



**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. 49/08

Date to Members: 05/12/08

Member's Deadline: 11/12/08

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

CIRCULATED SCHEDULE

DATE: 05/12/08

SCHEDULE NO. 49/08

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.

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

**Dates and Deadlines for Circulated Schedule
over the Christmas and New Year period 2008/2009**

Schedule Number	Date to Members 9am on	Members Deadline 5pm on
50/08	Friday 12 December 2008	Thursday 18 December 2008
51/08	Thursday 18 December 2008	Wednesday 24 December 2008
52/08	Wednesday 24 December 2008	Tuesday 6 January 2009
01/09	No Circulated Schedule Production	*

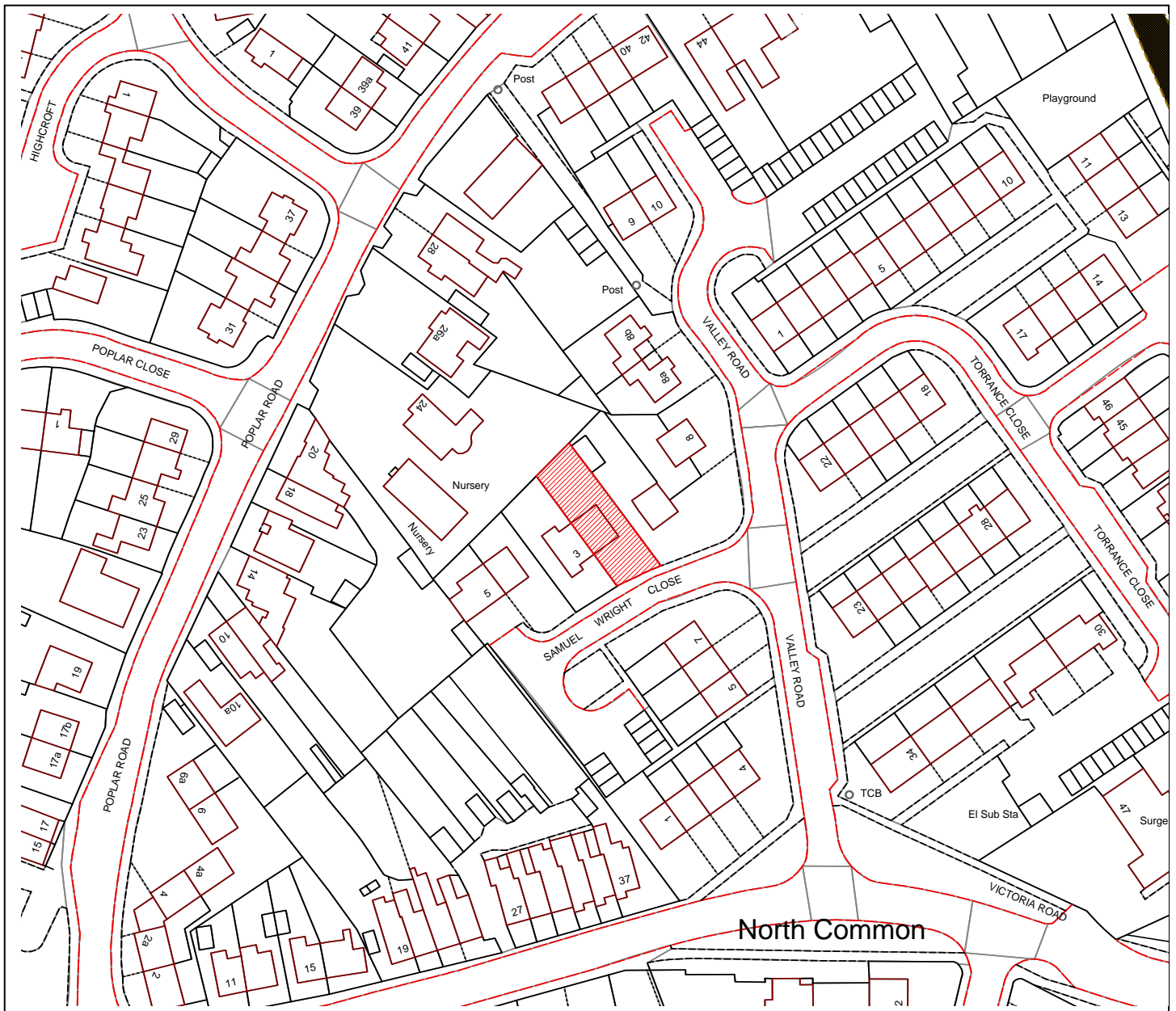
Circulated Schedule 05 December 2008

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK08/2777/F	Approve with conditions	2 Samuel Wright Close, North Common, South Gloucestershire, BS30 5LQ	Oldland	Bitton Parish Council
2	PK08/2780/F	Approve with conditions	7 Deanery Road, Kingswood, South Gloucestershire, BS15 9JA	Kings Chase	
3	PK08/2793/F	Approve with conditions	205 Soundwell Road, Soundwell, South Gloucestershire, BS16 4RP	Kings Chase	
4	PK08/2879/F	Approve with conditions	Avon Valley Railway, Bath Road, Bitton, South Gloucestershire, BS30 6HD	Bitton	Bitton Parish Council
5	PK08/2903/F	Approve with conditions	12 Moorland Road, Yate, South Gloucestershire, BS37 4BX	Yate Central	Yate Town Council
6	PK08/2922/F	Approve with conditions	25 Lyndale Road, Yate, South Gloucestershire, BS37 4DB	Yate Central	Yate Town Council
7	PK08/2936/F	Approve with conditions	158 Robin Way, Chipping Sodbury, South Gloucestershire, BS37 6JT	Chipping	Dodington Parish Council
8	PK08/2939/RM	Approve with conditions	101-103 Hanham Road, Kingswood, South Gloucestershire, BS15 8NW	Woodstock	
9	PK08/2992/ADV	Approve	Unit F-H, Marks and Spencer, Longwell Green, Bristol, South Gloucestershire, BS30 7DA	Longwell Green	Oldland Parish Council
10	PT08/1214/F	Approve with conditions	Barns at Lower Woodhouse, Fernhill, Almondsbury, South Gloucestershire, BS32 4LX	Severn	Olveston Parish Council
11	PT08/2863/TRE	Approve with conditions	8 Orchard Close, Winterbourne, South Gloucestershire, BS36 1BF	Winterbourne	Winterbourne Parish Council
12	PT08/2873/LB	Approve with conditions	58 The Rectory, High Street, Winterbourne, South Gloucestershire, BS36 1JQ	Winterbourne	Winterbourne Parish Council
13	PT08/2890/F	Approve with conditions	9 Braydon Avenue, Little Stoke, South Gloucestershire, BS34 6EH	Stoke Gifford	Stoke Gifford Parish Council
14	PT08/2925/ADV	Approve with conditions	3 Gloucester Road, Almondsbury, South Gloucestershire, BS32 4BJ	Almondsbury	Almondsbury Parish Council
15	PT08/3000/F	Approve with conditions	8 Berkeley Close, Charfield, South Gloucestershire, GL12 8TE	Charfield	Charfield Parish Council

CIRCULATED SCHEDULE NO. 49/08 – 05 DECEMBER 2008

App No.: PK08/2777/F
Site: 2 Samuel Wright Close, North Common, South Gloucestershire, BS30 5LQ
Proposal: Erection of two storey side and single storey rear extension to provide integral garage and additional living accommodation.
Map Ref: 67556 72499
Application Category: Minor

Applicant: Mr & Mrs Robbins
Date Reg: 14th October 2008
Parish: Bitton Parish Council
Ward: Oldland Common
Target Date: 5th December 2008



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 100023410, 2008.

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two-storey extension to the side of the existing property and a single storey extension to the rear. The proposal would allow for the creation of a garage and study at ground floor with two additional bedrooms above.
- 1.2 The application site consists of a two-storey semi-detached dwelling located in a residential area of North Common. Several of the surrounding properties have been extended in a variety of ways.

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

T12 Transportation Development Control

3. RELEVANT PLANNING HISTORY

3.1 No history

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council
No Objection

Other Representations

4.2 Local Residents

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

- Access both during construction and for future maintenance
- Concerns about the party wall act should the neighbours choose to erect a similar extension
- The extension will overshadow the neighbours garden

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.

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. The extension is set back from the front elevation of the original dwelling and set down at ridge height. This ensures the extension remains subservient to the original dwelling and allows the original property to dominate. The extension is to be finished with face brick that will match those on the original dwelling.

The single storey rear extension is to have a simple lean too type roof with a pitch similar to that of the existing building. The design of this element is therefore considered to be entirely acceptable.

It is considered that the proposed extensions, as visible from the highway would be in keeping with the surrounding area. As such, the extensions are considered acceptable in terms of design and visual amenity.

5.3 Residential Amenity

There are no windows in the side elevation of the neighbouring property No. 1 Samuel White Close that could be adversely affected by the two storey extension as proposed. Similarly, no new habitable room windows are proposed in the side elevation of the two storey extension that could result in any issues of overlooking or loss of privacy. The single storey rear extension is limited to 3 metres in depth out from the main rear wall of the original dwelling and when this is compared to the adequate plot sizes, it is not considered that this will result in any issues of overbearing for the neighbouring dwellings.

The proposed side extension will naturally be closer to the boundary with No. 1 Samuel White Close than the existing dwelling. However, given that the outline of the extension will be contained within the silhouette of the original dwelling, it will not result in any significant issues of overshadowing.

It is noted that a neighbouring dwelling is concerned about the impact of the proposed extension on their future ability to erect an extension. Unfortunately this is not a planning concern and there is no way of knowing of this situation will ever arise – there is no current or extant planning application at the neighbouring dwelling. The proposed extension does not extend over the neighbours boundary in any way and should not prevent or impede the neighbours from also erecting a side extension in the future should they wish too.

As such, it is not considered there are any issues of overbearing. Further, sufficient garden space would remain to serve the property. The impact on residential amenity is subsequently deemed acceptable.

5.4 Transportation Implications

The application includes a garage in the ground floor of the two storey side extension – additional off street parking remains of the driveway. Sufficient off street parking is therefore provided to meet the needs of the extended dwelling.

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) 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 **PK08/2777/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.

