



**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. 43/07

Date to Members: 26/10/07

Member's Deadline: 02/11/07

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

CIRCULATED SCHEDULE

DATE: 26/10/07

SCHEDULE NO. 43/07

If you wish any of the applications to be considered by the appropriate Area Committee you should return the attached pro forma not later than 5 working days from the date of the appropriate schedule (by 12 noon), to the appropriate Development Control Support Team. For the Kingswood area, extension 3544 (fax no. 3545), or the Development Control Support Team at the Thornbury office, on extension 3419 (fax no. 3440), or email Planningapplications@southglos.gov.uk.

The Circulated Schedule is designed to improve the effectiveness and efficiency of the Development Control service. To minimise referrals to the Area Committees, Members are requested to discuss the case with the case officer or team leader to see if any issues can be resolved without using Committee procedures for determining the application.

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

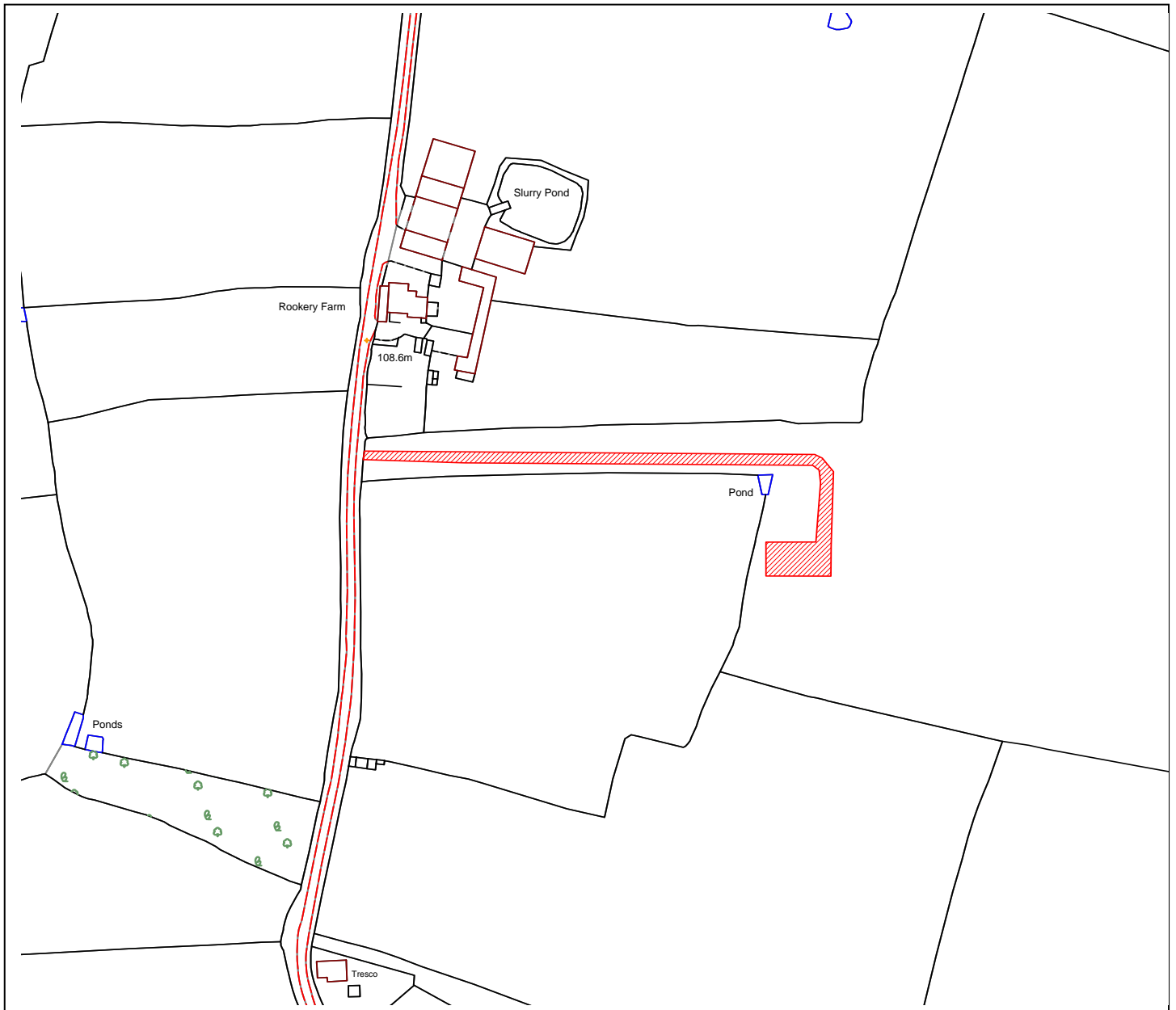
Circulated Schedule 26 October 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK07/2526/TMP	Approve with conditions	Land south east of Mulberry Farm Rookery Lane Doynton South Gloucestershire BS30 5TH	Boyd Valley	Doynton Parish Council
2	PK07/2675/F	Approve with conditions	The Gables Hawkesbury Upton South Gloucestershire GL9 1AY	Cotswold Edge	Hawkesbury Upton Parish Council
3	PK07/2681/F	Approve with conditions	24 Stonehill Longwell Green South Gloucestershire BS15 3HW	Hanham	Hanham Abbots Parish Council
4	PK07/2737/F	Approve with conditions	147 High Street Oldland Common South Gloucestershire BS30 9TD	Oldland Common	Bitton Parish Council
5	PK07/2738/F	Approve with conditions	Hillside Cottage Lower Street Dyrham South Gloucestershire SN14 8EU	Boyd Valley	Dyrham and Hinton Parish Council
6	PK07/2773/F	Approve with conditions	28 Chipperfield Drive Kingswood BRISTOL South Gloucestershire BS15 4DP	Kings Chase	
7	PK07/2774/F	Approve with conditions	Viking Works London Road Wick South Gloucestershire BS30 5SJ	Boyd Valley	Bitton Parish Council
8	PK07/2962/F	Approve	12 Cambrian Drive Yate South Gloucestershire BS37 5TR	Yate North	Yate Town Council
9	PT07/1715/RM	Approve with conditions	Hewlett Packard Ltd Filton Road Stoke Gifford South Gloucestershire BS34 8QZ	Frenchay and Stoke Park	Stoke Gifford Parish Council
10	PT07/2276/F	Approve with conditions	36 Shellmor Avenue Patchway South Gloucestershire BS34 6AD	Bradley Stoke Central and Stoke Lodge	Patchway Town Council
11	PT07/2417/F	Refusal	24 Church Road Stoke Gifford South Gloucestershire BS34 8QA	Frenchay and Stoke Park	Stoke Gifford Parish Council
12	PT07/2495/RM	Approve with conditions	1550 Park Avenue Aztec West Almondsbury South Gloucestershire BS32 4RX	Patchway	Patchway Town Council
13	PT07/2795/F	Approve with conditions	76 Woodend Road Coalpit Heath South Gloucestershire BS36 2LH	Frampton Cotterell	Frampton Cotterell Parish Council
14	PT07/2811/ADV	Approve	Tesco Stores Ltd Midland Way Thornbury South Gloucestershire BS35 2BS	Thornbury South and Alveston	Thornbury Town Council
15	PT07/2849/F	Approve with conditions	90 Ratcliffe Drive Stoke Gifford South Gloucestershire BS34 8UB	Stoke Gifford	Stoke Gifford Parish Council

16	PT07/2904/F	Approve with conditions	9 Elgin Avenue Filton South Gloucestershire BS7 0TG	Filton	Filton Town Council
17	PT07/2954/F	Approve with conditions	26 Park Crescent Frenchay South Gloucestershire BS16 1NZ	Frenchay and Stoke Park	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PK07/2526/TMP	Applicant: Mr & Mrs F Ellis
Site: Land south east of Mulberry Farm Rookery Lane Doynton BRISTOL South Gloucestershire BS30 5TH	Date Reg: 16th August 2007
Proposal: Temporary consent for the stationing of a mobile home.	Parish: Doynton Parish Council
Map Ref: 71816 75111	Ward: Boyd Valley



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N.T.S

PK07/2526/TMP

This application has been referred to the Circulated Schedule as a result of objections received from Doynton Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a mobile home for an agricultural worker. The proposal is associated with a recently established Alpaca breeding enterprise. It is considered that the farming of Alpacas is an agricultural use, and therefore does not require a change of use of the land.
- 1.2 The site consists of a 12.10 hectare area of open fields known as Mulberry Farm. The farmstead lies to the east of Rookery Lane, Doynton and is accessed from Rookery Lane via a long agricultural track and existing access. A public Footpath LDN/21 runs parallel to the access track, deviating at the end to cross the open fields. The site lies within the Green Belt close to the western edge of the Cotswolds AONB. A large barn, located in a yard area at the end of the access track, is currently being constructed (see PK06/2614/PNA).
- 1.3 It is proposed to site a typical mobile home on the site, the dimensions of which have been submitted. There is existing hard-standing directly to the south of the barn, where the mobile home would be sited. There is an existing water supply and electricity is being connected. Foul disposal would be via a package treatment plant.
- 1.4 The land has previously been used by the applicant for arable farming but is now laid to pasture. There is existing stock-proof fencing and temporary field shelters on the land. A technical appraisal has been submitted in support of the application.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPS7 - Sustainable Development in Rural Areas
- PPG13 - Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- L1 - Landscape Protection and Enhancement
- L2 - Cotswolds Area of Outstanding Natural Beauty
- L17 & L18 - The Water Environment
- GB1 - Green Belts
- EP1 - Environmental Pollution
- T8 - Parking Standards
- T12 - Transportation Development Control Policy
- H8 - Agricultural Workers Dwellings in the Countryside

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist SPD (Adopted) 23rd August 2007
- Development in the Green Belt SPD (Adopted) June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/2614/PNA - Prior notification of the intention to erect an agricultural building for fodder and machinery storage.
No objection 2nd Oct 2006

4. CONSULTATION RESPONSES

4.1 Doynton Parish Council

The Parish Council raised the following concerns:

- The site is clearly visible from the lane between Doynton and Dyrham as evidenced by the large barn currently being constructed under application PK06/2614/PNA.
- Will the temporary home remain on site indefinitely?
- The siting of the mobile home may lead to a permanent dwelling on the land in the future.
- The draft cash flow for the project shows that the enterprise will not actually be a full-time enterprise for at least four years, meaning that alternative employment off site will be required by the applicants. This contradicts the stated necessity of having someone on site at all times.
- Allowing a mobile home on this site will set a precedent for other small enterprises along Rookery Lane to request mobile homes to enable more effective management of their horses.

4.2 Other Consultees

None

Other Representations

4.3 Local Residents

No responses received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Proposals for agricultural workers dwellings in the countryside are subject to assessment by criteria set out in PPS7 Annex A. South Gloucestershire Council Local Plan (Adopted) 6th January 2006, Policy H8 contains very similar criteria. PPS7 Annex A states, in relation to a new farming activity, a new dwelling should be for three years only and provided by a caravan, a wooden structure that can easily be dismantled or other temporary accommodation. It should satisfy the following criteria:

- Clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions)
- Functional need- a functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times
- Clear evidence that the proposed enterprise has been planned on a sound financial basis

- The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation for the workers concerned
 - Other normal planning requirements eg on siting and access are satisfied.
- 5.2 To assess the proposal under the terms of PPS7, the views were solicited of a specialist in this area from Gloucestershire County Council, who is regularly consulted by the Council on these types of applications, and the following is based on his assessment.

Firm Intention and Ability

- 5.3 Mulberry Farm is owner occupied by the applicants Mr & Mrs Fred Ellis. The land is a former arable holding, having been owned by Mr Ellis's family for 50 years. Mr Ellis is a born and bred farmer, having over 40 years working experience within the agricultural industry.
- 5.4 The applicants have already invested in high quality female Alpacas and a building (the barn), which is an indication of intention. Mrs Ellis has attended husbandry courses plus other courses on genetics and fibre at Wessex Alpacas.
- 5.5 Mr Ellis has been involved with farming all of his life and although the majority of his time has been spent arable farming, he has also worked on his family's dairy farm.
- 5.6 The lack of previous experience with running a livestock enterprise does not normally present a problem. There are other Alpaca businesses, which are thriving, which are run by people who have had no or very little agricultural experience prior to setting up an Alpaca enterprise. The ability has not been proven as such, but the intention and enthusiasm is obviously there.

Functional Need

- 5.7 The various day-to-day activities do not necessarily require anybody to be living on site. The birth of a Cria (the young Alpaca) can vary by up to three weeks on either side of the expected delivery date and somebody would need to be on hand for this at the very least.
- 5.8 Alpacas, although hardy animals, are extremely sensitive to disturbance and females are prone to losing their unborn cria under stress. Dogs are a good example, which is a possibility here with a footpath going through the land. Until such time as a fibre industry is built-up, the Alpaca business relies almost entirely on what is still a very valuable progeny, and it would mean that it would be a risky business to build up and sustain a viable Alpaca unit without living on site. If the business intends to develop as is proposed then it would be essential for there to be somebody based within sight and sound of the Alpacas themselves.

Planning on a Sound Financial Basis

- 5.9 There are still many years before the national herd has reached a level to form the basis of a fibre industry and when the fibre takes on a more important role with regard income. That figure is to be around 50,000 Alpacas. As there are still only about 10,000 Alpacas in the UK, there is still a growing demand, with

people wishing to build-up their herds. For the foreseeable future therefore there is no reason why the business should not be viable.

- 5.10 The applicants have provided a forward budget based on closing and opening valuations, i.e. the females being kept within the herd. It is realistic and demonstrates that provided values are maintained for the early years, the business would be potentially viable.

Other Dwellings

- 5.11 There are no other dwellings on or near the site that are available to the applicant that would be suitable as a base to continue and expand the management of the Alpaca business. At present the applicants live with Mr Ellis's mother in law at Pucklechurch, having sold their own house at Pucklechurch to fund the enterprise.

- 5.12 It is concluded that this is a genuine application to set-up a full-time, viable agricultural enterprise and it is considered that the proposal fulfils the criteria of both Annex A of PPS7 and Policy H8 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

- 5.13 In line with PPS7, a condition will be recommended, restricting the permission for 3 years only. Further conditions are recommended restricting the occupation of the mobile home to persons solely or mainly breeding alpacas on the site, and to the applicants only.

5.14 Green Belt and Landscape Issues

Under PPG2 and Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, the erection of buildings for Agricultural purposes are not inappropriate development within the Green Belt and by definition are not therefore harmful to the openness of the Green Belt. The proposal still has to be considered however in terms of its visual impact on the Green Belt, landscape in general and nearby Cotswolds AONB.

- 5.15 The fields to the west of the site are very well enclosed by high hedges, as is Rookery Lane itself. The mobile home would barely be visible from this direction. Furthermore the mobile home would be significantly smaller than the existing barn and would measure only 12.5m long x 6m wide and 2.5m high. To the north any views of the mobile home would be screened by the barn and existing hedgerows; similar hedgerows lie to the south. Views from the east are more expansive as the land falls down to the base of the Cotswold scarp beyond. It is however proposed to introduce an earth mound and an additional belt of broad leafed trees, which would help to screen and soften the appearance of the mobile home. The full details of the appearance of the mobile home are not yet known but these, like the landscaping, can be adequately controlled by condition. Stock proof fencing and temporary field shelters are already in place and the large barn would also be utilised for the Alpaca Enterprise. On balance therefore, having regard to the size of the proposed mobile home and the proposed landscaping, when viewed in its agricultural context the proposal would not have a significant adverse impact on the Green Belt, AONB or landscape character in general.

5.16 Highway Issues

Policy T12 of the South Gloucestershire Local Plan (Revised Deposit Draft) states that new development should provide safe access capable of

accommodating the motorised traffic generated by the proposal and would not create or unacceptably exacerbate traffic congestion, highway safety or residential amenity.

5.17 It is proposed to use the existing access and driveway from Rookery Lane. There is parking provision on the existing hard-standing. The mobile home would be used as an agricultural workers dwelling in association with the existing farm use. In this context the traffic impact of the development would be limited. There are therefore no highway objections.

5.18 The PROW is accessed from Rookery Lane via a kissing gate and is segregated from the driveway by a low earth mound and recent tree planting. The proposal would not adversely affect the PROW.

5.19 Impact Upon Residential Amenity

The land is already used for agricultural purposes. The mobile home would be sited well away from the nearest residential properties i.e. Rookery Farm and 'Tresco' which are located some 180m NW and 250m SW respectively. There would therefore be no adverse impact on residential amenity.

5.20 Drainage and Environmental Issues

It is proposed to dispose of foul waste via a Package Treatment Plant. The applicant has also indicated that there is existing drainage in place; however no further details have been submitted. Whilst the Council's Drainage Engineer does not raise any objection to the principle of the proposal, officers consider that a condition be imposed to secure the submission of a drainage scheme, to include details of the Package Treatment Plant.

5.21 Other Issues Raised

Of the concerns raised by the Parish Council, that have not been addressed above:-

5.22 Concerns were raised regarding the setting of a precedent for homes in relation to equestrian uses along Rookery Lane, if this application were approved. However, each application for an agricultural worker's dwelling would have to be assessed under the criteria set out in PPS7, and dealt with on its own merits. It would be very difficult to substantiate a reason for refusal on the grounds of precedent in this case. Furthermore equestrian uses are not agricultural uses.

5.23 In the event of temporary consent being granted, this would be for a 3 year period only. Any proposals for an extension in time for the siting of the mobile home or erection of a permanent agricultural workers dwelling would be the subject of separate applications, which would be determined on their individual merits and having regard to the viability of the enterprise at the end of the initial 3 year period.

5.24 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Adopted) 23rd August 2007.

5.25 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The 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 **PK07/2526/TMP**

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

CONDITIONS

- 1 The mobile home hereby permitted shall be removed on or before 2nd November 2010 and the land restored to its former condition by 2nd January 2011, unless the Local Planning Authority has granted planning permission prior to the 2nd November 2010 for the continuance of the occupation of the site.

Reason:

To enable the Local Planning Authority to fully re-assess the viability of the alpaca enterprise over the longer term, prior to the mobile home being removed in accordance with Policy H8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

2. The occupation of the mobile home hereby permitted shall be limited to a person solely or mainly breeding alpacas on the site, or widow or widower of such a person, and to any resident dependants.

Reason:

The site is not in an area intended for development and the development has been permitted solely because it is required to accommodate a person working in agriculture or forestry, to accord with Policy H8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. The occupation of the mobile home hereby permitted shall be limited to Mr and Mrs Fred Ellis, and any resident dependants and shall be for a limited period, being the period of 3 years from the date of this decision, or the period during which the premises are occupied by Mr and Mrs Ellis, and any resident dependants, whichever is the shorter.

Reason:

To enable the Local Planning Authority to have the opportunity of exercising control over any subsequent use in the event of the applicant ceasing the use hereby permitted to accord with Policy H8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006..

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

Reason:

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

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

Reason:

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

6. No development shall take place until drainage details proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (eg soil permeability, watercourses, mining culverts) within the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. The drainage details shall also include full details of the proposed Package Sewage Treatment Plant.

