



**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. 08/07

Date to Members: 22/02/07

Member's Deadline: 01/03/07

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

CIRCULATED SCHEDULE

DATE: 22/02/07

SCHEDULE NO. 08/07

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 22 February 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK06/2480/F	Approve with conditions	Hill House 105c Hill Street Kingswood South Gloucestershire BS15 4EZ	Kings Chase	
2	PK06/2568/LB	Approve with conditions	The Maypole 26a High Street Hanham South Gloucestershire BS15 3DP	Hanham	Hanham Parish Council
3	PK06/2588/F	Approved subject to Section 106	Land to the rear of 31 Cossham Street Mangotsfield South Gloucestershire BS16 9EW	Rodway	Mangotsfield Rural Parish Council
4	PK06/3561/F	Refusal	67-73 Bath Road Longwell Green South Gloucestershire BS30 9DF	Longwell Green	Oldland Parish Council
5	PK07/0086/R3F	Deemed consent	Warmley Park School Tower Road North Warmley South Gloucestershire BS30 8XL	Siston	Siston Parish Council
6	PT07/0194/F	Approve with conditions	Monmouth Hill Farm Townsend Almondsbury South Gloucestershire BS32 4EN	Almondsbury	Almondsbury Parish Council
7	PT07/0201/F	Approve with conditions	30 Adams Land Coalpit Heath South Gloucestershire BS36 2JT	Frampton Cotterell	Frampton Cotterell Parish Council
8	PT07/0211/F	Approve with conditions	24 Wotton Road Charfield WOTTON UNDER EDGE South Gloucestershire GL12 8TP	Charfield	Charfield Parish Council

CIRCULATED SCHEDULE NO. 08/07 – 22 FEBRUARY 2007

App No.: PK06/2480/F

Applicant: Mr & Mrs R J
Duffield

Site: Hill House 105c Hill Street Kingswood
BRISTOL South Gloucestershire BS15
4EZ

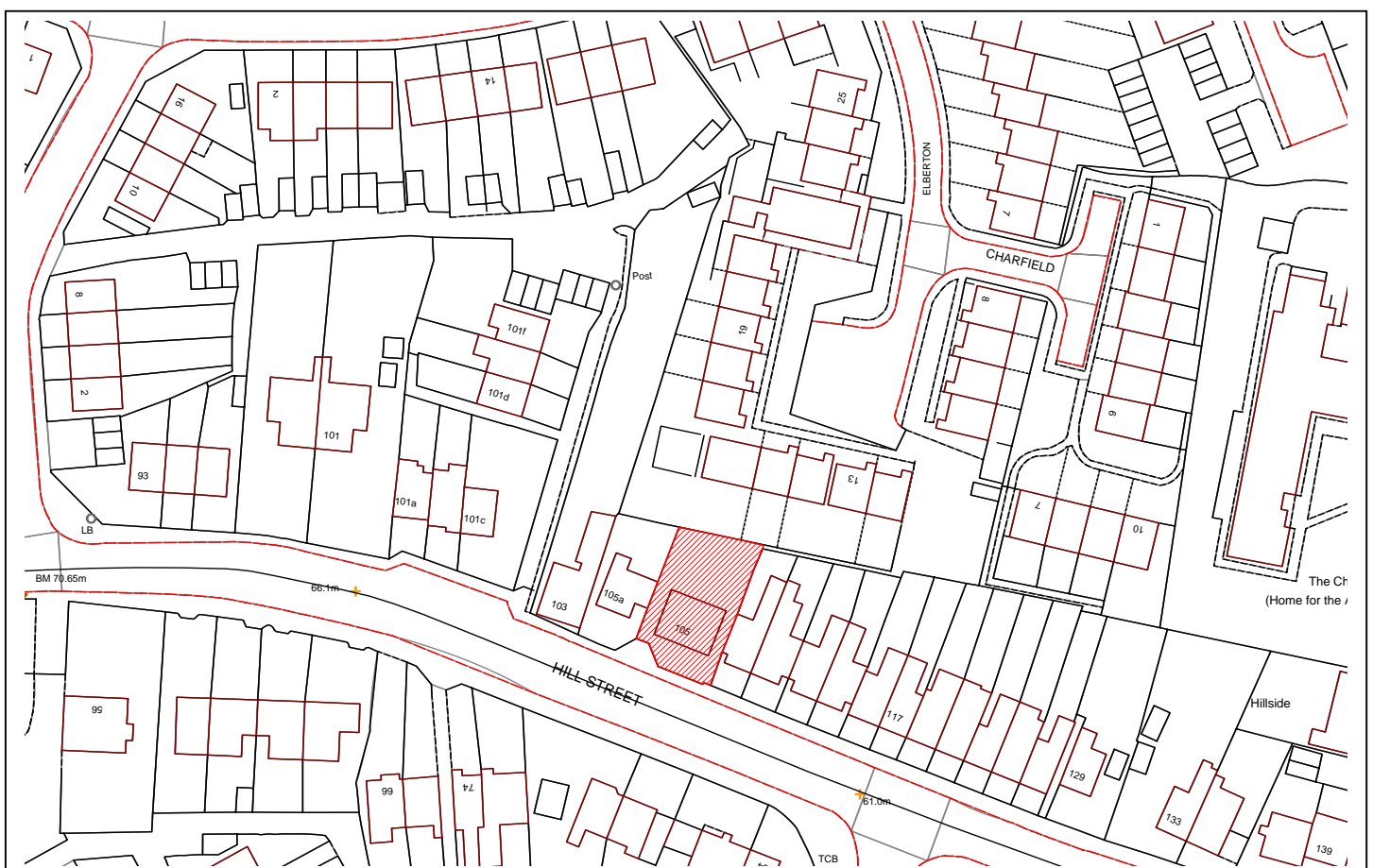
Date Reg: 22nd August 2006

Proposal: Change of use of Dental Surgery (Class
D1) to Flat (Class C3) as defined in the
Town and Country Planning (Use
classes order 1987), erection of front
and rear steps and front entrance gate
(Retrospective). Erection of side porch
and works to facilitate loft conversion
including the installation of 2no. rear
dormer windows.(Amendment to
previously approved application
PK04/2127/F)

Parish:

Map Ref: 66153 73676

Ward: Kings Chase



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N.T.S

PK06/2480/F

INTRODUCTION

This application appears on the Circulated Schedule as a result of objections raised by a local resident. The application previously appeared on Circulated Schedule 03/07 but has been re-circulated for the following reasons:

- Condition 6 has been amended to extend the period of time for the construction of the porch to 185 days (6 months). This will allow the applicant sufficient time to secure Building Control approval, resolve any party wall disputes and appoint a builder prior to the erection of the porch.
- A proposed escape window was shown on the wrong elevation. The plans have been revised accordingly and this necessitated a further round of consultations, which generated 1 no. additional response from the occupier of no.107 Hill Street.

1. THE PROPOSAL

- 1.1 The application relates to a former dental surgery (Class D1) based on the ground floor of no.105 Hill Street. The dental surgery already had living accommodation above, including rooms in the roof space. Access to the upstairs maisonette was via an internal staircase. Vehicular access was via Hill Street, along a shared driveway between nos. 105 and 105a to a turning head and parking area to the rear.
- 1.2 Application PK04/2127/F secured planning permission (via Circulated Schedule No. 29/04) to convert the dental surgery to a separate self-contained unit of accommodation. The building in its entirety being subdivided to provide two residential units i.e. the ground floor flat and the maisonette above. Parking and amenity space was provided to the rear with the existing access and turning arrangements fully utilised. It was intended that the applicant would continue to live in the upstairs maisonette and the new downstairs flat would be sold on the open market.
- 1.3 Much of the work to facilitate the change of use was internal and at the time of granting planning permission PK04/2127/F, had already been carried out. In addition however and in order to access a new door first floor side door to the maisonette, an external flight of steps had also been erected to the side of the building, adjacent to neighbouring no.107. At that time the ground floor flat of 105 had not yet been occupied and the change of use not yet implemented, the new flight of steps however were considered to be in breach of planning control but this matter was regularised by the grant of PK04/2127/F.
- 1.4 Also granted consent under PK04/2127/F was the erection of an obscurely glazed porch to be located at the top of the stairs and surrounding the entrance to the maisonette. The purpose of this porch was to prevent any loss of privacy as result of overlooking from the steps of the rear garden, and bedroom and bathroom windows of neighbouring no.107. The porch would also contain any noise from people using the new steps to access the maisonette. A condition (4) attached to planning permission PK04/2127/F required the insertion of the obscure glazing within the porch, prior to the first occupation of the new ground floor flat.

- 1.5 It subsequently transpired that for technical reasons it was not possible to erect the porch as approved, at which point the applicant entered into further discussions with officers as to possible alternatives. In the interim the ground floor flat was occupied (in breach of condition 4) and high security railings and temporary wooden fencing erected on the boundary with no.107 together with a high metal gate to the front of the steps. The fencing and gate were erected in response to security concerns expressed by the occupant of no.107. The high gate and railings all require planning permission. Furthermore, at a later date a new set of steps were erected to the rear of those that had already been erected to the side of no.105, these steps provide immediate access from the maisonette to the rear garden. Beneath the rear steps, a storage area has now been enclosed by a door. The rear steps have also been erected in breach of planning control.
- 1.6 The current scheme seeks to regularise the breaches that have occurred. The scheme also now proposes to erect an enclosed side entrance porch to be extended to the rear, to also enclose the newly erected rear steps, the rationale being to completely eliminate any overlooking of neighbouring no.107 and to fully contain any noise from users of the front and rear steps. Furthermore by enclosing the steps in this way, any access to neighbouring no.107 from the steps, would be eliminated. Also incorporated within the scheme is a full conversion of 105's roof-space in order to make the maisonette more liveable. This conversion would include the insertion of two pitched roof dormers in the rear roof-slope; insertion of velux windows, one to the rear and three to the front; and replacement windows to the rear elevation at first floor level.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 - Delivering Sustainable Development
PPG3 - Housing
PPG13 - Transport

2.2 Development Plans

Joint Replacement Structure Plan

Policy 02 - Location of Development

Policy 33 - Housing Provision and Distribution

South Gloucestershire Local Plan (Adopted) 6th January 2006

D1 - Design

H5 - Houses in Multiple Occupation

L1 - Landscape Protection and Enhancement

T8 - Parking

T12 - Transportation

2.3 Supplementary Planning Guidance

Advice Note no.5 - Conversion of Houses into Flats.

3. RELEVANT PLANNING HISTORY

- 3.1 P74/4504 - Change of use of remaining living accommodation in existing dwelling to 3 dental surgeries and ancillary preparation room, recovery room. (Previous I.D. K480)
Approved 16th January 1975

- 3.2 PK04/0958/F - Change of use of surgery (Class D1) to flats (Class C3) as defined in the Town and Country Planning (Use Classes Order 1987).
Withdrawn 9th May 2004
- 3.3 PK04/2127/F - Change of use of surgery (Class D1) to flats (Class C3) as defined in the Town and Country Planning (Use Classes Order 1987).
Resubmission of PK04/0958/F.
Approved 20th July 2004

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Not a parished area
- 4.2 Other Consultees
- 4.3 Avon and Somerset Police Crime Liason Officer
No objection

Other Representations

- 4.4 Local Residents
8 no. letters have been received from the occupant of neighbouring no.107 Hill Street. The concerns raised are summarised as follows:
- Stairs are attached to porch wall of no.107
 - The stairs are too wide.
 - Loss of privacy to bedroom, bathroom and garden of no.107
 - The stairs represent a security risk.
 - Overbearing impact – porch, gate and railings.
 - Damage to guttering of 107 has occurred.
 - Proposal would not be in-keeping.
 - Construction will create a gulley for leaves and snow to collect.
 - Loss of light to porch, hall, stairway, bathroom of no.107.
 - Construction work does not conform to submitted plans.
 - Steps abut party wall.
 - Cavity beneath rear steps is used for storage. The new room has been omitted from the plans and could become an extra flat in the future.
 - The porch would create a terrace.
 - Rear steps were forbidden by condition of the previous planning approval.
 - Wooden fencing damaged gutters of 107 when erected.
 - Inaccurate and misleading plans.
 - Gate and railings block view from front door of 107.
- 4.5 Applicant's Supporting Information
In response to the neighbour's objections/accusations, the applicant submitted supporting information, which can be summarised as follows:
- All work undertaken in 2004 to separate 105 into 2 flats is in accordance with planning permission PK04/2127/F.
 - There were no matters arising with regard to the front stairs on a surveyor's report (21/09/04) on building work.
 - A Building Control certificate was issued 26/10/04 with respect to works already carried out.