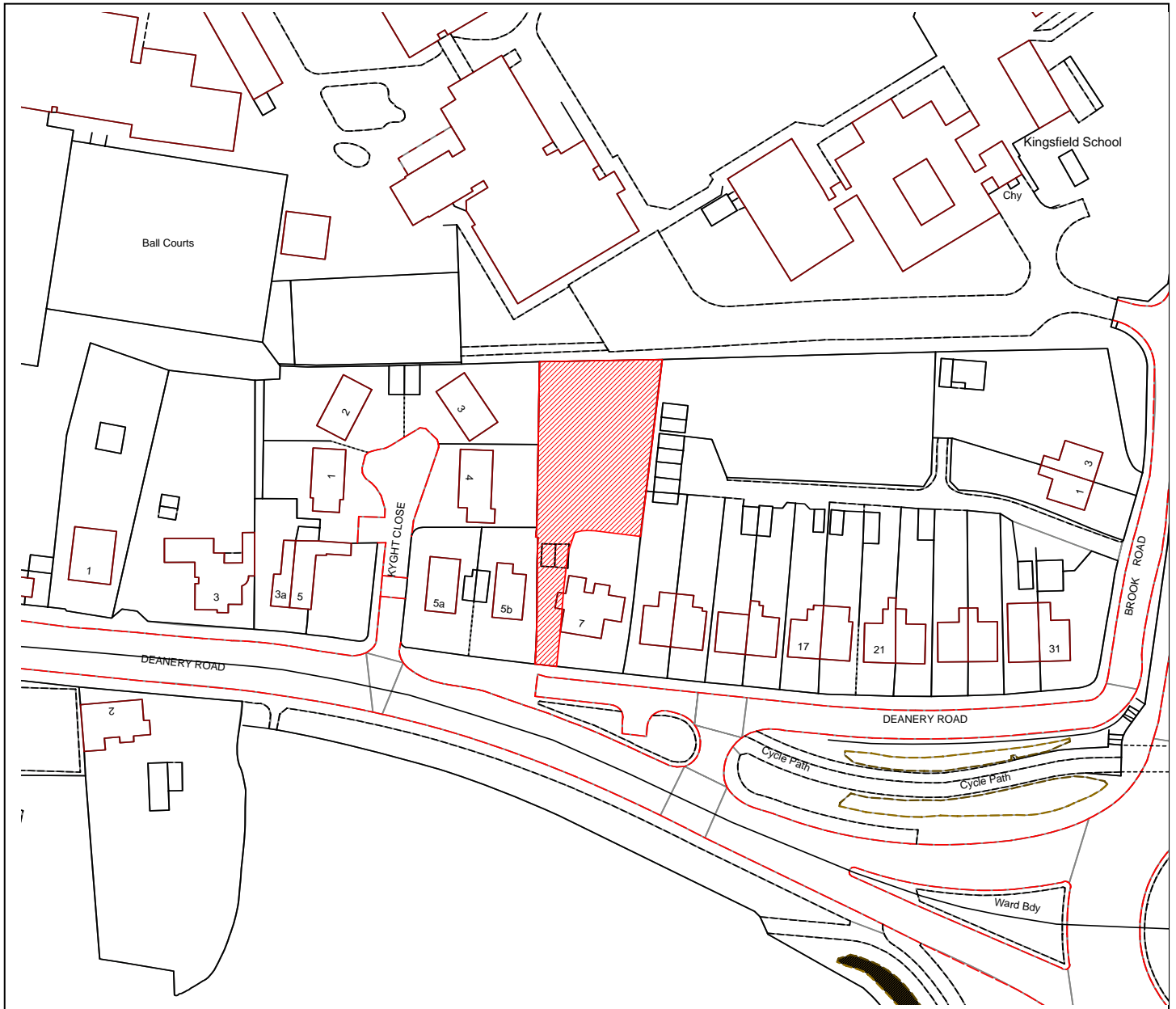
Reason

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. 49/08 – 05 DECEMBER 2008

App No.: PK08/2780/F
Site: 7 Deanery Road, Kingswood, South Gloucestershire, BS15 9JA
Proposal: Erection of 1no. detached dwelling and detached garage with access and associated works.
Map Ref: 66453 73629
Application Category: Minor

Applicant: Mr A Bryant
Date Reg: 14th October 2008
Parish:
Ward: Kings Chase
Target Date: 5th December 2008



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N.T.S

PK08/2780/F

INTRODUCTION

This application appears on the circulated schedule due to the receipt of 6 letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of one dwelling in the rear garden of No. 7 Deanery Road. Access to the new dwelling would be along the side of the existing property known at 7 Deanery Road and the existing detached garage serving No/ 7 would need to be removed to make way for the new driveway. The proposed new dwelling would be single storey only and would have two bedrooms. A detached garage is also proposed to serve the new dwelling.
- 1.2 The application site is within the established urban area in close proximity to the Avon ring Road. The site is surrounded by residential land uses to the front and side with a large secondary school to the rear.
- 1.3 During the course of the application amended plans were requested from the agent to address a number of issues primarily relating to parking provision, the scale and design of the new dwelling and landscaping. Amended plans have been received as requested reducing the size of the proposed bungalow and reducing the amount of parking provided.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Residential Development
H4	Development within Residential Curtilages
T7	Cycle Parking Standards
T8	Car Parking Standards
T12	Transportation Development Control

3. RELEVANT PLANNING HISTORY

- 3.1 None Relevant

4. CONSULTATION RESPONSES

(a) Statutory Consultees

4.1 Town/Parish Council

The area is unparished

(b) Other Representations

4.2 Local Residents

6 letters of objection have been received from local residents. A summary of the points of concern raised are as follows:

- Loss of early daylight for neighbouring properties
- Loss of outlook from the rear of neighbouring dwellings
- Potential for overlooking – especially of the loft space is converted
- Loss of privacy due to the proximity of the house to the neighbours garden
- Increased noise and disturbance from motor vehicles
- Views from neighbours will be of buildings instead of trees
- Increased levels of traffic
- Neighbours will not be able to park outside their front gate
- Devalue neighbouring properties
- Concerns over the number of bathrooms proposed
- Proposed access is inadequate with too little room to manoeuvre
- Questions about a disabled parking bay and if this is a dwelling or a business premises

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

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

It is accepted that the proposed new bungalow represents backland or tandem development that has traditionally been resisted by the Council where it would result in demonstrable harm. In this instance however, it is considered that the principle of erecting a new dwelling in this location is acceptable as by doing so there would be no significant or detrimental impact on the character of the area or street scene. Key to this assessment is the 4 bungalows on Kyght Close immediately to the west of the application site. These existing 4 bungalows are also set back from the main road and are effectively in the rear gardens of the properties 3a to 5b facing onto Deanery Road. The proposed new bungalow

would be in line with the existing bungalows on Kyght Close and thus not be out of keeping with the street scene or character of the area.

The built form in the locality is very varied. The existing property No. 7 Deanery Road is a very large detached building, but the surrounding properties come in a wide variety of forms including link detached, semi-detached, and bungalows of a wide variety of ages. The proposed new dwelling subject of this application would be single storey only – similar to the existing bungalows on Kyght Close. As initially submitted, the proposal was to finish the new bungalow with Bradstone also to match the existing bungalows on Kyght Close. During the course of the application however, in line with advice from the case officer, the details have now been amended so that the front of the new bungalow will be finished with natural stone and the remaining walls will be finished with render. It is considered that this mix of materials will help the new dwelling to blend and integrate surrounding built form as far as possible. The roof tiles to be used on the new bungalow will match those on the existing property No. 7 Deanery Road.

Generally it is considered that the proposed new bungalow will integrate successfully with the existing street scene both in terms of its design and also the materials to be used.

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

It is accepted that a number of neighbouring residents are concerned about the impact on the new dwelling upon their existing levels of residential amenity. All of these concerns have been taken into consideration and amended plans have been submitted by the agent to reduce the footprint and height of the proposed dwelling to address some of these concerns.

In order to protect the amenities of neighbouring dwellings, all habitable room windows in the proposed bungalow will be in excess of 21 metres from any habitable room windows in all of the neighbouring buildings. It is not therefore considered that there are any issues of intervisibility.

It is also noted that a number of residents are concerned about a loss of view as the existing garden serving No. 7 is pleasantly vegetated. The ridge of the new bungalow has been kept to a minimum. The amended plans received showed a significant reduction in the bulk of the roof – particularly the ridge line. Whilst the new bungalow will indeed be visible from the neighbouring dwellings, because of the high boundary treatments and the distances between the new bungalow and the neighbouring properties, it is not considered that it would have any detrimental impact upon them. The plans do show a line of planting of small trees (Rowan and Silver Birch) along part of the western boundary of the site that should help to retain a sense of 'green' that the neighbours are keen to retain. Whilst in planning terms, there is no right to a view over land that is not within your ownership, it is considered that the applicant has taken all steps possible to ensure the site remains open and green.

Because of the limited single-storey height of the proposed bungalow and the distance from the boundaries with the neighbouring dwellings, the new bungalow will not result in any issues of overshadowing from the surrounding properties. Similarly, as all windows are at ground floor level, there is no

potential for overlooking or loss of privacy as the existing and proposed boundary treatments will ensure the retention of adequate levels of privacy for the neighbouring dwellings. Your officer does agree with some of the neighbours that if the roof space were to be converted in the future, issues of overlooking could arise. In order to prevent this, conditions will be attached to ensure that no windows, roof lights or dormers other than those shown on the submitted plans are inserted at any time into the proposed dwelling. This will prevent the occupants of the new dwellings affecting any changes that could result in loss of privacy for the neighbouring dwellings.

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

The revised plans submitted clearly show the provision of 3 parking spaces to serve the existing dwelling and two spaces to serve the proposed dwelling. One of the letters of objection makes reference to a disabled parking bay although this appears to be a mistake as none are shown on the submitted plans.

Access to the existing dwelling would be via a new access onto Deanery Road. This part of Deanery Road is an unclassified highway and thus planning permission is not required for the new dropped kerb. This section of Deanery Road is a dead end and other than the proposed new dwelling, there is no passing traffic. As such, vehicle movements into and out of the new access will not create any issues of highway safety.

Access to the new dwelling will be along the side of No. 7. The new dwelling will be served by a large flat roofed single garage and will have an additional parking space forward of this garage. The application proposes the erection of close boarded fences along either side of the new access separating the driveway from both neighbouring dwellings. The number of vehicle movements associated with a two bedroomed property are likely to be relatively low and given the existing high boundary walls which are over 2 metres in height, it is not considered that the vehicle movements are likely to have a significant or detrimental impact upon highway safety or existing levels of residential amenity.

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

The proposal shows that a very large garden will be provided to meet the needs of the proposed new bungalow. Adequate private amenity space is therefore provided for the newly occupied dwelling.

Similarly, the plans also show the provision of adequate private and useable garden space to serve the existing dwelling. The amount of garden space retained will be the same as that currently afforded to the neighbouring properties No's 5a and 5b Deanery Road. The plans show the provision of boundary treatments to divide the two curtilages and a condition will be attached to ensure that the fences are erected as shown on the plan.

5.7 Section 106 Requirements

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

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 as the statement demonstrates how the development is suitable for the site.

6. **CONCLUSION**

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

The recommendation to grant 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 **PK08/2780/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 dwelling hereby permitted shall be exactly as per those indicated on plan 2105/1ND/2008.

Reason

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

3. No windows, rooflights or dormer windows other than those shown on the plans hereby approved shall be inserted at any time in the bungalow hereby approved without the prior written consent of the local planning authority.

Reason

To prevent the uncontrolled conversion of the loft space in order to protect the privacy and amenity of neighbouring occupiers, and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. All hard and soft landscape works shall be carried out in accordance with the approved plans. All hard landscaping must be SUDS compliant and water must not run off onto the public highway. The works shall be carried out prior to the occupation of the new dwelling.

