



**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. 29/07

Date to Members: 20/07/07

Member's Deadline: 27/07/07

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: 20/07/07

SCHEDULE NO. 29/07

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

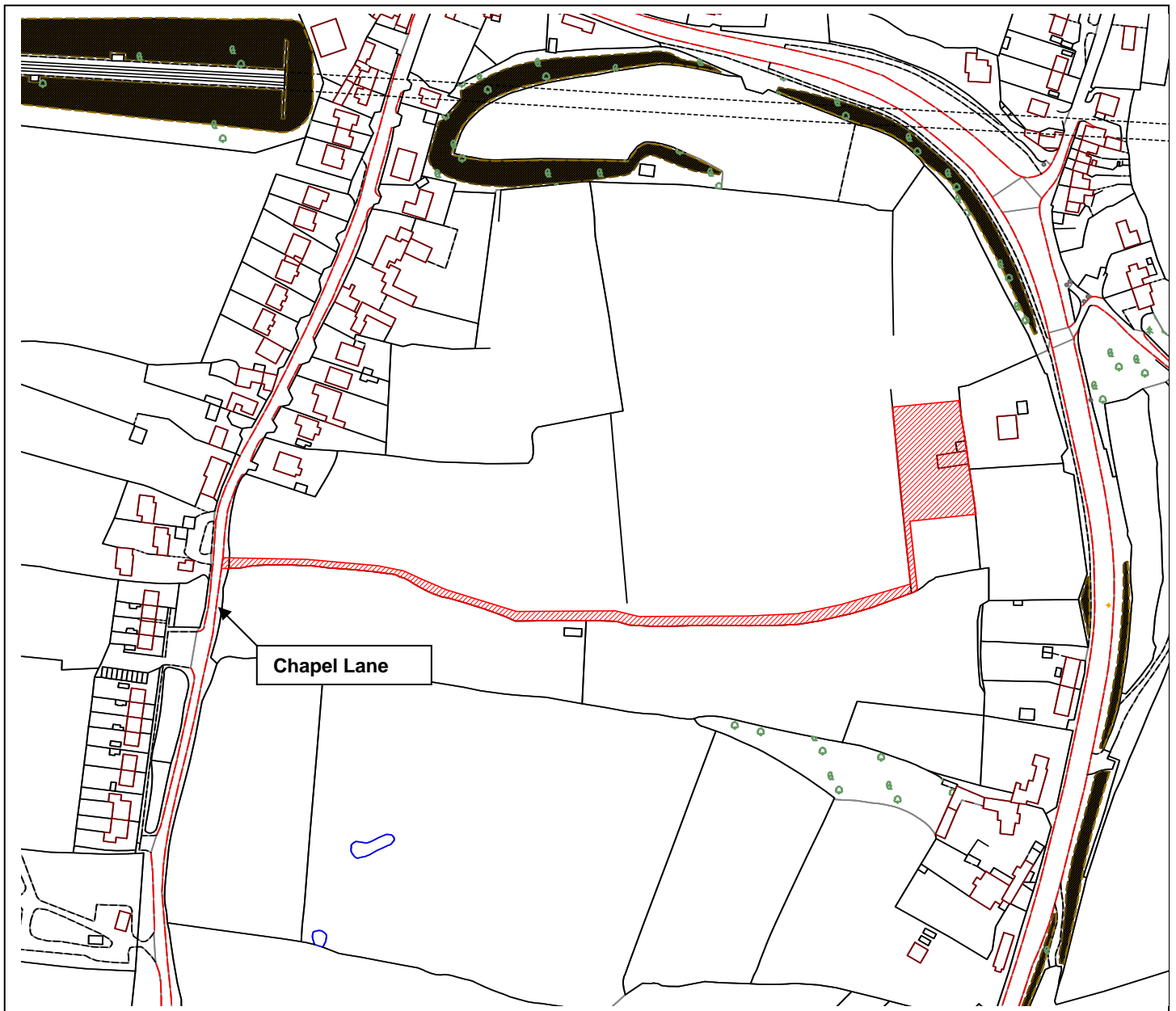
DATE

Circulated Schedule 20 July 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK06/3573/F	Approve with conditions	The Old Brewery Store Badminton Road Old Sodbury South Gloucestershire BS37 6RG	Cotswold Edge	Sodbury Town Council
2	PK07/0802/F	Approve with conditions	77 Hill Street Kingswood South Gloucestershire BS15 4HA	Kings Chase	
3	PK07/1304/F	Approve with conditions	5 Forest Walk Kingswood South Gloucestershire BS15 8DF	Woodstock	
4	PK07/1376/F	Approve with conditions	60 Pettigrove Road Kingswood South Gloucestershire BS15 9SW	Woodstock	
5	PK07/1549/RM	Approve with conditions	Rear of 71-75 Westerleigh Road Yate South Gloucestershire BS37 4BN	Westerleigh	Dodington Parish Council
6	PK07/1608/F	Approve with conditions	19 Somerset Avenue Yate South Gloucestershire BS37 7SF	Yate North	Yate Town Council
7	PK07/1692/ADV	Approve with conditions	Lawns Inn Church Road Yate South Gloucestershire BS37 5BG	Yate Central	Yate Town Council
8	PK07/1760/F	Approve with conditions	The Wishing Well Aspects Leisure Park Leisure Road Kingswood South Gloucestershire BS15 9LA	Hanham	Hanham Parish Council
9	PK07/1761/O	Approve with conditions	Land adjoining 33 Broad Lane Yate South Gloucestershire BS37 7LA	Yate North	Yate Town Council
10	PK07/1766/F	Approve with conditions	223 Badminton Road Downend South Gloucestershire BS16 6NR	Emersons Green	Downend and Bromley Heath
11	PT07/1505/F	Refusal	Morton Farm Old Gloucester Road Knap Thornbury South Gloucestershire BS35 3UF	Thornbury North	Thornbury Town Council
12	PT07/1738/F	Approve with conditions	147 Bakers Ground Stoke Gifford South Gloucestershire BS34 8GD	Stoke Gifford	Stoke Gifford Parish Council
13	PT07/1784/TRE	Approve with conditions	26 Beechacres Thornbury South Gloucestershire BS35 1BE	Thornbury North	Thornbury Town Council
14	PT07/1886/F	Approve with conditions	Wallscourt Farm Coldharbour Lane Filton South Gloucestershire	Frenchay and Stoke Park	Stoke Gifford Parish Council
15	PT07/1920/F	Approve with conditions	3 The Ridings Coalpit Heath South Gloucestershire BS36 2RY	Frampton Cotterell	Frampton Cotterell Parish Council

CIRCULATED SCHEDULE NO. 29/07 – 20 JULY 2007

App No.:	PK06/3573/F	Applicant:	Mr & Mrs R F Kingscott
Site:	The Old Brewery Store Badminton Road Old Sodbury BRISTOL South Gloucestershire BS37 6RG	Date Reg:	12th December 2006
Proposal:	Conversion of former brewery store to provide dwelling. Change of use of agricultural land to domestic curtilage. Construction of new access track (Scheme A).	Parish:	Sodbury Town Council
Map Ref:	75395 81259	Ward:	Cotswold Edge



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 100023410, 2007.

INTRODUCTION

This application appears on the Circulated Schedule following concerns raised by Councillor Sue Hope and a local resident, which are contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to 'The Old Brewery Store' Circa 1869 situated to the west of 'The Maltings', an existing dwelling set back from and west of the main Badminton Road (A432), Old Sodbury. Further dwellings lie to the south along Badminton Road, otherwise the site lies within open countryside and Green Belt land on the western slopes of the Cotswold Escarpment, which lies within the Cotswolds AONB. The village of Old Sodbury lies more to the north and west along Chapel Lane.
- 1.2 The building, which is a traditional construction of natural Cotswold stone with a tiled roof and red brick inner wall, may well have been formerly part of an extensive group of 19thC Brewery Buildings, most of which were demolished in 1960. The Old Brewery Store appears to be the only remaining remnant of the former Brewery. The building has more recently been used for agricultural purposes but this use has now ceased, since when the building has fallen into disrepair.
- 1.3 It is proposed to convert the building into a single dwelling house for occupation by the applicant, who is an architect. The inclusion of an office/workshop would also allow the applicant to operate his architectural consultancy business from the building. Vehicular access for this scheme was originally proposed via an existing field access off the A432, but the scheme has now been revised and access is now proposed from Chapel Lane via a new wooden field gate, leading to a track running across two fields to the west of the site.
- 1.4 An alternative proposal, Scheme B was the subject of a different application PK06/3573/F, which has now been refused for the reasons listed in paragraph 3.1 below. This current application for Scheme A differs from Scheme B in that it has completely different access arrangements, different garden and car parking layout, and the property would be extended more to the north as opposed to the south.

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1 - Delivering Sustainable Development
 - PPG2 - Green Belts
 - PPS7 - The Countryside : Environmental Quality and Economic and Social Development.
 - PPG13 - Transport
 - PPG15 - Planning and the Historic Environment
- 2.2 Development Plans
 - Joint Replacement Structure Plan
 - Policy 2 - Location of Development
 - Policy 3 - Landscape Protection
 - Policy 16 - Green Belt

Policy 17 - Landscape Areas AONB
Policy 59 - New Development – transport issues.

South Gloucestershire Local Plan (Adopted) January 2006

D1 - Design
L1 - Landscape Protection and Enhancement
L2 - Cotswolds AONB
L9 - Species Protection
LC12 - Recreational Routes
GB1 - Development within the Green Belt
T8 - Parking Standards
T12 - Transportation Development Control Policy for New Development
EP1 - Environmental Pollution
EP9 - Contaminated Land
H10 - Conversion and Re-Use of Rural Buildings for Residential Purposes.

2.3 Supplementary Planning Guidance

Development in the Green Belt - April 2007
Re-Use and Conversion of Farm Buildings (Consultation Draft)
South Gloucestershire Design Checklist (SPD) (Consultation Draft)

3. RELEVANT PLANNING HISTORY

3.1 PK06/3543/F - Conversion of former brewery store to provide dwelling.
(Scheme B).
Refused 10th July 2007 for the following two reasons:

1. The proposal would lead to an increase in vehicular turning movements to and from the A432 Badminton Road (i.e. a busy and fast classified road), at a location where forward visibility is restricted, thereby interfering with the safe and free flow of traffic on the public highway, all to the detriment of highway safety and contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
2. The proposed car parking spaces would be located immediately adjacent to the rear garden of 'The Maltings' and by reason of disturbance due to noise, fumes and smell from the associated traffic, the proposal would have an adverse impact on the residential amenity of adjoining occupiers, which would be contrary to Policies D1 (A) and H10 (D) of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

4. CONSULTATION RESPONSES

4.1 Sodbury Town Council
No objections

4.2 Other Consultees

4.3 Wessex Water
Confirmed that a main public sewer crosses the south eastern corner of the land and is available to take foul effluent rather than a septic tank.

Other Representations

4.4 Local Residents

Only 2no. letters of objection have been received relating to this particular application, both from the occupier of 'The Cliff' situated on the Cotswold Scarp to the east. The concerns raised are summarised as follows:

- Adverse impact on landscape and Green Belt.
- Building has always been in agricultural use.
- Dangerous access from A432.

4.5 Councillor Sue Hope

Councillor Hope raised the following concerns:

- Residential conversion with no business use.
- Change of agricultural use to domestic curtilage with impact on landscape.
- Site is outside the Village Development Boundary and within the Green Belt and AONB.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Paragraph 17 of PPS7 states that '*the Government's policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building.*' In the first instance however the proposal must be considered against current Green Belt Policy contained in the latest version of PPG2 and reflected in Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. Policy GB1 permits changes of use only where they would not have materially greater impact than the present authorised use on the openness of the Green Belt.

The change of use of land or existing buildings within the Green Belt is permitted provided that :

1. *It would not have a materially greater impact than the present authorised use on the openness of the Green Belt and would not conflict with the purpose of including land in it;*
2. *The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction; and*
3. *The form, bulk and general design of the buildings would be in keeping with their surroundings.*

Furthermore extensions to existing buildings are not inappropriate development within the Green Belt provided that the extension is not disproportionate to the scale of the original building.

- 5.2 There would be very little new build involved in the proposed conversion and this would be more or less in line with the historic foot-print of the building as evidenced by existing remnant foundations and old OS maps. The extension, which in this scheme is on the northern side of the building, is not considered to

be disproportionate to the scale of the building. Furthermore the amount of residential curtilage associated with the new dwelling would not be excessive and would be well contained and screened by the proposed new hedgerows and existing dwellings. All of this would to some extent be compensated for by the removal of an unsightly polytunnel and pig sty located in the field to the south. Any future new build or erection of structures within the garden area could be strictly controlled by removing permitted development rights. The existing commercial/agricultural building has a traditional design and retains much of its historic fabric. The proposed conversion would be a sensitive one, which would be in-keeping with the rural setting. A structural survey has been submitted to adequately demonstrate that the building is capable of conversion without major re-construction. On balance therefore officers are satisfied that the proposal would not significantly compromise the openness of the Green Belt or the purposes of including the land within it.

5.3 Further consideration must be given to the criteria contained in Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which relates to the conversion and re-use of existing rural buildings, outside the urban areas and boundaries of settlements, for residential purposes. The policy requires all criteria listed to be satisfied. These criteria are discussed as follows:

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

5.5 The building has been redundant for at least 2no. years and there is no prospect that it will ever be used for farming purposes again in the future, indeed the owner was contemplating its demolition. A 6 month marketing exercise has been carried out to see if there was any potential alternative commercial use for the building. Although the marketing exercise generated a number of responses, none were pursued. The Land Agent's Report concluded that the likely cost of restoring the building for letting as a commercial property was simply not viable. The proposal does however include a live-work element in that the applicant intends to operate his architectural consultancy from the building as well as residing there, hence the inclusion of an office within the scheme. This work element can be secured in the future by condition. Officers are therefore satisfied that criterion A is satisfied.

5.6 **B. The buildings are of permanent construction and structurally sound and capable of conversion without major or complete re-construction:**

5.7 The applicant has submitted a structural survey of the building, which adequately demonstrates that the building is structurally sound and capable of conversion without major re-construction.

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

5.9 The building exhibits a traditional design and is a long established feature of the landscape. Furthermore the building dates back to 1869, as evidenced by a date stone in the western gable. Early OS maps suggest that the building may be a last remnant of a former Brewery and is therefore of sufficient historical interest as to be worthy of retention. The restored building would be very much in-keeping with the rural surroundings.

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

5.11 The proposed conversion would involve very little new build with only a modest increase in the building's foot-print and where an extension previously stood. The removal of an unsightly polytunnel and pig sty from the adjoining field, would be an enhancement to the visual amenity of the site. For most part the existing form and character of the building would be retained. The proposed sub-divisions within the site would be defined by existing and new native hedges that would enclose the residential curtilage to the north, south and west. The land to the south would remain as a grassed paddock and the land to the north as existing meadow. The character of the countryside and amenities of the surrounding area in general would not therefore be significantly compromised.

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

5.13 The building lies immediately adjacent to an existing residential property and is reasonably close to the village of Old Sodbury. Further afield Yate and Chipping Sodbury are only a short car journey away.

5.14 Impact Upon Residential Amenity

There would be adequate private amenity space to serve the dwelling created, with very little new build, the scheme is not therefore considered to be an overdevelopment of the site. The nearest residential property is 'The Maltings' which lies immediately to the east of the site. The rear garden of this property lies in a slightly elevated position in relation to the application site and currently has a very open aspect with views to the west. Furthermore habitable room windows are located in the northern side elevation of this property.

5.15 As opposed to Scheme B, the existing field access from the A432 into the field to the north of the site, would not be used to access the site. This follows revisions to the originally proposed scheme. Instead a new field access from Chapel Lane, across two fields and north into the site, would be introduced. This arrangement has the advantage of keeping traffic away from the boundaries of 'The Maltings', furthermore the parking bays would be hidden behind the proposed extension, thus significantly reducing disturbance levels for neighbouring occupiers. All additional traffic would relate to the residential use of the site only, there being no client visits to the applicant's business. The proposed extension would stand on the footprint of a former extension and being single storey only would not be overbearing on neighbouring property. The only window in the east elevation of the proposed dwelling is an existing opening but this window would be fixed and obscurely glazed. The existing views to the west from 'The Maltings' may be compromised by the extension but there is no right to a view, so this cannot be used as a refusal reason. A private terrace area located to the south of the building would be available to future occupiers so there would be no significant issues of overlooking from existing dwellings. On balance therefore, there would be no significant loss of residential amenity to result from the proposal.

