



**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. 06/07

Date to Members: 09/02/07

Member's Deadline: 16/02/07

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

Revised dates and deadlines for Circulated Schedule

The Planning IT system MVM will be going down due to an essential server upgrade during March.

To ensure the continued timely issuing of Planning Decisions from Circulated Schedule we have revised the publication and issue dates accordingly.

Schedule Number	Date to Members 12 noon on	Members Deadline 12 noon on
08/07	Thursday 22nd Feb 2007	Thursday 1 st March 2007

CIRCULATED SCHEDULE

DATE: 09/02/07

SCHEDULE NO. 06/07

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

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

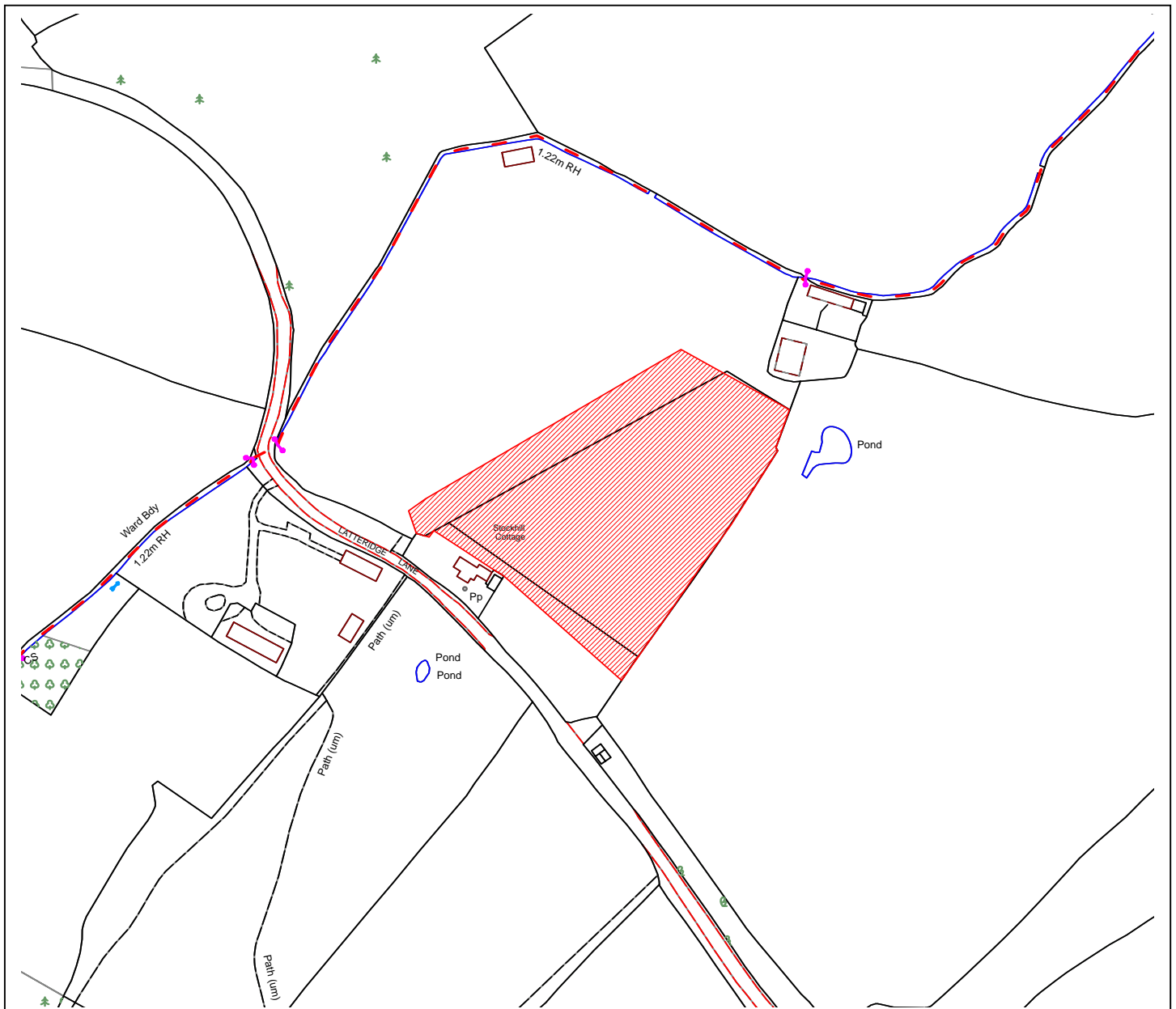
DATE

Circulated Schedule 09 February 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK06/2993/F	Approve with conditions	Land at Stockhill Cottage Latteridge Lane Alveston South Gloucestershire BS35 3TF	Ladden Brook	Iron Acton Parish Council
2	PK06/3088/F	Approve with conditions	116 Edgeworth Yate South Gloucestershire BS37 8YP	Dodington	Dodington Parish Council
3	PK06/3410/F	Approved subject to Section 106	Monarch Court Emerald Park Emersons Green South Gloucestershire	Siston	Mangotsfield Rural Parish Council
4	PK06/3596/O	Refusal	Land at Rear of 71-75 Westerleigh Road Yate South Gloucestershire BS37 4BN	Yate Central	Yate Town Council
5	PK06/3629/F	Approve with conditions	38 Siston Common Siston L South Gloucestershire BS15 4NZ	Siston	Siston Parish Council
6	PK06/3668/F	Approve with conditions	4 Paddock Close Emersons Green South Gloucestershire BS16 7BD	Siston	Mangotsfield Rural Parish Council
7	PK07/0109/F	Approve with conditions	105 Littledean Yate South Gloucestershire BS37 8UH	Dodington	Dodington Parish Council
8	PT06/0992/RVC	Approve with conditions	B & Q Store, Lysander Road/Highwood Lane, Cribbs Causeway, BS34 5TS	Almondsbury	Almondsbury Parish Council
9	PT06/1084/FDI	Approve	Network Rail Training Centre Westerleigh South Gloucestershire	Westerleigh	Westerleigh Parish Council
10	PT06/2201/F	Approve with conditions	Mill Farm Tytherington South Gloucestershire GL12 8QB	Thornbury South	Tytherington Parish Council
11	PT06/2375/F	Approve with conditions	74 Woodend Road Coalpit Heath South Gloucestershire BS36 2LH	Frampton Cotterell	Frampton Cotterell Parish Council
12	PT06/3359/F	Approve with conditions	Land off Bush Avenue Little Stoke South Gloucestershire	Stoke Gifford	Stoke Gifford Parish Council
13	PT06/3517/F	Approve with conditions	15 Knapp Road Thornbury South Gloucestershire BS35 2HE	Thornbury South	Thornbury Town Council
14	PT06/3649/F	Approve with conditions	61 Dewfalls Drive Bradley Stoke South Gloucestershire BS32 9BW	Bradley Stoke Bowsland	Bradley Stoke Town Council
15	PT07/0010/F	Approve with conditions	Filton Avenue Service Station 472/478 Filton Avenue Horfield South Gloucestershire BS7 0LW	Filton	Filton Town Council
16	PT07/0034/LB	Approve with conditions	Frenchay C Of E School Church Road Frenchay South Gloucestershire BS16 1NB	Winterbourne	Winterbourne Parish Council
17	PT07/0062/F	Approve with conditions	43 Wades Road Filton South Gloucestershire BS34 7EB	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 06/07 - 9 FEBRUARY 2007

App No.: PK06/2993/F	Applicant: Mr M Drake
Site: Land at Stockhill Cottage Latteridge Lane Alveston BRISTOL South Gloucestershire BS35 3TF	Date Reg: 13th October 2006
Proposal: Change of use from agricultural land to land for the keeping of horses. Erection of stables and construction of menage	Parish: Iron Acton Parish Council
Map Ref: 66128 86063	Ward: Ladden Brook



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N.T.S

PK06/2993/F

INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule procedure as a result of objections received from Iron Acton Parish Council regarding the development.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the change of use from agricultural land to land for the keeping of horses. Erection of 1 no. stable block to accommodate 3 horses with integral tack room and hay store and a ménage area.
- 1.2 The application site relates to agricultural land of 0.882 hectares, situated within the open countryside and the designated Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design in New Development
E10 Horse Related Development
L1 Landscape Protection and Enhancement
T12 Transportation Development Control Policy for New Development
GB1 Green Belt
- 2.3 Supplementary Planning Guidance
Advice Note - Development Involving Horses

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates to the application site:
- 3.2 PK04/3731/F Erection of two storey and single storey side extension, attached double garage.
Refusal December 2004
- 3.3 PK05/1354/F Erection of two storey and single storey side extension, attached double garage.
Approved July 2005
- 3.4 Pk06/1361/CLE Certificate of lawfulness for existing change of use of land for residential purposes
Refused July 2006

4. CONSULTATION RESPONSES

(a) Statutory Consultees

- 4.1 Iron Acton Parish Council
This Council objects to this application as the change of use should not be allowed. This land should remain agricultural.

Members are advised to consider that although the Parish Council has no observations regarding the amended plans they have confirmed that the above objection still stands.

(b) Other Representations

4.2 Local Residents

No response received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Guidance contained in PPG2 states that the change of use of land in the Green Belt is not inappropriate where it would not have a materially greater impact on the openness of the Green Belt than the present authorised use.

5.2 Paragraph 3.4 of PPG2 advises that the construction of new buildings inside the Green Belt is not inappropriate if it is an essential facility for outdoor sport and recreation use. Paragraph 3.5 advises that essential facilities should be genuinely required for uses of land which preserve the openness of the Green Belt and gives an example of small stables as possible essential facilities.

5.3 The application will be considered in light of Policy E10 of the South Gloucestershire Local Plan (Adopted) January concerning horse related development and other relevant development plan policies.

5.4 Green Belt Issues

Officers must consider whether the development amounts to inappropriate development in the Green Belt and if so, whether there are any very special circumstances sufficient to overcome the presumption against such development. It is considered that the **use** of the application site for the keeping of horses and ménage area is a use that will preserve the openness of this part of the Green Belt.

5.5 The applicant has indicated that the facility is for personal use and it is intended to keep 3 horses. In order for the development to fall within the category of an essential facility as prescribed in PPG2 and Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 the stables must be small.

5.6 Members are advised to consider that an objection was raised by the Planning Officer and Landscape Officer with regards the original submitted plans which sought planning permission for one enclosed building measuring 10.70m in length x 7.20m in width x 2.80m in height to the eaves and 3.90m to the ridge. The applicant's intention was to ensure that everything remained under one roof to avoid outside spillage of equipment. By doing this however this resulted in a large building in terms of massing and height and it was therefore considered that it would have an adverse impact on the openness and visual amenities of the Green belt and surrounding area.

5.7 In order to address the above concerns the scheme has been revised and proposes an 'L' Shape building. Whilst the overall footprint remains much the same, the revised design has broken up the overall mass and bulk of the building and has also reduced the overall height from that of 3.90m to that of 2.70m. Having regard to the height and scale of the stable block your officers

are satisfied that the stable is sufficiently small to satisfy the above criteria. The proposal is therefore considered to be an essential facility, which is appropriate development within the Green belt.

5.8 Visual Amenity

The site is located in the open countryside of the Laden valley with long distance views to the north to the Cotwolds Edge. The north western boundary of the site is formed by post and rail fencing and is visible from the road. The eastern boundary is formed by a low hedge-row and the southern boundary is formed by an open post and rail fence between the garden and the field.

5.9 The application proposes to site the stable block in the southern corner of the Site. It is considered that although the overall scale of the building has been reduced that a planting scheme including new hedgerows and trees should be planted along the new post and rail fences and along the existing hedgerow. This is to compensate for the impacts arising from the creation of the stable and ménage on the existing landscaping quality and to provide screening for the development appropriate to the character of the existing landscape. It is therefore recommended that a landscaping condition be imposed requiring the submission of a detailed landscaping scheme. Without the additional landscaping the application would be recommended for refusal.

5.10 Residential Amenities

The development will have no impact upon existing levels of residential amenity, as there are no nearby residential properties.

5.11 Transportation Issues

No objection is raised subject to the imposition of a number of planning conditions limiting the number of horses to a maximum of three and restricting the use to that of personal use only.

5.12 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).

5.13 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 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary

6. CONCLUSION

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

The decision to recommend 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 planning conditions.

Background Papers PK06/2293/F

Contact Officer: Tracey Price
Tel. No. 01454 863424

CONDITIONS

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

Reason:

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

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

Reason:

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

3. 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 occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

4. At no time shall the stables or the associated land be used for livery, riding school or other business purposes whatsoever.

Reason:

To protect the character and appearance of the area and in the interests of highway safety, and to accord with Policies GB1, E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The number of horses kept on the site shall not exceed 3

Reason:

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

6. No jumps (other than mobile jumps in the exercise arena), fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land without the prior written approval of the Local Planning Authority.

Reason:

To protect the character and appearance of the area and to accord with Policies GB1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. No more than one horse box/trailer shall be kept on the site, otherwise at no time shall other horse boxes, trailers, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses.

Reason:

To protect the character and appearance of the area and to accord with Policies GB1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. There shall be no discharge of foul or contaminated drainage or effluent from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason:

To prevent pollution of the water environment in accordance with Policy E10 of The South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

To protect the character and appearance of the area and to accord with Policies D1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 06/07 - 9 FEBRUARY 2007

App No.: PK06/3088/F	Applicant: Mrs Tarrant
Site: 116 Edgeworth Yate BRISTOL South Gloucestershire BS37 8YP	Date Reg: 23rd October 2006
Proposal: Conversion of existing dwelling and erection of single storey rear extension to form 2no. self contained flats with associated parking and works.	Parish: Dodington Parish Council
Map Ref: 70389 80648	Ward: Dodington



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PK06/3088/F

INTRODUCTION

This application appears on the Circulated Schedule due to the receipt of three letters of objection. One letter from the Parish Council and two letters from a local resident (one before and one after the revised plans were received.)

1. THE PROPOSAL

- 1.1 The application seeks full planning consent for the conversion of an existing dwelling into 2 no. self contained flats. The application also includes the erection of a single storey extension to the rear of the property that will form part of the ground floor flat. The application also identifies the provision of two off street parking spaces and a cycle store.
- 1.2 The application site relates to a two-storey end-terrace dwelling and is located on a Radburn estate within a residential area of Yate. The front of the dwelling faces out onto the main road through the estate – Shire Way. Vehicular access to the property is to the rear.
- 1.3 During the course of the application amended plans were requested from the agent. The amendments included the provision of a cycle store, a reduction in the depth of the rear extension, and alterations to the internal floor layout. 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

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H5	Conversion of Residential Properties
T7	Cycle Parking
T8	Parking Standards
H4	Development within existing residential curtilages.

2.3 Supplementary Planning Guidance

Advice Note 5	Conversion of houses into flats
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3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

4.1 Doddington Parish Council

Objects to the proposal as they feel it represents over-development of the site. The Parish Council is also concerned that the proposal will exacerbate the existing car parking problem by effectively removing the hard standing currently available.

Other Representations

4.2 Local Residents

The following points of objection have been raised in response to the first set of plans received:

- The proposed extension would occupy 40% of the rear garden and would be intrusive and incompatible with neighbouring properties.
- The conversion does not offer value for money compared to the cost of purpose built properties nearby
- Limited parking in the area which would be exacerbated by the proposal
- The application is not in accordance with PPG3
- Unclear how the work will be carried out – will it be in two phases?
- The whole project is financially dependant on the sale of the 1st floor flat.
- Conversion to flats will reduce the availability of affordable family housing in the area.

Following the receipt of revised plans and following the necessary re-consultation, the additional points have been raised;

- The amended plan is not feasible because the new wall will be erected over a sewer
- The rear extension is not large enough to allow for suitable accommodation in the ground floor flat
- There is no way of ensuring the floor plan in the flats is constructed as shown on the plans
- There are no dining rooms/ dining space in the flats
- Cycle storage is inadequate
- The width of the second ground floor bedroom is inadequate
- The mild steel fixed panel prevents access to the side of the building

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal stands to be assessed against the policies listed above. Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 allows proposals for conversion of existing residential properties into smaller units of self contained residential accommodation subject to a number of criteria. These include satisfactory parking facilities and not prejudicing the character of the surrounding area and residential amenity. Policy H4 of the South Gloucestershire Local Plan allows for extensions to existing dwellings providing a number of criteria are adhered too.

5.2 Design/Visual Amenity

The proposed single storey rear extension meets an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. The gentle gradient of the roof slope will help to reduce the volume of the extension helping it to be in keeping with the scale of the original building. Matching face brick further attributes to its integration. The only other external alteration to the property is the removal of the set of French doors to the front elevation and their replacement with a standard white uPVC window. This alteration is minimal and it is not considered that it will have any significant or detrimental impact on the original building or the character of the area. It is therefore considered that there would be no adverse visual change arising from the proposed development and therefore no significant or detrimental effect on the character of the surrounding area.

It is noted that the local resident is concerned that the rear extension will be out of keeping with the surrounding dwellings. Consideration must however be given to the fact that there are several rear extensions and conservatories in the area surrounding the site – No. 113, 106, 102, and 103 Edgeworth to name a few. Despite this fact however, and even if there were no existing rear extensions on neighbouring properties, it is still not considered that there is sufficient justification to warrant the refusal of the application.

The plans show that a shed will be provided on the site to provide secure, undercover cycle storage. Conditions would be attached to any consent granted to ensure that full elevational details of the cycle shed are received for agreement by the Council prior to the first occupation of the flats. It is noted that the neighbouring property is concerned that the cycle store is not large enough. Policy T7 of the South Gloucestershire Local Plan requires 1 cycle storage space per unit. It is therefore considered that the shed as proposed is of sufficient size to accommodate two cycles.

Subject to the attachment of relevant conditions, it is not considered that the proposed conversion will have any significant or noticeable effect on the character of the area or design of the original property.

5.3 Residential amenity

A number of internal alterations are proposed. These include the demolition and reconstruction of the staircase and several internal walls. As is the case with all conversions from a single dwelling to flats, there is the possibility of noise transmission, which could affect residential amenity. However, the conversion works will also need to conform to the recent changes in Building Regulations, which requires much higher standards for the reduction of transmitted noise. It is not therefore considered that the proposed conversions work would have any detrimental impact upon levels of residential amenity.

It is noted that the neighbour is concerned that the floor layout does not provide a dining room or dining space. It is not a requirement of planning policy that residential units must have a dining space and thus there is no objection to the application on this basis.

The floor layout of the flats is considered to be acceptable with the living spaces above one another and the bedrooms above one another. This layout is considered to minimise any potential noise transmission increasing levels of residential amenity. Conditions will be attached to any consent granted to ensure that the flats are constructed as per the approved plans with the rooms in the places shown.

It is entirely accepted that the second bedroom in the ground floor flat is very small and that it will in fact be difficult to fit a single bed in the room. The agent has confirmed that this room is actually to be used as a study rather than a bedroom and thus is sufficient in size. The fact that the room is too small to be practicably used as a bedroom is not material in the determination of this application as the Council would have no objection to the ground floor flat being one bedroomed only.

5.4 Transportation Implications

One parking space would be provided per dwelling – one space in the existing detached garage and one space on the existing hard standing. The hard

standing will not be lost and will be retained for off street vehicle parking. The provision of two off street parking spaces to serve two flats (one 1 bed flat and one 1/2 flat) is in accordance with the Councils maximum parking standards.

The Councils highways department have been consulted and are satisfied that the proposal will have no adverse impact on levels of highway safety in the vicinity of the site. They are also satisfied that there is sufficient space on the existing hard standing to park a vehicle and store the wheelie bins. A condition will be attached to any consent granted to ensure that a space is marked out on the hard standing for the use of the first floor flat. No objection is thus raised to the application as it conforms to the standards in the South Gloucestershire Local Plan (Adopted).

5.5 Amenity space

It is considered that sufficient private amenity space has been provided to serve both flats. The concern of the local resident with regards to the fixed mild steel panel is agreed with by the Council. It is considered that this fixed panel would prevent the use of the front garden and would make access more difficult for service providers. A condition will thus be attached to any consent granted to ensure that this steel panel is not fixed but is instead replaced by a opening gate.

5.6 Other Issues

Financial concerns are not for consideration as part of this planning application. This application cannot consider if the conversion work is financially viable. Also, the existence of a drain is not for consideration as part of this application. This would be considered and assessed when a building regulations application is submitted. It is during the building regulations application that the foundations and other issues relating to the drain will need to be investigated and any issues overcome.

It is considered that the application is in full accordance with PPG3, which encourages a mix of housing types. Given that the majority of the surrounding units are all of similar size and design, it is considered that the addition of the two small flats subject of this application would add to the choice of housing in the immediate area.

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 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 That the application be approved subject to the following conditions;

Background Papers **PK06/3088/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 off-street parking facilities for all vehicles, including cycles shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason:

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

4. Prior to the first occupation of the flats hereby permitted, a parking space shall be marked out on the existing hardstanding with minimum dimensions of 2.4m x 4.8m. The space shall be marked out using white paint. This parking space shall be kept free of obstruction and free for the parking of one motor vehicle at all times 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 Policy T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the first occupation of the flats hereby permitted, detailed plans of the proposed cycle parking facilities (including elevations) shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason:

To 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.

6. Notwithstanding the submitted plans, pedestrian access shall be available at all times within the curtilage of the property along the western side of the dwelling. This may be secured via an opening gate but shall not be blocked off.

Reason:

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

7. The flats shall be constructed exactly in accordance with the approved plans. The internal floor layout shall remain as per the approved plans unless the local planning authority gives written consent to any variation.

