



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY
THE DIRECTOR OF PLANNING, TRANSPORTATION AND STRATEGIC
ENVIRONMENT**

CIRCULATED SCHEDULE NO. 29/08

Date to Members: 16/07/08

Member's Deadline: 22/07/08

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 5pm)**. 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 (eg, if the schedule is published on a Friday, comments have to be submitted by the end of Thursday) (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: 16/07/08

SCHEDULE NO. 29/08

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

IMPORTANT NOTE REGARDING RESPONSE DEADLINES

As a result of a review of the Circulated Schedule procedure, Legal Services have advised us that the wrong response deadlines are being set. The Constitution allows referrals to be made by any member within 5 working days of the issue of the Circulated Schedule. The first working day includes the date the schedule is issued. Therefore, since in most cases the schedule is published on a Friday, the deadline (assuming no bank holidays) would be the end of Thursday, not the end of that week. The deadline for responses has been changed to reflect this latest advice to ensure referrals are being made within the timeline allowed for by the Constitution.

IMPORTANT NOTE REGARDING POTENTIAL STRIKE

It is possible that the Council's services will be affected by planned strike action by Unison members on 16th and 17th July. As a result of Management action to limit the impact of this on customers, it is intended that the Circulated Schedule for that week will be prepared for issue on the Wednesday (two days earlier than normal) with the deadline for referrals being the end of Tuesday in the week following.

**Dates and Deadlines for Circulated Schedule
For Proposed Strike on 16th and 17th July 2008**

Schedule Number	Date to Members 12 noon on	Members Deadline 5 pm on
29/08	Wednesday 16 July 2008	Tuesday 22 July 2008

Circulated Schedule 16 July 2008

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1	PK08/1478/F	Approve with conditions	Land to the rear of Blue Boy House, High Street, Hawkesbury Upton, South Gloucestershire, GL9 1AU	Cotswold Edge	Hawkesbury Upton Parish Council
2	PK08/1527/F	Approve with conditions	9 Cleeve Cottage, Cleeve Road, Downend, South Gloucestershire, BS16 6AD	Downend	Downend and Bromley Heath
3	PK08/1535/F	Approve with conditions	78 Horse Street, Chipping Sodbury, South Gloucestershire, BS37 6DD	Chipping Sodbury	Sodbury Town Council
4	PK08/1539/F	Approve with conditions	14 Peache Road, Downend, South Gloucestershire, BS16 5RW	Downend	Downend and Bromley Heath
5	PK08/1620/F	Refusal	Crest Haven, Redfield Hill, Bitton, South Gloucestershire, BS30 6NX	Oldland Common	Bitton Parish Council
6	PK08/1639/F	Approve with conditions	8 Robbins Court, Emersons Green, South Gloucestershire, BS16 7BG	Emersons Green	Mangotsfield Rural Parish Council
7	PK08/1694/F	Approve with conditions	10 Southfield Avenue, Kingswood, South Gloucestershire, BS15 4BJ	Kings Chase	
8	PT08/1485/F	Approve with conditions	17 Park Crescent, Frenchay, South Gloucestershire, BS16 1PD	Frenchay and Stoke Park	Winterbourne Parish Council
9	PT08/1587/F	Approve with conditions	410 Church Road, Frampton Cotterell, South Gloucestershire, BS36 2AQ	Frampton Cotterell	Frampton Cotterell Parish Council
10	PT08/1629/F	Approve	14-16 Kingsway, Little Stoke, South Gloucestershire, BS34 6JL	Stoke Gifford	Stoke Gifford Parish Council
11	PT08/1633/F	Approve with conditions	21 Adams Land, Coalpit Heath, South Gloucestershire, BS36 2JT	Frampton Cotterell	Frampton Cotterell Parish Council

CIRCULATED SCHEDULE NO. 29/08 – 16 JULY 2008

App No.: PK08/1478/F
Site: Land to the rear of Blue Boy House, High Street, Hawkesbury Upton, South Gloucestershire, GL9 1AU

Applicant: Mr & Mrs D Taylor
Date Reg: 2nd June 2008

Proposal: Erection of 1no. dwelling with associated works. Conversion of existing storage/distribution building used in conjunction with builders yard to ancillary residential usage.

Parish: Hawkesbury Upton Parish Council

Map Ref: 77812 86934
Application Category: Minor/Major [delete as appropriate]

Ward: Cotswold Edge
Target Date: 30th July 2008



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INTRODUCTION

This application appears on the Circulated Schedule following the receipt of objections from Local Residents, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a 0.115 ha site located to the rear of properties fronting High Street, Hawkesbury Upton. A Certificate of Lawfulness was recently granted (PK06/0847/CLE) which established the authorised use of the site as a Builders Yard. Within the site is a natural stone building that most likely started life as an agricultural barn but is now used for storage purposes associated with the builders yard. Vehicular access is via a narrow track off the High Street. To the west of the site is the Beaufort Arms Car Park, to the rear of which is a substantial new residence and detached garage (PK03/0678/F); other residential properties lie to the south and east of the site.
- 1.2 The site lies within the Established Settlement Boundary of Hawkesbury Upton, the Hawkesbury Upton Conservation Area and Cotswolds AONB. Some of the properties within the High Street are Listed Buildings i.e. Malthouse Cottage and Blue Boy House. A PROW bounds the site to the south and west.
- 1.3 It is proposed to erect a three-bedroom dwelling on the site and convert the existing 'barn' for ancillary domestic purposes to include a double garage.
- 1.4 A Listed Building application PK08/1784/LB relating to the internal and external alterations and repairs to the barn, and repair of the boundary wall, has also been submitted.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPG13 - Transport
- PPG15 - Planning and the Historic Environment
- PPG16 - Planning and Archaeology

2.2 Development Plans

Joint Replacement Structure Plan

- Policy 2 - Location of Development
- Policy 3 - Landscape Protection
- Policy 17 - Landscape Areas AONB
- Policy 33 - Housing Provision and Distribution
- Policy 34 - Re-use of Previously Developed Land (support for infill)
- Policy 59 - New Development – transport issues

South Gloucestershire Local Plan (Adopted) January 2006

- D1 - Design
- L1 - Landscape Protection and Enhancement
- L2 - Cotswold AONB

- L5 - Open Areas within the Existing Urban Areas and Defined Settlements
- L9 - Species Protection
- L11 - Archaeology
- L12 - Conservation Areas
- L13 - Listed Buildings
- L17 & L18 - The Water Environment
- LC12 - Recreational Routes
- T7 - Cycle Parking Provision
- T8 - Parking Standards
- T12 - Transportation Development Control Policy for New Development
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- EP6 - Contaminated Land
- H2 - Residential Development within Settlement Boundaries
- H5 - Conversion of Non-Residential Properties for Residential Use
- H6 - Affordable Housing
- LC2 - Provision of Education Facilities
- LC4 - Proposals for Educational and Community Facilities Within the Existing Urban Area.

2.3 Supplementary Planning Guidance

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

Trees on Development Sites (Adopted) Nov 2005

The South Gloucestershire Design Checklist (SPD) Adopted 23rd August 2007.

3. **RELEVANT PLANNING HISTORY**

There have been numerous application relating to the site as a whole, the most relevant of which are as follows:

- 3.1 P85/1520 - Use of land and buildings as builders yard.
Approved 16th Sept. 1985
- 3.2 PK06/0847/CLE - Application for Certificate of Lawfulness for existing use of land and buildings as a builders yard.
Approved 9th June 2006
- 3.3 PK07/1791/F - Conversion of existing storage/distribution building used in conjunction with builders yard to form residential dwelling . Erection of 3 no. dwellings and 3 no. garages with associated parking and works.
Withdrawn 1st August 2007
- 3.4 PK07/3372/F - Conversion of existing storage/distribution building used in conjunction with builders yard to form residential dwelling. Erection of 2no. dwellings and 2no. garages with associated parking and works. (Resubmission of PK07/1791/F)
Refused 6th Feb 2008 on the following grounds:
 - Increased use of sub-standard access.
 - Scale form and design would fail to preserve or enhance the character of the Conservation area.
 - Fail to preserve setting of Listed building.
 - Adverse impact on landscape.
 - Loss of privacy for future occupiers.

- 3.5 PK08/1784/LB - Internal and external repairs to facilitate a barn conversion. Repair and re-building of a boundary wall.
Pending

4. CONSULTATION RESPONSES

- 4.1 Hawkesbury Upton Parish Council
No objection

- 4.2 Other Consultees
None

Other Representations

- 4.3 Local Residents
3no. letters of objection have been received from local residents, the concerns raised are summarised as follows:

- Access and track too narrow, particularly for service, refuse and emergency vehicles.
- Poor visibility from access onto High Street.
- No space for large vehicles to turn into access.
- Erection of a residential dwelling would intensify the use of the access.
- Limited drainage for tarmaced section of access track.
- Larger vehicles using the access lane during the construction phase should not damage Malthouse Cottage.
- A covenant should restrict what vehicles can be parked on the site.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 permits residential development within the Defined Settlement Boundaries subject to certain detailed criteria which are discussed below. The site is within the Defined Settlement Boundary of Hawkesbury Upton as defined in the South Gloucestershire Local Plan. Government advice contained in PPS3 – ‘Housing’ supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes.

- 5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 34, supports the re-use of previously developed land and infill development in existing built up areas. JRSP Policy 19 requires development to be managed in a manner that respects local character and distinctiveness through good design.

- 5.3 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan, which permits the residential development proposed, subject to the following criteria:

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

- B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit. Not least, in and around existing town centres and locations well served by public transport, where densities of upwards of 50 dwellings per hectare should be achieved.
- C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
- D. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals.

More specifically Policy H5 relates to the conversion of non-residential properties into residential use and permits such uses subject only to the following criteria:

- A. Would not prejudice the character of the surrounding area; and
- B. Would not prejudice the amenities of nearby occupiers; and
- C. Would identify an acceptable level of off-street parking; and
- D. Would provide adequate amenity space; and
- E. (In the case of buildings not previously used for residential purposes) the property is located within the existing urban areas and the boundaries of settlements, as defined on the proposals map.

5.4 Policy D1 of the South Gloucestershire Local Plan seeks to secure good quality designs. Policy L12 seeks to preserve or enhance the character or appearance of the Conservation Area. Policy L13 seeks to preserve the setting of Listed Buildings.

5.5 The site is not subject to unacceptable levels of noise, disturbance, air pollution, smell, dust or contamination. There is adequate provision in the locality for Education, Leisure, Recreation and other Community Facilities to meet the needs arising from the proposal.

5.6 Density

Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land. PPS3 (para.47) indicates that a national indicative minimum density of 30 dwellings per hectare should be used.

5.7 PPS3 (para.50) states that *“The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.”* Officers are satisfied that having regard to the site’s constraints relating to its location within a Conservation Area, close to Listed Buildings and within the Cotswolds AONB, pattern of existing development, landscape characteristics, access, and impact on residential amenity, no more than 1no. additional dwelling should be accommodated on the site.

5.8 Conservation Area Issues

- Policy L12 seeks to preserve or enhance the character or appearance of the Conservation Area, similarly Policy L13 seeks to preserve the setting of Listed Buildings. The Council's Conservation Officer has considered the scheme and noted that the 'barn' relates historically to Blue Boy House and the attached two-storey wing to Malthouse Cottage. Blue Boy House was listed in 1952 and the 'barn' and original boundary walls are curtilage listed.
- 5.9 The principle of converting the existing 'barn' is acceptable, subject to Listed Building Consent, which is the subject of a separate application. Since the refusal of application PK07/3372/F, much negotiation has taken place between the applicant and officers. The scheme has been significantly revised and now only relates to the construction of one new dwelling and the conversion of the existing 'barn' to ancillary residential use. The proposed house has been reduced in height and foot-print. The new build has been redesigned to be sympathetic to the Cotswold heritage comprising Cotswold stone elevations, with stone quoins under a brown tiled roof. No detached garages are now proposed as the garage would be situated within the converted barn. The area of orchard to the north of the stone wall dividing the site is proposed to be kept open and no new structures built on this land, thus protecting the setting of the Listed Building.
- 5.10 Further revisions were sought to ensure that the design would be acceptable in this sensitive location. Any sub-division of the 'barn' to create a separate dwelling would require planning permission in its own right. Subject to a raft of conditions the proposal would now preserve the character and setting of the Conservation Area and preserve the setting of the nearby Listed Buildings.
- 5.11 Transportation
Policy T8 states the maximum parking standard for residential developments. Policy T12 states that development should provide adequate and safe access, capable of accommodating the motorised traffic generated by the proposal.
- 5.12 A garage for two parking spaces is proposed within the converted barn; this level of parking provision is considered to be acceptable.
- 5.13 The existing access lane into the site from High Street is single track, narrow, and in a poor state of repair; the visibility onto High Street is severely restricted in both directions, to the left by a neighbouring wall and to the right by a lamp post. It is however proposed to improve the surface of the access lane, with the first 10m from the road edge being surfaced with bound Cotswold gravel and the remainder laid to Cotswold gravel. The width of the access however cannot be increased to improve the visibility. The on-site turning area would now be big enough to cater for service and delivery vehicles, which would now be able access and leave the site in forward gear via the lane onto High Street. A pedestrian link to the existing public right of way is also proposed.
- 5.14 Having regard to the existing and potential use of the site as a builder's yard and the levels and type of traffic associated with such a use, most notably HGV's and LGV's, officers consider that the proposal for one dwelling only would not intensify the use of the access. Together with the proposed improvements to the access lane the scheme is now considered to represent an overall improvement in transportation terms.