5.16 Design and Conservation Issues

A design Statement has been submitted in support of the application. Officers consider that the building may well meet the criteria for local listing and should be safeguarded and that this is an important material consideration in the determination of this application. The proposal would provide the opportunity to restore the building in a sensitive manner.

5.17 The conversion has been designed to retain the existing form and character of the building. Existing roof structures would be retained and repaired. Where possible roof coverings would be reused and the detailing would remain as existing. The natural stone walls would be repaired and jointed and pointed in lime mortar to match existing. The windows and doors would be timber framed with a traditional design. New openings would be kept to an absolute minimum, at the same time adding a high level of insulation to meet current Building Regulation requirements and introducing where possible eco friendly materials and a water saving/recycling system. The joinery for new external doors and double glazed windows would be simple, naturally weathered oak.

5.18 Subject to a number of conditions to secure among other things the appropriate use of materials, landscaping, boundary treatment and removal of any permitted development rights, there are no design or conservation objections.

5.19 Transportation Issues

The current scheme is significantly different in respect to access details to that originally proposed and to that of Scheme B. Instead of utilising the existing field access off the A432 Badminton Road, Scheme A now proposes the creation of a new vehicular access onto Chapel Lane (i.e. a class 4 highway). The access will take the form of a new wooden field gate and a farm type track across the fields to the west of the site.

5.20 The Council's Highways Officer raises no objection to this access arrangement subject to conditions to secure the following:

- Surfacing of first 8m with bound material, to prevent stone scatter.
- Restriction of access to the building will be solely from Chapel Lane.
- Provision of off-street parking as proposed and maintenance thereafter.
- Construction of site access to full satisfaction of Street Care Manager.

5.21 Landscape Issues

The Council's Landscape Officer has noted that although the existing building is in a state of disrepair, it is an attractive and interesting feature in the landscape. It is tucked down in a hollow under the Cotswold Scarp and is not visible from the main Badminton Road. The building is screened by hedgerows and the topography of the land from views from Chapel Lane to the west, only the apex of the roof will be visible. The building can currently be seen from the public footpath to the east higher up on the Cotswold Scarp, but only intermittently where there are gaps in the hedgerow. However the proposed new hedge and tree planting to the south of the building would screen views from this footpath once they are established. The car parking area would be screened by the existing and proposed hedge, and the building itself from views from the public footpath to the south. In this scheme the extension would be on old foundations and would keep the building form more as it had originally been. The proposed building is not therefore considered to be harmful to the visual amenity of the Green Belt, the natural beauty of the Cotswolds AONB or the landscape character in general.

5.22 The proposed access track would be constructed as a farm track following the field margin and adjacent hedgeline. The track would be 3m wide and surfaced with 50mm crushed Cotswold shingle. The track would be unfenced, with grass growing up to the track edge with a grass strip in the middle of the track thus allowing it to blend in with the landscape. The track would be 350m long and would be visible from Chapel Lane.

5.23 The Council's Landscape Officer considers that the specification of the track will minimise its visual impact. The track will be screened from the public footpath to the south by the existing hedgerow and the section of track through the property would also be screened by an existing hedge. It is therefore considered that the access track would not be significantly detrimental to the visual amenity of the area.

5.24 Notwithstanding the details already submitted, conditions would be imposed to remove all permitted development rights and to secure the submission of a full landscape scheme with proposed boundary treatments for approval prior to the commencement of any development on the site. Subject to the external works being simple and low key there is no objection to the proposal in landscape terms.

5.25 Ecology

The application site is not within or near to any statutory or non-statutory nature conservation designations. There is however the possibility that the building is used by bats roosting in a gap above the existing doorway or by nesting swallows or roosting barn owls. The Council's Ecologist therefore concludes that subject to a condition to secure a protected species survey and measures of mitigation if required, prior to the commencement of development, there are no objections on ecological grounds.

5.26 Drainage

It was originally proposed to dispose of foul drainage to a septic tank located in the field to the south of the building. Wessex water have since confirmed that a main public sewer crosses the south east corner of the land and is available to take foul effluent rather than a septic tank; this will now be the preferred method of foul disposal. The Council's Drainage Engineer raises no objection subject to the applicant obtaining a right to connect to the main sewer. It is proposed to take rainwater to storage tanks for re-use with any surplus to soakaways. There are therefore no objections on drainage grounds to the proposal.

5.27 Environmental Issues

Due to the previous uses of the buildings a condition to secure a prior contamination survey and measures of mitigation if required is recommended.

5.28 Public Rights of Way

Public Footpaths within the vicinity of the site would not be significantly affected. Subject to the standard informatives, there are no PROW objections.

5.29 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).

5.30 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant 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 PK06/3573/F

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason 1

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1, and H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 2

To control future development in the interests of the visual amenity and openness of the Green Belt, and visual amenity of the Cotswolds AONB and landscape in general in accordance with Policies GB1, L1 and L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. The property hereby approved shall at no time become a solely residential unit and the use of the single storey extension shall at all times remain as an office/workshop use ancillary to the residential use of the building and within the same ownership and occupation.

Reason

To retain an element of business use and to accord with Policy H10 (A) of the South Gloucestershire Local Plan (Adopted) 6th June 2006.

4. No windows, rooflights or doors other than those shown on the plans hereby approved shall be inserted at any time in the dwelling hereby approved, unless the Local Planning Authority gives consent in writing to any variation.

Reason

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

5. The off-street parking facilities shown on the plans hereby approved shall be provided before the building is first occupied, and thereafter the parking facilities shall be retained and used only in conjunction with the occupation of the buildings purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. Before the commencement of the development hereby permitted, a study to ascertain the previous uses of the buildings and level of contamination (if any) of the buildings walls and floors, shall be undertaken and the results submitted to the Local Planning Authority. Development shall not begin until a scheme to deal with any contamination of the buildings has been submitted to and approved in writing by the Local Planning Authority. Development shall not commence until measures approved in the scheme have been implemented.

Reason

To ensure that the use hereby approved can proceed having regard to the conditions of the building, and to accord with Policy EP6 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

Reason

To protect the character and appearance of the area to accord with Policies H10/D1/L1/L2/GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

Reason

To protect the character and appearance of the area to accord with Policies H10/D1/L1/L2/GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. A sample area of stonework and lime mortar pointing, minimum size 1 square metre, shall be made on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete.

Reason

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

10. Samples of the proposed roof tiles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the works hereby approved.

Reason

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

11. The vehicular access at its entrance from Chapel Lane shall be surfaced with bound material for a distance of 8m from the carriageway edge and to the full written satisfaction of The Street Care Manager.

Reason

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

12. The dwellinghouse hereby approved shall not be occupied until the means of vehicular access has been constructed in accordance with the approved plans and to the full written satisfaction of The Street Care Manager.

Reason

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

13. Vehicular access to the dwellinghouse hereby approved shall be solely from the Chapel Lane access as shown on the plans hereby approved, with no access from the A432.

Reason

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

14. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority measures in respect of:

(i) The identification, through site survey, of protected wildlife species and/or their habitat at present (as designated under the Wildlife and Countryside Act 1981 (as amended) and the Badger Act 1992).

(ii) The protection, as required, of wildlife species, and/or their habitat referred to under (i) above and as identified through the site survey. The approved measures shall be implemented in full unless the Local Planning Authority gives written consent to any variation.

Reason

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

CIRCULATED SCHEDULE NO. 29/07 – 20 JULY 2007

App No.: PK07/0802/F
Site: 77 Hill Street Kingswood BRISTOL
 South Gloucestershire BS15 4HA

Applicant: Mr R Cox
Date Reg: 14th March 2007

Proposal: Change of use of Off Licence (A1) to Flat (C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Installation of stair access and door on west elevation, alterations to roofline on west and east elevations with associated works.

Parish:

Map Ref: 65985 73704

Ward: Kings Chase



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100023410, 2007.

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the change of use of an Off Licence (A1) to 2 No. 2 bed flats (C3). The installation of a stair access and door on north elevation, alterations to roofline on west and east elevations with associated works are also proposed.
- 1.2 The application site relates to a two storey building with an existing A1 unit at ground floor level and flat above situated within the residential area of Kingswood and outside the established shopping frontage of Kingswood.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Design
PPG3 Housing

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design
- H5 Residential Conversions
- T8 Car Parking Standards
- T12 Transportation Development Control
- RT12 Use of Upper Floors
- RT11 Retention of local shops.

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history relates to the application site.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
The application site does not come under a Parish/Town Council

Other Representations

- 4.2 Local Residents
Two letters has been received from the same local resident raising the following objections and concerns regarding the original and revised plans, which have been summarised as follows:
 - Site location plan incorrect
 - Plans incorrect with regards down pipe
 - Lack of privacy to new building on land to rear of 75 Hill Street.
 - Concerns regarding ground floor window

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy RT11 of the South Gloucestershire Local Plan does not allow for the change of use of individual retail premises that fall outside the town centres unless a number of criteria can be satisfied.

5.2 Policy H5 of the South Gloucestershire Local Plan (January 2006) allows for the conversion of existing residential properties subject to a number of criteria relating to residential and visual amenity and transportation issues being satisfied.

5.3 In addition Policy RT12 supports the use of upper floors for residential use within town centres.

5.4 Change of Use.

As there is an existing convenience store sited further along the road, it is considered that the proposed change of use satisfies Criteria B of the South Gloucestershire Local Plan which seeks to ensure that there are satisfactory alternative retail facilities available in the locality, and therefore no objection is raised in principle.

5.5 Visual Amenity

The application site relates to a two storey building with rear extensions sited along the road frontage of Hill Street. The proposed building when viewed from the front is considered to be of a simple form and character. The proposed conversion will involve a number of external alterations to the fabric of the existing building e.g. window openings, alterations to existing roofline and installation of staircase.

5.6 A planning objection was raised with regards the original submitted plans relating to the proposed alterations on the principal elevation of the building. At present there are two large ground floor windows which read as a shop frontage with a central access point. This application proposed to replace these openings by inserting two smaller windows and a doorway. Whilst the principle of the proposed openings are considered acceptable, an objection was raised on the grounds that the position of the proposed windows and door would result in an unbalanced appearance, which being on the principal elevation of the building would have an adverse impact on the character of the building and the immediate street scene. Members are advised to consider that amended plans have been submitted which have overcome the planning objection, by adopting a much more balanced approach.

5.7 The proposed roof alterations to the rear of the building are considered acceptable. It is also considered that no objection is raised to the proposed staircase as it will be sited on the rear of the building and will not be widely visible.

5.8 Residential Amenity

Both future occupiers of the proposed flats will have access to the rear garden which measures 10.0m in length x 5.0m in width on a communal basis.

5.9 The application proposes the provision of a bin storage area and cycle parking, both of which are considered acceptable by reason of their siting.

- 5.10 The proposed first floor living room window on the eastern elevation of the property would be set back at an angled distance of 8.0m from the existing ground floor living room window and first floor bedroom window of no.79. Council guidelines advise that there should be a minimum distance of 21.0m between habitable room windows. The Planning Officer is of the opinion that as views would at an oblique angle there would not be issues of direct intervisibility and therefore the proposed window by reason of its siting would not have a detrimental impact on existing levels of privacy currently enjoyed by the occupiers of no.79, who also happens to be the applicant.
- 5.11 Concerns have been raised by the adjacent occupier regarding loss of privacy for the new dwelling at the rear of the application site as a result of the proposed first floor window on the rear elevation. It should be noted that the dwelling in question is currently being constructed, however as there are no direct windows on the end elevation of the new dwelling and as the land comprises of car parking to the front of the new building, it is considered there will not be an issue of loss of privacy.
- 5.12 The application proposes the installation of a staircase on the rear elevation of the building in order to provide access to the first floor flat. This originally had been proposed on the side elevation, however concerns were raised that this location would allow for direct overlong of no.79's kitchen window and would also result in noise and disturbance for the future occupiers of the ground floor flat. The main garden to be affected by the revised location of the proposed staircase at the rear would be that of the applicant's garden no79. Although it could be argued that the staircase could allow for overlooking it is considered however that it would have no greater impact than the proposed kitchen window on the rear elevation and will purely be used for access purposes and not sitting out on. Members are advised to consider that the rear garden belonging to the no. 75 sited west of the application site, will actually become the new turning area and parking area for the new dwelling which is currently under construction.
- 5.13 Access to the proposed first floor flat will be provided by creating a pedestrian access by using a small section of the front garden belonging to the applicants adjoining garden. It is considered that as the scheme proposes the erection of a 1.80m high fence to act as a screen, that the proposed access would not have an adverse impact on the existing amenities of no.79 in terms of noise and disturbance.
- 5.14 Concerns have been raised by the occupiers of no.75 regarding a ground floor window which currently overlooks their kitchen window. As the window in question will serve a hallway, it is considered that should planning permission be granted a condition be imposed requiring that the window have obscure glazing and be permanently fixed closed.
- 5.15 Transportation Issues
In traffic terms the daily traffic movements to and from a retail shop exceeds the traffic associated with a residential unit. In view of this therefore the proposed residential development would result in a lesser traffic impact than the current use on site.

5.16 In parking terms the proposed residential development on the site has the potential to increase parking in the evenings and weekends. There is no off street parking for this premise and it is understood that no parking can be provided for residential units on the site. It is worthy to note however that Hill Street is on a bus route and the site is within a reasonable walking distance to Kingswood High Street. No objection is raised subject to the provision of secure cycle parking.

5.17 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).

5.18 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK07/0802//F**

Contact Officer: Tracey Price
Tel. No. 01454 863424

CONDITIONS

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

Reason

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

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

Reason

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

3. The cycle parking facilities shown on the approved dwg. 03 C hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

4. The bin storage area shown on the approved dwg. 03 C hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of proposed landscaping. Development shall be carried out in accordance with the agreed details.

Reason

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

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

Reason

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

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

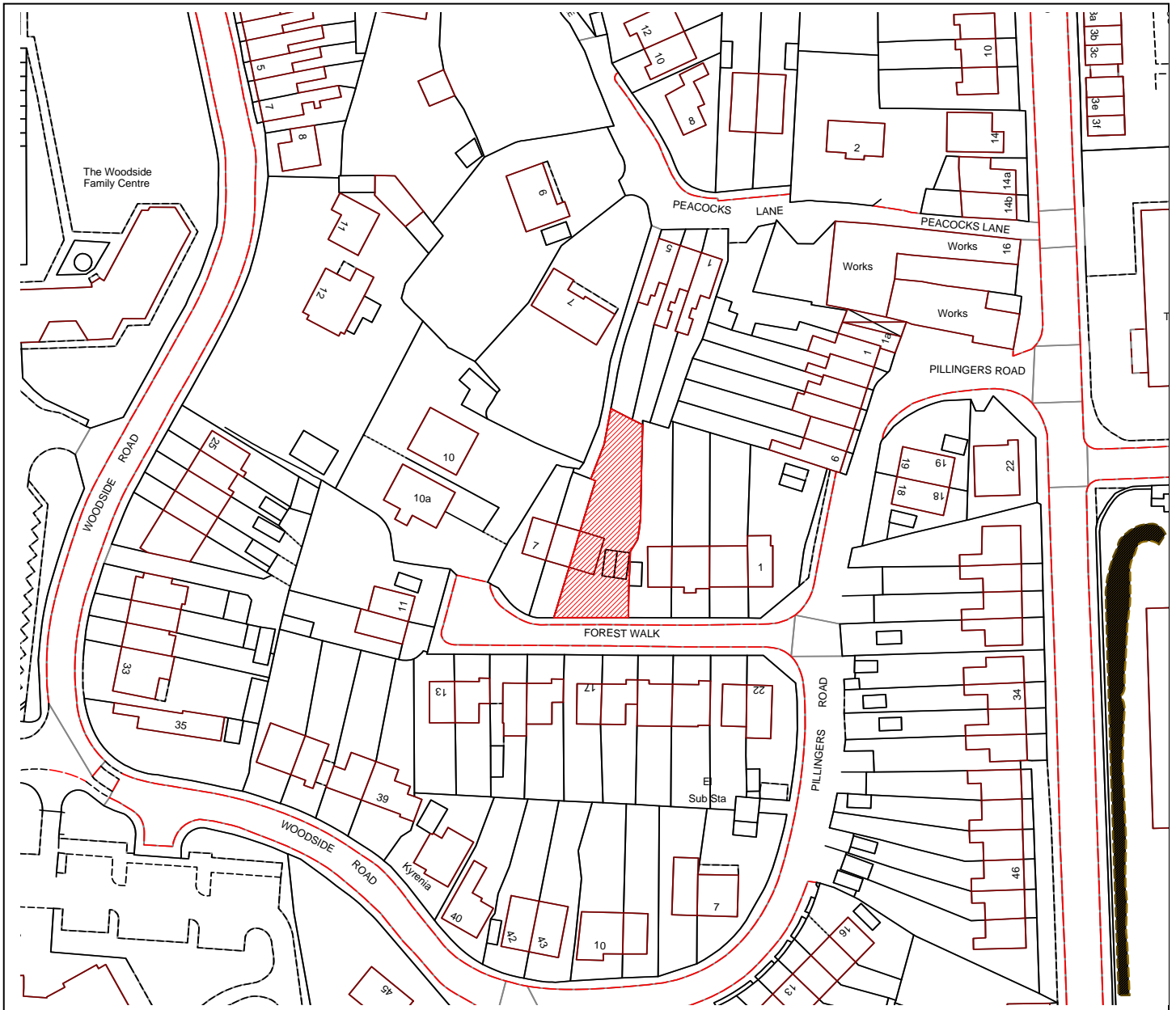
Reason

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

CIRCULATED SCHEDULE NO. 29/07 – 20 JULY 2007

App No.: PK07/1304/F
Site: 5 Forest Walk Kingswood BRISTOL
 South Gloucestershire BS15 8DF
Proposal: Erection of two storey side extension to
 form 1no. dwelling with associated
 works.
Map Ref: 64435 73414

