



**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. 13/07**

**Date to Members: 29/03/07**

**Member's Deadline: 05/04/07**

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](mailto: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](mailto: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: 29/03/07**

**SCHEDULE NO. 13/07**

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](mailto: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.

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

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

**Please note: - Reason for Referral**

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

**SIGNATURE .....**

**DATE .....**

# Circulated Schedule 29 March 2007

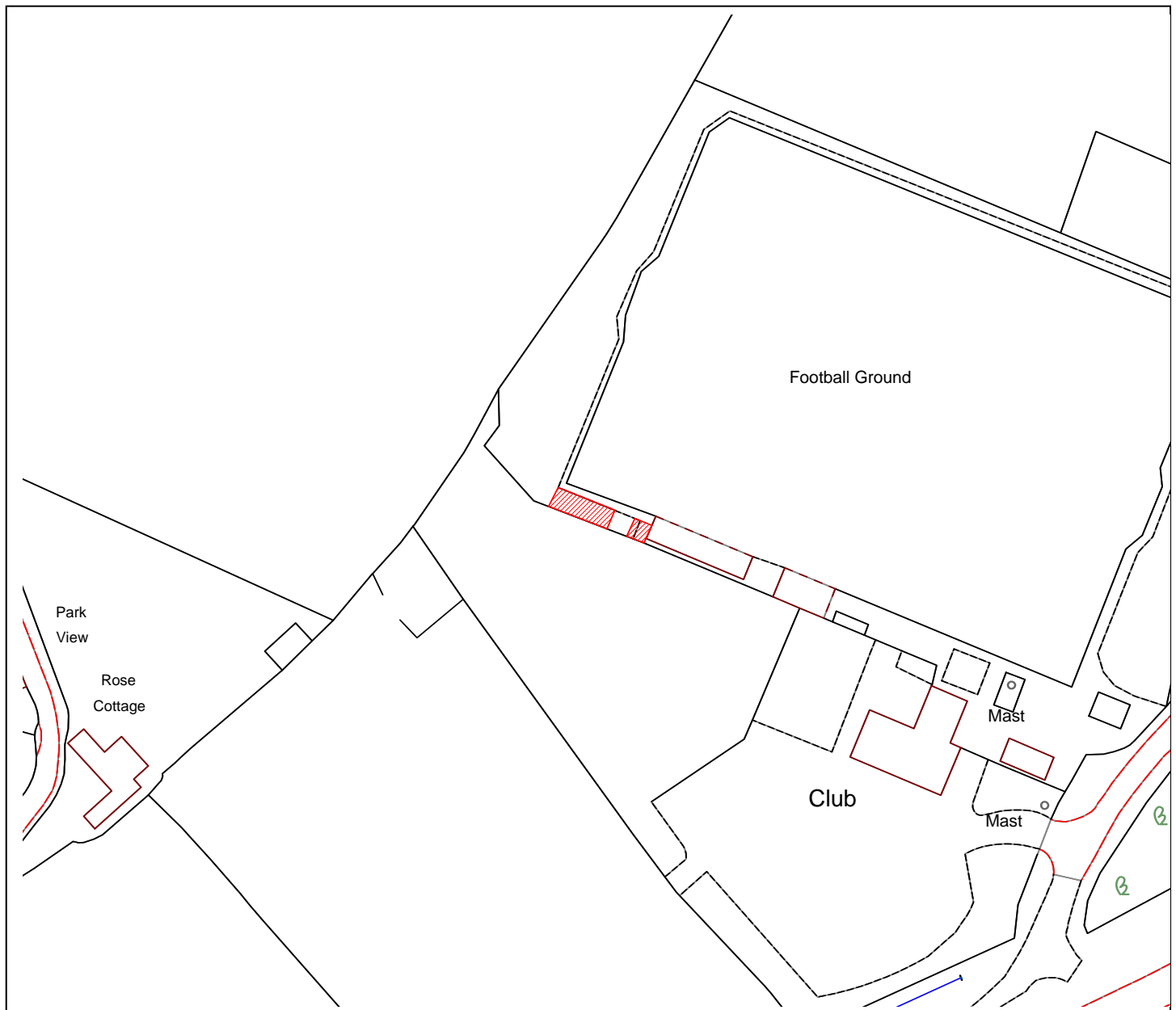
ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>PK06/1540/F</b>	Approved subject to Section 106	Yate Town Football Club Lodge Road Yate South Gloucestershire BS37 7LE	Ladden Brook	Iron Acton Parish Council
2	<b>PK06/3255/F</b>	Approve with conditions	Lavenham Farm Nibley Lane Iron Acton South Gloucestershire BS37 9UR	Ladden Brook	Iron Acton Parish Council
3	<b>PK06/3310/F</b>	Approve with conditions	10 Goose Green Yate South Gloucestershire BS37 5BJ	Yate West	Yate Town Council
4	<b>PK06/3357/F</b>	Approve with conditions	179 High Street Oldland Common South Gloucestershire BS30 9QG	Oldland Common	Bitton Parish Council
5	<b>PK07/0149/F</b>	Approve with conditions	67 Woodyleaze Drive Hanham South Gloucestershire BS15 3BX	Hanham	Hanham Parish Council
6	<b>PK07/0205/F</b>	Approve with conditions	55 Sunnyvale Drive Longwell Green South Gloucestershire BS30 9YQ	Longwell Green	Oldland Parish Council
7	<b>PK07/0274/F</b>	Approve with conditions	MS -2 Stores 75 Quakers Road Downend South Gloucestershire BS16 6NH	Downend	Downend and Bromley Heath
8	<b>PK07/0388/F</b>	Approve with conditions	1a Lower Station Road Staple Hill South Gloucestershire BS16 4LT	Staple Hill	
9	<b>PK07/0474/R3F</b>	Approve	Christchurch C of E VC Infants School Christchurch Avenue Downend South Gloucestershire BS16 5TG	Downend	Downend and Bromley Heath
10	<b>PK07/0501/F</b>	Approve with conditions	15 Baron Close Bitton South Gloucestershire BS30 6LS	Bitton	Bitton Parish Council
11	<b>PK07/0547/F</b>	Approve with conditions	200 Badminton Road Downend South Gloucestershire BS16 6NP	Downend	Downend and Bromley Heath
12	<b>PK07/0613/F</b>	Approve with conditions	56 Abbots Road Hanham South Gloucestershire BS15 3NG	Hanham	Hanham Abbots Parish Council
13	<b>PT06/1722/F</b>	Approve with conditions	The Great Barn Denys Court Olveston South Gloucestershire BS35 4DU	Severn	Olveston Parish Council
14	<b>PT06/1733/LB</b>	Approve with conditions	The Great Barn The Denys Court Olveston South Gloucestershire BS35 4DU	Severn	Olveston Parish Council
15	<b>PT07/0204/F</b>	Refusal	330, 332 Land to rear of Deorham, Passage Road Almondsbury South Gloucestershire BS10 7TE	Almondsbury	Almondsbury Parish Council

<b>ITEM NO.</b>	<b>APPLICATION NO</b>	<b>RECOMMENDATION</b>	<b>LOCATION</b>	<b>WARD</b>	<b>PARISH</b>
16	<b>PT07/0280/R3F</b>	Approve	Meadowbrook Primary School Three Brooks Lane Bradley Stoke South Gloucestershire BS32 8TA	Bradley Sto Sherbourne	Bradley Stoke Town Council
17	<b>PT07/0335/F</b>	Approve with conditions	7 Station Road Patchway South Gloucestershire BS34 6LP	Patchway	Patchway Town Council
18	<b>PT07/0516/F</b>	Approve with conditions	Abbeywood Tots Day Nursery 97 Station Road Filton South Gloucestershire BS34 7JT	Filton	Filton Town Council
19	<b>PT07/0559/F</b>	Refusal	The Cottage Harry Stoke Road Stoke Gifford South Gloucestershire BS34 8QH	Stoke Gifford	Stoke Gifford Parish Council
20	<b>PT07/0581/ADV</b>	Approve with conditions	Thornbury Leisure Centre Thornbury Road Thornbury South Gloucestershire BS35 3JB	Thornbury South	Thornbury Town Council
21	<b>PT07/0586/F</b>	Approve with conditions	15b Gloucester Road Almondsbury South Gloucestershire BS32 4HD	Almondsbury	Almondsbury Parish Council

# ITEM 1

## CIRCULATED SCHEDULE NO. 13/07 – 29 MARCH 2007

<b>App No.:</b> PK06/1540/F	<b>Applicant:</b> 02 (UK) Ltd
<b>Site:</b> Yate Town Football Club Lodge Road Yate BRISTOL South Gloucestershire BS37 7LE	<b>Date Reg:</b> 24th May 2006
<b>Proposal:</b> Relocation of 1no. 22.5m slim-line monopole. Installation of generator and storage fuel tank.	<b>Parish:</b> Iron Acton Parish Council
<b>Map Ref:</b> 69618 83451	<b>Ward:</b> Ladden Brook



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100023410, 2007.

**N.T.S**

**PK06/1540/F**

## **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the relocation of 1 no. 22.5 metres slim-line monopole to an existing floodlight within the ground of Yate Town Football Club. Previous planning permissions, PK05/0008/F and PK05/1178/F were granted for a similar proposal, and these permissions have not yet implemented. The followings are the main differences:
- Proposed Nokia equipment cabinets (2320x750x1940mm) on a concrete base.
  - Proposed 3 No. GSM Antennas
  - The site for the outdoor equipment is reduced from 35 square metres to 20 square metres.
- 1.2 The applicant is willing to surrender the existing permissions via planning an appropriate legal agreement.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG8	Telecommunications

### 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
S5	Telecommunications

## **3. RELEVANT PLANNING HISTORY**

The site has been the subject of a number of applications in the past. However, the following are the most relevant to the determination of this application.

- 3.1 PK02/0572/F Replacement of existing 20m high floodlight within a 23.5m high monopole, 3 antennas, 3 dishes, relocated lights and ancillary equipment.  
Approved 18.04.02
- 3.2 PK05/0008/F Replacement of existing floodlight tower to erect 1 no. 22.5 metres telecommunications monopole incorporating existing lights.  
Approved 28.02.05
- 3.3 PK05/1178/F Installation of 3 no. aerials on existing mast with associated equipment cabinets and associated ancillary development.  
Approved 21.06.05

## **4. CONSULTATION RESPONSES**

- 4.1 Iron Acton Parish Council  
No response received.

## **Other Representations**

- 4.2 Local Residents  
No response received.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The application for the replacement of existing floodlight tower with 1 no. 22.5 metres telecommunication monopole incorporating existing lights must be considered against the guidance contained within PPG8 and Policy S5 of the South Gloucestershire Local Plan (Adopted) January 2006.

Policy S5 of the adopted local plan establishes the criteria for assessing applications involving telecommunications. These are as follows:

1. Development would not affect residential amenity,
2. They could not be located on an existing building,
3. The impact upon the built and natural environment are minimised, and
4. There are possibilities of sharing a facility.

The proposed development is therefore assessed against the above policies and addressed in this report.

### **5.2 Visual Amenity**

The existing floodlight pole is approximately 19 metres high and the proposed monopole would be approximately 3.5 metres higher than the existing structure. Nevertheless, the height and the design of the proposed monopole would be very similar as the existing H3G tower. Although the proposed antennas would be bulkier than the previously approved scheme, it is considered that the proposal would be acceptable in this location. The proposed outdoor equipment would be well screened by the proposed 2.1 metres high palisade fence, which would be painted in green to match the existing boundary fence.

It is therefore considered that the proposal would not cause significant adverse visual impact to the surrounding area.

To avoid an accumulation of telecom poles on the site, which would be detrimental to the visual amenity of the area, the applicant has agreed to enter into a legal agreement to surrender the existing permissions. This can only be done by a legal agreement and not by condition.

### **5.3 Network Requirement**

The proposed installation is required to provide coverage to the surrounding area.

### **5.4 Health Implication**

The Council's Environmental Health Officer has no adverse comments to the proposal. It is mentioned that overall existing scientific knowledge covering toxicology, epidemiology and other data relevant to health, provides no convincing evidence that radio telephones and associated equipment pose a long term public health hazard.



In line with guidance contained within PPG8, the applicant has submitted an ICNIRP Declaration. Therefore the health implications of the proposed mast should not be considered further in the determination of this application.

Paragraph 4.30 of the Stewart Report mentions that a large proportion of the power is focussed into an approximately horizontal beam typically about 6° wide in the vertical direction and the rest goes into a series of weak beams. The main beam is tilted slightly downwards but does not reach ground level until the distance from the tower is at least 50 metres (usually 50-200 metres). The nearest school, Brimsham Green School, is approximately 900 metres away, and therefore its siting complies with guidance contained within the Stewart Report, which provides a precautionary approach to locating mast in close proximity to schools.

#### 5.5 Highway Issues

No highway objection is raised to the proposal.

#### 5.6 Residential Amenity

The mast is located more than 80 metres from the nearest residential property, No. 42 Lodge Road and a part of the mast would be screened by the existing landscape along the side of the football ground. Whilst part of the mast would be seen from the public highway or other properties within the area, it is considered that this would not prejudice existing levels of residential amenity to such an extent that a refusal of planning permission would be justified in this instance.

No additional floodlights are proposed, nevertheless the applicant is advised to install the lighting scheme in accordance with the Guidance Notes For The Reduction Of Light Pollution.

#### 5.6 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, but as with the previous consent PK05/0008/F and PK05/1178/F a planning obligation is also required to prevent the potential installation of another floodlight within the site.

## 6. CONCLUSION

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

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

## **7. RECOMMENDATION**

- 7.1 That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an appropriate legal agreement to secure the following:

There shall be no works to replace the existing floodlight tower and to erect 1 no. 22.5 metres telecommunication monopole and to install 3 no. aerials on the said monopole with associated equipment cabinets and associated ancillary development, pursuant to the previous planning permission PK05/0008/F and PK05/1178/F.

The reasons for the agreement is:

To protect the visual amenity of the area.

### **Background Papers      PK06/1540/F**

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

### **CONDITIONS**

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

Reason:

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

2. Notwithstanding the submitted details, the mast and ancillary equipment hereby granted permission shall not be erected until their colours have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out accordance with the approved details and maintained thereafter.

Reason:

To protect the character and appearance of the area and to accord with D1 and S5 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

To protect the character and appearance of the area and to accord with Policies D1 and S5 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 13/07 - 29 MARCH 2007**

**App No.:** PK06/3255/F  
**Site:** Lavenham Farm Nibley Lane Iron Acton  
 BRISTOL South Gloucestershire BS37  
 9UR

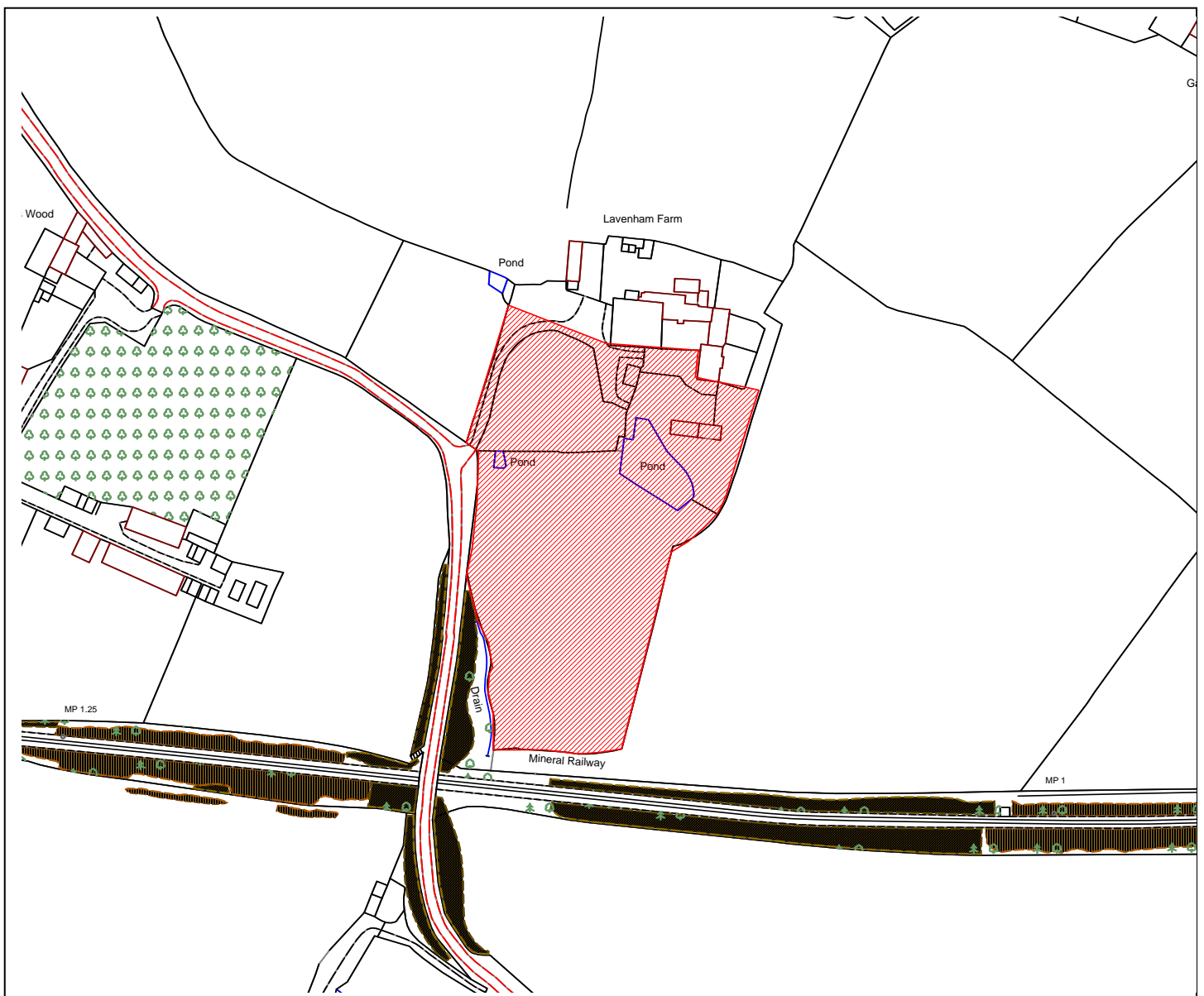
**Applicant:** Mr & Mrs Hollowood  
**Date Reg:** 8th November 2006

**Proposal:** Conversion and extension of building 5  
 and conversion of building 6 as  
 identified on submitted drawing -  
 "proposed site layout and property  
 allocation" - no. HLL1747.PO8h received  
 1st November 2006, to form residential  
 accommodation with ancillary living /  
 work office .

**Parish:** Iron Acton Parish  
 Council

**Map Ref:** 68671 83043

**Ward:** Ladden Brook



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100023410, 2007.

This application appears on the Circulated Schedule as a result of concerns raised by the Parish Council.

## **1. THE PROPOSAL**

- 1.1 The application relates to a complex of traditional farm buildings located at Lavenham Farm, near Iron Acton. The farmland that was formerly associated with the buildings was sold off in the 1970's and absorbed within other farms; although the farmhouse itself has remained occupied, the farm buildings are now redundant. The buildings themselves are attractive and although not Listed do have historic importance. Conversion of the buildings to residential uses would secure the conservation of the buildings. The site lies within the Green Belt and is surrounded by open countryside but is not within a Conservation Area. A PROW currently utilises the access off Nibley Lane and runs to the back of one of the farm buildings.
- 1.2 Planning permission PK06/0769/F was previously granted to convert four of the existing farm buildings to provide four new dwellings; to refurbish an existing building to the rear of the farmhouse to form a residential annexe with a glazed link to the farmhouse; and the conversion of a further building to provide an ancillary office for one of the new dwellings. Vehicular access would be via the existing driveway off Nibley Lane.
- 1.3 The current application relates to two of the barns only and these are known as building 5 and building 6. With regards to these buildings, the original planning permission PK06/0769/F related to the following works:
- Building 5 - Barns/Stable - Convert to 3 bedroom dwelling. The proposal involved the raising of the roof height on the existing annexe, but this building was originally two-storey. Only one new opening would be required in the north elevation to facilitate the conversion. The curtilage would be formed by the existing stone walls and one additional stone wall to form an internal subdivision.
- Building 6 - Wagon Shed - Straightforward conversion to provide office accommodation for ancillary use of occupiers of building 5. Car parking provided to the side.
- 1.4 In the current proposal it is still proposed to convert the buildings as previously approved but it is now proposed to add an additional extension to building 5 on the northern side, to provide a lounge and W.C. at ground floor with bedroom and en-suite above. No changes are proposed to the approved scheme in relation to building 6 which is still proposed to be used as an office ancillary to building 5.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 - Delivering Sustainable Development  
PPG2 - Green Belts  
PPS3 - Housing  
PPS7 - Sustainable Development in Rural Areas  
PPG13 - Transport

PPG15 - Planning and the Historic Environment

## 2.2 Development Plans

### Joint Replacement Structure Plan

Policy 2 - Location of Development

Policy 3 - Landscape Protection

Policy 16 - Green Belt

Policy 59 - New Development – transport issues

### South Gloucestershire Local Plan (Adopted) January 2006

D1 - Design

L1 - Landscape Protection and Enhancement

L2 - Cotswold AONB

L9 - Species Protection

LC12 - Recreational Routes

L12 - Conservation Areas

L13 - Listed Buildings

GB1 - Development within the Green Belt

T8 - Parking Standards

T12 - Transportation Development Control Policy for New Development

EP1 - Environmental Pollution

H4 - Development within Residential Curtilages

H10 - Conversion and Re-use of Rural Buildings for Residential Purposes

## 2.3 Supplementary Planning Guidance

Re-Use and Conversion of Farm Buildings (Consultation Draft)

## 3. RELEVANT PLANNING HISTORY

3.1 N1510 - Use of land for the stationing of a mobile home.  
Approved 10<sup>th</sup> July 1975

3.2 N1510/1 - Use of land for the stationing of a mobile home (renewal of temporary consent).  
Approved 25<sup>th</sup> November 1976

3.3 PK06/0769/F - Conversion of 4no. barns to 4no. dwellings, conversion of outbuilding to ancillary office. Conversion of outbuilding to 2 bedrooled annexe with erection of glazed walkway plus associated works.

## 4. CONSULTATION RESPONSES

### 4.1 Iron Acton Parish Council

The Parish Council objects on the following grounds:

- The lane will not be able to support the increase in traffic movements caused by this and the previously approved development PK06/0769/F.
- The entrance to this site is on a very dangerous bend.
- The site would be over developed.
- This is inappropriate development in the Green Belt.
- The adverse impact on wildlife in the barns, such as, bats.

#### 4.2 Other Consultees

##### The Environment Agency

No comments to make.

##### Wessex Water

There are no existing public foul or surface water sewers in the vicinity of the site. Foul drainage is to be disposed of to a 'bio-disc system' and surface water to 'soakaways'. The Council should be satisfied with any arrangement for the disposal of foul and surface water flows generated by the development.

##### The Ramblers' Association

No objection subject to standard comments.

#### 4.3 Sustainable Transport

No objections subject to conditions.

#### **Other Representations**

#### 4.4 Local Residents

No responses

### 5. **ANALYSIS OF PROPOSAL**

#### 5.1 Principle of Development

The acceptance in principle of the conversion of these buildings for residential and ancillary office use respectively, has already been established with the granting of planning permission PK06/0769/F. The main issue to be considered in this current application is whether or not the proposed extension to building 5 is acceptable in terms of its scale and design in relation to its impact on the openness of the Green Belt and the rural character of the original building. Paragraph 17 of PPS7 states that '*the Government's policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building.*' In the first instance however the proposal must be considered against current Green Belt Policy contained in the latest version of PPG2 and reflected in Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. Policy GB1 permits changes of use only where they would not have materially greater impact than the present authorised use on the openness of the Green Belt.

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

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

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

- 5.2 The extension now proposed would compensate for existing buildings that were recently demolished on Council Officer's advice. These buildings were considered unsightly but stood on much the same site as the extension now proposed. The complex is already well enclosed and sub-divided by existing fences and walls, which already define what would become the individual curtilages. Nevertheless the erection of the extension would enhance this sense of enclosure to the central yard area. The proposed extension would be only 1.5 storeys high and being only a 33% increase in the volume of the previously approved dwelling would not represent a disproportionate addition. Car parking would for most part, be contained within the central courtyard. This sense of enclosure would be further enhanced by a scheme of landscaping to be secured by condition. Since the farm buildings have lain redundant for some years, a good deal of the land around them, particularly around the driveway, has already taken on a domestic appearance. The buildings are of permanent construction and capable of conversion. Being farm buildings of traditional design they are in-keeping with the rural setting. On balance therefore officers are satisfied that the proposal would not significantly compromise the openness of the Green Belt.
- 5.3 Further consideration must be given to the criteria contained in Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which relates to the conversion and re-use of existing rural buildings, outside the urban areas and boundaries of settlements, for residential purposes. The policy requires all criteria listed to be satisfied. These criteria are discussed as follows:
- 5.4 **A. All reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use;**
- 5.5 The farm buildings have been redundant for some years and there is no prospect that they will ever be used for farming purposes again in the future. In this particular instance the buildings have not been marketed for a business re-use, neither is the scheme part of a business re-use. This is because the access to the site is considered to be totally inadequate to support the likely traffic generation associated with any business uses for these buildings. The Council's Highway Officer concurs with this view. Whilst the use of the buildings for Holiday Lets would generate traffic levels more akin to the existing lawful use of the site, officers consider it unlikely that anybody would choose to finance the cost of conversion of these substantial barns rather than acquire property in a more convenient and cheaper location elsewhere. Holiday lets would be a quasi-residential use anyway, which would be seasonal only and unlikely in this case to offer a realistic return on the amount of investment needed to afford a high enough quality conversion of these important buildings. Officers are therefore satisfied that having regard to the historic nature and architectural quality of the buildings and constraints upon the site, as well as the previous grant of planning permission PK06/0769/F it would in this case be futile to demand a marketing exercise to attempt to find a business or community use, that might generate less traffic than the residential uses proposed. This approach is supported by a recent (October 2005) appeal

decision (APP/T3915/A/04/1164852) relating to a very similar scenario, albeit not in South Gloucestershire.

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

5.7 The applicants have previously submitted a structural survey of the buildings that was carried out by a suitably qualified person. The Council's own Structural Engineer also inspected the buildings and having considered the contents of the structural survey concluded that the buildings are structurally sound and capable of conversion without major re-construction.

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

5.9 The buildings are traditionally designed and exhibit both important architectural and historical features that are considered worthy of retention. The buildings are very much in-keeping with the rural surroundings.

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

5.11 The proposed extension is not considered to be excessive in scale. For most part the existing form and character of the building would be retained. The scheme has been re-designed, at officer request, in order to reduce the visual impact of the extension. The existing sub-divisions within the site would not radically alter and the proposed curtilages are for most part already defined. The buildings form a well enclosed and tightly related complex, the appearance of which would be enhanced by a scheme of hard and soft landscaping. The character of the countryside and amenities of the surrounding area would not be significantly compromised.

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

5.13 The buildings themselves form a well related group. Furthermore the farm complex lies only 500m from Iron Acton Villlage, which has a primary school, public house/guest house, church and village hall. There is a regular bus service from Iron Acton Village to Yate and Bristol City centre. The site is therefore well related to an existing settlement.

5.14 Impact Upon Residential Amenity

The buildings within the site are well related to each other and lend themselves very well to being converted for residential uses. There would be adequate private amenity space to serve the dwelling created, the scheme is not therefore considered to be an overdevelopment of the site. Since there are no other residential properties within close proximity of the site there would be very little impact on existing residential amenity. For the existing and future occupiers of the barns there would be no significant issues of overbearing impact or loss of privacy from overlooking or inter-visibility. The impact on residential amenity is therefore acceptable.



5.15 Design and Conservation Issues

The Council's current Conservation Officer has inspected the buildings. A design Statement has been submitted in support of the application. The barns, although not listed are close to listable quality and form an important and attractive grouping. Officers consider that the character of the buildings and their setting should be safeguarded and that this is an important material consideration in the determination of this application.

5.16 The conversion and extension now proposed, has been designed in consultation with Council Officers and would adequately retain the existing form and character of the buildings. Existing roof structures would be retained and repaired. Roof coverings would be reused and the detailing would remain as existing. Rubble stone walls would be repaired and jointed and pointed in lime mortar to match existing. No new openings would be formed in the stone walls of the buildings. Existing external walls would be lined and insulated to comply with the requirements of current Building Regulations. New insulated concrete ground floor slabs would replace the existing barn floors. The joinery for new external doors, double glazed windows and boarding would be simple, naturally weathered oak.

5.17 As with the previous consent PK06/0769/F, subject to a number of conditions to secure among other things the appropriate use of materials, landscaping, boundary treatment and removal of any permitted development rights, the scheme is supported. It is also noted that officers considered that with the buildings so close to the main residence, it is unlikely that a sustainable and non-intrusive commercial use could be found for the outbuildings. A commercial use would also require substantial improvement to the farm access, which would be to the detriment of the existing character and appearance.

