



**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. 04/07

Date to Members: 26/01/07

Member's Deadline: 02/02/07

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

CIRCULATED SCHEDULE

DATE: 26/01/07

SCHEDULE NO. 04/07

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

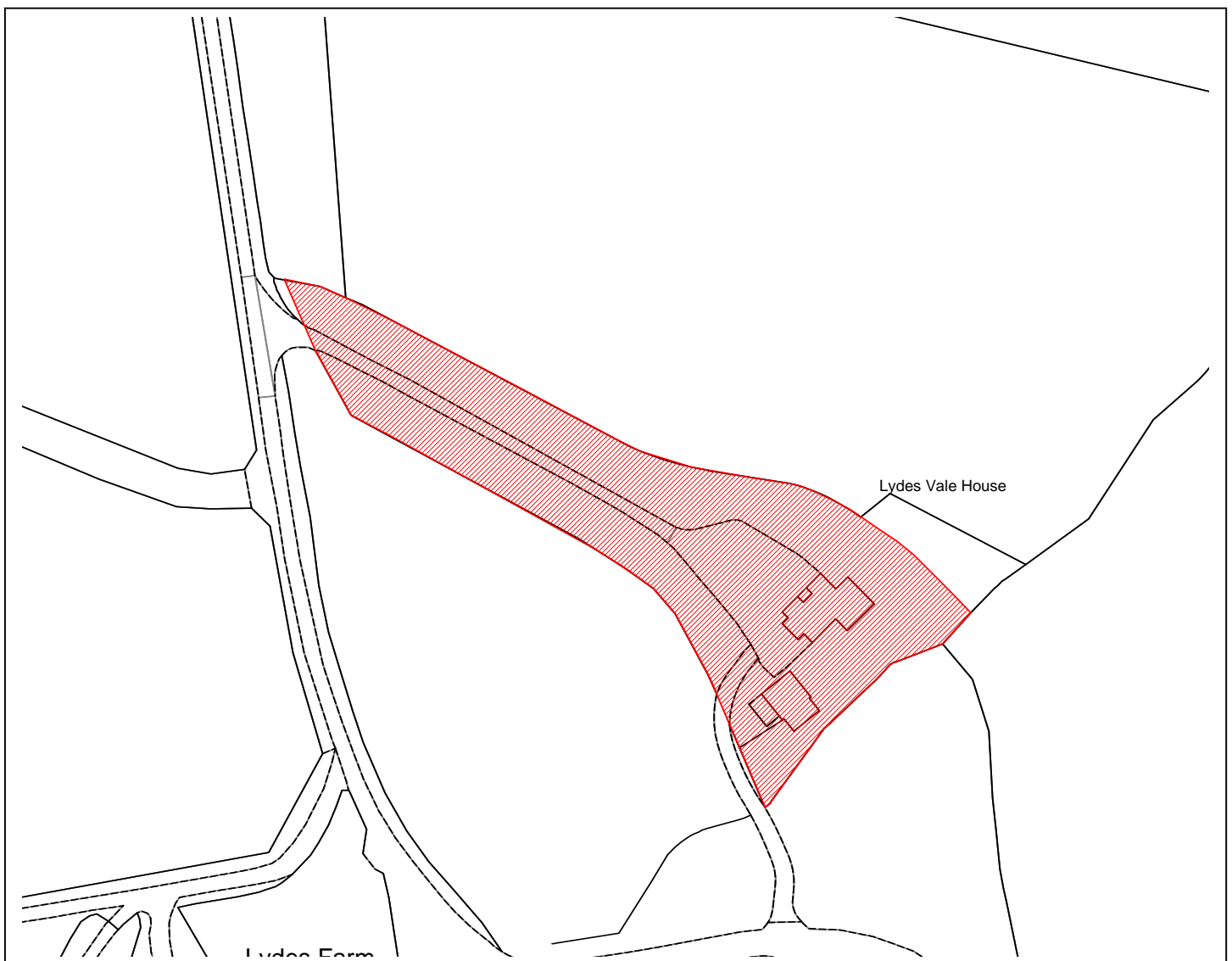
DATE

Circulated Schedule 26 January 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK06/3154/CLE	Approve	Lydes Vale House Dodington Lane Dodington Chipping Sodbury South Gloucestershire BS37 6SB	Cotswold Edge	Dodington Parish Council
2	PK06/3565/F	Approve with conditions	6 North View Staple Hill BRISTOL South Gloucestershire BS16 5RU	Downend	Downend and Bromley Heath
3	PT06/2012/F	Approve with conditions	Land Adjacent to Old Gloucester Road Winterbourne BRISTOL South Gloucestershire	Almondsbury	Almondsbury Parish Council
4	PT06/3395/F	Refusal	Morton Farm Old Gloucester Road Thornbury BRISTOL South Gloucestershire BS35 3UF	Thornbury North	Thornbury Town Council
5	PT06/3647/F	Approve with conditions	Greenstreets Orchard Station Road Winterbourne Down BRISTOL South Gloucestershire BS36 1EN	Winterbourne	Winterbourne Parish Council
6	PT06/3657/F	Approve with conditions	41 Braemar Avenue Filton BRISTOL South Gloucestershire BS7 0TF	Filton	Filton Town Council
7	PT06/3664/RM	Approve with conditions	Greenstreets Orchard Station Road Winterbourne Down BRISTOL South Gloucestershire BS36 1EN	Winterbourne	Winterbourne Parish Council
8	PT06/3680/F	Approve with conditions	Crossland Cottage Severn Road Pilning BRISTOL South Gloucestershire BS35 4HW	Pilning and Severn Beach	Pilning and Severn Beach
9	PT07/0004/F	Refusal	Former Petrol Filling Station Badminton Road Coalpit Heath BRISTOL South Gloucestershire BS36 2ST	Westerleigh	Westerleigh Parish Council
10	PT07/0019/F	Approve with conditions	6 Itchington Road Tytherington WOTTON UNDER EDGE South Gloucestershire GL12 8QE	Thornbury South	Tytherington Parish Council

CIRCULATED SCHEDULE NO. 04/07 – 26 JANUARY 2007

App No.:	PK06/3154/CLE	Applicant:	Mrs F Phillpot
Site:	Lydes Vale House Dodington Lane Dodington Chipping Sodbury South Gloucestershire BS37 6SB	Date Reg:	30th October 2006
Proposal:	Application for Certificate of Lawfulness for continued occupation of dwellinghouse without compliance to an agricultural occupancy condition (No.2) attached to planning permission P86/1327.	Parish:	Dodington Parish Council
Map Ref:	73553 79772	Ward:	Cotswold Edge



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N.T.S

PK06/3154/CLE

INTRODUCTION

By way of information, Members are advised, that the test to be applied to this application for a Certificate of Lawful Use, is that the applicant has to prove on the balance of probability that the dwelling has been occupied by a person, not employed in or last employed locally in agriculture or forestry, for a period of 10 years consecutively, prior to the receipt of the application.

1. THE PROPOSAL

1.1 The application has been submitted under Section 191(1) of the Town and Country Planning Act 1990 for a Certificate of Lawfulness for an existing use of the dwelling.

1.2 The application relates to the farmhouse at Lydes Vale House, situated on the southern side of Dodington lane, Dodington. A stable complex lies to the rear of the house. The surrounding land is used for the keeping of horses. Vehicular access is via Dodington Lane. The site lies in the open countryside and within the Bristol and Bath Green Belt.

1.3 Planning permission P86/1327 dated 4th March 1986, granted the following :

‘Erection of farmworker’s dwelling house (outline)’

Planning condition 02 reads as follows:

‘The occupation of the dwelling hereby authorised shall be limited to a person solely or mainly employed, or last employed, within the Northavon District in agriculture as defined in Section 290 (1) of the Town and Country Planning Act 1971, or in forestry (including any dependants of such a person residing with him or her), or a widow or widower of such a person.’

2. POLICY CONTEXT

2.1 Circular 10 of 1997: Enforcing Planning Control: Legislative Provisions and Procedural Requirements.

3. RELEVANT PLANNING/ENFORCEMENT HISTORY

3.1 P86/1327 Erection of farmworkers dwelling house (outline)
Approved 30.04.86

3.2 P88/3053 Erection of farmworkers dwelling and garage (reserved matters)
Approved 06.12.88

3.3 P91/1918 Erection of detached garage (revised location).
Approved 31.07.91

3.4 P92/1372 Erection of single storey side/rear extension to form lounge and bedroom.
Approved 05.04.92

- 3.5 P96/2245 Erection of detached garage
Approved 14.10.96
- 3.6 PK99/0247/F Erection of stables and barn and extension to all weather school for the keeping of horses. Relaxation of condition 02 attached to planning permission P86/1327.
Refused.
- 3.7 PK03/1977/CLE Application for Certificate of Lawfulness for existing use of land and buildings for equestrian purposes.
Withdrawn.
- 3.8 COE/01/0129 Breach of Condition 2 of permission P86/1327
No further action

4. CONSULTATION RESPONSES

4.1 Dodington Parish Council

The Parish Council wish to object to the application. The dwelling was constructed in a location suitable for, and for the purposes of, agriculture. It considers that the situation has not changed and there is the potential for further agricultural use. Indeed, the granting of this request could even provoke the construction of another dwelling for agricultural purposes at some future date.

In the event that this application cannot be refused, the Parish Council would like to ensure that there is a condition attached to any permission which makes the continued occupation personal to the present occupant and safeguard its future occupation for agricultural purposes.

Officers considered that this comment does not represent evidence that would be relevant to the determination of this application.

Other Representations

4.2 Local Residents

No response received.

5. ANALYSIS OF PROPOSAL

- 5.1 The only issues which are relevant to the determination of an application for a Certificate of Lawfulness are whether, in this case, the use described has continued for a period in excess of 10 years, and whether or not the use is in contravention of any Enforcement Notice which is in force.
- 5.2 As noted in the 'History' section above, there is no Enforcement Notice in force and therefore it must be established whether or not the use has continued for a period in excess of 10 years.
- 5.3 **The relevant test of the submitted evidence**
The onus of proof is firmly on the applicant and the relevant test of the evidence on such matters is "on the balance of probabilities". Advice contained in Circular 10/97 states that a certificate should not be refused because an applicant has failed to discharge the stricter criminal burden of proof, i.e. "beyond reasonable doubt." Furthermore, the applicant's own evidence need

not be corroborated by independent evidence in order to be accepted. If the Council has no evidence of their own, or from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous. The planning merits of the use are not relevant to the consideration of the purely legal issues which are involved in determining an application. Any contradictory evidence which makes the applicant's version of events less than probable should be taken into account.

5.4 Hierarchy of Evidence

The evidence submitted comprises a mix of statutory declarations and letters. Inspectors and the Secretary of State usually value and give weight to evidence in the following order of worth:-

- Personal appearance, under oath or affirmation, by an independent witness whose evidence can be tested in cross examination and re-examination, especially if able to link historic events to some personal event that he/she would be likely to recall.
- Other personal appearance under oath or affirmation.
- Verifiable photographic evidence.
- Contemporary documentary evidence, especially if prepared for some other purpose.
- Sworn written statements (witness statements or affidavits) which are clear as to the precise nature and extent of the use or activity at a particular time.
- Unsworn letters as 5 above.
- Written statements, whether sworn or not, which are not clear as to the precise nature, extent and timing of the use/activity in question.