Applicant: Mr Willowdean
Date Reg: 25th April 2007
Parish:
Ward: Woodstock



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N.T.S

PK07/1304/F

INTRODUCTION

This application appears on the circulated schedule due to the receipt of twelve letters of objection from Local Residents

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two-storey side extension to 5 Forest Walk, Kingswood to form one additional dwelling. The extension would have a maximum height of 7.8 metres, a maximum width of 4.2 metres and a maximum depth of 7.9 m. The application would also involve the widening of the vehicular access, the provision of a new pedestrian access, the sub-division of the rear garden and the provision of cycle and bin storage facilities for the new flats. The proposal would also involve the demolition of an existing flat roofed detached double garage located to the side of the dwelling.
- 1.2 The 1950's two storey rendered end terrace is located in a residential area of Kingswood. The immediate vicinity in the cul-de-sac is characterised by dwellings similar in age and design, some terraced and others semi-detached. The dwelling is located well back from the highway and has a large hard-standing area in front of the house and garage and a reasonably steep access up from the highway. The front garden to the side of the access is terraced as a result of the change in levels between the ground floor of the house and the highway.
- 1.3 This application is the resubmission of a similar scheme for the erection of a side extension and the conversion of this side extension to two flats. The previous application reference PK07/0057/F was refused by the Planning Committee on 15th March 2007. The committee decision has been appealed but we are awaiting the appeal decision. The previous application was refused for two reasons relating to the impact of the extension on the neighbouring property No. 4 Forest Walk and also the visual impact of the proposals. The design of the extension has been amended since the refusal of the previous application in an attempt to overcome the previous refusal reasons. The amendments shown on the plans are as follows-
- A reduction in width by 900mm
 - A reduction in depth by 1.3 metres
 - Removal of the rear gable roof

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG3 Housing

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/0057/F Erection of two storey side extension to form 2 No. flats with associated works.
Refused March 2007

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
The area is unparished.

Other Representations

- 4.2 Local Residents
12 letters of objection have been received from local residents. A summary of the points of concern is as follows;

- Parking problems and obstruction in the cul-de-sac
- Emergency vehicles would find it very difficult to get through
- Digging etc may cause subsidence problems
- If there was space for an extra house it would already have been built
- Cars would not be able to get up and down the street during construction
- Make it more difficult for existing residents to park
- Detrimental impact on the value of surrounding housing
- Overcrowding
- The proposal is no different to the previous refusal
- Overbearing impact on neighbouring property in terms of privacy and light
- Highway safety
- The dwelling is not in keeping with the type of development in the area
- Refuse Collectors struggle to gain access because of the existing on street parking
- It will damage community camaraderie
- The existing on street parking in front of the property will be lost because of the widened dropped kerb
- Simply isn't enough room in the street for more cars

5. ANALYSIS OF PROPOSAL

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

- 5.2 Design/Visual Amenity
The proposed extension would be of materials to match the existing house and of a scale and design that would compliment the existing dwelling. The extension would be set back from the front of the dwelling by 900mm and set down from the roof ridge and at the eaves by 500mm. Additionally, due to the change in ground level to the side of the dwelling the finished floor levels of the extension would be approximately 350mm lower than the existing dwelling. To the rear, the extension would have a simple hipped roof and would extend 1

metre beyond the rear of the existing building and this element would not be visible from the public realm. Whilst the set back and down result of the extension does not entirely integrating with the terrace, this is necessitated by the change in levels. Furthermore, the extension would read as a distinct entity with its own yet complimentary design details and would add some visual interest to the street scene. In this context the extension is considered visually acceptable.

The previous application was refused for reasons partly relating to the design and scale of the proposed extension. As part of this application, the size of the extension has been noticeably reduced and the design re-considered. The width of the extension has been reduced so the visual impact on the street scene is reduced. The windows and doors to be added to the front elevation of the extension will match those of the neighbouring dwellings as far as possible thus encouraging its successful integration. Whilst not visible from the public realm, the rear of the extension is to have a simple hipped roof with a pitch to match the roof of the existing dwelling. It is thus considered that the extension integrates successfully with the street scene. Subject to the attachment of a condition to restrict the use of suitable materials, there are no objections to the design of the extension as proposed.

The proposed parking area is considered to be acceptable and would not have any significant impact on the visual amenity of the area. The northern side of the cul-de-sac is largely dominated by hard surfacing – be this either as landscaping or parking spaces. Indeed, the majority of the existing front garden of the application site is occupied by hard landscaping and parking. It is accepted that the widening of the existing access point and the installation of three parking spaces adjacent to the kerb edge will have an impact on the street scene yet it is not considered to be of sufficient concern to warrant the refusal of the application. It will not result in the loss of any significant green landscaping that contributes very positively to the character of the area.

5.3 Residential Amenity

It is not considered that the extension as proposed would have any impact upon the amenities of the neighbouring dwellings. The property that could potentially be most affected is No. 4 Forest Walk to the east of the site. However, it is not considered that No. 4 or indeed any other neighbour would be adversely affected by the development proposed. No. 4 has 2 small windows in its western side wall facing the application site. These small windows do not serve habitable room windows and currently just look out to the side wall of No. 5. In addition to this, only one small landing window is proposed in the side elevation of the new extension facing No. 4. It is not therefore considered that any habitable room windows would be adversely affected by the development proposed.

At its closest point, the new extension will be 1.6 metres away from the garden boundary with No. 4 and will be 5 metres away from the dwelling itself. In addition to this, the main rear wall of the proposed extension will protrude only 1.5 metres out from the main rear wall of No. 4. At such a limited depth well away from the neighbouring dwelling, it is not considered it will have any adverse impact on existing levels of residential amenity. Indeed, allowing for a standard 45 degree of vision, the extension will be hardly visible from views out of the habitable room windows in the neighbouring property.

It is of course accepted that the proposed extension is at a slightly higher level than No. 4 because of the change in ground levels. The ridge height of the proposed extensions will sit approximately 650mm higher than the ridge height of No. 4. Again, given the distances between No. 4 and the application site, it is not considered that this slight height difference will have any impact on existing levels of residential amenity.

It is also noted that some of the local residents are concerned that the construction work may have a detrimental impact on their properties by means of subsidence. However, independent of any planning consent granted, the appropriate building regulations consent will also be required which will ensure that any development is carried out in an appropriate and safe manner avoiding any issues of subsidence for neighbours.

In addition to No. 4, it is not considered that the proposed development will have any impact on amenity at other dwellings. Whilst the proposal will be clearly visible from properties 16, 17 and 18 on the opposite side of the road, due to the distances involved, there are no issues of intervisibility, loss of privacy or overshadowing.

In addition to the above, the plans show how adequate garden space will be provided to serve both the existing and proposed dwellings. It is not considered that the subdivision of the garden would have any impact on existing levels of amenity for neighbouring dwellings as the use will remain the same.

In conclusion, the extension will not result in any loss of residential amenity for neighbouring properties. The extension and its relation to neighbouring buildings are well below the tolerances one may reasonably expect in an urban area such as this.

5.4 Sustainable Transport

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

The plans submitted show three off street parking spaces to be provided to serve the existing and proposed dwelling – this must be assessed against the Councils adopted maximum parking standards as stated in Policy T8. The maximum parking permitted for a 3 bedroom dwelling is 2 No. off-street parking spaces and 1.5 off-street parking spaces for a two bedroomed dwelling. As such the maximum parking provision for the resulting development on site would be 3.5 spaces. However, paragraph 6.118 in the supporting statement to Policy T8 Parking Standards of the South Gloucestershire Local Plan states that *'proposals at locations which have good accessibility by non car modeswill be expected to make provision for levels of parking below the maximum parking standards derived from Policy T8.'* It is considered that Forest Walk is

within walking/cycling distance of shops, services and bus routes at Kingswood Town Centre, and is therefore in a reasonably sustainable location with good accessibility. In this context therefore the provision of half a space less than the maximum permitted on this site is considered acceptable.

The application indicated where cycle stores will be sited to serve each of the existing and proposed also in compliance with the requirements of the Local Plan.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK07/1304/F**

Contact Officer: **Marie Bath**
Tel. No. **01454 864769**

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

7. No development shall take place until details of provision of storage for refuse bins and boxes as been submitted to and agreed in writing by the Local Planning Authority. The residential units hereby approved shall not be occupied until the storage areas have been provided in accordance with the agreed details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include means of enclosure/boundary treatments and hard surfacing materials.

Reason

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

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

Reason

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

CIRCULATED SCHEDULE NO. 29/07 – 20 JULY 2007

App No.: PK07/1376/F
Site: 60 Pettigrove Road Kingswood
BRISTOL South Gloucestershire BS15
9SW

Applicant: Mr MJ Palmer
Date Reg: 1st May 2007

Proposal: Erection of two storey and single storey
side extension to form additional living
accommodation. **Parish:**

Map Ref: 65229 72958

Ward: Woodstock



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100023410, 2007.

N.T.S

PK07/1376/F

This application has been placed upon the Circulated Schedule as a result of local resident objections.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a two storey side extension and single storey side extension to create a four bedroom property.
- 1.2 When viewed in the context of the surrounding street scene the application property is located in a prominent position at the crest of a hill opposite the junction of two residential streets (Pettigrove Road & Glanville Gardens). The surrounding streetscene contains a mix of housing styles and types such as modern terrace runs to the north, bungalows to the east and west, two storey dwellings to the rear and traditional stone and interwar period housing extending in a westerly direction along Pettigrove Road.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T8 Car Parking Standards
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Advice Note 2: House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/1191/F Demolition of existing dwelling to facilitate the erection of 3No. detached bungalows with access and associated works.
Withdrawn. 17th May 2006.
- 3.2 PK07/0198/F Erection of 2No. dwellings with parking, new access and associated works.
Registered.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Non parished area.

Other Representations

- 4.2 Local Residents
Two letters of objection received from local residents expressing the following summarised objections and concerns:
- lack of parking space

- lack of free space as the maximum amount of garden has been allocated to the adjoining development (PK07/0198/F)

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design/Visual Amenity

It is acknowledged that normally domestic extensions should appear secondary and subservient to the host dwelling. This is generally achieved by setting the front elevation of the extension back from the original front building line and lowering the roof height so that the original dwelling appears more dominant. In this instance, however, it is considered unnecessary to insist on a subservient design. With a matching eave and ridge height, together with a front elevation flush with the existing, the resultant building would have a strong sense of logical symmetry with a central doorway and a balanced window configuration. Whilst it is acknowledged that a true sense of symmetry could be achieved if the extension projected 0.7 metres further to the west, the confines of the western boundary hamper such an attempt. Nevertheless, it is still considered that the overall appearance of the building results in a positive enhancement of the dwelling and surrounding streetscene.

The single storey addition, which results in an enlarged kitchen, is also considered to be acceptable owing to its simple design and modest scale.

5.3 Residential Amenity

Overbearing Analysis

In respect of the closest neighbour, it is considered that the because this property is positioned 4.5 metres from the side extension and laid out on a north south axis they will not be harmed by the development - their main outlook is towards the highway to the north and rear garden to the south and not towards the application property to the east. The closest other property is positioned a suitable distance from the extensions to not be harmed – approximately 13 metres to the south.

Privacy Analysis

The side elevation facing towards the neighbouring property to the west does not contain any side windows. Consequently, a loss of privacy will not be experienced at this or other neighbouring properties to the west of the site.

The properties to the rear are sited 13 metres from the extension. This separation distance fails to comply with the Council's supplementary planning guidance which seeks to ensure a minimum of 21 metres between facing habitable rooms. However, because suitable boundary screening could be erected the impact from the ground floor rear windows would not be harmful. In respect of the first floor, only one new window is proposed. However, owing to the internal design of the extension, this window will serve an en-suite bathroom which is classified as a non habitable room. As a result a condition can be added to the decision notice to ensure that obscure glazing is used in this window, therefore eliminating inter-visibility. Accordingly, I am satisfied

surrounding occupiers will not suffer a loss of privacy as a result of the development being erected.

5.4 Amenity Space

Concern was raised that the level of proposed amenity space is not satisfactory. It would measure approximately 48 square metres. Whilst this is a small area it is considered sufficient in size to serve a four bedroom property.

5.5 Highway Safety Analysis

Concern was raised that the proposal would result inadequate parking. The Council's transportation officers' have assessed the scheme and raised no objection, subject to the level of parking complying with the parking standards stipulated in Policy T8 of the South Gloucestershire Local Plan. This states that for a four bedroom property a maximum of 3 spaces should be provided. Owing to the confines of the site; the requirement to provide a reasonable amount of amenity space and the fact that the parking standard relate to maximum and not minimum requirements, it is considered that in this instance two spaces is sufficient. Accordingly, in highway and parking terms, the application is considered to be acceptable.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK07/1376/F**

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

CONDITIONS

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

Reason

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

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

Reason

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

3. The off-street parking facilities shown on drawing No '172/51 Rev A: parking indicated' hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

4. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the rear elevation shall be glazed with obscure glass only.

Reason

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

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

Reason

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

CIRCULATED SCHEDULE NO. 29/07 – 20 JULY 2007

App No.: PK07/1549/RM

Applicant: Mr M Morgan
Beaumont Home Ltd

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

Date Reg: 17th May 2007

Proposal: Erection of 2no. detached houses with
garages and 4no. semi detached
bungalows with garages (Reserved
matters application to be read in
conjunction with Outline Application
PK05/3056/O)

Parish: Dodington Parish
Council

Map Ref: 70895 82135

Ward: Westerleigh



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100023410, 2007.

INTRODUCTION

This application has been referred to the Circulated Schedule following objections to the proposed scheme being received from Yate Town Council.

1. THE PROPOSAL

- 1.1 This application is a reserved matters application following the granting of outline planning permission on 30 May 2006 for the development noted above. The outline consent included details of layout and access. Under the amended matters that can be reserved under Circular 01/06, this application seeks approval for all subsequent reserved matters in relation to the landscaping, appearance and scale of the development.
- 1.2 The materials proposed for the roofs are Redland Grovebury concrete interlocking tiles. The walls are to be a mixture of buff multi-facing brick with contrasting quoins. The windows are to be upvc. The application has also been submitted with a detailed scheme of landscaping.
- 1.3 With regards to scale, although there is some overlap with the "siting" already approved, the heights of the buildings appear as they did on the indicative plans.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport - Guide to Better Practice

2.2 Development Plans

Joint Replacement Structure Plan

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

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Residential Development in Urban Areas
H4	Residential Development within Existing Residential Curtilages Including Extensions and New Dwellings
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/3056/O - Erection of 2no. detached houses with garages and 4no. semi detached bungalows with garages (Outline), means of access and siting to be determined. All other matters reserved. Approved with Section 106 Agreement 30/05/06 with the following heads of terms:

- (i) A contribution of £1,000 per unit towards improvement, enhancement of public transport facilities in the area (£6000 total).