Reason:

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

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

Reason:

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

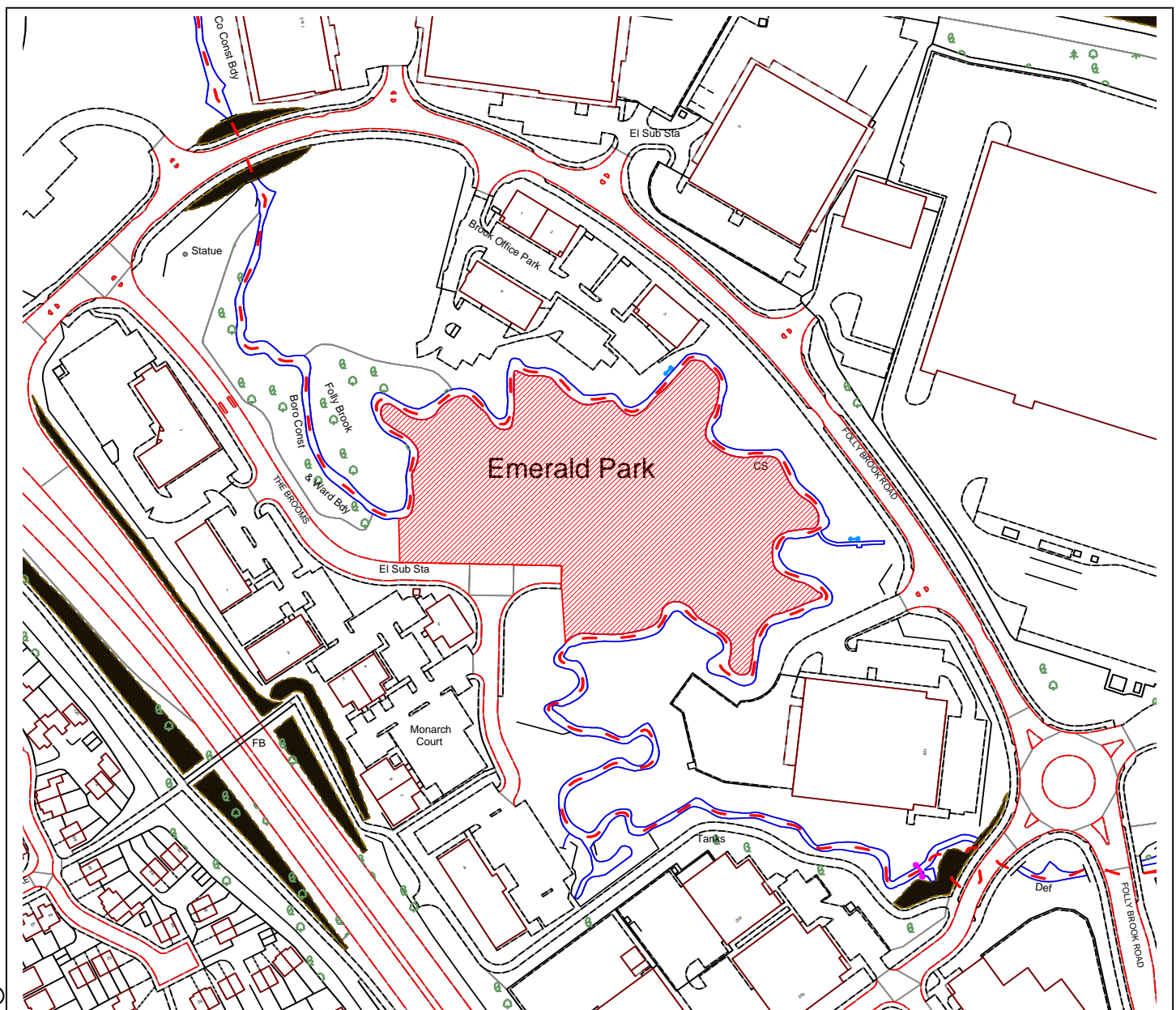
CIRCULATED SCHEDULE NO. 06/07 - 9 FEBRUARY 2007

App No.: PK06/3410/F

Applicant: Mr P Whiteside UK
Specialist HospitalsSite: Monarch Court Emerald Park Emersons
Green South GloucestershireDate Reg: 24th November
2006Proposal: Erection of three storey Independant
Sector Medical Treatment Centre (Class
C2) as defined in the Town and Country
(Use Classes) Order 1987 (as
amended). Erection of single storey
service compound, landscaping, car
parking and associated works.Parish: Mangotsfield Rural
Parish Council

Map Ref: 66579 78443

Ward: Siston



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1 N.T.S

PK06/3410/F

INTRODUCTION

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

1. DESCRIPTION

- 1.1 Full planning permission is sought for the erection of an Independent Sector Treatment Centre – a speciality hospital. The building would be 3-storeys - up to 16 metres in height with a total floorspace of 5,652m². The building would be finished in cedar louvre cladding over off-white plasticol covered metal steel sheet, white render and stained timber cladding. It would be centrally located within the site, and 106 car parking spaces would be provided to the east and west of the building.
- 1.2 A detailed landscaping scheme has been submitted.
- 1.3 Vehicular access to the development would be via the continuation of The Brooms, which already serves the units located to the south of the site. Pedestrian routes would continue into the site from The Brooms and a circular road layout within the site would provide access for emergency vehicles to all sides of the building.

Amended proposals

- 1.4 Since the application was originally submitted the application has been amended in the following ways:
 - Relocation of outbuildings and some car parking spaces to avoid the Folly Brook Corridor SNCI.
 - Agreement to contribute to significant public transport improvements.
 - Inclusion of living green roof on outbuildings.
 - Submission of detailed noise report.
 - Submission of SUDS information.
 - Relocation of cycle parking.
 - Inclusion of disabled car parking.
 - Agreement to a condition requiring BREEAM Very Good.

2. SITE AND LOCATION

- 2.1 The proposal relates to 1.33 hectares of land in the central part of Area B, Emersons Green. To the south west the site is bound by office development. Otherwise, the site is almost entirely surrounded by the Folly Brook, which is a Site of Nature Conservation Interest, (SNCI). Most of the site consists of rough grassland and it is bounded by dense, mature vegetation including a number of TPO'd trees.

3. APPLICANT'S SUPPORTING INFORMATION

- The application has been supported by the submission of an Ecological Assessment, Transport Assessment and detailed Planning Report with Design and Access Statement.

- United Kingdom Specialist Hospitals have been commissioned by the Department of Health to provide and operate an independent sector treatment centre (ISTC) in the South Glos area – one of six in the NHS south west area.
- This is part of a national programme by the Government to create high quality fast-track diagnosis and treatment centres.
- It is designed primarily to significantly reduce the waiting time for planned surgery, to increase patients' choice as to where their operation is carried out, as well as creating the facilities to carry out an additional 256,000 patient/treatments per year.
- Although run by the private sector the scheme is funded by the NHS.
- Shepton Mallet was the first such treatment centre which opened in 2005.
- The building will consist of three floors and accommodate four operating theatres and 31 beds, with associated facilities.
- The proposed ISTC will treat some 20,000 patients per year.
- The scheme will comprise both day surgery and in-patient surgery.

4. **POLICY CONTEXT**

4.1 National

PPS1	Delivering sustainable development
PPS9	Biodiversity and Geological Conservation
PPG13	Transport
PPG23	Planning and Pollution Control
PPG24	Planning and Noise
PPG25	Development and Flood Risk

4.2 Regional Planning Guidance

<u>RPG10</u>	<u>Regional Planning Guidance for the South West</u>
EN5	New Health Facilities
RC2	Flood Risk and Sustainable Development
RE6	Energy conservation measure in new development
<u>RSSIO</u>	<u>Draft Regional Spatial Strategy</u>
HE2 & HE1	Healthcare facilities

4.3 Joint Replacement Structure Plan

30	Safeguarded Employment Areas
24	Flooding

4.4 South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
E4	Safeguarded Employment Areas
L1	Landscape protection and enhancement
L8	Sites of Regional and Local Nature Conservation
L9	Species protection
L17	The water environment
EP2	Flood Risk and Development
EP4	Noise sensitive development
T7, T8 & T9	Cycle and car parking standards
T10	Travel Plans

T12 Transportation and DC
S2 Proposals for Health Provision
LC4 Community Facilities

5. **RELEVANT PLANNING HISTORY**

5.1 P92/4320:

In 1997 Outline planning permission (P92/4320) was granted for the development of B1, B2 and B8 uses on land within Area B Emersons Green. As part of this consent a detailed Master Plan was approved which established design principles to guide the submission of reserved matters applications. In addition there was an associated Section 106 Agreement which included the following two documents:

- Management Strategy for the Folly Brook Corridor
- Landscape Report

Since 1997, reserved matters applications have been approved and constructed on the majority of Area B.

5.2 The current application site has already been the subject of two reserved matters approvals, neither of which have been implemented:

PK00/0671/RM Erection of office development (3,826m²) (RM)
Approved July 2000

PK02/0988/RM Erection of 3 buildings for (B1) research and
development use (RM)
Approved 10.6.02

6. **CONSULTATION RESPONSES**

6.1 Mangotsfield Rural Parish Council

Recommend refusal. Land prone to excessive flooding (floodplain). Protection of wildlife.

Other Consultees

6.2 Highways Agency

Does not propose to give a direction restricting the grant of planning permission.

6.3 Environmental Protection

Originally stated: The construction and layout will need to ensure that internal noise levels meet appropriate guidelines and are suitable for the intended use. I would recommend that the applicant provides an acoustic report detailing how noise from traffic on adjacent roads and the motorway will affect the proposal, and how this will be mitigated if necessary.

A detailed noise report has now been submitted by the applicant. The Council's Environmental Protection Officer has now stated that the report considers the issue of noise both externally and internally, and in the light of the conclusions the EPO has no objections, with the caveat that the construction noise mitigation measures are carried out in accordance with the report.

6.4 Technical Services (Drainage)

Originally stated: Objection. Drainage details are required to demonstrate that the risks of flooding and pollution have been eliminated. The development lies within a flood zone as defined on the Environment Agency Section 105 flood maps. It is assessed as a Red Cell (High Risk).

The applicant has however now submitted a detailed Flood Risk Assessment (FRA) and SUDS information. The drainage issues are fully considered in the 'analysis' section of the report.

6.5 Environment Agency

The Agency originally objected on the grounds that the applicant has provided insufficient detail in the Flood Risk Assessment to enable the Agency to properly advise the LPA on the level of risk and the adequacy of the proposed mitigation. Further to the submitted FRA the EA have now withdrawn their objection subject to a number of conditions.

Other Representations

6.6 Local Residents

One letter has been received from an adjacent business, objecting to the proposal on the following grounds:

- The proposal equates to 400 patients per week, but there is an inadequate number of car parking spaces (109) to cope with this as well as staff and visitors.
- Increased traffic movements on the The Brooms (the only access road) – a narrow road.
- No sensible provision for public transport in the area. The nearest bus stop is 15 minutes walk away on Badminton Road. This service is supposed to run once an hour but sometimes does not turn up. The bus stop outside Sainsburys Distribution Depot is not serviced.
- Proposal out of keeping with existing office environments.
- Three storeys is inappropriate as adjacent development is 2-storeys.

7. ANALYSIS OF PROPOSAL

7.1 Principle of Development

The site is located within a Safeguarded Employment Area, as defined in the SGLP. The local plan makes it clear (para. 7.20) that employment uses comprise B1, B2 and B8 uses.

7.2 The proposed hospital use however falls within Class C2 of the Town & Country Planning Use Classes Order.

7.3 Policy E4 of the SGLP is therefore relevant as it states that planning permission will only be granted for non-employment purposes where it can be clearly demonstrated that:

A. THE PROPOSAL WOULD SUPPORT OR WOULD NOT PREJUDICE THE CREATION OR RETENTION OF EMPLOYMENT USES ELSEWHERE WITHIN THE DEFINED EMPLOYMENT AREA; AND

- B. NO SUITABLE ALTERNATIVE PROVISION FOR THE PROPOSAL HAS BEEN MADE ELSEWHERE IN THE PLAN; AND
 - C. IT CAN BE CLEARLY DEMONSTRATED THAT THE SITE IS NO LONGER CAPABLE OF OFFERING ACCOMMODATION FOR EMPLOYMENT PURPOSES; OR
 - D. IT CAN BE CLEARLY DEMONSTRATED THAT IT WOULD CONTRIBUTE TO A MORE SUSTAINABLE PATTERN OF DEVELOPMENT; OR
 - E. THE PROPOSAL WOULD PROVIDE A SIGNIFICANT IMPROVEMENT IN THE AMENITIES OF EXISTING NEIGHBOURING RESIDENTIAL OCCUPIERS.
- 7.4 A. *Employment uses elsewhere in the area*
- The proposal relates to a noise sensitive development. However, having regard to the submitted noise report (detailed below) and the fact that the site is relatively isolated from the surrounding employment uses by the dense vegetation of the Folly Brook corridor, the proposal would not be likely to stifle the operations of the surrounding adjacent existing or future employment development.
- 7.5 B. *Has suitable provision been made for the proposal elsewhere in the plan?*
- There are no allocated sites for health provision within the local plan apart from a health centre at Bradley Stoke. This is of a different scale to the current proposal and its not considered to be relevant.
- It is considered therefore that this criterion (b) is complied with as there is no provision elsewhere on the plan for the type of unit that is currently proposed.
- 7.6 C. *Is the site no longer capable of offering employment accommodation?*
- This criterion is not complied with as it is a vacant greenfield site that is clearly capable of offering employment accommodation.
- 7.7 D. *Can it be clearly demonstrated that it would contribute to a more sustainable pattern of development? (Transport Issues)*
- This considered by officers to be the most important criterion when assessing this particular application against Policy E4.
- 7.8 The proposal has been considered in terms of its accessibility. Vehicular access to the site is via The Brooms, which is an access off Folly Brook Road. Folly Brook Road which runs from the left in/left out junction on the A4174 Ring Road to Folly Brook Road/Westerleigh Road roundabout. Vehicular access to the site is considered adequate and the existing networks can satisfactorily accommodate the increase in traffic.
- 7.9 Access by non-car modes however is the key to consideration of whether or not the development would contribute to a more sustainable pattern of development.
- 7.10 Pedestrian and cycle routes to the site rely on the existing footway provision on the neighbouring roads. The Ring Road presents a barrier to pedestrian

movements, however there is a footbridge over it and a direct footpath link through existing development to the application site.

- 7.11 PPG13 – Transport – states that new health facilities should be planned to maximise accessibility by non-car modes of transport, whilst at the same time providing good access arrangements for emergency vehicles and those who need to use cars. In addition Policy LC4 of the SGLP requires proposals for community facilities within the existing urban area to be located on sites that are, or will be, highly accessible on foot and by bicycle.
- 7.12 The applicants Planning Statement and Transport Assessment appraises the cycle, pedestrians and public transport routes (and bus stops) as well as other community facilities relevant to the application (e.g. pharmacy) with the vicinity of the site. The following have been identified:
- Nearest Railway Station – Bristol Parkway, (4.7miles away).
 - Nearest Bus Stop – south of the A4174, approximately at the junction of Badminton Road/Wick Wick Close (5 minute walk). The bus stop is for the N. 342 service from Bristol City Centre to Chipping Sodbury, and has an approximate frequency of half hourly.
 - Nearest Community Facilities – Emerson Green District Centre (0.75 miles away = 1200m).
- 7.13 Officers have however measured the distance from the site to the nearest bus stop, which is approximately 500 metres ‘as the crow flies’ but the actual walking distance is approximately 700 metres. As a general rule of thumb, a 5 minute walking distance is accepted as 400m. The bus stop is therefore greater than 5 minute walk from the site.
- 7.14 Notwithstanding this, the length of the walk is not the most critical factor. Instead it is the quality of the walk. The environment in the vicinity of the site is not one that will be conducive to walking, because of the high volume of speed of vehicles (which create noise, pollution etc), as well as the lack of a traditional urban form of streets. Given the above, and the people that will be using the facility, it is therefore essential principle that the site be served by public transport with a frequent service.
- 7.15 The applicants/agents Transport Assessment notes that to enhance the attractiveness of sustainable travel modes several measures have been proposed including:
- Proposal to reroute the South Gloucestershire Bus and Coach Company 686 service along Folly Brook Road.
- 7.16 This is the two hourly service between Wotton-Under-Edge and Kingswood, via Sodbury and Yate. Whilst re-routing of the 686 service is considered feasible by the Council’s Transport Officer, it is considered that the details of this proposal such as frequency, actual routing, position of bus stops and costs must be agreed.
- 7.17 Moreover, the diversion of the service No. 686 alone would not cover the catchment area for the proposed hospital and hence other services must also be investigated.
- 7.18 The adopted Emersons Green East (EGE) Development Brief recommends two bus services (city centre and north fringe service) to run along Folly Brook

road. However, provision of these services in association with the development of EGE is some years away. In the meantime therefore it would be necessary to divert other bus services along Folly Brook Road, such as service Nos. 518- (Shirehampton to Emersons Green District Centre) , 533-(Keynsham to Staple Hill) and 48 or 49,- (Bristol to Emersons Green District Centre) as well as existing hospital services, for example, the Frenchay to Southmead service.

7.19 Without an improvement to public transport services to the site the proposal would be unacceptable and contrary to PPG13, and policies E4, D1 and LC4 of the SGLP.

7.20 The applicant has therefore agreed to a contribution of £100,000 towards the public transport enhancements noted above. Officers are happy that this is sufficient to make the changes necessary.

7.21 Subject to an appropriate legal agreement therefore to secure the above, the proposal is considered to contribute to a more sustainable pattern of development and complies with Policy E4 of the SGLP.

7.22 Other Transportation Issues

There are no specific guidelines in relation to car parking for a C2 hospital use, and maximum car parking is to be determined on merit. It is proposed to provide 106 car parking spaces on this site. Officers considered this to be only acceptable if the bus services to the site could be enhanced – as discussed above. However, in order to improve the situation, the applicant has now provided revised plans indicating an additional area of car parking (17 spaces) adjacent to the site and within the applicant's control. The Council's Transportation Officer is now satisfied with this level of car parking provision in conjunction with the proposed enhancement to public transport provision.

7.23 The revised proposal indicates an adequate level of disabled car parking spaces, as well as covered secure cycle parking close to the public and staff entrances.

7.24 Furthermore, the applicant has proposed a Commuter Plan and it is recommended that this is secured by condition.

7.25 Ecology

The site is encircled by the Folly Brook – a designated site of nature conservation interest (SNCI) and the designation covers both the channel and the associated woodland corridor. The Folly Brook Corridor Management Strategy was approved as part of the original Outline consent for Area B Emersons Green. This report sets out the required measures for the protection and enhancement of this corridor. It allows for the preservation of the stream within a 14-60m wide corridor, with the width varying due to the meander pattern and topography.

7.26 Although accompanied by an ecological report, the originally submitted proposal was unacceptable in both ecological terms and the approved Folly Brook Management Strategy. As originally proposed, the development encroached into the corridor, did not follow the recommendations of its own ecology report and did not provide adequate habitat for the numerous badger setts in the vicinity.

- 7.27 Revised plans have been submitted which remove any encroachment into the Folly Brook Corridor by either buildings or hard surfacing. A 3-metre wide mown strip for badger foraging would be provided as well as the planting of fruit trees for badger feeding. Furthermore, it is now proposed that living green roofs will be provided on the outbuildings and this would help towards mitigating for the loss of habitat on the site, as it will benefit numerous bird and invertebrate species.
- 7.28 The revised ecology report does however recommend a further reptile survey in spring 2007 is required, as the area is considered suitable for reptiles and amphibians. If a large population were discovered, translocation would be necessary. A further Kingfisher survey is also recommended for spring 2007.
- 7.29 The Council's Ecologist has confirmed that the revised proposals are acceptable and in compliance with the Folly Brook Management Strategy, subject to a condition requiring the additional ecological surveys to be undertaken in Spring 2007, prior to construction.
- 7.30 Urban Design
The *location* of the development, in terms of achieving sustainable development, has been dealt with earlier in this report under the consideration of transportation issues relating to Policy E4.
- 7.31 The site is surrounded by dense mature vegetation and its setting is provided by existing employment development at Area B. To the south of the access road – The Brooms – are rectangular office buildings of, two storeys and red brick with pitched roofs. Similar office development lies to the north of the application site. North of this, to the north of Folly Brook Road however is dominated by much larger buildings which are of a similar height to the current proposal (up to 16 metres). It is considered that the building will not represent the most prominent building on Area B. The three storey entrance atrium is intended to be the dominant element as the building is approached from The Brooms, and represents the only part of the site that is not obscured by trees.
- 7.32 The main three storey part of the building is constructed from prefabricated modular units, which are finished with cream coloured plasticol covered steel sheet. These will be mainly over-clad with a sustainably sourced external cedar louvre system. The glazed entrance atrium and the main modular building behind are linked at roof level by overhanging eaves. There are flat roofs to both the three storey and plant level parts of the building, however given the parapet and eaves details the roof is unlikely to be visible from ground level.
- 7.33 It is considered that the scale, siting and external appearance are acceptable in this part of Area B, and would result in a positive contribution to the rather bland appearance of the existing office development.
- 7.34 In terms of energy conservation the applicant has agreed to a condition requiring the development to achieve BREEAM 'very good' rating. The proposal is therefore considered to satisfactorily comply with Policy D1 of the SGLP.
- 7.35 Landscaping
As discussed under 'Ecology' the site contains a significant amount of existing mature vegetation associated with the Folly Brook Corridor. This also contains a number of TPO'd trees. The revised layout plans would ensure that this existing landscaping and natural habitat around the Folly Brook would remain

- undisturbed. A detailed landscaping scheme has been submitted which includes new tree planting around the proposed car parking areas in order to buffer the site activity. It is proposed to continue with largely native planting within the site, which is considered acceptable in this location.
- 7.36 The proposal is considered acceptable in landscape terms.
- 7.37 Drainage
The applicant has now submitted a detailed Flood Risk Assessment (FRA) in accordance with PPG25: Development and Flood Risk. It was carried out with reference to previous hydraulic studies of the Folly Brook catchment, a specifically commissioned topographic survey of the site and the current development proposals. Historically the previously approved office development on this site was subject to a condition (required by the Environment Agency) requiring finished floor levels at 44.3m AOD. This was based on the 100 year water level. However model runs for the FRA have indicated that greater flood levels may actually be applicable in this locality. The higher flood levels were used therefore in the FRA as a more stringent test and following the precautionary principle of PPG25 which includes provision for climate change.
- 7.38 The applicants have updated the hydraulic model of the Folly Brook since the original S105 study on which the Indicative Floodplain Map is based – this currently shows the site as within Flood Zones 3 & 2 – High Risk. The new topographic survey has given greater detail on the topography of the floodplain and indicated levels immediately adjacent to the left bank of the Folly Brook as 43.45m AOD and general ground levels enclosed by the meander of 43.7m AOD. It is considered that the proposed development would not be located within Zone 3a. The site would mostly be outside Zone 2 and most of it would be within Flood Zone 1.
- 7.39 The objections of the Environment Agency are therefore overcome by the FRA.
- 7.40 With regard to surface water, it is recommended that all surface water drainage is regulated to match the current greenfield performance of the site. Attenuation on site could be required as the current soil conditions appear to negate use of soakaways and swales. A drainage condition is required to secure sustainable urban drainage design (SUDS).
- 7.41 Noise and Amenity
The proposed development is noise sensitive and the applicants have now produced a detailed noise assessment. The Council's Environmental Protection Officer is satisfied with the conclusions of the report, subject to a condition requiring all the proposed construction mitigation measures to be fully implemented. There are no residential properties affected by the proposed and it is not considered to detrimentally affect any of the adjacent business occupants.
- 7.30 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).

7.31 Section 106 Requirements

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

8. CONCLUSION

- 8.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 8.2 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.

