highways the acceptance of off-street parking without turning space where visibility is acceptable, There is adequate visibility from the proposed access and there are a number of historic accesses with no turning facilities, it is considered that an objection to this current proposal on highway grounds would be untenable.
- 5.3 Further to the above, the proposal would necessitate a replacement of a lamppost currently centring the access. The Councils street lighting team have raised no objection to the lamppost being moved, subject to the relevant parties agreeing the movement, be that Direct Services or the Electricity board.
- 5.4 Design/ Visual Amenity  
The application only requires permission for the access onto a classified road, and associated works i.e dropped kerb. It is not considered that these works would not adversely harm the visual amenity of the area. The hardstanding can and has been constructed without the express need for planning permission, as such is not in itself considered in the application.
- 5.5 Section 106 Requirements  
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## 6. CONCLUSION

- 6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The decision to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

- 7.1 Planning permission be approved subject to the following conditions:

**Background Papers**      **PT06/3598/F**

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

## **CONDITIONS**

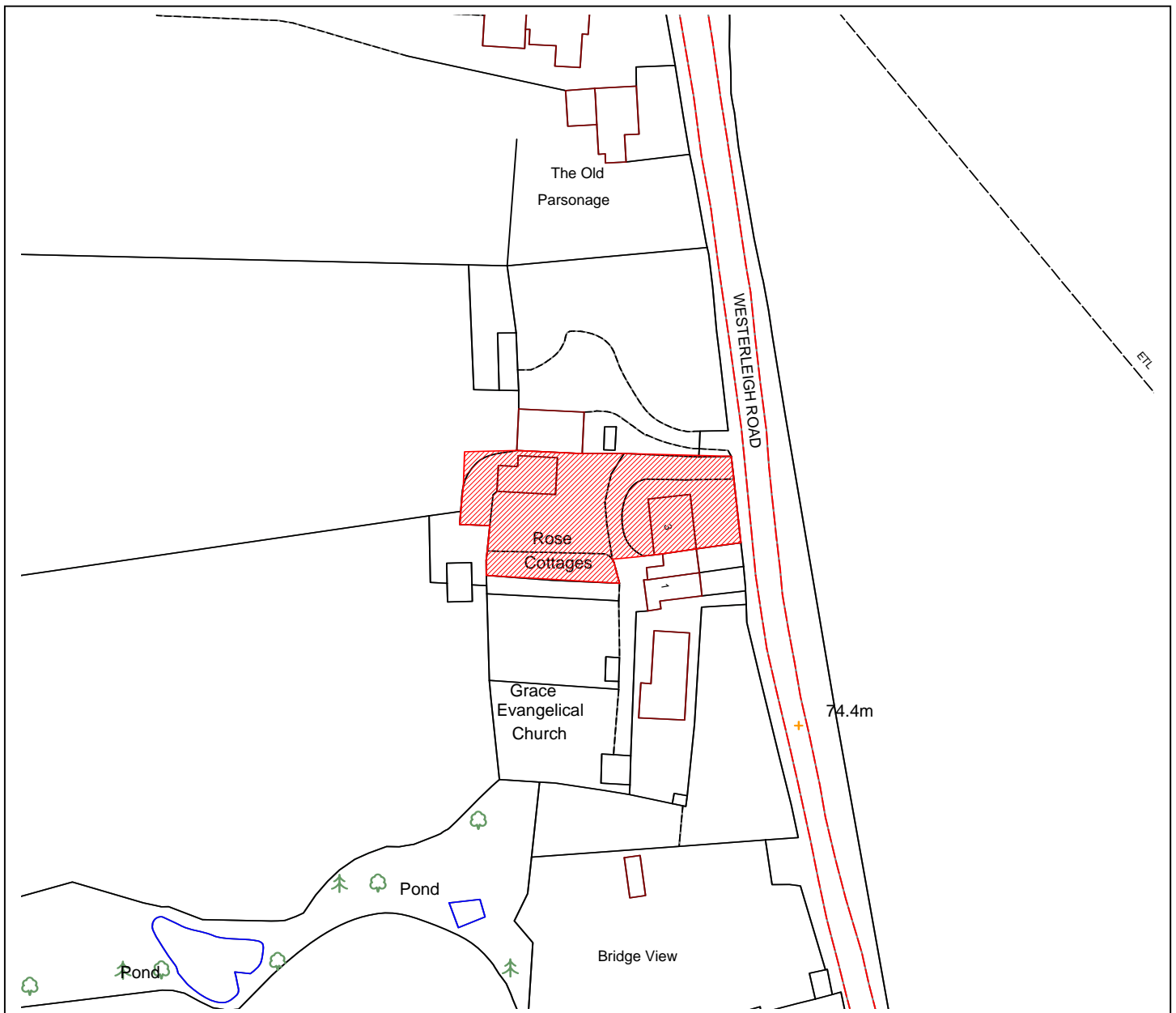
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

**CIRCULATED SCHEDULE NO. 05/07 – 02 FEBRUARY 2007**

<b>App No.:</b> PT06/3605/CLE	<b>Applicant:</b> Mr P Arden
<b>Site:</b> 3 Rose Cottage Westerleigh Road Westerleigh BRISTOL South Gloucestershire BS37 8QG	<b>Date Reg:</b> 13th December 2006
<b>Proposal:</b> Application for Certificate of Lawfulness for an existing use of dwelling as 2no. self contained units.	<b>Parish:</b> Westerleigh Parish Council
<b>Map Ref:</b> 69902 80487	<b>Ward:</b> Westerleigh



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**PT06/3605/CLE**

## **INTRODUCTION**

This application is for a Certificate of Lawful Use and under the Council's scheme of delegation must appear on the Circulated Schedule.