The reasons for the Agreement are:

- (i) To mitigate against the increase in traffic generated by the proposal and to encourage means of transport other than the private car.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection on the grounds of concerns about the density of traffic onto a busy main road with a shop and a nursing home in near proximity. There is also a regular pedestrian crossing to get to the common.

Other Representations

4.2 Local Residents

No consultation replies were received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the residential development of this site was established with the granting of the previous application noted above.

- 5.2 The issues to therefore consider are the proposed appearance, the height of the buildings and the landscaping scheme.

Appearance

- 5.3 The proposed designs for the units are considered to be acceptable in that they are simple traditional forms in keeping with the surrounding houses. The proposed materials are acceptable and would help tie the scheme in with the modern development to the north, as like that development it would be distinguishable from the nearby older properties that front onto Westerleigh Road as they are mostly rough spar rendered and so the phases of construction would therefore be easily readable within the street scene.

5.4 Scale (Height)

The site is relatively flat so the two-storey dwellings to the rear would not be overly prominent. The distance and difference in orientation between the two 2 storey dwellings and the existing and proposed bungalows would also prevent any overbearing effects.

- 5.5 The height of the bungalows and 2-storey dwellings are considered to be of standard dimensions which can be observed in the site's context, and so overall it is considered that the proposed scheme would not prejudice either visual or residential amenity

5.6 Residential Amenity

Although this matter was indicatively covered in the consideration of the outline application, the windows are now to be considered as part of the appearance. With regards to the bungalows, it is considered that by reason of the scale of the buildings, the proposed boundary treatments and the proximity of neighbouring properties, it is not considered that there would be any significant harm to existing levels of amenity and the prospective residents would be afforded a reasonable level of amenity themselves. With regards to the two-storey units, it is considered that due to siting and orientation there would be no

looking or inter-visibility that would harm existing or proposed amenity levels. The houses would be also afforded a sufficient level of amenity space.

5.7 Landscaping

The landscaping scheme proposed is considered to be suitable for this location, and so subject to a condition to control its implementation, there are no objections to the proposed scheme of planting.

5.8 Other Issues

With regard to the objection raised by the Local Town Council, the issue of access and traffic generation was addressed within the previous outline scheme and following revisions to the access splays, no objection was raised. Consequently with the matter of access already approved, this issue can not be raised as an objection within this application which is only to consider the reserved matters of design, scale and landscaping.

5.9 Section 106 Requirements

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Planning permission is to be APPROVED subject to the following conditions.

Background Papers **PK07/1549/RM**

Contact Officer: **Robert Nicholson**
Tel. No. **01454 863536**

CONDITIONS

1. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights [other than those expressly authorised by this permission] shall be constructed.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity [and to protect the residential amenity of the neighbouring occupiers] and to accord with Policy [D1/H2/H4*] of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

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

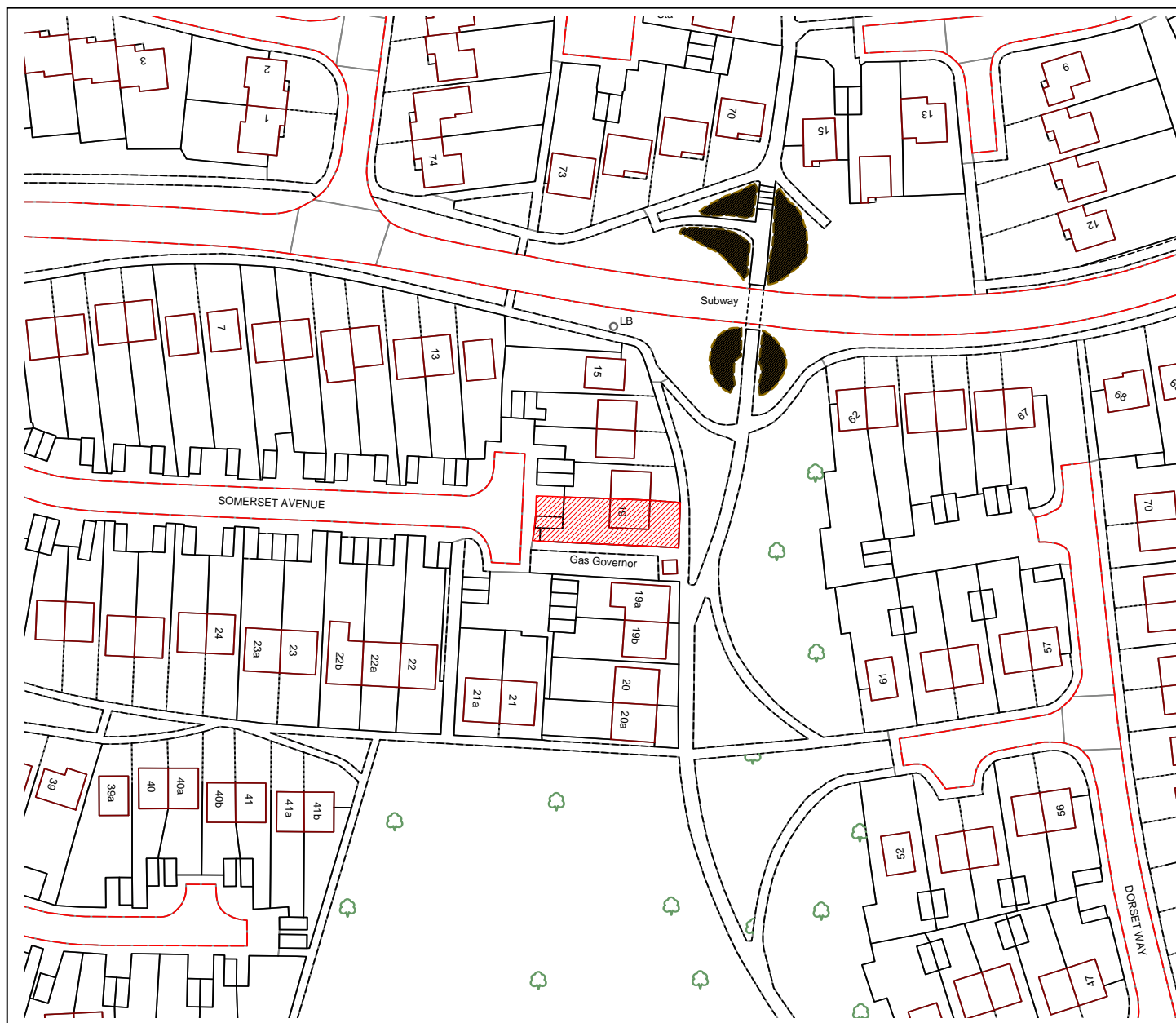
Reason

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

CIRCULATED SCHEDULE NO. 29/07 – 20 JULY 2007

App No.: PK07/1608/F
Site: 19 Somerset Avenue Yate BRISTOL
 South Gloucestershire BS37 7SF
Proposal: Erection of detached double garage.
Map Ref: 71959 83220

Applicant: Mrs A Rogers
Date Reg: 22nd May 2007
Parish: Yate Town Council
Ward: Yate North



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N.T.S

PK07/1608/F

INTRODUCTION

This application appears on the Circulated Schedule as a result of objections received from a local resident, which are contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a semi-detached dwelling-house located at the end of Somerset Avenue, a cul-de-sac located within a Radburn style estate in Yate. Around the head of the cul-de-sac and to the rear of the houses, are a number of garages and parking spaces, accessed directly off Somerset Avenue. The garage to no.19 has already been demolished.
- 1.2 It is proposed to erect a new double garage on the vacant plot at the end of Somerset Avenue. The garage would measure 5.575m long x 5.2m wide with a pitched roof with ridge height at 3.3m high and eaves set at 2.2m.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 - Delivering Sustainable Development
PPG13 - Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 - Design
H4 - Development within Residential Curtilages
T8 - Parking Standards
T12 - Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
Advice Note 1 - "Altering Your Home"

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objections
- 4.2 Other Consultees
None

Other Representations

- 4.3 Local Residents
2no letters of objection have been received, one from the occupant of neighbouring no. 18 Somerset Avenue and one from the occupant's grand daughter. The concerns raised are summarised as follows:

- Proposed garage would be less than 0.5m from boundary with no.18 making it impossible to open car doors on either side when no.18's car is parked in adjacent parking space, the garage to no.18 being on the opposite side.
- The garage should be located further south.
- Proposal would de-value no.18.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 permits development within the curtilages of residential dwelling houses subject to criteria discussed below. Policy D1 seeks to secure good quality designs in new development. Policy T12 relates to highway safety matters.

5.2 Scale and Design

The proposed garage is considered to be an appropriate scale. The brick walls and tiled roof with gabled ends is sufficiently in-keeping with the location and would not look out of place within the street scene, there being other garages of similar design within the locality.

5.3 Impact Upon Residential Amenity

The proposed garage would lie at the end of the cul-de-sac in a similar position to many other garages around the head of the cul-de-sac. It is noted that the northern side elevation of the proposed garage would be situated just 155mm from the boundary with neighbouring no.18 Somerset Avenue. At present this is an open boundary next to a single car parking space, which in turn is flanked to the north by a garage.

5.4 Concern has been raised as to the amount of space that would remain to open car doors. Officers consider that it is not unusual for applicants to build right up to their boundaries, indeed there is a right to do so. Conversely there is no right for encroachment onto neighbouring land in order to open **both** car doors as suggested. This of course would not be possible if a low fence were erected on the boundary, which could most likely be done under permitted development rights.

5.5 Whilst it is acknowledged that it would be more convenient if the proposed garage were located further away, the application must be determined as submitted and on its individual merits. Given that the proposed garage has no other adverse impact on residential amenity and that adjoining car parking space appears to be of a standard size i.e. 2.4m x 4.8m, officers see no justification for refusal of planning permission. Furthermore, impact on property values is not a material consideration in the determination of planning applications.

5.6 Transportation Issues

Neither off-street parking provision or access arrangements for the property would be compromised. There are therefore no highway objections.

5.7 Design and Access Statement

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

5.8 Section 106 Requirements

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

6. CONCLUSION

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

Background Papers PK07/1608/F

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

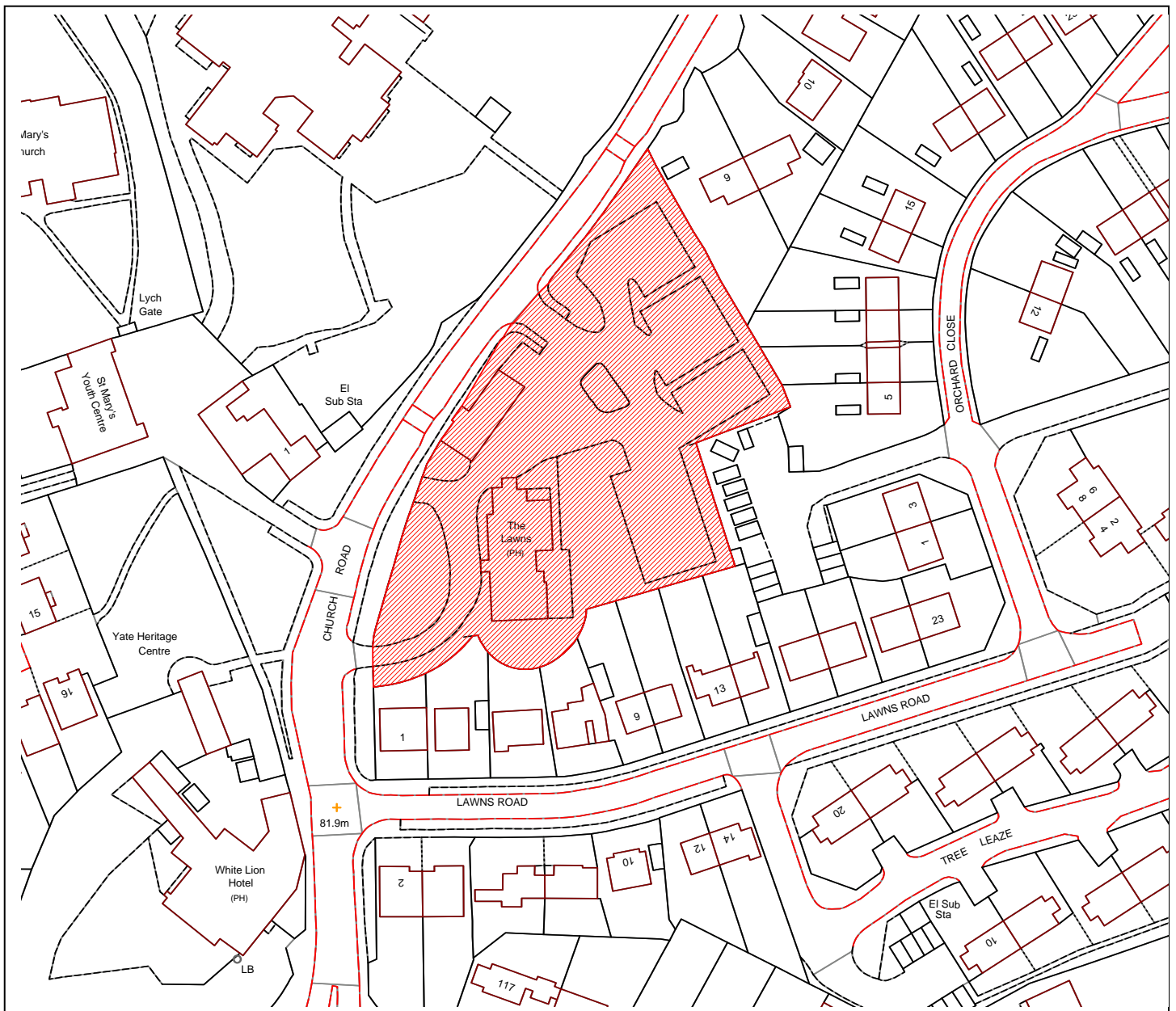
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 29/07 – 20 JULY 2007

App No.: PK07/1692/ADV	Applicant: Mrs D Pitt Marston's House
Site: Lawns Inn Church Road Yate BRISTOL South Gloucestershire BS37 5BG	Date Reg: 31st May 2007
Proposal: Display of various externally illuminated static fascia signs, wall mounted signs, and twin post signs, with non- illuminated wall mounted clip frame signs.	Parish: Yate Town Council
Map Ref: 71485 82760	Ward: Yate Central



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100023410, 2007.

N.T.S

PK07/1692/ADV

INTRODUCTION

This application appears on the circulated Schedule due to the receipt of one letter of objection from the Parish Council and one letter of objection from a local resident.

1. THE PROPOSAL

- 1.1 The application seeks consent to display a number of internally and externally illuminated free standing and fixed signs on and around the existing pub and curtilage. The positions and sizes of the proposed signs are mostly replacements for signs that currently exist on site and currently have the benefit of advertisement consent. This application is partially retrospective as it appears that many of the signs are actually already in place.
- 1.2 A total of 8 signs are proposed as part of the application (although three of these consist of two separate elements that visually link together to form one sign). Signs A and B are free standing 'totem' style adverts fitted with external angled lights. Sign A is to advertise the name of the pub and food offers, sign B is a smaller sign advertising the carvery. Sign C consist of black lettering spelling out 'The Lawns' and sign D is a colour oval sign with the pub logo. Both signs C and D are fixed to the walls of the buildings are always placed together so visually they form one large sign. Sign E is the same as sign B but is wall fixed rather than free standing. Signs F are small clip board signs where the contents are interchangeable and are located near the doors to the pub. All signs other than the two small wall mounted clip frame signs (F) are to be externally illuminated.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG19 Control of Advertisements

Development Plans

- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
L19 Control of Advertisements

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/0766/ADV Display of 1 no. externally illuminated free standing sign. 2 No. flood lit wall mounted name signs. 1 double sided externally illuminated free standing directional sign. 2 no. internally illuminated wall mounted signs. Approved July 2003
- 3.2 P94/1292/A Removal of existing attached signs and display of various attached and free-standing illuminated and non-illuminated signs. Approved September 1994
- 3.3 P93/2287/A Display of an advertisement. Refused December 1993.
- 3.4 P89/2111/A Various restaurant signs. Approved August 1989.

- 3.5 N31/ADV Erection of single sided, internally illuminated box sign.
Approved January 1980
- 3.6 N3/ADV Display of internally illuminate pole mounted signs.
Refused July 1974

4. **CONSULTATION RESPONSES**

- 4.1 Yate Town Council
Object to the application on the basis that it is 'overkill' within a cluster of listed buildings bearing in mind the application at Yate Heritage Centre.