9. RECOMMENDATION

- 9.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into a Unilateral agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- (i) Contribution of £100,000 towards the provision of public transport facilities to Folly Brook Road including the provision of two bus stops on Folly Brook Road and the diversion of bus services via Folly Brook Road (including for example service Nos. 686, 518, 533, 48 49 and others including existing hospital services).

The reasons for the agreement are:

To provide an enhanced public transport service to the site.

Background Papers **PK06/3410/F**

Contact Officer: **Helen Ainsley**
Tel. No. **01454 863788**

CONDITIONS

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

Reason:

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

2. The building hereby approved shall be constructed in accordance with the methods of noise mitigation as detailed in the noise assessment dated 7 February 2007 hereby approved.

Reason:

To minimise disturbance to future occupants, in accordance with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. 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 occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

4. Prior to the commencement of any works on the site, including clearance, earthworks or development, a protective fence shall be erected along the boundary of the Folly Brook Corridor, as indicated on the approved Landscape Softworks Plan, Drawing No. 5042 193/4950/PI.

Reason:

To protect the Folly Brook Corridor in accordance with Policies L1, L8 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have the effect until the expiration of [1 year] from [the date of the occupation of the building for its permitted use].
 - a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].
 - b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the same place and that tree shall be of such size, species and shall be planted at such times, as may be specified in writing by the Local Planning Authority.

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, material and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

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

6. No development shall commence until further ecological survey work has been undertaken on the site in terms of reptiles and Kingfishers. Any required protection/mitigation/compensation measures resulting from the surveys shall be fully

implemented in accordance with a timetable to be agreed by the Local Planning Authority.

Reason:

To protect the wildlife and the ecological interests of the site, in accordance with Policies L8 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of the development hereby approved, a management plan for the Folly Brook Corridor and its protected species including badgers shall be submitted to and approved by the Local Planning Authority. All approved measures shall be fully implemented thereafter.

Reason:

To protect the wildlife and the ecological interests of the site, in accordance with Policies L8 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

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

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

Reason:

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

10. All surface water run-off from outside storage, parking or vehicle washdown areas shall pass through a properly constructed oil/ petrol interceptor or such other alternative system as may be agreed with the Local Planning Authority, before discharge to the public sewer, or other drainage system.

Reason:

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

11. Any oil or chemical storage tanks shall be surrounded by an impervious oil/watertight bund having a capacity of at least 110% of the tank and of a structural design approved in writing by the Local Planning Authority.

Reason:

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

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

Reason:

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

13. No development shall take place until a commuter plan has been submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use; or otherwise as agreed in the commuter plan.

Reason:

To encourage means of transportation other than the private car, to accord with Policies T10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. The development hereby approved shall be constructed to a BREEAM standard of 'very good'. A formal assessment pre-construction or following construction, shall be undertaken by a licensed BREEAM assessor and a copy of the assessor's report and certificate shall be submitted to the Local Planning Authority prior to the occupation of the building.

Reason:

In order to ensure that the development would incorporate measures to achieve energy conservation and the protection of environmental resources, in accordance with Policy D1 of the South Gloucestershire Local Plan (Adopted 2006).

15. The living green roof on the outbuildings hereby approved shall be designed and constructed in accordance with the specifications contained within the submitted ecological report dated 2 February 2007 hereby approved.

Reason:

In order to ensure that the development would incorporate measures to achieve energy conservation and the protection of environmental resources, in accordance with Policy D1 of the South Gloucestershire Local Plan (Adopted 2006).

16. The approved cycle parking facilities shall be secure and undercover.

Reason:

To encourage means of transportation other than the private car, to accord with Policy T10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

17. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have the effect until the expiration of [1 year] from [the date of the occupation of the building for its permitted use].

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].

b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the same place and that tree shall be of such size, species and shall be planted at such times, as may be specified in writing by the Local Planning Authority.

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, material and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

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

CIRCULATED SCHEDULE NO. 06/07 - 9 FEBRUARY 2007

App No.: PK06/3596/O

Applicant: Mr Morgan
Beaumont Homes
Ltd

Site: Land at Rear of 71-75 Westerleigh Road
Yate BRISTOL South Gloucestershire
BS37 4BN

Date Reg: 13th December
2006

Proposal: Erection of 6no. bungalows and 8no.
apartments (Outline) with layout and
access to be considered.

Parish: Yate Town Council

Map Ref: 70895 82135

Ward: Yate Central



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100023410, 2006.

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with the scheme of delegation for determining major applications.

1. THE PROPOSAL

- 1.1 This application seeks outline planning permission for the erection of 6no. bungalows and 8no. apartments and other associated works to construct areas of amenity space and off-street parking spaces.
- 1.2 As submitted, this application considers the principle of development, layout and means of access – all other matters for reserved for future consideration. However, as per the requirements of Circular 01/06, details of the scale parameters of the development have been submitted.
- 1.3 The application site comprises of land to the rear of No.'s 71, 73 and 75 Westerleigh Road. The stated site area is 0.33 hectares. The site is to be accessed from Westerleigh Road via an access road running between the existing residential properties of No's.73 & 75 Westerleigh Road.
- 1.4 This scheme follows 2 previous applications; PK05/3056/O - that received approval for 4no. bungalows and 2no. dwellinghouses and PK05/1553/O that sought consent for 8no. bungalows and 6no. flats and this was refused on the grounds of poor design and layout and a considered adverse effect on highway safety.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing
PPG13	Transport - Guide to Better Practice

2.2 Development Plans

Joint Replacement Structure Plan

Policy 31	Residential Development
Policy 33	Residential Development
Policy 59	Transportation Aspects of Development

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
EP1	Environmental Pollution
EP2	Flood Risk and Development
H2	Residential Development in Urban Areas
L9	Species Protection
L17/L17A	The Water Environment
LC8	Open Space and Childrens Play in Conjunction with New Residential Development
LC13	Public Art
T7	Cycle Parking Standards
T8	Parking Standards
T12	Transportation Development Control Policy

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/3056/O – Erection of 2no. detached houses with garages and for 4no. semi-detached bungalows with garages, means of access and siting to be determined: All other matters reserved. Approved subject to Section 106 Agreement 24/02/06.
- 3.2 PK05/1553/O - Erection of 8 no. bungalows and 6 no. flats (Outline) with siting and means of access to be determined: All other matters reserved. Refused planning permission on 08/08/05 for the following reasons:
1. By reason of the proposed access road running alongside the curtilages of No.73, No.75 and No.75 Westerleigh Road, the proposed scheme would represent an unacceptable form of backland development because of the likely adverse effect on the amenity of adjoining occupiers by reason of noise and disturbance. The proposed scheme is therefore contrary to Policies LP5 and LP71 of the Yate and Chipping Sodbury Local Plan and Policies H2 and H4 of the South Gloucestershire Local Plan Revised Deposit Draft (incorporating proposed modifications) March 2005.)
 2. By reason of its linear configuration and lack of proper street frontage, the proposed scheme is considered a poor design which also fails to relate to the prevailing street pattern. Therefore if allowed, the proposed development would appear as an poorly resolved incongruous development, out of keeping with its surroundings all to the detriment of the visual amenity and character of the surrounding area. The proposal is therefore considered contrary to the provisions of Planning Policy Statement 1, Planning Policy Guidance Note 3 and Policies D1, H2 & H4 of the South Gloucestershire Local Plan Revised Deposit Draft (incorporating proposed modifications) March 2005.)
 3. By reason of the configuration and limited amenity areas of a number of plots, the proposed development would result in a cramped form of development that would provide the occupiers of the relevant proposed units with a substandard level of residential amenity. The proposal is therefore contrary to Policy H2 and H4 of the South Gloucestershire Local Plan Revised Deposit Draft (incorporating proposed modifications) March 2005.)
 4. The proposal would lead to creation of a substandard junction with traffic to serve the proposed development. If constructed as proposed, the new junction would result in vehicles standing and manoeuvring on the Westerleigh Road a classified highway thereby interfering with safe and free flow of traffic on Westerleigh Road all to the detriment of highway safety and contrary to Policy T12 of the South Gloucestershire Local Plan Revised Deposit Draft (incorporating proposed modifications) March 2005.)
 5. The new access road is unsatisfactory to serve the proposed development and it does not comply with adoptable highway standards by reasons of inadequate road width, poor pedestrian facilities and insufficient off-street turning area for service vehicles. Such access, if created, would lead to additional highway safety conflicts all to detriment

of highway safety and contrary to Policy T12 of the South Gloucestershire Local Plan Revised Deposit Draft (incorporating proposed modifications) March 2005.)

6. In the absence of a Section 106 Agreement to secure contributions for the provision of public open space and library services, the proposal would result in a under provision of public open space and library services in the vicinity, and would therefore fail to conform to Policy LC8 & LC13 of the South Gloucestershire Local Plan (Revised Deposit Draft).
- 3.3 P93/2246 - Erection of 1no. bungalow (Outline) to the rear of 73 Westerleigh Road. Refused planning permission and refused on appeal on the grounds that the development would be without a proper road frontage which would cause unacceptable levels of disturbance to neighbouring residents and would have a detrimental impact on highway safety

4. CONSULTATION RESPONSES

4.1 Yate Town Council
No objections

4.2 Sustainable Transport

From the submitted plans submitted that two parking spaces are proposed for each of the bungalows. Ten parking spaces are proposed for the 8 apartments, twelve spaces are recommended, one space per apartment with four spaces for visitor parking. This would avoid parking congestion on the access lane or the surrounding highway network. The configuration of spaces 7 to 10 is considered unacceptable without a dividing margin around space 7.

The 'dog leg' turning area adjacent to parking space 10 needs to be lengthened by 3m to allow easier access for service vehicles.

As per the approval of PK05/3056/O, to mitigate against the impact of this development, a financial contribution would be required towards the enhancement of public transport facilities in the area.

In view of the higher density of both these applications, it is recommended that 2 x 2m service margins are provided along the whole access road.

It is noted from the plans that some of the garages proposed are double garages to be used by two different dwellings. The internal dimension of each garage, either the single garages or half of the double garages, should measure 2.75m x 5m. Parking spaces should measure 2.4m x 4.8m.

Subject to the above and the submission of revised plans showing the service margins, revised parking arrangements for PK06/3596 and revised turning areas for both applications, there are no highway objections to either of these proposals.

The following conditions are requested to be applied to any planning permission given on this site:-

1. Under an appropriate legal agreement, the applicant makes financial contribution of £1000 per dwelling towards enhancement of public transport facilities in the area.
2. Provision of a 5.5m wide road as per the plans submitted, constructed to an adoptable standard.
3. Provision of 2 x 2m service margins along the whole length of the access road.
4. All highway works to the new access on the public highway at the Westerleigh Road Junction shall be carried out to the full and final satisfaction of the Council's Streetcare Manager.

Other Representations

4.3 Local Residents

1no. consultation letter was received which expressed the following summarised views upon the scheme:

- Whilst there is no objection to the principle of the scheme, there is concern that the 50% increase in the scale of the development from that as previously approved will lead to an increase in noise and so any dividing fence or wall should be sufficient as to reduce the potential noise and disturbance; and
- As with the last scheme, the proposed fence would be approximately 1 metre from the trunk of an oak tree in our hedge to a new fence; and
- In order to protect the trees during construction, a new fence separating the the neighbouring property from the new development be erected on site before the works commence, as the position of the road is only a couple of metre away from neighbouring windows.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The principle of residential development on this site has already been established with the granting of the previous consent. The principle of the development is therefore considered acceptable in this instance subject to the following assessment of the criteria of Policy H2.

Layout, Density and Scale of Proposed Development

5.2 In looking at the previous two applications on this site, the second scheme was approved following a reduction in both the number of units and a reduction in the scale of the site, as the number of units came down from 14 (as proposed in PK05/1553/O) to 6 in the subsequent resubmission and the site decreased from a stated 0.3 hectares to 0.25 hectares.

5.3 In looking at the reasons behind the reduction in scale, the Officer's circulated schedule report (as reported on Circulated Schedule 07/06 – 17/02/06) states that with the original scheme, proposing 14no. units within a site of such scale and character resulted in an *“unacceptable cramped development....with its linear formation – a layout drawn from purely from maximising the use of the narrow configuration of the site with no real regard to design, the proposed scheme was considered overall poor design that possessed no integrity of its own nor any regard to the existing street pattern”* (para 5.5).

5.4 In considering the second scheme that was approved, it is noted that following a significant reduction in scale, the scheme for 6 units was considered to *“take the form of a more informal and modest development...considered to be in keeping with the semi-rural character of the site and the design of the existing*

residential developments in the surrounding area. In contrast to the previous scheme, each property will be afforded with a proper frontage and with an access road to an adoptable standard, it is considered that the proposed development will become an entity within its own right and opposed to the disparate design of the previous scheme” (PK05/1553/O).

- 5.5 Comparing the proposal under reference PK05/1553/O and the now proposed scheme, the total number of units proposed is the same and composition of the applications is also similar, although there are some slight differences in the layout of detached and semi-detached bungalows.
- 5.6 In view of the similarities between the scheme now proposed and the previous scheme that was refused, the same objections to the previous scheme can be applied to this proposal, in that the scheme represent poor design by virtue of its scale, layout and form.

Residential Amenities.

- 5.7 In considering the first scheme for 14no. units, the potential harm through noise disturbance was considered a primary concern and the previous appeal decision in 1993 added further weight to the argument.
- 5.8 However, following the reduction in scale from 14 to 6 units, it was considered that notwithstanding the appeal decision in 1993, in light of the reduced scale of the scheme; the applicant citing similar arrangements having been approved within the authority; and the ownership of the directly adjacent houses being in control of the applicant, any objection to the scheme on the same grounds as those cited in the Appeal decision in 1993 and subsequently used in the previous scheme would no longer be sustained.
- 5.9 Furthermore following the revisions made to the scheme, it is considered that each property will be afforded a proper frontage and with a more acceptable area of amenity space being provided, it is considered that the prospective residents will be afforded a sufficient level of residential amenity.
- 5.10 In now assessing the proposed scheme for 14 units, it is considered in the interests of the residential amenities of the existing neighbouring residents, the same objections as that of the original application (PK05/1553/O) are to be applied to this scheme. Moreover, granting approval for 6no. units was a carefully balanced and negotiated decision that considered the needs of the existing residential properties whilst allowing a reasonable level of development on this site that reflected the change in national guidance since 1993. It is therefore considered that this application is seeking to reverse the process that lead to the approval of PK05/3056/O. This could only be entertained if there had been a material change in circumstance, but with no such change considered, it is considered that no other decision could be reached but to recommend that this application is refused for the same reasons as PK05/1553/O.

Transportation – Means of Access

- 5.11 Although the proposed amendments could be incorporated into the scheme, due to the other objections, no revised plans to address the points made under part 4.2 of this report have been requested. Therefore an objection to the proposed scheme on highways grounds will be made, along with an refusal reason to address to need for Section 106 contributions if the applications is appealed.

Trees/ Ecology

- 5.13 There are no trees noted of significance on the proposed development site. There are therefore no objections to the proposed scheme on this basis.
- 5.14 Moreover, as per the previous scheme, the Council's ecologist has also suggested that a condition be attached requiring that a survey of the site is undertaken and submitted to the Council prior to development commencing to identify the presence of either slow worms or badgers.

6. CONCLUSION

- 6.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to 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 Planning permission is to be REFUSED for the following reasons:

Background Papers PK06/3596/O

Contact Officer: Robert Nicholson
Tel. No. 01454 863536

REFUSAL REASONS

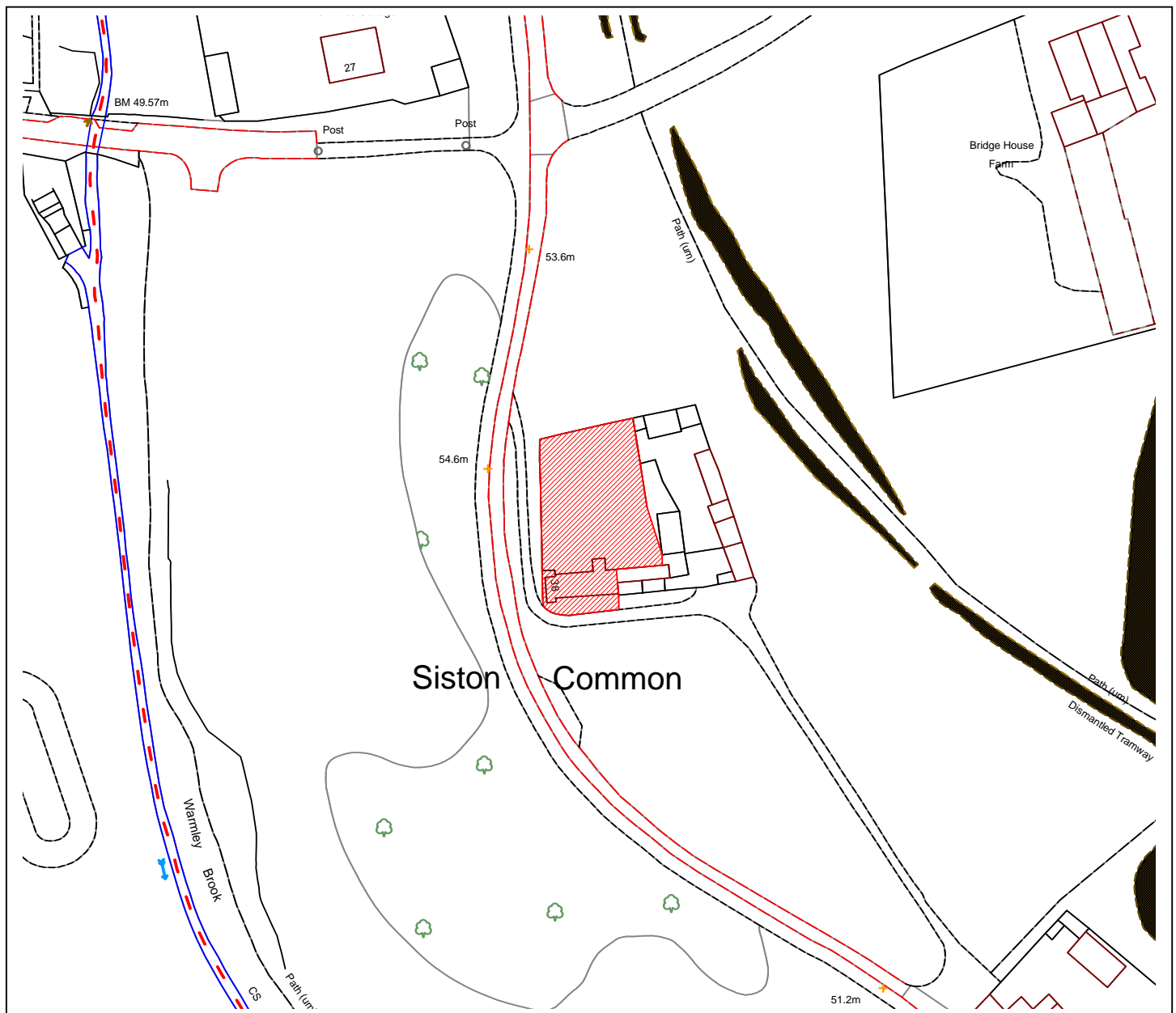
1. By reason of the scale of development and the proposed access road running alongside the curtilages of No.73, No.75 and No.75 Westerleigh Road, the proposed scheme would be likely to have an adverse effect on the amenity of adjoining occupiers by reason of noise and disturbance. The proposed scheme is therefore contrary to Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
2. By reason of its design, scale and layout, the proposed scheme is considered a poor design that if allowed, would appear as an poorly resolved incongruous development, out of keeping with its surroundings all to the detriment of the visual amenity and character of the surrounding area. The proposal is therefore considered contrary to the provisions of Planning Policy Statement 1, Planning Policy Guidance Note 3 and Policies D1, H2 & H4 of the South Gloucestershire Local Plan (Adopted) January 2006
3. The proposed access road is unsatisfactory to serve the proposed development and features insufficient off-street turning area for service vehicles and levels of off-street parking. Consequently if such an access were allowed, it would lead to additional highway safety conflicts, all to detriment of highway safety and contrary to Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006

4. In the absence of a Section 106 Agreement to secure contributions towards enhancement of public transport facilities in the area, the proposed scheme would fail to mitigate against increases in traffic generation and encouraging means of transport other than the private motor car, contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

CIRCULATED SCHEDULE NO. 06/07 - 9 FEBRUARY 2007

App No.: PK06/3629/F
Site: 38 Siston Common Siston BRISTOL
 South Gloucestershire BS15 4NZ
Proposal: Erection of two storey side extension to
 form additional living accommodation.
Map Ref: 66434 74308

Applicant: Mr & Mrs Sheppard
Date Reg: 15th December
 2006
Parish: Siston Parish
 Council
Ward: Siston



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N.T.S

PK06/3629/F

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a two-storey extension at 38 Siston Common, Siston. The proposed extension would measure 5 metres wide by 10.4 metres deep and 8.9 metres high.
- 1.2 The property is a two-storey detached dwelling and is within the Bristol-Bath Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans

Joint Replacement Structure Plan
Policy 1 Principles of Sustainable Development

South Gloucestershire Local Plan (Adopted) January 2006
L1 Landscape Protection and Enhancement
D1 Design
H4 Development within existing residential curtilages

- 2.3 Supplementary Planning Guidance
Advice Note No 1 Altering you home
Advice Note No 2 Extension

3. RELEVANT PLANNING HISTORY

- 3.1 P83/4115 (K4186) Conversion of single dwellinghouse to two self-contained flats, provision of car parking spaces.
Refused 11.07.83
- 3.2 P86/4692 (K4186/1) Change of use of part of builders yard to depot for small skip hire business
Refused 01.12.86
- 3.3 P96/4621 Erection of 1 no. 4 bed detached dwelling with attached garage
Refused 09.05.97
- 3.4 PK05/2731/F Change of use from workshop (Class B1) to Hairdressing Salon (Class A1) (Retrospective)
Refused 20.10.05
- 3.5 PK06/0251/F Change of use from workshop (Class B1) to Nail and Beauty Salon (Sui Generis)
Approved 03.03.06 (The history is related the building, which is outside the current application site, but within the applicant's ownership.)

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
The Parish Council objects the proposal, and it is felt that further development of the site, which is surrounded by common land would be a blot on the

landscape, following the controversial retrospective planning consent for change of use. The further intensification of traffic threatens recreational usage of the commons.

Other Representations

- 4.2 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 advise that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and the surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate private amenity space.

5.3 Design and character

The property lies to the east of Bristol/Bath cycleway and the site lies on a raised area of land.

The proposal is to erect a two-storey extension, which would be finished with matching natural stone in the front elevation and matching render in the side and rear elevation. The extension would have a pitched roof and the existing flat roof extension would be replaced.

