



**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. 24/07

Date to Members: 15/06/07

Member's Deadline: 22/06/07

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: 15/06/07

SCHEDULE NO. 24/07

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

SUBSCRIPTION SERVICE

Our **New FREE Subscription Services** allow you to subscribe to weekly e-mails that give you information about a specific ward.

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If you require any further assistance in subscribing to this service please feel free to contact the PT&SE Customer Call Centre on 01454 868004.

Circulated Schedule 15 June 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK07/0648/F	Approve with conditions	Land & Buildings at West End Marshfield South Gloucestershire SN14 8JH	Boyd Valley	Marshfield Parish Council
2	PK07/0782/RM	Approve with conditions	Land at Aldermoor Way Longwell Green South Gloucestershire BS30 7TX	Longwell Green	Oldland Parish Council
3	PK07/0849/R3F	Deemed consent	Rodford Primary School Barnwood Yate South Gloucestershire BS37 4JY	Dodington	Yate Town Council
4	PK07/1367/F	Approve with conditions	Chipping Sodbury Motor Co Hatters Lane Chipping Sodbury South Gloucestershire BS37 6AA	Chipping Sodbury	Sodbury Town Council
5	PK07/1377/F	Approve with conditions	56 Johnson Drive Barrs Court South Gloucestershire BS30 7BS	Parkwall	Oldland Parish Council
6	PK07/1595/F	Approve with conditions	53 Woodyleaze Drive Hanham South Gloucestershire BS15 3BX	Hanham	Hanham Parish Council
7	PT07/0987/F	Approve with conditions	Harry Ramsdens Catbrain Lane Almondsbury South Gloucestershire BS10 7TQ	Almondsbury	Almondsbury Parish Council
8	PT07/1375/F	Approve with conditions	Mill House The Street Olveston South Gloucestershire BS35 4DR	Severn	Olveston Parish Council
9	PT07/1400/RM	Approve with conditions	7 Eskdale Thornbury South Gloucestershire BS35 2DR	Thornbury South & Alveston	Thornbury Town Council
10	PT07/1436/F	Approve with conditions	6 Boverton Road Filton South Gloucestershire BS34 7AH	Filton	Filton Town Council
11	PT07/1450/F	Approve with conditions	28 Roundways Coalpit Heath South Gloucestershire BS36 2LT	Westerleigh	Westerleigh Parish Council
12	PT07/1548/RVC	Approve with conditions	Pristine Group 162-164 Gloucester Road Patchway South Gloucestershire BS34 5BG	Patchway	Patchway Town Council

CIRCULATED SCHEDULE NO. 24/07 - 15 JUNE 2007

App No.: PK07/0648/F

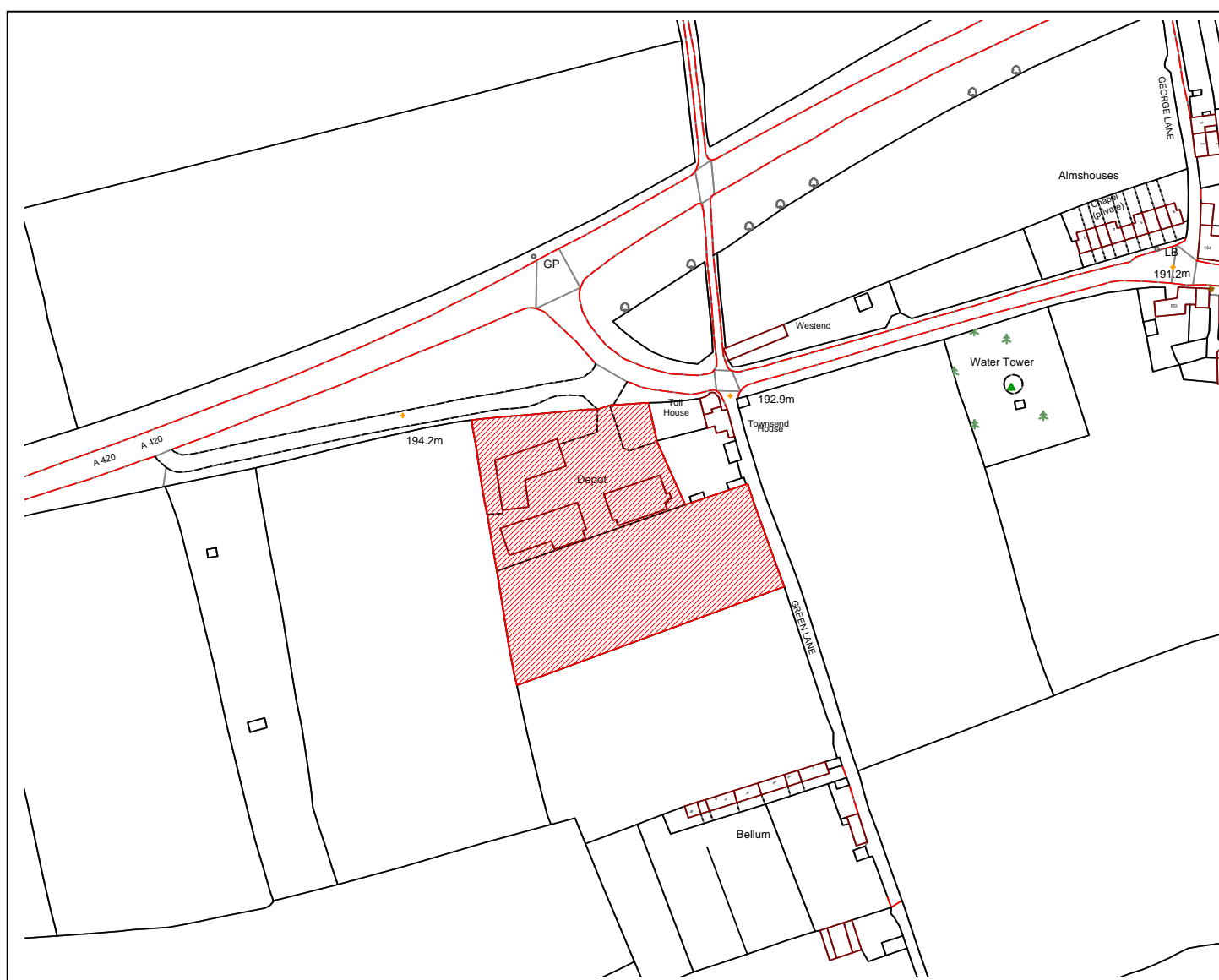
Applicant: Messrs Shaw &
BuxtonSite: Land & Buildings at West End Marshfield
South Gloucestershire SN14 8JH

Date Reg: 26th February 2007

Proposal: Change of use of ground floor from
warehouse (Class B8) to 17 no.
office/workshop units (Class B1) and
creation of 17 no. live-work
accommodation and associated external
alterations. Provisioning of 34 car
parking spaces and landscaping.
Amendment to previously approved
schemes PK04/2406/F and
PK06/0169/F).Parish: Marshfield Parish
Council

Map Ref: 77197 73651

Ward: Boyd Valley



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The application appears on the Circulated Schedule due to representations received contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the change of use of ground floor from warehouse (Class B8) to 17 no. office/workshop units (Class B1) and creation of 17 no. live-work accommodation and associated external alterations. Provisioning of 34 car parking spaces and landscaping. Amendment to previously approved schemes PK04/2406/F and PK06/0169/F).
- 1.2 The site consists of a former depot consisting of three large warehouses, with a predominately B8 use and some B1 use, as defined by the Use Classes Order 2005 (as amended). The site has been disused for some time. It is enclosed by a high chain-link fence and gates. It is situated on the western end of the village of Marshfield, outside of the settlement boundary, but within the Marshfield Conservation Area. The site is within the Green Belt and the Cotswolds Area of Outstanding Natural Beauty. Recently a row of cypress trees along the road side boundary and along the boundary of the Toll House were removed.
- 1.3 The application seeks to amend the previous approvals PK04/2406/F and PK06/0169/F. However, the number of units and the no. of parking spaces remains the same. The applicants have stated that the amendments are required following an assessment of local agents as to the types and size of workspace that needed to be provided. Part of Building 'C' is proposed to provide a shared workspace for several units (see below). It is also confirmed that as the scheme is substantially similar to the previously approved schemes, then the previous S106 agreements apply to this application (see para 5.15 below). The proposed amendments are as follows:

Overall site

- Relocation of bin store
- Provision of cycle store
- Use of 'tegula' paving to main circulation areas
- Realignment of internal parking arrangements
- Erection of pergola over parking bays between buildings A and B
- Stone boundary wall, 1.5m high proposed to northern boundary
- 'Hit and Miss' fencing to part of east boundary adjacent to The Toll House
- Retention of existing chain link fencing to south and rest of eastern boundaries
- Erection of 4.5m timber sliding gates
- Some alterations to size of units/number of bedrooms internally

Building A

- Installation of further windows, doors and rooflights
- Alteration in roofing material
- Unit 5 workspace in building C
- Installation of stone and timber privacy screens to rear

Building B

- Installation of further windows, doors and rooflights

- Alteration to roofing material
- Units 11 and 12 workspace in building C
- Installation of stone and timber privacy screens to rear

Building C

- Installation of further windows, doors and rooflights
- Alteration of roofing material
- Workspace for units 5, 11 and 12
- Installation of stone walls to delineate gardens to rear

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS7	Sustainable Development in Rural Areas

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
L2	Cotswolds AONB
L12	Conservation Areas
GB1	Development within the Green Belt
T12	Transportation Development Control Policy for New Development
E3	Criteria for Assessing Proposals for Employment Development within the Urban Area and Defined Settlement Boundaries and/or Permitted by Policies E4/E5/E6
E6	Employment Development in the Countryside
E7	Conversion and Re-use of Rural Buildings
H10	Conversion and Re-use of Rural Buildings for Residential Purposes
LC2	Provision for Education Facilities (Site Allocations and Developer Contributions)
LC8	Open Space and Children's Play in Conjunction with New Residential Development

2.3 Supplementary Planning Guidance

Marshfield Conservation Area: Advice Note 2

3. RELEVANT PLANNING HISTORY

- 3.1 Planning permission was granted in the 1980's for the original units, extended in 1992, restricted to the storage of refrigeration equipment and supplies and personal to the applicant. In 2002 permission was granted for the removal of conditions on previous permissions restricting the use and permitted development rights (PK02/2114/RVC, PK02/2116/RVC), so that the site effectively had an open B8 (warehousing) use.
- 3.2 PK04/2406/F Change of use of ground floor from warehouse (Class B8) to 12 office/workshop units (Class B1) and creation of 12 no. live-work

accommodation above and associated external alterations. Provision of 24 car parking spaces and landscaping. Approved with conditions 30 March 2005 following the signing of a S106 agreement to ensure the following: commuted sums relating to education and public transport provision, on-site provision of informal open space and that the occupiers of each residential unit are the occupiers of the respective business unit and that no unit shall be entirely occupied as residential use.

- 3.3 PK06/0169/F Change of use of ground floor from warehouse (Class B8) to 12 no. office/workshop units (Class B1) and creation of 12 no. live-work accommodation above and associated external alterations. Provisioning of 34 car parking spaces and landscaping.(Amendment to previously approved scheme PK04/2406/F). Approved with conditions 4 August 2006 following the submission of a unilateral undertaking relating to pro-rata increases in financial contributions towards education facilities and public transport facilities.

4. CONSULTATION RESPONSES

4.1 Marshfield Parish Council

The Parish Council object on the grounds that the proposed development would lead to:

- Over-development of the site
- Increased strain on the existing services infra-structure
- Increased parking off-site
- An unacceptable increase in additional vehicle movements on and off the site

Parish councillors request that, should the application be given permission, a further Section 106 Agreement should be made with the developer to secure a monetary contribution towards the provision of primary school education services within the locality, namely Marshfield Primary School.

Should the planning application be granted, Parish councillors feel that the whole of the boundary fencing should be dry stone wall rather than the varied types of fencing currently proposed. Also the replacement trees on the landscape proposals for the eastern boundary adjoining the Toll House should be mature rather than young trees.

Parish councillors feel that the proposed entry gate to the site is unnecessary and unsightly.

4.2 Other Consultees

English Heritage made no comment on the application.

The Environment Agency raised no objection to the proposal subject to conditions relating to drainage.

The Police Community Safety Dept. commented that there is no mention of crime prevention measures mentioned in the design and access statement and that they would be pleased to give advice re: types of doors and windows.

Other Representations

4.3 Local Residents

One local resident, the occupier of the adjacent property, the Toll House, made some general comments and the following objections:

- Increase in number of units from 12 to 17 lead to over capacity of the site and the current proposal adds another 12 bedrooms to the existing units
- Is it market needs or potential income to the developer the driving force here
- Barn C would be conveniently available for conversion to a purely residential unit and Barns A and B almost are already
- Boundary treatment to full length of northern boundary should be Cotswold stone wall, in keeping with the other continuous walling at the west end of the High Street
- Condition no. 5 on the previous permission requiring a stone wall to the southern boundary of the informal open space should still apply, rather than the chain link fencing proposed
- Replacements to trees on our boundary should be mature trees rather than saplings

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The scheme is for amendments to two previously approved schemes and as such, only the amendments can be taken into account in the assessment of this application. The principle of the development for 17 units with 34 parking spaces must be accepted, as this was approved at the time of the previous scheme (see Planning History above). Objections to the scheme on this basis cannot be taken into consideration.

5.2 There is an increase in the number of bedrooms proposed in the scheme as a whole, however, the overall size of the scheme remains the same, since it involves the conversion of existing buildings, and the number of units, and amount of workspace available remains the same. As such, it is not considered that the proposal represents an over-development of the site, since a large part of the amendments involve re-arranging the internal layout, rather than altering the type of scheme itself.

5.3 The proposed live-work units will be subject to conditions, and a clause in the S106 agreements, restricting them to be single-integrated units only, and not used independently (i.e. for residential accommodation only). A clause in the S106 agreement restricts the occupier of the 'live' part of each unit to be those persons working in the 'work' part of the unit (and their dependants). Any change to this arrangement, restricted by condition and by clauses in the S106 agreement, would therefore require planning permission. As such, concerns about the conversion of the building to purely residential use cannot be taken into consideration in the assessment of this application.