Other Representations

- 4.2 Local Residents
One letter of objection has been received from a local resident. The resident is concerned that the proposed signage is excessive and will dominate the street scene and detract from the neighbouring listed buildings. The local resident also states that sign A is on land not within the ownership of the applicant.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
As outlined in PPG19, outdoor advertisements can only be controlled in the interests of "*amenity*" and "*public safety*". In terms of *amenity* the effect of the proposal on the visual amenity in the immediate neighbourhood has to be considered. With regard to *public safety*, Local Planning Authority's must ensure any advertisement does not create a traffic hazard, especially in terms of causing a distraction. Policy L19 of the South Gloucestershire Local Plan (Adopted) incorporates advice contained within PPG19.

- 5.2 Visual Amenity
The Lawns is a large building that has been used as a public house for many years. As can be seen from the history, adverts have been displayed on the premises since the early 1980's with the most recent change in advertisement occurring in 2003. It is noted that both the Parish Council and the local resident are concerned that the signs are excessive. Consideration has to be given to the existing advertisement consent at the property granted in 2003 which remains valid until July 2008. The majority of the signs proposed as part of this application are simply to update the previous signs to include modern branding and the new correct company logo.

Sign A is to replace an existing 'totem' sign of almost identical design. However, the 'totem' proposed as part of this application is to have a maximum height of 3.1 metres above ground level whereas the previous consent gave permission for the 'totem' to have a maximum height of 4 metres above ground level. In addition to this, the proposed 'totem is also approximately 200mm narrower than the previous 'totem granted advertisement consent. It may therefore be argued that sign 'A' will have a lesser impact on the visual amenity of the area than the previous 'totem'.

The same justification can be put forward for the proposed sign 'B'. Whilst admittedly on the opposite side of the vehicular entrance to the building, the proposed sign 'B' is very similar in dimension to the previous sign on the site.

In addition to this, by relocating sign 'B' to the southern side of the entrance, views of the sign are more limited and restricted when travelling in a northerly direction along Church Road again seeking to reduce visual impact.

Sign 'C' consist of solid black letters spelling out The Lawn and sign 'D' is the Taverner's logo. Whilst separate, both elements are placed together so that visually they read as one sign. Signs 'C' and 'D' to be placed on the side of the main building are simply to replace existing signage with the new branding and logo. It is not therefore considered that this element of the proposal has any impact on existing levels of visual amenity. It is accepted however that signs 'C' and 'D' to be places on the end elevation of the detached buildings are both new and are not to replace existing signs – there are the only truly new signs proposed as part of this application. On balance however, there is no objection to these signs in terms of visual impact. The lettering is to be black in colour and is not therefore visually out of keeping with the character of the surrounding area. When travelling along Church Road in a northerly direction, whilst the signs will of course be visible, they will be softened and blurred by the existing tall vegetation. The new signs to be on the northern elevation of the detached barn is to be low level and will be largely obscured by any vehicles parking in the spaces directly in front of the sign. The lettering is quite plain and simple in design and avoid the introduction of any fussy detail that may indeed detract from the character of the area. It is not felt that these signs are out of keeping or that they detract from the visual quality of the area.

Sign 'E' is to be attached to the side of the main public house and will only be particularly prominent from the car park off he public house. Again, the proposed sign is to replace an existing sign that was approved as part of the previous application.

Finally, sign boards 'F' of which there is two are very small in scale and are to be located discreetly adjacent to the entrances to the building. The contents of these signs will be interchangeable but will inform customers of promotions, entertainment events etc. Due to the very small scale of the signs and the fact that they are well away from the curtilage, it is not considered that signs 'F' will have any impact on visual amenity.

The building itself is relatively old with some character, however the nature of the proposed signage, the principle of which is already established, is not considered to materially increase any impact upon, or prove detrimental to, the character of the building or the surrounding area, and subject to a conditions requiring any old signage to be removed prior to the addition of the new signs, the scheme is considered acceptable.

5.3 Public Safety

The proposed signs are predominantly to replace existing signs. It is appreciated that the new signs are to be illuminated yet the previous signs on the site have also been illuminated. There is a speed bump outside the site and it is in relatively close proximity to a mini-roundabout. It is therefore anticipated that traffic speeds will not be fast. In light of this, it is not considered that the proposed signage will have any impact on highway safety in the vicinity. The signs are at a suitable height and a suitable distance from the edge of the carriageway. As such, it is not considered that the signs will have any impact on existing levels of public safety.

5.4 Ownership of Land

It is noted that a local resident is concerned the signs are to be erected on land outside of the applicants ownership. However, this application is determined on the basis of the information which is assumed to be correct. The application identifies that the land is within the ownership of the applicant and is simply to replace an existing sign. Nonetheless, the granting of Advertisement consent does not give permission to develop on land not within the ownership of the applicant without the land owners consent.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That advertisement consent be granted.

Background Papers **PK07/1692/ADV**

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

1. Prior to the display of the signs hereby permitted the existing signs displayed on the premises shall be removed.

Reason

In the interests of visual amenity and to ensure that the cumulative effect of the proposal would not have a detrimental effect upon the locality, in accordance with Policy L19 of the South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 29/07 – 20 JULY 2007

App No.: PK07/1760/F
Site: The Wishing Well Aspects Leisure Park
 Leisure Road Kingswood BRISTOL
 South Gloucestershire BS15 9LA

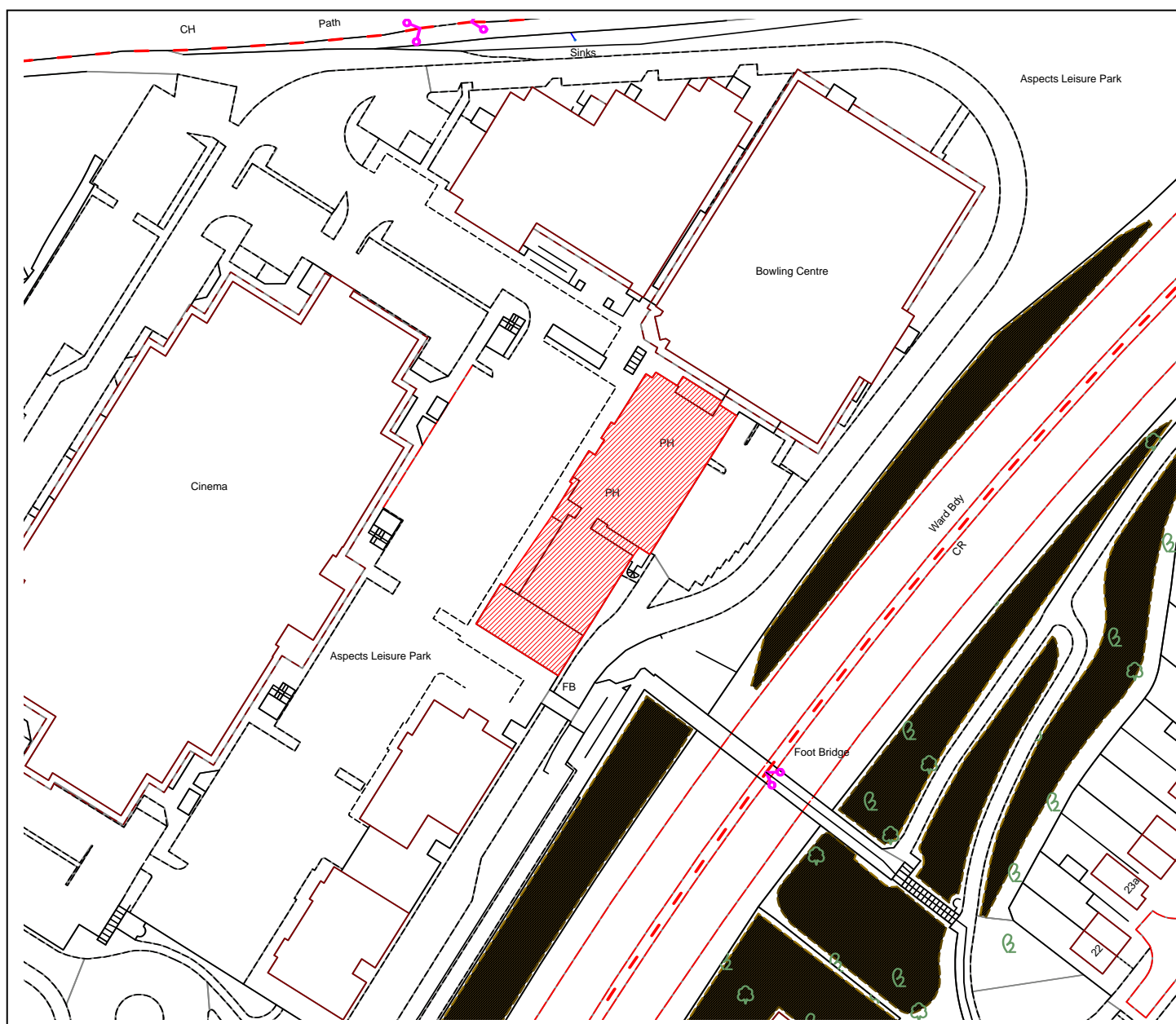
Applicant: The Orchid Group
Date Reg: 6th June 2007

Proposal: Installation of 3 no. wall mounted awnings to north east elevation and 2 no. four metre square illuminated umbrellas to terrace.

Parish: Hanham Parish Council

Map Ref: 65491 72420

Ward: Hanham



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100023410, 2007.

N.T.S

PK07/1760/F

The application has been placed upon the Circulated Schedule due to the receipt of Parish objections.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of 3 No. wall mounted awnings to the Wishing Well Pub and 2 No. four metre square umbrellas, with integral heating and lighting units, to an adjoining terrace (beer garden area).
- 1.2 The application property consists of an elongated leisure unit located in the Aspects Leisure Park to the east of the A4174 Rind Road. The site is within the Existing Urban Area as defined in the South Gloucestershire Proposals Map.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design

3. RELEVANT PLANNING HISTORY

- 3.1 The site has been the subject of a number of applications in the past but none of these are considered relevant to the determination of this application.

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
Objection – regarding the integral heating units. Has an environmental assessment been undertaken to assess what better environmental means there are with regard to heating an outside area. Also the location of the heaters on the terrace is a safety concern as they are located next to the outdoor play area.

Other Representations

- 4.2 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
In assessing this application it is considered that Policy D1 of the South Gloucestershire Local Plan is of most relevance. This Policy requires that development achieves the highest possible standards of design
- 5.2 For the purposes of this report the application can be analysed in two parts.

- 5.3 The first element consists of installing three canopies on the front elevation of the building. The surrounding buildings share common architectural elements with extended eaves and canopies being one such feature. As a result, it is considered that the form, scale and position of the canopies would be in keeping and respect the architectural style of surrounding buildings. Accordingly, this element of the scheme is considered to satisfy Policy D1.
- 5.4 The second element consists of the installation of two umbrellas, with integral heating and lighting units. This would be positioned above the terrace area. Given the context of the site it is considered that these structures would also be acceptable.
- 5.5 Other matters arising – Parish concerns
The concerns raised by the local parish Council, in respect of the environmental impact and safety implications of the heating units, are not considered to be material planning considerations in the determination of this application.
- 5.6 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

7. RECOMMENDATION

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

Background Papers **PK07/1760/F**

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

CONDITIONS

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

Reason

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

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

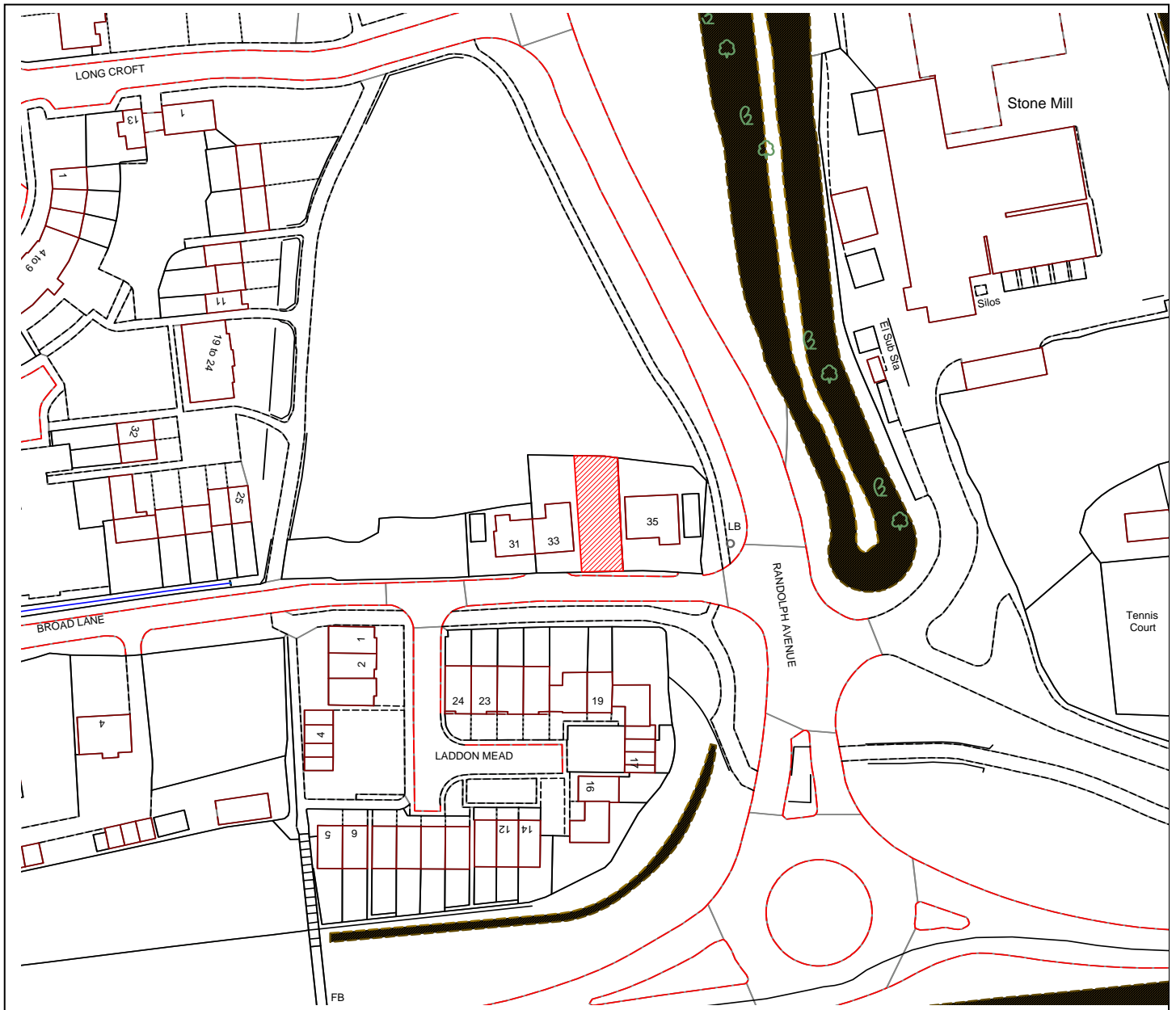
Reason

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

CIRCULATED SCHEDULE NO. 29/07 – 20 JULY 2007

App No.: PK07/1761/O
Site: Land adjoining 33 Broad Lane Yate
 BRISTOL South Gloucestershire BS37
 7LA
Proposal: Erection of 1no. detached dwelling
 (Outline). All matters reserved.
Map Ref: 70966 83794

Applicant: Mr M J Dyez
Date Reg: 6th June 2007
Parish: Yate Town Council
Ward: Yate North



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N.T.S

PK07/1761/O

This application has been placed upon the Circulated Schedule due to the receipt of an objection from a local resident.