It is considered that the proposed extension would be in keeping with the character and appearance of the principal dwelling and would not have a detriment impact upon the street scene.

5.4 Residential Amenity

The property is located adjacent to the Bristol/Bath cycle track and would be approximately 100 metres away from the nearest neighbouring property. All new windows would look over its garden or the cycleway. It is considered that the proposal would not cause significant overbearing impact nor loss of privacy to the neighbouring properties.

5.5 Sustainable Transport

The proposal is for two-storey side extension to an existing property.

The proposal, if allowed, it would increase the existing two-bedroom property to a four-bedroom accommodation but in essence, it still is a single house and hence, its traffic generation would not significantly be different to the existing dwelling.

There are no highway objections to this proposal however; it is recommended that the applicant provide two off-street parking for the development.

6. **CONCLUSION**

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

The recommendation to grant 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 **PK06/3629/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 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.

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

Reason:

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

4. Prior to the commencement of development, detailed plans showing the provision of two off-street parking shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the extension; and thereafter retained for that purpose.

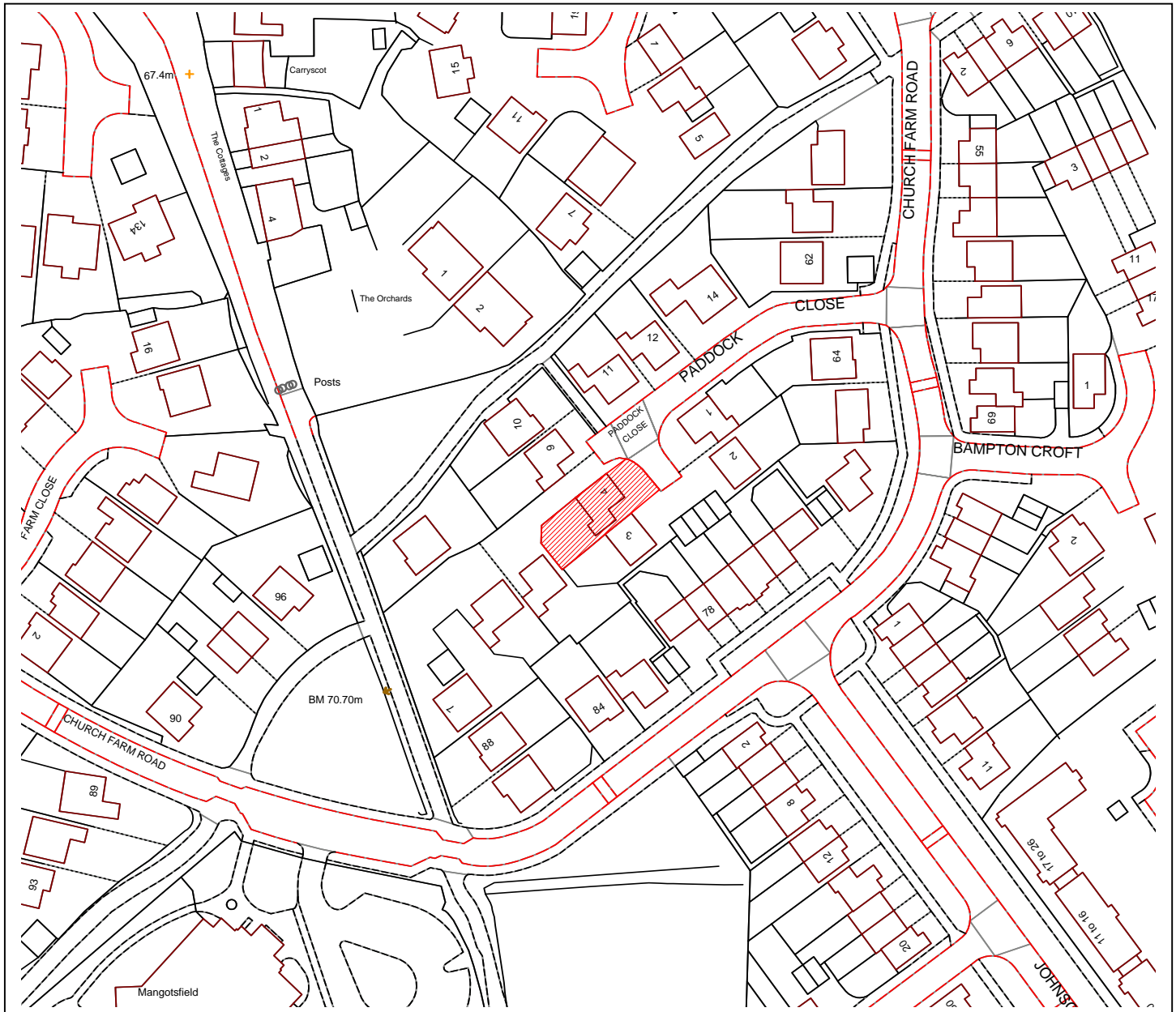
Reason:

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

CIRCULATED SCHEDULE NO. 06/07 - 9 FEBRUARY 2007

App No.: PK06/3668/F
Site: 4 Paddock Close Emersons Green
 BRISTOL South Gloucestershire BS16
 7BD
Proposal: Erection of two storey side extension to
 form enlarged garage and additional
 living accommodation.
Map Ref: 66987 76660

Applicant: Mr & Mrs D Guyatt
Date Reg: 21st December
 2006
Parish: Mangotsfield Rural
 Parish Council
Ward: Siston



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N.T.S

PK06/3668/F

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of local resident's objection.

1. THE PROPOSAL

- 1.1 This is a full planning application for the erection of a two-storey extension to the side of No. 4 Paddock Close, Emersons Green. The proposed extension would measure 2.8 metres wide by 7.2 metres deep and 7 metres high.
- 1.2 The property is a two-storey detached dwelling and is located within a residential area of Emersons Green.

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 PK01/1564/PDR Erection of rear conservatory
No objection 28.06.01

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No objection.

Other Representations

4.2 Local Residents

One objection letter was received and the local resident is concerned about layout and density of buildings, overbearing / loss of outlook.

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 extension to the side of the property and to provide a utility room and garage, and two bedrooms on the first floor. The proposed extension would be set back from the front building line by approximately 0.8 metres and would be slightly lower than the principal roof.

It is considered that the proposed extension would be subservient to the principal building and the design would be appropriate in this area. 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

No windows are proposed in the side elevation, and other proposed windows would look over its driveway or rear garden. It is considered that the proposal would not cause significant loss of privacy to the neighbouring properties.

The proposal would project beyond the adjacent dwelling by approximately 0.3 metres. Officers considered that the extension would not cause significant overbearing impact upon the adjacent occupiers.

5.4 Local resident's concerns

The local resident's concerns with regard to the density, layout and the outlook of the proposal have been considered, and officers feel that the proposal would not have detrimental impact upon the locality to warrant a refusal of this 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.

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 **PK06/3668/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 bricks to be used externally in the development hereby permitted shall match those of the existing building in colour and texture.

Reason:

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

CIRCULATED SCHEDULE NO. 06/07 - 9 FEBRUARY 2007

App No.: PK07/0109/F
Site: 105 Littledean Yate BRISTOL South Gloucestershire BS37 8UH
Proposal: Erection of two storey rear extension to form additional living accommodation. (Resubmission of PK06/1404/F).
Map Ref: 71493 81055

Applicant: Mrs M D Buckle
Date Reg: 12th January 2007
Parish: Dodington Parish Council
Ward: Dodington



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100023410, 2006.

N.T.S

PK07/0109/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of an extension to the rear of the existing property. The extension is to have a depth of 2.3 metres, a width of 6 metres, and a maximum height to the ridge of 6.4 metres. The extension will span the entire width of the existing dwelling and will incorporate a small parapet roof adjacent to No. 104 Littledean. There is an existing single storey rear extension on the property that will be demolished to make way for the extension as proposed.
- 1.2 The end-terraced property is set in a large housing estate of Radburn design. Surrounding the dwelling are other residential properties similar in nature. The majority of the dwellings have been extended in a variety of different ways. Indeed the neighbouring property No. 106 has an existing almost identical rear extension already in place that was approved in 2004.
- 1.3 This application is the resubmission of the previously approved scheme on the site reference PK06/1404/F. This previous application granted consent for an extension of exactly the same design but with a maximum depth of only 2.1 metres. Following site investigations and discovering that the drain is in a different place to where it was originally thought to be, the applicants now wish to increase the size of the extension slightly – this application is thus submitted to increase the depth of the previously approved extension by 200mm.

2. POLICY CONTEXT

- 2.1 National Guidance
PPG 1 General Policy and Principles
- 2.2 Development Plans

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK061404/F Erection of two-storey rear extension to form additional living accommodation.
Approved July 2006
- 3.2 N6567 Erection of single storey rear extension to provide additional living accommodation.
Approved May 1980

4. **CONSULTATION RESPONSES**

- 4.1 Dodington Parish Council
No response received

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 as follows:

- The extension will be oppressive, overbearing and overshadowing
- Concerns about parking issues
- It will devalue the neighbouring property
- The neighbour doesn't want to be overlooked
- Concerns about health risks during the construction period
- Will make the future letting of the neighbours property difficult
- Concerns over the foundations of the wall
- Concerns that the boundaries shown on the plans are not accurate
- Noise nuisance
- The neighbour does not grant access to their land

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development

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

- 5.2 Design/ Visual Amenity

The proposed extension meets an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. A material consideration in the determination of this application is the fact that the immediately adjacent property No. 106 Littledean has an almost identical rear extension already in place. Whilst being a large extension, the ridge of the new roof is to be kept below the ridge height of the original dwelling thus appearing suitably subservient. The pitch roof of the existing dwelling will be mirrored in the construction and is in keeping with the scale of the building. Matching face brick further contributes to its integration.

Whilst being located to the rear of the dwelling, due to the fact that the dwelling is on a Radburn style estate, the extension will be clearly visible from the highway. Given that an almost identical extension is visible on the neighbouring property, it is not considered that the extension subject of this application would have any detrimental impact on the character of the area of street scene. The design of the proposed extension is thus considered to be acceptable.

- 5.3 Residential Amenity

As a general rule of thumb, rear extensions to terraced properties are normally restricted to three metres in depth. In this instance however, because of the limited garden space available, it was considered that it is not appropriate to extend to three metres in depth. The extension as proposed thus has a limited

depth of only 2.3 metres. At this depth, it is not considered that the extension will result in any issues of overbearing or overshadowing for the neighbouring properties.

There are no windows proposed into the side elevations of the extension that could result in any issues of overlooking for the neighbouring property. In fact, it is actually considered that the level of overlooking will be reduced, as the attached property No. 104 Littledean will be afforded a greater level of privacy in their rear windows and the garden space immediately to the rear of the dwelling.

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

5.4 Transportation

The application proposes no alterations to the existing parking arrangements. Two off street parking spaces will still be provided to serve the extended 4 bedroomed property. This is in accordance with Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 and thus there is no objection to the application in terms of highway safety.

5.5 Other Issues

Issues of devaluation and ease of letting are not for consideration as part of the planning process. Other concerns, relating to the structural integrity of the walls will be considered at building control stage. Again, boundary disputes are Civil Issues that need to be resolved outside of the planning process. Nonetheless, an informative will be attached to any consent granted to remind the applicant that the granting of planning permission does not give the right to access land not in their ownership.

5.6 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (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 **PK07/0109/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.

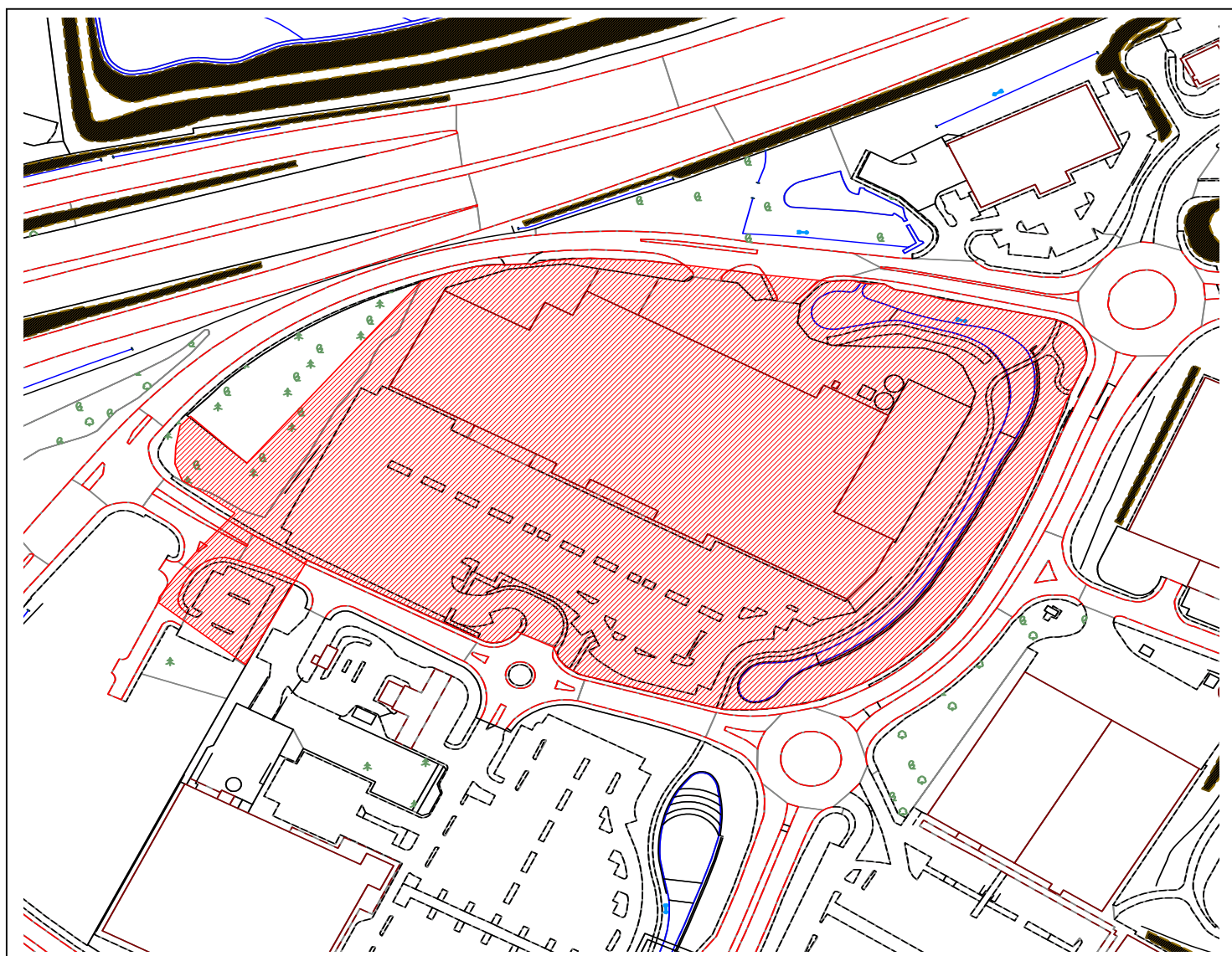
3. No windows other than those shown on the plans hereby approved shall be inserted at any time in side elevations of the extension hereby permitted

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. 06/07 – 9 FEBRUARY 2007

App No.:	PT06/0992/RVC	Applicant:	B & Q Properties Limited
Site:	B & Q Store, Lysander Road/Highwood Lane, Cribbs Causeway, BRISTOL BS34 5TS	Date Reg:	10th April 2006
Proposal:	Variation of Planning Conditions 9 and 10 attached to PT01/3354/F to allow the subdivision of existing retail unit to in order to provide a separate retail unit for the sale of bulky comparison retail goods. Alterations to the front elevation of the building to facilitate independant entrance.	Parish:	Almondsbury Parish Council
Map Ref:	58220 81219	Ward:	Almondsbury



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100023410, 2006.

DC0901MW

This application is on the Circulated Schedule as it constitutes major development.

1. THE PROPOSAL

- 1.1 This full application relates to affects the existing B&Q Warehouse located of Lysander Road, Cribbs Causeway allowed under the Secretary of State Decision APP/P0119/V/3/1114078 (South Gloucestershire Council Planning reference PT01/3354/F). This permission allowed for the erection of one retail unit, including garden centre, bulk goods depot, service yard, car parking, landscaping and highway works on land at Lysander Road/Highwood Lane, Cribbs Causeway. Condition 9 of the consent specifically prevented the sub-division of the premises to smaller units, whilst Condition 10 restricts the use of the premises to non-food retailing of building, DIY and associated garden products without the prior written consent of the Local Planning Authority.
- 1.2 The application effectively seeks to sub-divide the existing retail unit by way of the variation of conditions 9 and 10 of the Secretary of State Decision APP/P0119/V/3/1114078 (South Gloucestershire Council Planning reference PT01/3354/F). In this instance the bulky goods builders yard would be divided into 1 smaller retail unit and to allow for the sale of bulky comparison retail goods.
- 1.3 The approved building APP/P0119/V/3/1114078 (South Gloucestershire Council Planning reference PT01/3354/F) is now complete and the B&Q unit is now trading. The floor area of the B&Q warehouse store is approximately 11,306 square metres, the associated garden centre is approximately 2,787 square metres and the ancillary bulk goods depot (to which this application specifically relates) is approximately 1,858 square metres.
- 1.4 In support of the application the applicant's agent has submitted a supporting statement. The rationale behind the application is:
- **B&Q's operational requirements have been reviewed in response to a changing retail market and as a result the builders yard is no longer required to be operated directly by B&Q as part of the wider store. B&Q propose that this element of the retail store should trade separately, for restricted categories of comparison goods.**
 - **The application seeks to allow the builders yard to be divided into one smaller retail unit with a store size of 1858 square metres.**
 - **It is proposed to use this smaller unit for the sale of restricted categories of comparison retail goods.**
 - **In order to provide the retail unit within the original yard, the elevational treatment of the store will be amended slightly.**
 - **To accommodate the proposed entrance to the restricted categories of goods retail units, minor adjustments to the car and cycle parking and servicing will be necessary.**

2. **POLICY CONTEXT**

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS6	Planning for Town Centres
PPG13	Transport

2.2 Joint Replacement Structure Plan

Policy 2	Location of Development
Policy 39	Retail Provision at Cribbs Causeway
Policy 40	Location of Retail Development

South Gloucestershire Local Plan (Adopted) January 2006

T8	Parking Standards
T12	Transportation Development Control Policy for New Development
RT5	Proposals for Out of Centre and Edge of Centre Retail Development
RT6	Proposals for Retail Development at Cribbs Causeway, Longwell Green and Filton Abbey Wood Retail Parks

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT01/3354/F Erection of retail unit, including external garden centre, bulk goods depot (external), service yard, car parking, landscaping and highway works.
The application was called in for decision by the Secretary of State. It was subsequently granted planning permission (APP/P0119/V/3/1114078) on 9 March 2004.

4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council
No objection.

Other Consultees

- 4.2 Patchway Parish Council
No response received.

- 4.3 Sustainable Transport
No objections subject to the retention of the units for non-food retail only; the provision of cycle parking; and the retention of the service yard as a shared facility for the two units.

- 4.4 Wessex Water
No objection in principle.

- 4.5 Environment Agency
No comments.

- 4.6 Bristol City Council
No response received.

- 4.7 The Ramblers
No response received.
- 4.8 First City Line
No Objection.
- 4.10 National Air Traffic Services
The proposal has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS Limited has no safeguarding objections to the proposal.
- 4.11 Civil Aviation Authority
No comment.
- 4.12 Highways Agency
No objection but recommends that the occupants of the non-food retail unit produce and implement a Travel Plan.

Other Representations

- 4.13 Local Residents/businesses
1 letter has been received objecting to the proposal on the following grounds:-
- a) Conditions were imposed by the Secretary of State due to concerns about the potential impact of the retailing of goods other than within the narrow definition contained in Condition 10 could have on the vitality and viability of town centres within the catchment area;
 - b) The Secretary of State sought to ensure that the potential for impact to occur in the future was effectively controlled by precluding the physical subdivision of the unit and by precluding the sale of certain bulky and non-bulky goods;
 - c) The proposal is not for a continuation of the retailing of bulky goods from these units but for the widening of the range of comparison goods generally;
 - d) The applicants contend that this application is for the provision of 'bulky goods' – this is not the case given the range of goods the proposed modification will permit to be offered for sale within the unit;
 - e) The site was allocated for 'bulky' goods retailing – a position supported by the Secretary of State. This proposal will not be in accordance with this allocation or the position adopted by the Secretary of State;
 - f) Quantitative and qualitative need has not been assessed in relation to the range of goods which have the potential to be offered for sale (non-bulky comparison) or the scale of new non-bulky comparison floorspace proposed. The assessment has focused on bulky goods floorspace capacity only. This is not what is capable of implementation via this proposal;
 - g) The assessment of impact has not been addressed in relation to range of goods which have potential to be offered for sale (non-bulky comparison), or the scale of new non-bulky comparison floorspace proposed. The impact assessment has focused only on bulky goods floorspace, this is not what is capable of being implemented via this proposal;

- h) In relation to the sequential test the Inspector's consideration of sequentially preferable sites was in relation to the B&Q unit as a whole – not the smaller unit proposed as part of the application. The Inspector did not assess the appropriateness of providing non-bulky comparison goods in this locality;
- i) The proposed modifications to conditions 9 and 10 would allow the retailing of non-bulky comparison goods from part of the existing B&Q store.

5. **ANALYSIS OF PROPOSAL**

5.1 **Background**

The original application PT01/3354/F was submitted on the basis that B&Q required all the floor space for operational reasons i.e. that a smaller store was not practical given the qualitative need for customers to 'project shop' to meet all their DIY needs in one trip. The application was called in by the Secretary of State and this was the case put to the Inquiry on behalf of the applicant. This approach was accepted by the Local Planning Department and the application was subsequently approved by the Secretary of State (APP/P0119/V/3/1114078).

- 5.2 The B&Q Store to which the above application relates is now complete. Notwithstanding the above conclusions, this application is submitted on the basis that there is no longer a need to retain all of the floor space in one unit and that sub-division to provide an additional retail unit is now appropriate. The approved development under APP/P0119/V/3/1114078 (South Gloucestershire Council Planning reference PT01/3354/F) was conditioned so as to restrict the subdivision of the building to provide separate units (condition 9) and so as to restrict the types of goods sold to, DIY and associated garden products (condition 10).