Reason:

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

7. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason:

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

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PK07/2675/F
Site: The Gables Hawkesbury Upton
 BADMINTON South Gloucestershire
 GL9 1AY

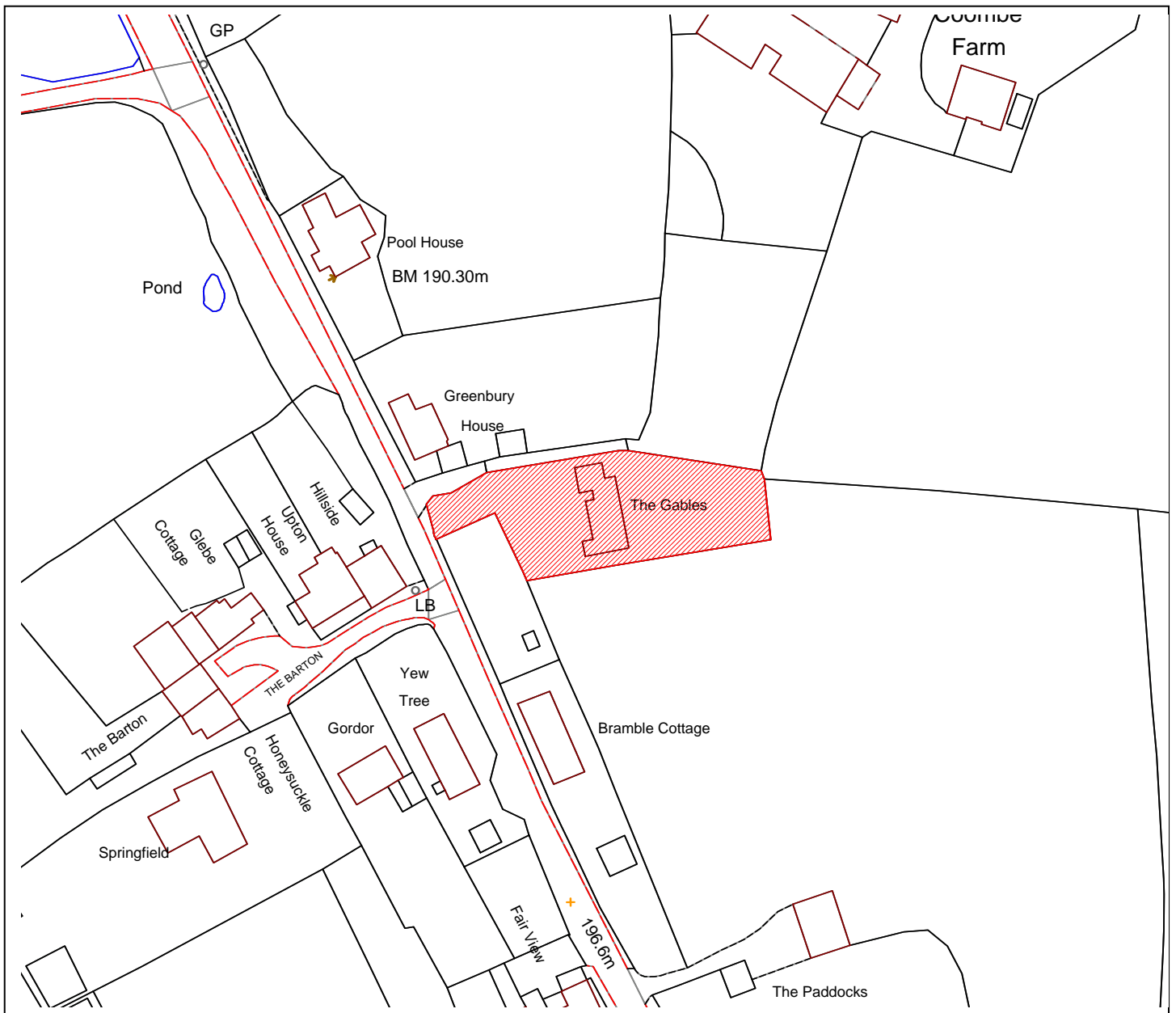
Applicant: Mr S Boulton
Date Reg: 30th August 2007

Proposal: Erection of two storey and single storey rear extensions, single storey front extension and alteration to roofline over garage to form additional living accommodation. Installation of 2 no. front dormer windows and associated works. (Resubmission of PK07/1768/F).

Parish: Hawkesbury Upton
 Parish Council

Map Ref: 77610 87225

Ward: Cotswold Edge



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100023410, 2007.

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INTRODUCTION

This planning application has been referred to the Circulated Schedule as a result of concerns raised from the Parish Council regarding the proposed development.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a two storey and single storey rear extension, single storey front extension and alteration to roofline over garage to form additional living accommodation. Installation of 2 no. front dormer windows and associated works.
- 1.2 The application site is located within the settlement boundary of Hawkesbury Upton and within the Hawkesbury Upton Conservation Area and the Cotswolds Area of Outstanding Natural Beauty

2. POLICY CONTEXT

2.1 National Guidance

PPS1

PPG15

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Extensions

L12 Conservation Areas

L2 AONB

2.3 Supplementary Planning Guidance

South Gloucestershire Advice Note no.2 Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/1768/F - Erection of two storey and single storey rear extensions, single storey front extension and alteration to roofline over garage to form additional living accommodation. Installation of 2 no. front dormer windows and associated works - Withdrawn.

4. CONSULTATION RESPONSES

4.1 Hawksbury Parish Council

Concerned over the size and scale of the development and the materials used.

Other Representations

4.2 Local Residents

No response received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the SGLP (Adopted) January 2006 allows for extensions to existing dwellings subject there may be no adverse impact on existing visual and residential amenities.

- 5.2 Regard must also be had for Policy L12 that only permits development within a conservation where it would preserve or enhance the character or appearance of the Conservation Area.
- 5.3 Visual Amenity & AONB & Conservation Area
The application site relates to a two storey modern bradstone clad detached dwelling set back from road behind an enclosed garden associated with the adjoining Bramble Cottage. Members are advised to consider that a recent planning application PK07/1768/F relating to this site which sought planning permission for a number of extensions was withdrawn. The application was withdrawn in light of objections raised by the Planning Officer on the grounds that the proposed works would fail to enhance and preserve the character of the Conservation Area and would be out of keeping with the scale and character of the existing dwelling.
- 5.4 This revised scheme has sought to address those previous concerns by reducing the scale and amending the design in particular the garage extension and the two storey rear extension. It is considered that the proposed works by reason of their scale and design have overcome the previous planning objection raised and indeed would be enhance the character of the existing dwelling and would also preserve the character and appearance of the Conservation Area.
- 5.5 It is not considered that the proposal would harm the natural beauty of the Cotswolds Area of Outstanding Natural Beauty.
- 5.6 Residential Amenity
The proposed works by reason of their scale and would not have an adverse impact on the existing amenities of the neighbouring occupiers in terms of overbearing impact or loss of privacy.
- 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 recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Background Papers **PK07/2675/F**

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

CONDITIONS

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

Reason:

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

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

Reason:

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

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PK07/2681/F	Applicant: Mr & Mrs T Smith
Site: 24 Stonehill Longwell Green BRISTOL South Gloucestershire BS15 3HW	Date Reg: 30th August 2007
Proposal: Erection of two storey side extension to form additional living accommodation.	Parish: Hanham Abbots Parish Council
Map Ref: 64977 71824	Ward: Hanham



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N.T.S

PK07/2681/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a two storey side extension to form additional living accommodation.
- 1.2 The application site relates to a two storey detached dwelling within the residential area of Longwell Green.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Extensions

L1 Landscape Protection and Enhancement

- 2.3 Supplementary Planning Guidance
South Gloucestershire Advice Note no.2 Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history relates to the application site:

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
No objection

Other Representations

- 4.2 Local Residents

One letter has been received from a local resident raising the following objections regarding the proposed extension, which have been summarised by the Planning Officer as follows:

-Extension will make this a substantial property out of keeping with surrounding area

-Extension will extend beyond our rear building line and will create a shadow and loss of light to conservatory

-Proposed rear balcony will allow for overlooking

-We would be delighted to see trees that overhang our roof removed.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

Policy H4 of the SGLP (Adopted) January 2006 allows for extensions to existing dwellings subject there may be no adverse impact on existing visual and residential amenities.

5.2 Visual Amenity

The application site relates to a large two storey modern detached dwelling set within a row of other detached properties, facing onto Stonehill. This application seeks permission to extend the property along the western elevation with a two storey side extension.

5.3 Concern has been raised that the proposed extension if allowed would result in a substantial building. As it stands the application site property is considered large scale and set within a large domestic curtilage, and it is therefore considered that the existing dwelling and site can accommodate an extension of this scale without resulting in overdevelopment of the site.

5.4 The proposed extension has been designed in line with the Council's guidelines in terms of subservience, in that the extension will be set back from the existing two storey gable projection on the front elevation and will also be set lower than the existing ridge height. The Officer is of the opinion that the proposed design in terms of keeping the eaves height lower than the existing reduces the mass of the proposed extension. It is therefore considered that the proposed extension by reason of its scale, design and materials would be in keeping with the scale and character of the existing dwelling.

5.5 Residential Amenity

The application proposes to site the extension along the western elevation of the property. Concern has been raised by the adjacent occupiers of no.26 that the extension would create a shadow and reduce light to their property. The extension would be set back 4.60m from the side elevation of no. 26, which has no side windows and would project beyond the rear building line of no.26 by 2.40m. Members are advised to consider that a public footpath runs between both properties.

5.6 It is considered that given the siting of the proposed extension in relation to no. 26 that an extension of this scale in this location would not have an overbearing impact.

5.7 An objection has also been raised on the grounds that the proposed rear bedroom window by reason of its design i.e. patio doors and balcony will allow for overlooking onto the adjacent garden. It is considered that as the design of the balcony would not allow for sitting out on and as the window is set lower than those at first floor level and as views would be restricted to the lower end rear the garden, that the proposed window would not have such a harmful impact on existing levels of privacy currently enjoyed so as to warrant refusal of the application.

5.8 Landscaping

The proposed two storey side extension by reason of its siting would result in the loss of three trees along the western boundary of the application site. The Council's Tree Officer has inspected the trees and raises no objection to their removal. However should planning permission be granted a planning condition will be imposed requiring that protective fencing is erected around a Copper Beach sited along the front boundary of the application site, to ensure that it is not damaged during construction.

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK07/2681/F**

Contact Officer: Tracey Price
Tel. No. 01454 863424

CONDITIONS

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

Reason:

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

2. No development shall take place until details of protective fencing measures relating to the protection of the existing Copper Beech tree situated in the front garden have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried in accordance with the agreed details. 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:

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

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PK07/2737/F
Site: 147 High Street Oldland Common
 BRISTOL South Gloucestershire BS30
 9TD
Proposal: Creation of new vehicular access.
Map Ref: 67541 71460

Applicant: Miss N Perham
Date Reg: 6th September 2007
Parish: Bitton Parish
 Council
Ward: Oldland Common



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N.T.S

PK07/2737/F

INTRODUCTION

This application appears on the Circulated Schedule after the receipt of one objection from the local parish council.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the creation of a new vehicular access onto a classified road.
- 1.2 The application site is located within the Existing Urban Area of the Bristol East Fringe in an established residential area of Oldland Common.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 Delivering Sustainable Development
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
T8 Car Parking Standards
T12 Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Councillors did not object to this proposal as it would ease traffic congestion on a busy road. However, they were concerned that no opportunity to turn a vehicle within the site was provided but recognised that there were no local precedents.

Other Representations

- 4.2 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of 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 highway safety and amenity in the locality. Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides maximum parking standards.
- 5.2 Concern has been raised by the local parish that there is no turning area within the site.

5.3 The Councils Transportation Development Control Officer has assessed the proposal and not objected. It is noted that the High Street is a Class 1 highway and normally a turning area would be requested. However, owing to the fact that the proposal relates to an existing dwelling, rather than new build, and that a number of other dwellings along the same road have accesses with no turning facility, a transportation objection could not be substantiated. In light of this the proposal is considered acceptable and will be recommended for approval.

5.4 Section 106 Requirements

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

6. CONCLUSION

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

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 **PK07/2737/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).

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PK07/2738/F	Applicant: Mr & Mrs L Redwood
Site: Hillside Cottage Lower Street Dyrham CHIPPENHAM South Gloucestershire SN14 8EU	Date Reg: 6th September 2007
Proposal: Erection of detached double garage with workshop and storage area. (Resubmission of PK07/2006/F).	Parish: Dyrham and Hinton Parish Council
Map Ref: 73903 75593	Ward: Boyd Valley



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INTRODUCTION

This application appears in the circulated schedule due to the receipt of one letter of objection from the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of detached building with the grounds of Hillside Cottage, Lower Street Dyrham. The proposed building would consist of two double garages (a total of 4 spaces), a workshop, and a storage area. The building would have an 'L' shaped footprint with a maximum height to the ridge of 4 metres. The building would have a tiled roof. The site lies within the Green Belt, the Conservation Area, the Cotswold Area of Outstanding Natural Beauty and the settlement boundary of Dyrham.
- 1.2 There is an existing detached outbuilding on the site that is constructed mostly of wood with a corrugated metal. There is no planning history for this building although it is likely that it has been on site for more than four years and therefore probably lawful. The new building subject of this application, would be a replacement for the existing structure on site.
- 1.3 This application is the resubmission of the previously refused application on the site – PK07/2006/F. The previous application was for a very similar structure and was refused for the following reasons;

1. The proposed building, by virtue of its siting and scale, fails to either preserve or enhance the Dyrham Conservation Area. In light of the demonstrable harm such a building would do to the character and appearance of the Conservation Area, this application can not be supported. The application is thus considered to be contrary to Policies L2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The proposed new building because of its bulk, external appearance and height will have a detrimental impact on the openness of the green belt. No very special circumstances have been demonstrated to justify the need for such a large outbuilding or for its excessive height. The proposed new structure will have a detrimental impact on the openness of the Green Belt contrary to the requirements of Policy GB1 of the South Gloucestershire Local Plan and PPG2.

This application varies from the previously refused application in the following ways;

1. Reduction in ridge height by 1.25 metres
2. Removal of area of tarmac to the rear of the proposed building.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPG15	Historic Environment

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design
- L2 Cotswolds AONB
- GB1 Green Belt
- L12 Conservation Areas
- L15 Locally Listed Buildings
- H4 House Extensions

2.3 Supplementary Planning Guidance Dyrham Conservation Area statement

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK07/2006/F Erection of detached double garage with workshop and storage area.
Refused August 2007
- 3.1 PK05/1013/F Erection of single storey side extension to provide additional living accommodation.
Approved May 2005
- 3.2 PK04/0407/F Erection of single storey side extension to form utility room.
Approved March 2004

4. **CONSULTATION RESPONSES**

- 4.1 Dyrham & Hinton Parish Council
Object to the application on the grounds that the overall footprint of the building is too large a structure for the property and the conservation area.

Other Representations

- 4.2 Local Residents
None received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations, under the following headings. Policy GB1 of the South Gloucestershire Local Plan only allows for limited extension to existing residential units providing it does not result in disproportionate additions to the original dwelling and does not compromise the openness of the green belt. Policies L12 and L2 seek to ensure that any development would be sensitive to the setting to and enhance the setting of the conservation area and the Cotswold AONB. Policies D1 and H4 seek to ensure any new development is of good design and would not adversely affect existing levels of residential amenity.

5.2 Green Belt

The application site lies within the designated Green Belt, where proposals for extensions must not result in 'disproportionate additions' over and above the size of the original dwelling and would not compromise the 'openness' of the

Green Belt unless the applicant can prove very special circumstances. Policy GB1 states that any development within the green belt, which would have an adverse impact on the visual amenity, will not be permitted.

Your officer is conscious of the fact that the proposed new building is to be a replacement for an existing structure that does not contribute to the special character of the area. The existing structure also, to a certain extent does have an impact on the openness of the green belt. However, because of gradient of the land and the existing vegetation, the existing building is largely screened from view. From the open fields to the south, only the roof of the existing building is visible. Its impact and effect on the openness of the green belt is minimal.

The existing outbuilding currently has a maximum height above ground level of 3 metres. The proposed structure would, at its ridge, have a maximum height above ground level of 4 metres. It is not disputed therefore that the height of the structure will be increased, increasing its visibility from the surrounding area. However, this must be outweighed against the fact that the footprint of the replacement building is smaller than the existing structure it is to replace. By means of comparison, the existing outbuilding has a floor area of 152.5 square metres. The floor area of the proposed replacement building will be only 89.7 square metres.

The proposal still includes the installation of a low level retaining wall but the scheme no longer proposes the large area of tarmac that was proposed as part of the previous application.

On balance, it is considered that the outbuilding will not have any significant or detrimental impact on the openness of the green belt. In terms of volume, the proposed replacement building will actually be smaller than the existing outbuilding it is to replace by some 150 cubic metres. The outbuilding stands within the existing residential curtilage and given the reduction in volume is thus accepted as a limited extension and satisfies the requirements of Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.3 Conservation Area and Cotswolds AONB

At the boundary of the existing garden with the fields and paddock beyond is a large multi-unit single storey storage building. The building, which is constructed of timber panels with a corrugated flat roof, is in a poor state of repair and is to be removed as part of this application. The Council's conservation officer is satisfied that the existing building is of no architectural or historic importance. The building is partially screened by trees, which are to be retained.

It is the opinion of the Council's conservation officer that although the upper part of the existing building to be replaced is visible from Lower Street, by virtue of the topography of the site, it is relatively concealed. The existing building is however conspicuous from the field, through which a public right of way runs. The proposed building, which is 1m higher at ridge level than the existing building, will be slightly more visible. However, the proposed building is of a higher quality of design than the existing, using traditional materials. The design of the building is clearly that of a subservient outbuilding, and in the Conservation Officer's opinion the slight increase in its prominence is outweighed by the improved quality. The Conservation Officer considers that

on balance the proposed development will preserve the character and appearance of the conservation area.

The planning officer fully concurs with the opinion of the conservation officer and agrees that the replacement building will be a significant visual improvement over the existing situation whilst having minimal additional impact on the character and appearance of the conservation area.

5.4 Residential Amenity

Due to the proposed siting of the building, away from neighbouring properties, it is not considered that the extension as proposed would have any detrimental impact on existing levels of residential amenity. Sufficient private amenity space will remain to serve the existing dwelling and thus it is not considered that there will be any impact on existing levels of residential amenity. In order to protect the amenity of the surrounding properties, a condition will be attached to ensure that the outbuilding is used for garaging, storage and other activities associated with the occupation of the main dwelling and not for any commercial or business use.

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.

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;

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

CONDITIONS

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

Reason:

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

2. Notwithstanding previously submitted details, prior to the commencement of development, the design and details including materials and finishes of the following shall be approved in writing by the Local Planning Authority;
 - a. eaves, ridges and verges
 - b. all new doors (including double garage doors)
 - c. All new windows (including cill and head details)

The design details shall be accompanied by elevations and section drawings to a minimum scale of 1:5. The scheme shall be implemented strictly in accordance with the approved details.

Reason:

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and Policies D1, H4 and L12 of the South Gloucestershire Local Plan (Adopted). These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

3. Notwithstanding previously submitted details, prior to commencement of development a representative sample of new roofing tile shall be submitted and approved in writing by the local planning authority.

Reason:

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and Policies D1, H4 and L12 of the South Gloucestershire Local Plan (Adopted). These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

4. Notwithstanding previously submitted details, prior to commencement of development representative sample of the timber cladding shall be submitted and approved in writing by the local planning authority.