Reason

To protect the character and appearance of the area and to protect the amenities of neighbouring occupiers and to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The boundary fences and walls as shown on the submitted plan must be erected in the positions indicated before the new dwelling house is occupied.

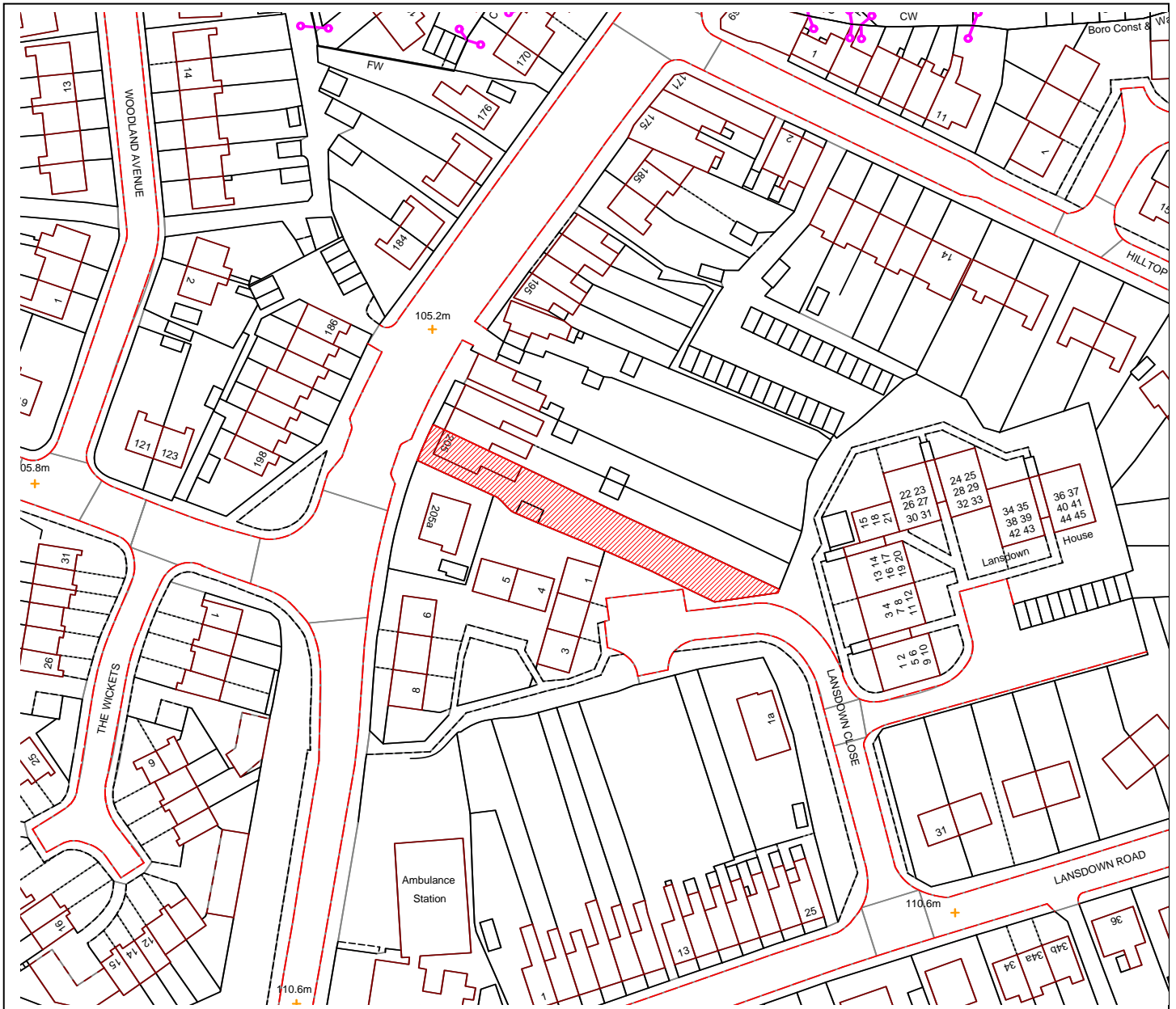
Reason

To protect the character and appearance of the area and to protect the amenities of neighbouring occupiers and to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 49/08 – 05 DECEMBER 2008

App No.: PK08/2793/F
Site: 205 Soundwell Road, Soundwell, South Gloucestershire, BS16 4RP
Proposal: Erection of 1no. dwelling and detached garage with access and associated works.
Map Ref: 64739 74858
Application Category: Minor

Applicant: Mr A Hughes
Date Reg: 15th October 2008
Parish:
Ward: Kings Chase
Target Date: 4th December 2008



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N.T.S

PK08/2793/F

This application has been referred to the Circulated Schedule due to the receipt 3 letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of 1no. dwelling and detached garage at the rear of 205 Soundwell Road.
- 1.2 The application site is located to the rear of 205 Soundwell Road which is a two storey end-terrace dwelling. The site is located within an established residential area.
- 1.3 During the course of the application amended plans were requested to reposition the kitchen window and to show the proposed boundary treatment along the boundary with 203 Soundwell Road. Amended plans were received as requested. Further amendments to the proposed garage were later received addressing issues raised by the Transportation Officer.

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
H2 Residential Development within the Existing Urban Area and Defined Settlement Boundaries.
L17 & L18 The Water Environment
EP1 Environmental Pollution
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Site falls outside of any parish boundary.
- 4.2 Sustainable Transport
No objections subject to the provision of adequately sized parking spaces and a direct pedestrian route through the site to the existing dwelling.

Other Representations

4.3 Local Residents

3 letters of objection were received raising the following concerns and requests:

- The proposed development would affect the parking for residents of no's 1-8 Lansdown Close during construction
- Residents of the new dwelling would use the residents parking allocated for residents of 'Merlin Bungalows'
- Loss of privacy due to the location of the conservatory and the kitchen window facing rear garden
- Kitchen and bathroom extractor fans to vent to roof to reduce smells in rear garden.
- Provision of suitable boundary treatment along the boundary with 203 Soundwell Road
- Can the plot be secured during construction
- Can the apple tree to the rear of 203 Soundwell Road be protected from damage during construction work.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposed new dwellings within the existing residential curtilage, providing that the design is acceptable, highway safety would not be compromised, adequate parking and amenity space is provided and that there is no unacceptable impact on residential and visual amenity.

The South Gloucestershire Plan (Adopted) 2006 identifies the site as lying within the urban area. With the exception of design, Policy H2 of the adopted Local plan encompasses all the relevant issues of the above policies. Policy H2 allows for new residential development providing that the following criteria are complied with:-

5.2 **(a) Development would be on previously developed land.**

The proposed site is considered previously developed land by virtue of its status as land being within the curtilage of the existing residential property. This complies with the definition outlined in PPG3 (Annex C)

The site is therefore considered appropriate site for residential development subject to compliance with the following criteria.

5.3 **(b) Development would not have unacceptable environmental or transportation effects; and would not significantly prejudice residential amenity.**

In the interests of clarity these two issues will be discussed in turn.

Transportation Issues

The proposed bungalow would be accessed from Lansdown Close. A single garage and one vehicular parking bay are proposed off the existing access to the rear garden of 205 Soundwell Road. There is an existing access and dropped kerb, however, it has been noted that the proposed development

would need to be accessed over land owned by South Gloucestershire Council. The applicants would therefore need to approach the property Services Section/Department in order to negotiate an easement for the access.

The proposed new dwelling would have one off street parking space in the form of a garage and the existing dwelling would be provided with one parking bay. It was requested that a direct pedestrian route through to 205 Soundwell Road be provided, however this request could not be accommodated. Therefore, whilst there is no direct pedestrian access to 205 Soundwell Road from the proposed parking bay, taking into consideration that there is currently no existing off road parking for 205 Soundwell Road, it is considered sufficient that the parking space can be access via the nearby public footpath that connects Lansdown Close to Soundwell Road. The level of parking proposed is within the standards set out in Policy T8 of the South Gloucestershire Local Plan and are therefore considered acceptable.

Concern has been raised that the residents of the proposed bungalow would park in the residential parking bays reserved for the residents of 1-8 Lansdown Close. It is outside the remit of planning control to restrict parking on the highway, furthermore the majority of the parking spaces in question are restricted for disabled badge holders only.

Residential Amenity

The proposed dwelling is to be erected to the rear of 205 Soundwell Road. The bungalow would be situated adjacent to the rear garden of No. 203 Soundwell Road. The only window on the elevation directly facing 203 Soundwell Road would be the bathroom window. In addition the side elevation of the conservatory would be a blank brick elevation. In combination with the proposed 1.8 metre high closed board fencing that would define the boundary between these properties, it is considered that there are no issues of inter-visibility or loss of privacy.

The neighbouring properties no's 1-3 Lansdown Close would be approximately 10 metres away. By virtue of the location of the new dwelling and the distance from the surrounding residential properties combined with the modest ridge height, it is not considered that there are any issues of overbearing or overshadowing for neighbouring dwellings.

The plans show adequate private and useable amenity space would be provided to serve both the existing and proposed dwelling. The impact on residential amenity is therefore considered to be entirely acceptable.

5.4 **(c) The maximum density compatible with the sites location, it accessibility and surroundings is achieved.**

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

A density calculation on the site provides a density of approximately 15 per hectare. Officers are satisfied that having regard to the sites constraints, the pattern and scale of existing development, access and impact on residential

amenity, no more than one additional dwelling could be accommodated on the site.

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

The new dwelling would be subjected to no greater levels of noise, dust, pollutants etc than the existing dwellings in the vicinity.

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

The proposal is only for 1 dwelling and therefore would not have a significant impact on the area in terms of service provision.

5.7 Design / Visual Amenity

The application is for the erection of a detached two bedroom bungalow to the rear of 205 Soundwell Road. There is a mix of house types and ages in the vicinity. The neighbouring properties closest to the application site are a row of three bungalows which face out onto a residential parking area of Lansdown Close. In addition the detached property adjacent to the application site, No.1a Lansdown Close, is of similar design to the proposed bungalow. The proposed dwelling would be finished with painted render and reconstituted brick quoins, with double roman roof tiles. The garage would be constructed of materials to match the dwelling. It is considered that the proposed dwelling is of an appropriate standard in design and would be in harmony with the character and appearance of the area.

5.8 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds. In terms of drainage the Councils Drainage Engineer has raised no objection to the proposal. A condition would however be required to secure the submission of a full drainage scheme for approval before development could commence.

5.9 Other Issues

It is noted that a neighbouring resident requested that the kitchen and bathroom extractor fans vent through the roof rather than the walls of the bungalow. No vents are shown on the plans and there is no reason to believe that either room would require vents through the walls as both rooms have windows.

With regard to the concern raised about the apple tree to the rear of 203 Soundwell Road, as the tree is not located within the application site a condition to ensure the protection of the tree during construction can not be imposed, although no impact upon this tree will result.