1 PROPOSAL

- 1.1 The applicant seeks outline consent for the erection of a single dwelling situated on land to the side (within the ownership of No.33 Broad Lane). All matters have been reserved for future consideration, however as required the applicant has given details of the scale that will be 2-storey. An indicative layout plan indicates the position of the building and the access. Two parking spaces will be provided for the original property and the proposed dwelling. The site has a frontage of 9.5 metres and depth of 25 metres. The applicant has also included the provision of an extension to the original footway as part of the development.
- 1.2 The application site lies on the northern side of Broad Lane, with in the curtilage of a traditional style semi-detached cottage. Residential properties are situated on either side.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering sustainable Development
PPS3	Housing
PPG13	Transport - Guide to Better Practice

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Residential Development in Urban Areas
H4	Development within Existing Residential Curtilages
T8	Parking Standards
T12	Transportation Development Control Policy

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

There has been no response received

4.2 Sustainable Transport

The site is located on Broad Lane, Yate an unclassified highway and a popular pedestrian route to Brimsham Green School. This section of Broad Lane is a narrow no through road serving a number of residential properties, including the recently approved Bellway development which is nearing completion. This section of Broad Lane also provides pedestrian access to Brimsham Green School. This proposal seeks outline planning permission to erect a detached dwelling on land adjoining 33 Broad Lane, Yate.

The Design and Access Statement indicates that there is an existing vehicular access and driveway off Broad Lane. From a recent site visit it would appear that this access is currently fenced off and not in use.

This development proposes the use of this access. Three vehicle parking spaces are proposed all of which are parallel to the carriageway. The proposed provision and alignment of the parking for this development is considered unacceptable as the spaces will be difficult to use and it is likely to cause on-street parking in an area where pedestrians and cyclists are high.

Four vehicular parking spaces, two for each of the dwellings, would be considered acceptable at this location and it would appear that this can be accommodated. Revised proposals are therefore requested showing the requested level of vehicular parking that is perpendicular to the carriageway. This can be achieved by widening the proposed access, re-aligning the new building and adjusting the site boundaries accordingly.

There is currently a lack of pedestrian footway along the northern side of this section of Broad Lane, which is a popular route for children attending Brimsham Green School. An extension to the footway has previously been secured via a scheme at 31 Broad Lane and a continued link in with the existing footway network would be desirable along the whole frontage of no 33 and the development site. Subject to revised parking and access details being submitted for approval by the Council, there would be no transportation objection to this proposal.

Other Representations

4.3 Local Residents

One letter of objection received, the grounds of objection can be summarised as follows:

- The proposed development would deprive No.33 of satisfactory parking facilities to the detriment of highway safety
- The proposed development would result in loss of amenity to the adjoining properties
- The design of the building would be out of character with the adjoining properties

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) allows for development within existing residential curtilages, including new dwellings, subject to there being no adverse impact on the existing visual and residential amenities within the immediate area. Therefore subject to these constraints, the proposal is considered acceptable in principle.

5.2 The site is located within the existing built up area, as defined on the Local Plan Proposals Maps. In accordance with Policy H2, new residential development will normally be permitted subject to a number of criteria relating to density, design and impact on residential amenity are satisfied. The density equates to 39 dwellings per hectare which meets the minimum of 30 dwellings set by H2 and PPS3. As the site lies within existing residential curtilage, it is considered

that Policy H4 of the South Gloucestershire Local Plan (Adopted) encompasses all the relevant issues of the above policies, for Policy H4 allows for the erection of a new dwelling within existing residential curtilages providing that the following criteria are complied with;

5.3 a) Development would respect the massing, scale, proportions, materials and overall design and existing property and the character of the street scene and surrounding area;

The existing dwelling comprises a semi-detached property with land to the side. It is considered that the site can accommodate the proposed development and provide amenity space. The area to the front of the building would not alter and would be retained for parking.

Concern has been raised that it would not be possible to provide a building that would be in keeping with its surroundings. As this is an outline application with all matters reserved, at this stage, no precise details of design or materials have been received. It is not therefore possible to comment on the specific design of the building although the height and scale parameters given in the design and access statement are acceptable and it is considered given the width of the site that a dwelling could be accommodated of an appropriate design.

The application is thus considered to be in accord with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) and PPS1 and PPS3.

5.4 (b) Would not prejudice the amenities of nearby occupiers;

Concern has been raised that the proposed development would result in the loss of amenity to adjoining occupiers. Given the scales indicated and the indicative layout, it is not considered that the proposed development would result in detriment to the amenity of neighbouring occupiers either in terms of appearing oppressive or overbearing. With respect to privacy, it is not considered given the position relative to properties on either side that there would be any loss of privacy as a result of overlooking however the position of windows would be dealt with by the reserved matters application.

5.5 (c) Would not prejudice highway safety or the retention of an acceptable level of parking provision, and an acceptable level of parking provision is provided for any new separately occupied dwelling;

An original layout of three parking spaces located parallel to the highway would have not provided effective off-street parking facilities for the proposed dwelling and the existing property No.33. It is considered in this case (in accord with PPG13 and Policies T8 and T12) that additional parking provision at a site can be requested given that it is situated close to a large housing development (Bellway Homes) and is on a section of Broad Lane that provides pedestrian access to Brimsham Green School. The applicant has amended the scheme accordingly to provide two spaces at the original property and two spaces for the proposed property and this is considered acceptable.

It is considered that there is a lack of a pedestrian footway along the northern side of this part of Broad Lane although it should be noted that an extension to the existing footway has been secured at a previous scheme at No.31 Broad Lane.

A condition will be attached to the decision notice to secure a further extension to the footway to extend along both the frontage of No.33 and the development site. Subject to this condition there is no transportation objection to the proposed development.

- 5.6 **(d) Would not prejudice the retention of adequate private amenity space, and adequate private amenity space is provided for any new separately occupied dwelling;**

The plans submitted with the application demonstrate that sufficient amenity space will be afforded to each of the existing and proposed dwellings. It is therefore considered that sufficient amenity space is provided for the new and existing dwellings.

- 5.7 Design and Access Statement

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That the application be granted subject to the following conditions:

Background Papers PK07/1761/O

Contact Officer: David Stockdale
Tel. No. 01454 863131

CONDITIONS

1. Approval of the details of the layout, scale and appearance of the building, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

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

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the layout, scale and appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

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

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

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

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

Reason

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

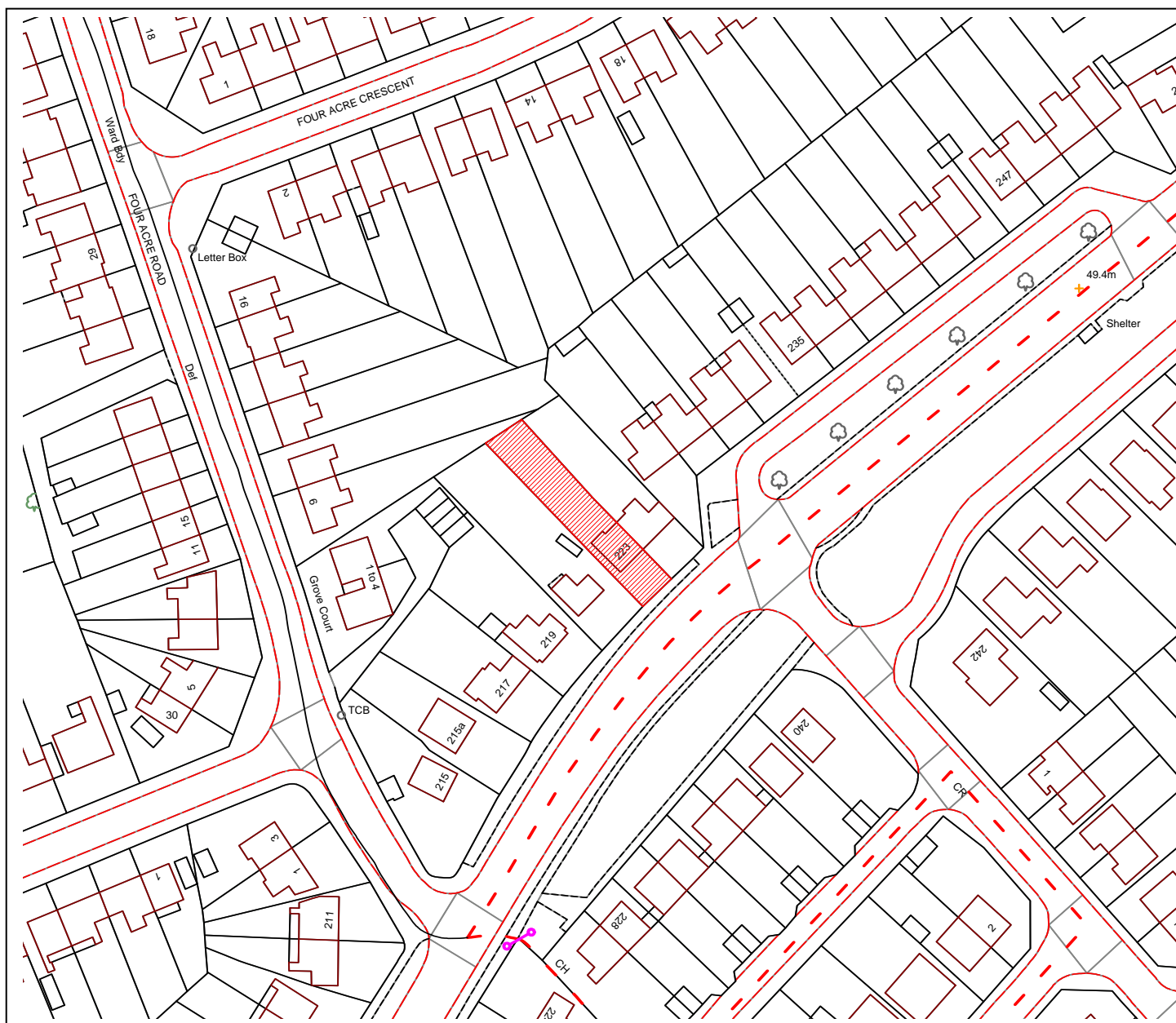
5. Development shall not commence until a 1.5m wide footway has been constructed along the whole frontage of the site (to include both No.33 and the new dwelling), in accordance with the Illustrative layout Plan received 16th July 2007. The footway shall be constructed to a standard considered acceptable by the Council's Streetcare Manager.

Reason

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

CIRCULATED SCHEDULE NO. 29/07 – 20 JULY 2007

App No.:	PK07/1766/F	Applicant:	Mr & Mrs P Houghton
Site:	223 Badminton Road Downend BRISTOL South Gloucestershire BS16 6NR	Date Reg:	6th June 2007
Proposal:	Erection of two storey side and single storey front and rear extensions to provide additional living accommodation.	Parish:	Downend and Bromley Heath
Map Ref:	65497 77797	Ward:	Emersons Green



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N.T.S

PK07/1766/F

INTRODUCTION

This application appears on the Circulated Schedule as a result of a consultation response received raising concerns regarding the proposed development.

1. THE PROPOSAL

- 1.1 The application seeks permission for a two storey side extension and single storey front and rear extensions. The proposed two storey side extension would incorporate the area of the existing single attached garage and would replace the garage with living accommodation. The front extension would be a small lean-to construction incorporating a porch and part of the new ground floor living accommodation. The rear extension consists of a very small continuation of an existing single storey lean-to structure, to bring it across to the full width of the proposed new rear elevation of the property.
- 1.2 The property itself is a semi-detached dwellinghouse located on the main Badminton Road which is residential in character.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 – Delivering Sustainable Development
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 – Achieving Good Quality Design in New Development
H4 – Development Within Existing Residential Curtilages
T8 – Parking Standards

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Parish Council
No objections
- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Local Residents
One letter has been received raising certain concerns to the proposals. These concerns are based on the loss of the garage that is proposed within the design and the impact this may have on parking in the area. There is also reference over concern to ensure that the loft room is lagged and insulated to reduce any noise impact associated with its potential use.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal for such an extension at this location is considered acceptable in principle and in accordance with the relevant policies of the Development Plan, as referred to in the Policy section above.

5.2 Residential Amenity

The extension would be of an acceptable scale for this location. There are not considered to be any overbearing impact or issues of overlooking associated with any other neighbouring properties. Any improvements made to the interior of the loft are not subject to this planning application, but would be controlled through Building Regulations.

5.3 Design

The design, scale and materials to be used are considered to be an acceptable form of development at this location and would be in keeping with the existing property. The attached property has a side extension of similar scale and design above the attached side single garage and the proposal the subject of this application would add an element of symmetry to the pair of dwellings. The proposed materials used would be match those of the existing dwelling.

5.4 Highways

The proposal leads to the loss of a single storey garage space, however it is considered that there remains adequate off-street parking, for up to 3 cars, in accordance with the Council's maximum provision standards for this type of dwelling. The location of the property on the main road is sustainable in terms of its proximity to main bus routes and services.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That planning permission is granted.

Background Papers **PK07/1766/F**

Contact Officer: **Simon Ford**
Tel. No. **01454 863714**

CONDITIONS

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

Reason

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

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

Reason

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

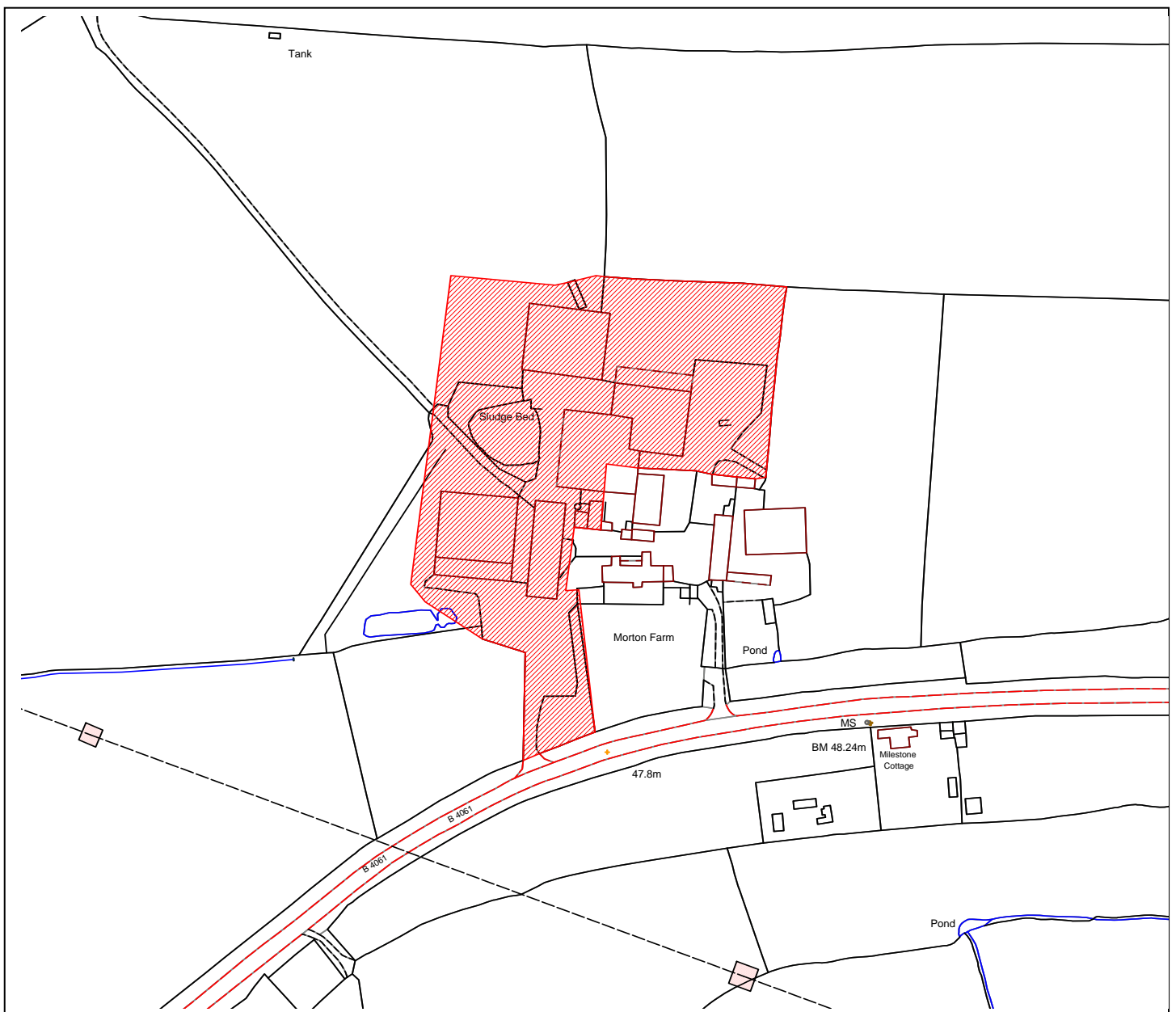
3. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed ground floor windows on the south east elevation shall be glazed with obscure glass only.