Reason:

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and Policies D1, H4 and L12 of the South Gloucestershire Local Plan (Adopted). These are

important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

5. The building hereby approved shall only be used for garaging of domestic vehicles, ancillary domestic storage and other purposes incidental to the enjoyment of the main dwelling and shall not be used for any commercial or business use.

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. 43/07 – 26 OCTOBER 2007

App No.: PK07/2773/F
Site: 28 Chipperfield Drive Kingswood
 BRISTOL South Gloucestershire BS15
 4DP

Applicant: Miss T Gwyther
Date Reg: 11th September
 2007

Proposal: Conversion of existing dwelling to form 2
 no. one bedroom self contained flats and
 1 no. two bedroom maisonette with
 associated works.

Parish:

Map Ref: 65854 74238

Ward: Kings Chase



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INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the conversion of existing two storey dwelling to form 2 no. one bedroom self contained flats and 1 no. two bedroom maisonette with associated works.
- 1.2 The application site relates to a two storey end terraced dwelling located within the established residential area of Kingswood.

2. POLICY CONTEXT

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design
- H2 Residential Development
- H5 Residential Conversions
- T8 Car Parking Standards
- T7 Cycle Parking
- T12 Transportation Development Control

2.3 Supplementary Guidance

SPD Design Checklist adopted August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates to the application site:
- 3.2 P90/4257 Two Storey Side Extension
Approved June 1990

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
Does not come under a Town/parish Council

Other Representations

- 4.2 Local Residents
One letter has been received from a local resident raising the following objections, which have been summarised as follows:
-Increase in traffic, current problems of cars on road

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H5 of the South Gloucestershire Local Plan allows for the conversion of existing residential properties into smaller units subject to a number of criteria being satisfied.

5.2 Visual Amenity

The application site property relates to an end terraced two storey dwelling which has been extended on the side with a two storey extension, making the building substantially large. The only alterations required to enable the conversion relate to the expansion of the existing hard standing within the site frontage to accommodate three car parking spaces and also the subdivision of the rear garden to provide separate amenity space for each flat. No extensions are required.

5.3 It is considered that the proposed conversion would not prejudice the character of the surrounding area and it is also considered that the proposed conversion would not result in overdevelopment of the site as the building and site are large enough to accommodate a conversion of this scale.

5.4 Residential Amenity

It is considered that the conversion of the existing dwelling into flats would not have an adverse impact on the existing amenities of neighbouring occupiers.

5.5 The application proposes to utilise an existing single storey rear building to provide secure storage for bicycles and bins for the future occupiers of the development. In addition satisfactory levels of private amenity space will be provided at the rear of the site for the future occupiers of the development.

5.6 Transportation Issues

Objections have been raised by local residents on the grounds of existing car parking problems within the area. Members are advised to consider that the Council's Highway Officer has advised that as three car parking spaces can be provided on site to serve each unit which is in line with the Council's car parking standards then no objection is raised on highway grounds.

5.7 Landscaping Issues

There are no landscaping constraints on the site.

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.

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 South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 Planning permission be approved subject to the following conditions.

Background Papers **PK07/2773/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 off-street parking facilities for all vehicles, including cycles shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason:

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

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

Reason:

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

4. The residential units hereby approved shall not be occupied until the storage area for refuse bins and boxes have been provided in accordance with the approved details.

Reason:

For the future occupiers of the development and to accord with Policy D1 of the South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PK07/2774/F	Applicant: Mr M Taylor
Site: Viking Works London Road Wick BRISTOL South Gloucestershire BS30 5SJ	Date Reg: 11th September 2007
Proposal: Demolition of existing buildings and erection of 4no. dwellings with associated works.	Parish: Bitton Parish Council
Map Ref: 70975 72698	Ward: Boyd Valley



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N.T.S

PK07/2774/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of four dwellings in the form of one pair of semi-detached units and one pair of link detached units. Each of the four dwellings will have private garden space and a total of 8 parking spaces are proposed. The site already has the benefit of outline planning permission for the erection of four terraced dwellings granted under application PK05/3600/O.
- 1.2 The application site relates to a commercial site accessed by a narrow driveway to the rear of houses fronting onto London Road. The site is surrounded by a variety of commercial and residential properties and is in close proximity to a quarry. The site is currently used for the storage and repair of mobile food vans. There are two single storey buildings on the site that will be removed to make way for the development proposed. The site lies within the Green Belt and within the existing urban area

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS3	Housing
PPG13	Transport - Guide to Better Practice

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Residential Development in Urban Areas
T8	Parking Standards
T12	Transportation Development Control Policy
GB1	Development within the Green Belt

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/3600/O Demolition of existing buildings to facilitate the erection of 4 no. dwellings (Outline) with means of access to be determined. All other matters reserved.
Approved May 2006

4. CONSULTATION RESPONSES

- 4.1 Wick and Abson Parish Council
No objections but have concerns over access
- 4.2 Environment Agency
No objection subject to the attachment of conditions.

Other Representations

4.3 Local Residents

One letter of objection has been received from a local resident. A summary of the points of concern is as follows;

- Increased volume of traffic and the associated fumes
- It will cut the village in half
- The environment will suffer as will the neighbours
- Birds rely on the few bushes and trees that exist and these will be lost

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The South Gloucestershire Local Plan (Adopted) identifies the site as lying within the established urban area. The site also sits within the Bristol/Bath Green Belt as identified in Policy GB1. This application stands to be assessed against the policies identified and also in the light of all material considerations, under the following headings. The application must comply with the requirements of both policies GB1 and H2 of the South Gloucestershire Local Plan (Adopted).

5.2 Green Belt

PPG2 states that the most important feature of green belt is their openness. Green belts can help shape patterns of urban development and assist in moving towards more sustainable patterns of urban development. Policy GB1 identifies 5 circumstances where it is considered acceptable to develop in the greenbelt, one of these circumstances is 'limited infilling within the boundaries of settlements as defined on the proposals map'. The supporting text to the policy explains that infilling is unlikely to be more than the filling of small gaps within the built environment where it does not significantly impinge on the openness of the green belt.

It is considered by officers that the proposal represents a suitable and appropriate form of limited infilling. A key consideration is that the site is currently in use as a storage and distribution centre and is occupied by buildings and a number of mobile vans and trailers. In this instance, it is considered that the removal of the existing buildings on site and their replacement with 4 dwellings would in fact significantly improve the aesthetics of the site and would have no additional impact on the openness of the greenbelt. Large and unsympathetic areas of tarmac and hard-surfacing will be replaced with grass and soft landscaping thus contributing positively to the character of the area. By virtue of the fact that the site is surrounded on all sides by buildings of at least two storeys in height, the proposed new dwellings will not be visible in wider views too or from the greenbelt. In accordance with PPG2 and Policy GB1 the proposed use of the land will have no greater impact on the greenbelt than the existing use of the land.

Policy H2 of the South Gloucestershire Local Plan (Adopted) allows for new residential development providing that the following criteria are complied with:-

(a) Development would not have unacceptable environmental or transportation effects; ...

5.3 The existing site access is in close proximity to the main junction of London Road with the A420. The existing lane measures 3 metres in width and there is

no footway facility at this location. Under normal circumstances, the proposal for residential development on the site would be deemed unacceptable.

However, a material consideration in the determination of this application is that the application is for the redevelopment of a previous used site. Two buildings and an open storage yard, which are used in combination by the current owner-occupier in running a mobile catering business, currently occupy the site. In addition to the traffic from the existing mobile catering business, the existing access lane also provides access to those working at, or visiting the Cemex Offices where there is parking for approximately 38 vehicles.

The application proposes to permanently stop off the existing access to the Cemex offices and thus therefore potentially remove the need for 38 vehicles a day to use the access. There is alternative access to Cemex through the main quarry entrance further to the North of the site along London Road. In order to ensure this is carried out, a condition will be attached to any consent granted to ensure that this existing access is stopped off prior to the development of the site.

In traffic terms therefore, the existing lane is currently being used by two companies. It is officers opinion that the volume of traffic expected to result from the erection of four houses is not likely to exceed the existing volume of traffic. It is not therefore considered that the development would result in a detriment to existing levels of highway safety. Whilst a footway is not provided, it is anticipated that vehicles will be travelling on the site at a slow speed and that the private drive would actually operate as a shared surface.

As part of the application, the existing access is to be widened to allow vehicles to pass more easily along the drive. It will also allow emergency vehicles to enter the site. A passing bay is also included to limit the possibility of vehicle conflict by users of the driveway.

Each of the four dwellings will have three bedrooms each. Policy T8 of the South Gloucestershire Local Plan (Adopted) that four three-bedroom dwellings should be provided with a maximum of 8 spaces (2 spaces per unit). It is therefore considered that the proposal complies with this criterion. Part of the parking is to be in an open fronted car port. In order to ensure the long term use of this car port and to avoid it being taken over with storage, a condition will be added to any consent granted to ensure that the front elevation of the car port remains open at all times and is not in filled with doors or any other obstruction.

It is noted that the site has flooded in the past yet the Environment Agency is happy with the principle of development and that that site is suitable for residential development providing a scheme for the provision of foul and surface water drainage is submitted. A condition will be attached to any consent granted to ensure that such a scheme is received and approved prior to the commencement of development to avoid any issues of water-logging or flood.

It is also noted that a neighbour is concerned about the loss of trees and hedges which provide valuable nesting and food for wildlife. However, the site is currently in commercial use and tarmac dominated – there is very limited vegetation. The creation of four substantial gardens with the associated

planting that one can usually expect is likely to be of much greater help to local wildlife than the current use.

(a)...and would not significantly prejudice residential amenity.

- 5.4 The new dwellings have clearly been given careful consideration so as to have minimal impact on the amenities of the neighbouring dwellings. It is the opinion of your officer that a residential use on the site rather than a commercial use is likely to result in significant improvements to existing levels of residential amenity for neighbouring properties – particularly by means of reduced noise, fumes and dust.

The semi-detached units (proposed dwellings 1 and 2) will be located at the bottom of the rear garden of No. 2 London Road. The dwellings will sit at right angles to the existing No.2 and will have no windows in the side elevation overlooking this property. The windows in the front elevations of proposed units 1 and 2 will overlook the car park, the windows in the rear elevations will overlook the gardens. At its closest point the distance between proposed habitable room windows in units 1 and 2 with any habitable room windows in a neighbouring property is in excess of 30 metres.

The link-detached units (proposed dwellings 3 and 4) will be tucked in at the rear of the site. Again, at its closest point the distance between habitable room windows of proposed units 3 and 4 with any of the existing dwellings exceeds 35 metres and thus there are no issues of loss of privacy or intervisibility.

Each of the new dwellings is to be allocated a suitable and substantial amount of garden space. The garden space will also be private and useable. Impact of residential amenity is thus considered to be acceptable.

(b) The maximum density compatible with the sites location, its accessibility and its surroundings is achieved.

- 5.5 A density calculation on the site provides a density of approximately 21 houses per hectare. Whilst this density is relatively low, it is considered that due to the shape of the site, location of neighbouring properties and site access, it would be unreasonable to request that more dwellings are accommodated on the site. It is also considered however that the footprint is suitable for the village location.

(c) The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination.

- 5.6 It is considered that the proposed site would not be subject to such environmental disturbances. Whilst the site is adjacent to a quarry, the levels of noise and dust experienced at the proposed dwellings would be no greater to the levels experienced at the existing dwellings.

(d) Provision for education, leisure, recreation etc. in the vicinity is adequate to meet the needs arising from the proposal

- 5.7 The proposal is only for 4 no. dwellings and therefore would not have a significant impact on the area in terms of service provision.

5.8 Design

The design and access statement identifies how the design of the properties has been informed by the surrounding properties. For example, the use of deep stone lintels and stone calls. The windows in all units are to be simple casements with a single horizontal glazing bar – again to respect the local building style. Each of the proposed dwelling is to be finished slightly differently although predominantly will be brick. Details of the sample materials will be conditioned.

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 (Adopted).

5.10 Section 106 Requirements

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

6. CONCLUSION

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

Background Papers **PK07/2774/F**

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

CONDITIONS

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

Reason:

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

2. The hours of working on site during the period of construction shall be restricted to Monday to Friday 7.30 - 18.00, Saturday 8.00 - 13.00 and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason:

To minimise disturbance to occupiers of nearby buildings, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

4. Development shall not begin until drainage details incorporating best management practices and the hydrological context of the development have been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policies H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The drainage scheme approved, incorporating best management practices, shall be implemented in accordance with the approved details before the development is occupied.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policies H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of development on the site, details shall be submitted to the Council to demonstrate how the existing access to the Cemex site will be permanently blocked up. The submitted details should be approved in writing and the works must be carried out in accordance with the details so agreed prior to the commencement of development.

Reason:

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

7. The front elevation of the car port hereby approved shall remain open at all times and shall not be fully or partially infilled with gates or any other obstruction.

Reason:

To encourage its primary use for the parking of domestic vehicles and to satisfy the requirements of Polciy T8 of the South Gloucestershire Local Plan (Adopted).

8. The access to the site must be widened in accordance with the approved plans prior to the commencement of construction of the dwellings or car port hereby approved.

Reason:

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

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

Reason:

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

10. No development shall take place until details and 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. Details are required for both the dwellings and the car port. Development shall be carried out in accordance with the approved details.

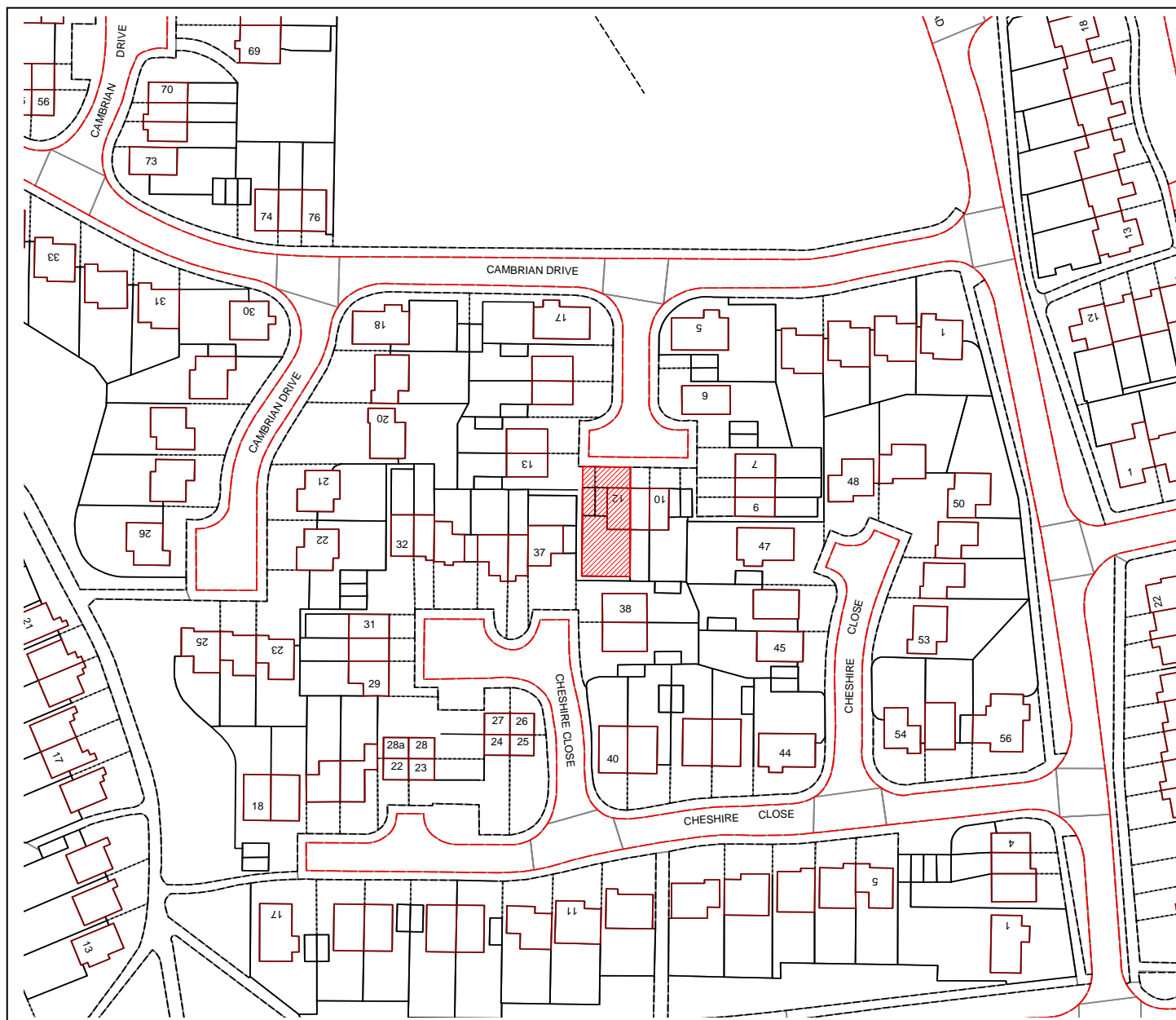
Reason:

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

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PK07/2962/F
Site: 12 Cambrian Drive Yate BRISTOL South Gloucestershire BS37 5TR
Proposal: Erection of single storey side extension to form additional living accommodation. (Retrospective).
Map Ref: 71125 83216

Applicant: Mrs F Pound
Date Reg: 3rd October 2007
Parish: Yate Town Council
Ward: Yate North



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N.T.S

PK07/2962/F

INTRODUCTION

This application is referred to the Circulated Schedule to Members in accordance with procedure given than an objection has been raised.

1. THE PROPOSAL

- 1.1 The application seeks retrospective consent for the erection of a single storey extension in an area to the rear of the existing garage and the existing flat roof side extension. The extension has a width of 5 metres and depth of 2.6 metres with a height to the top of the mono pitch roof of 2.7 metres. The extension has been built such that the materials match the existing building.
- 1.2 The application site comprises a modern end terrace property situated within a spur to the south of Cambrian Drive.
- 1.3 Given that this application is for retrospective consent, the implications are that should consent not be given, enforcement action may ensue.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No response received
- 4.2 Local Residents
One letter of objection has been raised. The objection is made on the grounds that there is a parking problem within this part of Cambrian Drive given that the owners of the property have lost the use of the garage and driveway.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design

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

It is considered that the form and scale of the proposed development are in keeping with the original property and the wider street scene. The use of a full pitched roof (the new roof as installed has only a gentle pitch) would be preferred however given the secluded location and given that it is attached to an existing flat roof element it is considered that in these circumstances this is satisfactory. It is considered that a pitched roof over just the new element would appear incongruous given the roof over the roof over the garage area is flat. The use of matching materials has ensured that extension integrates successfully with the original property. It is considered that the proposed development is acceptable in design terms and is therefore in accord with the aims and objectives of Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

Amenity

Given the scale and the location of the proposed development it is not considered that there would be any adverse impact upon the amenity of adjoining occupiers either in terms of loss of amenity or privacy.

Other Issues

Concern has been raised that there are parking difficulties as the property has lost the use of the driveway and garage. Given that this small extension has been erected to the rear of the existing garage it is not considered that the proposal will affect parking availability in anyway at the site. The current use of the garage and space to the front is not relevant to this application although it should be noted that at the time of the Officer's Site Visit the driveway to the front of the garage was occupied by two vehicles.

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.