5.5 SUMMARY OF EVIDENCE SUBMITTED IN SUPPORT OF THE APPLICATION

This applicant is relying on five affidavits by John Phillpott, Nicholas Phillpott, Frances Phillpott, Amanda Leonard and Anita Frost stating that Mrs Phillpott has been running a livery stable at Lydes Vale House since 1992. Although Mr and Mrs Phillpott have been separated since 1994, Mrs Phillpott has been continuously running her livery business. In the affidavit, it is stated that Mrs Phillpott has no other form of income from agricultural business.

5.6 The applicant also submitted 13 letters from relatives, friends, customers, solicitor, and Group Secretary of the National Farmers Union, which indicated that Mrs Phillpott has not been involved in agricultural or forestry during the 10 year period.

5.7 Contradictory Evidence

There is no contrary evidence relating to this building for the period of 10 years prior to the receipt of the application.

6. ASSESSMENT

- 6.1 The application seeks to establish that the dwelling has been occupied by a person, not employed in or last employed locally in agriculture or forestry, for a period in excess of 10 years and are now lawful.
- 6.2 As stated previously, for the Council to issue a certificate the applicant is required to prove 'on balance of probability' that the use has continued for more than 10 years. In addition, it is advised that if the local planning authority have no evidence of their own, or from others, to make the applicants version of events less than probable, there is no good reason to refuse the application, provided the applicants evidence is sufficiently precise and unambiguous to justify the grant of a certificate.
- 6.3 Officers consider that the supporting information submitted as part of the application is sufficiently comprehensive and unambiguous.

7. EVALUATION

- 7.1 The application seeks to prove that on the balance of probability the building subject to the application has been occupied, for a period of 10 years consecutive to the receipt of the application, by persons not employed in or last employed locally in farming or forestry. The application has been supported by five no. affidavits and 13 letters. There is no contrary evidence relating to this 10 year period.
- 7.2 It is the considered view therefore that on the balance of probability the applicants have provided the evidence to support the claim.
- 7.3 As regards the objection raised by Dodington Parish Council, the current application merely seeks to establish lawful use of the building and nothing else. Notwithstanding their objection, the Parish Council has provided no evidence that is relevant to this application.

8. RECOMMENDATION

- 8.1 A Certificate of Existing Lawful Use be GRANTED for the continued use of the building for residential accommodation with no agricultural / forestry tie.

Background Papers **PK06/3154/CLE**

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

CIRCULATED SCHEDULE NO. 04/07 – 26 JANUARY 2007

App No.: PK06/3565/F
Site: 6 North View Staple Hill BRISTOL South Gloucestershire BS16 5RU
Proposal: Alterations to existing roofline to provide an additional storage area.
Map Ref: 65403 76235

Applicant: Mr & Mrs E Bogle
Date Reg: 11th December 2006
Parish: Downend and Bromley Heath
Ward: Downend



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N.T.S

PK06/3565/F

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of an objection from Downend & Bromley Heath Parish Council.

1. THE PROPOSAL

- 1.1 This is a full planning application for the alteration of the existing roofline and to provide an additional storage space at No. 6 North View, Staple Hill. The proposal is to erect a hipped roof to the existing hipped roof structure and it would be approximately 0.5 metre lower than the existing ridgeline.
- 1.2 The property is a two-storey end-terraced dwelling and is located within a residential area of Staple Hill.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing
PPG13	Transport

2.2 Development Plans

Joint Replacement Structure Plan

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

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

2.3 Adopted Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

4.1 Downend & Bromley Heath Parish Council

Objection. More information is needed on access to the roof space and internal construction.

Other Representations

4.2 Local Residents

No response received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Visual Amenity

The proposal is to alter the existing roofline and to erect a hipped roof extension to the side of the existing roof plane. The extension would be slightly lower than the existing ridgeline. Although there is no similar roof extension within the vicinity, the proposal would still be in keeping with the character of the principal building. In this instance, it is considered that the proposal would not have a detrimental effect to warrant a refusal of planning permission.

5.3 Residential Amenity

A roof light is proposed in the side elevation of the roof extension, it would look over the roof of the adjacent properties, No. 5 North View. It is considered that the proposal would not cause significant loss of privacy to the neighbouring properties.

5.4 Other issues

The Parish Council requests more information with regard to the access to the loft and internal construction. As the increased loft space would be used for storage, and not habitable rooms, officers recommend that a number of conditions be imposed requiring the details of the access and construction, and restricting the use of the roof extension.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK06/3565/F**

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

CONDITIONS

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

Reason

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

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

Reason

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

3. No development shall take place until details of access to the roof space and a section drawing of the roof structure of the proposal have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

4. The roof space hereby permitted shall only be used for domestic storage only and shall not be used for other purposes without the grant of further specific permission from the Local Planning Authority.

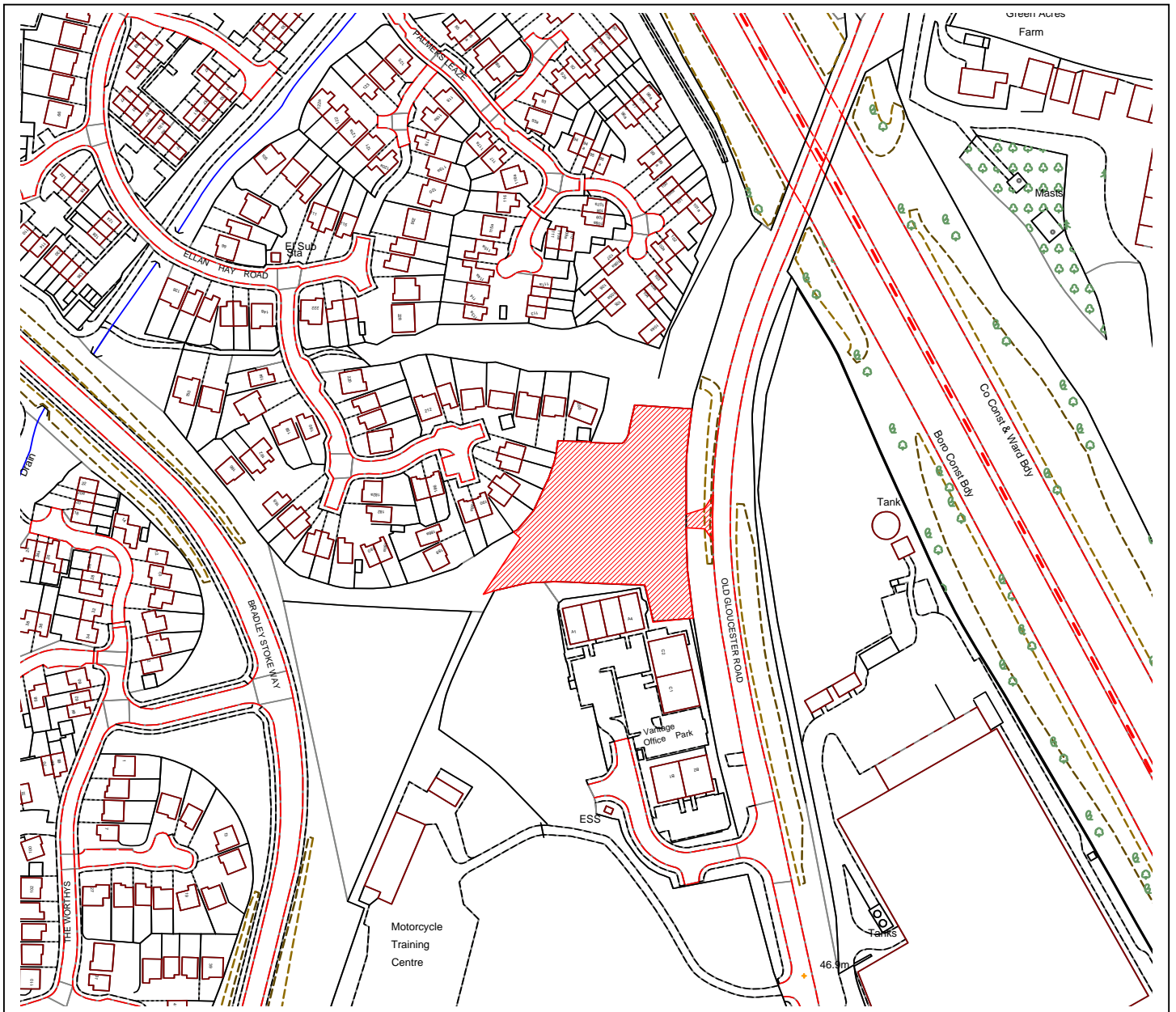
Reason

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

CIRCULATED SCHEDULE NO. 04/07 – 26 JANUARY 2007

App No.: PT06/2012/F
Site: Land Adjacent to Old Gloucester Road
 Winterbourne BRISTOL
 South Gloucestershire
Proposal: Erection of 4 no. office blocks with
 associated car parking and landscaping.
 Construction of vehicular and pedestrian
 access.
Map Ref: 63396 80711

Applicant: PMH Group Limited
Date Reg: 7th July 2006
Parish: Almondsbury Parish
 Council
Ward: Almondsbury



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N.T.S

PT06/2012/F

INTRODUCTION

This application is on the circulated schedule because the proposed development is defined as major and there are third party objections.

1. THE PROPOSAL

- 1.1 This full application relates to the erection of four B1 office blocks with associated parking and landscaping, and the construction of vehicular and pedestrian access on land adjacent to Old Gloucester Road, Winterbourne. The site has an area of 0.43 hectares. A total of 2,300 sq. m of floor space is to be provided, consisting of four, two storey office blocks, containing a total of eight office units. Car parking for 71 vehicles (including disabled) and cycle parking will also be provided.
- 1.2 The site lies on the western side of Old Gloucester Road and abuts the residential development of Bradley Stoke to the west. The business park known as Vantage Park lies immediately to the south of the site. The site is allocated for employment purposes and is within a safeguarded employment area. The site is currently overgrown and slopes significantly from west to east and north to south.
- 1.3 Members may recall that this site has extant planning permission for a similar development under planning permission PT03/1032/F. This application differs to the previously approved application in that a 760 sq. m increase in floor space is proposed. The previous application also related to four, two storey office blocks but these were arranged as two blocks of two and were designed to step down the hill-side and were more centrally located. The current scheme proposes four separate two storey office blocks, two located to the rear and two to the front of the site.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG4	Industrial and Commercial Development and Small Firms
PPG13	Transport

2.2 Joint Replacement Structure Plan

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 12	Development in the North Fringe
Policy 30	Safeguarding Employment Sites

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L17	The Water Environment
L18	The Water Environment
T6	Cycle Routes and Pedestrian Routes
T8	Parking Standards
T10	Travel Plans
T12	Transportation Development Control Policy for New Development
E3	Criteria for Assessing Proposal for Employment Development within the Urban Areas and Defined Settlement Boundaries and/or Permitted by Policies E4/E6/E7

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/1032/F Erection of 4 no. office blocks with associated car parking and landscaping.
Approved 3 March 2004 subject to a S.106 Agreement to secure a financial contribution towards the provision of a footpath link between Ellan Hay Road and Old Gloucester Road.