Reason

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

CIRCULATED SCHEDULE NO. 29/07 - 20 JULY 2007

App No.:	PT07/1505/F	Applicant:	Mr M Gill
Site:	Morton Farm Old Gloucester Road Knap Thornbury BRISTOL South Gloucestershire BS35 3UF	Date Reg:	15th May 2007
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) Amendment Order 2005. (Resubmission of PT06/3395/F).	Parish:	Thornbury Town Council
Map Ref:	66066 91594	Ward:	Thornbury North



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100023410, 2007.

INTRODUCTION

The application is on the circulated schedule because it is defined as one for major development.

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 3580sq.m, although the application is for a general class B1 use.
- 1.2 The application follows on from a previous similar application that was refused planning permission on 2nd February 2007 (ref.PT06/3395/F). The applicant contends that the reasons for refusing the previous application have been positively overcome.
- 1.3 The site is outside of any designated settlement boundary in the open countryside.
- 1.4 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 (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.

- 3.13 PT06/3395/F Demolition of 1 no. barn. Change of use of 5 no. agricultural barns from agricultural use to business use (Class B1).

Refused: tantamount to new-build, impact on rural character, impact on setting of listed building, and unsustainable location.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

No objection.

4.2 Police Safety Department

Comment on security issues.

4.3 Local Residents

13 no. 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.

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 (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.

Officers will contend that the merits of the case remain essentially unchanged from the previous application and that no substantive amendments that would alter the conclusions of this assessment, and the subsequent reasons for refusal, have been provided.

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. It is clear from the applicant's report that, for the most part, the scheme relies on the retention of a steel frame only. The proposed walls are clearly double-skinned and solid as opposed to the existing and predominant 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 council's building officer concurs with this view. 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 barn 1 (in part), 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 (despite the attempts at using more appropriate materials) more indicative of an office park. 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 (despite the applicant's intention to relocate existing bus stops), 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 travel plan would not mitigate this. The thrust of national policy is to reduce reliance upon the motor car so that wherever 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 PPG13, RPG10 and policies T12, D1, E6 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

The visibility issues raised at the time of the previous application have been satisfactorily addressed.

5.6 Drainage/Flood Risk

The Environment Agency raised no objection to the previous application 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 efforts to address the issues raised with the previous application, they do not deal with the issues previously raised to any significant degree. Having regard to the character and appearance of the proposal, officers are still of the view that the setting of the listed farmhouse will be adversely compromised. Again, 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 (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.

6.1 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 **PT07/1505/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 policies T12, D1, E6 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 29/07 - 20 JULY 2007

App No.: PT07/1738/F
Site: 147 Bakers Ground Stoke Gifford
BRISTOL South Gloucestershire BS34
8GD

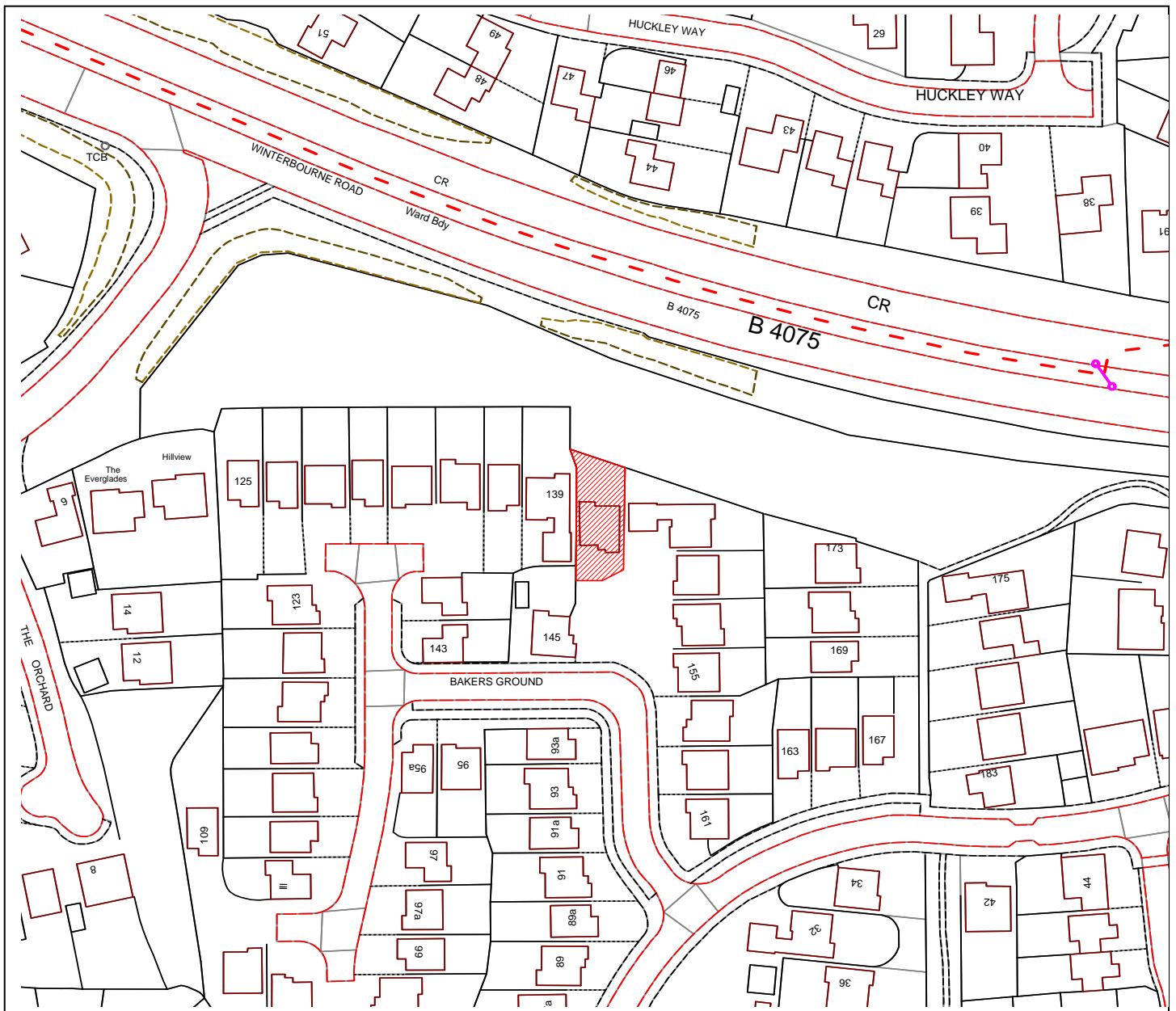
Applicant: Mr & Mrs G Massey
Date Reg: 5th June 2007

Proposal: Erection of single storey rear extension
to extend kitchen and dining room.
Installation of 1 no. window in side
elevation.

Parish: Stoke Gifford Parish
Council

Map Ref: 62973 80398

Ward: Stoke Gifford



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N.T.S

PT07/1738/F

This application appears on the Circulated Schedule after the receipt of one objection from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a single storey rear extension to form additional living accommodation and the installation of 1no. window in the side elevation.
- 1.2 The application site relates to a modern detached dwelling located within a well established residential area of Stoke Gifford.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No received

Other Representations

- 4.2 Local Residents
One letter of objection received stating the following:
- The extension would be close to the side of my house and will block light to downstairs rooms.
 - Proposed window in side elevation would result in a loss of privacy.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for an extension to residential dwelling subject to there being no adverse impact on the residential amenity.

Policy D1 of the Local Plan considers general design principles and ensures good quality design.

- 5.2 Residential Amenity
The application site is situated between two dwellings, these are Nos. 139 and 147 Bakers Ground. The proposal would consist of rear extension that would be approximately 4m deep and would extend across the entire width of

dwelling. It is also proposed to install a window in the elevation facing onto No. 139.

The proposal would be sited approximately 2 metres from No. 137 and would be separated by a 1.8m close-boarded fence. The occupier of No.137 has objected to this proposal because they believe that the proposal would block light to the downstairs rooms and the proposed window in side elevation would prejudice their privacy.

In reference to the objector's comments regarding light, it should be noted that under the current planning system there is no specific "right" to light, although extensions can be considered to be overbearing and impede residential amenity. However, in this instance the proposal is not considered to constitute an overbearing structure and thus would not adversely affect residential amenity. This is because the extension would be single storey, it would have a pitched roof and the extension would be separated from the adjacent dwelling by approximately 2 metres.

The objector also stated that the proposed downstairs window would prejudice their privacy. It was noted during the site visit that the neighbouring dwelling (No. 137) has several windows that would face onto the proposed window. Any views from the proposal would be partially blocked by a 1.8m close-boarded boundary fence. However, due to the internal floor height it may possible for some views over the fence into the neighbouring property. It is therefore recommended that condition is attached to secure obscured glass in window to preserve the neighbouring occupier's privacy.

The proposed extension would be mainly screened from view from No. 147 Bakers Ground by the double garage sited adjacent to the boundary and would therefore not impede residential amenity of this dwelling. Given the above, it is considered that proposal would not adversely impact the nearby occupiers residential amenity and would therefore accord with Policy H4 of the Local Plan.

5.3 Design and Visual Amenity

The proposed single storey extension would consist of gable-end across approximately half of the rear elevation and then mono-pitched lean to extension across the other half. The proposal would be finished in bricks and tiles to match the existing dwelling. Therefore, given the above, it is considered that design and the scale of the proposal would respect the appearance and character of the existing dwelling and the surrounding residential area.

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

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

7. RECOMMENDATION

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

Background Papers **PT07/1738/F**

Contact Officer: **Peter Rowe**
Tel. No. **01454 863538**

CONDITIONS

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

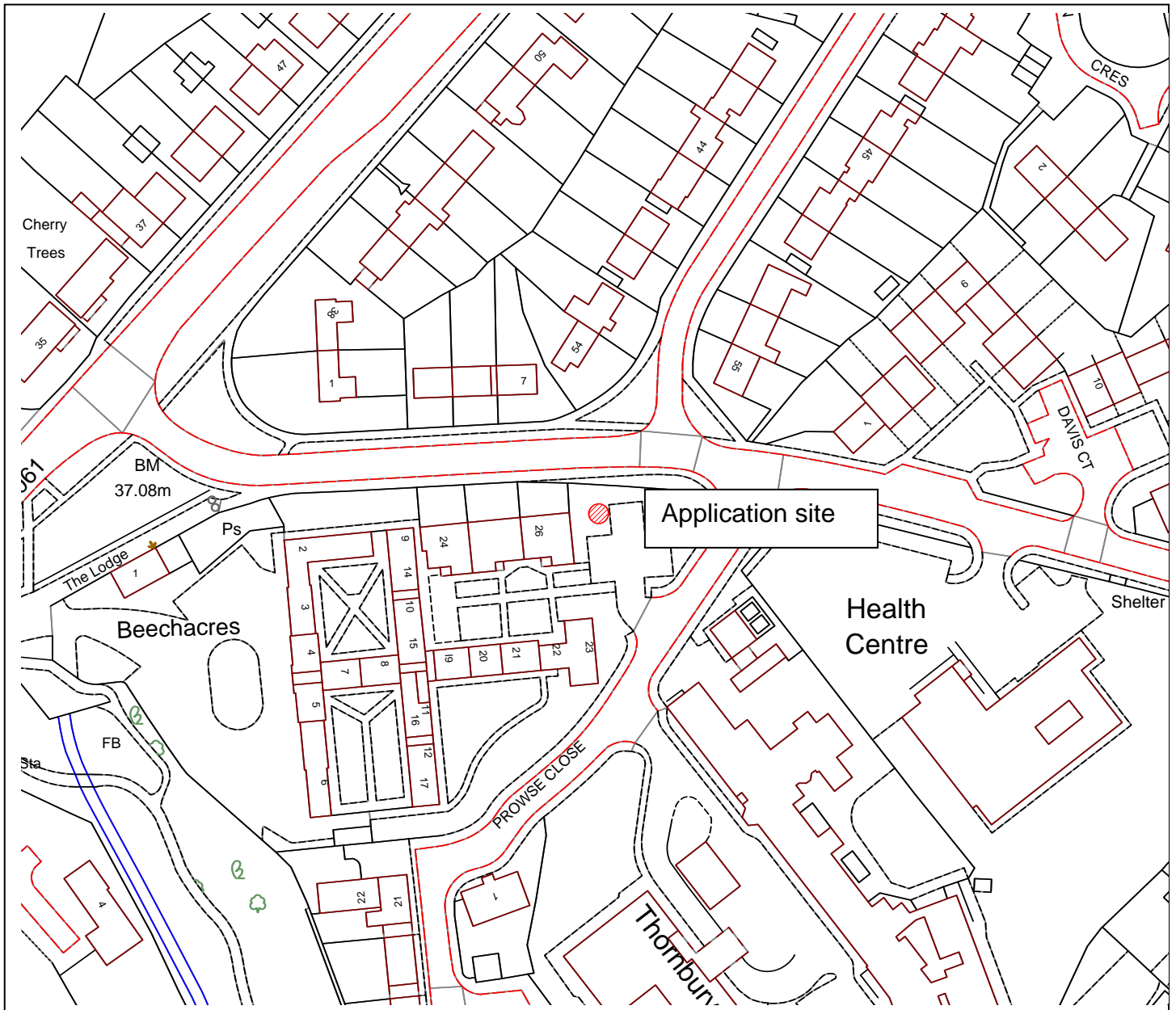
Reason 1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The proposed ground floor window on the west elevation shall be glazed with obscure glass only and thereafter retained as such.

Reason 1. To ensure the satisfactory external appearance of the development in order to protect the residential amenity of the neighbouring occupiers and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 29/07 - 20 JULY 2007

App No.:	PT07/1784/TRE	Applicant:	Beechacres
Site:	26 Beechacres Thornbury BRISTOL South Gloucestershire BS35 1BE	Date Reg:	7th June 2007
Proposal:	Works to trim 1 no. tree covered by Tree Preservation Order (no 452) dated 3rd June 1999.	Parish:	Thornbury Town Council
Map Ref:	64146 90551	Ward:	Thornbury North



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N.T.S

PT07/1784/TRE

The application appears on the Circulated Schedule following a letter of concern from a neighbour.

1. THE PROPOSAL

- 1.1 The applicants seeks consent for works to trim overhanging branches on a tree covered by a tree preservation order. The tree is located near the corner between Thornbury Health Centre and Eastland Road; situated within the residential homes of Beechacres.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
Policy L1 Landscape Protection and Enhancement

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection

Other Representations

- 4.4 Local Residents
As the owner of 21 Beechacres (opposite 26) I would like to ensure that only minimal pruning is carried out, and only to those branches overhanging the roof of number 26 (not to any others). This tree, which is an excellent specimen of a rare Golden Rain Tree, was there long before the adjacent bungalows were built in 2000 (they were not part of the old hospital). Myself, and the other neighbours value this tree and would appreciate only very sympathetic works being carried out.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy L1 seeks to ensure that the character, distinctiveness, quality and amenity of landscapes are conserved and enhanced. Therefore, trees or groups of trees that are of high amenity value or make a contribution to the landscape will be safeguarded.

- 5.2 The tree is growing to the side of 26 Beechacres, Thornbury. It appears to be in good health; however the canopy of the tree overhangs the roof of the building. The proposal is to reduce the overhang in order to prevent damage to the tiled roof. No objection has been raised by the Councils Tree Officer to the works.