Members are advised, that the test to be applied to this application for a Certificate of Lawful Use, is that the applicant has to prove on the balance of probability that the dwelling has been used as 2no. self-contained flats, for a period of 4 years consecutively, prior to the receipt of the application. It is an evidential test rather than a question of planning merits.

### **1. THE PROPOSAL**

- 1.1 The application has been submitted under Section 191 (1) of the Town and Country Planning Act 1990 for a Certificate of Lawfulness for an existing use of the site.
- 1.2 The application relates to 3 Rose Cottage, Westerleigh Road, Westerleigh, which is a two-storey extended end of terrace dwelling, dating back to the beginning of the twentieth century.
- 1.3 The applicant claims that the dwelling has been occupied as two self-contained dwellings since 1989.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
Town and Country Planning (General Procedures) Order 1995 Article 24  
Circular 10/97: Enforcing Planning Control.
- 2.2 Development Plans  
As the application is for a Certificate of Lawfulness the policy context is not directly relevant, as the land use merits are not under consideration. The applicant need only prove that on the balance of probability the use has taken place for an uninterrupted period of at least the last 4 years prior to the receipt of the application (13<sup>th</sup> December 2006).

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

- 3.1 P89/3015 Erection of two storey side extension to provide kitchen dining room , utility room with lounge bedroom and en-suite above, and installation of dormer windows ...Approved 6<sup>th</sup> December 1989

### **4. SUMMARY OF EVIDENCE SUBMITTED IN SUPPORT OF THE APPLICATION**

- 4.1 The applicant has submitted the following evidence in support of the application:
  - a) One red edged site location plan.
  - b) Floor plans of the individual units.
  - c) Letters from neighbours at 2 Rose Cottages and 1 Rose Cottages confirming that the house has been used as two separate dwelling for in excess of 4 years.
  - d) E-mail from n-power confirming two separate electricity supplies to 3 Rose Cottage

- e) Two separate Watson Petroleum invoices for 3 and 3a Rose cottages dating back to 1998
- f) Copy of bank statement from Mrs Simmons showing N-power invoice being paid dated 17<sup>th</sup> January 2006
- g) Copy of N-power bill for 3 Rose Cottage, Mr Arden dated 3<sup>rd</sup> March 2005
- h) Letter from applicants Architects confirming the situation
- i) Copies of BT , and N-power Bills for October and December 2006 From Mr Arden
- j) Letter from Mr Arden's Agent confirming the occupants of the part of the cottage lived in by Mr and Mrs Simmons have been replaced by Miss Brown
- k) Copies of BT, Talk-talk, N-power, and Watson Oil Bill from Miss Brown
- l) BT bills confirming a separate number for each unit.

## 5. **SUMMARY OF CONTRARY EVIDENCE**

- 5.1 Evidence has been received from a neighbouring property, which in the evidence supplied by the applicant supported the application. They state the application site has been used as a single residence, and not two as applied for in this application. They also state the plans which accompany the application are wrong as the conservatory door is in the wrong location

## 6. **REPRESENTATIONS RECEIVED**

- 6.1 Westerleigh Parish Council  
No Objection

- 6.2 Local Residents  
One letter of objection has been received from a neighbouring property it states the application site has been used as a single residence, and not two as applied for in this application. They also state the plans which accompany the application are wrong as the conservatory door is in the wrong location. They also request that the permitted development rights are lost for both properties.

(In this type of application conditions cannot be applied so their Permitted Development rights cannot be removed.)

## 7. **EVALUATION**

- 7.1 The application seeks to prove that on the balance of probability the dwelling has been occupied as two self-contained flats, for a period of 4 years consecutive to the receipt of the application. There are eight pieces of evidence in support of the application and one piece of contradictory evidence.
- 7.2 When assessing the application the Councils only concern is whether the property has been used as two separate properties for a period in excess of 4 years.
- 7.3 The main issue with the evidence submitted is the contradictory nature of the comments from the residents of 2 Rose Cottages, Westerleigh Road. Upon closer inspection the evidence submitted by the applicants in the form of a letter, is fairly non-committal.
- 7.4 However the rest of the evidence submitted is clear and unambiguous. Both local and national companies confirm that there have supplied products to two

separate addressess at this property for a period in excess of 4 years. Also the plans submitted with the application indicate that the building is lived in as two separate dwellings albeit with an interconnecting door. There is also evidence from another neighbour confirming that the situation is as the applicant's states.