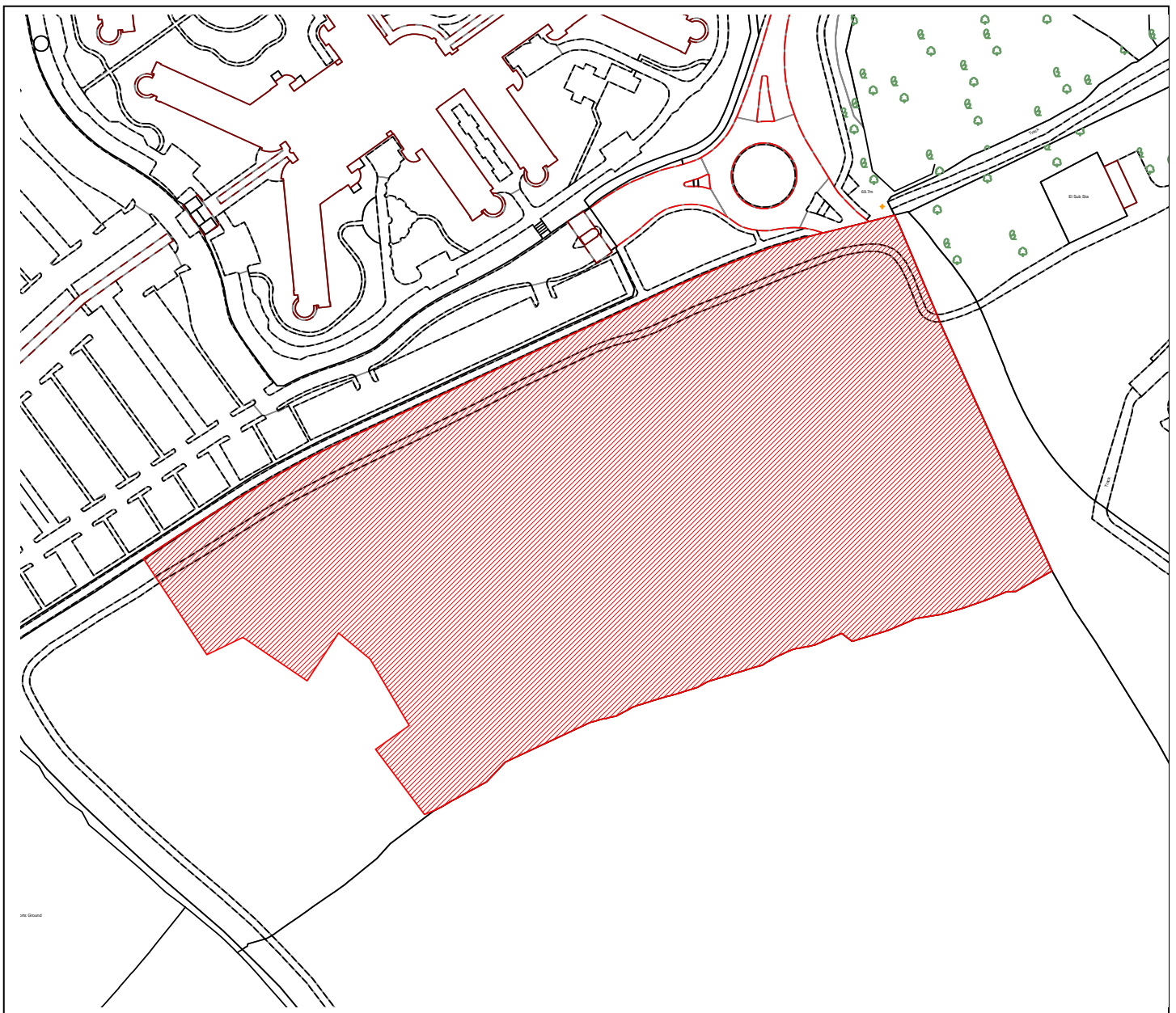
7. **RECOMMENDATION**

Planning Permission be granted.

Background Papers **PK07/2962/F**
Contact Officer: **David Stockdale**
Tel. No. **01454 863131**

CIRCULATED SCHEDULE NO. 43/07 – 26 October 2007

App No.:	PT07/1715/RM	Applicant:	Redrow Homes (South West) Ltd
Site:	Hewlett Packard Ltd Filton Road Stoke Gifford BRISTOL South Gloucestershire BS34 8QZ	Date Reg:	4th June 2007
Proposal:	Erection of 100 dwellings with car parking, landscaping and associated works (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT04/0684/O).	Parish:	Stoke Gifford Parish Council
Map Ref:	61270 78054	Ward:	Frenchay and Stoke Park



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100023410, 2007.

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INTRODUCTION

The application appears on the circulated schedule because it is a major development and there have been representations of objection from third parties.

1. THE PROPOSAL

- 1.1 The application seeks consent (on the first development area) for those matters that were reserved by reason of conditions 1 and 2 of outline planning permission PT04/0684/O; specifically matters relating to siting, design and external appearance of buildings, and landscaping. A total of 100No.dwellings are proposed within the first development area (as identified in the approved masterplan). Furthermore, condition 3 of outline planning permission PT04/0684/O states that these details shall accord with the approved masterplan; and condition 9 states that the reserved matters should achieve an average density of 50 dHa across the site.
- 1.2 The application relates to an outline planning permission on 24Ha land that is allocated for residential development (minimum dwelling target – 900) in the South Gloucestershire Local Plan (Adopted) January 2006. The proposal comprises the first development area that was identified in the approved masterplan. This area comprises 3.75Ha situated in the northern corner of the allocated site, to the south of the existing MOD complex. A density of 63 dHa across the site is proposed.
- 1.3 The proposed development comprises 12No. 1-bed, 49 No. 2-bed, 16No. 3-bed and 23No. 4-bed units. Of these, 30No. units will be for affordable housing comprising 17No. units for rent (4No. 1-bed, 5No. 2-bed, 4No 3bed and 4No 4bed) and 13 Shared ownership units (2No 1-bed, 10No 2-bed and 1No 3bed). The composition of the affordable housing accords with the approved Affordable Housing Masterplan and the completed section 106 legal agreement.
- 1.4 Summary of planning permission ref.PT04/0684/O
On 19th May 2005 outline planning permission was approved for residential development at a density of 50 dHa together with supporting infrastructure and ancillary facilities. Planning permission has also been approved by Bristol City Council for residential development that forms part of the site but which is within their boundary. The consent relates to land that is not allocated for residential development in the South Gloucestershire Local Plan (Adopted) January 2006 for a minimum of 900 dwellings. A number of conditions were attached to the outline planning permission; and many of those conditions requiring pre-commencement approval have been satisfactorily discharged.
- 1.5 A section 106 attached to the outline planning permission ensures that numerous planning obligations are delivered including a neighbourhood centre, nursery, primary school, public art, 30% affordable housing (60% rented and 40% shared ownership (achieved through an approved affordable housing masterplan)), bus link (including rapid transit route), open spaces (including play areas) and various other financial contributions (education, various community facilities, community care, transportation (including car club, bus season tickets, cycle/parking facilities).

- 1.6 The section 106 also required a masterplan to be approved prior to the first reserved matters application. This masterplan has now been approved albeit that some matters including the design code were excluded from that approval.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPG17	Planning for Open Space, Sport and Recreation
PPS25	Development and Flood Risk

2.2 Joint Replacement Structure Plan

Policy 1	Sustainable development
Policy 2	Location of development
Policy 12	Development in North Fringe
Policy 33	Housing provision and distribution
Policy 35	Housing density
Policy 51	Pedestrians and cycling
Policy 59	New development – transport issues

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L5	Forest of Avon
L17/18	Water Environment
H1	Proposed sites for new residential development (site no.12).
H2	Proposals for Residential Development within the existing Urban Area and Defined Settlement Boundaries
H6	Affordable Housing
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
EP2	Flood Risk and Development
EP4	Noise Sensitive development
LC8	Open space and children's play in conjunction with residential development.

2.4 Supplementary Design Document Design Checklist (Adopted).

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/0684/O Residential development at a density of 50 units per hectare overall across the site together with supporting infrastructure and ancillary facilities.

Approved. This planning permission also agreed the details of the access from Coldharbour Lane. A masterplan, required of a section 106 legal agreement, has also been approved.

- 3.2 PT06/1893/F Extension and alteration to access road (from MoD roundabout).

Approved.

- | | | |
|-----|-----------------------|--|
| 3.3 | PT07/1107/F
Lane) | Alterations to existing access road (from Coldharbour Lane)

Approved. |
| 3.4 | PT07/1432/RM | Access road for construction vehicles.
Undetermined. |
| 3.5 | PT07/1886/F
Lane). | Alterations to access and junction (onto Coldharbour Lane).

Approved. |
| 3.6 | PT07/2424/R3F | Formation of public transport bus link.
Approved 11 October 2007. |

4. CONSULTATION RESPONSES

- | | | |
|-----|-------------------------------------|--|
| 4.1 | <u>Filton Town Council</u> | Objection. Increased traffic. Lack of social space. Design not aesthetically pleasing. Should provide adequate public transport and local amenities. |
| 4.2 | <u>Bradley Stoke Town Council</u> | Objection. Additional traffic problems. Developers should contribute adequate S.106 funding for whole community. |
| 4.3 | <u>Stoke Gifford Parish Council</u> | Objection on design, environmental performance, not enough pepper-potting, car parking, and play provision grounds. |
| 4.4 | <u>Winterbourne Parish Council</u> | Objection. Traffic Impact. Compromise green belt. |
| 4.5 | <u>Wessex Water</u> | Comments in relation to agreeing drainage details. |
| 4.3 | <u>Highways Agency</u> | No comment. |
| 4.4 | <u>Natural England</u> | No objection. |
| 4.5 | <u>DE Defence Estates</u> | Objections based on drainage concerns. |
| 4.5 | <u>Environment Agency</u> | No objection but condition 5 of outline planning permission still needs to be discharged. |
| 4.6 | <u>Civil Aviation Authority</u> | No comment. |
| 4.6 | <u>English Heritage</u> | No comment. |

4.7 Sustainable Transport

No objection subject to delivery of appropriate bin storage and amendments to ensure that some parking places are not too remote from the dwellings which they serve.

Other Representations

4.4 Local Residents

5No. representations of objection on the following grounds:

- Traffic impact.
- Environmental performance.
- No more supermarkets; small business should be encouraged.
- Facilities for young people required.
- Over-development.
- Health Impact.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks consent only for those matters that were reserved by reason of conditions 1 and 2 of outline planning permission PT04/0684/O; specifically matters relating to siting, design and external appearance of buildings, and landscaping. It is noted that all of the concerns expressed by the Parish/Town Councils and third parties, except for those concerning design, relate to issues that have already been appropriately considered within the outline planning permission, and this includes overall traffic impact. These issues cannot be re-considered with this application; the principle of the development is clearly established. It is appropriate to deal with the outstanding reserved matters under the headings of layout (including landscaping, block structures, spaces, affordable housing placement) and building design and appearance, to also include environmental performance.

5.2 Layout

The development encompasses part of the primary avenue included in the masterplan. At the entrance to the site is an area of public open space around which will be situated flat development with maximum height 4-storeys. The public open space also forms part of the masterplan and the required delivery of public open space enshrined within the completed section 106 agreement. Further along the primary avenue, the route will be bordered by rows of semi-detached 3-storey villas. In front of the villas, on the north-west side of the avenue, will be the linear open space that again forms part of the approved masterplan plan and the required delivery of public open space enshrined within the completed section 106 agreement. The avenue will be bordered by rows of trees.

5.3 To the rear of the avenue the development will be defined by a loose block structure. The largest block, to the south east of the primary avenue, will have running through it a mews court that will comprise units fronting the mews street. Within the mews, parking is provided. Other smaller mews parking courts are provided elsewhere in the development. A suitable design and enclosure for these spaces has been achieved. The blocks are defined by strong outward looking frontages that face the street. Elsewhere 3No. squares will be enclosed by buildings within which there will be some parking.

- 5.4 The hierarchy of streets are reasonably well defined. The layout provides a very well defined primary avenue with primary streets and access streets off this, and the mews street at the bottom of the hierarchy. This is an appropriate response to the requirements of the masterplan. A total of 155 parking spaces will be provided and these will primarily be contained within the mews courts and squares. The level of car and bike parking provision is acceptable to the Council's Transportation Engineer. Whilst the Council's Transportation Engineer raises no objection to the development, two issues remain to be resolved, that of achieving appropriate bin storage and some parking areas being remote from the dwellings they serve. These are not expected to have an undue impact upon the layout. Revised plans have been received in relation to bin storage. Reconsultation with the Parish and Town Councils has taken place on these.
- 5.5 Along the north-west boundary and north east boundary will run the approved public transport route. This area is outside the application site. The route along the north east boundary is subject to application ref. PT07/2424/R3F that was to be determined by Committee on 11th October. The boundary with these routes will be defined by walls and railings of consistent material, the specific treatment will secure maximum visual permeable.
- 5.6 A full landscaping scheme has been submitted with the application. The scheme is a product of negotiation with officers. A mixture of Cherry, Hornbeam, Rowan and Hazel trees will border the primary avenue and the area of public open space. Other areas of tree planting will be provided as well as extensive areas of ground level panting. Surfacing materials will be agreed by way of the recommended condition. Boundary treatment is appropriate. Retention of existing landscaping will accord with the approved landscaping scheme.
- 5.7 Throughout the entire development that benefits from planning permission ref.PT04/0684/O, affordable housing will be provide at 30%. Such provision will be delivered through each phase. Thus, by implication, the affordable housing will inevitably be pepper potted throughout the development. Within the phase of development subject to this application, affordable housing will be provided in the west and south east part of the development, and will be integral to the development as a whole. This is to the satisfaction of the Council's Housing Enabling Officer.
- 5.8 Building design and appearance
The development will comprise 2, 3 and 4 storey development. The positioning of the various scales of building has been appropriately considered. Within the masterplan, a contemporary architectural style was the objective, having regard to its neighbours at the MoD and Hewlett Packard that both display contemporary architecture albeit of a greater scale. This has been achieved in an acceptable manner. An appropriate mix of render, timber boarding, brick, concrete tile and grey UPVC is proposed. This mix is acceptable and is consistent with the masterplan. Surfacing materials to be incorporated into the development will be from the approved palette of colours that forms part of the masterplan. A condition is recommended to approve the specific details of all materials (this was not included on the outline planning permission).
- 5.9 Building Performance

After considerable negotiation, the developer has agreed to ensure that the development achieves Level 3 of the Code for Sustainable Homes. This is now in accordance with the Council's adopted Design Checklist and the Draft Regional Spatial Strategy. It also complies with policy Policy D1(G) of the South Gloucestershire Local Plan (Adopted) January 2006 that states "...Proposals will be required to demonstrate that ...the design, density, orientation and location of buildings and associated landscape proposals seek to achieve energy conservation and the protection of environmental resources..." . An appropriate condition is recommended in order to ensure compliance.

5.10 Summary

Following extensive negotiation, the layout and design, that will comprise a Level 3 of Code for Sustainable Homes development, is one that can be considered to achieve a good standard of site planning as required by policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and one that accords with the objectives contained within the approved masterplan. The provision of affordable housing and public open space also accords with the approved masterplan and the completed section 106 agreement. Whilst the Design Codes were not approved as part of the masterplan, it is considered that this application satisfactorily addresses previous concerns. Drainage details are not a reserved matter, they are required to be approved by reason of condition 5 of the outline planning permission. 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 Adopted Design Checklist Supplementary Planning Document.

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 including the approved masterplan forming part of planning permission ref.PT04/0684/O.

7. RECOMMENDATION

- 7.1 Subject to the expiry of the reconsultation period on the revised plan raising no new issues. That the Reserved Matters submitted in accordance with conditions 1 and 2 associated with outline planning permission PT04/0684/O dated 2nd November 2005 be APPROVED.

Background Papers **PT07/1715/RM**

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

CONDITIONS

1. No development shall take place until details and 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 development is of good design quality and its external appearance reflects the approved masterplan, in accordance with policies D1 and H2 of the South Gloucestershire Local Plan (Adopted).

2. No development shall take place until the Local Planning Authority has been provided, and approved in writing, an initial design stage assessment by an accredited assessment for the Code of Sustainable Homes and an accompanying interim certificate stating that each residential building has been designed to achieve Level 3 of the Code (or such national measure of sustainability for house design that replaces that scheme). Each residential building shall then be subject to a post-completion check by the assessor and issue of a final Code certificate of compliance prior to the first occupation.

Reason(s):

To ensure the development minimises the use of energy and natural resources as required by PPS1 and its draft supplement Planning and Climate Change, SGLP Policy D1, the South Gloucestershire Design Checklist, and the draft Regional Spatial Strategy for the South West of England.

3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. The management of the landscape shall accord with the Landscape and Ecological Management Plan approved as part of the Masterplan that forms part of planning permission ref.PT04/0684/O.

Reason(s):

To ensure the development is of good design quality and its external appearance reflects the approved masterplan, in accordance with policies D1 and H2 of the South Gloucestershire Local Plan (Adopted).

CIRCULATED SCHEDULE NO. 43/07 – 26 OCTOBER 2007

App No.:	PT07/2276/F	Applicant:	Mr Birkwood
Site:	36 Shellmor Avenue Patchway BRISTOL South Gloucestershire BS34 6AD	Date Reg:	25th July 2007
Proposal:	Erection of 1.no detached dwelling with access and associated works	Parish:	Patchway Town Council
Map Ref:	60931 82293	Ward:	Bradley Stoke Central and Stoke Lodge



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N.T.S

PT07/2276/F

1. THE PROPOSAL

- 1.1 The site consists of part of the existing residential curtilage associated with 36 Shellmor Avenue. The site is located in a corner position at the junction with Shellmor Avenue and Standish Avenue.
- 1.2 The proposed development consists of the erection of one new dwelling and garage with access onto Standish Avenue.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 Delivering Sustainable Development
PPS3 Housing

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Achieving Good Quality Design in New Development
H2 New Residential Development within the Urban Areas or Village Development Boundary
H4 Development within Residential curtilages
T8 Off Street Parking Standard
T12 Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Patchway Town Council

The town council advises that they have been approached by local residents asking for support in their objections to this development. On this basis the Town Council raises objection to the development on the grounds that proposed access is onto Standish Avenue it is close to the junction with Shellmor Avenue which would be a traffic hazard.

4.2 Sustainable Transport

No objection subject to;

- A financial contribution in favour of the North Fringe Development Major Scheme (Transport Measures)
- The internal width of the garage is increased to 2.75 metres
- Provide and maintain two cycle parking spaces.

Other Representations

4.3 Local Residents

Two letters have been received raising objection to this development. A summary of the relevant objections is made below

- The site is too small for the development.
- The development will appear cramped in the street scene.
- There is not sufficient parking provided and this will result in parking on the highway to the detriment of highway safety.
- Given the size of the dwelling it is argued that proposals to extend it will follow shortly after its completion.
- The development should be subject to a condition removing permitted development rights in order to avoid un-controlled additions.
- The internal arrangement is such that amendments to the scheme are very likely.
- The introduction of dormer windows is likely to have a detrimental impact upon the residential amenity of the occupants of the adjacent dwelling

5. ANALYSIS OF PROPOSAL

5.1 The proposed development is for the construction of a new dwelling within the residential curtilage of an existing dwelling. The site is located within the urban area associated with the Bristol North Fringe.

5.2 Principle of Development

Policy H2 and 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 assessment.

