



**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. 32/08**

**Date to Members: 08/08/08**

**Member's Deadline: 14/08/08**

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

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

Having considered the reports, those applications that Councillors feel should be referred to an appropriate Area Development Control Committee must be notified to the Development Control section **within five working days of the publication of the schedule (by 5pm)**. If there has been no member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule. **Before referring an item to the Committee, Members may wish to speak to an officer about the issue, in order that any problems can perhaps be resolved without the need for referral to a Committee.**

## **NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS**

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Area Committee, please let the Director of Planning, Transportation and Strategic Environment know within 5 working days of the date of this Schedule (eg, if the schedule is published on a Friday, comments have to be submitted by the end of Thursday) (see cover page for the date). A proforma is attached for your use and should be forwarded by fax to the appropriate Development Control Support Team, or by sending an email with the appropriate details to [PlanningApplications@southglos.gov.uk](mailto:PlanningApplications@southglos.gov.uk)

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

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

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

## **GUIDANCE FOR 'REFERRING' APPLICATIONS**

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

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

## CIRCULATED SCHEDULE

**DATE: 08/08/08**

**SCHEDULE NO. 32/08**

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 5pm), to the appropriate Development Control Support Team. For the Kingswood area, extension 3544 (fax no. 3545), or the Development Control Support Team at the Thornbury office, on extension 3419 (fax no. 3440), or email [Planningapplications@southglos.gov.uk](mailto:Planningapplications@southglos.gov.uk).

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

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

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

**Please note: - Reason for Referral**

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

**SIGNATURE .....**

**DATE .....**

**Dates and Deadlines for Circulated Schedule  
for the August Bank Holiday period 2008**

<b>Schedule Number</b>	<b>Date to Members 9am on</b>	<b>Members Deadline 5pm on</b>
34/08	Thursday 21 August 2008	Thursday 28 August 2008

# Circulated Schedule 08 August 2008

<b>ITEM NO.</b>	<b>APPLICATION NO</b>	<b>RECOMMENDATION</b>	<b>LOCATION</b>	<b>WARD</b>	<b>PARISH</b>
1	PK08/1609/F	Approve with conditions	Newark View, High Street, Hawkesbury Upton, South Gloucestershire, GL9 1AU	Cotswold Edge	Hawkesbury Upton Parish Council
2	PK08/1635/F	Approve with conditions	Peopleton Brook Farm Mill lane Old Sodbury South Gloucestershire	Cotswold Edge	Sodbury Town Council
3	PK08/1741/F	Approve with conditions	60 High Street, Hanham, South Gloucestershire, BS15 3DR	Hanham	Hanham Parish Council
4	PK08/1798/F	Approve with conditions	28 Anchor Road, Kingswood, South Gloucestershire, BS15 4RG	Kings Chase	
5	PK08/1833/F	Approve with conditions	Green Dragon, 44 Badminton Road, Downend, South Gloucestershire, BS16 6BS	Downend	Downend and Bromley Heath
6	PK08/1836/LB	Approve with conditions	44 Green Dragon, Badminton Road, Downend, South Gloucestershire, BS16 6BS	Downend	Downend and Bromley Heath
7	PK08/1914/F	Approve with conditions	23 Woodhall Close, Downend, South Gloucestershire, BS16 6AJ	Rodway	
8	PK08/1940/ADV	Approve with conditions	B & Q Plc, Gallagher Retail Park, Aldermoor Way, Longwell Green, South Gloucestershire, BS30 7DA	Longwell Green	Oldland Parish Council
9	PK08/1941/R3F	Deemed consent	Hanham High School, Memorial Road, Hanham, South Gloucestershire, BS15 3LA	Hanham	Hanham Abbots Parish Council
10	PK08/1965/TRE	Approve with conditions	230 Witcombe, Yate, South Gloucestershire, BS37 8SD	Dodington	Dodington Parish Council
11	PK08/1980/F	Approve with conditions	13 Kingfisher Road, Chipping Sodbury, South Gloucestershire, BS37 6JG	Chipping Sodbury	Dodington Parish Council
12	PT08/1612/F	Approve with conditions	Unit 1190, Park Avenue, Aztec West, Almondsbury, South Gloucestershire, BS32 4AP	Patchway	Patchway Town Council
13	PT08/1734/F	Approve with conditions	Oak House, Frenchay Hill, Frenchay, South Gloucestershire, BS16 1LS	Frenchay and Stoke Park	Winterbourne Parish Council
14	PT08/1809/F	Approve with conditions	18 Wallscourt Road, Filton, South Gloucestershire, BS34 7NS	Filton	Filton Town Council
15	PT08/1867/F	Approve with conditions	11 Langthorn Close, Frampton Cotterell, South Gloucestershire, BS36 2JH	Frampton Cotterell	Frampton Cotterell Parish Council
16	PT08/1926/F	Approve with conditions	Land to rear of, 44 Townsend Lodge, Townsend Lane, Almondsbury, South Gloucestershire, BS32 4EQ	Almondsbury	Almondsbury Parish Council

<b>ITEM NO.</b>	<b>APPLICATION NO</b>	<b>RECOMMENDATION</b>	<b>LOCATION</b>	<b>WARD</b>	<b>PARISH</b>
17	PT08/1964/F	Approve with conditions	Plot 1-3 Carel, Land off New Road, Rangeworthy, South Gloucestershire, BS37 7QH	Ladden Brook	Rangeworthy Parish Council
18	PT08/2002/F	Approve with conditions	Building 450, The Avenue, Bristol Business Park, Coldharbour Lane, Stoke Gifford, South Gloucestershire	Frenchay and Stoke Park	Stoke Gifford Parish Council

**CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008**

**App No.:** PK08/1609/F  
**Site:** Newark View, High Street, Hawkesbury Upton, South Gloucestershire, GL9 1AU  
**Proposal:** Erection of first floor side and rear extension to provide additional living accommodation. Installation of 2no. front dormers. Erection of front porch.  
**Map Ref:** 77743 87008  
**Application Category:** Minor

**Applicant:** Mr G Crockett  
**Date Reg:** 16th June 2008  
**Parish:** Hawkesbury Upton Parish Council  
**Ward:** Cotswold Edge  
**Target Date:** 5th August 2008



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**N.T.S**

**PK08/1609/F**

## **INTRODUCTION**

This application appears on the circulated schedule due to the receipt of one letter of objection from Hawkesbury Upton Parish council and also an objection from a neighbouring property.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a first floor extension to the side and rear of the existing dwelling Newark View on Hawkesbury Upton High street. The application also proposes the installation of two front dormer windows. The purpose of the extension is to provide an enlarged bathroom and an additional bedroom. The first floor extensions will be erected over an existing single storey side extension.
- 1.2 The plans also show the erection of a low dry-stone wall with picket gates around the front of the property. Whilst it looks like these will be erected on the pavement – the walls will be entirely on land within the ownership of Newark House and will not affect the public highway. The walls and fence, as they are under 1 metre in height, do not require the submission of a full planning application and are only shown on the plans at the officers request in the interest of completeness.
- 1.3 During the course of the application, minor amendments to the original plans have been received from the agent to alter the window arrangement and also to remove the vent pipe from the front roof slope.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design in New Development
- H4 House Extensions
- T8 Parking Standards
- L12 Development in Conservation Areas
- T12 Transportation Development Control

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

- 3.1 None relevant.

### **4. CONSULTATION RESPONSES**

- 4.1 Hawkesbury Upton Parish Council  
Object to the insertion of dormer windows onto this historic cottage in the Conservation Area.



## **Other Representations**

### 4.2 Local Residents

One neighbouring property objects to the scheme. A summary of the main points of objection is as follows:

- The extension will block light from their garden
- The new first floor window will overlook their rear garden resulting in loss of privacy

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) states that house extensions will be permitted subject to issues relating to massing, scale, proportions, materials, design, highways, and impact upon residential amenity. Policy L12 only allows for development that preserves or enhances the character or appearance of the conservation area.

### 5.2 Design/Visual Amenity

Generally, it is considered that the two-storey side extension is designed in sympathy to the existing dwelling and surrounding properties. It is accepted that the extension is not set back from the front of the existing building but it is set down at ridge and eaves height. During the course of the application your officer approached the agent to request that the extension also be set back from the main front wall of the original dwelling. However, there is an existing single storey side extension that runs flush with the main front wall of the dwelling and the first floor extension is to be erected on top of this existing single storey side extension. The agent states that structural engineers have confirmed that the existing single storey side extension is capable of supporting the first floor side extension. To request the first floor of the extension be set back from the ground floor of the extension would over complicate the design of the building detracting from its simplicity. The windows in the side extension have been moved during the course of the application – the windows are now to sit centrally in the front elevation thus improving the sense of balance.

The dormer windows as designed are modest in size and have vertical emphasis. During the course of the application your officer requested that in line with the comments of the Parish Council, that consideration be given to either the relocation of the dormers to the rear roof slope or their replacement with rooflights. Full details have been submitted by the agent to explain why neither of these options are possible. It is not possible to locate the dormer windows on the rear elevation because of the other buildings attached to the rear of the dwelling meaning they would not be suitable as means of emergency escape. It is essential that the room has adequate means of escape in order to satisfy building regulations. It is not possible to insert roof lights in place of the dormer windows as they would not fit adequately between the existing roof trusses.

Whilst the dormer windows will undoubtedly have an impact upon the street scene, because of their relatively small size, the Conservation Officer and your Planning Officer do not consider the dormer windows would have such an impact to be considered not to preserve the character or appearance of the Conservation Area.

The dormer windows allow the plane of the original roof to dominate and do not detract from the visual amenities of the street scene or character of the conservation area.

It is not considered that the proposed extensions, as visible from the highway would be out of keeping with the surrounding area or the character of the conservation area. A condition will be attached to any consent granted to ensure that the materials to be used in the construction of the extension and dormers match those of the existing dwelling. As such, the extensions are considered acceptable in terms of design and visual amenity.

### 5.3 Residential Amenity

No new windows are proposed in the side elevations of the extension that could result in any issues of overlooking or loss of privacy for the neighbouring properties. The side extension, because of its siting alongside the gable side wall of the neighbour will not be visible from the neighbouring property and thus will not be overbearing.

One new window will be inserted at first floor level in the rear elevation of the property. This window will face out towards the garden of No's 1 and 2 Rose Cottages. The new window as proposed is a secondary bedroom window only and is of very limited size. It is not considered that this additional window will allow for any significantly greater levels of overlooking than currently exist and will have no significant impact upon the amenities of No's 1 or 2 Rose Cottages.

It is also noted that the owners of Rose Cottages to the rear of the application site are concerned that the extension as proposed could result in loss of light for their garden and property. It is important to note that the application property, and therefore the proposed extension, are to the North of Rose Cottages and therefore would not cause any additional levels of overshadowing or loss of light.

Further, there are no concerns relating to loss of daylight/sunlight and there will be no changes in the amount of garden space remaining to serve the property. The impact on residential amenity is consequently deemed acceptable.

### 5.4 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## **7. RECOMMENDATION**

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

**Background Papers**      **PK08/1609/F**

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

### **CONDITIONS**

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

Reason

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

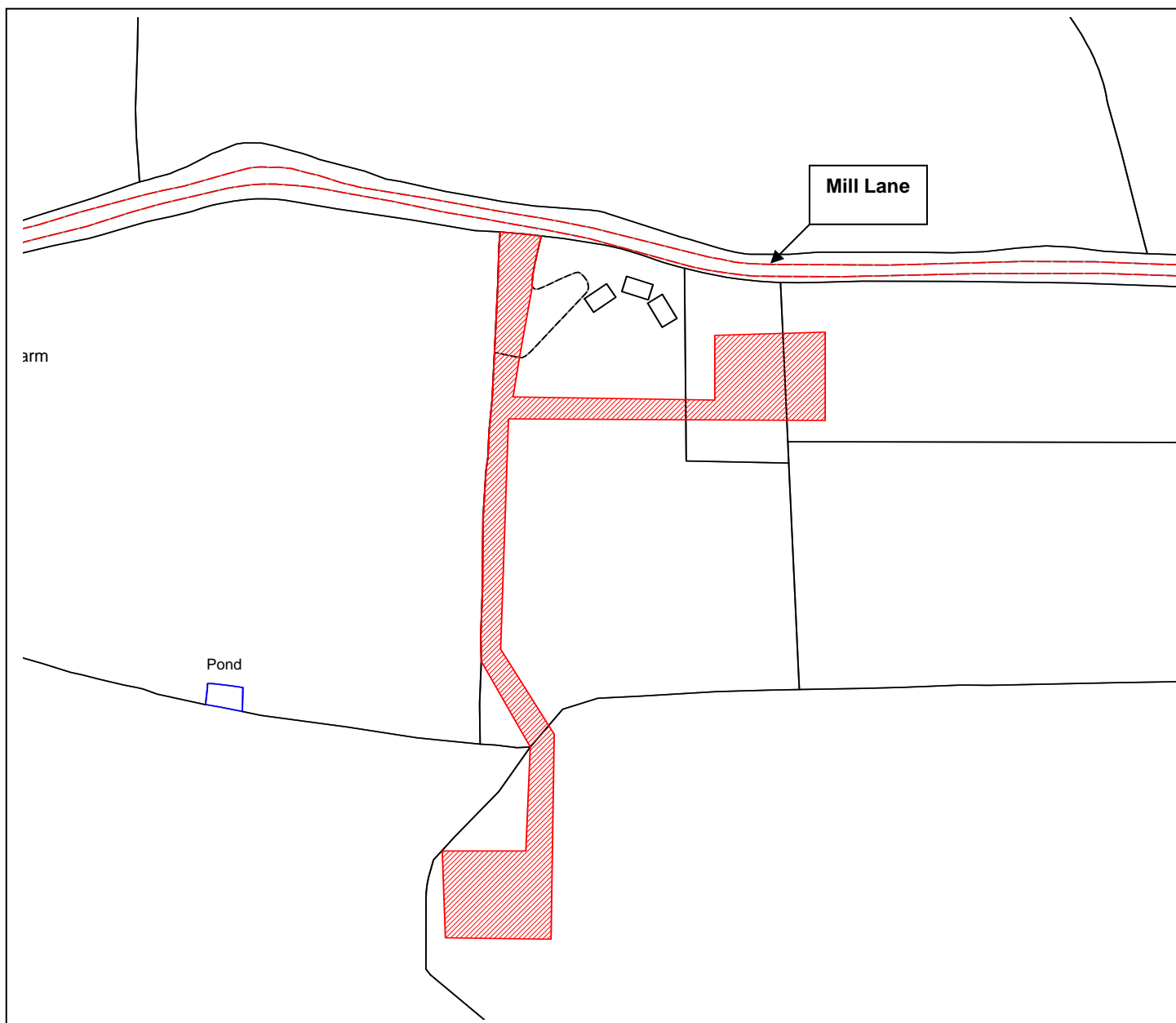
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

**CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008**

<b>App No.:</b>	PK08/1635/F	<b>Applicant:</b>	Mr & Mrs Payne
<b>Site:</b>	Peopleton Brook Farm Mill lane Old Sodbury South Gloucestershire	<b>Date Reg:</b>	17th June 2008
<b>Proposal:</b>	Erection of agricultural building. Erection of log chalet for use as an agricultural workers dwelling for a temporary period of three years. (Resubmission of PK08/0684/F).	<b>Parish:</b>	Sodbury Town Council
<b>Map Ref:</b>	74118 80882	<b>Ward:</b>	Cotswold Edge
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th September 2008



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**N.T.S**

**PK08/1635/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of mobile home to support a proposed alpaca farm. The site comprises 7.15 hectares and has number of mobile stables in place, the land currently being used for the keeping of horses (PK04/3394/F). The site is situated on the southern side of Mill Lane, a no through road and the land is situated within the Bristol/Bath Green Belt.
- 1.2 The applicant indicates that the mobile stables will remain and 70 plus alpacas will be kept on the land (or up to 30 breeding females). A temporary mobile home (log cabin style), will be erected on the site set well back from the road and accessed by the existing access and will be used in association with the business. The building would have a length of 20.1 metres by 6.8 metres with a height of 3.6 metres and area of 136.7sq.m. In addition an agricultural building will also be erected, close to the road. The structure, built of profiled metal would be approximately 13 metres long by 9 metres wide (117 sq.m) and will be used for the storage of equipment and fodder and occasionally for the handling of sick animals.
- 1.3 The applicant has submitted a design and access statement and detailed Agricultural Appraisal in support of the proposal. In addition a landscaping scheme has also been submitted as well as a scheme for drainage.
- 1.4 This application represents a resubmission of Application PK08/0684/F (see history below), that was refused on the basis that insufficient drainage details were supplied with the application to allow an assessment of the impact of the proposal upon the water environment. In addition the proposed Agricultural Building (216 sq.m) was considered overly large for the purpose it is intended and would thus have an adverse impact upon the Green Belt.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

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

#### **2.2 Development Plans**

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

L1	Landscape Protection and Enhancement
L17	The Water Environment
EP1	Environmental Pollution
GB1	Development within the Green Belt
T12	Transportation Development Control Policy
H8	Agricultural/Forestry Workers Dwellings in the Countryside
E9	Agricultural Development

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

PK04/1588/F Change of use of land from agricultural farmland to equestrian use. Erection of stable block and barn with hardstanding, car parking, horse exerciser, access and associated works (Refused – On the grounds that the development did not fall within the categories deemed appropriate in terms of Green Belt Policy and that the proposal if permitted would have been detrimental to the visual amenity of the locality)

PK04/3393/F Change of use from agricultural land to land for the keeping of horses. Erection of stable block. (Approved subject to conditions).

PK08/1635/F Erection of agricultural building and temporary log chalet for use as an agricultural workers dwelling for a period of three years. The application was refused for the following reasons:

- The proposed Agricultural Building by reason of its excessive size and location would be detrimental to the visual amenity of the locality contrary to Policy L1 and GB1 of the South Gloucestershire Local Plan (Adopted) and PPG2.
- Insufficient drainage details, (to include full details of a Septic Tank), have been submitted to demonstrate that the proposed development would not have an adverse impact upon the water environment as a result of water pollution. As such the proposed development is contrary to Policy L17 and EP1 of the South Gloucestershire Local Plan (Adopted).

### 4. **CONSULTATION RESPONSES**

#### 4.1 Sodbury Town Council

Objection due to the overdevelopment of agricultural land and access restraints to the land.

#### 4.2 Sustainable Transport

The proposal is seeking to provide an alpaca breeding establishment on agricultural land. In his supporting statement, the applicant seeks permission for a mobile home on site (i.e. Agricultural worker building) to enable on-site 24 hours supervision for welfare and needs of the alpaca.

Access to the site is via Mill lane which is substandard in many different highway design aspects and as such it is not considered suitable for significant traffic at this location. In view of the above therefore, I do not wish to raise highway objections to the agricultural building on the site however, I would only support the proposal for the dwelling on the site if agricultural proven need is established for it.

## **Other Representations**

### 4.3 Local Residents

- There have been no objections received.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The applicant seeks consent for the erection of a mobile style home to support the business and the erection of an agricultural building.

PPS7 para 10 states that: 'Isolated new houses in the countryside will require justification for planning permission to be granted. Where the special justification for an isolated new house relates to the essential need for a worker to live permanently at or near their place of work in the countryside, planning authorities should follow the advice in Annex A to this PPS'.

5.2 Annex A of PPS7 has a series of criteria for the assessment of new agricultural dwellings. Para 12 of Annex A states: 'If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation.' The proposal should satisfy the following criteria:

- Clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions)
- Functional need- in case animals/agricultural processes require essential care at short notice, and/or to deal quickly with emergencies that could otherwise cause serious loss of crops or products
- Clear evidence that the proposed enterprise has been planned on a sound financial basis
- The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned
- Other normal planning requirements eg siting and access, are satisfied

5.3 Policy H8 of the South Gloucestershire Local Plan (Adopted) January 2006 has very similar criteria.

5.4 To assess the proposals under the terms of PPS7, the views of were solicited of a specialist in this area from Gloucestershire County Council, who is regularly consulted by the Council on these types of applications, and the following is based on his assessment:

### 5.5 **Firm Intention and Ability**

An investment of around £45,000 is to be made in the near future in both male and female alpacas. It is considered that this demonstrates an intention to build up the business.