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection.
- 4.2 Sustainable Transport
No objection.
- 4.3 Health and Safety Executive
Standard comments.
- 4.4 Local Residents/businesses
4 letters have been received objecting to the proposal on the following grounds:-
- a) density too high;
 - b) units are very large;
 - c) inadequate parking provision has been made;
 - d) 3 units on Vantage Park are still unsold yet parking is already becoming an issue;
 - e) overlooking/loss of privacy;
 - f) loss of light;
 - g) number of units will increase noise and air pollution;
 - h) footpath link;
 - i) loss of habitat;
 - j) security;
 - k) disruption during development;
 - l) reduction in property value.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The principle of office development has already been accepted by virtue of the previous and extant planning permission, and the Local Plan policy allocation. However, for the sake of completeness, the application will be assessed against relevant planning policy.
- 5.2 The site lies within a Safeguarded Employment Area, as covered by Policy E4 of the South Gloucestershire Local Plan (Adopted) January 2006. Policy E3 allows for employment development within such areas subject to the following criteria:-

A. Development would not have unacceptable environmental effects;

The proposal is for B1 office use and as such will not result in any unacceptable environmental effects.

B. Adequate provision is made for servicing and delivery requirements and development would not give rise to unacceptable levels of vehicular traffic, especially Heavy Goods Vehicles, or on-street parking, to the detriment of the amenities of the surrounding areas and highway safety;

The council's transport engineer raises no objection in respect of proposed access and parking (car and cycle) arrangements. Changing and shower facilities are to be provided. Implementation should be secured by condition.

C. Development would not prejudice existing residential amenities;

Due to the location of the buildings and the sloping nature of the site the proposal will not impinge upon the residential amenities of occupiers of Ellan Hay Road, located to the west of the site. Proposed first floor rear facing windows will not extend above the proposed rear boundary fence. Additional planting will be provided close to this boundary. The proposal is for a B1 office use, which by definition is a use capable of being undertaken without disturbance to residential properties.

D. The character of the area or settlement is not adversely affected;

The design of the proposal is considered to be in keeping with the overall context of the site, especially having regard to the office park immediately to the south of the application site - the character of this development is replicated in the current scheme. The scheme has evolved during negotiation with amended plans addressing initial landscaping concerns, particular in relation to ensuring the retention of the hedge along the front boundary. With suitable conditions, this is now considered acceptable. A condition to agree specific materials is also recommended.

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

The site has an area of some 0.43 hectares. The proposed office units are arranged in four blocks within the site. Due to the sloping nature of the site the buildings are arranged so that they follow the contours of the site, two to the rear and two to the front. It is considered that having regard to the proximity of the residential development, the sloping nature of the site and the degree of car parking required, the development is at a density that is compatible with its surroundings.

F. In the case of travel intensive B1 (office) development, the location is well served by public transport.

The application site is an allocated employment site that has been considered appropriate having regard to sustainability tests.

5.3 Other matters

Having regard to the above assessment, the proposal satisfies the tests of other relevant policies of the development plan, in particular policies D1, L1, T7, T8 and T12. Appropriate drainage arrangements can be agreed by condition.

The application was received prior to any requirement for a Design and Access Statement. Nevertheless, the application has been considered having regard to the design tests in Local Plan policy. Comments of local residents have been duly considered, but none of the issues raised are sufficient to warrant refusing planning permission in this instance.

5.4 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be granted subject to the following conditions.

Background Papers **PT06/2012/F**

Contact Officer: **Michael Simmons**
Tel. No. **01454 863427**

CONDITIONS

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

Reason(s):

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

2. Building operations shall not be commenced until details of the roofing and external facing materials, and surfacing materials, proposed to be used have been submitted to and approved by the Council and all such materials used in construction of the buildings hereby authorised shall conform to the details so approved.

Reason(s):

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

3. The hours of working on site during the period of construction shall be restricted to 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays 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. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason(s):

To minimise disturbance to occupiers of nearby buildings, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Developments shall not begin until drainage proposals incorporating Sustainable Drainage Systems (SUDS) and hydrological conditions (soil permeability, watercourses, mining culverts etc) within the development site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details and thereafter maintained.

Reason(s):

To ensure that a satisfactory means of drainage is provided, and to accord with Policies L18 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the commencement of the development a Waste Management Audit shall be submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:

- (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
- (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.
- (c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
- (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.
- (e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

The approved works shall subsequently be carried out in accordance with the agreed details.

Reason(s):

To accord with the Council's adopted Waste Management Strategy, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. All hard and soft landscape works, and boundary treatments, shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. During the course of development the retained hedge along the front boundary of the application site shall be protected in accordance with a scheme to be first agreed in writing by the local planning authority.

Reason(s):

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

7. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason(s):

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

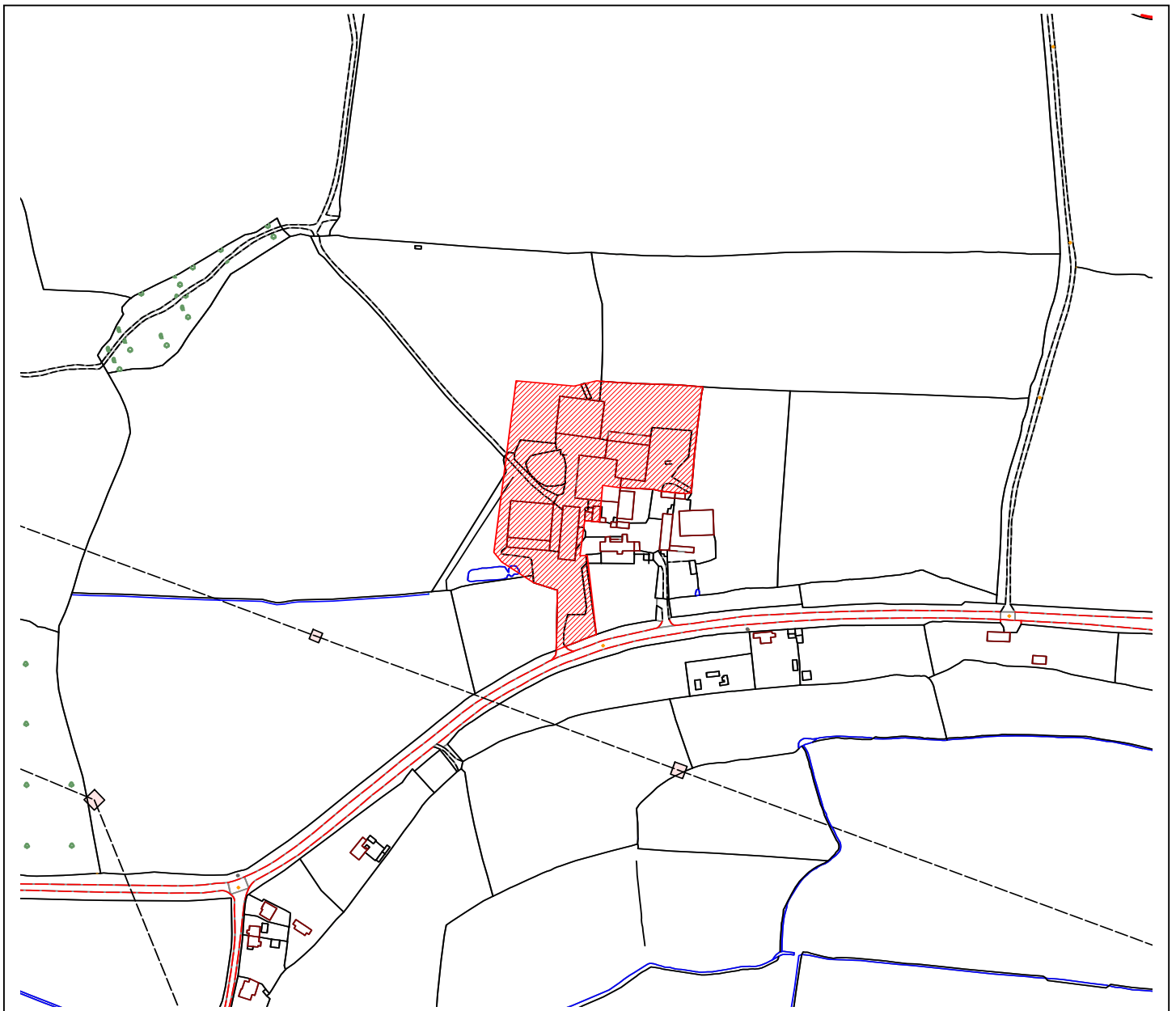
8. The building shall not be occupied until the associated car and cycle parking areas and manoeuvring areas have been drained and surfaced in accordance with the details approved in writing by the Local Planning Authority. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles.

Reason(s):

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

CIRCULATED SCHEDULE NO. 04/07 – 26 JANUARY 2007

App No.:	PT06/3395/F	Applicant:	Mr M Gill
Site:	Morton Farm Old Gloucester Road Thornbury BRISTOL South Gloucestershire BS35 3UF	Date Reg:	23rd November 2006
Proposal:	Demolition of 1 no. barn. Change of use of 5 no. agricultural barns from agricultural use to business use (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Thornbury Town Council
Map Ref:	66066 91594	Ward:	Thornbury North



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N.T.S

PT06/3395/F

INTRODUCTION

The application is on the circulated schedule because it is defined as one for major development, and letters of objection and support have also been received.

1. THE PROPOSAL

- 1.1 Full planning permission is sought to demolish 1No. barn and change the use of 5no. agricultural barns to class B1 business use. The submitted plans indicate office accommodation amounting to 3583sq.m, although the application is for a general class B1 use.
- 1.2 The site is outside of any designated settlement boundary in the open countryside.
- 1.3 The site is located on the B4061, just over one mile to the north and east of the main Thornbury area. The nearest residential properties exist along the B4061, the nearest being Milestone Cottage which is located approximately 110 metres to the south and east of the site boundary and Willow Tree Cottage located approximately 310 metres to the south west. There are other scattered properties within the vicinity both to the east and west of the site along the B4061. The area is essentially rural in character. Morton Farm itself consists of a Grade II Listed farmhouse and incorporates associated farmyard areas and agricultural outbuildings. Some adjacent buildings, i.e. those to the immediate north and east of the site are curtilage listed, whilst most of the storage buildings to the rear are more recent agricultural additions. The farm holding extends to 50 hectares of arable and pastureland. The outbuildings, subject of the proposal, have historically been used as part of a dairying enterprise of 300 cattle at Morton Farm that ceased towards the end of 2004. The buildings that are subject to this planning application are currently used for purposes granted under planning permission PT06/2534/RVC. The proposed site access is the existing farm access, which was previously used by milk tankers and other vehicles visiting the farm.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG4	Industrial and Commercial Development and Small Firms
PPS7	Sustainable Development in Rural Areas
PPG13	Transport
PPG15	Planning and the Historic Environment
Circular 3/99	Planning and Non Mains Drainage

2.2 Joint Replacement Structure Plan

Policy 19	Cultural Heritage protection (through Local Plans)
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2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L1	Landscape Protection and Enhancement
L13	Listed Buildings
T7 & T8	Cycle and car parking
T12	Transportation Development Control Policy for New Development
E7	Conversion and re-use of rural buildings.
L17&L18	The Water Environment

EP1 Environmental Pollution.
EP2 Flood Risk

2.4 Supplementary Planning Guidance

Design Checklist Supplementary Planning Document (Consultation Draft).

