

**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. 17/08

Date to Members: 25/04/08

Member's Deadline: 02/05/08

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 12 noon)**. If there has been no member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule. **Before referring an item to the Committee, Members may wish to speak to an officer about the issue, in order that any problems can perhaps be resolved without the need for referral to a Committee.**

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

CIRCULATED SCHEDULE

DATE: 25/04/08

SCHEDULE NO. 17/08

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

**Dates and Deadlines for Circulated Schedule
over the May Bank Holiday periods 2008**

Schedule Number	Date to Members 12 noon on	Members Deadline 12 noon on
18/08	Thursday 1 May 2008	Friday 9 May 2008
21/08	Thursday 22 May 2008	Friday 30 May 2008

Circulated Schedule 25 April 2008

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK05/1858/FDI	Approve	Land at Carsons Road Kingswood South Gloucestershire	Siston	Siston Parish Council
2	PK05/1885/FDI	Approve	Land at Siston Hill Kingswood South Gloucestershire	Siston	Siston Parish Council
3	PK08/0677/F	Refusal	114-118 North Street Downend South Gloucestershire BS16 5SE	Downend	Downend and Bromley Heath
4	PK08/0704/O	Approve with conditions	Land at 7 Rodway Hill Rd, Mangotsfield, South Gloucestershire, BS16 9JD	Emersons Green	Mangotsfield Rural Parish Council
5	PK08/0777/R3F	Deemed consent	Cadbury Heath Primary School, Lintern Crescent, Warmley, South Gloucestershire, BS30 8GB	Parkwall	Oldland Parish Council
6	PK08/0798/R3F	Deemed consent	St Annes C Of E Primary School, School Road, Oldland Common, South Gloucestershire, BS30 6PH	Oldland Common	Bitton Parish Council
7	PT07/3162/F	Approve with conditions	Almondsbury Football Club Gloucester Road Almondsbury South Gloucestershire BS32 4AA	Almondsbury	Almondsbury Parish Council
8	PT07/3599/F	Approve with conditions	Plot 8010 Govier Way Western Approach Distribution Park Severnside Bristol	Almondsbury	Almondsbury Parish Council
9	PT08/0369/R3F	Deemed consent	Filton High School, New Road, Stoke Gifford, South Gloucestershire, BS34 8QT	Frenchay and Stoke Park	Stoke Gifford Parish Council
10	PT08/0738/F	Approve with conditions	Rivendale, Grange Park, Frenchay, South Gloucestershire, BS16 2SZ	Frenchay and Stoke Park	Winterbourne Parish Council
11	PT08/0781/ADV	Approve with conditions	Tesco Store, Bradley Stoke Way, Bradley Stoke, South Gloucestershire, BS23 8EF	Bradley Stoke Central and Stoke Lodge	Bradley Stoke Town Council
12	PT08/0787/F	Approve with conditions	1 Costers Close, Alveston, South Gloucestershire, BS35 3HZ	Thornbury South and Alveston	Alveston Parish Council
13	PT08/0809/F	Approve with conditions	Ostbridge Barn, Pilning Street, Pilning, South Gloucestershire, BS35 4HN	Severn	Olveston Parish Council
14	PT08/0824/F	Approve with conditions	88 Conygre Grove, Filton, South Gloucestershire, BS34 7HU	Filton	Filton Town Council
15	PT08/0845/CLE	Approve	Poplars Farm, Pilning Street, Pilning, South Gloucestershire, BS35 4HL	Severn	Olveston Parish Council

CIRCULATED SCHEDULE NO. 17/08 – 25 APRIL 2008

App No.:	PK05/1858/FDI	Applicant:	David Wilson Homes (South West) Ltd
Site:	Land at Carsons Road Kingswood Bristol South Gloucestershire	Date Reg:	4th July 2005
Proposal:	Diversion of public footpath PSN/1/30 (following Reserved Matters Planning Approval PK04/3586/RM).	Parish:	Siston Parish Council
Map Ref:	66682 75101	Ward:	Siston
Application Category:	Minor	Target Date:	19th August 2005



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N.T.S

PK05/1858/FDI

The scheme is a diversion of a public right of way and therefore falls to be considered under the current scheme of delegation on the circulated schedule.

1. THE PROPOSAL

- 1.1 Application is made under Section 257 of the Town and Country Planning Act 1990 (as amended) for the permanent diversion of a 47m section of public footpath PSN/1/30, running east-west through the David Wilson Homes development at Bridge Farm, Carsons Road.
- 1.2 The formal diversion is required to regularise the temporary diversion which has been in place for some time. This Right of Way will run through the residential development approved under planning permission no: PK04/3586/F (see planning history below). It is proposed to move PSN/1/30 on a slightly different route to its definitive position so that it takes a course through the development, existing out onto Carson Road slightly south of its current route.

2. POLICY CONTEXT

- 2.1 National Guidance
Circular 2/93: Public Rights of Way

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- | | |
|------|---|
| T12 | Transportation Development Control Policy for New Development |
| LC12 | Recreational Routes |

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/3586/F Erection of 3 blocks of flats (52 units) with associated parking and landscaping. (Approval of Reserved Matters siting, design, external appearance and landscaping) (to be read in conjunction with outline planning permission P98/4979).

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No comments received.

Other Representations

- 4.2 Local Residents
No response

- 4.3 The Ramblers Association
The original objection has now been removed.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The proposal seeks to relocate the route of the footpath so that it follows the internal road layout approved and now constructed at the former Bridge Farm site off Carsons Road, Mangotsfield.

The Public Rights of Way Team have already agreed the route on site, which has been the subject of a temporary diversion order for some time in conjunction with the diversion on the Siston Hill site adjoining (report to be found elsewhere on this schedule).

- 5.2 It is considered that the route of PSN/1/30 will be similar to the definitive route but will pass along the estate roads themselves. There will be no harm to the utility and amenity of the route in the context of the development of the site for housing. It is considered that the proposed diversion will not result in further harm to the amenity of the public right of way and is considered acceptable.

6. RECOMMENDATION

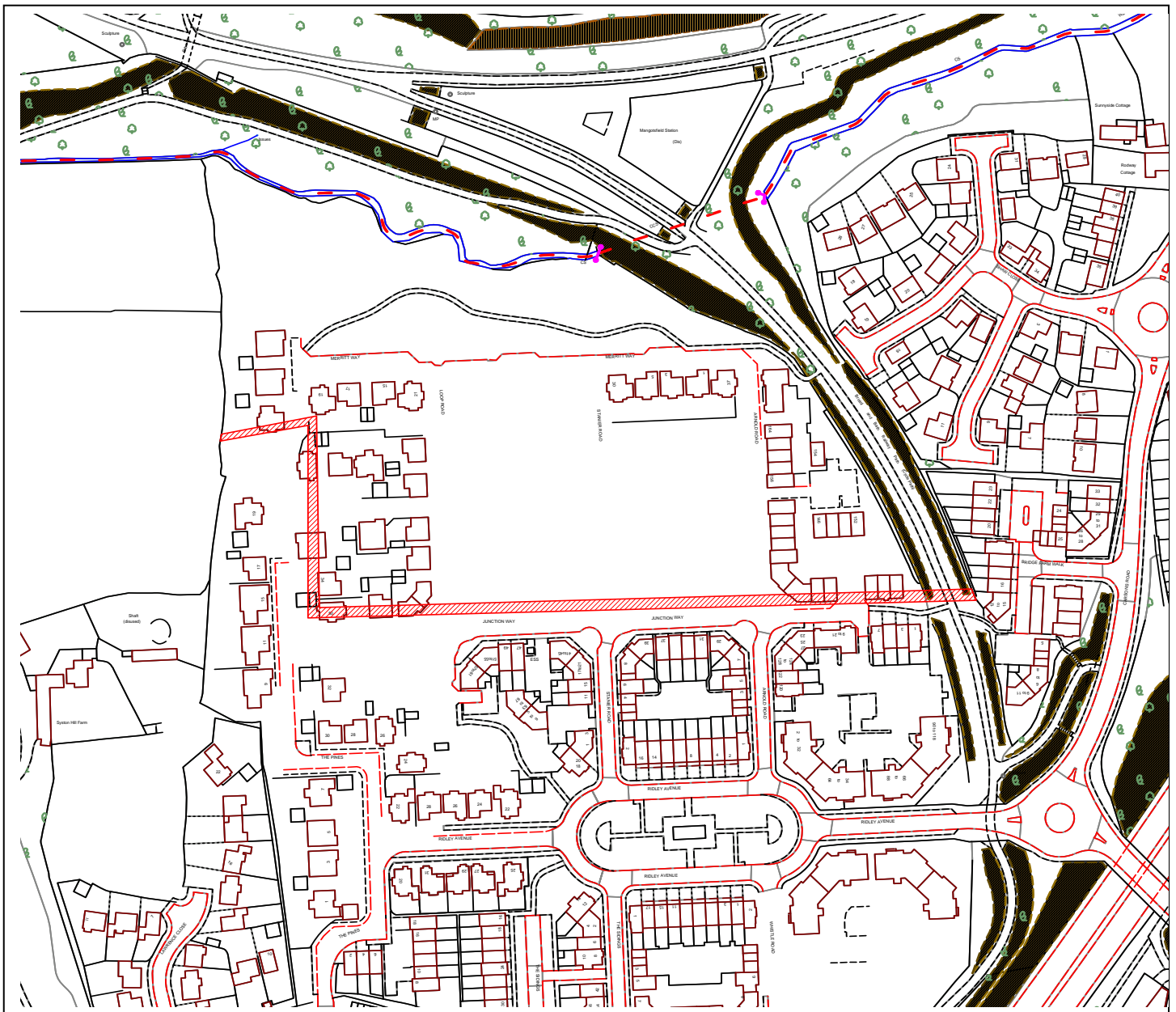
- 6.1 (1) That no objection be raised to the proposed diversion of footpath PSN/1/30.
- (2) That the Head of Legal and Democratic Services be authorised to make an Order Under Section 257 of the Town and Country Planning Act 1990 (as amended).

Background Papers **PK05/1858/FDI**

Contact Officer: **Donna Whinham**
Tel. No. **01454 865204**

CIRCULATED SCHEDULE NO. 17/08 – 25 APRIL 2008

App No.:	PK05/1885/FDI	Applicant:	David Wilson Homes (South West) Ltd
Site:	Land at Siston Hill Kingswood Bristol South Gloucestershire	Date Reg:	5th July 2005
Proposal:	Diversion of public footpath PSN/1/20 (following Reserved Matters Planning Approval PK04/2581/RM).	Parish:	Siston Parish Council
Map Ref:	66511 75148	Ward:	Siston
Application Category:	Minor	Target Date:	19th August 2005



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The scheme is a diversion of a public right of way and therefore falls to be considered under the current scheme of delegation on the circulated schedule.

1. THE PROPOSAL

- 1.1 Application is made under Section 257 of the Town and Country Planning Act 1990 (as amended) for the permanent diversion of a 415m section of public footpath PSN/1/20, running east-west through the Siston Hill development site which is currently under construction to meet the proposed diversion of PSN 1/30 on the adjoining David Wilson Homes development at Bridge Farm, Carsons Road.
- 1.2 The formal diversion is required to regularise the temporary diversion which has been in place for some time. This Right of Way will run through the residential development approved under planning permission no: PK04/2581/RM (see planning history below). It is proposed to move PSN/1/20 on a different route to its definitive position so that it takes a course through the development, although the start and finish points would be broadly similar.

2. POLICY CONTEXT

- 2.1 National Guidance
Circular 2/93: Public Rights of Way

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

T12 Transportation Development Control Policy for New Development
LC12 Recreational Routes

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/2581/RM Erection of 450 no. dwellings with access roads, parking, landscaping, open space provision, siting, design, external appearance and associated works. (Reserved Matters). To be read in conjunction with Outline planning application P98/4880 dated 10th September 2001. Variation of condition 24 to vary the proposed mix of house types.

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No comments received.

Other Representations

- 4.2 Local Residents
No response.

- 4.3 The Ramblers Association
The original objection has now been removed.

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The proposal seeks to relocate the route of the footpath so that it follows the internal road layout approved and now partly constructed at the Siston Hill development site accessed off Carsons Road, Mangotsfield. The Public Rights of Way Team have already agreed the route on site, as part of the residential development which has been the subject of a temporary diversion order for some time.

5.2 It is considered that the route of PSN/1/20 will provide a similar route to the definitive route in that it was enter and exit the site in a similar location. Internally the route will pass along the lit and secure estate roads. There will be no harm to the utility and amenity of the route in the context of the development of the site for housing. It is considered that the proposed diversion will not result in further harm to the amenity of the public right of way and is considered acceptable.

6. **RECOMMENDATION**

6.1 (1) That no objection be raised to the proposed diversion of footpath PSN/1/20.

(2) That the Head of Legal and Democratic Services be authorised to make an Order Under Section 257 of the Town and Country Planning Act 1990 (as amended).

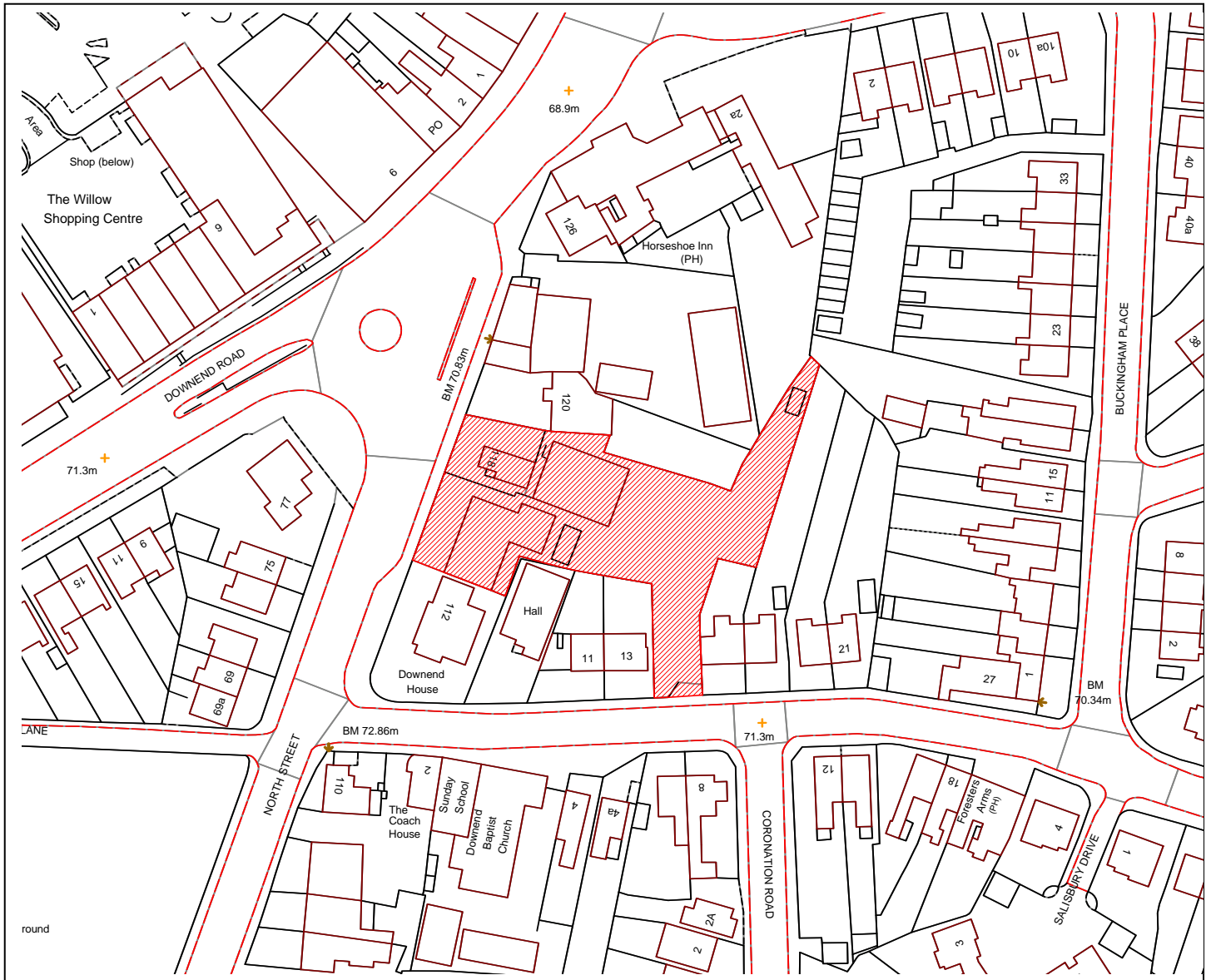
Background Papers **PK05/1885/FDI**

Contact Officer: **Donna Whinham**

Tel. No. **01454 865204**

CIRCULATED SCHEDULE NO. 17/08 – 25 APRIL 2008

App No.:	PK08/0677/F	Applicant:	Miramer Holdings Ltd
Site:	114-118 North Street Downend BRISTOL South Gloucestershire BS16 5SE	Date Reg:	12th March 2008
Proposal:	Demolition of existing dwelling, offices and workshop to facilitate the erection of a 3 storey 50 bedroom care home (Class C2) with associated parking and works. (Resubmission of PK07/3635/F).	Parish:	Downend and Bromley Heath
Map Ref:	65147 76628	Ward:	Downend
Application Category:	Major	Target Date:	4th June 2008



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This application is placed upon the Circulated Schedule as it is a major application.

1. INTRODUCTION

- 1.1 The application relates to a 0.20ha site which fronts onto North Street, Downend; vehicular access is from Salisbury Road with pedestrian access points on North Street as well as via the Salisbury Road access. The site comprises a detached two-storey dwelling house (118 North St.) together with a redundant two-storey office building 114-116 North St.) and various single-storey workshops to the rear. An extensive area of hard-standing lies to the rear of the workshops, which is accessed from Salisbury Road.
- 1.2 It is proposed to demolish all of the buildings on the site and construct a new 50 bedroom Care Home as an 'L' shaped building, comprising two 3-storey blocks. Parking spaces for 19 cars would be located to the rear with the existing access off Salisbury Road being utilised to serve the Care Home. The proposal would also include; the erection of a detached amenity building containing a laundry and staff room, to be located at the far north-eastern corner of the site; a patio/amenity area to the south of the rear wing; refuse store and cycle parking facilities within the driveway and a variety of soft landscaping around the periphery of the site.
- 1.3 The site lies in close proximity to the centre of Downend but the character of the immediate location is one of generally mixed commercial, office and residential uses. The site is bounded to the south-west by 'Downend House' which was formerly the home of the famous cricketer Dr. W.G.Grace; as such this building, which is now in office use, is Grade II Listed. A large Corsican Pine Tree is situated within the grounds of Downend House, close to the application site; this tree is not protected by Tree Preservation Order (TPO) but does have high amenity value which makes a positive contribution to the setting of the listed building. Immediately to the east of Downend house and to the rear is a Church Hall, apart from which the site is bounded by residential properties lying within Salisbury Road and North Street.
- 1.4 A previous application PK05/2243/F for a similar proposal was withdrawn on officer advice in order to give the applicant the opportunity to address a number of officer and local resident concerns.

2. POLICY CONTEXT

2.1 National Guidance

- RSS - The Regional Spatial Strategy (Draft) May 2006
- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPG13 - Transport
- PPG15 - Planning and the Historic Environment

2.2 Development Plans

Joint Replacement Structure Plan

- Policy 1 - Sustainable development objectives.
- Policy 2 - Location of development.
- Policy 3 - Landscape Protection.
- Policy 33 - Housing provision and distribution.
- Policy 34 - Re-use of previously developed land.

South Gloucestershire Local Plan (Adopted) January 2006

- D1 - Design
- L1 - Landscape Protection and Enhancement
- L9 - Species Protection
- L13 - Listed Buildings
- L17 & 18 - The Water Environment
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- EP4 - Noise-sensitive development
- EP6 - Contaminated Land
- T7 - Cycle Parking
- T8 - Parking Standards
- T12 - Transportation Development Control Policy for New Development
- H2 - Proposals for Residential Development, Including Residential Institutions and Special Needs Accommodation, and Applications to Renew Permissions for Residential development, within the Existing Urban Area and Defined Settlement Boundaries.
- H6 - Affordable Housing
- LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
- LC2 - Provision of Education Facilities
- LC4 - Proposals for Educational and Community Facilities within the Existing Urban Area.
- LC13 - Public Art

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov 2005

Elderly Persons Home (Adopted 1992)

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

3. RELEVANT PLANNING HISTORY

There have been numerous applications over the years relating to the existing buildings on this site. The applications most relevant to the current proposal are listed below:

- 3.1 PK02/2973/F - Change of use from (Business) Class (B1) to flats Class C3. Erection of detached garage. Refused 6th Nov 2002 for reasons of lack of amenity space.
- 3.2 PK03/0448/F - Change of use from (light industrial) Class (B1) to residential dwelling Class (C3). Approved 24th March 2003
- 3.3 PK06/2911/O - Erection of 29 Flats (Outline) with siting/layout and means of access to be determined, all other matters reserved. Withdrawn 3rd Jan 2007
- 3.4 PK07/1320/O - Erection of 28 flats for occupation by people over 55 years of age with 1 no. warden unit and 1no communal unit (Outline) All matters to be reserved. (Resubmission of PK06/2911/O) Withdrawn 24th July 2007

- 3.5 PK07/3635/F - Demolition of existing dwelling, offices and workshop to facilitate the erection of a 3 storey 50 bedroom care home (Class C2) with associated parking and works.
Withdrawn 1st Feb 2008

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

No objection

4.2 Other Consultees

4.3 Wessex Water

No objection.