5.4 Green Belt, Landscape, Conservation Area and Cotswolds AONB

The proposed external alterations to the buildings and the erection of a cycle store, bin store and pergola over the parking area between buildings A and B are contained within the main body of the 'built-up' part of the site and does not

- extend into the open part of the Green Belt, with the exception of the stone and timber privacy screens to the south of buildings A and B.
- 5.5 The erection of the bin store, cycle store and the pergola over the parking area between buildings A and B are considered incidental to the live-work units which already have permission, and therefore are considered to be appropriate development within the Green Belt. The bin and cycle store were required by condition on the previous permissions in any case.
- 5.6 The proposed external alterations, as they are mostly within the built-up part of the site, are not considered to harm the visual amenity of the Green Belt. The proposed stone walls delineating gardens areas to the rear of building C will not be visible to views looking east towards the site, as they will not be visible over the existing stone boundary wall on the western boundary, which is proposed to be retained and repaired. The proposed garden privacy screens, to the south of buildings A and B extend into the informal open space by 0.8m, and as such, are considered minimal, with little effect on the visual amenity of the Green Belt. A condition that was attached to the previous permission will be reinstated in this application, to ensure that a stone boundary wall is erected to the south of the area of informal open space (the submitted plans currently show a chainlink fence here). This would effectively enclose the informal open space, and create a visual 'stop' to the overall area of development within the landscape. All previous landscape conditions applied to the previous permissions will be recommended for this application.
- 5.7 Concerns have been raised about the proposed 'hit and miss' fencing along part of the front (north) boundary and along the boundary with the Toll House on the eastern boundary. However, given that the current fencing is chain link, the proposed stone boundary wall in combination with timber 'hit and miss' fencing is considered appropriate for a conservation area and a visual improvement. The timber gates have been objected to by the Parish Council, however, as the site will retain some industrial use, in the form of the B1 use of the 'work' element of the units, and as such, the use of timber gates is considered acceptable.
- 5.8 The applicant has taken down a number of cypress trees on site, without authorisation. However, given that the trees were cypresses, and whilst they provided a screen, were rather dominating and overbearing in the landscape and for adjoining occupiers, their removal is therefore not objected to. Details of replacement trees on site, including to the boundary with the Toll House will be required by condition.
- 5.9 The proposed external alterations to the buildings, whilst they include further windows, doors and rooflights retain an industrial look to the building, with the use of dark grey powder coated metal window and doors, galvanised steel rainwater goods and dark grey metal rooflights. The form of the windows and doors is also industrial in appearance. The proposed rooftiles also retain the industrial appearance. A condition that requires samples of materials for these elements is recommended. As the proposal is considered to retain an industrial 'look' to the buildings, the proposal is considered appropriate for the original industrial context and as such, preserves the character and appearance of the conservation area here.
- 5.10 The proposal alterations to the scheme are relatively minor, and are not considered to harm the natural beauty of the Cotswolds AONB.

5.11 Residential Amenity

The refuse store, as approved by condition on the previous permissions has been moved away from the boundary with the Toll House. There are parking spaces proposed close to the boundary with the Toll House, but given that the site had a long standing warehousing use, and that tree planting is proposed between the proposed parking and the boundary with the Toll House, it is not considered that the proposal would result in harm to the residential amenity of the occupiers of the Toll House.

5.12 Transportation

The principle of live-work accommodation has been established on site, and as such there are no highway objections to the proposal. The previous S106 agreements allowed for a financial contributions towards public transport provision of £15,355.64. The previous S106 contributions apply to this application (see para 5.15 below).

5.13 Education Services

As part of the previous schemes a financial contribution towards secondary school education services of a total of £66,233.70 was included in the two S106 agreements. The previous S106 contributions apply to this application (see para 5.15 below). The Education Services Dept advised there is sufficient surplus capacity at Marshfield Primary School and therefore no contribution would be required for primary provision.

5.14 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).

5.15 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the transportation improvements, informal open space and education contributions are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005. Since the application is substantially similar to the previously approved schemes, officers consider that previous S106 Agreements apply to this planning application. A letter confirming this from the case officer will be attached to any deeds following the granting of planning permission.

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

Background Papers **PK07/0648/F**

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

CONDITIONS

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

Reason:

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

2. Each live-work unit hereby approved shall be occupied as a single integrated unit and laid out as shown on the approved plans and shall not be subdivided without the approval, in writing, of the Local Planning Authority

Reason:

To ensure that the proposal does not result in an entirely residential use, that would not be acceptable in this location, and to accord with Policies E3, E6, E7 and H10 of the Adopted South Gloucestershire Local Plan January 2006

3. The work areas within the live-work units hereby approved, as identified on plan nos: 2548 AL(0)16E, 2548AL(0)17E, 2548AL(0)18E shall be used for work purposes only and not as residential accommodation.

Reason:

To ensure that the proposal does not result in an entirely residential use, that would not be acceptable in this location, and to accord with Policies E3, E6, E7 of the Adopted South Gloucestershire Local Plan January 2006

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

Reason:

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

5. A dry stone wall shall be erected, details and samples of which are to be agreed by the Local Planning Authority in writing, at the southern boundary of the informal open space hereby approved. The dry stone wall shall be erected in accordance with the approved details and samples before any of the live-work areas are occupied.

Reason:

To protect the character and appearance of the area to accord with Policies D1, GB1, L1 and L2 of the Adopted South Gloucestershire Local Plan January 2006

6. No fence, gate or any form of enclosure to the south (rear) of units 1-12 inclusive, apart from those shown on plan no: 2626/01 shall be higher than 1 metre from ground level at any time.

Reason:

To protect the character and appearance of the area to accord with Policies D1, GB1, L1 and L2 of the Adopted South Gloucestershire Local Plan January 2006

7. No temporary or permanent structures for accommodating sports or for any other purpose shall be erected on the land proposed for informal open space without prior written approval of the Local Planning Authority.

Reason:

To protect the character and appearance of the area to accord with Policies D1, GB1, L1 and L2 of the Adopted South Gloucestershire Local Plan January 2006

8. No development shall take place until samples of the roofing materials, windows, doors, rooflights and oak panels 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 in the Marshfield Conservation Area, and to accord with and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. The off-street parking facilities, including cycle parking, 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 T12 of the Adopted South Gloucestershire Local Plan January 2006

10. The refuse store shown on the approved plans shall be provided before the use hereby permitted commences and thereafter shall be for the storage of all refuse associated with the said use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality, and to accord with Policies E3 and E6 of the Adopted South Gloucestershire Local Plan January 2006

11. No outside storage shall take place at the premises without the prior consent, in writing of the Local Planning Authority.

Reason:

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality, and to accord with Policies D1, E3 and E6 of the Adopted South Gloucestershire Local Plan January 2006

12. Notwithstanding the provisions of the Town and Country Planning General (General Permitted Development) Order 1995 (or any order revoking and re-enacting those Orders with or without modification) no buildings, walls, fences structures, plant, machinery or any means of enclosure other than those indicated on the plans hereby approved shall be erected or placed on the site without the prior written permission of the Local Planning Authority.

Reason:

To protect the openness of the Green Belt and to accord with Policy GB1 of the Adopted South Gloucestershire Local Plan January 2006

13. The hours of working at the premises shall be restricted to 0800 hours to 1900 hours Monday to Saturday inclusive, and no working shall take place on Sundays or Public Holidays

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies E3, E6 and E7 of the Adopted South Gloucestershire Local Plan January 2006

14. The level of noise emission from the live-work units hereby approved, measured at the boundary of the site, shall not exceed 50 dB(A) between 0600 hours and 1800 hours (Monday to Friday inclusive) and between 0600 hours and 1300 hours on Saturday and shall not exceed 40 dB(A) at any other time.

Reason:

To minimise disturbance to occupiers of nearby buildings, and to accord with Policies E3, E6, E7 of the Adopted South Gloucestershire Local Plan January 2006

15. The development hereby approved shall not commence until a scheme for the provision of foul and surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved drainage scheme.

Reason:

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

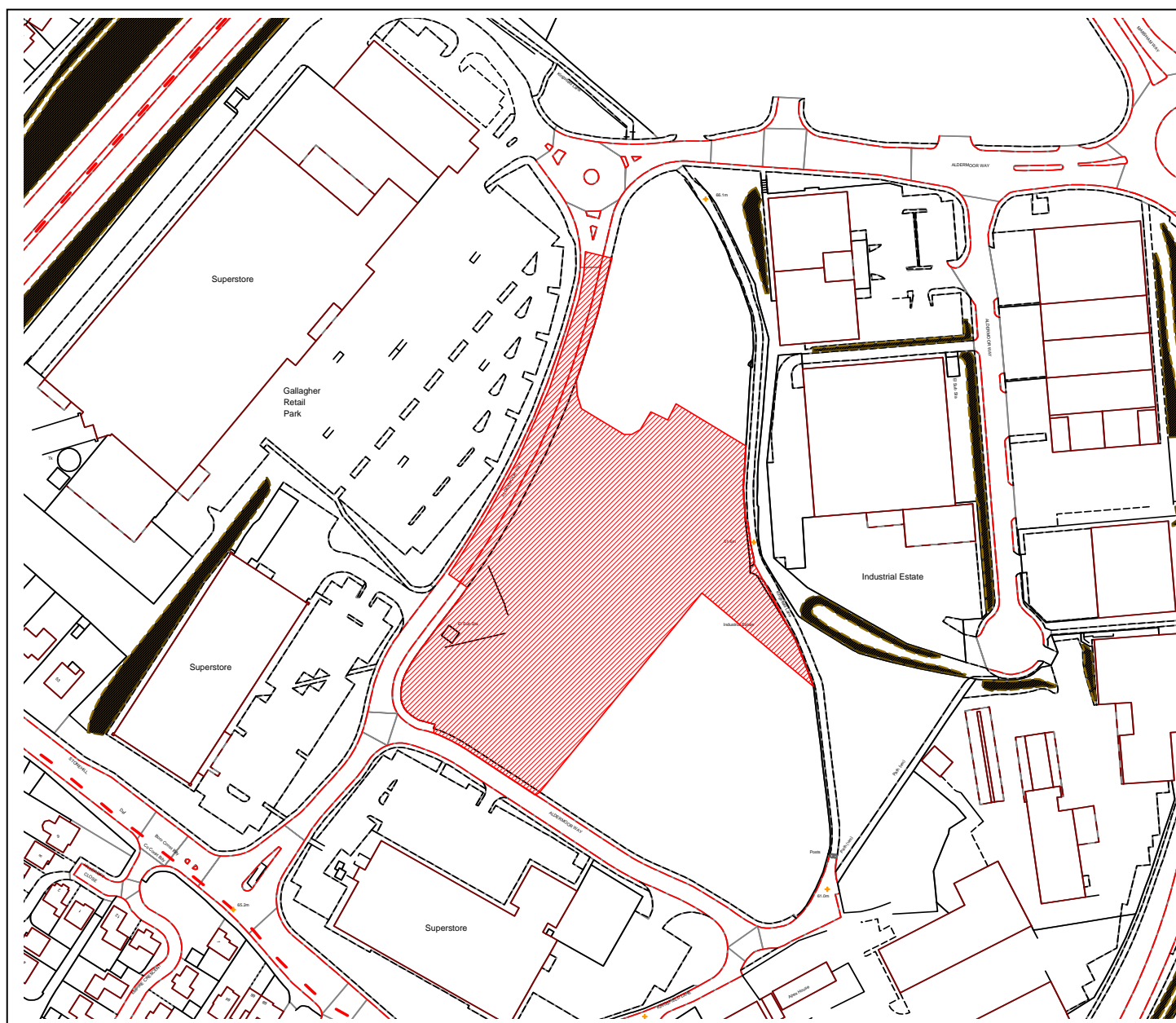
16. All surface water run-off from parking or vehicle washdown areas shall pass through a properly constructed oil/ petrol interceptor or such other alternative system as may be agreed with the Local Planning Authority, before discharge to the public sewer, or other drainage system

Reason:

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

CIRCULATED SCHEDULE NO. 24/07 - 15 JUNE 2007

App No.:	PK07/0782/RM	Applicant:	Longwell Properties Ltd
Site:	Land at Aldermoor Way Longwell Green BRISTOL South Gloucestershire BS30 7TX	Date Reg:	13th March 2007
Proposal:	Erection of Trade Park with buildings for (B1c), (B2) and (B8) uses with car parking, service areas and new access. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK06/1576/O)	Parish:	Oldland Parish Council
Map Ref:	65397 71793	Ward:	Longwell Green



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DC09011MW

1 N.T.S

PK07/0782/RM

INTRODUCTION

The application has been referred to the Circulated Schedule, as it is a 'major' application and as such, falls to be considered under this procedure.

1. THE PROPOSAL

- 1.1 The application seeks approval of reserved matters for the erection of Trade Park with buildings for (B1c), (B2) and (B8) uses with car parking, service areas and new access. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK06/1576/O). The reserved matters applied for here are siting, design, external appearance of the buildings and landscaping.
- 1.2 The site consists of a piece of empty scrub land off Aldermoor Way, opposite Homebase, which is allocated in the South Gloucestershire Local Plan (Adopted) January 2006 as employment land under Policy E4.
- 1.3 The site area excludes the rectangular piece of land for a single storey building for vehicle repairs, which was granted permission, with access off the Aldermoor Way spur, in February 2006 (PK05/3192/F). The site is also adjacent to the site of a proposed builders merchants, already approved but not yet implemented, which will use the same access from the main part of Aldermoor Way. The plans clearly show the route of the redirected right of way POL/14, which runs across the site. The single tree protected by a Tree Preservation Order at the southern end of the site was illegally removed and is now currently the subject of a prosecution by the Council.

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
L1	Landscape Protection and Enhancement
EP1	Environmental Pollution
EP2	Flood Risk and Development
T8	Parking Standards
T12	Transportation Development Control Policy
E3	Criteria for Assessing Proposals for Employment Development within the Urban Area and/or Permitted by Policies E4/E6/E7
E4	Safeguarded Employment Areas

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/3507/F Ground remediation measures and associated works. Approved 2004
- 3.2 PK03/3509/F Erection of buildings for vehicle repair, servicing, sales and parts storage, with access car-parking and associated works. Approved Dec 2004

- 3.3 PK05/3384/F Construction of pedestrian footpath. Approved Feb 2006
- 3.4 PK04/0652/FDI Diversion of footpath POL/14. Creation of new footpath from B-C and use of existing footpath on public highway from C-A. Recommended.
- 3.5 PK06/1858/F Ground remediation measures and associated works. Approved 21/8/2006
- 3.6 PK06/1576/O Erection of trade park with buildings for B1c, B2 and B8 uses with car parking, services areas and new access (outline). All other matters to be reserved except access. Approved with conditions 21 August 2006.