- 5.15 Subject therefore to conditions to ensure that the improvements to the access lane are carried out prior to the first occupation of the dwelling; retention of the garage; and no sub-division of the outbuilding to create additional dwellings on the site, there are no transportation objections to the proposal.
- 5.16 Landscape and Cotswolds AONB Issues
Policy L1 seeks to preserve and enhance the landscape in general, whereas Policy L2 seeks to preserve the natural beauty of the Cotswolds AONB.
- 5.17 The proposed 1.4m screen wall on the southern boundary of the site, adjacent to the PROW, would now be constructed of natural Cotswold Stone. A method statement of how the wall would be constructed beneath the canopy of the existing Sycamore tree located in the south-eastern corner of the site, will need to be submitted and approved. The dry stone wall on the northern and eastern boundaries would be re-instated.
- 5.18 The northern part of the site is overgrown and was formerly an orchard. The site should be surveyed and any remaining fruit trees retained. Further planting of fruit trees should also be considered; this could be secured by a condition to secure an appropriate scheme of landscaping.
- 5.19 Impact Upon Residential Amenity
There would be ample amenity space to serve the proposed dwelling and in this respect alone the proposal is not considered to be an overdevelopment of the site. The position of the proposed house and the position and height of the proposed boundary treatments, together with trees to be retained, ensure that the amenities of neighbouring occupiers would not be adversely affected.
- 5.20 The proposal would not generate large amounts of traffic and is likely to reduce the amount of heavy vehicles using the access lane. Damage to neighbouring property by contractor's vehicles is the responsibility of the contractor. Furthermore the Council does not administer covenants to restrict the type of vehicle that could use the site.
- 5.21 On balance therefore the revised proposal would not have such an adverse impact upon residential amenity as to justify refusal of planning permission.
- 5.22 Ecology
The application is supported by an Ecological Assessment/Survey of the site for a range of protected species of fauna. No evidence of bats, owls, badgers or slow-worms or newts were found, however a destructive search of the garden areas for slow-worms during the Summer and an emergence survey of the existing building for bats should be carried out; these can be secured by condition. Subject to these conditions and an informative relating to the implications of clearing vegetation during the bird nesting season; there are no objections on ecological grounds.
- 5.23 Environmental

Whilst there will inevitably be some disturbance for neighbouring occupiers during the construction phase, this can be adequately mitigated for by imposing a condition to limit the hours of construction. The Council's Environmental Health Officer raises no objection to the proposal.
- 5.24 Drainage Issues

In terms of drainage, the Council's Drainage Engineer has raised no objection to the proposal. Conditions would be required to secure the submission of a full drainage scheme to be approved prior to the commencement of any development on the site.

5.25 PROW

The PROW which runs to the south and west of the site, would not be adversely affected. The PROW Field Officer therefore raises no objection to the proposal.

5.26 Archaeology

An Archaeological Assessment of the site has been submitted, which concluded that the archaeological potential of the site is moderate. Officers consider however that trial excavation should be carried out prior to the commencement of any development; this could be the subject of a condition.

5.27 Community Services Department

The proposal is for 1no. house only and since this falls below the 10 unit threshold for contributions to Community Services, no contributions are requested in this case.

5.28 Education Service

Due to the small size of the development including only 1no. house, it is considered that no contributions to education provision can be justified for this development.

5.29 Affordable Housing

The site area is below 0.5 hectares in area and the proposed number of units (1) is below local and national policy guidance on the threshold for requiring affordable housing (15). There is therefore no requirement for the provision of affordable housing in this case.

5.30 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.

5.31 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 **PK08/1478/F**

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

CONDITIONS

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

Reason:

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

2. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F, 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 1:

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

Reason 2: To maintain and enhance the character and setting of the listed building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Notwithstanding the previously submitted details, prior to the commencement of the development hereby approved, the design and details including materials and finishes of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - a. Eaves
 - b. verges
 - c. ridges
 - d. rainwater goods
 - e. all new windows (including cill and head treatments)
 - f. reveals

- g. all new external doors and windows (including furniture & fittings)
- h. lintols
- i. extract vents and flues
- j. chimney
- k. All new timber cladding

The design details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with cross section profiles. Thereafter the scheme shall be implemented in strict accordance with the details so approved.

Reason 1:

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

Reason 2 To maintain and enhance the character and setting of the listed building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No wires, pipework, satellite dishes or other aerials, alarms or other paraphernalia shall be affixed to the external elevations of the development hereby approved otherwise than with the prior written agreement of the Local Planning Authority.

Reason 1:

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

Reason 2 To maintain and enhance the character and setting of the listed building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Seperate sample panels of stonework for the construction of both the new dwelling and boundary walling, of at least one square metre in size, demonstrating the colour, texture and pointing, are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the relevant stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason:

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

Reason 2:

To maintain and enhance the character and setting of the listed building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of the development hereby approved, a sample panel of lime mortar pointing for the walls of the existing stone 'barn', demonstrating the mix, colour and texture and the mortar, and the jointing shall be completed for inspection and approval by the Local Planning Authority. Further re-pointing shall be carried out in strict accordance with the agreed sample and specification.

Reason 1:

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

Reason 2: To maintain and enhance the character and setting of the listed building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of the development hereby approved, a representative sample of the following items shall be submitted to and approved in writing by the Local Planning Authority.
 - a. new roofing tile
 - b. sample of dressed stone
 - c. reclaimed Cotswold stone slate.

Thereafter the development shall be carried out in strict accordance with the details so agreed.

Reason 1:

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

Reason 2:

To maintain and enhance the character and setting of the listed building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. No development shall take place within the development area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason:

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

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

Reason:

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

10. Prior to the first occupation of the development hereby approved, the improvements to the access lane shall be completed in full accordance with the details shown on the plans hereby approved.

Reason:

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

11. The garage facilities within the converted 'stone barn' shall be used only for the garaging of private motor vehicles and ancillary domestic storage and retained as such unless given permission in writing by the Local Planning Authority.

Reason:

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

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

Reason:

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

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

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

Reason 2:

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

14. Prior to the commencement of the development hereby approved, detailed drainage proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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.

15. 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.

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

- (i) The identification, through site survey (to include an emergence survey for bats), of protected wildlife species and/or their habitat at present (as designated under the Wildlife and Countryside Act 1981 (as amended) and the Badger Act 1992).
- (ii) The protection, as required, of wildlife species, and/or their habitat referred to under (i) above and as identified through the site survey. The approved measures shall be implemented in full unless the Local Planning Authority gives written consent to any variation.

Reason:

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

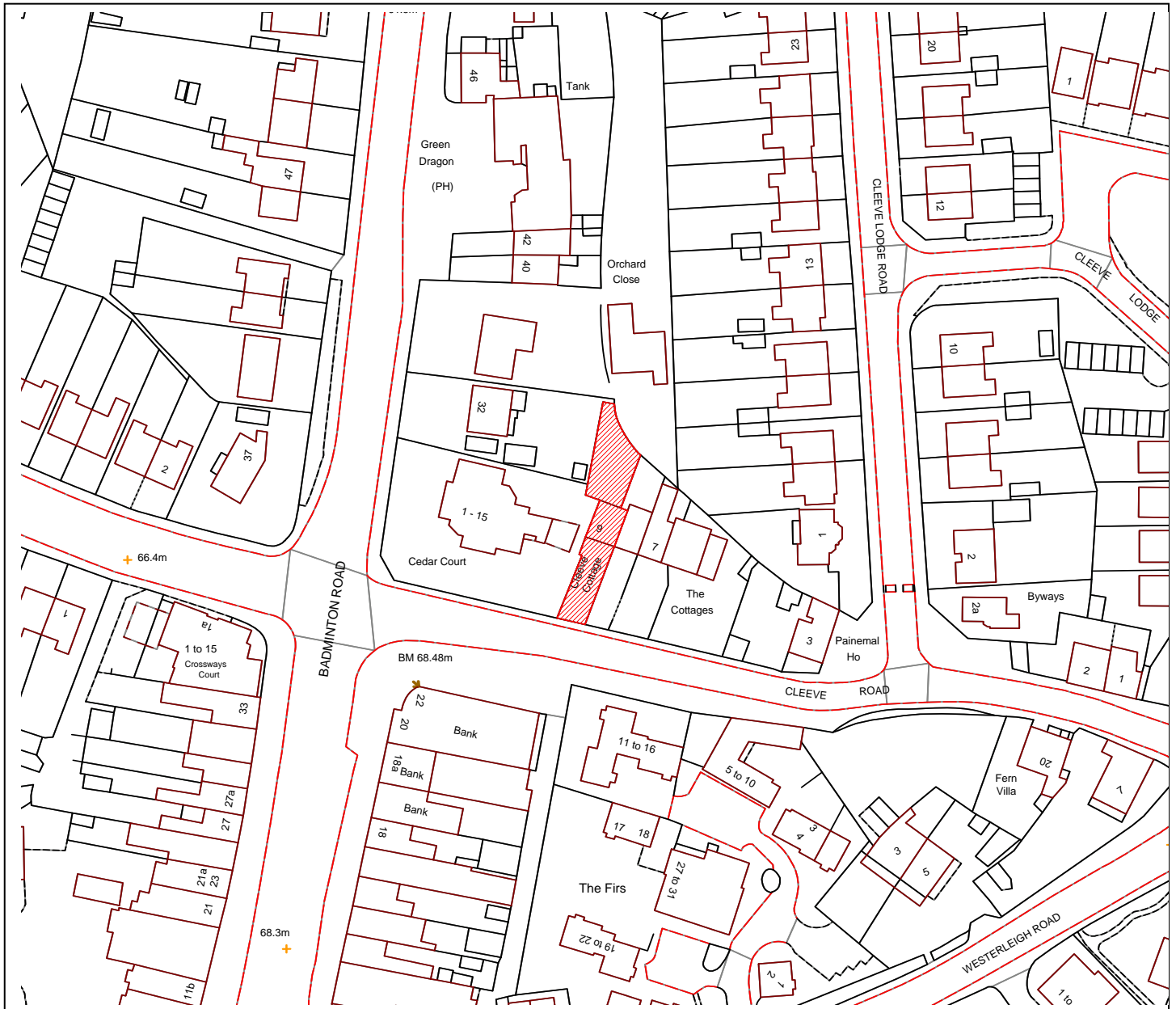
17. The hours of working on site during the period of demolition and construction shall be restricted to 7.30am to 6.00pm Mondays to Fridays inclusive, 08.00am to 1.00pm Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: deliveries of construction materials, 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 protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) Jan 6th 2006.

CIRCULATED SCHEDULE NO. 29/08 – 16 JULY 2008

App No.:	PK08/1527/F	Applicant:	Mrs N Hutton
Site:	9 Cleeve Cottage, Cleeve Road, Downend, South Gloucestershire, BS16 6AD	Date Reg:	5th June 2008
Proposal:	Erection of two storey rear extension to form additional living accommodation.	Parish:	Downend and Bromley Heath
Map Ref:	65225 76864	Ward:	Downend
Application Category:	Minor	Target Date:	28th July 2008



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PK08/1527/F

INTRODUCTION

This planning application has been placed on the Council's Circulated Schedule Procedure due to 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 rear extension to form additional living accommodation
- 1.2 The application site relates to a two storey end terraced cottage within the established residential area of Downend.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Extensions
- 2.3 Supplementary Planning Guidance
SPD Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history relates to the application site

4. CONSULTATION RESPONSES

- 4.1 Downend & Bromley Heath Parish Council
No objection

Other Representations

- 4.3 Local Residents
Two letters of objections have been received raising the following objections regarding the original submitted plans.
 - Loss of light to adjacent properties and gardens
 - Extension should be limited to 3.0m
- 4.4 Amended Plans
A further letter has been received from one of the above objectors regarding the revised plans:
 - Although not totally happy as long as the first floor extension is built as shown on the submitted plans we are prepared to withdraw our objection.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for extensions to existing dwellings subject there being no adverse impact on existing visual and residential amenities.