4.4 Avon & Somerset Police Crime Reduction Officer

No comment.

4.5 South Gloucestershire Council Conservation & Design Advisory Panel

- The south-western corner of the proposal would have an overbearing and detrimental effect on the adjoining listed building.
- The gabled dormers are unnecessary and could be omitted by lowering the window head height – which also obviates the need for extra down-pipes.
- No details have been provided for the proposed amenity building.
- Overall this is a better scheme than that previously withdrawn but there are still problems with the north side of the building. Recommend refusal.

4.6 Director of Community Care

The proposed residential Care Home is sited in an area where the population of older people is above the Council average. There is a need for additional care home provision, particularly for specialist care for the elderly mentally ill, to meet the current and future needs of the local community. The availability of local care homes, purpose built to the latest standards set by the Commission for Social Care Inspection, will help the Council, as well as those funding their own care, avoid the need to make care home arrangements outside of the Council area.

Other Representations

4.7 Local Residents

Five letters of objection were received from local residents. The concerns raised are summarised as follows:

- Overdevelopment of site.
- Overbearing impact on neighbouring properties.
- Building would be in advance of building line on North Street.
- The high density of development would exacerbate the traffic problems in the area.
- Loss of mature trees.
- Poor outlook from ground floor windows on north elevation.
- Very little soft landscaping.
- Not in-keeping.
- Loss of privacy by overlooking of nos. 11 and 13 Salisbury Rd and 120 North Street.

- Inadequate parking provision.
- Poor visibility at the access.
- Access too narrow.
- Loss of light to 120 North St.
- Loss of outlook for occupants of 11 Salisbury Rd.
- Light pollution from 3-storey building.
- Noise and disturbance from patio located on southern boundary adjacent to residential dwellings.
- Smell and noise from kitchen.
- Bin store too close to 11 Salisbury Road.
- Existing site used for parking, cars will spill out onto already congested streets.

4.8 Applicant's Supporting Information

The following documents have been submitted in support of the application:

Design and Access Statement

South Gloucestershire Social Services - 'Commissioning Strategy for Social Care Services for Older People'

The key points stated in support are summarised as follows:

- The site is previously developed and is a 'brownfield site'.
- The region has an older than average population profile.
- There is a shortage of provision of accommodation for the elderly in South Gloucestershire.
- The site is in a sustainable location.
- Residential Care Homes require lower levels of on-site car parking than other residential uses.
- There are no features of landscaping that need to be retained.
- The impact of the new building will be minimal. Ridge and gable heights are sympathetic to 'Downend House'. The massing of the building has been reduced.
- The building would provide a safe and secure environment for all occupants.
- All rooms would be adequately sized with windows to habitable areas.
- The building would be constructed to BREEAM standard of 'Very Good'.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the Urban Area and is previously developed land. The site is not a Safeguarded Employment Area and has no special designation in the South Gloucestershire Local Plan (Adopted) 6th January 2006.

5.2 It is considered appropriate to consider this application for a Care Home, as a type of residential development, since the adopted SGLP policies and PPS3 highlight the fact that residential policies are equally applicable to all sectors of the housing market, including specific groups like the elderly.

- 5.3 With regard to the adopted Joint Replacement Structure Plan, Policy 34 states that in making allocations, Councils should give priority to the re-use of previously developed land. Similarly, Policy 33 states that priority will be given to the re-use of previously developed sites *within the urban area*. Furthermore, Policy 2 of the JRSP, the locational strategy aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub regional centres.
- 5.4 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the development of residential institutions 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.

5.5 Issues of Need

The number of elderly people in England (aged 65 & over) is projected to rise by almost 57% between 1995 and 2031. The numbers of very elderly people (aged 85 & over) are projected to rise more rapidly by around 79%. Almost half the growth in overall numbers is expected to occur in the period 2020-2031. Long term care will need to expand by approximately 61% between 1995 – 2031 to keep pace with the rising numbers of elderly people.

Source: ONS 1995 & PSSRU 1999.

The application is supported by the Council's Director of Community Care. The South Gloucestershire Council's Social Services report entitled 'Commissioning Strategy for Social Care Services for Older People' also recognises a severe shortage of provision of suitable accommodation for the provision of Care for the Elderly. Officers therefore acknowledge that there is a demonstrable need for the Care Home proposed.

5.6 Density

There would be 50 units on the 0.20ha site, which equates to a density of 250 units per hectare. This very high figure for the density of the development, to some extent reflects the small size of the individual units within the Care Home. Nevertheless, in order to achieve this level of density on this site the development must be 3-storey. Having considered the size and configuration of the site, and the close proximity of the existing residential dwellings, officers consider that the proposal represents an overdevelopment of the site which is neither compatible with the site, its location or its surroundings, which would be contrary to criterion B of Policy H2. This issue will be discussed further under the residential amenity section of this report.

5.7 Scale and Design

- Consideration must be given as to whether the proposal complies with Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. In particular whether the siting, layout, form, scale, height, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.
- 5.8 The site is currently developed to the north-west as a single detached two-storey dwelling (nos. 118 North Street) fronting onto North Street; to the north of which is Turnpike Cottage, a locally listed dwelling. To the south of no.118 is a 7m high two-storey red brick office building i.e. nos. 114-116 North Street, the design and form of which is quite anomalous within the street scene. To the rear of nos.114 -118 are a variety of single storey workshops. To the south of nos.114-116 is the Grade II Listed Downend House, which is a substantial three-storey former dwelling house, 10.4m in height and now used as office accommodation. This building currently forms the most dominant element within this street scene. To the rear of Downend House and fronting onto Salisbury Road is a Church Hall, which is a single storey construction of somewhat utilitarian appearance. To the east of the Church Hall are two-storey semi-detached dwelling-houses, the gardens of which bound the application site and are enclosed by high fences. These dwellings are unremarkable in appearance.
- 5.9 Officers have considered the proposal in the context of the local architectural vernacular, which is sub-urban in character and exhibiting no strong local distinctiveness supported by any supplementary planning documents. The street scene along this section of North Street exhibits a mix of architectural style, scale, form and age. The proposed Care Home would be similar in height and form to Downend House. Officers consider that the proposed Care Home building would exhibit some aesthetic qualities that are superior to the existing office/residential units on the site and that in general design terms, this outweighs any loss of character that may result from the increased mass of the building when viewed from North Street. Any projections of the proposed building beyond the established building line on North Street would be relatively small (2m) and are not considered to be significant. A separate assessment of the impact of the proposal on the setting of the Grade II Listed 'Downend House' is made in the Conservation section below.
- 5.10 To the rear of the North Street frontage the existing single storey elements with low roof pitches would be replaced by the three-storey Care Homes' east wing, extending some 25m-27m into the site to a width of 14m. This would represent a significant increase in the mass, scale and footprint of built development within this back-land location, which is not considered to be in-keeping with the context of the existing built form and would therefore represent an overdevelopment of the site.
- 5.11 Notwithstanding its excessive size, the external appearance of the proposed Care Home has however been designed to reflect the context of the area through the use of neutral materials. Stone wall features combined with off white render, natural slate roof tiles, all take reference from other dwellings in the area. Vertical elements break the horizontal at the gable ends and entrance facades. Windows and doors would be untreated timber, combined with re-constituted stone cills, lintels and string course. Rainwater goods would be colour coated aluminium. In terms of its external detailing the proposed building is therefore considered to be acceptable.

The building would also be constructed to a BREEAM standard of 'Very Good' or Level 3 of the Code for Sustainable Homes.

5.12 Conservation Issues

Downend House Circa C18/C19 lies adjacent to the southern boundary of the site. The building was the birth place of the famous cricketer W.G.Grace, born at Downend House on the 18th July 1848 and as such the house is Grade II Listed. The boundary walls are also likely to be curtilage listed but these are to be retained.

5.13 Downend House has been altered in recent years and modern development has occurred in close proximity to the listed building. Both of these changes have had a detrimental impact on the historic interest of the building and its setting. Nevertheless, officers consider that the setting of the listed building should still be protected and any further inappropriate development in close proximity to Downend House would be detrimental to what remains of the historic setting of the building. This view is considered to accord with the advice given in PPG15 – 'Planning and the Historic Environment' as well as Policy L13 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

5.14 Whilst officers acknowledge that the buildings to be demolished are of no architectural or historic interest, they are subservient to Downend House in terms of height and massing. The proposed three-storey 50 bed Care Home would be significantly bigger than the buildings it would replace, both in terms of height, massing and overall foot-print. Although the proposed building would be slightly lower than Downend House (with the exception of the projecting gables which are higher than the ridge of the principal roof), there would be only a 2m gap between the two buildings. Officers therefore conclude that the scale of the proposed building with no height variation and very little gap between it and the listed building, would result in an adverse impact on the setting of the listed building.

5.15 Impact Upon Residential Amenities

Members must consider whether or not the proposal would result in a significant adverse impact on the amenities of local residents. In particular the matters to consider will be the level of disturbance caused by the proposed uses compared to those of the existing use of the site; and issues of overlooking, loss of privacy and overbearing impact.

5.16 As regards the future occupiers of the site, landscaped garden/amenity areas would be situated on three sides of the Care Home. The areas to the north and south of the east wing would be enclosed by 1.8m high fences which together with the proposed new planting scheme, would give a sense of enclosure and privacy. A patio area would be located on the southern boundary of the site next to the Church Hall and residential garden of No.11 Salisbury Road. Given the age and likely medical condition of the Care Home residents, it is considered most unlikely that there would be any significant levels of noise or disturbance emanating from these amenity areas. Whilst some disturbance may be experienced from the general activities associated with the proposed Care Home, this is not likely to be any greater than would be generated by the existing potential commercial uses of the site.

- 5.17 Traffic generation from the Care Home is likely to be lower than the existing commercial uses because the future occupiers would be unlikely to drive (see transportation comments). Furthermore the number of HGV movements to the site is likely to be less. Car parking would for most part be retained to the rear of the site, which is similar to the existing situation. On balance therefore there is unlikely to be any significant additional disturbance from traffic movements over and above those that would be generated by the extant use of the site.
- 5.18 In terms of loss of privacy from overlooking or inter-visibility between facing habitable room windows; the Council's Supplementary Planning Guidance has traditionally required a minimum distance of 21m between facing habitable room windows. The only properties that are likely to be affected by overlooking from the Care Home are those along Salisbury Drive and the garden of no.120 North Street. Directly to the east of the site the gardens and windows of houses in Buckingham Place are significantly more than 21m away and would not be adversely affected.
- 5.19 In response to officer concerns about the likely loss of privacy from overlooking to the north and south of the east wing, the applicants revised the scheme to provide angled bay windows on these elevations, as well as moving the east wing further away from the northern boundary of the site. Whilst these revisions have to some extent alleviated the problem, officers still consider that due to the height (10-11m), number of windows, and close proximity of the east wing to the gardens of the nearest residential properties to the north (4-5m) and south (3.2-7.0m), there would still be a significant loss of privacy. Whilst there are no windows in the southern side elevation of Turnpike Cottage or the northern elevation of the Church Hall to the south, the proximity of the 3-storey east wing to the adjacent gardens would also have a significant overbearing impact, which is a direct result of the overdevelopment of the site. Whilst the rear elevation of the Care Homes' west wing would be only 4m from the side windows of the adjacent Church Hall, this would be a similar (4.4m) distance as the existing building is from these windows.
- 5.20 Whilst there would inevitably be some disturbance during the demolition and construction phase, this would be on a temporary basis only; furthermore disturbance during the development phase could in some way be mitigated for by the imposition of a condition to control the hours of working. The work would also be the subject of the normal Environmental Health legislation. Concerns about light pollution can be addressed by a condition to control any proposed external lighting.
- 5.21 On balance therefore the proposal is considered to have a significant adverse impact on residential amenity.
- 5.22 Transportation Issues
Consideration must be given to the parking and access provision. Car parking provision should comply with the Council's maximum parking standards laid out in Policy T8 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 and the scheme is required to satisfy the highway development control Policy T12. The site is currently redundant so any casual car parking that currently takes place within the site is likely to be unauthorised. The loss of such parking is not therefore justification for refusal of planning permission.

- 5.23 There would be 22 employees working at the Care Home on a shift basis. The proposed parking provision is 19 spaces, which officers are satisfied complies with the SGC maximum parking standards i.e. 1 space per 6 bed spaces plus 1 space per 2 staff. It has also been demonstrated that an ambulance can turn within the site.
- 5.24 Traffic generation from Care Homes tends to be low and compared to the existing commercial uses on the site the Care Home would generate less traffic for the simple reason that future occupiers would be unlikely to drive. Care Homes are very much community uses catering for local needs. Staffing would likely be on a shift pattern (3 shifts per day) and the majority of staff are likely to be local. The site is close to the centre of Downend and public transport provision in the area is considered to be very good.
- 5.25 The existing access would be utilised and the proposed visibility splay is considered to be acceptable. The bin storage facility would be located adjacent to the access for easy collection. Two areas of cycle parking would be provided.
- 5.26 The applicant has indicated a willingness to make a £5,000 contribution towards improved access to public transport facilities for the disabled, within the vicinity of the site; this can be secured by an appropriate legal agreement. Subject therefore to the legal agreement plus conditions to secure the proposed car parking facilities; cycle storage; turning area and bin store; there are no highway objections.
- 5.27 Landscape Issues
Policy L1 seeks to conserve and enhance the character, distinctiveness, quality and amenity of the landscape. Consideration must be given to whether or not there would be any significant loss of vegetation or features of the landscape and whether or not the proposed landscaping sufficiently mitigates for any loss.
- 5.28 There is no significant vegetation within the site itself. There is however a large mature Corsican Pine tree growing within the grounds of Downend House close to the south-western boundary of the application site. This tree is prominent within the street scene and has a high amenity value but is not protected by TPO. The tree overhangs the development site and warrants the provision of a Tree Protection Plan (TPP) and an Arboricultural Method Statement (AMS). These documents will show the steps to be taken to ensure that this tree is safeguarded throughout the development phase. The submitted planting details are indicative only but subject to the submission of a full landscape scheme including a TPP and AMS for the Corsican Pine, which can be secured by condition, there is no in principle objection to the proposal in landscaping terms.
- 5.29 Drainage
PPS25 and Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, require that proposed development ensures that foul and surface water disposal arrangements are acceptable and incorporate sustainable drainage principles. In addition, development will not be permitted where it could increase the risk of flooding. The Council's Drainage Engineer has raised no objections to the principle of the development. The proposal would also be the subject of building regulation approval. Subject therefore, to the standard drainage condition and a condition to secure a mining report; there are no objections on drainage grounds.

- 5.30 Environmental Issues
Policy EP1 does not permit development that would unacceptably harm the environment, or the health, safety and amenity of users of the site or surrounding land, as a result of pollution to water, air or soil, or through noise, vibration, light, heat or radiation.
- 5.31 Due to the sites' previous industrial uses a condition to secure a contamination survey is required. Subject to other standard conditions and informatives the Council's Environmental Health Officer raises no objection to the principle of the proposal.
- 5.32 Ecology
There are no known reasons why the application should be refused on ecological grounds.
- 5.33 Education
Since the application is for a Care Home for elderly people there are no requirements for contributions towards education facilities within the locality.
- 5.34 Affordable Housing
There is no affordable housing requirement for this Care Home proposal.
- 5.36 Community Services
A total contribution of £11,350.00 towards the provision and maintenance of off-site informal open space is required. The enhancements are to be carried out within 2km of the site, most likely at Page Park which is only 400m from the site. A contribution of £3,002.00 is also required towards the enhancement of the services provided at Downend Library. A contribution of 1% of the development costs towards the provision or commission of publicly accessible art, craft and design works is also requested.
- 5.37 Design and Access Statement
The Design and Access Statement submitted with the application is not considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.

6. CONCLUSION

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

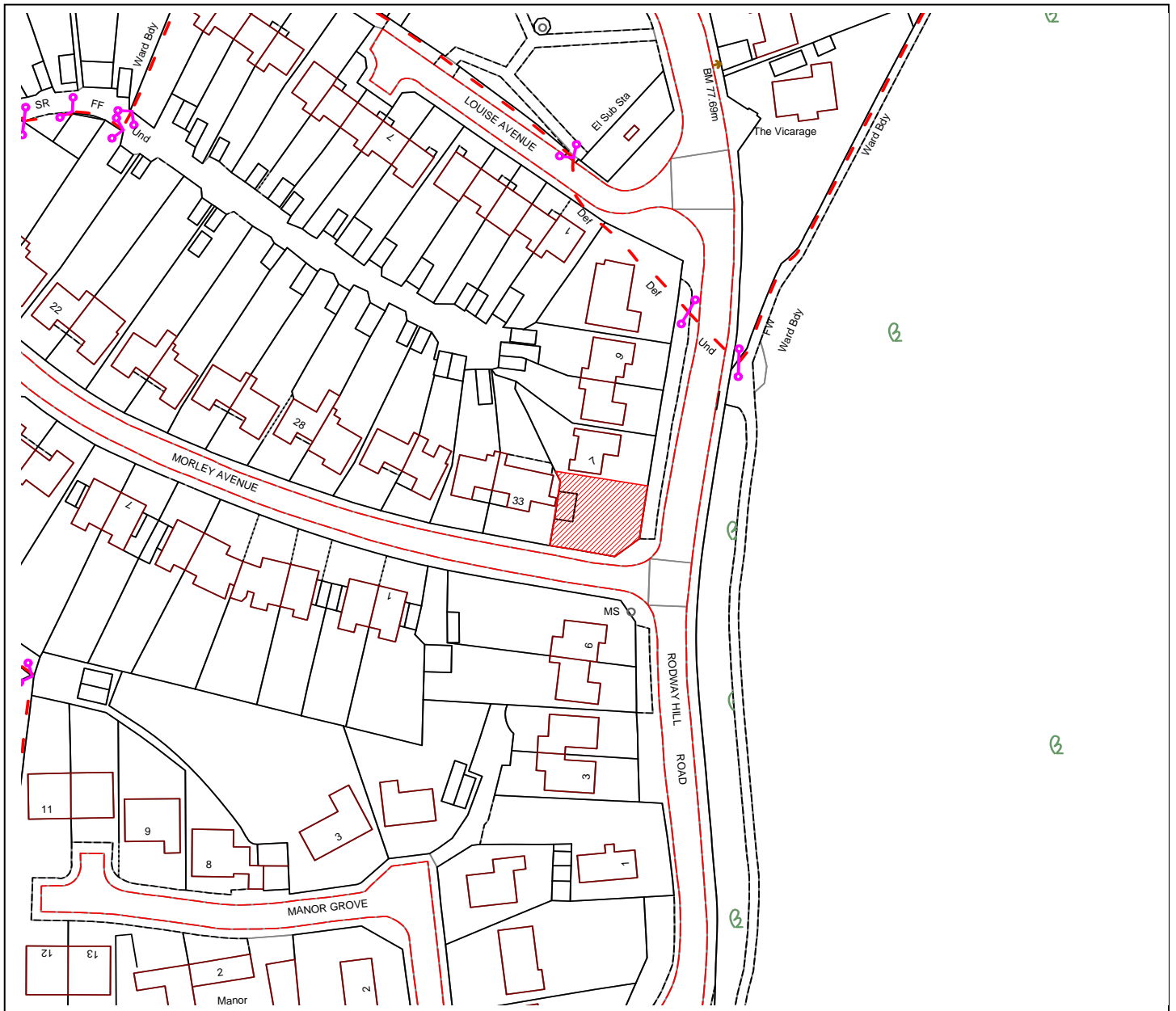
Contact Officer: **Roger Hemming**
Tel. No. **01454 863537**

REFUSAL REASONS

1. The high density of the proposed development would result in a building of excessive height, scale and massing, which would not be compatible with the sites location, character, amenity or surroundings. As such the proposal would result in an over-development of the site which would be contrary to Policies D1 and H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the South Gloucestershire Design Check List SPD (Adopted) 23rd August 2007.
2. The proposed development by reason of its position, mass and height would have an overbearing effect on the occupiers of the adjoining residential properties, which would be to the detriment of residential amenity and would also be contrary to Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
3. The proposed first and second floor windows in the north and south elevations of the proposed Care Homes' east wing, would by virtue of their position and relationship to the adjoining residential properties, adversely affect the amenities of adjoining occupiers by reducing existing levels of privacy and creating a problem of overlooking. The proposal is therefore contrary to Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
4. A building of the height and mass proposed, in such close proximity to 'Downend House', a Grade II Listed building, would fail to preserve the setting of the listed building, contrary to Policy L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
5. In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions towards mitigating the under-provision of public open space in the development; the demand placed on the library service, and provision of public art, the proposal would be contrary to Policies LC8, LC01 LC13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
6. In the absence of a Section 106 Agreement or Unilateral Undertaking to secure the provision of appropriate public transportation infrastructure works, the proposal would be contrary to policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 17/08 – 25 APRIL 2008

App No.:	PK08/0704/O	Applicant:	Mr P Bracey
Site:	Land at 7 Rodway Hill Road, Mangotsfield, South Gloucestershire, BS16 9JD	Date Reg:	17th March 2008
Proposal:	Erection of 1 no. detached dwelling (Outline) with layout and access to be determined. All other matters reserved.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	66420 75949	Ward:	Emersons Green
Application Category:	Minor	Target Date:	7th May 2008



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PK08/0704/O

INTRODUCTION

This application is reported on the Circulated Schedule due to the receipt of neighbour objections.