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
No objection
- 4.2 Other Consultees
Wessex Water raised no comments on the application.

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application is for the approval of reserved matters for siting, design, external appearance and landscaping only, and the principle of development has already been approved as part of the outline application.
- 5.2 Siting
The proposed siting is very similar to the indicative plans submitted with the outline application. The Highway Officer has raised no objection to the siting and layout in terms of circulation of vehicles, including HGV's or parking arrangements. The Landscape Officer considers that there is sufficient space for landscaping, especially on the boundary with the main part of Aldermoor Way. The siting of the scheme is typical of industrial and warehousing development and is appropriate for the location.
- 5.3 External Appearance and Design
The design of the proposed units has been revised prior to the submission for the reserved matters application following advice from the Case Officer. The proposed units have flat roofs and have a number of different materials to their elevations, including different types of cladding, and brick. The horizontal emphasis of the front elevation of units 2-6 are visually broken up with entrance doors, set slightly forward of the front elevations, both vehicular and people, with different coloured cladding and powder coated aluminium frames to doors and windows. The rear elevation of unit one, which would be the most visible, situated on the corner, has cladding with half-round external panels, to give the elevation some visual articulation.

5.4 The external appearance and design of the proposed units is therefore considered appropriate for this type of development.

5.5 Landscape

The proposed landscaping scheme has been revised following comments from the Council's Landscape Officer, who now considers the detailed landscaping scheme acceptable. The proposed landscaping scheme has tree and shrub planting along the boundaries of both parts of Aldermoor Way and to rear of units 11-13.

5.6 A replacement tree for the removed TPO tree is also proposed, although no species is specified. A condition to ensure an appropriate tree is replaced will be recommended.

5.7 The proposed 2.4m high black powder coated Paladin fencing enclosing the majority of the site is acceptable for the location. It is not proposed behind units 8-10 or unit 1, as this would be too visually dominating.

5.8 Design and Access Statement

There is no requirement for a Design and Access Statement for approval of reserved matters applications.

5.9 Section 106 Requirements

A Section 106 agreement was submitted prior to the approval of the outline application, that had an agreed financial contribution of £30,000 for highway improvement works.

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 reserved matters application be APPROVED subject to the following conditions:

Background Papers PK07/0782/RM

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

CONDITIONS

1. 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.

2. 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 L1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

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

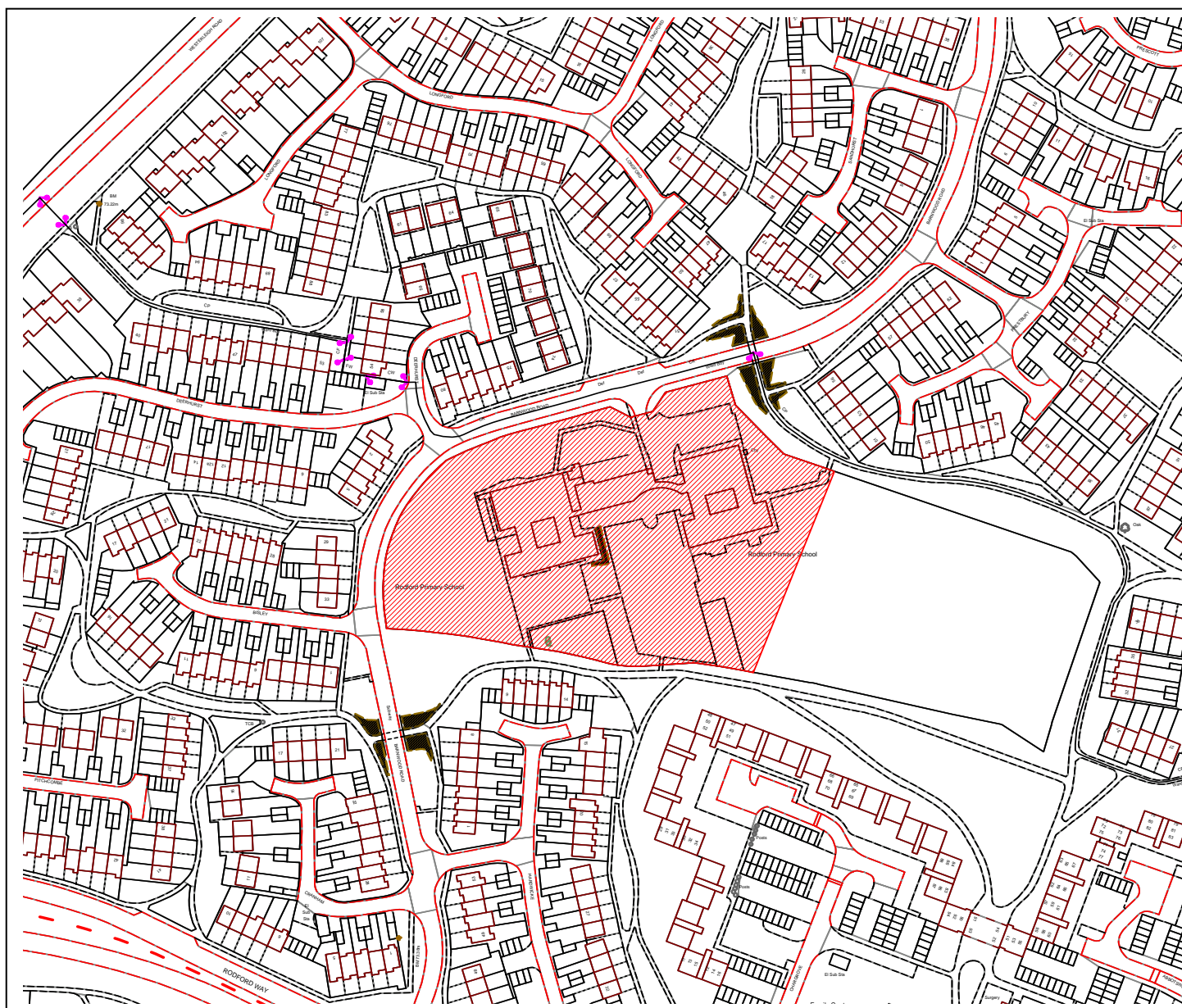
4. A replacement tree for the removed TPO tree, the species, size, location, planting and maintenance specification of which is to be approved in writing by the Local Planning Authority, shall be planted in accordance with a timescale agreed by the Local Planning Authority.

Reason:

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

CIRCULATED SCHEDULE NO. 24/07 - 15 JUNE 2007

App No.:	PK07/0849/R3F	Applicant:	South Gloucestershire Council
Site:	Rodford Primary School Barnwood Yate BRISTOL South Gloucestershire BS37 4JY	Date Reg:	19th March 2007
Proposal:	Erection of 2.4m high 'Paladin' black polyester coated galvanised wire mesh security fence around boundary of main school buildings.	Parish:	Yate Town Council
Map Ref:	70494 81465	Ward:	Dodington



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INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule procedure as the applicant is South Gloucestershire Council and objections have been received from local residents regarding the proposed development.

1. THE PROPOSAL

- 1.1 This full planning application seeks permission for the erection of 2.40m high boundary fence and gates.
- 1.2 The application site relates to a primary school located within the established residential area of Yate.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 General Principles

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006.

D1 Design

LC4 Proposals for Education Facilities

L1 Landscape Protection and Enhancement

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates to the application site:
- 3.2 P98/2514 New admin teaching block and swimming pool
Approval Nov. 1998
- 3.3 PK99/0213/R3F Retention of temporary footpath and part of contractors
Compound
Deemed Consent Jan. 2000
- 3.4 PK06/2761/R3F Erection of 2.40m high fence
Withdrawn Nov. 2006

4. CONSULTATION RESPONSES

4.1 Yate Town Council
No objection

Other Representations

4.2 Local Residents

Three letters of objections have been received from local residents raising the following objections and one letter of support has been received:

- Hope that all or most of the trees and bushes remain
- Fence should be screened
- Colour of fence should be green so as to blend in
- Works should not take place during nesting season

- Line of fence should be agreed and set out in conjunction with an landscape officer
- Hedge and trees should remain undisturbed.
- Privacy issue due to use of gates

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2007 allows for the expansion or improvement of education facilities within the existing urban areas, subject to a number of criteria being satisfied and Policy D1 seeks to ensure that high standards of design are achieved.

5.2 Visual Amenity

The proposed 2.40m high fencing will be erected around part of the site to enclose the main school buildings. Other than the section of fencing that runs through the playing field along the eastern boundary of the application site, the remaining boundaries of the site are currently screened by existing landscaping, and it is these boundaries that are visible from the public realm. The application proposes to paint the fence black.

5.3 It is considered that given the extent and type of landscaping that exists, this will help to reduce the impact of the proposed fence on the visual amenities of this predominantly residential area. A local resident has asked that the fence be painted green. Members are advised to consider that the use of black paint should actually help to merge the fence into the background vegetation more successfully.

5.4 Initially concerns were raised by the Planning Officer regarding the height of the fence i.e. 2.40m. The height of the fence however is dictated by its purpose. The fence is being erected on the advice of the Avon and Somerset Police Crime Prevention Officer following vandalism to the school, in particular broken windows and vandalism to the children's play area. The design and height of the fence is as recommended by the Police to deter entry. It is therefore considered that the proposed fencing by reason of its design and siting will not have an adverse impact on the visual amenities of the immediate surrounding area.

5.5 Landscaping

Concerns have been raised by local residents regarding the impact of the proposed fencing on existing landscaping along the perimeter of the site. The Council's Landscape Officer has advised that the proposed fence has generally been located to avoid extensive pruning of trees and hedgerow. The most significant trees and hedgerows are along the southern boundary of the site being the previous field boundary. It is noted on the drawing that the fence is to be offset from the existing boundary by between 2 and 2.50m. However it may be possible that this may be insufficient to avoid the trunks of some of the largest trees. The Council's Tree Officer agrees with the Landscape Officer, that should planning permission be granted a condition should be imposed requiring that the fence line along the southern boundary be set out and agreed prior to the commencement of works on the site and where relevant only hand dig take place.

5.6 Residential Amenity

Concerns have been raised by a local resident regarding the closure of one of two existing pedestrian access points that are sited along the southern boundary of the application site opposite Hardwicke Close, on the grounds that it will increase the use of the second access point resulting in increased loss of privacy to those properties sited opposite. Whilst it is accepted there may be an increased use of the remaining access point sited 50m further along, it is considered that as it not the only entrance to the site, (there are two other existing access points along the northern and northwest boundary of the site), the increase in use would not be significant.

5.7 Concerns are also raised that the closed access point will result in a recess, which will result in the misuse of this area. Members are advised to consider that revised plans have been received proposing that this entrance be landscaped so as to fill the gap.

5.8 Design and Access Statement

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

5.9 Section 106 Requirements

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

6. CONCLUSION

6.1 In accordance with Section 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 **PK07/0849/R3F**

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

CONDITIONS

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

Reason:

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

2. No development shall take place until the precise setting out of the fencing hereby approved has been agreed on site by the Council's Landscape Officer. This should include the agreement of locations where only hand digging is permitted if necessary. The fence shall thereafter only be erected in accordance with the approved setting out details.

Reason:

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

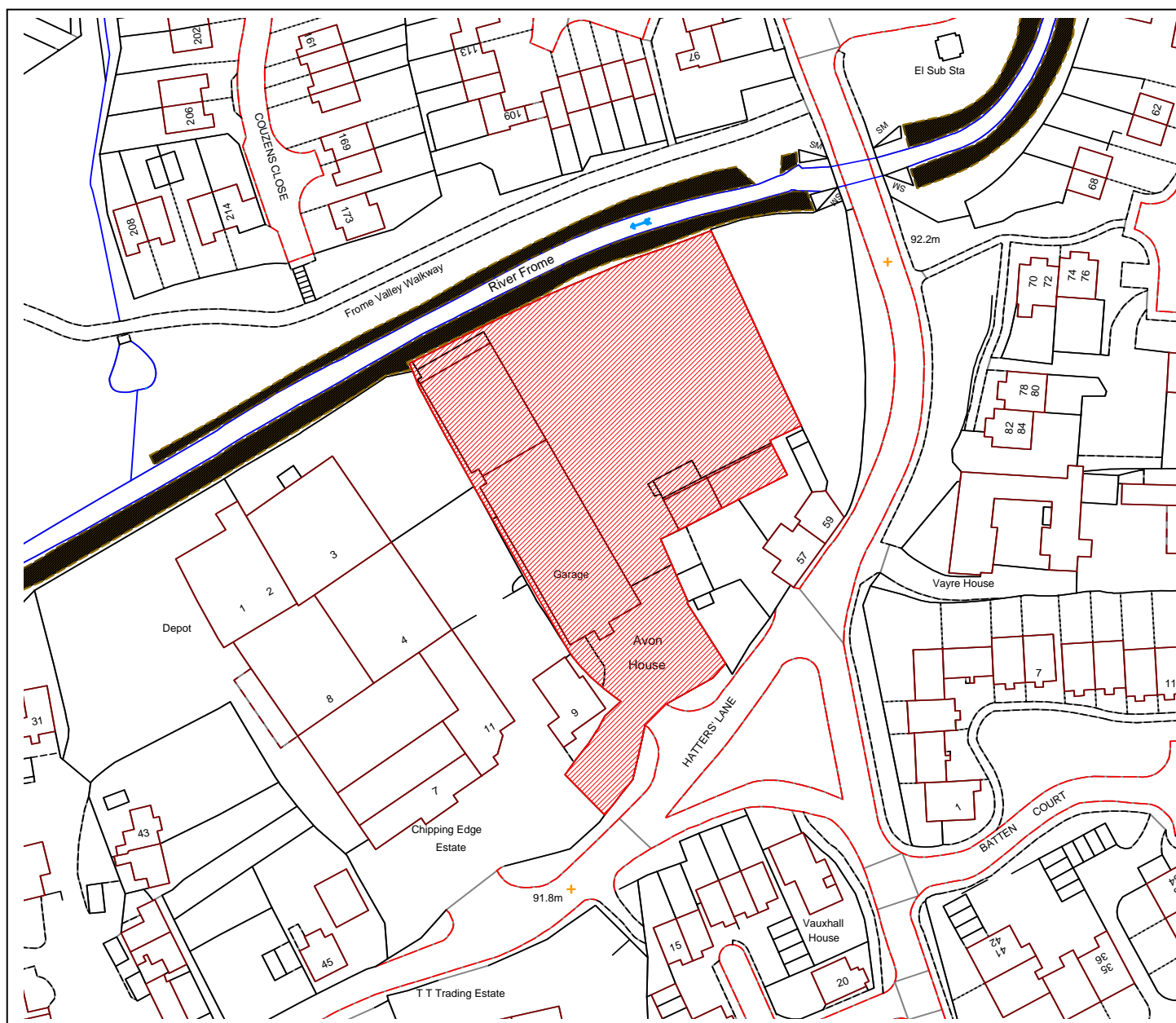
3. All soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

CIRCULATED SCHEDULE NO. 24/07 - 15 JUNE 2007

App No.: PK07/1367/F	Applicant: Chipping Sodbury Motor Co
Site: Chipping Sodbury Motor Co Hatters Lane Chipping Sodbury BRISTOL South Gloucestershire BS37 6AA	Date Reg: 1st May 2007
Proposal: Erection of single storey side extension to form toilet block and extension to showroom. Installation of new shop front to create additional floor space.	Parish: Sodbury Town Council
Map Ref: 73080 82399	Ward: Chipping Sodbury



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 100023410, 2007.