5.3 Density

Policy H2 requires that a minimum density of 30 dwellings per hectare is achieved on new residential development. This is consistent with the requirements of PPS3.

5.4 In this instance the development would achieve a density of 48 dwellings per hectare. Although this density is relatively high it is considered that it is acceptable within this context and is consistent with Policy H2 and PPS3.

5.5 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that a high standard of design is achieved as part of new development. This principle is carried forward in the South Gloucestershire Design Checklist SPD and is supported by policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.6 Local concern has been expressed that the development would appear cramped in the street scene and that the site is not large enough to cater for this dwelling.

- 5.7 The dwelling is designed to be a chalet bungalow that is very similar in scale and form to the adjacent dwelling on Standish Avenue. To this end it is considered that the design of the building is acceptable. It is proposed to be positioned in line with the adjacent dwelling on Standish Avenue, and in this regard is not considered to result in development which would jar with the character of the surrounding area. Similarly, given the scale of the proposed dwelling, it is not considered that the development would appear cramped in the street scene.
- 5.8 With regards to the desire for the dwelling to be extended in the future, this cannot influence the decision of this planning application as it must be assessed having regard to the submitted detail. However, given that the site is relatively constrained at either side, it is appropriate to remove normal permitted development rights afforded to dwellings by way of condition of any approval.
- 5.9 Having regard to the above, it is considered that the development is acceptable in design terms.
- 5.10 Residential Amenity
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new residential development would not have a detrimental impact upon the privacy and residential amenity of the occupants of nearby dwellings.
- 5.11 Concern has been raised as to the impact of the dwelling in residential amenity terms in the event that dormer windows are installed into the new dwelling. Given the position of the proposed dwelling in relation to the adjacent dwellings, it is considered that any views from windows (of whatever type) would allow typical views across nearby residential curtilages that are normally associated with sub-urban domestic environments. Similarly, the position of the new dwelling is such that no overbearing impact would become apparent. On this basis, it is not considered that the development would not have any material impact in privacy and residential amenity terms.
- 5.12 The issue of removing permitted development rights has been discussed above, and this is considered appropriate in amenity terms also.
- 5.13 Minimising the Use of Energy and Natural Resources
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to establish high standards in terms of energy conservation. This is supported within the South Gloucestershire Design Checklist. The Local Planning Authority would expect a minimum standard of Level 3 of the Code for Sustainable Homes. In addition, in developments of this size should be expected to provide on site energy production from renewable sources that will reduce CO2 emissions from this building by 10%.
- 5.14 The developer has not submitted any 'sustainability statement' in support of this application. As such, the application does not address the way in which the development would be constructed to a minimum standard of Level 3 of the Code for Sustainable Homes. Also, there is no indication of how the development would implement on site renewable energy sources. In addition, the developer has not indicated why this could not be achieved as part of this development. Having regard to the above, the proposed development fails to

- comply with the requirements of Policy D1, and the South Gloucestershire Design Checklist; and PPS: Planning and Climate Control.
- 5.15 Notwithstanding the above, should the application have be approved, it is considered that a suitably worded planning condition would be sufficient to overcome the above and to require that the Level 3 of the Code for Sustainable Homes is achieved and confirmed prior to first occupation of the dwelling.
- 5.16 Transportation
Policy T12 seeks to ensure that new development would not have a detrimental impact in highway safety terms. Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides the maximum parking standards.
- 5.17 Concern has been expressed that the development would not provide sufficient off street parking and would lead to parking in the highway in close proximity to the junction with Shellmor Avenue and Standish Avenue.
- 5.18 Notwithstanding the above, it is not possible to control parking in the highway through the planning process and this option is equally available to the occupiers of existing dwellings as to the occupiers of a new dwelling. In this instance the proposed development would provide off street car parking that is consistent with Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006. On this basis, it is not considered reasonable to require that the proposed garage is widened to 2.75 metres in order to provide a further parking space as there is already sufficient provided. In any case this would not be possible given the constraints of the site. Cycle parking is available within the fabric of the proposed building and is also considered adequately provided for.
- 5.19 The site is located within the Bristol North Fringe and as such falls within the remit for requiring a financial contribution (under Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006) towards transport improvements under the Bristol North Fringe Major Scheme (Transport Measures) as identified within the South Gloucestershire Local Plan (Adopted) January 2006. The required sum is £1800 and this contribution has been agreed in principle by the developer. This can be secured by way of an appropriate legal agreement.
- 5.20 Design and Access Statement
The Design and Access Statement submitted with this application is considered to demonstrate that the applicant has adopted a design approach that is consistent with the Councils Design Checklist Supplementary Planning Document (Adopted)
- 5.21 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the contribution towards transportation improvements are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Authority be delegated to the Director of Planning , Transportation and Strategic Environment to grant planning permission subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) (or other appropriate legally binding agreement) within 12 months of the date of this decision to secure the following:
- i) The contribution of £1800 towards transportation improvements under the North Fringe Development Major Scheme (Transport Measures).
- 7.2 If the legal agreement is not completed within 12 months of this determination, then in view of the length of the time after the application, it should either:
- a) Return to the DC (West) Committee for reconsideration; or
b) The application should be refused due to the failure to secure the Section 278 agreement, for the reason listed under Section 7.1a.

Background Papers **PT07/2276/F**

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

CONDITIONS

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

Reason(s):

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

2. Prior to the first occupation the development hereby approved a formal assessment is to be undertaken by a licensed BREEAM assessor shall confirm (and a copy of the appropriate report shall be provided to the Local Planning Authority) that this development has achieved an Eco-Homes assessment standard Level 3.

Reason(s):

In order to provide a sustainable form of development in accordance with policy H2 and D1 of the adopted South Gloucestershire Local Plan (January 2006); and PPS1 and PPS3.

3. The hours of working on site during the period of construction shall be restricted to 08:00 until 18:00 Monday to Friday; 08:00 until 13:00 on Saturday, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason(s):

To minimise disturbance to occupiers of nearby dwellings and to accord with Policy EP4 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, E, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

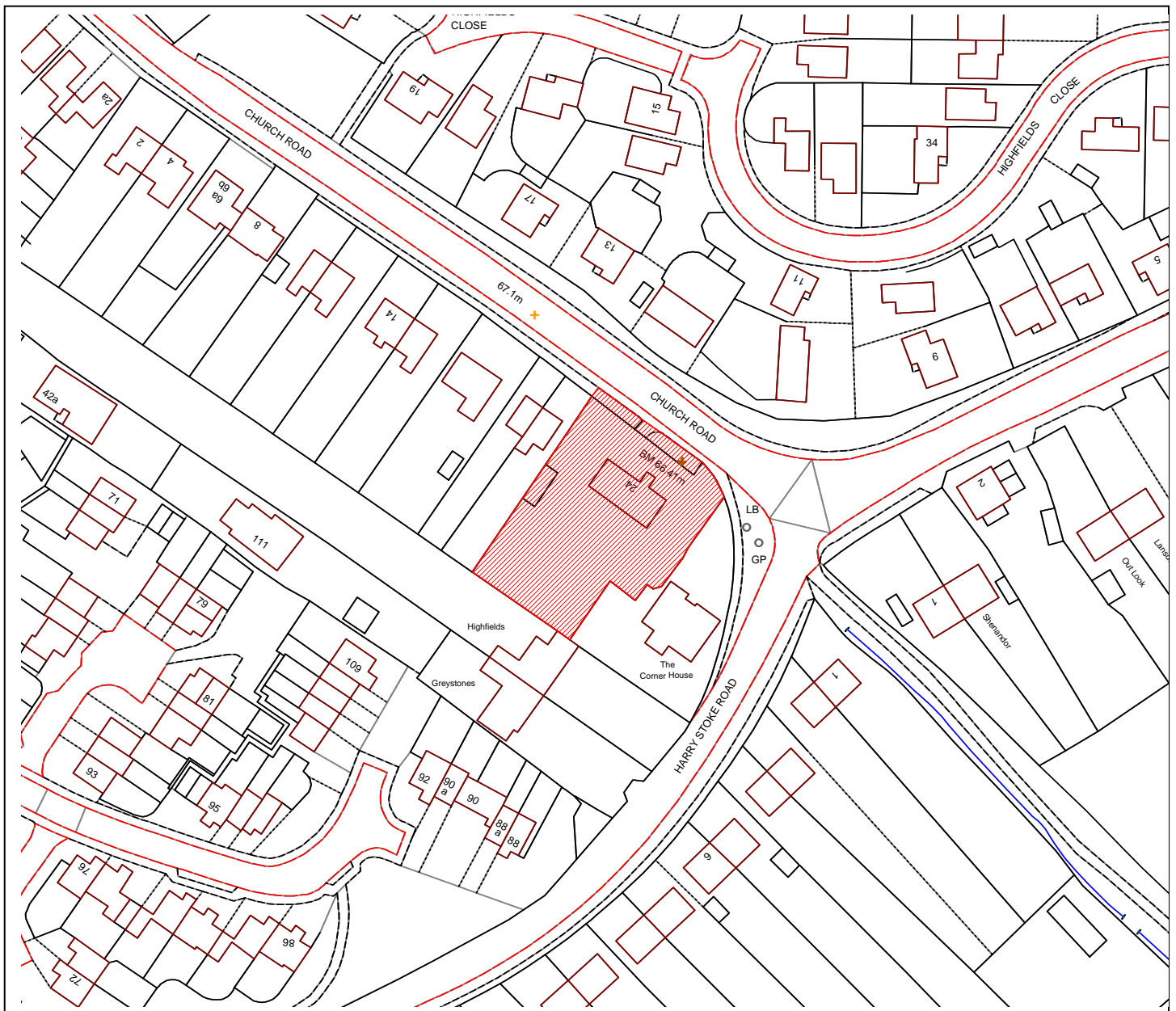
Reason(s):

Given the constraints of the development site it is necessary to bring residential permitted development normally permitted under the provisions of the Town and Country Planning (General Permitted Development) Order 1995 To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PT07/2417/F
Site: 24 Church Road Stoke Gifford BRISTOL
 South Gloucestershire BS34 8QA
Proposal: Demolition of 24 Church Road to
 facilitate erection of 14 no. one and two
 bedroom apartments with associated
 parking, access and amenity space.
 (Resubmission of PT06/2066/F).
Map Ref: 62507 79366

Applicant: Mr A Brookes
Date Reg: 8th August 2007
Parish: Stoke Gifford Parish
 Council
Ward: Frenchay and Stoke
 Park



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This application is reported on the Circulated Schedule as it constitutes “major” development.

1. THE PROPOSAL

- 1.1 This full planning application relates to the demolition of 24 Church Road and the erection of 14 no. apartments, consisting of 9 two bedroom apartments and 5 one bedroom apartments at 24 Church Road, Stoke Gifford. Car parking to accommodate 15 vehicles, including one disabled spaces as well as associated cycle parking, bin storage and communal garden area is to be provided to the rear/side of the site. The building has three elements consisting of a central section being two and a half storey and the adjacent apartment blocks being two storey in nature. The development is to have a rendered finish with brick soldier courses and Double Roman concrete tiles, ‘Breckland Brown’ in colour.
- 1.2 There is one principal point of pedestrian access proposed to the side (north-west) elevation via the vehicular access into the site. Approximately 100m² communal amenity space is to be provided to serve the eight apartments at first and second floor level. Private amenity space is to be allocated to each of the ground floor apartments ranging from some 23m² to 85m². The site has an area of 0.14 hectares and lies within the urban area of Stoke Gifford. It occupies an elevated position and the site slopes to the south-east.
- 1.3 This application is a resubmission of PT06/2066/F which was withdrawn prior to a formal determination following an Officer recommendation for refusal on the following grounds:-
- a) the proposal by reason of its scale, massing and size on an elevated corner plot would result in an incongruous and dominant feature within the street scene;
 - b) the proposed development extended 14m beyond and only 3m away from the front building line of the adjacent property of “The Corner House” resulting in an overbearing impact/overshadowing to the detriment of residential amenity;
 - c) the proposed development provided inadequate private and communal amenity space;
 - d) the size of the bin stores is inadequate and inappropriately located to the front of the site to the detriment of the street scene and the visual amenities of the locality;
 - e) the proposed development will result in the intensified use of an access that has substandard visibility to the detriment of highway safety.
- 1.4 The current scheme has been amended as follows:-
- i access has been designed with a visibility splay of 2.4m x 40m;
 - ii proposed access has a 6m wide carriageway that will accommodate two-way vehicular movement for a distance of 8m;
 - iii proposed massing and overall size has been reduced;
 - iv the proposed building has been set 7m away from the adjacent property of “The Corner House” compared to 2m in the last application;

- v depth of proposal has been reduced by 1m;
- vi on-site amenity space has increased;
- vii the size and location of bin store has been amended.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Joint Replacement Structure Plan

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

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L4	Forest of Avon
L18	The Water Environment
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
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
LC2	Provision for Education Facilities (Site Allocations and Developer Contributions)
LC8	Open Spaces and Children's Play in Conjunction with New Residential Development

2.4 Supplementary Planning Guidance Design Checklist

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|---------------|--|
| 3.1 | P96/1335 | Erection of 3 dwellings. Demolition of existing garage and outbuilding (outline).
Refused 24 April 1996. Dismissed on appeal 19 November 1996 on highway safety grounds and harmful to character of the area. |
| 3.2 | P96/1336 | Erection of single dwelling and demolition of existing garage and outbuilding (outline).
Refused 24 April 1996. Dismissed on appeal 19 November 1996 on highway safety grounds. |
| 3.3 | PT01/0215/F | Erection of two garages (retrospective).
Approved 27 February 2001. |
| 3.4 | PT04/2560/TMP | Change of use of part of residential dwelling to surveying business (Class B1) |

Approved 31 August 2004.

- 3.5 PT06/2066/F Demolition of 24 Church Road and erection of 14 no. one and two bedroom apartments with 14 no. car parking spaces, associated access and amenity space.
Withdrawn 22 August 2006.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
Object to the proposal on the following grounds:-
a) road safety;
b) loss of amenity;
c) over development.

Internal Consultees

- 4.2 Sustainable Transport
No objection subject to a financial contribution secured under an appropriate legal agreement.
- 4.3 Department for Children and Young People
No objection subject to a financial contribution for additional primary school provision.
- 4.4 Community Services
No response received.
- 4.5 Urban Design
No objection.

External Consultees

- 4.6 Wessex Water
The development is located within a sewered area with foul and surface water sewers. Points of connection will be required. A public foul sewer also crosses the site. Normally a minimum 3m easement width on either side is required for the purpose of maintenance and repair. Any diversion or protection works may need to be agreed. It is further recommended that a condition or informative is placed on any consent to require the developer to protect the integrity of Wessex systems and agree prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site
- 4.7 Highways Agency
No objection.
- 4.8 Avon and Somerset Police
No objection.
- 4.9 Health and Safety Executive
No response received.

Other Representations

- 4.10 Local Residents

15 letters have been received objecting to the proposal on the following grounds:-

- a) Insufficient parking;
- b) Highway safety;
- c) Increased noise and disturbance;
- d) Rubbish bins would create an eyesore, mess and pedestrian hazard;
- e) Increased parking;
- f) Out of character with the street;
- g) Increased refuse;
- h) Loss of privacy/overlooking;
- i) Overall scale/massing and bulk excessive and does not respect topography of site;
- j) Incongruous feature within street scene;
- k) Overbearing impact/overshadowing;
- l) Access for emergency vehicles;
- m) High amounts of other development in the area;
- n) High density of development;
- o) Loss of trees/hedges;
- p) Demolition of 24 Church Road which is of special architectural and historic interest as well as the air raid shelter;
- q) Security;
- r) Loss of light.

5. **ANALYSIS OF PROPOSAL**

Background

As can be seen from the planning history, previous applications for residential development were refused on transportation grounds and adverse impact upon the character of the area. However, these applications were determined in 1996 and since that time housing policy has substantially changed in the form of PPS3. Such advice has also been reflected in the South Gloucestershire Local Plan (Adopted) 2006. As such, different policy considerations now apply.

5.1 Principle of Development

Advice contained within PPS3 promotes more sustainable patterns of development. In particular it encourages the better use of previously developed land, especially in existing urban areas. However, such development should achieve good design to ensure that the character of the area is not adversely affected. In particular, housing development should be well integrated with, and complement, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Consideration of design and layout must be informed by the wider context, townscape and landscape of the wider area. This advice is reflected in the Joint Replacement Structure Plan and the South Gloucestershire Local Plan (Adopted) January 2006. Policy H2 of the local plan is particularly relevant and allows for residential development within existing urban area and defined settlement boundaries subject to the following criteria: -

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

5.2 Transportation

In transportation terms, the site is located on Church Road, a predominantly residential unclassified highway close to a roundabout junction with Harry

- Stoke and Hambrook Lane. Church Road/Hambrook Lane is used as a through route from Stoke Gifford to Hambrook and the M32 and as a consequence is well used. The forward visibility to and from the proposed site access is restricted due to the vertical alignment of the road.
- 5.3 As can be seen from the planning history, two previous applications for residential development were refused and one dismissed on appeal on the grounds of substandard visibility from the site access. The current application is a result of a withdrawn application with a recommendation for refusal from transportation. Historically development on this site has been recommended for refusal due primarily to the lack of visibility available from the access given the speed limit in force on the adjacent highway; this has been tested and upheld at appeal.
- 5.4 Earlier this year the Government issued revised guidance in the form of 'Manual for streets', this guidance for residential streets such as Church Road replaces previous guidance and in doing so introduced revised visibility standards. As a consequence access from this development is now considered appropriate given the speed of vehicles on the adjacent highway and the visibility standards; no objection can now be raised in relation to visibility.
- 5.5 Additional guidance which has come forward relates to the sustainability of developments, particularly in relation to proximity to services. This site partially complies with current guidance; as a consequence parking is requested at a ratio of 1:1 which is close to the maximum permitted under the authorities' guidance. This equates to 15 parking spaces against a maximum possible of 18 spaces. 15 spaces are considered appropriate given the sites location and proximity to services. The applicant is also required to contribute towards the North Fringe Major Scheme (transport matters). The scale of the contribution equates to £900 per 1bed dwelling and £1800 per two or more bed dwellings.
- 5.6 In this instance this equates to 5×900 (£4,500) + 9×1800 (£16,200) = £20,700.00 less an allowance of £1800 for the existing dwelling giving a total of £18,900.00. This will need to be secured via an appropriate legal agreement consisting of either a Section 106 of the Town and Country Planning Act or a Section 278 agreement of the Highways Act. The applicant's have indicated that they are prepared to provide this contribution should planning permission be granted.
- 5.7 **Residential Amenity**
With regard to residential amenity, the amended proposal does not overcome previous concerns in relation to its overbearing impact upon the adjacent property of 'Corner House'. It is recognised that the revised proposal is smaller and its overall scale, bulk and massing reduced. However, the development is still only some 7m away from 'Corner House' and extends beyond the front elevation of this property by approximately 13m. A gap of only 0.5m exists between the front elevation of 'Corner House' and the rear elevation of the development. The elevated position of the site and the overall size of the proposal compound the impact of the development, which will result in an overbearing impact upon the occupiers of this property. Although the existing building of 24 Church Road is located forward of 'Corner House', the scale of this property is far smaller than that proposed. It is also situated a minimum distance of some 10m away with a 4m gap between the front and rear elevations. No overbearing impact or loss of light currently occurs from the existing building with clear views afforded through the site.