5.2 Visual Amenity

The application site relates to a two storey traditional cottage which is of a simple form and character and is set back from the main road. This application seeks planning permission for the erection of a two storey rear extension.

5.3 The original plans submitted with this application had proposed a two storey rear extension measuring 5.40m in length. An objection was raised by the Planning Officer on the grounds that an extension of this scale and design would fail to respect the scale and character of the existing dwelling and would result in a visually dominant element.

5.4 Members are advised to consider that in light of the Planning Officer's objections revised plans have been submitted which have sought to address the above. The application still proposes a 5.40m extension at ground floor level as this mirrors the footprint of the original single storey rear extension. In order to reduce the bulk of the extension the first floor addition has been reduced to 3.50m in length and the eaves and ridge height of the proposed extension have been set lower than the existing.

5.5 It is considered that the revised plans are acceptable and would result in a scheme that would have regard for the scale and character of the existing dwelling.

5.6 Residential Amenity

Objections have been received from two local residents regarding the impact of the proposed works although one of those objections has been withdrawn in light of the revised plans.

5.7 The proposed two storey rear extension will be sited along the eastern boundary of the application site that forms the adjoining boundary with no. 7 and will be set back from the adjoining boundary with no. 32 badminton Road. As the proposed single storey rear extension will replace an existing extension of a similar length i.e. 5.50m it is considered that this will have no greater impact on the amenities of neighbouring occupiers in particular no. 7 than the existing situation.

5.8 The proposed first floor rear extension as discussed above has been reduced in length and will be set back of the adjoining boundary of no.7 by 0.70m. Given that it will have a hipped roof with lower eaves and ridge height than the existing it is considered that a first floor extension in this location would not have an adverse impact on the neighbouring occupiers in terms of overbearing impact. Members are advised to consider that a high boundary fence has been erected by the occupiers of the no. 7 along the adjoining boundary, which will be screen most of the extension at first floor level other than the hipped roof.

5.9 Although an objection has been received from an occupier of Cedar Court which is sited west of the application site, the Planning Officer is of the view that the proposed extension would have no greater impact than the existing

situation given the existing relationship of the application site property in relation to Cedar Court.

5.10 As the existing rear elevation of the application site property already has a first floor bedroom window in place it is considered that the proposed scheme will have no great impact on existing levels of privacy currently enjoyed by the neighbouring occupiers.

5.11 Design and Access Statement

Not required with a householder application.

5.12 Section 106 Requirements

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

6. CONCLUSION

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

The 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 **PK08/1527/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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason:

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

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

Reason:

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

CIRCULATED SCHEDULE NO. 29/08 – 16 JULY 2008

App No.: PK08/1535/F
Site: 78 Horse Street, Chipping Sodbury,
 South Gloucestershire, BS37 6DD
Proposal: Erection of 1no. detached dwelling and
 associated works.
Map Ref: 73150 82056
Application Category: Minor

Applicant: Westcliff Properties
Date Reg: 5th June 2008
Parish: Sodbury Town
 Council
Ward: Chipping Sodbury
Target Date: 4th August 2008



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PK08/1535/F

INTRODUCTION

This application appears on the Circulated Schedule due to the receipt of one letter of objection from the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of one detached dwelling in the side garden of No. 78 Horse Street. The application also proposes some alterations to the existing access and site layout to provide off street parking for each of the existing and proposed dwellings. A single storey detached garage will be constructed to serve the proposed new dwelling. The new dwelling is to have three bedrooms.
- 1.2 The site is within the residential curtilage of No. 78 Horse Street Chipping Sodbury. The site faces onto a busy classified highway and is on the edge of a residential estate. The dwellings running along the Southern side of Horse Street are all very similar in design.
- 1.3 Outline permission already exists on the site for the erection of one single dwelling (PK07/1758/O). This however is not a reserved matters application as the footprint has been altered very slightly since the approval of the outline application.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Residential Development
H4	Development within Residential Curtilages
L1	Landscape Protection and Enhancement
T12	Transportation Development Control

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/3324/F Erection of 2 semi-detached dwellings with car parking, access and associated works.
Refused December 2007
- 3.2 PK07/1758/O Erection of 1 dwelling and detached garage (outline) with means of access to be determined.
Approved July 2007
- 3.3 PK05/1293/O Erection of one detached dwelling with integral garage with means of access, car parking and associated works.
Refused June 2005
- 3.4 P88/2523 Erection of detached dwelling and garage. Construction of new vehicular access for existing dwelling.

4. **CONSULTATION RESPONSES**

(a) Statutory Consultees

- 4.1 Sodbury Town Council
Object to this application on highway grounds

(b) Other Representations

- 4.2 Local Residents
None Received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

- 5.2 The site is located within the existing built up area, as defined on the Local Plan Proposals Maps. In accordance with Policy H2, new residential development will normally be permitted subject to compliance with several criteria. It is considered that Policy H4 of the South Gloucestershire Local Plan (Adopted) encompasses all the relevant issues of the above policies, for Policy H4 allows for the erection of new dwellings within existing residential curtilages providing that that following criteria are complied with;

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

The local area has a very strong sense of character. The Southern side of Horse Street is characterised by large, semi-detached ex-local authority housing all of almost identical design. The houses all have a very regular appearance with regular square windows and a very 'traditional' front elevation.

The proposed new dwelling, whilst being detached instead of semi-detached has been given a similar design to the surrounding dwellings. The front of the new dwelling will be very simple and 'traditional in appearance with regularly spaces and sized windows and a front door in the centre of the face elevation. The new dwelling has been given some additional features such as the brick detailing around the windows but this will help to give the dwelling a sense of identity and will not detract from the visual amenities of the locality.

Whilst a substantial amount of the grass to the front of the existing dwelling will be lost and replaced with hard standing, the existing front boundary hedge will remain and a significant amount of soft landscaping is shown to the front of the existing dwelling. The proposed new dwelling will therefore integrate successfully with the existing street scene.

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

The new dwelling is to be erected in the side garden of the existing unit No. 78 Horse Street. There are no habitable room windows in the side elevation of No. 78 that would be adversely affected as a result of the proposed new dwelling. The site is separated from the neighbour to the east by an access lane to a electricity sub-station. The property to the east (No. 80 Horse street) also has a very large and open side garden separating this neighbour from the proposed dwelling. Due to the size of the neighbours side garden and the access lane to the sub-station, the new dwelling would be a substantial distance from No. 80. At this distance, it is not considered that there will be any issues of overbearing.

At first floor on the rear elevation there will be one landing window and two bedroom windows. These windows will face out to the rear over the garden of the existing dwelling No. 16 Mead Road. It is not considered that the two bedroom windows in the new dwelling will result in any additional issues of overlooking or loss of privacy than already exists from the surrounding dwellings. The impact upon residential amenity is therefore considered to be entirely acceptable.

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

The application shows that in order to create access for the new property, the existing access will be widened and the site layout altered to create off street parking for both existing and proposed dwellings. Both existing and proposed dwellings will now share the existing access point. During the course of the application, amended plans were received to ensure that the widened vehicular access did not interfere with the pedestrian footpath that leads down to the rear. The possibility for conflict between pedestrians and vehicles using this access point has therefore been removed. Sufficient off street parking is provided to serve both the existing and proposed dwellings at a ratio of two spaces per dwelling. A condition will be attached to ensure that the parking spaces are provided in accordance with the agreed details prior to the first occupation of the new dwelling.

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

The indicative plans show how adequate private and useable amenity space will be provided to serve each of the existing and proposed dwellings. There is thus no objection to the proposed dwelling on the basis of adequate amenity space.

5.7 Design and Access Statement

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

5.8 Section 106 Requirements

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK08/1535/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.
2. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose. The garage as approved to serve the new dwelling shall be available for its primary purpose of vehicle parking at all times and for no other use without the prior consent of the local planning authority.

Reason:

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

3. The access shall be widened and provided in accordance with the approved plans prior to the commencement of construction of the new dwelling hereby approved.

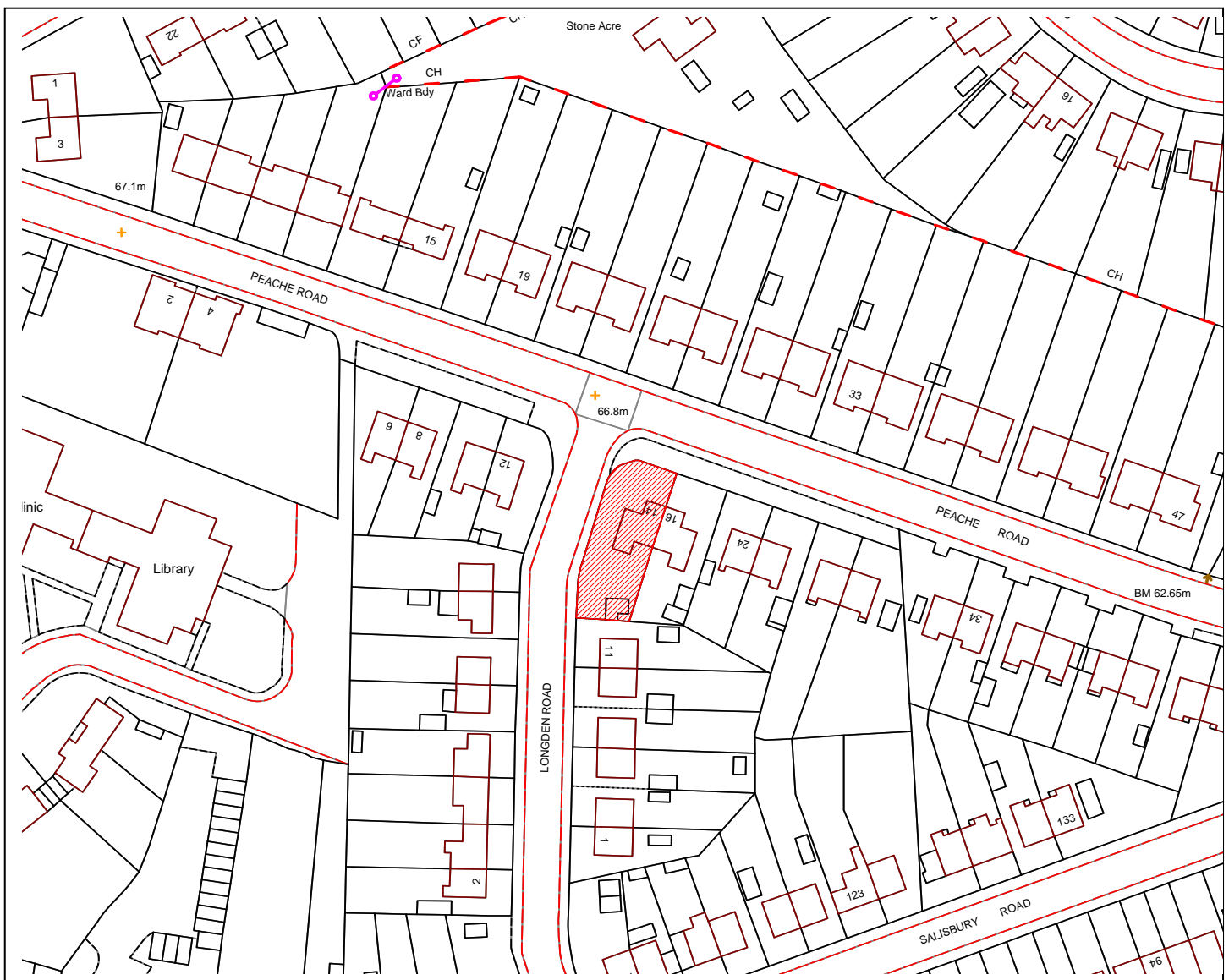
Reason:

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

ITEM 4

CIRCULATED SCHEDULE NO. 29/08 – 16 JULY 2008

App No.:	PK08/1539/F	Applicant:	Mr T Hallah
Site:	14 Peache Road, Downend, South Gloucestershire, BS16 5RW	Date Reg:	5th June 2008
Proposal:	Erection of two storey side, first floor rear and single storey front and rear extensions to facilitate the conversion of existing dwelling to 2 no. flats and 1 no. maisonette with associated parking and works. (Resubmission of PK07/2403/F).	Parish:	Downend and Bromley Heath
Map Ref:	65528 76724	Ward:	Downend
Application Category:	Minor	Target Date:	25th July 2008



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PK08/1539/F

INTRODUCTION

This application has been referred to the Council's Circulated schedule as a result of objections received from local residents and 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 side, single storey rear extension and first floor rear extension to facilitate the conversion of existing dwelling to 3no. self contained flats (2 no. 2 bed flats and 1 no. 2 bed maisonette) with associated parking and works.
- 1.2 The application site relates to a two storey semi detached dwelling within the established residential area of Downend.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Design
PPS3 Housing

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design
- H2 Residential Development
- H4 Development within existing residential domestic curtilages and Extensions
- T8 Car Parking Standards
- T7 Cycle Parking
- T12 Transportation Development Control
- H5 Residential Conversions

- 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 PK07/2403/F Erection of extensions and conversion to 4 flats
Refused on design, highway and residential amenity
Grounds September 2007.
- 3.3 PK07/3390/F Erection of extensions and conversion to flats
Refused on design grounds December 2007.