INTRODUCTION

This application is reported on the Circulated Schedule due to the objection received from the Town Council.

1. THE PROPOSAL

1.1 This application seeks planning permission for the erection of a 1.3 metre wide single storey side extension to this tall 4 bay building, running north-south up against the western boundary of its site, in an industrial estate. The eastern side of the site comprises a parking area, which wraps round to form a forecourt for the building.

1.2 To the rear of the site there is a river valley, in relation to which, a Flood Risk Assessment has been submitted to accompany the application. The site lies outside the Sodbury Conservation Area, but it is within a designated employment area.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG4 Industrial, commercial and small firms

2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
E3 Proposals for Employment Development
L1 Trees

3. RELEVANT PLANNING HISTORY

3.1 P84/2670 Change of use to vehicle repair workshops Approved

4. CONSULTATION RESPONSES

4.1 Sodbury Town Council
No objection on the basis that a clause is added to tidy up the wall backing onto Couzens Close and Ross Close.

4.2 Other Consultees
Technical Services
Flood Risk Assessment is acceptable as the mitigation measures put forward in the FRA are in accordance with the standing advice.

Other Representations

4.3 Local Residents
No replies received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
This application stands to be assessed against the policies listed above, in the light of all material considerations. Policy E3 sets 3 tests considered to be relevant to this small scale proposal, which form the headings listed below:

5.2 Environmental Effects
No objection has been raised by the Council's Environmental Protection team to this proposal. The extension would house two toilets and an extension to the

existing car showroom area, with no windows proposed. It is considered that the proposal would not prejudice the environment.

5.3 Effect upon Residential Amenity

For the reasons given above, it is considered that this proposal would not have any bearing upon residential amenity. The location of the proposed extension is on an industrial estate, along a boundary with another industrial building.

5.4 Effect on Character of the Settlement/ Design

When viewed from the side, the proposed extension would be wide and clearly subservient to the host building. It would replace two existing ground floor windows, but the lean-to roof proposed is considered to play a similar role in breaking up the bulk of the building viewed from the side. From the front of the site, the relatively narrow extension of the building is considered to be virtually unobtrusive. Overall, it is considered that the proposal meets the terms of policies E3 and D1.

5.5 Other Issues

The Council's Tree Officer was consulted with regard to the effect of the development on the western boundary of the site. It was found that there were Sycamore saplings and a Leylandii hedge, which were not considered to contribute to the site in terms of visual amenity value. No objection was raised to their removal as part of this scheme.

5.6 The Town Council wishes to see a condition appended to this recommended planning permission, requiring a wall at the rear of the site to be tidied up. Members are advised that conditions can only be applied when they meet the tests of the Conditions Circular, which includes (inter alia) that conditions should be related to the development proposed. In this instance, it is considered that a wall to the rear of the site is unrelated to a modest extension to the western side of the building. For this reason, it is considered to be inappropriate to apply such a condition. A request has been added as an informative instead.

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.

The decision to approve 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 approved subject to the conditions shown below.

Background Papers PK07/1367/F

Contact Officer: Chris Gosling

Tel. No. 01454 863787

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 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.

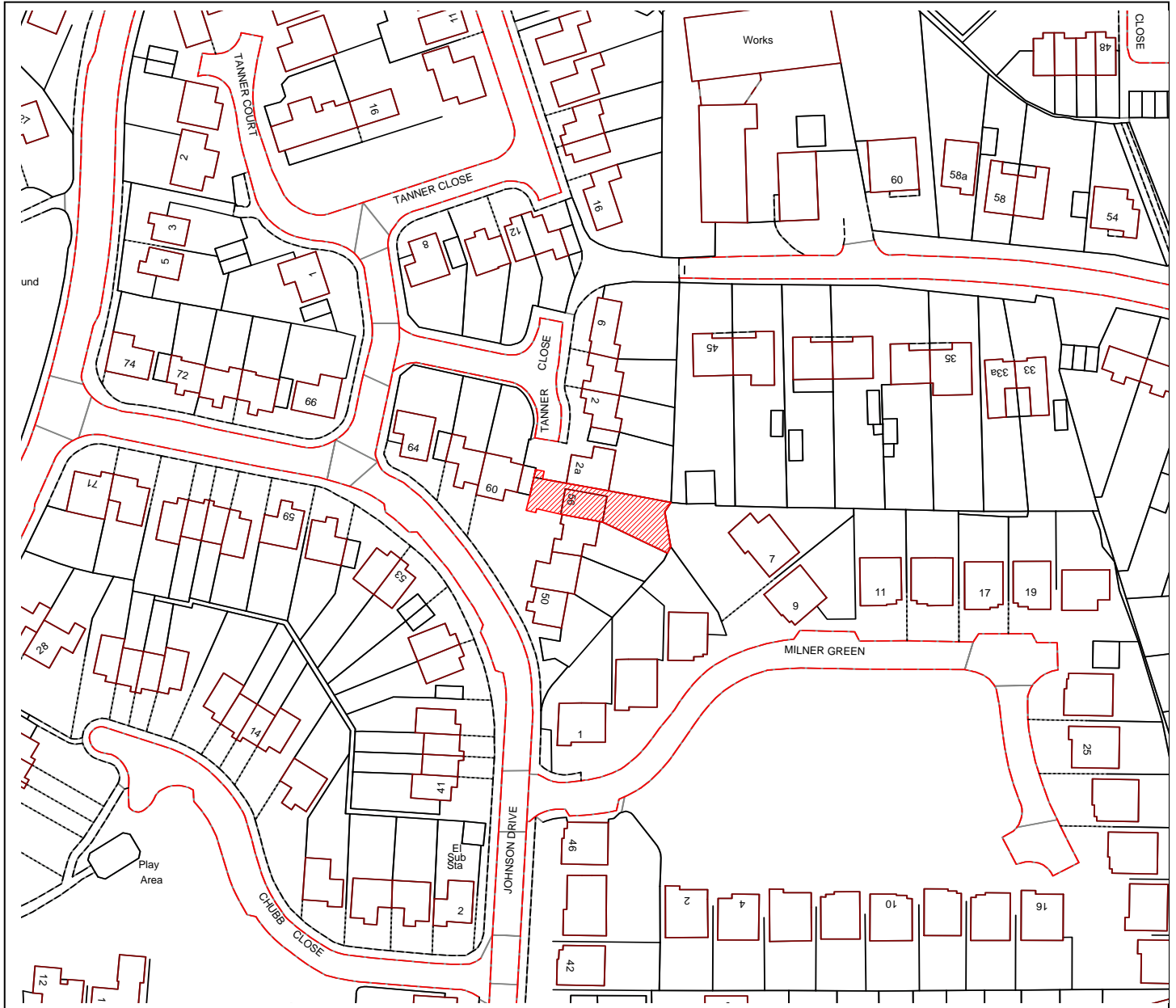
Reason:

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

CIRCULATED SCHEDULE NO. 24/07 – 15 JUNE 2007

App No.: PK07/1377/F
Site: 56 Johnson Drive Barrs Court BRISTOL
 South Gloucestershire BS30 7BS
Proposal: Erection of single storey rear extension
 to form additional living accommodation.
Map Ref: 66013 72384

Applicant: Mr & Mrs M Young
Date Reg: 1st May 2007
Parish: Oldland Parish
 Council
Ward: Parkwall



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N.T.S

PK07/1377/F

INTRODUCTION

This application appears on the Circulated Schedule because of an objection from a local resident.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a single storey rear extension projecting 3 metres into the rear garden and extending across the full width of the rear elevation (approximately 5.2 metres).
- 1.2 The application property consists of a modern two storey end of terrace dwelling located on Johnson Drive within the established residential area of Barrs Court.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 No history exists.

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
No comments received.

Other Representations

- 4.2 Local Residents
Two letters of objection received from the same local resident expressing the following summarised objections and concerns:
- height, up to window cill level, results in an extension several feet higher than 6ft high fence line dominating skyline when viewed from kitchen window.
 - the extension at No. 2A Tannes Close is a more 'normal' height
 - missing 4 boundary fence panels be replaced

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design/Visual Amenity

Planning permission is sought for the erection of a single storey rear extension projecting 3 metres into the rear garden and measuring 5.2 metres in width. It will be finished with a simple lean-to roof, containing two velux windows, and would be constructed from materials that match the palette of materials displayed in the host building. As a result of these moderate dimensions; its location at the rear of the building; its simple design; and the chosen construction materials, it is considered to be an appropriate addition to the dwelling and streetscene. It should also be noted a very similar rear extension has been granted planning permission (PK03/1287/F) at an immediate neighbouring property to the north, No. 2A Tanners Close. This reinforces the judgement that proposal would be an appropriate addition to the streetscene.

5.3 Residential Amenity

Overbearing Analysis

Concern was raised that the proposal would dominate the skyline. In respect of this it is considered that because the local resident concerned has a direct outlook to the east (and not towards the extension, positioned to the north) and the projection distance is just 3 metres, therefore complying with the guidance contained the Council's supplementary planning guidance 'Advice Note 2: House Extensions', an overbearing impact will not occur.

Concern was also raised that the proposal should be a more 'normal' height in line with the extension granted planning permission no. 2A (PK03/1287/F). In fact, having studied the plans for No. 2A, it is clear that the proposal would reach exactly the same height (3.5 metres beneath window cill level).

5.4 Privacy Analysis

The side elevations facing the side neighbours will not contain windows ensuring a loss of privacy will not occur.

5.5 Amenity Space

Whilst the extension does project into the rear garden sufficient garden space will remain to serve occupiers of the property.

5.6 Highway Safety Analysis

As the conservatory is located at the rear of the property it will not impact on the property's parking arrangements, located at the front of the house, nor will it prejudice highway safety.

5.7 Other matters arising

The local resident requested that the fence panels be replaced. However, as pointed out by the local resident this is 'a separate issue and not part of the planning process'. Consequently, this matter can not be settled through the planning process but privately between the two respective owners.

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

7. RECOMMENDATION

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

Background Papers **PK07/1377/F**

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

CONDITIONS

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

Reason:

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

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

Reason:

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

CIRCULATED SCHEDULE NO. 24/07 - 15 JUNE 2007

App No.: PK07/1595/F
Site: 53 Woodyleaze Drive Hanham BRISTOL
 South Gloucestershire BS15 3BX
Proposal: Erection of two storey and single storey
 rear extension to form additional living
 accommodation.
Map Ref: 64664 72529

Applicant: Mr J Muir
Date Reg: 22nd May 2007
Parish: Hanham Parish
 Council
Ward: Hanham



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N.T.S

PK07/1595/F

INTRODUCTION

The application has been referred to Circulated Schedule due to concerns expressed by the Parish Council and a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the erection of a two-storey and single storey rear extension to an end-terrace property situated on the northern side of Woodyleaze Drive. No.53 is finished in pebbledash and sits approximately 3 metres forward of the rear elevation of the adjoining terrace (47 to 51).
- 1.2 The development would span the rear elevation of the property, both elements having a depth of 3.5 metres to the external wall. The two-storey element would have a hipped roof to a height of 7.2 metres (set down from the main roof by 1 metre). The two-storey element would sit 2.2 metres from the boundary with No.55 and given an access to the side would sit approximately 3 metres from the rear of No.51. The single storey element with a width of 2 metres would have a height to the top of the mono-pitch roof of 3.8 metres. All materials are to match those existing.
- 1.3 The proposal will be facilitated by the removal of an existing 5.2 metre deep flat roof extension (to be replaced by the single storey element proposed).

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering sustainable development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
Policy D1 Achieving Good Quality Design in New Development
Policy H4 Development within Existing Curtilages, Including Extensions and New Dwellings

3. RELEVANT PLANNING HISTORY

There is no relevant planning history

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council

Concerns were expressed regarding possible boundary issues. A condition should be imposed in relation to a party wall declaration and joint reference to an independent surveyor paid by the planning applicant in order to establish this.

4.2 Local Residents

One letter has been received. No objection to the proposal is raised subject to the side window at first floor level being obscure glazed to maintain privacy – this issue is addressed in the analysis below.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relate to extensions and other development within residential curtilages. Policy H4 also specifically considers the impact of development upon residential amenity. The policies indicate that such domestic development is acceptable in principle subject to the following considerations.

5.2 Design

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 also considers the scale, proportions, materials in relation to the original building and the character of the street. Policy D1 seeks to ensure that a high level of design is achieved.

It is considered that the proposed extension adopts a form and scale appropriate to the original property. The use of matching materials will ensure that the development integrates successfully with the original property. It is considered that the removal of the flat roof 5 metre deep existing outbuilding would be an improvement in visual terms. It is therefore considered that the proposed development is acceptable in design terms and is therefore in accord with the aims and objectives of Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.3 Transportation

There are no transportation issues

5.4 Residential Amenity

In terms of impact upon amenity, it is acknowledged that with a depth of 3.5 metres, the extensions both single and double would marginally exceed that normally permitted. In this case however there are considered to be mitigating circumstances. Any impact must be assessed against No.51 and No.55 the adjoining properties.