- The matter of the porch is still outstanding. The revised scheme has been professionally designed and a surveyor will oversee the works, if granted planning consent.
- The rear stairs give the only direct access to 105C's rear garden. The main gates were erected in response to concerns of occupier of 107.
- A tree was removed at request of occupier of 107, a second was dying and unstable. Smaller replacement trees have been planted away from the boundaries.
- The submitted drawings have been professionally prepared and to scale.
- Police have no security issues with the proposal.
- 107's garden was overlooked from the car park serving the former dental surgery.
- The railings and fencing increase security for 107 and have less impact on light than solid panels.
- The proposed rear enclosed extension to the porch enhances the privacy and security of the garden of 107.
- The roofing of the 107 porch is semi-opaque.
- The area to the side of 105 has been used for general storage for several years. After the construction of the front steps, the stored items were replaced under them. The door provides screening and tidiness. This is now shown on the revised plan.
- Disruption to neighbours has been minimised during construction.
- Offers to repair guttering were refused by occupier of 107.
- Temporary security fencing has been erected which would be removed when porch is built.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The acceptance in principle of the conversion of the ground floor dental surgery to a self-contained flat, erection of the front steps with an enclosed porch at first floor level, together with the associated works to the garden, was established with the granting of planning permission PK04/2127/F. The current amended scheme falls to be determined under Policy H5 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. Policy H5 permits the conversion of property not previously used for residential purposes subject to it being within the existing urban areas. Local Plan Policy reflects Government advice contained in PPG3, which supports a mix of house types in the urban area. Flats can make a valuable contribution to the supply and range of housing provision, suitable for the growing numbers of small households, many of which cannot afford to live in larger properties. The proposal relates to an existing building within the Established Urban Area. Policy H5 permits the conversion of non-residential properties for residential use subject to the following criteria being satisfied:

5.2 **A. Would not prejudice the character of the surrounding area;**

5.3 The location is predominantly residential in character. The property was formerly a surgery with residential accommodation above. The use of the ground and upper floors as flats will not be out of keeping with the residential character of the area. The works to the building, to facilitate the ground floor conversion, are mostly internal and have already been carried out. The amended scheme proposes works to the first floor maisonette including the introduction of two, small pitched-roof dormers and a velux roof-light to the rear, with three velux roof-lights to the front; there would also be replacement

windows at first floor level to the rear and a new door at rear ground floor level. A new obscurely glazed escapement window would be introduced at first floor level in the western gable end (not eastern as mistakenly shown on the originally submitted plan). Officers have noted that several of the houses within the locality have dormer windows and velux roof-lights, so those proposed would not look out of place in the street scene. Having regard to historical changes that have taken place to the building over time e.g. replacement first floor windows etc., the overall character of the building would not significantly change. In terms of visual amenity, the steps integrate adequately within the existing built form. The proposed porch would have a mono-pitched tiled roof and rendered side elevation to match that of no.105. Furthermore the appearance of the steps and porch would be softened by the vegetation, which currently grows in the front gardens of both 105 and 107. Concern has been raised as to the possible terracing affect of the porch but officers consider that the proposed construction is modest enough in scale and such porches are not uncommon features where older detached properties have steps leading up to side entrances. The character of the surrounding area would not therefore be prejudiced.

5.4 B. Would not prejudice the amenities of nearby occupiers;

- 5.5 The scheme to convert the ground floor area to an entirely self-contained unit has involved the removal of the internal staircase and the erection of an external flight of steps to the eastern side of the house. The steps have been erected in order to access a new side door to the maisonette at first floor level, the rear section of the steps have recently been added to provide direct access from the maisonette door to the garden at the rear. The new side door has been inserted through an existing stained glass window. It is proposed to fully enclose the landing area at the top of the steps as well as the upper section of the steps, with a new porch. In order to accommodate the new porch, an existing utility room window, in the side elevation facing no.105, would be removed.
- 5.6 The conversion of the ground floor surgery has involved the replacement of single glazed doors, with smaller windows on both the rear and western side elevations, and the blocking up of two windows on the eastern side elevation. Other than the aforementioned dormers and new and replacement windows, the erection of the porch at the top of the new stairs and some sundry works to the rear garden area (that have already been carried out), the general layout and external appearance of the building would not significantly alter.
- 5.7 The proposed new and replacement windows to the western side, and front and rear elevations would not result in any loss of privacy to neighbouring occupiers. To the east however there is a first floor bathroom window and secondary bedroom window in the facing side elevation of neighbouring no.107. At the time of the officer site visits, the bathroom window was both fixed and obscurely glazed. Officers have previously viewed the site from within the bathroom, bedroom and garden of no.107. By then the front steps had been erected to their full height and width, abutting the party wall to the side of 107. The rear steps have since been added.

- 5.8 The occupant of neighbouring no.107 has raised a number of concerns relating mainly to loss of privacy, resulting from people using the steps being able to see into the garden and bedroom window of 107. A further concern raised is possible loss of security as a result of the steps offering the opportunity for intruders to climb over the party wall, across the neighbouring porch roof to the bedroom and bathroom windows of 107. The appearance of the steps, overbearing impact, loss of light and disturbance from people using the steps; concerns about damage to guttering; and the steps being attached to the boundary wall are also concerns that have been raised. Similar concerns were raised to the previously approved scheme PK04/2127/F.
- 5.9 Officers are now satisfied that the porch would eliminate any issue of overlooking of the garden or windows of no.107. By enclosing the top and upper flights of the steps, this would also reduce the very limited noise disturbance likely to be generated by the use of the steps. The steps would be the only means of access to 105's top maisonette and therefore need to be wide enough to allow furniture etc. to be delivered. Officers are satisfied that the steps are not excessive in scale. The proposed porch is also modest enough in scale and although adjacent to the neighbouring bathroom window, there is sufficient clearance across the side extension of no.107 to this window, which is obscurely glazed anyway. Furthermore the proposed porch would have a mono-pitch roof which slopes down towards no.107 at its highest point, therefore reducing the bulk of the structure.
- 5.10 Regarding the impact of the rear section of the porch on the facing bedroom window in the flank elevation of no.107, it is acknowledged that the porch would to some extent partially obscure the view from this window. The window is however only a secondary window, the principle window being on the rear elevation of no.107. Any loss of amenity is in part compensated for by the loss of 105's utility room window, which currently offers the potential for inter-visibility with the facing bedroom window of no.107. Officers have also considered the fact that the existing outlook from the bedroom window is very limited, being merely a view of the side elevation of no.105. As regards loss of light; officers consider that due to the close proximity of the respective side elevations of nos. 105 and 107 and the orientation of the buildings, it is unlikely that the windows in no.107 that would be affected receive much direct sunlight anyway and are most likely in shadow for the majority of the day. On balance therefore it is not considered that the rear section of the porch would have a significant adverse impact for the occupier of no.107.
- 5.11 Concern has also been expressed as to the nature of the storage room beneath the rear steps. This is a very modest storage area that would be made secure by a gated access. The 'room' could be used for storing cycles and is certainly not suitable for separate self-contained accommodation, which itself would require planning permission.
- 5.12 Moving to the issue of security, officers are satisfied that the porch and railings would act as a deterrent to anybody contemplating climbing over the party wall with no.107. Furthermore the roof to the neighbouring side 'porch' extension is so flimsy that it would not bear the weight of a person. The proposal is not therefore considered to pose an additional security risk. Having regard however to the concerns raised about loss of amenity and issues of security (the steps having already been built), officers consider that in the event of planning permission being granted, a condition is justified to ensure that the porch would be erected no later than 185 days (6 months) from the date of the decision. The

applicant's agent has given written confirmation of the acceptance of such a condition.

5.13 Of the other concerns raised, damage to the guttering of 107 is a civil matter as is the issue of attachment to the boundary wall. The applicant insists that the steps are free-standing and although abutting, are not in fact attached to the boundary wall with 107. Nevertheless, in the event of a planning permission being granted, the decision notice would carry an informative advising the applicant as to their responsibilities under The Party Wall Act and Access of Neighbouring Land Act, neither of which are administered under planning control.

5.14 Having regard to all of the above, the applicant has considered alternative positions for a flight of steps to provide access to the maisonette. Any steps on the western side elevation would compromise vehicular access down the driveway. A flight of steps on the rear elevation would need to be a more substantial structure, which is likely to be less pleasing on the eye and result in all around issues of overlooking. Furthermore it would take up a valuable area of amenity space, which is at a premium to the rear of the house. On balance therefore the proposed position of the steps is considered to be the most logical and least intrusive one, furthermore the new door utilises an existing opening in the flank wall. On balance therefore the impact on residential amenity is acceptable.

5.15 **C. Would identify an acceptable level of off-street parking;**

5.16 The building is in a sustainable location, close to a main bus route and close to Kingswood Town Centre. Two parking spaces are retained to the rear of the property with a shared turning space, which would allow cars to exit the site in forward gear. The existing access to Hill Street would be utilised. The parking provision accords with the Council's adopted maximum parking standards. Traffic generation to and from the site is likely to reduce as a result of the proposed change of use. Any disputes about access rights or ownership of the shared access are civil matters, which would need to be resolved by the respective parties. There are therefore no highway objections to the proposal.

5.17 **D. Would provide adequate amenity space;**

5.18 Private amenity areas, designated to each flat are provided in the rear garden area. A store is also available for use next to the parking areas. The amenity areas are considered to be large enough to provide sufficient areas for sitting out, storage or drying of washing. The amenity areas have been fenced in order to provide privacy. There would therefore be adequate amenity space provision to serve the two flats.

5.19 Other Concerns Raised

Of the concerns raised that have not been addressed above:

- Officers are satisfied that the submitted plans are to scale and sufficiently accurate to determine the application.
- The so-called view from the front door of no.107 is non-existent as the door is glazed with opaque stained glass.
- It is unlikely that significant amounts of snow or leaves could penetrate the gap between the houses. There are no large deciduous trees in the vicinity that would drop leaves on the porch.

- There was no condition attached to the previous decision notice PK04/2127/F preventing the erection of the rear steps. The steps do however require planning permission.

5.20 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.
- 6.2 The decision to recommend the granting of planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) 6th January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Background Papers PK06/2480/F

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason:

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

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

Reason:

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter parking facilities shall be retained and used only in conjunction with the occupation of the buildings 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) 6th Jan 2006.

4. The ground floor flat hereby approved shall be used solely as a single self-contained unit of residential accommodation and shall not be sub-divided to create more than one such unit without the prior written approval of the Local Planning Authority.

Reason:

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy H5, T8 and T12 of the South Gloucestershire Local Plan (Revised Deposit Draft).