5.18 Transportation Issues

In response to the original application PK06/0769/F officers considered that the existing site access from Nibley Lane is substandard by reasons of inadequate visibility onto the public highway. Additionally the access road itself is substandard by reason of inadequate width for two-way traffic, no footway facilities and unsatisfactory forward visibility.

5.19 In response to these concerns the applicant commissioned a traffic report and full traffic survey and submitted revised proposals for access improvements. Officers were satisfied that based on the information provided actual vehicular speeds at the location are below 30mph. Based on the actual speed survey, officers were satisfied that visibility splays from the site access onto Nibley Lane conform with the observed speeds and hence refusal of the application on this basis could not be substantiated. The Council's Highway Officer is satisfied that the extension now proposed would not result in further significant impact on the highway network and hence there are no objections to the revised proposal.

5.20 The applicant is proposing to introduce a 4m kerb radii at the access, which would allow for a 4.1m width of access 8m back from the highway edge. The existing gates and pillars would be removed and the access re-surfaced. The PROW would be retained in its current position. Four passing bays would also be provided along Nibley Lane. Subject to these matters again being secured by the same conditions as were previously imposed under PK06/0769/F, officers raise no objection to the proposal.

5.21 Comparison of traffic generation proposed with other potential uses

Officers previously considered that the traffic generation from the existing authorised (farming) use of the site would be in the order of 14 to 18 movements per day. Based on the TRICS data-base the anticipated traffic from a residential dwelling in this location would be 7 movements per day i.e. 28 movements for the 4no. new houses. Whilst this would be an increase in traffic generation over the existing use, it equates to only 2no. additional car movements in the morning/evening peak hours. In the context of the existing traffic on the surrounding highway network, such an increase is not considered to be material. If however the buildings were for commercial uses, the traffic generation is likely to be significantly higher (although 'holiday lets' would generate comparable traffic levels to that of the current lawful use) and for this reason any proposed commercial uses of the buildings would be resisted.

5.22 Landscape Issues

The character of the site is rural and low key with the farm house and mature trees being the dominant features. The previously approved scheme retains the existing vegetation and walls that for most part would define the residential curtilages proposed and contain the parking areas within the centre of the site. The extension whilst retaining a reasonable gap between buildings 4 and 5 would close the views of the internal parking areas from the open Green Belt land to the east.

5.23 Notwithstanding the details already submitted, a condition would be imposed to secure the submission of a full landscape scheme with proposed boundary treatments for approval prior to the commencement of any development on the site. This would include hedgerow planting on the eastern boundary. Furthermore the existing boundary wall would be extended in front of the extension to create further screening. Subject to the external works being simple and low key there is no objection to the proposal in landscape terms.

5.24 Ecology

The buildings and adjacent pond have been surveyed, by an appropriately qualified person, for the presence of protected species. A report has been submitted to the Council's Ecologist, which confirms that there are no bat roosts in either building 5 or 6; no other protected species were present on the site. The Council's Ecologist has no objections to this revised proposal.

5.25 Drainage

In response to the comments made by Wessex Water and the Council's Drainage Engineer, further details have been previously submitted regarding the proposed disposal of foul waste. It is now proposed to use individual bio disk treatment plants for the new dwelling. This is considered acceptable and subject to the standard conditions there are no drainage objections.

5.26 Environmental Issues

The Council's Environmental Protection Section raised no objections in principle. Due to the previous uses of the buildings a condition to secure a prior contamination survey and measures of mitigation if required is recommended.

5.27 Public Rights of Way

Public Footpath LIA24 utilises the site access from Nibley Road, skirting the driveway to exit via a newly installed kissing gate, into the fields behind the existing Cow Byre. The footpath would be retained on its current route and access maintained. A condition to prevent any gates on the access would be

imposed and the originally proposed iron bar estate fencing has been removed from the scheme. Subject to the standard informatives, there are no objections to the proposal.

#### 5.28 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).

#### 5.29 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 Despite the authorised farming use of the buildings, they have for many years lain redundant or used for domestic purposes ancillary to the residential occupation of the farmhouse. Whilst the site is in open countryside it is relatively close to Iron Acton. A commercial use of the buildings might be preferable in policy terms, but the sub-standard access to the site precludes such a use. The proximity to the farmhouse and likely impact on the Green Belt are other possible constraints on such a use. The overriding material consideration however is the need to restore and conserve the traditional character and setting of the buildings, which although not listed, are still a very good example of a traditional vernacular farm complex. The scheme as proposed would offer the opportunity to achieve this goal. On balance therefore and subject to the conditions outlined in this report, the scheme is considered acceptable.
- 6.2 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.
- 6.3 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

### 7. RECOMMENDATION

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

**Background Papers**      **PK06/3255/F**

**Contact Officer:**    **Roger Hemming**  
**Tel. No.**                **01454 863537**

## **CONDITIONS**

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

Reason:

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

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

Reason 1:

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

Reason 2:

To control future development in the interests of the visual amenity and openness of the Green Belt in accordance with Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

To protect the character and appearance of the area to accord with Policies H4/H10/D1/L1/GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out during the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

Reason:

To protect the character and appearance of the area to accord with Policies H4/H10/D1/L1/GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

Reason:

To protect the character and appearance of the area to accord with Policies H4/H10/D1/L1/GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. Notwithstanding the details within the plans and design statement hereby approved, all new windows, doors, glazed screens and weather boarding must be constructed in naturally weathered oak. All windows should be constructed as traditional pattern flush timber casements (i.e. not storm casements).

Reason:

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

10. Notwithstanding the details on the plans and within the design statement hereby approved, the conservation rooflights on Building 5 shall be no larger than 800mm x 500mm and installed flush with the roof surface.

Reason:

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

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

Reason:

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

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

Reason:

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

13. Prior to the commencement of development, full details comprising plans at a scale no smaller than 1:5 of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details:

- (a) typical windows;
- (b) door;
- (c) lintel;
- (d) cill;
- (e) eaves
- (g) roof verge

Reason:

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

14. The office hereby approved shall be used as ancillary to the dwelling formed by the conversion of building 5 only as shown on the approved plans.

Reason:

To ensure that the office accommodation is not occupied as a separate unit because there is insufficient space and facilities for the creation of an additional separate unit on this site, having regard to the limited access facilities, and to accord with Policy H4, H10 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

15. Prior to the first occupation of the development hereby approved, the site access at its junction with Nibley Lane shall be widened to 4.1m over an 8m length back from the bellmouth.

Reason:

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

16. The vehicular access at its entrance from Nibley Lane shall be surfaced with bound material to the full satisfaction of the Street Care Manager.

Reason:

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

17. Prior to the commencement of the development hereby approved, details of the location of 4no. passing bays to be inserted on Nibley Lane shall be submitted to and agreed in writing by the Local Planning Authority. The passing bays shall be inserted in accordance with the details so agreed, prior to the first occupation of the development hereby approved.

Reason:

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

18. Prior to the commencement of any on-site works, a schedule of dilapidation survey should be undertaken and agreed by both parties of the highway network in the locality, including all highway structures. Any post development damage to be made good by the developer to the full and final satisfaction of the highway authority.

Reason:

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

19. At no time shall lockable or electric gates be erected at the site access from Nibley Lane unless given prior consent of the Local Planning Authority.

Reason:

To maintain access to the Public Right of Way LIA 24 in accordance with Policy LC12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

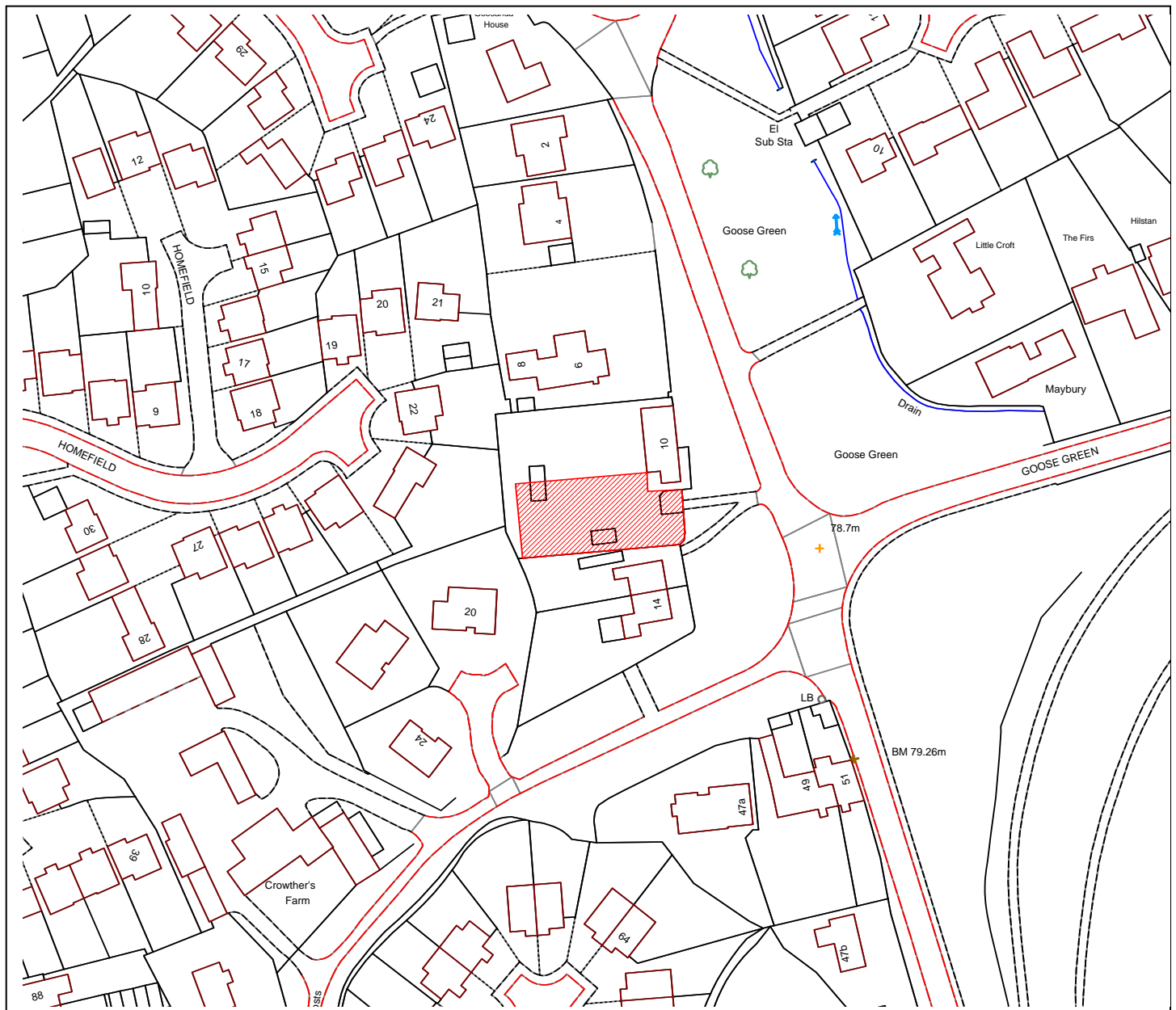
Reason:

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

# ITEM 3

## CIRCULATED SCHEDULE NO. 13/07 - 29 MARCH 2007

<b>App No.:</b> PK06/3310/F	<b>Applicant:</b> Mr R Wallis
<b>Site:</b> 10 Goose Green Yate BRISTOL South Gloucestershire BS37 5BJ	<b>Date Reg:</b> 14th November 2006
<b>Proposal:</b> Erection of 1 no. dwelling with integral garage and additional detached garage for use by No.10 Goose Green.	<b>Parish:</b> Yate Town Council
<b>Map Ref:</b> 71353 83459	<b>Ward:</b> Yate West



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100023410, 2007.

**N.T.S**

**PK06/3310/F**



## **INTRODUCTION**

This application has been referred to the Circulated Schedule due to the receipt of local residents' objections.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of 1 no. four bedroom detached dwelling with access, integral garage, and other associated works. The proposal also includes the construction of detached garage for the existing dwelling. The new dwelling is to be erected in the garden of No. 10 Goose Green Yate and will access out onto Goose Green. The new dwelling would be two storeys in height.
- 1.2 The application site concerns an area of land approximately 0.05 ha. The site is currently in use as residential curtilage and is surrounded by group of residential properties.
- 1.3 There are single storey extensions to the side of the existing outbuilding that will have to be demolished to make way for the erection of the dwelling. Consent is not however required for the demolition of the outbuilding, it is not part of a listed building nor within a conservation area.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPG3	Housing
PPS3	Housing
PPG13	Transport: Guide to Better Practice

#### **2.2 Development Plans**

##### South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
H2	Proposals for Residential Development within Existing Urban Area and Defined Settlement Boundaries
H4	Development with Existing Residential Curtilages, including Extensions and New Dwellings
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

### **3. RELEVANT PLANNING HISTORY**

- 3.1 N2052 Use of land and buildings as a bird farm (renewal of temporary consent)  
Approved 13.11.75
- 3.2 N2052/1 Use of land and buildings as a bird farm  
Approved 15.02.79
- 3.3 P88/3376 Erection of two single storey rear extensions to provide lounge / sun room.  
Approved 11.01.89

## **4. CONSULTATION RESPONSES**

### **(a) Statutory Consultees**

#### **4.1 Yate Town Council**

Initial proposal: Objection unless the design and materials are better adapted to suit the Goose Green locality. The Planning Authority should note that to enable this development to take place, the applicant will require the Town Council's permission to cross Goose Green (a registered Village Green).

Revised proposal: Objection. Highway access will be severely impaired because there is no legal access to the proposed dwelling.

#### **4.2 Technical Services Unit - Drainage**

The Unit has no objections in principle.

#### **4.3 Environmental Services**

No adverse comments.

### **(b) Other Representations**

#### **4.4 Local Residents**

Three local residents object the proposal and the following concerns are raised:

- Loss of privacy
- Out of character
- No legal vehicular access
- Spoil the view

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

PPG3 – Housing encourages the erection of dwellings of brownfield land wherever possible and encourages the use of higher housing densities where appropriate. Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for development within existing residential curtilages including new dwellings subject to there being no adverse impact on the existing visual and residential amenities within the immediate area. Therefore subject to these constraints, the proposal is considered acceptable in principle.

5.2 The South Gloucestershire Local Plan (Adopted) identifies the site as being within the settlement boundary. Policy H4 allows for new residential development providing that the following criteria are complied with:-

### **5.3 Density**

There would be one unit on the 0.05 ha site, which equates to a density of 20 units per hectare.

Paragraph 58 of Planning Policy Guidance Note 3 – Housing encourages housing development that makes more efficient use of land (between 30 and 50 dwellings per hectare). Although the proposed density would fall outside the recommend density, officers consider that a higher density in this location may have an adverse impact upon the residential and visual amenity, and would be

out of keeping with the character of the area. It is therefore considered that the proposed density would be acceptable in principle.

#### 5.4 Scale and Design

There is a mix of house types and ages in the vicinity, which results in a mix of architectural vernacular. The proposed dwelling would have a pitched roof and finished in random stonework in the front elevation to match the existing dwelling, No. 1), and other elevations would be finished in roughcast render. The new dwelling would be of similar architectural design and officers consider that it would be in harmony with the character and appearance of the area.

With regard to the provision amenity space, the new dwelling would have approximately 230 square metres rear garden while the existing dwelling would have approximately 310 square metres. Officers considered that the proposal would provide adequate private amenity space for both properties.

#### 5.5 Impact upon Residential Amenity

No windows are proposed on the first floor in the side elevation, it is therefore considered that the proposal would not cause significant loss of privacy to the neighbouring property, No.12 and the existing dwelling No. 10.

Local residents in Homefield are concerned that the new dwelling would look over their properties. The proposed dwelling would be more than 21 metres away from habitable windows of these neighbouring properties, and the dwelling would be sited at an angle to these neighbouring properties. Officers consider that the proposal would not cause loss of privacy to such an extent to warrant a refusal of this planning application on these grounds.

#### 5.6 Transportation Issues

The proposal is to use the existing access for the new dwelling and the Council Highway Officer is satisfied that there is adequate visibility from the site access onto the public highway. In respect of access therefore, there is no highway objection to the proposal.

A number of residents and the Yate Town Council are concerned that there is no legal vehicular access for the new dwelling. Nevertheless, the onus is for the applicant to gain the legal right of access for the development, and it would be a private civil matter for the applicant and the land owner to resolve the issues.

The proposal also includes parking facilities for the existing property as well as the new dwelling. In this regards also there is no highway objections to the proposal.

In response to the Council Highway Officer's concerns with regard the proposed turning area, the applicant submitted a revised drawing to improve the turning facilities. The Highway Officer therefore has no objection.

#### 5.7 Tree Issues

There are no significant trees in the rear garden that would be affected by the proposed development. At the front of the property there is a young sycamore tree standing on the existing driveway; this is a good tree with the potential to become a significant tree contributing to the character of the locality therefore it should be retained, protected and managed in a way that ensures their long-

term viability in accordance with South Gloucestershire Council adopted policy L1.

There is a row of mature Lime trees growing along the edge of the road in front of the property; these are significant trees contributing to the character of the locality therefore they should be retained, protected and managed in a way that ensures their long-term viability in accordance with South Gloucestershire Council adopted policy L1.

Access to the site for development traffic and storage of materials near the trees should be avoided, protective fencing inline with BS5837: (2005) should be erected around the Sycamore and the Limes either side of the driveway before the development commences and maintained until its completion. A planning condition is imposed to ensure that this is the case.

#### 5.8 Drainage

The Council's Drainage Engineer raised no objection to the principle of the development.

#### 5.9 Environmental issues

The Council's Environmental Services section raised no objection to the proposal.

#### 5.10 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.

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

## 7. RECOMMENDATION

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

**Background Papers**      **PK06/3310/F**

**Contact Officer:**    **Olivia Tresise**

**Tel. No.**                **01454 863761**

### **CONDITIONS**

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

Reason:

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

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

Reason:

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

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north and south elevations 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.

4. A plan showing the position of all the retained trees shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.

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

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

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

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, material and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with

this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

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

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

Reason:

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

**CIRCULATED SCHEDULE NO. 13/07 – 29 MARCH 2007**

**App No.:** PK06/3357/F

**Applicant:** Dudley Taylor  
Pharmacies Ltd  
**Date Reg:** 20th November  
2006

**Site:** 179 High Street Oldland Common  
BRISTOL South Gloucestershire BS30  
9QG

**Proposal:** Erection of single storey rear extension to existing pharmacy. Change of use of first floor flat (class C3) to pharmacy staff room and store rooms (class A1) as defined in the Town & Country Planning (Use Classes) Order 1987 (as amended).

**Parish:** Bitton Parish  
Council

**Map Ref:** 67459 71371

**Ward:** Oldland Common



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This application appears on the Circulated Schedule as a result of objections from the Parish Council, neighbouring residents and the owner of the adjacent business premises.

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a single storey rear extension to the existing pharmacy. The extension would have a maximum depth of 5.3m, a maximum width of 4.5m and a maximum height of 3.4m. The extension would have a flat roof. The application also seeks permission for change of use of the first floor flat from C3 residential use to A1 retail use as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The pharmacy is located on the High Street, within the local centre of Oldland Common Village. The village centre incorporates a mixture of businesses including a hairdressers and the local Post Office, interspersed with dwellings varying in age, design and size. The building that the pharmacy occupies dates from the 1960's and has a mixture of reconstructed stone and render to the ground floor façade, with red hanging tiles at first floor. The side and rear of the building are rendered and grey in colour. The shop unit is one of two units occupying the building. The other is now empty but was formerly the Premier convenience store and has a substantial flat roofed two-storey extension to the rear, with storage space for the shop unit and the ground floor access for a large first floor flat. The pharmacy is adjacent to a private gated access leading to a small garage court and a hard surfaced area to the rear of the pharmacy and in front of the side entrance to the adjacent shop (177a High Street) and first floor flat at 177b High Street. The first floor above the pharmacy is currently a one bedroom flat though this has apparently been unoccupied for approximately six months and is the subject of this change of use application.
- 1.3 The applicant has submitted detailed information in support of the application to extend the dispensary area at ground floor and convert the first floor flat to a staff area and additional storage space. This information can be summarised as follows:-
- The NHS Pharmacy Contract expects the applicants (Dudley Taylor pharmacies Ltd) to provide a consultation area of a sufficient size to enable a Pharmacist to discuss with patients, including disabled patients, matters in private. An area of six square metres is required for this purpose.
  - The pharmacy in Oldland Common is dispensing an above average number of NHS prescriptions per month and Dudley Taylor expect a dispensary dispensing this number of prescriptions to be approximately 25 square metres in size.
  - The Royal Pharmaceutical Society recommends that staff rest areas should be in a different part of the building to the dispensary and that toilet facilities should be separate to the dispensary.
  - There is a need for secondary storage for shop stock, returned medicines for disposal, paperwork, dispensing containers and packaging materials.
- 1.4 There were initial concerns over the location of bin storage facilities as the proposal utilises all the space within the red line to the rear of the property leaving no space for bins on the applicants land. After consultation with the



agent revised plans were submitted indicating an enclosed bin storage facility within the original proposed extension with double doors providing access to the side of the extension adjacent to the private footway.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

PPS1 Delivering Sustainable Development

### 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

RT8 Small Scale Retail Uses

RT12 Use of Upper Floors in Town, Local and Village Centres

T12 Transportation Development Control Policy for New Development

## **3. RELEVANT PLANNING HISTORY**

- 3.1 P80/4741 Change of Use to Chinese Food Takeaway  
Withdrawn

## **4. CONSULTATION RESPONSES**

### 4.1 Bitton Parish Council

The Parish Council have objected to the application on the basis that the proposal would have an adverse impact on the property at 177B High Street, would be overbearing on a neighbouring property and the flat roof of the proposed extension is a poor design in this location.

### 4.2 Other Consultees

One letter of objection was received from the business owner of the adjoining shop unit and raised the following objections:-

- The proposed extension would block the right of access to the rear of the store for loading and unloading of goods.
- The proposal will block natural light to the windows and doors at the rear of the shop unit.
- The remaining access will be insufficient for transporting goods in and out of the shop unit.
- The proposal would pose a risk in terms of a quick fire exit and prevent fire brigade access to the property.
- The proposal also restricts access to and from the store for disabled personnel.
- The resulting rear corridor could encourage criminal activity.

### **Other Representations**

### 4.3 Local Residents

Objections were received from three local residents and can be summarised as follows:-

- The extension will deny access to and from the domestic garage to 177b High Street.
- Concerns regarding the location of bin storage facilities.

- Concerns over delivery vehicles parking in the access lane to the side of the pharmacy and obstructing free movement of residents' vehicles and causing disturbance to the adjacent properties.
- The development would create a narrow alleyway between the rear of the two shop units that may attract youngsters to loiter in the area and disturb residents.

One letter of support was received from the landlord of the application site stating that the application would be of great benefit to the pharmacy and the general public.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy RT8 of the South Gloucestershire Local Plan (Adopted) January 2006 permits small scale proposals falling within Class A1 (Shops) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) subject to satisfying criteria relating to highway safety, residential amenity, the character of the area, and the scale and function of the local centre. Policy RT12 of the South Gloucestershire Local Plan (Adopted) January 2006 permits the change of use of existing residential accommodation above ground floor level in local centres where the proposed use is directly related to the continuous viability or enhancement of the retail ground floor use.

### 5.2 Design/Visual Amenity

The proposed extension would be of material to match the existing building. Whilst the flat roof design is not desirable, the depth of the proposed extension and the sill heights of the first floor windows prevents the possibility of a sloping roof with any meaningful or functional pitch. Further, it is considered by officers that a flat roof extension to a shop unit of this nature is not unreasonable, particularly in light of the proximity to the flat roofed garage court immediately to the rear and the existing two storey flat roofed extension adjacent. The extension would be largely screened from the public realm due to its location at the rear of the shop and the distance from the public highway. It would be visible from the rear of the dwelling (No.181b High Street) on the opposite side of the private access, though this would be at an oblique angle from upstairs rear windows and the ground floor and rear garden are both screened by a robust 1.9m high boundary fence. The adjacent first floor flat, itself a flat roofed extension, would have windows overlooking the roof of the proposed extension, though given the context this is not considered to greatly alter the current levels of visual amenity to the rear of the site as the flat roof would integrate well with the existing flat roofed developments. As such the design of the extension is not considered to detract from the visual amenity and character of the immediate area and is subsequently deemed acceptable.

### 5.3 Residential Amenity

The adjoining flat is at first floor level and as such any habitable room windows will look over the top of the extension. The extension will have no fenestration within the walls, the only natural light being provided by a secure rooflight in the flat roof. Additionally, the side boundary fence, a robust 1.9m close panel fence, to the residential property at 181b High Street is some 6m distant from the proposed extension on the opposite side of the private access. Although the extension would project approximately 5m beyond the rear building line of 181b High Street it would be single storey and sufficiently remote to not have any meaningful impact upon that property. Therefore, the extension will not be

overbearing or cause any loss of privacy to neighbouring residents and is deemed acceptable in this respect.

- 5.4 The extension would effectively prevent vehicular access to an existing domestic garage adjacent to the ground floor entrance to the adjoining flat at 177b High Street and serving that property. However vehicular access to this garage is currently only possible by crossing third party land and therefore the loss of use of the garage for vehicle parking is considered by officers to be a civil issue.

5.5 Change of Use of Residential Accommodation

The proposal is to provide staff accommodation for 4/5 staff at any given time, and storage space at first floor level and this would involve the loss of the existing one bedroom flat. Officers are satisfied that the proposed use is directly related to the continuous viability and enhancement of the retail ground floor use and that the current facilities for the dispensary and related storage are extremely cramped in this business. The functions of the pharmacy within the local centre are also considered to be crucial to its continuing vitality and viability and therefore the loss of the residential unit in support of the ground floor business use is deemed acceptable.

5.6 Sustainable Transport

The application involves an increase in size of the dispensary area and storage areas at first floor with the addition of a private consulting area. The retail area would remain unchanged in size. As such it is considered that the development proposed would not increase the number of vehicles visiting the High Street on the basis that the level of business already exists, the development simply easing the cramped and poor conditions under which it currently operates.

- 5.7 It is acknowledged by the Transportation Development Control Officer that the proposed extension would take place on land that currently forms part of the rear parking court and if implemented it would reduce manoeuvring and turning area space for other vehicles using the parking court. However, there is no relevant planning history to restrict the use of this land for manoeuvring spaces only. In view of this therefore, no highway objections could be substantiated in this case.

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 Other Matters

The objections from the neighbouring business owner regarding rights of access are considered to be a civil matter as the landlord states in his correspondence that he owns all of the land to the rear of the shops, that there are no rights of access and that in fact he does not permit delivery vehicles to the rear of the property beyond the private gated access.

- 5.10 The Architectural Liaison Officer at Avon & Somerset Police has confirmed that there are no concerns relating to crime reduction associated with the application.

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

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

### 7. RECOMMENDATION

7.1 That planning permission is granted subject to conditions.

#### Background Papers      **PK06/3357/F**

**Contact Officer:    Jan Saward**  
**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. The colour, type and texture of the rendered finish to the external walls of the proposed extension shall match that of the existing building.