- 7.5 Whist from an inspection of th site it woul appear to show two-separate main entrance doors, 2 separate conservatories, separate amenity space at the rear of the properties in the form of a small hard surfaces are around the conservatories.
- 7.6 The applicants have also supplied evidence that shows that since Mr and Mrs Simmons moved in to a care home around Christmas 2005, another resident Miss Brown has occupied their part of the property and there are bills from various utility suppliers to support this.
- 7.7 Therefore it is considerd that on the balance of probability the property has been used as two separate dwellings for a period in excess of 4 years.

## **7. RECOMMENDATION**

- 7.1 A Certificate of Existing Lawful Use is granted for the use of 3 Rose Cottage, Westerleigh Road, as two separate dwellings, given the level of information outlined above.
- 7.2 On the balance of probability and on the evidence submitted it is considered that the use of 3 Rose Cottages, Westerleigh Road as two separate dwellings has taken place for a period in excess of 4 years.

**Background Papers      PT06/3605/CLE**

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

## CIRCULATED SCHEDULE NO. 05/07 – 02 FEBRUARY 2007

**App No.:** PT06/3618/F  
**Site:** Vine Farm The Naite Oldbury on Severn BS35 1RU

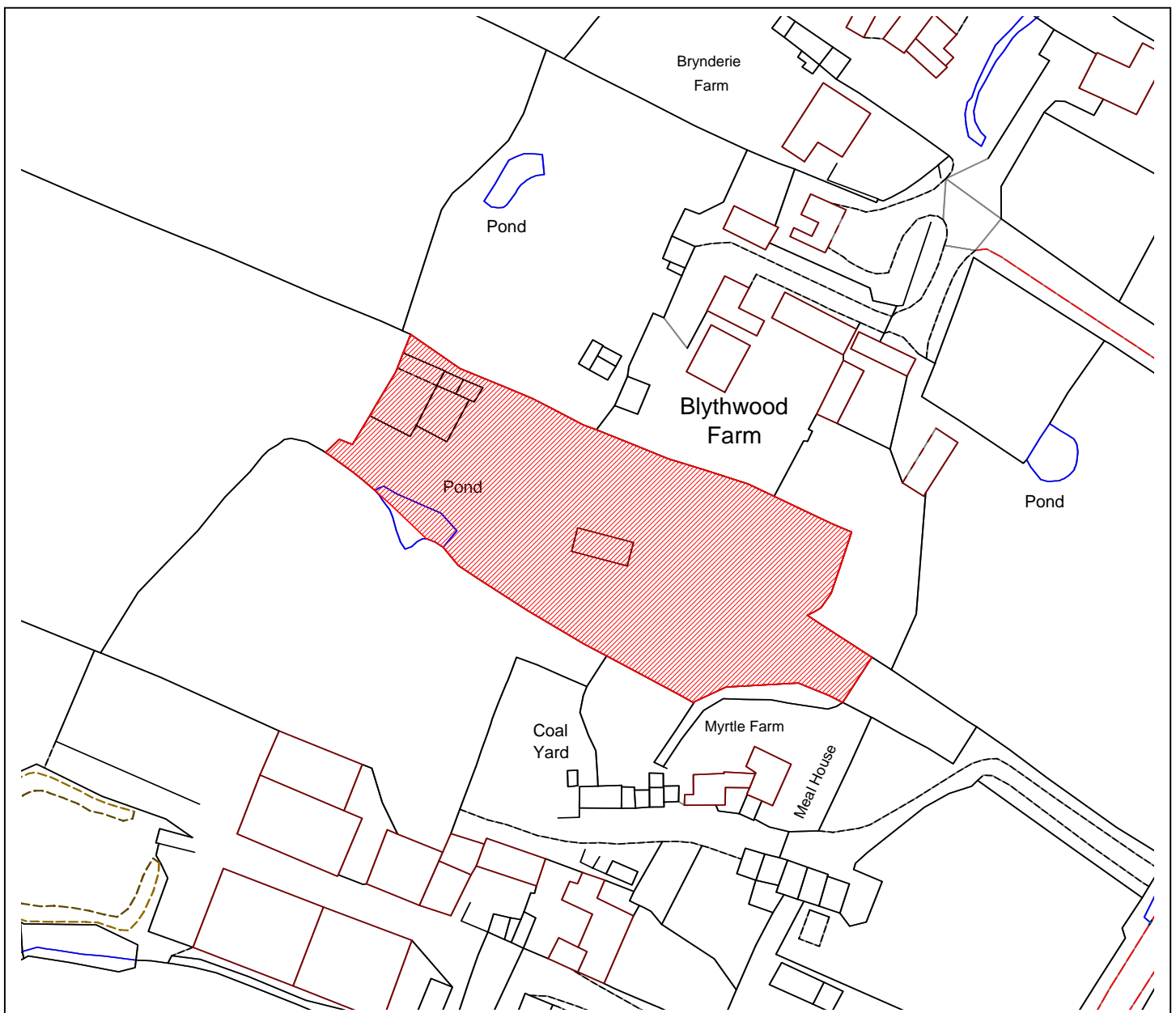
**Applicant:** Mr D Rugman  
**Date Reg:** 14th December 2006

**Proposal:** Single storey extension to facilitate conversion of existing barn to form residential dwelling. Change of use of existing outbuilding for Class B1 use as defined in the Town and Country Planning (Use Classes) Order 1987 as amended (in accordance with amended plans received by the Council on 2 January 2007).