The applicants have *“little or no experience in running an agricultural business...however the applicant (Mrs Payne) has been involved with horses all her life and goats have been kept for one year”*. Animal husbandry courses have been attended. It is considered that given the lack of experience in this field that there must be an element of doubt in the ability of the applicant to achieve a viable business at the end of the three year period. The Council’s consultant has concluded however that the applicants were clearly genuine in their desire and *“seemed enthusiastic and determined to succeed. The fencing and the stock on the site all looked good as well. They also have adequate acreage”*.

## **5.6 Functional Need and Planning on a Sound Financial Basis**

It is considered that although the Alpaca is a hardy animal, it is extremely sensitive to disturbance (whether by dogs or intruders), with resultant premature birth and loss of animals. At present the Alpaca Industry in this country relies upon the sale of animals and therefore the loss of a young animal or two due to there not being a permanent presence on the site would set back the business. It is therefore considered that there is a functional need to live on the site *“to create and manage a viable Alpaca breeding enterprise”*.

With respect to planning on a sound financial basis, it is considered that at least 15 breeding females are required to establish a viable enterprise. It is the intention of the applicant to reach this figure and the available land will enable them to do this. It has been noted that the land is also used for horses and goats and the applicant is self-sufficient in the hay needed for the new enterprise. It is considered that setting aside experience that the business is planned on a sound financial basis.

## **5.7 Other Dwellings**

There is no other dwelling available to the applicant that would be suitable as a base to initially start-up and continue the management of this alpaca business.

## **5.8 Conclusions**

The Council’s consultant concludes that this is a genuine application to set up a full time viable agricultural enterprise and to make a living from it. There is a doubt regarding the applicants ability to bring the enterprise to fruition. It is considered however that the applicants *“are conscientious and have a clear intention of the direction that they are going in and at the end of the day there is no overbearing reason as to why they should not be given the opportunity to create a successful business which is very possible on what is a small acreage as has been proved with similar ventures”*. It is considered necessary for somebody to be based on the site for the welfare of the animals.

It is therefore considered that the proposal is in line with both PPS7 and Policy H8 of the South Gloucestershire Local Plan (Adopted) January 2006.

With respect to the agricultural building, Policy E9 indicates that such buildings will be permitted provided that they are on land that is in use for agriculture and that there are no suitable underused buildings available, provision has been made for access/ the proposal would not result in detriment to highway safety, the proposal would not have an adverse environmental impact or prejudice residential amenity.



In this case the building is sited on agricultural land, a detailed transportation assessment is set out for the development below. Paragraph 7.76 of the South Gloucestershire Local Plan (Adopted January 2006) indicates that particular attention should be paid to the siting, size, massing, form and detailed design of farm buildings.

In response to the previous proposal (PK08/0684/F) for a building of 216 sq.m advice from the Council's consultant indicated that while a building is required, a building of 124sqm rather than the 216sq.m proposed would be sufficient for the storage of bales of hay required and other associated equipment and the isolation of any animals (in addition the building should not be clad given the needs of this particular animal). The excessive size of the building in this prominent location would have an adverse impact upon the visual amenity and the open character of the Green Belt. The current scheme has amended this element to a floor size of approximately 117 sq.m and the building is completely open on one side to accommodate the needs of this particular animal. The building is now considered acceptable.

## 5.9 Green Belt

The site lies within Green Belt and therefore falls to be assessed by Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006. Policy GB1 allows for the construction of new buildings for agriculture, and therefore the proposal accords with this policy.

A condition is recommended to be attached to the decision notice relating to a temporary permission (3 years), agricultural occupancy and use for alpaca farming only.

Policy GB1 following guidance in PPG2 does however require an assessment of the impact of a development upon visual amenity. As indicated above the significant reduction in the size of the agricultural building renders is considered to render it acceptable in terms of impact upon the visual amenity of the Green Belt (in part characterised by its open character). It is considered that the proposal would be in accord with Policy GB1 and PPG2.

## 5.10 Landscape and Visual Amenity

Policy L1 indicates that in order that the character, distinctiveness, quality and amenity of the landscape is conserved as enhanced new development will only be permitted where those attributes which make a significant contribution to the character of the landscape are conserved and where possible enhanced.

Within context the site is located in the open countryside to the south of Chipping Sodbury and is within the Green Belt. To the east lies the Cotswold Scarp Slope. The site itself consists of four medium sized fields with access onto Mill Lane. The landscape is quite flat, with thick hedges and intermittent trees particularly along the road. The site is not widely visible from the public realm as footpaths are at some distance and the trees and hedges provide screening.

Although the location of the dwelling closer to the road (so as to reduce the general footprint of development) would be preferable, officers do not raise an objection, given existing screening, to the proposed location subject to some additional planting along the eastern boundary of the adjoining field.

A landscaping scheme has been submitted with the proposal (letter from Landcare dated 29<sup>th</sup> April 2008) and this scheme is considered acceptable to the Council Landscape Officers. A condition is recommended to secure the implementation of this scheme during the first available planting season. It is considered that the building itself is of a high standard visually as a temporary structure. The agricultural building is considered above.

#### 5.11 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006) considers the highway implications for new development with the emphasis on the preservation and enhancement of highway safety.

Officers consider that the access to the site via Mill lane which is substandard in many different highway design aspects and as such it is not considered suitable for significant traffic at this location. No objection is raised by officers given the nature of the business proposal and likely vehicle movements subject to the applicant establishing a proven agricultural need.

The proposed development is thus considered in accord with Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006).

#### 5.12 Drainage

Policy L17 indicates that development that would have an unacceptable effect on the water environment will not be permitted, this is supported by Policy EP1 concerned with Environmental Pollution.

The Council's Technical Services Unit initially objected to the scheme on the grounds that there were no drainage details submitted. This is of particular importance given that there are no public foul sewers readily available. Drainage details are required to demonstrate that the risks of flooding and pollution have been eliminated. This was a reason why the earlier application was refused.

The applicant has submitted details of a Bio Disc High Performance Package Treatment Plant (Klargester Systems). Treated water would be sent to the ditch. The applicant has also indicated that the track on the site will use the existing access and will be constructed by laying a hardcore surface over a Terran membrane. This system will allow water to drain normally.

The Council Drainage Officer has withdrawn the previous objection, indicating that the details submitted satisfactorily address the drainage issue. Conditions are recommended to ensure the use of best drainage (to ensure the use of the submitted details).

The proposed development is therefore considered in accord with Policy L17 and EP1 of the South Gloucestershire Local Plan (Adopted January 2006).

## 6. CONCLUSION

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

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

## **7. RECOMMENDATION**

7.1 Planning permission be granted subject to the following conditions:

### **Background Papers**      **PK08/1635/F**

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

### **CONDITIONS**

1. The mobile home hereby permitted shall be removed on or before 30th September 2011 and the land restored to its former condition by 31st December 2011, unless the Local Planning Authority has granted planning permission prior to the 30th September for the continuation of the occupation of the site.

#### Reason

To enable the Local Planning Authority to fully re-assess the viability of the alpaca enterprise over the longer term, prior to the mobile home being removed

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

#### Reason

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

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

#### Reason

To enable the Local Planning Authority to have the opportunity of exercising control over any subsequent use in the event of the applicant ceasing the use hereby permitted.

4. Any fencing on the site associated with the alpaca farming business shall be permanently removed on cessation of the business.

#### Reason

In the interests of visual amenity and the open character of the Countryside and to accord with Policy L1 and GB1 of the South Gloucestershire Local Plan (Adopted).

5. All landscaping works shall take place in accordance with the approved details (Letter from Landcare dated 29th April 2008), in the first available planting season following the decision.

Reason

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

6. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied. The method of foul drainage shall be a Package Sewage Treatment Plant (Klargester) in accordance with the details received on 28th July 2008.

Reason

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



## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission to create two one bedroom flats by extending a property to the rear at both ground floor level and roof level. The site is a two storey building fronting Hanham High Street, containing an estate agent at ground floor level, with two flats, one above it and one over two floors behind it. There is a pedestrian access point at the side of the site, which is the end of a terrace of three similar buildings. To the rear of the property there is an existing two storey rear extension over three quarters of the building's width and attached to that is a further single storey extension. There is some amenity space in a yard to the rear of the site. Beyond this is the side of a factory building.
- 1.2 The site offers no off-street parking at present and has very limited potential to do so. This proposal shows however a cycle store for three cycles proposed for the rear of the site, within the amenity area.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
H5 Residential conversions  
H2 Residential Development  
T7 Cycle parking  
T8 Parking standards  
T12 Transportation policy

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

- 3.1 P87/4417 Change of use from shop to estate agents office Refused  
Appeal upheld

### **4. CONSULTATION RESPONSES**

- 4.1 Hanham Parish Council  
Object due to lack of parking provision in an already congested area.
- 4.2 Other Consultees  
Environmental Protection  
No adverse comments

### Transportation

The main transportation issue with regards to this application is issue of parking and initial highway comments raised the issue of parking for the development. Clearly, there is no off-street parking provision with the existing building and the applicant proposes none with the new proposal. In line with the Council's policy to promote cycling however, the applicant proposes provision of cycle parking on the site and that would be a planning condition to any consent if planning consent is being considered. In finalising the highway comments, it is relevant to consider any other transportation factors.

In this case, the site is located in a sustainable location with excellent access to range of local shops in the locality. The High Street, where the property is located, is on a good bus route with number of buses passing the site. Having visited the site, it is also noted that there is parking restriction on High Street outside the applicant's site. In view of all the above, it is considered unreasonable to raise highway objection to this planning proposal.

### **Other Representations**

#### 4.3 Local Residents

A general observation was made by an occupant of an existing flat on site, stating that she rents a two bedroom flat to the rear of the estate agents with no access to the estate agents facilities.

## **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. A recent appeal decision in Kingswood town centre is considered to be relevant to this proposal. In that case, the appellant had proposed turning a shop with a flat over it into a shop and four smaller flats through the addition of an extra storey. In that case, no parking was provided and there was no potential for any, but the Inspector ruled that due to the sustainable town centre location, insisting on parking (and therefore refusing the proposal due to lack of parking) was not reasonable. This case is considered to be very similar to that one and therefore that appeal decision is a material consideration in the determination of this application. The analysis below is structured in terms of the criteria set out in policy H2 for residential development, along with design.

### 5.2 Environmental and Transportation impact

The comments above from Environmental Protection and Transportation do not raise objections to this proposal. With regard to parking issues, there is no potential to provide any off-street parking and the proposal meets the Council's maximum parking standards in that no vehicle parking facilities are provided. However, given the location of the proposal, it is considered that alternatives to car ownership/ parking are available. The site is in a town centre, with its full range of services within walking distance. For longer journeys, there are bus routes which pick up in the centre of Hanham and the condition below will ensure that cycle parking is provided on site to encourage cycle use. Overall, it is considered that the proposal would comply with policies T7, T8 and T12. The recent appeal decision in Kingswood referred to in the preceding paragraph is considered to also have a bearing as a material consideration.

5.3 Achieving maximum density

The proposal would achieve a density of greater than 30 dwellings per hectare and is considered to be appropriate to the locality.

5.4 Environmental factors affecting the site

Again, the lack of an objection to this proposal from Environmental Protection refers. The site is not noted as being subject to abnormal levels of dust, noise, air pollution, smells or contamination which could affect the living conditions for future occupiers.

5.5 Provision of Education, Recreation, Leisure and other Community facilities

The scale of the proposal is too small to trigger any consultation with service departments in regard of potential contributions to mitigate the effects of the development.

5.6 Residential Amenity

The current situation has two flats, a one bedroom flat and a two bedroom, sharing the available amenity space to the rear of the site. Access is via the side entrance to the site. Under this proposal there would be a one-bedroom flat on the ground floor (the bedroom on a deck above the living area) a two bedroom first floor flat and a one bedroom flat in the roof space. The effect of this would be to add one bedroom to the existing situation. This limited number of households would then have to share the available amenity space, again via the side access. This arrangement, while far from ideal, does make some provision for the outdoor amenity needs of future occupiers and is considered to be at a level appropriate to the number of users.

With regard to the impact on adjacent occupiers, in converting the space to living accommodation, the Building Regulations will have to be adhered to and this is considered to provide an adequate level of sound insulation, therefore a condition is not required in this instance.

5.7 Design of proposed extensions

The top floor of the building, the roofspace, has at present a rear-facing dormer window. Three rooflights are proposed for the front roof slope. The effect of these is considered to be minimal and not harmful in visual terms. A further two rooflights are proposed for the rear elevation, to be located next to the parapet dividing wall, again not causing any harm to visual amenity. The proposed extension to the rear amounts to introducing a lean to roof over the existing flat roofed single storey extension to provide the low level 'bedroom' over the living area. This change is minimal and involves the conversion of a flat roof, so on balance it is considered that this part of the proposal would result in a visual enhancement of the site, albeit with very limited chance of any public view of it. The proposal is therefore considered to comply with policy D1, subject to the condition below requiring matching materials for the rear extension.

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**      **PK08/1741/F**

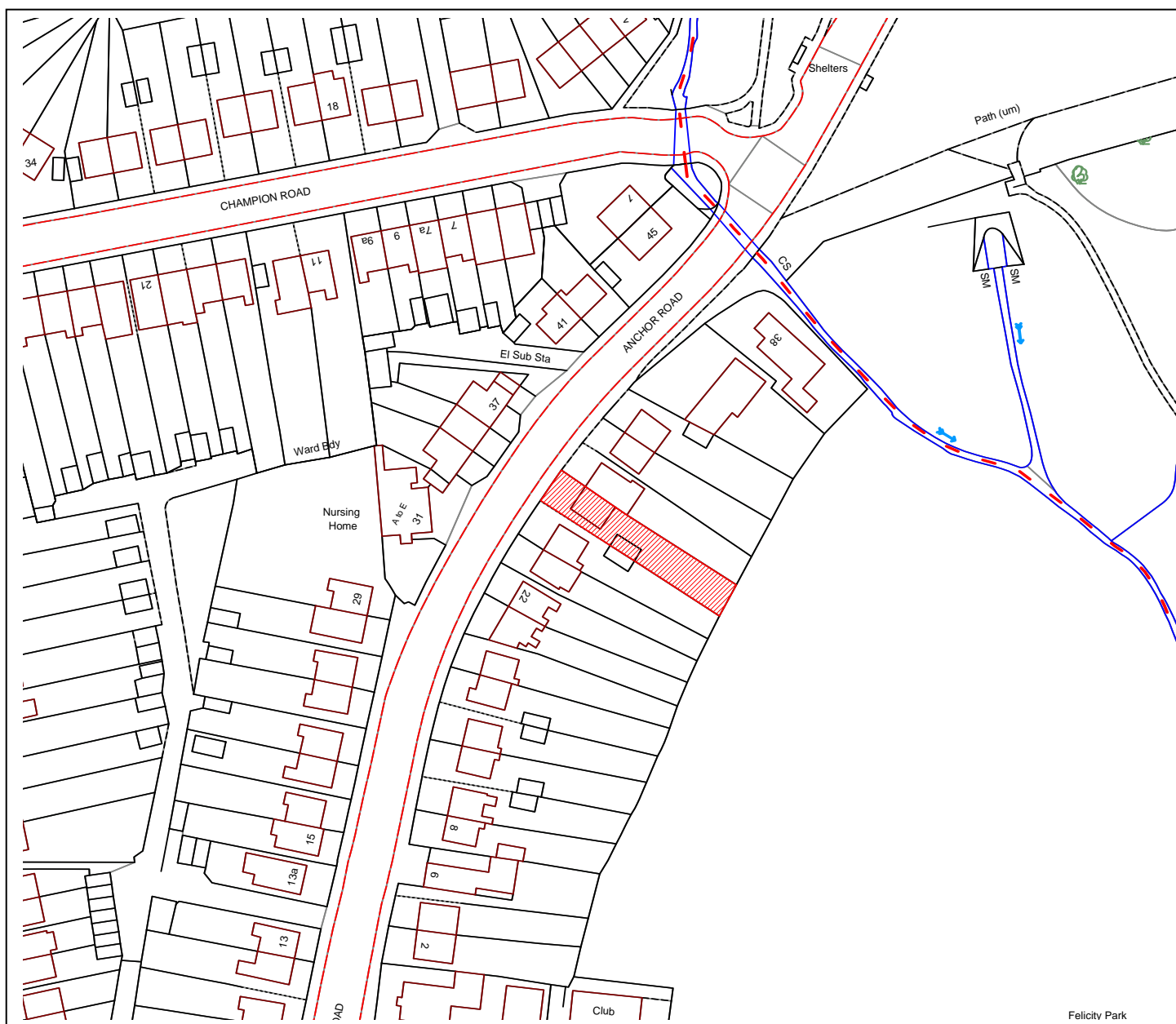
**Contact Officer:**    **Chris Gosling**  
**Tel. No.**                **01454 863787**

### CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason  
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The cycle 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 of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.  
  
Reason  
To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008**

<b>App No.:</b>	PK08/1798/F	<b>Applicant:</b>	Mr Warren
<b>Site:</b>	28 Anchor Road, Kingswood, South Gloucestershire, BS15 4RG	<b>Date Reg:</b>	1st July 2008
<b>Proposal:</b>	Erection of two storey rear extension to form additional living accommodation. Repositioning of detached garage. Erection of raised decking area.	<b>Parish:</b>	
<b>Map Ref:</b>	66186 74565	<b>Ward:</b>	Kings Chase
<b>Application Category:</b>	Minor	<b>Target Date:</b>	22nd August 2008



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**N.T.S**

**PK08/1798/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 This planning application seeks planning permission for the erection of a two storey rear extension to form additional living accommodation. Repositioning of detached garage and erection of raised decking area.
- 1.2 The application site relates to a two storey semi detached dwelling sited within the residential area of Kingswood.

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design  
H4 Extensions

2.3 Supplementary Planning Guidance  
Design Checklist

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

- 3.1 No planning history relates to the application site.

### **4. CONSULTATION RESPONSES**

4.1 Parish/Town Council  
None

#### **Other Representations**

4.2 Local Residents

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

- Two extra windows have been shown
- We wish to retain the "shared access"

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

5.1 Principle of Development

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

5.2 Visual Amenity

The application site relates to a two storey semi detached property. The proposed two storey side extension is considered to be of a design and scale in keeping with the character of the existing dwelling.

5.3 The application also proposes a replacement detached garage sited further along by 1.0m from its current position. Although the proposed garage is a pre-cast concrete garage, it is considered that as it will be sited within the rear garden and will not be directly visible, that a garage of this scale and design in this location will not have an adverse impact on the visual amenities of the immediate surrounding area.

5.4 The proposed timber decking also by reason of its scale and design is considered acceptable.

5.5 Residential Amenity

The proposed two storey rear extension measures 3.20m in length and will be flush with next door's two storey rear extension. An objection has been raised with regards the proposed introduction of two new window openings on the side elevation of the existing property next to no. 26. Member's are advised to consider that as these new windows will serve non habitable rooms i.e. ground floor shower and first floor study then no objection is raised on the grounds of loss of privacy. It is considered however that in the event the study maybe converted into a bedroom at a later date then a condition will be imposed requiring that this window be fitted with obscure glazing at all times. It is considered that the proposed extension by reason of its scale, design and siting would not have an adverse impact on the existing amenities of the neighbouring occupiers in terms of overbearing impact or loss of privacy.

5.6 Other Issues

The issue of retaining the shared access is a civil matter between the neighbour and applicant. Members are advised to consider that the scheme does not intend however to encroach onto the neighbours access.

5.7 Design and Access Statement

Not required with a householder application.