Reason:

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

**CIRCULATED SCHEDULE NO. 13/07 – 29 MARCH 2007**

**App No.:** PK07/0149/F  
**Site:** 67 Woodyleaze Drive Hanham BRISTOL  
 South Gloucestershire BS15 3BX

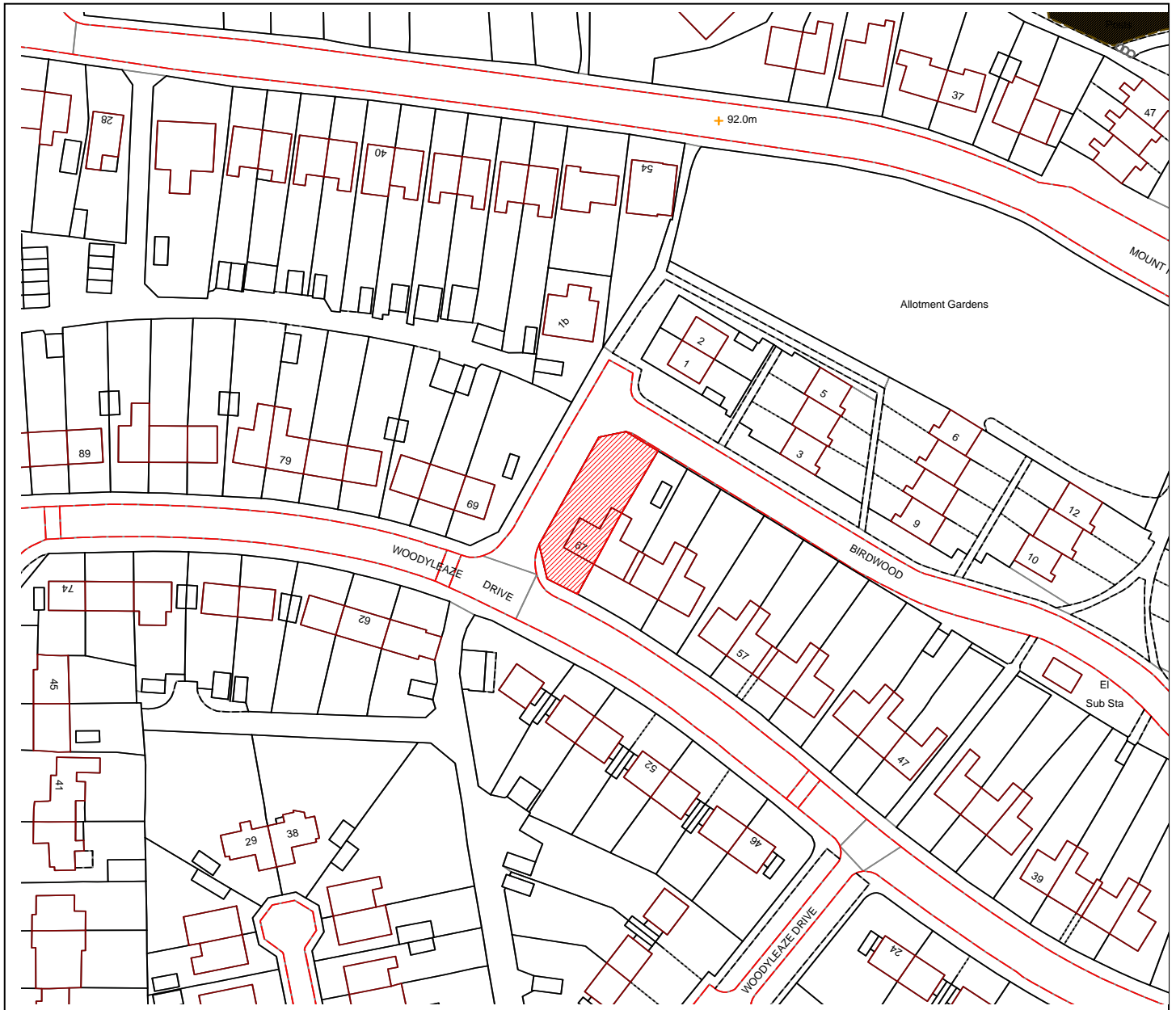
**Applicant:** Mr D Bush  
**Date Reg:** 22nd January 2007

**Proposal:** Erection of two storey side and single storey rear extensions and installation of rear dormer to facilitate the conversion of existing dwelling to 4no. flats. Creation of parking areas, bin stores and associated works.

**Parish:** Hanham Parish Council

**Map Ref:** 64614 72560

**Ward:** Hanham



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The application is on the circulated schedule as correspondence has been received that is contrary to the recommendation.

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of two storey side and single storey rear extensions and installation of rear dormer to facilitate the conversion of existing dwelling to 4no. flats. Also proposed are the creation of four parking spaces, bin stores and associated works. Three of the proposed flats are one-bedroomed and one is 2 bedroomed.
- 1.2 The site consists an end of terrace post-war property in the urban area of Hanham, close to the junction of Birdwood. The proposed single storey rear extension is 3m deep, 6.4m wide and 3.4m high. The proposed two storey element is 9.8m deep, 4.7m wide, with a hipped roof at the front the same height as the existing property, stepping down at the rear to 7.1m, approx. 0.8m below the height of the main roof. Materials are proposed either as a smooth render finish on all the property or pebbledash to match existing, with either double roman tiles or tiles of match existing. Two parking spaces, bin storage and cycle storage are proposed in both the front and rear gardens.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

PPS1 Delivering Sustainable Development

### 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design  
H5 Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential Purposes  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
T7 Cycle Parking  
T8 Parking Standards  
T12 Transportation Development Control Policy  
Supplementary Planning Advice Notes  
Kingwoods Borough Advice Notes 1 and 2

## **3. RELEVANT PLANNING HISTORY**

3.1 None

## **4. CONSULTATION RESPONSES**

4.1 Parish/Town Council  
No response

## **Other Representations**

### 4.2 Local Residents

Four objections have been received from local residents. The reasons for objecting are as follows:

- Increase in on-street parking obstructing existing driveways
- Increase in noise and disturbance
- Loss of sunlight to neighbouring properties
- Proposed parking areas will cause a highway hazard
- Loss of privacy
- Overlook gardens of nos 63 and 65 Woodyleaze

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy H5 allows for the for the conversion of existing residential properties into smaller units of self-contained accommodation, subject to certain criteria, including whether they would prejudice the character of the surrounding area.

5.2 The area is a residential one, consisting of mostly single dwelling houses. In this context, the conversion of the property to flats is not considered to prejudice the character of the surrounding area.

5.3 Policy H4 allows for new dwellings within the curtilage of existing residential properties, subject to certain criteria.

5.4 The principle of development is therefore considered acceptable, subject to the following detailed assessment.

### 5.5 Residential Amenity

The proposed single storey rear extension lies on the party boundary with no. 65 Woodyleaze and is 3m deep. The proposed two storey rear section of the extension is 3m deeper than the existing rear building line, but set 6.3m back from the party boundary with no. 65. Three metres is considered an acceptable depth for extensions on or close to party boundaries, as set out in the Supplementary Planning Guidance and therefore the rear extension is not considered to be overbearing on neighbouring occupiers.

5.6 Given the acceptable depth of the extension, and the fact that the rear two storey element of the extension is set some way back from the party boundary, it is not considered that the proposal would result in a demonstrable loss of sunlight to no. 65 or no. 63 Woodyleaze. No windows are proposed on the side elevations facing no. 65 Woodyleaze and therefore there would be no loss of privacy to adjoining residents.

5.7 The proposed side extension would be some 18m from side elevation of no. 69 Woodyleaze and given that there are only two small side windows proposed here, it is not considered that the proposal would harm the residential amenity of no. 69.

5.8 Appropriate bin storage is proposed here and these will be conditioned to be for the storage of refuse only.

## 5.9 Visual Amenity

The proposed two storey side extension is the same height as the existing house and extends to the side by 4.7m. It cannot be described, therefore, as a subservient extension. However, the application is for new flats rather than a domestic extension to an existing dwelling. Furthermore, the existing house is an 'end of terrace', and creating a subservient extension here would look somewhat visually jarring and out of context. Whilst it is accepted that the proposed side extension is large, it is not considered that it would be harmful to the character of the streetscene, given that the street contains a number of terraces of three or four dwellings. As such, the visual impact of the proposed extensions is considered acceptable.

5.10 There will be some visual impact in the streetscene from the erection of bin stores and off-street parking in the front garden. Whilst the bins stores and parking areas will be visible in the streetscene, this is not unusual for the area, where other properties in Woodyleaze have bin storage and off-street parking in front gardens. Given this, and the fact that it is desirable to have bin storage and parking off-street, this situation is not considered to be unacceptable in visual terms.

## 5.11 Transportation

The Highway Officer has stated that the parking proposed is acceptable in terms of the number of spaces, which is within the maximum parking standards as set out in Policy T8, and in terms of location.

5.12 The Highway Officer has stated that there is an acceptable level of cycle storage, as set out in Policy T7, and requested details of cycle storage and these will be required by condition.

## 5.13 Other matters

Concerns have been raised by local residents relating to an increase in noise and disturbance as a result of proposal. However, the site is within an existing, relatively dense urban area, with corresponding background noise levels. In this context it would be very difficult to prove an increase in noise and disturbance as a result of the proposal.

## 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.

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      **PK07/0149/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. The colour, type and texture of the rendered finish to the external walls of the proposed extension shall match that of the existing building.

Reason:

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

3. Details of the proposed cycle storage shall be submitted to and approved in writing prior to the commencement of development. The development shall be implemented in accordance with the proposed details, and the cycle storage shall be maintained for the storage of cycles only.

Reason:

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

4. The bin storage areas shown on the plans hereby approved shall be created prior to the first occupation of the flats, and maintained thereafter for the storage of refuse only.

Reason:

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

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

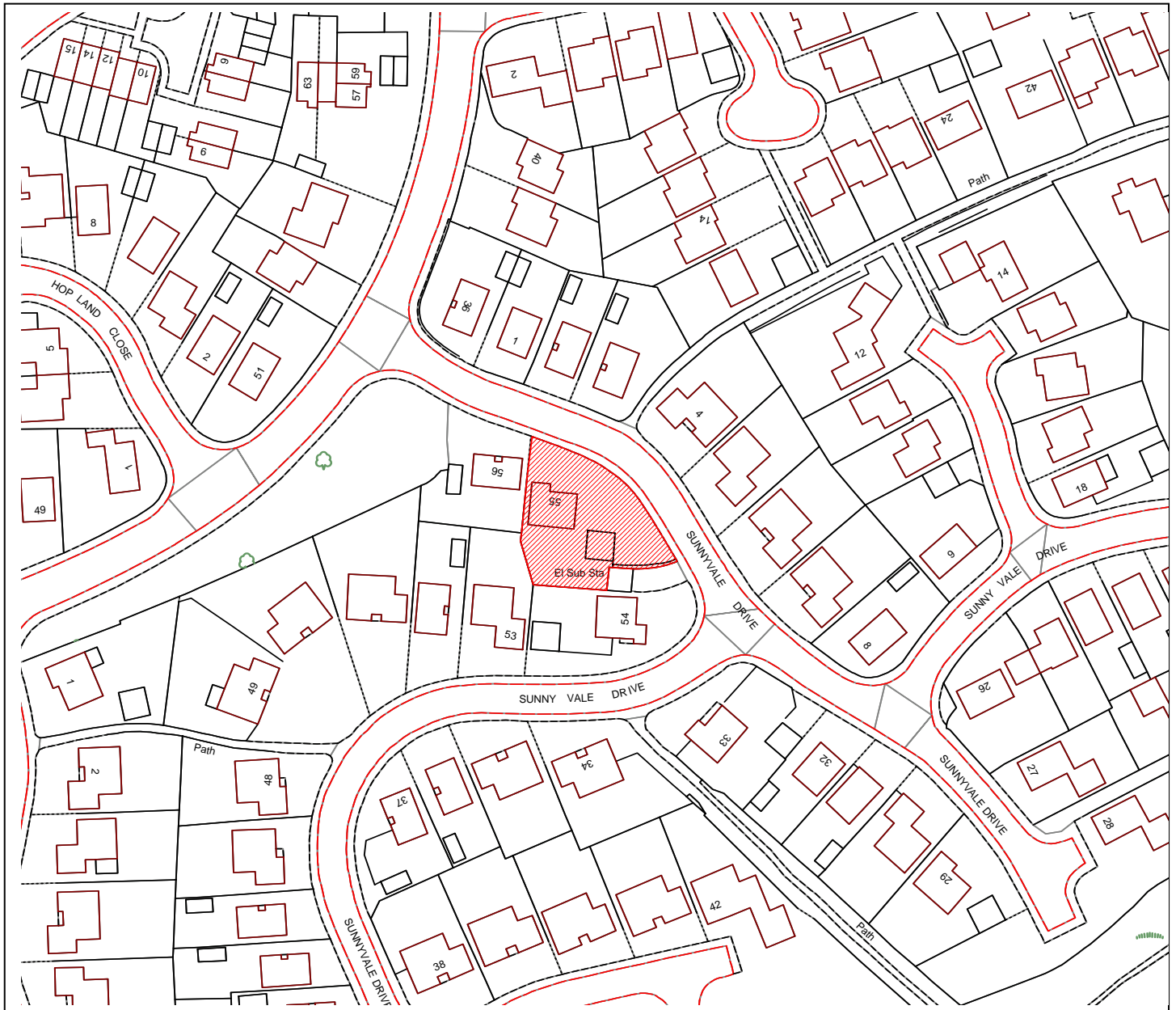
Reason:

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 T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

# ITEM 6

## CIRCULATED SCHEDULE NO. 13/07 – 29 MARCH 2007

<b>App No.:</b> PK07/0205/F	<b>Applicant:</b> Mr R Fidler
<b>Site:</b> 55 Sunnyvale Drive Longwell Green BRISTOL South Gloucestershire BS30 9YQ	<b>Date Reg:</b> 25th January 2007
<b>Proposal:</b> Erection of 1.83 metre high fence (Retrospective).	<b>Parish:</b> Oldland Parish Council
<b>Map Ref:</b> 66673 71045	<b>Ward:</b> Longwell Green



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100023410, 2007.

**N.T.S**

**PK07/0205/F**

## **INTRODUCTION**

This application appears on the circulated schedule due to an objection from a local resident.

### **1. THE PROPOSAL**

- 1.1 Retrospective planning permission is sought for the erection of 1.83 metre high fence.
- 1.2 The application site is located on a corner plot on Sunnyvale Drive cul de sac in Longwell Green. The fence is located to the east of the site in the side garden. It is set back from the pavement leaving a grass verge of at 1.5 metres at its narrowest point.

### **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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 No relevant history

### **4. CONSULTATION RESPONSES**

- 4.1 Oldland Parish Council  
No objection.

#### **Other Representations**

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

- out of keeping with open plan character of surrounding area
- if permission granted, fence should be screened with evergreen shrubs
- reference to ornamental wall at No. 33
- concern application will set a precedent for annexing frontage

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
In determining applications for development within the curtilage of domestic properties Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is of most relevance.

## 5.2 Visual Amenity

Criterion A of Policy H4 states that proposals will only be permitted where they respect the character of the street scene and surrounding area. In line with this criterion local residents were concerned that the proposal is out of keeping with the surrounding area and would set a precedent for annexing front gardens.

Officers have considered the surrounding area and found that there are similar fences in Sunnyvale Drive. For example, No. 8 Sunnyvale Drive has an almost identical fence to that proposed but located directly alongside the pavement. The proposed fence, however, is set back from the pavement leaving a grass verge of 1.5 metres at its narrowest point. As a result of this set back its impact and prominence within the streetscene is considered acceptable with two provisos:

It is considered that the visual appearance of the fence could be improved if the fence was painted dark brown and extra vegetation was positioned in front of the fence. To this end two conditions will be added to the Decision Notice to ensure that these improvements are carried out within the next two months.

In respect of the local residents' concern that the proposal would set a precedent for annexing front gardens, it should be noted that the fence is located to the side of the application property and not to the front of the property (it is set back 5 metres from the front of the dwelling). Consequently, it will not set a precedent for annexing front gardens and the Council should be able to resist such proposals if they arise in the future. Having studied the layout of the estate very few properties in Sunnyvale Drive would be able to enclose their side gardens to the same extent as No. 33 and this proposal.

## 5.3 Residential Amenity

It is considered that the proposed fence, owing to its 1.83 metres height and position in a side garden, will not harm the residential amenity of any surrounding occupiers.

## 5.4 Highway Safety Analysis

As the fence will be located at least 1.5 metres back from the pavement edge it is considered that it would not prejudice highway safety.

## 5.5 Section 106 Requirements

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

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

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

### **Background Papers**      **PK07/0205/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 fence hereby approved shall be painted dark brown within the 2 months of this decision notice, in accordance with a sample to be approved by the Council.

Reason:

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

3. Within 1 month of this decision notice, a soft landscaping plan for the grass verge area between the front of the fence and the pavement shall be submitted to the Council for approval. Subsequently all soft landscaping works shall be carried out in accordance with the approved details within two months of this decision notice.

Reason:

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

# ITEM 7

## CIRCULATED SCHEDULE NO. 13/07 - 29 MARCH 2007

<b>App No.:</b>	PK07/0274/F	<b>Applicant:</b>	Mr R A J Kumar Sood M S 2 Stores
<b>Site:</b>	MS -2 Stores 75 Quakers Road Downend BRISTOL South Gloucestershire BS16 6NH	<b>Date Reg:</b>	31st January 2007
<b>Proposal:</b>	Erection of single storey rear extension to form storage area	<b>Parish:</b>	Downend and Bromley Heath
<b>Map Ref:</b>	65153 77961	<b>Ward:</b>	Downend



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100023410, 2007.

**N.T.S**

**PK07/0274/F**

## **INTRODUCTION**

This application appears on the circulated schedule owing to two letters of objection from local residents, regarding the heat exchange equipment and roof shape. It should be noted that the heat exchange equipment has now been completely omitted from the scheme. Consequently, the scheme represents a rear extension only.

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the erection of a rear extension following the refusal of PK06/3303/F. This resubmission originally had an identical description but the development was different because it involved the relocation of the heat exchange equipment from the roof into the rear of the extension at ground level. However, following a request from the Council's Environmental Health department the agent has omitted the heat exchange equipment from the application so the scheme represents an extension only.
- 1.2 The application property consists of a local convenience store located on the ground floor. This store is situated in rank of retail units within a local centre. In terms of the other surrounding uses, residential units are located to the rear (north) and west of the site; and, immediately to the south is a public house surrounded by residential properties.
- 1.3 The actual site of the proposed extension is characterised by similar rear extensions set within the context of a loading bay / service yard.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

- PPS 1 - Delivering Sustainable Development  
PPS 6 - Planning for Town Centres  
PPG 13 - Transport

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan (Adopted) January 2006**

- D1 - Achieving Good Quality Design in New Development  
RT1 - Development in Town Centres  
RT8 - Small Scale Retail Uses Within the Urban Areas and the Boundaries of Small Settlements  
T12 - Transportation Development Control Policy for New Development

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P96/4398 Change of use from retail (A1) to hot food takeaway (A3)  
Refused. 2<sup>nd</sup> October 1996.
- 3.2 PK05/1125/F Installation of new shopfront with shutters to front elevation.  
Approved. 3<sup>rd</sup> June 2005.



- 3.3 PK06/3303/F Erection of single storey rear extension to form storage area and erection of heat exchange equipment with associated enclosure  
Refused: 9<sup>th</sup> January 2007

#### 4. **CONSULTATION RESPONSES**

- 4.1 Downend & Bromley Heath Parish Council  
No objection.

4.2 Other Consultees

Environmental Services

The Council's Environmental Health Officer has assessed the scheme. She felt it was an improvement to relocate the heat exchange units to ground level but still required an acoustic report be undertaken. She also raised concerns about the suitability of acoustic screens.

Because the heat exchange equipment has been completely omitted from the scheme the Environmental Health Officer's comments are no longer relevant (but clearly the installation of heat equipment in the future will require the submission of a full application accompanied by an acoustic report).

#### **Other Representations**

4.3 Local Residents

Two letters of objection received from local residents expressing the following objections and concerns:

- possible noise intrusion from proposed heat exchange equipment
- heat exchange equipment must be located and ground level and suitably screened
- inclusion of pitched roof on the extension as opposed to a flat roof

#### 5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy RT8 is of most relevance to this application. Applications for small scale proposals within the Urban Areas and the Boundaries of Small Settlements are acceptable in principle subject to the following criteria:

5.2 **A. WOULD THE DEVELOPMENT GIVE RISE TO UNACCEPTABLE LEVELS OF VEHICULAR TRAFFIC OR ON-STREET PARKING TO THE DETRIMENT OF THE AMENITIES OF THE SURROUNDING AREA AND HIGHWAY SAFETY?**

Parking facilities are provided at the front of the premises in a small lay by. Consequently, as the extension is located at the rear of the premises, it will not affect current parking arrangements and will not give rise to unacceptable levels of vehicular traffic or on-street parking. It should be noted that a loading bay / service yard is located at the rear of the site. This will be unaffected by the proposal allowing vehicles to continue to circulate free from hindrance. Consequently there is no transportation objection. Therefore the application complies with this criterion.

**5.3 B. WOULD THE DEVELOPMENT PREJUDICE EXISTING RESIDENTIAL AMENITY?**

As the proposal is purely for an extension, the concerns and objections raised by the two local residents in respect of the heat exchange equipment are no longer of relevance.

It is considered that surrounding occupiers will not experience an overbearing impact nor will they experience a loss of privacy as a result of the extension being erected. Consequently, the application complies with this criterion.

**5.4 C. WOULD THE CHARACTER OF THE AREA BE ADVERSELY AFFECTED?**

The application is characterised by similar rear extensions set within the context of loading bay / service yard. One local resident expressed the view that the extension should have a pitched roof and not a flat roof. The plans do not include a pitched roof. However, it is considered that the extension is appropriate form of development given the functional context of the loading bay / service yard. Accordingly, the application complies with this criterion.

**5.5 D. WOULD (IN THE CASE OF PROPOSALS WITHIN A LOCAL CENTRE) THE DEVELOPMENT BE CONSISTENT WITH THAT CENTRE'S SCALE AND FUNCTION?**

The supporting statement submitted with the application states that 'the purpose (of the extension) is to carry a larger range of products, for the grocery business, and provide a better service'. I agree with this statement and also add that the extension will result in a retail unit that compliments its existing function and is of a size that is commensurate with the scale of the local centre.

**5.6 E. WOULD (IN THE CASE OF PROPOSALS OUTSIDE OF A LOCAL CENTRE) THE DEVELOPMENT IMPROVE THE RANGE OF SERVICES TO A LOCAL COMMUNITY AND NOT HARM THE VITALITY AND VIABILITY OF AN EXISTING LOCAL CENTRE?**

The application is located within a Local Centre. Consequently the application is not required to satisfy this criterion.

**5.7 Other matters arising**

It should be noted that the installation of heat equipment in the future will require the submission of a full application accompanied by an acoustic report in line with the comments raised by the Council's Environmental Health Officer.

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

## 7. **RECOMMENDATION**

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

### **Background Papers**      **PK07/0274/F**

**Contact Officer:**    **Edward Purnell**

**Tel. No.**                **01454 863056**

### **CONDITIONS**

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

Reason:

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

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

Reason:

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

3. The development hereby approved shall be carried out strictly in accordance with the plans identified below:

Location Plan - Drawing Number, 2006-61-01; Ground Floor Plan as Existing - Drawing Number, 2006-61-02; Elevations as Existing - Drawing Number, 2006-61-04. All received on the 16th January 2007.

Ground Floor Plan as Proposed (removal of heat exchange equipment) - Drawing Number, 2006-61-03 A; Elevations as proposed (removal of heat exchange equipment) - Drawing Number, 2006-61-05 B. All received on the 26th February 2007.

Reason:

This permission has been granted solely having regard to the amended plans

4. No heat exchange equipment shall be installed at the premises

Reason:

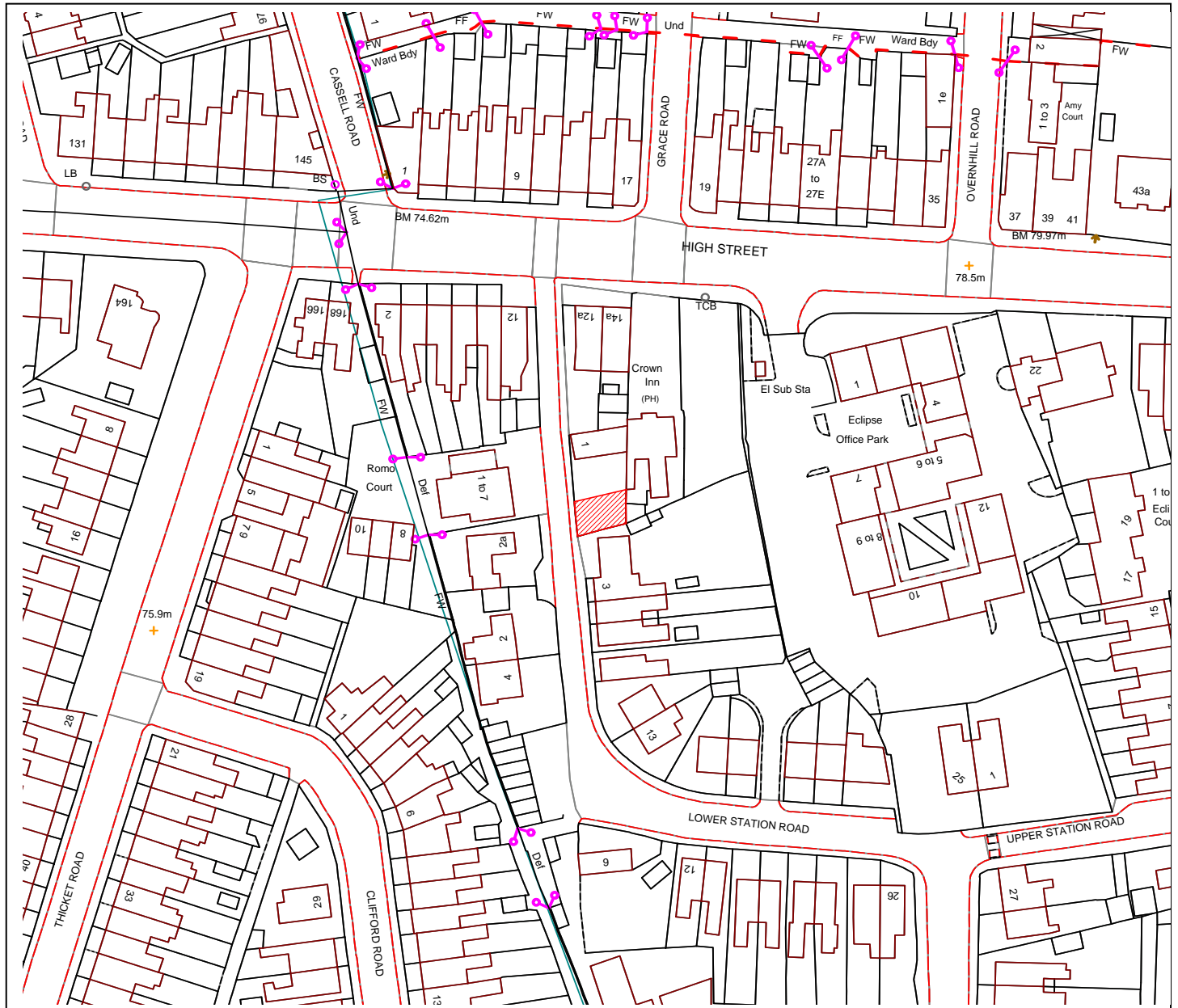
The permission has been granted solely having regard to the amended plans which omit the installation of heat exchange equipment. Such an installation would require the further consideration of the Local Planning Authority in the light of the Development Plan and any other material considerations.

# ITEM 8

## CIRCULATED SCHEDULE NO. 13/07 – 29 MARCH 2007

**App No.:** PK07/0388/F  
**Site:** 1a Lower Station Road Staple Hill  
BRISTOL South Gloucestershire BS16  
4LT  
**Proposal:** Erection of 1 no. dwelling with  
associated works.  
**Map Ref:** 64374 75902

**Applicant:** Mr G Johns  
**Date Reg:** 7th February 2007  
**Parish:**  
**Ward:** Staple Hill



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**N.T.S**

**PK07/0388/F**

## **INTRODUCTION**

This application appears on the circulated schedule due to the receipt of three letters of objection from local residents.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of 1 no. detached dwelling on a site that was previously part of the garden of No. 1a Lower Station road. The land has since been sold and is now a separate parcel of land – not related to No. 1 Lower station Road. Outline planning permission has previously been granted for the erection of one dwelling on the site under reference PK05/2888/O.
- 1.2 The application site is currently occupied by a variety of tumbled down outbuildings and sheds. It is surrounded by 2m high close boarded fence and stone wall so views into the site are limited.
- 1.3 Outline consent was granted for an almost identical new dwelling on the site in 2005. This application is not however a reserved matters application as the siting of the new dwelling is to be very slightly different than granted at outline stage – the rear wall of the dwelling is set into the site approximately 800mm. Other than the slight alteration in siting, the proposed dwelling is identical to that already granted outline consent.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

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

#### **2.2 Development Plans**

##### South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Proposals for Residential Development within Existing Urban Area and Defined Settlement Boundaries
H4	Development with Existing Residential Curtilages, including Extensions and New Dwellings
T12	Transportation Development Control Policy for New Development

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK05/2888/O Erection of 1. no. dwelling (outline) with siting and means of access to be determined. All other matters reserved.  
Approved November 2005
- 3.2 PK05/2176/O Erection of 2. No. self contained flats (outline) with siting and means of access to be determined.  
Withdrawn august 2005

- 3.3 PK05/1247/O          Erection of 2 No. self contained flats (outline) with siting and means of access to be determined.  
Refused June 2005

#### 4. CONSULTATION RESPONSES

##### (a) Statutory Consultees

- 4.1 Town/ Parish Council  
The area is unparished

##### (b) Other Representations

##### 4.2 Local Residents

Three letters of objection have been received from Local residents. Concerns have been raised that;

- The road is very narrow and hard to access – the application will exacerbate this
- It will be difficult for emergency vehicles to access
- The development will exacerbate existing on street parking in the area
- Insufficient off street parking
- There would be only 15 metres between habitable room windows
- The proposal is detached whereas the surrounding street scene is terraced and hence it would appear out of keeping
- Insufficient details of proposed boundary treatments – concerns that existing boundary walls may topple

- 4.3 One letter of support has also been received from a local resident in favour of the application. The letter of support identifies:

- The site is currently an eye sore and the development would be better
- Other dwellings in the street are detached so the proposal will not appear out of place
- The design of the proposal will match the rest of No. 1 Lower Station Road

#### 5. ANALYSIS OF PROPOSAL

##### 5.1 Principle of Development

Policy H2 of the South Gloucestershire Local Plan (Adopted) allows for residential development within the existing urban areas providing several criteria are adhered to. Given that the site has been sold off, it is no longer truly residential curtilage and thus the application, does not stand to be assessed against policy H4 as the original outline application was. Policy D1 of the South Gloucestershire Local Plan identifies that the design of proposals must be adequate before planning consent should be granted. Policy H2 allows for residential development within the existing settlement boundaries providing:

- 5.2 **a. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity; and**

It is not considered that the proposed additional dwelling will have any detrimental impact on existing levels of parking or congestion in the area. The application shows how an off street parking space will be provided to serve the

new dwelling whilst retaining the existing parking space serving the original property on the site. Policy T8 advises that the maximum number of off street parking spaces to serve a two-bedroom property should not exceed 1.5 spaces. In light of this policy, it is considered that the provision of one space per dwelling is acceptable. Conditions would be attached to any consent granted to ensure that the parking space is created and maintained prior to the first occupation of the dwelling.