**Parish:** Oldbury-on-Severn Parish Council

**Map Ref:** 61736 93227

**Ward:** Severn



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100023410, 2006.



## **1. THE PROPOSAL**

- 1.1 This full application relates to the conversion of traditional barn to dwelling including the erection of a single storey extension, and change of use of existing outbuilding for Class B1 use at Vine Farm, The Naite, Oldbury-on-Severn.
- 1.2 The application site lies in open countryside and beyond any settlement boundary. Access to the site is via a shared driveway off The Naite.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

- PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPS7 Sustainable Development in Rural Areas  
PPG13 Transport  
PPS25 Development and Flood Risk

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

- D1 Achieving Good Quality Design in New Development  
L3 Coastal Zone  
EP2 Flood Risk and Development  
T8 Parking Standards  
T12 Transportation Development Control Policy for New Development  
E6 Employment Development in the Countryside  
E7 Conversion and Re-use of Rural Buildings  
H10 Conversion and Re-use of Rural Buildings for Residential Purposes

### **2.3 Supplementary Planning Guidance** Design checklist

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None.

## **4. CONSULTATION RESPONSES**

### **4.1 Oldbury-on-Severn Parish Council** No response received.

- 4.2 **Sustainable Transport**  
No objection subject to a condition restricting the commercial use of the premises to occupiers of the barn.

### **4.3 Environment Agency** No objection.

#### 4.4 Local Residents

3 letters have been received objecting to the proposal on the following grounds:-

- a) access to site is not shared but owned solely by owners of Myrtle Farm. There is only an agricultural right of way to the application site for Vine Farm;
- b) proposal lies beneath high voltage power lines with the rear wall forming the side of our presently water-logged ditch;
- c) the west wall borders an ill kept footpath;
- d) understand that access as indicated does not provide for commercial or public use;
- e) increased risk of localised flooding;
- f) precedent set;
- g) risk of ground contamination;
- h) visual appearance changing in to that of a village;
- i) new dwellings built on flood plains should not be allowed;
- j) pond is used by animals for drinking water and it is proposed to discharge from a Biodigester treatment plant to the pond;
- k) increased run-off.

### 5. ANALYSIS OF PROPOSAL

5.1 The main issues to consider in the assessment of this application are the principle of development and transportation.

#### 5.2 Principle of Development

The application site lies within open countryside and beyond the defined settlement boundary of Oldbury-on-Severn. Advice contained within PPS7 is generally supportive of the re-use of rural buildings subject to certain criteria and this advice is reflected in Policies E7 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006. Policy H10 allows for the conversion and re-use of existing buildings for residential purposes outside settlement boundaries only where:

**A. All reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use;**

The proposal incorporates a change of use of a concrete block built barn for B1 purposes to be used in conjunction with the proposed residential unit. As such the proposal, as a mixed use, complies with this criterion.

**B. The buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction;**

The buildings have been assessed by the Council's Structural Engineer who has concluded that the buildings are capable of conversion without major or complete reconstruction. As such the proposal complies with this criterion.

**C. The buildings are in keeping with their surroundings in terms of character, form, bulk and overall design;**

The proposed works to the concrete barn are minimal – the main difference being the raised floor levels as a flood protection measure. Cosmetically, the building largely remains the same. With regard to the stone built barn, a small single storey extension is to be erected. The ridge height of the building is also to be raised by approximately 700mm in order to adequately raise the ground floor level for flooding purposes. The form and scale of the building is modest and the design of the building is considered appropriate to its surroundings and the locality as a whole and as such complies with this criterion.

**D. Development, including any alterations, extensions or the creation of a residential curtilage would not have a harmful effect on the character of the countryside or the amenities of the surrounding area;**

The proposal involves a small single storey extension to the stone barn. The development, due to its location, will not adversely affect surrounding residential or visual amenity. The development will bring both buildings back into use and will improve the overall appearance of the site, which at present is rather run-down. The associated residential curtilage is modest and contained by a 1.2m post and wire fence to blend in with the rural landscape. In order to further protect the visual amenity of the area, permitted development rights will also be removed as part of any planning consent.

**E. The building is well related to an existing settlement or other groups of buildings.**

The buildings are located within the linear development along The Naite, situated between Myrtle Farm and Blythwood Farm. As such the proposal complies with this criterion.