3. **RELEVANT PLANNING HISTORY**

- 3.1 P88/2512 Conversion of barn to dwelling, erection of detached garage, construction of new vehicular and pedestrian access.
Approved.
- 3.2 P88/2795/L Minor works of demolition and alterations to existing barn to facilitate conversion to a dwelling.
Approved.
- 3.3 P97/2177 Conversion of barn to form dwelling.
Withdrawn
- 3.4 P97/2178/L Conversion of barn to form dwelling.
Withdrawn.
- 3.5 PT03/1584/F Conversion of existing barns to form three residential units with workspaces.
Refused due to insufficient details, impact on Listed Building and highway considerations.
- 3.6 PT03/2559/LB Listed Building consent refused in association with above planning application.
- 3.7 PT04/0485/F Conversion of existing barns to form three residential units with workspaces.
Approved with conditions.
- 3.8 PT04/0486/LB Concurrent Listed Building application.
Approved with conditions.
- 3.9 PT05/0535/F Change of use from agricultural to composting biodegradable waste.
Approved subject to temporary consent.
- 3.10 PT06/0536/RVC Variation of condition 8 attached to PT05/0535/F to allow pre-shredded material.
Un-determined.
- 3.11 PT06/2534/RVC Variation of condition 3 attached to PT05/0535/F to allow a permanent consent.
Approved – one year temporary consent.
- 3.12 PT06/1685/F & PT06/2077/LB Conversion of 3No. barns to 2No. dwellings with workshops.
Withdrawn.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection in principle but concern expressed in respect of increase in traffic.
- 4.2 Environment Agency
No objection subject to conditions.
- 4.3 Local Residents
9No. letters of objection on the following grounds:
a) Increase in traffic/highway safety issues.
b) Objection to reed bed system/drainage problems.
c) Not suitable for premises.
d) Mini-industrial estate will be created.
- 4.4 6No. representations of support:
a) re-use of agricultural buildings (that are uneconomical).
b) Benefit employment in area.
c) Traffic betterment (less trips into Bristol).
d) Good access.
e) No interference with neighbours.
- 4.5 National Farmers Union
Support. Proposal would re-use existing building in accordance with PPS7 and local plan policy. Seeks to achieve high quality working environment and would make positive contribution to locality and improve scenic value. Possible reduction in distance for travel to work.
- 4.6 Support from Voyce Pulling (Surveyors), Thornbury Office.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy E7 of the South Gloucestershire Local Plan (Adopted) January 2006 states that proposals for the conversion and re-use of existing buildings for employment uses, outside the existing urban areas and the boundaries of settlements, as in this case, will be permitted provided that:-
a. the buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction; and
b. the buildings are in keeping with their surroundings in terms of character, form, bulk, and overall design; and
c. development, including any alterations, intensification or extensions, would not have a harmful effect on the character of the countryside or the amenities of the surrounding area.
This policy is supported by PPS7. Furthermore, policy D1 seeks to achieve a good quality of design in any development, with Design Checklist Supplementary Planning Document (Consultation Draft) supplemental to this. The overarching aim of policy L1 is to protect the landscape. Policy L13 seeks to preserve the setting of listed buildings. Policies L17, L18, EP1 and EP2 deal with drainage and flood risk matters. Policy T12 seeks to ensure that there are no adverse transportation impacts, with policies T7 and T8 seeking to secure an appropriate level of cycle and car parking respectively.

5.2 Having regard to the criteria of policy E7 and the other relevant development plan policies identified, the main issues to be addressed relate to the following matters:

1. Condition of buildings.
2. Impact on character and landscape.
3. Transportation.
4. Drainage/Flood Risk
5. Residential amenities
6. Listed Buildings.

5.3 Condition of buildings

Other than for barn identified as No.4 on the proposed plans, the buildings are all modern agricultural buildings, with walls predominantly constructed of profiled metal sheeting with steel supports, sometimes with plinths and parts of other walls constructed of blockwork, under a profiled metal roof. Whilst the proposal envisages the retention of the steel support structures, reference is made to the upgrading of walls that, for the most part, appear as new on the submitted drawings. The walls are clearly double-skinned and solid as opposed to the existing and pre-dominant stand-alone metal sheeting. In these circumstances, the proposal cannot be regarded as a conversion, as supported by policy E7. What is retained of the original building in the proposal is not substantial. The proposal is therefore tantamount to a new-build development that is not supported by Local Plan policy. Barn No.4 may be a structurally sound building (as possibly is part of barn 1) suitable for conversion but barns 1 (in its entirety), 2, 3 and 5 are inherently not suitable for a conversion to a class B1 use, which, as the application shows, would entail a substantial amount of building works. The buildings can therefore not be converted without major or complete reconstruction as policy E7 of the South Gloucestershire Local Plan (Adopted) January 2006 requires.

5.4 Impact on character and landscape

The appearance of the buildings as a result of the development will clearly be substantially different to that which prevails at present. The modern, often open sided agricultural buildings, will be replaced by a number of more contemporary elevations indicative of an office park. The existing buildings are by no means comparable to those buildings that benefited from conversion as Briarlands Farm at Rudgeway. The impact on the character of the locality will be significant, the resultant development will be clearly out of character with the rural appearance of the site and locality. Whilst suitable landscaping can be provided that will ensure no wider adverse landscape impact, the more localised character impact represents a substantive reason for refusing planning permission and would fail the test of criteria b and c of policy E7 of the South Gloucestershire Local Plan (Adopted) January 2006, as well as tests laid down in policies D1 and L1.

5.5 Transportation

The proposed site is situated beyond the urban settlement of Thornbury, as such the primary mode of travel to/from the site will be via the private motor car. Bus services are limited in the vicinity and as such cannot be considered a viable alternative, this is further hindered by the lack of safe pedestrian linkages between the development and the stops which have no shelters also. The lack of footpath links with Thornbury will deter local residents from walking to/from the site although the site is within a reasonable cycling commute to the site. The site is poorly located to local facilities, as a consequence users of the site will in all likelihood rely on the motor car both for their work travel patterns and

at lunchtimes. The proposed site access does have visibility splays as stated within the Design and Access statement in the region of 4.5 x 150m, however, as this site is within a de-restricted area of highway where in the past there has been numerous vehicle accidents including fatalities, the minimum visibility splay required is 4.5 x 215m. The thrust of national policy is to reduce reliance upon the motor car so that where ever possible development is located in sustainable urban areas. This is echoed within the policies of RPG10. The application is therefore recommended for refusal due to its unsustainable location that will encourage the use of the private motor car contrary to policy RPG10 and the sub-standard nature of the proposed access in terms of visibility which is detrimental to policy T12, D1, E6 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.6 Drainage/Flood Risk

The Environment Agency raises no objection to the proposal subject to the imposition of conditions. Such conditions would be advised should a recommendation be one to approve.

5.7 Residential amenities

The nearest existing residential properties are at least 110m distant. Extant planning permission exists for the conversion of two buildings at the eastern edge of the farm complex to three residential units (each with their own class B1 workspaces). The proposal is for class B1 use, either in the form of offices or light industrial. By definition, a class B1 use should provide no adverse disturbance to nearby residential occupiers. No objection is therefore raised in respect of residential amenities.

5.8 Listed Buildings

Policy L13 requires development affecting the setting of a listed building to preserve that setting. Whilst there are references in the Design and Access Statement to additional stone walls and hedgerows near the listed farmhouse, no other detailed analysis is provided and the setting of the farmhouse, for the most part, has not been satisfactorily considered and given required weight in the design analysis. Having regard to the character and appearance of the proposal and the lack of detail in respect of works near the farmhouse, officers are not persuaded that the setting of the listed farmhouse will be preserved. Certainly in this context there should exist an opportunity to enhance setting as policy L13 advises. There is no evidence to suggest that this has been integral to the design process in this case.

5.9 Design and Access Statement

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Planning permission be refused for the following reasons.

Background Papers **PT06/3395/F**

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

REFUSAL REASONS

1. The buildings are not capable of conversion without major reconstruction work. As such, the proposal is tantamount to establishing new-build class B1 use in the open countryside that is contrary to policies E6 & E7 of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The appearance of the proposed buildings and the extent of the formalised parking areas are not in keeping with rural character of the locality and this part of the countryside. As such the proposal is contrary to the requirements of policy D1, E7 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The proposed development fails to provide sufficient weight, through the design process, on securing the preservation and enhancement of the setting of the listed farmhouse contrary to the requirements of policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The application site is at an unsustainable location that will encourage the use of the private motor car contrary to policy RPG10. The proposed access is substandard in terms of visibility contrary to policies T12, D1, E6 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 04/07 – 26 JANUARY 2007

App No.:	PT06/3647/F	Applicant:	Mr & Mrs A Johnson
Site:	Greenstreets Orchard Station Road Winterbourne Down BRISTOL South Gloucestershire BS36 1EN	Date Reg:	19th December 2006
Proposal:	Erection of detached double garage with garden store.	Parish:	Winterbourne Parish Council
Map Ref:	65418 79807	Ward:	Winterbourne



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N.T.S

PT06/3647/F

INTRODUCTION

The application is on the circulated schedule because of concerns expressed by local residents.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a detached double garage and garden store, 8.5m x 5.5m.
- 1.2 The application site is occupied by a detached dwelling situated within the settlement boundary of Winterbourne. The proposed building is to be sited between the existing property and that proposed under planning application ref. PT06/3664/RM that can be found elsewhere in this schedule; near the side boundary with properties in Quarry Lane.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
D1 Achieving good quality design.
T8 Car parking.

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant history.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection.
- 4.2 Sustainable Transport
No objection.
- 4.3 Local Residents
Two local residents express following concerns:
a) Loss of light.
b) Impact on outlook and enjoyment of garden.
c) Removal of trees.
d) Loss of wildlife.
e) Loss of privacy

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 provides criteria for assessing proposals for development within existing residential properties. Policy D1 seeks to achieve good quality design. Policy T8 seeks to achieve satisfactory parking arrangements having regard to

maximum parking guidelines. In this respect, there will be no adverse transport implications. Having regard to these policies, the main issues in this case are:

a) Design and visual impact.

b) Residential amenities.

5.2 Design/Visual Impact

The proposed garage is a simple dual pitched structure with rendered walls under a tiled roof. The building will be set back some 35m from Station Road and will have little presence within the streetscene. Some small bushes and trees, primarily conifers seem likely to be removed, but these are of little amenity value; albeit that appropriate replacement planting should be provided near the garage (to be secured by condition). The materials are acceptable. There will be no adverse visual impact. There will be no demonstrable wildlife impact.

5.3 Residential amenities

The garage is proposed to be sited near the side (west) boundary of the property that is shared with the rear boundaries of Nos.15, 17 and 22 Quarry Lane. Gardens to these properties are at least 10m in length. The side elevation of the garage tapers away from the boundary. The nearest point of the garage, at the rear corner, is 1m from the common boundary. The front corner is 2.5m from the common boundary. The land slopes down from the side of the garage towards the rear of properties in Quarry Lane such that the eaves of the proposed garage as it faces Quarry Lane is approximately at the height of the eaves of the houses. A 1.8m high fence currently forms the boundary with the properties in Quarry Lane, the other side of which, set back between 1m and 2.5m, will be the side elevation of the garage of height 3m to eaves (eaves height on this side of the building is attributed to the drop in levels). Whilst the side elevation of the garage will be viewed from the rear of the properties in Quarry Lane, due to a minimum separation of approximately 11m and the existing boundary fence, it is not considered that, on balance, there will significant harm on the amenities of properties in Quarry Lane sufficient to warrant refusal of planning permission. A condition to ensure that no windows are ever inserted in the side elevation of the garage is recommended, this will negate any perceived loss of privacy. The use of the garage is for ancillary residential purposes only; separate planning permission would be required for any business use.