With respect to the two-storey element, this would not lie directly alongside the boundary with No.51, there being a significant gap between the properties. In addition the extension (given the relative positions of the properties) would only project beyond the rear of No. 51 by approximately 0.5 metres. It should be noted there are no windows in the flank wall of No.51. In terms of the impact upon No.55, it is not considered that there would be any significant impact given a gap of two metres to the boundary.

With respect to the single storey element there would be no impact upon No.51. The 3.5 metre deep extension (involving the removal of a 5.2 metre addition), would lie immediately alongside a 5.2 metre extension to the rear of No.55. It is not considered that the proposal would result in any significant loss of amenity in these circumstances.

In terms of privacy there would be no impact upon No.55. Windows would be in place on the side elevation at ground and first floor level. Given the relative positions of the properties, the ground floor window would face the flank wall of

No.51 beyond which a fence separates the properties. It is not considered that any loss of amenity would accrue from this window. Concern has been raised that it would be possible to overlook the adjoining property from the first floor window, it is considered that any view would be at an acute angle however the applicant has agreed that this window shall be obscure glazed and this will be supported by a condition. In addition for the avoidance of any doubt, a condition will be attached to the decision notice to require consent for any future windows in this side elevation.

Subject to this condition it is not considered that the proposal would have an adverse impact upon the amenity of neighbouring occupiers and it would be in accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.5 Other Issues

Concern has been raised regarding boundary/party wall issues. This is not a material planning consideration. An informative is added to the decision notice to remind the applicant of duties under the Party Wall Act and of access rights.

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 conditions:

Background Papers **PK07/1595/F**

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

CONDITIONS

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

Reason:

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

2. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor side [bedroom] window 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.

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the 1st Floor side [south-east] elevation of the property.

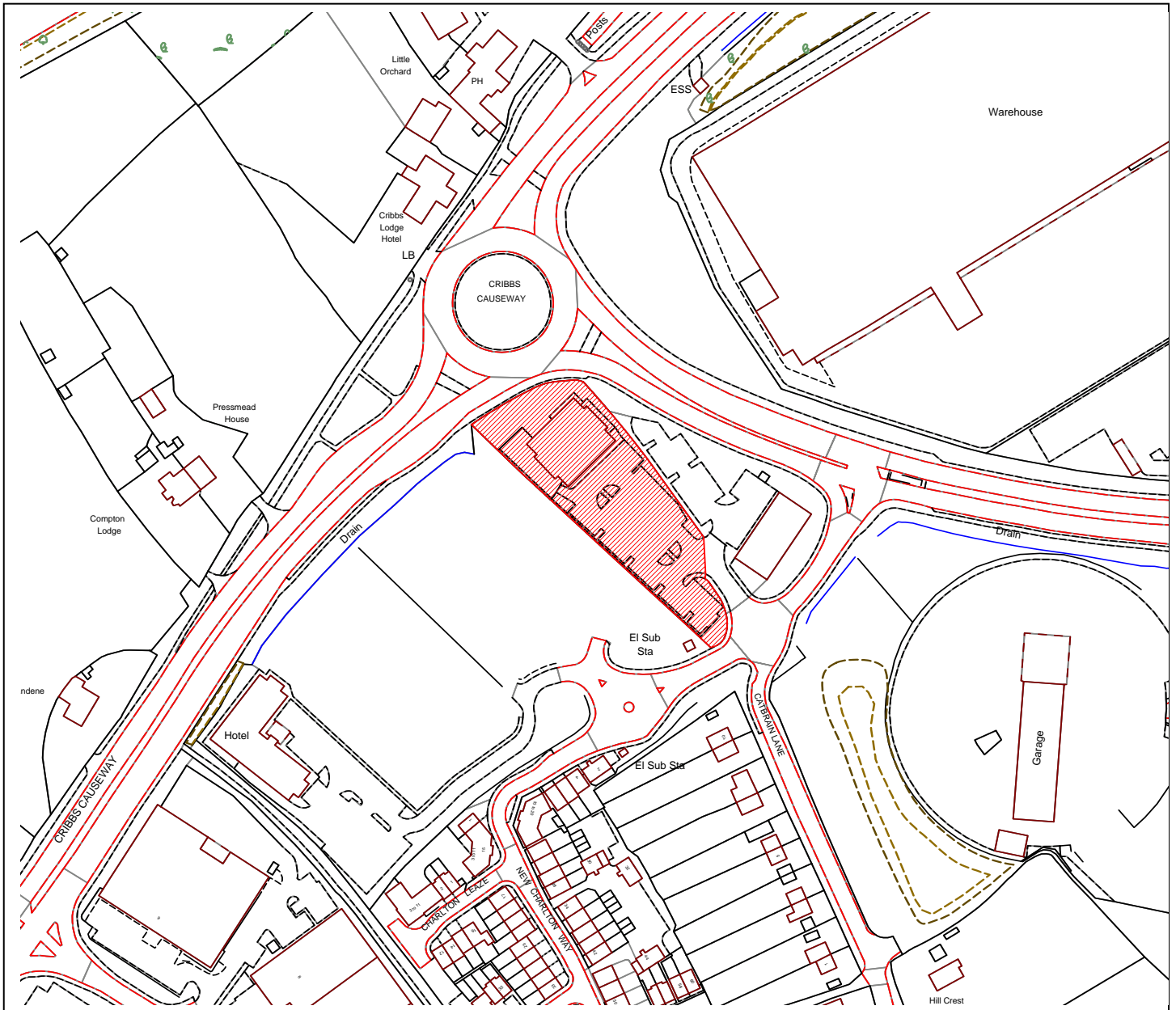
Reason:

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

CIRCULATED SCHEDULE NO. 24/07 – 15 JUNE 2007

App No.: PT07/0987/F
Site: Harry Ramsdens Catbrain Lane
 Almondsbury BRISTOL
 South Gloucestershire BS10 7TQ
Proposal: Demolition of restaurant to facilitate the
 erection of new office building with
 associated works.
Map Ref: 57473 80765

Applicant: Terramond Ltd
Date Reg: 28th March 2007
Parish: Almondsbury Parish
 Council
Ward: Almondsbury



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N.T.S

PT07/0987/F

INTRODUCTION

This application is placed on the Circulated Schedule according to the procedure as it is classed as a “major” application (in addition two objections have been received – see responses below)

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the erection of a three-storey office building with associated car parking and landscaping. The proposal would involve the demolition of the existing Harry Ramsden Restaurant, with the new building positioned closer to the junction of Lysander Road and Cribbs Causeway.

In terms of layout, the building would have two colonnaded wings with a central tower (staircases and entrance). These wings as indicated above are situated close to boundary edge. Access to the site would be as existing from the Catbrain Lane mini-roundabout. Landscaping would be provided around the perimeter of the site.

In terms of scale, although three storey throughout, the height of the 4 –bay wing would be higher. The colonnades would have a white render finish and slim frame aluminium window units between. The roof would be finished curved aluminium.

Parking provision would be raised from the existing 76 spaces to 91 spaces. The overall floor space would be 3150 sqm.

- 1.2 Within context, to the south of the site lies an area of vacant land beyond which lies a four-storey hotel. To the north on the other side of Lysander Road lies a retail warehouse. To the east lies a modest two-storey wine and warehouse building. The site lies within the Urban boundary and is a safeguarded employment site as defined in Policy E4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 1.3 In support of the application the applicant has submitted a Framework Travel Plan, Design and Access Statement and Transportation Statement.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Design
L1	Landscape Protection and Enhancement
L17	The Water Environment
EP1	Environmental Pollution
EP2	Flood Risk
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy
E3	Employment Development
E4	Safeguarded Employment Areas

3. **RELEVANT PLANNING HISTORY**

Relevant to the Harry Ramsden Restaurant site are the following:-

- 3.1 P97/2558 Development of 3.44 hectares for Class B8 (wholesale/distribution), Class C1 (hotel) and 3 Class A3 restaurant units (Approve)
- 3.2 PT00/1262/RM and PT00/1263/RM Landscaping and Drainage Reserved Matters (Approved)
- 3.3 PT05/3216/F Erection of two storey office building with associated parking (Approved)
- 3.4 PT06/1608/CLP Certificate of Lawfulness for the proposed sub-division of building to form 2 no. restaurants (Approve)

4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council
No objection raised
- 4.2 Highways Agency
Subject to the submission of a detailed travel plan to be agreed in writing by the Local Planning Authority, the Agency is happy to lift the initial holding direction.
- 4.3 Sustainable Transport
The proposal seeks to replace the existing Harry Ramsdens restaurant and takeaway with 3276 square metres of office. There is also an extant permission on the site for a smaller office that has not been implemented. This proposal would supersede this existing permission.

The proposed parking ratios and layout are acceptable. Any cycle provision should be secure covered and overlooked. Details to be submitted and approved prior to the commencement of on site works. The applicant has submitted a TA that is broadly acceptable as the driver in traffic terms in the locality is retail at weekends and on that basis the traffic associated with this proposal will not clash. There is however an increase in peak hour traffic on Cribbs Causeway, a major commuter route into Bristol.

In order to mitigate this impact and to encourage modal shift a contribution of £15K towards public transport infrastructure in the locality is required. This should be secured via an appropriate legal agreement and received prior to the commencement of on site works. Further to this there is an acceptable "framework" travel plan provided. This will be superseded by a full travel plan based on survey data. This should be agreed with the council and implemented within 6 months of occupation of the facility.

On that basis, and subject to the following conditions, there is no transportation objection to this proposal.

4.4 Local Residents

There have been two letters of objection received. The grounds of objection can be summarised as follows:

- a) The proposed development is not in keeping with the existing retail nature of the site
- b) The development would lead to circulation difficulties for traffic
- c) There is an under provision of parking spaces

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006 supports proposals for employment uses within the existing urban areas (the site is identified as a safeguarded employment site in Policy E4). In these circumstances in line with PPG4 the overriding objective is to seek to enhance employment activities. This support is subject to an assessment of the environmental effects of the proposal with specific reference to design and landscaping, the impact upon the surrounding highways network, impact upon neighbouring residential amenity, subject to the character of the area not being adversely affected and the density being acceptable. Policies L1, D1, L17 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 consider the impact in terms of Landscaping, Design, Drainage and transportation. Subject to the consideration of these issues the proposed development is considered acceptable in principle.

5.2 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 indicates that development will only be permitted where good standards of site planning and design are achieved having regard to, siting, layout, form, scale, height, massing, detail and materials. This assessment should be made having regard to the character of the area. Development should be distinctive and achieve good quality design. This policy is supported by guidance in the South Gloucestershire Design Checklist. SPD (draft for public consultation Sept 2006).

In terms of layout, it is considered that the building, situated close to the northern boundary of the site is located such that it addresses the road frontage well, allowing the central tower (that forms a visual hinge between the two wings) to appear as a landmark focus. Parking areas are located to the rear largely reflecting the current arrangements, subject to an appropriate landscaping scheme this is considered satisfactory.

With respect to the scale of the proposal, it is considered that a three-storey building is entirely appropriate give the surrounding context. It is considered that the development would have an acceptable visual impact. The use of different materials and detailing is considered to “break-up” the wings such that the vertical emphasis has been reduced.

Policy D1g indicates that proposals will be expected to demonstrate that the design, density, orientation and location of buildings and associated landscape proposals incorporate measures to achieve energy conservation and the protection of environmental resources. It is considered that in order to achieve this objective, that the proposal should be assessed against the BREEAM

methodology and achieve a minimum standard of “very good”. To this end a condition will be attached to the decision notice.

Subject to this condition it is considered that the proposed development will be in accord with the aims and objectives of Policy D1.

5.3 Landscaping

Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 states that development will only be permitted where those attributes of the landscape are conserved and where possible enhanced.

The applicant has submitted a landscaping scheme, indicating planting to the front and rear (entrance elevation) with some elements within the car park area and paving. This scheme is considered acceptable and to be in accord with the aims and objectives of Policy L1 subject to a condition to secure the protection of existing planting and subject to a condition requiring details of the paving materials to be used.

5.4 Residential Amenity

The site is situated approximately 40 metres from the nearest property in Catbrain Lane, with building itself approximately 100 metres distant. Given this it is not considered that this office development would cause any significant detriment to the amenity of adjoining occupiers. An office use (B1) is a use that is by definition considered to be a suitable use to be sited close to residential properties. It is considered that the proposal is acceptable in terms of the impact upon residential amenity.

5.5 Drainage

Policy L17 of the South Gloucestershire Local Plan (As Intended to be Adopted) November 2005 considers the impact of development upon the water environment. Policy EP1 considers pollution issues while Policy EP2 considers flood risk. There are no specific objections to the proposed development subject to a condition to secure best drainage practice.

5.6 Transportation

Although concern has been raised regarding the impact of the development upon traffic circulation. It is considered that the level of parking provided and the layout proposed is acceptable. A condition will be attached to the decision notice to secure, covered and overlooked cycle provision. A framework travel plan/Transport Statement has been submitted that is broadly acceptable, however a condition will be attached to the decision notice to require a full travel plan to be agreed by the Council and implemented within 6 months of full occupation.

Notwithstanding the submission of the Travel Plan it is considered that the proposal will result in an increase in peak hour traffic, in order to mitigate this impact and to encourage a modal shift a contribution of £15,000 towards public infrastructure in the locality has been agreed with the applicant. This will be secured by agreement.

Subject to the above conditions and agreement, the proposed development is considered acceptable and would be in accord with the aims and objectives of Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.7 Other Issues

Concern has been raised that the proposal is not appropriate given the existing retail nature of the site. Transportation implications are considered above however it should be noted that the land is allocated for employment use within the South Gloucestershire Local Plan (Adopted) January 2006 and that the proposed development would be in accord with this use.

5.8 Design and Access Statement

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

5.9 Section 106 Requirements

In this instance, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 278 Agreement and a Section 106 agreement is not therefore necessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That Planning Permission is GRANTED subject to the conditions.

Background Papers PT07/0987/F

Contact Officer: David Stockdale

Tel. No. 01454 863131

CONDITIONS

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

Reason(s):

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

2. Prior to the commencement of the development a scheme for the protection of all existing planting in accordance with BS5837:2005 shall be submitted to and approved in writing by the Local Planning Authority. All work shall be carried out in accordance with the

approved details and all planting that has been previously damaged shall be replaced on a "like for like" basis.