5.3 **Principle of the Development**

The site is allocated under Policy RT6 of the South Gloucestershire Local Plan (Adopted) January 2006. In this instance there is a requirement to identify need and to undertake a sequential approach to site selection in accordance with the requirements of PPS6. Conditions 9 and 10 attached to APP/P0119/V/3/1114078 (South Gloucestershire Council Planning reference PT01/3354/F) imposed by the Planning Inspector reflect this requirement, and effectively prevent sub-division and restrict the type of goods sold so that any material change would itself fall to be assessed against the sequential approach. In considering whether to set those conditions aside or to amend them it follows that the tests are the same as if this were a wholly new development.

- 5.4 Officers are of the view that the sale of furniture is a materially different type of goods to more general DIY and associated garden products, and should be separately quantified and assessed. The applicant has submitted information that addresses the sequential approach, the need and the impact of the development upon the preferred retail locations (city/town centres and local centres). In this instance, the Local Planning Authority has engaged an independent planning consultant to provide a full and comprehensive assessment of the proposed development, paying particular attention to the issue of need and the sequential approach to site selection.

- 5.5 The findings of the independent planning consultant can be summarised as follows;

That a need for the introduction of a bulky furniture sales into the Cribbs Causeway Area has been demonstrated, the impact will be minimal and that there is no sequentially preferable sites that are suitable, available and viable for the proposed use.

The refusal of planning permission could not be justified in this instance.

A bulky goods condition should be imposed, setting out that the retail use shall be restricted to furniture and ancillary sales only.

- 5.6 Officers have carefully considered the advise provided and would accept the findings as outlined above. Subject to the imposition of a suitably worded condition restricting the type of goods sold; and the further subdivision of the units beyond that considered by this application, the proposed development is acceptable in principle.

- 5.7 Notwithstanding the above, it is necessary to consider the detail of the proposed development. This is addressed below.

5.8 Design and Accessibility

Policy RT6 provides the opportunity for new development at Cribbs Causeway to make a positive contribution towards improving non-car circulation within the retail park; and would make a positive contribution towards improving the physical and visual integration of the retail park; and would be accessible to public transport users, pedestrians, cyclists and those with special mobility needs. These principles are supported by Policy RT5 and Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 5.9 The proposed development includes amendments to the existing car park so as to create specific pedestrian circulation routes through the car park as well as links to the pedestrian route that provides walk-able routes between the main elements of the retail park at Cribbs Causeway. Further, the development would provide substantial improvements to the provision of parking spaces for disabled users and the provision of 12 'Sheffield' type cycle stands to the front of the proposed new retail unit. The detail of these specific elements are considered acceptable.

- 5.10 In visual terms, the development would introduce a new entrance portico centrally within the front elevation of the proposed new unit. This is designed to be very similar in scale and appearance to the existing building as a whole. This would also provide the space for the advertising signage relating to the occupier of the unit. It is considered that the design of this element is acceptable. Landscaping and planting has been provided on the site in accordance with the approved development under APP/P0119/V/3/1114078 (South Gloucestershire Council Planning reference PT01/3354/F). It is not expected that this would materially change as a result of this development.

- 5.11 Having regard to the above, it is considered that the proposed development would meet the requirements of Policy RT6 in visual and accessibility terms.

5.12 Residential Amenity

It is not considered that there would be any material impact upon the privacy and residential amenity of the occupants of nearby dwellings as a result of this development.

5.13 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon the highway safety of the surrounding locality. Policy T8 provides the maximum parking standards.

5.14 The proposed development would result in a very minimal reduction in the number of parking spaces available within the immediate site. It is not considered that there would be a material increase in the number of vehicular movements in this area as a result of this development proposal. Even with the minimal reduction in parking spaces, it is considered that there is sufficient parking on this site, and the surrounding area to deal with the traffic that would be generated by visits to the proposed retail unit.

5.15 The provision of deliveries to the unit would be carried out via the existing access to the rear of the building. This is shown as a shared access and is considered to be sufficient to cater for the requirements of the proposed development.

5.16 Having regard to the above, it is considered that the proposed development is acceptable in transportation terms.

5.17 Section 106 Requirements

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

6. CONCLUSION

6.1 In accordance with Section 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 **PT06/0992/RVC**

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

CONDITIONS

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

Reason(s):

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

2. Notwithstanding the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting those Orders with or without modification) the separate unit as shown as area 'B' within drawing number DJ/54861/03 (as received by the Council on 22nd May 2006) shall only be used for the sale of bulky furniture goods and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 2005 (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason(s):

The development would take place within an 'out-of-centre' retail park where it is necessary to restrict the nature of goods sold in order to protect the vitality and viability of city, town and local shopping centres; and to comply with Policy EC06 of the Regional Planning Guidance for the South West Region (RPG10), Policies 38, 39 and 40 of the Joint Replacement Structure Plan, policies RT5 and RT6 of the South Gloucestershire Local Plan (Adopted) January 2006; and PPS6

3. The separate unit as shown as area 'B' within drawing number DJ/54861/03 (as received by the Council on 22nd May 2006) shall not be further subdivided in order to form smaller units unless the Local Planning Authority gives prior approval in writing.

Reason(s):

The development would take place within an 'out-of-centre' retail park where it is necessary to restrict the nature of goods sold in order to protect the vitality and viability of city, town and local shopping centres; and to comply with Policy EC06 of the Regional Planning Guidance for the South West Region (RPG10), Policies 38, 39 and 40 of the Joint Replacement Structure Plan, policies RT5 and RT6 of the South Gloucestershire Local Plan (Adopted) January 2006; and PPS6

4. Notwithstanding the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting those Orders with or without modification) the separate unit as shown as area 'A' within drawing number DJ/54861/03 (as received by the Council on 22nd May 2006) shall not be used for any purpose other than non-food retailing of building, DIY and associated garden products, and uses ancillary thereto.

Reason(s):

The development would take place within an 'out-of-centre' retail park where it is necessary to restrict the nature of goods sold in order to protect the vitality and viability of city, town and local shopping centres; and to comply with Policy EC06 of the Regional Planning Guidance for the South West Region (RPG10), Policies 38, 39 and 40 of the Joint Replacement Structure Plan, policies RT5 and RT6 of the South Gloucestershire Local Plan (Adopted) January 2006, PPS6; and to comply with the Secretary of State Decision under APP/P0119/V/3/1114078.

5. The separate unit as shown as area 'A' within drawing number DJ/54861/03 (as received by the Council on 22nd May 2006) shall not be further subdivided in order to form smaller units unless the Local Planning Authority gives prior approval in writing.

Reason(s):

The development would take place within an 'out-of-centre' retail park where it is necessary to restrict the nature of goods sold in order to protect the vitality and viability of city, town and local shopping centres; and to comply with Policy EC06 of the Regional Planning Guidance for the South West Region (RPG10), Policies 38, 39 and 40 of the Joint Replacement Structure Plan, policies RT5 and RT6 of the South Gloucestershire Local Plan (Adopted) January 2006; and PPS6

6. The alterations to the off-street parking and pedestrian circulation facilities (for all vehicles, including cycles) (as shown on the plan 07-002 210 rev A as received by the Council on 31st January 2007) shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason(s):

In order to ensure that adequate marking is in place to highlight to the drivers of motor vehicles that there are pedestrian priority crossings in place within the car park in the interest of public safety and to accord with Policy D1, T12 and RT6 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Notwithstanding the submitted details (as shown on the plan 07-002 210 rev A as received by the Council on 31st January 2007) further details demonstrating the methods by which the marking of the alterations and the new footpath on the circulation area of the car park shall be carried out.

Reason(s):

In order to ensure that adequate marking is in place to highlight to the drivers of motor vehicles that there are pedestrian priority crossings in place within the car park in the interest of public safety and to accord with Policy D1, T12 and RT6 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. All planting, seeding or turfing comprised in the details of landscaping as approved by the Secretary of State under APP/P0119/V/3/1114078 (dated 9th March 2004) shall be carried out during the first season planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason(s):

To ensure a satisfactory standard of external appearance and to accord with Policy D1 and RT6 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

To ensure a satisfactory standard of external appearance and to accord with Policy D1 and RT6 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

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

11. All surface water run-off from outside storage, parking or vehicle washdown areas shall pass through a properly constructed oil/ petrol interceptor or such other alternative system as may be agreed with the Local Planning Authority, before discharge to the public sewer, or other drainage system.

Reason(s):

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

12. No development shall take place until a Waste Management Audit has been submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:

(a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.

(b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.

(c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.

(d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.

(e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

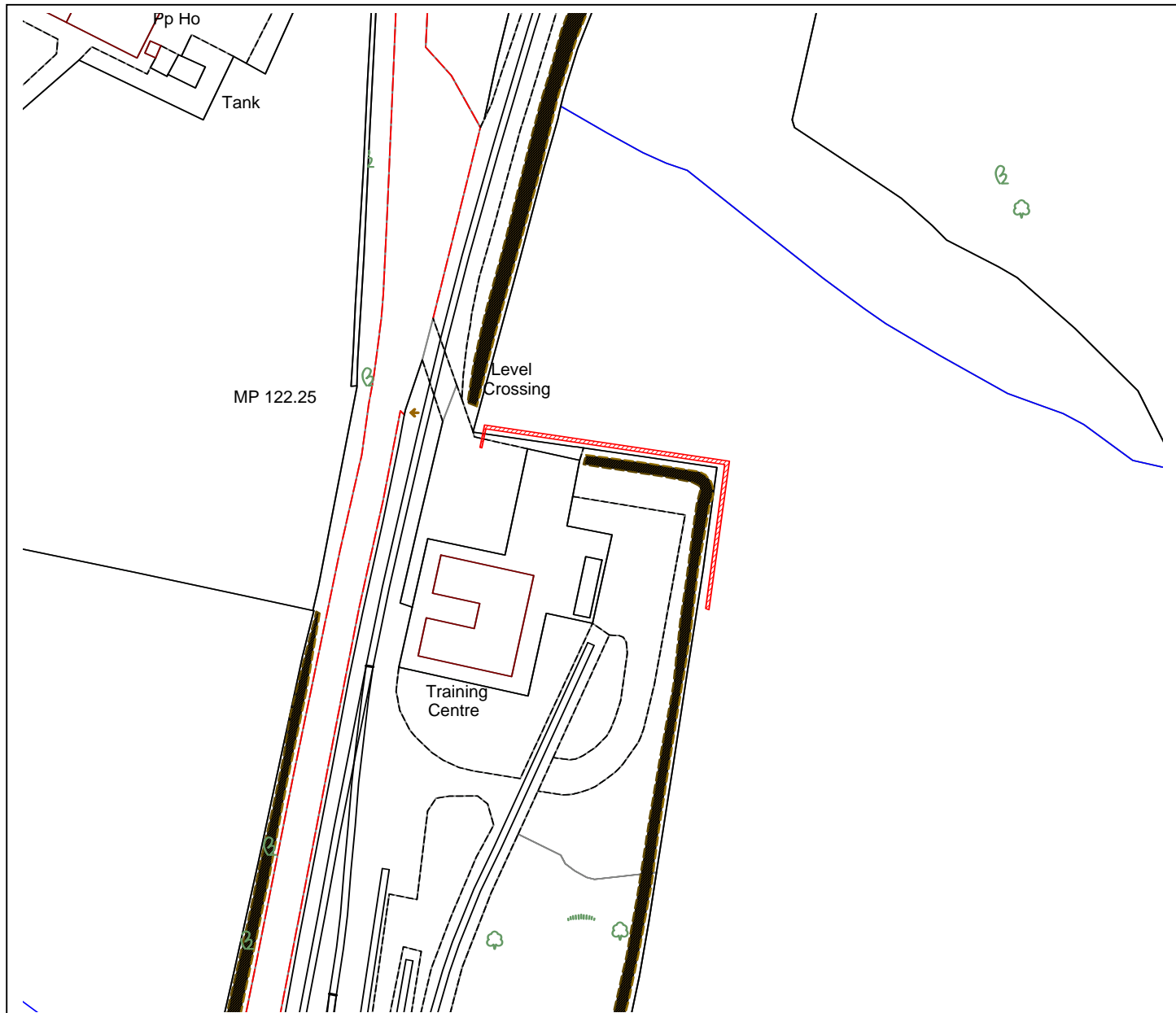
13. Development shall be carried out in accordance with the agreed details.

Reason(s):

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

CIRCULATED SCHEDULE NO. 06/07 – 9 FEBRUARY 2007

App No.: PT06/1084/FDI	Applicant: Network Rail
Site: Network Rail Training Centre Westerleigh BRISTOL South Gloucestershire	Date Reg: 19th April 2006
Proposal: Diversion of footpath LWE 63.	Parish: Westerleigh Parish Council
Map Ref: 69298 78660	Ward: Westerleigh



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N.T.S

PT06/1084/FDI

This application appears on the Circulated Schedule as it relates to a Footpath Diversion.

1. PROPOSAL

- 1.1 Application is made under Section 257 of the Town & Country Planning Act 1990 for the diversion of 79 metres of public footpath LWE63 where the definitive Public Rights of Way Map shows the route crossing the Westerleigh Rail Head Branch Line and continuing through land currently occupied by Network Rail immediately adjacent to that railway line.
- 1.2 This application is submitted in accordance with Section 257 of the Town & Country Planning Act 1990 in that it is required to divert the subject public right of way in order to enable approved development to be carried out under PT06/1000/F. The proposed route follows the actual route in place on the ground that crosses the Westerleigh Rail Head Branch Line over an existing crossing and continues, via a 'kissing' gate into the adjacent field and along the outside of the north boundary of the Network Rail Site; along 20 metres of the outside of the east boundary of the Network Rail Site before rejoining the definitive route.

2. POLICY CONTEXT

- 2.1 National
Circular 04/2001: Public Rights of Way
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
LC12 – Recreational Routes

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/1000/F Demolition of existing buildings to facilitate erection of single storey training centre, welding area, associated car parking and works. Erection of 2.4 metre boundary fence. (Class D1 as defined in the Town and Country Planning (Use Classes) Order 2005)
Approved subject to Condition 27th September 2006.

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No Comments Received
- 4.2 The Ramblers Association
Comment that there is not sufficient information to indicate whether there would be an objection. The association further comments that they would expect the public right of way (LWE 63) to maintain its directness and unobstructed for public use.
- 4.3 Sustainable Transport
No highway safety implication; no objection to the diversion of the Public Right of Way (LWE 63).

Other Representations

4.4 Local Residents

One response has been received. The comment advises that no details of the proposed diversion have been forwarded to local residents for comment, and as such the comments made by the Ramblers Association are relevant.

5. ANALYSIS OF PROPOSAL

5.1 The proposed diversion is submitted in order to enable approved development for the replacement of the existing Westerleigh Rail Training Centre under PT06/1000/F as detailed in paragraph 3.1 of this report. The definitive Public Rights of Way Map shows the route of LWE 63 crossing the Westerleigh Rail Head Branch Line and continuing through the north east corner of Westerleigh Training Centre. However, the actual route on the ground crosses the existing level crossing before continuing into the adjacent field and along the north and part of the east boundary of the Westerleigh Training Centre Site. This route has been in place for a considerable length of time and appears well used and is well maintained as such. Indeed, the existing kissing gate giving access to the Public Right of Way as it enters the field was installed in 2006 in recognition of the actual route, replacing the previous stile.

5.2 The effected length of LWE 63 as shown on the definitive Public Rights of Way Map is approximately 79 metres in length. The actual route in place is approximately 99 metres in length. Essentially, it is considered that the amenity of the route is not materially affected by this difference in length. Further, given the nature of the activities within the Westerleigh Training Centre, it is considered that the actual route is preferred to the definitive route in the interests of public safety and the amenity of the route as a whole. The fact that the actual route has been used and maintained as such for a considerable period of time, without apparent objection or complaint prior to the submission of this application would also indicate that the actual route has been 'accepted'. The actual route is considered adequate in terms of universal access.

5.3 The Council's Public Rights of Way Officer has indicated that there is no objection to the proposed diversion. The proposal is therefore considered to adequately address the situation on the ground and is necessary in order to enable the approved development under PT06/1000/F. The proposal is therefore in compliance with Section 257 of the Town & Country Planning Act 1990, Circular 04/2001 and Policy LC12 of the South Gloucestershire Local Plan (Adopted) January 2006 as the utility and amenity of the existing route would not be unduly adversely affected.

5.4 Other Issues

Comments have been made raising concern as to the insufficient information submitted with this planning application; and that the plans etc have not been forwarded to local residents during the consultation process. Essentially, the purpose of the site notice posted at this site is to notify local residents and interested parties of the proposed diversion. In addition, the Ramblers Association were notified directly. The Local Planning Authority does not provide plans etc with this notification, rather the notification provides the location of where the plans etc can be viewed. In this instance, officers are satisfied that the proposed route as detailed upon the submitted plans is an accurate representation of the actual route as it exists on the ground.

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 That no objection be raised to the proposed diversion, subject to satisfactory signage being provided.

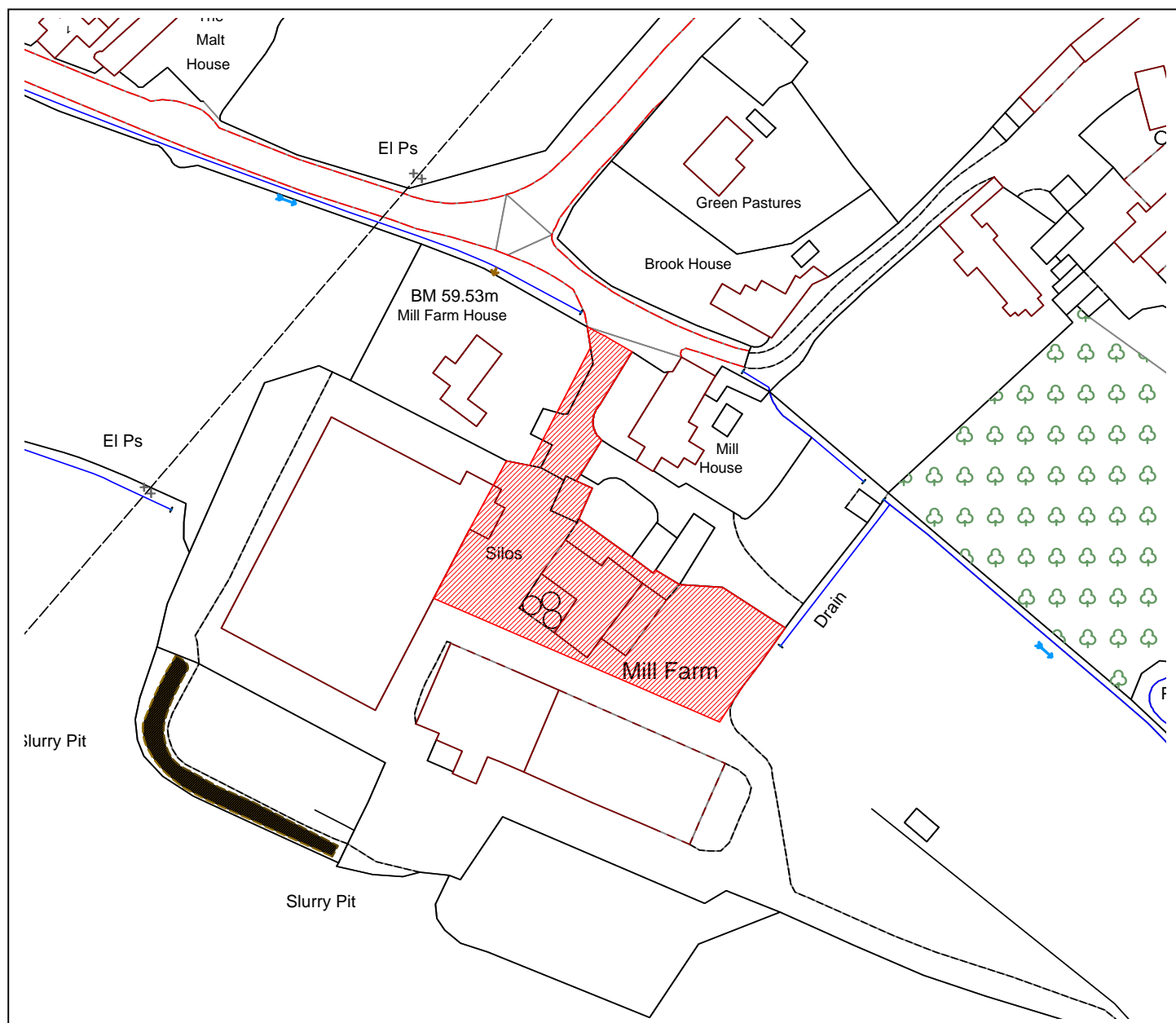
7.2 That the Head of Legal & Democratic Services be authorised to make an Order under Section 257 of the Town & Country Planning Act 1990 for the diversion of 60 metres of public footpath LTO 13 and the provision of a new footpath: B to C as indicated on the submitted plans, subject to the new footpath being 2 metres wide and being made available for use once the existing path is obstructed, and adequate signage being provided.

Background Papers **PT06/1084/FDI**

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

CIRCULATED SCHEDULE NO. 06/07 – 9 FEBRUARY 2007

App No.: PT06/2201/F	Applicant: Messrs D E & R Pearce
Site: Mill Farm Tytherington WOTTON UNDER EDGE South Gloucestershire GL12 8QB	Date Reg: 26th July 2006
Proposal: Conversion and alterations to roofline of existing barns (A and B) for use as office accommodation	Parish: Tytherington Parish Council
Map Ref: 67247 88062	Ward: Thornbury South



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 100023410, 2006.

N.T.S

PT06/2201/F

This application appears on the Circulated Schedule following the receipt of objection letters from the Parish Council and local residents.

1. THE PROPOSAL

- 1.1 The application seeks full planning approval for the conversion of two derelict barns to provide office accommodation.
- 1.2 The application site forms Mill Farm positioned at the far eastern end of Duck Street (at its junction with Stidcot Lane), Tytherington. The application site is located south east of the Tytherington settlement boundary and beyond the Green Belt. It also sits outside of the Tytherington Conservation Area.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development

PPG4: Industrial and Commercial Development and Small Firms

PPS7: Sustainable Development in Rural Areas

PPG13: Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

E3: Criteria for Assessing Proposals for Employment Development

E6: Employment Development in the Countryside

E7: Conversion and Re-use of Rural Buildings

T8: Parking Standards

T12: Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 N4416: Erection of dairy complex and associated external works. Permitted: 6 July 1978
- 3.2 P96/2525: Erection of agricultural workers dwelling & cubicle shed. Permitted: 28 May 1997

4. CONSULTATION RESPONSES

4.1 Tytherington Parish Council

The Parish Council raises an Objection on the following grounds:

- Access- traffic entering the site is required to make a right turn at the bottom of Duck Street, which is a dangerous blind corner. This would seriously increase the risk of an accident;
- Traffic- the amount of vehicle movements proposed would seem to be a conservative estimate and it is considered that the increased traffic would be inappropriate in such a location.