5.8 In terms of other surrounding properties, it is also considered that the proposal will result in an overbearing impact to the adjacent property of 22 Church Road. Although this property is within the ownership of the applicant, the relationship is unacceptable. This property is within 5m of the development which also extends some 7m beyond part of the rear elevation of this dwelling. As such the residential amenities of occupiers of this property will also be significantly adversely affected. With regard to loss of privacy/overlooking issues, the proposal is considered acceptable. The windows to the side elevations are high level and obscurely glazed and the intervisibility distance from the front and rear elevations of the proposal are 28.5m and 20.5m respectively. These distances are considered to be acceptable. With regard to increased noise and disturbance from the use of the proposed car park, this is also considered to be, on balance, acceptable. The provision of boundary treatment including a possible landscaping buffer would alleviate such disturbance and no objections have been raised from the Council's Environmental health Officer. Detailed design issues will be discussed further under paragraph 5.16 to 5.18 of this report.

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

5.9 The site has an area of 0.14 hectares and is located within the urban area of Stoke Gifford. The proposal will result in a housing density of 100 dwellings per hectare. Densities of 50 dwellings or more are encouraged where local circumstances permit, especially in and around town centres and locations well served by public transport. It is considered that the site is large enough to accommodate a housing density of this size, especially considering its highly sustainable location. However, as the size of the proposal and its siting causes an adverse impact upon adjoining occupiers, the proposal fails this criterion. The adverse effects of the proposal on the character and appearance of the area would outweigh its benefits in terms of the efficient use of the land.

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

5.10 The development is not affected by any of the above to a material degree and as such complies with this criterion.

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

5.11 The proposal is located within the urban area of Stoke Gifford. Within a 1 km radius of the site are numerous primary and secondary schools. The locality is also well served by local shops, supermarket and pubs as well as community facilities including doctors, sports and recreation. Parkway Railway Station is within easy walking distance of the site and provides a sustainable choice of transport via the bus and train service. However, local education provision is inadequate to meet the need for places arising from this residential development and will be discussed below.

5.12 Education
Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006 states that where local education provision is inadequate to meet the need

for places arising from a residential development, the council will negotiate with developers to secure provision to meet those needs. In most cases this constitutes financial contributions to provision or enhancements of existing education provision in the vicinity. The Council's Education Department has advised that there is a projected surplus of secondary school places but a deficit of primary school places in the locality. The proposed development of 14 flats will generate one additional primary school pupil based on the pupil number calculator, which is assessed on the basis of 4 primary pupils per 100 flats with one or two bedrooms. Current DfES cost calculators give a figure of £8, 861.43 per additional primary pupil place, indexed at April 2007. A financial contribution of £8, 861.43 is therefore required. The applicant agrees to provide the required financial contribution in accordance with policy LC2 of the adopted local plan and this contribution will be secured by way of a Section 106 Agreement. The applicant's have indicated that they are prepared to provide this contribution should planning permission be granted.

- 5.13 Also of relevance is Policy H4 of the adopted local plan. This policy relates to residential development within existing residential curtilages and only allows such development where the design, massing, scale and proportions are in keeping with the character of the street scene; residential amenities are not adversely affected; transportation issues are acceptable in terms of parking and access and adequate private amenity space is provided. Of the above, the issues of design and garden area have yet to be considered.

5.14 Design

The building has been arranged in three distinct parts with the central block being higher than the apartment blocks either side. The central block has a ridge height of 8.8m (compared to 10.2 m of the previous application) with two dormer windows to the front and rear. The adjacent blocks are two storey in nature with a ridge height of 7.9m (8.7 m previously) set back 0.9 m from the central block. The roof design has also been amended to the previous scheme in that it now incorporates a hipped form over the adjacent blocks rather than gabled end elevations.

- 5.16 In general terms it is considered that the revised proposal is an improvement on the previous scheme. The size and scale of the building has been reduced and the differing ridge heights, roof design and set back of the adjacent blocks break up the overall scale, linear nature and massing of the building. Design details such as the Juliet balconies with glass screens to the front and rear elevations create greater visual interest to the overall appearance of the building. The contemporary building style adds interest to the street scene whilst the site layout allows the building to be satisfactorily incorporated within the street scene. The building is sited to respect the existing building line of Church Road, with the majority of the proposal occupying the front part of the application site. The Council's Urban Design Officer has also assessed the application and raises no objections in design terms. However, as previously discussed, the siting/size of the proposal and its relationship with adjacent properties will be detrimental to the residential amenities of neighbouring occupiers. The proposal is therefore unacceptable in design terms as it does not overcome the issue of overbearing impact. The development does not comply with policies D1, H2 or H4 of the adopted local plan and also fails advice contained in the adopted Supplementary Design Checklist Planning Document.

5.17 Garden Area

The area of communal garden to be provided is over 100m². This area serves 8 of the apartments. It is considered that this communal area, although small, is adequate to serve these units of accommodation, especially as they are limited in size, the largest being two bed and unlikely to provide for family accommodation. Moreover, numerous playing fields and areas of public open space are within a 1km radius of the site which would be able to compensate for the limited amount of outdoor amenity space available.

5.18 All ground floor apartments have amenity space ranging in size from some 23m² to 85m². Those located to the front of the site are enclosed by a brick wall ranging in height from 1.2m at the site entrance (unit 6) to some 3m (unit 4) following the slope of the site. However, as this boundary wall is set back from the pavement edge by some 2.8m it is considered that these areas can be regarded as private, especially as the height of the lowest boundary wall to Unit 6 averages 1.5m. The garden areas to the rear are well screened by 1.8m boundary treatment. The proposal therefore complies in terms of garden size.

5.19 Conclusion

The application due to its overbearing impact will adversely affect the amenities of adjacent occupiers to the detriment of their residential amenity. Furthermore, the applicant has failed to provide financial contributions in respect of transportation and educational requirements. The proposal is therefore contrary to the adopted development plan and adopted supplementary planning guidance in the form of South Gloucestershire's Design Checklist.

5.20 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.

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 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 **PT07/2417/F**

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

REFUSAL REASONS

1. The proposed development by reason of its siting, scale and massing and its relationship with the adjacent properties of 'The Corner House' and 22 Church Road will be significantly overbearing and result in overshadowing to these properties, to the detriment of residential amenity. The proposal therefore falls contrary to advice contained within PPS1 and policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and South Gloucestershire Council's adopted Supplementary Design Checklist Planning Document .
2. The application does not make adequate provision for educational facilities generated by the development and as such the proposal does not conform to policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The application fails to provide any mitigation measures to offset the impact of the proposal on the Bristol North Fringe Highway Network and as such the development would be contrary to Policies H2, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE REPORT 43/07 – 26 OCTOBER 2007

App No.: PT07/2495/RM

Applicant: GE Pensions Ltd
C/o Credit Suisse
PIM

Site: 1550 Park Avenue Aztec West
Almondsbury BRISTOL South
Gloucestershire BS32 4RX

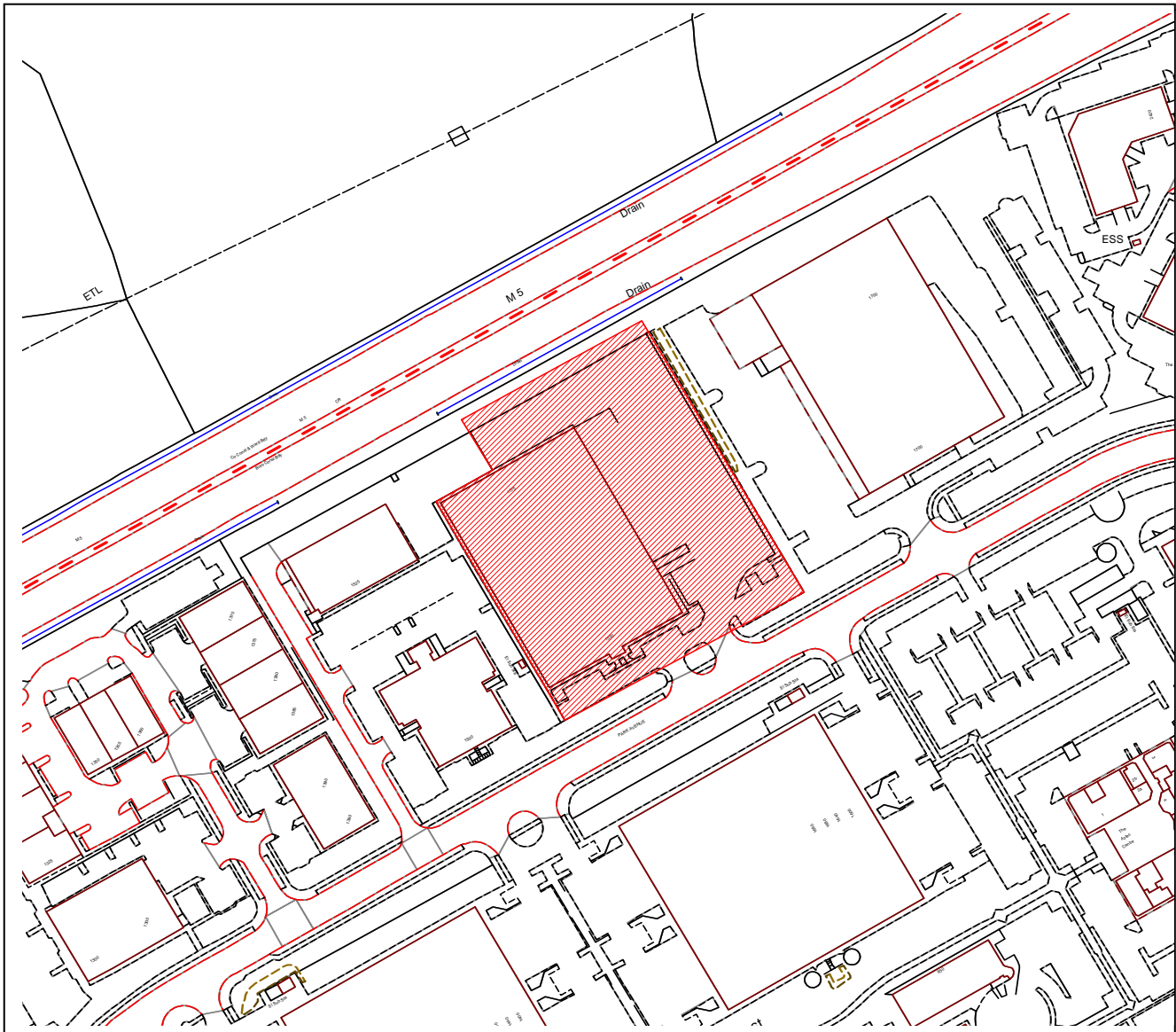
Date Reg: 14th August 2007

Proposal: Demolition of existing buildings to facilitate the erection of two office buildings (Class B1) of The Town & Country Planning (Use Classes) Order (as amended 2005) on 1.54 hectares of land (Approval of Reserved Matters to be read in conjunction with Outline planning permission PT06/2256/O).

Parish: Patchway Town Council

Map Ref: 60204 82916

Ward: Patchway



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N.T.S

PT07/2495/RM

The application appears on the Circulated Schedule given that the application site exceeds 1 hectare in size dictating that this forms a Major Application.

1. THE PROPOSAL

- 1.1 The application comprises a reserved matters submission for the erection of two three-storey office buildings and associated works. The proposal follows application PT06/2256/O which was approved on May 8th this year that allowed the erection of a single office building with all matters reserved.
- 1.2 The application site forms 1.54ha of land on the north side of Park Avenue, Aztec West (designated as a safeguarded employment area). The site contains an existing office/ warehouse facility and extensive car parking area and adjoins the M5 motorway along its rear boundary.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1: Delivering Sustainable Development
PPG4: Industrial and Commercial Development and Small Firms
PPG13: Transport
PPS25: Planning and Flood Risk

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1: Achieving Good Quality Design in New Development
E3: Criteria for Assessing Proposals for Employment Development within the Urban Area and Defined Settlement Boundaries
E4: Safeguarded Employment Areas
S1: Service Infrastructure in New Development
T8: Parking Standards
T12: Transport Development Control Policy for New Development
EP2: Flood Risk
L17/18: The Water Environment

3. RELEVANT PLANNING HISTORY

- 3.1 P85/0050/9: Erection of warehouse & office with associated works. Permitted: 12 June 1985
- 3.2 PT06/2256/O: Demolition of existing building to facilitate the erection of an office block (Class B1) on 1.54 hectares of land. Permitted: 8 May 2007

4. CONSULTATION RESPONSES

4.1 Patchway Town Council No comments received

4.2 Other Consultees

- BAE Systems: no objection provided the proposal does not exceed 101.5m
Civil Aviation Authority: statutory comments
Highways Agency: no issue with the application
Sustainable Transport: no objection
Environment Agency: no objection
Landscape Officer: no objection

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy E3 advises that proposals for employment development within the urban area and settlement boundaries will only be permitted where:

- Development would not have an unacceptable environmental effect;
- The proposal is acceptable from a highway safety viewpoint;
- Development would not prejudice residential amenity;
- The character of the area/ settlement is not adversely affected;
- The maximum density compatible with the site and its location is achieved;
- In the case of travel intensive development, the site is well served by public transport.

- 5.2 Policy C4 cites that within the Safeguarded Employment Areas, permission will generally only be granted for employment generating uses.

5.3 The Proposal

The application would allow the erection of two three-storey office buildings. In contrast to the existing building, these would sit centrally on the site surrounded by car parking which would run around the perimeter of the site. The buildings would front Park Avenue and are designed to share equal hierarchy with regard to their respective entrances and design presence despite the requirement for two buildings of differing size.

- 5.4 Viewed from Park Avenue, the proposals would appear symmetrical in design with the buildings occupying an “H” shaped footprint (albeit separated) and with a central arrival space providing both a focal point and leading to the recessed entranceways to both buildings. Office accommodation would be on either side within buildings of deep but narrow footprints with that adjacent to the east flank boundary, the larger of the two by virtue of the rear stepped boundary.

- 5.5 The Design and Access Statement received cites that the design and materials of the buildings have been employed to provide a high quality and engineered appearance. As such, a “limited palette of materials with a natural appearance” would be employed with the office perimeter to benefit from a strong horizontal emphasis by reason of a regular pattern of fenestration and pre-weathered zinc cladding. In contrast, the entrance areas would comprise a wood veneer panel.

- 5.6 The orientation of the buildings ensures that the prominent front elevation would be south facing. Accordingly, the “strong street frontage” that would be created would incorporate solar shading in the form of recessed office accommodation behind prominent slated horizontal shading bars. Finally, both buildings would be contained under flat roofs with this raised above the main core and adjoining office area to provide for the plant room.

5.7 Design/ Visual Amenity

Aztec West hosts a large number of office/ warehouse buildings all of which are of differing size and design. The majority are two-storeys in height but newer premises are generally three-storey structures. Building design varies with the

original buildings dating back to the 1970's/ 1980's generally metal sheet clad buildings with large areas of darkened/ mirrored glazing. More recent additions form buildings of more contemporary design. These again vary in appearance with some metal clad structures and others of brick construction.

- 5.8 Concerning those buildings either side of the application, that to the west forms a smaller two-storey building which only occupies the front part of the site. This comprises a cube shaped mirror glazed building which is separated from the shared boundary by car parking. This area of car parking also wraps around to the rear of the premises with a further two-storey metal clad building behind.
- 5.9 To the east of the application site stands a larger building of similar size to that currently occupying the application site. Currently vacant, this building sits to the middle of its respective site with the heavy goods vehicle loading area to this side. This dictates that a large number of loadings bays contained within this facing elevation of the building front the application site. The building itself again comprises a two-storey mirror glazed building which is encompassed by a blue metal supporting frame.
- 5.10 In view of the above, it is noted that the three-storey proposals would stand above these lower level buildings either side. However, the massing and scale of these structures (sub-divided since the time of the indicative details received at the outline stage) would help to ensure that the proposals would not appear overbearing on these adjacent premises. Further, the services provided at third floor level would be well set back from the front elevation whilst similar facilities are contained above other three-storey buildings.
- 5.11 With regards to the siting of the buildings, this would move the premises away from the west flank boundary thus aiding to reduce the impact of the proposal on the aforementioned building to this side. This would also negate the need for a large expanse of car parking (as is currently provided) with this instead to run around the perimeter of the site. This, in addition to the landscaping proposed would aid to soften the appearance of the proposal.
- 5.12 In view of the above, the proposals are considered to be acceptable with these to enhance the visual appearance of the site and its locality. No objection is therefore raised to the proposal on this basis. Any approval should though include a condition requiring that a BREEAM "very good" rating is achieved; the Design & Access statement details that this level is targeted by the architects.
- 5.13 Transportation Issues
A financial contribution of £55,815 towards highway improvement works was secured at the time of the outline permission whilst planning conditions were attached relating to the provision of cycle storage facilities and requiring a draft travel plan.
- 5.14 In view of the above, there is no highway objection to this current proposal with the details received in respect of the cycle parking facilities also considered to discharge the aforementioned condition. No details have been submitted in respect of the travel plan however and thus this condition remains outstanding.
- 5.15 Residential Amenity
Given the nature of the application site, there are no residential properties close to the site of the proposals. However, in this regard, it is considered that the

central siting of the proposals (away from the site boundaries) would safeguard the amenity of the occupiers of the adjoining business premises.

5.16 Density of Development

The massing and scale of the development proposed is considered appropriate to this site having regard to the nature of the site and locality. In this regard, any intensified use would be likely to result in the loss of car parking space or a higher structure; both of which are unlikely to be acceptable. There is therefore no objection to the proposal on this basis.

5.17 Drainage

The application site is located within Flood Zone 1 (Low Risk) as defined by the Environment Agency. However, initial comments from the Council Technical Services Unit requested the submission of a flood risk assessment given that the site area exceeds the threshold of where such is required.

5.18 In response, if required this should have been obtained at the time of the outline submission (it is not now appropriate to request such); instead the details that were submitted were deemed acceptable with it considered to be appropriate to address this issue via a drainage condition (with reference to sustainable drainage). As such, and with the Environment Agency raising no objection to the proposal, there is no objection to the application on this basis. The aforementioned condition does however remain with there not enough detail so far to suggest that this condition has been met at this stage.

5.19 Landscaping

The application site is contained within a strong existing landscape framework that is considered to comprise a significant characteristic of the Aztec West development. In this regard, it noted that the existing landscaping to the site frontage is of very good quality although within the site, the existing planting is sparse and has been neglected.

5.20 The roadside planting is to be largely retained and where altered, will be in the style of the existing. The existing internal planting is to be wholly removed but would be replaced by a larger quantity of planting which is considered to be of a higher standard and appropriate in style and form to this location. The submitted planting and paving details are therefore considered acceptable and in compliance with planning policies D1 and L1 of the Local Plan.

5.21 There was however some concern as to the provision of protective fencing around the retained landscaping with no details having been provided on the original landscaping plans submitted. Such details have now been received although will be addressed by means of a condition.

5.22 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.