1. THE PROPOSAL

- 1.1 This application seeks outline planning permission for the erection of a dwelling, disclosing at this stage the layout and the means of access for the proposal, as well as for the residual house. The site comprises the front and side garden of No. 7, which itself fronts onto Rodway Hill Road, but achieves its vehicular access from Morley Avenue. A dense tree screen onto Rodway Hill Road prevents views into the site from the front and this screen wraps around to the side of the site to a limited extent, making the front garden relatively secluded. The proposal would leave No. 7 with its own front and rear gardens. The proposed dwelling would stand next to No. 7, on the corner of the built form, respecting the building lines of both Rodway Hill Road and Morley Avenue. Both roads have two storey regular development, generally in semi detached form.
- 1.2 The vehicular access for both the proposed and residual dwellings would be from Morley Road. The proposed dwelling would only possess amenity space to the front and side of the house. The Design and Access Statement points out that a house of a similar height to the existing could be constructed on this site. The scale parameters set out for the proposed dwelling reflect this.
- 1.3 Both the residual house and No. 33 Morley Avenue have first floor windows facing the site, however one is a secondary window for a bedroom/ office and the other lights the stairs in the residual house, therefore neither are primary windows serving habitable rooms.
- 1.4 The plans originally showed the provision of a garage to be used by No. 7, but a requested amendment was received and this garage has now been deleted, creating a wider gap between the proposed dwelling and No. 33 Morley Avenue. This gap would be used for tandem car parking in association with No. 7 and this area has therefore been taken out of the application site. Being within the same landownership, however, conditions can still be applied which relate to car parking for the residual house.

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 |
| H4 | Development within residential curtilages |
| T7 | Cycle Parking |
| T8 | Parking standards |
| T12 | Transportation |

2.3 Supplementary Planning Guidance
Design Check List (adopted 2007)

3. **RELEVANT PLANNING HISTORY**

3.1 None

4. **CONSULTATION RESPONSES**

4.1 Mangotsfield Rural Parish Council
Approve

4.2 Other Consultees
Transportation

The proposal is for the construction of one dwelling on the land adjoining to no.7 Rodway Hill Road. The existing vehicular access to no.7 Rodway Hill Road is via Morley Avenue, which is a cul-de-sac serving some 33 residential dwellings. The existing vehicular access will remain in place but it would be slightly widened to also allow access for the new dwelling.

In respect of parking, it is proposed to provide parking for both properties. Two parking spaces can be provided for the existing dwelling and one parking space plus a garage were originally proposed for the existing one, although the garage has now been removed from the scheme and replaced with an open parking space in tandem arrangement with the other parking space for the host dwelling. The suggested level of parking is in line with the Council's parking standards.

Some local concerns have been expressed about road safety and parking issues relating to this development. In this respect, it must be noted that the development proposal is for one new dwelling. Total daily traffic associated with such development is estimated to be in the order of 6 to 8 movements per day. During the highway network peak hour, this development would result in one additional vehicle on the highway network and that is not considered to make a significant difference to the existing situation.

Access from Morley Avenue would remain, although it would be widened slightly and that off-street parking would be provided for both properties in line with the Council parking policy.

In view of all the above therefore, there are no highway objections subject to the following conditions:

- 1) Vehicular access for both the existing and new dwellings would be from Morley Avenue. There shall be no direct vehicular access by any of these dwellings onto Roadway Hill Road.
- 2) All highway works relating to widening of vehicular access from Morley Avenue shall be carried out to full and final satisfaction of the Council's Street-Care Manager.
- 3) Prior to occupation of new dwelling on the site, provide parking for the existing and proposed dwelling in accordance with the approved plans.

Advisory note

Internal dimensions of any new garages on the site shall be 6m by 3m and that also allows for bike storage.

Technical Services

No objection in principle, subject to the inclusion of a condition requiring the submission of drainage details informed by sustainable drainage principles.

Other Representations

4.3 Local Residents

12 letters of objection to the proposal were received, citing the following concerns:

- * Morley Avenue is a busy street with very limited on street parking and also provides access to garages for people living in other streets
- * Highway safety issues due to proximity of proposed access with the junction
- * Morley Avenue is used for parking in order to pick children up for school. Parking restrictions are ignored
- * If planning permission is approved, other properties with larger than average gardens will apply for similar development
- * Loss of privacy in habitable room
- * This application is a case of 'garden grabbing'
- * The development will make the site overcrowded/ cramped
- * The access to the site has been widened recently, without planning permission
- * No indication on the plans of where the residual house will have its parking
- * Any property built on this site needs to be sympathetic to the surrounding properties

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The site lies within the urban area and, as an existing garden is classified as a brownfield site. The proposal is therefore acceptable in principle, subject to the following analysis, based on the information disclosed at this outline stage and other relevant matters.

5.2 Density of Development

The minimum density requirement set out in PPS3 and the Local Plan is 30 dwellings per hectare. The site measures 0.0263, as declared on the application form. The proposed development would therefore have a density of approximately 40 d.p.h, which meets the requirement. It is therefore considered that the density of this proposal is acceptable for this suburban location. Given the constraints of the site, analysed below, it is considered that a higher density would be neither appropriate or likely to be achieved.

5.3 Layout and Design

The proposed layout of the site has been informed by the existing front building lines in the two roads to which the dwelling would be expected to make a contribution. Parking for the residual house is indicated as located discreetly to the side of the proposed dwelling, accessed from Morley Avenue. Parking for the proposal would take the form of an integral garage, again accessed from Morley Avenue. The proposed layout effectively precludes the opportunity to provide any amenity space to the rear of the site. This issue is examined below.

The footprint of the proposed dwelling replicates the dimensions of the projecting element of No. 7, facing in the same, easterly, direction, while the main body of the house would face south to Morley Avenue. This suggests the opportunity to design a dwelling with proportions sympathetic to both street scenes. It is considered that the mass of the dwelling, in the proposed location, would obscure the fact that it did not possess a rear garden. While this is somewhat incongruous in terms of the established pattern of development, policy H4 requires adequate amenity space and does not specify where it should be located in relation to the dwelling it serves. It is considered, in this instance, that the lack of a rear garden, while not strictly reflecting the established urban form, would not be harmful to visual amenity and, in the context of the overall proposal, would conform with policy in this regard.

5.4 Access and Transportation Issues

The detailed highway comments appear above. It is noted that the traffic generation caused by this proposal, at a single dwelling, will be minimal in terms of the existing situation. Off street parking for both the proposed and the residual houses is shown as being provided at a level which meets the Council's standards. The development would continue to use an existing access, which although it is in fairly close proximity to the junction with Rodway Hill Road, is established. The proposal is therefore considered to comply with policy in respect of transportation. NB. The second condition suggested by Transportation is unimplementable and therefore does not appear below.

5.5 Effect on Residential Amenity

There are three issues to consider in the assessment of the effect of the proposal on residential amenity: The amount of amenity space for the residual and proposed dwellings, the effect of the proposal on neighbouring dwellings and the effect of the parking area for No. 7 in close proximity of the proposed dwelling. These issues will be analysed in that order:

No. 7 would be left with both front and rear gardens under this proposal. The size of these conforms approximately with the garden areas of other houses in the vicinity and is considered adequate to serve the occupiers. The proposed dwelling would have a smaller curtilage than this, at around 120 square metres, excluding car parking. This too is considered to be an adequate amount of space to serve future occupiers of the dwelling. While it would all be front garden and therefore not particularly private, there is a material consideration to take into account. That is the level of screening of the front garden in the form of trees and bushes, which is considered to effectively create privacy for the users. Taking this into account, it is considered that the amenity space proposed is of an adequate quality, commensurate with most back gardens. In order to preserve this situation, a condition has been recommended below to maintain the present level of screening.

The proposed dwelling would be in close proximity to both No. 7 and No. 33. It would however not project beyond their front or rear building lines and therefore it is not considered that there would be any overbearing impact from the proposal. It would also be in close proximity to first floor windows in both properties, but since these do not serve habitable rooms, it is considered that the proposal would not have any harmful impact on the residential amenity of either property.

The proposal would involve the location of a parking area for No. 7 abutting the proposed house. Following the receipt of an amended plan, a link between this area and the curtilage of No. 7 has been formed. It is considered that the proposed parking space would not have any detrimental impact on the residential amenity of the new dwelling, which should not have any windows overlooking the adjoining gardens to the rear of the site. This issue should be addressed in the application for reserved matters, when the final design and appearance of the building would be addressed. For now, a condition requiring the submission of boundary treatments, is required as shown below. It is considered that this is appropriate as a measure to ensure the continued security of the rear gardens of No. 33 and No. 7.

5.6 Reserved Matters

Under this proposal, the design/ appearance, scale and landscaping of the site would be dealt with as reserved matters in a subsequent application. It would be expected that such an application would not have habitable room windows facing the blank side walls of the residual house or No. 33 Morley Avenue or No. 7 Rodway Hill Road. The design will be expected to replicate the nearby dwellings in order to compliment the existing street scenes. This may well result in a building with two fronts, facing east and south, but no windows on the other elevations. It is considered that this also gives the opportunity to maximise solar gain for the new dwelling, making it more sustainable in energy consumption terms.

5.7 Other issues

The Design and Access Statement submitted with the application states that the proposed dwelling can be similar to No. 7 Rodway Hill Road in eaves and ridge heights. Little further detail is given, but it is considered that the design, with the same footprint as No. 7 and the same ridge and eaves heights, could replicate that dwelling in other respects.

5.8 Design and Access Statement

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

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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 planning permission is approved, subject to the conditions shown below.

Background Papers PK08/0704/O

Contact Officer: **Chris Gosling**
Tel. No. **01454 863787**

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

5. There shall be no direct vehicular access to No. 7 Rodway Hill Road or the proposed dwelling from Roadway Hill Road.

Reason

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

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

Reason

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

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

Reason

To protect the privacy, security and amenity of the rear gardens of No. 33 Morley Avenue and No.7 Rodway Hill Road and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

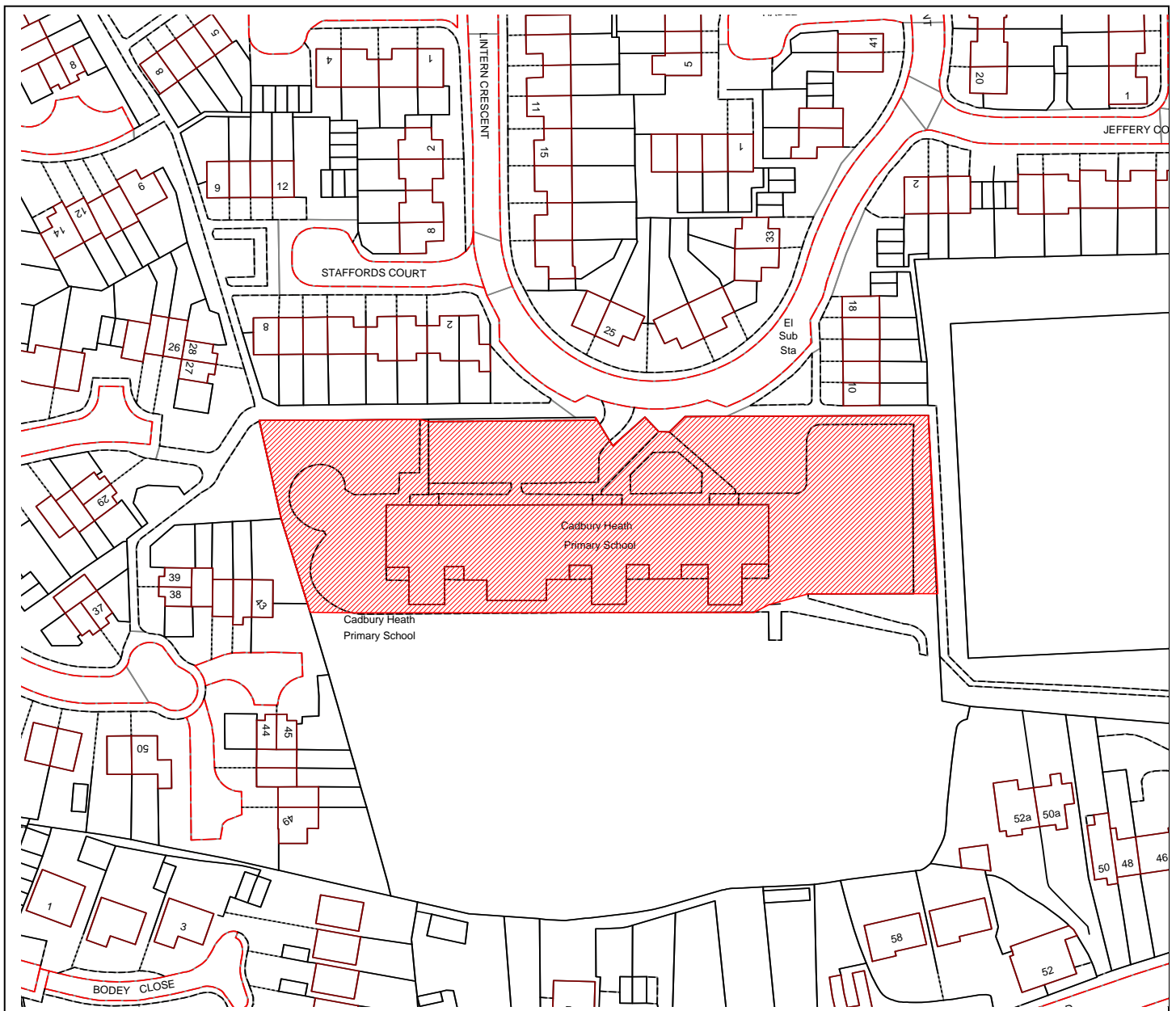
8. The hedgerow along the site's road frontages shall be retained unless the Local Planning Authority gives consent in writing to any variation.

Reason

To protect the amenities of the future occupiers of the proposed dwellinghouse and protect the visual amenity of the locality and to accord with Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 17/08 – 25 APRIL 2008

App No.:	PK08/0777/R3F	Applicant:	Cadbury Heath Primary School
Site:	Cadbury Heath Primary School, Lintern Crescent, Warmley, South Gloucestershire, BS30 8GB	Date Reg:	25th March 2008
Proposal:	Erection of 3no. cycle storage shelters. (2no. Retrospective).	Parish:	Oldland Parish Council
Map Ref:	66527 72576	Ward:	Parkwall
Application Category:	Minor	Target Date:	12th May 2008



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100023410, 2008.

N.T.S

PK08/0777/R3F

INTRODUCTION

This application appears on the Circulated Schedule in accordance with Council procedure as this is a Regulation 3 application – the application is on land within the ownership of South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of 3 No. cycle stores within the grounds of the Primary School. 2 of the cycles stores are already in place and thus part of the application is retrospective. The application states that the cycle stores are required as part of the 'Bike It' project and school travel plan.
- 1.2 The larger 2 of the proposed sheds would be located to the front of the school adjacent to the playground towards the eastern side of the building. The smallest of the 3 shelters would also be to the front of the building but would be to the western side of the front elevation.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
T7 Cycle Parking
T12 Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

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

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
No Response received

Other Representations

- 4.2 Local Residents
None Received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policies D1, T7 and T12 the South Gloucestershire Local Plan (Adopted) January 2006 are relevant to this planning application. Policy D1 seeks to ensure that the designs of the shelters are appropriate and sympathetic for their setting. Policies T7 and T12 seek to ensure that adequate cycle storage is provided and that the development will not have any adverse impact upon existing levels of highway safety.

5.2 Design

All three of the shelters are to be made of metal frames with curved clear plastic sides and rears. Lockers are installed above the cycle racks to allow for the stowage of cycle helmets. The metal frames of the cycle racks are finished green – the same colour as the palisade fencing currently around the school grounds. Because of the fact that the bulk of the structures are made of clear plastic, they have minimal impact on the visual amenity of the surrounding area. Whilst the structures are and will be clearly visible from the adjacent public footpath, they are entirely appropriate and in keeping with their setting within the grounds of a school.

5.3 Transportation

Clearly the provision of additional cycle storage is beneficial. The current cycle storage provision at the school is below the minimum standards as set out in Policy T7 and the provision of these extra shelters will help to meet these standards. The school is part of the 'Bike It' project organised by South Gloucestershire Council and Sustrans trying to encourage more children to cycle to school. Clearly if more children are cycling to school extra provision need to be made for the safe storage of bicycles and helmets. There are no objections to the proposals in highway terms and the application is supported.

5.4 Design and Access Statement

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

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be approved subject to the following conditions;

Background Papers **PK08/0777/R3F**

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

CONDITIONS

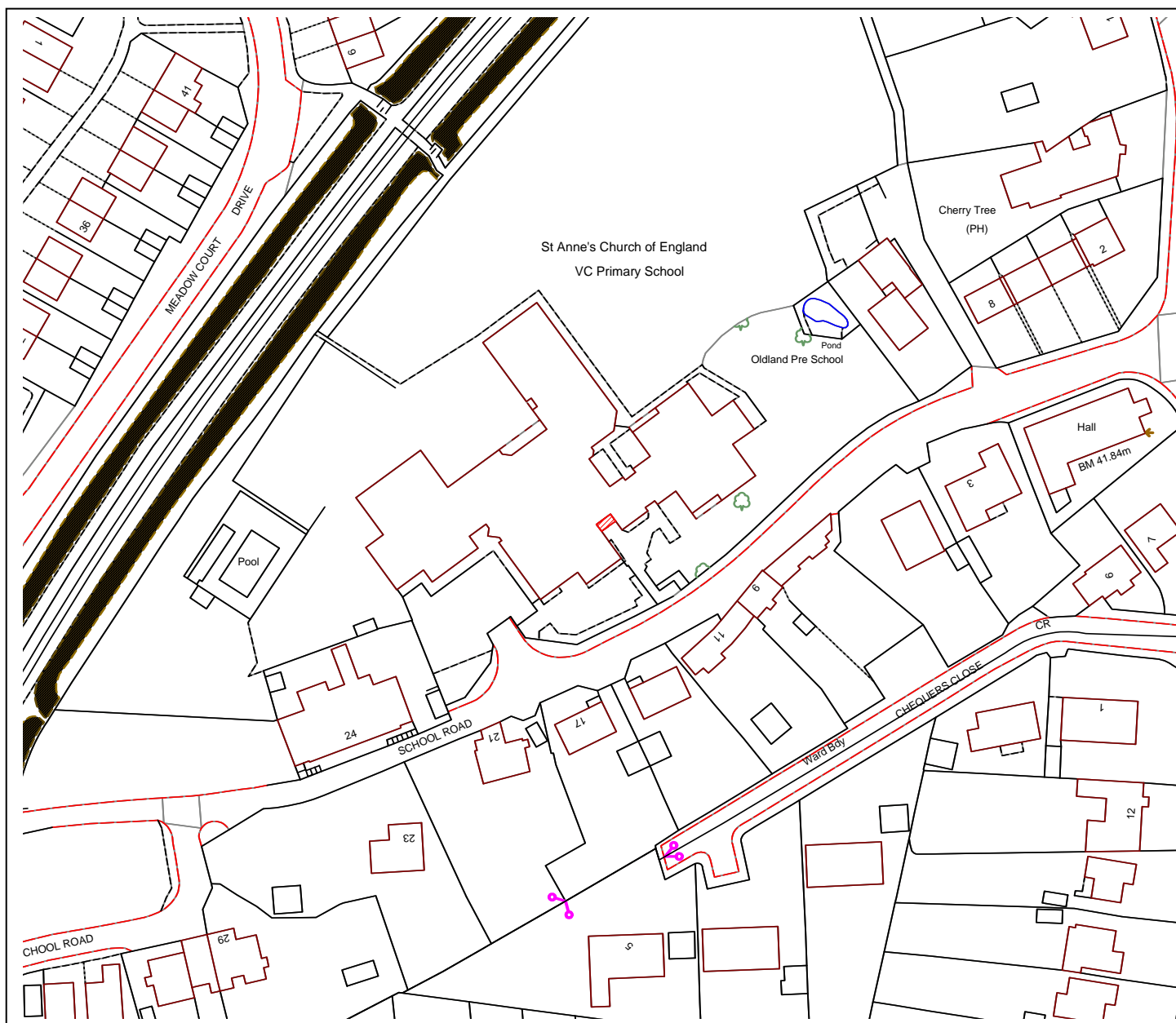
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 17/08 – 25 APRIL 2008

App No.:	PK08/0798/R3F	Applicant:	Mr S Quinn
Site:	St Annes C Of E Primary School, School Road, Oldland Common, South Gloucestershire, BS30 6PH	Date Reg:	26th March 2008
Proposal:	Erection of single storey extension to front elevation to form entrance lobby.	Parish:	Bitton Parish Council
Map Ref:	67204 71169	Ward:	Oldland Common
Application Category:	Minor	Target Date:	6th May 2008



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N.T.S

PK08/0798/R3F

INTRODUCTION

This application is reported on the Circulated Schedule as it has been submitted by the Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a glass front porch/ entrance area for the school. This would sit in front of the existing entrance, which is covered only by the overhanging roof of the building, between two elements of this single storey building of brick and render.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
LC4 Development to educational facilities
- 2.3 Supplementary Planning Guidance
Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 Nothing of relevance to this proposal.