4. **CONSULTATION RESPONSES**

- 4.1 Downend & Bromley Heath Parish Council
Overdevelopment of site. Not in keeping with the surrounding area. Insufficient parking for three dwellings.

Other Representations

- 4.2 Local Residents
10 letters have been received from local residents raising the following objections regarding the proposed development:
- Extension out of keeping with other properties
 - Highway objections, poor access, inadequate on site parking and visitors parking, no onsite turning area, current parking problems in area, bad junction
 - Flats out of keeping with area
 - Value of property
 - Transmission of noise
 - Units be sold or rented
- Layout of rear gardens i.e. car parking, bins will be eyesore
- Loss of light from extension
 - Concerns regarding short term tenants
 - car parking layout will impact on adjacent occupiers in terms of noise and disturbance
 - Soundproofing
 - Impact on services e.g. sewerage
 - Future maintenance of landscaping
 - Lack of amenity space
 - Impact on house values

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
Policy H5 of the South Gloucestershire Local Plan allows for conversion of existing residential properties into smaller units and any external alterations i.e. extensions will be assessed against Policy H4.
- 5.2 Planning permission has been refused twice on this site for the erection of extensions to this property to facilitate the conversion of this property into flats. Members are advised to consider that this current application is similar to the most recent refused application (PK07/3390/F) on this site in terms of external layout i.e. car parking & cycle parking and private amenity space provision. The key difference with this current application relates primarily to the design of the proposed extensions. As the last application was refused on design grounds no objection can be raised with regards all other issues relating to impact on residential amenity and transportation issues.
- 5.3 A. Would not prejudice the character of the surrounding area:
The application site relates to a semi detached two storey post war dwelling sited on the junction of Longden Road and Peache Road. The existing dwelling is that of a two storey semi with hipped roof and two storey bay frontage extension (original). No. 16 the application site property and the adjoining property have both carried out two storey rear extensions and no.16 has a single storey rear flat roof infill.

- 5.4 Both previous applications relating to this site have been refused on design grounds, the most recent application was refused on the following design grounds:

The proposed extensions by reason of their size, design and external appearance, would be out of keeping with the existing dwelling house and other nearby properties and would adversely affect the present well balanced appearance of this pair of semi detached houses, to the detriment of the street scene and the visual amenities of the locality. The proposal is therefore considered contrary to the provisions of PPS1 and Policy D1, H5 and H4 of the South Gloucestershire Local Plan.

- 5.5 Objections have been received on the grounds that the proposed development for flats would be out of keeping with the character of development in this area which is primarily family accommodation and the proposed extensions are out of keeping and would result in overdevelopment of the site. It is considered that this revised application has addressed the previous planning objection raised. This scheme relates primarily to a two storey side extension with a single storey rear extension and first floor rear extension. The proposed rooflines have been simplified and the two storey side extension has been designed so that it reads as a subservient addition to the host dwelling in that it has been stepped back from the existing front building line of the dwelling and the ridge height is lower than the existing. Whilst its is accepted that the extension is wide at 4.0m, Members are advised to consider that this scheme is of a similar scale to an extension that was granted planning permission in 2002 to a property sited at the other end of Longden Road on the junction with Salisbury Road . It is therefore considered that on balance that the proposed extensions by reason of their scale, design and external appearance would not have a harmful impact on the character of the existing dwelling or immediate surrounding area so as to warrant refusal of the application.

5.6 **B. Would not prejudice the amenities of nearby occupiers**

No planning objection was raised on the most recent planning application (PK07/3390/F) by the Planning Officer with regards the impact of the proposed car parking layout and first floor rear extension on neighbouring occupiers and as this application proposes the same works with regards the extension and external layout no objection is raised this time round.

- 5.7 The proposed development proposes separate private amenity space for the future occupiers of the proposed ground floor flats, which is considered acceptable.

5.8 **C. would provide an Acceptable level of off street parking**

Objections have been received regarding the transportation elements of this proposal. With regards the recent refused application (PK07/3390/F) on this site the Council's Highway officer raised concerns over the visibility from this proposed access for vehicles exiting to the right toward Peache Road. This can be addressed however by splaying the wall by 2 m x 2m in order to improve pedestrian visibility. Should planning permission be granted a condition will be imposed requiring the submission of details relation to the access.

- 5.9 Objections have been raised on the grounds on inadequate on site car parking spaces. Members are advised to consider that the number of proposed parking spaces are in accordance with the Council's parking standards.

5.10 Other issues

Property Values/Future Occupiers

Issues of impact on property prices and status of future occupiers of the development i.e. home owners or tenants are not considered issues material to the determination of this application

Internal Noise

Issues of possible internal noise transmission to the adjoining property will be covered under Building Regulations.

5.11 Design and Access Statement

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

5.12 Section 106 Requirements

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

6. CONCLUSION

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

The 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 PK08/1539/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 3 off-street parking facilities for all vehicles and cycle parking, shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason:

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

3. Prior to the commencement of development details relating to improved visibility adjacent the approved car parking area shall be submitted to and improved in writing by the Local Planning Authority . The building shall not be occupied nor the use commenced until the access has been constructed in accordance with the agreed details.

Reason:

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

4. Within 3 months of the date of the decision details of provision of storage for refuse bins and boxes shall be submitted to and agreed in writing by the Local Planning Authority. The residential units hereby approved shall not be occupied until the storage areas have been provided in accordance with the agreed details.

Reason:

In the interests of the future occupants of the development and to accord with Policy D1 of the South Gloucestershire Local Plan.

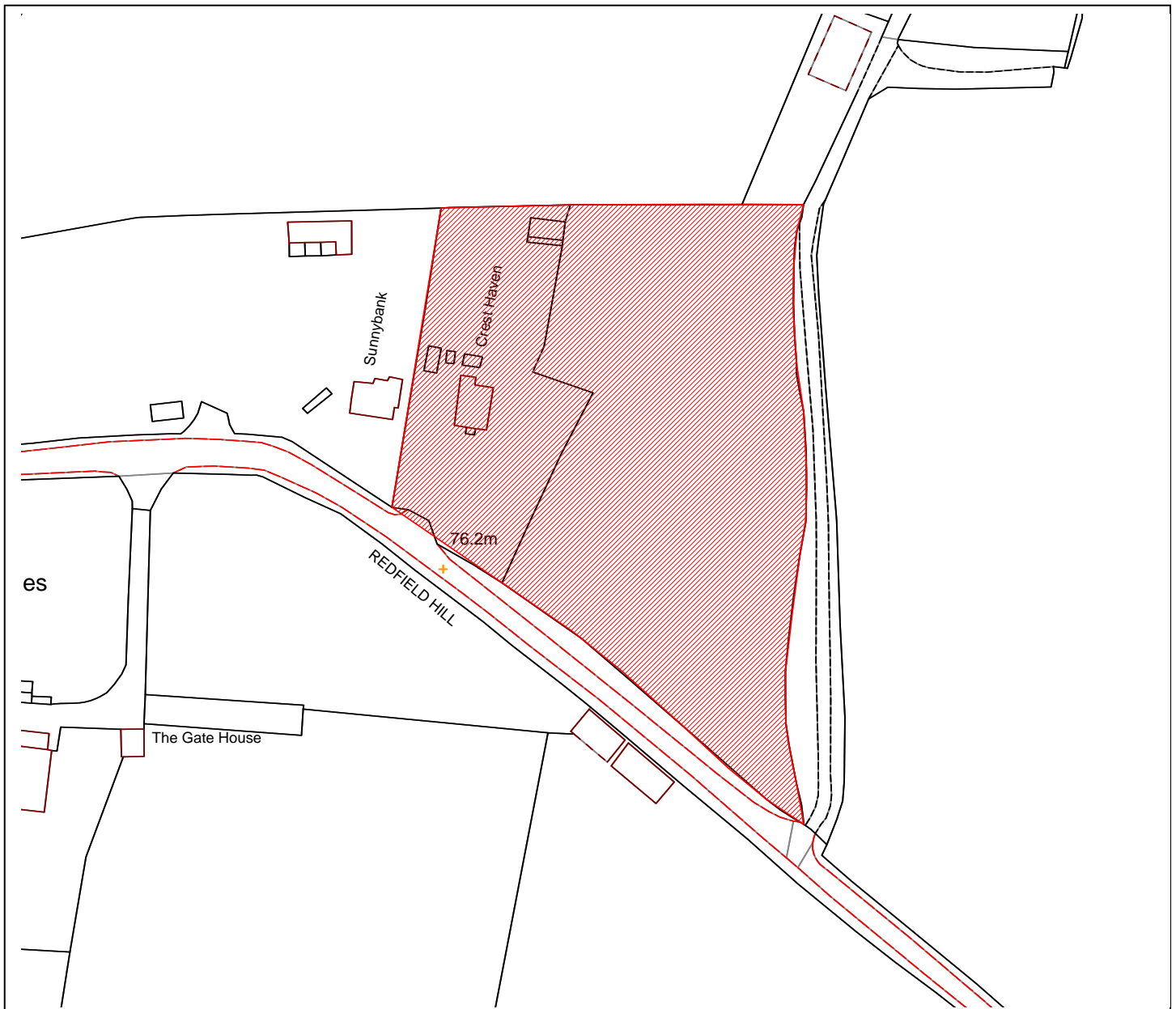
5. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason:

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

CIRCULATED SCHEDULE NO. 29/08 – 16 JULY 2008

App No.:	PK08/1620/F	Applicant:	Mrs C Cross
Site:	Crest Haven, Redfield Hill, Bitton, South Gloucestershire, BS30 6NX	Date Reg:	16th June 2008
Proposal:	Demolition of existing dwelling to facilitate the erection of 1no. dwelling with associated works.	Parish:	Bitton Parish Council
Map Ref:	68251 71482	Ward:	Oldland Common
Application Category:	Minor	Target Date:	25th July 2008



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N.T.S

PK08/1620/F

This application appears on the Circulated Schedule as a third party representation has been received contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for erection of a detached two-storey and single storey replacement dwelling and the repositioning of the existing vehicular access onto Redfield Hill which a Classified road.
- 1.2 The application site is situated in a rural context. The existing two-storey detached dwelling sits in a substantial plot accessed in the south west corner of the site onto Redfield Hill. A large mixed hedge provides a visual screen to the highway.
- 1.3 The application site is situated within the Green Belt and a Public Right of Way runs adjacent to the east boundary of the application site (Ref: PBN 29).

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPS3 Housing
PPS7 Sustainable Development in Rural Areas
PPG13 Transport
PPS23 Planning and Pollution Control

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
EP1 Environmental Pollution
GB1 Green Belt
H11 Replacement dwellings in the countryside
T6 Cycle Routes and Pedestrian Routes

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist – August 2007
Development in the Green Belt – June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P98/4142 Erection of two storey rear extension
Approved 30.04.98
- 3.2 PK01/0857/F Erection of detached double garage
Refused 03.05.01

4. **CONSULTATION RESPONSES**

4.1 Bitton Parish Council

Objection. Doubling in size of the footprint of the dwelling in a Green Belt site

4.2 Other Consultees

Environmental Services – No objection

Public Rights of Way – No objection

Sustainable transport – No objection, subject to conditions

Drainage engineer – Objection

The proposal includes a new septic tank but no DETR assessment has been submitted to demonstrate that the risks of flooding and pollution have been eliminated.

Other Representations

4.3 Local Residents

One letter of support received from the occupiers of Sunnybank. However further comments were received requesting water main and meter for the applicant to be accessed across their land and to improve communication at the entrance to the site. These matters are unfortunately not material planning considerations

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for the replacement of existing dwellings within their curtilage, providing that the design is acceptable, the replacement is of similar size and scale to the existing dwelling and that there is no unacceptable impact on residential and visual amenity. Similarly, policy H11 of the South Gloucestershire Local Plan is supportive in principle of proposals for the replacement of existing dwellings in the countryside subject to scale and provided the existing dwelling has not been abandoned or is incapable of retention in its current state. The application site is also situated within the designated Green Belt and to accord with Policy GB1 of the South Gloucestershire Local Plan proposals for replacement dwellings must not result in 'disproportionate additions' over and above the size of the original dwelling or compromise the openness of the Green Belt.