5.10 Design and Access Statement

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

5.11 Section 106 Requirements

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

6. CONCLUSION

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

The recommendation to grant 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 **PK08/2793/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 off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

3. The hours of working on site during the period of construction shall be restricted to 07.30 - 18.00 Monday -Friday, 08.00 - 13.00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of

clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

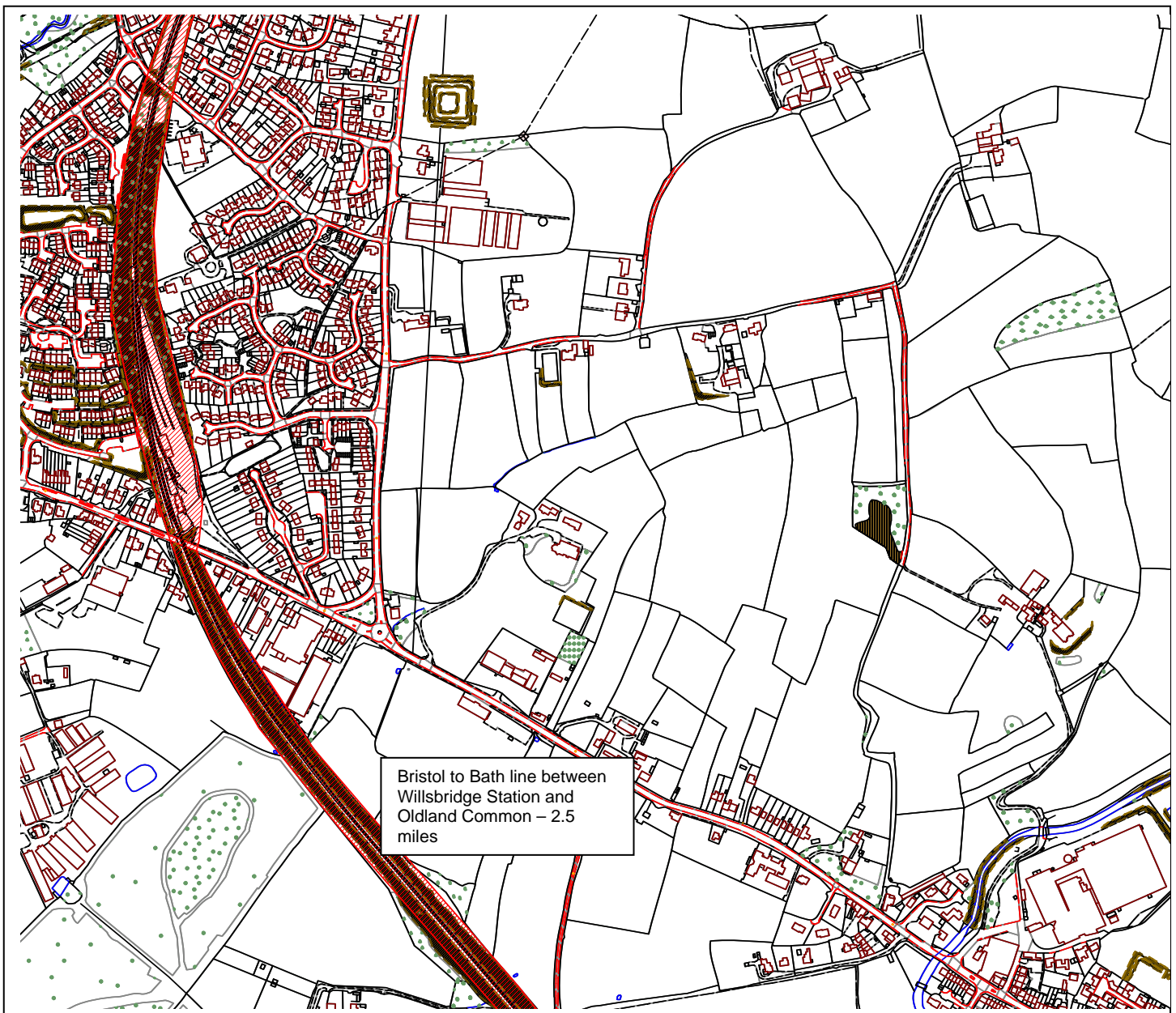
4. No development shall take place until drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning 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, EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO.49 – 05 DECEMBER 2008

App No.:	PK08/2879/F	Applicant:	Mr R Hitchings Avon Valley Railway Heritage Trust
Site:	Avon Valley Railway, Bath Road, Bitton, South Gloucestershire, BS30 6HD	Date Reg:	27th October 2008
Proposal:	Variation of condition 2 attached to planning application K424/6 dated 14 July 1989 to allow the railway to operate 130 days per year opposed to 110 days.	Parish:	Bitton Parish Council
Map Ref:	67541 70290	Ward:	Bitton
Application Category:	Minor	Target Date:	15th December 2008



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PK08/2879/F

This application is reported on the Circulated Schedule due to the receipt of consultation replies supporting and objecting to the proposal.

1. THE PROPOSAL

- 1.1 This application seeks the variation of condition 2 of planning permission ref. no. K424/6, which gives planning permission for the use of this railway society site for the purpose of restoration and running of locomotives and rolling stock for 110 days in a calendar year. The condition states:

The operation of trains and movement of locomotives and rolling stock in connection with the use hereby permitted shall be in accordance with the following schedule:

Max. no. of days of operation per calendar year:

Public open days at Bitton railway station	40
Charter and schools	20
Works trains/ Testing of engines etc	40
Shunting in station yard only	10
Total	110

Permitted hours (all movements of trains to cease outside these hours)

Public open days at Bitton station	1000-1800
Charter and schools	0900-2100
Works trains/ Testing of engines etc	0900-1800
Shunting in station yard only	0900-1800

- 1.2 The reason given for this condition is as follows:
To safeguard the amenities of the area.
- 1.3 The site is effectively a section of railway track on the former Bristol to Bath line between Willsbridge station and Oldland Common, some 2.5 miles in length, lying next to the current Bristol to Bath cyclepath. Activities in general are focused on the station at Willsbridge, but steam trains run along the track on the prescribed number of days, now proposed to be extended to 130 in a calendar year. The station has its own car park.
- 1.4 The planning history detailed below shows that there was approval for the *unrestricted* use of the site for 110 days a year and this effectively removed the specific controls in the condition, leaving the revised and current condition 2 as follows:

The operation of trains and movement of locomotives and rolling stock in connection with the use permitted by K424/6 shall be restricted to a total of 110 days per calendar year split between the different categories of use.

The operation of trains and movement of locomotives and rolling stock in connection with the use permitted by K424/6 shall be restricted to the following hours only:-

- (i) *Public Open Days at Bitton Station - 1000 - 1800 hrs*
- (ii) *Charter and Schools - 0900 - 2100 hrs*
- (iii) *Works Trains/Testing of Engines etc - 0900 - 1800 hrs*
- (iv) *Shunting in Station Yard only - 0900 - 1800 hrs*

- 1.5 The reason for this revised condition is as follows:
To protect the residential amenity of the occupants of nearby dwellings and in accordance with Policy KLP98 of the Kingswood Local Plan and Policy LC3 of the South Gloucestershire Local Plan (Deposit Draft).
- 1.6 The proposal is therefore effectively seeking solely to change the limit of 110 days to 130 in the condition set out at 1.4 above. There is no proposal to change the times of day when the condition applies.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

LC3 Sports and leisure facilities

E11 Tourism

EP1 Environmental Pollution

LC12 Recreational Routes

T7 Cycle parking

T8 Parking standards

T12 Highway safety

3. RELEVANT PLANNING HISTORY

- 3.1 K424/6 Use of site and buildings for restoration and running of locomotives and rolling stock Approved 1989
- 3.2 P94/4185 Variation of condition 2 of K424/6 to increase the number of public open days from 40 to 55 Refused 1994
- 3.3 PK01/3023/RVC Variation of condition 2 of K424/6 to allow unrestricted operation on 110 days per calendar year Approved 2002

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

No objections. However, some concerns by local residents were noted in respect of use of trains on driver training days and it was requested that the Avon Valley Railway be asked to submit to the planning authority their scheme on driver training to ensure that it meets reasonable standards.

Saltford Parish Council (Bath & North East Somerset)

No objection

4.2 Other Consultees

Transportation

There is good access to this site by all modes of transport. There is no increase in the facilities proposed on site, this application is for an increase in the days that the site operates only. On that basis, there is no transportation objection to this proposal.

Environmental Protection

General Impact (Nuisance and Disturbance – Noise, Smoke, Fumes etc.): A review of complaints made to Environmental Services since 1997 identified a number of issues relating to noise, odour and fumes. However generally complaints made are often associated with the repair, maintenance and restoration of locomotives and rolling stock rather than the operation of trains.

I have undertaken site visits and noise observations historically. The results of which do not substantiate the view that variation of the condition is likely to significantly increase the impact of the activity with regard to disturbance due to noise, smoke, fumes etc. Regarding the hours of operation, they should remain the same as existing, to protect residential amenity.

Tree Officer

No issues to consider

Landscape Officer

No issues to consider

Listed Buildings Officer

According to our records, the only structures indirectly affected by this proposal are the three locally listed buildings associated with Bitton Railway the station, engine shed and signal box. As the application does not seek permission to alter them in any way, nor does it seek permission for their demolition, I have no observations to make.

Other Representations

4.3 Local Residents

12 letters and e-mails were received as a result of the consultation process. 10 of these were objections and two were supporting the proposal. The objectors cited the following concerns:

- * Noise and pollution from trains is too much at present
 - * The railways is already in breach of the 110 day limit
 - * Repairs are being carried out 7 days a week
 - * Effect on residential amenity in gardens
 - * The trains produce clouds of black soot often damaging washing and windows
 - * Work has started as early as 0600; trains run to 2130 at times
 - * Some visitors to the site ignore the park & ride and park in local streets
 - * Noise from idling diesel trains
-
- There was public protest to increase the length of the line to North Common
 - An increase of 20 days would lead to later increases
 - The Council is impartial due to AVRHT taking a lease from South Glos
 - The railway is becoming more commercial and less of a charity
 - Nobody was informed of the planning application to extend the café until work began
 - The intention to apply to vary the condition was not announced in a Residents Forum of March 2008

NB The last six points are not valid planning concerns in the determination of this application.

The two letters of support made the following points:

- The current condition is unreasonably limiting
- AVR has been running trains since before many of the properties near to the tracks were built and therefore buyers should have been aware
- The railways promotes history and nostalgia in the area

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. As the condition to be varied was originally imposed in order to protect residential amenity, this is the main issue to consider.

Residential Amenity

Policy LC3(B) of the Local Plan states that in assessing proposals for leisure development, regard will be had to the likely effect on the amenity of occupiers of neighbouring residential premises. The issue under this heading is whether the effect of operating the railway for a further maximum of 20 days in each calendar year would have such an effect that existing levels of residential amenity would be compromised to the extent that planning permission for the amendment to the condition should be refused. There is considered to be some benefit from this proposal in terms of tourism, but this impact is considered only to have a marginal effect in weighing up the main issue of whether, should this application warrant a refusal, such a stance would be upheld on appeal. The issue is whether the increase in days of operation will have a significant impact on residential amenity. In this regard, the change over the existing situation would be an additional 18% of operation over a year, the increase from 110 days to 130. This degree of increase, which is most likely to occur when the weather is good enough to also encourage the use of gardens near the site, would have an impact on the residential amenity of particularly those dwellings which border the site. The effects of running the railway on these days have been identified as noise, soot emissions and steam.