5. The hours of working on site during the period of construction shall be restricted to 08.00 to 18.00 Monday to Friday and 08.00 to 12.00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason:

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. The porch hereby approved shall be completely constructed, in full accordance with the plans hereby approved, and no later than 185 days (6 months) from the issue date of the decision notice.

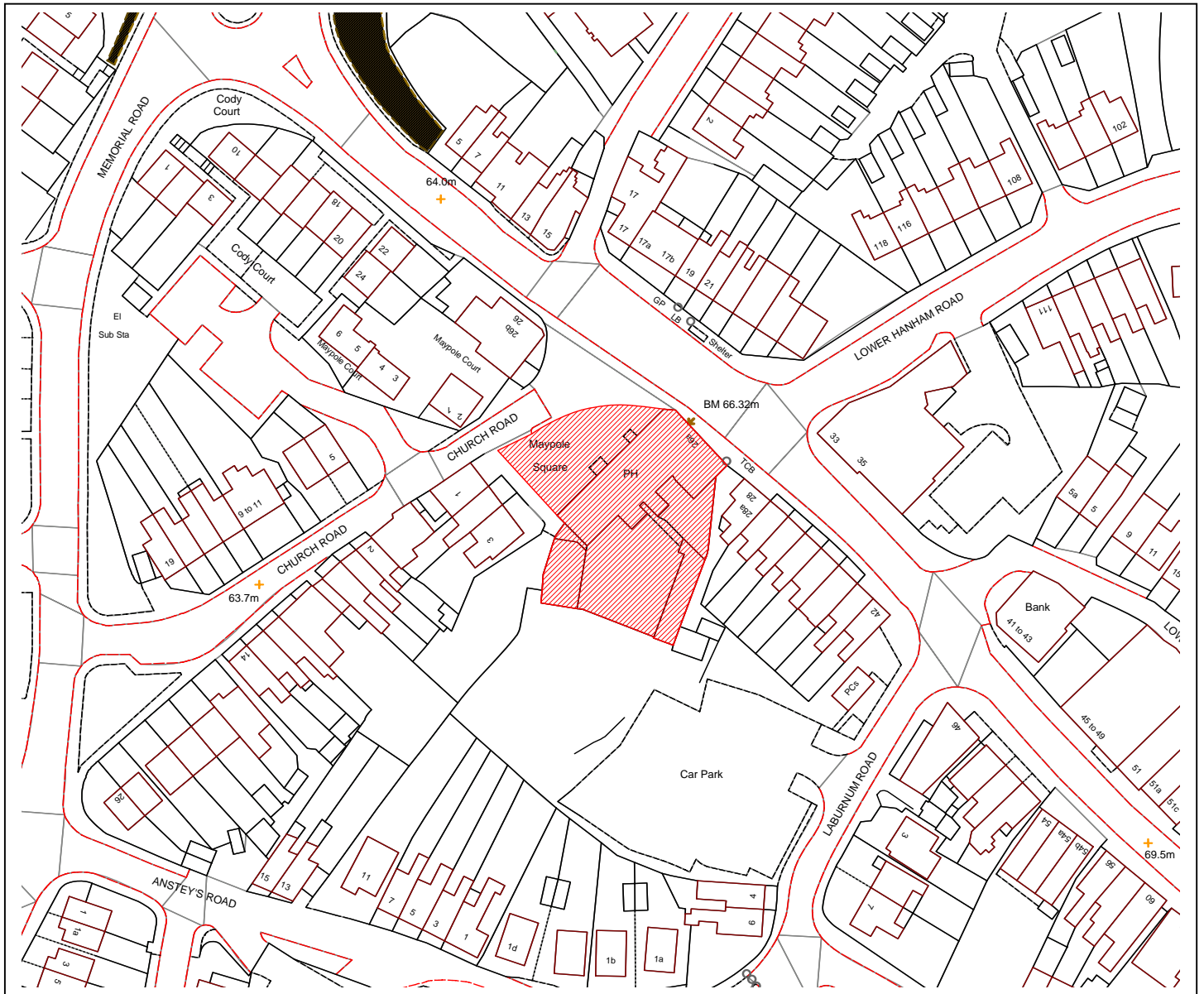
Reason:

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 08/07 – 22 FEBRUARY 2007

App No.: PK06/2568/LB
Site: The Maypole 26a High Street Hanham
 BRISTOL South Gloucestershire BS15
 3DP
Proposal: Internal alterations to facilitate general
 refurbishment.
Map Ref: 64038 72437

Applicant: Green King Plc
Date Reg: 4th September 2006
Parish: Hanham Parish
 Council
Ward: Hanham



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 100023410, 2006.

N.T.S

PK06/2568/LB

INTRODUCTION

This application has been referred to the Council's Circulated Schedule procedure as a result of objections received from a local resident regarding the proposed works.

1. THE PROPOSAL

- 1.1 This application seeks listed building consent for internal alterations to allow for a general refurbishment of the premises
- 1.2 This application relates to a pub which is a Grade II building, within the established residential area of Hanham.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1
PPS15

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
L13 Listed Buildings

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning applications are relevant to the application site:
- 3.2 PK00/3035/LB Display of externally illuminated signage
Approved December 2002
- 3.3 PK01/3413/LB Replacement and refurbishment of roof.
Installation of roof light
Approved February 2002
- 3.4 PK05/1847/LB Display of signs
Approved August 2005
- 3.5 PK06/3512/LB Demolition of chimney stack
Approved January 2007

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
No objection

Other Representations

- 4.2 Local Residents

One email has been received from a local resident raising the following objections regarding the proposed works, which have been summarised as follows:

- No mention of extra parking to be provided.
- Moving the main entrance will have an impact on neighbouring occupiers in terms of noise and disturbance.

-It is unfortunate that it is proposed to remove fireplaces and board up openings with plasterboard.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy L13 of the South Gloucestershire Local Plan allows for alterations or additions to a listed building subject that the building and its setting are preserved.

5.2 Listed Building.

The Maypole is grade II listed. It is a two-storey local vernacular style building with rubble stonewalls and a tiled roof dating from around the mid/late C18. Apart from re-roofing two entrance canopy roofs, the works outlined in this application relate to the ground floor interior of the building which has been altered the years.

5.3 This application proposes the removal of two fireplaces. Although concern has been raised by a local resident regarding their removal, Members are advised to consider that the Listed Building Officer has raised no objection as they are not considered to be of any architectural or historic interest. An objection was raised by the Listed Building Officer with regards the proposed boarding up of the existing cooking range installed in the rear bar area at the south west end of the building on the grounds that the cooking range is considered to be of historic interest and is an attractive feature of the building interior. Amended plans have been submitted which illustrate the range being left exposed and not boarded up.

5.4 The application also originally proposed a number of other works to which the Listed Building Officer raised an objection. These related to the tiling of the existing canopies, carpeting over the historic flagstone floor and removal of a length of flank wall. In light of the objections raised by the Listed Building Officer these elements have now been omitted and amended plans have been submitted which are satisfactory.

5.5 The application also seeks listed building consent for new internal lobbies, new cellar hatch door and extension of existing bar area.

5.6 It is considered that the proposed works as amended will not have an adverse impact on the historic character of this Grade II listed building and based on the revised drawings no objection is raised.

5.7 Other Issues

Concerns have been raised regarding the lack of parking and the proposed position of the main entrance. Members are advised to consider that these issues cannot be considered as part of this Listed Building Application and furthermore would not be subject to a planning application as they do not need planning permission.

5.8 Design and Access Statement

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

5.9 Section 106 Requirements

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

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 Listed Building consent be granted subject to the following conditions.

Background Papers **PK06/3512/LB**

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

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. 08/07 – 22 FEBRUARY 2007

App No.: PK06/2588/F
Site: Land to the rear of 31 Cossham Street
 Mangotsfield BRISTOL South
 Gloucestershire BS16 9EW

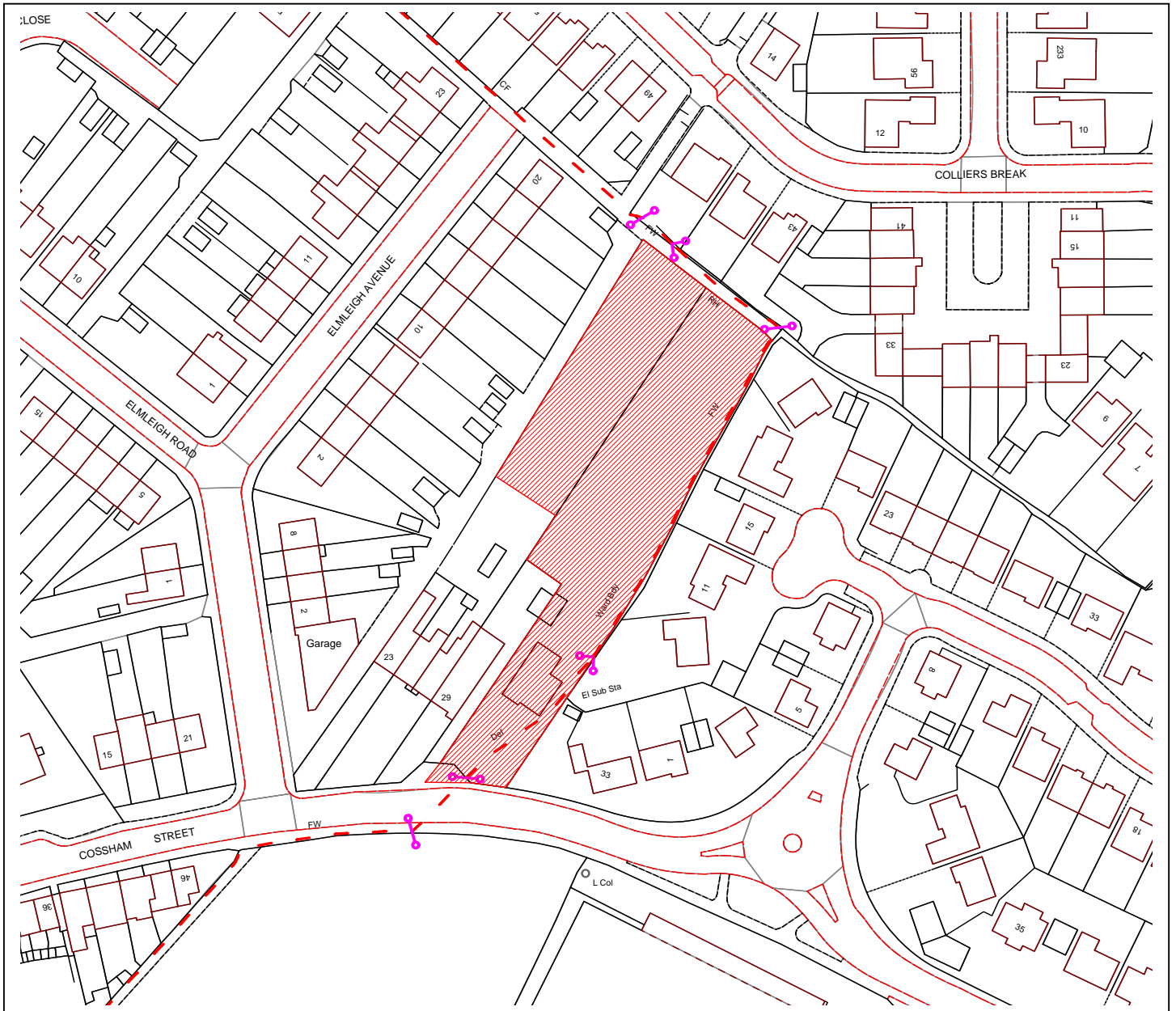
Applicant: United Builders
Date Reg: 5th September 2006

Proposal: Demolition of existing dwelling to facilitate the erection of 4no. dwellings and 10no. flats with 4no. garages, car parking, access, cycle/bin stores and associated works.