It is appreciated that at this point, Lower Station Road is narrow. However, colleagues in the Highways Department considered that there is sufficient space to allow for the manoeuvring of vehicles into and out from the spaces. As sufficient off street parking will be provided to serve each dwelling, it is not anticipated that an unacceptable level of on street parking will result from the development to the detriment of highway safety. Your case officer agrees with this assessment and it is not therefore considered that the development as proposed would have any detrimental impact on existing levels of highway safety.

The plans submitted with the application show that no windows are to be located on the Southern side of the new dwelling facing toward No. 3 Lower Station Road. There are no habitable room windows to the side of No. 3 that could be adversely affected by the application. The new dwelling is to be erected to the side of No. 3 and will not protrude beyond the main rear wall of No.3. It is not therefore considered that the application will have any overbearing impact on this property.

It is noted that the windows to be inserted into the front of the new dwelling will be within 21 metres of the habitable room windows to the front of number 2a on the opposite side of the road – the distance is in fact 16.5 metres. Consideration must be given to the fact however, that the distance between habitable room windows of the existing dwellings No's 3 and 2a is only 17.5 metres. Indeed, the distance over the highway between most dwellings from front to front along this section of Lower Station Road is approximately 16 metres. It is not therefore considered that it would be reasonable to insist that the dwelling subject of this application remain 21 metres from the habitable room windows of the dwelling on the opposite side of the road.

It is acknowledged that both existing and proposed dwellings will have the benefit of only a relatively small area of garden space. However, given that the new dwelling will have 2 bedrooms only, it is not likely that families with many children will reside in them. It is therefore considered that ample garden space is provided to allow for the occupants to sit outside and indeed dry washing outside should they wish.

Subject to the attachment of relevant conditions, it is thus considered that the application will have no adverse environmental or transportation effects and will not detrimentally affect on existing levels of residential amenity. The application is thus considered acceptable.

**5.3 b. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved; and**

A density calculation on the site gives a density of 100 dwellings per hectare. It is appreciated that this is a very high density but it is considered to be in keeping with the surrounding environment. The site is close to Staple Hill High



Street and town centre and thus the high density is considered to be acceptable for its sustainable location.

**5.4 c. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and**

The surrounding land uses are predominantly residential with a public house bounding the rear of the site. Patrons to the public house do not use the rear of the pub – the area is used mainly for storage. It is not therefore considered that the site is subject to unacceptable levels of noise, smells of other disturbance that one would not reasonably expect at a residential property.

**5.5 d. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals.**

As the proposal is only for the erection of one dwelling, it is not considered the additional property will have any impact on the provision of services in the area.

**5.6 Design/Visual Impact**

In accordance with Policy D1 of the South Gloucestershire Local Plan (Adopted), it is considered that the new dwelling as proposed is of a similar size and scale to the neighbouring properties in the vicinity of the site. The existing dwelling number 1 Lower Station Road has a 'cottage' type appearance and is of traditional small scale and character. Plans submitted with the application show that the new dwelling will match and reflect many of the traditional features found on the host dwelling. Further to this, the scale and footprint of the proposed dwelling are to match those of the existing dwelling No. 1.

There is a tall stone wall that currently runs along the front of the application site. As part of the application, to allow sufficient light to enter the property, the wall will be partly removed with the remainder of the wall being reduced to one metre in height. This wall is not protected in any way and the applicants are therefore free to reduce the wall in this way.

In light of this, subject to the attachment of conditions restricting the use of suitable materials, it is not considered that the erection of the dwelling would have any adverse impact on the character of the street scene.

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

## 7. RECOMMENDATION

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

### Background Papers      **PK07/0388/F**

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

### CONDITIONS

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

Reason:

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

2. The front wall of the new dwelling shall be finished in natural stone with brick detailing and the stone work and brick details to be used externally in the development hereby permitted shall match that of the existing building in type, colour, texture, size, coursing and jointing, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the southern elevation of the property, unless the Local Planning Authority gives written consent to any variation.

Reason:

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

4. 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, and E), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated

on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason:

To protect the residential amenity of the future occupiers of the site and to accord with Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

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

6. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose. The parking space shall be surfaced with a fully bound material at all times.

Reason:

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

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

Reason:

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

**CIRCULATED SCHEDULE NO. 13/07 – 29 MARCH 2007**

**App No.:** PK07/0474/R3F  
**Site:** Christchurch C of E VC Infants School  
 Christchurch Avenue Downend  
 BRISTOL South Gloucestershire BS16  
 5TG

**Applicant:** Ms Hill  
**Date Reg:** 13th February 2007

**Proposal:** Erection of glazed covered link between two school buildings to form cloakroom area.

**Parish:** Downend and Bromley Heath

**Map Ref:** 64934 76415

**Ward:** Downend



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**N.T.S**

**PK07/0474/R3F**

The application appears on the Circulated Schedule as it has been submitted on behalf of the Council.

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a glazed covered link between two school buildings to form a secure cloakroom area. The building would have a maximum height of 2.8m, a maximum width of 6m and a maximum depth of 5.5m.
- 1.2 The site is location within the Christchurch Church of England V.C. Infant School in Downend. The school is enclosed by residential development to the south and west with a medical centre directly to the east and Christ Church to the North.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

LC4 Education and Community Facilities

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None Relevant

## **4. CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
No response

### **Other Representations**

- 4.2 Local Residents  
None received

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows the expansion or improvement of education facilities subject to satisfying criteria relating to accessibility by foot and bicycle, residential amenity, environmental and transport effects and highway safety.

- 5.2 Accessibility  
The proposal does not seek to expand the current number of pupils or staff and the school is well served by the local highway network, being located close to Downend Centre. As such there are no concerns relating to accessibility by foot or bicycle.

5.3 Residential Amenity

The proposal will be sufficiently remote from nearby housing for it to have no impact upon current levels of residential amenity in the area.

5.4 Environmental/Transport Effects and Highway Safety

There will be no change to the current situation regarding environmental effects, transport and highway safety. As such the proposal is considered acceptable in this respect.

5.5 Design

The covered walkway will replace an existing walkway and ramps that provides a link and disabled access between the two school buildings. The covered walkway will have a contemporary design that will integrate well with the existing flat roof school buildings. As such, the design is deemed acceptable.

5.6 Design and Access Statement

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

5.7 Section 106 Requirements

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

**6. CONCLUSION**

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

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

**7. RECOMMENDATION**

- 7.1 That planning permission is approved subject to the following condition.

**Background Papers      PK07/0474/R3F**

**Contact Officer:    Jan Saward**  
**Tel. No.              01454 864969**

## **CONDITIONS**

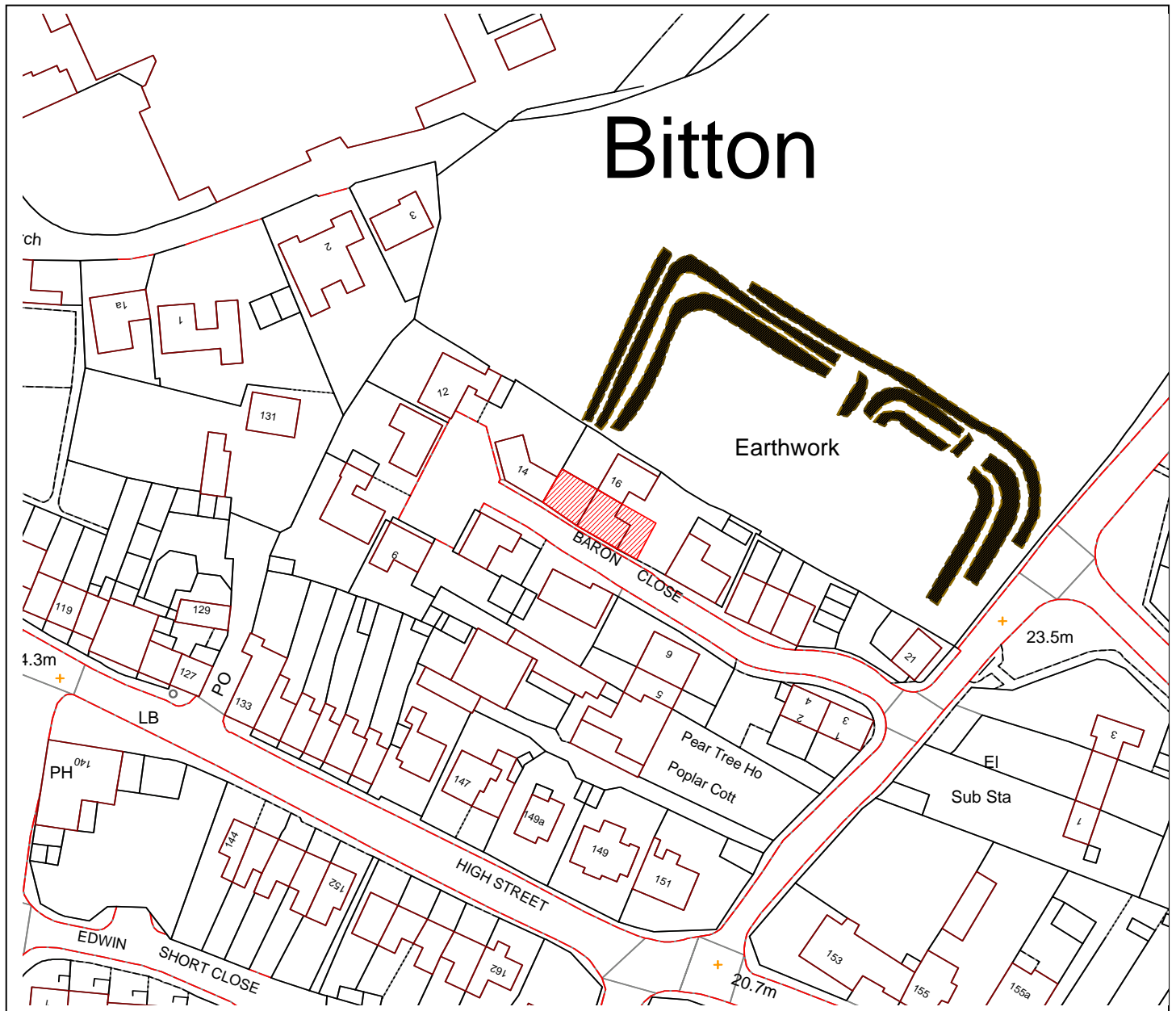
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

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

**CIRCULATED SCHEDULE NO. 13/07 – 29 MARCH 2007**

<b>App No.:</b> PK07/0501/F	<b>Applicant:</b> Mr Longford
<b>Site:</b> 15 Baron Close Bitton BRISTOL South Gloucestershire BS30 6LS	<b>Date Reg:</b> 15th February 2007
<b>Proposal:</b> Works to increase height of boundary wall.	<b>Parish:</b> Bitton Parish Council
<b>Map Ref:</b> 68233 69662	<b>Ward:</b> Bitton



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**N.T.S** **PK07/0501/F**



## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 This planning application seeks planning permission to raise the height of an existing boundary wall along the southern boundary of the application site. Amended plans have subsequently been submitted altering the profile of the wall.
- 1.2 The application site relates to a two storey detached dwelling which forms part of a recently built housing development. The application site lies within the village development boundary of Bitton and within the Bitton Conservation Area.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1  
PPG15

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Existing Residential Development

L12 Conservation Areas

- 2.3 Supplementary Planning Guidance  
Bitton Conservation Area leaflet

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK03/1134/F – Demolition of existing industrial buildings and erection of 18 no. dwellings. Change of use of building from office to 2 cottages. Approved 10 September 2003.

### **4. CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council  
Members are advised to consider that the following comments made relate to the originally submitted plans:  
-Councillors object to this proposal in the Conservation area which they feel is out of keeping in this location and would be overbearing on properties opposite.
- 4.2 The Council however have confirmed that the revised plans seem to address the points made originally by Bitton Parish Council, so no objections.

## **Other Representations**

### 4.3 Local Residents

Two letters have been received from local residents raising the following concerns regarding the propose works, which have been summarised as follows:

- Is the application to build a stone extension to the existing wall in the same materials?
- Will the application involve the removal of the existing fence panels on top of the wall which don't have planning permission.
- The increased height would appear to be as a result of decking that has been laid in the rear garden which has in turn raised the land on the garden side.
- Decking has been laid across a drain/sewer which serves both properties no. 15 & 16, this may contravene Building Regulations and the Deeds.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development within existing residential curtilages subject there being no adverse impact on existing visual and residential amenities.

5.2 Regard must also be had for Bitton Conservation area where Policy L12 of the South Gloucestershire Local Plan only allows development where it would preserve or enhance the character or appearance of the Conservation Area.

### 5.3 Visual amenity

The application site relates to a two storey detached dwelling within a recently constructed housing development on the edge of Bitton village. This application seeks planning permission to increase the height of existing stone boundary wall using matching materials. The wall is sited on the southern boundary of the application site adjacent the main the road.

5.4 The existing wall at present is sandwiched between no.15 and 14 and abuts the adjacent footpath. It is constructed of stone and has a staggered appearance. Given the difference in land levels the height of the wall ranges in height in relation to the pavement from 1.68m at the lowest level to that of 1.80m. At present there is unauthorised fencing fixed to the top of the existing wall.

5.5 The application proposes to raise the height of the existing wall. Members are advised to consider that the original plans submitted as part of this application had proposed that the overall height of the wall would be flush in design with no staggering and due to the land level difference would range in height from 2.08m 2.59m. The Planning Officer raised an objection on the grounds that a wall of this design and scale in terms of height in this location would have an overbearing impact on the adjacent footpath and visual amenities of the immediate locality.

5.6 Amended plans have subsequently been submitted which have addressed the objections as raised above by the Planning Officer. The scheme proposes to retain the staggered appearance but at the same raise the height of the wall. At the lowest point it will measure 2.0m and at the highest point will measure 2.40m. It is considered that this revised by reason of it scale and external appearance would no longer have an overbearing impact.

- 5.7 The Council's Conservation Officer has also advised that the form of the development and materials used have sought to respect the character of the conservation area.
- 5.8 Members are advised to consider that should planning permission be granted a planning condition will be imposed requiring the removal of the unauthorised fence within one month of the date of the decision notice.
- 5.9 Residential Amenity  
The proposed works by reason of their siting will not impact on the existing residential amenities of neighbouring occupiers in terms of overbearing impact.
- 5.10 Other issues  
Concerns have been raised by a neighbour regarding the building over the existing sewer by decking within the rear garden of no.15. Members are advised to consider that this is a civil matter between the neighbour and applicant and not material planning consideration regarding the determination of this application.
- 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).
- 5.12 Section 106 Requirements  
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

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

**Background Papers**      **PK07/0501/F**

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

**CONDITIONS**

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

Reason:

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

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

Reason:

To maintain the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The existing unauthorised fence fixed to the wall along the southern boundary of the application site shall be removed within one month of the date of this decision notice.

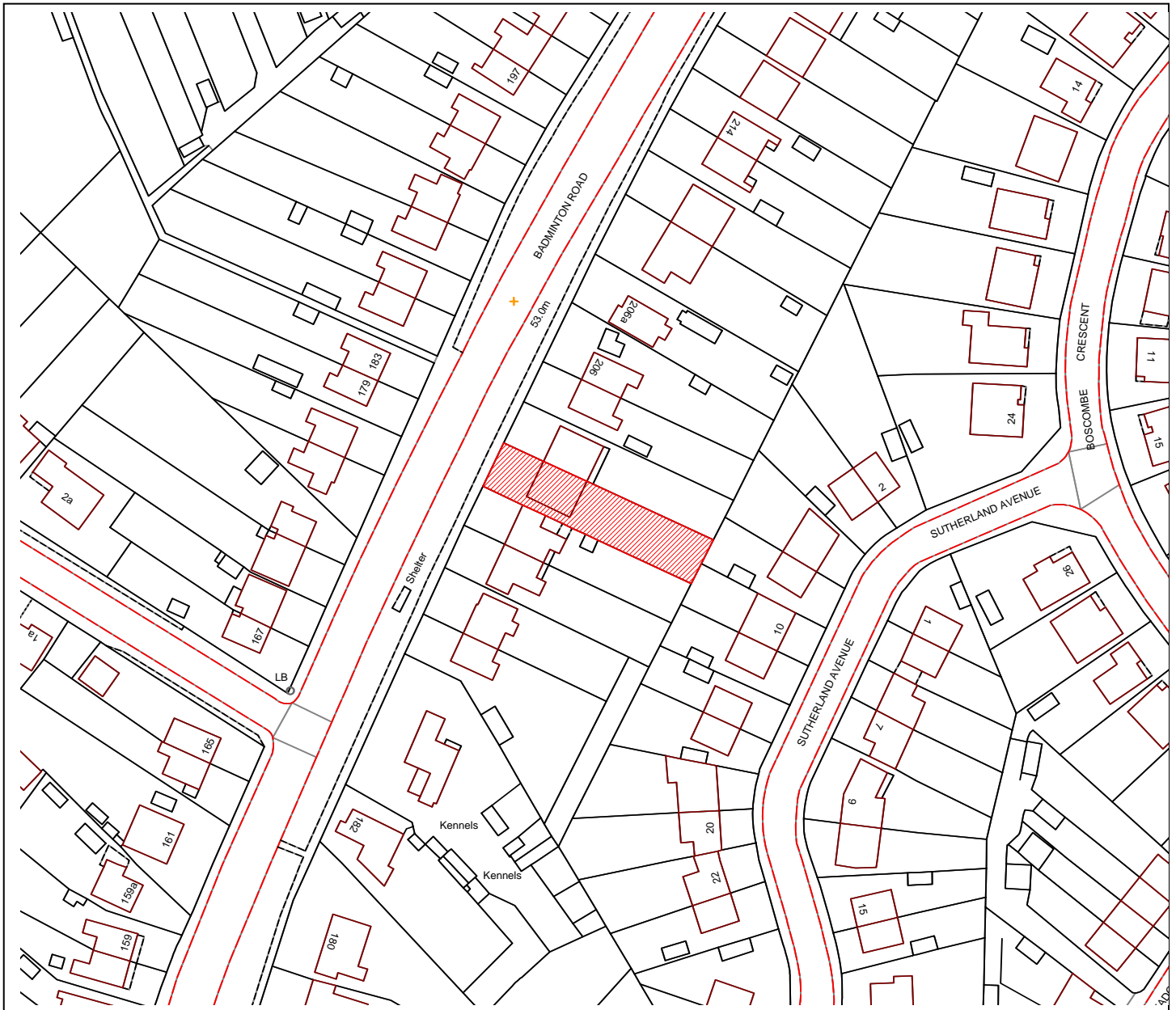
Reason:

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 13/07 – 29 MARCH 2007**

**App No.:** PK07/0547/F  
**Site:** 200 Badminton Road Downend  
 BRISTOL South Gloucestershire BS16  
 6NP  
**Proposal:** Erection of single storey rear extension  
 to provide additional living  
 accommodation.  
**Map Ref:** 65435 77572

**Applicant:** Mr P McWilliams  
**Date Reg:** 19th February 2007  
**Parish:** Downend and  
 Bromley Heath  
**Ward:** Downend



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**N.T.S**

**PK07/0547/F**

## **INTRODUCTION**

This application has been referred to the circulated schedule following objections to the proposed application being received from a local resident.

### **1. THE PROPOSAL**

- 1.1 This application concerns a 1930's semi-detached dwellinghouse set within an area that is entirely residential and suburban in character.
- 1.2 To the rear, due to the suspended floor construction, there is a step down from the internal floor level to the "natural" ground level. There is also a patio to the rear on floor level with a simple lean-to roofed enclosure – timber-post framed with polycarbonate roof.
- 1.3 It is noted that the adjoining property has a substantial rear conservatory, but this is set away from the boundary shared with the application site and it is also noted that although in close proximity to the boundary shared with No.204, this property has an existing detached outbuilding that is considered to be relatively historic.
- 1.4 The proposed scheme that seeks planning permission is a single storey extension with a lean-to roof that would span the width of the rear elevation, bar a 250mm gap on the boundary. However since submission, the proposed scheme has been revised, for as originally submitted, the extension was proposed with a continuous 4 metre depth. To address the provisions of the supplementary planning guidance "3 metre rule" and the comments of a neighbouring resident, the proposed scheme has been amended so that adjacent to the shared boundary the depth of the extension would be 3 metres for a width of 3 metres before stepping back out along the rear elevation to a 4 metre depth
- 1.5 It is also noted that the proposed plans show that the existing integral garage as being converted into additional living space and this is also referred to within the comments of the local resident. However, this proposal is considered permitted development hence the reason for its absence from the description of development.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1            Delivering Sustainable Development
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1            Design  
H4            Development within Existing Residential Curtilages including Extensions
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Council Advice Note 2 – "*House Extensions*"

### **3. RELEVANT PLANNING HISTORY**

3.1 None of relevance.

### **4. CONSULTATION RESPONSES**

4.1 Downend and Bromley Heath Parish Council  
No consultation replies were received

#### **Other Representations**

4.2 Local Residents

1no. consultation response was received from a neighbouring property which expressed the following objections to the scheme as originally proposed:

- The side of the proposed new wall would be some 500mm from the adjoining neighbour's lounge window which would effect the light entering the room in the winter months – the patio windows were increase to allow more natural light in;
- The dark corner created to the north of the wall would result in the promotion of dampness within the solid brick wall of the neighbour's lounge;
- The extension would reduce existing site lines to trees and wild life; and
- The garage conversion should utilise matching bricks to the existing and the new living space would be adjacent to the neighbour's garage which is used as a private workshop and garage during the day and evening.

### **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to existing dwellings subject to criteria relating to scale and design, highways, and impact upon visual and residential amenity.

Design/ Visual Amenity

5.2 The design of the proposed extension with its lean-to roof is considered to be appropriate and according with the characteristics of the main dwelling house and surrounding properties. The addition will also incorporate materials to match those of the original dwelling, and is suitably subservient aiding its integration with the built form. In this context, therefore, the addition is considered visually acceptable.

Residential Amenity

5.3 The comments of the local resident are noted, but it is considered that at a revised depth of 3 metres along the shared boundary, whilst the extension would undoubtedly have some affect upon the outlook and lighting levels of the adjoining neighbour, the potential effects of the amended schemes would not be so significant to warrant an objection and so the extension could be considered as a reasonable addition that accords sufficiently with the advice within supplementary planning guidance. Furthermore, as per the 45 degree assessment technique, the step out to 4 metres should not have detrimental impact on the outlook of the neighbouring property.

5.4 It is considered that the separation distance due to the scale of the properties would help mitigate any harmful effects upon the amenities currently enjoyed by the adjacent neighbour to the other side.

## 5.5 Design and Access Statement

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

## 5.6 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

### Background Papers      **PK07/0547/F**

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

### CONDITIONS

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

Reason:

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

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

Reason:

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



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

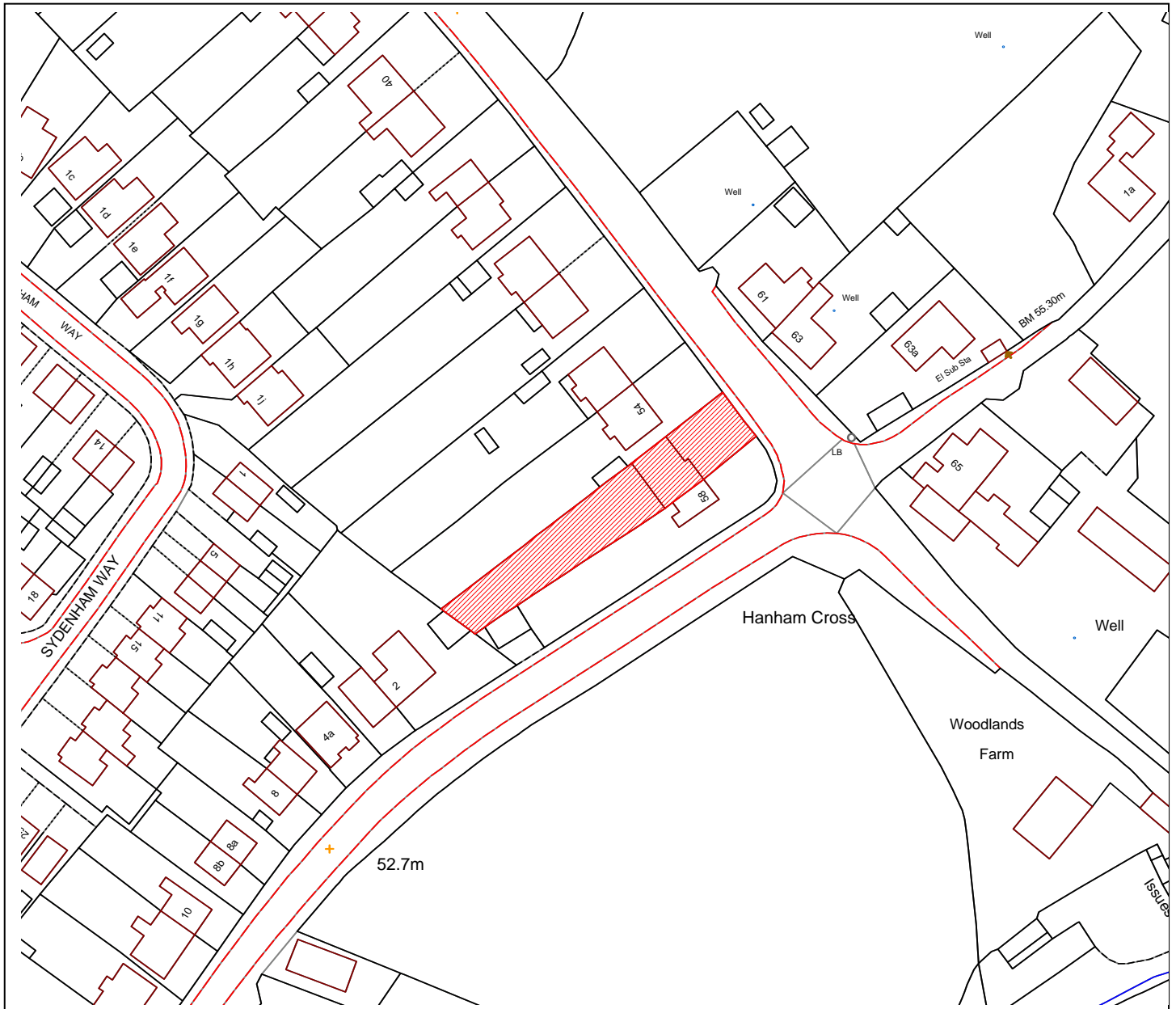
Reason:

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. 13/07 – 29 MARCH 2007**

**App No.:** PK07/0613/F  
**Site:** 56 Abbots Road Hanham BRISTOL  
 South Gloucestershire BS15 3NG  
**Proposal:** Erection of first floor side extension and  
 conversion of existing garage to form 1  
 no. dwelling with 2 no. car parking  
 spaces and associated works.  
**Map Ref:** 64212 70994

**Applicant:** Mr P Hawkins  
**Date Reg:** 23rd February 2007  
**Parish:** Hanham Abbots  
 Parish Council  
**Ward:** Hanham



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**N.T.S**

**PK07/0613/F**

## **INTRODUCTION**

This application is reported on the Circulated Schedule due to the receipt of an objection from the Parish Council.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for two related elements, the extension at first floor level, over the existing side integral garage, of the dwelling and its subsequent division into two properties, with car parking provided for both in the front garden of the existing dwelling.
- 1.2 The house on site is a two storey semi detached. Its attached side garage is tall and wraps around the rear of the house to form a single storey rear extension, to which a conservatory has also been added. The proposal is to build over the garage to create a first floor extension, with windows facing front and rear. The extension, garage area and store to the rear of this is proposed to become a new dwelling, with two bedrooms at first floor level, over a kitchen/ diner, bathroom and living room. The remainder of the existing house would be retained as it is now.
- 1.3 The street scene at this location is characterised by a mix of bungalows and two storey dwellings. The site marks the transition between the two types of dwellings. No. 46 next door to the site has no windows in the bungalow's roof, facing the site.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG3 Housing
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
L1 Trees  
H4 House Extensions  
H5 Conversions of dwellings into flats  
T7 Cycle Parking  
T8 Car parking  
T12 Transportation
- 2.3 Supplementary Planning Guidance  
Notes 1 & 2

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P85/4037 Erection of garage Approved

### **4. CONSULTATION RESPONSES**

- 4.1 Hanham Abbots Parish Council  
The Parish Council object to the proposal on the grounds that it would have an over-powering effect on the neighbouring property, a bungalow.
- 4.2 Other Consultees  
Environmental Protection  
No objections in principle. Recommend the inclusion of informatives.