5.4 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be approved subject to conditions.

Background Papers **PT06/3647/F**

Contact Officer: Michael Simmons
Tel. No. 01454 863643

CONDITIONS

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

Reason(s):

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

2. No windows shall be inserted at any time in the side [west) elevation of the building hereby approved.

Reason(s):

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

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

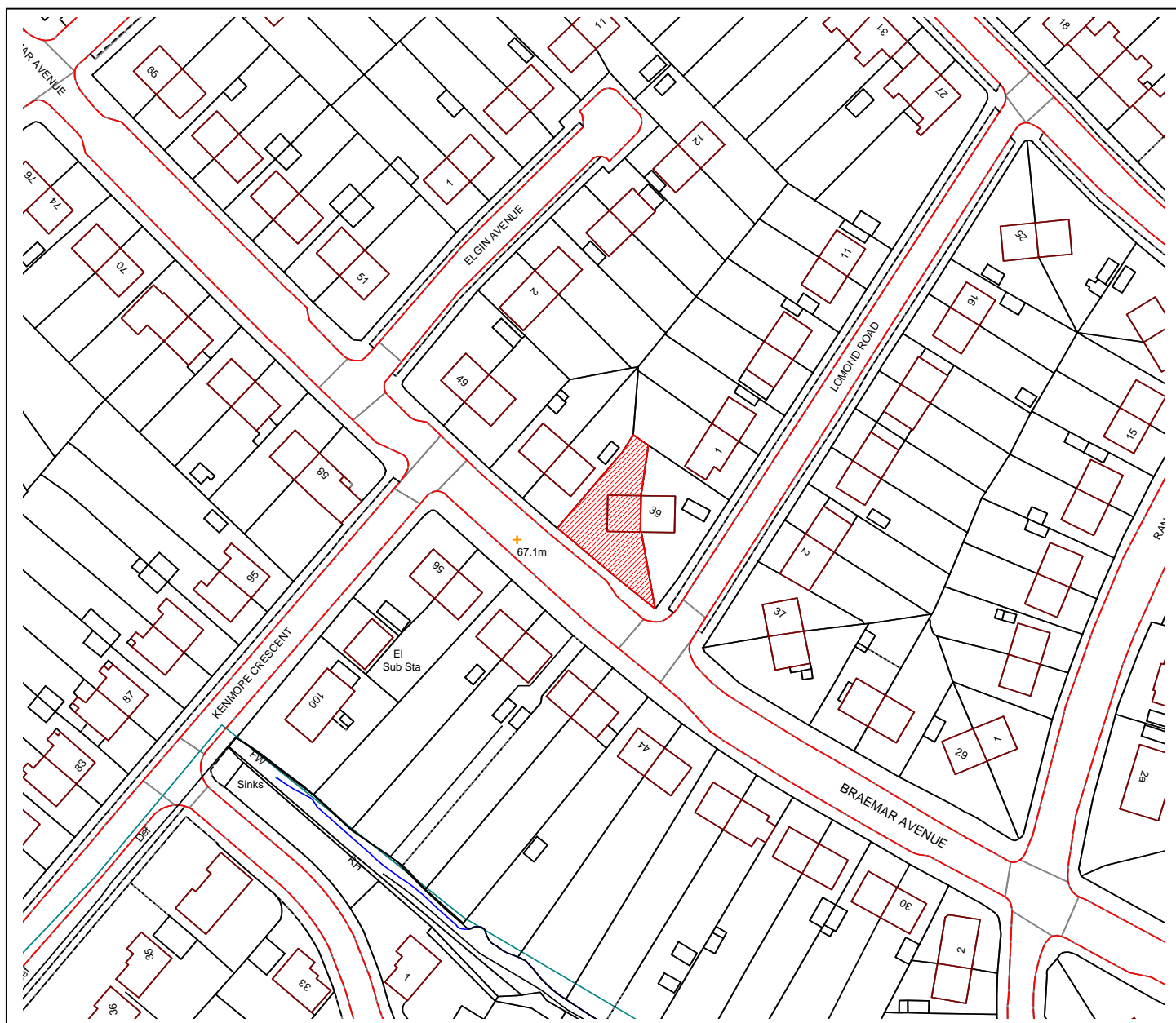
Reason(s):

To protect the character and appearance of the area and to ensure neutral impact in respect of retaining landscaping to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 04/07 – 26 JANUARY 2007

App No.: PT06/3657/F
Site: 41 Braemar Avenue Filton BRISTOL
 South Gloucestershire BS7 0TF
Proposal: Erection of 2 storey side extension to
 facilitate conversion to 2no. flats
Map Ref: 59604 78393

Applicant: Mr G Chesson
Date Reg: 20th December
 2006
Parish: Filton Town Council
Ward: Filton



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N.T.S

PT06/3657/F

This application is placed on the circulated schedule due to the objection from Filton Town Council that has been received to the application.

1. THE PROPOSAL

- 1.1 This full application relates to the conversion of an existing dwelling to form 2 no. one bedroom self-contained flats. In order to facilitate this the erection of a two storey side extension is required. This extension will provide additional living space for each flat. It is also proposed to construct a bin store for each flat and install a cycle stand for each flat. Access to the property can only be gained from Braemar Avenue.
- 1.2 The side extension will span the full width and height of the property, and will have a hipped roof.
- 1.3 The application site is located on the corner plot of a quiet road (Lomond Road) and a minor urban link road (Braemar Avenue) between Gloucester Road and Southmead Road. Braemar Avenue is traffic calmed so is classed as a less busy classified road. This property itself is a large 1930's semi-detached dwelling.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing
PPG13	Transport

2.2 South Gloucestershire Local Plan

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

2.3 Supplementary Planning Document Design Checklist (Draft)

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Objects to the proposal on the following grounds:

- The development is out of keeping with the area
- The development will impact upon the street scene

c) The development will double the footprint of the building

4.2 Local Residents
No responses received

4.3 Highways Section
No objection

5. ANALYSIS OF PROPOSAL

This application has two elements:- i) the conversion of the existing property to two flats and ii) the erection of a two storey side extension to facilitate the conversion.

5.1 Principle of Development

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

5.2 In terms of the conversion element of the proposal, advice contained within PPG3 encourages the conversion of housing into extra residential accommodation, regarding it as an important source of additional housing, particularly in town centres. This advice is reflected in the Adopted Joint Replacement Structure Plan where policies encourage a mixture of housing types in sustainable locations, especially dwellings for smaller households. This policy stance is reflected in policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006. This policy allows for the conversion of existing residential properties into smaller units of self-contained accommodation provided the following criteria are complied with:-

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

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

The design of the proposed extension is a very common design in the area, where a semi-detached dwelling has been extended by attaching a two storey extension to its side. The proposed extension reflects the area in general in terms of its scale, massing and materials. As such the proposal would be in keeping with the character of the locality and therefore complies with this criterion.

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

The site of the proposal is within the urban area of Filton in a predominately residential locality. The proposal will not prejudice the amenities of nearby occupiers to any greater extent than exists at present,. The extension will not have an unreasonable impact upon residential amenity.

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

The site as previously stated is on traffic-calmed road that is not very busy. Two off street spaces would be provide, one for each flat, as well as two cycle stands.

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

Given the location of the site within the Bristol North Fringe a contribution of £1000 per flat is required as a contribution towards the North fringe transport strategy. This was to address issues outlined by the Planning inspector at the Local Plan inquiry in terms of peak hour traffic in the North Fringe. It is suggested to do this via a Section 278 Agreement.

D. It would provide adequate amenity space.

The garden covers approximately 120 square metres. This is sufficient to serve the two flats proposed.

5.3 Other Considerations

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

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

5.4 Design and Access Statement

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

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That 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) or similar) to secure the following:

- 1) A contribution of £2,000 towards th North Fringe Bus Strategy.

The reasons for this Agreement are:

In the interests of Highway Safety to accord with policy T12 of the South Gloucestershire Local Plan.

- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the Agreement.

This Section 106 Agreement (or similar agreement) should be signed within 12 months of the date of the resolution to approve, otherwise the proposal will be refused for the failure to sign the section 106 Agreement (or similar) necessary to achieve the required level public transportation routes.

Background Papers PT06/3657/F

Contact Officer: Gareth John
Tel. No. 01454 863438

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

3. 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.

4. The car parking area shall be finished in a bound material.

Reason(s):

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

CIRCULATED SCHEDULE NO. 04/07 – 26 JANUARY 2007

App No.: PT06/3664/RM
Site: Greenstreets Orchard Station Road
 Winterbourne Down BRISTOL
 South Gloucestershire BS36 1EN

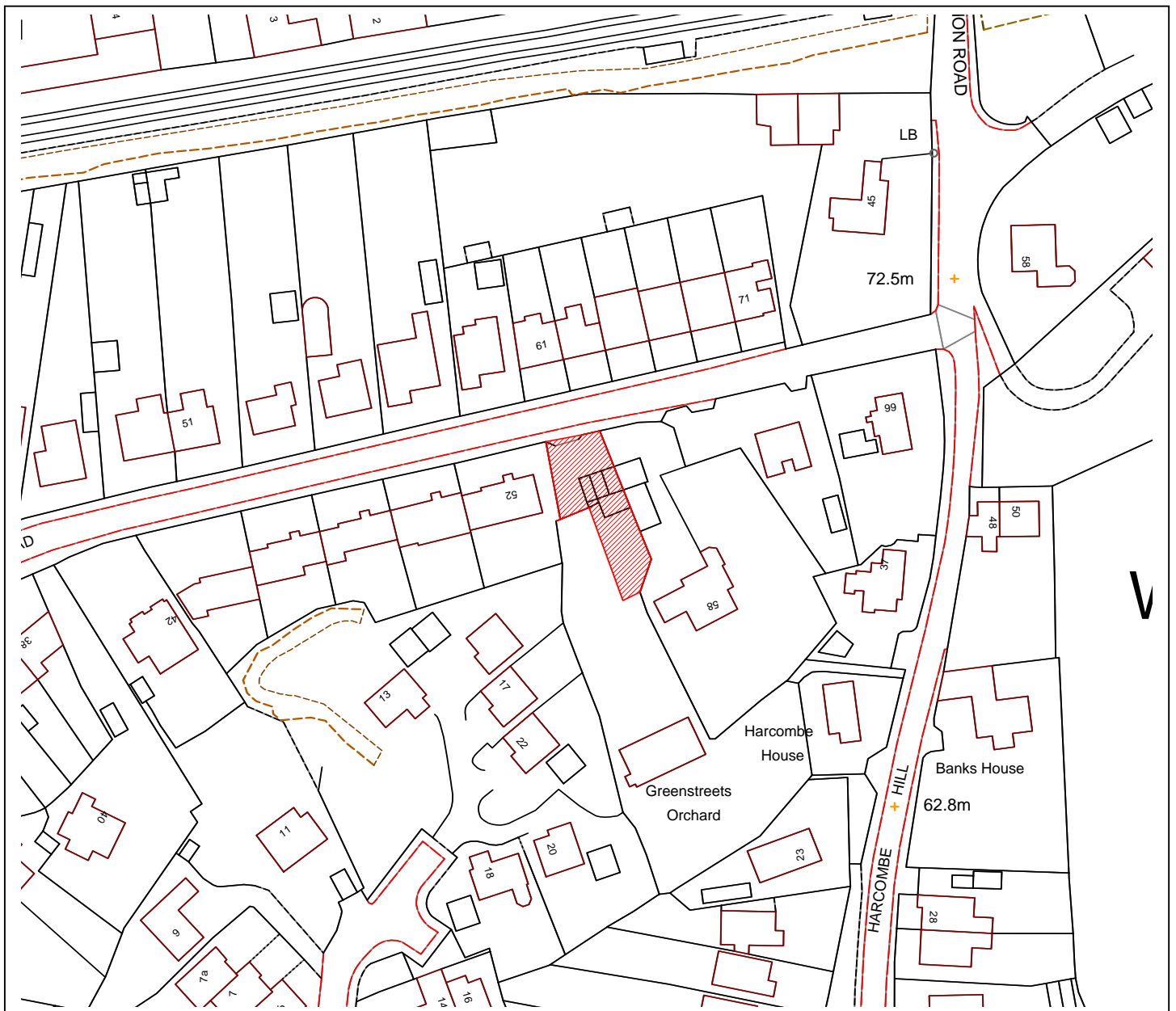
Applicant: Mr & Mrs Langley
Date Reg: 20th December
 2006