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No objection
- 4.2 Other Consultees
Transportation
This development would not affect pedestrian or vehicle movement to the school – no objection.

Other Representations

- 4.3 Local Residents
No replies received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
This application stands to be assessed against the policies listed above, in the light of all material considerations. Since the development amounts to little more than the infilling of a glass porch between two existing classrooms, the only issue to be resolved is the design of the proposal.
- 5.2 Design/ Visual Amenity
As described above, the proposed location for the new entrance to the school is constricted. It would be attached to three solid sides and effectively bring forward the existing glass doors by some 2.3 metres beyond the projection of

the overhanging roof. This projection would have a glazed roof. The visual impact of the proposal would therefore be felt only at the front of the building. While it is considered that the proposal would function better than the existing arrangement and visually enhance the school frontage, it is noted that this benefit to the street scene would be somewhat curtailed by the school's boundary fence at the front of the site. It is considered that the proposal complies with policy.

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

7. RECOMMENDATION

7.1 That planning permission is approved, subject to the condition shown below.

Background Papers **PK08/0798/R3F**

Contact Officer: **Chris Gosling**
Tel. No. **01454 863787**

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 17/08 – 25 APRIL 2008

App No.: PT07/3162/F

Applicant: Almondsbury
Football ClubSite: Almondsbury Football Club
Gloucester Road Almondsbury
South Gloucestershire BS32 4AA

Date Reg: 24th October 2007

Proposal: Importation of inert sub soils to raise
existing level of football pitch area.
Installation of new drainage system and
formation of new pitchParish: Almondsbury Parish
Council

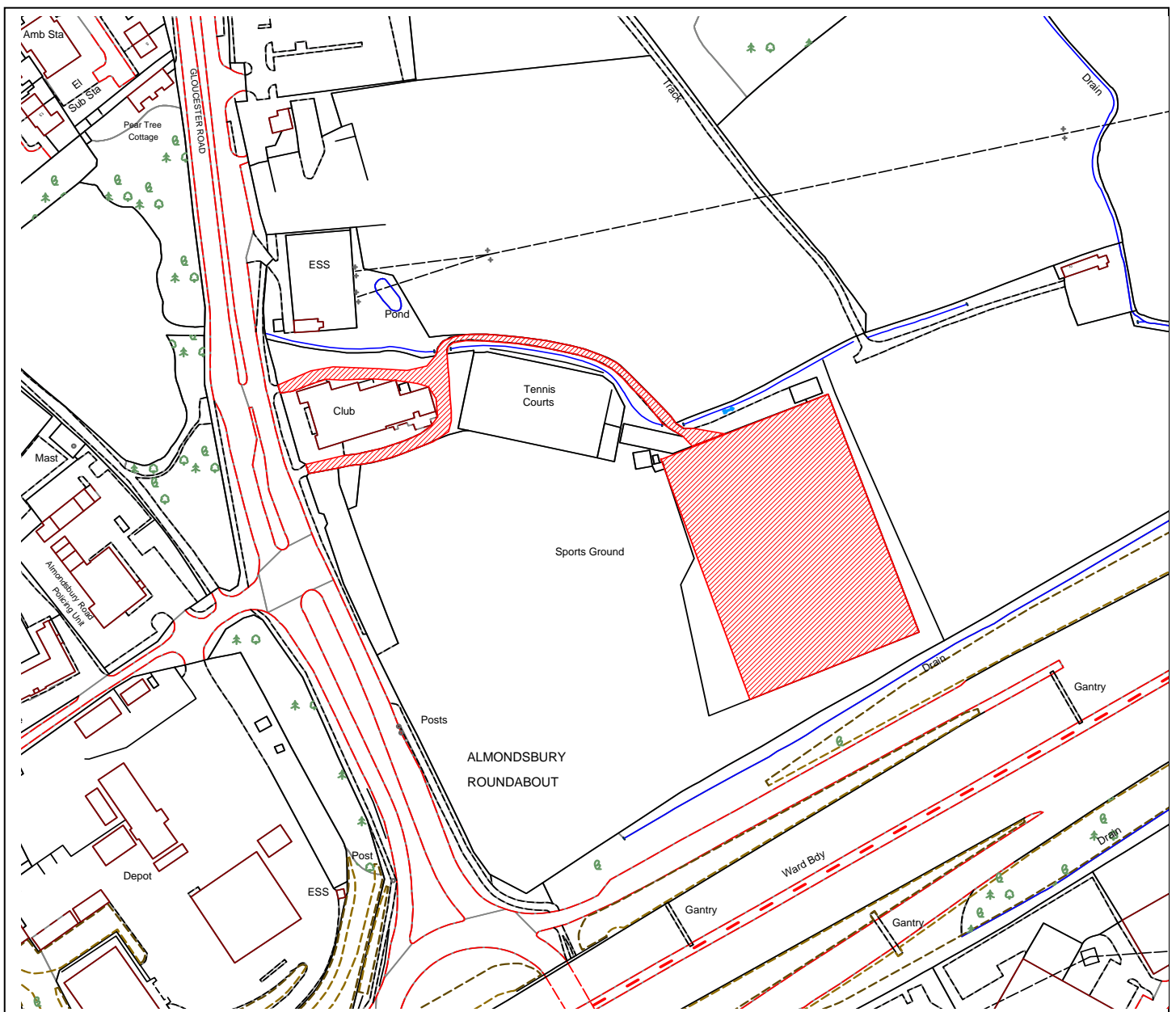
Map Ref: 60733 83518

Ward: Almondsbury

Application Category: Minor

Target Date: 18th February 2008

Date:



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INTRODUCTION

This application has been placed on the Councils circulated schedule as a result of representations received during the consultation process.

1. THE PROPOSAL

- 1.1 The application seeks planning permission in order to carry out improvements to one of the existing football pitches on the site. This would involve the importation of in the region of 12,250 tonnes of soils. This would equate to approximately 613 vehicle movements from 20 tonne HGV's. A typical day would be anticipated to generate a total maximum of 20 vehicle movements, i.e. 10 deliveries, and at this level the operation would take around 3 months to complete. It is hope to achieve this in the football close season, in the late spring/ early summer months, when conditions may be generally drier. It is proposed only to operate from Monday to Friday between 07.30 and 19.00, with no operations on weekends or Bank Holidays. The scheme would raise the profile of the land by between 1 metres and 1.5 metres in order to create a flat surface and enable the drainage works below. The purpose of this development as put forward by the applicants is to address long standing drainage issues that severely affect the use of the pitch for much of the year and which has deteriorated over recent years.
- 1.2 The application is made on behalf of Almondsbury Football Club. The site itself is an existing football pitch, located within the existing Almondsbury Sports and Social Club site, which contains the clubhouse, car parking, football pitches, tennis courts, cricket facilities etc. The application site itself, including the access is approximately 0.67 hectares and runs down towards the edge of the motorway. The club is accessed off the main A38 Gloucestershire Road, near to the junction 16 roundabout onto the M5. The nearest residential properties are located some 200 metres to the north east of the pitch. The site is located within the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
- | | |
|-------|---|
| PPS1 | Delivering Sustainable Development |
| PPS2 | Green Belts |
| PPS10 | Planning for Sustainable Waste Management |
- 2.2 South Gloucestershire Minerals and Waste Local Plan
- | | |
|-----------|--|
| Policy 9 | Green Belt |
| Policy 20 | Water Resources |
| Policy 22 | Residential/Local Amenity |
| Policy 24 | Transport |
| Policy 28 | Restoration |
| Policy 43 | Inert, Construction and Demolition Waste |
- 2.3 South Gloucestershire Local Plan
- | | |
|-----|---|
| D1 | Achieving Good Quality Design in New Development |
| L17 | The Water Environment |
| EP1 | Environmental Pollution |
| T12 | Transportation Development Control Policy for New Development |

3. RELEVANT PLANNING HISTORY

- 3.1 N6697 – Use of approximately 3 acres of agricultural land as an extension to an existing recreational ground. Approved 11 September 1980.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

The Parish have declared an interest in the site as custodian trustees of the charity for the whole complex area. The Parish object to the proposal on the grounds that tipping of inert soils would have a detrimental effect on the site and that the application does not state the benefits the football club would receive through the allowance of such tipping. Specific concerns in particular relate to concerns in monitoring the inert sub-soils being tipped, health and safety issues associated with lorries using the site at the same time as children, the length of time the pitch will be out of action for the football club and the piping of the stream which it is felt will not be able to cope with the water table.

4.2 The Environment Agency

No objections subject to conditions to protect the local water environment.

4.3 Local Residents

One letter of objection has been received on the basis that Almondsbury Football Club are not the owners of the site which belongs to registered charity (The Almondsbury Parish Hall and Recreation Ground). The management trustees have not officially been asked by the club regarding the carrying out of the works. Any decision should be put to the people of the parish. There is also concern that as with other similar projects in the area the land has been left unusable.

- 4.4 Five letters of support have been received from users of the facilities on the basis of the deterioration of the pitches, poor drainage and the improvements that will be made on what is an important facility for both the child and adult teams that use the site.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy 43 of the South Gloucestershire Minerals and Waste Local Plan relates to the disposal of inert material to land. It gives specific criteria where it may be considered that such activity would be acceptable. This proposal falls outside of the scope of the set criteria of the policy which does not make provision for improvements to existing recreational facilities, and would therefore effectively not apply within the specific criteria of the policy provision for disposal of inert waste.

5.2 Other Material Considerations

Whilst the proposal itself would utilise excavated materials imported from elsewhere it is considered that the application itself is driven by the requirement to address particular problems with this individual pitch as opposed to waste disposal. The use of the land would not change. With this in mind it is necessary to look at what the issues are with the site as existing, whether the proposal is reasonably necessary to achieve the outcome required and whether any such consideration is material so as to outweigh any policy presumption.

5.3 The application is intended to address a continued deterioration of the football pitch through compaction, poor soil structure, restricted plant rooting and poor drainage of the surface of the pitch that affects the satisfactory use of the pitch and renders the pitch unusable for large parts of the year. The applicants consider that raising the levels as proposed, by approximately 1 metre, will provide for an adequate playing surface and allow for a much improved drainage system to be implemented below the surface, whilst also allowing for improved surface water run-off. The existing topsoil would be removed and stored and the imported subsoils deposited, a drainage system would then be installed across the pitch to a ditch outlet on the west of the pitch, the top soil would then be re-instated and final preparation of the playing surface undertaken. The pitch will be tapered off at its edges with a gradual slope. The amount and type of material proposed to be brought onto the site for the purpose of the project is considered to be the most suitable means by which to address the existing problem. In order to achieve the desired effect other measures, for example, cut and fill may therefore not be appropriate in this instance as the site requires a wholesale raising of levels that would not result in surplus material arising. Supporting documentation backing up both the need for the works and the manner in which they would best be achieved has been submitted in support of the proposals in the form of statements from the club in relation to the current problems experienced and an agronomy report assessing the site, the problems and the means by which to address them. The proposal would allow the existing use of the site as a football pitch to be put to far better effect. This in turn would aid the club as a whole which provides an outdoor recreation outlet for the area, enable full use of the existing facilities, and reduce pressure on other pitches in the area. It is therefore considered that despite the policy presumption, the proposed benefits that would accrue should be taken into consideration as part of the planning balance. Provided that this can be achieved without causing any material harm it is considered that such benefits can be a material consideration such as to outweigh policy restrictions which essentially seek to prevent and control ad-hoc waste developments.

5.4 Green Belt

The scale and location and duration of the proposed development and the fact that the use of the site would not change would not impact upon the openness of the Green Belt. The use of the site for recreational purposes is consistent with Green Belt policy.

5.5 Local Amenity

It is not considered that residential properties would be affected by the proposal. Similarly there would be no material impact upon the surroundings uses.

5.6 Highways

The site is located off the main Gloucester Road at Almondsbury and in close proximity to the motorway and links with Bristol. Transport links are therefore considered to be generally good. The scheme would involve the importation of approximately 12,250 cubic metres of soil. Over the anticipated timescale of three months this would lead to up to 10 deliveries (20 movements) per day. The hours of operation have, in negotiation with the applicants, been reduced so that Saturdays are not worked. Further to this it would be recommended that weekday deliveries would not commence until 9.30. These factors would reduce the impact of proposals at key times in terms of the surrounding highway network and other uses of the site on weekends. A routing agreement has also been submitted which seeks to reduce cross carriageway manoeuvres

and aims to ensure that vehicles approach from the north. On this basis there is no transportation objection to the proposal subject to conditions preventing mud on the public highway.

5.7 Landscape

It is not considered that the scale and nature of the proposal, nor its end use, which would remain the same as existing, would have a significant impact upon the local landscape.

5.8 Quality of material entering the site

The application states the nature of material intended to be used for the proposal as 'inert sub-soils', any consent would therefore seek to limit the nature of the material entering the site to this. Similarly all material would be expected to be clean and uncontaminated, in accordance with Environment Agency requirements. There is no objection from the E.A. on these grounds however they would need to issue the relevant authorisations in order for the appropriate material to enter the site.

5.9 Ownership of land

Certain issues have been raised with regards to the ownership of the site, and it is understood that the football club is just one of a number of uses at the site with a wider ownership interest. The relevant notices have been issued with regards to the ownership of the site and clearly any planning approval would not give consent for development on land to which the applicant does not have full control or agreement. This is a matter that would need to be sorted out by the internal management of the site.

5.10 Drainage

The Council's drainage officer has considered the scheme and is content with the provision being made in respect of drainage. The site lies within Environment Agency Flood Zone 1. Compliance with Environment Agency advice for such development should be ensured. The Environment Agency raise no objection to the proposal.

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.

6. CONCLUSION

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

6.2 The decision to recommend the granting of 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. In this instance it is considered that on

balance the benefits accrued from the proposal are material considerations that outweigh policy restrictions.

7. RECOMMENDATION

- (1) The application be advertised as a departure from the Development Plan
- (2) The application be referred to the Government Office for the South West under the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999.
- (3) Subject to the Secretary of State not wishing to intervene, authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission subject to the conditions set out in the report.

Background Papers PT07/3162/F

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason(s):

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

2. The development hereby permitted shall cease within 1 year from the date of commencement. Written notification of the date of commencement of the development shall be sent to the Local Planning Authority prior to such commencement.

Reason(s):

To ensure that the development is completed within a reasonable timescale, in the interest of local amenity and to enable the planning authority to monitor the operations, and to accord with Policies 9 and 22 of the South Gloucestershire Minerals and Waste Local Plan.

3. The development hereby approved shall be implemented solely in accordance with the approved plans and details submitted in support of the application except as modified by the conditions of this permission.

Reason(s):

For the avoidance of doubt and to maintain planning control over the site.

4. Nothing other than uncontaminated excavated natural materials shall be deposited on the site.

Reason(s):

To prevent pollution of the local water environment and in accordance with Policy 20 of the South Gloucestershire Minerals and Waste Local Plan.

5. No topsoil or subsoil shall be removed from the site.

Reason(s):

To ensure that all soils remain on site and enable a satisfactory restoration of the land in accordance with Policy 28 of the South Gloucestershire Minerals and Waste Local Plan.

6. Upon completion of the soil respreading operations the site shall be reclaimed and reseeded with a recreational grass seed mix in the seeding season following completion of development, and thereafter managed for recreational use.

Reason(s):

To ensure that the site is restored in a condition capable of beneficial afteruse and in accordance with Policy 28 of the South Gloucestershire Minerals and Waste Local Plan.

7. There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason(s):

To prevent pollution to the local water environment and in accordance with Policy 20 of the South Gloucestershire Minerals and Waste Local Plan.

8. No operations shall take place, no lorries shall enter or leave the site and no plant or machinery shall be operated:
 - (a) other than between 09.30 and 19.00 hours Monday to Friday and
 - (b) at any times on Saturdays, Sundays or Bank Holidays.

Reason(s):

In the interests of the amenities of the local area, and to accord with Policies 22 and 24 of the South Gloucestershire Minerals and Waste Local Plan.

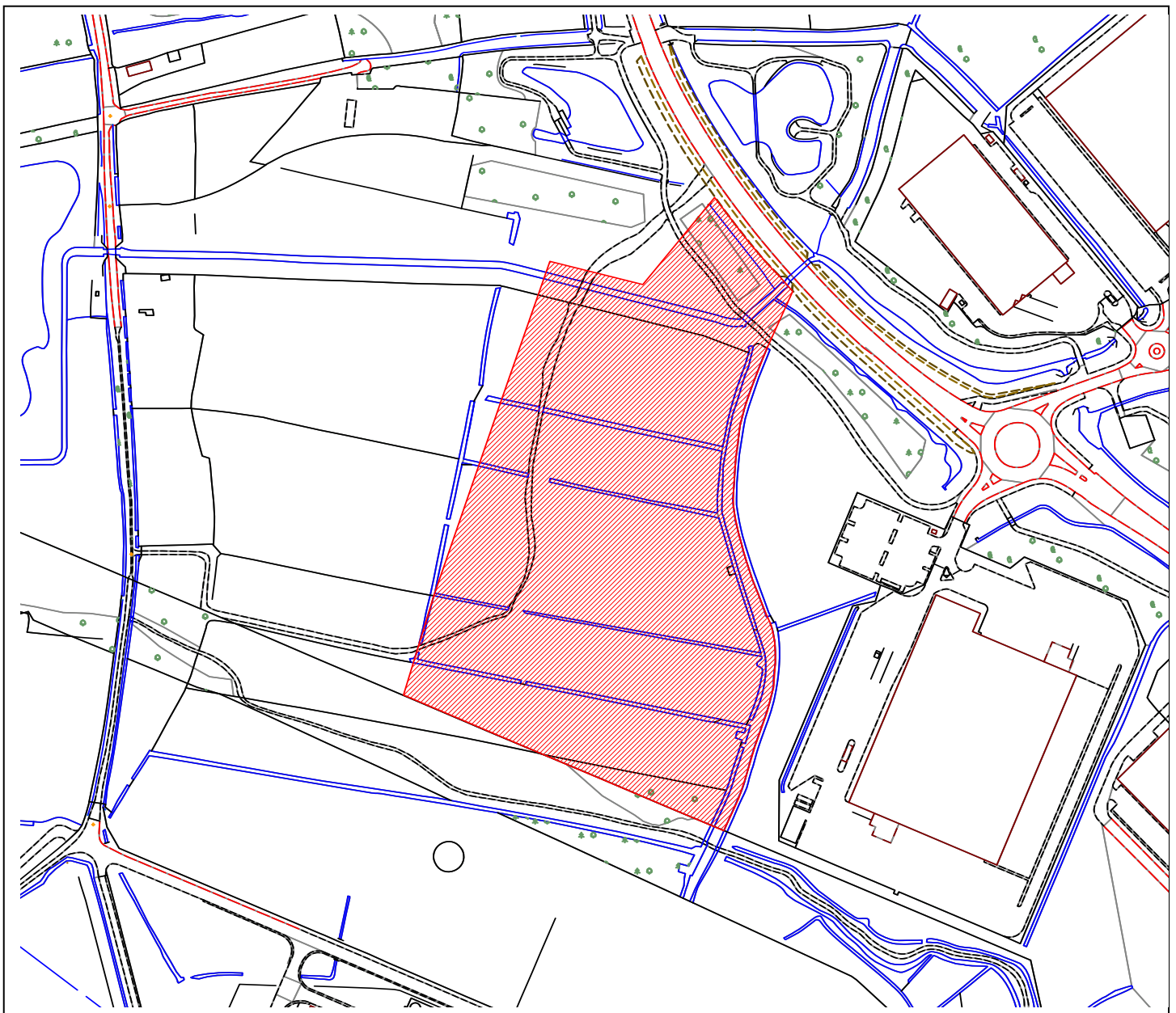
8. No mud, dust or other debris shall be deposited on the highway. No vehicle shall leave the site unless its wheels and chassis are clean. Details of how mud, dust or other debris shall be prevented from being deposited onto the public highway shall be provided to the Local Planning Authority for written approval prior to the commencement of the development hereby permitted.

Reason(s):

In the interests of highway safety and to prevent materials from being deposited on the highway and to accord with Policy 24 of the South Gloucestershire Minerals and Waste Local Plan.