5.2 Green Belt

The overriding concern with the replacement of existing dwellings within the Green Belt is the effect upon openness and replacement buildings will only be allowed if there is no greater impact on the openness of the Green Belt than that of the original dwelling. The applicant has calculated the replacement dwelling to constitute a 105% increase in volume terms over the existing dwelling. This is considered to represent a substantial increase to the existing dwelling which is at odds with Policy GB1 which requires the replacement to be proportionate to that existing. The proposal is therefore considered to be harmful to the openness of the Green Belt contrary to policy GB1 of the South

Gloucestershire Local Plan, and no very special circumstances agreement has been put forward to justify why planning permission should be granted.

5.3 Visual amenity

As indicated above, the proposed replacement dwelling is considered to be a materially disproportionate increase to the volume of the existing dwelling. As such the replacement dwelling is considered not to be of similar size and scale to the existing dwelling. This is considered to be in direct conflict with Policy H11(C). Therefore irrespective of the relative merits of the scheme in terms of eco design, the size of the existing plot and the scale of other dwellings in the area, the development fails to comply with policies H4 and H11 of the South Gloucestershire Local Plan due to its disproportionate scale compared to the existing dwelling.

The application site is situated adjacent to a Public Right of Way and as such the replacement dwelling would be clearly visible from public vantage points, which further exacerbates the visual harm of the development and its detrimental impact on the openness of the area.

5.4 Residential amenity

The proposed dwelling would have no material impact on the amenity enjoyed by the adjacent occupiers due to its design, distance from the neighbouring dwelling (12m) and substantial existing boundary treatment which comprises mixed hedging and trees.

5.5 Highway safety

The proposal would result in no increase in the number of dwelling units on site, therefore the proposal is considered not to result in a material increase in car-borne traffic. The proposal would include the relocation of the existing vehicular access off Redfield Hill which is a Classified Road. The existing access is poor in terms of manoeuvrability with poor visibility on both sides. The proposed access is considered to be acceptable and would be a material gain in terms of highway safety factors due to the significantly improved visibility and manoeuvrability the new access would provide.

5.6 Drainage

The existing means of foul drainage is via a cesspit. The applicant has provided information which suggests the existing system to be inadequately sized for the existing dwelling. The application form and block plan indicate a proposed septic tank/treatment plant as part of the submission, but no details of the means of foul waste disposal have been included as part of the submission. The proposal therefore fails to meet the requirements of Circular 03/99 (the requirements in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development). It is therefore not possible to assess the application in terms of pollution risk and as such the proposal is contrary to Policy EP1 of the adopted South Gloucestershire Local Plan.

5.7 Design and Access Statement

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

5.8 Section 106 Requirements

Not applicable

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Planning permission is refused.

Background Papers PK08/1620/F

**Contact Officer: Sean Herbert
Tel. No. 01454 863056**

REFUSAL REASONS

1. The proposed replacement dwelling would be situated within the Green Belt wherein there is a general presumption against inappropriate development. The proposed replacement dwelling by virtue of its disproportionate size and scale over and above the original dwelling would constitute inappropriate development and as such would result in material harm to the Green Belt. No very special circumstances have been put forward to overcome the presumption against refusal. The proposal is therefore contrary to policy GB1 of the adopted South Gloucestershire Local Plan and Government Guidance contained in PPG2 Green Belts.
2. The proposed replacement dwelling is situated outside the existing urban areas and boundaries of settlements as defined in the proposals maps of the adopted South Gloucestershire Local Plan. The proposal by virtue of its disparate size and scale to the existing dwelling would be materially harmful to the character and appearance of the area and as such the proposal is contrary to policy H11 of the adopted South Gloucestershire Local Plan and Government advice contained in PPS1 and PPS7.
3. The proposal includes the provision of a septic tank/treatment plant as part of the submission, but no details of the means of foul waste disposal have been included. It is therefore not possible to adequately assess the application in terms of pollution risk and as such the proposal is contrary to Policy EP1 of the adopted South Gloucestershire Local Plan and Government advice contained in PPS23 (Planning and Pollution Control).

ITEM 6

CIRCULATED SCHEDULE NO. 29/08 – 16 JULY 2008

App No.: PK08/1639/F

Site: 8 Robbins Court, Emersons Green,
South Gloucestershire, BS16 7BG

Proposal: Erection of two storey side extension to
form garage and additional living
accommodation.

Map Ref: 66945 76838

Application Minor

Category:

Applicant: Mr L Sheldrick

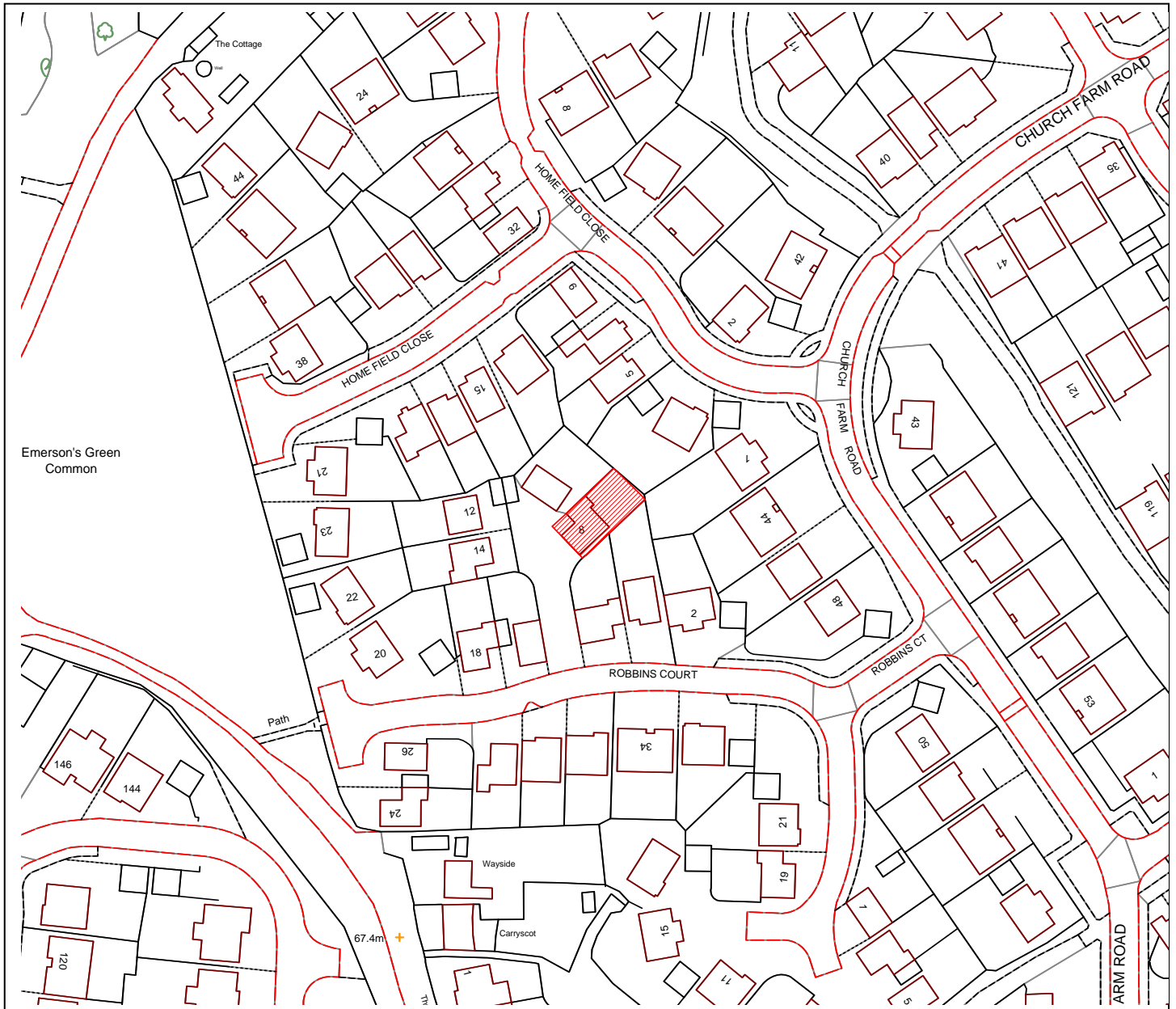
Date Reg: 18th June 2008

Parish: Mangotsfield Rural
Parish Council

Ward: Emersons Green

Target 7th August 2008

Date:



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N.T.S

PK08/1639/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 This application seeks full planning permission for the erection of a two-storey extension to the side of the existing dwelling. The purpose of the extension is to provide a replacement garage and dining room at ground floor and two additional bedrooms at first floor level.
- 1.2 During the course of the application, amended plans have been received at the request of the case officer. The purpose of the amended plans was to rectify a small mistake on the original plans and also to show how two off street parking spaces would be provided. In order to ensure two car parking spaces could be provided, the internal layout of the extension was also amended on the revised plans.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans

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

3. RELEVANT PLANNING HISTORY

3.1 PK06/2631/F Erection of rear conservatory.
Approved October 2006

4. CONSULTATION RESPONSES

4.1 Mangotsfield Rural Parish Council
Recommend approval

Other Representations

4.2 Local Residents

One letter of objection has been received from a local resident. The resident raises the following points of concern;

- We would lose light & the reflected light which we currently have between no. 8 & no.10.
- We would be overlooked into our bedroom windows as the angle of no.8's upstairs would be changed, bringing the property closer to ours.
- There would be loss of parking & turning area in an already restricted space.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and providing a number of criteria relating to design, scale, highway and impact upon visual and residential amenities are met.

5.2 Design/Visual Amenity

The proposed extension is of appropriate design and will integrate successfully with the host dwelling and the surrounding street scene. Whilst the extension is not setback or set down, because of the unusual design of the front elevation of the property, to do so would make the dwelling appear overly complicated. The extension as proposed means the resultant dwelling would match the neighbouring property at No. 10 Robbins Court and thus would integrate successfully with the surrounding built environment. The extension will be constructed of materials to match the existing and the new windows will also fully integrate with the windows of the main house.

The structure will be visible from the highway but will integrate successfully with the host dwelling and as such, it is not considered the additions would be visually intrusive. Subject to the attachment of a condition to ensure that the materials used match those of the existing dwelling the design of the extensions is considered to be acceptable.

5.3 Residential Amenity

The extension is to be constructed on the side of the dwelling – closer to the neighbour at No. 10. There are no side windows in the side of No. 10 that would be impacted upon by the proposed extension and similarly, no new windows are proposed in the side elevation of the extension that would result in any issues of overlooking or loss of privacy.

It is noted that a neighbour on the opposite side of the cul-de-sac is worried about the impact of the extension upon their existing levels of light and privacy. The extension will be in excess of 21 metres from the main front wall of No. 10 and thus, because of this distance, no issues of intervisibility or loss of privacy will result. Also at this distance, it is not considered that the extension will overshadow this neighbouring dwelling.

It is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. The impact on residential amenity is subsequently deemed acceptable.