Proposal: Erection of 1 no. detached dwelling.
 (Approval of reserved matters to be read
 in conjunction with Outline Planning
 Permission PT04/3914/O).

Parish: Winterbourne Parish
 Council

Map Ref: 65392 79838

Ward: Winterbourne



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N.T.S

PT06/3664/RM

INTRODUCTION

The application is on the circulated schedule because of representations by local residents.

1. THE PROPOSAL

- 1.1 The application seeks approval of those matters reserved by the outline planning permission to erect a dwelling on land between nos.52 and 58 Station Road, Winterbourne (ref.PT04/3914/O). These matters specifically relate to siting, design, external appearance and landscaping.
- 1.2 The application site currently forms part of the curtilage of "Greenstreets Orchard", a chalet type bungalow located to the rear, some 25m from the rear boundary of the application site. A revised access is proposed to serve the new dwelling and Greenstreets (via a drive that will run down the side of the property); this access was approved as part of the outline planning permission. An existing garage and lean-to will be demolished.
- 1.3 The application site is within the settlement boundary of Winterbourne.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Policies and principles
PPS3 Housing
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
H2 residential development
H4 residential development within existing curtilages
D1 design
T7 car parking
T12 transportation

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/3914/O Erection of dwelling
Approved.
- 3.2 An application for a detached garage within the curtilage of Greenstreets Orchard can be found elsewhere in this schedule (ref.PT06/3647/F).

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection.
- 4.2 Sustainable Transport
Satisfactory bin and cycle storage must be provided otherwise recommended refusal.
- 4.3 Local Residents
Two local residents express following concerns:
a) Lack of garage and small turning/parking spaces.
b) Side landing window should be obscure glazed.
c) This resident and one other are concerned as to the lack of dimensions on the plans.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application is solely to agree those details reserved by outline planning permission re.PT04/3914/O relating to siting, design (and external appearance), and landscaping. The principle of a dwelling on this site and the proposed access is already established by reason of the extant outline planning permission.

5.2 Siting, design and landscaping

Station Road displays a variety of built form, 2-storey development predominates on the north side whereas to the west of the application site, on the south side of Station Road, are a row of bungalows and to the east and south development of no particular pattern. The overall character is residential comprising single and 2-storey properties. Immediately adjacent to the application site to the west is the existing access drive to Greenstreets the other side of which is a bungalow (No.52). To the east, its rear elevation abutting the boundary with the application site, is a traditional stone building that is an ancillary outbuilding to No.58 further to the rear.

5.3 The proposed siting is that envisaged at the outline planning permission stage. The front elevation is recessed approximately 2m behind the adjacent single storey building. Parking will be to the front forecourt, screened except at the access point, by a stone wall. The proposed siting is acceptable.

5.4 The proposed design and appearance comprises a 2-storey building, but one where the eaves have been reduced to correspond with the eaves height of the adjacent building. As a result, two semi-gabled dormers face the road. This is the correct response in this context, and this has been negotiated with officers. As a result, the proposed building will not be overly dominant within the streetscene. A bay and storm porch is incorporated on the front elevation with a single storey wing to the rear. The proposed dwelling is considered to adequately respond to context. Materials are to be approved by condition of the outline planning permission. The mixture of predominantly facing brick but with some render under a tiled roof is considered an appropriate approach. Existing landscape and boundary features will be retained.

5.5 Residential amenities

Greenstreets : There is a gradual fall in levels from the road down to Greenstreets such that first floor windows at Greenstreets are approximately at the same level as the access point. Greenstreets is some 25m from the proposed rear garden boundary. The garden depth of the proposed new dwelling will be 15m. There will be no adverse amenity impact between the two.

5.6 No.52 Station Road : This property is the bungalow situated immediately to the west. A stone wall of height approximately 0.8m and 1.4m forms the boundary adjacent to which is a small shed. One ground floor side window on No.52 faces the 1.4m stone wall, the other side of which will be the proposed dwelling, separated from No.52 by the drive and a grass verge. Provided the proposed first floor side facing window (serving a landing) is obscure glazed, the amenity relationship is acceptable.

5.7 No.58 Station Road: There are no rear facing windows on the adjacent outbuilding. The side elevation of the proposed dwelling is set wholly against

the rear wall of this building. The relationship is acceptable. Further to the rear of the proposed garden is the principal house at No.58. This property has first floor windows facing the rear of the proposed house. At a separation of approximately 21m, these are sufficiently distant.

5.8 Transportation

The revised access to serve the existing and proposed dwelling was agreed as part of the outline planning permission. The car parking arrangement is acceptable. A condition to secure adequate cycle and bin storage is recommended.

5.9 Other matters

Conditions relating to drainage, materials, retention of landscaping and implementation of access arrangements, and boundary treatments are all attached to the outline planning permission.

5.10 Design and Access Statement

There is no requirement to submit a Design and Access Statement with a reserved matters application. Additional information supplemental to the D&A Statement that is submitted with the outline application can, in some cases, be requested. Such a request was not made and was not necessary in this instance.

5.11 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the Reserved Matters submitted in accordance with conditions 1 and 2 associated with outline planning permission PT04/3914/O dated 8th February 2005 be APPROVED.

Background Papers **PT06/3664/RM**

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

CONDITIONS

1. The dwelling shall not be occupied until storage has been provided within the site for 2No. bicycles and bins; to be undertaken in accordance with a scheme that has to been first submitted to and approved in writing by the Local Planning Authority.

Reason(s):

To encourage means of transportation other than the private car and to provide adequate bin storage, to accord with Policy D1, T10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

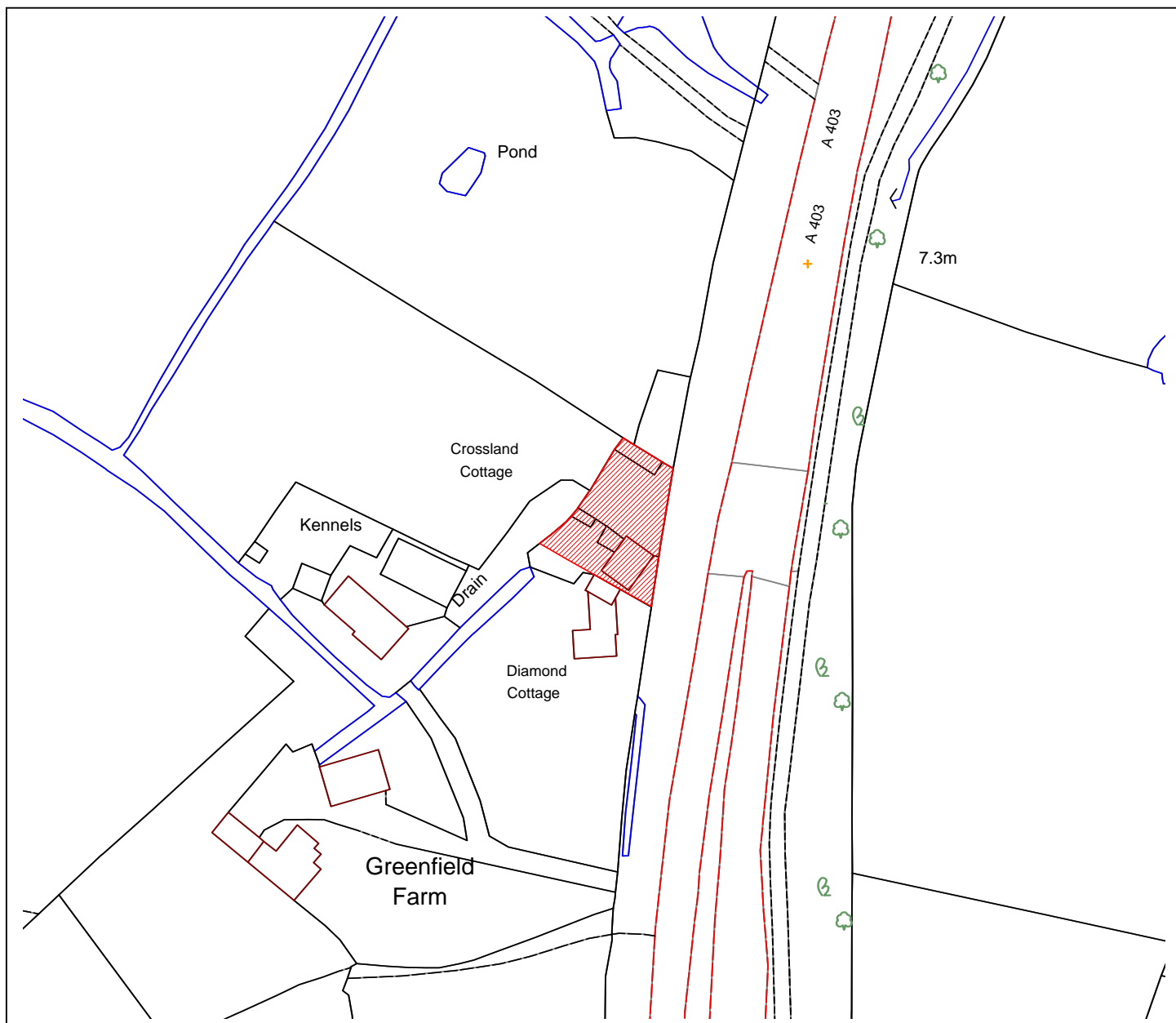
2. Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the proposed first floor window on the side, west, elevation shall be glazed with obscure glass only. No additional first floor windows shall be inserted on this side elevation.