CIRCULATED SCHEDULE NO. 17/08 - 25 APRIL 2008

App No.:	PT07/3599/F	Applicant:	Gazeley UK Ltd
Site:	Plot 8010 Govier Way Western Approach Distribution Park Severnside South Gloucestershire	Date Reg:	10th December 2007
Proposal:	Erection of building for use as a bakery (Class B2) with associated despatch (Class B8) and office (Class B1) areas; formation of access, vehicle parking areas and landscaping	Parish:	Almondsbury Parish Council
Map Ref:	54684 83751	Ward:	Almondsbury
Application Category:	Major	Target Date:	4th March 2008



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PT07/3599/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application site comprises approximately 4.56 hectares and forms the eastern part of plot 8000 at the Western Approach Distribution Park that is subject to ongoing development. The proposal seeks full planning permission to erect a building to be used as a bakery (class B2 of the Use Classes (Amendment) Order 2005), associated dispatch (class B8) and offices (class B1) as well as associated access, parking and landscaping.
- 1.2 The application site is situated in the western corner of the Distribution Park. The site is bounded to the south by the established landscape buffer zone with the Astra Zeneca site, to the west by the remaining part of plot 8000 beyond which are ponds and landscaped areas towards the A403, and to the north by the designated landscape buffer zone the other side of which is a residential property (Victoria). Properties within the settlement of Severn Beach are some 320m distant situated to the north west of the A403. The established Royal Mail site is situated to the east. The proposed building (maximum dimension) measures 98m x 98 metres. The height of the building is 13.4m. Adjacent to the west elevation will be 8no. flour silos of maximum height 19.5m and a number of tanks and storage buildings.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG 4	Industrial and Commercial Development and Small Firms
PPG13	Transport
PPS25	Development and Flood Risk

2.2 Joint Replacement Structure Plan

Policy 1	Sustainable Development
Policy 14	Avonmouth/Sevenside
Policy 17	landscape
Policy 24	flooding
Policy 30	employment

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
E2	Sevenside
E3	Employment development
E3	Safeguarded Employment Areas
T10	Travel Plans
T12	Transportation Development Control Policy for New Development

2.4 Supplementary Planning Documents

Design Checklist SPD
Biodiversity Action Plan SPD

3. RELEVANT PLANNING HISTORY

- 3.1 The surrounding area and the site has a long history of employment designation associated with the ICI Agreement of the early 1950's.
- 3.2 P98/1845 Application to vary condition 01 of planning permission P94/400/8 dated 8 June 1994 to extend the period for the submission of reserved matters from 3 years to 6 years from the date of the outline permission.
Approved 5th August 1998.
- 3.3 P94/400/8 Development of 87.7 hectares of land for the layout and construction of a distribution park (Class B8).
Approved June 1995.
- 3.4 PT01/0293/RVC Variation of conditions 1(b) and 1(c) attached to P94/0400/8 as amended by condition 1 attached to P98/1845, to extend the time limits for submission of reserved matters for a further 4 years.
Approved 16th August 2001
- 3.5 PT05/1073/RVC Variation of condition 2 attached to PT01/0293/RVC to extend the time period for submission of reserved matters.
Approved 8th August 2005.
- 3.6 PT05/3568/RVC Variation of condition 4(a) attached to planning permission PT01/0293/RVC to permit the gross floor-space to exceed 2,350,000 square feet.
Approved 24th February 2006.
- 3.7 PT05/2502/RM Erection of distribution centre (on all of plot 8000).
Approved 8th May 2006.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
Welcomes extra employment opportunities although so concerns over 24 hour usage. Removal of vegetation should be kept to a minimum. Lighting should be appropriate.
- 4.2 Wessex Water
Council should be satisfied with any arrangements for foul or surface water drainage.
- 4.3 Environment Agency
No objection subject to conditions.
- 4.4 Highways Agency
No objection.
- 4.5 Fisher German (Pipelines)
No pipelines within vicinity of works.
- 4.6 Lower Severn Drainage Board
No objection subject to conditions.
- 4.7 Emergency Planning Unit
No objection subject to compliance with Environment Agency requirements and consultation with the Fire Brigade.

- 4.8 Sustainable Transport
No objection subject to conditions.
- 4.9 Local Residents
No representations received.
- 4.10 Avon Fire Brigade
No representation received.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The site falls within a safeguarded employment area as defined by Policy E4 of the South Gloucestershire Local Plan (Adopted) January 2006. The principle of the development is established by reason of this policy. Policy E3 provides criteria for assessing the detail of development that benefit from policy E4. Having regard to the requirements of policy E4 and of the relevant policies of the Local Plan, the main issues to be considered are:

- Design/Visual Impact.
- Ecology
- Transportation.
- Drainage/flood risk.
- Archaeology.
- Public Rights of Way.
- Residential Amenity.

5.2 Design/Visual Impact

The application proposes the erection of a building of the dimensions stated. The scale of the unit proposed is generally consistent with existing development at Western Approach and accords with the master plan. Indeed the height of the building is substantially lower than the extant reserved matters consent on the site for a warehouse building (ref. PT05/2502/RM). External structures such as the raw materials plant and silos have been located on the west side of the building to minimise landscape impact. The remaining plot to the west of the site will be developed in time and will help to screen this part of the site.

- 5.3 The building will incorporate a raised parapet to screen plant and to achieve the clear lines apparent elsewhere within Western Approach. Colour coated steel panels will form the primary material across the entire building. These will be primarily shades of grey (but with dark blue for window frames and canopy) seen elsewhere within the Park and referred to as an appropriate approach within the approved masterplan for the Park. A condition to ensure that the approved materials are implemented is recommended.

- 5.4 The intention of the applicant is to provide a building that achieves a BREEAM very good standard. Policy also indicates that this should be the objective. However, because of the nature of the use proposed, the applicant is unable to confirm that this specific building and use is able to meet this standard at present. A condition is therefore recommended that requires the applicant to achieve BREEAM very good unless a sufficient justification is submitted and approved by the local planning authority evidencing that a lower standard is the only feasible option.

- 5.5 A key component of the development of Western Approach is to ensure the planting of a robust landscape scheme in line with the landscape strategy included within the approved master plan. The applicants have submitted a detailed landscaping scheme, which incorporates areas of hedge planting, native shrub planting and trees. This development and the landscaping scheme submitted is in accordance with the master plan and has been agreed in consultation with the council's own landscape architect. Implementation is assured by a recommended planning condition.
- 5.6 The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Adopted).
- 5.7 Ecology
There are no statutory or non-statutory nature conservation designations at the application site or adjacent. Nature conservation issues relate to protected species, specifically two ponds that are adjacent to the east side of the application site which were formed as part of a mitigation strategy relating to a small breeding population of great crested newts associated with plot 5000. Subject to appropriate fencing being provided there is no objection.
- 5.8 There is however an ecological issue with the reconstruction of the footpath referred to in paragraph 5.14 along the eastern boundary of the site in terms of the risk this poses of disturbance to habitat occupied by Great Crested Newts. This arises from the fact that the ditches in the south eastern corner of the site have become enlarged, since the granting of the previous consent, largely through the unauthorised activities of off road vehicles. The existing path is now underwater in places and the reconstruction of the footpath, as previously envisaged, is now not possible without additional construction works within the area possibly inhabited by newts. There is potential for newts to be present in this enlarged water body; additional survey work will be required as part of a future DEFRA licence application.
- 5.9 Consequently, the works to reconstruct the path will require to be subject to a condition requiring full details of the footpath works to be submitted and agreed. In order to allow time for the newt survey to be carried out and inform any re-design, it is recommended that this condition is to be complied with prior to the first operating date of the bakery and to apply to the whole area east of the proposed permanent newt fence.
- 5.10 Transportation Implications
No objection is raised by the Council's Transportation Engineer regarding traffic generation. There is broad agreement with the submitted Transport Assessment. Traffic generation is considered comparable to that of the extant consent on this site (ref.PT05/2502/RM).
- 5.11 Car parking provision is in accordance with the guidelines contained within the South Gloucestershire Local Plan (Adopted) January 2006 and appropriate cycle parking provision is proposed (implementation assured by a planning condition). The layout of the access and parking areas is similarly supported. A Travel Plan aimed at increasing travel by non-car modes over time has been agreed. The implementation of this plan is assured by a recommended planning condition.

5.12 Drainage/Flood Risk

Drainage for the Western Approach area is controlled through an established series of rhines which ensures that surface water is discharged as quickly as possible to the Severn Estuary. The proposed development will not alter this existing situation, and as such is considered acceptable. Consent of the Lower Severn Drainage Board is required to approve details and an informative note on the decision notice is recommended to this effect.

- 5.13 With regard to flood risk, the applicant has negotiated extensively with the Environment Agency and proposals have been amended to accord with the recommendations of the Agency. In terms of the sequential test advocated in PPS25, there exists an adopted Development Plan that allocates this site for employment purposes. The proposed use is compliant with this allocation. There also exists an extant consent on this site for a storage and distribution building. Officers are satisfied that the application does not fail the sequential test in this instance. Subject to the imposition of appropriate conditions, the Environment Agency does not object to the proposed development. As such there is now no objection to the development on flood risk grounds subject to the conditions recommended by the Environment Agency.

5.14 Archaeology

The application site may be of archaeological significance given its proximity to the estuary, and as such an archaeological investigation of the land has been completed and results evaluated by the council's archaeologist in accordance with a condition of the extant consent on the site. A condition is recommended to ensure compliance with these details.

5.15 Public Rights of Way

The utility and amenity of the adjacent bridleway/footpath that lies within the application site needs to be assured. A condition attached to the extant reserved matters consent addressed this issue and has been satisfactorily discharged. Provided the implementation accords with these agreed details then no objection is raised, a suitably worded condition is recommended. Furthermore, with regard to the assessment in paragraph 5.8, details of the footpath along the eastern boundary needs to be approved by condition.

5.16 Residential Amenity

Having regard to residential amenity, the development is that envisaged by the outline planning permission and accords with the condition that states that the building must be at least 200m from "Victoria", the nearest residential property to the north west.. The council's Environmental Health Officer has considered a report from the applicant and is satisfied that there will be no unacceptable impact resulting from the proposal that should otherwise need to be controlled by planning condition.

5.17 Public Art

The original outline planning permission for Western Approach required contributions towards public art secured by way of a section 106 legal agreement. The level of contribution was calculated on the basis of £500 per 1,000sq.m. gross floor area. As this is a full application unrelated to the original outline consent, another section 106 agreement is necessary to secure the requisite amount of contribution which in this instance amounts to £10,000. The applicant is in agreement and is willing to contribute the necessary sum by way of a legal agreement.

5.18 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 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 appropriate other than for the need for a Section 106 Agreement with regard to the financial contribution to public art.

6. CONCLUSION

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

6.1 The 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 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) within 12 months of this determination to secure the following:

- a) A financial contribution of £10,000 towards off-site public art within the Severn Beach area.

Reason : To ensure that the requisite public art is delivered as was required of the original Western Approach Phase 1 planning permission in accordance with policies D1 and LC13 of the South Gloucestershire Local Plan (Adopted) January 2006.

- (2) That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.
- (3) If the S.106 Agreement is not signed and sealed within 12 months of this determination then, in view of the length of time the application should either:
- (a) Return to the Development Control Area Committee for reconsideration or alternatively.
- (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a section 106 agreement, for the reasons listed in section (1).

Background Papers **PT07/3599/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

3. A full travel plan shall be submitted to and agreed by the local planning authority, and implemented within 6 months of the first use of the development for the approved purposes. The travel plan should be based upon the framework travel plan ref.RW/RH/JNY6315-02 received 4th December 2007.

Reason(s):

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

4. The approved materials for the development shall be those referred to in letter from Higgs Young Architects dated 25th February 2008 with accompanying plans references 07103(sk)027, 028 and 029. Any alternative material proposed shall be submitted to and approved in writing by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.

Reason(s):

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

5. Within that area west of the steel newt barrier indicated by a broken red line on the approved drawing, 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 an alternative programme to be first agreed in writing by the Local Planning Authority and thereafter subsequently maintained.

Reason(s):

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

6. The footpath/bridleway adjacent to the southern boundary of the site shall be implemented in its entirety prior to the first use of the building in accordance with details approved by reason of condition 3 of reserved matters consent ref.PT05/2502/RM.

Reason(s):

To ensure an appropriate standard of a route identified in policy LC12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. There shall be no buildings or obstructions within an 8m wide strip of land either side of any watercourse.

Reason(s):

To prevent damage to the watercourse, ensure maintenance and prevent flooding, and to accord with Policies L17, and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

To prevent non-point source pollution and flooding, and to accord with Policies L17/EP1/EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to any floodlighting and external illuminations being erected on the site, full details of such lighting including measures to control light spillage, shall be first submitted to and approved in writing by the Local Planning Authority. All lighting shall be carried out in accordance with the approved details.

Reason(s):

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

10. The hours of working at the site during the period of construction shall be restricted to 8.00am to 6.00pm Mondays to Fridays, 8.00am to 1.00pm Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason(s):

To minimise disturbance to occupiers of nearby buildings, and to accord with Policy EP1 & EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Within 3 months of the date of this planning permission, details shall be submitted to the local planning authority of the following within that area east of the steel newt barrier indicated by a broken red line on the approved drawing:
 - Enhancement of footpath to include detailed sections with levels.
 - Details of a mitigation strategy for great crested newts based on the results of a survey carried out in accordance with published survey guidelines (JNCC / Natural England). It must also be demonstrated that the footpath is designed in appropriate response to survey results.
 - full landscaping details.The details so approved shall be implemented in their entirety prior to the first use of the development for the approved purposes unless an alternative time period for

implementation has otherwise first been agreed in writing by the local planning authority.

Reason(s):

To ensure good quality design and an appropriate standard of a route identified in policy LC12 of the South Gloucestershire Local Plan (Adopted) January 2006. Also to ensure appropriate landscaping is implemented in accordance with policies D1, L1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006 and to adequately protect great crested newts in accordance with policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 12.(i) Other than in the circumstances stated in (ii) below, the development hereby approved shall be constructed to a BREEAM standard of 'very good'. A formal assessment pre-construction or prior to the approved use commencing shall be undertaken by a licensed BREEAM assessor and a copy of the assessor report and BRE certificate shall be submitted to the Local Planning Authority.

(ii) If the development is unable to achieve BREEAM very good then a justification statement shall be submitted to and agreed in writing by the local planning authority indicating why BREEAM very good cannot be achieved. The justification statement shall include the view of an independent BREEAM assessor and shall confirm the BREEAM standard the development will achieve. The development shall thereafter conform to the standard so agreed in writing by the local planning authority.

Reason(s):

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

13. Archaeological investigation and recording of the site shall be in accordance with the details approved in respect of condition 7 of reserved matters consent ref.PT05/2502/RM and the details submitted by CGMS Consulting on 14th April 2008. The archaeological investigation and recording shall be fully completed and published in accordance with those details submitted by CGMS Consulting 14th April 2008 before the use of the site for the purposes hereby approved first commences.

Reason(s):

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

14. Prior to the commencement of development there shall be submitted to and approved in writing by the Local Planning Authority details of the proposed Sustainable Urban Drainage scheme for the site and foul drainage. The development shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason(s):

In the interests of flood prevention, and to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

15. The steel newt barrier indicated by a broken red line on the approved drawing shall be erected in its entirety prior to any other development proceeding.

Reason(s):

To adequately protect great crested newts in accordance with policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

16. Notwithstanding the approved plan, the palisade fence shall be coloured RAL6020 and not RAL6005 as annotated on the submitted plan unless otherwise agreed in writing by the local planning authority.

Reason(s):

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

17. The ground levels must be raised to a minimum of 7.1mAOD, except the despatch car park area which will be raised to a level of 6.75AOD.

Reason(s):

To prevent flooding, and to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

18. The finished floor levels must be raised to a minimum of 7.6-8.5 m AOD.

Reason(s):

To prevent flooding, and to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

19. The car park must be raised to a minimum of 7.3m AOD. The connecting access road from the development to Govier Way must be raised to minimum of 7.5mAOD rising to 8.25mAOD as outlined on approved drwg 401.

Reason(s):

To prevent flooding, and to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

20. No development approved by this permission shall be occupied until a flood emergency plan and procedures are developed, submitted to and approved in writing by the Local Planning Authority.

Reason(s):

To limit the risks from flooding by ensuring the provision of a satisfactory means of flood management on the site and to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

21. Any oil or chemical storage tanks shall be surrounded by an impervious oil/watertight bund having a capacity of at least 110% of the tank and of a structural design approved in writing by the Local Planning Authority.

Reason(s):

To ensure that adequate measures have been taken to mitigate against soil contamination to accord with Policies EP1/EP6 of the South Gloucestershire Local Plan (Adopted) January 2006.

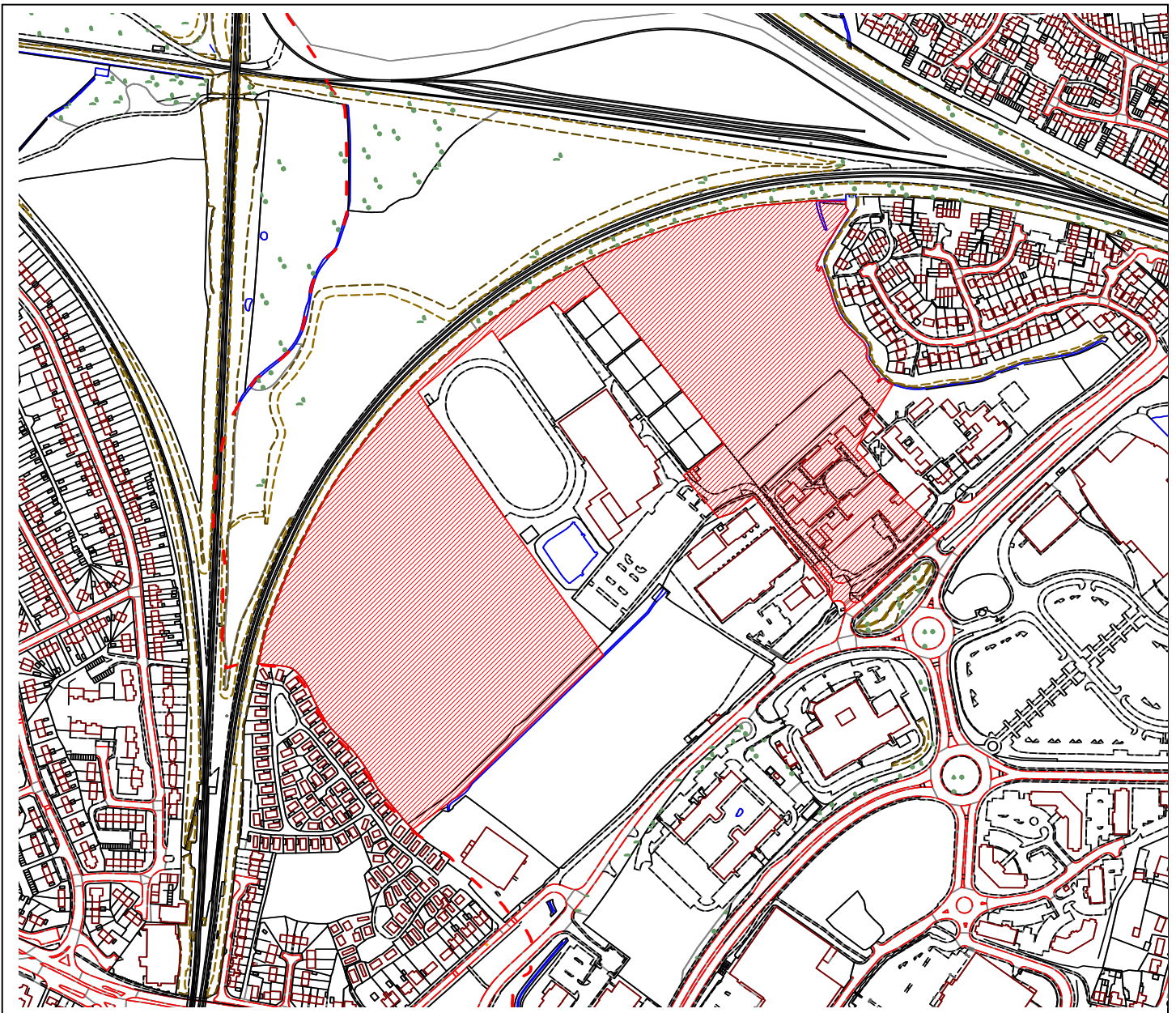
22. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason(s):

To prevent non-point source pollution and flooding, and to accord with Policies L17/L18/EP1/EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 17/08 - 25 APRIL 2008

App No.:	PT08/0369/R3F	Applicant:	Ms J Price
Site:	Filton High School, New Road, Stoke Gifford, South Gloucestershire, BS34 8QT	Date Reg:	7th February 2008
Proposal:	Demolition of existing school to facilitate erection of new secondary school with new access, landscaping and associated works.	Parish:	Stoke Gifford Parish Council
Map Ref:	61537 79372	Ward:	Frenchay and Stoke Park
Application Category:	Major	Target Date:	5th May 2008



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N.T.S

PT08/0369/R3F

INTRODUCTION

This application appears on the circulated schedule as it is a major planning application and in this instance the application is submitted on behalf of South Gloucestershire Council. There is public comment made that is contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The site consists of Filton High School and associated development. Access to the site is from New Road. The site is located within the Bristol North Fringe Urban area.
- 1.2 The proposed development consists of the construction of a replacement school building on the Filton High School Site. The existing school is currently located in the Southern part of the site facing onto New Road, with the sports field and majority of amenity grass land in the Northern part of the site. The proposal would effectively swap this arrangement around and the area of land in the East of the school site is excluded from this planning application site.
- 1.3 Access into the site will remain direct from North Road and it is also proposed to share the existing access to WISE Filton College, which also joins North Road at the Southern corner of the site.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG13	Transport
PPS24	Planning and Noise
PPS25	Planning and Flood Risk

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
LC4	Proposals for Educational and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries
L1	Landscape Protection and Enhancement
L5	Significant Open Areas within the Existing Urban Area
L9	Species Protection
EP1	Environmental Pollution
EP4	Noise Sensitive Development
EP2	Flood Risk and Development
L17&L18	The Water Environment
T12	Transportation Development Control Policy for New Development
T8	Off Street Parking Standard
T7	Cycle Parking

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council
No comment.