5.4 Transport Implications

As initially submitted, the planning officer was concerned that insufficient off street parking would be retained to meet the needs of the dwelling. However, the revised plans clearly show the provision of two off street parking spaces within the curtilage – one in the garage and one to the front of the property on the existing gravelled area. The level of off street parking to be provided therefore will be in accordance with the requirements of the South Gloucestershire Local Plan and is thus considered acceptable.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK08/1639/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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason:

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

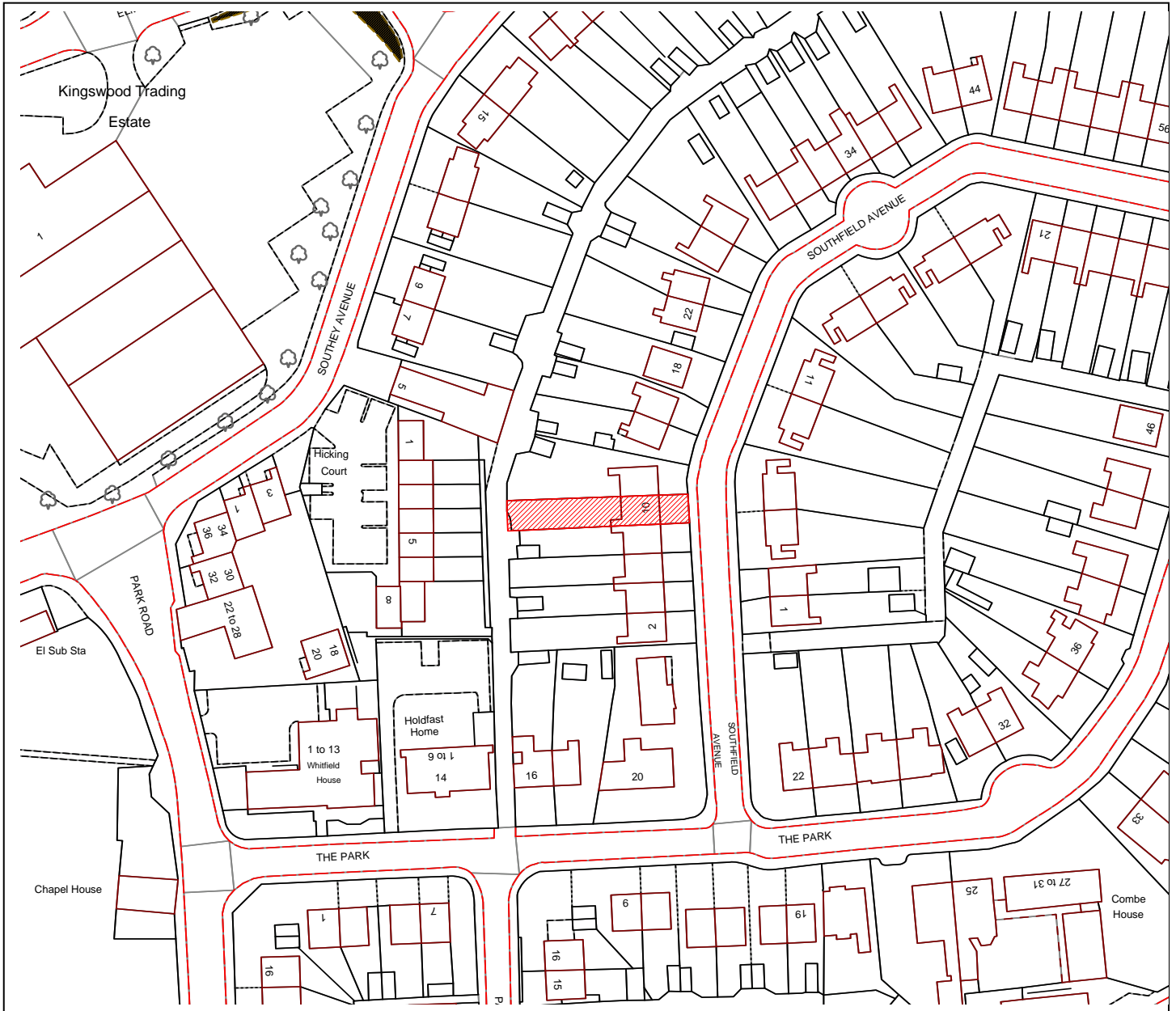
3. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose. The garage shall be retained and available for its primary purpose of vehicle parking at all times and shall not be used for any other purpose without the prior written consent of the local authority.

Reason:

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

CIRCULATED SCHEDULE NO. 29/08 – 16 JULY 2008

App No.:	PK08/1694/F	Applicant:	Mr G Williams
Site:	10 Southfield Avenue, Kingswood, South Gloucestershire, BS15 4BJ	Date Reg:	23rd June 2008
Proposal:	Conversion of 1 no. dwelling to form 2 no. flats with associated works.	Parish:	
Map Ref:	65029 74040	Ward:	Kings Chase
Application Category:	Minor	Target Date:	8th August 2008



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 100023410, 2008.

N.T.S

PK08/1694/F

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with procedure, given that a letter (see paragraph 4.3 below) has been received.

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the conversion of a mid terrace, two-storey (3 no. bed) property situated on the western side of Southfield Avenue. The development would consist of 2 no. one bedroom flats.
- 1.2 Access to the flats would be from the front (from Southfield Avenue). The ground floor flat would have access to the existing garden area. Bin storage is provided to the front. Two parking spaces are to be provided, one will be provided to the front with a parking space to be used by the Ground Floor flat would be provided to the rear with access onto a rear service lane currently used by properties and housing a number of garages.
- 1.3 To facilitate the development, an existing lean-to porch to the front of the building will be re-built. Aside from an additional side window facing into the garden area, (and new window to the rear of this element) and serving the ground floor kitchen all other changes are internal.

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1 Delivering Sustainable Development
 - PPS3 Housing
 - PPG13 Transportation
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
 - D1 Achieving Good Quality Design in New Development
 - H5 Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential Purposes
 - T7 Cycle Parking
 - T8 Parking Standards
 - T12 Transportation Development Control Policy for New Development
 - EP4 Noise sensitive development

South Gloucestershire Council Design Checklist (Adopted August 2007)

3.0 RELEVANT PLANNING HISTORY

No relevant planning history

4. CONSULTATION RESPONSES

- 4.1 Parish Council
The area is unparished
- 4.2 Sustainable Transport

Planning permission is sought to convert an existing three-bed dwelling into two one-bed flats. No extension or alternation to the existing building footprint is proposed. There is existing vehicular parking to the front and rear of the site which is proposed to be used for this development.

The bin storage is inadequate for both the dwellings on the site and needs to be enlarged to accommodate the Council's current twin bin system for both flats. No detail of cycle storage has been submitted with this proposal. Two cycle parking spaces, one for each flat, needs to be provided within the site boundary, in a secure, covered and overlooked position (cyclesafe or similar).

Subject to the following conditions, there is no transportation objection to this proposal. 1. Prior to commencement of the development, details of the bin storage for the proposed flats to be submitted for approval by the Council. 2. Prior to commencement of the development, two cycle storage spaces to be provided within the site boundary. Details to be submitted for approval by the Council.

4.3 Local Residents

Two letters have been received. One letter does not raise a specific objection to the proposal but indicates that, tenants should not be obliged to park on-street, that the boundary fences should be replaced and that the garden should be tidied.

As second letter objects to the proposal on the grounds that insufficient parking has been provided to serve the development.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPS3 (Housing) identifies the planning system as a means of widening housing opportunity and choice, maintaining a supply of housing and creating sustainable residential environments. Paragraph 10 of PPS3 indicates among other criteria that the planning system should deliver a mix of housing, both market and affordable, particularly in terms of tenure and price to support a wide variety of households in all areas, provide a sufficient quantity of housing taking into account need and demands and seeking to improve choice. Furthermore the planning system should provide housing developments in suitable locations, which offer a good range of community facilities with good access to jobs, key services and infrastructure. It is considered that the current proposal is appropriate within this context.

5.2 Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 reflecting the aims and objectives set out in this guidance considers the criteria for proposals for the conversion of existing residential properties into smaller units of self-contained residential accommodation. The policy recognises the important contribution that smaller units can make to the supply, range and mix of housing provision in South Gloucestershire and supports the conversion where appropriate of larger properties subject to consideration of the following criteria.

5.3 Character of Surrounding Area

Policy H5A of the South Gloucestershire Local Plan (Adopted) January 2006 allows for such development provided that there is no adverse impact upon the character of the area.

The surrounding area consists of single (family) dwellings within this predominantly residential area. It should be noted that there are no examples of other flat conversions in the immediate vicinity of the site. The area is therefore predominantly one of family housing, however it is not therefore considered that the current proposal could be considered to undermine the character of the area, particularly given the given the guidance in PPS3 (para 10) that has been outlined above that seeks to create mixed and inclusive communities and opening up housing choice within sustainable locations close to local facilities.

The development of 2 units on 228sqm equates to a density of approximately 86 dwellings per hectare. While it is noted that this proposal represents a higher density than that currently in the area (on average 50 dwellings per hectare), it is not considered that the refusal of the application could be justified on these grounds given the location in a sustainable urban location of relatively high existing density.

5.4 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to achieve a high standard of design in all new development having regard to scale, form and materials both in relation to the original property and within the wider context.

The changes to the external appearance of the building largely involve improving an existing porch which is in poor condition. This is considered quite a minor change and is considered acceptable in design/visual amenity terms.

5.5 Residential Amenity

Policy H5B of the South Gloucestershire Local Plan (Adopted) January 2006 considers that such development should be permitted provided that it would not prejudice the amenities of nearby occupiers.

The proposal will not result in any additional overlooking of adjoining properties. No extensions to the property are proposed.

The proposed development is considered in accord with Policy H5B of the South Gloucestershire Local Plan (Adopted January 2006).

5.6 Transportation

Policy H5C of the South Gloucestershire Local Plan (Adopted) January 2006 considers that such a development would be acceptable provided an acceptable level of parking is identified. Policy T8 indicates that development should not exceed the standards set out in the plan (figure 6.6) ie one space per bedroom. Policy T12 assesses development in terms of the impact of the development upon the wider highway network with the priority being highway safety.

While concern has been raised that there is insufficient parking provision, it should be noted that there is existing vehicular parking to the front and rear of the site which is proposed to be used for this development. One space is therefore being provided for each one bedroom flat and in this respect the proposal is in accord with the Council's parking standards as set out in Policy T8.

The bin storage is considered inadequate for both the dwellings on the site and needs to be enlarged to accommodate the Council's current twin bin system for both flats. It is considered that the site is capable of accommodating a suitable refuse storage facility to serve both flats and therefore a condition is recommended to require the submission of these details prior to the first occupation of the units.

In addition there have been no details of cycle storage submitted with this application. To accord with Council Standards two cycle parking spaces, one for each flat, needs to be provided within the site boundary (one space could be located internally within the hallway), in a secure, covered and overlooked position (cyclesafe or similar). A condition is recommended to secure these spaces prior to the first occupation of the units.

Subject to the above conditions, there is no transportation objection to this proposal which is in accord with the objectives of Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006).

5.7 Amenity Space

Policy H5D requires development to provide adequate amenity space. The policy indicates that space may be provided either communally or on an allocated basis. Members should be aware that there is no specific guidance in either National or Local Guidance on the amount of amenity space that should be provided for any one development.

Having regard to this specific application, the existing garden area is provided for the ground floor flat only (with no space provided for the upper floor flat), however it is not considered, (in contrast to a 2 or 3 bed dwelling), that there would be an expectation of amenity space provision for this form of development. In summary therefore amenity space is available to ground floor occupiers. It should be noted that there is public open space within the vicinity of the site. It is considered that the proposal is in accord with this criterion of Policy H5.

5.8 Noise

It is not considered that the addition of an extra unit of accommodation would cause any significant increase in overall noise and disturbance albeit the alignment of rooms between those proposed and those in adjoining existing properties will be different. The Building Regulations (Part E), would cover the issue of sound insulation between the new units themselves and between the new units and the adjoining properties on either side and for the avoidance of doubt a condition will be attached to the decision notice to secure these details.

5.9 Other Issues

Concern has been raised that the existing boundary treatment is in a poor state of repair. It is not considered that the repair of the boundary treatment can be secured through the planning process as such a condition would fail the tests set out in Circular 05/05, principally whether this is necessary to make the

development acceptable or reasonable. Similarly if the existing garden has been neglected, a landscape condition would not be in scale with the type of development proposed. It is not considered that the maintenance of the garden could be secured reasonably by a planning condition.

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.

5.11 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the South Gloucestershire Council Design Checklist (Adopted August 2007)

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 **PK08/1694/F**

Contact Officer: **David Stockdale**
Tel. No. **01454 864533**

CONDITIONS

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

Reason:

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

2. Prior to the first occupation of the flats hereby approved, full details of the refuse storage, (to include the dimensions and location), shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to the first occupation of the flats and retained for that purpose thereafter.

Reason:

To ensure adequate refuse storage and to accord with Policy D1H of the South Gloucestershire Local Plan (Adopted).

3. Prior to the commencement of development details of two secure cycle storage, (cyclesafe or similar), spaces shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to the first occupation of the flats and retained as such thereafter.