5.3 Also of relevance is Policy E7 of the adopted local plan. The conversion and re-use of rural buildings outside settlement boundaries is permitted provided that the buildings are structurally sound and capable of conversion; the buildings are in keeping with their surroundings and any extensions/alterations would not have a harmful effect on the character of the countryside. These issues have already been addressed above and the proposal is in compliance with this policy.

5.4 Transportation Issues

The access and parking arrangements are satisfactory in technical terms. The proposed development is modest in scale and no objections are raised provided the proposed B1 use is restricted to users of the proposed barn conversion. This is to ensure that vehicle movements in the morning, lunchtime and evening are eliminated to reduce any possible impact of the proposal.

5.5 Drainage/Flooding

With regard to concerns raised over drainage and flooding issues, no objections have been raised from the Environment Agency, provided floor levels are set at or above 7.5m AOD(N). Moreover, no objections have been raised from the Council's Drainage Engineer.

5.6 The application is therefore in accordance with the South Gloucestershire Local Plan (Adopted) January 2006.

## 5.7 Design and Access Statement

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

## 5.8 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

7.1 That planning permission be granted.

### Background Papers      **PT06/3618/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 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, C, D, E, F, 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(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policies E7/H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 3 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(s):

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

- 4 The tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

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.

- 5 The finished floor levels of the buildings hereby permitted shall be set at a minimum of 7.5m above ordnance datum.

Reason(s):

To minimise the effect of any flooding which may occur and to comply with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 6 No outside storage of material/goods/waste or plant shall take place at the commercial premises.

Reason(s):

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 7 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 E7/D1/L1/H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 8 The off-street parking facilities shown on drawing no. 0173/9 hereby approved shall be provided before the buildings are 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.

- 9 The commercial use of the building hereby permitted shall not be used solely by the occupiers of the barn conversion and shall be used as a separate enterprise at any time.

Reason(s):

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

**CIRCULATED SCHEDULE NO. 05/07 – 02 FEBRUARY 2007**

**App No.:** PT06/3681/PN1  
**Site:** Land at Bradley Stoke Way, Bradley Stoke,  
 South Gloucestershire

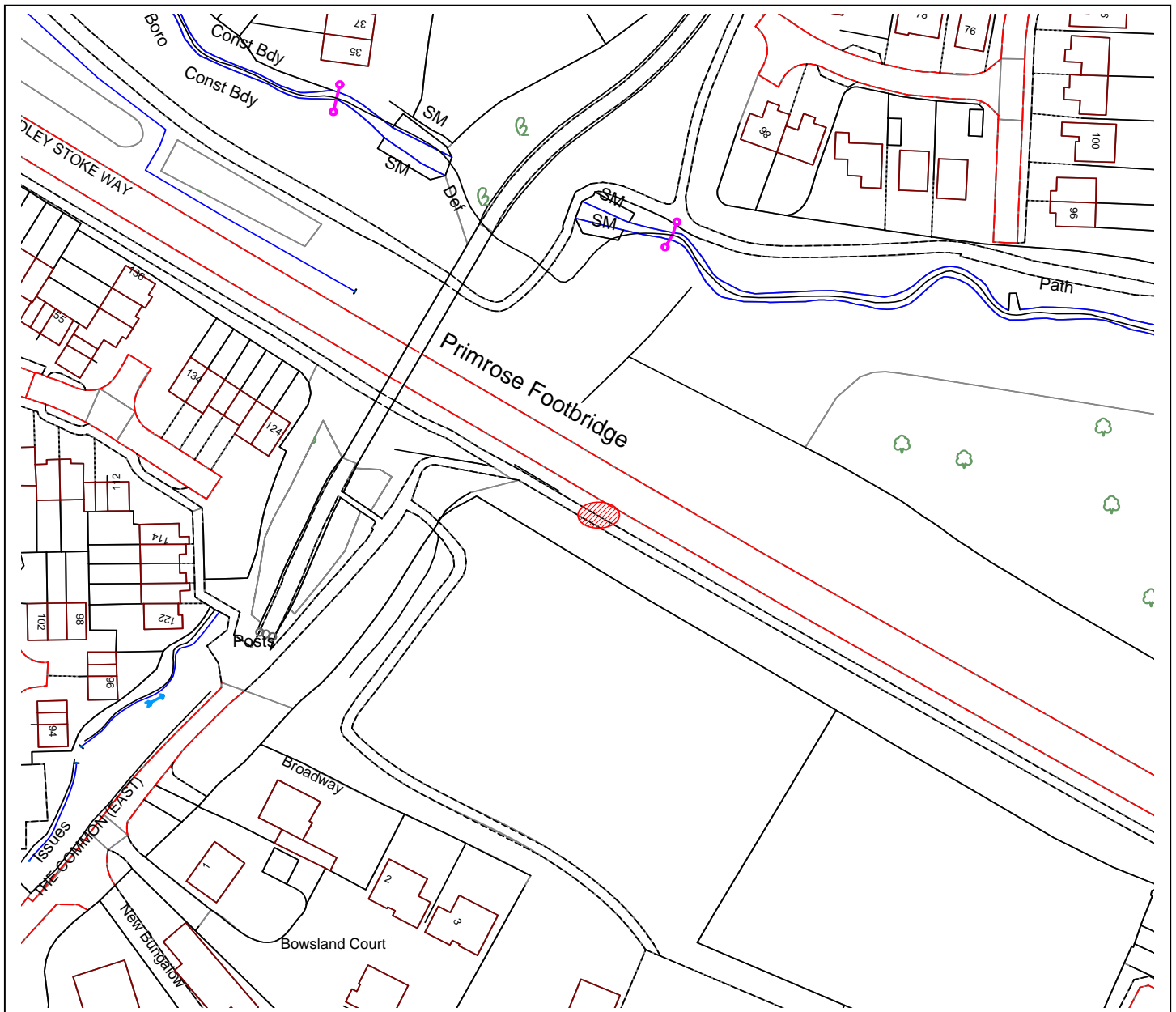
**Applicant:** T-Mobile (UK) Ltd  
**Date Reg:** 22nd December 2006