4.2 Sustainable Transport

Officers have been involved with the concept stages of this development and as such the majority of issues that would normally be raised as part of a school application have been considered.

This proposal is different from most new schools in that it will be a like for like replacement of the existing school. The school currently suffers from congestion at the entrance particularly in the morning peak hours – this situation is not unique and is replicated around all schools. The proposed school access arrangements, although constrained by land ownership and highway are however an improvement over the existing situation.

This proposal seeks to separate out vehicle and pedestrian/cycle access to the school, in doing so the cycle/footway at the entrance to the staff car park is raised to give priority to pedestrians and cyclist. Although this is an unusual situation it is considered acceptable as staff movements tend to occur before students arrive and after they leave.

Cycle parking at the new school is enhanced to 280 spaces within a purpose built undercover cycle park. Deliveries and servicing of the building is via the access to the adjacent WISE campus.

A travel plan is proposed to encourage less use of the private car to access the school for both pupils and staff, a condition requiring that this is submitted for approval of measures is required prior to first occupation of the new school and a revised travel plan six months after occupation.

Clearly this development is to be undertaken in a phased manner to enable ongoing education. As a consequence a construction management plan indicating phasing pedestrian/cycle/staff and service access is required as well as vehicle routing and timing of deliveries etc in relation to the new build is also required. There should be no deliveries to or from the new build prior to 9:30 in the morning or within 45 min of the school closing.

Other Representations

4.3 Local Residents

329 residential addresses have been notified in respect of this planning application. Four sets of comments have been returned. The comments raise objections to the proposed development and the relevant comments can be summarised as follows;

- The proposed development will cause noise nuisance during its construction and operation as a school.

- There is concern over the use of bad language by school pupils close to existing residential properties
- The floor levels are influenced by flood prevention measures and as such the school building is higher than it needs to be and this would have a greater impact upon the nearby residential dwellings
- The proposed development will introduce more sports pitches to the area behind 100 to 120 New Road which will have a detrimental impact on residential amenity through the increase of noise.
- The proposed building would be closer to the residential properties on New Road.
- No consideration has been given to traffic congestion during school pick-up times, and parking on double yellow lines. A 30 minute waiting limit on new road is suggested to free up space along New Road being used as long stay parking for Parkway Station.
- There is no provision to close the 'gap' in New Road to help prevent rat-running and ease traffic congestion
- There is not sufficient parking proposed as part of the development which will cause congestion.
- Part of the area of land reserved for future development should be utilised as a pick-up and drop-off zone for the school.
- There is concern that the area of land shown as the 'nature' area and part of the playing fields in the east of the site will be sold off for redevelopment in the future.
- Proposed tree screening should be implemented with mature evergreen trees to have an instant effect
- Senior students will be able to see into private properties from the three storey element of the building
- Flood lights should be faced away from residential dwellings.
- The proposed schools should be sited on the area identified as playing field as far away from residential properties and which would improve the frontage onto New Road.
- The position of the proposed school building will allow disruption to lessons as a result of noise from the railway.
- The proposed balancing pond is likely to dry-out and become unhealthy. It is also difficult to control the activities of school children in this secluded area and the area would also encourage the presence of pests.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of the construction of a replacement school complex within the Filton School Site. The site is within the Bristol North Fringe Urban Area.
- 5.2 Principle of Development
Policy LC4 is relevant to this planning application. The policy indicates that the proposed development is acceptable subject to the following considerations.
- 5.3 Design, Scale, and Layout
The design and access statement sets out the broad principles and concept behind the design, functionality and appearance of the building. A 'School Grounds Design Strategy' sets out the concept behind the layout of external education and sporting facilities as well as the access to the site and school buildings.
- 5.4 At the forefront of the design principles is the requirement to provide a very efficient building that would make a positive contribution in terms of energy efficiency and sustainable construction techniques. Indeed, the building has been designed to achieve BREEAM 'very good' and the visual appearance of the building is purposely designed with a modern appearance to reflect this approach. The layout of the building is such that high quality spaces are created amongst the buildings whilst maintaining an efficient working relationship between the accommodation and circulation spaces. The landscaping of the site is also influenced by the high energy efficiency and sustainable drainage models to be used on this site
- 5.5 The position of the building reflects the requirement to construct the new school building over a phased approach whilst maintaining the functionality and availability of the existing school. Essentially, the existing school will continue to be used whilst the proposed school is constructed to the rear of the existing buildings. The existing school will be removed as the new school is developed. Part of the area occupied by the existing school will be developed as sports pitches as well as access, service and parking facilities; whilst the remainder is excluded from the proposal site and is to be set aside (this issue is addressed further below). Currently, the school buildings are positioned to the front of the site and are relatively close to New Road. The proposed development will change this relationship and the new school buildings would be located at the rear of the site with extensive landscaping and sports pitch provision forming its setting when viewed from North Road. The approach to the school buildings will be dominated by a pedestrian and cycle corridor which takes pedestrian and cyclists from North Road along a tree lined route up to the general and pupil entrance of the proposed school buildings. This will include a gateway feature at the point where the corridor meets North Road.
- 5.6 The majority of the proposed building is on two stories with a third storey located centrally within the mass and over the administrative accommodation block. The acts as a focal feature for the building and is located at the end of the pedestrian and cycle corridor. This element will give the building a strong presence in the landscape and will enhance the importance of the building in this context. Essentially, the building can be separated into three distinct functional areas. Centrally is the administration accommodation which forms the hub of the building. To the West of the administration block the building provides elements which can be utilised for the broader community, such as

- the sports hall and drama studio as well as functional accommodation that can be used for both school teaching and community groups. To the East the accommodation is dedicated to teaching.
- 5.7 Again, the proposed building materials reflect the high performance specifications of the working building. This includes the use of 'grass' to provide a green roof which assists in the sustainable drainage system to be utilised. Facing materials are to traditional methods such as brick and render and specific features (particularly the second floor of the administration accommodation) will be faced in timber to give a strong contrasting feature.
- 5.8 Having regards to the above assessment, it is considered that the proposed development achieves a very high standard of design and legibility and as such is consistent with the requirements of policy D1, LC4 and the South Gloucestershire Design Checklist (adopted).
- 5.9 Energy and Sustainability Issues
The proposed building will utilise sustainable methods for heating and ventilation. Non-mechanical methods for ventilation will be implemented where possible. Mechanical ventilation will be minimalised and where it is required this will use energy efficient equipment. Heating is to be provided by way of Biomass boilers (these are to be located to the West of the site along with the recycling and sorting facilities). This will be complemented by the use of solar thermal panels for water heating for low demand periods and during the summer months. In addition, the building is designed to take advantage of passive solar heat gain. Electricity is also to be partially provided through the use of a photovoltaic array. In addition, the orientation of the buildings will allow as much natural light to penetrate the teaching areas of the building to reduce the need to use artificial light as much as possible. Automatic switches and sensors will be utilised to ensure that lights are not in use when not required.
- 5.10 The building will also minimise the use of piped water through the use of rain water collection for flushing toilets; and there will be restrictive adaptations fitted to water consuming devices and taps.
- 5.11 Site drainage is to utilise sustainable drainage systems. Approximately 40% of the roof area will be made up of a 'meadow grass roof'. Other measures include permeable paving, stormcell, a wetland area and attenuation pond. These measures will provide a significant reduction in surface water run-off when compared to the existing situation. The discharge of water from the site is to be controlled and will be the equivalent of a non-developed site. This site falls within a high risk flooding area and contains watercourses. The above measures will assist in the flood control of the site and are measures which are considered acceptable by the Environment Agency.
- 5.12 The above measures are essential in achieving BREEAM 'very good' in respect of this development and are consistent with the requirements of Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist.
- 5.13 Flooding, Ecology and Landscape Management
The landscaping of the site forms an intrinsic part of the flood management and sustainability of the new development. The proposed development will provide a wide range of different landscaping ranging from hard landscaping and sports pitches to grassland areas and wildlife habitats. There is considerable

enhancement of the boundary treatment of the site, which will provide enhanced wildlife corridors and will provide improved screening of the development from nearby residential development. The proposed hard landscaping will contain measures to assist in sustainable management of the water environment whilst flood prevention measures will be built into the landscaping of the site and in particular will provide enhance wildlife habitats; which in turn will enhance the learning experience offered by the school. The position of the new building is such that it would be position on the higher part of the site, so assisting in flood risk mitigation. Extreme flooding events will be managed through the use of attenuation ponds and built in stormcell that will reduce the flow of surface water into the water environment dramatically. The Environment Agency have considered the proposed development from a flood risk perspective and have concluded that the proposed measures are acceptable.

- 5.14 The management of this landscape, as well as ensuring that it offers the best habitat for ecology is designed to offer a broad range of areas to facilitate the function of the school buildings. There is a comprehensive landscape management plan submitted with the application. This is considered to address the management of the site very well and in the event that this development is approved the implementation of this management plan will be secured by way of a condition attached to any consent. Particular local concern has been raised regarding the attenuation pond, which is located to the Western part of the site. The management plan shows that this will be managed carefully to ensure the drainage of the site is working correctly. Inspections of the water system, including the attenuation pond will take place twice a year and any clearance work (including the removal of litter) will be carried out accordingly.
- 5.15 Officers consider that the landscaping and planting proposals are generally acceptable and will offer a strong landscape structure to the development and will offer considerable landscape and ecological enhancements. Notwithstanding this, there are a number of plant species proposed that are not considered appropriate in the context of the operation of this site. This issue is a matter of detail and the use of alternative plants will overcome these concerns. It is considered that minor amendments to the planting scheme and management plan will be sufficient to deal with this issue and that this can be appropriately secured by way of a condition attached to any approval.
- 5.16 Subject to the use of the above suggested conditions, it is considered that the development is acceptable in landscape, ecology and flood management terms.
- 5.17 Lighting and Noise Considerations
There is a comprehensive study with regards to the impact of the proposed development in terms of noise and lighting submitted with this planning application.
- 5.18 In respect of noise mitigation, the development will include an acoustic barrier along the North Eastern boundary of the proposed Artificial Turf Pitch (ATP). It is also acknowledged that the position of the proposed building is such that it will provide acoustic mitigation from the proposed Multi Use Games Area (MUGA); and will also provide acoustic mitigation in respect of activities associated with the Pro 5 football pitches associated with the WISE Filton College located to the West of this site.

- 5.19 The assessment of the impact of the lighting associated with this development is split into two main areas. General street-lighting will be provided to the circulation areas of the development, in particular to the servicing and drop-off areas and the car-parking areas; and there will be external lighting of the proposed building itself. In respect of this, it is considered that there would be no material impact or change when considered against the existing development.
- 5.20 Additional sports lighting will be installed to the MUGA and the ATP and will be provided to Class II competition standards. The lighting is specifically designed to meet the requirements of the Institution of Lighting Engineers (ILE) Guidance Notes for the Reduction of Obtrusive Light, 2005 for E2 Environmental Zones; and as such are generally considered to be acceptable in residential amenity terms. Indeed, the intensity of the proposed lighting is well below the above guidelines; whilst the heights of the columns (10 metres at the MUGA and 13 metres at the ATP) allow the lighting equipment to be installed to a 'close to flat glass orientation'. This approach is intended to minimise light spill and intrusion of light beyond the area to be lit. Essentially, the lights are designed to light the playing area of the pitches and minimise the intrusion of light outside these areas. In respect of the MUGA, this will be largely screened from the nearby residential development by the proposed new building. The introduction of enhanced planting along the North-Eastern boundary of the site will act to mitigate intrusion further. The ATP will be more visible from the nearby residential dwellings. As discussed above, the design of the proposed lighting is such that the intrusion of light to the upper floors of nearby dwellings is minimised. Nonetheless, it is also proposed to provide additional mitigation by way of landscaping and planting along the North-east boundary of the site adjacent to the pedestrian and cycle way, the North-eastern boundary of the site and along the North-eastern elevation of the ATP itself. It is considered that these measures will mitigate the impact of the lighting to a minimum.
- 5.21 Community Benefits
It is intended to utilise elements of the new school accommodation and facilities for use by the community. The layout of the school building is reflective of this with the majority of accommodation that can be utilised in this way being located in the western wing of the building. Access to these elements is via the main school reception/administration block; with the main pupil access being separate from this entrance. The school faculties and accommodation designed to accommodate a community use are Sports (including the outdoor pitches, sports hall and dance studios), Creative Arts, Vocational Studies, Food Technology, Learning Resource Centre, Assembly Hall and Dining Area. All of these areas are accessible from the main visitor entrance and can be utilised without entering the main school class room accommodation. Clearly, this development will offer considerable benefits and well being to the local communities.
- 5.22 Residential Amenity
Public comment has been very minimal in respect of this planning application. The comments received are from occupants of nearby dwellings who raise specific concerns (amongst others) relating to the impact of the proposed school upon residential amenity and traffic (this is considered below).
- 5.23 Concern is raised as to the impact of noise and the proposed external lighting as a result of this development. This has been addressed specifically in section 5.17 of this report. In this instance, it is considered that the proposed

development would achieve acceptable levels of noise and would minimise the intrusion of light to an acceptable level. However, in order to ensure that activities relating to external areas of the development do not continue beyond a reasonable time and to protect the residential amenities of nearby residential dwellings it is appropriate to limit the operation of the ATP and MUGA pitches as well as the associated lighting so that it would not continue beyond 10pm. These can be secured by way of appropriate conditions attached to any approval of this development. In terms of the impact of noise generated by the day-to-day operation of the school it is not considered that there would be a material change over the existing situation.

- 5.24 Concern is also raised with regards to overlooking of residential properties from the new school buildings. Clearly, there will be a change in respect of the relationship of nearby dwellings with the school given that the proposed building is located at the rear of the site as apposed to the position of the existing building. However, the second floor element of the school is located centrally within the mass of the new building and well away from the boundaries of the nearest residential dwellings. Where the building is closer to residential dwellings, the school is reduced to two storey. At this point the minimum distance between the new building and residential dwellings is approximately 40 metres. This distance is substantial and will be further screened by the introduction of additional planting to the boundaries of the site. Given these characteristics and that the activities in the classrooms on the first floor of the building will be for teaching purposes, it is not considered that there would be the opportunity for deliberate over-looking of residential properties from the school buildings and that the distances involved are sufficient to prevent this.
- 5.25 With regards to concern over the impact of the proposed attenuation ponds, this matter is addressed in section 5.13 of this report. Essentially, this element of the proposal is to be managed and it is therefore considered that there would be no material impact as a result of the pond.
- 5.26 In general terms, it is acknowledged that the redevelopment of Filton High School will change the relationship of the school with the nearby residential dwellings. There will be varying impact depending on the exact position and outlook of each individual dwelling. However, the development of this school is wholly appropriate on this location at the centre of the Bristol North Fringe Urban Area. Officers are satisfied that any impact upon residential properties has been minimised as a result of the good design and layout of the development. There are considerable community benefits offered as part of this development and are benefits which would far outweigh the very minimal impact of the development in residential terms. It is considered that the proposed development is acceptable in terms of residential amenity.
- 5.27 Transportation
It is acknowledged that there are issues with traffic congestion at peak times associated with this school. Indeed this issue is not unique to this school and is apparent throughout South Gloucestershire. In respect of this development, considerable measures have been taken to improve the vehicular access to this site with the introduction of improved parking and drop off facilities within the site itself. Considerable emphasis is placed upon encouraging walking and cycling to the site and the introduction of an enhanced cycling/pedestrian corridor giving direct access to new cycle parking facilities and the main access to the new building is to be provided as part of this development. In addition, a

revised school travel plan is to be prepared and implemented as part of this development. Although this is not submitted as part of the planning application, a suitably worded condition of any approval is sufficient to secure this measure. If agreed, it is considered that the implementation of an evolving school travel plan will allow considerable improvements to be achieved in transportation terms as a result of this development.

5.28 Given that the development will be implemented whilst retaining a fully operational school, it is appropriate to restrict deliveries for the development to times outside peak travel periods in order to protect the safety and amenity of the surrounding highway network. In addition, it is also appropriate to require that a Construction Management Plan is provided and agreed by the Local Planning Authority that clearly sets out the phasing of pedestrian, cycle, staff and service access together with the routing and timing of deliveries in relation to the construction of the new building.

5.29 Having regards to the above assessment, it is considered that the proposed development will offer improvements to the existing highway safety and amenity situation. Subject to the inclusion of the above conditions in respect of any approval of this development, there is no objection in transportation terms.

5.30 Other matters

Comments have been received raising concern over the use of land excluded from this development yet currently forms part of the existing Filton High School Site. This is a triangular plot of land which is situated to the North-west of North Road and which currently contains approximately half of the existing school buildings. Clearly this is currently surplus to requirements in respect of the proposed replacement school complex. However, it does not form part of this planning application and the future use of this land cannot be considered at this stage. Consideration of the use of this land can only be considered as part of a further, independent planning application.

5.31 Design and Access Statement

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

5.32 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted subject to the following considerations.

Background Papers **PT08/0369/R3F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

3. Notwithstanding the submitted details, no development shall take place until further details relating to the planting and landscaping of the development have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details and shall be retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason(s):

To protect the character and appearance of the area to accord with Policies D1, and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and to ensure that appropriate plant types are utilised as part of the landscaping of the development hereby approved.

4. The management of all hard (including sports pitches) and soft landscaping to be implemented as part of the development hereby approved shall be managed in accordance with the 'Landscape and Ecological Management and Maintenance' document as submitted with this planning application unless otherwise agreed in writing by the Local Planning Authority.

Reason(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy D1, L1, L9 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

To ensure a satisfactory standard of external appearance and to accord with Policy D1, L1, L9 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Notwithstanding the submitted details, further details relating to all proposed acoustic fencing to be implemented as part of the development hereby approved and shall demonstrate the height, scale and visual appearance of such measures to be implemented.

Reason(s):

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

6. Notwithstanding the submitted details, further details relating to the proposed cycle store/parking to be implemented as part of the development hereby approved and shall demonstrate the height, scale and visual appearance of such measures to be implemented.

Reason(s):

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

7. Notwithstanding the submitted details, no development shall take place until precise drainage details proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of Overland Flow Routes and the hydrological conditions (eg soil permeability, watercourses, mining culverts) within the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

To ensure that a satisfactory means of drainage is provided, and to accord with Policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

To prevent non-point source pollution and flooding, and to accord with Policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. No foul or contaminated drainage or trade effluent from the site shall be discharged into either ground water or any surface waters, whether direct or via soakaways.

Reason(s):

To prevent non-point source pollution and flooding, and to accord with Policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. All external sports pitches including the Artificial Turf Pitch (APT), Multi Use Games Area (MUGA) and directly associated flood lighting as approved shall not be used between 22:00 hours and 07:30 hours in any 24 hour period.

Reason(s):

To safeguard the amenity of the locality, and to accord with Policy D1, LC4 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

To safeguard the amenity of the locality, and to accord with Policy D1, LC4 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. No construction deliveries shall take place to this site between the hours of 18:00 and 09:30 and between the hours of 14:30 and 16:30 in any 24 hour period.