4.2 Other Consultees

Conservation Officer: no objections subject to the following conditions:

- The roof structures should be retained in their current form;
- A detailed specification of all renovation works should be submitted;

- The timber door behind building b should be restored and retained;
- The rooflights to building b should form conservation style rooflights;
- The wall along the north boundary should be retained and repaired.

4.3 Sustainable Transport

No objection- subject to the following planning condition:

'The verge occupying the corner on the north side of the carriageway opposite the site access and for a distance of least 60 metres to the north east shall be maintained as a visibility splay. No planting or built form greater than 0.9 metres in height shall be allowed within this splay'.

Other Representations

4.4 Summary of Local Residents Concerns:

Four letters received (three households) expressing the following concerns:

- The need for farmers to diversify is recognised but there has been much recent building work at Mill Farm;
- Vehicular movements are underestimated;
- Widening the access road can not be justified- the largest of Mill Farms machinery can negotiate this corner whilst these works will encourage increased speeds at this corner;
- This is a rural location, lighting proposals should be discrete and kept to a minimum;
- Car parking to the right of the entrance should be screened to protect the farm/ rural environment;
- Building work should take place between 9 – 5 Monday to Friday;
- Building works should respect the historical grouping of nearby houses;
- Windows in building A overlook the neighbouring property;
- The skylights on building A should be repositioned to the north roof slope;
- The boundary line of the entrance to Mill Farm/ Mill House is inaccurate;
- If granted, a condition should be imposed preventing continuous nighttime lighting and any audible external alarm system.

In addition, the occupier of the adjoining Mill House raises no objection to the conversion of building B.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

National Planning Guidance supports the principle of the conversion and re-use of former agricultural buildings. Further, as stated within PPS7 (Sustainable Development in Rural Areas), the 're-use for economic development purposes will usually be preferable' (para 17).

5.2 Policies E6 & E7 of the South Gloucestershire Local Plan reflect this guidance supporting the principle of the re-use of former agricultural buildings. In the case of policy E7, this cites that planning permission will be granted provided:

- The buildings are of permanent construction and structurally sound capable of conversion without major or complete reconstruction; and
- The buildings are in keeping with their surroundings in terms of character, form, bulk and overall design; and

- Development, including any alterations, intensification or extensions would not have a harmful effect on the character of the countryside or the amenities of the surrounding area.
- 5.3 Concerning policy E6, this advises that proposals for employment development outside of the existing urban and settlement boundaries will not be permitted unless the works involves the conversion and re-use of an existing rural building. Further, development will only be permitted if it does not have an unacceptable impact on the environment, residential amenity or in terms of traffic generation.
- 5.4 The Proposal
The proposal seeks permission for the conversion of two redundant agricultural buildings to provide office accommodation. These buildings form traditional stone structures and are located within an historic farm setting within the curtilage of the neighbouring locally listed Mill House. The buildings comprise a cattle shed located centrally amongst the existing cluster of farm buildings (Building A) and a smaller workshop to the front of the site (Building B).
- 5.5 Structural Condition of Buildings
Both buildings are local vernacular style barns with random rubble walls and clay tiled roofs probably dating from the early 19th century. It is considered that both are in reasonable condition despite evidence that the south gable wall of building B has previously collapsed or been removed. However, this has now stabilised and thus it is considered that this policy criterion is satisfied.
- 5.6 Visual Amenity
Local Plan policy requires that buildings (to be converted) be in keeping with their surroundings in terms of character, form, bulk and overall design. Further, any alterations or extensions should not have a harmful effect on the character of the countryside or the amenities of the surrounding area whilst the building should be well related to an existing settlement or other group of buildings.
- 5.7 Building A comprises the larger of the two buildings and is positioned relatively centrally within the farm complex fronting the service yard. It currently benefits from a number of modern extensions (comprising corrugated enclosures to the front and rear and side block work additions) that would be removed whilst existing openings would be used for doors and windows. Such would provide a large glazed entrance to the front with full floor to ceiling height glazing behind.
- 5.8 Internally, these works would facilitate the creation of four rooms at ground floor in addition to toilet and kitchen accommodation. At first floor, space is more restricted by virtue of the rear lean-to thus galley style facilities are proposed with a bridge overlooking the central thoroughfare below. As such, and with the recent additions removed, it is considered that the proposal would enhance the appearance of the building thus the works are considered to be acceptable.
- 5.9 Building B is smaller and positioned adjacent to the service yard entrance to the front of the farm complex and next to the adjoining Mill House. It fronts the yard area with a single first floor door and external staircase leading down to the garden area of Mill House.
- 5.10 Having regard to this structure, existing openings would be utilised although a new window within the profiled steel cladding of the front gable would be provided in addition to two velux. Accommodation would comprise a small

- office and larger office/ workshop area at ground floor with studio/ office space above. Toilet and kitchen facilities would also be provided at ground level.
- 5.11 Finally, the existing service yard would be utilised to provide parking facilities with this proliferated across the site against existing buildings. It is considered that such would help to offset its visual impact and ensure that it would not be readily prominent when viewed from beyond the application site.
- 5.12 In the light of the above, the proposals are considered to be acceptable and in compliance with this policy criterion.
- 5.13 Highway Safety
Access to the application site is provided on the outside corner of a sharp bend along Duck Street (a classified highway). However, visibility from the access is considered to be acceptable having regard to the likely speed of approach.
- 5.14 Further, if the verge on the northeast side of the highway is maintained, there is an acceptable level of inter-visibility between vehicles approaching from the northeast and those turning right into the site. As such, a condition is required to ensure the retention of the visibility splay at this corner and for a distance of at least 60m to the northeast is required.
- 5.15 In summary therefore, this is a small-scale proposal utilising existing buildings that would have necessitated associated traffic generation that might have involved larger vehicles. Further, speed is reduced by the highway alignment. As such, there is no transportation objection to this proposal subject to the aforementioned planning condition.
- 5.16 Residential Amenity
All properties are positioned at an appreciable distance from the two buildings with the exception of Mill House; the former farm house prior to the construction of the existing dwelling opposite.
- 5.17 Mill Farm adjoins the application site along its flank boundary with the rear wall of building B built on the boundary; in this regard the redundant external steps fall within this adjoining garden area outside of the application. Nonetheless, whilst these steps and the door would remain, the main access to the building would remain from the front. As such, it is not considered that permission could be withheld on this basis with an access arrangements considered to comprise a private matter between the applicant and this neighbour.
- 5.18 In addition to the above, there would be no new openings within the rear of this building whilst the size and scale of building 'a' would be significantly reduced with only three narrow windows facing this neighbouring property. As such, it is not considered planning approval could be reasonably withheld with no significant adverse impact in residential amenity caused.
- 5.19 Section 106 Requirements

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

preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT06/2201/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. All new external and internal works and finishes, and works of making good, shall match the existing original building in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

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. The roof structures (i.e. trusses, purlins and rafters) of both buildings shall be retained in their current form unless agreed in writing by the Local Planning Authority.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No development shall take place until there has been submitted to and approved by the Local Planning Authority a detailed specification of all renovation works.

Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The existing timber door at first floor level on the rear elevation of building B shall be retained and restored.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No windows other than those shown on the plans hereby approved shall be inserted at any time into either building.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy D1, E6 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The two new rooflights on the side elevation of Building B shall comprise 'conservation' style rooflights, installed flush with the roof tiles. The manufacturer's detailing and modelling number should be submitted and agreed in writing prior to the commencement of development.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The verge occupying the corner on the north side of the carriageway opposite the site access and for a distance of at least 60m to the north east shall be maintained as a visibility splay. No planting or built form greater than 0.9m in height shall be allowed within this splay.

Reason(s):

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

9. 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 D1, L1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. 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 occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason(s):

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

11. Details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to and approved in writing by the Local Planning Authority before the development commences. Development shall be carried out in accordance with the approved details.

Reason(s):

To minimise disturbance to occupiers of Mill House and to accord with Policy E3 and E6 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. All new external rainwater and soil pipes shall be formed in cast metal and painted black.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. The stone/ concrete block wall along the north boundary of the site should be removed and repaired (using matching stone and lime mortar on the stone section).

Reason(s):

To maintain and enhance the character and setting of the buildings, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

15. Notwithstanding the fencing details shown on drawing 7028/1, the identified 'solid panel vertical boarded fence' shall comprise a timber post and rail fence (1.2m in height).

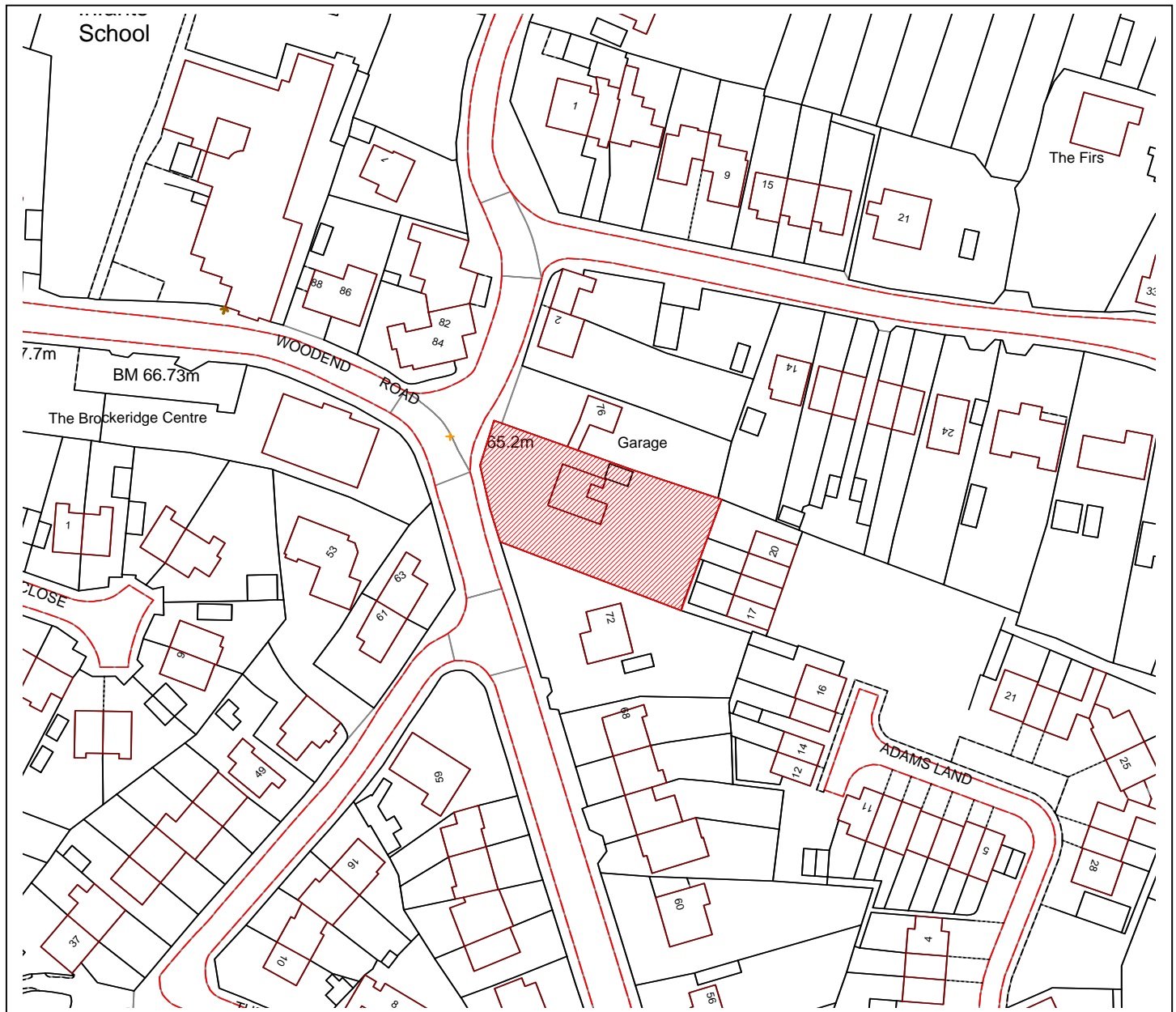
Reason(s):

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

CIRCULATED SCHEDULE NO. 06/07 – 9 FEBRUARY 2007

App No.: PT06/2375/F
Site: 74 Woodend Road Coalpit Heath
 BRISTOL South Gloucestershire BS36
 2LH
Proposal: Demolition of existing dwelling to
 facilitate erection of 3no. dwellings with
 associated works
Map Ref: 67383 81251

Applicant: Mr A R Cake
Date Reg: 11th August 2006
Parish: Frampton Cotterell
 Parish Council
Ward: Frampton Cotterell



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 100023410, 2006.

N.T.S

PT06/2375/F

This application is on the Circulated Schedule due to objections raised by neighbouring resident and the Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of three dwellings on land at 74 Woodend Road, Frampton Cotterell. The application includes a new access point onto Woodend Road.
- 1.2 The site has an area of approximately 1100sqm. It is proposed to erect one detached dwelling facing onto Woodend Road, a further detached dwelling would be set back approximately 20 metres from Woodend Road, along with two detached similar in design towards the rear of the site. Each dwelling has two off-street parking facilities. At present, there is one bungalow on the site
- 1.3 As part of the development it is proposed to delete the existing access onto Lower Stone Close and provide a new access point onto Woodend Road.

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 Sustainable Development Objectives
Policy 2 Location of Development
Policy 33 Housing Provision and Distribution
Policy 34 Re-use of Previously Developed Land
Policy 35 Housing Density

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development
H2 Proposals for Residential Development within the Existing Urban Area and Defined Settlement Boundaries
H4 Development within the Residential Curtilage
T12 Transportation Development Control Policy for New Development
L17 The Water Environment
EP1 Environmental Pollution

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant to site
- 3.2 Adjacent to site PT06/0260/O Demolition of commercial garage and hairdressing salon to facilitate erection of four new dwellings on 0.13 hectares of land (Outline). Means of access and siting to be considered (in accordance with amended plans received by the Council 24 May 2006) Approved with conditions subject to signing of a section 106.

- 3.3 At rear of site PT00/2063/F Erection of 30 dwellings with associated access and landscaping. Approved with conditions, section 106 signed.

4. **CONSULTATION RESPONSES**

Two periods of consultation have been carried out to take account of the reduction of the proposed development from four dwellings to three.

- 4.1 Frampton Cotterell Parish Council
Objection- over intensive, and transport concerns (*consultation response to four dwellings. No response has been received in relation to the development of three dwellings*)
- 4.2 Other Consultees
- Technical Support
No objection subject to an informative is added promoting the use of Sustainable Drainage and surface runoff.
- 4.3 Sustainable Transport
No objection subject to the introduction of 'build-outs' at the junction with Woodend Road and Lower Stone Close.

Other Representations

- 4.4 Local Residents
3 emailed responses have been received. These can be summarised as follows
- The proposed development would have a detrimental impact upon the residential amenity of the occupants of nearby dwellings.
- The existing dwelling should not be demolished as this is a waste of resources.
- The construction of four dwellings will mean that the village will become cramped and will lose its rural atmosphere.
- The proposed development is out of context with the surrounding locality by virtue of its height
- New buildings should be in a style and colour to enhance the old properties to the north of the site
- There is no reference to the 5 dwellings built by this developer in close proximity to the site
- This part of Frampton is being over-developed.
- There has been no investment in highways infrastructure
- The development will have an impact upon water pressure, electricity supply, sewerage and drainage and would generate more traffic

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of the erection of 3 dwellings on this site which is an existing residential curtilage located within the development limits associated with Frampton Cotterell, Winterbourne and Coalpit Heath.
- 5.2 Principle of Development
Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is relevant to this planning application. The policies indicates that the proposed development is acceptable subject to the following considerations.
- 5.3 Housing Density
The site has an area of approximately 1100sqm. The density of the proposed development equates to approximately 27 dwellings per hectare. This figure is below the minimum required as part of Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 and advocated within PPS3.
- 5.4 The initial submission detailed the introduction of 4 dwellings on this site; which equates to approximately 36 dwellings per hectare (above the minimum threshold of 30 dwellings per hectare). However, in addressing the density proposed it is necessary to consider the constraints within the context of this site. In particular there is the requirement to consider the specific impact upon highway safety as a result of any development on this site. In this instance, it is considered that, given the highway constraints, the development of three dwellings on this site is the maximum number compatible with the site; and the development at 27 dwellings per hectare is acceptable in this instance. The highway safety issue is considered in more detail below.
- 5.5 Design and Residential Amenity
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that a high standard of design is achieved as part of new development. This principle is supported by Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006. Both Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 seek to ensure that new residential development would not have a detrimental impact upon the privacy and residential amenity of the occupiers of nearby dwellings.
- 5.6 The site is located within an area characterised by a very wide variety of dwellings in terms of scale, size and form. The existing dwelling on this site is not considered to be of any architectural merit or specific value to the visual amenity of the surrounding locality. The proposed development details three dwellings on this site. A single, double fronted dwelling is proposed to be located on the frontage of the site with Woodend Road/Lower Stone Close with the remaining two dwellings proposed to be position towards the rear of the site. The dwellings are modest and display characteristics that are consistent with the character and visual amenity of the surrounding locality. The rear elevations of the two dwellings to the rear of the site are approximately 19 and 21 metres away from the nearest dwelling on Adams Land. This distance is considered sufficient to allow the occupation of the dwellings without causing a material impact upon the privacy and residential amenity of the occupants at Adams Land. Further, there is sufficient separation within the development to allow sufficient levels of amenity to occur.

- 5.7 Having regard to the above, it is considered that the proposed development is well designed and would not have a detrimental impact upon the character and visual amenity of the locality; nor the privacy and residential amenity of the occupants of nearby dwellings.
- 5.8 Drainage
There is no specific drainage information submitted with this planning application. However, it is considered that there is sufficient capacity in the locality to adequately deal with the proposed development. Nonetheless, in order to ensure that the drainage of the site is dealt with in accordance with the requirements of Policy L17 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006 a suitably worded condition is appropriate in this instance.
- 5.9 Transportation
Policy T12 seeks to ensure that new development would not have a detrimental impact upon highway safety and amenity. Policy T8 provides the maximum parking standards for new development.
- 5.10 The initial submission proposed 4 dwellings on this site. This was considered too high given the nature of the highway at this location and that it was likely that the development would cause unacceptable harm to highway safety as a result of insufficient parking on site. However, the reduction of the proposed development to three dwellings would allow sufficient parking on site to cater for the requirements of the development, and is now considered acceptable.
- 5.11 Notwithstanding the above, it is considered that the nature of the nearby junction of Woodend Road and Lower Stone Close and its proximity with the proposed access to the site is such that the access would be substandard. However, with minimal improvements in the form of 'build-outs' at this junction, it is considered that this issue can be overcome. Such works can be required by way of a suitably worded condition attached to any consent of this planning application.
- 5.12 Subject to the imposition of the above condition, it is considered that the proposed development would provide sufficient off-street parking and would not have a material impact upon highway safety in this locality.
- 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

That the planning permission is granted subject to the following conditions:

Background Papers **PT06/2375/F**

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

CONDITIONS

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

Reason(s):

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

2. Prior to the commencement of the development hereby approved, full details demonstrating the method of 'build-out' alterations to the junction of Woodend Road with Lower Stone Close shall be submitted to and approved in writing by the Local Planning Authority. The 'build-out' alterations shall be implemented in accordance with the agreed details, prior to the commencement of the residential development hereby approved and shall be retained as such, unless the Local Planning Authority agree to any variation in writing.

Reason(s):

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

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan 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.

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

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

Reason(s):

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

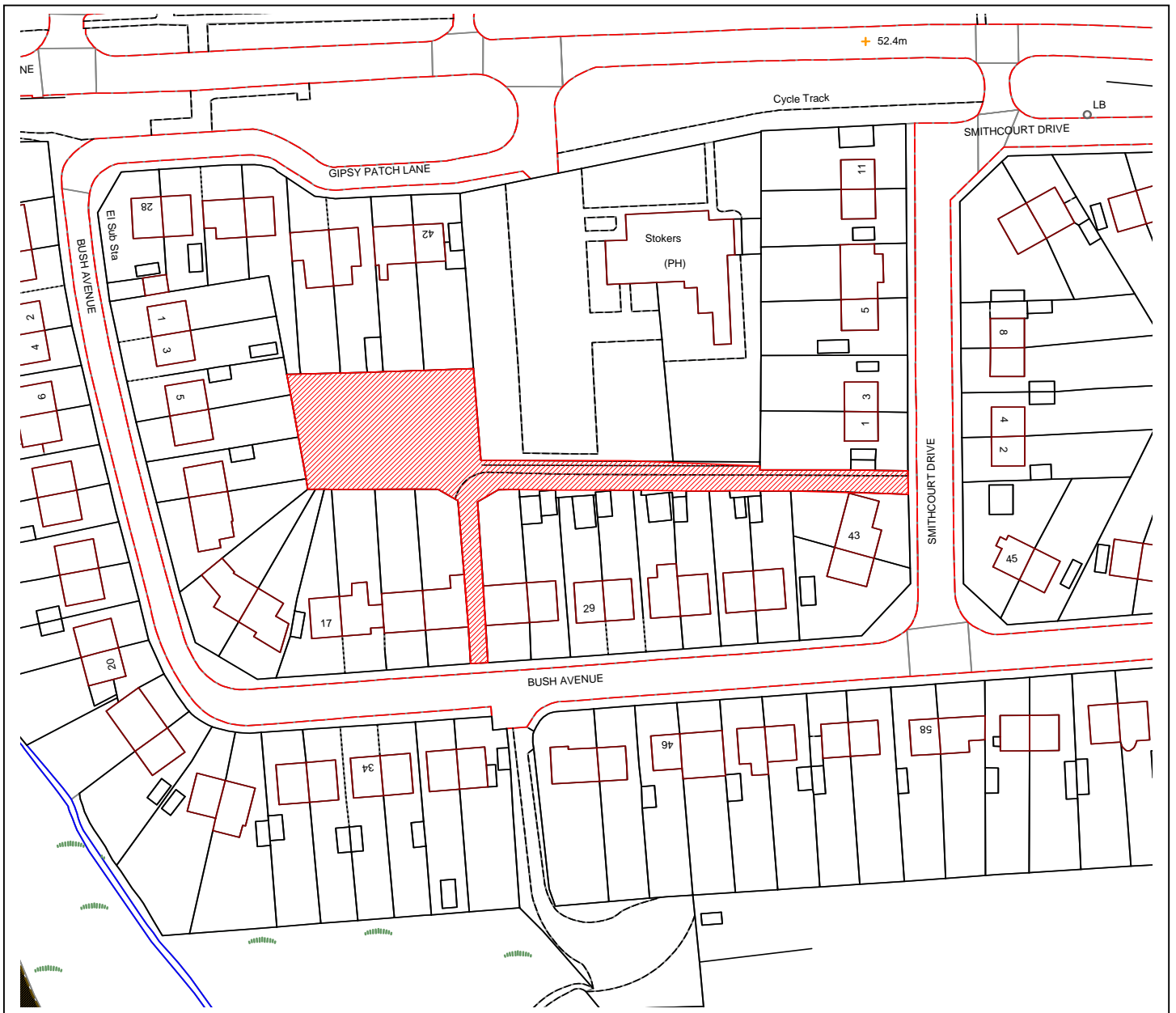
5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection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

Reason(s):

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

CIRCULATED SCHEDULE NO. 06/07 – 9 FEBRUARY 2007

App No.: PT06/3359/F	Applicant: Mr K Webb
Site: Land off Bush Avenue Little Stoke BRISTOL South Gloucestershire	Date Reg: 20th November 2006
Proposal: Erection of 2 no. dwellings on 0.1 hectares of land.	Parish: Stoke Gifford Parish Council
Map Ref: 61367 80469	Ward: Stoke Gifford



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 100023410, 2006.