Parish: Mangotsfield Rural Parish Council

Map Ref: 66655 76241

Ward: Rodway



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INTRODUCTION

The application appears on the circulated schedule as there are a number of objections to the scheme, which is recommended for approval.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of existing dwelling to facilitate the erection of 4no. dwellings and 10no. flats with 4no. garages, car parking, access, cycle/bin stores and associated works
- 1.2 The site consists of the long rear gardens of a several properties on Cossham Street, within the Mangotsfield urban area, within the Bristol East Fringe urban area as defined on the Proposals Map. There is an existing Monkey Puzzle tree directly to the rear of 31 Cossham Street that has a Tree Protection Order.
- 1.3 The proposed layout consists of the demolition of no. 31 Cossham Street, with and its replacement with a 4-bed house, 3 further four-bed houses at the rear of the site and a block of 10 two-bed flats. The proposed houses have garages, whilst the flats have 13 off-street parking spaces. The proposed flats have bin and cycle storage.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing
PPS3	Housing
Circular	05/2005

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
H2	Proposals for Residential Development within the Existing Urban Area
LC1	Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
LC2	Provision for Education Facilities
LC8	Open Space and Children's Play in Conjunction with New Residential Development

3. RELEVANT PLANNING HISTORY

- 3.1 P86/4502 Construction of a garage Approved 1986
- 3.2 PK03/3852/O Erection of 24 flats with siting of car parking and means of access to be determined. All other matters are reserved. Withdrawn 2004

3.3 PK04/2405/O Demolition of 1 dwelling to facilitate erection of 24 no. two bedroomed flats (outline) with means of access to be determined. All other matters reserved. Refused on 6/6/2005 for the following reasons:

1. The proposal would represent an over development of the site which would appear cramped and out of character with its surroundings to the detriment of visual amenity and contrary to policy D1 of the South Gloucestershire Local Plan (Incorporating Proposed Modifications) March 2005.
2. In the absence of a Section 106 Agreement or Unilateral undertaking to secure contributions towards mitigating the under provision of open space, library service, youth services and public art in the development the proposal would be contrary to Policy LC8 and LC13 of the South Gloucestershire Local Plan (Incorporating Proposed Modifications) March 2005.
3. In the absence of a Section 106 Agreement or Unilateral undertaking to secure an appropriate level of affordable housing, the proposal would be contrary to Policy H6 of the South Gloucestershire Local Plan (Incorporating Proposed Modifications) March 2005.
4. In the absence of a Section 106 Agreement or Unilateral undertaking to secure an appropriate level of education provision, the proposal would be contrary to Policy LC2 of the South Gloucestershire Local Plan (Incorporating Proposed Modifications) March 2005.

4. CONSULTATION RESPONSES

4.1 Mangotsfield Rural Parish Council
No objection

4.2 Other Consultees
Wessex Water commented that the development is located within a sewered area, with foul and surface water sewers. They also comment that the developer would have to agree points of connection onto their systems. For the satisfactory disposal of foul flows and surface water flows generated by the proposal.

Other Representations

4.3 Local Residents
21 objections have been received to the proposal, one general comment and one letter of support. The comments and objections are as follows:

- Invasion of privacy
- Very difficult access for motorists and pedestrians especially for children on school run
- De-value existing properties
- Not enough parking spaces provided- too many cars parked on street already
- Sole window on eastern aspect on proposed new house to Cossham Street should be opaque glass
- Increase traffic generated by proposal
- Noise pollution
- Light pollution

- Poor access for construction purposes
- Unsafe to have a junction on curve approaching roundabout
- Schools already full with spaces being a problem for children in local area- both junior and senior
- Development being crammed in
- Only 2 disabled parking spaces provided
- Are these properties going to be housing association?
- Why is development needed
- Illicit land encroachment and demolition of party wall
- Windows back of plot 3 below 21m recommended distance
- Wildlife will loose homes
- Third storey of block of flats will have dominant view of houses
- Flats result in overlooking of gardens
- Overbearing impact
- Development below privacy distances
- Loss of amenity
- Fences on neighbouring properties
- Result in loss of trees
- Monkey puzzle tree would be damaged by foundations
- Poor state of boundary wall rear of 29 Cossham Street
- Flats not suitable for the area
- Eyesore for residents
- Lack of open space within vicinity
- House can increase in traffic be mitigated financially?
- Disagree with comments of Landscape and Urban Design Officer

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H2 allows for the residential development within the urban area subject to detailed criteria, including whether the maximum density compatible with the site and its location and accessibility is achieved. The site lies in an dense urban area, on the border between the older part of Mangotsfield and the Emersons Green development. The site is considered a sustainable one, close to the local centre of Mangotsfield Village, and well served by public transport routes. Within this context a high density scheme such as this one is considered appropriate. The principle of development is therefore acceptable, subject to the following detailed assessment.

5.2 Residential Amenity

The proposed block of flats has been designed so that it does not unduly overlook the rear gardens of properties in Elmleigh Avenue, and its main aspect faces into the site. The proposed balconies are approx. 25m from the rear elevations of properties in Wadham Grove, and this is considered appropriate in residential amenity terms. There will be views afforded from the balconies of the proposed flats to rear gardens of nos 9-17 Wadham Grove, of a distance of approx. 15m, but given that this is a fairly high density area already, this relationship is considered appropriate and not unusual in the vicinity.

- 5.3 Proposed plot nos 1, 2 and 3 lies at the rear of properties 43-47 Colliers Break. The rear of these plots would be between 22 m to 25m from the rear of these properties, which is over the 21m standard for distances between habitable rooms. Views of the rear gardens of these properties in Colliers Break would be afforded from these proposed houses, but, again, this is not an unusual relationship for an urban area.
- 5.4 No. 17 Wadham Grove lies approx. 9m from the side elevation of house plot 3, which has 2 habitable rooms windows within it. This is well below the standard of the 21m from habitable room window to window, and below the 12m standard for windows to blank elevations. The two proposed windows facing no. 17 are not principal habitable room windows and a condition will be recommended requiring these to be obscure glazed and top opening. No. 17 Wadham Grove is at a higher level than the site, and whilst the side elevation of plot 3 would affect residential amenity of no. 17, given the condition requiring obscure glazing and the difference in levels, it is not considered that this relationship would, on balance, be significantly prejudicial to the occupiers of no. 17, and as such, refusal of this application on this basis could not be, in the officer's view, successfully substantiated at appeal.
- 5.5 The single window on the side elevation of the proposed rebuild of no. 31 Cossham Street is shown as being obscured glazed, and this will be conditioned.
- 5.6 The proposed houses have rear gardens and whilst the proposed flats have some rear amenity space, although a rather small amount. However, there is substantial open space within the vicinity (there is an open area directly opposite with public access, and Rodway Common down the road) and to mitigate the likely increased demand in use of this open space as a result of the development, the Council's Community Services Department have requested a financial contribution (see section headed Community Services below).
- 5.7 Visual Amenity and Trees
The Urban Design Officer has commented that he is satisfied that the development will integrate into its surroundings in respect of the height and scale of the buildings, as well as the proposed materials and their detailing. He has raised comments regarding the minimising of the use of energy and natural energy and has suggested a condition as such.
- 5.8 The proposed flats have been designed so that their mass and scale does not dominate the streetscene and overall the scheme would not harm the visually amenity of the area.
- 5.9 Concerns have been raised by local residents regarding the loss of trees on site, however, none of the existing trees, apart from the monkey puzzle tree, which is already protected, were considered worthy of protection. The Tree Officer has commented that he is happy with the scheme subject to the submission of an appropriate protective fencing plan, which will be required by condition.
- 5.10 Details of landscape planting and details of all materials, including surfacing materials will be recommended by condition to ensure quality of development. Details of all external lighting will also be recommended by condition.

5.11 Transportation

Cossham Street is a classified highway that has been extensively traffic calmed in the past. The site is in a sustainable location, close to shops and schools. The area is served by a good bus service and is close to the cycleway. The Highway Officer has stated that the proposed development would result in a substantial increase in traffic from a site which at present serves one dwelling. As such the applicant has been requested to mitigate the effects of the proposal in transportation terms of £1250 per dwelling, which the applicant has agreed to. This mitigation would be to safely accommodate the intensified access onto Cossham Street and to encourage the use of non car modes of transport. Although Cossham Street has already been traffic calmed, a need has been identified for further improvements. The contribution would be used for safety improvements in the area and public transport infrastructure enhancements to encourage modal shift and reduce trips from the site.

5.12 The Highway Officer has stated that the proposed level of parking complies with Policy T8 of the adopted Local Plan.

5.13 Education Services

The Council's Education Services Department has stated that there is a projected deficit of primary level spaces within the local era. Based on pupil number calculators, the proposed development generates an additional six primary school pupils. Current DfES cost calculators per primary pupil place are £8561.77, requiring a total contribution of £51370.62 to offset demand on primary school places in the area. The applicant has agreed to this contribution. There is a projected surplus of places at secondary schools in the area and therefore no contribution is required to additional secondary school provision.

5.14 Community Services

The Community Services Department have requested a total contribution of £26768.31 to enhance nearby public open space and future maintenance of these enhancements, to offset demand from the development on local community facilities. The applicant has agreed to this contribution.

5.15 Affordable Housing

The proposed number of units is below the threshold set out in Policy H6 and therefore there is no requirement for affordable housing for this development.

5.16 Other issues

De-valuation of property is not a material consideration and cannot be taken into account in the assessment of this application. Issues of ownership of boundaries are civil issues, not planning ones, and also cannot be taken into account in the assessment of this application.

5.17 Concerns have been raised regarding noise and light pollution, however, given that the site is within an existing urban area, with associated levels of light and pre-existing background noise levels, it would be very difficult to substantial refusal of the application on these grounds.

5.18 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).

5.19 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, having regard to the above advice, the transportation improvements, public open space improvements and education contributions are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

6. CONCLUSION

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

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

- A financial contribution of £26 768.31 to secure the enhancement and future maintenance of these enhancements of existing open space in the area
- A financial contribution of £51370.62 to offset demand on primary school places in the area
- A financial contribution of £17500 towards improvements to the highway and public transport infrastructure

(B) That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.

Background Papers **PK06/2588/F**

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

CONDITIONS

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

Reason:

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

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

Reason:

To 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 H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

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

4. The glazing on the north-east elevation of plot no. 3 facing no. 17 Wadham Grove and on the north east elevation of the replacement 31 Cossham Street facing no. 33 Cossham Street shall at all times be of obscured glass.

Reason:

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

5. The development hereby approved shall be constructed to an Eco-Homes 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 assessors report and the certificate shall be submitted to the Local Planning Authority prior to occupation of the building.

Reason:

To minimise the use of energy and natural resources and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006

6. Details of any external lighting, 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:

To safeguard the amenity of the locality, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of all the protective fencing for the existing monkey puzzle tree, together with measures for its protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details.

Reason:

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

8. A landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned domestic gardens shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

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.

9. 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 and L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. 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.