Reason(s):

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

CIRCULATED SCHEDULE NO. 04/07 – 26JANUARY 2007

App No.:	PT06/3680/F	Applicant:	Mr I Roberts & Miss J Latham
Site:	Crossland Cottage Severn Road Pilning BRISTOL South Gloucestershire BS35 4HW	Date Reg:	21st December 2006
Proposal:	Erection of 2 storey rear extension and single storey side extension to provide additional living accommodation	Parish:	Pilning and Severn Beach
Map Ref:	55663 86931	Ward:	Pilning and Severn Beach



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N.T.S

PT06/3680/F

INTRODUCTION:

This application has been placed on the Circulated Schedule due to an objection from the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a two-storey rear and single storey side extension to form additional living accommodation.
- 1.2 This application is the resubmission of PT06/2301/F, which was refused at Planning Committee on the 7th December 2006 due to the size of the extension proposed, its impact upon the Green Belt, and overall design of the extension proposed. Following the Committee decision further negotiations resulted in this application being submitted. This application, which is smaller in volume than the previous application, and is of a better overall design.
- 1.3 The application site subject to this application contains a detached dwelling, outside the established settlement boundary of Pilning and Severn Beach. The site is also located within the Bristol and Bath Green Belt and in the Flood Zone for the River Severn.

2. POLICY CONTEXT

- 2.1 National Guidance

PPS1	Delivering Sustainable Communities
PPG2	Green Belts
PPG3	Housing
PPG25	Development and Flood Risk
- 2.2 Joint Replacement Structure Plan

Policy 16	Green Belt
Policy 24	Flooding
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
GB1	Green Belt
H4	House Extension
T12	Transportation Development Control Policy for New Development
EP2	Flood Risk and Development
- 2.4 Supplementary Planning Document

Design Checklist (Draft)
Green Belt (draft)

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2301/F Erection of two storey side and rear extension to form additional living space, together with a triple detached garage.... Refused 7th December 2006
- 3.2 PT06/1160/F Erection of two storey side and rear extension and single storey rear extension to form additional living accommodation with 3no. bedrooms and office above. Erection of detached triple garage with office..Withdrawn 16th June 2006

- 3.3 P92/2177 Change of use of agricultural land to residential and erection of a two-storey rear extension. ...Approval 10th February 1993
- 3.4 P89/1045 Erection of first floor rear extension to provide residential annex...Refused 23rd February 1989
- 3.5 P86/2148 Erection of Buildings and structures to be used as a cattery...Refused 3RD September 1986

4. **CONSULTATION RESPONSES**

- 4.1 Pilning and Severn Beach Parish Council:
Objects to the proposal on the following grounds
 - a) No flood measures provided
 - b) The footprint of the extension is larger than normal
 - c) The property is within the Green belt
- 4.2 Sustainable Transport
No response received
- 4.3 Local Residents
No response received

5. **ANALYSIS OF PROPOSAL**

- 5.1 Green Belt
PPG2 - Green Belts carries a presumption against 'inappropriate development' within the Green Belt. Inappropriate development is defined in PPG2 as development, which is harmful to the Green Belt. Such development should not be approved except in very special circumstances. PPG2 identifies the extension or alteration of a dwelling, as appropriate development provided that it does not result in a disproportionate addition over and above the size of the original building.

Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to resist inappropriate development within the Green Belt, and to ensure that new development will not have an adverse impact on the visual amenity or compromise the openness of the Green Belt.

It is considered that this amended scheme is not inappropriate development in the Green Belt. This is as the proposed extension is not disproportionate when compared to the original. The proposed extension will amount to a 41% increase in the size of the dwelling. Whereas the previous extension amounted to a 96% increase. Granted the volume is an increase is slightly larger than that outlined as being acceptable in the Draft Green Belt Supplementary Planning Document, but overall the scheme will not impact upon the openness or character of the Green Belt in this location. Also the appearance of the Green Belt will be improved as the now dilapidated, property will be modernised. Thus a visually appealing building will stand in a location that is now occupied by an eyesore. Consequently the proposal is considered acceptable taking in to account the above when assessed against Green Belt Policy.

- 5.2 Design and Residential Amenity

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to residential development including extensions to dwellings. It states that any development should be in keeping with the character of the property and the area generally in terms of size, design and materials and that residential amenity should not be adversely affected by the proposal.

5.3 Design

It is considered that the amendments made to the scheme most notably the removal of the single storey rear extension and two storey side extension as well as the reduction in length of the three storey rear extension has resulted in a much better scheme in terms of the aesthetic appearance of the property. The proposed amendments to the property no longer swamp the original property; now the development integrates well with it. It is also considered that the proposed detailing around the windows further enhances the proposed development. However a condition requiring a sample of the materials to be used to do this will be required.

5.4 Residential Amenity

This proposal would not impact upon the living conditions of any of the adjoining properties. Its size and design ensure that the proposal does not have an overbearing impact on the surrounding properties nor does it result in an impact on their privacy. No windows are proposed which directly over look adjacent properties. Therefore residential amenity is not affected.

5.5 Flood Risk

Given the location of the site on the Severn Levels the site is low lying and susceptible to flooding. Standing advice from the Environment Agency in respect of flood risk (domestic extensions) is that a Flood Risk Assessment is submitted where appropriate. In this instance the proposal has been classified as being a low level risk using the Environment Agency's Flood Matrix. They do not require a formal Flood Risk Assessment but do request the following, ground floor levels will be no lower than those already existing at the dwelling, flood proofing is recommended including (High level electrical services etc.). The plans indicate that the floor levels will be the same a if not higher than existing, where as the electrical detailing is not required at this stage of the development process. This is to be done by way of an informative attached to the consent.

5.6 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, neither planning conditions are considered the most appropriate.

6. CONCLUSION

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

6.2 The 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.

6. RECOMMENDATION

Planning permission be granted subject to the following conditions,

Background Papers **PT06/3680/F**

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

CONDITIONS

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

Reason(s):

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

2. Prior to the commencement of the development on site samples of the materials to be used for the quoins and detailing around the windows shall be submitted to and agreed in writing to the Local Planning Authority. The development shall then proceed in line with the details approved

Reason(s):

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

INTRODUCTION:

This planning application appears on the Circulated Schedule as there is public comment that is contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The site consists of a petrol filling station located at the junction with Badminton Road and South View Rise. The buildings and associated canopy remain. However, the petrol filling station is unused.
- 1.2 The proposed development consists of the construction of four detached dwellings. Access would be both onto Badminton Road (via a shared driveway serving two dwellings) and South View Rise (via individual driveways).

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG15	Planning and the Historical Environment

2.2 Adopted Joint Replacement Structure Plan

Policy 35	Housing
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South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H2	New Residential Development within the Urban Areas or Village Development Boundary
T12	Transportation Development Control Policy for New Development
L13	Listed buildings

2.3 Supplementary Planning Guidance

Draft South Gloucestershire Design Checklist September 2006.

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/1227/F Erection of eleven dwellings on 0.16 hectares of land.
Construction of new access.
Refused

4. CONSULTATION RESPONSES

4.1 Westerleigh Parish Council

No Objection

4.2 Sustainable Transport

No Objection subject to the implementation of highway works at the junction with Badminton Road and South View Rise; and the introduction of a new 2 metre footway across the frontage of the proposed development onto South View Rise.

4.3 English Heritage

The amended scheme is a very significant improvement upon the previous application (PT05/1227/F); the design appears to successfully follow the established character of the area in terms of bulk and scale, and also follows

the established pattern of having the buildings set back from the street frontage.

We believe that this revised proposal would not have a detrimental impact upon the setting of the Church of Saint Saviour.

4.4 Local Residents

11 letters/emails have been received from local residents during the consultation process associated with this planning application. 9 of these letters offer support for the proposed development, on the grounds that the development is well designed and laid out and would offer improvements to the existing situation; and that the increase in numbers of dwellings over 4 would be detrimental in relation to this proposal. 1 of the letters does not object to the proposed development, but raises concern over the replacement of the existing boundary wall with a close boarded fence; and the drainage of the site and adjacent properties.

4.5 In addition to the above, the Council has received a petition of support for the development containing 253 signatures.

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the construction of four new dwellings within the Defined Settlement Boundary associated with Coalpit Heath and Frampton Cotterell.

5.2 Principle of Development

Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 is relevant to this planning application. The policy indicates that the proposed development is acceptable subject to the following considerations.

5.3 Housing Density

In accordance with the requirements of PPS3, Policy H2 seeks to achieve the maximum housing density that is compatible with the site. The expectation is that new development would achieve a minimum density of 30 dwellings per hectare.

5.4 In this instance the site area measures approximately 1600 sqm. The development of four dwellings upon this site would equate to approximately 25 dwellings per hectare. The applicant argues that part of the site is sterilised from development by the relative proximity of the nearby Grade II Listed Building (St Saviour's Church), so reducing the developable area to approximately 1300 sqm. On this basis the applicant argues that the development proposes a density of approximately 31 dwellings per hectare. However, in principle terms it is necessary to assess the proposed housing density having regard to the gross area of the site (i.e. 1600 sqm). On that basis, the proposed development is below the expected minimum of 30 dwellings per hectare and the application fails in terms of housing density. However, it is necessary to address the compatibility of the proposed development with the characteristics of the site. These issues are addressed below.

5.5 Character and Design Issues

The proposal details 4 new dwellings each with integral garages. Two dwellings front onto Badminton Road with a shared access arrangement; and two

- dwellings front onto Southview Rise with individual driveways giving access in each case. The development is set back from Badminton Road to take account of the building line set by the dwelling at 198 Badminton Road and offers reasonable landscaping to the Badminton Road frontage that would assist in improving the setting of St Saviour's Church in an appropriate manner.
- 5.6 The proposed dwellings a single house type and are 'handed' to assist in the layout of the site. Although the dwellings are very similar in form, the design is consistent with the character and form of other buildings in the surrounding locality. In particular, the scale of the proposed buildings make reference to more traditional forms and the setting of St Saviour's Church by way of low eaves, steeply pitch gable ends and traditional dormer windows. The proposed materials and landscaping are also consistent with the general character of the locality and the setting of St Saviour's Church.
- 5.7 Having regard to the above it is considered that the design, layout and form of the proposed development is acceptable and would satisfy the requirements of Policies D1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.8 Residential Amenity
The proposed development is arranged in such away as to preclude any direct overlooking between the new dwellings and the existing dwellings surrounding the site. Similarly, the proposed dwellings are positioned so as to preclude any overbearing impact. It is therefore considered the proposed development would not have a material impact upon the privacy and residential amenity of the occupants of nearby dwellings. The proposed development therefore satisfies the requirements of Policy H2 (Criterion A) of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.9 Transportation
The proposed development effectively proposed 3 points of vehicular access. These consist of a single point access serving two dwellings fronting onto Badminton Road; and individual accesses fronting onto Southview Rise serving the other two dwellings. The proposal also includes the introduction of a footpath along the northern side of Southview Rise within the site and improvements to the existing junction with Southview Rise and Badminton Road.
- 5.10 It is considered that the layout of the site would allow the safe access and egress of vehicles associated with the proposed development; and that the proposed new footpath and highway works would mitigate against additional vehicle movements and improve highway safety on Southview Rise. Subject to the above measures the proposed development is consistent with the requirements of Policy T12, T8 and H2 New Residential Development within the Urban Areas or Village Development Boundary (Criterion A) of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.11 Other Matters
Concern has been raised from local residents in regard to the poor drainage of this site and flooding problems that occur as a result; together with the route of the existing drainage serving adjacent dwellings that runs through the application site. Also, local residents have expressed a preference to the existing boundary wall being replaced by a new boundary wall, rather than a timber fence.