5.8 Section 106 Requirements

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

**6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

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

### **Background Papers      PK08/1798/F**

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

### **CONDITIONS**

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

Reason

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

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

Reason

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

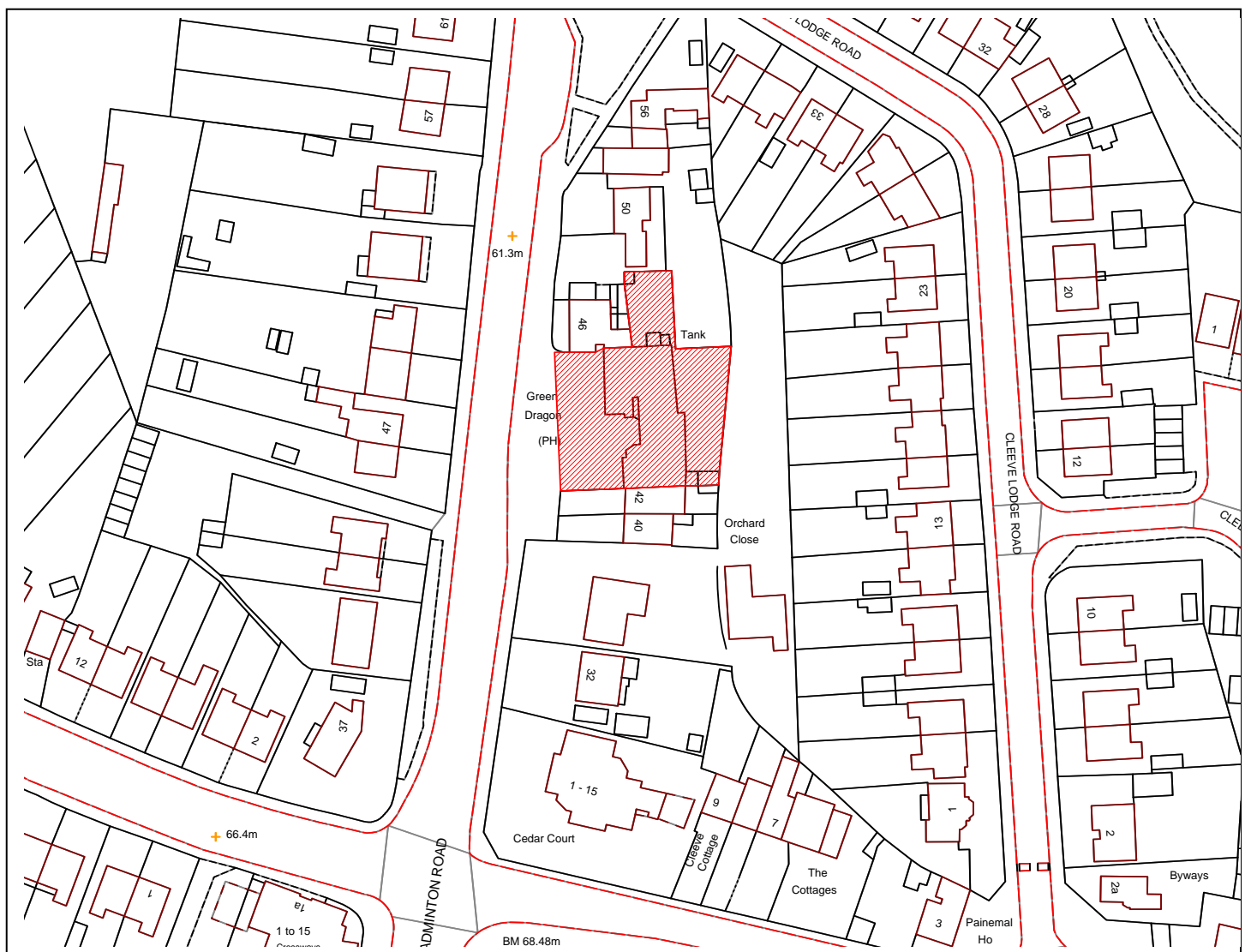
3. The proposed first floor study window on the side elevation shall be glazed with obscure glass only.

Reason

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

**CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008**

<b>App No.:</b>	PK08/1833/F	<b>Applicant:</b>	Mr A Breese Enterprise Inns
<b>Site:</b>	Green Dragon, 44 Badminton Road, Downend, South Gloucestershire, BS16 6BS	<b>Date Reg:</b>	3rd July 2008
<b>Proposal:</b>	Erection of single storey rear extension to form new toilet facilities. Erection of single storey front extensions to extend lobby area and new bar area. Disabled access ramp from car park and 1.8 metre high fence to screen bin store. (Resubmission of PK07/3409/F).	<b>Parish:</b>	Downend and Bromley Heath
<b>Map Ref:</b>	65211 76943	<b>Ward:</b>	Downend
<b>Application Category:</b>	Minor	<b>Target Date:</b>	20th August 2008



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**N.T.S**

**PK08/1833/F**

## **INTRODUCTION**

This application appears on the circulated schedule due to the receipt of 5 letters of objection from local residents.

### **1. THE PROPOSAL**

1.1 The application seeks full planning permission for a large number of works to the listed building known as the Green Dragon. The works include part demolition, alterations and extensions to the building. The application site currently consists of a vacant public house that is to be renovated.

1.2 This application is the resubmission of a previously refused application on the site. The previous application was also for the renovation of the public house. The previous application was refused for the following reasons;

*1. Given the interesting form of the main building, because of its external appearance and design the flat roofed extension would not respect or enhance the character and distinctiveness of the site. The application is thus contrary to the requirements of Policies DI, L13 and LC4 of the South Gloucestershire Local Plan (Adopted).*

*2. The proposed extension, alterations and Jumberellas would cause significant harm to the character and fabric of the listed building. The application is thus contrary to the requirements of PPG15 and Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.*

In an attempt to overcome the previous refusal reasons, the design of the flat roofed element of the building has been amended and there are no Jumbrellas proposed.

1.3 This full planning application is to be determined in conjunction with the associated listed building application reference PK08/1836/LB

### **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

T12 - Transportation Development Control

LC4 - Community Facilities

L13 - Listed Buildings

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

3.1 PK07/3409/F Internal and external alterations to facilitate improvements to public house.  
Refused February 2008

3.2 PK07/3525/LB Internal and external alterations to facilitate improvements to public house.  
Refused February 2008.

## 4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council  
No Objection

### (b) Other Representations

4.2 Local Residents

Five letters of objection has been received from local residents. A summary of the points of concern raised is as follows;

- There is a long standing drainage fault at the pub.
- The drainage problem should be addressed as part of the planning application
- Object to the new door which will allow noise from inside the pub to escape
- No mention of what is to become of the top storey function room
- The outdoor front table area has only been there for about 3 years
- Noise disturbance if the pub is allowed to open until midnight
- The times of opening are unsuitable for a residential area

## 5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy L13 of the South Gloucestershire Local Plan (Adopted) allows for alterations/additions to a listed building, provided the development is compatible with and would not detract from the special character or features of the building and its setting. Policy LC4 of the South Gloucestershire Local Plan (Adopted) allows for the expansion of community facilities, such as a public house, within the defined settlement boundaries providing the following criteria are adhered to:

5.2 **A. Proposals are located on sites, which are, or will be, highly accessible on foot and bicycle;**

The pub is located on a busy highway in a mixed use area close to the centre of Downend. The pub is easily accessible from all directions by public roads with footpaths. It is therefore considered that the pub is easily accessible by foot and bicycle.

5.3 **B. Development would not unacceptably prejudice residential amenities;**

When considering this application, it is important to recognise that there is already an informal seating area to the front of the pub. Whilst the pub is currently vacant, there is still a clearly demarked area to the front of the building marked out with low picket fencing that has traditionally been used for outside seating. It can be argued therefore that this application will therefore simply regularise and formalise the existing situation.

The closest residential properties sit to either side of the public house – immediately adjacent to the site boundaries. Your officer does not dispute that there will inevitably be some level of noise created by patrons using the front beer garden – this however should not be exacerbated because of the application – levels would be the same even if the pub was simply to re-open with no other alterations.



It must also be noted that the publican will require a license to use the outside areas for the consumption of alcohol. Irrelevant to the outcome of this application, patrons of the public house may use the areas outside of the public house for drinking and congregating as permitted by the liquor license. The proposed outside areas will be covered by the same licensing restrictions and must also be vacated and cleared by a suitable time. The proposed development will therefore have limited impact on existing levels of residential amenity over and above the existing situation. Subject to conditions to restrict the hours that the outside seating area to the front of the pub may be used, it is not therefore considered that they will have any adverse effect on existing levels of residential amenity at the neighbouring properties sufficient to warrant the refusal of the application.

**5.4 C. Development would not have unacceptable environmental or transportation effects; and**

None of the proposed alterations will encroach into the existing car parking area. Subject to the attachment of a condition to ensure that the existing car parking is retained, there is no highway objection to the works as proposed.

**5.5 D. Development would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area and highway safety.**

The proposals will have no impact on the off street parking that is available at the site. Consideration must also be given to the fact that the site lies close to Downend town centre and within walking distance of many dwellings. It is likely therefore that a number of patrons will visit the site on foot.

**5.6 Design**

The majority of proposed works are internal with only one front glazed canopy being readily visible from the highway. The application still proposes a single storey rear extension to form an enlarged toilet block. The extension will still have an almost flat roof. However, the design of the flat roofed extension has been amended from that previously refused to incorporate a slight slope and also to amend the eaves detail. Whilst your planning officer is still not entirely happy with the design of the extension, because of the awkward location, it is accepted that this is probably the most suitable solution. As the extension will not be visible from the public realm and the listed building officer raises no objection, it is not considered that the toilet extension is of sufficient concern to warrant the refusal of the application.

**5.7 Other Issues**

It is noted that some local residents are concerned about the impact of the development on the drainage system. It is important to remember that this application assesses the proposed changes only – not the use of the building as a public house. Just because of the renovation, the impact upon the drainage system is likely to be minimal compared to the previous authorised use of the pub. No drainage refusal reason could therefore be substantiated, with alterations being controlled through Building Regulations.

**5.8 Section 106 Requirements**

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended).

Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

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

**Background Papers**      **PK08/1833/F**

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

### **CONDITIONS**

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

Reason

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

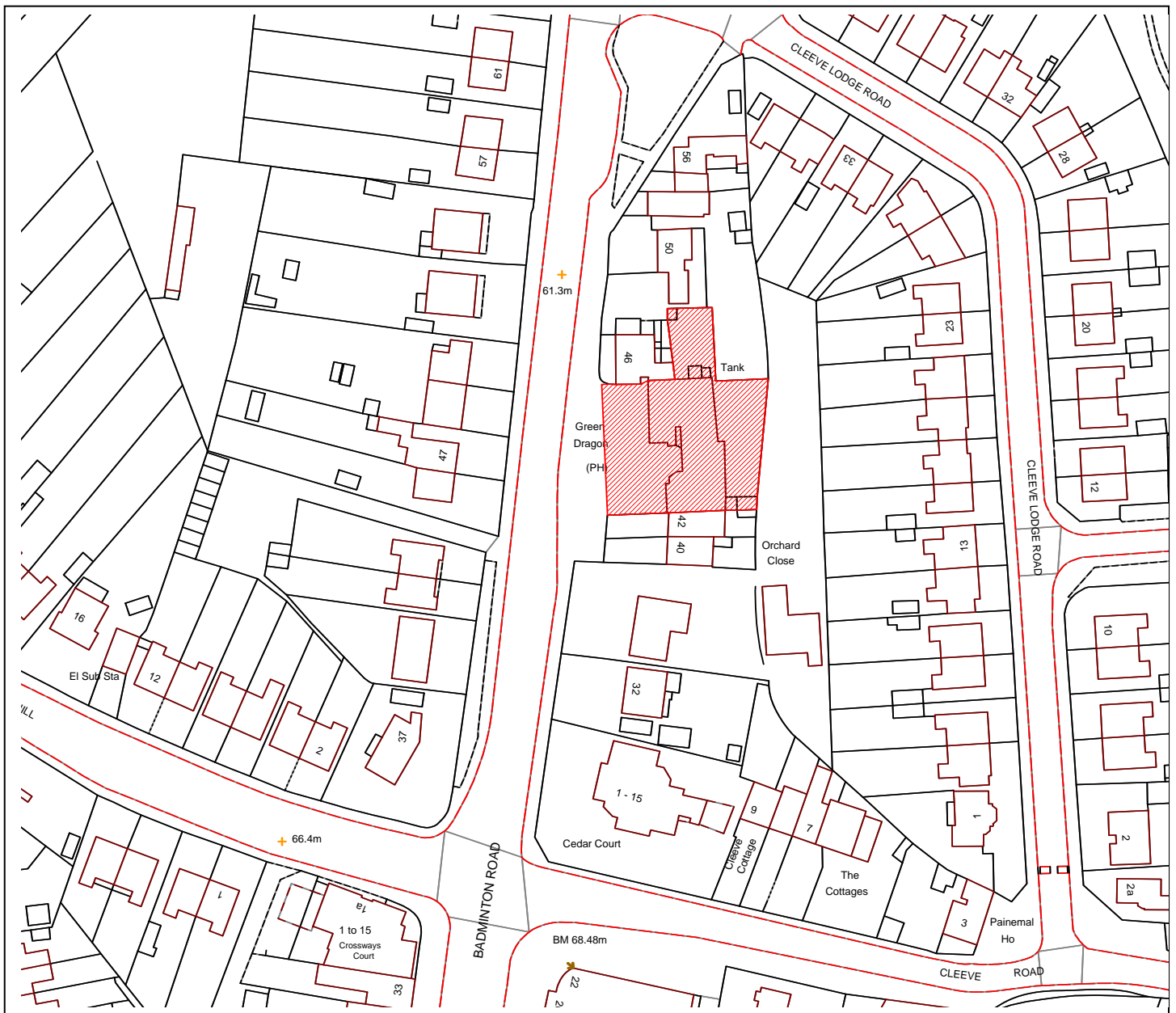
2. The outside seating area to the front of the building must be cleared of patrons by 23.00 hours daily. All bottles and glasses must be cleared from the front outside seating area by 23.10 hours.

Reason

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

**CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008**

<b>App No.:</b>	PK08/1836/LB	<b>Applicant:</b>	Mr A Breese Entetprise Inns
<b>Site:</b>	44 Green Dragon, Badminton Road, Downend, South Gloucestershire, BS16 6BS	<b>Date Reg:</b>	3rd July 2008
<b>Proposal:</b>	Internal and external alterations to facilitate improvements to public house.	<b>Parish:</b>	Downend and Bromley Heath
<b>Map Ref:</b>	65211 76943	<b>Ward:</b>	Downend
<b>Application Category:</b>	Minor	<b>Target Date:</b>	20th August 2008



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**N.T.S**

**PK08/1836/LB**

## **INTRODUCTION**

This application appears on the circulated schedule due to the receipt of 5 letters of objection from local residents.

### **1. THE PROPOSAL**

1.1 The application seeks listed building consent for a large number of works to the listed building known as the Green Dragon. The works include part demolition, alterations and extensions to the building. The application site currently consists of a vacant public house that is to be renovated.

1.2 This application is the resubmission of a previously refused listed building application on the site. The previous application was also for the renovation of the public house. The previous application was refused for the following reasons;

*1. The proposed extension, alterations and Jumberellas would cause significant harm to the character and fabric of the listed building. The application is thus contrary to the requirements of PPG15 and Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.*

In an attempt to overcome the previous refusal reasons, the scheme has been amended to ensure that much of the historic fabric is now retained whereas previously it was to be removed. The Jumbrellas have been omitted from the scheme and the roof of the toilet block has also been slightly amended.

1.3 This full planning application is to be determined in conjunction with the associated full planning application reference PK08/1833/F.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1 Delivering Sustainable Development  
PPG15 Planning and the Historic Environment

#### **2.2 Development Plans**

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

D1 Achieving Good Quality Design in New Development  
L13 Listed Buildings  
L15 Buildings and Structures which contribute to the locality

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

3.1 There is a current full planning application that accompanies this listed building application – reference PK08/1833/F. This full planning application is yet to be determined but is on circulated Schedule with a recommendation for approval.

3.2 PK07/3525/LB Internal and external alterations to facilitate improvements to public house.  
Refused January 2008

## 4. CONSULTATION RESPONSES

### (a) Statutory Consultees

- 4.1 Downend and Bromley Heath Parish Council  
No Objection

### (b) Other Representations

4.2 Local Residents

Five letters of objection has been received from local residents. A summary of the points of concern raised is as follows;

- There is a long standing drainage fault at the pub.
- The drainage problem should be addressed as part of the planning application
- Object to the new door which will allow noise from inside the pub to escape
- No mention of what is to become of the top storey function room
- The outdoor front table area has only been there for about 3 years
- Noise disturbance if the pub is allowed to open until midnight
- The times of opening are unsuitable for a residential area

## 5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy L13 of the South Gloucestershire Local Plan (Adopted) allows for alterations/additions to a listed building, provided the development is compatible with and would not detract from the special character or features of the building and its setting.

5.2 Impact on the Listed Building.

Planning Policy Guidance Note 15 emphasises the importance of preserving listed buildings as they are a valuable asset that cannot be replaced once lost. It also addresses that unsuitable alteration can be as detrimental as outright demolition. It is fundamental to the success of any application for works to a Listed Building that the historic detailing, where known or surviving, should be re-instated.

During the course of the application, amended plans were received to show some alterations to the detailing and treatment of a historic fireplace. The amended scheme received is an extensive one, which follows pre-application discussions and has addressed a number of concerns raised in respect of the submitted scheme. The previously refused listed building application on the site centred on the impact on the character of the listed building and loss of historic fabric. As initially submitted, the current application sought to reduce the impact on historic fabric to a minimum however it still involved:

- 1) The introduction of two new windows into the outer wall of room G2.
- 2) The widening of a blocked historic opening between rooms G2 and G3, and
- 3) The complete loss of the wall to one side of the fireplace between room G4 and G5.

During the course of this application and following discussions with the agent, revised plans have been submitted. The revised plans now for consideration include the following:

- 1) introduces a single new window into the outer wall of room G2
- 2) retains a nib of wall and a downstand showing the line of the wall between the fireplace in room G5 and the proposed bar.
- 3) Changes the detailing of the doors to the porch and the other new openings.

There are remain structural details that need resolving – the proposed raising of ceiling beams over the restaurant area is unacceptable, and there is a note on the engineer's drawings to repairs to walls being undertaken by another company but no details are included. There are also matters of detailing that need to be resolved however the listed building officer takes the view that these are matters that could be resolved by way of conditions

Subject to the attachment of a series of conditions to ensure the agreement of detailing, it is considered that the scheme has been sufficient amended to overcome the previous listed building objection.

### 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.

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 listed building consent be approved subject to the following conditions;

**Background Papers**      **PK08/1836/LB**

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

## **CONDITIONS**

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

### Reason

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

2. Prior to the commencement of the works hereby approved, a detailed specification for the repairs, including the proposed structural works, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval. The specification shall include details of the extent of proposed replacement of historic fabric. No works shall be commenced until the Council has given written approval for the submitted details, and the works shall be carried out exactly in accordance with the details so approved.

### Reason

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

3. Notwithstanding the submitted details, prior to the commencement of the works hereby approved, large scale details of the following, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval.
  - a) Flues and vents (including the kitchen extract vent).
  - b) Rainwater goods
  - c) Eaves, verges and ridges,
  - d) External doors and windows
  - e) External fencing, railings, gates and garden walls,
  - f) The glazed roof
  - g) The entrance porch

No works shall be commenced until the Council has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved. For the avoidance of doubt and unless agreed in writing with the Council, all replacement and new doors and windows shall be recessed 100mm behind the external face of the wall in which they are set.

### Reason

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

4. Notwithstanding the submitted details, prior to the commencement of the works hereby approved, large scale details of the following, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval.
  - a) The opening and adjacent fire place adjacent to the bar/servery on plan 27 B.
  - b) The opening between the restaurant and bar areas
  - c) glazed cover to the cellar

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

Reason

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

5. Prior to the commencement of the works hereby approved, samples of proposed roof tiles and sample panels of external render, new masonry and repointing shall be erected on site for approval by the Council. No works shall commence until the Council has given written approval for the samples and the roof tiles, repointing and render shall comply exactly with the samples so approved. For the avoidance of doubt render shall be traditional roughcast lime render, new masonry and pointing shall be undertaken traditional lime mortar.