CIRCULATED SCHEDULE NO. 08/07 – 22 FEBRUARY 2007

App No.: PK06/3561/F

Applicant: McCarthy & Stone
(Development)
Limited

Site: 67-73 Bath Road Longwell Green
BRISTOL South Gloucestershire BS30
9DF

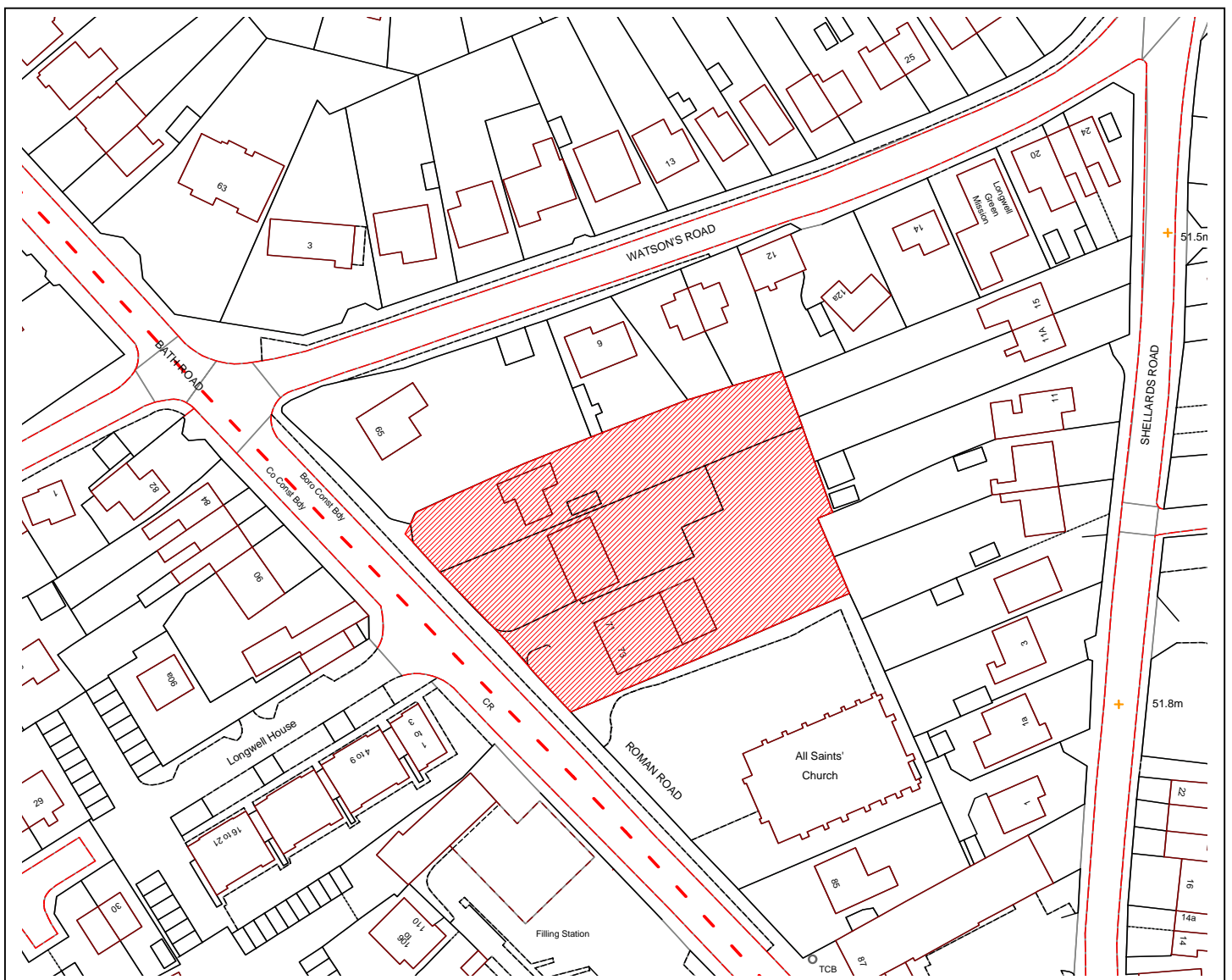
Date Reg: 11th December
2006

Proposal: Demolition of 3 no. existing dwellings to
facilitate the erection of 40 sheltered
apartments for the elderly with access,
parking and associated works.

Parish: Oldland Parish
Council

Map Ref: 65737 71214

Ward: Longwell Green



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INTRODUCTION

This application is reported on the Circulated Schedule in accordance with the Council's procedure for determining Major applications.

1. THE PROPOSAL

- 1.1 This applications seeks full planning permission for the erection of 40 flats offering sheltered housing for elderly persons. The flats would be within one building, of two and three storeys, proposed to be centrally located within this 0.33 hectare site which fronts Bath Road. The planning application includes the demolition of three existing dwellings.
- 1.2 At present, the houses intended to be demolished all front Bath Road and have accesses derived from that A classified road. The proposed access would lie at the western end of that frontage, close to the existing access for No. 67. This would be a similar location for the access as that which formed a refusal reason for the previous application, as detailed below. No. 71/73 is used as a conservatory sales centre. On highway land immediately outside the application site there stands a row of mature plane trees. With the previous application for this site, the loss of at least one of these trees formed the second refusal reason. The other two refusal reasons were the loss of trees affecting the setting of the listed building and the lack of agreement to Section 106 contributions to mitigate the effects of the proposed development, which was the erection of 14 dwellings.
- 1.3 No. 65, adjacent to the site, is a listed building, with its principle elevation facing the site. Surrounding housing is predominantly two storey. To the rear, there is a sporadic tree screen, separating the site from the long rear gardens of a row of houses fronting Shellards Road.
- 1.4 Within the site, the proposed building would form a horseshoe shape, with the open end facing north. Car parking, for 17 vehicles is intended for the northern boundary, predominantly bordering the adjacent listed building, with a further two spaces within the open end of the 'horseshoe'. Amenity space would be provided mainly to the eastern boundary of the site, with some further space on either side of a footpath which circumnavigates the building linking into both ends of the parking area.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing
PPS3	Housing
PPG13	Transport: Guide to Better Practice
PPG15	Planning and the historic environment

2.2 Development Plans

South Gloucestershire Local Plan January 2006

D1	Design
EP1	Environmental Pollution
T7	Cycle Parking
T8	Vehicle parking
T12	Transportation
H2	Residential Development within the urban area
L1	Landscape

L13 Listed Buildings
LC8 Community Services
LC13 Public Art

2.3 Supplementary Planning Guidance
Trees and Development

3. **RELEVANT PLANNING HISTORY**

- 3.1 P75/4819 Erection of three storey block of flats Refused
- 3.2 PK06/1873/F Erection of 14 dwellings - flats and houses Refused 2006
NB Refusal reasons appear in section 1 above.

4. **CONSULTATION RESPONSES**

4.1 Oldland Parish Council

Objection on the grounds of serious lack of parking and garaging provision and lack of charging facilities for electric buggies.

4.2 Other Consultees
Wessex Water

No objection in principle, subject to suggested informatives regarding connections to Wessex infrastructure. Point out that it has not been disclosed how the developer proposes to deal with surface water. Wessex also supplied a letter in response to a sewer capacity enquiry.

Other Representations

4.3 Local Residents

13 letters of objection were received as a result of the consultation process, citing the following points:

- Building is out of keeping with the street scene and out of proportion
- Loss of privacy
- Access is too small – should allow two way traffic
- Development would create three junctions close to each other over a short stretch of the A431
- Too much traffic generated
- Inadequate parking provision for residents and visitors
- London plane trees are protected due to historical interest
- Overlooking of surrounding properties
- Loss of sunlight from overshadowing effect of building
- Removal of trees near the access will be likely
- Sewerage will need to be addressed
- Impact of three storey development on bungalows along boundary
- Overdevelopment
- Design out of keeping with adjacent Listed Building
- Stone wall at the front of the site should be retained
- Windows overlooking garden of the Listed Building should be obscure glazed – this boundary treatment should be higher to preserve privacy and the drop kerb extended to prevent cars parking too close to the wall
- Risk of subsidence and possible stream running through No. 67
- Monitoring traffic movements showed average daily movements currently at 21 and not the claimed 60 plus

- Traffic movements at the bus stop and petrol station should be taken into account in the traffic management survey
- Conifer trees on the north east of the site will be cut down due to an existing order by SGC
- A boundary fence of 1.8 metres would effectively be 1 metre high and not high enough, due to differing levels
- The screening effect of the Bath Road trees will be reduced in winter
- Site would create noise and attract vandals
- Picture submitted with the application are misleading
- Lack of bin store

- London plane trees are protected due to historical interest
- Oversupply of elderly person's accommodation in the vicinity
- A nearby tree was felled – did this require permission?
- Loss of view for residents of the nearby church
- Issues to do with the construction process

NB The last 4 comments are not relevant planning issues in the determination of this application. The trees in question are not covered by a Tree Preservation Order.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations, under the following headings. The site is considered to be previously developed when assessed against the provisions of PPG3, in that the land has an existing use as a dwellinghouses and a conservatory sales centre. The immediate task of this application is to overcome the refusal reasons for the previous scheme, submitted in outline form. It is acknowledged that this proposal is different in character from that scheme and therefore will raise different issues, requiring further analysis.

5.2 Density of Development

The application form states that the site is 0.33 hectares. The government in PPG3 has set a minimum target of 30 dwellings per hectare and the density of this proposal would be over 120 dwellings per hectare, which meets this target. PPG3 does however advise that proposed development should respect the density of that around and this is further explained in PPS3. It is considered that this density is much higher than that of the surrounding area. In determining the previous application, which proposed 42 dwellings per hectare, it was considered that, given the local context, a slightly lower density of development than then proposed would be more appropriate in this location. The current proposal is far in excess of this and the effect of this on the local character and distinctiveness is analysed below.

Furthermore, both PPS1 and its draft Supplement Planning and Climate Change emphasise the need for development to be in the right location in order to reduce the need to travel by car. Local Plan Policy H2(B) follows the central government advice and requires “the maximum density compatible with the site, its location, its accessibility and its surroundings is achieved”. The site is in close proximity to shops and services and public transport routes that run along Bath Road. It should be noted, however, that the applicant has not identified the frequency of the bus service, which is an important issue when considering if a site is suitable for intensification in density. Nevertheless, given the site is in

close proximity to shops and services as well as public transport routes the site could be suitable for intensification to some extent. The proposed density is well in excess of the minimum density standard of Policy H2(B) and is a density that would be expected and more appropriate in a city centre location. Therefore, the proposed development is considered to be too intensive in this location and would have the effect of increasing car dependence, which is contrary to PPS1 and Local Plan Policy H2.

5.3 Townscape & Visual Amenity/ Urban Design Issues

In respect of layout, PPS3 states: “*The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If well done, imaginative design and layout of new development can lead to more efficient use of land without compromising the quality of the local environment.*” (para 50). Local Plan Policy D1(A) requires the siting, layout, form and scale (amongst others) to be informed by, respect and enhance that character, distinctiveness and amenity of the site and the locality.

The proposed building that would face Bath Road does not follow the established building line, nor the profile of the site. The result will be a series of buildings that do not respect or enhance the character of the area. The proposals are therefore considered to be contrary to Policy D1(A). The proposed building is set approx 6 metres from the south boundary and 8 metres from the east boundary. The layout does not follow the spatial character of the area and will have an overbearing impact on the neighbouring properties. The proposal will also prejudice development of the adjacent sites. The proposals are therefore considered to be contrary to Policy D1(A). No areas for bins stores and cycle stores have been identified. The proposals are therefore contrary to Policy D1(H).

With regard to scale, the proposed building footprint and height exceed those of the surrounding buildings. The cumulative effect of the building footprint and height is considered to result in a building with a scale that does not respect nor enhance the character and distinctiveness of the surrounding area. The proposal is therefore contrary to Policy D1 in this respect as well.