**Proposal:** Prior notification of the intention to erect 1 no. 11.7 metre streetworks monopole with 3no. antennae and associated equipment cabinet.

**Parish:** Bradley Stoke Town Council

**Map Ref:** 61635 82541

**Ward:** Bradley Stoke Bowsland



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## **INTRODUCTION**

Please be aware that this report is for information only and cannot be called in to committee as due to the time scales set to determine such applications. Failure to issue a decision by the 12<sup>th</sup> February would automatically result in a deemed consent.

### **1. THE PROPOSAL**

1.1 This re submitted application seeks Prior Notification for the erection of a 11.7 metre telecommunication mast with 3 antenna, and associated equipment The location of the proposal is within the established residential settlement of Bradley Stoke. The proposed mast is located on a highway verge next to the road and at the bottom steep embankment, on top of the embankment are school playing fields and Residential properties.

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1 Delivering Sustainable Communities

2.2 South Gloucestershire Local Plan (Adopted) January 2006  
S5 Telecommunications

2.3 Supplementary Planning Document  
Telecoms

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

None

### **4. CONSULTATION RESPONSES**

4.1 Bradley Stoke Town Council:  
Objects to the proposal on the following grounds:

- a) The mast is unnecessary
- b) The mast is too close to residential properties
- c) The mast is too close to a School

4.2 Local Residents:  
No responses received

4.3 Sustainable Transport  
No Objection to the proposal

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

5.1 Principle of Development  
The principle of erecting the mast is not for consideration, as it is Permitted Development under Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. Under the Prior Notification procedure the Local Planning Authority determines whether prior approval is required for the siting and appearance of the development. They are then given a limited period within which to respond to the matters of siting and design. PPG8 provides advice relating to the appearance of the mast and



ancillary apparatus and siting considerations including materials, colour and design and the general area in which such a proposal is sited.

5.2 Advice contained within policy S5 of the South Gloucestershire Local Plan (Adopted) January 2006 also states that where approval is required, the Council will require developers to demonstrate what attempts have been made to minimise impact through appropriate siting and design of appearance in terms of materials, colour, height etc, the possibility of sharing existing nearby masts should also be explored. In all instances the main material considerations will be the technical needs of the operator as demonstrated by the applicant and the need to facilitate development. In this context the main issues are:

5.3 Siting and appearance

PPG8 states that protection from visual intrusion and the implications subsequent network development will be important considerations in determining applications. Local Authorities and operators should work together to find the optimum environmental and network solution on a case-by-case basis. Policy S5 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.4 It is considered that in this instance the design of the proposed mast is acceptable and it fits in well with other existing street furniture in the area. Therefore the proposal is in keeping with the surrounding area. In terms of the location of the mast it is over 100 metres away from the nearest property. And is at the bottom of a steep embankment, in an area which is proliferated with other pieces of street furniture such as road signs and lighting columns.

5.5 The applicant has provided details of other sites they have investigated but for various political, social and technical these could not be progressed. The applicants however have not submitted any information on mast sharing. However, the likelihood is this would result in existing masts having to be increased substantially in height and it is considered that this would cause an unacceptable visual amenity issue in the locality. Therefore this option is not considered to be a viable option given the location.

5.6 Public Health Concerns

PPG8 advises that the planning system is not the place for determining health safe guards and that enforcement of health and safety legislation is a matter for the Health and Safety Executive.

5.7 The Government has accepted recommendations in the Stewart Group's Report that, as a precautionary measure, mobile phone base stations, such as proposed by this application, should meet the guidelines for limiting exposure as set by the ICNIRP (International Commission on Non-Ionizing Radiation Protection).

5.8 The application carries a certificate that demonstrates that the equipment complies with the ICNIRP guidelines. As in the case of the majority of equipment installed nationally, the levels of radiation generated by this equipment are a tiny fraction of the maximum levels set by the ICNIRP.