## **Other Representations**

### **4.3 Local Residents**

No replies received.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The analysis of this proposal will be in two stages, the extension and the subdivision of the resultant dwelling. There is no issue with the principle of either part of this application, but the analysis is subject to the tests set out under the headings below in paras 5.2 and 5.3 in respect of policy H4 and paras 5.4 to 5.7 in respect of policy H5.

### **5.2 Proposed Extension: Residential Amenity**

The proposal is to extend above an existing side garage in close proximity to the adjoining property, a bungalow. The side of the bungalow is therefore already next to a single storey building at close proximity to it. The proposal would be to create a two storey element in the same location. Since there is no first floor (roof) window facing in this direction, the proposal would not curtail any habitable room window views and it is considered that the proposal would therefore not have any overbearing impact on the bungalow greater than the current relationship.

### **5.3 Proposed Extension: Design and Visual Amenity**

The extension is proposed to be subservient to the host dwelling, through being set down at ridge height and set back from the front elevation. Eaves height would match that of the house in its current form. While the proposed extension would emphasise the juxtaposition of the two storey dwelling with the bungalow next door, this is a characteristic of the street scene as a whole and is not considered to harm visual amenity. It should be noted that the extension being subservient to the house would provide a visual 'step down' from house to bungalow, which is considered appropriate.

### **5.4 Subdivision of dwelling: Impact on residential amenity for adjoining occupiers**

The windows in the extension would face front and rear, in line with those habitable room windows already in the dwelling. There is already some degree of overlooking of gardens in this road and it is considered that the proposal would not increase this overlooking to the level where it would be detrimental to the residential amenity of adjacent occupiers.

### **5.5 Subdivision of dwelling: Impact on residential amenity for future occupiers**

This issue is assessed mainly in terms of the amount of amenity space which would be available for each dwelling. Amended plans were requested and received showing a portion of the rear garden allocated to the proposed new dwelling. The result of this is that both the proposed and residual dwellings are considered to have adequate private, contained amenity space to serve them. A condition has been suggested below to ensure that the garden area on the amended plan is provided before first occupation. The plans show a wall blocking off views out of the conservatory to the rear of the residual house. The erection of this, which would ensure the maintenance of existing levels of residential amenity, has also been conditioned below. Subject to these conditions, it is considered that the proposal would not have any detrimental impact on the residential amenity of either future or existing occupiers.

5.6 Subdivision of dwelling: Transportation issues

There are no objections raised by the Transportation section to this proposal, as long as conditions are applied to ensure that there will be 2 off street parking spaces provided within the curtilage for both the proposed and residual houses and that cycle parking is provided for one bicycle for each dwelling. These conditions appear below.

5.7 Tree Issues

The Council's Tree Officer found that the actual conversion and extension will have no impact on the existing trees. The creation of a parking area at the front of the property requires the felling of a Lawsons Cypress. This tree is considered to offer little amenity value and would not be worthy of retention. There is a silver birch tree growing on the properties boundary with the adjoining property and a Chilean pine in the neighbouring garden that are considered to be significant trees in the area. The proposed parking area will be within the rooting area of both trees, therefore works to construct the parking area could potentially damage the roots and have a detrimental effect on the health of the trees. If there are to be any level, or surface changes within the rooting area of the trees a method statement will be required for the works. The applicant has confirmed in a letter that the existing surface treatment will be maintained. The Tree Officer has no objections to this application with the condition that if there is any alteration in levels or to ground surfaces within the rooting area of the trees a method statement for the works is supplied and approved by the Council. The letter supplied by the applicant confirms that no such works are intended to take place. However if there are works which would affect the trees, this is secured by the condition shown below.

5.8 Effect of subdivision on the character of the street

The existing entrance to the present house would remain the same. An entrance for the new dwelling is proposed to be created in the side elevation. Parking would be in the front garden, where parking could occur at present, outside of any planning control. The proposal would not necessarily increase the amount of parking within the front garden. It is therefore considered that this proposal would not have any particular effect on the character of the location.

5.9 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).

5.10 Section 106 Requirements

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

## **6. CONCLUSION**

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

The decision to 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      PK07/0613/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. The off-street car parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason:

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

3. No dwelling shall be occupied until space has been laid out within the site for 1 bicycle for each dwelling to be parked in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T7 and T10 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the first occupation of the new dwelling hereby approved, its rear garden shall be enclosed in accordance with boundary treatment details to be submitted to and approved in writing by the local planning authority.

Reason:

To protect the privacy and amenity of neighbouring occupiers, to provide amenity space for future occupiers and to accord with Policy H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

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

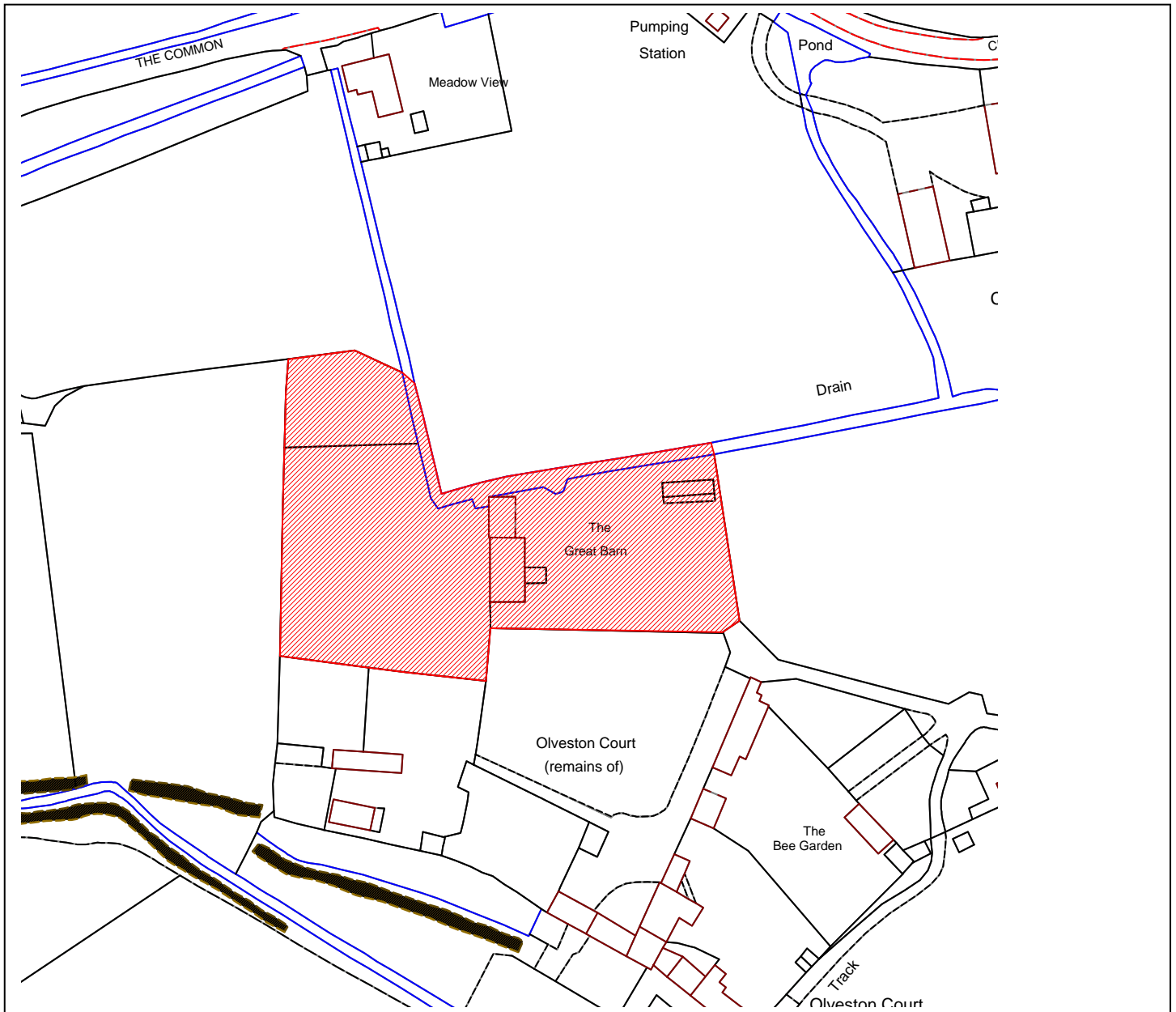
6. Prior to the commencement of any works to provide the car parking area shown on the approved plans, other than the removal of the tree indicated on those plans, details of tree root protection measures shall be submitted to the local planning authority for approval in writing. The works specified shall not be commenced until the approved tree root protection measures are in place and such measures shall be retained as agreed through the development.

Reason:

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

**CIRCULATED SCHEDULE NO. 13/07 - 29 MARCH 2007**

<b>App No.:</b>	PT06/1722/F	<b>Applicant:</b>	M Attwood
<b>Site:</b>	The Great Barn Denys Court Olveston BRISTOL South Gloucestershire BS35 4DU	<b>Date Reg:</b>	7th June 2006
<b>Proposal:</b>	Erection of single storey side extension with basement to provide additional living accommodation.	<b>Parish:</b>	Olveston Parish Council
<b>Map Ref:</b>	59814 87174	<b>Ward:</b>	Severn



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**N.T.S**

**PT06/1722/F**



This application appears on the Circulated Schedule as there have been comments received that conflict with the officer recommendation

## 1. THE PROPOSAL

- 1.1 The site consists of a 16<sup>th</sup> Century Barn now converted for residential use. The building is grade II listed and is situated within the Olveston Conservation Area. The site is located beyond the Village Development Boundary Associated with Olveston and is within the Bath and Bristol Green Belt and Conservation area.
- 1.2 The Proposed development consists of the demolition of the existing single storey structure attached to the North elevation of the main building. It is proposed to construct a new extension to this side of the main building which would comprise of single storey and basement elements.

## 2. POLICY CONTEXT

### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belt
PPG15	Planning and the Historic Environment
PPG16	Planning and Archaeology
PPG25	Flood Risk and Development

### 2.2 Adopted Joint Replacement Structure Plan

Policy 16	Green Belt
Policy 19	Cultural and Heritage Protection

### South Gloucestershire Local Plan (Adopted) January 2006

GB1	Development in the Green Belt
D1	Achieving Good Quality Design in New Development
H4	Development within Residential curtilages
L13	Listed Buildings
EP2	Flood Risk and Development
L11	Archaeology
L12	Conservation Areas

## 3. RELEVANT PLANNING HISTORY

- 3.1 PT06/1717/F Demolition of single storey side extension to facilitate erection of single and two storey side extensions.  
Refused
- 3.2 PT06/1733/LB Erection of single storey side extension with basement to provide additional living accommodation. Duplicate Application undetermined at the time of compiling this report
- 3.3 PT06/1737/LB Demolition of single storey side extension to facilitate erection of single and two storey side extensions.  
Refused

#### **4. CONSULTATION RESPONSES**

4.1 Olveston Parish Council

The Parish Council comments that an archaeological investigation must be considered in the case of developing a basement at this site.

4.2 Society for the Protection of Ancient Buildings

Concerned that the proposed development would have a detrimental impact upon the character and nature of the existing building.

4.3 Council for British Archaeology

A single storey extension (with basement) is acceptable provided that the construction of the basement would not harm the stability of the listed building.

4.4 Sustainable Transport

No Objection

#### **Other Representations**

4.5 Local Residents

No Comments Received

#### **5. ANALYSIS OF PROPOSAL**

5.1 The proposed development consists of the construction of a domestic extension to an existing residential dwelling which is a Grade II Listed building.

5.2 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is relevant to this planning application. The policy indicates that the proposed development is acceptable subject to the following considerations.

5.3 Green Belt

In accordance with PPG2, policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 provides the limited categories of appropriate development in the Green Belt. These categories include the development of extensions to existing dwellings where they would not represent a disproportionate addition to the existing building.

5.4 In volumetric terms, the proposed development is not of a physical size that would form a disproportionate addition and the development would involve the replacement of existing volume within the building. In this instance, it is considered that the proposed development would not represent a disproportionate addition to the existing building, and is consistent with the objectives of policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPG2.

5.5 Design, Conservation Area and Listed Building Considerations

The existing building dates (possibly) from the early 16<sup>th</sup> Century, and prior to the residential conversion was used as a barn. It is a large and impressive building of plain traditional style and proportions yet contains grander detailing in respect of a large door to the southern elevation. The modern conversion dating from the 1970's has resulted in some unfortunate additions, including that element proposed to be demolished as part of this development.

- 5.6 The site is also located within the Olveston village Conservation Area. This particular part of the conservation area is characterised by the open, historical landscape forming the setting of the remains of Olveston Court (which is a designated ancient monument). The subject building is one of a close group of historical buildings historically associated with Olveston Court.
- 5.7 In accordance with the advice contained within PPG15, Policy L13 seeks to protect the historical fabric and architectural interest of listed buildings, whilst Policy L12 seeks to preserve the character of designated conservation areas affected by development proposals. The policies also seek to provide enhancement as part of new development. Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 support this principle and seek to ensure that high quality design is achieved that would not compromise the character of the listed building.
- 5.8 The proposed development would remove what is considered to be a poor addition to the building in visual and architectural terms. The proposed redevelopment of this area would introduce a length of single storey structure in the approximate position of the existing structure then turning eastward along the northern boundary of the site. A basement construction is proposed to be added immediately to the North of main building and underneath the proposed extension. The development would form an enclosure along the northern boundary of the site so enclosing the area of yard immediately adjacent to the historical building. The structure would contain mostly glass to its south and east elevations whilst a more solid structure would form the north and west elevations.
- 5.9 In this instance the proposed development includes the construction of a basement as part of the new development. This would require the introduction of piling under the fabric of the Listed Building. Although, English Heritage are not required to be consulted in the case of works affecting a Grade II Listed Building, officers have liaised with English Heritage Officers with specific regard to the basement element of this proposal. In this instance, and having regard to the method of construction of the basement, English Heritage have advised that the introduction of the basement is acceptable.
- 5.10 It is considered that the overall design of the proposed development is acceptable in visual terms and would appear as a modest addition to the main building. However, in order to ensure that the extension is detailed in such a way as to complement the main building, without over domesticating its appearance, it is necessary to apply suitably worded conditions requiring detailed drawings relating to individual elements of the new development. This is generally standard practice in development that affects a listed building. Subject to the use of the above conditions it is considered that the development is acceptable in relation to the architectural and historical character of the listed building and to Olveston Conservation Area in which it stands.
- 5.11 Residential Amenity  
Given that the building exists in relative isolation, it is considered that there would be no impact upon the privacy and residential amenity of the occupants of nearby dwellings as a result of the proposed development.
- 5.12 Archaeological Considerations  
In accordance with PPG16, Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to protect archaeological remains where

development would take place in archaeologically sensitive locations. Given the nature of the proposed development, the proximity of this site to ancient buildings, and its location within a very historical landscape, the site is within an area acknowledged for its archaeologically sensitive nature.

5.13 There has been no Archaeological assessment made by the applicant in respect of the proposed development. However, in order to comply with the objectives of Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006, a suitably worded archaeological condition to any approval of this development is considered appropriate.

5.14 Flood Risk

The site is located at the very edge of Flood Risk Zone 3. However, given the position and nature of the development as an extension to an existing dwelling, it is not considered that the development would be at significant risk as a result of flooding. However, it is acknowledged that certain measures can be incorporated into new development to help prevent loss or damage as a result of flooding in the case of a 1 in 200 year event. In this instance, it would not be appropriate to apply a condition requiring further detail in this regard, as it would not be enforceable; and it is the responsibility of the occupants of the existing dwelling to consider the appropriate level of preventative measures.

5.15 Transportation

The proposed development is such that there would be no impact upon highway safety and amenity on the surrounding highways network.

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

7.1 That Planning Consent is granted subject to the following conditions.

**Background Papers**      **PT06/1722/F and PT06/1733/LB**

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

## CONDITIONS

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

Reason(s):

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

2. Prior to the commencement of the works hereby approved, large scale details of the following, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval.
  - a) Flues and vents
  - b) Rainwater goods
  - c) Eaves, verges and ridges,
  - d) Windows and doors
  - e) Timber panelling

No works shall be commenced until the Council has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 3 Prior to the commencement of the works hereby approved a samples of the proposed roof tiles and walling stone shall be constructed on site for approval by the Council. No works shall commence until; the Council has given written approval, and, the materials used shall comply exactly with the details so approved. For the avoidance of doubt the tiles are to be handmade second hand natural clay tiles, matching the original in colour, profile and texture, and verges to be bedded on natural slate undercloaks. The walling stone shall be rubblestone matching the original in size, colour and texture and shall be bedded in traditional lime mortar.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 4 The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

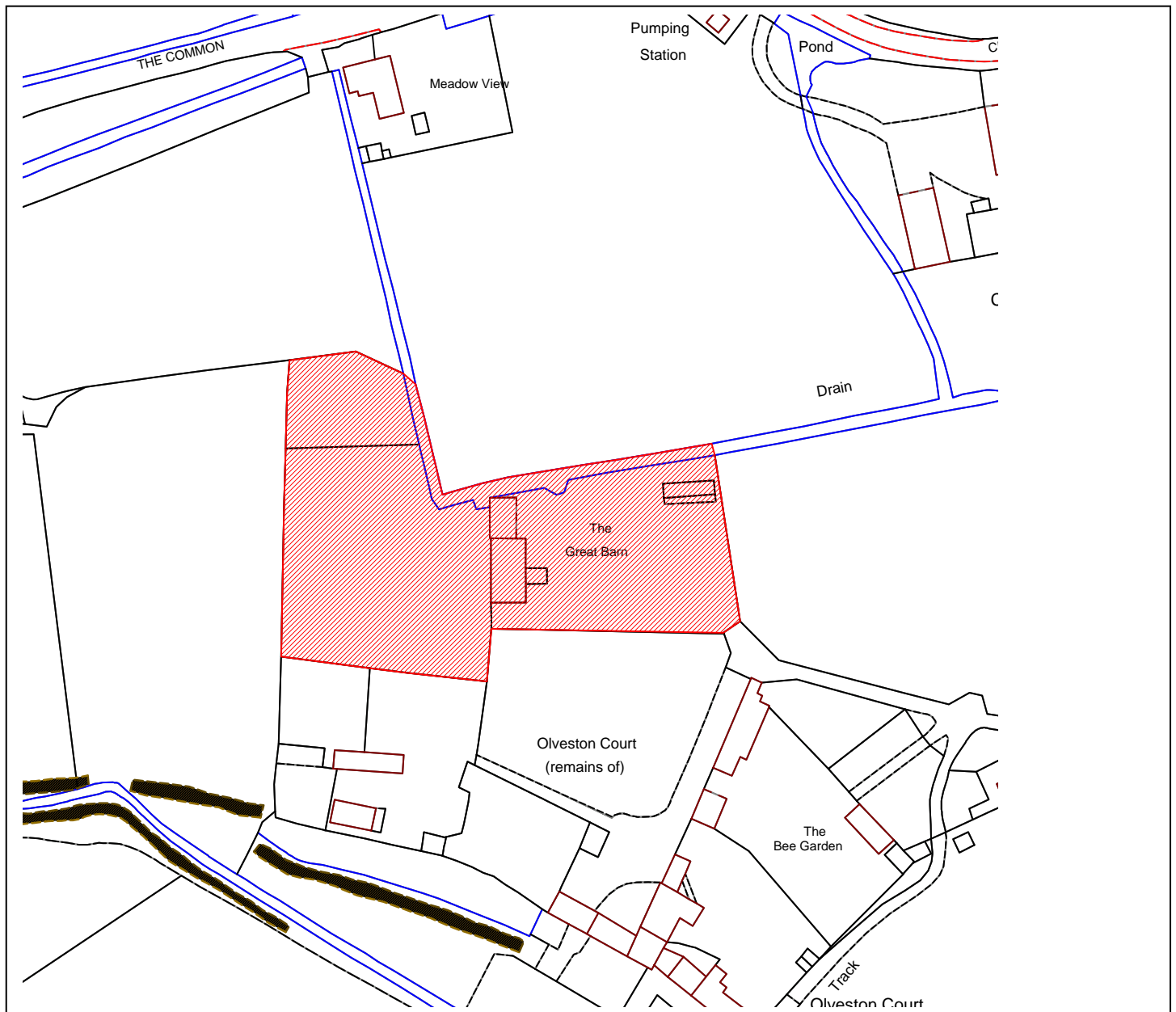
Reason(s):

In the interest of archaeological investigation or recording, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

# ITEM 14

## CIRCULATED SCHEDULE NO. 13/07 - 29 MARCH 2007

<b>App No.:</b> PT06/1733/LB	<b>Applicant:</b> Mr & Mrs M Attwood
<b>Site:</b> The Great Barn The Denys Court Olveston BRISTOL South Gloucestershire BS35 4DU	<b>Date Reg:</b> 8th June 2006
<b>Proposal:</b> Demolition of single storey side extension to facilitate erection of single storey side extension with basement.	<b>Parish:</b> Olveston Parish Council
<b>Map Ref:</b> 59814 87174	<b>Ward:</b> Severn



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100023410, 2007.

**N.T.S**

**PT06/1733/LB**

This application appears on the Circulated Schedule as there have been comments received that conflict with the officer recommendation

## **1. THE PROPOSAL**

- 1.1 The site consists of a 16<sup>th</sup> Century Barn now converted for residential use. The building is grade II listed and is situated within the Olveston Conservation Area. The site is located beyond the Village Development Boundary Associated with Olveston and is within the Bath and Bristol Green Belt and Conservation area.
- 1.2 The Proposed development consists of the demolition of the existing single storey structure attached to the North elevation of the main building. It is proposed to construct a new extension to this side of the main building which would comprise of single storey and basement elements.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPG15 Planning and the Historic Environment
- 2.2 Development Plans  
Adopted Joint Replacement Structure Plan  
Policy 19 Cultural and Heritage Protection
- South Gloucestershire Local Plan (Adopted) January 2006  
L13 Listed Buildings

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PT06/1717/F Demolition of single storey side extension to facilitate erection of single and two storey side extensions.  
Refused
- 3.2 PT06/1722/F Demolition of single storey side extension to facilitate erection of single storey side extension with basement. Duplicate Planning Application, undetermined at the time of writing this report
3. PT06/1737/LB Demolition of single storey side extension to facilitate erection of single and two storey side extensions.  
Refused

## **4. CONSULTATION RESPONSES**

- 4.1 Olveston Parish Council  
The Parish Council comments that an archaeological investigation must be considered in the case of developing a basement at this site.
- 4.2 Society for the Protection of Ancient Buildings  
Concerned that the proposed development would have a detrimental impact upon the character and nature of the existing building.

- 4.3 Council for British Archaeology  
A single storey extension (with basement) is acceptable provided that the construction of the basement would not harm the stability of the listed building.
- 4.4 Sustainable Transport  
No Objection

### **Other Representations**

- 4.5 Local Residents  
No Comments Received

## **5. ANALYSIS OF PROPOSAL**

- 5.1 The proposed development consists of the construction of a domestic extension to an existing residential dwelling which is a Grade II Listed building.
- 5.2 Principle of Development  
The principle of the proposed development and associated planning merits of this case are considered under the associated planning application submitted under PT06/1722/F; which also appears on this schedule. However, as the proposed works require Listed Building Consent it is necessary to consider the merits of the proposal in relation to its impact upon the historical and architectural nature of the Listed Building. These are considered below.
- 5.3 Listed Building Considerations  
The existing building dates (possibly) from the early 16<sup>th</sup> Century, and prior to the residential conversion was used as a barn. It is a large and impressive building of plain traditional style and proportions yet contains grander detailing in respect of a large door to the southern elevation. The modern conversion dating from the 1970's has resulted in some unfortunate additions, including that element proposed to be demolished as part of this development.
- 5.4 In accordance with the advice contained within PPG15, Policy L13 seeks to protect the historical fabric and architectural interest of listed buildings. The policy also seek to provide enhancement as part of new development. Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 support this principle and seek to ensure that high quality design is achieved that would not compromise the character of the listed building.
- 5.5 The proposed development would add remove what is considered to be a poor addition to the building in visual and architectural terms. The proposed redevelopment of this area would introduce a length of single storey structure in the approximate position of the existing structure then turning eastward along the northern boundary of the site. A basement construction is proposed to be added immediately to the North of main building and underneath the proposed extension. The development would form an enclosure along the northern boundary of the site so enclosing the area of yard immediately adjacent to the historical building. The structure would contain mostly glass to its south and east elevations whilst a more solid structure would form the north and west elevations.
- 5.6 In this instance the proposed development includes the construction of a basement as part of the new development. This would require the introduction



of piling under the fabric of the Listed Building. Although, English Heritage are not required to be consulted in the case of works affecting a Grade II Listed Building, officers have liaised with English Heritage Officers with specific regard to the basement element of this proposal. In this instance, and having regard to the method of construction of the basement, English Heritage have advised that the introduction of the basement is acceptable.

- 5.7 It is considered that the overall design of the proposed development is acceptable in visual terms and would appear as a modest addition to the main building. However, in order to ensure that the extension is detailed in such a way as to complement the main building, without over domesticating its appearance, it is necessary to apply suitably worded conditions requiring detailed drawings relating to individual elements of the new development. This is generally standard practice in development that affects a listed building. Subject to the use of the above conditions it is considered that the development is acceptable in relation to the architectural and historical character of the listed building.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 That Listed Building Consent be approved subject to the following conditions.

**Background Papers**      **PT06/1733/LB and PT06/1722/F**

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

## **CONDITIONS**

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

Reason(s):

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

2. Prior to the commencement of the works hereby approved, large scale details of the following, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval.
- a) Flues and vents
  - b) Rainwater goods

- c) Eaves, verges and ridges,
- d) Windows and doors
- e) Timber panelling

No works shall be commenced until the Council has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. Prior to the commencement of the works hereby approved a samples of the proposed roof tiles and walling stone shall be constructed on site for approval by the Council. No works shall commence until; the Council has given written approval, and, the materials used shall comply exactly with the details so approved. For the avoidance of doubt the tiles are to be handmade second hand natural clay tiles, matching the original in colour, profile and texture, and verges to be bedded on natural slate undercloaks. The walling stone shall be rubblestone matching the original in size, colour and texture and shall be bedded in traditional lime mortar.