- 5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Permission be granted subject to the following conditions:

Background Papers **PT07/1784/TRE**

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

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason(s):

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

2. The works hereby authorised shall comply with British Standard 3998: 1989 - Recommendations for Tree Work.

Reason(s):

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 29/07 - 20 JULY 2007

App No.: PT07/1886/F

Applicant: Redrow Homes
(South West) Ltd
Date Reg: 21st June 2007

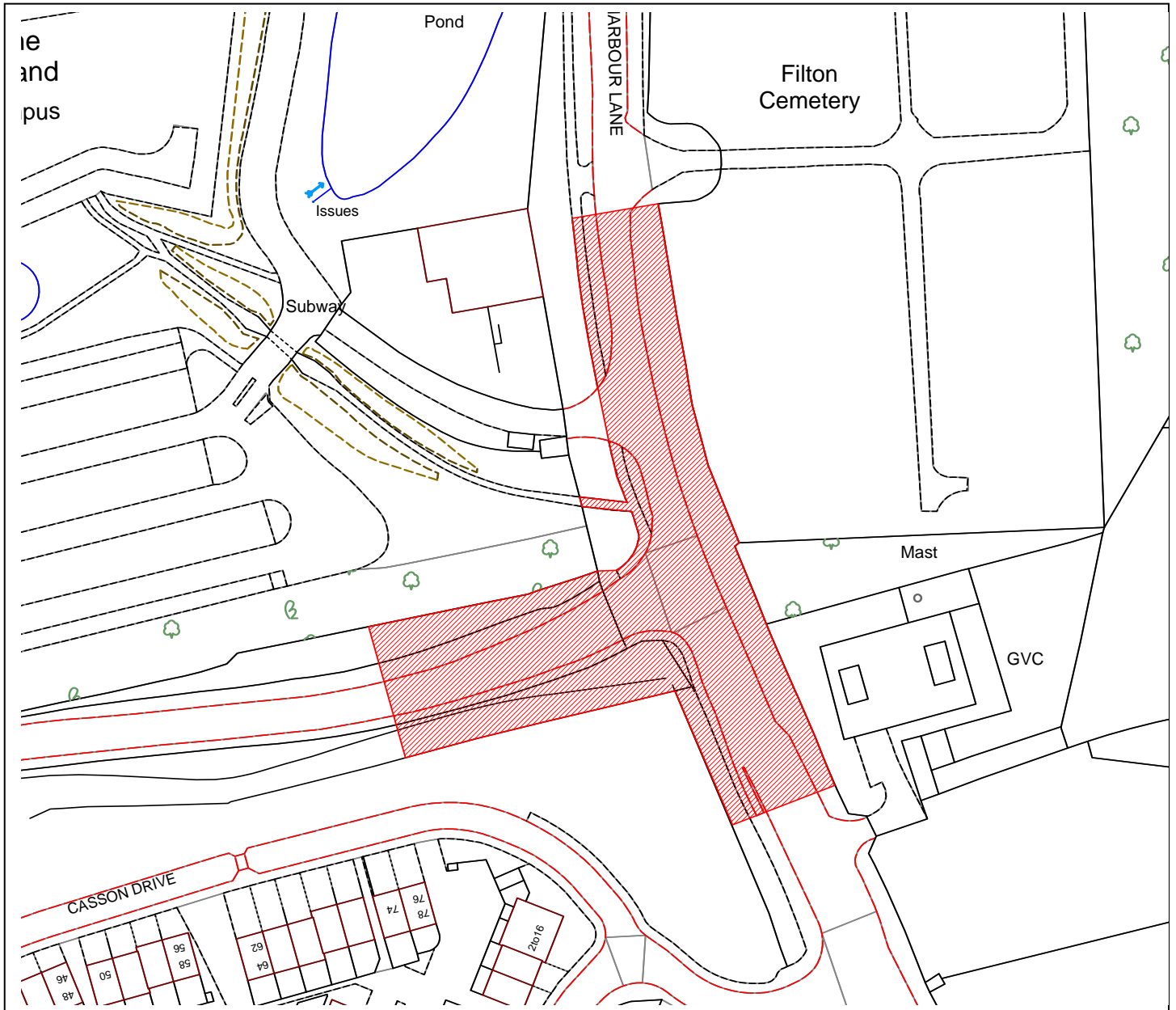
Site: Wallscourt Farm Coldharbour Lane
Filton BRISTOL South Gloucestershire

Proposal: Road construction to create access and
junction.

Parish: Stoke Gifford Parish
Council

Map Ref: 62337 77804

Ward: Frenchay and Stoke
Park



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N.T.S

PT07/1886/F

INTRODUCTION

The application appears on the circulated schedule because it is one that requires a legal agreement.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for works to provide an access and junction onto Coldharbour Lane. The application is essentially for alterations to the existing access arrangements onto Coldharbour Lane. An access was approved as part of outline planning permission ref. PT04/0684/O, this application seeks amendments to that arrangement.
- 1.2 The application relates to an access that will serve the residential development (allocated as such in policy H1 of the South Gloucestershire Local Plan (Adopted) January 2006) that benefits from planning permission ref. PT04/0684/O. The application site comprises the existing access and verges into the existing Hewlett Packard site from Coldharbour Lane. This road is private but will be adopted as part of the approved residential development.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG13 Transport
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
H1 Allocated housing site
T12 Transportation
D1 Design
L17&L18 Drainage
EP2 Flood Risk
T6 Pedestrian and Cycle routes

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/0684/O Residential development at a density of 50 units per hectare overall across the site together with supporting infrastructure and ancillary facilities.
Approved. This planning permission also agreed the details of the access from Coldharbour Lane.
- 3.2 PT07/0973/TRE Fell 13no. trees (to accommodate access).
Approved (subject to a condition for tree replanting).
- 3.3 PT07/1107/F Alterations to existing access road from Coldharbour Lane
Approved.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
No rep received.

4.2 Health and Safety Executive

No objection.

4.3 Sustainable Transport

No objection subject to section 106 legal agreement to secure highway works.

Other Representations

4.4 Local Residents

No representations received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of development has been established by reason of the access arrangements agreed as part of planning permission ref.PT04/0684/O. The application essentially seeks an amendment to this arrangement at the access point onto Coldharbour Lane. Works are also proposed in the highway.

5.2 Transportation

The specification for the access road is acceptable to the council's Transportation Engineer.

5.3 Landscape

The majority of the roadside vegetation is left in place. No trees are to be felled. However, tree protection measures and a method statement for works near existing trees are necessary; implementation to be assured by condition. In addition, a condition to ensure that some landscaping takes place on the highway island is necessary.

5.4 Drainage

Drainage arrangements to adhere to those details approved as part of application ref.PT07/1107/F.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

- 7.1 Planning permission be APPROVED subject to the conditions set out below and the applicant first voluntarily entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) (or an appropriate alternative agreement) within 12 months of this determination to secure the following:

To secure the implementation of the proposed works in the highway including a TRO to ban right turns.

The reason for the agreement is:

To provide the appropriate standard of junction as proposed as part of the application in accordance with policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.
- 7.3 If the section 106 Agreement (or appropriate alternative agreement) is not signed within 12 months of this determination then, in view of the length of time that would have elapsed, the application will either:
- a) Return to officers for reconsideration and further report placed on the circulated schedule or alternatively,
 - b) The application be refused due to the failure to secure the Heads of Terms listed above under a section 106 Agreement (or appropriate alternative agreement), for the reasons listed in para.7.1.

Background Papers **PT07/1886/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. The surface water drainage arrangements shall accord with those details approved by reason of condition 2 of planning permission ref.PT07/1107/F.

Reason(s):

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

3. The tree protection measures indicated on plan no. 2006.2513.148 shall be undertaken for the duration of the construction works and works near trees shall accord with the method statement approved by reason of condition 3 of planning permission ref.PT07/1107/F. No trees shall be felled unless otherwise agreed in writing by the local planning authority.

Reason(s):

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Within 6 months of the approved access being first used there shall have been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping of the highway "island", which shall include details of proposed planting (and times of planting); and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details.

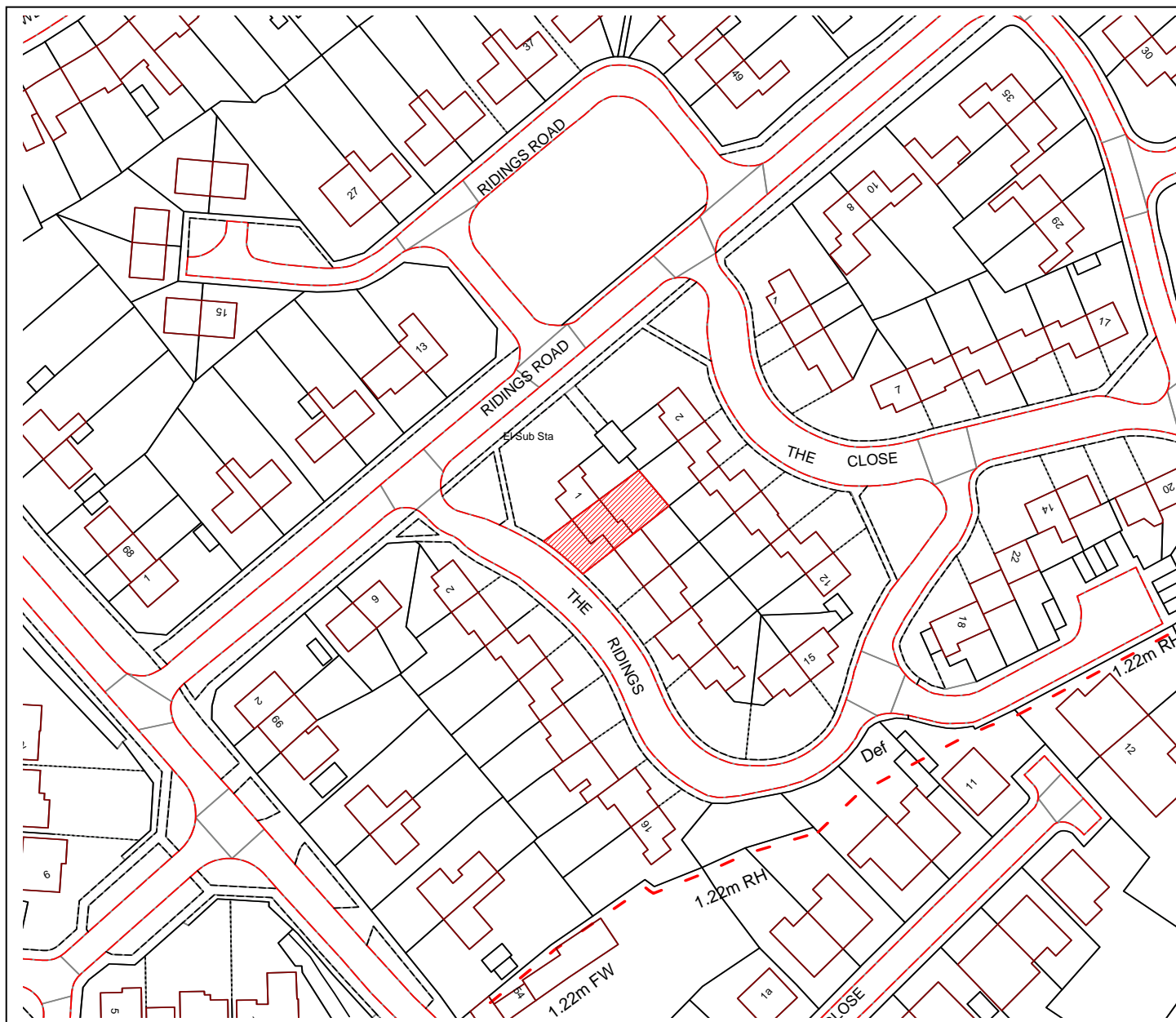
Reason(s):

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

CIRCULATED SCHEDULE NO. 29/07 - 20 JULY 2007

App No.: PT07/1920/F
Site: 3 The Ridings Coalpit Heath BRISTOL
 South Gloucestershire BS36 2RY
Proposal: Erection of 2 storey side extension to
 facilitate conversion to 2 no. flats with
 associated works (Resubmission of
 PT07/1502/F)
Map Ref: 67153 80851

Applicant: Mr L Quick
Date Reg: 25th June 2007
Parish: Frampton Cotterell
 Parish Council
Ward: Frampton Cotterell



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N.T.S

PT07/1920/F

1. THE PROPOSAL

- 1.1 This full application relates to the erection of a two storey side extension to facilitate the conversion of existing dwelling to 2 self-contained flats at 3 The Ridings, Coalpit Heath. The property is semi-detached and located within a cul-de-sac. Vehicular access is to the front of the site and the dwelling lies within the settlement boundary of Coalpit Heath. The adjoining property of 5 The Ridings is located some 1m lower than the application site.
- 1.2 The proposal involves the demolition of the attached single garage and its replacement with a two storey side extension. The development provides 2 two-bed flats, one on the ground floor and one on the first floor. Both flats have a separate access to the front. The rear garden area has been allocated to the ground floor flat. Three car parking spaces are proposed to the front of the site.
- 1.3 This application is a resubmission of planning application PT07/1502/F which related to a two storey side/rear extension to facilitate conversion of dwelling to two flats with external rear staircase to serve first floor flat. This application was refused on the grounds of overlooking/loss of privacy/visual amenity issues. This revised application deletes the rear staircase and provides private amenity space for the ground floor flat only.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

Joint Replacement Structure Plan

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 33	Housing Provision and Distribution
Policy 34	Re-use of Previously Developed Land
Policy 35	Housing Density

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L4	Forest of Avon
H2	Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
H5	Residential Conversions, House in Multiple Occupation and Re-use of Buildings for Residential Purposes
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.4 Supplementary Planning Guidance Design Checklist (Consultation Draft)

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/1502/F Erection of two storey side extension to facilitate conversion of existing dwelling to 2 no. self-contained flats with associated works.
Refused 5 June 2007 on the following grounds:-
- a) height, design and location of external rear staircase would be detrimental to visual amenities of locality and be an incongruous feature within street scene;
 - b) external rear staircase would result in overlooking and loss of privacy;
 - c) size of garden area associated with first floor flat inadequate;
 - d) bedroom of ground floor flat would directly overlook private amenity space of first floor flat.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
Object to the proposal on the grounds of lack of amenity space for first floor flat.

Other Consultees

- 4.2 Sustainable Transport
No objection.

Other Representations

- 4.3 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application site lies within the defined settlement boundary of Coalpit Heath. Policies H2 and H4 of the adopted local plan allow for residential development within existing settlement boundaries, 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 PPS3 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 adopted local plan. 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 proposal cannot be wholly accommodated within the existing dwelling and requires a two storey side extension. The proposal due to its small size, scale, design and materials are in keeping with the existing property and area in general and will not detract from the visual amenities of the locality. The extension, due to its set back and lower ridge height is clearly a subservient element to the existing dwelling and maintains the differing land levels. Moreover, the site lies within the settlement boundary of Coalpit Heath and such a use is appropriate and acceptable. As such the proposal is in accordance with this criterion.

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

The proposed extension, due to its side location and limited size will not adversely affect the residential amenities of nearby occupiers in terms of overlooking/loss of privacy or overbearing impact. The proposal has also been amended to the previous application in that no first floor rear access is proposed, with the external rear staircase being removed. This overcomes the previous refusal reasons in relation to design issues and overlooking/loss of privacy.

In terms of the amenities of future occupiers of the development, the layout of the flats has also been improved in that the lounge and bedrooms to the first floor flat have been located above the lounge and bedrooms to the ground floor flat. This improves the proposal in terms of noise nuisance. Furthermore, the current scheme allocates the rear garden area to the ground floor flat only. Although the first floor flat will not benefit from any private amenity space, it is considered that, on balance, this is preferable as it overcomes any loss of privacy to the ground floor flat. The first floor flat due to its two bed nature is not of a size to accommodate a family. Moreover, adequate public amenity space is available within the vicinity of the site to compensate.

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

The development proposes three off-street parking spaces, utilising the existing hardstanding to the front of the property. Subject to details of cycle parking and bin storage, no objections are raised to the proposal in transportation terms.

D. it would provide adequate amenity space.

The garden area is some 96m² for the ground floor flat only. This issue has already been addressed under part **B** and is considered acceptable.

The proposal therefore accords with this policy in its entirety.

- 5.3 Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is also relevant as it specifically relates to development within existing residential curtilages, including extensions and new dwellings. Such development is normally permitted provided it is acceptable in terms of its size, design and external appearance, residential amenity issues, highway safety and provision of adequate garden area. These issues have already been addressed above.

In conclusion it is considered that the resubmitted scheme overcomes the previous refusal reasons and is in accordance with the development plan.

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

7. RECOMMENDATION

- 7.1 Planning permission be granted.

Background Papers **PT07/1920/F**

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

CONDITIONS

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

Reason(s):

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

2. Prior to the commencement of development, detailed plans showing the provision of cycle parking and bin storage facilities in accordance with the standards set out in Policies T7 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the cycle

parking and bin storage facilities provided prior to the first occupation of the flats; and thereafter retained for that purpose.

Reason(s):

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

3. The hours of working on site during the period of construction shall be restricted to 08.00 hours to 18.00 hours Mondays to Fridays and 08.00 hours to 13.00 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.

Reason(s):

To minimise disturbance to occupiers of neighbouring properties and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The three parking spaces on the frontage of the application site shall be retained for car parking purposes in conjunction with the use of the two flats only, and for no other purpose.

Reason(s):

To ensure adequate on site parking provision in the interests of highway safety and to accord with policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006.