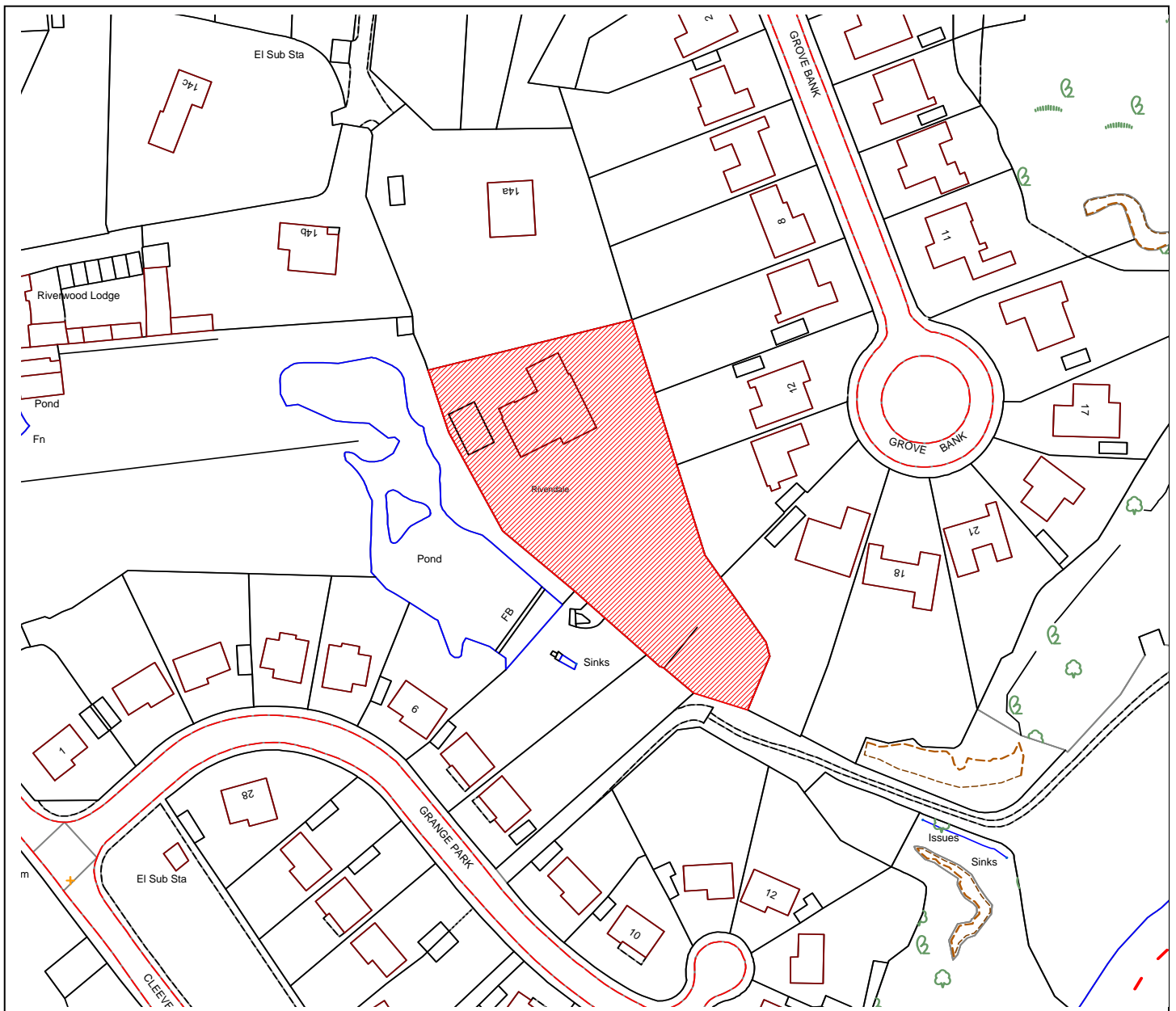
Reason(s):

In order to prevent the conflict between construction delivery traffic and the arrival of school pupils and staff during the peak traffic hours and in the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted and agreed in writing by the Local Planning Authority. The Construction Management Plan shall set out the management of the construction of the development hereby approved and shall include information which sets out the phasing of pedestrian, cycle, staff and service access together with the routing and timing of deliveries and construction workers/trades persons in relation to the construction of the new building.

CIRCULATED SCHEDULE NO. 17/08 – 25 APRIL 2008

App No.:	PT08/0738/F	Applicant:	Mr M Hawthorn
Site:	Rivendale, Grange Park, Frenchay, South Gloucestershire, BS16 2SZ	Date Reg:	19th March 2008
Proposal:	Installation of dormer window (retrospective)	Parish:	Winterbourne Parish Council
Map Ref:	64343 77958	Ward:	Frenchay and Stoke Park
Application Category:	Minor	Target Date:	6th May 2008



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PT08/0738/F

INTRODUCTION

This application appears on the Circulated Schedule in view of the two letters received from the neighbouring residents.

1. THE PROPOSAL

- 1.1 The application seeks retrospective planning permission to allow the retention of a dormer window.
- 1.2 The application site comprises a detached single-storey dwelling on the east side of Grange Park, Frenchay. The application site is located within the settlement boundary but outside of the Frenchay conservation area which adjoins part of the western boundary to the application site.

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: House Extensions
- 2.3 Supplementary Planning Guidance
Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 N1966: Outline application for one detached dwelling; construction of vehicular and pedestrian access. Permitted: 23 June 1977
- 3.2 N1966/1: Erection of detached bungalow; double garage and domestic store. Permitted: 16 March 1978
- 3.3 P86/2884: Installation of dormer window within roof space. Permitted: 5 March 1987
- 3.4 P88/1190: Single-storey rear extension to provide additional bedroom and playroom with enlarged dining room and kitchen. Permitted: 16 March 1988

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection
- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Summary of Local Residents Comments
Two letters received expressing the following concerns:

- The dormer invades the privacy of the neighbouring garden;
- The dormer window would allow views directly into the neighbouring dining room if the existing line of boundary tree screening is removed.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety.

5.2 Design/ Visual Amenity

The application site forms a chalet style unit on the west side of Grange Park. The site sits to the rear of properties fronting this road and is accessed by a single width vehicular track that runs between two of these dwellings; this ensures that the property is not readily visible from the public viewpoints.

5.3 The application seeks retrospective planning permission for the retention of a dormer window. This comprises a flat roofed addition that sits within the valley formed between the main roof structure and rear projecting gable. The dormer provides for an enlarged landing area and contains glazing on both elevations.

5.4 The dormer is of limited height encompassing only the upper half of the existing roof slope. Furthermore, it is noted that the cill level of this addition aligns with the ridge of the dummy pitched roof below helping to ensure that the dormer appears better integrated with the overall design of the dwelling when viewed from ground level. Its recessed position within the valley of two adjoining roof slopes also erodes the size of the build ensuring it does not appear a prominent feature on the roof slopes.

5.5 In view of the above, and with materials matching those of the existing dwelling, it is considered that any associated refusal is unlikely to prove sustainable; this is having regard also to the rear position of the dormer which is not readily visible from the public viewpoints.

5.6 Residential Amenity

The host dwelling sits towards the rear of its respective plot close to the rear boundary of the application site. As such, some concern has been expressed by neighbours to the rear of the application site with the dormer considered to allow views into the neighbouring rear gardens and towards these associated dwellings.

5.7 Nonetheless, the closest neighbouring unit to the rear of the application site is positioned some 24m to the rear of the host dwelling thus it is not considered that permission could be reasonably refused on this basis. Further, the dormer (which is well screened by trees/ hedgerow along the boundary and within the adjoining gardens) would overlook the far end of these adjoining rear gardens and not that part of these gardens closest to these respective properties.

5.8 Concerning the possibility that the applicant might request the removal of the boundary Leylandii (that limit views from the dormer to the adjoining property) under the 2005 Antisocial Behaviour Act (that includes reference to high hedges), it is understood that the law does not allow the removal of trees (only a reduction in height). Further, privacy is an issue that would be addressed when determining a case of this type. However, this is a law of last resort

whilst the applicant has indicated that he has no intention of requesting works to these trees. Permission could also not be reasonably refused on this basis.

5.9 Design and Access Statement

A Design and Access Statement is not required as part of this application.

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

7. RECOMMENDATION

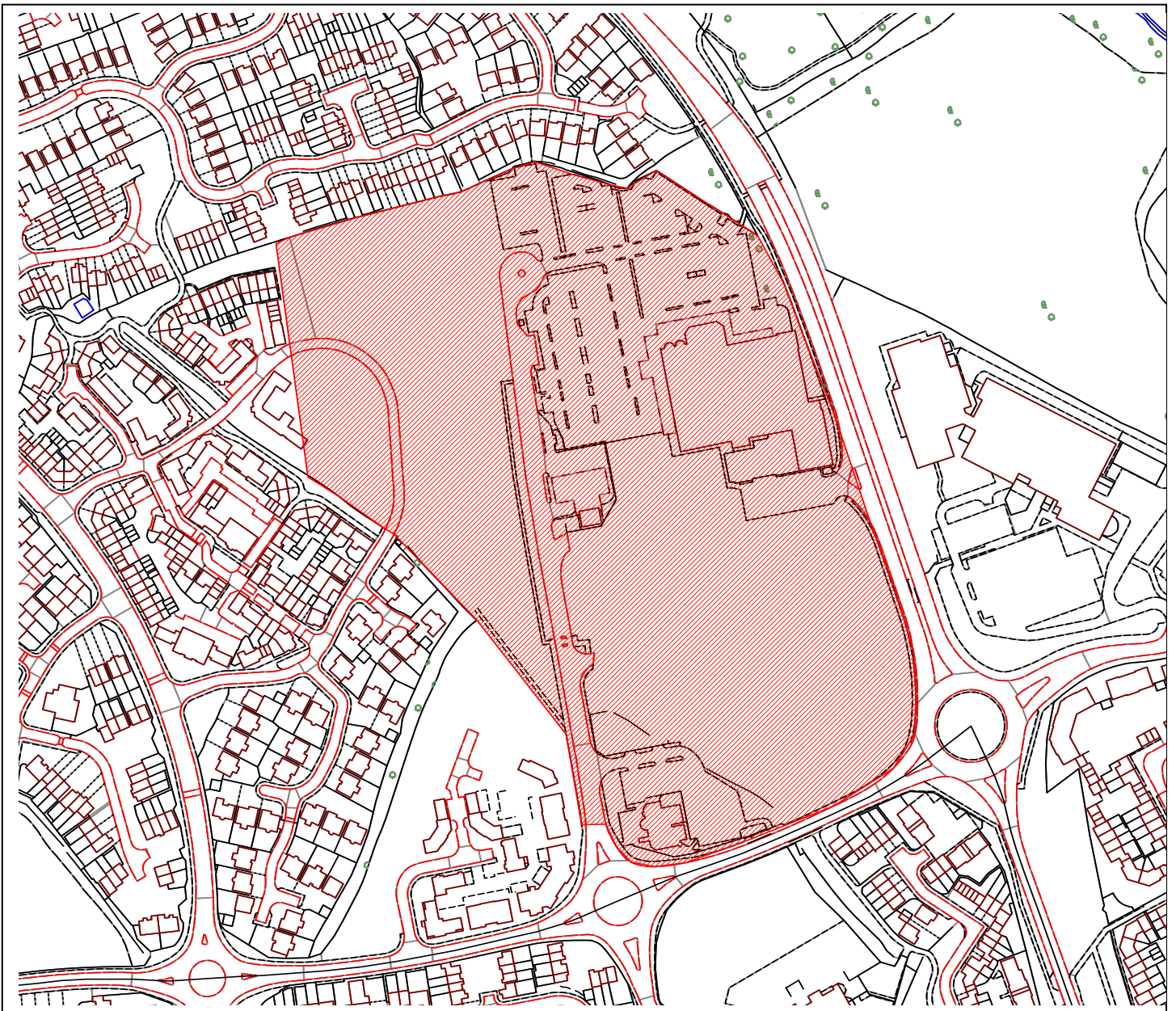
- 7.1 Planning permission is **GRANTED**.

Background Papers **PT08/0738/F**

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

CIRCULATED SCHEDULE NO. 17/08 – 25 APRIL 2008

App No.:	PT08/0781/ADV	Applicant:	Tesco Stores Lts
Site:	Tesco Store, Bradley Stoke Way, Bradley Stoke, South Gloucestershire, BS23 8EF	Date Reg:	25th March 2008
Proposal:	Display of 1 no. non-illuminated hoarding and 2 no. non illuminated gantry signs.	Parish:	Bradley Stoke Town Council
Map Ref:	61999 82022	Ward:	Bradley Stoke Central and Stoke Lodge
Application Category:	Minor	Target Date:	2nd May 2008



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PT08/0781/ADV

INTRODUCTION

This application appears on the Circulated Schedule as a representation was made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application is for Advertisement Consent for the display of 1 no. non-illuminated hoarding sign ('Development Board') and 2 no. non-illuminated gantry signs at Tesco, Bradley Stoke. The hoarding sign is 5.5 m in height and 6.1 m in width. Gantry sign one is 8 m in height and gantry sign two will be 10 m in height. The proposed hoarding signs do not require planning consent as they fall within 'deemed consent'.
- 1.2 The heights of the two gantry signs were reduced from 15 m following Officer's concerns.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG19	Outdoor Advertisement Control

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L19	Display of Advertisements
RT4	Emerging Town Centre in Bradley Stoke

3. RELEVANT PLANNING HISTORY

PT05/1949/F Demolition of existing buildings to facilitate mixed use development to include retail, leisure, community facilities, public open space, bus station, shop mobility centre, petrol filling station, new access arrangements, car parking and other associated works.
Consent 19 October 2007

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

No response.

Other Representations

4.2 Local Residents

One objection on the grounds of impact on visual amenity and loss of sunlight.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPG19 advises that should advertisement be assessed only on visual merit and impact upon public safety. It is not necessary to consider the actual need for new advertisements.

Accordingly, Policy L19 of the South Gloucestershire Local Plan (Adopted) January 2006 states that consent for the display of advertisements will be granted provided that the advertisements would not be detrimental to the immediate location in which it is to be displayed, by virtue of its size, siting, materials, colour or illumination, or that the advertisement or the cumulative effect of the proposal would be detrimental to character and visual amenity of locality. The proposal should not prejudice public safety.

The proposal is therefore considered acceptable in principle subject to the following detailed assessment.

5.2 Assessment of Proposal

The 'Development Board' will be positioned to the south of the site, set back from Savages Wood Road. It is considered that in this position and with its modest size the sign will cause no harm to public safety and would not adversely impact upon the visual amenity of the area.

The size and scale of the two gantry signs is considered appropriate given the character of the development proposed (The Brooks Centre) and the surrounding landscape. Neither sign would be in close proximity to residential properties and would therefore not cause an overbearing impact or loss of light. It is therefore considered that the signs will cause no harm to public safety and would not adversely impact upon the visual amenity of the area.

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

7. RECOMMENDATION

7.1 That Advertisement Consent is **GRANTED**.

Background Papers **PT08/0781/ADV**

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

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. 17/08 - 25 APRIL 2008

App No.:	PT08/0787/F	Applicant:	Mr & Mrs Bird
Site:	1 Costers Close, Alveston, South Gloucestershire, BS35 3HZ	Date Reg:	25th March 2008
Proposal:	Erection of two storey and single storey side extension and single storey rear extension to provide additional living accommodation. (Amendment to previously approved scheme PT07/0748/F).	Parish:	Alveston Parish Council
Map Ref:	63101 88426	Ward:	Thornbury South and Alveston
Application Category:	Minor	Target Date:	8th May 2008



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100023410, 2008.

INTRODUCTION

The application appears on the Circulated Schedule in view of comments received from an adjoining land owner.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for a two-storey side extension, a single-storey side extension and single-storey rear addition.
- 1.2 The application site comprises an end of terrace two-storey dwelling on the east side of Costers Close, Alveston. The site is located within the Alveston settlement boundary that is washed over by the green belt.
- 1.3 The application forms a resubmission of PT07/0748/F that was approved last year and seeks alterations to include a new single-storey rear extension.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG2: Green Belts
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: House Extensions
GB1: Development within the Green Belt
- 2.3 Supplementary Planning Guidance
Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 N8512: Erection of front entrance porch. Permitted: 10 March 1983
- 3.2 PT07/0748/F: Two-storey side and single-storey side extension to provide additional living accommodation. Permitted: 5 April 2007

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
No objection
- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Summary of Local Residents Comments
One letter received expressing the following concerns:
 - The access to the field and cemetery adjacent to the proposal should not be blocked- given the size of the proposal there would appear little room for builder's materials, equipment, supplies and waste materials;
 - No objection to the development itself is raised.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety. Further, where in the green belt, policies GB1 and H4 advise that works should not form a disproportionate addition over and above the size of the original dwelling.

5.2 Design/ Visual Amenity

The application site comprises an end of terrace two-storey dwelling on the east side of Costers Close. The application seeks planning permission for a two-storey and single-storey side extension and would also make provision for a single-storey rear extension.

5.3 Having regard to the side extensions, these are near identical to the works that have been previously approved. In so doing, the two-storey extension would provide a garage at ground floor with a master bedroom above. It would build flush with the front wall of the property though a subservient appearance would be achieved by reason of a lower ridge height; this extension would not extend the full depth of the dwelling. This element of the proposal would measure just under 5m in width and build to the north side of the dwelling.

5.4 The single-storey side extension would abut the rear of the aforementioned extension providing a utility room. This would differ slightly from that previously approved given that the WC would now be omitted allowing side facing patio doors in lieu of the previously approved rear door. Given that these elements of the scheme remain near identical to the recently approved application; there is no objection to this part of the proposal.

5.5 The newly proposed single-storey rear extension would build to the rear of the main part of the dwelling projecting 2.4m into the rear garden thus aligning with the existing neighbouring extension. This element of the proposal would be encompassed by a lean-to roof and is also considered to be acceptable.

5.6 Impact upon the Openness of the Green Belt

PPG2 (Green Belts) carries a presumption against 'inappropriate development' within the green belt; however, it identifies either the extension or alteration of a dwelling as appropriate provided it does not result in a disproportionate addition over and above the size of the original dwelling.

5.7 Notwithstanding the above, the application site is located within the settlement boundary where the principle of infill development is considered acceptable in principle. As such, and in view of the previous permission, there is no objection to the proposal on this basis with no significant adverse impact to the openness of the green belt considered to be caused.

5.8 Residential Amenity

The bulk of the works proposed sit to the north side of the dwelling away from the sole attached property whilst the rear extension now proposed would align with an existing addition to the rear of this neighbouring dwelling both in terms of its depth and height. Therefore, it is not considered that any significant adverse impact in residential amenity would be caused.

5.9 Highway Safety

No highway objection was raised to the previous proposal having regard to the proposed parking and access arrangements. With no changes to this part of the scheme proposed, similarly there is no objection to the current proposal on this basis.

5.10 Outstanding Issues

The adjoining land owners have expressed concern regarding the possibility of materials etc being stored beyond the site boundaries. In this regard, it is considered that the planning informatives attached to any favourable decision notice would address this concern.

5.11 Design and Access Statement

A Design and Access Statement is not required as part of this 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 is **GRANTED** subject to the following conditions:

Background Papers **PT08/0787/F**

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

CONDITIONS

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

Reason(s):

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

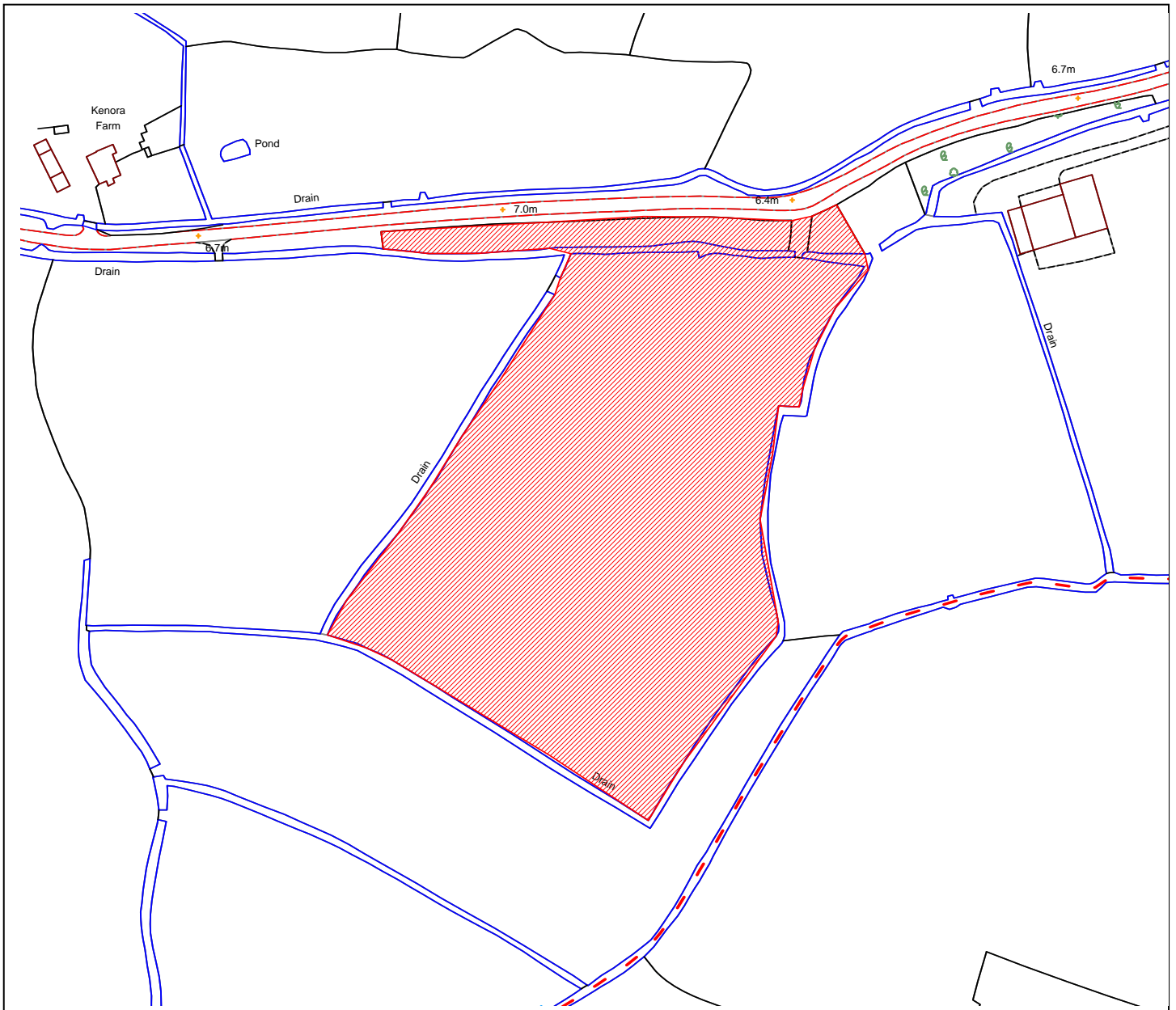
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason(s):

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

CIRCULATED SCHEDULE NO. 17/08 - 25 APRIL 2008

App No.:	PT08/0809/F	Applicant:	Mrs J Daniells
Site:	Ostbridge Barn, Pilning Street, Pilning, South Gloucestershire, BS35 4HN	Date Reg:	27th March 2008
Proposal:	Change of use of land from agricultural land to equine use. Erection of 4 no. stables with tack room.	Parish:	Olveston Parish Council
Map Ref:	57886 85551	Ward:	Severn
Application Category:	Minor	Target Date:	6th May 2008



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N.T.S

PT08/0809/F

INTRODUCTION

This application appears on the Circulated Schedule following concerns raised by the Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the both change of use of agricultural land to an equine use and for the erection of 4no. stables with tack room.
- 1.2 The proposed stable block would be arranged in an L shape. It would be approximately 16 metres in length and 9 metres in width (at the widest point). The applicant has proposed to finish the elevations with timber cladding and the roof with black felt.
- 1.2 The application site relates to parcel of land approximately 3.14 Hectares in area. The site is situated within the open Green Belt and is within the Environment Agency Flood Zone 3.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1: Delivering Sustainable Development
- PPG2: Green Belts
- PPS7: Sustainable Development in Rural Areas
- PPS24: Development and Flood Risk

2.2 South Gloucestershire Local Plan (Adopted) January 2006

- D1: Achieving Good Quality Design in New Development
- L1: Landscape Protection and Enhancement
- GB1: Development within the Green Belt
- E10: Horse Related Development
- LC5: Sport and Recreation Outside Settlement Boundaries
- EP2: Flood Risk Protection
- T12: Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

- Design Checklist SPD (Adopted) August 2007
- Development within the Green Belt SPD (Adopted) June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council

No objection however concerns regarding additional usage of a very narrow highway with ditches on both sides.