With regard to minimising the use of energy and natural resources, Policy D1(G) states “*Proposals will be expected to demonstrate that: the design, density, orientation and location of buildings and associated landscape proposals incorporate measures to achieve energy conservation and the protection of environmental resources.*” Questions 11 to 15 of the South Gloucestershire Design Checklist are related to minimising the use of energy and natural resources. In particular Question 14 asks if the development achieves a minimum EcoHomes standard of ‘very good’. (Note: the Checklist will be updated to take account of the Supplement to PPS1 – Planning and Climate Change). The applicant has provided a ‘Sustainability Statement’ in Appendix 1 of the Design and Access Statement. However, it does not demonstrate how the layout and buildings have been designed to minimise the use of energy and resources, water, waste, recycling etc. In order to objectively assess the impact the development will have on the environment; allow the developer maximum flexibility; and to ensure the development achieves the maximum viable standard of resource and energy efficiency (PPS: Planning and Climate Change paragraph 6 bullet point 2); the Council would require the proposals to achieve as a minimum standard, EcoHomes ‘very good’ / Level 3 of the Code for Sustainable Homes, which should form a condition on any

approval. If the applicant cannot achieve EcoHomes 'very good' / Level 3 of the Code for Sustainable Homes, they must demonstrate why in their Design and Access Statement. Until such time that the applicant agrees to a condition requiring the development to achieve EcoHomes 'very good' / Level 3 of the Code for Sustainable Homes, or they justify why the standard cannot be achieved, the proposal is contrary to both PPS: Planning and Climate Change, and Policy D1(G) of the Local Plan.

Urban Design Conclusion and Recommendations.

1. The site is served by local shops/services or public transport and therefore is appropriate site for some intensification. However, in my opinion, the proposed density of 121 units/hectare is too intensive given the location.
2. In my opinion, the proposed layout is not informed by nor will it enhance the character of the area because: it is in front of the established building line; it will have an overbearing impact on neighbouring properties; and it will prejudice development of neighbouring properties. The proposals are therefore contrary to Policy D1(A).
3. The scale of the building is not informed by nor will it enhance the character of the surrounding area. The proposals are therefore contrary to Policy D1(A)
4. No area for bins stores and cycle stores have been identified. The proposals are therefore contrary to Policy D1(H).
5. No information has been submitted to demonstrate how the development has been designed to minimise the use of energy and natural resources. The applicant must submit this information and commit to achieving the highest viable standards of resource and energy efficiency, which should be objectively assessed through a EcoHomes 'very good' rating / Level 3 of the Code for Sustainable Homes. If the applicant cannot achieve this standard they must justify why in their design and access statement.

As the proposal is contrary to policy, refusal is recommended.

5.4 Amenity Space

Amenity space has been indicated on the illustrative plans to serve the 40 proposed dwellings but it is considered to be inadequate to meet the needs of future occupiers. This is a result of the intensity of the development on the site.

5.5 Means of Access/ Transportation Issues

Sustainable Transport

The proposal involves demolishing three dwellings (including a 4 bedroom dwelling, three flats, and a conservatory and shed business plus 4 bed-sits) to be replaced by a building to facilitate 40 sheltered apartments for the elderly. Site access to this development is proposed to be via an existing access from Bath Road. The existing access has restricted visibility onto the public highway and that restriction is due to presence of highway trees, which will be retained under this proposal. Because of the visibility issue from the site access, it is considered that any redevelopment should ensure that the use of the access to this land is not increased, as this would result in an increased risk of possible conflicts.

Along with the planning application, the applicant has submitted a traffic statement together with traffic surveys of other similar developments under control of the applicant. Based on the traffic surveys of these sites, the applicant's agent estimates the traffic movements to and from this development will be in order of 46 two-way movements (i.e. trip rate of 1.13 per unit). By

reference to the TRICS national database however, the highway officer's own assessment of traffic movement is that proposal has the potential to generate total daily traffic movements of 73 two-way movements (i.e. trip rate of 1.83 per unit). It is acknowledged that traffic generation from this proposal would be less than the previous proposal for residential development on the site, however given the density of the current proposal, it considered that the new scheme will increase traffic movements through the existing access when compared to the current uses on the site. In view of the visibility issue from the existing access, there are concerns about potential conflicts at this location.

With regards to the parking issue, officers have assessed the parking needs of the proposal in line with the Local Plan parking policy T8. The parking requirement for sheltered accommodation is 1 space per 4 dwellings with one additional space per 4 dwellings for communal parking and 1 space per warden. Assuming that there is one warden on this site then, a total of 21 parking spaces are required. The proposal suggests provision of 19 parking spaces on the site. Given the location of the site access onto the A431, Bath Road, which is busy commuter traffic route, it is considered that additional parking is required in line with the adopted parking standards. There are concerns that without adequate off-street parking, the proposal would lead to on-street parking on the public highway. Any increase parking on the road, if it is to occur at this location, will add to congestion in the area and will increase obstruction to visibility splays from the site access.

In view of all the above therefore, the application is recommended refusal for the highway refusal reasons shown below, regarding the use of a substandard access and lack of appropriate levels of parking provision.

In addition to this, if the scheme were to be approved, there would be a requirement for a Section 106 contribution to mitigate its effects: The nearest bus stops on Bath Road already have raised boarders. One of the bus services (45) is involved in Bristol's Showcase 2 project which features the provision of information at the bus stop in real-time. A developer contribution of £14,000 would resource the cost of:-

- (i) cost, fitment and configuration of an electronic sign displaying times of imminent buses at the westbound stop, near The Crown.
- (ii) raising the current shelter to enable the sign to be fitted.

5.6 Tree Issues

The plans supplied show the access to the site is via the existing driveway and this will remain for the new development. Provided there is no change in levels or alterations to the surfacing around and within the rooting area of the trees, the development should have little impact on the health and longevity of the trees. There is no objection to this application, subject to the inclusion of a condition to ensure that levels and surfacing around and within the rooting area of the London Planes is not altered without prior consultation with South Gloucestershire Council. The trees themselves are on highway land, but some of the root system will be within the site. By maintaining the current site access, this proposal is considered to have overcome the previous refusal reason regarding trees.

5.7 Effect on the Setting of the Listed Building

The application seeks to replace three modern buildings with a very substantial block of 40 flats and associated parking etc. The scale of the new building is significantly larger than any of the adjacent buildings. It is hard to fully assess the impacts of the proposals upon the adjacent properties because elevation drawings fail to set the development in context – with the exception of a section entitled “contextual elevation from Bath Road”, which is unclear because the buildings are obscured by substantial trees. Nevertheless there is sufficient information to suggest that the scheme will have substantial adverse impacts upon the setting of the adjacent listed building. Looking from ground level into the site, from Bath Road itself, the view would be entirely different and the substantial nature of the development means that the building is set forward within the site in a way which contrasts sharply with the neighbouring properties which are set back behind mature gardens or parking areas. Whilst it is acknowledged that the scheme tries to reduce the impact upon the setting of the adjacent listed building, by locating the bulk of the development against the eastern boundary of the site and it is accepted that it may be possible to get some additional small scale planting onto the site, and that mature trees outside the site boundary will remain, the impacts of a building of this scale can not successfully be softened or broken up by planting.

The dominant building material in the vicinity is natural stone with tiled roofs and there are a number of good modest Victorian buildings with traditional details around the site as well as the listed building itself. Whilst there are a few token stone facing panels shown in the design, the mass of the proposed new building is proposed to be brickwork and render with low pitched roofs, which are not part of the historic vernacular tradition here, and are not considered to sit comfortably with the modest scale, good quality natural materials and historic detailing that still characterise many of the historic buildings in the vicinity of the site. It is hard to see how, on the basis of the information provided, the building will not have a substantial adverse impact upon the setting of the adjacent listed building by virtue of its scale, massing, design, and the proposed materials. The Listed Building officer has recommended refusal of the proposal and the Planning Officer agrees with this analysis.

5.8 Residential Amenity

Notwithstanding the issues analysed above, the proposal needs to be tested against its impact on the residential amenity of surrounding dwellings. In this respect, it should be noted that the site is bounded in two directions by a church and Bath Road. The siting of the proposed building is towards these two boundaries. The houses fronting Shellards Road have long rear gardens and a tree screen at the end of these. A further gap, to be landscaped is indicated along the northeastern boundary, giving an overall building to building distance of a minimum of 45 metres. Even with two storey elements and some degree of overlooking, through the existing tree screen, it is considered that any loss of residential amenity would be minimal and not of a degree to warrant a refusal reason. Along the northwestern boundary, the rear gardens are approximately 10 metres deep. As described above, most of the built form faces the other boundaries. There are three storey elements shown facing in this direction on the submitted plans. It is considered that overlooking of the rear gardens of properties on Watsons Road would occur as a result of this proposal, with habitable rooms shown at both first floor and second floor level, at varying distances along this uneven frontage. It is considered that this would lead to a

loss of residential amenity for the occupiers of the dwellings neighbouring the site. As such, this forms a refusal reason for the proposal.

5.9 Drainage

The Council's Technical Services Unit has raised no objection to the proposal in principle, subject to a condition requiring sustainable drainage details and various informatives to be appended to an approval.

5.10 Other Issues

Education has not identified an oversubscription of class sizes and a contribution has not been required in this instance. It is considered unlikely in any case that the households in the proposed development would contain children.

Environmental Protection has raised no objection to the proposal, subject to the inclusion of informatives on the decision notice.

Housing

The Council's Housing Department has stated as follows:

The requirement for affordable housing as part of this proposal in line with policy H6 and PPS3 is as follows:

- 33.3% affordable housing to be provided on site without public subsidy
- Tenure split to be 77% rent/ 23% shared ownership, in a range of units to meet local housing need as listed below.

Amount	Type	
9%	1 bed flats	
0%	2 bed flats	
37%	2 bed houses	
15%	3 bed houses	
39%	4 bed houses	
100% Total		

- 100% of initial occupants to be nominated by SGC. Depending on the need at the time, the Council would seek a proportion of the above to be wheelchair units.
- Distributed across the site in clusters of no more than 6 units
- Design criteria: All units to comply fully with SDS, Lifetime Homes, RSL design brief and ECO-Home VeryGood.
- Delivery preferred through RSL – would encourage developer to work with Homes West RSL (see SPG Appendix 1) on sites over 30 units or South Gloucestershire Housing Partnership on smaller sites.
- Phasing - the affordable housing should be built at the same time as the rest of the housing on site in line with agreed triggers e.g. the affordable housing will be completed no later than the completion and occupation of 50% of all housing, or as per S106 agreement.

Shared ownership units: 40% of the market value will be payable to the developer so that the units are affordable to those in housing need. The annual rent on the equity retained by the RSL should be no more than 1.5% of the unsold equity.

- Rented accommodation to be retained as affordable housing in perpetuity. Right to Acquire does not apply where no public subsidy provided. Shared ownership capital receipts to be recycled as capital expenditure on affordable housing in South Gloucestershire.

The proposal is for sheltered housing across the site, with no part of the development falling within McCarthy and Stone's assisted living model. The Council has 32 households seeking affordable rented sheltered accommodation in this area - however the greater need is for affordable general needs housing in this location and therefore the Council should seek this instead. This would rely on estimating the value of 33.3% of the site in terms of general needs provision (likely to be mostly 1 bed flats) PPS3 enables the Council to seek general needs affordable housing on a site proposed for older peoples housing. Further support for this comes from an October 2006 appeal decision from Warminster, Wiltshire.

Community Services

The advise from Community Services is as follows:

This proposed development has a net increase of 37 units and using our current formula it is estimated that it would generate an average population increase of 55.5 people. If this development is implemented it would create a need for extra community facilities. In order to offset this increased demand on community facilities we would request contributions towards the following:

Public Open Space

As the development is for the elderly it is not considered to be appropriate to ask for contributions towards equipped and unequipped play areas. Therefore there is no requirement for any contributions towards open spaces.