Reason(s):

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

3. Prior to the commencement of development, full details of paving materials shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason(s):

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

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

Reason(s):

To ensure the development minimises the use of energy and natural resources and to accord with Policy D1G and PPS1.

5. A detailed travel plan (consistent with the details set out in the framework document (Framework Travel Plan June 2007 (Rev C) shall be agreed in writing by the Local Planning Authority and shall be implemented within 6 months of the occupation of the building hereby approved. The development shall operate thereafter in accordance with the approved details.

Reason(s):

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

6. Prior to the commencement of development, detailed plans showing the provision of secure, overlooked and lit cycle parking 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 parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

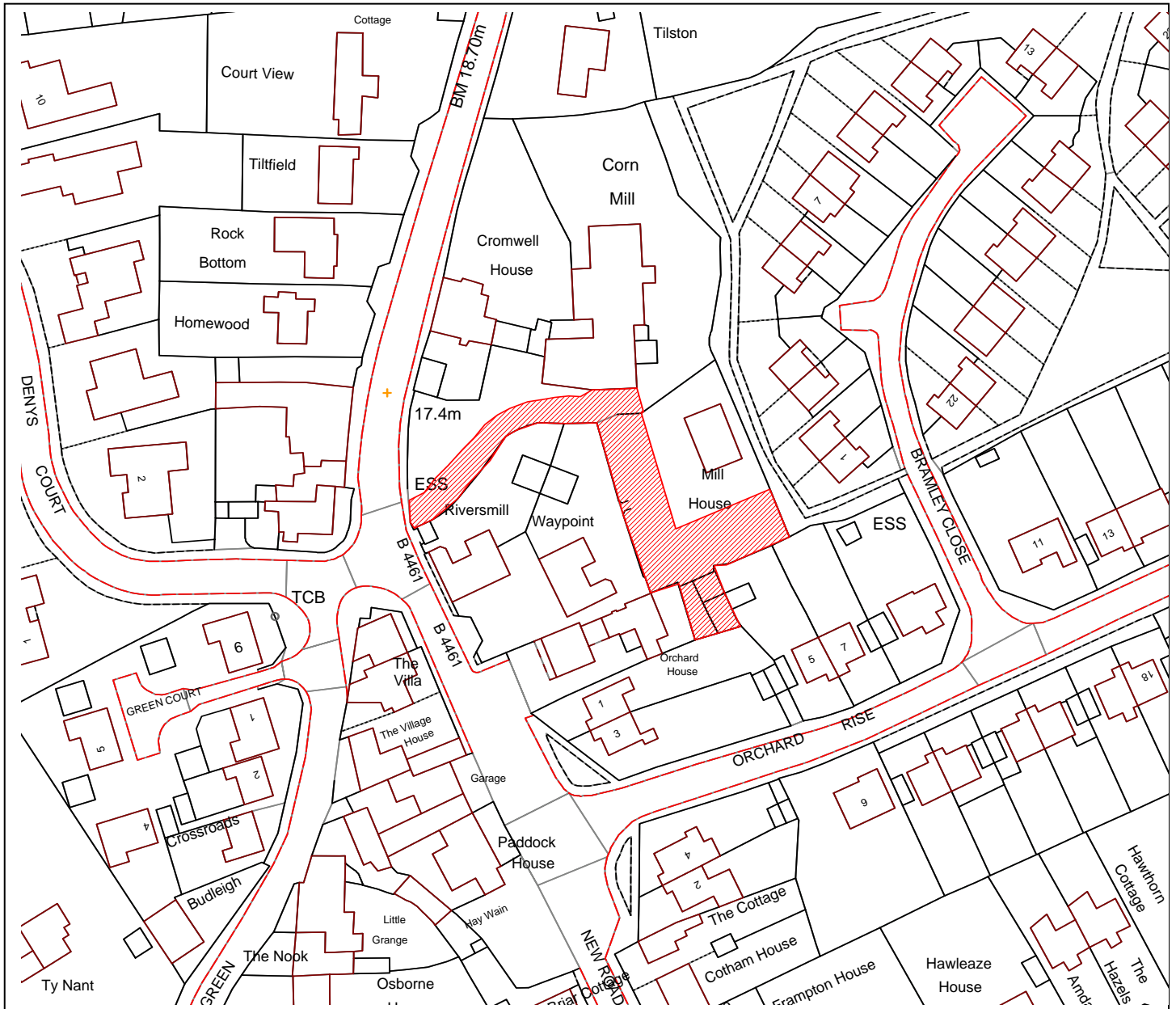
Reason(s):

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

CIRCULATED SCHEDULE NO. 24/07 – 15 JUNE 2007

App No.: PT07/1375/F
Site: Mill House The Street
 Olveston BRISTOL
 South Gloucestershire BS35 4DR
Proposal: Demolition of existing garage to facilitate
 the erection of detached dwelling and
 garage with associated works.
Map Ref: 60136 87021

Applicant: Mr & Mrs P Dawes
Date Reg: 1st May 2007
Parish: Olveston Parish
 Council
Ward: Severn



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N.T.S

PT07/1375/F

1. **THE PROPOSAL**

- 1.1 The site consists of part of the existing curtilage associated with Mill House, Olveston. The site is within the Olveston Village Development Boundary which is washed over by the Green Belt.
- 1.2 The proposed development consists of the construction of a new dwelling and garage. Access is via the existing access onto The Street.

2. **POLICY CONTEXT**

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H2 New Residential Development within the Urban Areas or Village Development Boundary
H4 Development within Residential curtilages
T12 Transportation Development Control Policy for New Development
L1 Landscape Protection and Enhancement
- 2.3 Supplementary Planning Guidance
Olveston Village Design Statement
South Gloucestershire Design Checklist (draft) September 2006

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT05/1738/F Erection of detached dwelling on 0.1 hectares of land
Approved at Appeal
- 3.2 PT07/0445/F Erection 1no. detached dwelling with associated works
Withdrawn

4. **CONSULTATION RESPONSES**

- 4.1 Olveston Parish Council
Object on the grounds that the proposed development contains flat roofs which is not in keeping with the Olveston Village Design Statement
- 4.2 Sustainable Transport
No Objection as the principle of the development of a single dwelling has been established at appeal.
- 4.3 Local Residents
5 sets of comments have been received during the consultation period associated with this planning application. The comments can be summarised as follows;
- a) The scale of the submitted drawings showing the garage is 1:100 which would make the size of the garage excessive.
(It should be noted that the applicant has confirmed that those drawings should be read at a scale of 1:50)
- b) The proposed garage would intrude into the site making it overcrowded.

- c) The proposed garage is close to the front of dwellings on Bramley Close and as such would have a detrimental impact upon the privacy and residential amenity of the occupants of those dwellings.
- d) The proposed development may interfere with the roots of trees close by.
- e) The existing walls on the site should be retained at the current height in the interest of privacy
- f) The access to the site is very poor since the nearby shop has merged

5. **ANALYSIS OF PROPOSAL**

5.1 The proposed development consists of the construction of a new dwelling and garage within the curtilage of Mill House, which is located within the Village Development Boundary Associated with Olveston.

5.2 Principle of Development

The previously approved planning application (PT05/1398/F) details the construction of a new dwelling in a very similar position and to a very similar design and scale to that proposed by this planning application. In this regard it is considered that the principle of the proposed dwelling has been established.

5.3 Notwithstanding the above, this development proposal includes the addition of a double garage within the curtilage of Mill House, which would become associated with the new dwelling. Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is relevant to this element of this planning application. The policy indicates that the proposed development is acceptable subject to the following considerations.

5.4 Design

In this instance, the site benefits from approval (PT05/1798/F) for a new dwelling. This application proposes a very similar dwelling in a very similar location to that which is already approved. Although, the comments made by the parish council high lighting the use of flat roofs are noted, it is considered that the proposed dwelling is not materially different in design terms to that already approved. Accordingly the design of the proposed dwelling is considered acceptable.

5.5 This planning application includes a new garage that was not included within the development approved under PT05/1798/F. This garage is proposed to be 6 metres deep x 5.2 metres wide and is a double garage. The garage is proposed to be constructed with a rendered finish with a pitch, tiled roof. The ridge height of the garage is proposed to be 3.8 metres. It is considered that the design, position and scale of the proposed garage is acceptable. The relatively modest building would not have a detrimental impact upon the character and visual amenity of the site and its surroundings; nor is it considered that the building would create a cluttered appearance. The proposed development therefore satisfies the requirements of Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006, Olveston Village Design Statement and the South Gloucestershire Design Checklist (Draft) September 2006.

5.6 Residential Amenity

With regards to the proposed new dwelling, it is not considered that there is any materially greater impact over and above that of the previously approved dwelling in respect of the privacy and residential amenity of the occupants of nearby dwellings.

- 5.7 Concern has been raised as to the impact of the proposed garage, due to its proximity with dwellings on Bramley Close. The proposed garage is located to the South of the existing dwelling on this site. Its Eastern elevation faces properties on Bramley Close. The proposed garage and the dwellings at Bramley Close are separated by 14 to 16 metres. The boundary of Mill House is located between (approximately 2 metres from the East elevation of the proposed garage) and provides a reasonable screen to the proposed development. Public access and the front gardens of the properties on Bramley Close are also located between the dwellings and the proposed development.
- 5.8 Having regard to the above, and the scale of the proposed garage, it is considered that there would be no material impact upon the privacy and residential amenity of the occupants of nearby dwellings; and therefore satisfies the requirements of policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.9 Adjacent Tree
Concern is raised regarding the impact of the proposed garage upon the tree which is located to the east of the application site, within the adjacent public realm. This tree is located within 3 to 4 metres of the east elevation of the proposed garage. The subject tree is relatively poor condition and as such is not considered to be of sufficient merit to justify protection under a Tree Preservation Order. However, the applicant has indicated the willingness to incorporate specialist foundations that would take account of the roots of the tree in the construction of the garage. This would help to prolong the life of the tree and its limited amenity value. Further details of the foundations can be secured and required by way of an appropriately worded condition should this application be approved.
- 5.10 Transportation
The introduction of a single dwelling on this site is established. It is not considered that the proposed development would have any materially greater impact over and above the previously approved development (PT05/1398/F). The proposed development is therefore acceptable in Transportation Terms.
- 5.11 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).
- 5.11 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions 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 That Planning Permission is granted subject to the following conditions

Background Papers **PT07/1375/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

Given the proportion of the site and its relationship with the existing dwelling it is necessary for the Local Planning Authority to control the introduction of further development in addition to protect the residential amenity of the neighbouring occupiers and the occupiers of the existing dwelling; and to protect the character and visual amenity of the site and the surrounding locality and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Notwithstanding the agreed details, no development shall take place until details and samples of the roofing and all 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(s):

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

4. To ensure a satisfactory standard of external appearance in the adjacent Olveston Conservation Area, and to accord with and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

Prior to the commencement of the development hereby approved further details demonstrating the type and design of the foundations to be used in the garage as detailed in the approved drawings shall be submitted to and agreed in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and shall be retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason(s):

In the interests of the long term health of the tree located approximately three metres to the East of the garage hereby approved, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

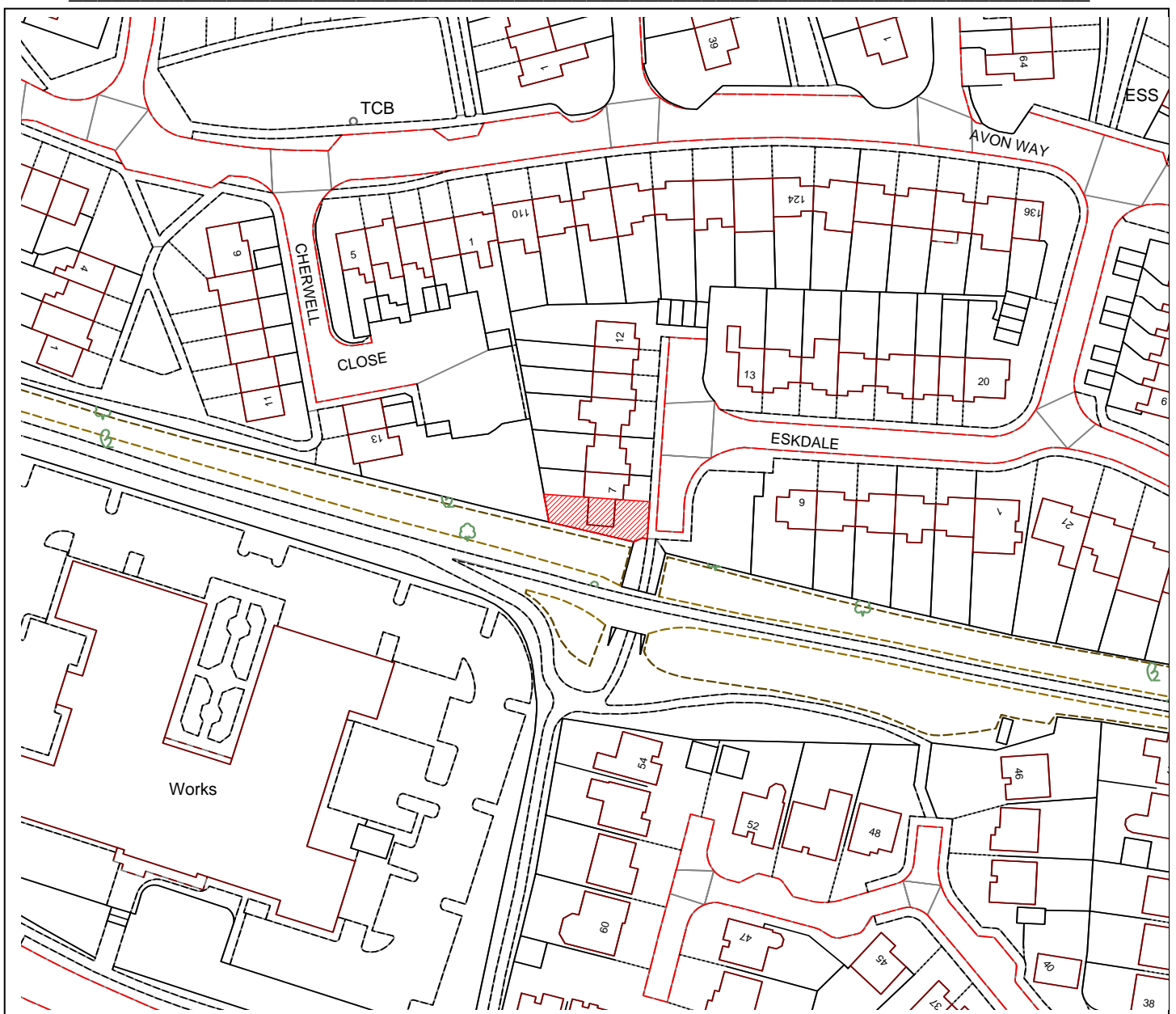
CIRCULATED SCHEDULE NO. 24/07 – 15 JUNE 2007

App No.: PT07/1400/RM
Site: 7 Eskdale Thornbury BRISTOL
 South Gloucestershire BS35 2DR
Proposal: Demolition of 2no. existing garages to facilitate erection of 1no. dwelling on 0.015 hectares of land (Approval of reserved matters to be read in conjunction with outline planning permission PT06/0974/O).