Reason

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

6. Prior to the commencement of the works hereby approved, large scale details (in respect of which approval is expressly reserved) of the internal joinery including doors, doorcases, stairs, balusters, staircases, panelling and skirtings shall be submitted to the Council for approval. No works shall be commenced until the Council has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

Reason

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

7. Prior to the commencement of the works hereby approved full details of the proposed floors, and the proposed ceiling and internal wall finishes (in respect of which approval is expressly reserved) shall be submitted to the Council for approval. No works shall commence until written approval has been given by the Council, for the submitted details and, the materials used shall comply exactly with the details so approved. For the avoidance of doubt, plaster finishes to historic walls and ceilings shall be traditional lime plaster. Floors shall be natural stone flags or timber boards.

Reason

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

8. Prior to the commencement of the works hereby approved, samples of the proposed flagstones and floor boards shall be submitted to the Council for approval. No works shall be commenced until written approval has been given by the Council, and the new floors shall be constructed exactly in accordance with the samples so approved.

Reason

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



9. Prior to the commencement of the works hereby approved details of the proposed external joinery, fenestration and fence finishes shall be submitted to the Council for approval. No works shall commence until the Council has given written approval. The finish of the fenestration, joinery, and fencing shall comply exactly with the details so approved. No alteration of the approved finish shall take place without written approval of the Council.

Reason

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

10. Prior to the commencement of the works hereby approved, full details of any proposed external lighting (in respect of which approval is expressly reserved) shall be submitted to the Council for approval. No works shall be commenced until the Council has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

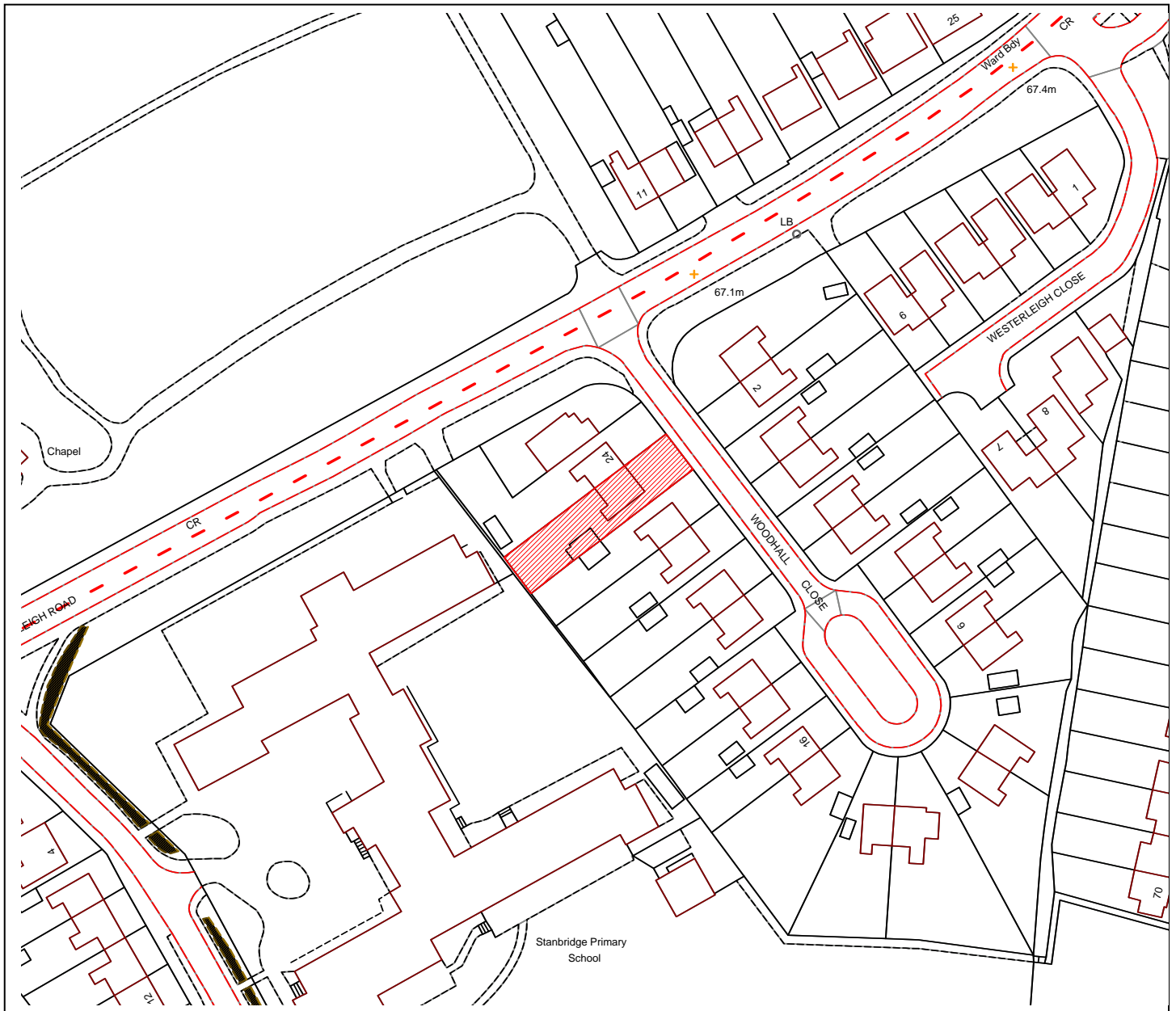
Reason

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

**CIRCULATED SCHEDULE NO. 32/08 - 08 AUGUST 2008**

**App No.:** PK08/1914/F  
**Site:** 23 Woodhall Close, Downend, South Gloucestershire, BS16 6AJ  
**Proposal:** Erection of a single storey side and rear extension to form additional living accommodation.  
**Map Ref:** 65759 76969  
**Application Category:** Minor

**Applicant:** Mr M Harris  
**Date Reg:** 10th July 2008  
**Parish:**  
**Ward:** Rodway  
**Target Date:** 26th August 2008



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**N.T.S**

**PK08/1914/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a single storey extension to wrap around the rear and side of the dwelling. The extension as proposed would have a maximum depth out from the main rear wall of the existing dwelling of 3 metres and would extend down the side of the dwelling by 3.3 metres. The purpose of the extension is to provide additional downstairs living space required to meet the needs of a disabled resident.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Extensions and New Dwellings

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

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Town/Parish Council  
The area is unparished

#### **Other Representations**

- 4.2 Local Residents  
One letter has been received from a local resident. Whilst the resident does not object to the extension as proposed they are anxious that the party wall dividing the patio of their property from that of No. 23 should be retained.

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

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met.

## 5.2 Design/ Visual Amenity

The proposed extension meets an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. The extension is to have a simple lean too type roof in keeping with the simple character of the host dwelling. Matching render further attributes to its integration. The extension is of very modest size in comparison to the bulk of the main dwelling and is suitably subservient too it.

The structure will be visible from the highway but it will be tucked in between the two dwellings and will not be obtrusive in the street scene. A large number of the other dwellings on Woodhall Close already have side and/or rear extensions already in place. The extension as proposed therefore will integrate fully with the extensions already in place on the neighbouring properties it is not considered the addition would be visually intrusive.

## 5.3 Residential Amenity

The extension will have a limited depth out from the main rear wall of the property of only 3 metres. At this depth, it is not considered that the extension would result in any issues of overshadowing or overbearing for the neighbouring dwellings.

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

## 5.4 Other Issues

The side extension will block vehicular access to the existing garage. However, ample off street parking will be provided on the existing driveway to meet the needs of the development. It is noted that the neighbour is concerned about the removal of the boundary wall. The applicant has confirmed that whilst the wall may need to be removed to allow for construction, it will be fully re-instated once the extension is complete. The removal of the boundary wall is not a planning issue as this could be removed at any time without the need for planning permission. If the wall is in joint ownership or is a party wall, agreement may need to be reached by both neighbours independent of the planning system.

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

## **7. RECOMMENDATION**

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

**Background Papers**      **PK08/1914/F**

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

### **CONDITIONS**

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

Reason

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

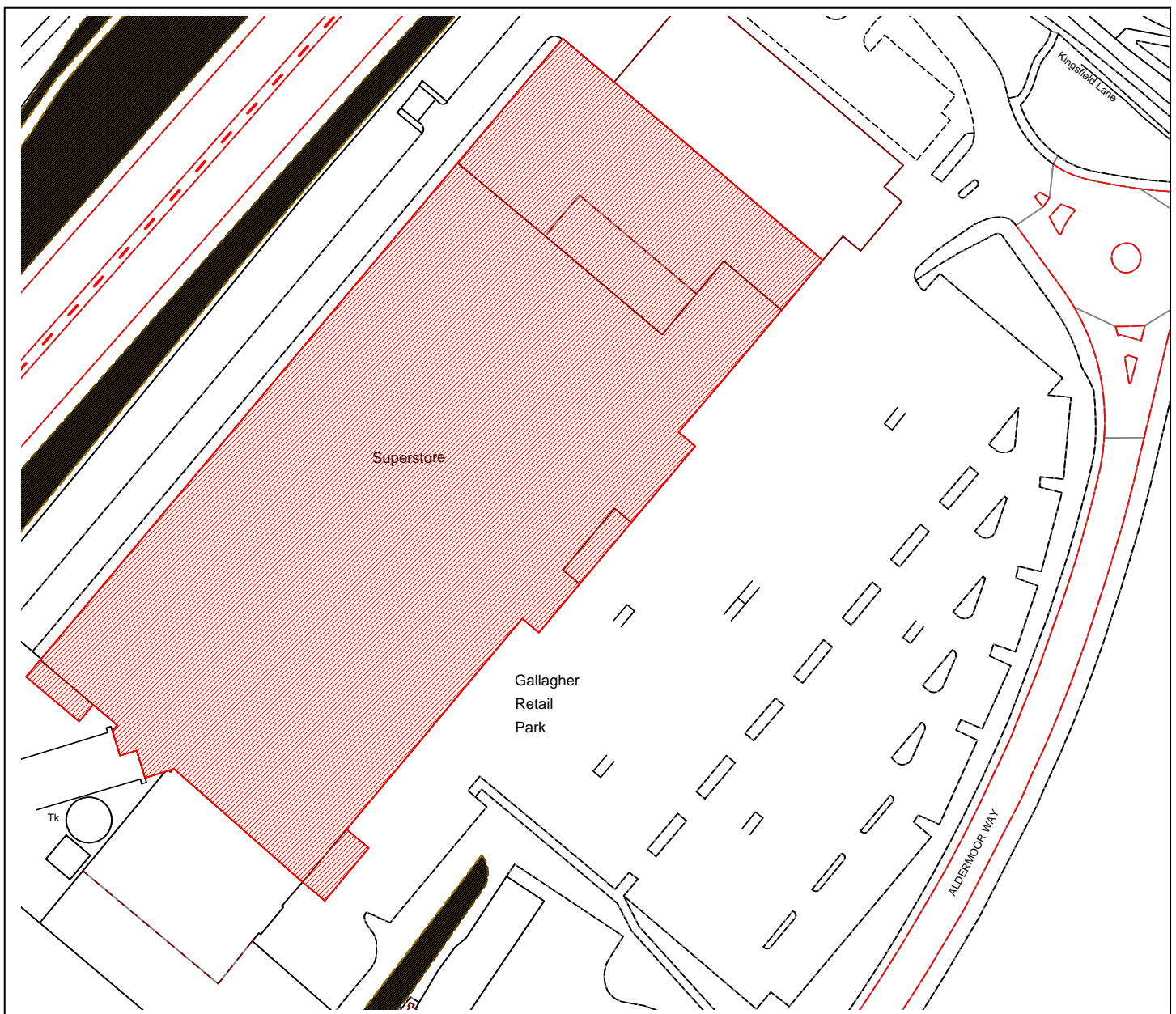
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

## CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008

<b>App No.:</b>	PK08/1940/ADV	<b>Applicant:</b>	Mr S Tantardini B & Q
<b>Site:</b>	B & Q Plc, Gallagher Retail Park, Aldermoor Way, Longwell Green, South Gloucestershire, BS30 7DA	<b>Date Reg:</b>	11th July 2008
<b>Proposal:</b>	Display of 2no. internally illuminated fascia signs, 5no. non-illuminated individual letter signs, 2no. non-illuminated temporary banner signs and 5no. acrylic window signs.	<b>Parish:</b>	Oldland Parish Council
<b>Map Ref:</b>	65247 71893	<b>Ward:</b>	Longwell Green
<b>Application Category:</b>	Minor	<b>Target Date:</b>	26th August 2008



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## **INTRODUCTION**

This application is referred to the Circulated Schedule to Members in accordance with procedure given that objections have been raised.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks consent for the erection of 2 no. internally illuminated signs. 5 no. non illuminated individual letter signs, 2 no. non-illuminated temporary banner signs and 5 no. acrylic window signs. The signage will be situated largely on the east elevation with only a single illuminated sign situated on the west elevation (facing towards the Ring Road).

The 2 no. temporary banner signs measure 5m by 2m

The 5 no. non-illuminated letter signs are spaced across the east elevation with a letter height of up to 2 metres as are the window signs which have a letter height of 0.5m

With respect to the 2 no. internally illuminated signs, one will be located on the west elevation with the other on the east. The overall size of the signs will be 5.2 metres by 5.2 metres and they will incorporate a "B and Q Extra" logo.

### **2. POLICY CONTEXT**

#### National Guidance

PPS1 Delivering Sustainable Development

PPG19 Outdoor Advertisement Control

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

D1 Achieving Good Quality Design in New Development

L19 Display of Advertisements

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

P98/4760/A Display of internally illuminated sign on rear elevation (Allowed on Appeal)

P98/4923/A Display of internally illuminated sign on side elevation (Allowed on Appeal)

P99/4709/A Retention of a banner (Refusal)

PK04/3843/ADV Alterations to signage to the East elevations and retention of signs to the North and west elevations (Approved)

### **4. CONSULTATION RESPONSES**

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

##### Oldland Parish Council

Object to the application on the grounds of concerns regarding light pollution. The Parish Council objects to internally illuminated signage as a matter of course and wishes to ascertain why such lighting is felt to be necessary twenty four hours per day particularly when it affects neighbouring residential properties.

## Other Consultees

Sustainable Transport – No objection raised

Council Lighting Engineers – No objection subject to hours restriction and restriction to 600cd per sq.m for large illuminated signage.

## Local Residents

One letter of objection has been received. The grounds of objection are that the illumination would be intrusive and affect residential amenity. If the council do pass these intrusive lights they should impose a strict time condition so that the adverse effects can be mitigated.

## **5. ANALYSIS OF PROPOSAL**

### Principle of Development

In assessing applications for advertisements, Policy L19 of the South Gloucestershire Local Plan (Adopted) January 2006 following guidance in PPG19 sets the criteria for acceptable development. Advertisements are only normally permitted where they are not visually obtrusive and would not prejudice highway safety.

It is considered that the scale, design, detailing and internal illumination of the proposed signage would not adversely affect the visual amenity of the area. These are of the form and style that would be expected within the context of a retail/commercial area. The signage on the eastern elevation would be situated such that it is largely angled away from residential view, however an illuminated sign situated on the western elevation would be visible albeit at a distance of approximately 80 metres with the Ring Road between with associated landscaping.

Concerns have been raised regarding the internally illuminated signage and in the interests of visual and residential amenity, a condition is recommended to restrict the hours of illumination (agreed with the applicant). The illuminated signage shall not be illuminated between 2200 and 0900 hours. The applicant has also agreed to restrict the lighting level of the internally illuminated signage to 600cd per m<sup>2</sup> (800cd originally proposed). A condition will be attached to secure this lighting level. On the basis of the restriction in lighting level and a restriction on the hours of operation there is no objection to the proposal from the Council Lighting Engineers.

Furthermore there is no transportation objection to the proposal and the proposal would not result in any detriment to highway safety. As such the proposal complies with advice contained within PPG19 and Policy L19 of the South Gloucestershire Local Plan (Adopted) January 2006.

## **6. CONCLUSION**

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**

Advertisement consent be granted.



**Background Papers**      **PK08/1940/ADV**

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

**CONDITIONS**

1.      There shall be no illumination of the adverts hereby approved between the hours of 22.00 and 09:00 unless the Local Planning Authority give written consent to any variation.

Reason

In the interests of residential and visual amenity and to accord with Policy L19 and EP1 of the South Gloucestershire Local Plan (Adopted).

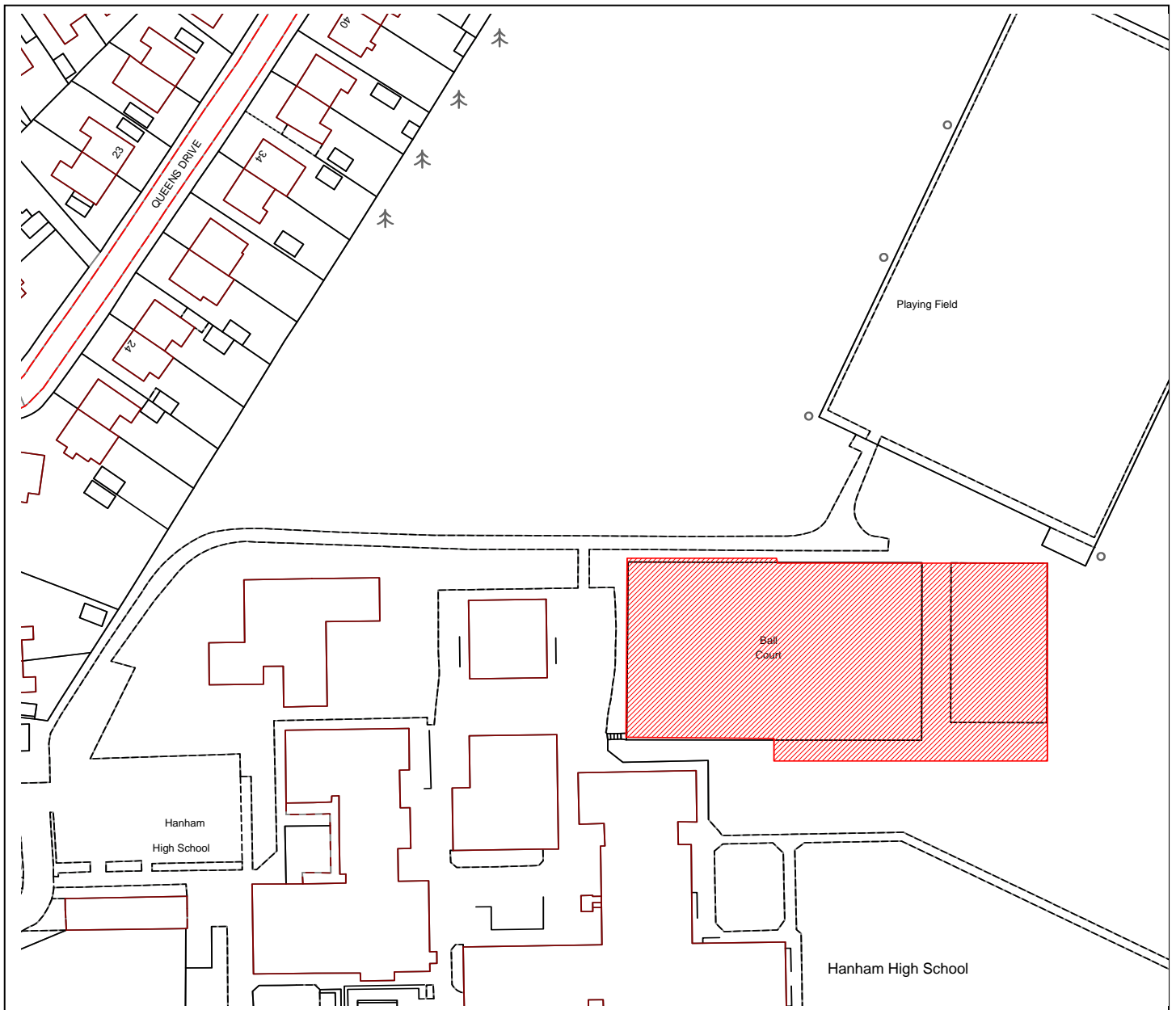
2.      The illumination levels of the Internally illuminated signage hereby approved (shown on Drawing No.3711/120), shall not exceed 600cd per sq.m at all times hereafter without the express written permission of the Local Planning Authority

Reason

In the interests of residential and visual amenity and to accord with Policy L19 and EP1 of the South Gloucestershire Local Plan (Adopted).

## CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008

<b>App No.:</b>	PK08/1941/R3F	<b>Applicant:</b>	Hanham High School
<b>Site:</b>	Hanham High School, Memorial Road, Hanham, South Gloucestershire, BS15 3LA	<b>Date Reg:</b>	11th July 2008
<b>Proposal:</b>	Erection of sports hall and construction of 4no. replacement tennis courts.	<b>Parish:</b>	Hanham Abbots Parish Council
<b>Map Ref:</b>	64109 71771	<b>Ward:</b>	Hanham
<b>Application Category:</b>	Major	<b>Target Date:</b>	2nd October 2008



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**N.T.S**

**PK08/1941/R3F**

## **INTRODUCTION**

This application is reported on the Circulated Schedule due to the receipt of a neighbour objection and the fact that the application is made by the Council itself.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for two elements – the erection of a sports hall and the construction of four replacement tennis courts, for Hanham High School. The school is one of two on a large site. Hanham High School itself stands towards the front of the site, near to the Memorial Road entrance, with the rear of the site mostly taken up with playing fields and the existing tennis courts. The school buildings are brick-built, mostly flat roofed and single storey, giving a unified appearance.
- 1.2 Surrounding the site and abutting the playing fields are the rear gardens of houses, bungalows to the southwest but otherwise mostly two storey. Given the width of the playing fields most of the surrounding housing is more than 100 metres from the site of the proposed development. The proposed building would be the most prominent on the site overall. It is proposed to be sited where the existing tennis courts are, at the northwestern corner of the group of buildings. The new tennis courts would be constructed to the north of this corner. A Flood Risk Assessment has been submitted to accompany the application.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
L1 Landscape  
LC4 Proposals for educational and community facilities  
T7 Cycle parking  
T8 Parking standards  
T12 Transportation
- 2.3 Supplementary Planning Guidance  
Design Checklist (adopted 2007)

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

- 3.1 P75/4600 Erection of secondary school Approved

### **4. CONSULTATION RESPONSES**

- 4.1 Hanham Abbots Parish Council  
No objection
- 4.2 Other Consultees  
Transportation  
There is no objection to this proposal in transportation terms.

### Landscape Officer

The new gymnasium will be located on the north east corner of the complex of school buildings. The gymnasium is set well back from the residential dwellings on the northern and eastern boundary of the school and will be seen as part of the overall mass of buildings. It may be possible to see the new gymnasium from the raised ground at Mount Pleasant Farm, however it will be set amongst the existing school complex and its visual impact will not be significant. The replacement tennis courts will not have any greater impact than the existing tennis courts. It is not clear what the colour of the fencing around the tennis courts will be, this needs to be submitted for approval.

The proposed landscaping and existing planting will help to screen and soften the impact of the development and generally enhance the school environment.

### **Recommendations**

It is considered that the proposed development is in accordance with D1 and L1 of the adopted local plan. The proposed colour of the tennis court fencing needs to be submitted for approval.

### Technical Services

No objection in principle, subject to a condition being included requiring the submission of a drainage plan.

### Wessex Water

No objection in principle

## **Other Representations**

### 4.3 Local Residents

One letter of objection has been received, citing the following concerns:

- The sports hall will be taller than surrounding buildings and will be highly visible, affecting the skyline
- Additional people will use the sports hall at evenings and weekends. Parking already overflows the school car park and would be exacerbated
- People crossing school grounds don't follow the path and can look straight into houses

## **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 policy context is largely set by policy LC4, which forms the headings below, along with the impact of the proposal on the landscape (L1) and its design (D1).

### 5.2 Is the proposal located on a site easily accessible by foot and cycle?

This proposal is for the expansion of an existing facility at the school, the accessibility of the site by cycle and foot remains unaffected by this proposal. In any event, the site is considered to be highly accessible by these means of transport and this policy criterion is considered to have been satisfied.

### 5.3 Effect on residential amenity

As noted above, there are few neighbouring properties within 100 metres of the proposed sports hall and tennis courts. For the properties within this distance, the situation would only change through the erection of the sports hall, as there are existing tennis courts which are proposed to be relocated. The consultation process has raised an objection due to the impact of the proposed sports hall on the skyline. However, there is no right to a view and even then the sports hall would stand close to the existing group of school buildings, so this impact is not considered to be significant. It is true that the sports hall would be the most prominent building in the group, by virtue of its height above the other flat roofed buildings. However, against the backdrop of flat roofed buildings, any new building with a roof is likely to be taller than the existing ones. A sports hall, simply due to the uses it will be put to, needs to be taller than single storey buildings. In this case, form follows function and it is considered that the building is of an appropriate scale. Noise emission will be contained due to it being a building and even then, across 100 metres or more of open ground, is not considered to be likely to cause any detrimental impact on the residential amenity of the surrounding properties. It is therefore considered that the proposal complies with policy in this regard. The issue of people on school grounds not keeping to the paths is an issue for the management of the school and can not be controlled through the planning system.

### 5.4 Environmental or Transportation Effects

For the reasons given in the preceding paragraph, it is considered that the proposal is not likely to result in any untoward environmental effects. With regard to transportation effects, the proposal would not have any impact. The additional facility is the sports hall as the tennis courts are being replaced.

### 5.5 Effect on Off-Street parking

The consultation process has raised a concern about on street parking. The site has its own car park as well as a rank of off-street parking next to the entrance for the combined schools. It is anticipated that during the day the sports hall would generate no additional traffic, as the site is in use as a school. It is expected that additional use in the evening would not generate much traffic as it is a local facility and reached easily by foot and cycle. However, if traffic is generated at those times, then, the school, not being operational in the evenings, will have an empty car park available for users of the sports hall. Accordingly, this car park is considered to be adequate to cope with either school generated traffic or sports hall generated traffic and they are unlikely to overlap, therefore the proposal is considered to be unlikely to lead to on-street parking.

### 5.6 Design and Visual Amenity Sports hall

The proposed building is essentially a single storey building with the height of a two storey building. The proposal would feature a curved, monopitch roof of metal cladding. Further profiled metal cladding is proposed for the higher parts of the walls, above brickwork intended to help the base of the building fit its surroundings. The existing school buildings are brick. The design, due to its functionality features a single window, at ground floor level. Doors, apart from the main entrance and one other door, would all be on the same elevation as the window. The entrance is proposed to be a feature of the building, constructed of concrete, holding clear polycarbonate panels into to provide both light and shelter. Overall, the appearance of the building is considered to be bulky, lightened to some extent by the curving roof and featureless, apart from

the use of varying materials, the amounts of which are considered to be successful. The scope for imaginative design of the building is considered to be highly limited due to the building's function, but within that scope, the design is considered to be successful. The impact of the building in visual terms benefits from its proposed location close to the rest of the school group. It is considered that the sports hall's prominence from most directions will be at 'first floor' level, where it demonstrates its best attribute, the curving metal roof. The effect on visual amenity is considered to be acceptable and the overall effect is considered to satisfy policy D1. Details of exact materials will be required in the condition below.

#### Tennis courts

Again, the tennis courts take their form and character from their function. They will be similar to the existing tennis courts on the site of the proposed sports hall. It is proposed that they will be fenced in to a height of 3 metres and the materials condition referred to above will require the submission of a sample of the fencing in order to protect visual amenity.

#### 5.7 Landscape

The full landscape assessment by the Council's Landscape Officer appears at 4.2 above. It is considered that the proposed development is in accordance with D1 and L1 of the adopted local plan.

#### 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      PK08/1941/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).

2.      Within 12 months of the date of the decision drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

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

Reason

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





## **INTRODUCTION**

This application appears on the circulated schedule in accordance with Council procedure as the tree is on Council owned land.

### **1. THE PROPOSAL**

- 1.1 The application seeks permission to carry out works to remove one Elder tree growing at the base of a Whitebeam. The trees are growing on an area of public open space. The application states that the tree is to be removed to create a better environment for the Whitebeam tree.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- L1 Landscape Protection and Enhancement  
L5 Forest of Avon

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

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

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

- 4.1 Dodington Parish Council  
No comments received

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

- 4.2 Local Residents  
None received

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

- 5.1 Principle of Development  
Policies L1 and L5 of the South Gloucestershire Local Plan (Adopted) seek to conserve and enhance the quality and amenity of the landscape and distinctiveness of the locality and to protect the features that contribute to the character or appearance of the area.

- 5.2 Analysis of the Health of the Trees  
The tree works were identified as part of an arboricultural inspection undertaken by an South Gloucestershire Council arboricultural officer covering their duty of care to maintain council owned trees in residential areas. The recommendations are based on sound arboricultural practice and the resultant works aim to achieve a better environment for both the trees and the residents.

The Elder is situated within an area covered by a South Gloucestershire Council area Tree Preservation Order. However the Elder would not be old enough and would not fulfil the criteria to be covered by the Order. As such. There are no objections to its removal.

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

## **7. RECOMMENDATION**

- 7.1 Permission be granted subject to the following conditions:

**Background Papers**      **PK08/1965/TRE**

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

### **CONDITIONS**

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

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

2. The works hereby authorised shall comply with British Standard 3998: 1989 - Recommendations for Tree Work.

Reason

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

## CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008

**App No.:** PK08/1980/F  
**Site:** 13 Kingfisher Road, Chipping Sodbury,  
 South Gloucestershire, BS37 6JG

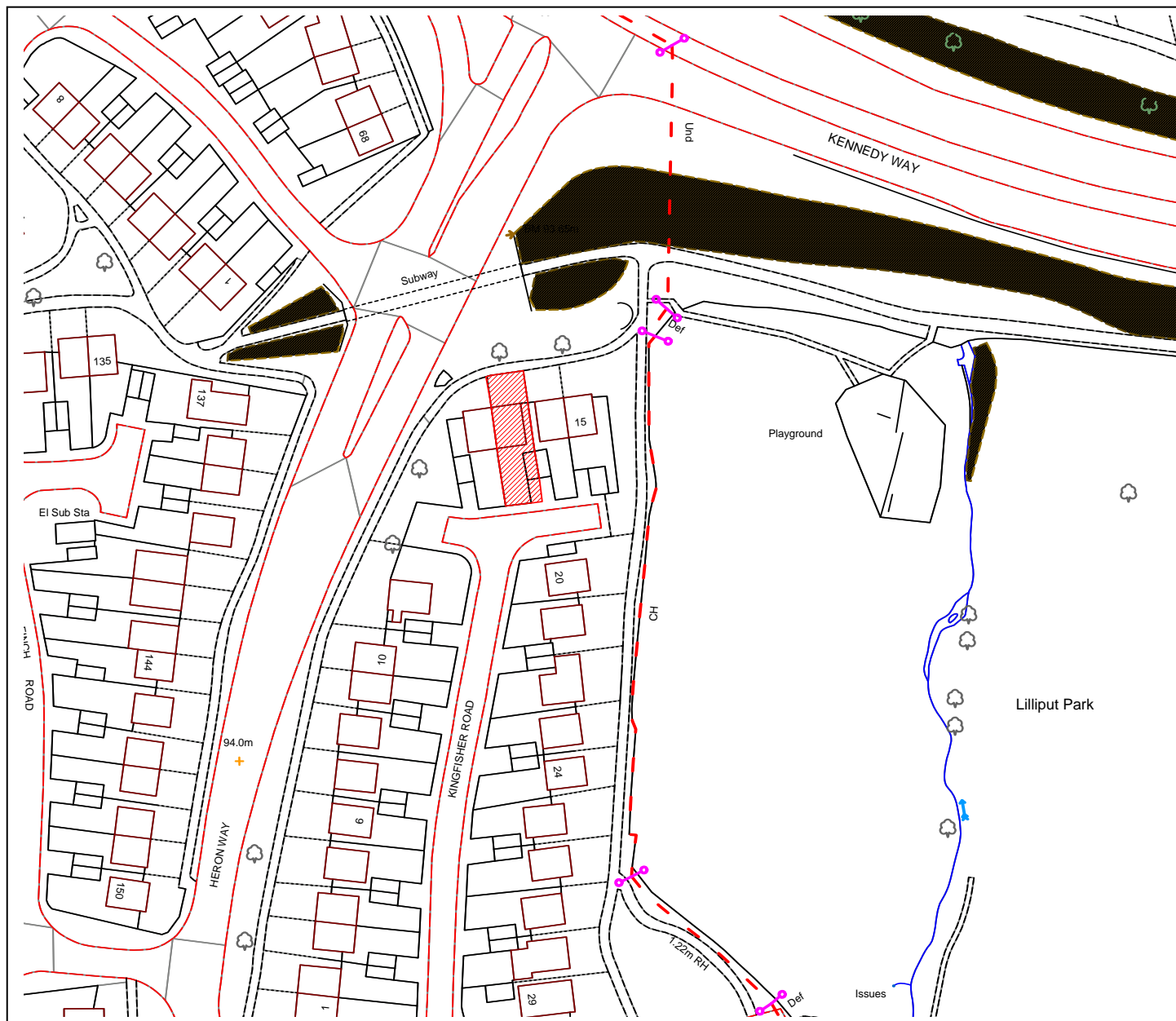
**Proposal:** Erection of a rear conservatory.

**Map Ref:** 72204 81806  
**Application Category:** Minor

**Applicant:** Ms W Peddle  
**Date Reg:** 14th July 2008

**Parish:** Dodington Parish  
 Council

**Ward:** Chipping Sodbury  
**Target Date:** 1st September 2008



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100023410, 2008.

**N.T.S**

**PK08/1980/F**

## **INTRODUCTION**

This application has been referred to the Circulated Schedule due to the receipt of an objection from Doddington Parish Council.

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a conservatory at the rear of 13 Kingfisher Road, Chipping Sodbury. The proposed conservatory would measure 3.2 metres wide by 3.5 metres in depth and would have an overall height to ridge of 3.4 metres.
- 1.2 The property is a two storey semi-detached dwelling and is located within a residential area of Chipping Sodbury.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Council Advice Note No 2: House Extensions

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

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Doddington Parish Council  
Concern was raised regarding the impact of the proposal on the amenity space of the immediate neighbours.

#### **Other Representations**

- 4.2 Local Residents  
No response received.

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

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

## 5.2 Design / Visual Amenity

The proposed conservatory is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. Furthermore, the bricks used in the low walls of the conservatory would match the main dwelling, assisting the successful integration of the structure with the host dwelling. The conservatory is of modest size in comparison to the bulk of the main dwelling and is suitably subservient to it.

The proposed conservatory would be to the rear of the existing dwelling, it is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

## 5.3 Residential Amenity

The proposed conservatory would be slightly set back from the boundary with the neighbouring property, No. 12 Kingfisher Road, which is defined by a 1.8 metre high closed board fence. Whilst the total depth of the proposal would be 3.5 metres, the conservatory would project 2.9 metres then angle away from the boundary with No. 12 Kingfisher Road. Accordingly, given the existing boundary treatments in place, combined with the depth and height of the proposal, it is not considered that the conservatory would have any overshadowing or overbearing effect on the neighbouring dwellings.

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

## 5.4 Section 106 Requirements

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

## 6. **CONCLUSION**

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

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 the application be approved subject to the following conditions.

**Background Papers**      **PK08/1980/F**

**Contact Officer:**    **Kirstie Banks**  
**Tel. No.**                **01454 865207**

**CONDITIONS**

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

Reason

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

2.     The bricks to be used externally in the development hereby permitted shall match those of the existing building in colour and texture.

Reason

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

CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008

**App No.:** PT08/1612/F

**Applicant:** Kenwright  
Developments  
(AW1190) Ltd

**Site:** Unit 1190, Park Avenue, Aztec West,  
Almondsbury, South Gloucestershire,  
BS32 4AP

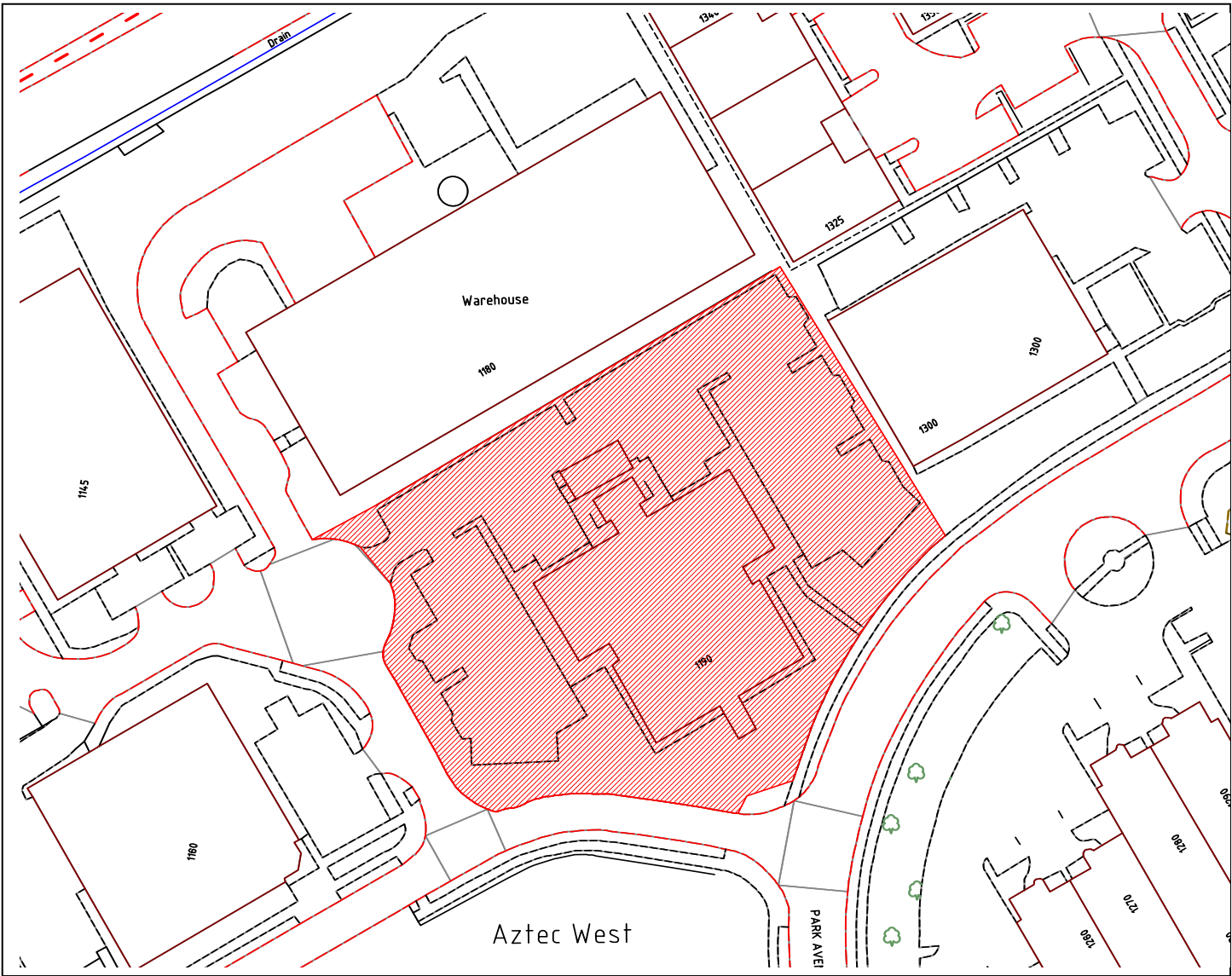
**Date Reg:** 16th June 2008

**Proposal:** Refurbishment and external alterations  
to existing office unit, reconfiguration of  
existing car park, new office  
development, landscaping and ancillary  
works. (Amendment to PT07/2045/F)

**Parish:** Patchway Town  
Council

**Map Ref:** 59934 82715  
**Application Category:** Major

**Ward:** Patchway  
**Target Date:** 2nd September  
2008



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This application appears on the Circulated Schedule because the proposal is defined as major development.