Library Services

A contribution of £21.04 per resident would be required for books/IT/ audio equipment at Hanham Library, to offset increased demand on its facilities. This equates to £1,167.72. The contribution of £2,164.50 towards additional floor space will be pooled with monies from other developments in the area to enable an extension to take place. The total contribution towards library services would therefore be £3,332.22

Public Art

South Gloucestershire Council Local Plan LC13 states

In determining applications for major new development the council will seek the contribution of an agreed percentage of the total development costs for the provision or commission of publicly accessible art, craft and design works. It should be acknowledged that the scheme can have clear benefits for developers, not least of all by raising the quality of design of, and interest in, a development and subsequently its value. The policy does not aim to add to the total cost of a development, but to secure a percentage of the identified development budget.

In the absence of negotiation over this and the other contributions above, this forms a refusal reason for this proposal.

5.11 Design and Access Statement

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

5.12 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 requirement for the issues outlined above under the headings Community Services and Housing are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

However, due to the fundamental problems with this proposal, as identified above, which means that elements of the proposal would be contrary to policy, due to design, highways concerns as covered above, the setting of the Listed Building and the effect on visual amenity, the requirements for the Section 106 contributions set out above have not been sought from the applicant.

7. RECOMMENDATION

7.1 That planning permission is refused for the reasons shown below.

Background Papers **PK06/3561/F**

Contact Officer: **Chris Gosling**

Tel. No. **01454 863787**

REFUSAL REASONS

1. The proposal by reason of its high density of development would lead to increased use of a substandard access with restricted visibility onto the public highway thereby increasing hazards faced by highway users, all to detriment of highway safety and contrary to policy T12 of South Gloucestershire Local Plan.
2. The proposal by reason of insufficient parking on the site, and in the absence of mitigating measures to restrict parking on the A431 Bath Road, would add to congestion on the public highway and increase highway hazards faced by the highway users, all to detriment of highway safety and contrary to policy T12 of the South Gloucestershire Local Plan.
3. The proposed building would dominate the setting of the adjacent listed building, by virtue of its mass and height. The adverse impacts are increased by the use of inappropriate building materials and design details. The proposal would therefore harm the setting of the adjacent listed building and is contrary to policy L13 of the South Gloucestershire Local Plan.

4. The proposed development, due to its intensive density, the scale of the building, its position in front of the existing building line, its use of a layout neither informed by or enhancing the character of the area, its dominant relationship with surrounding properties, the lack of cycle and bin storage facilities and the lack of information on how the development has been designed to minimise the use of energy and natural resources, represents poor design which would harm visual amenity and local distinctiveness and be contrary to policies D1 and H2 of the South Gloucestershire Local Plan and advice contained in PPS1, Delivering Sustainable Development and PPS3 – Housing.
5. In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions towards mitigating the under-provision of public open space, the demand placed on the library service, and the lack of affordable housing as a result of the proposed development and improvements to local bus shelters, the proposal would be contrary to policies LC8, LC13, T10 and H6 of the South Gloucestershire Local Plan.
6. The proposed building would incorporate habitable room windows in the north west elevation at first floor and second floor level which would overlook the rear gardens of dwellings fronting Watsons Road, to the detriment of residential amenity and contrary to policy H2 of the South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 08/07 – 22 FEBRUARY 2007

App No.: PK07/0086/R3F

Applicant: South Gloucestershire Council

Site: Warmley Park School Tower Road North
Warmley BRISTOL South
Gloucestershire BS30 8XL

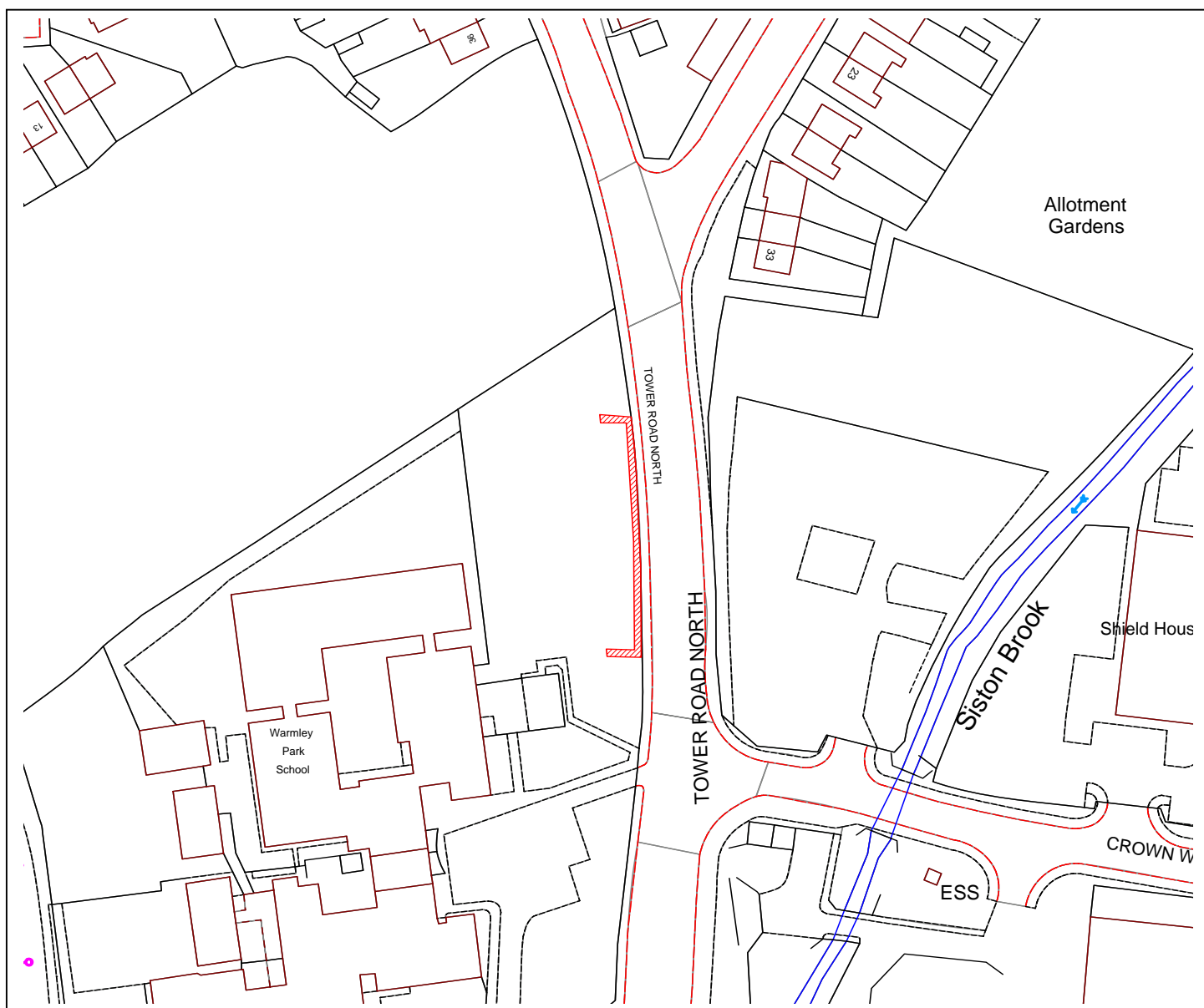
Date Reg: 10th January 2007

Proposal: Erection of 2m high boundary fence.

Parish: Siston Parish Council

Map Ref: 66990 73316

Ward: Siston



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N.T.S

PK07/0086/R3F

INTRODUCTION

The application appears on the circulated schedule as the applicant is South Gloucestershire Council Property Services Dept.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a 2m high boundary fence.
- 1.2 The site consists of an existing school, with an autistic unit within the urban area of Warmley. The fence, a flat panel fence system is proposed to surround a wildlife pond, so that the autistic children can be taken within the enclosed area without fear of them running off/out of the school premises.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

L1 Landscape Protection and Enhancement

LC4 Proposals for Education and Community Facilities within the Existing Urban Area

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/1735/R3F Erection of single storey extension to form Autistic Unit and installation of pond. Approved November 2006

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
No response

Other Representations

- 4.2 Local Residents
No response

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy LC4 allows for the improvement of education facilities within the existing urban area, subject to certain criteria, including whether the proposals are located in areas that are highly accessible on foot and by bike. Given that it is an existing school, with a new autistic unit, within Warmley, close to a large centre of population and well served by buses, the proposal is considered to conform to this criterion. The principle of development is therefore acceptable, subject to the following detailed assessment.

5.2 Visual Amenity

The proposed 2m high mesh panel fence would stand behind the existing fence next to the road, surrounding the wildlife pond. It will therefore be prominent along the streetscene here. The applicants, Property Services, have stated that it is required at this height because the autistic children are particularly active and are likely to try exit the school premises when outside the building. The previously approved wildlife pond is an education resource, and whilst the children would be supervised, their safety would be improved by the erection of the fence. In this context, a fence of this height in a prominent location would not normally be acceptable in visual terms, but given the circumstances regarding the autistic unit, the justification is considered acceptable in this particular case.

5.3 The posts of the proposed fence are set to a depth of 750mm. This may affect the root balls of the existing birch trees on site. A method statement requiring details of how the trees would be protected from the installation of the fence is required by condition.

5.4 Residential Amenity

The site does not lie opposite any residential properties and there are no residential amenity issues arising as a result of the proposal.

5.5 Transportation

The Highway Officer raises no objection to the proposal.

5.6 Design and Access Statement

A Design and Access Statement was not required for this application.

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, since the applicant is the Council, a S106 agreement cannot be entered into anyway.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK07/0086/R3F**

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

CONDITIONS

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

Reason:

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

2. No development shall commence until a method statement showing how the root structures of the existing trees on site shall be protected from the installation of the fence posts has been agreed in writing by the Local Planning Authority. The fence shall be installed in accordance with the approved method statement.

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. 08/07 - 22 FEBRUARY 2007

App No.: PT07/0194/F
Site: Monmouth Hill Farm Townsend
 Almondsbury BRISTOL South
 Gloucestershire BS32 4EN

Applicant: Mr & Mrs R Winfield
Date Reg: 24th January 2007

Proposal: Erection of two storey side extension and single storey front extension to form additional living accommodation. Extension to existing fuel store to form porch and WC. (Resubmission of PT06/2411/F).

Parish: Almondsbury Parish Council

Map Ref: 59593 83912

Ward: Almondsbury



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100023410, 2006.

DC0901MW

This application appears of the Circulated Schedule in the light of comments received from a neighbour.

1. THE PROPOSAL

- 1.1 The application seeks planning approval for a two-storey side and single-storey front extension to form additional living accommodation. The proposal would also allow an extension to an existing fuel store to provide a porch and WC.
- 1.2 The application site comprises a detached two-storey dwelling on the north side of Townsend Lane, Almondsbury. The site is located at the far western end of Almondsbury just outside of the settlement boundary and within the Green Belt.
- 1.3 The application comprises a resubmission of application PT06/2411/F that was refused for the following reason:

'The site is located within the Bristol/ Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt because the proposed extension would result in a disproportionate addition over and above the size of the original building. The applicant has not demonstrated that very special circumstances apply such that the normal presumption against development within the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2, and policies GB1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006'.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG2: Green Belt

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

H4: House Extensions

GB1: Development within Residential Curtilages

South Gloucestershire Supplementary Guidance

South Gloucestershire Advice Note 2: House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2411/F: Erection of two-storey side extension and single-storey front extension to form additional living accommodation. Refused: 22.09.06 2006

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No objection

- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Local Residents
One letter received stating the following:
'Just noticed that the proposed elevations seem to be the existing plans- I think the wrong page has been included. Your officer states the plans appear correct.'