The comments from the Council's Environmental Protection team appear at 4.2 above. There has been a review of complaints which was undertaken 11 years ago. The activities on the site are considered to be of the same character now as they were in 1997. Since then, the Environmental Health Officer has visited the site occasionally. Given that the use of the site has been fairly constant, in activity if not in frequency, and that the complaints have generally arisen as a result of repair activity. This is already controlled by the original condition 4 on the planning permission. What is now being proposed affects the general operation of the site and it is considered that, on balance, the more frequent operation of the site would not have an impact upon existing levels of residential amenity to such a degree which would warrant a refusal of this application to vary condition 2. This is subject to the Environmental Health Officer's recommendation that the existing hours limitations be retained. It should be noted that there has been no intention from the applicants to change the time restrictions under which they operate and that condition 4 would remain in place, albeit re-numbered as 3 below.

5.3 Transportation

As it is not proposed to change the way in which the railway operates, there should be no significant change in transportation terms. Parking is available

off street close to the station itself. The change to the number of days when the site could operate would have no direct effect on this situation. In addition, the site is well situated for access by other modes of transport, such as cycle, walking and bus. The proposal is therefore considered to be acceptable in terms of effects upon transportation.

5.4 Other Issues

A number of correspondents have brought up issues of the existing condition being breached in terms of frequency and timing. This may be the case, but there is little evidence to determine whether these breaches are occurring. The appropriate action, should such a breach occur, would be for residents to contact Planning Enforcement with any evidence of the condition being breached, so that the matter can be investigated. This applies equally to either the existing condition or the revised one, should this proposal be approved.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

The recommendation to 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 condition 2 is amended from 110 days per calendar year to 130 days per calendar year, as applied for.

Background Papers **PK08/2879/F**

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

1. The operation of trains and movement of locomotives and rolling stock in connection with the use permitted by K424/6 shall be restricted to a total of 130 days per calendar year split between the different categories of use.

The operation of trains and movement of locomotives and rolling stock in connection with the use permitted by K424/6 shall be restricted to the following hours only:-

- | | |
|---|-----------------|
| (i) Public Open Days at Bitton Station | - 1000-1800 hrs |
| (ii) Charter and Schools | - 0900-2100hrs |
| (iii) Works Trains/Testing of Engines etc | - 0900-1800 hrs |
| (iv) Shunting in Station Yard only | - 0900-1800 hrs |

Reason

To protect the residential amenity of the occupants of nearby dwellings and in accordance with Policy LC3 of the adopted South Gloucestershire Local Plan.

2. The use hereby permitted shall be carried out only by Bitton Railway Company Ltd. trading as Avon Valley Railway and shall not enure for the benefit of the land.

Reason

In granting this permission the Council has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over any subsequent occupier/ user in the event of Bitton Railway Company trading as Avon Valley Railway vacating the premises in the light of the Development Plan and any other material considerations, and to protect residential amenity to accord with policy LC3 of the adopted South Gloucestershire Local Plan.

3. The repair, maintenance and restoration of locomotives and rolling stock shall not be carried out before 0900 or after 2000 hours on any day, if such operations result in a corrected noise level (assessed in accordance with BS 4142 1967 as amended) exceeding 40 dBA at or beyond the boundary of the site.

Reason

To safeguard the amenities of the area, to protect residential amenity and accord with policy LC3 of the adopted South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 49/08 – 05 DECEMBER 2008

App No.: PK08/2903/F
Site: 12 Moorland Road, Yate, South Gloucestershire, BS37 4BX
Proposal: Erection of single storey rear extension and conversion of existing double garage to form 1no. dwelling with associated works.
Map Ref: 70564 82335
Application Category: Minor

Applicant: Mrs L Pearce
Date Reg: 31st October 2008
Parish: Yate Town Council
Ward: Yate Central
Target Date: 26th December 2008



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N.T.S

PK08/2903/F

INTRODUCTION

This application appears on the Circulated Schedule in accordance with Council procedures as the applicant's son is an employee of South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning consent for the erection of a single storey extension at the rear of an existing garage and the conversion of the garage to form 1 no. dwelling at No. 12 Moorland Road, Yate. The proposed extension would measure 2.4 metres by 6.15 metres and 4.5 metres high to its ridge.
- 1.2 Previous planning permission was refused for the proposal for the erection of a two-storey side extension to form 2 no. flats. The reasons are as follows:
- The proposed two-storey side extension, because of its bulk and design will upset the balance of the pair of semi-detached properties and will have a detrimental impact on the street scene and character of the area.
 - Inadequate provision is made for the storage of waste and recyclable materials and as a result, bins would have to be stored to the front of the building with a detrimental impact on the visual amenity of the street scene.
 - The development proposes the increased use of a substandard access due to restricted visibility. This will interrupt the safe and free flow of traffic adding to the hazards faced by the travelling public.
 - The development without adequate off-street parking would lead to additional on-street congestion, at a location where visibility is restricted, thereby interrupting the safe and free flow of traffic.
 - No cycle parking has been provided to meet the needs arising from the development.

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
L1	Landscape Protection and Enhancement
L18	The Water Environment
T7	Cycle Parking Standards
T8	Car Parking Standards
T12	Transportation Development Control
H4	Development within existing residential curtilages.

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/3520/F Erection of two-storey side extension to form 2 no. flats with associated works. Refused 11.01.08

4. CONSULTATION RESPONSES

4.1 Yate Town Council
No objection

4.2 Sustainable Transport
No objection.

Other Representations

4.3 Local Residents
No comment.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 allows for extensions within existing residential curtilages where the design and impact upon existing levels of amenity are considered to be acceptable. These include satisfactory parking facilities and not prejudicing the character of the surrounding area and residential amenity. Policy T12 of the South Gloucestershire Local Plan controls development which may affect highway safety. The application does not propose to convert the existing dwelling – this will remain intact. Policy H5 is therefore not relevant in this case.

5.2 Design/Visual Amenity

The existing dwelling is a semi-detached property in a street scene of varied design. Most of the surrounding properties are semi-detached although they take a variety of designs and forms.

The proposal is to erect a single storey rear extension and to convert the existing double garage into a dwelling. The proposal would involve the replacement of existing garage doors with a window and a door. In addition, there will be a 1.5 metres timber fencing from the side of the converted dwelling to the northern boundary. The new extension would have a hipped roof to match that of the host dwelling. It would not be higher than the garage and would be modest in scale. It is therefore considered that the proposal would not cause significant adverse impact upon the character of the area.

5.3 Residential amenity

The application shows that a reasonable sized of garden would remain to serve the existing three bedroomed dwelling and there would be adequate private amenity space for the new dwelling.

The extension would be erected to the rear of the existing garage. It would be approximately 1.5 metres away from the neighbouring boundary and would be set an angle of No. 10. It is therefore considered that the proposed rear extension would not have any detrimental impact on the amenities of the neighbouring properties.

The proposal shows that there would be some bin stores and bike stores to the side of the bungalow and they would be set back from the front boundary. It is

therefore considered that the proposal would not have significant adverse impact upon the street scene.

5.4 Transportation Implications

The proposal shows there would be two parking spaces for the existing dwelling and one parking space for the new dwelling. The Council Highway Officer therefore has no objection to the proposal subject to the following conditions.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK08/2903/F**

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

CONDITIONS

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

Reason

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

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

Reason

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

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

4. No development shall take place on site until 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 have been submitted to and approved in writing by the Local Planning Authority. 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 H4/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. 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.

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

Reason

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

7. The hours of working on site during the period of construction shall be restricted to Mondays to Fridays 07.30 to 18.00 and Saturdays 08.00 to 13.00 and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

8. The parking area and hardstanding area hereby approved shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. No development shall take place until the details of the details of material have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented and completed before the dwelling hereby approved is first occupied.

Reason

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

CIRCULATED SCHEDULE NO. 49/08 – 05 DECEMBER 2008

App No.: PK08/2922/F
Site: 25 Lyndale Road, Yate, South Gloucestershire, BS37 4DB
Proposal: Subdivision of existing dwelling to form 2no self contained flats with associated works.
Map Ref: 70868 82321
Application Category: Minor

Applicant: Mr & Mrs Morgan
Date Reg: 4th November 2008
Parish: Yate Town Council
Ward: Yate Central
Target Date: 29th December 2008



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PK08/2922/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the conversion of an end terrace, two-storey (3 no. bed) property situated on the southern side of Lyndale Road. The development would consist of 2 no. one bedroom self-contained flats. The site is within a Radburn style development with access to the upper floor flat from the front and the ground floor flat from the side (via the rear).
- 1.2 The ground floor flat would have access to a garden/amenity space to the rear, while the upper floor flat is indicated as having amenity space to the front. Refuse and cycle storage is shown within the development. Three parking spaces are allocated to the development. Limited external alterations are proposed, these to include a new window on the rear elevation and entrance to the side. The building is not to be extended.

2. POLICY CONTEXT

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

South Gloucestershire Council Design Checklist (Adopted August 2007)

3.0 RELEVANT PLANNING HISTORY

No relevant planning history

4. CONSULTATION RESPONSES

4.1 Yate Town Council

No objection received

4.2 Sustainable Transport

4.3 Local Residents

Four letters of objection have been received. The grounds of objection can be summarised as follows:

- The parking provision is inadequate to serve the property
- The proposal should involve the removal of leylandi and ensure that a fence runs along the side boundary, to ensure privacy
- There is no need for smaller and cheaper accommodation
- There will be disruption during building works
- The drainage is not sufficient to support the proposal
- The proposal will result in noise and disturbance to neighbouring occupiers during occupation
- The proposal will devalue the price of properties in the area.
- The cycle parking will be change the appearance of the front of the property
- The proposed fencing will result in loss of light

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPS3 (Housing) identifies the planning system as a means of widening housing opportunity and choice, maintaining a supply of housing and creating sustainable residential environments. Paragraph 10 of PPS3 indicates among other criteria that the planning system should deliver a mix of housing, both market and affordable, particularly in terms of tenure and price to support a wide variety of households in all areas, provide a sufficient quantity of housing taking into account need and demands and seeking to improve choice. While concern has been raised that there is not a need for “cheaper accommodation”, this is not the case, there is a need for both family and smaller accommodation across South Gloucestershire. Furthermore it is the role of the planning system to provide housing developments in suitable locations, which offer a good range of community facilities with good access to jobs, key services and infrastructure. It is considered that the current proposal is appropriate within this context.

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

5.3 Character of Surrounding Area

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

The surrounding area consists of single (family) dwellings within this predominantly residential area. It should be noted that there are no examples of other flat conversions in the immediate vicinity of the site. The area is therefore

predominantly one of family housing. It is not considered within this context that the current proposal could be reasonably considered to undermine the character of the area, particularly given the given the guidance in PPS3 (para 10) that has been outlined above that seeks to create mixed and inclusive communities and opening up housing choice within sustainable locations close to local facilities.