## **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for the refurbishment of an existing 2-storey office building and the erection of a 2-storey office building adjacent.
- 1.2 The application site is located on the north side of Park Avenue, Aztec West. The site is therefore within an established employment area as identified in the South Gloucestershire Local Plan (Adopted) January 2006.
- 1.3 The application forms a resubmission of PT07/2045/F that was approved last year. This consented scheme proposed the removal of the existing plant room and entrance lobby/ stairwell to the front of the existing building that occupies a significant area within the car park. However, following a financial review, this was considered to be unviable thus this would now remain thus reducing the number of available parking spaces.
- 1.4 At the time of the site visit, building works on the new building had commenced with the roof under construction.

## **2. POLICY CONTEXT**

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG4	Industrial and Commercial Development and Small Firms
PPG13	Transportation
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L17/18	Water Environment
EP2	Flood Risk and Development
T7	Cycle Parking
T8	Car parking
T12	Transportation Development Control Policy for New Development
E3	Criteria for Employment Development
E4	Safeguarded Employment Areas
- 2.3 Supplementary Planning Document  
South Gloucestershire Design Checklist (Adopted).

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PT07/2045/F: Refurbishment and external alterations to existing office unit, reconfiguration of existing car park, new office development, landscaping and ancillary works. Permitted: 26<sup>th</sup> September 2007

## **4. CONSULTATION RESPONSES**

- 4.1 Patchway Town Council  
No comments received
- 4.2 Other Consultees



Wessex Water: no specific comments to make  
Technical Services (Drainage): comments as per previous application  
Highways Agency: no objection- advise that a travel plan is produced  
Natural England: no objection  
Urban Design Officer: no comments to be made  
Landscape Officer: no objection subject to the following conditions:

- Full landscape to be submitted and approved;
- Protective fencing to be erected around the retained trees.

#### 4.3 Sustainable Transport

PROW Officer: no comment, unlikely to affect nearest footpath  
Highways DC: no objection subject to the following conditions:

- Submission and approval of travel plan prior to development;
- Provision and retention of off road parking facilities;
- Provision and retention of cycle parking facilities.

### **Other Representations**

#### 4.4 Local Residents

No comments received

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy E4 of the adopted South Gloucestershire Local Plan advises that within the Safeguarded Employment Areas, planning permission will be granted for employment generating uses subject to satisfaction of the assessment criteria for planning policy E3. In this regard, this policy allows for employment uses subject to the following criteria:

- a) Development would not have an unacceptable environmental effect;
- b) It would not give rise to unacceptable levels of vehicular traffic;
- c) Development would not prejudice residential amenity;
- d) The character of the area is not adversely affected;
- e) The maximum density compatible with the sites location is achieved;
- f) The location is well served by public transport.

5.2 Further, policy T12 cites that new development will only be permitted (in terms of transportation) where (here considered most relevant) it provides safe access that would be capable of accommodating the traffic generated whilst the works should not have an unacceptable impact on road, pedestrian or cyclist safety.

### 5.3 Design/visual impact

The application site forms an existing two-storey office building on the north side of Park Avenue, Aztec West. This existing building sits centrally within the application site surrounded by car parking. The building was built in 1990 and is considered to be architecturally dated to that period with the elevations formed of curtain wall glazing. The context of the application site is of relatively modern two and three-storey office buildings set within landscaped grounds; all buildings predominantly provide office facilities.

5.2 This current application seeks full planning permission for the refurbishment of this existing building. These works would allow limited external alterations with the glazed curtain walling retained but with modifications made and the external

- aluminium sections repainted. A new entrance lobby would also be provided on the north elevation of the building adjacent to the now retained stairwell and plant room (originally removed). This would be in lieu of previously proposed main entrance to have been provided on the west elevation of the building.
- 5.3 In view of the above, it is noted that the works to this existing building would be relatively limited and broadly similar to the application previously granted. As such, there is no objection to the current application on this basis.
- 5.4 As per the approved scheme, the proposal would also allow the introduction of a second smaller building to the side of this retained building. The supporting statement received with the application details that this new building would be located on part of the underused car park *'outside the strong landscape zone that runs along the boundary and the road'*.
- 5.5 This new building would be near identical to that already approved, being two-storeys and occupying the same footprint alongside the existing building. A number of external changes are noted with these including minor alterations to the proposed fenestration, the omission of all glazing from one area of wall on the boundary elevation and the introduction of an external spiral staircase.
- 5.6 Having regard to the basic design approach adopted for this building, it is noted that within the previous Officer report it was stated that *'The new-build office element represents a far smaller builder of reduced height next to the principle retained building. The relationship between the two buildings is entirely appropriate and there will be no wider adverse visual implications within the estate'*. To this extent, the changes proposed to this building are considered to be acceptable and thus for these reasons, and having regard to the existing planning permission, there is no objection to the current proposal on this basis.
- 5.7 Further, at the time of the previous submission it was also noted that 'energy conservation has been considered in the design of the buildings' with a REEAM rating of "very good" expected. Accordingly, a condition to secure BREEAM very good and a 10% reduction in CO2 emissions was imposed in respect of the new-building element. As such, it is considered that this condition should also be added to any further favourable decision.
- 5.8 Landscaping  
The existing building is set within a strong landscape framework that is noted as a distinctive feature of the locality. In this regard, the majority of existing landscaping surrounding the building is to be retained although a small area will be lost due to the introduction of the second building.
- 5.9 In view of the above, a landscape plan is required to detail how this loss will be made good in order to help retain the existing landscape character; the existing planting that is to be retained will also require protection during the construction period.
- 5.10 For the reasons detailed above, there is no landscape objection to this current proposal subject to the condition as detailed. This reflects that imposed as part of the approved scheme thus can be carried over from this permission.
- 5.11 Highway Safety  
The proposal would result in an increase in floor space as per the previous permission. As such, a financial contribution of £9,619.04 has already been

secured; this was part of a Section 106 agreement which was attached to the approved scheme. Further, it is also accepted that the Transport Statement and the Travel Plan submitted as part of the previous application would still be applicable to this development.

5.12 In view of the above, there is no transportation objection to this revised proposal with the reduced level of car parking still considered to accord with the Council's maximum standards and which in conjunction with the travel plan, would meet the needs of the development.

5.13 Other matters

The proposal raises no significant adverse concerns in respect of any adjacent employment site whilst there no residential neighbours nearby. A condition to agree drainage details is recommended.

5.14 Design and Access Statement

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

5.15 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**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:

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

2. Within three months of the date of this permission, details of the roofing and external facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

3. Within 3 months from the date of the decision 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 shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason:

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

4. Within three months of the date of this decision, drainage details incorporating best management practices and the hydrological context of the development have been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details.

Reason:

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

5. Prior to the first occupation of the development hereby authorised a Travel Plan shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use; or otherwise as agreed in the travel plan.

Reason:

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

6. The off-street parking facilities for all vehicles 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.

7. Within 3 months from the date of the decision, detailed plans showing the provision of (car and cycle parking facilities) in accordance with the standards set out in Policies (T7 and T8) of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason:

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.

8. The new-build office development hereby approved shall be constructed to a BREEAM standard of 'very good.' A formal assessment pre-construction or following construction shall be undertaken by a licensed BREEAM assessor and a copy of the assessor report and BRE certificate shall be submitted to the Local Planning Authority prior to the first occupation of the building.

Reason:

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.

9. No development shall take place until a scheme for renewable energy that will reduce regulated CO2 emissions from energy use by the users of the new-build office development by a minimum of 10% has been approved in writing by the Local Planning Authority. The scheme so approved shall be implemented and retained in the manner described in the details agreed by reason of this condition.

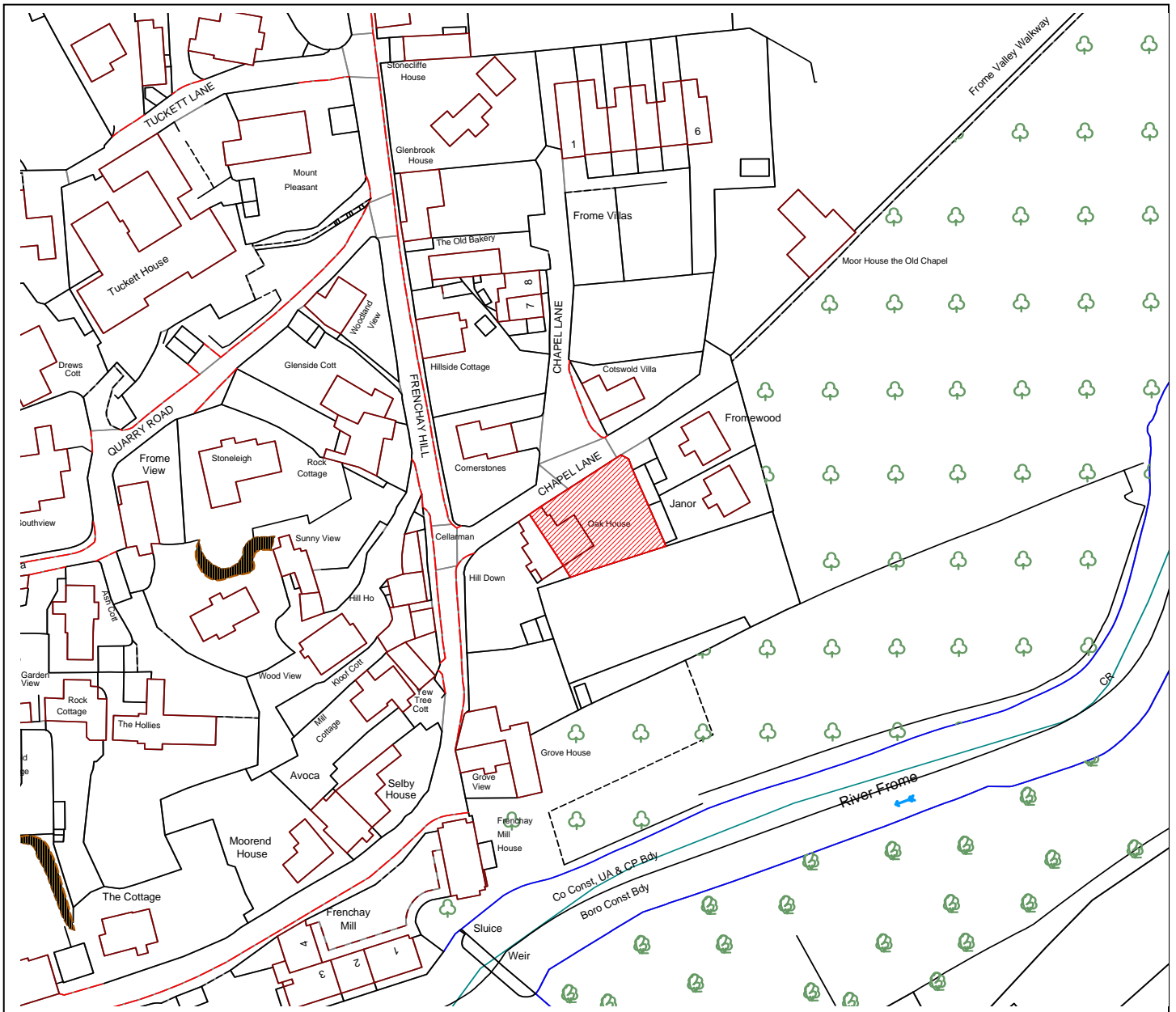
Reason:

To reduce CO2 emissions and to maintain reliable and competitive energy supplies in accordance with PPS1, the draft supplement to PPS1 - Planning and Climate Change, The South Gloucestershire Design Checklist and the draft Regional Spatial Strategy for the South West of England Policy RE5.

**CIRCULATED SCHEDULE NO. 32/08 – 8 AUGUST 2008**

**App No.:** PT08/1734/F  
**Site:** Oak House, Frenchay Hill, Frenchay,  
 South Gloucestershire, BS16 1LS  
**Proposal:** Erection of rear conservatory.  
**Map Ref:** 64165 77348  
**Application Category:** Minor

**Applicant:** Mr J Colley  
**Date Reg:** 25th June 2008  
**Parish:** Winterbourne Parish  
 Council  
**Ward:** Frenchay and Stoke  
 Park  
**Target Date:** 18th August 2008



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**N.T.S**

**PT08/1734/F**

This application is on circulated schedule as the officer's recommendation is contrary to the neighbour's objection.

## 1. THE PROPOSAL

- 1.1 The site relates to a semi-detached cottage on the south side of Chapel Lane. Access is from Chapel Lane. The site is within the Frenchay Conservation area and Village Development Boundary.
- 1.2 Planning permission is sought for a painted hardwood timber, lean-to, rear conservatory on a brick and stone base and having a glass roof.

## 2. POLICY CONTEXT

- 2.1 National Guidance  
PPS1 Delivering Sustainable Communities  
PPG3 Housing  
PPG15 Planning and the Historic Environment
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings.  
L12 Conservation Areas
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Supplementary Planning Document)  
Adopted 2007

## 3. RELEVANT PLANNING HISTORY

- 3.1 N8807 Erection of two-storey Side extension...Approved  
P85/1968 Garage permitted  
PT04/2600/F Front Porch.... Approved

## 4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council  
No objection

### Neighbouring properties:

One letter of objection received from the adjoining neighbour in respect of the following matters:

Have some concerns and suggest some conditions in order preserve privacy

1 preservation of the retaining wall between the application site and the writer.

2 preservation of the 0.9m high hedge on the applicant's site.

3 do not raise finished floor level in the conservatory to that of the house, leave it at the slab level of the patio.

Also the writer is concerned that there is insufficient space for maintaining the building.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The principle of extending existing houses within a Conservation Area is permitted by policy H4 (house extensions) and policy L12 (Conservation Area) of the South Gloucestershire Local Plan (Adopted) January 2006. This is subject to consideration of the following criteria.

### 5.2 Design and impact upon Conservation Area

Proposals for extensions to dwelling in a Conservation Area are considered acceptable provide the development will preserve and enhance the appearance of the Conservation Area. In this instance it is considered that the proposal respects the existing property in terms of its size, design and external appearance. The materials suggested again all fit in with the appearance and character of the Conservation area. Consequently the proposal complies with the policy for allowing development in terms of its design and impact upon a Conservation Area.

### 5.3 Residential amenities

Local policy indicates that development which impacts upon the amenities of adjoining properties should not be allowed. It is considered that in this instance due to the size, scale and location of the proposal the residential amenities will not be affected. The development will be built onto the neighbour's new single storey rear extension, albeit being much smaller in scale. The rear boundary of the site has dictated the maximum depth of the conservatory and the Block Plan clearly shows the retention of the 1.3m retaining wall which holds up the land at the site from the neighbouring wrap around garden. The area of the conservatory is currently used as a patio and the view into the neighbour's garden is restricted, particularly in the summer by the fruit trees which are located only metres from the joint boundary with the site in the neighbour's garden. The conservatory is proposed to be raised approximately 150mm to the level of the sitting room as is normal building practice and this would make negligible difference to what view could be achieved into or from the neighbouring garden. Whilst the neighbour's garden wraps around the rear of the site it is not considered that the proposed conservatory would harm the residential amenity of the neighbouring house. The neighbour has expressed a wish to retain a picket fence and a relatively young hedge which has been planted along the site side of the retaining wall and picket fence. It is understood that the applicants intend to maintain the picket fence and/or hedge at this location but it is not reasonable to apply a condition to the hedge as this area has been used as patio previously, does not offer a view of the area directly behind the neighbour's house and does not cause loss of privacy into the neighbour's house itself. Indeed the hedge would not block intervisibility anyway. However it is not unreasonable to condition the existing picket fence to be retained along side the conservatory as this would break up the view of the conservatory when viewed from the garden below in the winter months whilst maintaining the character and appearance of the Conservation Area at this point.

Further the regard to access to maintain the proposal it appears that there is sufficient space, but this is not a planning consideration.



As a separate matter there is sufficient remaining amenity land at the site for current and future occupiers.

#### 5.4 Section 106 Requirements

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

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

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

#### Background Papers      **PT08/1734/F**

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

#### CONDITIONS

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

Reason(s):

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

2. The brick and stone materials to be used in the construction of the external walls of the extension hereby permitted shall match those used elsewhere on the existing house.

Reason(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1, H4 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The existing stone retaining wall and picket fence enclosing the southern boundary of the site shall be retained at least as far as it is located directly to the south of the house.

Reason(s):

To protect the character and appearance of the conservation area to accord with Policies H4, D1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 32/08 - 8 AUGUST 2008**

**App No.:** PT08/1809/F  
**Site:** 18 Wallscourt Road, Filton, South Gloucestershire, BS34 7NS  
**Proposal:** Erection of two storey rear extension to provide additional living accommodation.  
**Map Ref:** 60685 78556  
**Application Category:** Minor

**Applicant:** Mr L Bailey  
**Date Reg:** 2nd July 2008  
**Parish:** Filton Town Council  
**Ward:** Filton  
**Target Date:** 25th August 2008



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**N.T.S**

**PT08/1809/F**

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

**1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a two storey rear extension to provide additional living accommodation.
- 1.2 This is a modern end terrace property within the existing urban area of Filton. The proposal consists of a two storey extension to the rear with render finish, 3.3 m deep, 5.1 m in width and 7.5 m in height. The roof is of hipped and materials consist of tiles to match existing.

**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  
H4 Development within Existing Residential Curtilage
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007

**3. RELEVANT PLANNING HISTORY**

- 3.1 No relevant history.

**4. CONSULTATION RESPONSES**

- 4.1 Filton Town Council  
  
No objection raised

**Other Representations**

- 4.2 Local Residents  
  
One letter raising concern over loss of privacy at a neighbouring property.

**5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development

Policy H4 states that *proposals for development within existing residential curtilages*, will be permitted subject to certain criteria. The principle of the development is therefore acceptable subject to the following detailed assessment.

## 5.2 Residential Amenity

### a) Overbearing Analysis

Due to the overall scale and size of the proposed development and sufficient boundary treatment between the neighbouring properties the proposal would not be overbearing on the residential amenity of neighbouring occupiers. The proposal would be set 1.5 m back from the party boundary with no. 16 Wallscourt Road. No. 20 Wallscourt Road have an existing single storey rear extension and given the modest depth of the extension proposed it is considered there would be no overbearing impact on either neighbouring property.

### b) Privacy Analysis

To the rear of the proposed extension there would be no overlooking or loss of privacy. To the south facing side elevation a small high opening window will be added and the existing back door replaced with an opaque window. The high opening window is located over 2 m above ground level and is therefore unlikely to lead to overlooking. In the case of the opaque window to replace the existing door it is also not considered that this proposal would lead to a loss of privacy. The window would sit at the end of a corridor, is top opening and opaque. On balance it is considered that this window is in position to provide additional light to the inside of the house and also provide ventilation. Being at the end of a corridor it is considered likely that occupants of no. 18 Wallscourt Road will simply pass through this area of the house rather than use it as habitable space. In addition, the door on the facing elevation at no. 16 Wallscourt Road has opaque glass.

### c) Amenity Space

Whilst the proposed extension does project into the rear garden its modest size means that sufficient garden space will remain to serve occupiers of the property.

## 5.3 Highway Safety Analysis

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

## 5.4 Design / Visual Amenity

The proposal is modest in scale and fits with the character of the existing property. Its location to the rear of the building together with the chosen construction materials, which match the palette of materials displayed in the existing building, means that this is an appropriate addition to the dwelling and streetscene. The proposal is well screened from the public realm to the side and rear and therefore there is no harm caused to the visual amenity.