Applicant: Mr D Mahoney
Date Reg: 3rd May 2007
Parish: Thornbury Town Council

Map Ref: 64502 89402

Ward: xThornbury South



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N.T.S

PT07/1400/RM

This application appears on the circulated list as there is public comment that is contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The site consists of a large double garage attached to the side of the existing dwelling. Access to the site is direct from Eskdale.
- 1.2 The proposed development consists of the erection of a new dwelling in place of the existing garage.

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1 Delivering Sustainable Development
 - PPS3 Housing
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
 - D1 Achieving Good Quality Design in New Development
 - H2 New Residential Development within the Urban Areas or Village Development Boundary
 - H4 Development within Residential curtilages
 - T12 Transportation Development Control Policy for New Development
 - T8 Parking Standards
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Draft) September 2006.

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0529/F Demolition of double garage to facilitate the erection of 1 no. detached dwelling (Resubmission of PT06/2374/F).
Refused
- 3.2 PT06/2734/F Demolition of detached double garage to facilitate the erection of 1no. dwelling.
Withdrawn
- 3.3 PT06/0974/O Demolition of 2 no. existing garages to facilitate erection of 1 no. dwelling on 0.015 hectares of land (Outline).
Approved
- 3.4 PT04/3793/F Erection of rear porch to facilitate division of existing dwelling to form two flats.
Approved
- 3.5 PT04/2820/F Demolition of existing double garage to facilitate erection of two storey side extension to form lounge and single garage with bedroom over.
Approved

4. CONSULTATION RESPONSES

- 4.1 Thorbury Town Council
No Objection

4.2 Sustainable Transport
No Objection as sufficient off street parking is provided

4.3 Local Residents
Two Letters has been received as a result of the consultation process associated with this planning application. The relevant comments can be summarised as follows;

- a) The proposed parking will occupy the vast majority of the frontage of the existing house and proposed house, which will result in a frontage being dominated by parked vehicles.
- b) The proposed development will result in the loss of the porch on the existing dwelling which is not in keeping with the surrounding locality
- c) This locality is suffering from parking problems and the loss of existing garages/off street parking should be avoided

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the erection of a new dwelling. The previous outline planning application has dealt with all issues except the landscaping of the site. Matters relating to the design, siting, access and parking have already been considered under the previously approved application PT06/0947/O.

5.2 Principle of Development
Having regard to the above, the principle of the proposed development (including the design, siting, access and parking) has been established. The remaining issues are considered below.

5.3 Landscaping
It is proposed to provide a total of 4 off street parking spaces to the front of the development site. This comprises of a 4.8 x 4.8 metre area of block paviours to the front of the existing dwelling; and a 2.4 x 4.8 metre area of block paviours to the front of the new dwelling. A further 2.4 x 4.8 area of permeable loose chippings will also be provided to the front of the new dwelling. The area between is shown as new landscaping and as shared pedestrian access. Although, there is no specific details relating to the method of surfacing the shared pedestrian access, it is considered that a suitably worded condition attached to any approval of this application is sufficient to ensure an appropriate treatment. The remainder of the site surrounding the new dwelling and the existing dwelling is void of specific details. However, given that this area will be residential curtilage (garden) it is anticipated that it will be provided with domestic landscaping through normal domestic occupation.

5.4 Concern has been raised as to the impact of the proposed parking area in visual terms on the basis that it would dominate the frontage of the development. In this instance, it would be possible for this type of treatment (i.e. to completely pave the front curtilage area) without the need for planning consent on the basis of the existing residential use. This type of treatment has become common in domestic properties as the occupants wish to increase the off street parking area associated with dwellings. To this end, such an approach is considered appropriate in this domestic context and would not result in a harmful impact upon the character and visual amenity of the locality

5.5 Subject to the above conditions the proposed landscaping is considered acceptable.

5.6 Other Matters

Concern is raised as to the loss of the porch to the front of the existing dwelling on grounds of visual amenity. In this instance the Local Planning Authority has no control over the loss of such Porches should the occupants of the dwelling (and surrounding dwellings) wish to remove them. Therefore, it would not be reasonable to refuse this application for on the basis of the loss the porch.

5.7 Design and Access Statement

A Design and Access Statement is not required with this planning application.

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 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 Consent be granted subject to the following considerations.

Background Papers **PT07/1400/RM**

Contact Officer: **Simon Penketh**

Tel. No. **01454 863433**

CONDITIONS

1. This decision notice shall be read in conjunction with the outline planning consent under PT06/0974/O and the development shall proceed in accordance with the conditions as set out in that decision notice.

Reason(s):

This is a reserved matters approval only relating to the previously approved Outline Consent issued PT06/0974/O which is conditional.

2. No development shall take place until details and samples of the surfacing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, unless the Local Planning Authority agree to any variation in writing.

Reason(s):

To ensure a satisfactory standard of external appearance and to accord with Policy H2, H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 24/07 – 15 JUNE 2007

App No.: PT07/1436/F
Site: 6 Boverton Road Filton BRISTOL
 South Gloucestershire BS34 7AH
Proposal: Conversion of existing dwelling to 4 no. flats, car parking and associated works.
 Erection of two storey side/rear extension and single storey rear extension. (Resubmission of PT06/3611/F)
Map Ref: 60509 79476

Applicant: Mr B Walters
Date Reg: 9th May 2007
Parish: Filton Town Council
Ward: Filton



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N.T.S

PT07/1436/F

This application appears on the Circulated Schedule in view of the objections received from Filton Parish Council and four neighbouring properties.

1. THE PROPOSAL

- 1.1 The application seeks approval for a two-storey side/ rear extension and single-storey rear extension to facilitate the conversion of the existing unit to provide four one-bedroom flats.
- 1.2 The application site forms a two-storey semi-detached dwelling on the west side of Boverton Road, Filton.
- 1.3 The application is a resubmission of PT06/3611/F that also sought approval for the extension and subdivision of this dwelling. This was refused in January this year for the following reasons:

'The proposed two-storey side/ rear extension, by reason of its size, design and external appearance, would be out of keeping with the existing dwelling house and other nearby properties and, if allowed would detract from the visual amenities of the locality. The proposal is therefore contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.'

'The proposed development, by reason of the physical works required to accommodate the number of units proposed, would amount to an overdevelopment of the site having regard to the character and amenities of this residential area. The proposal is therefore considered contrary to Policy D1 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.'

- 1.4 This application follows further discussions with the applicant and includes some of the changes suggested.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing
PPG24	Planning and Noise

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H4	Development within Residential Curtilages
H5	Residential Conversions
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2303/F: Erection of two-storey side extension to form additional living accommodation. Withdrawn: 18 December 2006
- 3.2 PT06/3611/F: Two-storey side/ rear extension and single-storey rear extension to allow conversion of one existing dwelling to form 4 flats. Refused: 24th January 2007

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Objection: 'Over intensive. Loss of amenities. No justification for removal of affordable housing. Changes street scene. Doesn't conform to bio-diversity plans.'

4.2 Other Consultees

No comments received

4.3 Sustainable Transport

Additional information required with regard to parking, bin and cycle storage.

4.4 Summary of Local Residents Concerns

Four letters received expressing the following concerns:

- a) The proposal would be out of keeping with the character of the area that is characterised by semi-detached properties occupied by families;
- b) It is an unwelcome attempt to increase housing density in the locality;
- c) The loss of the front garden area will be out of keeping with other units;
- d) It would be detrimental to neighbouring residential amenity;
- e) Boverton Road already has a number of units in multiple occupancy;
- f) There might be six additional vehicles exacerbating existing problems of inconsiderate parking, the number of cars & emergency service access;
- g) Boverton Road is a major thoroughfare;
- h) If all are rented, there will be an attendant issue (non-owner occupied);
- i) The scheme involves a 142% increase in size; this would be out of scale and proportion with other properties;
- j) Little amenity space will be provided;
- k) The works are contrary to planning policies H4 and H5.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H5 of the South Gloucestershire Local Plan allows for the conversion of residential properties into smaller units provided that the proposal:

- a) Would not prejudice the character of the surrounding area;
- b) Would not prejudice the residential amenities of neighbouring occupiers;
- c) Allows an acceptable level of off street parking provision;
- d) Would provide adequate amenity space.

5.2 Further, planning policy H4 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety.

5.3 Design/ Visual Amenity: Physical Alterations

The application site comprises a semi-detached dwelling on the western side of Boverton Road, Filton. The unit is currently devoid of any extensions although benefits from a detached single garage to its south side.

5.4 The application seeks approval for a two-storey side/ rear extension (replacing the existing garage) and a single-storey rear extension. These would facilitate the conversion of the dwelling to four self-contained one-bed units. Access to all would be via the existing entranceway at the front of the property.

5.5 The two-storey extension would be stepped back from the front of the existing dwelling (albeit marginally at ground floor) and be encompassed by a pitched

- roof that would be lower in height than that above the host dwelling. Further, following subsequent discussions with the applicant, the width of the extension has now been reduced to a size more in keeping with the proportions of the host dwelling; previously its width near equalled that of the host unit.
- 5.6 At the rear, all works would measure 2.5m in length with the two-storey addition culminating in a hipped gable and the rear single-storey addition encompassed by a lean-to roof.
- 5.7 In view of the above, the proposed extensions to the dwelling are on balance considered to be acceptable thus overcoming the first refusal reason in respect of the previous scheme. In this regard, it is also noted that a number of other properties along Boverton Road had benefited from two-storey side additions; many of which extend to their respective flank boundary and which do not always adopt a subservient appearance.
- 5.8 Design/ Visual Amenity: Sub-Division of Dwelling
Internally, the existing unit would be sub-divided to provide two one-bedroom units with one above the other. Each would benefit from a kitchen/ lounge at the rear with a bedroom at the front; bathroom facilities would be between. The internal layout within the extension would be similar although the first floor flat would benefit from its bedroom at the rear.
- 5.9 Having regard to the above, it was noted that at the time of the last submission, these physical works were considered to demonstrate an overdevelopment of the site and thus it was suggested that a lower density of development (two or three flats) might provide a more acceptable proposal. Nonetheless, despite such Officer advice, the applicant has proved unwilling to reduce the number of units although has sought to reduce the size of the extensions proposed.
- 5.10 In response, whilst the extensions to the building are now considered to be acceptable, there remains concern with regard to the intensity of the development proposed. However, it is acknowledged some similar permissions have recently been granted whilst having regard to one case in particular (PT06/0595/F: 595 Filton Avenue: Conversion of single dwelling to provide 4 flats), the original refusal issued by the Council was overturned at appeal.
- 5.11 Having regard to the above, this original refusal reason read as follows:

'The proposed development, by reason of the number of units proposed, would amount to an over development of the site to the detriment of the character and amenities of this residential area. The proposal is therefore considered to be contrary to planning policies D1 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.
- In response, the Inspector cited that in view of the mix of dwelling type within the locality, the scheme (involving this previously extended semi-detached unit) *'would be neither visually intrusive or out of keeping'*. As such, he concluded that *'it would not therefore prejudice the character or amenity of the area'*.
- 5.12 In the light of the above, and having regard to the relative close proximity of this property and the recent date of the appeal March 2007, it is considered that any associated refusal regarding the proposed density of development would now prove to be unsustainable.

5.13 Residential Amenity: Physical Alterations

Issues related to residential amenity did not provide a refusal reason in respect of the previous application. In this regard, it was noted that the application site occupies a corner plot with the neighbouring unit to the south facing away from the site and with a detached garage sited on the shared boundary. With the size of the extension now smaller, it is again not considered that any significant adverse impact in residential amenity would be caused.

5.14 Further, properties behind face Rodney Crescent and overlook the site at an oblique angle. Nonetheless, by reason of the separation distance afforded by the adjoining rear gardens, it is not considered that any significant adverse impact in residential amenity would be caused.

5.15 Finally, concerning the attached unit to the north, there are no rear extensions behind this dwelling whilst having regard to the depth of the single-storey addition (which would abut the shared boundary); it is again not considered that any significant adverse impact in residential amenity would be caused.

5.16 Residential Amenity: Sub-Division of Dwelling

The supporting text to policy H5 advises that any internal alterations should be designed so as to minimise the impact of noise and disturbance on any directly adjoining residential property. In this regard, the scope for Building Regulation considerations was extended in 1991 to cover detailed requirements for sound insulation between converted flats and adjoining properties.

5.17 In view of the above, the site benefits in that there is only one attached property. As such, it is the alterations at first floor that would be likely to have the greatest impact by reason of the provision of a kitchen/ lounge next to a likely bedroom. However, in the light of many permissions allowing for this type of relationship, and with regard to the scope of the building regulations process, it is not considered that permission could be reasonably withheld on this basis.

5.18 Finally, it is noted that the existing rear bedroom window would be converted to provide for the new kitchen/ lining room. In this regard, whilst the retention of rear facing bedroom windows is considered preferable, it is again not considered that a planning refusal would be sustainable on this basis.

5.19 Amenity Space

Amenity space is provided to the front and rear although part of the front garden would provide for car parking. Meanwhile, the rear garden would be retained in shared ownership with access from the ground floor flats at the rear and from those at first floor via the retained side path. In this regard, alterations to the proposal also ensure that there are no ground floor rear bedrooms (thus compromising privacy to future occupants).

5.20 Having regard to this level of provision, the size of the units (one bed) should ensure that they will not be occupied by families thus on this basis, there is no objection raised to this element of the scheme.