5.4 Design

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

The changes to the external appearance of the building largely involve some minor alterations to openings. It is not considered that a small area for secure cycle parking would detract from the appearance of the property. No additional alterations are required albeit the applicant indicates that repair work and painting to the elevations may be necessary which would in itself enhance the appearance.

5.5 Residential Amenity

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

The proposal will not result in any additional overlooking of adjoining properties. No extensions to the property are proposed. Concern has been raised that the proposed development would result in disturbance/mess during works. These works are predominantly internal and while there may be some impact as during most construction projects it is considered given the scale of the proposal that these would be minimal. Nevertheless it is considered reasonable to impose a condition restricting working hours during the construction period.

Concern was expressed, that the side boundary (to No.24) was not clearly defined. The applicant has amended the scheme such that the boundary fence along this boundary runs the length of the boundary.

Concern has been expressed that the installation of a 1.8 metre fence along the boundary with No.26 would result in loss of light to that property. It is important to note that a fence up to a height of 2 metres could be installed under Permitted Development Rights. A height of 1.8 metres is the standard height for a fence and it is not considered that this would cause any significant impact such as would justify the refusal of the application.

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

5.6 Transportation

Policy H5C of the South Gloucestershire Local Plan (Adopted) January 2006 considers that such a development would be acceptable provided an

acceptable level of parking is identified. Policy T8 indicates that development should not exceed the standards set out in the plan (figure 6.6) ie one space per bedroom. Policy T12 assesses development in terms of the impact of the development upon the wider highway network with the priority being highway safety.

While concern has been raised that there is insufficient parking provision, it should be noted that there is existing vehicular parking to the front and rear of the site which is proposed to be used for this development. One space is therefore being provided for each one bedroom flat and in this respect the proposal marginally exceeds the Council standards however in this case this is considered acceptable.

Refuse storage is shown however this will be required to be enlarged to accommodate the South Gloucestershire Council Twin Bin Scheme. It is considered that the site is capable of accommodating a suitable refuse storage facility to serve both flats and therefore a condition is recommended to require the submission of these details prior to the first occupation of the units.

Cycle storage is shown. To accord with Council Standards two cycle parking spaces, one for each flat, needs to be provided within the site boundary and a condition will be attached to the decision notice to secure these details prior to the first occupation of the units.

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

5.7 Amenity Space

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

Having regard to this specific application, private amenity space will be provided for the ground floor flat to the rear. Submitted details indicate amenity space for the upper flat to the front. This space is not considered to be private amenity space given its location, however given that amenity space is not normally required for a 1 no. bedroom flat given that it would not be considered family accommodation this is considered acceptable. It is considered that the proposal is in accord with this criterion of Policy H5.

5.8 Noise

It is not considered that the addition of an extra unit of accommodation would cause any significant increase in overall noise and disturbance albeit the alignment of rooms between those proposed and those in adjoining existing properties will be different. The Building Regulations (Part E), would cover the issue of sound insulation between the new units themselves and between the new units and the adjoining properties on either side. As this issue is covered by the Building Regulations (ie other legislation), legal advice has indicated that it is not appropriate to impose a condition requiring insulation details.

5.9 Drainage

While it is noted that concern has been raised regarding the impact of the proposal upon the drainage system, there is no objection to the proposal by the Council Drainage Engineers.

5.10 Other Issues

Concern has been raised that the proposed development would result in the devaluation of the price of neighbouring properties. It should be noted that this is not a material planning consideration.

5.11 Section 106 Requirements

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

5.11 Design and Access Statement

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning Permission be granted subject to the following conditions.

Background Papers **PK08/2923/F**

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

CONDITIONS

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

Reason

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

2. The proposed cycle storage area (with one space per flat), shown on the drawings hereby approved, shall be installed prior to the first occupation of the residential units and be retained as such thereafter.

Reason

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

3. Prior to the first occupation of the flats hereby approved full details of the refuse storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to the first occupation of the residential units and be retained as such thereafter.

Reason

To ensure adequate refuse storage and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted).

4. The hours of working on site during the period of construction shall be restricted to 0800 hours to 1800 Monday to Friday and 0800 to 1300 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 adjoining occupiers and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 49/08 – 05 DECEMBER 2008

App No.:	PK08/2936/F	Applicant:	Mr R Wiltshire
Site:	158 Robin Way, Chipping Sodbury, South Gloucestershire, BS37 6JT	Date Reg:	5th November 2008
Proposal:	Erection of single storey front extension to provide additional living accommodation,	Parish:	Dodington Parish Council
Map Ref:	71948 81342	Ward:	Chipping Sodbury
Application Category:	Minor	Target Date:	30th December 2008



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N.T.S

PK08/2936/F

This application has been referred to the Circulated Schedule due to an objection raised by Dodington Parish Council

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a single storey front extension at 158 Robin Way, Chipping Sodbury. The proposed extension would measure 2.6 metres wide by 2 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 situated in an established residential estate of Radburn Design.
- 1.3 During the course of the application amended plans were requested to reposition the extension to either the rear or the side of the property. The applicant did not wish to change the position of the extension and provided details of similar front extensions in the surrounding area. After further negotiation the depth of the proposed extension was reduced from 2.5 metres to 2 metres.

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
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

- 4.1 Dodington Parish Council
Object to the proposal for the following reason:
 - The proposed extension, by reason of its siting on the front elevation of the dwelling in a prominent location, could result in an incongruous development that fails to respect the grain of development, local distinctiveness and open character of the site and immediate street scene.

Other Representations

- 4.3 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 property is located on a 'Radburn' estate, as such it is oriented so that the front elevations face onto informal open spaces with the rear elevations facing the residential access road. The proposed extension would project forward of the front building line of the host dwelling and would measure 2.6 metres wide by 2 metres in depth and with an overall height to ridge of 3.4 metres.

The extension is of modest size in comparison to the bulk of the main dwelling and is suitably subservient to it. Furthermore, the materials used in the construction of the extension would match the main dwelling, assisting the integration of the structure with the host dwelling. There are no front extensions in the immediate vicinity, however the presence of several similar extensions in the surrounding area, some recently approved, is a significant material consideration. Given that the applicant has reduced the depth of the extension to 2 metres in combination with the existing boundary treatment which screens views from the west, it is considered that no objection to the proposed scheme can be raised on these grounds.

5.3 Residential Amenity

The proposed extension would be approximately 1.5 metres away from the boundary with the nearest neighbouring property, No. 159 Robin Way, which is defined by an established Leylandii hedge. In addition, this neighbouring property is slightly set forward from the application site. It is not therefore considered that the proposed extension would have any overshadowing or overbearing effect on the neighbouring dwellings.

Two small windows are proposed on the front elevation of the extension, these would both be obscurely glazed. It is therefore 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 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 **PK08/2936/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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

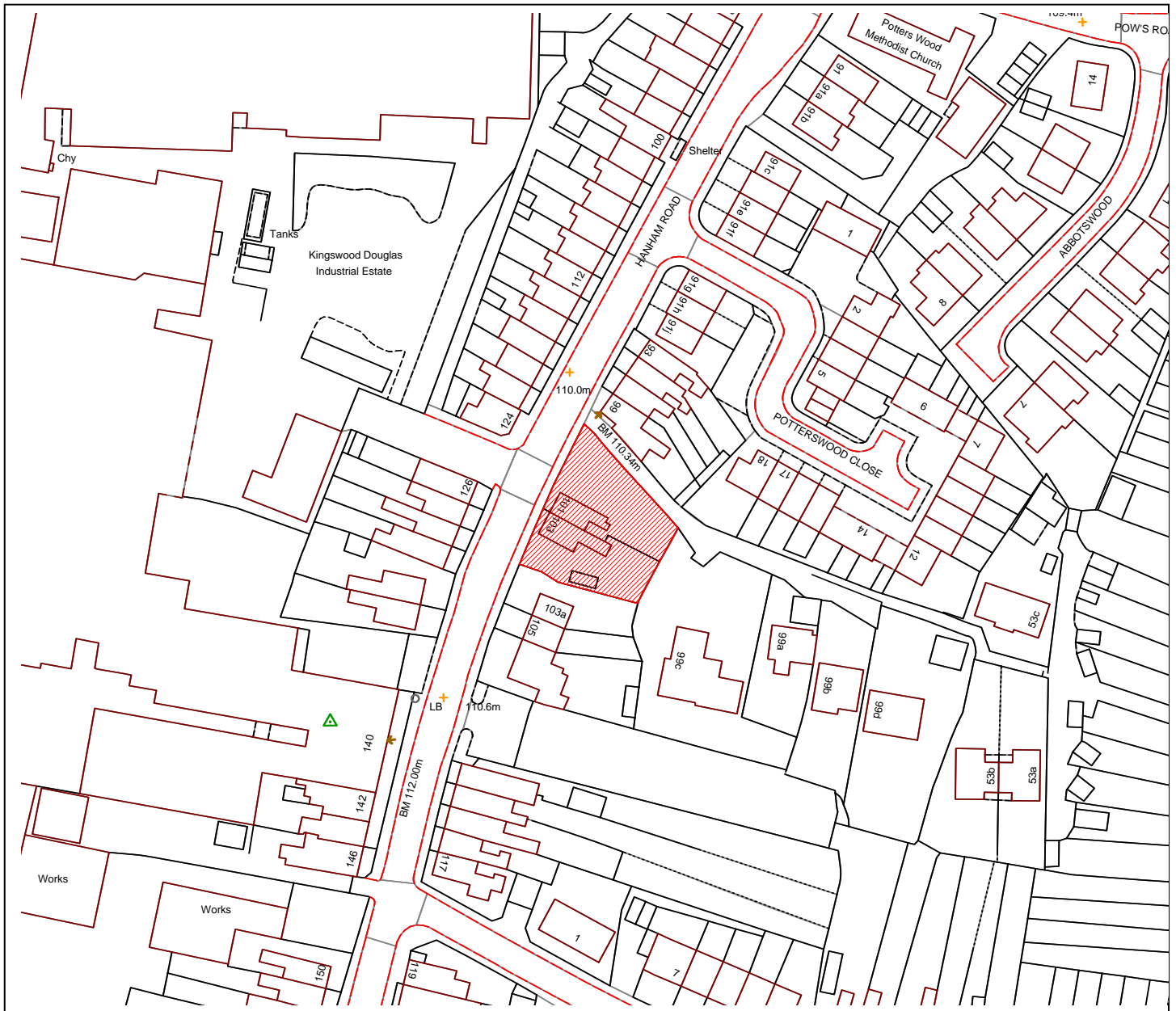
Reason

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. 49/08 – 05 DECEMBER 2008

App No.: PK08/2939/RM
Site: 101-103 Hanham Road, Kingswood, South Gloucestershire, BS15 8NW
Proposal: Erection of 2no. terraced dwellings. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK07/2441/O).
Map Ref: 64796 73194
Application Category: Minor

Applicant: Mr D Millard
Date Reg: 5th November 2008
Parish:
Ward: Woodstock
Target Date: 29th December 2008



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INTRODUCTION

This application appears on the Circulated Schedule because objections have been raised by local residents, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a site that is currently occupied by a pair of semi-detached dwelling houses i.e. nos 101-103, located on the eastern side of Hanham Road, Kingswood.
- 1.2 Outline planning permission PK07/2441/O was previously granted, for the erection of 2no. end-terrace houses, to be situated either side of nos. 101 and 103. All matters of access and layout were determined at the outline stage, so this reserved matters application only relates to the outstanding matters of scale, appearance and landscaping.
- 1.3 Under the previously approved layout, each new property would be sited either side of the existing houses but would be set back by approximately 1.5m. Garden space would be provided for each property with four parking spaces and turning area provided to the rear, with vehicular access onto an existing side lane leading to Hanham Road.