N.T.S

PT06/3359/F

INTRODUCTION

This planning application report appears on the Circulated Schedule as there have been objections raised by the Parish Council

This site has been subject of nine planning applications prior to this submission. The most recent and more relevant of those planning applications are outlined below.

PT03/0112/O sought outline consent for the erection of two single storey dwellings on this site. This was refused under delegated authority by Officers on 26th February 2003. However, the decision was appealed (APP/P0119/A/03/1122855). The appeal was allowed and conditional outline consent was granted on 28th January 2004 for the development of two dwellings on this site.

Subsequently, PT04/1510/O sought outline consent for four dwellings on this site. This application was refused by The Development Control (West) Committee on 24th June 2004. No appeal has been lodged with respect to that decision.

A further submission, immediately prior to this under PT04/3531/O sought outline consent for 3 dwellings on this site. This application was refused by the Development Control (West) Committee. The subsequent appeal (APP/P0119/A/05/1176032) was dismissed.

1. THE PROPOSAL

- 1.1 The site consists of a small plot of land (approximately 0.1 hectares) surrounded by the rear of properties on Bush Avenue and Gipsy Patch Lane (including the car park relating to Stokers Public House). Access to the site is via two back lanes leading from Smithcourt Drive and Bush Avenue. The access from Bush Avenue is currently blocked by vegetation and is flanked on either side by domestic development relating to 23 and 25 Bush Avenue. The access from Smithcourt Drive also gives access to private garages relating to properties fronting onto Bush Avenue. The site itself is neglected and unused.
- 1.2 This application seeks full planning consent for the erection of two single storey dwellings with dedicated vehicular turning and parking. The proposed access is provided via an 'in only and out only gated access system' from Bush Avenue and Smithcourt Drive and is identical in principle to that approved by the previous planning application appeal APP/P0119/A/03/1122855 relating to PT03/0112/O for the erection of two dwellings on this site. The siting of the dwellings is such that they would form an 'L' shape enclosing a small parking area.

2. POLICY CONTEXT

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H2	New Residential Development within the Urban Areas or Village Development Boundary
T12	Transportation Development Control Policy for New Development
T8	Parking Standards

2.3 Supplementary Planning Guidance

Draft South Gloucestershire Design Checklist, September 2006

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|-------------|---|
| 3.1 | N4427/1 | Erection of pair of semi-detached bungalows and alterations to vehicular access (outline)
Refused |
| 3.2 | P88/3515 | Erection of two detached bungalows and garages and alterations to existing vehicular and pedestrian access (outline)
Refused |
| 3.3 | P89/2272 | Erection of detached single storey dwelling and double garage (outline)
Section 106 not completed |
| 3.4 | PT00/2324/O | Erection of detached bungalow and garage
Approved with conditions |
| 3.5 | PT02/2267/O | Erection of two bungalows with garages
Refused |
| 3.6 | PT02/0696/F | Erection of new 4 bedroom dwelling with attached garage
Approved with conditions. |
| 3.7 | PT03/0112/O | Erection of 2 dwellings
Refused; later approved on Appeal |
| 3.8 | PT04/1510/F | Erection of 4 dwellings
Refused |
| 3.9 | PT04/3531/O | Erection of 3 no. bungalows on 0.1 hectares of land. (Outline).
Refused; subsequent appeal dismissed. |

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

Object to the proposed development. The footprint does not appear to be that which was submitted in the indicative outline plan

- 4.2 Sustainable Transport
No Objection

Other Representations

- 4.3 Local Residents
No Comments received

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of the erection of two dwellings upon this site with associated access works.

- 5.2 Principle of Development
The development of this site for two dwellings and the construction of a specific 'in only and out only gated access system' (utilising the existing access lanes leading from Bush Avenue and Smithcourt Drive) has been approved under the appealed planning application (PT04/3531/O and APP/P0119/A/05/1176032).

- 5.3 The principle of the development of this site for two dwellings is therefore established. However, it is necessary to consider the detailed elements of this planning application. These are addressed below.

- 5.4 Design and Residential Amenity
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design and would not detract from the character and visual amenity of the site and the surrounding locality.

- 5.5 Stoke Gifford Parish Council have objected to the proposed development on the basis that the layout of the scheme as proposed under this submission differs from the outline consent under PT04/3531/O and APP/P0119/A/05/1176032. That approval is in outline. The plans submitted with it were indicative only but the siting as indicated forms part of that outline planning consent. There is a requirement, under that application to submit further details relating to the design of the dwellings as a 'reserved matters' application.

- 5.6 This application is submitted in full and does show differences in the siting of the proposed dwellings to that approved under the outline consent (PT04/3531/O and APP/P0119/A/05/1176032). As the application is made in full, it is possible to re-address the siting of the dwellings, together with the appearance of them as part of this planning application. The key differences in siting are such that the proposed dwellings are now shown positioned centrally within the site with the front elevations of them facing South. The outline approval shows the siting of the dwellings to the West of the site with the front elevations of them facing East. It is not considered that this difference would have any materially greater impact than the outline approval in both visual and residential amenity terms. Indeed, it is considered that the layout proposed in this submission would provide considerable benefit in visual terms.

- 5.7 The proposed dwellings are single storey and use a hipped roof. The buildings are modest in scale and are consistent with the character and visual appearance of the surrounding locality. Given that the buildings are single storey, it is not considered that there would be any material impact upon the privacy and residential amenity of the occupants of nearby dwellings. However, given the characteristics of the site and its relationship with the surrounding development it is appropriate to remove the normal permitted development rights associated with residential dwellings so as to bring the control of small domestic development under the control of the Local Planning Authority. This would prevent unacceptable development taking place in the future.
- 5.8 Subject to the use of a planning condition restricting permitted development rights, it is considered that proposed development is acceptable in design and residential amenity terms.
- 5.9 Transportation
Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not result in a detrimental impact upon highway safety and amenity in the surrounding locality. Policy T8 provides maximum parking standards.
- 5.10 Again, the principle of the development of this site for two dwellings and the construction of a specific 'in only and out only gated access system' has been established. The access system proposed with this submission is identical to that which has been approved and is therefore considered acceptable. Similarly, the level of accommodation does not differ from existing consent and is also considered acceptable. Nonetheless, in bringing the conditions relating to the existing consent forward, it is necessary to condition that exact details of the access system to be agreed prior to the commencement of the development of this site.
- 5.11 In terms of the layout proposed by this planning application, it is considered that there is sufficient parking and manoeuvring space on site to safely accommodate vehicles.
- 5.12 Subject to the use of the above planning conditions, it is considered that the proposed development is acceptable in transportation terms.
- 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 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The decision to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

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

Background Papers **PT06/3359/F**

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

CONDITIONS

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

Reason(s):

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

2. 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, 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):

Given the characteristics of the site and the relationship of the approved development with the surrounding residential properties it is necessary to control further domestic development associated with the approved dwellings on this site in the interests of visual amenity and in the interests of the privacy and residential amenity of the occupants of the approved development and the surrounding residential properties and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No development shall take place until details and or samples of the roofing and external facing materials (including brick pavements to the vehicular circulation space within the site) proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

4. Prior to the commencement of the development hereby approved full details demonstrating the 'Entry Only and Exit Only' access system (as detailed on the approved drawing 1095/1 and received by the Council on 14th November 2006) and the details of the method of surfacing to be used on the lanes giving access to this site shall be submitted to and agreed in writing by the Local Planning Authority. Work relating to the above details shall be completed prior to the first occupation of the dwellings hereby approved and thereafter shall be retained as such unless the Local Planning Authority Agrees in writing to any variation.

Reason(s):

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

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

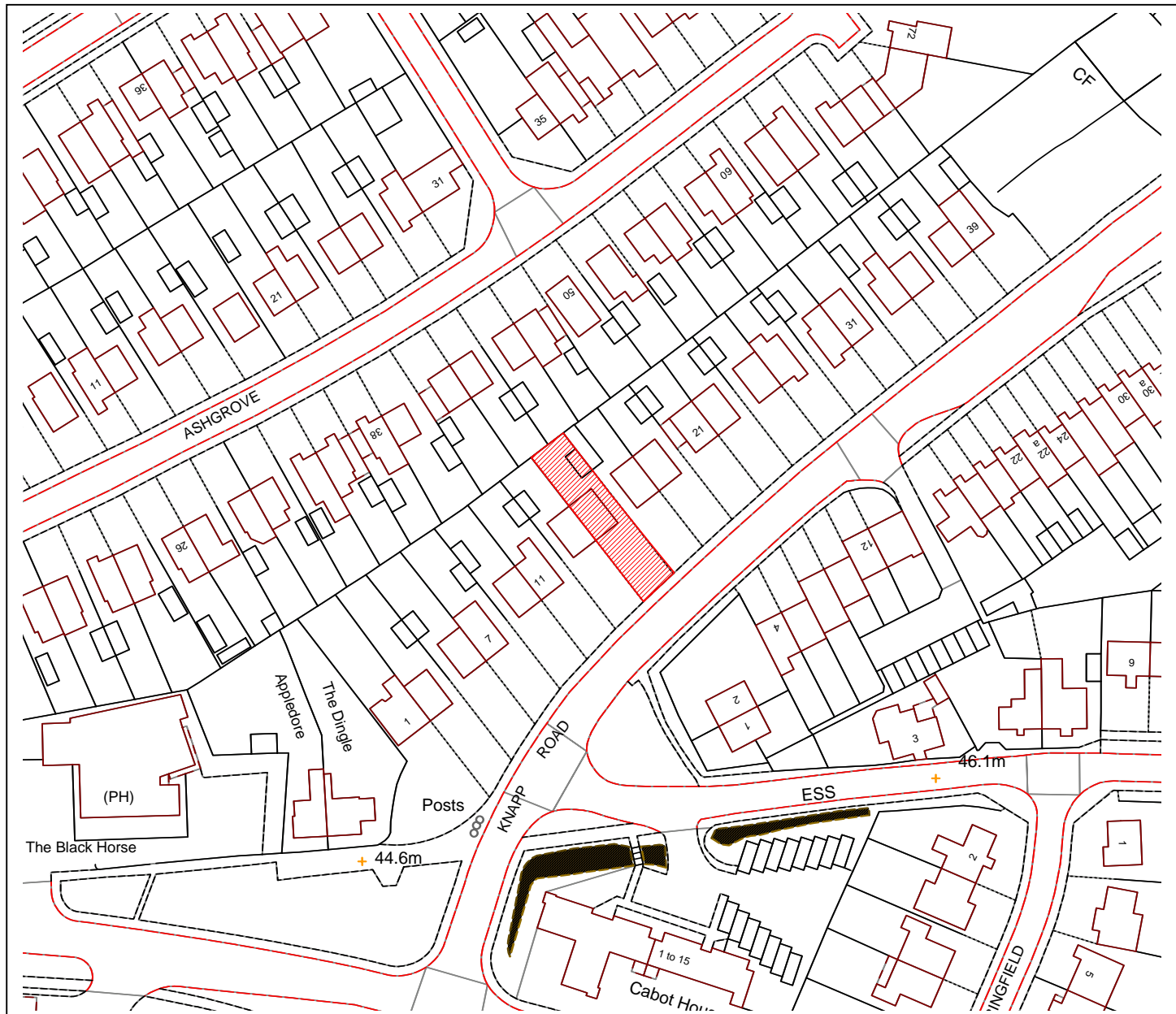
Reason(s):

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

CIRCULATED SCHEDULE NO. 06/07 – 9 FEBRUARY 2007

App No.: PT06/3517/F
Site: 15 Knapp Road Thornbury BRISTOL
 South Gloucestershire BS35 2HE
Proposal: Erection of single storey side extension
 and front porch to form additional living
 accommodation
Map Ref: 64423 90018

Applicant: Mr & Mrs G Boulter
Date Reg: 6th December 2006
Parish: Thornbury Town
 Council
Ward: Thornbury South



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N.T.S

PT06/3517/F

INTRODUCTION

The application is on the circulated schedule because of an objection from a local resident.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission to erect a front porch and single storey side and rear extension to provide additional ancillary but self-contained living accommodation for an elderly relative.
- 1.2 The application seeks to overcome those reasons for refusing a recent application reference PT06/2920/F.
- 1.3 The application site comprises a semi-detached 2-storey house within the defined settlement.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing

2.2 South Gloucestershire Local Plan (Adopted) January 2006

H4	Extensions
D1	Design
T8	Car Parking standards
T12	Transportation

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2920/F Erection of single storey front, side and rear extension to form ancillary accommodation.
Refused on design grounds.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection

Other Representations

4.2 Local Residents

Objection from No.17 on following grounds:

- Loss of privacy from kitchen door.
- Odour from extract fan.
- Compliance with Party Wall Act necessary.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In assessing applications for residential extensions, policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006 are particularly relevant. Extensions are normally permitted provided they are in keeping in design, size and scale to the existing property and area generally; do not adversely affect the amenities of nearby occupiers; allows for the retention of

adequate, private amenity space and do not prejudice highway safety. Adequate private amenity space is retained. There are no adverse transportation implications; sufficient parking will remain. The main issues therefore relate to design/visual impact and residential amenities

5.2 Design/visual impact

The application proposes a front porch and a rear single storey extension, incorporating the existing footprint of a garage with an extension that then links to the existing rear kitchen. The street scene is made up of a row of semi-detached properties characterised by shallow dual pitched roofs with side facing gables. Along this side of the road, gaps between properties are mostly uniform, with fences, car ports or other forms of enclosure filling some of these gaps.

5.3 The rear extension is set some 7.6m back from the existing front elevation. This element will have little presence from the street. The extension will incorporate a dual pitched roof, with a similar but smaller roof above the former garage. Whilst the form of the extension is irregular in shape, the proposal raises no substantive design objections. The reasons for refusing the previous application have been overcome with this amended scheme.

5.4 An informative note is recommended in respect of compliance with the Party Wall Act. Matching materials will be used. The accommodation created will be used as self-contained accommodation for an elderly relative; separate planning permission would be required if a separate dwelling was envisaged.

5.5 At the front of the property, a porch and WC (for the disabled occupant) is proposed. This element raises no visual concerns for the street scene and is appropriate in design. Again, matching materials will be used.

5.6 Residential amenities

The side elevation of the extension will contain no windows. A single roof light is proposed but this raises no amenity concerns for No.17. There will be no adverse overbearing/overshadowing impact having regard to the side facing ground floor door at No.17 (and first floor window). Any plans for future side facing windows can be restricted by condition. The kitchen door referred to by the adjacent neighbour exists, there are no changes proposed for this door as part of this application. A vent is proposed on the side boundary facing No.17 to which this neighbour refers. This vent will serve the domestic cooker in the proposed kitchen. The relationship with No.17 is not one that raises substantive amenity concerns for the occupier of No.17 sufficient to warrant refusing planning permission. The applicant will need to agree works with the neighbour under the Party Wall Act due to the development affecting the communal garage wall. No other neighbours are affected.

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 conditions.

Background Papers **PT06/3517/F**

Contact Officer: **Michael Simmons**
Tel. No. **01454 863643**

CONDITIONS

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

Reason(s):

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

2. No windows shall be inserted at any time in the side [north east] elevation of the extension hereby approved.

Reason(s):

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

CIRCULATED SCHEDULE NO. 06/07 – 09 FEBRUARY 2007

App No.: PT06/3649/F
Site: 61 Dewfalls Drive Bradley Stoke
 BRISTOL South Gloucestershire BS32
 9BW

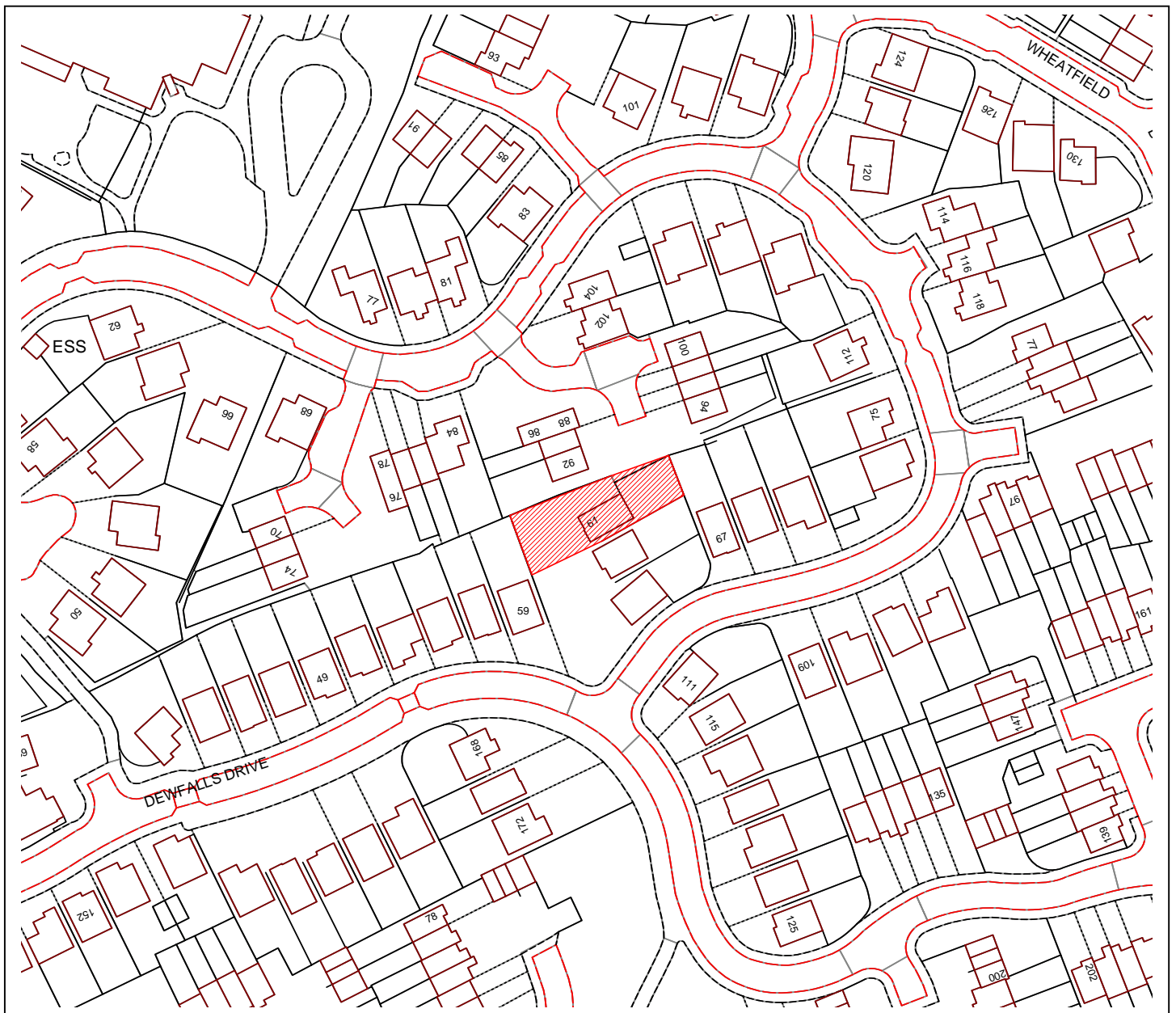
Applicant: Mr M Davies
Date Reg: 19th December
 2006

Proposal: Erection of single storey side extension
 and conversion of existing garage to
 form additional living accommodation.
 Erection of detached double garage.

Parish: Bradley Stoke Town
 Council

Map Ref: 61754 82295

Ward: Bradley Stoke
 Bowsland



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N.T.S

PT06/3649/F

INTRODUCTION

The application appears on the Circulated Schedule following the receipt of two objection letters from neighbours.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey side extension and conversion of an existing garage to form additional living accommodation. The applicant also seeks consent for the erection of a double garage.
- 1.2 The application site relates to an end dwelling of three detached dwellings, which share an access. The site is located within the well-established residential area of Bradley Stoke.
- 1.3 The applicant has submitted a supporting letter from the original developers of the site. The developers raise no objection to the construction of the garage provided the front garden is landscaped.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
H4 Development within the Residential Curtilage
T12 Transportation Development Control Policy

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection
- 4.2 Local Residents
Two letters of objection received, in summary:
 - The garage would be visible from the road, dominant and would reduce the green open nature of the drive
 - Double garage would be cramped
 - Wish to maintain right of access to fencing, for maintenance, or replacement of brick wall
 - Roof height is obtrusive onto back garden and would severely limit light
 - Concern would be running a home car repair business, therefore would not be a domestic application
 - Devalue property and affect saleability of properties in area.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to residential dwellings subject to there being no adverse impact on the existing residential and visual amenities, and the maintenance of highway safety.

5.2 Residential Amenity

The application site relates to a detached dwelling, accessed via a shared driveway, serving three households.

The single storey side extension would have a maximum width of 4metres with a hipped roof. Close boarded fencing to a height of 1.8 metres borders the site, and with an absence of side windows, it is considered that the side extension would not adversely harm neighbours amenity.

The proposed garage would be located at the end of the shared access, in front of the existing dwelling. The garage would have a height of 4.3 metres, of this the vertical wall is 2.4 metres, and the slope roofs for the remainder of the height. The garage has a pyramidal roof, which means all roof slopes are angles, which takes the height of the roof away from the boundary. Considering the development is single storey with a pyramidal roofline the proposal would not have a significant overbearing impact on neighbours. It should be noted that the garage would be placed 0.75 metre from the boundary ensuring all construction work is carried out within the applicants ownership.