Reason:

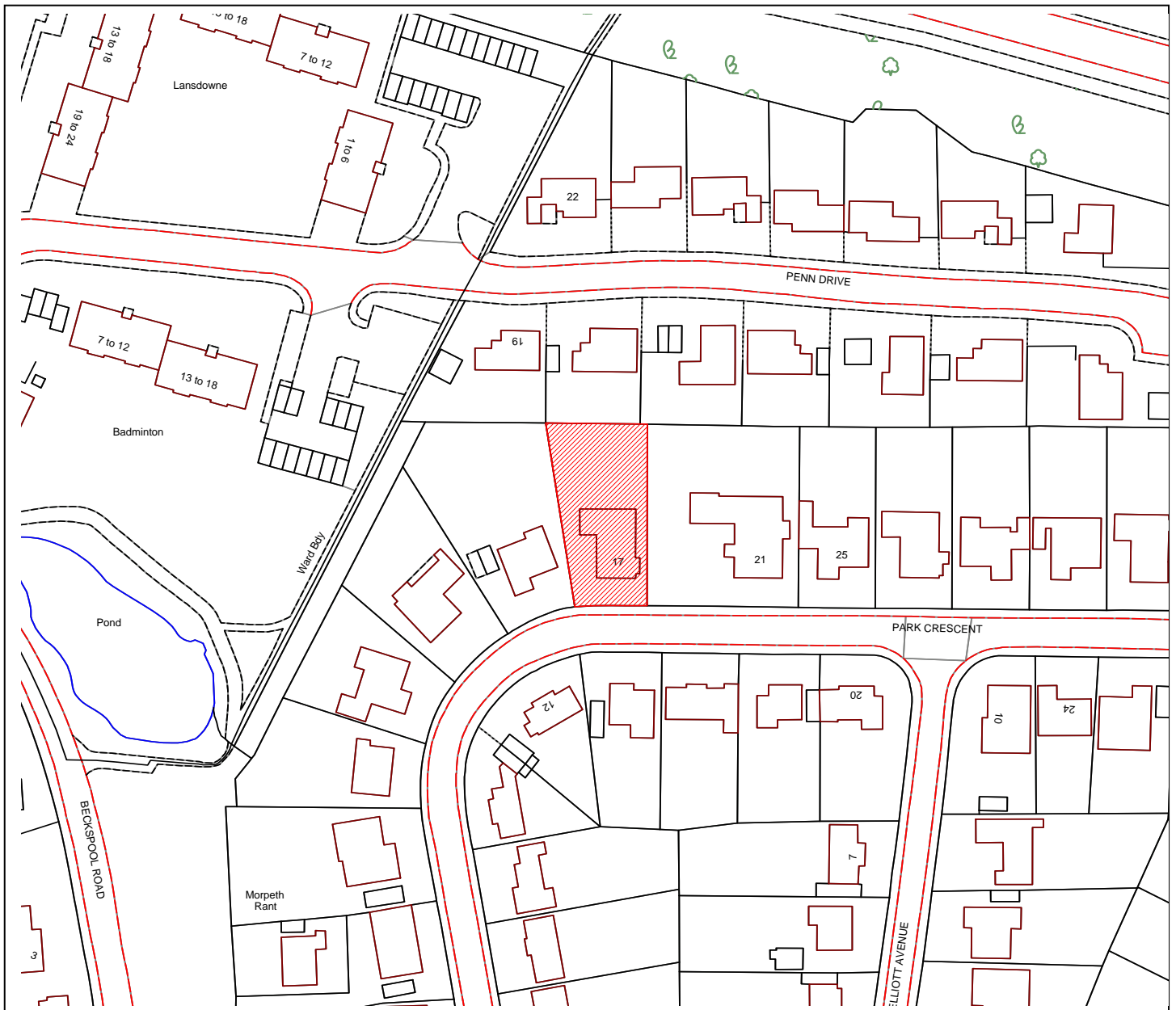
To encourage means of transportation other than the private car, to accord with Policy T10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 8

CIRCULATED SCHEDULE NO. 29/08 – 16 JULY 2008

App No.: PT08/1485/F
Site: 17 Park Crescent, Frenchay, South Gloucestershire, BS16 1PD
Proposal: Erection of rear ground floor extensions to provide utility room, garage and conservatory. Conversion of loft to provide additional living space.
Map Ref: 64263 78257
Application Category: Minor

Applicant: Mr A Evans
Date Reg: 2nd June 2008
Parish: Winterbourne Parish Council
Ward: Frenchay and Stoke Park
Target Date: 28th July 2008



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DC0901MW

This application appears on the Circulated Schedule following the receipt of an objection from the Parish Council and one local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a single storey side and rear extension, a conservatory and two dormers windows. The proposal would provide additional living accommodation and integral garage.
- 1.2 The application site relates to a large detached bungalow situated within a well established residential area within Frenchay.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection – Overdevelopment of the site.
- 4.2 Transportation and Highways
No objection
- 4.3 Local Residents
One letter has been received from a local resident raising the following issues:
- A. The proposed Velux windows would overlook adjacent property;
 - B. No objection to single storey extension;

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. This is subject to the proposal:
- respecting the character and appearance of the existing dwelling and the surrounding area;
 - not prejudicing the amenities of nearby occupiers,
 - maintaining highway safety; and
 - providing adequate amenity space.

5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.

5.3 Residential Amenity

The application site is adjoined by two dwellings to the side (Nos. 15 and 21 Park Crescent) and one dwelling to the rear (No. 21 Penn Drive). The proposed development comprises of a single storey rear extension, a rear conservatory and two dormer windows. The impact of these on the adjacent dwellings is assessed below:

5.4 Overbearing Impact

The proposed single storey extension and conservatory would be single-storey in height and would be situated on the western extent of the application site adjacent to No. 15. The extensions would be set in from the boundary and would be well screened by a well-established mixed hedgerow. It is considered that this screening and the distance separating the proposals from the adjacent dwellings would mitigate any overbearing impact on nearby occupiers.

It is considered that the proposed dormers would have no overbearing impact.

5.5 Privacy

The proposed extension and conservatory would include several windows at the ground floor level. These would not afford any direct inter-visibility between the adjacent dwellings, as such there would be no material harm to privacy.

5.6 The proposed loft conversion would include two dormer windows and two Velux windows. The dormers windows are situated on the western side elevation facing No. 15 Park Crescent. These would be at the first floor level and would be separated from the adjacent dwelling by approximately 8 metres. Therefore the proposed windows would not afford any direct inter-visibility into the ground floor windows of the adjacent property. As such, it is considered that there would be no harm to privacy of the nearby occupier.

5.7 A local resident at 23 Penn Drive has a raised objection to the proposed Velux window situated on the rear elevation. Notwithstanding these comments, the proposed Velux windows are situated some 27 metres from this property. It is considered that this distance would prevent any inter-visibility between both properties.

5.8 Design and Visual Amenity

The existing dwelling is a large detached house situated within a well established residential area. The proposed rear/side extension and the conservatory would adopt a simple design solution which would appear subservient to the existing dwelling. The proposed dormers would be small in scale and set well within the extremities of the roof, with pitch roofs below the ridge of the bungalow. All these alterations would be finished in materials to match the existing dwelling.

5.9 It is considered that the applicants design approach is acceptable and would ensure the character and appearance of the existing dwelling and surrounding area is respected. As such it is considered to be in conformity with the Design Checklist Supplementary Planning Document.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

The decision to 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 **PT08/1485/F**

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

CONDITIONS

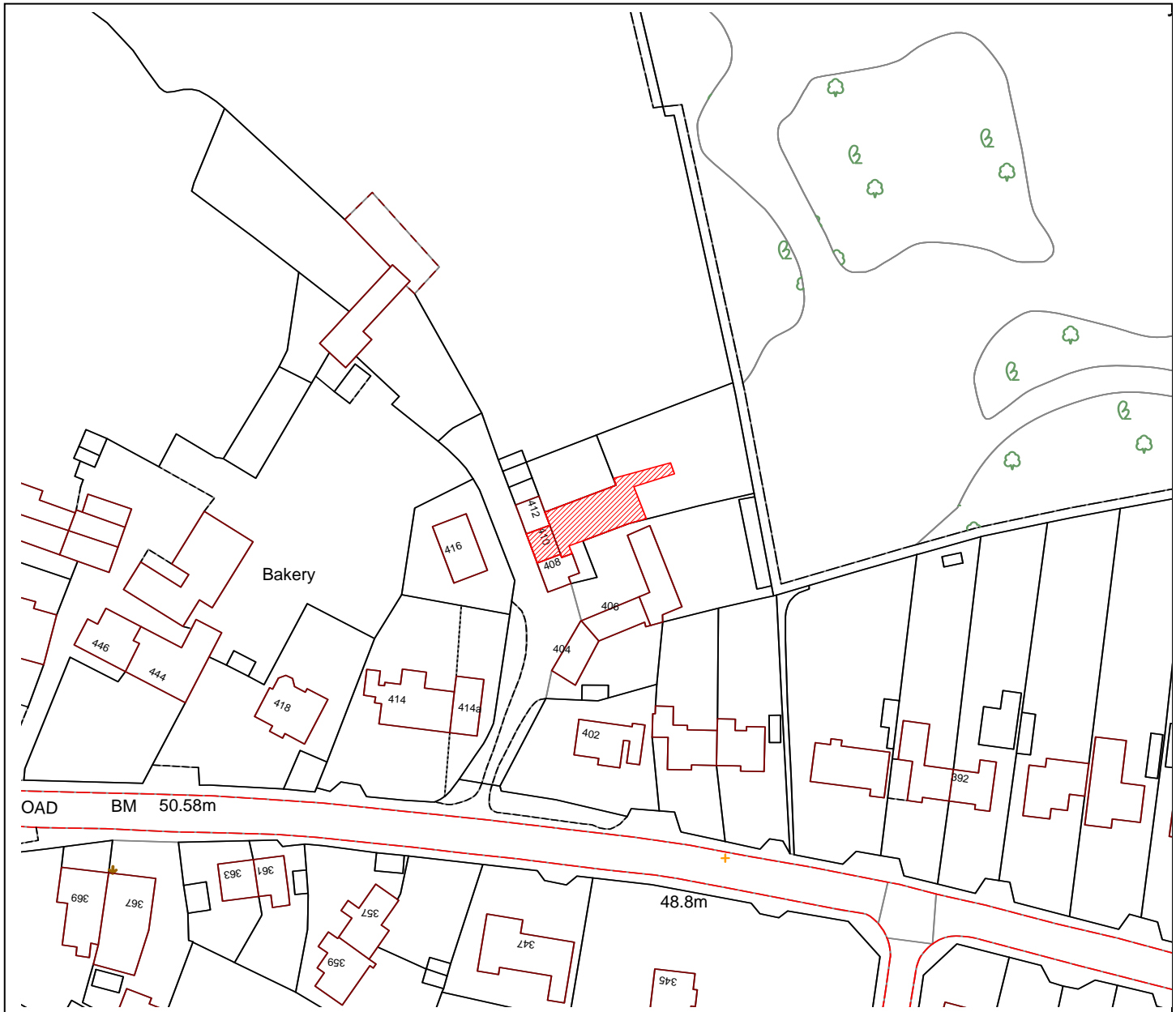
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

CIRCULATED SCHEDULE NO. 29/08 – 16 JULY 2008

App No.:	PT08/1587/F	Applicant:	Mr M Rigg
Site:	410 Church Road, Frampton Cotterell, South Gloucestershire, BS36 2AQ	Date Reg:	12th June 2008
Proposal:	Erection of two storey rear extension to provide kitchen/diner with bedroom and ensuite facilities over.	Parish:	Frampton Cotterell Parish Council
Map Ref:	66468 82106	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	25th July 2008



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 100023410, 2008.

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

1. PROPOSAL

- 1.1 The application seeks planning permission for the erection of a two storey rear extension. The proposal would be approximately 4.6 metres in width and 3.3 metres in depth. The extension would provide additional living accommodation.
- 1.2 The application site relates to modest terrace cottage. The site is situated on the edge of the settlement of Frampton Cotterell. The dwelling itself is situated within the Frampton Cotterell, however the garden is designated as open countryside and Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1: Delivering Sustainable Development
PPG2: Green Belts

2.2 South Gloucestershire Local Plan (Adopted) January 2006

- D1: Achieving Good Quality Development within New Development
H4: Development within Existing Residential Curtilages
GB1: Development within the Green Belt

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist SPD (Adopted) 2007
South Gloucestershire Development within the Green Belt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

OBJECTION – The proposed development is within the Green Belt and the Parish is concerned that the proposed development will not meet the special circumstances necessary for development within the Green Belt.

4.2 Local Residents

None received.

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. This is subject to the proposal:

- respecting the character and appearance of the existing dwelling and the surrounding area;
- not prejudicing the amenities of nearby occupiers,
- maintaining highway safety; and
- providing adequate amenity space.