## 5.5 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

- 7.1 That planning permission is **GRANTED** subject to the following conditions.

**Background Papers**      **PT08/1809/F**

**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. 32/08 – 8 AUGUST 2008

<b>App No.:</b>	PT08/1867/F	<b>Applicant:</b>	Mr I Wilson-Tancock
<b>Site:</b>	11 Langthorn Close, Frampton Cotterell, South Gloucestershire, BS36 2JH	<b>Date Reg:</b>	7th July 2008
<b>Proposal:</b>	Erection of two storey side and single storey rear extensions to provide additional living accommodation	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	67099 81151	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Minor	<b>Target Date:</b>	22nd August 2008



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PT08/1867/F

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the erection of a two storey side extension (2.9m in width, 7m in depth and 6.2m in height (to the ridge) and a single storey extension (5.9m in width, 3.5m in depth and 3.2m in height (to the ridge). The proposal would provide bedrooms and additional living accommodation.
- 1.2 The application site relates to a semi-detached dwelling which fronts onto Langthorn Close and has rear access onto Upper Chapel Lane. The site is set well back from the highway at the front and is elevated. The site is situated in a well established residential area within the Frampton Cotterell development boundary.

### **2. POLICY CONTEXT**

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

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

- 3.1 P98/1597                      Erection of single storey side extension and rear conservatory.  
**Approved 01 June 1998**

### **4. CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council  
No comment received.
- 4.2 Local Residents  
One letter of objection has been received from the a local resident raising the following points:
- a. Loss of amenity – extension would be overpowering
  - b. Construction traffic access along Upper Chapel Lane would damage property;
  - c. Security would be compromised;
  - d. The development would affect the safety and integrity of an Oil tank;
  - e. The extension would cover main drain that serve four adjoining properties; and
  - f. The footing and scaffolding would encroach onto residents' property.



## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extension to a residential dwelling. This is subject to the proposal:

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

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

### 5.3 Residential Amenity

The application site is adjoined by two dwellings to the side (Nos. 10 and 12 Langthorn Close) and Upper Chapel Lane to the rear. The impact on these dwellings is assessed below:

#### 5.4 **Impact on No. 10 Langthorn Close**

The proposed side extension would be situated on the south-west elevation which faces onto No. 12. As such, the proposal would not be visible from No. 19 and therefore would have no impact on the amenities of the occupier of this dwelling. The proposed single storey extension would be situated on the rear elevation, approximately 3 metres from the boundary shared with No. 10. In view of this, it is considered that this extension would pose no overbearing impact.

5.5 Furthermore, the proposed development would not include any windows which would afford direct inter-visibility which would be detrimental to the privacy of the nearby occupier.

#### 5.6 **Impact on No. 12 Langthorn Close**

The proposed two storey side extension would be situated adjacent to No. 12. This extension would be confined within the front and rear buildings lines of No. 12, thus having no material overbearing impact upon the outdoor amenity space. Furthermore, the two-storey extension would be approximately 2.2 metres from an upstairs landing window. This is a non-habitable room and therefore the proposal would not have a detriment impact upon living conditions.

5.7 The proposed single storey extension would extend some 3.5m along the boundary with No. 12. Given the modest scale and depth of this extension, it is considered that there would be no detrimental overbearing impact.

5.8 It is noted that a local resident has objected to the proposal on the grounds of a loss of amenity through an overpowering impact. Nevertheless, it is considered that the above details demonstrate that the proposal would not result in adverse overbearing impact.

5.9 With regard to privacy, the proposed development would not include any windows which would afford direct inter-visibility with the adjacent dwelling. As such, the proposal would not be detrimental to the privacy of this nearby occupier.

5.10 Design and Visual Amenity

The proposed development comprises of the two storey side extension and a single storey rear extension. The two storey element would adopt a subservient design approach whereby the extension is set back (1m) and down (0.2m) in relation to the existing dwelling. This design solution helps allows the original dwelling to dominate, thus respecting its character and appearance. The proposed rear extension would adopt a lean-to design solution, with a modest scale and mass which would appear proportionate to the existing dwelling. Both extensions would be finished in materials to match the existing dwelling.

5.11 In view of the above, it is considered that the proposal would adopt a suitable design approach which would respect both the character of the existing dwelling and the surrounding residential area.

5.12 Other Matters

A local resident has raised several issues which are not considered to be material planning considerations, these are addressed below:

**i. Construction Traffic**

It is considered that the limited level of additional traffic movements generated by a householder extension would not materially harm residential amenity or highway safety. It would therefore be unreasonable to restrict construction traffic in this instance.

**ii. Security**

It is not considered that the proposed extension would prejudice security.

**iii. Oil Tank**

This is a private legal matter between the applicant and the neighbour.

**iv. Drainage**

This issue is not material to the determination of this Planning application. However, this issue would be addressed during Building Regulations.

**v. Footing and Scaffoldings**

The proposed plans show that the development would not encroach onto the neighbouring dwellings land. Nevertheless, the standard land ownership informative will be attached. This advises the applicant that consent should be sought before entering neighbouring land.

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 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 to be **GRANTED** subject to the following condition:

**Background Papers**      **PT08/1867/F**

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

## **CONDITIONS**

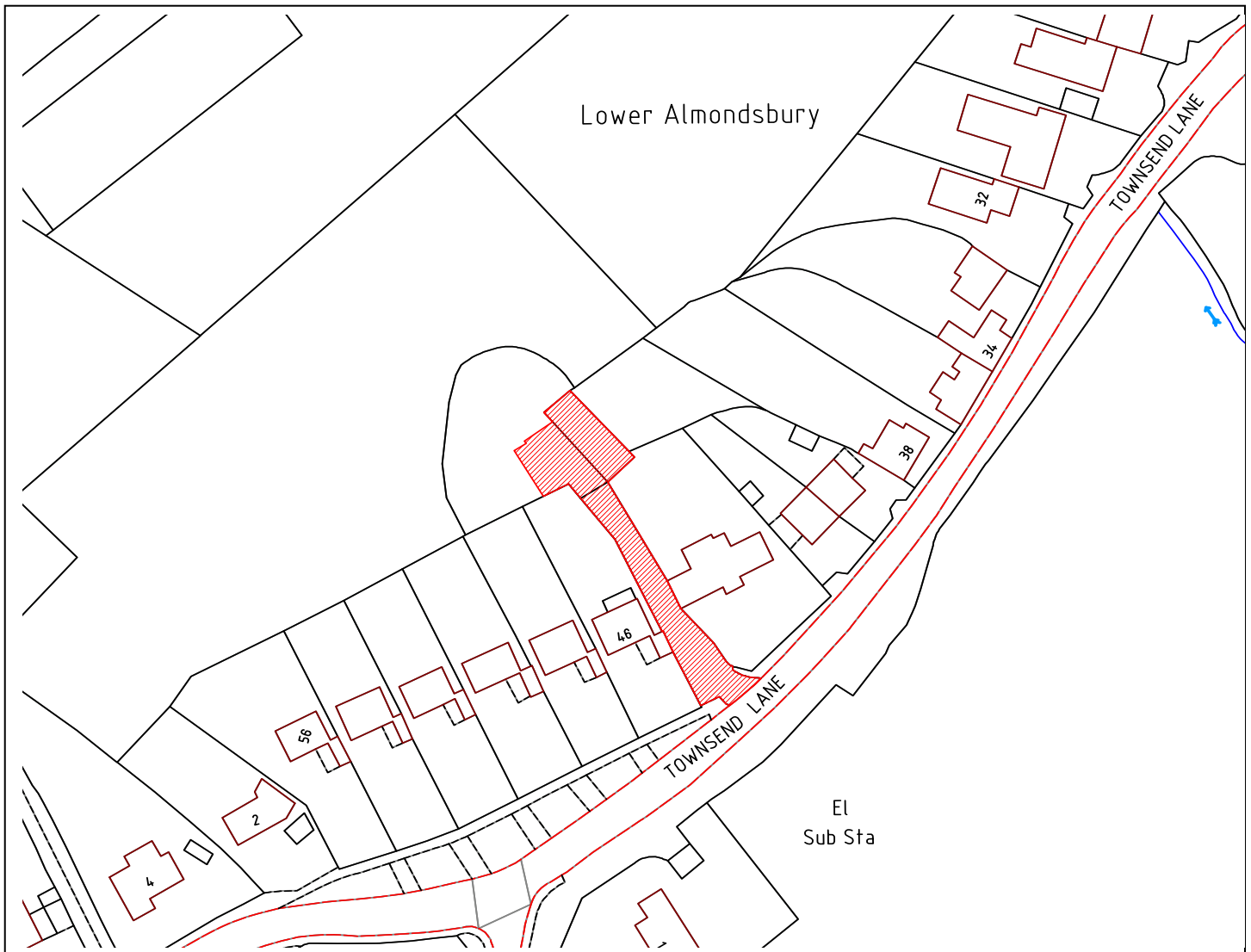
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

## CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008

<b>App No.:</b>	PT08/1926/F	<b>Applicant:</b>	Mr & Mrs Willams-Lock
<b>Site:</b>	Land to rear of, 44 Townsend Lodge, Townsend Lane, Almondsbury, South Gloucestershire, BS32 4EQ	<b>Date Reg:</b>	10th July 2008
<b>Proposal:</b>	Change of Use of equestrian building (Class D2) to employment use (Class B1) as defined in the Town & Country Planning Act. Use Classes Amendment Order 2005 (Re-Submission of PT08/0110/F)	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	59862 83972	<b>Ward:</b>	Almondsbury
<b>Application Category:</b>	Minor	<b>Target Date:</b>	25th August 2008



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**N.T.S**

**PT08/1926/F**

This application has been referred to the Council's Circulated Schedule due to objections received from the Parish Council and local residents. Cllr. Sheila Cook has also requested the application to be reported under this procedure

## **1. THE PROPOSAL**

- 1.1 This full application relates to the change of use of a traditional stable building to employment use (Class B1) on land to the rear of 44 Townsend Lane, Almondsbury.
- 1.2 The site lies to the rear of dwellings fronting the north side of Townsend Lane. Access to the site is via a field access that serves the stable building and associated agricultural land. This access lies between 44 and 46 Townsend Lane. The access and stable building lies within the settlement boundary of Almondsbury, the front (south-west) and end elevation (north-west) of the building demarcating the settlement boundary. The site is also within the Green Belt.
- 1.3 The area to the front and north of the site is covered by a hardstanding and separated from the field by post and rail fencing. The building is currently in use as a stable, in association with the use of the land for the keeping of horses on land to the north-east and south-west of the site. This use will be retained.
- 1.4 This application is a resubmission of PT08/0110/F which was refused in February 2008 on the grounds that no information was submitted with regard to the possible use of the barn for bats/barn owls.

## **2. POLICY CONTEXT**

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS7	Sustainable Development in Rural Areas
PPS9	Biodiversity and Geological Conservation
PPG13	Transport
- 2.2 Development Plans

<u>Joint Replacement Structure Plan</u>	
Policy 16	Green Belts
Policy 32	Employment Sites Adjacent and Within Rural Settlements and in Open Countryside
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L4	Forest of Avon
L9	Species Protection
GB1	Development Within the Green Belt
E3	Criteria for Assessing Proposal for Employment Development within the Urban Areas and Defined Settlement Boundaries and/or Permitted by Policies E4/E6/E7
E6	Employment Development in the Countryside
T7	Cycle Parking
T8	Parking Standards

- 2.4    Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)  
Development in the Green Belt (Adopted)

**3.    RELEVANT PLANNING HISTORY**

- 3.1    N.2223/1                      Change of use of existing stables to form residential unit.  
Refused 23 July 1981.
- 3.2    N.2223/2                      Use of land for private equestrian purposes.  
Approved 15 April 1982.
- 3.3    PT06/0219/F                      Conversion of existing stable to form dwelling.  
Refused 7 March 2006 on the following grounds:-  
1) provision and extent of residential curtilage contrary to  
Green Belt policy;  
2) velux roof lights to front elevation detrimental to rural  
character of building;  
3) proposal has not demonstrated that the building could  
be converted to a suitable business use, contrary to  
policy H10 of the Adopted SGLP .  
4) flank bedroom window would be detrimental on the  
amenities of occupiers of adjoining dwelling.  
5) insufficient information submitted to properly assess  
whether the building provides a habitat for a colony of  
bats.
- 3.4    PT07/0249/F                      Conversion of existing stable to form dwelling.  
Refused 15 March 2007 on the same grounds as above.
- 3.5    PT08/0110/F                      Change of use of stables (Class D2) to employment use  
(Class B1).  
Refused 14 February 2008 on grounds of insufficient  
information submitted regarding possible use of barn for  
bats/barn owls.

**4.    CONSULTATION RESPONSES**

- 4.1    Almondsbury Parish Council  
Object to the proposal on the grounds that the site is located within the Green  
Belt and the location of the site is not appropriate for employment use as it is  
surrounded by residential dwellings.

Other Consultees - Internal

- 4.2    Sustainable Transport  
No objection.
- 4.3    Ecology  
No objection.

## **Other Representations**

### 4.4 Local Residents

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

- a) in Green Belt and beyond Almondsbury settlement boundary;
- b) detrimental to rural character and Green Belt;
- c) no very special circumstances;
- d) industrialise the village;
- e) increase in traffic;
- f) traffic movements would be along an unlit country lane with no footpath and would increase risk to pedestrians;
- g) noise pollution;
- h) overlooking/loss of privacy;
- i) a new barn would be required for stabling horses on the site;
- j) bat survey is inconclusive;
- k) no need for additional industrial premises within area;
- l) proposal does not represent a suitable business conversion;
- m) detrimental effect on residential amenity;
- n) inadequate/incorrect plans;
- o) major works of reconstruction;
- p) light pollution;
- q) parking area could be inadequate;
- r) precedent;
- s) increased noise and disturbance;
- t) previous applications in 2006 and 2007 were refused on impact of window in southern elevation which remains in this application;
- u) hardstanding area laid without planning permission;
- v) use of stables as a business use.

Of the above **k** and **r** are not relevant planning considerations. Points **u** and **v** have been referred to the Council's Enforcement Section for further investigation but are not relevant to the determination of this application.

## **5. ANALYSIS OF PROPOSAL**

The main issues to consider in the assessment of this application are the principle of development including green belt issues, transportation, residential amenity and impact upon bats.

### 5.1 Principle of Development

#### Green Belt Issues

The site lies within the Green Belt. Advice contained within PPG2 is generally supportive of the re-use of buildings for commercial purposes. With suitable safeguards, such re-use is not inappropriate nor should it prejudice the openness of Green Belts, since the buildings are already there. Policy GB1 of the adopted local plan reflects advice contained within PPG2 and sets out the relevant policy criteria in assessing the change of use of land or buildings located within the Green Belt. Such development is not inappropriate provided:-

- a) it would not have a materially greater impact than the present authorised use on the openness of the Green Belt and would not conflict with the purpose of including land in it;**

5.2 It is considered that the proposal complies with the above policy criteria. The proposal purely relates to the conversion of the existing building and no extensions are proposed. In addition, the site area has been significantly reduced from the previous applications relating to residential conversion. A small area of hardstanding incorporating three car parking spaces, cycle shelter and turning area to the front of the building to the west of the site is proposed but it is considered that with suitable landscaping, this area would not have a materially greater impact than the present use, especially as this area is currently used for the parking of vehicles associated with the existing stable use. Furthermore, it is only the proposed parking area that lies just outside the settlement boundary of Almondsbury and would be well related to existing development. The use of the hardstanding for parking of vehicles would also be during office hours only. A condition could also be imposed requiring the removal of the enlarged area of hardstanding outside the application site. The proposal therefore complies with this criterion.

**b) the buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction;**

5.3 The building has been assessed by the Council's Structural Engineer. It has a pitched clay tiled roof on timber rafters and purlins supported by timber trusses and gable walls. The walls are constructed in stonework. The roof is generally in a poor state of repair and sags considerably, particularly to the southern end. A number of the purlins have also deflected badly. However, the walls are generally in good condition, apart from the need for some re-pointing and localised crack repairs. Overall, it is considered that the building is capable of being converted without major rebuilding, although considerable work and replacement members would be required to the roof. The proposal therefore complies with this criterion.

**c) the form, bulk and general design of the buildings are in keeping with their surroundings.**

5.4 The building measures approximately 17.3m in length, 6.7m in width and has a ridge height of 5.9m. The design of the building is traditional in appearance, constructed of stonework with clay tiled roof. The rear elevation has no openings but those to the front and side (south-east) elevation are retained and are unchanged. The only elevation altered in appearance is that of the end (north-west) elevation which faces onto open countryside - the existing window and door openings have been replaced by full length timber windows to form a predominately glazed elevation. No roof lights or other new openings are proposed. It is considered that the design of the building largely retains its original character and traditional appearance. It would bring the building back in to use and be an improvement in visual terms as it would prevent the further decay of the building. The proposal therefore complies with this criterion and Green Belt policy in general.

5.5 Economic Development in the Countryside

As part of the site lies within the countryside, advice contained within PPS7 is also relevant. This document sets out national objectives for planning in rural areas. Sustainable development is the core principle underpinning land use planning. In particular, new development in the countryside outside areas allocated for development in development plans, should be strictly controlled. The overall aim is to protect the countryside for its own sake.



- 5.6 Paragraphs 17 and 18 of PPS7 states that it is Government policy to support the re-use of appropriately located and suitably constructed existing buildings for economic uses rather than residential, provided this would meet sustainable development objectives, especially where they adjacent or closely related to country towns and villages.
- 5.7 This advice is broadly reflected in Policy 32 of the Adopted Joint Replacement Structure Plan where commercial development within and adjoining rural settlements is permitted provided it is appropriate in scale, character and appearance; well related to existing development, local services and infrastructure and reduces the need for motorised travel/dependence on the car, and re-uses previously developed land and buildings.
- 5.8 In terms of the South Gloucestershire Local Plan (Adopted) January 2006, policy E3 is particularly relevant. This policy allows employment uses within the boundaries of settlements, including conversions and reuse of existing buildings, subject to numerous criteria covering transportation issues; effect on residential amenity and the impact of the proposal upon the character of the area or settlement. These will be addressed in turn below.
- 5.9 Transportation Issues  
The site is located off Townsend Lane, an unclassified road within a residential area with a 30mph speed limit. Access to the site is acceptable as visibility is adequate in both directions when leaving the site. In addition, the access is wide enough to accommodate 2-way vehicle movements. It is considered that the existing use of the site as a stable could generate up to 4 vehicular movements per day. However, these tend to be off-peak and generally outside office hours. The proposed use could generate 6 to 12 movements. Even when viewed with the continuing use of the land to the rear of the site for the keeping of horses, the small increase in additional traffic would not constitute a material increase.
- 5.10 The proposal is also acceptable in terms of parking provision and provides adequate turning facilities, in accordance with the Council's standards. The application is therefore acceptable in transportation terms.
- 5.11 Residential Amenity  
It is considered that the proposal is appropriate in terms of residential amenity. The development is small in scale. It has a floor area of 116m<sup>2</sup> including the provision of a modest kitchen and toilet area. The proposed use of the building is for uses falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987 (as amended). These uses would include offices, research and development, laboratories and light industrial uses and would not permit general industrial use. The proposal would not result in any adverse environmental impact due to its B1 use and small scale. Furthermore, in terms of residential amenity, a B1 use can, by definition, be capable of being undertaken "in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit". In addition it is considered that due to the modest size of the building any traffic generation would be minimal.
- 5.12 With regard to the issue of loss of privacy the proposal is also considered acceptable. It is recognised that two windows face directly on to the rear garden area of 44 Townsend Lane, the end elevation of the barn forming the site boundary. However, these windows already exist and are to serve a

kitchen and toilet. Any overlooking or loss of privacy could be overcome by ensuring that these windows are obscurely glazed and non-opening. Furthermore, a large shed has been erected in front of this elevation by the occupiers of this property which restricts any view in any event. Although two previous applications were refused on residential amenity grounds these applications were materially different in that they related to a residential use of the building and the windows would have served a bedroom.