**6. CONCLUSION**

6.1 The decision to raise no objection to the matters of siting and design has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

**7. RECOMMENDATION**

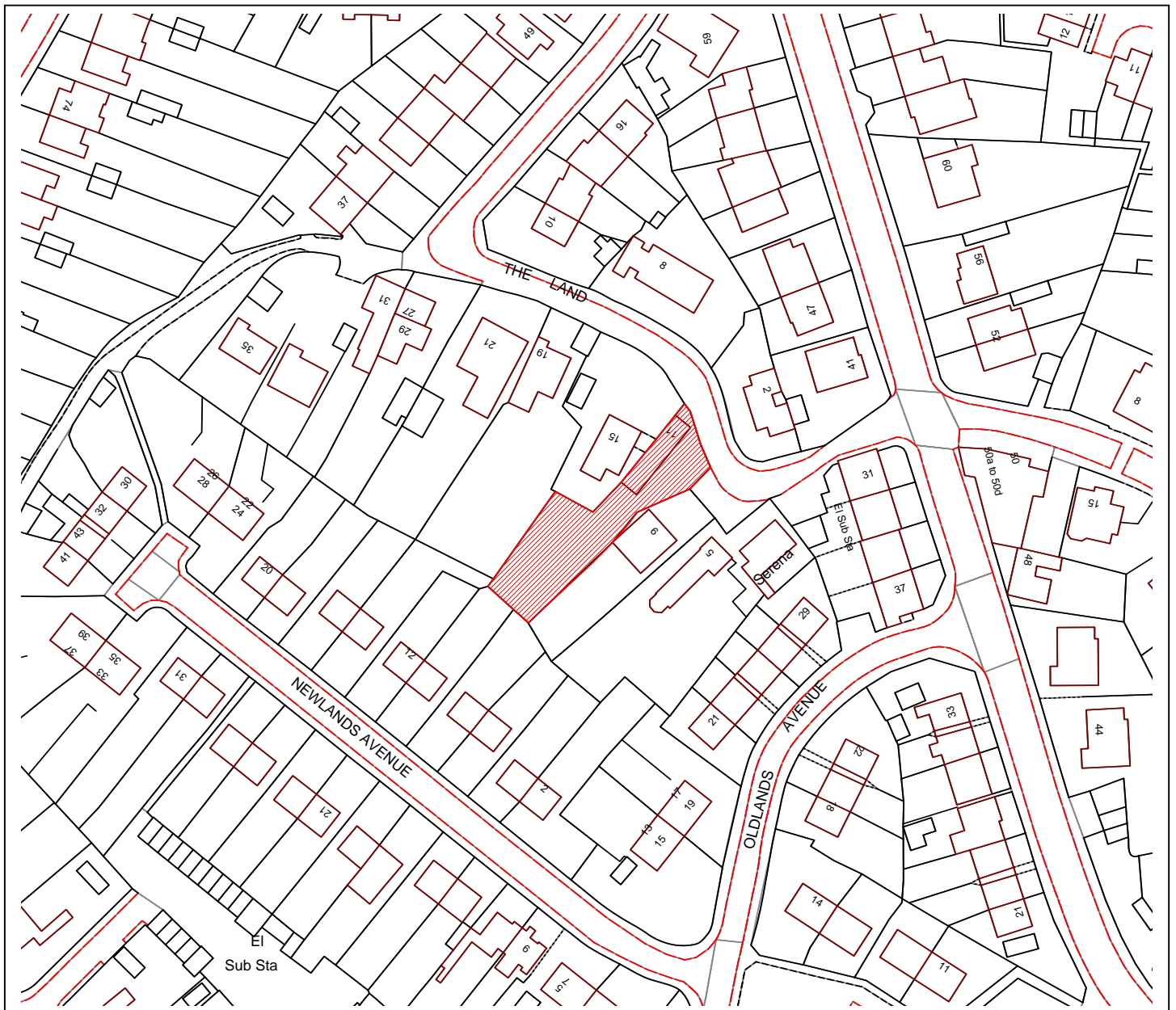
7.1 No objection

**Background Papers      PT06/3681/PN1**

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

## CIRCULATED SCHEDULE NO. 05/07 – 02 FEBRUARY 2007

<b>App No.:</b>	PT07/0008/F	<b>Applicant:</b>	Mr A Stone
<b>Site:</b>	11 The Land Coalpit Heath BRISTOL South Gloucestershire BS36 2LJ	<b>Date Reg:</b>	2nd January 2007
<b>Proposal:</b>	Erection of 2 storey side extension to form additional living accommodation.	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	67326 81100	<b>Ward:</b>	Frampton Cotterell



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100023410, 2006.

**N.T.S**

**PT07/0008/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The application seeks permission for a two-storey side (front) extension to provide a utility and playroom at ground floor in addition to extensions to the living and dining rooms. Above, it would facilitate the enlargement of two bedrooms and provide a new bathroom.
- 1.2 The application site comprises a two-storey dwelling on the west side of The Land within the residential area of Coalpit Heath. The property benefits from a wide but shallow footprint and adjoins the flank boundary of the application site (behind).
- 1.3 The application comprises a resubmission of application no. PT061839/F that was refused for the following reason:
  - A) *'The proposed development by reason of its position, mass, height and overlooking windows proposed, would have an oppressive and overbearing effect on the occupiers of the adjoining property which would be to the detriment of residential amenity...'*
- 1.4 This application has been submitted following subsequent discussions with the applicants, which have sought to overcome the above refusal.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 House Extensions  
T8 Parking Standards  
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Advice Note 2: House Extensions.