5.21 Highway Safety

It is noted that the property could provide for five individual residents whilst the front garden could be given over to car parking all without the need for planning permission. Further, the site is in a sustainable location close to shops, schools and bus routes whilst planning policy T8 advises that in the case of one-bedroom units, a maximum of one space each should be provided.

5.22 In comparison to the previous scheme, the number of parking spaces has been reduced to allow the retention of some landscaping to the front of the site. This lower level of parking provision is considered acceptable with any highway related refusal considered to be unsustainable. Further, cycle and bin storage can now be provided within the rear garden (accessible via the retained side path) with a bin collection area at the front.

5.23 Finally, in order to mitigate the incremental damage caused to the highway network by the increased number of units, Highway Officer comments indicate that £900 should be secured via an appropriate agreement. However, this was not suggested at the time of the original application and thus did not comprise a refusal reason; it is therefore considered that this would now be unreasonable.

5.24 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).

5.25 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 is **GRANTED** subject to the following conditions:

Background Papers **PT07/1436/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

3. No windows shall be inserted at any time in the southern elevation of the property.

Reason(s):

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

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

Reason(s):

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

5. 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(s):

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

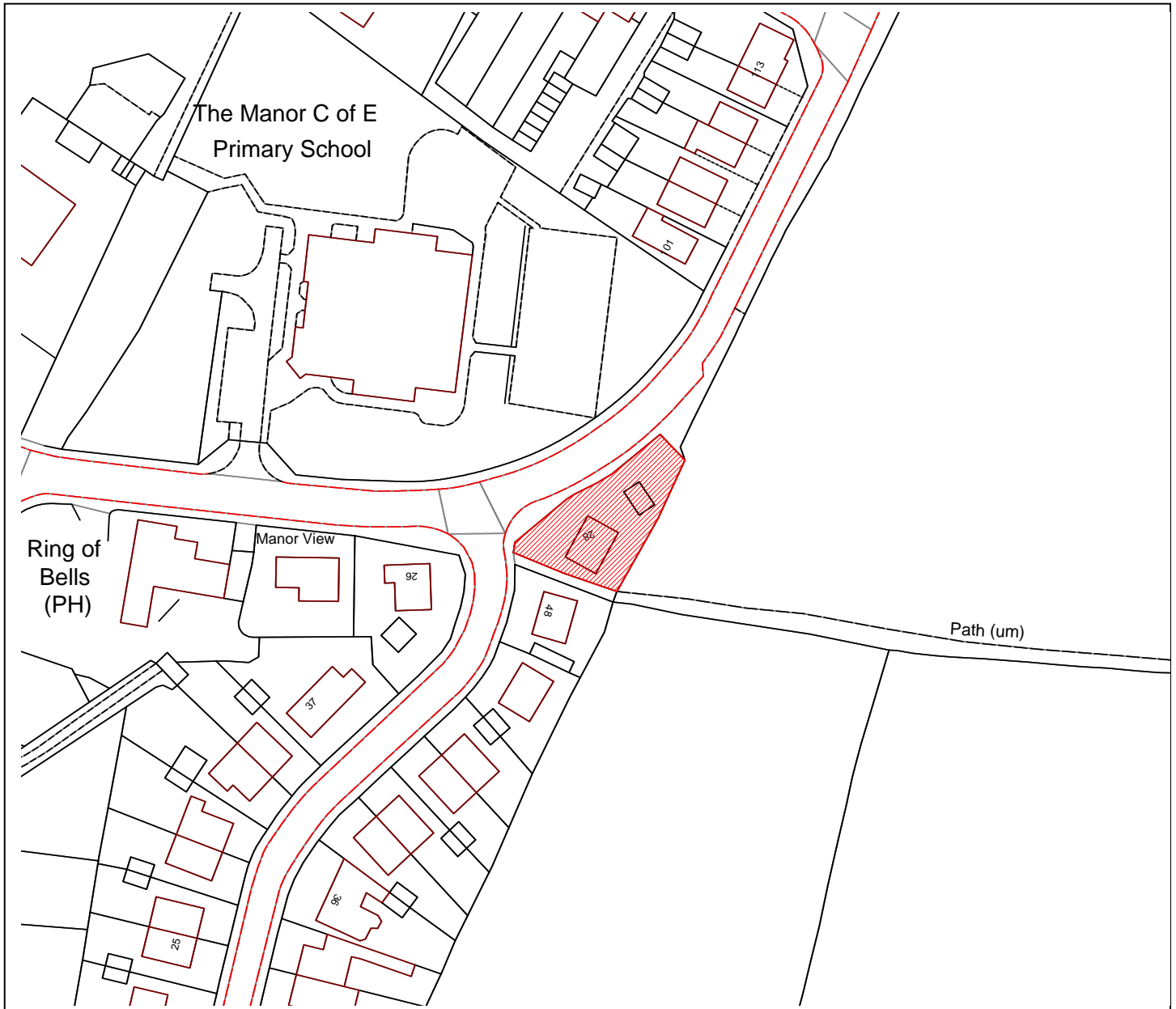
6. The two car parking areas to the front of the application site hereby approved shall be finished with a bound surface and thereafter retained as such.

Reason(s):

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

CIRCULATED SCHEDULE NO. 24/07 – 15 JUNE 2007

App No.:	PT07/1450/F	Applicant:	Mr C Whittaker
Site:	28 Roundways Coalpit Heath BRISTOL South Gloucestershire BS36 2LT	Date Reg:	9th May 2007
Proposal:	Erection of 1no. dwelling and formation of vehicular access with associated works.	Parish:	Westerleigh Parish Council
Map Ref:	67573 80551	Ward:	Westerleigh



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N.T.S

PT07/1450/F

This application appears on the Circulated Schedule following the receipt of one letter of objection received from a neighbouring property.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a detached two-storey dwelling.
- 1.2 The application site comprises an existing two-storey detached dwelling and its associated garden land on the eastern side of Roundways (opposite The Manor Church of England Primary School), Coalpit Heath. The application site lies just within the settlement boundary with this running along the rear of the site and along the north boundary before crossing to the opposite side of the road.
- 1.3 Amended plans for part of this application with windows to bedroom 3 and the rear ensuite bathroom originally omitted on the plans provided.

2. POLICY CONTEXT

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS3	Housing
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H2	Proposals for Residential Development
H4	Development within Residential Curtilages
GB1	Development within the Green Belt
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Urban Design Checklist (Consultation Draft) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No objection
- 4.2 Other Consultees
Environmental Services: no objections in principle
Technical Services (drainage): no objection in principle
- 4.3 Summary of Local Residents Comments:
One letter received expressing the following concerns:
 - a) The existing dwelling benefits from ample parking space (albeit unused):
 - b) The site is on a bend outside a primary school and close to a road junction.
At the end of the day, 'school chaos ensues' whilst parked cars and boundary fencing further hinders visibility around this bend;
 - c) Parked vehicles on the pavement already endanger pedestrian safety;

d) Approval will exacerbate these existing highway safety problems.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H2 of the South Gloucestershire Local Plan allows for the principle of residential development provided that the maximum density comparable with the site, its location, accessibility and surroundings is achieved. Further, the works should not have an unacceptable environmental or transportation effect and should not have an adverse impact on residential amenity.

5.2 Planning policy H4 echoes these above requirements and further requires that proposals do not prejudice the retention of adequate private amenity space and provide sufficient amenity space for any additional dwellings.

5.3 Design/ Visual Amenity

The application site forms a detached two-storey dwelling on the east side of Roundways adjacent to the junction with St. Anne's Drive, opposite The Manor Church of England Primary School.

5.4 The existing detached two-storey property is of similar design to the adjoining dwellings along St. Anne's Drive comprising chalet style units with many having been subject to front flat roofed box style dormer extensions. Further, as per a number of these immediately adjoining units to the south, rear garden space is limited with the main area of garden (associated with the host unit) found to the north side of the dwelling.

5.5 Having regard to the proposal, full planning approval is sought for the erection of a similar detached unit on this garden land to the north of the host dwelling. This would comprise a three bedroom chalet style unit that would benefit from a full length flat roofed box style dormer. The proposal would necessitate the demolition of the existing garage to this side of the existing unit with parking now provided between the dwellings.

5.6 In response, it is noted that the build would be of similar appearance to these aforementioned dwellings along St. Anne's Drive. As such, whilst the resultant design approach is not one that would generally be encouraged, it would help to integrate the proposal with these existing buildings ensuring that the property would not appear as visually prominent as otherwise might be the case.

5.7 With regard to the size of plot created, this would be tapered narrowing towards its northern end. Nonetheless, sufficient space would be provided to ensure that the property could be reasonably stepped back from the highway whilst space to either side would compensate for the restricted rear garden. In this regard, neighbouring gardens are similarly restricted.

5.8 In view of the above, the proposal is considered acceptable and in keeping with the general character of the area.

5.9 Impact upon the Openness of the Green Belt

The application site adjoins the green belt along its rear and north boundaries. Regard should therefore be had to planning policy GB1 which states that '*any proposals for development within or conspicuous from the green belt which would have an adverse impact on the visual amenity of the green belt will not be permitted*'. In this sense, this design approach has some benefits given that

the proposal would appear single-storey from behind with only velux roof lights proposed at first floor level.

5.10 In view of the above, the proposal is considered acceptable with no significant adverse impact to the openness of the Green Belt caused.

5.11 Density

Planning policy H2 advises that the maximum density compatible with the site, its location, accessibility and surroundings should be achieved. In this regard, the expectation is that a minimum of 30 dwellings per hectare will be achieved. However, where local circumstances permit, upwards of 50 dwellings will be anticipated.

5.12 Concerning this application, it is considered that there is insufficient space to accommodate more than one additional unit and thus no objection is raised on this basis. (The proposal would equate to 58 dwellings per hectare.)

5.13 Residential Amenity

Only the host dwelling adjoins the application site. In this regard it is noted that there are no side facing windows within this existing property whilst only a ground floor utility door and window are proposed as part of the new dwelling. Further, the twin driveways serving the existing and proposed dwellings would allow an appreciable distance between these two properties. As such, on this basis, it is not considered that any significant adverse impact in residential amenity would be caused.

5.14 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).

5.15 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 is **GRANTED** subject to the following conditions:

Background Papers **PT07/1450/F**

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

CONDITIONS

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

Reason(s):

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

2. 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(s):

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

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

Reason(s):

In view of the restricted size of the application site, and 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, all to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained (with a bound surface) for that purpose.

Reason(s):

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

5. No vehicular entrance gates shall be erected at the entrance to either dwelling.

Reason(s):

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

6. There shall be no front boundary treatment in excess of 0.6m along the frontage of the application site (including both dwellings).

Reason(s):

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

CIRCULATED SCHEDULE NO. 24/07 – 15 JUNE 2007

App No.: PT07/1548/RVC
Site: Pristine Group 162-164 Gloucester Road
 Patchway BRISTOL
 South Gloucestershire BS34 5BG

Applicant: Mr A Manson
Date Reg: 17th May 2007

Proposal: Variation of condition 4 attached to Planning permission PT02/0729/F to ensure the highway improvements to Redfield Road indicated on drawing 826/17 are completed prior to the occupation of the flats, rather than prior to the commencement of development

Parish: Patchway Town Council

Map Ref: 60623 81398

Ward: Patchway



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N.T.S

PT07/1548/RVC

1. THE PROPOSAL

- 1.1 This application seeks consent to vary condition 4 attached to planning permission PT02/0729/RVC granted on appeal which stated that :-

“The building works hereby approved shall not be commenced until the highway improvements to Redfield Road indicated on drawing no. 826/17 have first been completed. The improvements shall thereafter be retained as such unless otherwise agreed in writing by the local planning authority.”

- 1.2 The applicant’s wish to vary the condition to :-

“The twelve flats hereby approved shall not be occupied until the highway improvements to Redfield Road indicated on drawing 826/17 have first been completed. The improvements shall thereafter be retained as such unless otherwise agreed in writing by the local planning authority.”

- 1.3 The application related to the conversion and extension of 162-164 Gloucester Road to form 12 flats. It was granted on appeal on 2 September 2002.

- 1.4 The highway works are currently being undertaken.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Joint Replacement Structure Plan

Policy 33	Housing Provision and Distribution
Policy 34	Re-use of Previously Developed Land

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H2	Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
H5	Residential Conversions, House in Multiple Occupation and Re-use of Buildings for Residential Purposes
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

Design Checklist (Consultation Draft)

3. RELEVANT PLANNING HISTORY

- 3.1 PT02/0729/F Conversion and extension of existing premises to form 12 flats.
Allowed on appeal 2 September 2002.

4. CONSULTATION RESPONSES

4.1 Patchway Town Council
No response received.

4.2 Sustainable Transport
No objection.

4.3 Local Residents

3 letters have been received stating the following:-

- a) temporary pavement is dangerous as barriers have either been blown or pushed over and in its present state is dangerous to pedestrians;
- b) access out of the adjacent car park serving 166 Gloucester Road is difficult.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks to vary condition 4 attached to planning permission PT02/0729/F to allow highway improvement works to Redfield Road to be completed prior to the occupation of the flats, rather than prior to the commencement of the development. The flats are already under construction and as such the development is in breach of this condition.

5.2 The site fronts onto the A38, a busy urban dual carriageway. Redfield Road is adjacent to this junction and is unadopted, of single vehicular width and has no footway for the first 50m or so of its length. The Inspector, in his decision notice stated that *“the proposed improvements to Redfield Road and the provision of on-site parking are vital to the proper functioning of the scheme. However, to take account of construction traffic, the road widening should be carried out prior to the commencement of building works on the site”*

5.3 Due to the works already undertaken it is impossible to go back to “prior to the commencement of development” and it would not be expedient to undertake enforcement action as the works are substantially completed. However, to ensure that pedestrian safety is maintained the applicant should ensure that at all times a segregated pedestrian link to the A38 is maintained until the works are completed. This will be a condition of any planning permission.

5.4 A Design and Access Statement is not required for an application of this type.

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 That planning permission be granted.

Background Papers PT07/1548/RVC

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CONDITIONS

1. The twelve flats hereby approved shall not be occupied until the highway improvements to Redfield Road have been completed in full accordance with the details shown on drawing 826/17. The improvements shall thereafter be retained as such unless otherwise agreed in writing by the local planning authority.

Reason(s):

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

2. A segregated pedestrian link shall be maintained at all times until the works are complete.

Reason(s):

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