5.13 In terms of noise and disturbance the proposal is also considered acceptable. The use of the building for B1 purposes is appropriate to a residential area. In addition, the small size of the building will ensure that any increase in traffic is minimal. The properties adjacent to the access also have sufficient boundary treatment, largely consisting of 2m boundary fencing. Officers are of the view that having regard to the modest nature of the proposal and its proposed B1 use, a refusal reason on this basis would be unsubstantiated on appeal.

5.14 Character of Settlement

As already discussed under para. 5.2 of this report, the site lies within the Green Belt with the proposed parking area outside the settlement boundary. It is considered that due to the small scale of the scheme the proposal will not detract from the visual amenities of the locality. The proposal will reuse an existing, attractive and traditional building that is currently in a dilapidated condition. This can only improve the visual amenities of the locality. With regard to the parking area this is small in size with parking available for 3 vehicles. As previously stated, vehicles associated with the existing stable use also park on this area and it is considered that such a limited area will not be overtly visible within the locality, especially as it will be largely screened by existing boundary treatment. Indeed, the proposal will not be visible from Townsend Lane as the site is screened by existing residential development and the rise of the access lane. Furthermore, a condition will be imposed requiring a landscaping scheme to be submitted which will further reduce and soften any perceived adverse impact. The proposal therefore complies with national planning policy and advice and is acceptable.

5.15 Bats

Barns and old agricultural outbuildings characteristically offer roosting/nesting opportunities for a variety of wildlife. The application site lies close to open countryside and a range of semi-natural habitats. Given this, there is the possibility of bats or nesting birds being present either in the building itself or under the roof tiles. Pipistrelle bats, for example, are known to use the gaps and confined spaces around buildings during the summer, such as between tiles and under felting or underneath ridge tiles.

5.16 Bats are afforded full protection under both national and international law (European Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora ('The Habitats Directive 1992')). Any works affecting either bats or their roosts (or adjoining habitats - eg. flight paths) may be subject to receiving the appropriate licence from DEFRA. If bats are present, development will result in disturbance to the colony or the temporary or permanent loss of their traditional roost site. If bats are found to be present, as a European Protected Species, development will be subject to receiving the appropriate consent from English Nature or DEFRA.

- 5.17 Given this, the application was accompanied by a bat survey which has been assessed by the Council's Ecologist. A visual inspection was carried out as well as two emergence surveys. The survey found two old droppings in a small recess at the southern end of the building. The small number and location suggests that they were left by a single bat resting briefly during a night's foraging and that use of the building had been opportunistic. This low level usage means that a DEFRA licence would not be required and, accordingly, there are no ecological constraints to granting consent. In addition, the survey proposes installing an appropriate bat access point ('bat slate') and purpose-built bat roost in a suitable location within the roof pitch of the converted building. It is considered that this should be a condition of any planning permission.
- 5.18 Birds  
The site survey found no evidence of barn owls. However, there was a pair of swallows in residence this summer, although no young were seen during the surveys. There were also remains of several old swallow nests in the structure. As such it is considered appropriate to also include the provision of a nesting area under the proposed bat roost.
- 5.19 Flooding  
The application has been assessed by the Council's drainage engineer and no objection has been raised to the proposal subject to use of a permeable surface for the parking/hardstanding area. This will be a condition of any planning consent.
- 5.20 Light Pollution  
Due to the limited size of the development it is considered that light pollution will not result from the development. However, a condition will be imposed enquiring details of any proposed lighting, including any security lighting or lighting to the car parking area.
- 5.21 Other Issues  
Objectors have made the point that if the existing building is converted a replacement building would be required for the stabling of horses. However, it is not a requirement of the above-mentioned policies that the buildings have to be redundant. Any replacement structure would require planning permission in any event.
- 5.22 With regard to the issue of incorrect plans this matter has been clarified with the agent who has confirmed that the submitted plans are accurate. If planning permission is granted and the development clearly deviates from the approved scheme the applicant may be subject to enforcement action.
- 5.23 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.
- 5.24 Section 106 Requirements  
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended).

Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 Planning permission be granted.

### **Background Papers      PT08/1926/F**

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

## **CONDITIONS**

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

Reason:

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

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

Reason:

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

3. The glazing on the south-east elevation shall at all times be of obscured glass and be permanently fixed in a closed position. The obscure glazing to be used shall be at least level 3 obscure glazing.

Reason:

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or despatched from the site outside the following times :- 08.00 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturday; nor at any time on Sunday or Bank Holidays.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No outside storage of material/goods/waste or plant shall take place at the premises.

Reason:

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The hours of working on site during the period of construction shall be restricted to 08.00 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason:

To minimise disturbance to occupiers of neighbouring properties and to accord with Policy E3 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 scheme of landscaping, which shall include details of proposed planting, and times of planting; boundary treatments and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details.

Reason:

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

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

Reason:

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

9. Prior to the commencement of development, details of the cycle parking shall be submitted to an approved in writing by the Local Planning Authority. For the avoidance of doubt the cycle parking shall be secure and covered.

Reason:

To ensure the satisfactory provision of cycle parking facilities and to accord with Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. All new external finishes, and works of making good, shall match the existing original building in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason:

To safeguard the traditional character of the building, and to accord with Policies GB1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. The first 6m of the access lane shall be constructed of a bound surface and no gates shall be fitted within 6m of Townsend Lane.

Reason:

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

12. No windows other than those shown on the plans hereby approved shall be inserted at any time in any elevation of the building, nor the roof planes.

Reason:

To protect the privacy and amenity of neighbouring occupiers, and to preserve the traditional character of the building and to accord with Policies D1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. Details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the avoidance of doubt, lighting details shall include security and car park lighting.

Reason:

To minimise disturbance to occupiers of neighbouring dwellings and to minimise landscape intrusion and to accord with Policies D1/E3/L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. Prior to the occupation of the building for B1 purposes, the area of hardstanding located to the north and west of the site shall be removed and returned to grass.

Reason:

To improve the visual appearance of the locality and to accord with policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

15. Prior to the commencement of development, details of a purpose-built bat roost and bat access point ('bat slate') and nesting area for birds, to be incorporated within the roof pitch of the building, 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.

Reason:

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

**CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008**

**App No.:** PT08/1964/F  
**Site:** Plot 1-3 Carel, Land off New Road, Rangeworthy, South Gloucestershire, BS37 7QH

**Applicant:** Mr R Edwards  
**Date Reg:** 14th July 2008

**Proposal:** Erection of 3 no. dwellings and associated works (Amendments to previously approved scheme PT07/0760/F)

**Parish:** Rangeworthy Parish Council

**Map Ref:** 69366 85802  
**Application Category:** Minor

**Ward:** Ladden Brook  
**Target Date:** 29th August 2008



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**N.T.S**

**PT08/1964/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the following three amendments to the previously approved scheme (Planning Ref: PT07/0760/F):
- remove the chimneys;
  - replace the rear sliding doors with outward opening 'French Doors'; and
  - remove the Bradstone detail around the building.
- 1.2 The application site relates to a building site where the development approved under PT07/0760/F is currently under construction. The site is situated adjacent to a new residential development which is known as Kings Field. The site is inside the limits of the established village settlement boundary of Rangeworthy.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development  
PPS3: Housing  
PPG13: Transport
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
L17: The Water Environment  
EP1: Environmental Pollution  
H2: Proposals for Residential Development within the existing Urban Area and Defined Settlement Boundaries  
T12: Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Document  
South Gloucestershire Design Checklist SPD (Adopted) August 2008

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

- 3.1 PT06/3646/F           Erection of 3 dwellings  
**Withdrawn** 13 February 2007
- 3.2 PT07/0760/F           Erection of 3 dwellings  
**Approved** on 25 May 2007

### **4. CONSULTATION RESPONSES**

- 4.1 Rangeworthy Parish Council  
No comment
- 4.2 Highways and Transportation  
No objection



#### 4.3 Local Residents

One letter of objection received raising the following points:

- A. objected to original application;
- B. proposed changes appear purely cosmetic, these changes make no difference;
- C. inaccuracy on plans - no buffer between garden and new development;
- D. the doors are 0.5m higher than Kings Meadow development – this was not clear on original plans;
- E. first floor windows should be obscured glazed.

### 5. ANALYSIS OF PROPOSAL

#### 5.1 Principle of Development

Planning application PT07/0760/F granted planning consent for the erection of a three new dwellings. This planning application seeks consent for three amendments:

1. remove the chimneys;
2. replace the rear sliding doors with outward opening 'French Doors'; and
3. remove the Bradstone detail around the building.

5.2 Since the determination of the PT07/0760/F there have been no material changes to national or local policy. As such, this application will only assess the material issues resulting from amendments (e.g. design and residential amenity). The other planning issues from this application were satisfactory dealt with in PT07/0760/F and are discussed in detail in the officers report. To maintain consistency the conditions which were attached to PT07/0760/F will also be attached to the decision of this application.

5.3 The main issues resulting from this amendment would be impact on visual and residential amenity. These issues will be assessed with regard to policies D1 and H2.

#### 5.4 Residential Amenity

The proposed amendments would materially alter the relationship approved under previously approved scheme. As such, proposal would not materially harm residential amenity.

#### 5.5 Design and Visual Amenity

The proposed amendments include the removal of chimney and the Bradstone detail around the building. It is considered that these features are not particularly significant character of the area. As such, it is considered that these changes are minor and would not materially harm the character and appearance of the proposed development and surrounding area.

#### 5.6 Other Matters

One letter has been received from a local resident. No specific objection has been raised to this application, however comment have been made with regard to the previous application. These comments are therefore not material to the determination of this application. However, it is recommended that the local residents letter is referred to the Planning Enforcement Team for separate investigation.

5.7 Design and Access Statement

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

5.8 Section 106 Requirements

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

**Background Papers**      **PT08/1964/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. No development shall take place until details and samples of the roofing and external facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

3. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed second floor front windows shall be glazed with obscure glass only.

Reason(s):

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

4. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times Monday to Friday 0730 to 18:00 and 08:00 to 1300 on a Saturday ; nor at any time on Sunday or Bank Holidays.

Reason(s):

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a 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/L1/E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. 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 first occupation of the dwellings hereby permitted . Development shall be carried out in accordance with the approved details.

Reason(s):

To protect the character and appearance of the area to accord with Policies H2/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Within 3 months of the date of the decision drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

9. 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.

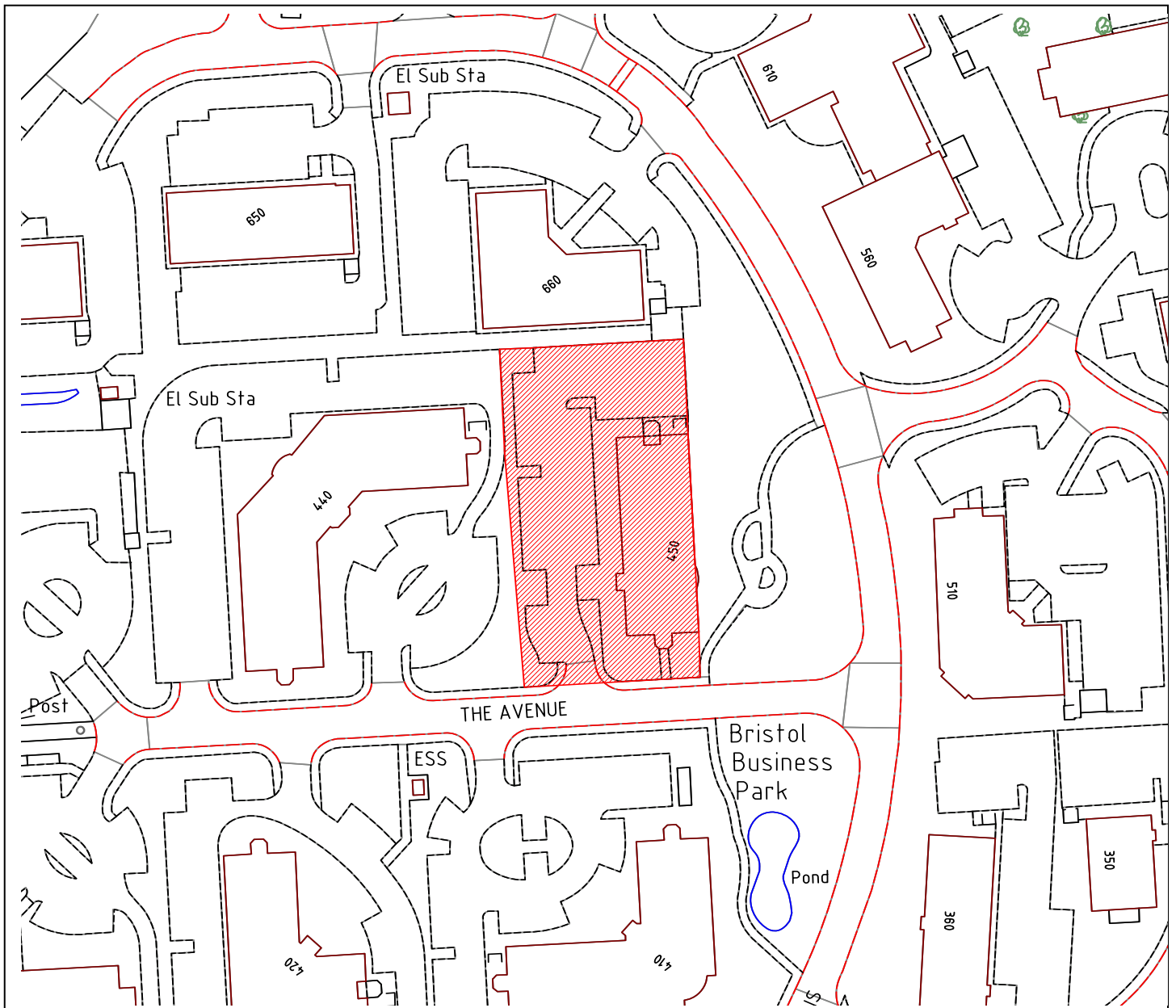
10. The building shall not be occupied until the associated parking areas and manoeuvring areas have been drained and surfaced in accordance with the details approved in writing by the Local Planning Authority. All facilities shall be finished in bound material. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles.

Reason(s):

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

## CIRCULATED SCHEDULE NO. 32/08 – 08 AUGUST 2008

<b>App No.:</b>	PT08/2002/F	<b>Applicant:</b>	B F Ventures Ltd
<b>Site:</b>	Building 450, The Avenue, Bristol Business Park, Coldharbour Lane, Stoke Gifford, South Gloucestershire	<b>Date Reg:</b>	16th July 2008
<b>Proposal:</b>	Erection of two storey side extension to existing offices.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	62477 78373	<b>Ward:</b>	Frenchay and Stoke Park
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th August 2008



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**N.T.S**

**PT08/2002/F**

## 1. **THE PROPOSAL**

- 1.1 This full application relates to the erection of a two storey side extension at Building 450, The Avenue, Bristol Business Park, Coldharbour Lane, Stoke Gifford.
- 1.2 The extension measures some 22.5m in width and has the same ridge height and depth as the existing building. All materials are to match. The extension is to be erected over part of the existing car park which is to be reconfigured to provide some car parking spaces lost by the extension. This will result in the loss of some landscaped pockets and the removal of a number of small trees with overall parking reduced from 55 to 46 spaces.
- 1.3 The proposal will increase the net floor area floor area from 922m<sup>2</sup> to 1330m<sup>2</sup>. The building is to be used for B1(a) purposes.
- 1.4 The application site lies within the Safeguarded Employment Area of Bristol Business Park.

## 2. **POLICY CONTEXT**

### 2.1 National Guidance

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

### 2.2 Development Plans

#### Joint Replacement Structure Plan

- Policy 1 Sustainable Development Objectives  
Policy 2 Location of Development  
Policy 54 Car Parking Provision (Non-Residential)

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

- D1 Design  
L4 Forest of Avon  
E3 Criteria for Assessing Proposal for Employment Development within the Urban Areas and Defined Settlement Boundaries and/or Permitted by Policies E4/E6/E7  
E4 Safeguarded Employment Areas  
T7 Cycle Parking  
T8 Parking Standards  
T12 Transportation Development Control Policy for New Development

### 2.4 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 objection.

##### Other Consultees

- 4.2 Sustainable Transport  
No objection subject to appropriate conditions and a financial contribution.

##### Other Representations

- 4.3 Local Residents/Businesses  
No response received.

#### 5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development  
The application site lies within the Safeguarded Employment Area of Bristol Business Park.

- 5.2 In assessing applications for extensions within such areas, Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant. This policy allows for such development subject to the following criteria:-

**A. Development would not have unacceptable environmental effects;**

- 5.3 The proposal is for B1(a) office use and as such will not result in any adverse environmental effects.

**B. Adequate provision is made for servicing and delivery requirements and development would not give rise to unacceptable levels of vehicular traffic, especially heavy goods vehicles, or on-street parking, to the detriment of the amenities of the surrounding areas and highway safety;**

No transportation objection has been made to the proposal, subject to conditions requiring a travel plan for the whole building and all cycle/motor cycle provision to be secure and under cover. In addition, the applicant is also required to contribute towards the North Fringe Major Scheme (Transport Matters) to alleviate the cumulative impact on the local transport network. This is calculated at £7 per square metre increase which equates to £2856 (7 x 408). This can be secured by a Section 278 agreement.

**C. Development would not prejudice existing residential amenities;**

- 5.5 The application site is located within an existing business park with no residential development near the site. However, part of the side elevation of the extension is some 4.2metres from the elevation of Building 660 which is located to the rear of the site. This is also an office building and has windows at both ground and first floor level which will directly face on to the extension. The ground floor of the extension is largely open, providing car parking and access below the first floor of the extension. The side elevation at first floor level is blank with no window or other openings.

This overcomes any overlooking issues between both buildings. It is recognised that the proposal will result in a degree of overbearing impact to the adjacent building. However, as this building is not in residential use and the site is located within a Safeguarded Employment Area, the proposal is considered acceptable in this respect. The proposal therefore complies with this criterion.

**D. The character of the area or settlement is not adversely affected;**

- 5.6 The building is located within a Safeguarded Employment Site within the urban of the Bristol North Fringe. The design of the extension replicates the existing unit and is of materials to match, is appropriate within its context and complies with this criterion.

**E. The maximum density compatible with the site's location, its accessibility and its surroundings is achieved;**

- 5.7 This criterion is not relevant as the unit is already in existence.
- 5.8 The application complies with this policy in its entirety and as such is in accordance with policies D1, E3, E4 and T12 of the adopted local plan.

5.9 Design and Access Statement

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

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, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005. However, this contribution could equally be secured through a S278 agreement under the Highways Act. The applicant has confirmed acceptance to this agreement.

**6. CONCLUSION**

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



## **7. RECOMMENDATION**

- 7.1 (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 to secure the following:
- (a) A financial contribution of £2,856 towards the North Fringe Development Major Scheme (Transport Matters).

Reason: To provide a contribution commensurate to the scale of the development towards the North Fringe Development Major Scheme (Transport Matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with policies T12 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

- (2) If the legal agreement is not signed 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 legal agreement, for the reasons listed in section (1) a.

### **Background Papers**      **PT08/2002/F**

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

### **CONDITIONS**

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

Reason(s):

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

2. Prior to the commencement of development a travel plan for the whole building shall be submitted to the Local Planning Authority for approval. The agreed scheme shall be implemented as approved before the development hereby permitted is brought into use; or otherwise as agreed in the commuter plan.

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.

3. Prior to the commencement of development, cycle parking in accordance with the standards set out under Policy T7 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be provided, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason(s):

To ensure the satisfactory provision of cycle parking facilities and to accord with Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

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

5. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees 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) shall be submitted to the Local Planning Authority for approval. 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 D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. 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 the development or in accordance with a programme agreed with 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.

7. 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.

8. Notwithstanding the approved drawings, the bin store shall be enclosed by a brick wall to match the existing buildings.

Reason(s):

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