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

# ITEM 15

## CIRCULATED SCHEDULE NO. 13/07 - 29 MARCH 2007

**App No.:** PT07/0204/F

**Applicant:** Meadgate Western Ltd & Associates

**Site:** 330, 332 Land to rear of Deorham, Passage Road Almondsbury BRISTOL South Gloucestershire BS10 7TE

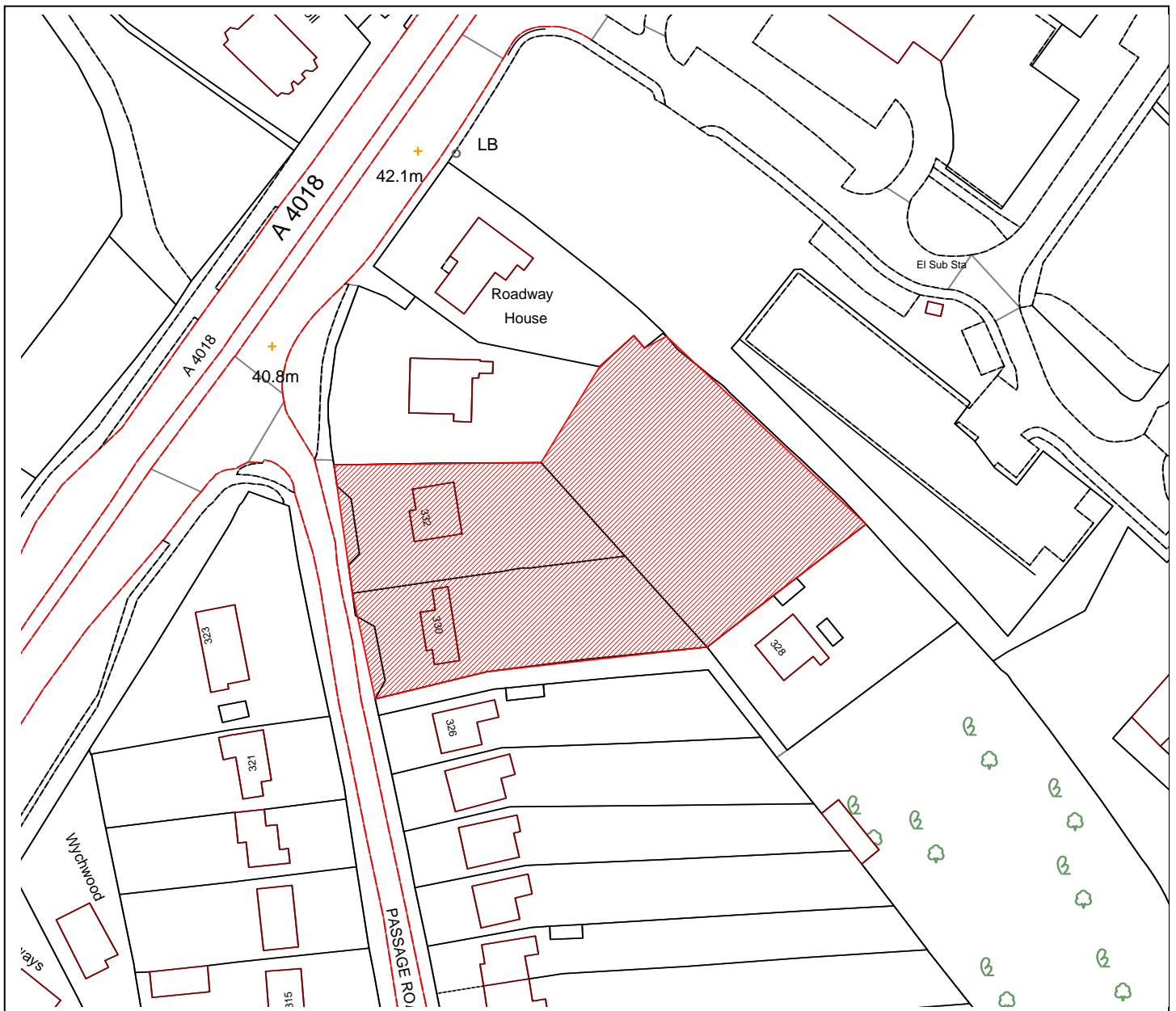
**Date Reg:** 25th January 2007

**Proposal:** Erection of 14 no. dwellings and repositioning of access and associated works. Resubmission of previously withdrawn PT06/2187/F.

**Parish:** Almondsbury Parish Council

**Map Ref:** 57075 80239

**Ward:** Almondsbury



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100023410, 2007.

## **INTRODUCTION**

This application is placed on the Circulated Schedule to accord with procedure as it is defined as a “Major Application”.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks consent for the erection of 14 no. dwellings, the alteration to an access and various associated works to facilitate the development to include the access road at a site located on Passage Road near to the junction of the A4018 Cribbs Causeway. The site area is 0.464 hectare comprising two bungalows and gardens. The site is situated within the urban area.
- 1.2 To the immediate north of the site lies a residential property (No. 334 Passage Road), a two storey office building, and a Gas Sales Centre beyond which lie car showrooms and further to the north a commercial area including a Travelodge and restaurant. To the east lies the runway of Filton Airfield, the end of which is approximately 500 metres from the site. To the south are further residential properties within Passage Road. To the west of the site lies Cribbs Causeway itself and an area of Green Belt Land lies between this main route and the embankment of the M5 Motorway.
- 1.3 The proposal will provide 14 no. dwellings, eleven of which will have four bedrooms and three will have 3 bedrooms. In terms of the form of the buildings, eight properties will be detached, six properties will be located within two terraces of three houses each and there will be one semi-detached pair.
- 1.4 This proposal represents a resubmission of an application no. PT06/2187/F. This application was withdrawn given concerns that were raised in relation to the design and noise issues. An Acoustic Report has been submitted in support of this application.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transportation
PPG24	Planning and Noise

#### **2.2 Adopted Joint Replacement Structure Plan**

Policy 33	Housing
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#### **2.3 South Gloucestershire Local Plan (Adopted) January 2006**

L1	Landscape Protection and Enhancement
L9	Protected Species
D1	Achieving good quality design in new development
H2	New housing development in the urban areas and settlement boundaries
H6	Affordable Housing
LC1	Provision for Built Sports, Leisure and Community Facilities
LC2	Provision of Educational Facilities

LC8	Open space and Children's Play associated with new Residential Development
S1	Service Infrastructure in New Development
E5	Filton Airfield Safe guarding
T12	Transport
T8	Parking
EP1	Environmental Pollution
EP4	Noise Sensitive Development

#### 2.4 Supplementary Guidance

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

### 3. RELEVANT PLANNING HISTORY

N5812	Erection of two detached dwellings. Construction of new vehicular access (Refusal)
N5551/AP	Erection of dwelling (Approved)
P85/2145	Erection of detached bungalow and construction of vehicular access (Refused)
P90/2920	Erection of detached bungalow (Refused)
PT06/2187/F	Erection of 14 no. dwellings repositioning of access and associated works (Withdrawn)

### 4. CONSULTATION RESPONSES

#### 4.1 Almondsbury Parish Council

The Parish Council would again like to support the residents and BAE Systems in opposing this development. The housing in Passage Road would be increased by 50% and we do not believe the infrastructure in the area would be sufficient. There would be a loss of privacy for the existing properties. The three storey dwellings would be out of keeping with the existing bungalows.

#### 4.2 BAE Systems

Object on the grounds that the development could potentially affect the operations of the Filton Airfield because of noise issues affecting the site in the future. They state that "the proposed development is in an area that is unlikely to meet the Environmental Noise Regulations 2006"

#### 4.3 Airbus UK

The proposed development constitutes a safety hazard increasing the number of people living in the area. The users of the site would be unacceptably affected by existing land uses.

#### 4.4 Sustainable Transport

The site is located on Passage Rd, an unclassified loop off the duelled Cribbs Causeway. Passage Road is residential in nature typically at least 5 metre wide and has a footway on its eastern side. The two junctions with Cribbs Causeway have acceptable visibility. The proposal is for a 5 metre adoptable-shared surface road with one metre and two metre service margins respectively. There is an acceptable turning head and adequate parking provision. The spaces for plot 10 seem to be difficult to use due to flanking planting and this planting should be reconfigured.

#### 4.5 The parking space fronting the garage to plot 11 closest to plot 12 will be

difficult to use because of its orientation. However it is acknowledged that if this space is not used the plot will still have three spaces. Any frontage planting should be setback to allow at least a 2.4 X 60 metre visibility splay to the south of the junction with passage road. To the north is acceptable. A revised plan showing these minor amendments should be provided and approved prior to the issuing of any permission.

- 4.6 It is considered that Passage Rd can accommodate the additional dwellings and that the proposed layout is acceptable in geometry, width, parking provision, service margin etc for this scale of proposal. However the site has issues with sustainability. Because of its proximity to Cribbs Causeway, a principal route from the motorway network into the greater Bristol area, this road is isolated from any meaningful service. Although there are bus stops in close proximity served by three services these are driven by the Mall Regional Shopping Centre that does not substantially operate until 1000 AM, the majority of these do not operate in the AM peak hour past the site and only one bus will arrive in the City Centre prior to 0900 AM. In terms of the return journey, there are more services in the PM peak but there is no crossing between the two bus stops. As a consequence pedestrians have to cross 4 lanes of high-speed traffic. This situation acts as a strong deterrent to the serious use of public transport as a mode of travel to work.
- 4.7 Additionally the nearest schools are well outside the walking distances set out in RPG10 from the site and again located on the other side of the dual carriageway. There are no shops anywhere near the site.
- 4.8 When looked at holistically, although in a nominally urban setting, the site, by virtue of its remote unique setting and limited services would not be considered sustainable. In order to mitigate the introduction of further dwellings in this location and the increased travel demand they will introduce, it is considered that a signal controlled pedestrian crossing should be provided to link Passage road with the service on the other side of Cribbs Causeway such as the bus stops, schools etc in a safe manner, thus encouraging modal shift. In line with advice in government circular 5/05 allowing the council to collate contributions toward infrastructure improvements and given that the development is only for 14 dwellings the developer should provide a contribution of £30K towards the cost of the crossing. The developer has indicated their willingness to do this. The contribution must be secured via an appropriate agreement and received prior to the commencement of on site works.

On that basis subject to the following condition there is no transportation objection to this proposal.

4.9 Local Residents

11 letters of objection have been received during the consultation period relating to this planning application. The comments can be summarised as follows;

- a) The proposed development will be subject to unacceptable noise levels with specific reference to the Airfield.
- b) The density of the development is not in keeping with the pattern of development in the locality

- c) The proposed development would have a detrimental impact upon highway safety and the safety of all road users
- d) The proposed development would have an adverse impact upon the ecology of the area
- e) The proposal would have an adverse impact upon the character of the area
- f) The proposal does not incorporate sufficient parking space

## 5. **ANALYSIS OF PROPOSAL**

5.1 The proposed development consists of the construction of 14 dwellings on previously developed land within the Bristol North Fringe Urban Area.

### 5.2 Principle of the Development

Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 indicates that proposed residential development within the urban areas and within defined settlement boundaries is acceptable subject to the following considerations.

### 5.3 Density

PPS3 advises that new residential development should take place within existing settlements and should make the most efficient use of the site. In line with this advice, Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 requires that new residential development should achieve the maximum density compatible with the site and its surroundings but the expectation is that new residential development should achieve a minimum density of 30 dwellings per hectare.

The density of the development is 30.2 dwellings per hectare which meets this requirement. This is consistent with the requirements of PPS3 and Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006. Given the characteristics of the site which, although within the urban boundary, is remote from local services, not well served by Public Transport Links it is not considered that this density should be higher. This approach is in line with the Draft Design Checklist. It should also be noted that requirement to set the building line back to that of adjoining properties in Passage Road, (to ensure that the development would integrate successfully into the street scene), results in the effective developable area being less than 0.464 hectare.

### 5.4 Design and Character issues

Policies D1, H2 and H4 supported by PPS1 and PPS3 of the South Gloucestershire Local Plan (Adopted) January 2006 seek to achieve good design in new development. This is supported within the South Gloucestershire Design Checklist SPD (draft for public consultation Sept 2006) having regard to the site and its surroundings. The following appraisal follows the requirements set out in the design checklist.

The proposal was previously withdrawn, partly over concerns regarding the layout. The building line has been set back and is considered to ensure that the development would integrate successfully into the street scene.

5.5 It is considered that the development provides sufficient amenity space in terms of size, (the value of this space is discussed under “noise” below). The garden areas allocated to Units 13 and 14 have been increased in size and are now considered appropriate.

- 5.6 PPS1, PPS3 and Local Plan Policy D1 promote development with a distinctive character that responds to the local context and also, a lack of local character is not a justification for a development not to have a distinctive character of itself. It is considered that the development (in contrast to the previous application) has satisfactorily addressed this question. If the proposal were acceptable in other respects further details of materials and submission of samples would be required.
- 5.7 A fundamental part of the design process in line with Policy D1(g) is 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*” Furthermore the policy indicates following guidance in PPS1 that development should achieve the maximum viable standard of resource and energy efficiency. Consequently the development should achieve as a minimum standard, EcoHomes ‘very good’ / Level 3 of the Code for Sustainable Homes. If the proposal were acceptable in other respects this would form the basis for a condition attached to the decision notice.

Subject to the above considerations the design of the proposed development is considered acceptable.

5.8 Residential Amenity

Policies H2 and H4 require an assessment of the impact of development upon the amenity of neighbouring occupiers. It is not considered given the scale and location of the proposed buildings that any part of the development would appear oppressive/overbearing to neighbouring occupiers.

Concern has been raised that the proposed development will result in loss of privacy to adjoining occupiers with the principle concern relating to No.334 326 and 328.

With respect to No.326 any impact would be from Plot 12. It should be noted that there is a gap of approximately 8.5 metres from the rear elevation to the boundary (a 1.8 metre wall lies along the boundary). The windows at first floor would (from this distance) over look part of the rear garden of 326 but would not directly view the rear elevation of the property. It is not considered that any impact would be so significant such as would justify the refusal of the application.

- 5.9 Turning to No.328, Plot 9 the closest property would have only one window at first floor level (to a bathroom) overlooking the rear garden of that property and at ground floor level there would be a 1.8 metre close boarded fence marking the boundary. If the proposal were acceptable, a condition would be attached to the decision notice to ensure that this was obscure glazed. In terms of impact upon No.334, the nearest proposed building Plot 4 would over look the rear garden of that property but again there is just a single bathroom window at first floor level and this would be obscure glazed (secured by condition if the scheme were acceptable in other respects). Again at ground level there is a 1.8 metre fence.

It is not considered that the development would result in any significant loss of amenity to the adjoining properties.



#### 5.10 Landscaping

Policy L1 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006 work together to ensure that new development would not harm the landscape character of the site and its surrounding area.

- 5.11 The site is largely surrounded and visually contained by residential and commercial development. It is therefore considered unlikely that the proposed development will have any detrimental visual impact in the broader landscape. The proposal will also not entail the loss of any vegetation that contributes to the character and distinctiveness of the locality. The site is physically close to the Green Belt boundary but the configuration of existing and proposed development is such that it is considered unlikely the proposal will adversely affect the visual amenity of the adjoining Green Belt. It is further considered that the site meets none of the criteria to be considered a significant open area within the existing urban area.

There are no landscape proposals submitted but the indicative proposals shown on the site layout suggest it will be possible to provide an appropriate level of landscape enhancement. If the proposal were acceptable in other respects suitable landscaping conditions would be applied.

#### 5.12 Ecology

Policy L9 considers development which would directly or indirectly have an adverse impact on those species that have been designated as protected under relevant legislation principally the Wildlife and Countryside Act 1981 (as amended) or the CROW Act 2000. Slowworms, song thrush and hedgehogs are listed on the emerging South Gloucestershire Biodiversity Action Plan (BAP) as species which the Council will require or carry out work to enhance populations. Song thrush is also a Priority Species on the UK BAP and is furthermore listed as a 'species of principal importance for biological diversity' by the Government.

- 5.13 Additionally, bats are associated with the roof voids of houses, providing both summer breeding roosts or winter hibernation sites. All species of bat are fully protected under both the Wildlife & Countryside Act 1981 (as amended) and the Habitat Regulations 1994, which implements European Directive 92/43/EEC ('the Habitats Directive 1992'). If present, any work affecting their roosts would be subject to receiving a licence from DEFRA under Regulation 44 of the Habitat Regulations.

Insufficient information has been supplied to assess this matter and therefore the proposal is contrary to Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

#### 5.14 Trees

The site has been assessed by the Council's Tree Officer. There are not considered to be any trees of significance worthy of protection on the site. It is considered that the proposal is in accord with the aims and objectives of Policy L1.

#### 5.15 Drainage

Policy EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 seek to ensure that new development would not have a detrimental effect upon the water environment as a result of flooding or pollution.

Subject to a condition to ensure the use of best drainage practice there is no objection to the proposed development.

5.16 Noise

Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006 indicates that development will not be permitted where users of it would be unacceptably affected by reason of proximity to existing land uses and the impact from noise is a criteria that would be assessed. Policy EP4 states that *“Noise-Sensitive Development which would suffer an unacceptable degree of disturbance as a result of close proximity to existing noise or vibration sources will not be permitted”*. PPG24 (para 6) includes housing within the definition of noise-sensitive development.

5.17 The applicant has submitted an Acoustic Report in support of the proposal however it is considered that the submitted noise report and its methodology fails to properly evaluate the impact of aircraft from the nearby Filton Airfield. Aircraft activities have not been properly modelled to generate noise contours to reflect the Noise exposure categories (NEC) in planning Policy Guidance PPG24. The Applicant’s noise report places reliance and makes comparison to the major Northfield development (to the North and Eastern end of the runway) which was submitted with appropriately generated noise contours.

5.18 It is considered that regardless of the above, the proposal does not and cannot satisfy the requirements of Planning Policy Guidance – Noise PPG24. The details supplied in the submitted noise report indicate that the development lies within (Noise Exposure Category) NEC B.

PPG24 states in respect to NEC B that *“Noise should be taken into account when determining planning applications and where appropriate, conditions imposed to ensure an adequate level of protection against noise.”*

In this case the noise impact is important with respect to the nearby operational airfield and that the proposal site lies directly on the extended centreline to the runway. In terms of the NEC B it is entirely ‘appropriate’ to impose conditions to ensure an adequate level of protection against noise. In this case it is not considered possible to ensure this protection as noise from aircraft flyovers cannot be mitigated having regard to

- (i) The external areas and garden amenity clearly cannot be protected from aircraft flyovers and therefore, the proposal fails to satisfy PPG24 NEC B  
It is very important to note that PPS3 strongly emphasises design stating that design is fundamental to the development of high quality housing. Paragraph 16 states that in assessing design quality the extent to which development provides access to open space including private outdoor space such as residential gardens, patios and balconies will be taken into account. Furthermore Paragraph 17 states that *“ particularly where family housing is proposed it will be important to ensure that the needs of children are taken into account and there is provision of recreational areas, including private gardens, play areas and informal play space. These should be well designed, safe, secure and stimulating areas with safe pedestrian access.* In these circumstances it is considered that the proposal would fail this objective in so far as the private amenity space provided would be seriously affected and devalued by noise from aircraft.

- (ii) A basic premise of PPG24 is to locate noise-sensitive development away from noisy activity – which must include an operational airfield.”wherever practicable,noise sensitive developments are separated from major noise sources-such as road ,rail and air transport”

It should also be noted that the local authority have for several years received a considerable number of noise complaints, attributed mainly to regular and continual light aircraft circuit training. The proposal would introduce more residents into an area already noise-sensitive to aircraft movements and would therefore exacerbate the current detrimental effects on the amenities of the locality.

Taking into account all of the above it is considered that the proposal would be contrary to Policy H2, EP1 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006 and guidance contained within PPG24 and PPS3.

#### 5.19 Airfield Operations

Objection has been raised by British Aerospace Engineering (BAE) as to the impact of the development on the operations of the Filton Airfield. The principle objection being that the development is in an area unlikely to meet Environmental Noise Regulations and subsequently complaints would arise in future from future occupiers at the site.

Policy E4 of the South Gloucestershire Local Plan (Adopted) January 2006 considers the effect of development upon operational development. The proposal site falls within the identified ‘Safeguarded Zone’. The concerns of BAE relate to the future operations of the airfield being compromised as a result of public resistance on the basis of noise. This impact is considered elsewhere in the report, it is not considered that this would relate directly to Policy E4 which deals with the safe and efficient operations on the airfield.

#### 5.20 Transportation Issues

Concerns have been raised that the proposed development will result in transportation problems, in particular, it is argued that the proposed development would have a detrimental impact upon highway safety in the locality; and that there is not sufficient parking provided on site for the capacity of the development.

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon the highway safety and amenity of the surrounding locality. These principles are supported by Policies H2 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

The site is located on Passage Rd, an unclassified loop off the duelled Cribbs Causeway. Passage Road is residential in nature typically at least 5 metre wide and has a footway on its eastern side. The two junctions with Cribbs Causeway have acceptable visibility. The proposal is for a 5 metre adoptable-shared surface road with one metre and two metre service margins respectively. There is an acceptable turning head and adequate parking provision. Following negotiations the parking spaces for Plot 10 have been reconfigured and are considered acceptable.

If the scheme were acceptable in other respects a condition would be attached to the decision notice to require any frontage planting to be setback to allow at

least a 2.4 X 60 metre visibility splay to the south of the junction with Passage Road. To the north the visibility is considered acceptable.

It is considered that Passage Rd can accommodate the additional dwellings and that the proposed layout is acceptable in geometry, width, parking provision, service margin etc for this scale of proposal. There are however sustainability issues. Given the proximity to Cribbs Causeway, a principal route from the motorway network into the greater Bristol area, Passage Road is isolated from any meaningful service. Although there are bus stops in close proximity served by three services these are driven by the Mall Regional Shopping Centre that does not substantially operate until 1000 AM, the majority of these do not operate in the AM peak hour past the site and only one bus will arrive in the City Centre prior to 0900 AM. In terms of the return journey, there are more services in the PM peak but there is no crossing between the two bus stops. As a consequence pedestrians have to cross 4 lanes of high-speed traffic. This situation acts as a strong deterrent to the serious use of public transport as a mode of travel to work.

Additionally the nearest schools are well outside the walking distances set out in RPG10 from the site and again located on the other side of the dual carriageway. There are no shops anywhere near the site.

When looked at holistically, although in a nominally urban setting, the site, by virtue of its remote unique setting and limited services would not be considered sustainable. In order to mitigate the introduction of further dwellings in this location and the increased travel demand they will introduce, it is considered that a signal controlled pedestrian crossing should be provided to link Passage road with the service on the other side of Cribbs Causeway such as the bus stops, schools etc in a safe manner, thus encouraging modal shift. In line with advice in government circular 5/05 allowing the council to collate contributions toward infrastructure improvements and given that the development is only for 14 dwellings the developer should provide a contribution of £30K towards the cost of the crossing.

The developer has indicated their willingness to do this and the contribution would be secured via an appropriate agreement and received prior to the commencement of on site works. Given that the proposal is unacceptable on other grounds however this matter has not at this time been resolved. Without mitigation, the proposal will result in additional travel demand including vehicular traffic from an isolated unsustainable location. This will increase congestion on the Bristol North Fringe network adding to the hazards faced by the travelling public. Additionally, the location of the site adjacent to Cribbs Causeway and the poor pedestrian links to services, schools and public transport, acts as a deterrent to other modes of transport. This is contrary to the aims and objectives as set out in the South Gloucestershire Local Plan (Adopted) January 2006, specifically policies T12 and D1.

#### 5.21 Affordable Housing Requirements

The proposal is for the provision of 14 dwellings. This falls below the threshold for the requirements of H6 of the South Gloucestershire Local Plan (Adopted) January 2006

#### 5.22 Community Services Provision

Policy LC1 of the South Gloucestershire Local Plan (Adopted) January 2006 March 2005 requires that, where local provision for community facilities is

inadequate to meet the projected needs arising from the occupiers of new residential development, provision in kind will be required from the developer in respect of that need.

In this instance, there has been no need identified for off site provision in respect of improvements to existing facilities.

#### 5.23 Education Provision

Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006 requires that, where local provision for school places (pre-school, primary and secondary) is inadequate to meet the projected needs arising from the occupiers of new residential development, provision in kind will be required from the developer in respect of that need.

The Education Department was consulted in respect of this planning application. No requirement for provision of school places has been identified as a result of this development.

#### 5.24 Design and Access Statement

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

## 6. CONCLUSION

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

## 7. RECOMMENDATION

Planning Permission be refused for the following reasons

**Background Papers**      **PT07/0204/F**

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

## REFUSAL REASONS

1. The erection of dwellings on land that is subject to a level of noise falling within Noise Exposure Category B, when it is not possible to mitigate against the impact of aircraft noise upon external areas and private amenity space, would result in an unacceptable impact upon the amenity, health and well-being of future occupiers. As such the proposal would be

contrary to the advice contained in PPG 24: Planning and Noise, and to Policies H2, EP1 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. Without mitigation, the proposal will result in additional travel demand including vehicular traffic from an isolated unsustainable location. This will increase congestion on the Bristol North Fringe network adding to the hazards faced by the travelling public. Additionally, the location of the site adjacent to Cribbs Causeway and the poor pedestrian links to services, schools and public transport, acts as a deterrent to other modes of transport. This is contrary to the aims and objectives of Policies D1 and T12 of the South Gloucestershire Local Plan (Adopted).

3. Insufficient information has been supplied with the application to determine the impact of the development upon the Ecology of the Site contrary to Policy L9 of the South Gloucestershire Local Plan (Adopted).

# ITEM 16

## CIRCULATED SCHEDULE NO. 13/07 - 29 MARCH 2007

**App No.:** PT07/0280/R3F

**Applicant:** South Gloucestershire Council

**Site:** Meadowbrook Primary School Three Brooks Lane Bradley Stoke BRISTOL South Gloucestershire BS32 8TA

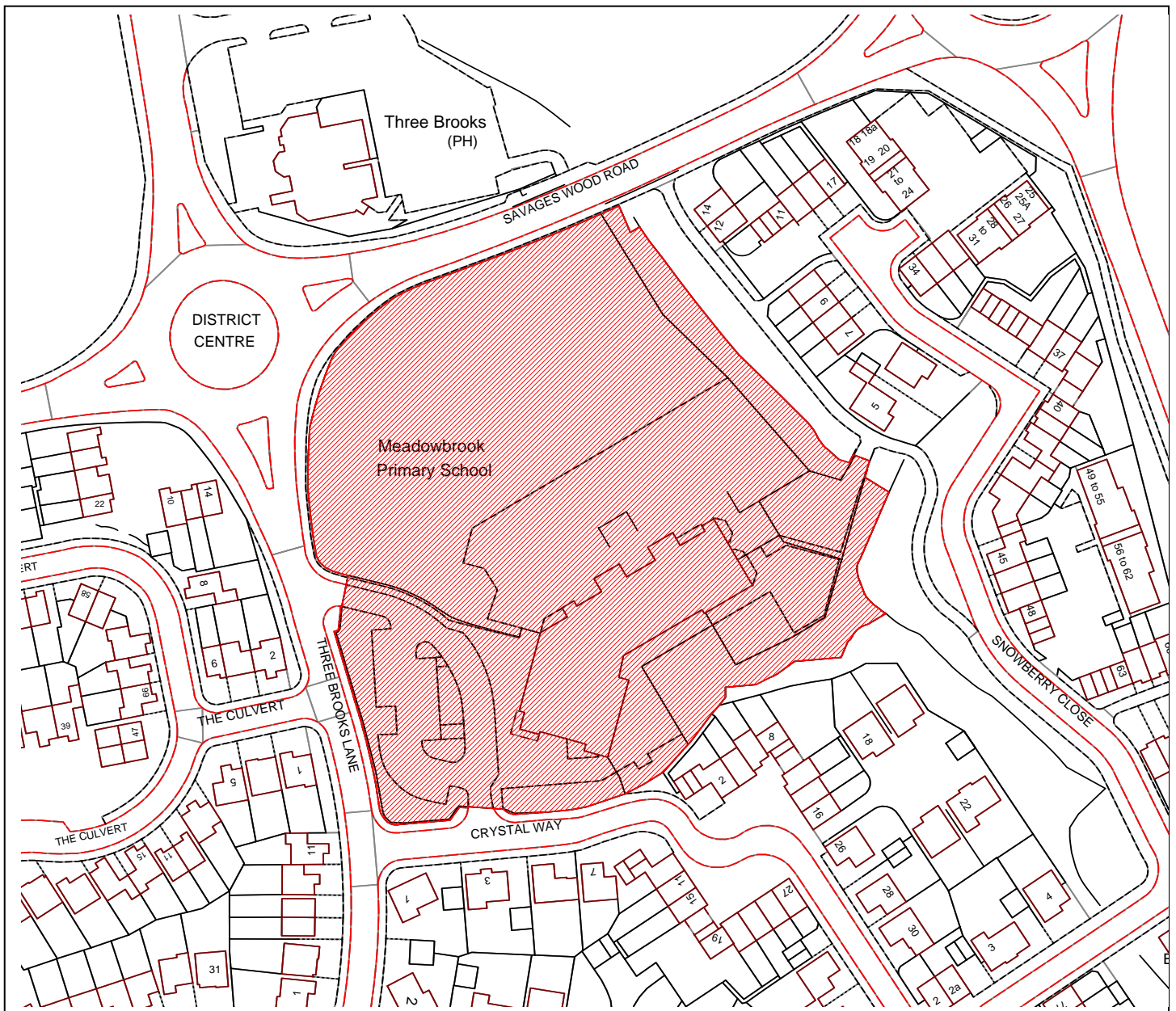
**Date Reg:** 31st January 2007

**Proposal:** Erection of boundary fence.

**Parish:** Bradley Stoke Town Council

**Map Ref:** 62102 81763

**Ward:** Bradley Stoke Sherbourne



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100023410, 2007.

DC0901MW

This application has been placed on the Circulated schedule as it is for development on a Council owned site.

## **1. THE PROPOSAL**

1.1 This application seeks permission for the erection of 73 metres of 1.8 metre, 71 metres of 3.6 metre and 96 metres of 4.2 metre high fencing. The fencing will surround the playing fields attached to Meadowbank Primary School. The school is relatively modern and is located within the established settlement of Bradley Stoke.