- 5.12 In regards to the second issue, it is considered that the use of a wall or a fence is equally valid. This is largely an issue between the developer and the residents concerned. A suitably worded planning condition to any approval of this development would be sufficient to deal with the nature of all boundary treatments proposed to be used.
- 5.13 There is evidence that the adjacent property floods in extreme wet weather and there is existing drainage within the site that may be affected by the proposed development. This issue is predominantly a civil matter. However in this instance the developer has indicated a willingness to address this issue through the development of the site. Again, it is possible for a suitably worded planning condition to any approval of this development to adequately address this issue.
- 5.14 Concluding Analysis
It is accepted that there are significant constraints affecting the development of this site; in particular the setting of St Saviour's Church. In this instance it is considered that the design, scale and layout of the proposed development is acceptable in visual terms and the proposal itself would not have a detrimental impact upon the character of the locality, the setting of St Saviour's Church; residential amenity or highway safety.
- 5.15 However, the proposed development of four dwellings on this site would provide a development of 25 dwellings per hectare, which is below the expected minimum of 30 dwellings per hectare as required by PPS3 and Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.16 The introduction of five dwellings within this site would not necessarily have any greater impact within the identified constraints; and could possibly be provided within the broad footprint of the development proposed by this planning application. The introduction of five dwellings would result in a more efficient use of the site and would be consistent with the requirements of PPS3 and policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006. In addition, the introduction of five dwellings within the site would trigger a requirement for affordable housing (under policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006) so potentially contributing to the affordable housing stock within South Gloucestershire.
- 5.17 Having regard to the above, it is not considered that the constraints of this site would preclude the minimum density of 30 dwellings per hectare being achieved. Therefore, there is not sufficient grounds to accept the proposed development at a density of 25 dwellings per hectare. The Proposed development is therefore contrary to the requirements PPS3 and Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006
- 5.18 Design and Access Statement
The Design and Access Statement submitted with the application is not considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft) as it does not propose a minimum of 30 dwellings per hectare.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That the Planning Application be refused for the following reason

Background Papers **PT07/0004/F**

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

CONDITIONS

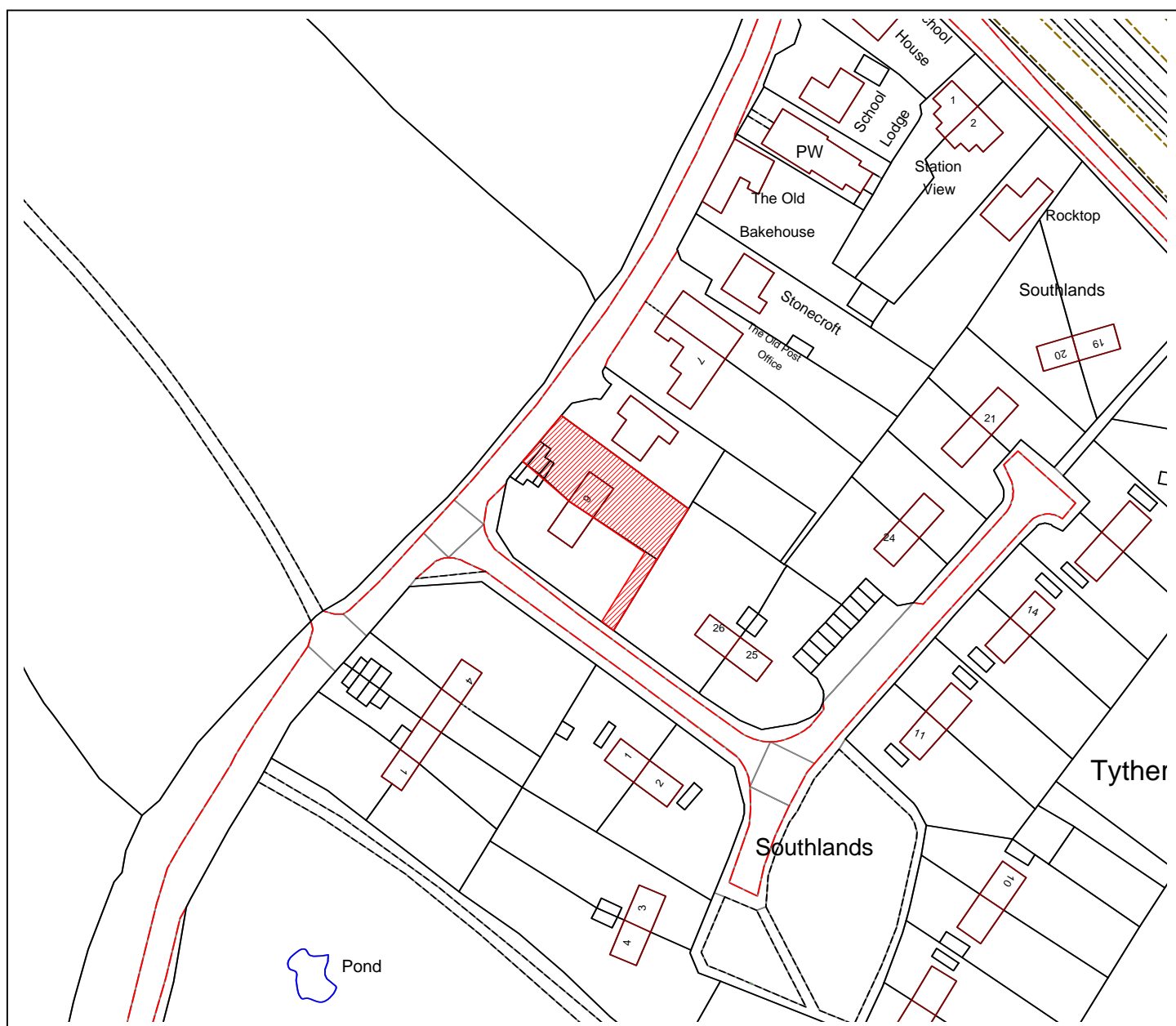
No data found

REFUSAL REASONS

1. The proposed development of four dwellings within this site would provide 25 dwellings per hectare. This is below the minimum expected density of 30 dwellings per hectare as required by Policy H2 of the South Gloucestershire Local Plan and PPS3. The proposal does not represent the most efficient use of land and is therefore contrary to Policy H2 of the South Gloucestershire Local Plan and PPS3.

CIRCULATED SCHEDULE NO. 04/07 – 26 JANUARY 2007

App No.:	PT07/0019/F	Applicant:	Mr & Mrs R Clark
Site:	6 Itchington Road Tytherington WOTTON UNDER EDGE South Gloucestershire GL12 8QE	Date Reg:	3rd January 2007
Proposal:	Erection of single storey side extension to form additional living accommodation.	Parish:	Tytherington Parish Council
Map Ref:	66784 87978	Ward:	Thornbury South



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N.T.S

PT07/0019/F

The application appears on the Circulated Schedule following the receipt of three letters of objection from two of the neighbouring residents.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for a single-storey side extension to provide a utility, shower and sunroom.
- 1.2 The application site forms a semi-detached two-storey cottage style dwelling on the east side of Itchington Road, Tytherington. The application site lies within the settlement boundary that here, is washed over by the Green Belt.
- 1.3 This application comprises a resubmission of PT06/2948/F for a similar side extension and detached garage that was refused planning permission for the following reason:
'The proposed single-storey side extension, by reason of its size, design and external appearance, would be out of keeping with the existing dwelling house and if allowed would detract from the visual amenities of the locality. The proposal is therefore considered contrary to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006'.
- 1.4 This application follows subsequent discussions with the applicant whilst does not include the garage with this considered to be permitted development.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG2: Green Belts
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: House Extensions
GB1: Development within the Green Belt
- 2.3 Supplementary Planning Guidance
South Gloucestershire Advice Note 2: House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2948/F: Erection of single-storey side extension and detached garage.
Refused: 29th November 2006

4. CONSULTATION RESPONSES

- 4.1 Tytherington Parish Council
No comments received
- 4.2 Other Consultees
No comments received
- 4.3 Summary of Local Residents Concerns:
Three letters have been received from two of the neighbouring residents:
 - a) The objections in respect of the previous scheme are repeated;
 - b) The new extension still looks out of keeping with the building;

- c) Its design would appear out of character with the area;
- d) Construction of the proposal would expose the roots of the established boundary hedge;
- e) A difference in ground levels between Heathlands House and the site would necessitate a retaining wall to support the hedge;
- f) Excavations for the sewer (that would have to run along the boundary), might cause cracking to the brickwork of Heathlands House;
- g) The front corner of the proposal would have an overbearing impact on Heathlands House- it is suggested that its size be reduced.

Additionally concerns have been expressed concerning the proposed garage. However, this does not form part of this planning application.

- 4.4 Further to the above, one letter does however acknowledge the improvements made having regard to the previous scheme, notably:
- The ridge level on the extension has been lowered;
 - The side facing window has been repositioned;
 - The width of the extension has been slightly reduced.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 allows for the principle of residential development subject to issues of design, residential amenity and highway safety. Further, in the case of units within the Green Belt, policies GB1 & H4 advise that works must not comprise a disproportionate addition over and above the size of the original dwelling.

5.2 Design/ Visual Amenity

The application site forms a semi-detached two-storey cottage style dwelling on the east side of Itchington Road. The proposal seeks planning permission for a single-storey side extension.

- 5.3 The extension would provide a utility & shower room on the roadside (it is noted that the property faces the rear garden) with a sunroom behind. This would extend near the full depth of the dwelling and measure 4m in width extending towards the side boundary. In so doing, it would benefit from a pitched roof measuring 4.6m in height.

- 5.4 Having regard to this scheme, the height of the proposal has been significantly reduced, whilst the width has also been reduced. Further, the build has been inset from the front and rear walls to help provide a subservient appearance. As such, it is considered that the proposal has overcome the original objection and thus would appear in keeping with the general scale and proportions of the host dwelling. The proposal is therefore, now considered to be acceptable.

5.5 Impact upon the Openness of the Green Belt

The application site lies within the settlement boundary that in this location is washed over by the Green Belt. Nonetheless, the dwelling does not appear to have been extended and thus with the scheme now of an acceptable design and equating to a 36% increase (approx.) in floor space, it is not considered that it would comprise a disproportionate addition to the dwelling.

5.6 Residential Amenity

Having regard to considerations of this type, it is noted that such did not form a planning refusal reason with regard to the previous scheme.

- 5.7 The adjoining unit to the north of the application site comprises a more modern two-storey unit that is inset slightly from the shared boundary. There are two large windows within the facing sidewall of this property although the neighbour has verbally confirmed that these are not the only windows to these rooms.
- 5.8 In the light of the above, it is not considered that a single-storey extension in this position would cause any significant adverse impact in residential amenity. Further, whilst their concerns regarding to the depth of the proposal are noted, it is not considered that permission could be reasonably withheld on this basis.
- 5.9 All other surrounding properties are positioned at an appreciable distance from the site of the proposal. It is not therefore considered that any significant adverse impact in residential amenity would be caused.
- 5.10 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 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2. The decision to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Background Papers **PT07/0019/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.

4. No windows shall be inserted at any time in the north elevation of the property.

Reason(s):

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