- 5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.
- 5.2 Policy GB1 of the Local Plan allows for limited extensions to dwellings within the Green Belt providing that they do not result in disproportionate additions over and above the size of the original building.
- 5.4 Whether an addition is considered disproportionate or not, depends on the individual circumstances on the site, and what type of addition is proposed. To facilitate this assessment the *South Gloucestershire Development in the Green Belt SPD* outlines a “Disproportionate Test”. This test states that an additions which result in volume increases of 50% or more of the original dwelling (The volume of the dwelling at construction or its volume on July 1st 1948) would most likely be considered in excess of any reasonable definition of ‘limited extension’. Such a proposal would normally therefore be viewed as a disproportionate addition.
- 5.5 Residential Amenity
The application site is adjoined by two dwellings to the side (Nos. 408 and 412 Church Road). The proposed extension is situated on the rear elevation between the two adjacent dwellings. The impact on these dwellings is assessed below:
- 5.6 Overbearing Impact
The proposal would be two-storey in height and would have a depth of approximately 3.6 metres. It is considered that the proposed depth and distance separating the two-storey rear extension from No. 412 would be adequate to mitigate any material overbearing impact to the amenity of the adjacent occupier. With regard to No.408, there is a similar two-storey gable-end extension, approximately 1.9 metres from the proposed development (Planning ref: PT03/1856/F). This extension is similar in scale however its depth is slightly greater. Therefore, in view of this structure, it is considered that the proposal would have no material overbearing impact upon the occupiers of this dwelling.
- 5.7 Privacy
The proposed extension would include two rear windows at the ground and first floor levels. These would provide some oblique views into adjacent gardens, nevertheless these would not be materially different to those found in other residential areas. It is noted that the applicant proposes a bathroom window in the northern side elevation, which would overlook No. 412. To overcome this issue it is recommended that a condition is attached to ensure that this window is glazed with obscured glass.
- 5.8 Design and Visual Amenity
The existing dwelling relates to a modest terrace cottage. The proposed extension would consist of gable-end extension. The existing would adopt an appropriate massing and scale which would respect the modest proportions of the existing dwelling. Furthermore, the applicant has proposed to render and tile the extension to match the existing dwelling. It is considered that this design approach would be suitable and would respect the character and appearance of the existing dwelling and surrounding area.

5.9 Impact on the Green Belt

PPG2 carries a presumption against inappropriate development within the Green Belt. This is reiterated at local policy level within Policy GB1 (*Development within the Green Belt*) of the South Gloucestershire Local Plan (Adopted) January 2006 and the adopted Green Belt SPD. This policy provides limited categories of development which are considered to be appropriate within the Green Belt. This includes limited extensions to existing dwellings, provided that the development would not result in a disproportionate addition above the original size of the dwelling.

5.10 Planning history shows that the dwelling has not been previously extended. The volume of the existing house is approximately 210 cubic metres and the proposed extension is approximately 81 cubic metres. This would therefore result in a 38% volume increase over and above the volume of the original dwellinghouse. It is considered that this volume would represent a proportionate extension. Furthermore, the design of the proposal would integrate well with the style and character of the existing dwelling. In view of the above, it is considered that the proposed development would maintain the openness of the Green Belt at this location.

5.11 Section 106 Requirements

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

6. CONCLUSION

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

The 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 **PT08/1587/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).

2. The glazing on the north-west elevation shall at all times be of obscured glass. The obscure glazing to be used shall be at least level 3 obscure glazing.

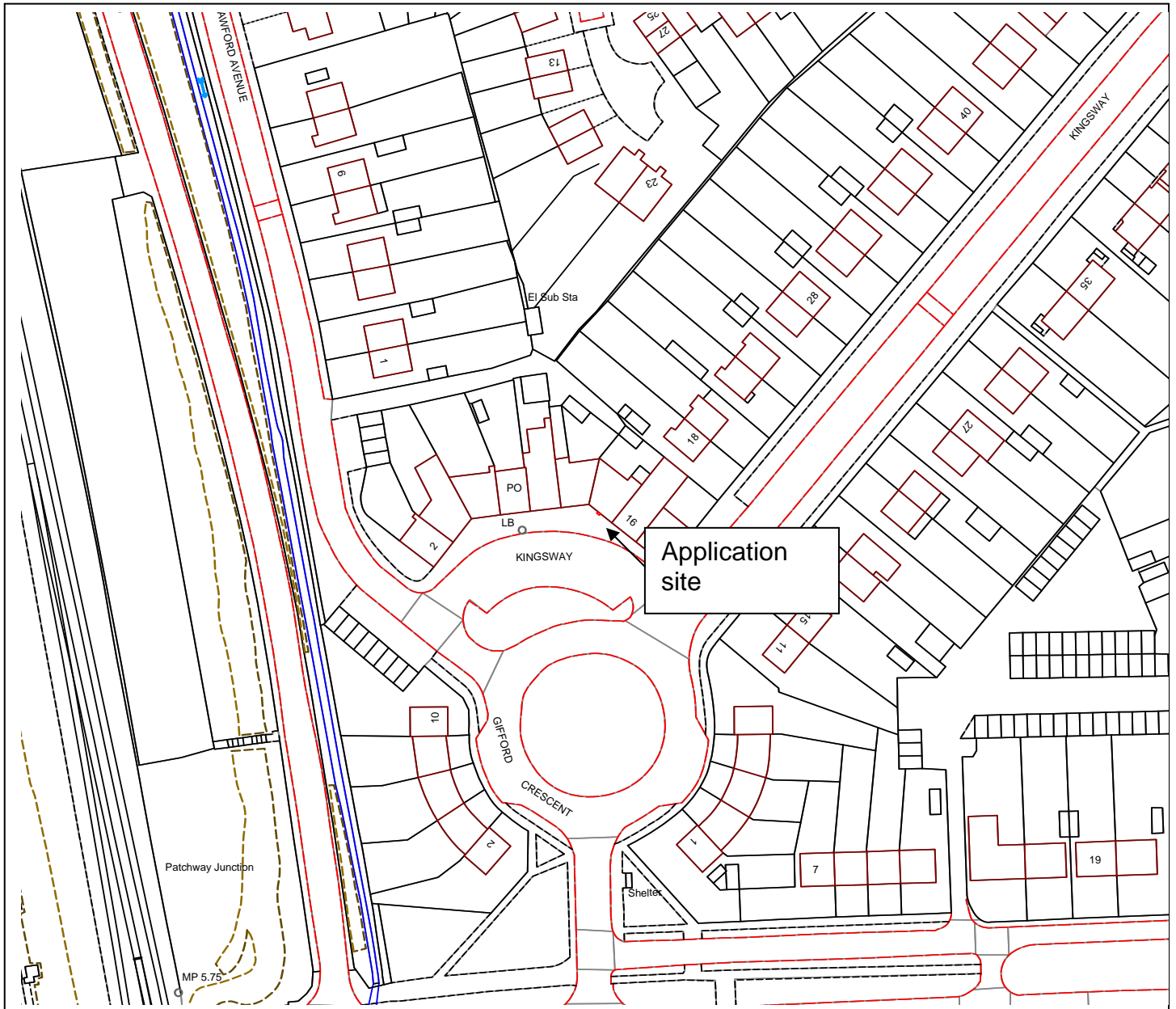
Reason(s):

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

CIRCULATED SCHEDULE NO. 29/08 – 16 JULY 2008

App No.: PT08/1629/F
Site: 14-16 Kingsway, Little Stoke, South Gloucestershire, BS34 6JL
Proposal: Installation of newspaper/magazine delivery security cabinet to shop front (Retrospective)
Map Ref: 61259 80667
Application Category: Minor

Applicant: Martin McColl Ltd
Date Reg: 17th June 2008
Parish: Stoke Gifford Parish Council
Ward: Stoke Gifford
Target Date: 29th July 2008



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 100023410, 2008.

This application appears on the Circulated Schedule as representations were made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 Retrospective planning permission is sought for a newspaper security kiosk. The dimensions are 1.6 m in height, and 1 m x 0.65 m. It is steel powder coated in blue paint. It is located outside a convenience store within a local parade of shops along Kingsway. This is within the urban area with a variety of uses within the vicinity including other retail, residential and employment uses.
- 1.2 The applicant has indicated that the security cabinet used to be located to the rear of the shop, but following a serious assault to an employee it has been located in a more public and overlooked position to the front of the building.

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
RT8 Small Scale retail uses within urban area
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

No relevant history

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

Object on the grounds of causing obstruction to members of the public.

Other Representations

4.2 Local Residents

Two letters of objection have been received raising the following concerns:

- The cabinet obscures the entrance to 14 A Kingsway, having an adverse impact upon casual trade.
- The cabinet attracts anti-social behaviour.
- Deliveries to the shop cause noise disturbance.
- Drivers park on the pavement.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In principle there is no policy objection raised to alterations and extensions to existing retail units. In addition the criteria of Policy D1 must be satisfied and the key issues are as follows.

5.2 Visual Amenity

The newspaper cabinet is a reasonably modest structure that does not look out of place in the street scene adjacent to a modern convenience store. Its colour matches that of the McColls signage and shutters and therefore there is no harm caused to the visual amenity.

5.3 Designing Out Crime

It is considered that the siting of the cabinet is acceptable and does not significantly impinge upon pedestrian access along the Kingsway shopping parade. The cabinet itself is only 0.99 m in depth and lies approximately 0.6 m away from the doorway to no. 14A Kingsway and some 2 m from the disabled access to McColls newsagent.

It is not considered that the cabinet has led to an unacceptable level of threat to personal safety or security of local residents. After consultation with the Crime Reduction / Architectural Liaison Officer it has been noted that there have been no reported incidents of any sort relating to the storage cabinet.

The cabinet benefits from having good 'natural surveillance' from the surrounding houses, flats and shop frontages. In this regard it is considered that the siting of the cabinet has taken into account crime prevention. Local residents should be in a strong position to report any instances of anti-social behaviour because of this.

5.4 Transportation

There is no transportation objection to the proposal. Drivers' parking illegally near the application site is not a material planning consideration.

5.5 Residential Amenity

It is not considered that the cabinet has or will cause a significant adverse impact upon the residential amenity of local residents. Daily, early morning deliveries are prevalent in areas where convenience stores are sited. Most of these deliveries take place over very short time periods and so, on balance, it is considered that disturbance to local residents should be minimal.

5.6 Other Matters

Assessing whether or not a proposal would impact upon the trade of a nearby shop is not a material planning consideration and it is not considered that the cabinet obstructs the entrance to the doorway of no. 14A Kingsway.

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, neither are required.

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 That planning permission is granted.

Background Papers **PT08/1629/F**

Contact Officer: **Will Collins**
Tel. No. **01454 863819**

CIRCULATED SCHEDULE NO. 29/08 – 16 JULY 2008

App No.: PT08/1633/F
Site: 21 Adams Land, Coalpit Heath, South Gloucestershire, BS36 2JT
Proposal: Erection of three storey side extension to form garage with family room and additional bedroom with en-suite over.
Map Ref: 67466 81214
Application Category: Minor

Applicant: Mrs L Motton
Date Reg: 17th June 2008
Parish: Frampton Cotterell Parish Council
Ward: Frampton Cotterell
Target Date: 29th July 2008



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This application appears on the Circulated Schedule following comments from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a three storey side extension. The proposal would provide additional living accommodation and an integral garage.
- 1.2 The application site relates to a three storey end-terrace dwelling, which is situated within a well established area of Coalpit Heath.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: Development within Existing Residential Curtilage
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) August 2008

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection
- 4.2 Local Residents
One letter received from a local resident raising issues regarding disturbance during construction.

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
The application site is adjoined by two dwellings to the north and east (No. 22 Adam Land and No.26 The Causeway) and an area of public open space to the west. The proposed extension would be situated on the west elevation adjacent to the open space. As such, the proposal would not pose an overbearing impact because it would be sited away from any nearby dwelling. Furthermore,

the extension would not include any windows with direct inter-visibility into adjacent dwelling which would harm privacy. Therefore, in view of these features it is considered that the proposal would not adversely impact residential amenity.

5.3 Design and Visual Amenity

The existing dwelling relates to a three storey dwelling which is situated within a modern residential development. The proposed extension comprises of a three storey side extension. The proposal would be approximately 4.2 metres in width and 7.8 metres in depth. The extension would include one dormer window on the front elevation and a Juliet balcony on the rear elevation.

5.4 The proposal would be set back from the front elevation by 0.4 metres and its ridge height would be set down by approximately 0.5 metres. These features would make the proposal appear subservient to existing dwelling, thus respecting the massing, scale and proportions of the existing dwelling. The proposed fenestration and materials would match those of the existing dwelling. Therefore, it is considered that the proposed development would respect the character and appearance of the existing dwelling and the surrounding area.

5.5 Construction

A local resident has raised concerns regarding the disturbance arising from the construction of the proposed extension. Notwithstanding these comments, it is considered that domestic extensions of this type are not uncommon within well established residential areas. Therefore, it is considered to be unreasonable to limit construction in this instance. Nevertheless if a significant disturbance occurs then the Council's Environmental Services department would be able to investigate and, if appropriate, take action to reduce the nuisance to an acceptable level.

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 **PT08/1633/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).