5.23 Section 106 Requirements

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

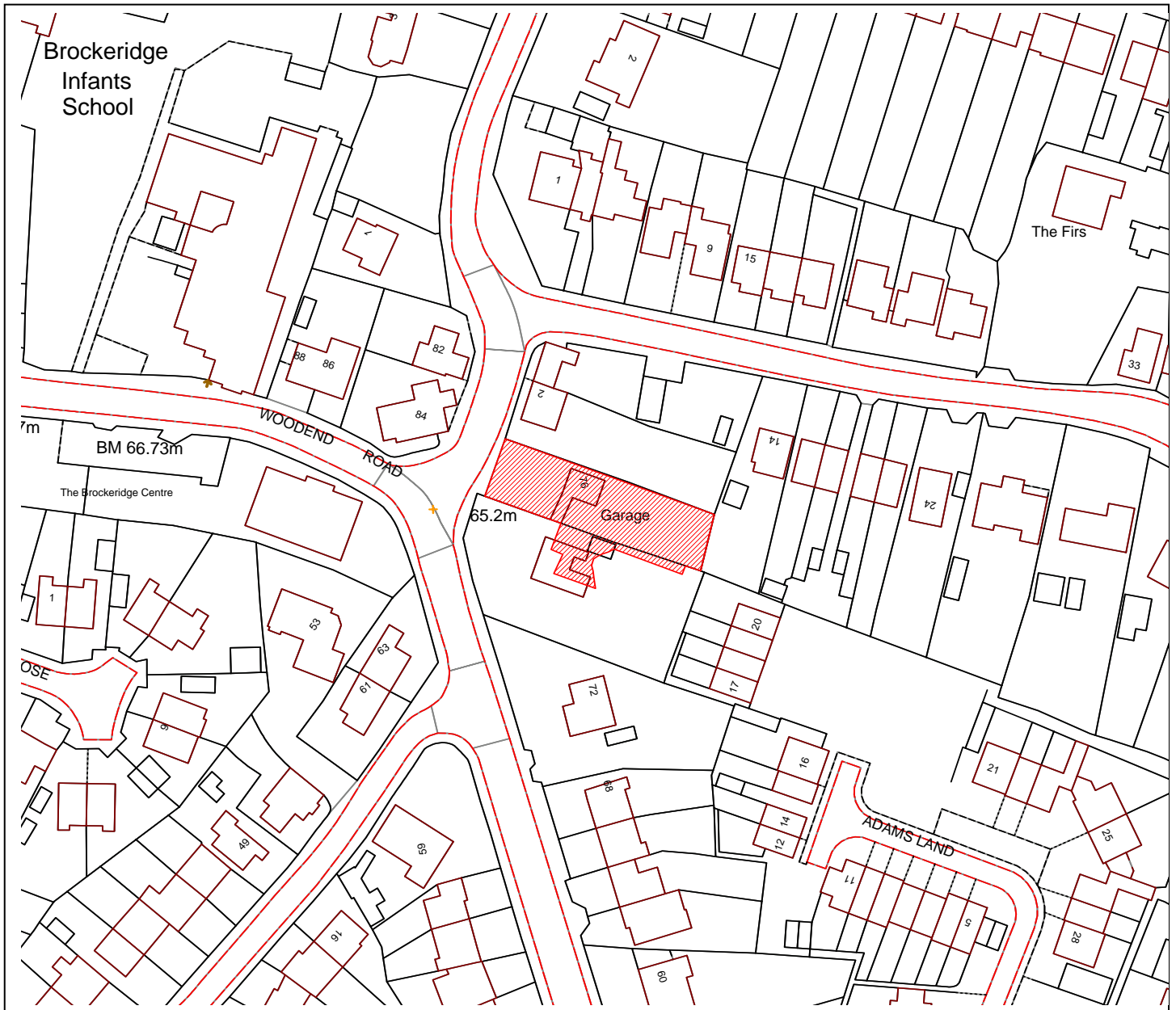
Background Papers **PT07/2495/RM**

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

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PT07/2795/F
Site: 76 Woodend Road Coalpit Heath
 BRISTOL South Gloucestershire BS36
 2LH
Proposal: Demolition of existing garage to facilitate
 erection of 2 no. dwellings with
 associated works
Map Ref: 67386 81267

Applicant: Mr A R Cake
Date Reg: 12th September
 2007
Parish: Frampton Cotterell
 Parish Council
Ward: Frampton Cotterell



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N.T.S

PT07/2795/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The site consists of an area of land currently occupied by a mechanics garage/workshop. Access is from Woodend Road.
- 1.2 The proposed development is for the construction of two new dwellings. Access to the proposed development would utilise the access approved under PT06/2375/F for the adjacent site.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development
H2 New Residential Development within the Urban Areas or Village Development Boundary
H6 Affordable Housing
T8 Off Street Parking Standard
T12 Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)
Affordable Housing (Draft)

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2375/F Demolition of existing dwelling to facilitate erection of 3no. dwellings with associated works
Approved

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

Object on the basis that the proposed development combined with that on the adjacent site would require an affordable home.

4.2 Sustainable Transport

No objection subject to the implementation of the 'build out' associated with the previous planning application on the adjacent property (PT06/2375/F)

Other Representations

4.3 Local Residents

No comments have been received.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of the construction of two new dwellings on land currently occupied by a mechanics garage/workshop. The site is located within the Village Development Boundary associated with Frampton Cotterell
- 5.2 Principle of Development
Policy H2 is relevant to this planning application. The policy indicates that the development is acceptable in principle subject to the following considerations.
- 5.3 Density
Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new residential development would make the most efficient use of land having regard to the characteristics of the site; and the expectation is that development should achieve a minimum of 30 dwellings per hectare. This is consistent with the requirements of PPS3. In this instance the development would result in a density of 35 dwellings per hectare. This density is acceptable and is consistent with the characteristics and constraints of the site.
- 5.4 Affordable Housing
Policy H6 seeks to secure a target of 33.3% affordable units on rural sites of 5 dwellings or more; or where the site or 0.2 hectare.
- 5.5 In this instance, the Parish Council argue that the proposed development of two dwellings, when combined with development approved under PT06/2375/F (for three dwellings on the adjacent site) would meet the threshold for a requirement for affordable units.
- 5.6 Under policy H6 (at paragraph 8.196 of the South Gloucestershire Local Plan (Adopted) January 2006) it is implied that the LPA will consider multiple sites as one where the effect of combined developments come forward for development. In this instance the scale of the development is small, and only reaches the threshold for affordable units because it is in the Rural Areas. Although the application is made by the developer of the adjacent site, the ownership of the site is not currently with the proposer.
- 5.7 In this instance, the proposer was approached by the owner of the mechanics workshop independently and the application is the result of this contact. The proposal has been submitted some 7 months after the approval of PT06/2375/F. In this regard, officers consider that the sites have come forward independently, and at the time of assessing the development at 74 Woodend Road there was no foreseeable prospect of the land coming forward as one site. In this instance, it would be very difficult to show that there has always been the intent to develop the whole combined site, and that the two separate applications are a deliberate attempt to avoid a requirement for affordable housing.
- 5.8 Notwithstanding the above approach, the assessment of whether or not the threshold for affordable housing has been reached must take account of the net increase of residential units as a result of the development. In this instance, the development at 74 Woodend Road (PT06/2375/F) required the removal of the bungalow that was located on the site. The net increase in that development

- was 2 units; and the net increase should the sites be considered as one is 4 units. In this instance the threshold of 5 has not been reached.
- 5.9 Having regard to the above assessment, it is not considered that the LPA can reasonably seek to secure affordable housing on the two adjacent sites.
- 5.10 Design and Residential Amenity
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design. This is supported by the South Gloucestershire Design Checklist. Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 also supports this principle. Policy H2 also seeks to ensure that new residential development would not result in a detrimental impact upon the privacy and residential amenity of the occupants of nearby dwellings and within the development itself.
- 5.11 In this instance the proposed development is consistent with the development approved under (PT06/2375/F) in terms of its detailing and layout. The development will be served via the access associated with the adjacent development. It is considered that the design and layout of the development is acceptable.
- 5.12 The position and scale of the proposed buildings in relation to the surrounding dwellings is such that there would be no material impact in residential amenity and privacy terms.
- 5.13 Minimising the Use of Energy and Natural Resources
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to establish high standards in terms of energy conservation. This is supported within the South Gloucestershire Design Checklist. The Local Planning Authority would expect a minimum standard of Level 3 of the Code for Sustainable Homes. In addition, in developments of this size should be expected to provide on site energy production from renewable sources that will reduce CO2 emissions from this building by 10%.
- 5.14 The developer has not submitted any 'sustainability statement' in support of this application. As such, the application does not address the way in which the development would be constructed to a minimum standard of Level 3 of the Code for Sustainable Homes. Also, there is no indication of how the development would implement on site renewable energy sources. In addition, the developer has not indicated why this could not be achieved as part of this development. Having regard to the above, the proposed development fails to comply with the requirements of Policy D1, and the South Gloucestershire Design Checklist; and PPS: Planning and Climate Control.
- 5.15 Notwithstanding the above, should the application have be approved, it is considered that a suitably worded planning condition would be sufficient to overcome the above and to require that the Level 3 of the Code for Sustainable Homes is achieved and confirmed prior to first occupation of the dwelling.
- 5.16 Transportation
Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not result in a detrimental impact in highway safety terms. Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides maximum off street parking standards.

5.17 The development of the adjacent site (PT06/2375/F) has provided a 'build out' which has effectively re-aligned the junction of Woodend Road and Lower Stone Close. This was carried out to improve safety as part of the development at the adjacent site. The proposed development would utilise the re-aligned junction and would access to Woodend Road through the adjacent site. It is considered that highways work is sufficient to cope with the additional traffic associated with two further dwellings. In addition, the proposed development would result in the loss of the mechanics garage/workshop which currently accesses onto Woodend Road/Lower Stone Close independently. It is considered that this would result in a benefit in highway safety terms. The proposed off street parking is considered acceptable.

5.18 Having regard to the above assessment, the development is considered acceptable in highway safety terms.

5.19 Design and Access Statement

The Design and Access Statement submitted with this application is considered to demonstrate that the applicant has adopted a design approach that is consistent with the Councils Design Checklist Supplementary Planning Document (Adopted)

5.20 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 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 **PT07/2795/F**

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

CONDITIONS

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

Reason(s):

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

2. Prior to the first occupation the development hereby approved a formal assessment is to be undertaken by a licensed BREEAM assessor shall confirm (and a copy of the appropriate report shall be provided to the Local Planning Authority) that this development has achieved an Eco-Homes assessment standard Level 3.

Reason(s):

In order to provide a sustainable form of development in accordance with policy H2 and D1 of the adopted South Gloucestershire Local Plan (January 2006); and PPS1 and PPS3

3. The hours of working on site during the period of construction shall be restricted to 08:00 until 18:00 Monday to Friday; 08:00 until 13:00 on Saturday, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason(s):

To minimise disturbance to occupiers of nearby dwellings and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. 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 in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

To protect the character and appearance of the area to accord with Policies H4/D1/L1/E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PT07/2811/ADV
Site: Tesco Stores Ltd Midland Way
 Thornbury BRISTOL South
 Gloucestershire BS35 2BS

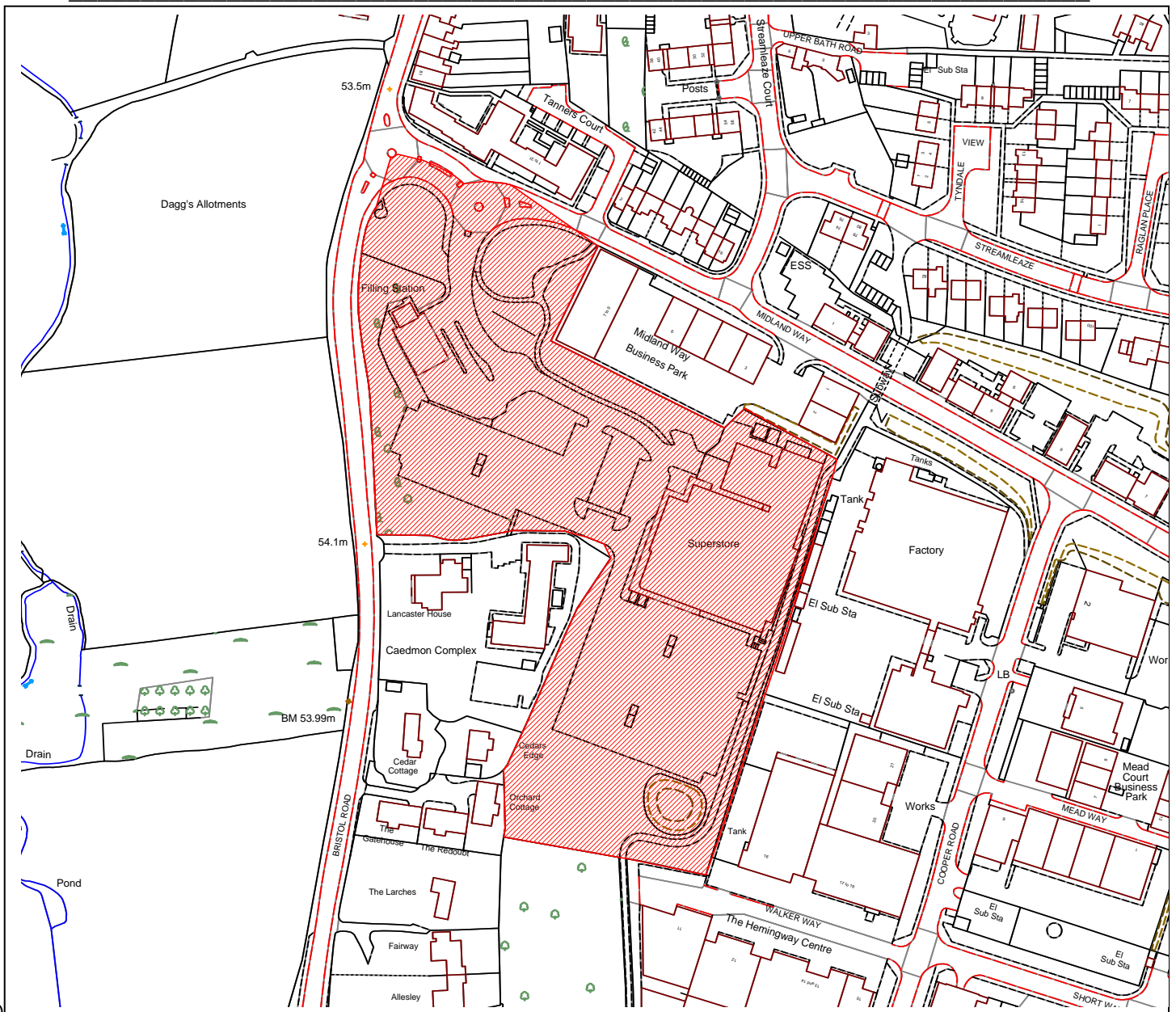
Applicant: Tesco Stores Ltd
Date Reg: 13th September
 2007

Proposal: Replacement of 6 no. existing free standing non illuminated disabled/parent and child parking signs and 5 no. non illuminated free standing directional signs. Erection of 3 no. non illuminated free standing signs, 1 no. promotional banner and 1 no. internally illuminated totem sign.

Parish: Thornbury Town Council

Map Ref: 63713 89605

Ward: Thornbury South and Alveston



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100023410, 2007.

DC0901MW

INTRODUCTION

This application appears on the Circulated Schedule after the receipt of two objections from local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks advertisement for the replacement and erection of the following signs:
- Replace six free standing non illuminated disabled/parent and child parking signs
 - Replace five non illuminated free standing directional signs
 - Replace of one internally illuminated totem sign
 - Erection of three non illuminated free standing signs
 - Erection of one promotional banner
- 1.2 The applications site relates to a supermarket and petrol station. The site is situated on the edge of the settlement of Thornbury and is located within a predominately industrial area.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG19: Outdoor Advertisement Control
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Design in New Development
L19: Display of Advertisements

3. RELEVANT PLANNING HISTORY

- 3.1 P95/2289/A - Display of internally illuminated sign fixed to gable fascia over main store entrance. (To read 'Tesco' with broken underline)
Approved 31 October
- 3.2 P98/2463/A - Display of illuminated freestanding totem and corporate logo signs
Approved 14 December 2000
- 3.3 PT02/3637/ADV - Display of various internally illuminated replacement signs.
Refused on 29 April 2002
- 3.4 PT03/1366/ADV - Display of 1 no. internally illuminated 4 metre gantry sign, 20 no. non-illuminated free standing car park information signs and ATM bus stop signage.
Approved on 12 June 2003
- 3.5 PT06/3267/ADV - Retention of existing illuminated sign.
Refused on 5 December 2006

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection

- 4.2 Highway Officer
No objection

Other Representations

- 4.3 Local Residents
Two letters of objection have been received from local residents stating:
- a) Illumination would be a greater nuisance
 - b) Blot on the landscape
 - c) Danger to highway safety

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The display of outdoor advertisement is controlled through the Town and Country Planning (Control of Advertisements) Regulations 1992. Advertisements can only be controlled in the interests of visual amenity and public safety, which is reiterated at local level with Policy L19 of the South Gloucestershire Local Plan (Adopted) January 2006. As such, the impact of this proposal on residential amenity is not a material consideration in determination of this application.
- 5.2 Visual Amenity
Due to the re-fit of the existing supermarket it is proposed to replace a number of existing directional signs on the site. Almost all of the replacement advertisements (EW1, EW2, ED1, ED2, ED3 and the Disabled and Parent Child signs shown on plan 32.28.01) would be the same size and location as the existing signs and would display similar or identical information. It is also proposed to erect two further directional signs (D1 and D2 shown on plan 32.28.01) these would the same design as the proposed replacement signs. It is considered that these alterations to the signage would not harm the visual amenity of the area.
- 5.3 It is proposed to erect a 5.5 metre totem sign at the entrance to the store to replace the existing 4 metre totem sign. The sign is situated adjacent to a small landscaping bund which screens the lower element of the sign. The height of the existing totem sign is relatively low compared to traditional supermarket totem signs. Local residents have commented that the proposed sign would be a blot on the landscape. Notwithstanding these representations, it is considered that the higher totem sign would not dominate the appearance of the area. This is because the sign is not considered out of scale with its surroundings and the adjacent landscaping would help lessen its visual impact. As such, the proposed sign would maintain the visual amenity of the area.
- 5.4 It is also proposed to erect a 3.5m by 0.9m promotional banner on the roundabout adjacent to the petrol station entrance. It is considered that these proposed signs would cause no harm to the visual amenity of area.
- 5.5 Public Safety
The proposed signage does not include any detailed lettering, such as contact details that could distract motorists. It is therefore considered the proposal would not threaten public safety.
- 5.6 Residential Amenity

Local residents have objected to the proposal on the grounds of greater nuisance caused by the proposed totem sign. It should be noted that the Local Planning Authority can only determine advertisement applications with regard to their impact on visual amenity and public safety. As such residential amenity is not a material consideration in these applications. However, notwithstanding the above, it is considered that the proposed larger totem sign would not result in significantly more harm than the existing illuminated signage and petrol filling station.

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 Advertisement consent to be Granted.