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

- 3.1 N8949: Two-storey side extension to form kitchen with bedroom above and double domestic garage. Permitted: 10 November 1983
- 3.2 P88/1784: Two-storey side extension to provide enlarged ground floor kitchen with bedroom above. Permitted: 13 June 1988
- 3.3 P98/1240: Front porch. Permitted: 25 March 1998
- 3.4 PT06/1839/F: Two-storey side extension. Refused: 27 July 2006

#### **4. CONSULTATION RESPONSES**

4.1 Frampton Cotterell Parish Council  
No objection

4.2 Other Consultees  
No comments received

4.3 Summary of Local Residents Concerns:  
One letter received expressing the following concerns:

- a) The size and structure of the extension will be overbearing and oppressive when viewed from the neighbouring property;
- b) The windows will overlook the upstairs bedrooms and downstairs lounge;
- c) It will be too close to the neighbouring property; from the road it will appear as if nos. 9 & 11 are attached;
- d) The front door and ingress path will be closer to the neighbouring property;
- e) It comprises a front extension and not a side extension.

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

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

5.2 Design/ Residential Amenity  
The application site forms a two-storey cottage style unit fronting southwards, parallel with the road. As such, it is the side gable that faces the highway with the property occupying a wide but shallow footprint. Accordingly, the dwelling measures some 18.5m in width (extending back from the road) but a little under 4.5m in depth.

5.3 The proposal seeks permission for a two-storey side (front) front extension that would sit forward of the middle part of the dwelling. It would measure a little under 11m in width and project forward some 3m (2.3m at first floor). A pitched roof of similar design to that above the host dwelling would cover the proposal.

5.4 Having regard to the above, it is noted that significant alterations have been made to the design of the proposal facilitating reductions in its depth and bulk. As such, whilst these changes have primarily focused upon reducing the impact of the extension on the neighbouring property, they have also allowed a design that is considered to be more sympathetic having regard to the cottage style of the existing dwelling.

5.5 In the light of the above, the design of the proposal is considered acceptable. Further, it is also noted that the previous refusal do not specifically relate to the design of the extension with the main concern instead it potential impact on the neighbouring property.

5.6 Residential Amenity  
The proposal would build forward of the existing unit closer to the neighbouring property positioned south east of the application site. Concerning this adjoining unit, this comprises a two-storey detached dwelling of more modern design with

- a single-storey attached garage next to the shared boundary. It also sits further back on its plot in line with the rear wall of the host dwelling.
- 5.7 Having regard to the previous proposal, this would have projected 4m forward of the host property and extended back in line with the rear wall of the dwelling. The roof design would also have allowed the introduction three facing gables the closest two of which, would have been of equal height to the existing ridge.
- 5.8 Following the subsequent refusal, revisions have been made in attempt to make the impact on this neighbouring unit more acceptable. Such has ensured a reduction in depth of the proposal by 1m at ground level and 1.7m at first floor to move the extension in from the shared flank boundary.
- 5.9 In addition, the proposal has been moved forwards (closer to the road) away from this adjoining property to retain the visual gap between these dwellings at the rear. As such, the extension would now finish 3m forward of the front wall of this neighbouring unit. Finally, alterations have also allowed the removal of the originally proposed front gables in favour of a hipped roof, of similar design to that encompassing the existing dwelling.
- 5.10 In the light of the above, the proposal is on balance now considered acceptable having regard to the potential impact on this adjoining dwelling. In making this recommendation, it is noted that the number of overlooking windows would not be increased with the number of first floor windows reduced and moved further forward: away from this neighbouring property.
- 5.11 All other neighbouring properties are positioned at an appreciable distance from the site of the proposal; it is not therefore considered that any significant adverse impact in residential amenity would be caused.
- 5.12 Highway Safety  
The proposal would allow the retention of two car parking spaces within the application site. In this regard, planning policy T8 advises that a maximum of three car parking spaces should be provided. As such, there is no objection to the proposal on this basis.
- 5.13 Section 106 Requirements  
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

- 6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The decision to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006

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

## **7. RECOMMENDATION**

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

**Background Papers**      **PT07/0008/F**

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

### **CONDITIONS**

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

Reason(s):

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

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

Reason(s):

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

- 3 No windows other than those shown on the plans hereby approved shall be inserted at any time.

Reason(s):

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

- 4 The glazing in the ground floor bathroom window on the south east elevation and the first floor bathroom window in the south west elevation of the extension hereby approved shall at all times be of obscured glass.

Reason(s):

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

- 5 The two car parking spaces shown on the plan hereby approved shall be retained for that purpose.

Reason(s):

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