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety. Further, where properties are positioned within the Green Belt, policies GB1 and H4 advise that works should not comprise a disproportionate addition over and above the size of the original dwelling.
- 5.2 Design/ Visual Amenity
The application site comprises a detached two-storey dwelling adjacent to the west end of the Almondsbury settlement boundary. As such, the site lies within the Green Belt, occupying a relatively prominent position at this western end of the Almondsbury settlement.
- 5.3 The proposal seeks to provide a two-storey side extension in addition to further single-storey front and side additions. Having regard to the former, this would be built to the west side of the dwelling and measure 4.5m in width. It would build flush with the existing front and rear walls and introduce a mock gable to the front (in addition to a new mock gable above the far end bedroom window).
- 5.4 In response, the proposal would not appear subservient to the host dwelling although arguably would add visual interest to the front elevation. On balance therefore, the proposal is considered to be acceptable and in keeping with the general character of the area.
- 5.5 The single-storey front extension would provide for part of the lounge and a new hallway. It would project a maximum of 2m forward of the dwelling formed of a lean-to and small front gable encompassing the new entranceway. This element of the proposal is also considered to be acceptable.
- 5.6 Finally, works to the side of the dwelling would encompass the existing fuel store and provide a new side entrance and WC. This would be encompassed by a hipped roof of identical pitch to the main roof structure and is again considered to be acceptable.
- 5.7 Impact upon the Openness of the Green Belt
The dwelling occupies a relatively prominent position outside the Almondsbury settlement boundary. However, the dwelling does not appear to have been previously extended and thus it is considered that there is scope for extensions.
- 5.8 Having regard to the works proposed, these would equate to roughly a 48% increase in the floor space of the unit: this is as opposed to the 67% proposed

as part of the previous scheme. Therefore, whilst this figure is within the upper limits of acceptability, the proposal is now considered to be acceptable from a green belt policy viewpoint.

5.9 Residential Amenity

Only one dwelling adjoins the application site (with this currently owned by the applicants). This sits to the east and lies within the settlement boundary at an appreciable distance from the dwelling. As such and with the bulk of the works concentrated to the far side of the property, it is not considered that any significant adverse impact in residential amenity would be caused.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT07/0194/F**

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

CONDITIONS

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

Reason(s):

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

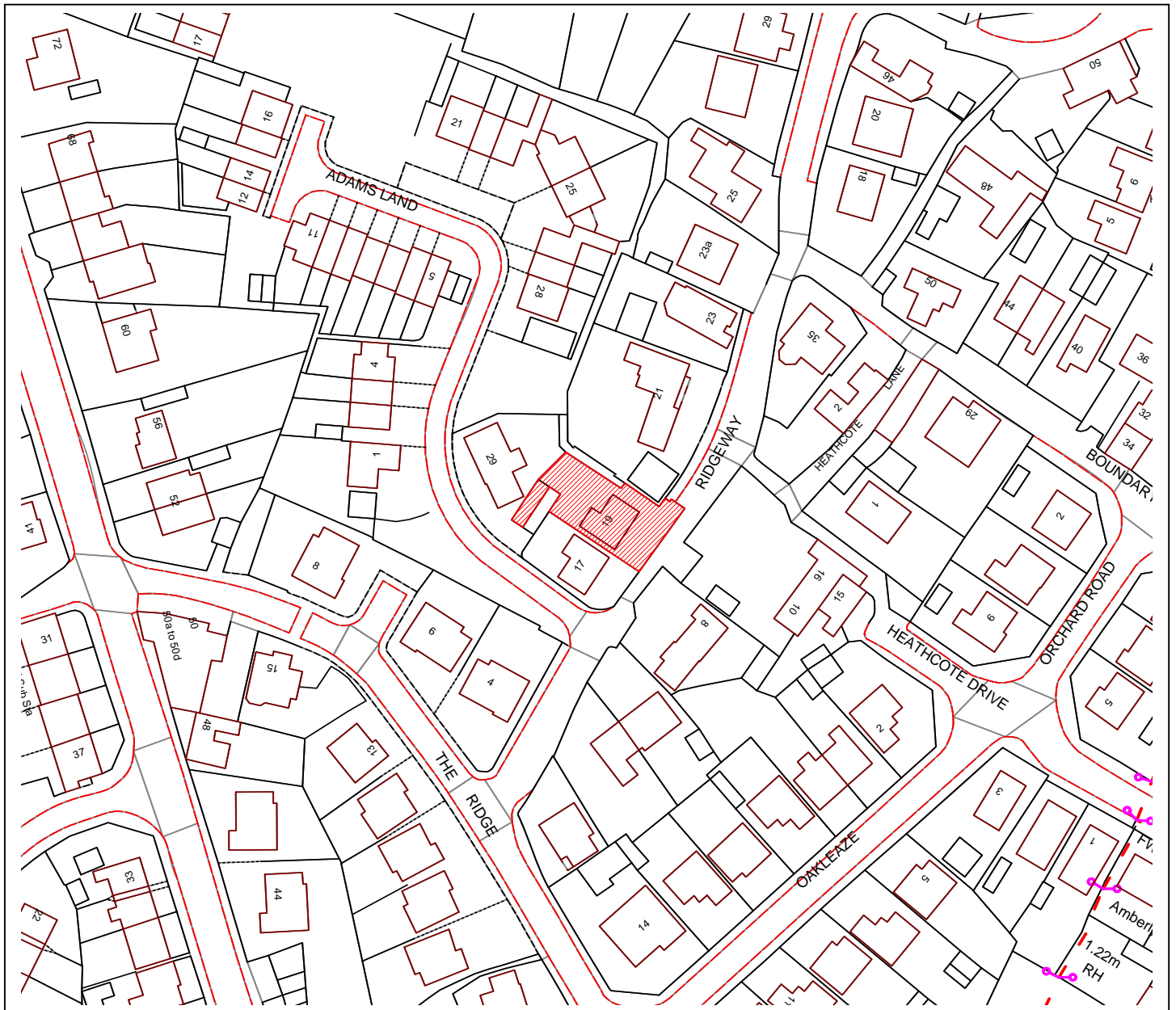
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason(s):

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

CIRCULATED SCHEDULE NO. 08/07 - 22 FEBRUARY 2007

App No.:	PT07/0201/F	Applicant:	Mr & Mrs M Smith
Site:	30 Adams Land Coalpit Heath BRISTOL South Gloucestershire BS36 2JT	Date Reg:	25th January 2007
Proposal:	Installation of 2 no. rear dormer windows to facilitate loft conversion.	Parish:	Frampton Cotterell Parish Council
Map Ref:	67496 81133	Ward:	Frampton Cotterell



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 100023410, 2006.

N.T.S

PT07/0201/F

INTRODUCTION

The application is on the circulated schedule due to an objection received from the Parish Council.

1. THE PROPOSAL

1.1 The application seeks full planning permission to install 2No. dormers in the rear elevation of a modern detached 2-storey house. The property is situated facing Ridgeway but forms part of the small modern housing development located to the rear – Adams Land.

1.2 The application site is situated within the settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Extensions

3. RELEVANT PLANNING HISTORY

3.1 PT00/2063/F Erection of 30 dwellings
Approved.
PD rights removed.

3.2 PT06/3353/F Installation of 3No. dormer windows in rear elevation.
Refused on design grounds.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council
Objection:

- Does not respect design and character of property and locality.

Other Representations

4.2 Local Residents
Comment from one local resident in respect of extent of consultation.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allow for extensions to existing dwellings subject to compliance with criteria relating to residential amenity, environment and transportation. Policy D1 of requires good quality design to be achieved in new development. Having regard to the requirements of local plan policy, the main issues are:

Design/visual impact.
Residential amenities.
There are no adverse transport implications.

5.2 Design/visual impact of proposed dormers

The street-scene along Ridgeway comprises a variety of different styles of dwellings. However, this property forms part of a small housing development where properties have similar characteristics; the rear elevation of this property is a prominent feature within this development and relates to this new development rather than Ridgeway itself. To the rear, from where the proposed dormers will be viewed, the character is of modern, predominantly 2-storey, properties. A number of these modern properties have dormers, sometimes front facing, that are normally set on the eaves or slightly higher within the roof. The dormers previously proposed were unlike those that prevail within Adams Land. This amended application proposes dormers that are similar to those that exist nearby, within the small housing development to which the rear elevation of No.30 relates. The dormers are of a scale that makes them integral to the roof rather than dominant. Tiles will match existing (stated in application). As such, the proposed development is now entirely acceptable; there are no adverse design or visual amenity implications.

5.3 Residential amenities

The proposed dormer windows result in no adverse impact upon residential amenities, there will be no undue loss of privacy.

5.4 Design and Access Statement

There is no requirement for a Design and Access Statement for householder applications.

5.5 Other Matters

Consultation was undertaken in accordance with established procedure.

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 condition.

Background Papers **PT07/0201/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).

CIRCULATED SCHEDULE NO. 08/07 - 22 FEBRUARY 2007

App No.: PT07/0211/F
Site: 24 Wotton Road Charfield WOTTON
 UNDER EDGE South Gloucestershire
 GL12 8TP
Proposal: Construction of new vehicular access
 (Resubmission of PT06/3370/F).
Map Ref: 71895 92103

Applicant: Mr A Townsend
Date Reg: 26th January 2007
Parish: Charfield Parish
 Council
Ward: Charfield



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N.T.S

PT07/0211/F

This application is submitted to the circulated schedule as a result of the Parish Council objection. The Parish Council has been reconsulted about the revised plan upon which this recommendation is based.

1. THE PROPOSAL

- 1.1 The application seeks planning permission to create a new vehicular access in the front garden of 24 Wotton Road. An amended plan has been submitted during the course of the application.
- 1.2 Part of the front garden would be surfaced using scalplings and flint chippings. The vehicular gates would be located to the west of the road frontage.
- 1.3 This application differs from the previous application in that a deeper surfaced area is proposed, the gated entrance has been relocated and a wider radius has been created to the east of the site.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
T12 Transportation development control policy for new development
D1 Achieving good quality design in new development

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/3370/F Construction of new vehicular access - Refused

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
Object –
 - layby and bus stop mean extra flow of pedestrian traffic.
 - reversing onto Wotton Road becomes dangerous
 - adverse effect on safety of free flow traffic in the vicinity of the bollards.
 - Even with a turning area cars would need to reverse onto the road if more than one car were parked on the site.
- 4.2 Other Consultees
Streetcare Technical Support
No objection provided no surface water run off onto road. Formal consent of Streetcare Manager still required to cross the public way.
- 4.3 Sustainable Transport
Incorporated below

Other Representations

- 4.5 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 The application needs to be considered in the light of safety to pedestrian and travelling public and in terms of visual/residential amenity

5.2 Safety/Transportation

The parking facility proposed is accessed off the end of the existing layby and provides for the turning of a vehicle within the site. This considered to be acceptable in highway terms for the turning of one car within the site. As such it creates an acceptable off street parking space without adding to the hazards faced by the travelling public contrary to T12 of the Local Plan. As such no objection is raised to the proposal.

5.3 Visual /residential amenity

The proposal would not look unlike similar proposals at 28 and 30 Wotton Road and the vehicles would not cause a loss of amenity occurring to the residential amenity of the neighbours. As such there would be no loss of visual or residential amenity from the proposal.

5.4 Design and Access Statement

There is no requirement for a Design and Access statement for householder applications.

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 conditions are considered appropriate.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted subject to the following conditions

Background Papers **PT07/0211/F**

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

CONDITIONS

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

Reason(s):

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

2. The off-street parking and turning facilities for one vehicle shown on the plan hereby approved shall be provided as shown, 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 T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of development, details of a type of sealed hardsurfacing 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 and turning facilities provided prior to the first use of the parking area; and thereafter retained for that purpose.

Reason(s):

To ensure that the surfacing material is not taken onto the carriageway 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. No doors or gates shall be hung so as to open over or across the public highway/footway.

Reason(s):

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