Concern has been raised that the garage would result in a loss of light. This is not considered a planning issue, as owners of land do not normally have a right to light through the planning system. However, when considering whether a development would have an overbearing impact, regard would be had to whether a development would significantly reduce the enjoyment of neighbouring land. In this instance, as stated above it is considered that the proposal would not result in an overbearing impact, with the proposal being single storey and the pyramidal roof slope lessening any impact.

The applicant also seeks permission to convert the existing garage to additional living accommodation. A condition on the original consent removed the right to do this without planning permission so that the impact on highways could be examined. The conversion would require a front window to be added in place of the garage door. This would not have a direct relationship with any neighbouring window, and as such is considered acceptable in residential amenity terms.

5.3 Design/ Visual Amenity

The single storey side extension would feature a hipped roof. There would be a recessed porch area, a front window replacing the garage and a window to serve the proposed utility. At the rear would be a study served by patio doors and a window. It is proposed to match bricks with the existing dwelling, which would be secured through use of a condition. This addition is subservient to the dwelling, and in keeping with the design, as such is considered acceptable.

The garage would feature a pyramid roof with two double doors. To the front and rear of the garage would be faced with brick the two side elevations faced with render. Concern has been raised that the garage would adversely impact

the open aspect of the drive, as it would appear cramped and would not be a subordinate building in relation to the house. In this instance, it is considered that due to the garage being at the end of the driveway the construction would have negligible impact on the openness of the area. The area is boarded by fencing, therefore there are not views through the site which the proposed garage would be interrupting. The site is not prominent within the street-scene being situated off the main arterial roads. The garage is subservient to the main dwelling, and there is sufficient space for a turning head, and remaining front garden, as such the proposal would not appear cramped within the space provided.

5.4 Transportation

The double garage is of standard size to accommodate vehicles, additionally there is sufficient turning space. It is therefore considered acceptable in transportation terms.

5.5 Other Issues

In regards to concern over the garage being used to run a car business, this does not form part of this householder application. There is no mention of an alternative use other than domestic. Any change to this would fall outside of this application.

With regard to devaluing property this is not a material consideration when determining planning application - this has been established through previous case law, as such it is not analysed in this application.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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 **PT06/3649/F**
Contact Officer: **Charlene Baker**
Tel. No. **01454 863819**

CONDITIONS

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

Reason(s):

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

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

Reason(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity [and to protect the residential amenity of the neighbouring occupiers] and to accord with Policy D1 and 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(s):

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

CIRCULATED SCHEDULE REPORT 06/07 – 09 FEBRUARY 2007

App No.: PT07/0010/F

Applicant: Halsalls
Construction Ltd
Date Reg: 2nd January 2007

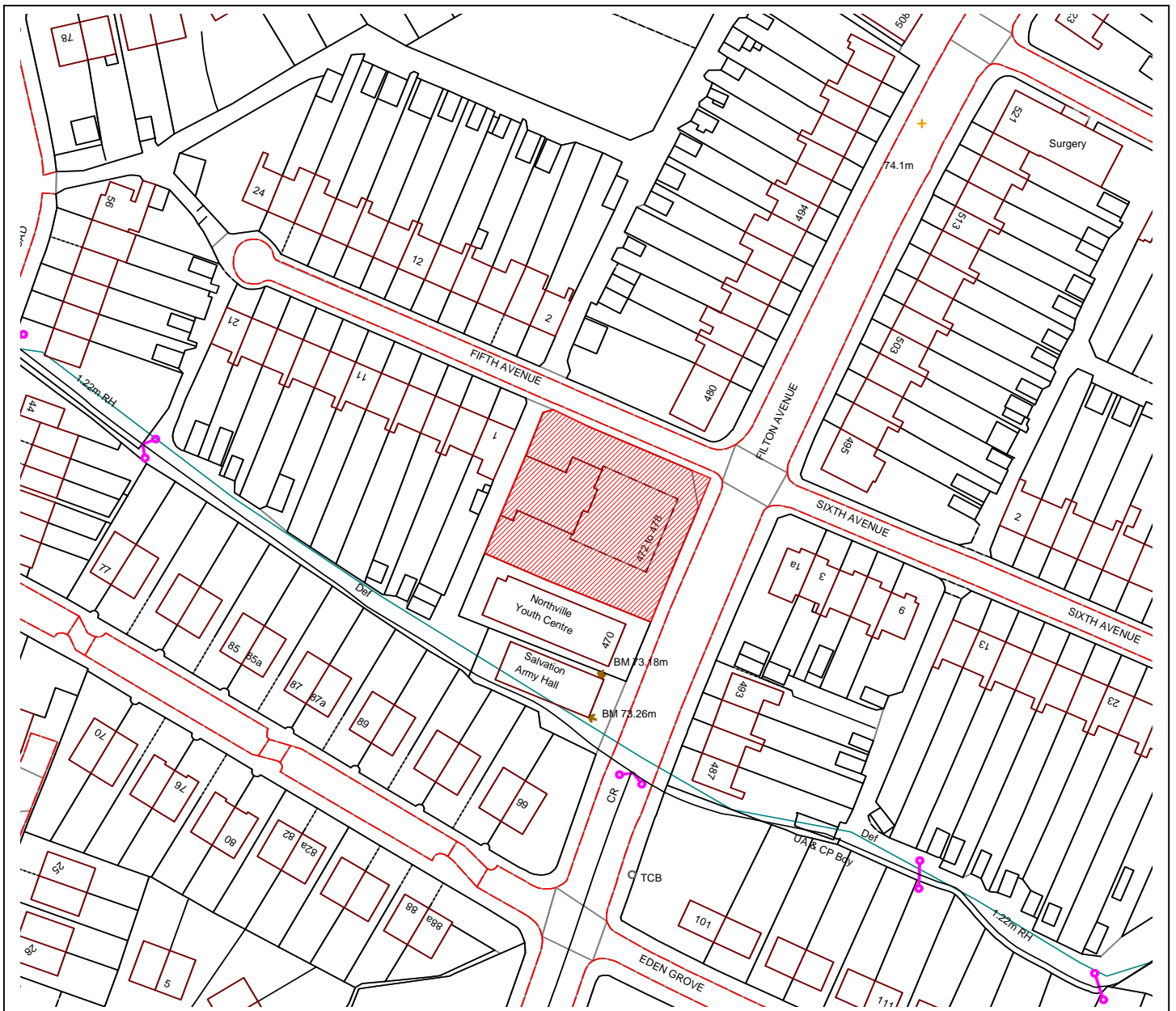
Site: Filton Avenue Service Station 472-478
Filton Avenue Horfield BRISTOL South
Gloucestershire BS7 0LW

Proposal: Amendments to previously approved
scheme PT04/1661/F to include
replacement of 900 mm high brick wall
with 900 mm high vertical bar,
replacement of 210 cm high brick wall
with 180 cm high timber fence with 400
mm trellis top, revised stair towers on the
North East and North West elevations
and replacement of 1 no. window with
door in flat 1.

Parish: Filton Town Council

Map Ref: 60431 78062

Ward: Filton



INTRODUCTION

This application is placed on the Circulated Schedule given concerns raised by Filton Town Council on the suitability of the fencing.

1. THE PROPOSAL

Consent was given in 2004 (PT04/1661/F) for the demolition of an existing petrol station to facilitate the erection of 21 no.1-2 bed flats on 0.12 hectares of land, to include associated landscaping, car parking and cycle storage. Work upon the scheme has commenced however it has come to light that the original cylindrical towers with spiral stairs would not pass the current building regulations (on the grounds that access would not be acceptable and given changes to regulations over disabled access). The proposal therefore seeks to amend the original scheme to incorporate an alternative design.

Alterations are also made to replace a 0.9 metre brick wall with a 0.9 metre high bar, flat top railing coated black on the Filton Avenue elevation and the replacement of a 2.1 metre wall along the footpath to the side of the development with a 1.8 metre fence with 0.4 metre trellis on top. A window is to be replaced by a single door.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development
T12 Transportation Development Control Criteria

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

3.1 PT04/1661/F - Demolition of existing petrol station to facilitate the erection of 21 no.1-2 bed flats on 0.12 hectares of land, to include associated landscaping, car parking and cycle storage. Approve (S106 signed May 2006)

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Objection – the fence is unsuitable

4.2 Sustainable Transport

No transportation

4.3 Local Residents

No objections raised

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Consent has previously been given for the scheme for 21 flats on this former garage site. Work has commenced. The current proposal only considers amendments to the scheme as outlined in the proposal section above. Policy D1 is of relevance. The policy requires among other criteria that development demonstrates that design is informed by the distinctiveness of the site and locality, that access into and through the site is safe, secure, convenient and attractive and that the site is secure having regard for crime prevention. Subject to consideration of these issues the proposal is considered acceptable in principle.

5.2 Design

The proposed alterations to the stairwells, while not as innovative in design/visual terms are considered to integrate successfully with the original building and essentially allow the development to comply with the Building Regulations. It is considered that this element complies with the criteria set out in Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

The alterations to alter boundary treatments are also considered acceptable in design terms. Concern has been raised that the replacement of a 2.1 metre wall with a 1.8 metre fence with 0.4 metre trellis on top is unsuitable. It is that the amended boundary treatment proposed will be less imposing in visual terms and provides the same or marginally greater security. The applicant has indicated that this alteration has the full support of the Police Architectural Liaison Officer. The replacement of a window with a door is also considered appropriate in design terms.

It is considered that these alterations also comply with the aims and objectives of Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.3 Transportation

There is no transportation objection to the proposed development

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

7. RECOMMENDATION

- 7.1 Planning Permission be granted subject to the following conditions

Background Papers **PT07/0010/F**

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

CONDITIONS

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

Reason1. 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 stairwells hereby permitted shall match those used in the remainder of the 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. 06/07 – 09 FEBRUARY 2007

App No.: PT07/0034/LB

Applicant: Frenchay Primary School

Site: Frenchay C Of E School Church Road
Frenchay BRISTOL South
Gloucestershire BS16 1NB

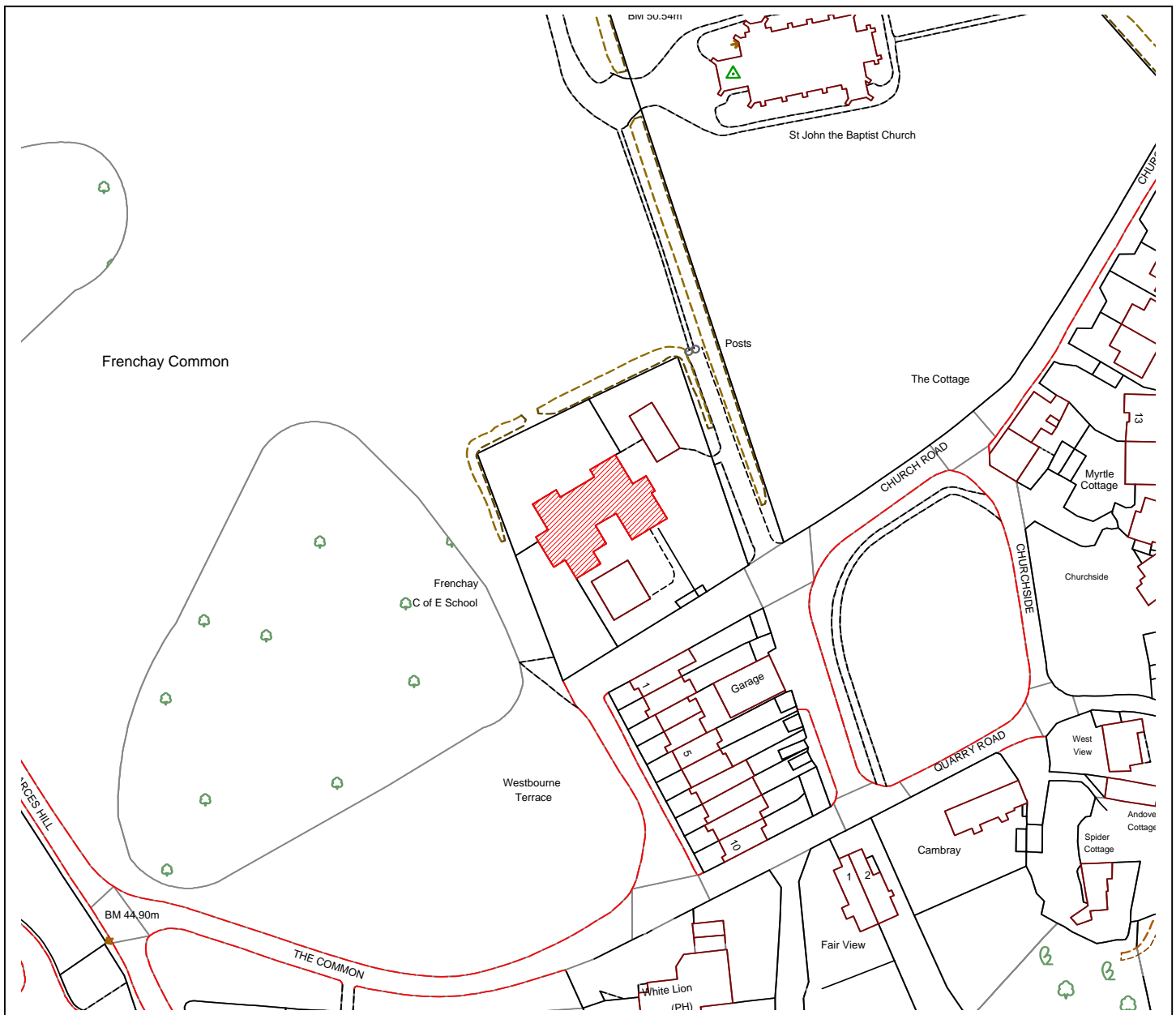
Date Reg: 4th January 2007

Proposal: Erection of internal partition to form headteacher's office and installation of inlet and extractor fan system (including fitting ridge tile to existing chimney).

Parish: Winterbourne Parish Council

Map Ref: 63905 77384

Ward: Winterbourne



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100023410, 2006.

INTRODUCTION

The application appears on the circulated schedule because of concerns expressed by Winterbourne Parish Council.

1. THE PROPOSAL

- 1.1 The proposal seeks listed building consent to erect an internal partition to form headteacher's office and to install an inlet and extractor fan system (including fitting ridge tile to an existing chimney).
- 1.2 The application relates to a grade II listed structure (that is within the conservation area).

2. POLICY CONTEXT

- 2.1 National Guidance
PPG15 Planning and the Historic Environment.
- 2.2 Joint Replacement Structure Plan
Policy 19 Cultural Heritage protection (through Local Plans)
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
L13 Listed buildings

3. RELEVANT PLANNING HISTORY

- 3.1 There have been a number of applications relating to this site but none are of direct relevance to this application.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection:
 - Plans are difficult to interpret.
 - Plan does not clearly show removal of chimney.
 - Plans show windows of different sizes.

Other Representations

- 4.2 Local Residents
No reps received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy L13 requires that listed building consent should only be permitted if setting is preserved, and features of architectural or historic interest, and the character and historic form, are retained.
- 5.2 The proposed internal partition has been carefully considered by officers, including the council's listed building officer, and is considered entirely acceptable. No historic fabric will be affected. Similarly, the proposed extract is acceptable, the application states that the ridge tile will match existing. The

council's listed buildings officer raises no objection. It is not considered that there will be any adverse impact on features of historic interest, setting or character.

- 5.3 With regard to comments of the Parish Council, reference to the demolition of a chimney is incorrect and resulted from an initial misleading description of the scheme. The proposed plans are clear and precise.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Listed building consent be granted subject to condition.

Background Papers **PT07/0034/LB**

Contact Officer: **Michael Simmons**
Tel. No. **01454 863643**

CONDITIONS

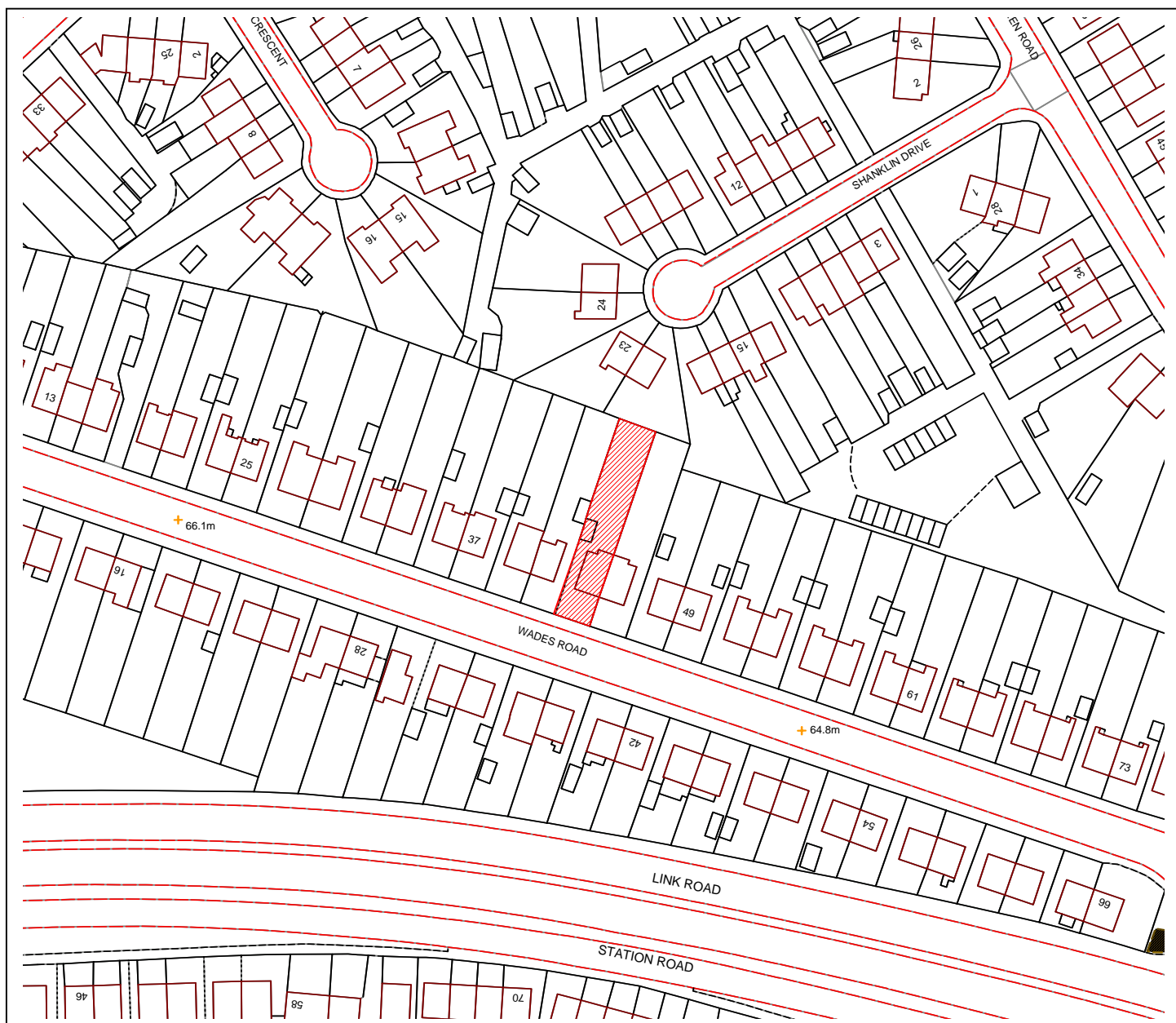
1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason(s):

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. 06/07 – 09 FEBRUARY 2007

App No.: PT07/0062/F	Applicant: Mr & Mrs Haynes
Site: 43 Wades Road Filton BRISTOL South Gloucestershire BS34 7EB	Date Reg: 9th January 2007
Proposal: Erection of 2 storey side extension and single storey rear extension to provide additional living accommodation.	Parish: Filton Town Council
Map Ref: 60662 79135	Ward: Filton



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 100023410, 2006.

The application appears on the Circulated Schedule following an objection from the Town Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two-storey side extension, single storey rear extension. This would provide an extended living and kitchen space, with a store, and above an additional bedroom.
- 1.2 The application site relates to a semi-detached dwelling in the well-established residential area of Filton.
- 1.3 The application follows a refusal of a similar proposal PT06/3171/F that additionally intended to construct a conservatory onto the rear extension.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
H4 Development within the Residential Curtilage
T12 Transportation Development Control Policy

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/3171/F Erection of 2 storey side extension and single storey rear extension to provide additional living accommodation. Erection of conservatory. Refused
- 3.2 N960 Two storey extension to rear of dwelling to provide kitchen and enlarge bedroom.
Approve with conditions
- 3.3 P86/2380 Replacement of flat roof with pitched roof.
Approval

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
Object as lack of parking

Other Representations

- 4.2 Local Residents
A resident wants to ensure that means of construction is kept within ownership of applicant.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to residential curtilages subject to there being no adverse impact on the existing residential and visual amenities, and the maintenance of highway safety.

5.2 Residential Amenity

The extension would have a width of 2.4 metres, and would extend within the building silhouette of the adjoining dwelling, as such the proposal would not result in an overbearing impact for neighbours.

There are no proposed side windows, and it is considered that the windows to be added in the front and rear would not result in a direct relationship with neighbours habitable rooms, as such are a suitable addition.

The existing single storey extension would remain, with no additional depth, it is considered that there would not be an additional adverse impact on the adjoining neighbour.

5.3 Design/ Visual Amenity

The application site relates to a semi-detached dwelling with a gable roof. The proposed two-storey side extension would appear subservient to the existing dwelling by 0.3 metres, and would be set back from the host dwelling. The extension would have a width of 2.4metres. It is considered that this element of the proposal would be a suitable addition to the street-scene.

At the rear of the dwelling it is proposed to add a single storey extension, to match the depth of the existing single storey extension, this would feature a lean-to roof.

The previous application was refused with concern that the proposed conservatory being added onto the single storey extension would appear out of keeping with the dwelling house. The applicant has removed the conservatory, which was the concern of the previous application, and thus has overcome the refusal reason. It is considered that due to the subservient nature of the proposal, and appearance of the extension, it would be in keeping with the dwelling and character of the street-scene.

5.4 Transportation

There is sufficient space on the front paving to hold two standard parking spaces as such the proposal would not be of detriment to the highway safety. The hardstanding is in place, and is being used to park vehicles. Parking provision is therefore acceptable.

5.5 Other Issues

In response to ensuring that all works and method of construction are kept within ownership of the applicant an informative would be added to a decision notice relaying that permission would be required from any landowner if access were required from neighbouring land.

5.6 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular

05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT07/0062/F**

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

CONDITIONS

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

Reason(s):

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

2. The 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 the satisfactory external appearance of the development in the interests of visual amenity [and to protect the residential amenity of the neighbouring occupiers] and to accord with Policy D1 and H4 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 in the west elevation of the property.

Reason(s):

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