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
H2 - Proposals for Residential Development within Existing Urban Areas and Defined Settlement Boundaries.
H4 - Development within Existing Residential Curtilages, including Extensions and New Dwellings.
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Check List (SPD) Adopted 23rd Aug 2007.
Trees on Development Sites (SPG) Adopted Nov 2005.

3. RELEVANT PLANNING HISTORY

- 3.1 P91/4200 (K6907) - Erection of 1 no. 3 bed detached dwelling and garages to serve existing and proposed dwellings.
Refused 31st May 1991.
- 3.2 PK01/2603/F - Erection of two-storey rear extension to form extended kitchen with bedroom above. Erection of detached double garage.
Approved 10th Oct 2001.

- 3.3 PK06/2351/O - Erection of 2 no. terraced dwellings with access and siting to be considered (Outline)
Refused 1st Sept. 2006 - on the grounds that the access was unsatisfactory and that parking and manoeuvring facilities were sub-standard.
- 3.4 PK07/2441/O - Erection of 2no. terraced dwellings (Outline) with access and layout to be determined. All other matters reserved. (Resubmission of PK06/2351/O).
Approved 26th Sept 2007.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Not a parished area.
- 4.2 Other Consultees
None

Other Representations

- 4.3 Local Residents

2no letters of objection were received from local residents. The concerns raised are summarised as follows:

- No on-street parking available.
- Construction traffic will park on the street.
- Overdevelopment in the area – increased disturbance and traffic hazards.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

The acceptance in principle of the proposed development, together with the layout of the site and the access arrangements, was previously established with the grant of Outline Planning Consent PK07/2441/O. The only outstanding matters that need to be considered under this reserved matters application, relate to the scale and appearance of the dwellings and the landscaping of the site.

- 5.2 Scale

The ridge height and eaves levels of the proposed houses would be set at the same level as the existing pair of semi's and this is considered to be appropriate. In order to achieve a degree of subservience and to retain the traditional identity of the existing semi's, the front elevations of the proposed houses would be set back 1.5m. Although individually 0.5m wider than the existing dwellings (as approved at the outline stage), the proposed dwellings would be very similar in scale to the individual semi's and as such would integrate well within the terrace. The scale is therefore considered to be acceptable.

5.3 Appearance

In terms of form, fenestration, doorways, roof tiles and external surfaces, the proposed dwellings would generally match the existing houses. Natural stone would be used for the front elevation to match the existing, with brick arch lintels and sash windows. The side and rear elevations would be plain render, painted with masonry paint. Appropriate conditions can be imposed to secure the prior submission and approval of the details/samples of the roof tiles and sample panels of render and natural stonework to be used. Subject to these conditions there is no objection to the appearance of the proposed dwellings.

5.4 Landscaping

Natural stone walls would be erected to the front of the site. Garden areas and parking areas would be provided in accordance with the approved layout. The parking areas would be surfaced with concrete pavements and the gardens enclosed by high fences and walls. The proposed landscaping is considered to be acceptable.

5.5 Impact upon Residential Amenity

The scale of the proposed dwellings is considered to be appropriate and would not be overbearing on neighbouring property. The proposed window arrangements would not result in any significant loss of privacy for neighbouring property. There are no windows proposed for the side elevations and given the proximity of neighbouring property, the future insertion of windows in these elevations can be appropriately controlled by condition. There would therefore be no significant adverse impact on residential amenity.

5.6 Other Concerns Raised

Of the concerns raised by local residents that have not been addressed above, the parking, access and highway issues were all addressed at the outline stage.

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.

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

7. RECOMMENDATION

- 7.1 That the Reserved Matters submitted in accordance with Conditions 2 & 3 associated with Outline Planning Permission PK07/2441/O dated 26th September 2007 be APPROVED.

Background Papers PK08/2939/RM

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

CONDITIONS

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

Reason

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

2. A sample panel of the render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

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. Sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

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

4. 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 first occupation of any

part of the development or in accordance with a programme agreed with the Local Planning Authority.

Reason

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

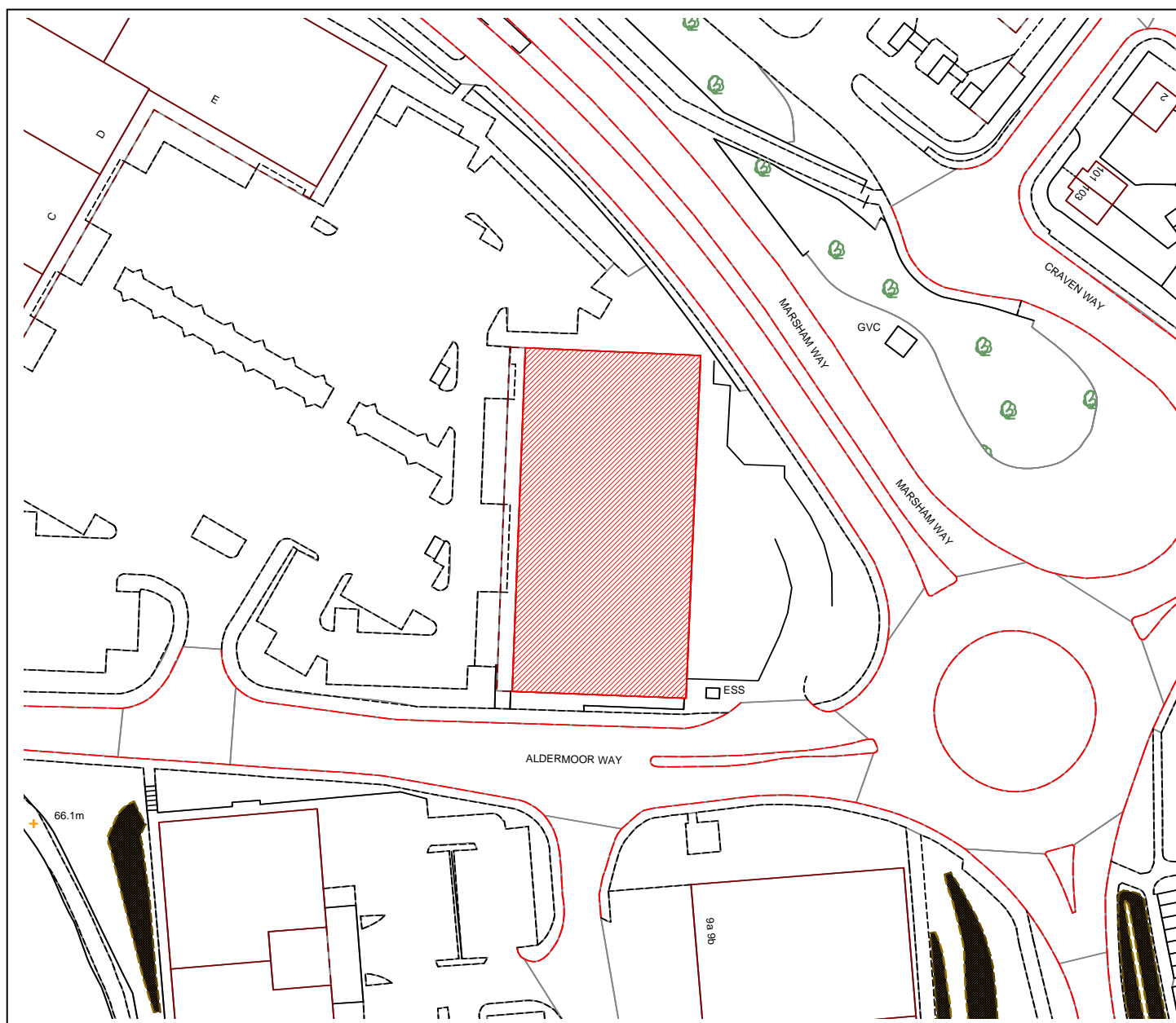
5. No windows shall be inserted at any time in the side elevations of the properties hereby approved unless approved in writing by the Local Planning Authority.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies H2/H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 49/08 – 5 DECEMBER 2008

App No.:	PK08/2992/ADV	Applicant:	Marks And Spencer Plc
Site:	Unit F-H, Marks and Spencer, Longwell Green, Bristol, South Gloucestershire, BS30 7DA	Date Reg:	13th November 2008
Proposal:	Display of 2 no. internally illuminated and 3 no. non-illuminated fascia signs.	Parish:	Oldland Parish Council
Map Ref:	65557 71986	Ward:	Longwell Green
Application Category:	Minor	Target Date:	31 st December 2008



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N.T.S

PK08/2992/ADV

INTRODUCTION

This advert planning application has been referred to the Councils' Circulated Schedule as a result of objections received from local residents and the Parish Council regarding the proposed signs.

1. THE PROPOSAL

- 1.1 Members are advised to consider that this application had originally applied for advertisement consent for the display of 5no. internally illuminated fascia signs. This has subsequently been amended and now seeks consent for 2 illuminated signs and 3 non-illuminated signs.
- 1.2 The site consists of the newly built Gallagher's Retail Park, within the urban area of Longwell Green. The proposed signage consists of the following:
- Two internally illuminated signs on the 'feature' signage stands in front of the unit both measuring 9.70m wide and 3.8m high
 - Three smaller non-illuminated signs measuring 5.03m in length x 3.30m in depth on both end elevations i.e. southern and northern elevations and rear elevation facing onto Marsham way.

2. POLICY CONTEXT

2.1 National Guidance
PPG19 Outdoor Advertisement Control

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
L19 Display of Advertisements

3. RELEVANT PLANNING HISTORY

- 3.1 There is a lot of history on this site but the most relevant is: PK06/0854/F Demolition of all existing retail buildings on site and engineering works to produce a level site. Erection of 8 no. new retail units and construction of new central car park, associated servicing area and landscaping. (Amendment to previously approved scheme PK04/2530/F). Approved with conditions July 2006
- 3.2 PK08/1940/ADV (Unit A2) Display of 5 internally illuminated signs
Advert approval September 2008
- 3.3 PK08/0375/ADV (Unit C) Display of illuminated and non illuminated signs
Advert approval March 2008
- 3.4 PK08/0149/ADV Display of signs
Advert approval March 2008
- 3.5 PK07/3538/ADV Display of illuminated static sign
Advert Approval March 2008

- | | | |
|------|---------------|--|
| 3.6 | PK07/2892/ADV | Display of signs
Refused Dec. 2007
Allowed on appeal June 2008 |
| 3.7 | PK07/2595/ADC | Display of signs
Refused Dec. 2007 |
| 3.8 | PK07/2489/ADV | Display of signs
Refused Dec. 2007 |
| 3.9 | PK07/2106/ADV | Illuminated Sign (Clarks)
Advert Approval 2007 |
| 3.10 | PK07/1926/ADV | Illuminated Signs (Outfit)
Advert Approval 2007 |

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

Object on grounds of the Council's objection in principle to internally illuminated signage as being a cause of light pollution. Furthermore the Council cannot accept the need for illumination throughout the night and would request that if permission is granted that a restriction is imposed on hours of operations.