1.2 The proposed fence is designed to serve two purposes firstly it will provide additional security around the school and secondly it will stop stray balls from the playing fields going onto the highway.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

PPS1 Delivering Sustainable Communities.

### 2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development

LC4 Proposals for Education and Community Facilities within the Existing urban Area and Defined Settlement Boundaries

### 2.3 Supplementary Planning Document

Design Checklist (Draft)

## **3. RELEVANT PLANNING HISTORY**

3.1 None which affect the determination of the application

## **4. CONSULTATION RESPONSES**

### 4.1 Bradley Stoke Town Council

No objection to the proposal

### Sustainable Transport

No response received

### 4.2 Local Residents

No response received

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

In assessing applications for educational facilities within existing urban areas and the boundaries of settlements, policy LC4 of the adopted South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant, as is policy D1 of the same Local Plan.

### 5.2 Educational Development

Policy LC4 states that such proposals will normally be permitted provided the following criteria are complied with:-



**a) Proposals are located on highly accessible sites;**

As the development proposed is only a fence around the school buildings, then this part of the policy is not of relevance.

**b) Development would not unacceptably prejudice residential amenities;**

It is considered that in this instance the proposed fence will not impact upon the residential amenities of the neighbouring residential properties. It could be said that the as a result of the erection of the fencing residential amenities will be improved as the risks associated with balls leaving the playing field area will be diminished.

**c) Development would not have unacceptable environmental or transportation effects;**

It is not considered the proposal will have unacceptable environmental or transportation effects.

**d) Development would not give rise to unacceptable levels of on street parking to the detriment of the surrounding area and highway safety;**

The scheme will not give rise to any transportation issues. As stated above the the proposed scheme will improve highway safety as it will mean a reduction the possibility of balls leaving the playing field and entering the highway network which bounds the school. Therefore highway safety could be seen as being improved.

5.3 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 sets out the criteria for achieving a high standard of design in new development. In particular proposals should be informed by and respect the character, distinctiveness and amenity of both the site and locality. Features of landscape, nature conservation, and heritage or amenity value should be safeguarded and enhanced.

It is considered that the proposed fence would not unreasonably detract from the overall appearance of the school and its surrounding area. A condition is however suggested requiring the approval of the exact colour of the fence to be submitted in writing to the council for approval prior to it's erection.

5.4 Design and Access Statement

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

Section 106 Requirements

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

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

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 Planning permission be granted

Background Papers PT07/0280/R3F

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

## **CONDITIONS**

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

Reason(s):

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

2. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a sample of the proposed fencing showing the colour of the fence to be used.

Reason(s):

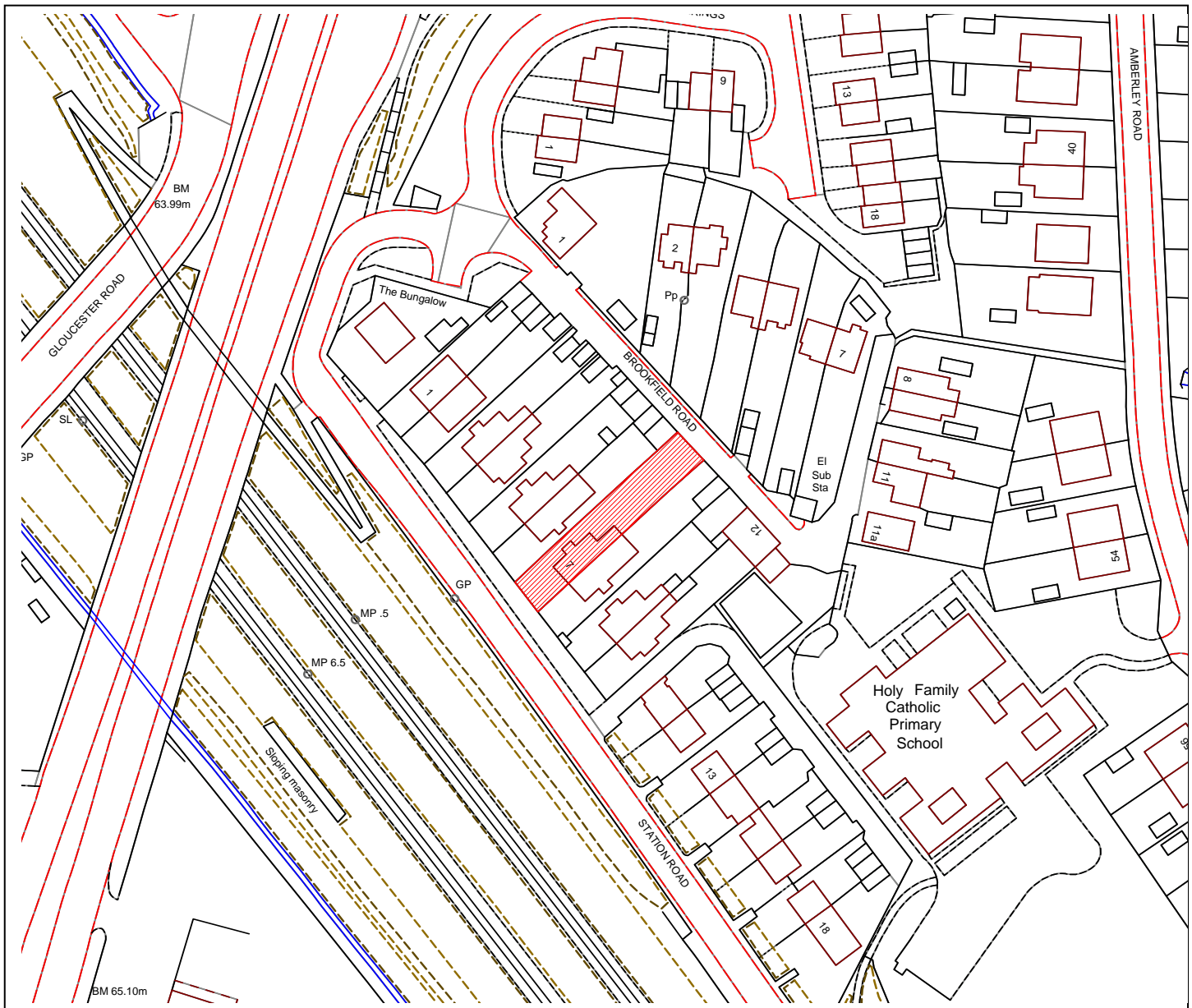
To protect the character and appearance of the area to accord with Policies D1/LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

# ITEM 17

## CIRCULATED SCHEDULE NO. 13/07 – 29 MARCH 2007

**App No.:** PT07/0335/F  
**Site:** 7 Station Road Patchway BRISTOL  
South Gloucestershire BS34 6LP  
**Proposal:** Erection of second storey side extension  
to provide bathroom. Erection of  
detached garage with office space.  
**Map Ref:** 60737 81683

**Applicant:** Mr & Mrs D Lloyd  
**Date Reg:** 5th February 2007  
**Parish:** Patchway Town  
Council  
**Ward:** Patchway



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100023410, 2006.

**N.T.S**

**PT07/0335/F**

Members may recall seeing this application circulated on issue 11/07 dated 16 March 2007.

This application is being re-circulated as a third letter of objection has been received which raises further issues. These matters are set out in points g to k in paragraph 4.4 but are matters already considered in the report and as such the recommendation is unchanged.

## **1. THE PROPOSAL**

1.1 The applications seeks planning permission to erect a small second storey side extension to this three storey house and for the erection of a garage in the rear garden with access from Brookfield Road.

1.2 The extension would be finished in render and double roman tiles and the garage would be finished in facing brick, also with double roman tiles over.

## **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1 Delivering Sustainable Development

2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving good quality design in new development  
H4 Development within existing residential cartilages, including extensions and new dwellings.

2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist (SPD) Draft for Public Consultation. September 2006

## **3. RELEVANT PLANNING HISTORY**

3.1 P88/1107 erection of single storey side extension to form study, bathroom and hallway Approved 2/6/1988

## **4. CONSULTATION RESPONSES**

4.1 Patchway Town Council  
No comment received

4.2 Transportation  
No objection subject to the garage being set back 6m from the far carriageway edge.

4.4 Local Residents  
Three letters of objection have been received which include the following comments of the proposal.

- a) Understand that the application is for a garage with offices above.
- b) Oppose use of the property as business premises.
- c) Station Road properties have vehicular access on Station Road too. Brookfield Road residents only have one access.
- d) The traffic situation is bad enough due to Nursery School and other residents garages being built.
- e) The area is not suitable for a business park.

- f) There is very little parking space in Brookfield Road and what there is is used by residents. This alone can cause obstruction to deliveries and emergency services.
- g) Impinge on amenity of 6 Station Road
- h) Similar building is already in place at 5 Station Road and the garden at 6 Station road would be completely overlooked.
- i) View from kitchen window will be totally obstructed by such a structure.
- j) Enjoyment of garden reduced, feeling of being hemmed in.
- k) Affect valuation of property.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The two elements of this proposal are for domestic use only and in this respect policies H4 (extensions) and D1 (design) are directly relevant to the application. Policy D1 seeks to ensure that the design of the proposals are appropriate to the character, distinctiveness and amenity of the area, that access and landscape are considered as appropriate. Policy H4 seeks to ensure that the scale and materials of the proposal are appropriate, do not detrimentally affect the character of the street scene, and surrounding area, affect nearby occupiers or be detrimental to highways safety.

### 5.2 Design and Residential Amenity

In this case the side extension is identical to those already constructed on other similar houses in the road. There is a small window in the neighbour's house opposite the proposed extension but this would not be detrimentally affected by the proposal.

- 5.3 The garage is a similar form to others in the road and represents no material harm to the residential amenity of surrounding houses. The use of the roof space for a domestic office or other ancillary use related to the dwelling is acceptable in principle. The garage elevations have been amended since first submission in order to remove the dormer window from the southwest elevation.

In terms of concerns about 'business' use, a domestic office would allow for ancillary use – such as working from home. However planning permission would be required to obtain a separate B1 (Office) consent – this is not what has been applied for here.

### 5.4 Design and Access Statement

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

### 5.5 Transportation

There is no transportation objection, the plans show a 6 metre set back for the garages as required by the transportation office.

### 5.6 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and

05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

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

### **Background Papers      PT07/0335/F**

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

## **CONDITIONS**

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

Reason(s):

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

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

Reason(s):

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

3. The garage development shall not 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 the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. 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 (Classe E) , 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):

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

5. No windows other than those shown on the plans hereby approved shall be inserted at any time in the elevations of the extension or within the roof slope of the garage hereby permitted.

Reason(s):

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

# ITEM 18

## CIRCULATED SCHEDULE NO. 13/07 – 29 MARCH 2007

**App No.:** PT07/0516/F  
**Site:** Abbeywood Tots Day Nursery 97 Station Road Filton BRISTOL South Gloucestershire BS34 7JT

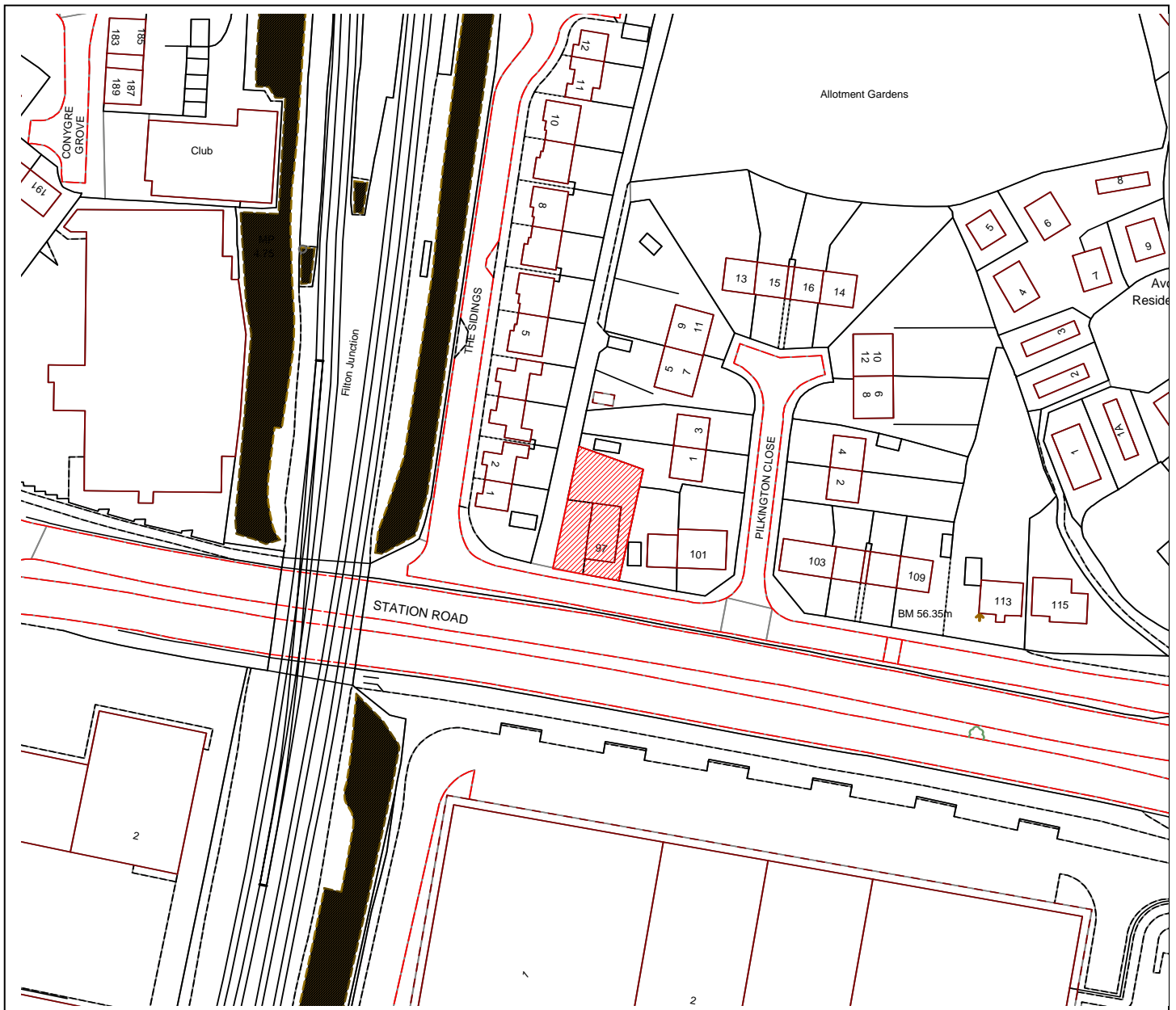
**Applicant:** c/o Agent  
**Date Reg:** 16th February 2007

**Proposal:** Erection of first floor rear extension to include 6 no. rooflights. Erection of timber framed canopy on rear elevation. Variation of condition 3 of PT00/1542/F to allow operation from 0700 hours (previously 0730 hours).

**Parish:** Filton Town Council

**Map Ref:** 61194 78907

**Ward:** Filton



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1 N.T.S

PT07/0516/F



Members will recall that this application was circulated on the Circulated Schedule issue 11/07 dated 16 March 2007. The neighbours and Parish Council were reconsulted, simultaneously with the Circulated Schedule, in order to ensure that they were aware about the proposed extension of hours of operation within the application. As a result of that consultation Filton Town Council has objected to the application in respect of reasons not previously raised and as a result the recommendation is now recirculated.

## **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for the erection of a first floor extension to the rear of the building for use as additional play area and a 5m deep and 5.8m wide canopy in the outside play area. The resulting roof space is proposed to be used for ancillary office space.
- 1.2 The application does not anticipate an increase in the number of staff at the site and the application retains the existing area for parking six vehicles although this will be re-laid.
- 1.3 The hours of operation permitted under the current planning consents are 7.30-18.00hours and this is proposed to be increased by half an hour such that children can be dropped off at seven o'clock in the morning.
- 1.4 The proposed materials are rendered walling, painted yellow to match the existing with brown Redland Renown tiles over. The proposal is to tarmac the parking area and demarcate the six spaces.
- 1.5 This application differs from the previous scheme as no dormer windows are proposed and the roof space is illuminated by roof lights which have a cill level 1.8m above finished second floor level. The existing six parking spaces are retained at the side of the site.

## **2. POLICY CONTEXT**

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG24	Planning and noise
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving good quality design in new development
LC4	Proposals for education and community facilities within the existing urban area and defined settlement boundaries.
T10	Travels Plans
T12	Transportation development control policy for new development
EP4	Noise sensitive development

## **3. RELEVANT PLANNING HISTORY**

- 3.1 P96/2615 Change of use from residential to day nursery Approved 19/12/1996 with conditions for hours of operation 0730-1800 and a maximum of 24 children.

- 3.2 PT00/1542/F Erection of conservatory to side of house. Variation of condition four of P96/2615 to alter the number of children at any one time to 29. Alterations to existing parking area. Approved 24/8/2000.
- 3.3 PT04/0059/F Erection of front porch. Approved
- 3.4 PT06/3430/F Erection of first floor rear extension to include 2no. dormer windows to facilitate a loft conversion. Installation of 1no. front dormer window. Refused 9/1/2007 due to the size and location of the dormer windows.

#### **4. CONSULTATION RESPONSES**

##### **4.1 Filton Town Council**

Objection received to revised plan consultation in relation to the following matters:

1. Object to extended hours
2. Concerns over parking places and lack of dropping off points
3. Support strong local objections and petition
4. Encroachment on No.1 Pilkington Close
5. Object to canopy

With respect to the above comments objection 4 there is no encroachment of the proposed works on any neighbours land.

##### **4.3 Environmental protection**

No objection but should an application for the property to revert to residential then the team reserves the right to request a noise survey due to the close proximity of the overhead rail line and A38 being in close proximity.

##### **4.4 Sustainable Transport**

There is no objection to the retention of existing parking spaces and the provision of cycle parking spaces. There is no proposed increase of children or staff from this proposal. The applicant has confirmed this extension is for enhanced facilities rather than additional capacity.

However in line with the 2000 permission a revised parking strategy should be provided and approved prior to the commencement of on site works, should permission be granted. As such there is no transportation objection to this proposal.

#### **Other Representations**

##### **4.5 Local Residents**

- One letter of objection received with an attached petition, signed by residents of 13 nearby dwellings.
- Object to the extension as there is enough activity in the property already.
- The extension would allow the possibility of more children and more cars.
- The new canopy would magnify the noise of children playing.
- Concern that the children will now play outside all day and the residents will get no respite.
- We are not grumpy old people all we ask for sometimes in the summer is to sit in our gardens

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy LC4 relates to the expansion of nursery provision within urban areas such as this application site and seeks to ensure that it is provided in a sustainable location, close to areas of demand but without unacceptable impact on residential neighbours or traffic.

5.2 The size of the facilities would be enlarged by the proposal due to the additional children's play area at first floor level and baby sleep room. The office room at first floor level would be displaced and significantly enlarged in the loft space.

5.3 The application does not request variation of the numbers of children on site and as such the maximum number would remain at 29 in accordance with PT00/1542/F. Equally the number of staff is not anticipated to be increased. As such the parking and access facilities need no alteration or enlargement. The nursery is proposed to be open from 7am which will spread the distribution of drop-offs in the morning. Appropriate conditions are recommended to restrict the number of children and as a parking strategy was never provided for the site under a previous consent, it is required by condition for this application.

With regard to the Town Council's objection to the lack of drop off points, it is clear that the proposal only changes the amount of floor space available to the nursery and does not propose additional staff or children numbers. As the site is not being made more intensive it is not reasonable to request such facilities. However the parking strategy as required by condition 5 will address parking matters and the extended hours of operation enable the drop off times of children to be spread out over a longer period.

### 5.4 Visual impact/amenity

The rear extension is located some 17m from the rear elevation of Nos. 1 and 2 The Sidings which directly face onto the west side of the extension. The immediate neighbour to the east of the site is located approximately 6m from the extension. As such the first floor extension would not detract from the residential amenity of the neighbours or detract from their privacy.

As such the extension works would not be detrimental to visual amenity or residential amenity of the neighbouring properties and as such comply with Policies D1 and LC4 of the Local Plan.

### 5.5 Other matters

The outdoor play space/garden is already for use by the nursery and there is no time restriction in place. It is not appropriate to limit the numbers of children using the outdoor play space or the times of use as a result of this application. This is a matter which may be regulated by OFSTEAD regulations.

### 5.6 Design and Access Statement

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

5.7 Section 106 Requirements

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

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 following conditions.

**Background Papers**      **PT07/0516/F**

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

**CONDITIONS**

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

Reason(s):

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

2. The hours of operation shall be between 0700 hours and 1800 hours Mondays to Fridays, with no operation on Saturdays, Sundays or Bank Holidays.

Reason(s):

To minimise disturbance to occupiers of nearby dwellings and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The number of children accommodated at any one time shall not exceed twenty nine.

Reason(s):

To minimise disturbance to occupiers of nearby dwellings and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. 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.

5. Prior to the occupation of the development hereby permitted parking strategy for staff and parents shall be submitted to and agreed in writing with the Local Planning Authority. This shall include the location for an undercover cycle parking space for staff and two sheffield cycle stands for parents within the curtilage of the site. The agreed scheme shall be implemented before the development hereby permitted is brought into use; or otherwise as agreed in the parking strategy.

Reason(s):

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

**CIRCULATED SCHEDULE NO. 13/07 - 29 MARCH 2007**

**App No.:** PT07/0559/F  
**Site:** The Cottage Harry Stoke Road Stoke Gifford BRISTOL South Gloucestershire BS34 8QH

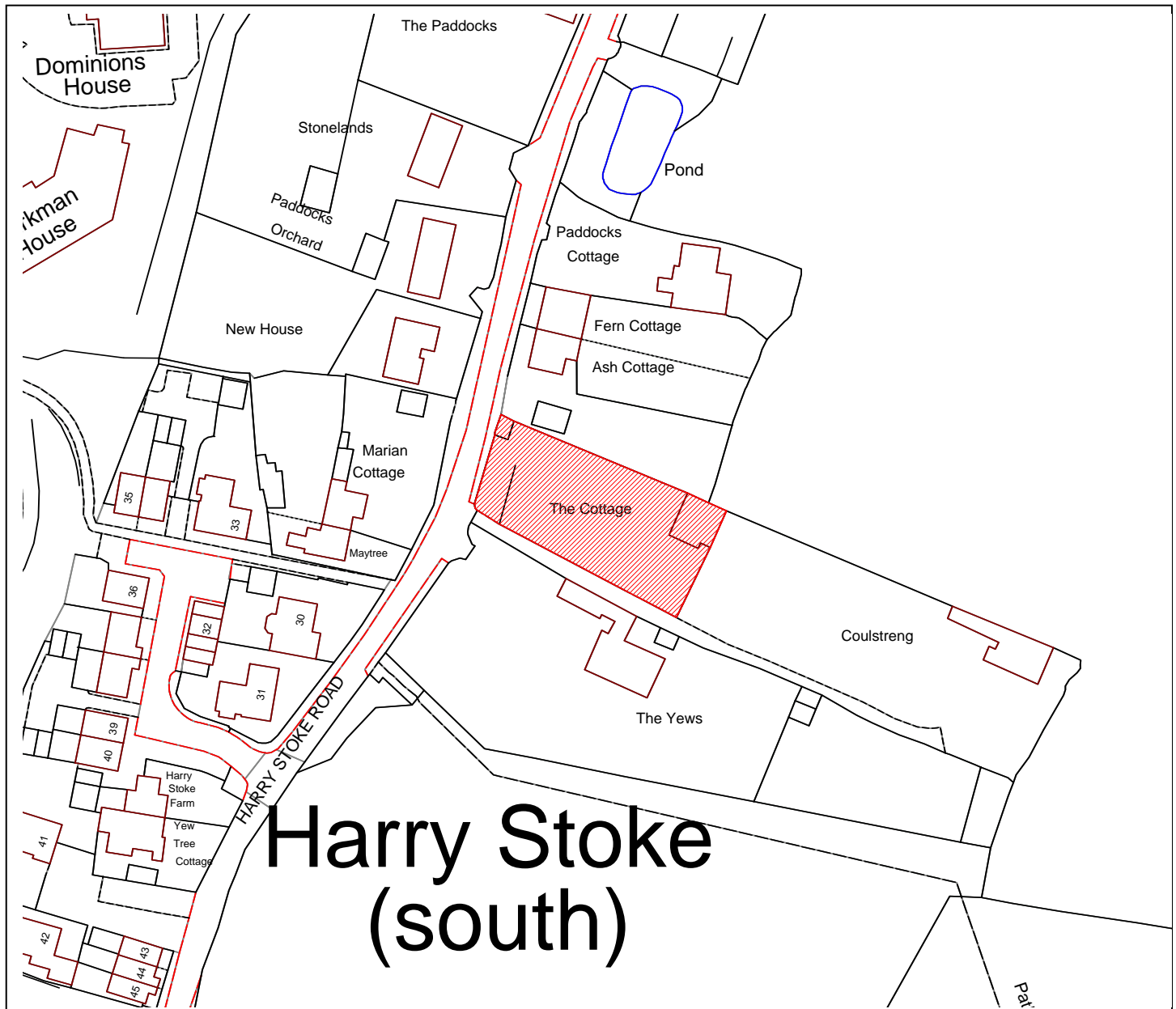
**Applicant:** Mr A Smith  
**Date Reg:** 20th February 2007

**Proposal:** Demolition of existing detached cottage to facilitate erection of 2 no. detached dwellings with integral garage and associated works.

**Parish:** Stoke Gifford Parish Council

**Map Ref:** 62126 78888

**Ward:** Stoke Gifford



**Harry Stoke  
(south)**

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**N.T.S**

**PT07/0559/F**

The application appears on the Circulated Schedule following an objection from Stoke Gifford Parish Council and in the light of some of the concerns expressed by neighbouring residents.

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for two detached dwellings to replace an existing two-storey cottage.
- 1.2 The application site comprises an empty cottage and associated garden land on the eastern side of Harry Stoke Road. The site lies within the built up area covered by policy H1 (Proposed Sites for New Residential Development) of the local plan.

## **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  
H1: Proposed Sites for New Residential Development  
H2: Proposals for Residential Development  
H4: Development within Residential Curtilages  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development  
L9: Protected Species

### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Consultation Draft) September 1996

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None

## **4. CONSULTATION RESPONSES**

### **4.1 Stoke Gifford Parish Council**

Objection: 'on the grounds of its impact on the existing natural environment'

### **4.2 Sustainable Transport**

No objection- subject to receipt of a financial contribution, alterations and the following conditions:

- Details of bin storage to be submitted and agreed;
- No planting/ built from greater than 0.6m form to be allowed within 2m of the frontage;
- No gates at any time;
- Provision of a bound surface to areas of hard standing;
- Paved areas to be designated as turning facilities rather than parking.

## **Other Representations**

### **4.4 Summary of Local Residents comments:**

Three letters received citing the following:

- Development is welcomed (one states no objections 'what-so-ever');
- Two detached dwellings are considered sufficient for this site;
- The layout does not appear to overlook neighbouring properties;
- Assurance is requested as to the proposed height (neighbouring units are of 'low design' whilst materials should match those of the existing);
- Buildings should be in keeping with the age and style of the road, the existing cottage has stood here for nearly 300 years and neighbouring dwellings are as old- though have been modernised to a degree;
- New dwellings should comprise stone and render- not brick;
- Has consideration be given to the established ponds and Crested Newts that inevitably live there? (One of the dwellings appears to be build on the existing pond);
- Great Crested Newts are protected under the Wildlife and Countryside Act 1981; therefore a new pond should be included;
- Concern as to the loss of hedgerows along the southeast and northwest boundaries. However they are in poor condition so should be replaced to help retain the 'rural atmosphere'.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy H1 (13) cites that provision is made for the development of 17,760 new dwellings in the plan area for the period April 1996 to March 2011. To that end, land has been allocated for future residential development. One site includes the 33.2Ha of land to the rear of the application site with the policy designation encompassing this site also. It is anticipated that the area will be built to a minimum density of 50 dwellings per hectare providing 1,200 units.

5.2 Nonetheless, given that the application focuses on an existing property and its associated curtilage; it is not considered that this policy can preclude separate residential development on this site; especially given that development of the main site is in the very early stages of the planning process. Further, the initial master plan for this area discounts existing units fronting Harry Stoke Road.

5.3 Policies H2 and H4 detail that proposals for residential development will be permitted provided that the maximum density compatible with the site, location, accessibility and surroundings is achieved. In this regard the expectation is that all developments will achieve a minimum density of 30 units per hectare with higher densities achieved where local circumstances permit.

5.4 Additionally, development should be in keeping with the site and locality and should not significantly impact upon residential amenity. Proposals should also be acceptable from a highways viewpoint and allow adequate private amenity space.