4.2 Environment Agency

No objection subject to condition ensuring floor levels are 300mm above existing ground level and an informative stating that the Lower Severn Drainage Board should be consulted regarding surface water drainage.

4.3 Sustainable Transportation

No objection subject to condition ensuring that the stables should not be used for a business use.

4.4 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated within the open Green Belt, as such the appropriateness of an equine use and a new stable block within the Green Belt needs to be considered. PPG2 (Planning Policy Guidance 2: Green Belts) and Policy GB1 gives provision for essential facilities for outdoor sport and recreation which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it are not inappropriate. PPG2 quotes that small stable as an example of such development. As such the proposal would be an appropriate development within the Green Belt subject to its impact on the openness of the Green Belt.

5.2 National Government advice in PPS7 (Planning Policy Statement 7: Sustainable Development in Rural Areas) supports equine development which maintains environmental quality and the character of the countryside. This is reiterated though Policy E10 and L1 of the South Gloucestershire Local Plan, which gives provision for horse related development such as stables, field shelters and riding schools, outside of settlement boundaries. This is on the basis that there is; no unacceptable environmental effects, no adverse impacts on residential amenity; adequate vehicular access and parking provision and the design of buildings, number of horses and size of the site should have proper regard to the safety and comfort of horses. In addition, there should also be convenient access to bridleways and no suitable underused buildings on the site.

5.3 Finally, the application site is situated within the Environment Agency Flood Zone 3. As such, regard would therefore be given to PPS25 (Planning Policy Statement 25: Development and Flood Risk) and Policy EP2 of the Local Plan which ensures that the proposed development is appropriate for flood risk of the zone which it falls within.

5.4 Impact on the openness of the Green Belt

It has been established that the proposed equine use and the small stable block would be considered an appropriate development within the Green Belt. However, to accord with Policy GB1 it must be demonstrated that the development would not prejudice the openness of the Green Belt.

5.5 The form of the proposed stable block would be modest in height and mass and would be finished in timber cladding. In addition, the development would be sited in an area surrounded by mature hedgerow which would partially screen the stables from the surrounding area. As such, it is considered that the proposed stable block would be clearly agricultural in design and typical of a rural location. Therefore, the proposal would present a small scale recreational facility which would preserve the openness of the Green Belt in this location.

5.6 Finally, it is considered that the proposed equine use and its associated activities, would not have a materially greater impact on the openness of the Green Belt than the existing agricultural use.

5.7 Horse Welfare

The British Horse Society recommends that between 0.4 – 0.8 Hectares of pasture can provide grazing for a single horse through the summer months in normal circumstances. All horses will however require additional feed from October to March. With regard to this, the application site (3.14 Hectares) can provide a maximum accommodate for 4 horses. Moreover, stabling for four horses is provided, the size of which would comply with the British Horse Society recommendations in terms of internal head height and floor area. In view of the above it is considered that adequate accommodation for the horses is provided.

5.8 Furthermore, the application site lies within a rural area where there are a number of recreational routes where walking, cycling and horse riding are encouraged. These provide safe and convenient access to bridleways and riding ways for riders.

5.9 Design and Visual Amenity

The proposed stables would adopt a modest design solution achieved by keeping the ridge and eaves height low. Furthermore, the applicant has chosen to finish the stables in timber cladding and a black felt roof. It is considered that this would present an unassuming stable block which would respect the rural character of the area. As such, it is considered that there would be no adverse impact on the visual amenity of the area. However, it is noted that ad-hoc storage relating to the keeping of horses (e.g. horse boxes, trailers, portable building etc) can have an adverse impact on visual amenity and the openness of the Green Belt. It is therefore recommended that a condition is attached to prevent any such storage.

5.10 Transportation

The site would have access onto Pilning Street, which is a C-Classified highway. The Parish Council has raised concerns regarding additional usage of a very narrow highway with ditches on both sides. Notwithstanding this, the Councils Transport Engineer raised no objection to this proposal providing the stables are only used by the owner and are not used for a business use. This will be secured through a condition.

5.11 Flood Risk

The application site is situated within Environment Agency Flood Zone 3. Under PPS25 the application needs to pass the risk-based Sequential Test in order to steer new development to the areas of lowest probability of flooding. With regard to Flood Risk Vulnerability Classification within PPS25, the proposed development would be classed as “Land and buildings used for agriculture and forestry”, which is considered to be a Less Vulnerable land use. The proposed stables are therefore considered an appropriate development within Flood Zone 3. This has been reiterated by the Environment Agency who has raised no objection. However, it was recommended that a condition is attached to ensure floor levels are 300mm above existing ground level.

5.12 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.

5.13 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 following conditions:

Background Papers **PT08/0809/F**

Contact Officer: **Peter Rowe**
Tel. No. **01454 863131**

CONDITIONS

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

Reason(s):

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

2. At no time shall the stables and the associated land be used for livery, riding school or other business purposes whatsoever.

Reason(s):

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

3. At no time shall horse boxes, trailers, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses.

Reason(s):

To protect the character, appearance and openness of the area, and to accord with Policy D1, L1, GB1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The finished floor level of the building hereby permitted shall be set at a minimum of 300mm above existing ground level.

Reason(s):

To prevent flooding and to accord with Policies EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 17/08 – 25 APRIL 2008

App No.: PT08/0824/F
Site: 88 Conygre Grove, Filton, South Gloucestershire, BS34 7HU
Proposal: Erection of two storey side extension and single storey rear extension to facilitate conversion of existing dwelling to form 3 no. self contained flats with associated works. (Re-Submission of PT08/0218/F)
Map Ref: 61066 79241
Application Category: Minor

Applicant: Mr H Ahmadi
Date Reg: 27th March 2008
Parish: Filton Town Council
Ward: Filton
Target Date: 5th May 2008



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INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission to convert an end-terrace dwelling into 1no. two bedroom maisonette, 1no. two bedroom flat and 1no. one bedroom flat. The conversion would be facilitated by the erection of a single storey rear extension and a two storey side extension.
- 1.2 The rear garden is to be split in two to provide amenity space for both flats. Bin storage and cycle storage for all the flats would be provided within the rear garden.
- 1.3 The application site relates to a end-terrace dwelling which is located on a corner plot. The site is situated within the well established residential area of Filton.
- 1.4 This application is a resubmission of the previously withdrawn application PT08/0218/F.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1: Delivering Sustainable Development
- PPS3: Housing
- PPG13: Transport

2.2 Development Plan

Joint Replacement Structure Plan

- Policy 1: Sustainable Development Objectives
- Policy 2: Location of Development
- Policy 34: Re-use of Previously Development Land
- Policy 35: Housing Density

South Gloucestershire Local Plan (Adopted) January 2006

- Policy D1: Achieving Good Quality Design in New Development
- Policy L1: Landscape Protection and Enhancement
- Policy H4: Development within Existing Resident Curtilages
- Policy H5: Residential Conversions
- Policy T7: Cycle Parking
- Policy T8: Parking Standards
- Policy T12: Transportation Development Control Policy

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/0218/F Erection of 2 storey side and 2 storey rear extensions to facilitate conversion of existing dwelling to 4 no. flats with associated works.

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Object to family homes being converted into flats. Over intensive and detrimental to the street scene,

4.2 Sustainable Transportation

No objection subject to:

1. A financial contribution towards the North Fringe development proposal (Transport Measures) is required; this should be secured via an appropriate agreement and provided prior to the issuing of any planning permission. This is assessed at £1800;
2. To enlarge the proposed combined cycle and bin storage, there should be six secure/undercover cycle spaces, and the bin area should accommodate the Council's twin bin system and recycling boxes for each dwelling;
3. The proposed vehicular crossovers should be constructed to the satisfaction of the Street Care Manager;
4. The proposed parking areas should have a bound surface;
5. No entrance gates.

4.3 Local Residents

One letter of objection received, raising the following points:

- a) Concerns regarding who will occupy the flats; and
- b) Will the owner provide off-street parking for the flats.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

5.2 Design and Visual Amenity

The existing dwelling relates to an end-terrace dwelling. The dwelling is a typical post-war house type which is widely seen within the Filton area. The street-scene in this location differs significantly. This is because the development to the north comprises mainly of dwellings of similar or identical design, whilst the development to the south relates to an open plan development of flats and small terraces.

- 5.3 The proposed side extension would be situated on the southern elevation. To ensure the character of the existing dwelling is retained, the side extension has been made to appear subservient to the existing dwelling. This has been achieved by setting the building line back by 0.4 metres and ridge line down by 0.2 metres. Furthermore, the width of the extension (approximately 3.1 metres) would respect the proportions of the existing dwellings front elevation. The proposed side elevation includes a window, door and storm porch. It is considered that the addition of this detailing provide interest to a prominent elevation.

- 5.4 The proposed single storey extension would have a simple lean-to design and its massing and scale would respect the proportions of the existing dwelling. It is proposed that both extensions would have a render finish and would use roman tiles to match the existing dwelling. Given the above and notwithstanding the Parish Councils objections, it is considered that the proposed extensions would be acceptable in terms of design and as such would respect the character and appearance of the existing dwelling and the street-scene. Furthermore, the proposed cycle and bin store would adopt a simple design and scale, akin to a domestic garden shed. This is considered to be acceptable with regard to design and visual amenity.
- 5.5 The existing application site includes an untidy hedge along the southern boundary. Notwithstanding its current state, it is considered that this would add amenity to the street-scene and would provide “green” buffer which would lessen the visual impact of the side extension on the street-scene. It is noted that some parts of the hedge would need to be removed to facilitate the side extension, however it is considered important that the hedgerow should be retained in the south-east corner of the site adjacent to the highway. This would be secured through a landscaping condition.
- 5.6 Residential Amenity
The application site is situated on a corner plot, as such the site is only adjoined by one dwelling to the north (No. 86 Conygre Grove) and an access road to the south. The proposed two storey extension would be sited on the southern elevation. The nearest residential property would be flats which are approximately 15 metres to the south. Given this distance, it is considered that the two story extension would not result in an adverse overbearing impact or would prejudice privacy. dc
- 5.7 The proposed lean-to extension would extend across the entire width of the rear elevation and would have a depth of approximately 3.1 metres. The proposal would be single storey and would have a pitched roof. Given the extensions form, mass and scale, it is not considered to represent an overbearing structure which would be harmful to the amenity of the neighbouring occupiers.
- 5.8 With regard to internal disturbance between the proposed flats and adjacent dwelling. It should be noted that where possible, bedroom accommodation would be retained along side that of the attached dwelling. This would help to minimise noise and disturbance to the adjoining occupiers. Furthermore, it is also noted that the scope for Building Regulation considerations was extended in 1991 to cover detailed requirements for sound insulation between converted flats and adjoining properties.
- 5.9 In view of the above it is considered that the proposed extensions and flat conversion would not result in any adverse affect on residential amenity. The proposal therefore accords to policies H4 and H5 of the local plan.
- 5.10 Amenity Space
The existing dwelling benefits from a large rear garden. It is proposed that this would be subdivided by a 1.8 metre timber fencing to provide amenity space for the two bed maisonette and flat. The proposed one bed flat would have no access to amenity space, however it is considered this size of accommodation would not be a family unit and there is sufficient open space in the surrounding

area to satisfy the occupier. In view of the above, it is considered that adequate private amenity space is provided for basic outdoor needs. As such, it is considered that the proposal would accord to policies H2, H4 and H5 of the local plan.

5.11 Transportation Issues

The Councils Transportation Officer has raised no objection to this proposed development. They considered the proposed parking provision to adequate. Concerns were raised with regard to the size of the proposed cycle parking and bin store. However, amended plans have been received which have suitably overcome these issues. The Transportation Officer suggested that condition should be attached to restrict entrance gates. Notwithstanding this, no highway safety issue has been demonstrated, as such this condition would not be attached to the consent.

5.12 Furthermore, in order to mitigate the incremental damage on the North Fringe accumulated via numerous small developments a financial contribution of £1800 is requested towards the North Fringe development proposal (Transport Measures). The applicant has been contact and advised of this issue.

5.13 Other Matters

A local resident has raised concerns regard the future occupation of the proposed flats. This is not a material planning consideration.

5.14 Design and Access Statement

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

5.15 Section 106 Requirements

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

6. CONCLUSION

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

The 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 Authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant permission subject to conditions set out below and the applicant first voluntarily enter into an agreement under Section 278 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- 7.2 A contribution of £1800 towards the North Fringe Development Proposal (Transport Matters) initiative. The reasons for this agreement are to mitigate against the impact on the Bristol North Fringe local road network to comply with Policy T12.
- 7.3 Should the section 278 agreement fail to be determined within one year of this resolution, then the application be refused on the failure to secure the contribution to mitigate against transportation impact.

Background Papers PT08/0824/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. Prior to the commencement of development, details of the dropped kerb and pavement crossing shall be submitted to and approved in writing by the Local Planning Authority and the development when carried out shall conform to the details so approved and be implemented prior to the first occupation of the dwelling.

Reason(s):

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

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

Reason(s):

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

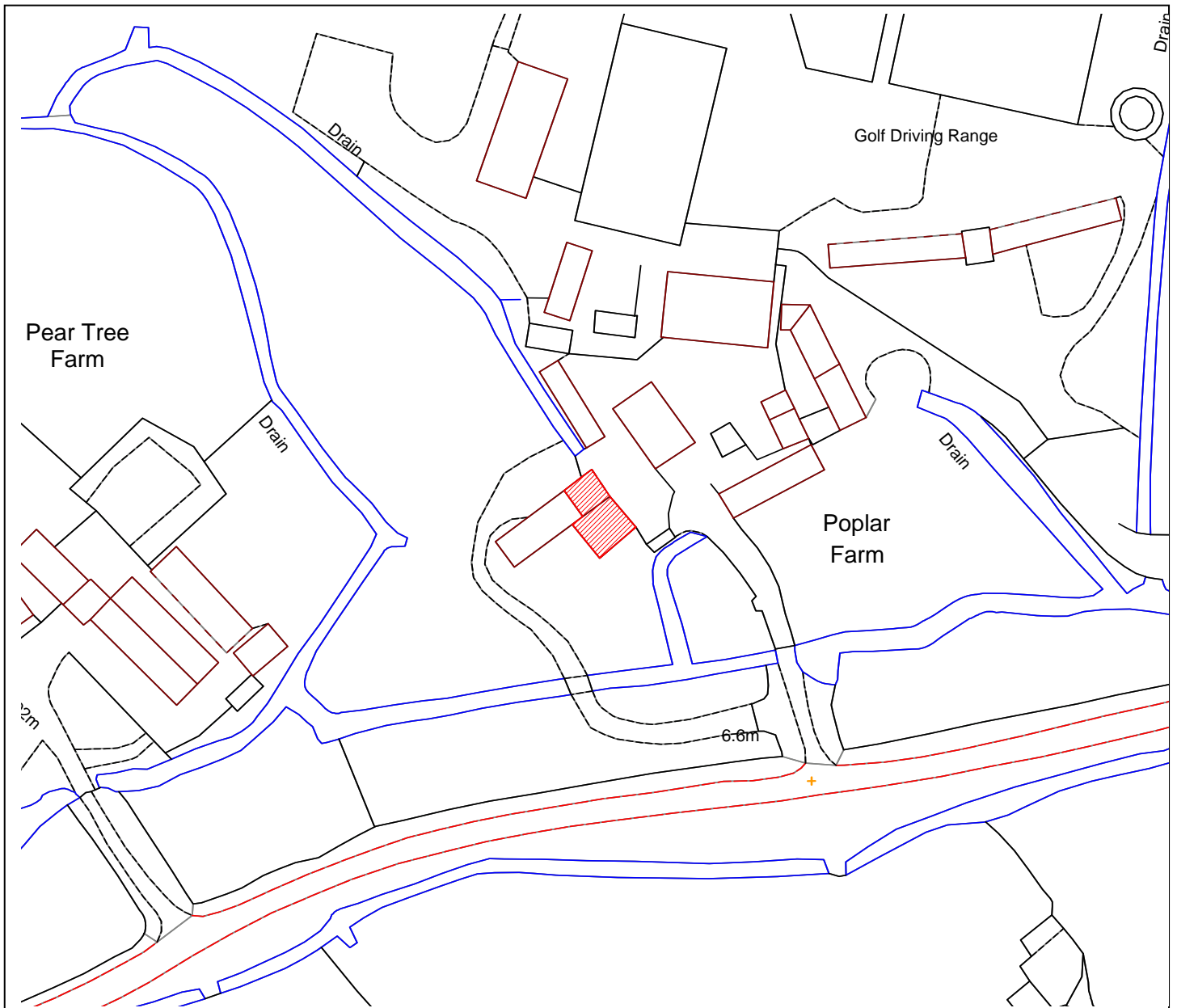
4. The proposed off-street parking facilities shall be finished with a bound surface.

Reason(s):

To ensure that loose material does not interfere with the classified highway for the maintenance of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 17/08 – 25 APRIL 2008

App No.:	PT08/0845/CLE	Applicant:	Mr C Ponting
Site:	Poplars Farm, Pilning Street, Pilning, South Gloucestershire, BS35 4HL	Date Reg:	31st March 2008
Proposal:	Certificate of Lawfulness for retention of existing stone building.	Parish:	Olveston Parish Council
Map Ref:	58359 85870	Ward:	Severn
Application Category:	Minor	Target Date:	13th May 2008



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N.T.S

PT08/0845/CLE

This application is for a Certificate of Lawfulness, and as such, under the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The application is for a Certificate of Lawfulness for the retention of the existing stone building on the basis that it has existing in its current form and position for in excess of 4 years.
- 1.2 The site consists of a partially completed stone building. Access to the site is from Pilning Street.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Procedures) Order 1995 Article 24
Circular 10/97 Enforcing Planning Control

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/1834/F Conversion of existing barn to form dwelling
Refused
- 3.2 PT05/0711/F Conversion of existing barn to form dwelling, workshop and garage. (Resubmission of planning application PT04/1834/F).
Refused
- 3.3 PT07/1696/F Conversion of existing barn to form dwelling, office (Class B1) and workshop.
Refused

4. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 4.1 The application is supported by five sworn Statutory Declarations in the names of Nigel Cant, Nigel Snell, Colin Ponting, Richard Pearce, and Bill Cullimore. Further submitted evidence relates to plans and correspondence relating to the building work that has occurred on this site.
- 4.2 Several planning applications have been submitted in relation to this building dating as far back as 2004 (as detailed above) and the building was known to officers of the Council prior to the first submissions.

5. SUMMARY OF CONTRARY EVIDENCE

- 5.1 None Received

6. OTHER REPRESENTATIONS RECEIVED

- 6.1 Olveston Parish Council comment that they are unsure if the building has been in place for more than four years.

7. EVALUATION

- 7.1 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to prove precise and unambiguous evidence.
- 7.2 In this instance it must be proven that the building has been in existence in this position and in this form for a period in excess of four years.
- 7.3 The submitted evidence is made up of five individual sworn declarations. This is substantial and as such the evidence has considerable weight in favour of the claim that the building has existed in this location for a period well in excess of four years. Additional evidence shows that an enforcement complaint was investigated in relation to the subject building in April 2002.
- 7.4 The local planning authority does not have any evidence that can demonstrate to the contrary. Having regard to the above, it is considered that the evidence presented by the applicant proves that, on the balance of probability, the subject building has existed for a period in excess of four years.

8. RECOMMENDATION

- 8.1 A Certificate of Existing Lawful Use be granted to show that the building has existed for a period in excess of four years and in that regard is lawful under the terms of the Town and Country Planning Act 1990 (as amended).

Background Papers **PT08/0845/CLE**

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