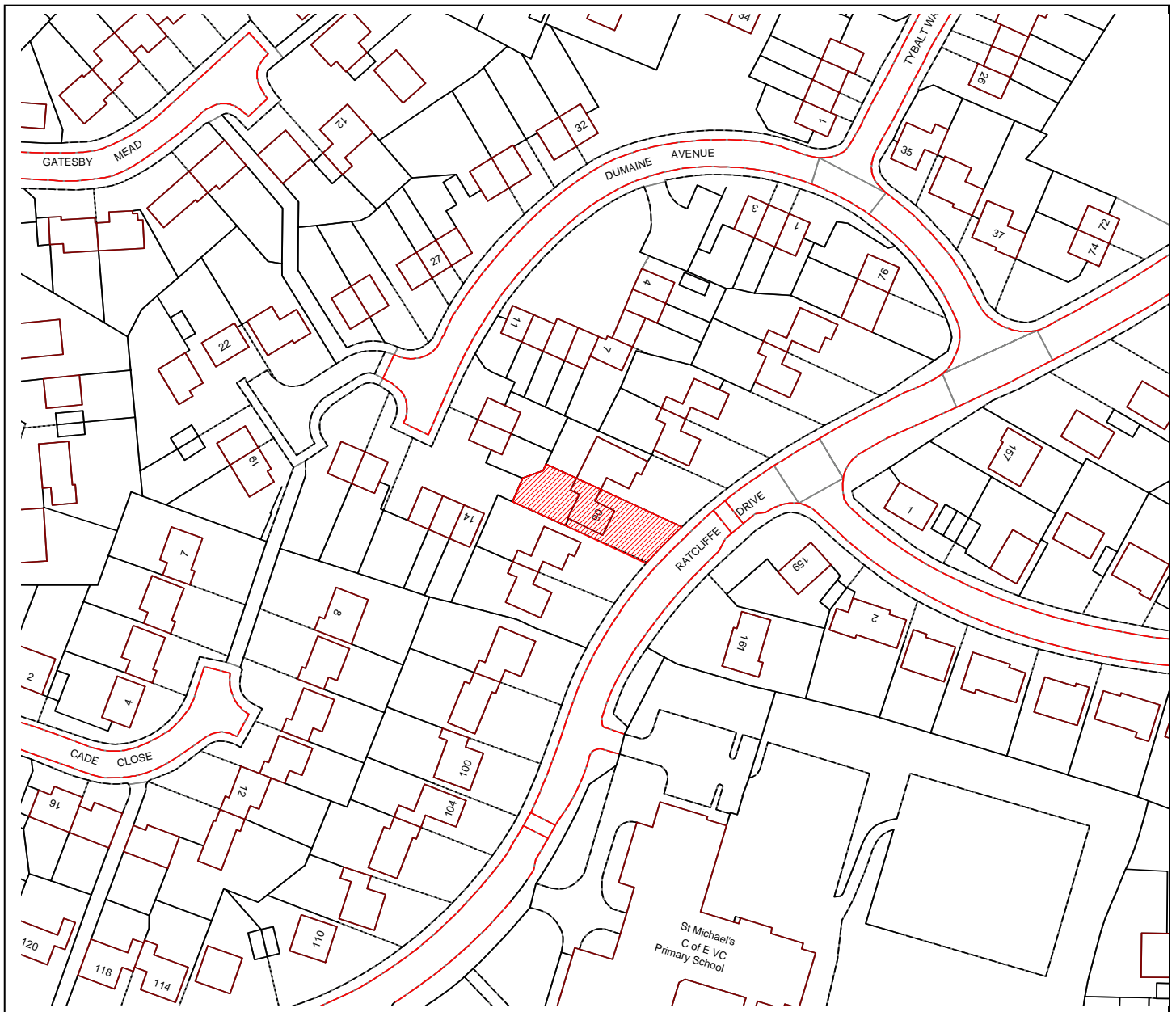
Background Papers **PT07/2811/ADV**

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

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PT07/2849/F
Site: 90 Ratcliffe Drive Stoke Gifford
 BRISTOL South Gloucestershire BS34
 8UB
Proposal: Erection of front porch. (Resubmission
 of PT07/2148/F)
Map Ref: 62327 80129

Applicant: Mr Church
Date Reg: 18th September
 2007
Parish: Stoke Gifford Parish
 Council
Ward: Stoke Gifford



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100023410, 2007.

N.T.S

PT07/2849/F

INTRODUCTION

This application appears on the Circulated Schedule after the receipt of an objection from the Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a front porch. The proposal would approximately 3m in width and 1.8m in depth. The porch would have a pitched roof which would be 2.2m high at the eaves and 3.1m at the ridge.
- 1.2 The application site relates to a modern detached dwelling located within a well established residential area of Stoke Gifford.
- 1.3 This application is a resubmission of the previously refused application PT07/2148/F.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
Objection on the grounds of being out of keeping

Other Representations

- 4.2 Local Residents
None

5. ANALYSIS OF PROPOSAL

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

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

- 5.2 Residential Amenity
Given the siting of the proposal on the dwellings front elevation and the positioning of the adjoining dwellings, it considered that the proposal would not result in an overbearing impact or cause a loss of privacy to nearby

neighbouring occupiers. The proposal is therefore deemed to be acceptable in regard to Policy H4 of the Local Plan.

5.3 Design and Visual Amenity

The previous application (PT07/2148/F) for a porch at this dwelling was refused. The reason for this was that the proposal would have been detrimental to the appearance and character of the dwelling and the street scene. This was because of its incongruous large windows which emphasised the extensions massing and scale.

5.4 Pre-application discussions have taken place with the applicant prior to the submission of this application to negotiate an acceptable scheme. The amended proposal includes much smaller windows which would be centred between two brick piers on the front and side elevations. The porch would also be centred between the lounge window and the side wall. In addition to this the porch would be finished in materials to match the existing dwelling. It is considered that these changes would make the proposal appear equally balanced and in keeping with the front elevation of the dwelling which has lessened the impact of the proposals scale and massing.

5.5 In light of the above, it is considered that the amended scheme would provide a much improved design which would overcome the refusal reason of the previously refused scheme. As such the proposed extension would respect the character and appearance of the existing dwelling and the street scene in accordance to policy D1 and H4 of the Local Plan.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission to be GRANTED subject to the following condition:

Background Papers PT07/2849/F

Contact Officer: Peter Rowe

Tel. No. 01454 863538

CONDITIONS

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

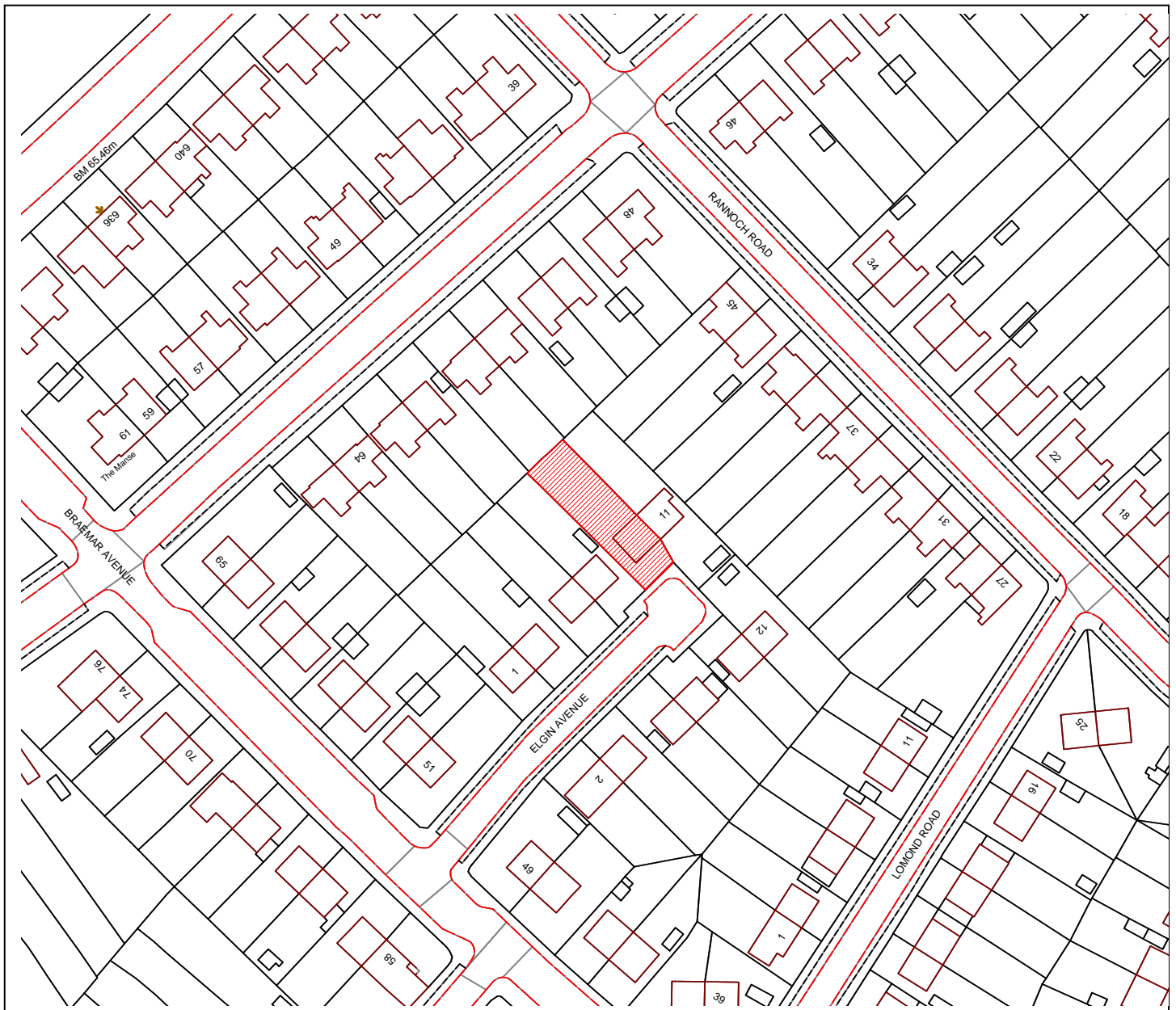
Reason(s):

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

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PT07/2904/F
Site: 9 Elgin Avenue Filton BRISTOL South Gloucestershire BS7 0TG
Proposal: Erection of single storey rear extension to provide additional living accommodation.
Map Ref: 59590 78495

Applicant: Mr & Mrs Basham
Date Reg: 25th September 2007
Parish: Filton Town Council
Ward: Filton



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N.T.S

PT07/2904/F

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

1. THE PROPOSAL

- 1.1 The site consists of a modern semi-detached dwelling with access onto Elgin Avenue.
- 1.2 The development consists of the construction of a domestic extension to the rear of the dwelling.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Residential curtilages
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design and Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No Objection
- 4.2 Sustainable Transport
No Objection

Other Representations

- 4.3 Local Residents
The occupier of the adjacent dwelling has objected to the proposed development on the basis that it would be deeper than the extension to the adjacent dwelling so resulting in a loss of light. This would impact upon the light levels within the adjacent dwelling.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of a domestic extension to the existing dwelling.
- 5.2 Principle of Development

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

5.3 Design and Residential Amenity

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design. Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 supports this principle and also seeks to ensure that new domestic development would not have a harmful impact upon the privacy and residential amenity of the occupants of nearby dwellings.

5.4 The existing dwelling includes an extension to the rear which takes up half of the rear elevation of the dwelling and extends to 3.2 metres deep. The proposed development would effectively complete the extension across the full width of the dwelling. The extension uses the same roof pitch as the existing structure and is set off the boundary with the adjoining dwelling (to allow for the toe of the foundations). It is considered that the design of the extension is acceptable.

5.5 Notwithstanding the above, the occupier of the adjacent dwelling has raised objection to the proposed development on the basis that it would result in the loss of light into the adjacent dwelling. Essentially, the 'right to light' does not exist in planning terms. However, it is necessary to consider whether or not this extension would have an unreasonable over-bearing impact upon the amenity of the occupants of the adjacent dwelling. In this instance, the adjacent dwelling has a very similar lean-to extension to the subject dwelling that extends the living room. This is approximately 1.8 metres deep (6ft) and is situated close to the party boundary. The proposed development is 3.2 metres deep and would extend beyond the adjacent extension by 1.4 metres. Generally, and as a guide, it is considered that the maximum reasonable projection beyond adjacent residential buildings is 3 metres. The proposal would be approximately half of this distance. Given the scale of the proposed development, being single storey, it is not considered that the impact of it would be material and that the development is acceptable in residential amenity terms.

5.6 Design and Access Statement

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

5.7 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That Planning Permission is granted subject to the following condition.

Background Papers **PT07/2904/F**

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

CONDITIONS

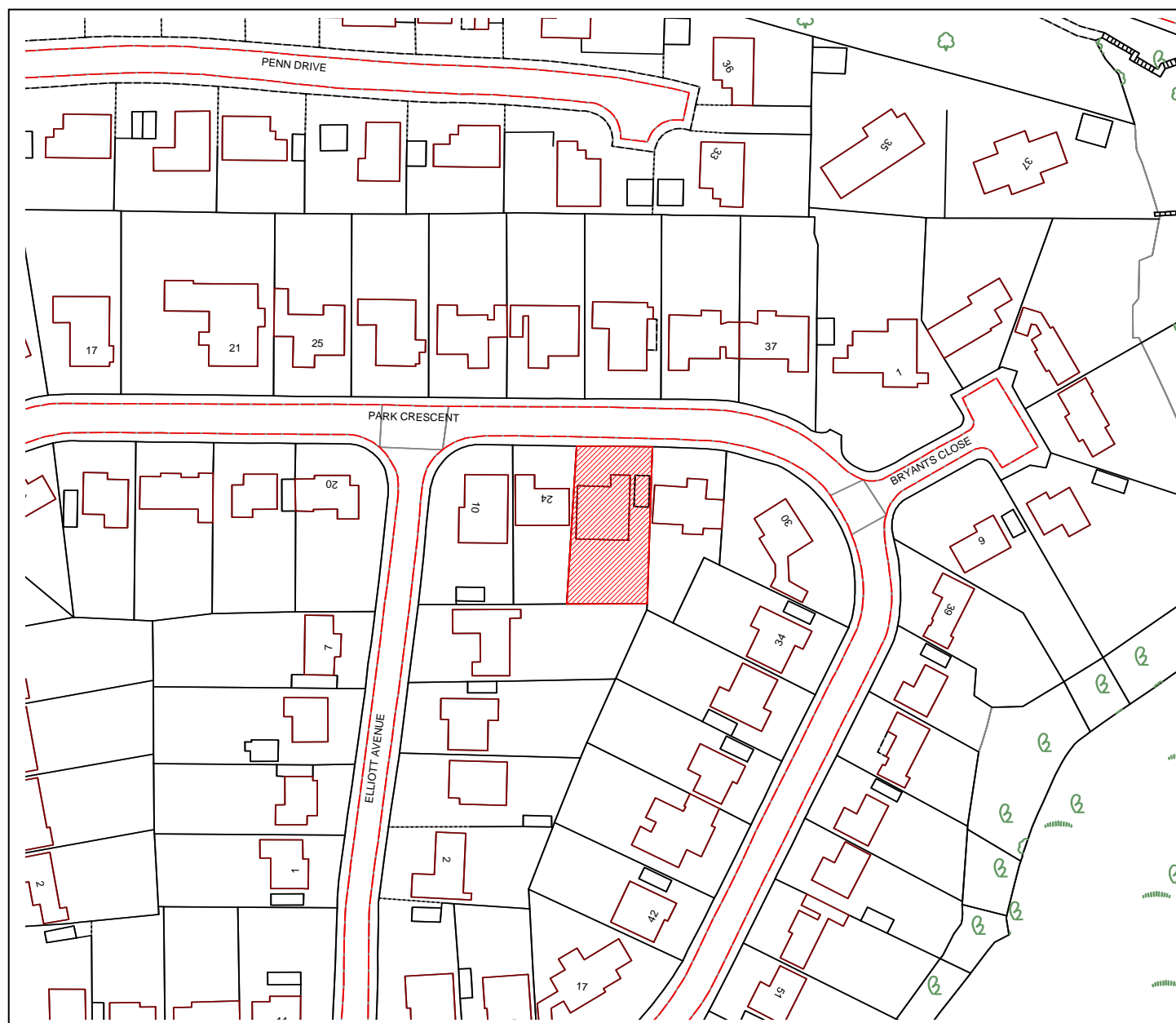
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

CIRCULATED SCHEDULE NO. 43/07 - 26 OCTOBER 2007

App No.: PT07/2954/F	Applicant: Ms L Yorke
Site: 26 Park Crescent Frenchay BRISTOL South Gloucestershire BS16 1NZ	Date Reg: 1st October 2007
Proposal: Installation of dormer windows to front and rear elevations to facilitate loft conversion.	Parish: Winterbourne Parish Council
Map Ref: 64372 78211	Ward: Frenchay and Stoke Park



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N.T.S

PT07/2954/F

This application has been referred to the Circulated Schedule due to objections raised from the Parish Council and local residents.

1. THE PROPOSAL

- 1.1 This full application relates to the erection of front and rear dormer windows at 26 Park Crescent, Frenchay.
- 1.2 The application site is a detached bungalow located within the settlement boundary of Frenchay but outside Frenchay Conservation Area. Vehicular access is to the front of the property. Similar extensions are evident within the Crescent, including the adjacent property of 24 Park Crescent.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Object to the proposal on the following grounds:-
a) overpowering;
b) overdevelopment;
c) very large dormers;
d) overlooking;
e) overbearing impact;
f) inadequate parking.

Other Consultees

- 4.2 Sustainable Transport
No objection.

Other Representations

- 4.3 Local Residents
3 letters have been received objecting to the proposal on the following grounds:-

- a) conversion into a 5 bed house is an excessive development;
- b) limited parking;
- c) proportion of dormer;
- d) proposed materials of windows;
- e) out of keeping with street scene;
- f) loss of privacy;
- g) existing windows are leaded lights.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In assessing applications for residential extensions, policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant. Extensions are normally permitted provided they respect the massing, scale, overall design and character of the existing property and street scene and would not prejudice amenities of nearby occupiers, highway safety or the retention of adequate private amenity space.

5.2 It is considered that the application accords with the above policy criteria. The proposed dormer windows are small in size and measure 3.6m in width, with a pitched roof, set some 0.25m below the ridge height. They are integral to rather than a dominant feature of the roof and are considered to be of a size, scale and design that are in keeping with the character of the existing dwelling and the street scene as a whole. Many other similar sized dormers are evident within the Crescent, including the adjacent property of number 24. On the Park Crescent estate there are also many properties demonstrating the use of upvc windows. Indeed, it is not an uncommon feature. Moreover, the existing windows in the property could be replaced to upvc without planning permission.

5.3 In terms of residential amenity, the proposals due to their small size and location will not result in any overbearing impact or loss of light. The proposal cannot be regarded as overdevelopment – the footprint of the existing building remains the same and the type of extensions are modest in size and easily accommodated by the existing building without adversely affecting its character or external appearance. As already mentioned, although the windows are to be constructed of Upvc, the site is not within Frenchay Conservation Area and the dwellings are located on a housing estate where such material is evident and not inappropriate. The visual amenities of the area will not be adversely affected and access/parking arrangements and garden area are unchanged by the proposal. The property also provides 2 off-street parking spaces and this degree of parking complies with the Council's parking standards.

5.4 Although it is recognised that a degree of overlooking will occur from the rear dormer, this could be erected under permitted development rights in any event without the need for planning permission. The loft space could also be converted and rooflights inserted without planning permission being required.

5.5 The development is therefore in accordance with policies D1 and H4 of the adopted local plan and is acceptable.

5.6 Design and Access Statement

A Design and Access Statement is not required for a householder application.

5.7 Section 106 Requirements

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Background Papers **PT07/2954/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).