### 5.5 The Application Site

The application site comprises some 0.108Ha of land on the east side of Harry Stoke Road. Currently, the site provides for a modest two-storey cottage that nestles against the rear boundary. The remanding part of the site forms garden land.

5.6 Land to the rear forms additional garden land associated with Coulstreng; a larger two-storey unit which sits at an appreciable distance away (by virtue of its lengthy front garden) but which is accessed via a narrow track adjoining the



- southern site boundary. To this extent, this neighbouring property sits out on a limb behind the rear boundaries of all other units fronting Harry Stoke Road.
- 5.7 Finally, it is noted that neighbouring units adjoin either flank boundary of the site. In this regard, it is further noted that properties within the locality are all of differing design with a number comprising relatively small cottage style units.
- 5.8 Design/ Visual Amenity  
The proposal seeks to replace the aforementioned cottage with two two-storey detached units. These would sit one behind the other with access to that at the rear (plot 2) obtained via a new drive running along the north flank boundary.
- 5.9 The two dwellings would be of differing design with that at the front seemingly slightly smaller albeit providing five bedrooms as opposed to that the rear which would be limited to four. (However, there appears a slight anomaly on the first floor plans for the front unit with two staircases shown.) Both dwellings would benefit from attached double garages and velux to the rear elevations: no details are though provided as to any accommodation within the roof space.
- 5.10 The front unit would stand some 8m back from the highway facing forwards. In this regard, it is noted that there is no established building line with cottages to the north sat forward closer to the road and that to the south sat well back in line with the existing unit. As such, plot 2 would align with the neighbouring property to the south. The positioning of the proposals is therefore considered to be acceptable.
- 5.11 With regard to the design of the proposals, it is not considered that these reflect the existing historic rural character but, by virtue of the other more recent permissions, nor do they detract from the general character. Therefore, on balance, the proposals are considered to be acceptable.
- 5.12 Density  
Policy H2 cites that proposals will be expected to provide the maximum density compatible with the site, location, accessibility and surroundings. Therefore, the expectation is that all developments will achieve a minimum density of 30 dwellings per hectare with higher densities achieved where local circumstances permit. Not least, in and around town centres, and where well served by public transport, densities of upwards of 50 dwellings should be achieved.
- 5.13 In the light of the above, it is noted that the design and access statement submitted cites that 'The site benefits from good sustainability credentials with good levels of access to the Bristol City Centre by alternative modes of transport including regular bus services from Bristol Parkway station. The site also affords excellent links to the main shopping and leisure centres of Stoke Gifford all of which are within walking distances of the properties'. The expectation that the Harry Stoke development should achieve a density of at least 50 units per hectare echoes these observations.
- 5.14 However, the proposal would achieve a density of 18 units per hectare. To this extent, it is noted that Harry Stoke Road provides for a range of dwelling size and type that benefit from irregular shaped plots and sizes. Accordingly, it is considered that there is no predominant pattern of development to which the proposals should relate thus the site could be developed at a higher density.

- 5.15 In the light of the above, the proposal is considered to conflict with this policy requirement and thus refusal is recommended on this basis.
- 5.16 Residential Amenity  
Coulstreng forms a two-storey detached unit that by virtue of its lengthy front garden, sits some 50m from the application site. Vehicular access is provided by a single width track that runs adjacent to the southern flank boundary of the application site whilst in view of the concealed nature of its front garden (and in the absence of any rear garden) it is noted that this area provides the only private amenity space to this neighbouring dwelling.
- 5.17 In view of the above, it is noted that the proposed rear unit would sit only 1m from the shared boundary with overlooking ground and first floor windows. Further, by virtue of its close proximity to this boundary, there would be limited opportunities for screening. The proposal is therefore considered unacceptable in its present form.
- 5.18 Ash Cottage to the north sits some 12m from the shared boundary albeit with a detached garage on the boundary. This benefits from first floor accommodation above though is devoid of on looking windows. Nonetheless, by virtue of the siting and orientation of the proposals (and with the vehicular access adjacent to this dwelling), it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.19 'The Yews', to the south forms a more substantial dwelling that sits far back on its plot in line with plot 2. Again, the main outlook appears to the front and rear whilst on-looking facing windows appear restricted to one at first floor (inset from the boundary and overlooking the very rear of the plot 2) and a roof light. Accordingly, on balance, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.20 Residential properties opposite comprise both cottage style units and a more recent two-storey dwelling. Having regard to the positioning of these properties on the far side of the highway, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.21 Ecology  
The application site adjoins an area of open countryside (farmland) and several ponds known to be used by a large population of great crested newts. Great crested newts are protected under the Wildlife & Countryside Act 1981 (as amended by the CROW Act 2000) and a European Protected Species under the Habitat Regulations 1994.
- 5.22 There are anecdotal accounts of a pond or ponds being present at the Cottage, potentially offering breeding opportunities for the colony. Additionally, as the site is within 70m of a pond known to be used by a breeding population of great crested newts, its gardens and domestic curtilage would constitute a terrestrial habitat for the colony. The application therefore needs to include a survey of the site for the species; and, if present, a mitigation strategy to accompany a licence application to DEFRA prior to the granting of any planning permission.
- 5.23 Further, mature gardens provide good habitats for slow-worms. Slow-worms are protected against intentional or reckless killing or injury under the Wildlife & Countryside Act 1981 (as amended) and CROW Act 2000. The application should therefore include a survey for slow-worms, (May to August inclusively is

generally acknowledged as being the requisite time of the year to carry out surveys). If present, a mitigation strategy should be drawn up in agreement with the Council, to form the basis of a planning condition.

5.24 Finally, roof voids can offer roosting/ nesting opportunities for a variety of wildlife. Given that the site adjoins open countryside and a range of semi-natural habitats there is the possibility of bats or birds being present. If bats are present, as a European Protected Species, development will be subject to receiving the appropriate consent from English Nature or DEFRA. As such, it is recommended that the build be surveyed by a suitably qualified person for bats and nesting birds and a report provided to the Council prior to any permission.

5.25 Highway Safety

The application has been subject to pre-application discussions and thus there is no objection to the principal of the scheme. However, the current submission would need to be altered to ensure pedestrian priority along the frontage whilst the turning area serving plot 2 would need to be increased. These alterations could be made although have not been requested and thus must comprise a refusal reason in this instance.

5.26 In addition to the above, in order to mitigate the incremental damage of even small developments on the Bristol north fringe highway network, a contribution of £1800 would be required towards a package of mitigation measures. Again, this has not been requested in the light of the objections to the scheme.

5.27 However, notwithstanding the above, in the light of the need for additional units on this site, the Council's Highways Officer has confirmed that the principle of more than two dwellings on this site might be acceptable.

5.28 Outstanding Issues

Prior to commentating, Environmental Services have requested the submission of an acoustic report to address how noise from the A4174 might affect the proposals. Nonetheless, having regard to the position of the site in relation to the road, and the positioning of other neighbouring units, it is not considered that the results of such would warrant a refusal. Therefore, in the light of the other objections as detailed, this survey has not been requested at this time.

5.29 Design and Access Statement

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

## 6. CONCLUSION

6.1 In accordance with Section 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 refuse permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006

set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

7.1 Planning Permission be **REFUSED** for the following reasons:

**Background Papers**      **PT07/0559/F**

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

### **REFUSAL REASONS**

1. The proposed development is not at a density that would make the most efficient use of the land compatible with the site's location. No satisfactory reasons have been forwarded to justify why this could not be achieved. As such the proposal is contrary to Policy H1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006, and the provisions of PPG 3 Housing.
2. Insufficient information has been provided to enable the Local Planning Authority to properly assess whether the existing dwelling and garden provides for bats, nesting birds, great crested newts or slow-worms all of which, could be affected by the proposed new dwellings. The proposal is therefore contrary to policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The proposed development by reason of the east facing windows proposed (plot 2) would have a detrimental effect on the amenities of the occupiers of the adjoining dwelling house (Coulstreng) contrary to Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
4. By reason of the proposed access arrangements (which fail to allow pedestrian priority) and the restricted turning facilities proposed, the development would fail to comply with planning policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
5. The application fails to provide any mitigation measures to offset the impact of the proposals on the Bristol north fringe highway network. The proposal is therefore considered to be contrary to planning policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

# ITEM 20

## CIRCULATED SCHEDULE NO. 13/07 – 29 MARCH 2007

**App No.:** PT07/0581/ADV

**Applicant:** Mr R Sims C/o  
Thornbury Leisure  
Centre

**Site:** Thornbury Leisure Centre Thornbury  
Road Thornbury BRISTOL South  
Gloucestershire BS35 3JB

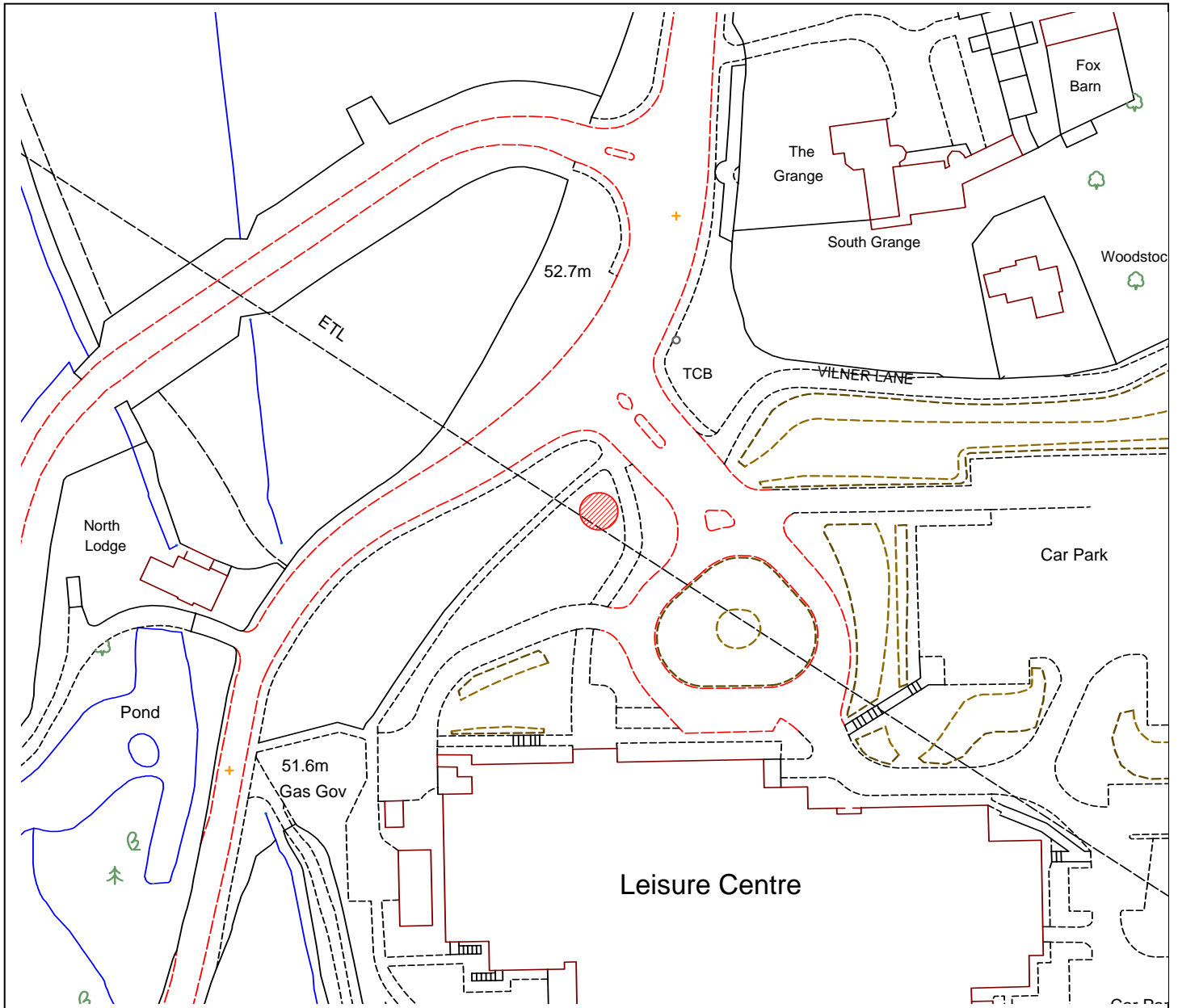
**Date Reg:** 21st February 2007

**Proposal:** Display of 1 no. non illuminated banner  
sign.

**Parish:** Thornbury Town  
Council

**Map Ref:** 63569 89280

**Ward:** Thornbury South



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100023410, 2007.

**N.T.S**

**PT07/0581/ADV**

**This application is placed on the Circulated Schedule as the development relates to signage on a building owned by South Gloucestershire Council**

**1. THE PROPOSAL**

This application seeks retrospective advertisement consent for the display of 1no. Non illuminated banner sign on a parcel of land to the front of the building next to the Public Footpath. The signage will vary in nature, but in all instances it will be secured to 4, 1.7 metre high wooden posts. The signage will measure 1 metre high by 3.06 metres in width.

**2. POLICY CONTEXT**

2.1 National Guidance  
PPG19 Outside advertisement control

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

**3. RELEVANT PLANNING HISTORY**

None that affects the determination of this application.

**4. CONSULTATION RESPONSES**

4.1 Thornbury Town Council:  
No response received

4.2 Sustainable Transport  
No objection subject to the following...

- No contact details are placed on the signage
- The signage does not obstruct the footpath.

4.3 Local Residents  
No response received.

**5. ANALYSIS OF PROPOSAL**

5.1 PPG19 guidance that is reflected in local plan policy states that the display of outdoor advertisements can only be controlled in the interests of "*amenity*" and "*public safety*." It is accepted that anyone proposing to display advertisements needs that advertisement in that particular location, whether for commercial or other reasons. The visual effects on its surroundings, including its cumulative effect, are matters to be considered.

5.2 Amenity Impact  
In assessing an advertisement's impact on "amenity," which is the effect on the appearance of the building or on visual amenity in the immediate locality where it is to be displayed. Consideration must be given to the cumulative effect, it / they will have on its surroundings. The relevant consideration is the local characteristics of the area. Wherever practicable, businesses in the same general location should be encouraged to combine their essential advertising

needs so as to avoid a proliferation of advance signs. However given the isolated nature of this development this is not possible.

5.3 Considering the scale and nature of the application site, the proposed signs are not considered to be out of keeping. The style and nature of the signage and its supporting structure blends in well with its surroundings. This is especially true of the wooden supporting structures which reflect the rural nature of the application site. Consequently the signs are appropriate to their context and their individual design is of good quality.

5.5 Public Safety

In assessing an advertisement's impact on "public safety," consideration must be given to its effect upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians). The vital consideration is whether the advertisement itself, or the exact location proposed for its display, is likely to be so distracting, or so confusing, that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own and others' safety. The council's transportation engineer raises no objection in this respect subject to two concerns, firstly the signage shall not contain any contact details and secondly the signage must not obstruct the public footpath which runs past the area where the sign will be sited. The council can confirm that the signage will not cross the Public Footpath and does not contain contact details.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

7.1 Advertisement consent be granted.

**Background Papers**      **PT07/0581/ADV**

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

## CIRCULATED SCHEDULE NO. 13/07 - 29 MARCH 2007

**App No.:** PT07/0586/F  
**Site:** 15b Gloucester Road Almondsbury  
 BRISTOL South Gloucestershire BS32  
 4HD

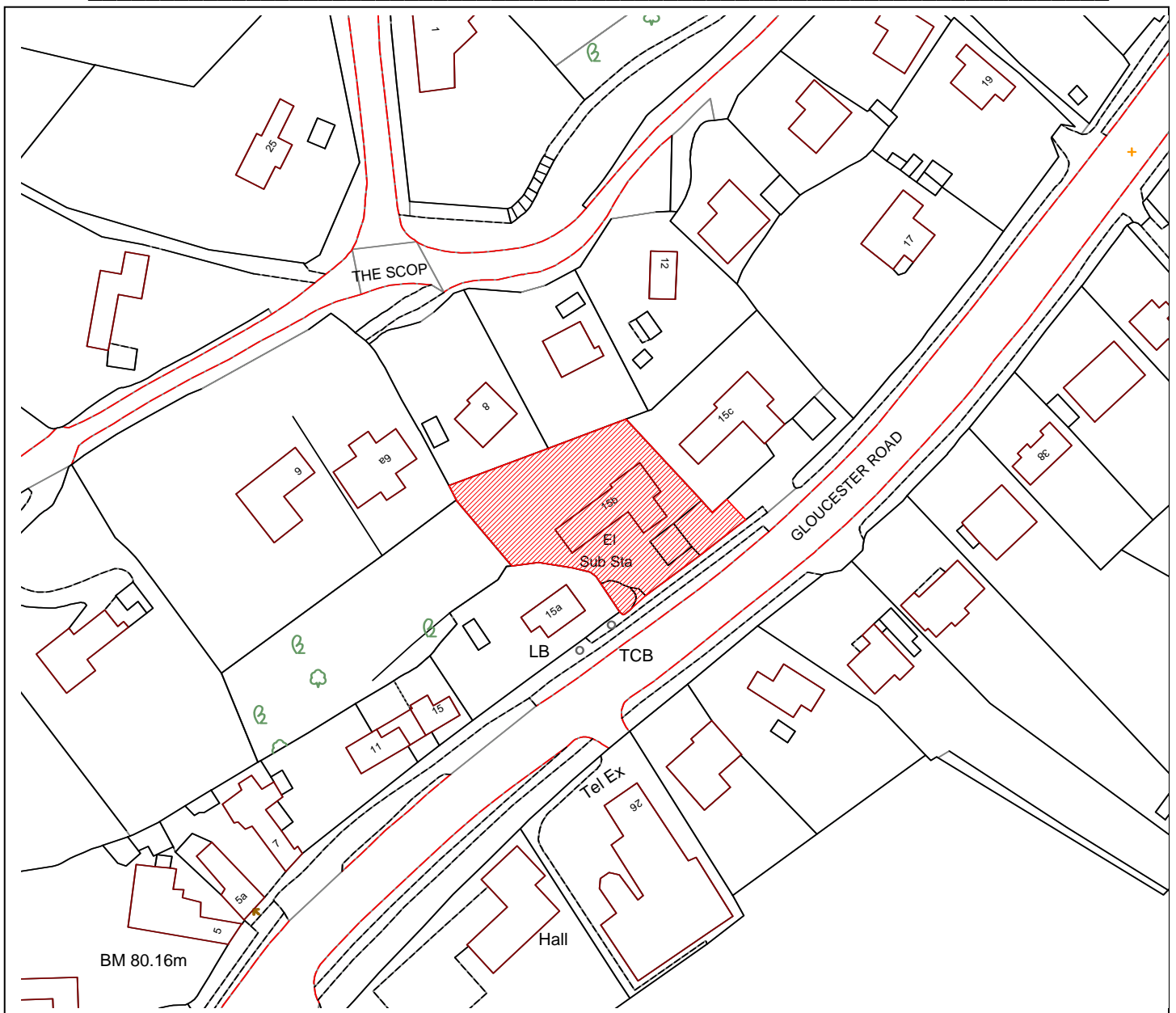
**Applicant:** Mr Hudson  
**Date Reg:** 21st February 2007

**Proposal:** Erection of 3 storey side extension to form additional dwelling. Demolition of existing garage to facilitate erection of replacement double garage with 2no. parking bays (in accordance with amended plans received by the Council on 13 March 2007).

**Parish:** Almondsbury Parish Council

**Map Ref:** 60770 84174

**Ward:** Almondsbury



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## 1. THE PROPOSAL

- 1.1 This full application relates to the erection of a two storey side extension above existing single storey wing including the sub-division of existing property to provide additional dwelling at 'The Heights', 15b Gloucester Road, Almondsbury. The development also involves the demolition of existing double garage and its replacement with another double garage split to form one garage for each property. Three parking bays to the front of the garage are also proposed.
- 1.2 The application site is a detached, split level property on a steeply sloping site overlooking the Severn Estuary. It lies within the village development boundary of Almondsbury and is also within the Green Belt. Access to the site is to the front of the site, off Gloucester Road (A38). It is a shared access with the neighbouring property of 15c Gloucester Road to the north of the site. The adjacent property of 15a Gloucester Road is situated at road level. Properties of The Scop lie below the site.
- 1.3 The application has been amended to that originally submitted in that in order to increase the internal ceiling heights, the ridge level has increased by a further 600mm.

## 2. POLICY CONTEXT

### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS3	Housing

### 2.2 Development Plans

#### Joint Replacement Structure Plan

Policy 16	Green Belts
Policy 33	Housing Provision and Distribution
Policy 34	Re-use of Previously Developed Land
Policy 35	Housing Density

### 2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L4	Forest of Avon
GB1	Development Within the Green Belt
H2	Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12	Transportation Development Control Policy for New Development

### 2.4 Supplementary Planning Guidance

Design Checklist
Development in the Green Belt

## 3. RELEVANT PLANNING HISTORY

- 3.1 PT02/1344/F Raising of roofline to front to form first floor extension.

Installation of steps to garage.  
Approved 11 June 2002.

#### 4. CONSULTATION RESPONSES

##### 4.1 Almondsbury Parish Council

Object to the proposal on the following grounds:-

- a) impact of noise on proposed dwelling house;
- b) more development could have an impact upon the retaining wall.

##### Other Consultees

##### 4.2 Sustainable Transport

No objection.

##### Other Representations

##### 4.3 Local Residents

1 letter has been received raising concerns but not objections over the possible loss of trees on the boundary and overlooking.

#### 5. ANALYSIS OF PROPOSAL

##### 5.1 Principle of Development

The application site lies within the defined settlement boundary of Almondsbury and is also within the Bristol Green Belt. Advice contained within PPG2 and PPS3 allows for new residential development within the Green Belt provided it constitutes infilling and is within defined village development boundaries. This advice is reflected in the Adopted Joint Replacement Structure Plan.

##### 5.2 Green Belt

Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for limited infilling within the boundaries of settlements provided such development also satisfies policy H2. This policy sets out the criteria in which residential development within defined settlement boundaries is assessed.

##### 5.3 In the supporting text to policy GB1, infilling is defined as follows:- ***“acceptable ‘infilling’ is unlikely to be more than the filling of small gaps within built development, where it does not significantly impinge upon the openness of the Green Belt”.***

##### 5.4 The application site is located within the curtilage of 15b Gloucester Road. The site is located on steeply sloping land and is surrounded by residential development with the properties of Gloucester Road to the south, east and west and residences of The Scop to the north. Under adopted policies GB1 and H2 the proposal is considered to constitute infilling - it is within built development and any impact upon the openness of the Green Belt would be minimised by reason of the site being enveloped by existing residential development and the fact that the dwelling is also set in to the hillside and predominately below the level of the A38. Although the side extension has raised the ridge height of the original single storey wing by approximately 5m, only 0.2m of the ridge will be visible from the front elevation of Gloucester Road due to the differences in land levels and the fact that the site is screened by a 1.8m fence, as well as the replacement garage. Furthermore, the proposal when viewed from other viewpoints will be read against the existing hillside as

well as the adjacent development atop of the ridge. The openness of the Green Belt will not be compromised with existing views across the Severn Estuary still maintained. The development will be regarded within the context of a residential area. As such the proposal complies with current planning policy advice and the adopted South Gloucestershire Local Plan in Green Belt terms.

## 5.5 Housing Policy

Policy H2 of the emerging Local Plan allows for residential development within the boundaries of settlements provided the following criteria are complied with:-

### **A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity;**

In transportation terms the current proposal involves using the existing access that currently serves two dwellings. The access road to the site is around 5m and capable of two way traffic. In terms of the access, there is acceptable visibility in both directions and an area of hatching on the carriageway that will act as a refuge for right turning vehicles. There is also a considerable area of verge/footway that will also allow vehicles to wait off the carriageway.

The turning area although enlarged is still constricted. However, it is likely that drivers will either reverse in or out using the area of shared drive to enter the carriageway in forward gears. On that basis no objection is raised to the proposal.

With regard to residential amenity, the site is large enough to accommodate an additional dwelling without the proposal resulting in loss of privacy/overlooking/overbearing impact. The size of the site and its sloping nature ensures that it is large enough to accommodate a dwelling of the size proposed without resulting in any overbearing impact to any surrounding property.

In terms of loss of privacy, the property immediately adjacent to the new dwelling is that of 15a Gloucester Road. This property is located only 6.5m away. However, it is set at the road level of the A38 and some 7.3m higher than the ground floor level of the new dwelling. Due to the differences in land levels, overlooking or loss of privacy should not be an issue and can be remedied by the use of obscure and non-opening glazing on the side elevation at attic floor

level. The bridge accessing the new property will also be appropriately screened. No overlooking/overbearing impact will occur to the adjacent property of 15c Gloucester Road as no windows are proposed on the east elevation and the new dwelling will be located some 20m away. The only other property to be affected is that of 8 The Scop. This property is located to the north-west of the site but is set well below the level of the new dwelling. A degree of overlooking already occurs both from and to this property but it is considered that the proposal will not worsen this situation any further and would not impinge upon privacy to such an extent as to warrant a refusal.

### **B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved;**

The site has an area of 0.125 hectares and would accommodate two dwellings. This equates to a housing density of 16 dwellings per hectare. It is recognised that this is well below the threshold advocated within PPS3 and the adopted local plan which sets a minimum density of 30 dwellings per hectare. However, it is considered that due to the steeply sloping nature of the site, the location of the existing dwelling and other surrounding properties, any higher density would be impractical. The proposal therefore complies with this criterion.

**C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination;**

The site lies adjacent to the A38. However, although it is in close proximity to the A38 the dwelling is set below road level with the majority of habitable rooms facing away from the road to the north-west. The replacement garage and fencing further reduce any impact from road noise. Of relevance is a recent appeal decision concerning the erection of a new dwelling at 17 Gloucester Road (ref: PT05/2816/O; appeal ref: APP/P0119/A/06/2018022), only some 40m away from the application site. This application was refused on noise grounds. However, an Inspector allowed the appeal and concluded that the imposition of a noise condition would be appropriate. As such a condition requiring noise prevention measures will be attached to any planning consent.

**D. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals**

The proposal is for an additional dwelling. As such it will not impinge significantly in terms of service provision.

**E. Within the boundaries of settlements washed over by the Green Belt, such proposal will be restricted to infilling.**

Having regard to paragraphs 5.2, 5.3 and 5.4 above, the proposal is considered to comply with this criterion.

5.6 Development within Existing Residential Curtilages

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to development within existing residential curtilages. Such development, including new dwellings, is only permitted where the design is acceptable and in keeping with the street scene, would not prejudice residential amenity or highway safety and allows for the retention of adequate garden area for both the existing and proposed dwellings.

5.7 Residential amenity and transportation issues have already been assessed under policy H2. In terms of the design, the proposal is also considered to be acceptable. The ridge height is only 2.2m higher than the subdivided dwelling and is of a scale that is in keeping with the existing property. The character of the locality is not defined by any particular vernacular with most of the dwellings bespoke in nature. The design of the proposal ensures that a visual break exists between the existing property and the proposed new dwelling, further reducing its massing and overall impact. Moreover, all materials (Bradstone and concrete Double Roman tiles) are to match existing. Finally, the application site is large enough to accommodate adequate private amenity space for the existing and proposed dwelling.

5.8 In conclusion, the site although within Green Belt is also within the settlement boundary of Almondsbury where residential development is acceptable in principle, provided it constitutes infilling. The proposal is in compliance with the adopted plan and as such is acceptable.

5.9 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).

5.10 Section 106 Requirements

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

**6. CONCLUSION**

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

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

**7. RECOMMENDATION**

7.1 Planning permission be granted.

**Background Papers**      **PT07/0586/F**

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

**CONDITIONS**

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

Reason(s):

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

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

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 in the side (north-eastern) elevation of the dwelling hereby permitted.

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 hours of working on site during the period of construction shall be restricted to 07.30 hours to 18.00 hours Monday to Friday and 08.00 hours to 13.00 hours on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason(s):

To minimise disturbance to occupiers of neighbouring properties and to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Notwithstanding the details submitted on plan numbers 6092 - 13B and 14A, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of all boundary treatment to be erected. The boundary treatment shall be completed before the new dwelling is first occupied and the development shall be carried out in accordance with the approved details.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The off-street parking facilities shown on the plan hereby approved shall have a bound surface and be provided before the new dwelling 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 Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. No doors or gates shall be hung so as to open over or across the public highway/footway.

Reason(s):

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

8. The access shall remain shared and shall not be demarcated by boundary treatment at any time.

Reason(s):

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

9. Construction work shall not begin until a scheme for protecting the proposed dwelling from noise from the A38 Gloucester Road has been submitted and approved in writing by the Local Planning Authority; all works which form part of the scheme shall be completed before any part of the dwelling is occupied.

Reason(s):

To minimise disturbance to occupiers of the new dwelling and to accord with Policies EP1 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. The glazing on the side elevation at attic level serving the proposed study shall at all times be of obscured glass and be permanently fixed in a closed position.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.