Other Representations

4.2 Local Residents

Two letters have been received from local residents raising the following objections to the proposed signs:

- Rear bedroom windows suffer from light pollution from the tall Gallagher tower sign
- Additional signs will add to additional lighting
- No need for signs facing outside the retail unit
- Signs refused at Asda
- Lack of consultation with neighbours
- Unauthorised signs and hours of illumination on the site
- Council does not have overview of site.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Advice contained within PPG19 states that outdoor advertisements can only be controlled in the interests of "amenity" and "public safety". Concurrently Policy L19 of the Adopted South Gloucestershire Local Plan states that consent for the display of advertisements will be granted provided that the advertisements would not be detrimental to the immediate location in which it is displayed, by virtue of its size, siting, materials, colour or illumination, or that the cumulative effect of the proposal would be detrimental to character and visual amenity of locality. The policy also states that advertisements should not prejudice public safety

5.2 Amenity

Members are advised to consider that objections have been received from local residents in the past regarding this site over issues of illumination relating to the existing neon lighting sited on the top of the sign features on the fronts of the units. It should be noted that these features do have planning permission. Objections have also been raised regarding the cumulative impact of these neon signs and other illuminated signage on the site.

- 5.3 With regards the proposed two illuminated signs on the front elevation of the unit, these are considered acceptable in design terms. They are proposed over the entrance with the signs being fixed to purpose built features specifically designed to carry advertisements. Both signs will fit neatly in their respective positions and would not appear incongruous or overlarge additions to this unit. With regards the proposed illumination, Members are advised to have regard for a recent appeal decision (PK07/2892/ADV) which allowed the display of two illuminated fascia signs on the front elevation of the New Look Unit within this retail park and in particular the Inspector's findings regarding the issue of illumination:

With regard to the illumination I have noted the Council's comments about an excess of illumination and light pollution. However as the appeal unit is a replacement rather than an additional commercial activity it does not increase in commercial activity on the site to any great extent. Furthermore the illuminated sign would relate directly to the commercial use and the occupants of the unit and would not be directly visible from any residential property.

Moreover the illumination would also be seen in the wider context of other ambient lighting emanating from street lights, the units themselves and the other illuminated signage within this extensive retail area. In all of these circumstances, therefore I consider that it if were to be restricted to when the appeal units is open for business the illumination would not cause the sign to stand out with undue prominence at night or significantly increase light pollution above previously existing levels.

- 5.4 It is therefore considered that the proposed two illuminated signs by reason of their siting and subject to a condition restricting hours of illumination, would not have an adverse impact on the amenities of the immediate surrounding area.
- 5.5 The main objection raised by local residents regarding this application relates to the proposed illuminated signs on the outside of the building. The Planning officer agrees that it is not necessary for those signs to be illuminated especially given their siting in relation to nearby residential properties sited on the other side of the road. This has now been amended and the three proposed signs on the rear and side elevations will be non-illuminated.

5.6 Public Safety

There are no issues of public safety arising as a result of the proposal.

5.7 Other Issues

Concerns have been raised by residents regarding issue of consultation and the Council not having an overview on all advert application on this site. As part of this current advert application the Council has exceeded its standard

consultation procedure and as with all applications the Case Officer considers the planning history of the site. This has been recorded above under paragraph 3.0 of this report.

5.8 Concerns have also been raised that some of the signs on site are unauthorised this matter has been referred to the Council's Enforcement Team to investigate.

5.9 Design and Access Statement

There is no requirement for a Design and Access Statement for an advert application.

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

7. RECOMMENDATION

7.1 Advertisement consent be granted.

Background Papers **PK08/2992/ADV**

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

CONDITIONS

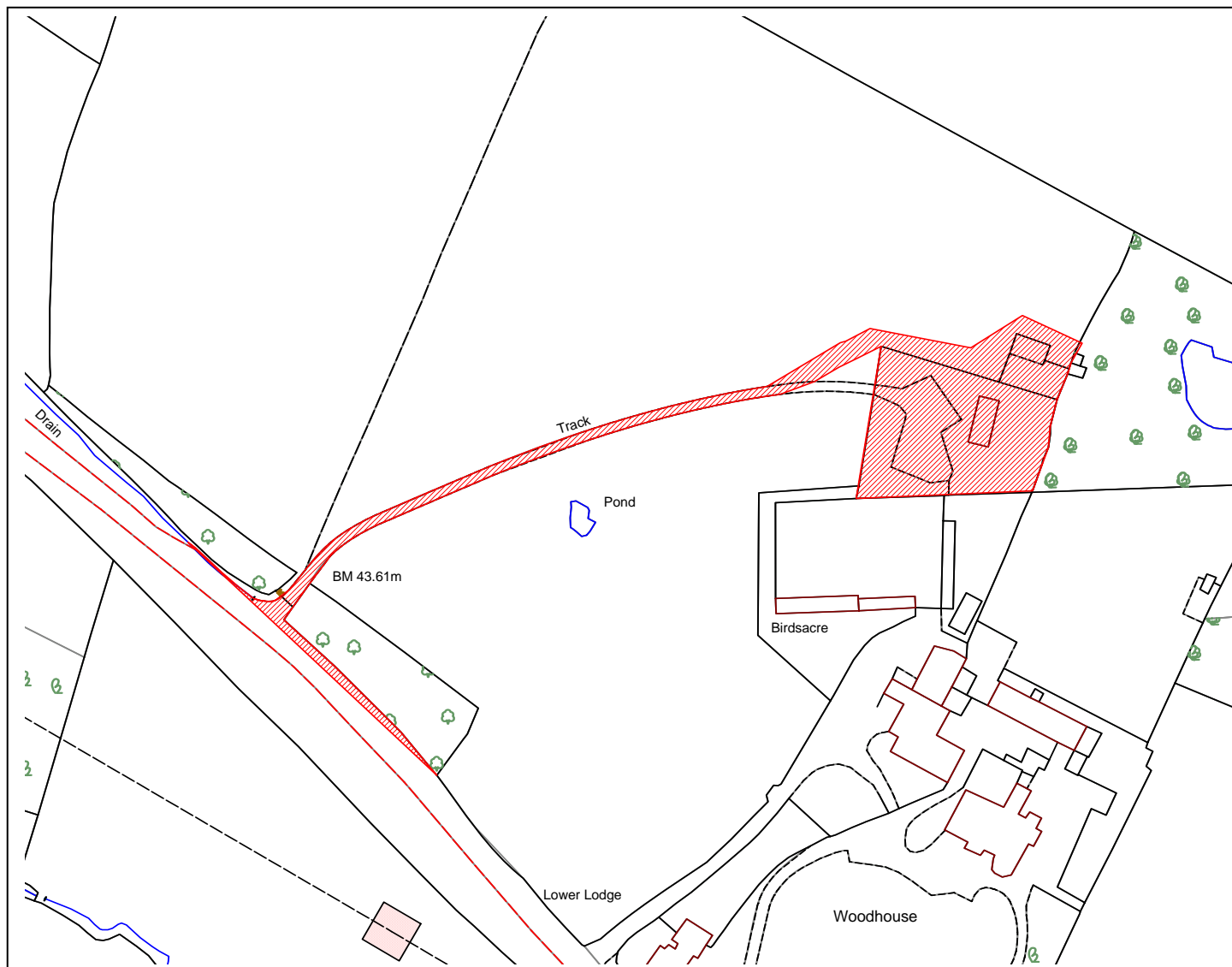
1. The two illuminated fascia signs on the western elevation of the building hereby authorised shall not be illuminated at any time when the premises are closed for business to the public.

Reason:

To protect the amenities of the area and to accord with Policy L19 of the South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 49/08 – 5 DECEMBER 2008

App No.:	PT08/1214/F	Applicant:	The Fernhill Trust
Site:	Barns at Lower Woodhouse, Fernhill, Almondsbury, South Gloucestershire, BS32 4LX	Date Reg:	6th May 2008
Proposal:	Change of use and conversion of 2 no. redundant agricultural barns to Business (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with ancillary residential accommodation to provide 1 no. live/work unit with associated works. Construction of vehicular access and parking area.	Parish:	Olveston Parish Council
Map Ref:	61181 85332	Ward:	Severn
Application Category:	Minor	Target Date:	23rd June 2008



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100023410, 2008.
DC0901MW

N.T.S

PT08/1214/F

This application appears on the Circulated Schedule in view of the letters of objection received from the neighbouring residents and the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the change of use of two redundant agricultural barns to provide one live/ work unit.
- 1.2 The application relates to barns at Lower Woodhouse on the north side of Fernhill, Almondsbury. The application site lies beyond the Almondsbury settlement boundary and within the Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development
PPG2: Green Belts
PPS3: Housing
PPS7: Sustainable Development in Rural Areas
PPS9: Biodiversity and Geological Conservation
PPG13: Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
GB1: Development within the Green Belt
T12: Transportation Development Control Policy for New Development
E6: Employment Development in the Countryside
E7: Conversion and Re-use of Rural Buildings
H10: Conversion and Re-use of Rural Buildings for Residential Purposes
L1: Landscape Enhancement and Protection
EP6: Land Contamination

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council

Objection: these redundant buildings are unsuitable for conversion and at a distance from the highway (views might have differed if more informative plans had been supplied)

4.2 Other Consultees

Wessex Water: site not located within a Wessex Water sewered area

Environmental Services: condition required in respect of contaminated land

Technical Services (Drainage): no objection

Highways DC: no objection subject to condition

Landscape Officer: no objection subject to conditions

Arboricultural Officer: no objection

Environment Agency: no comment

Structural Engineer: no objection

PROW: no objection in principle

Other Representations

4.3 Summary of Local Residents Comments

Four letters received expressing the following concerns:

- The barns are used by the existing farmer for storage purposes;
- This is a Green Belt area and agricultural land- it should be kept as such;
- Development of this nature could affect adjoining property prices;
- This barn is used by swallows, stock doves and bats (protected species) as nesting sites- an ecological study should be undertaken;
- A condition should prevent fencing along the new access because this would restrict access and jeopardise the open nature of the landscape;
- It is 'quite appalling' that the east and west wings of Woodhouse Manor were not originally consulted;
- There would be a safety issue accessing the site where traffic passes very swiftly despite the speed limit;
- It is not feasible to site the access so close to the adjoining cesspit for Woodhouse Manor;
- No drainage details are provided- a new service pipe would be needed;
- Recent discussions on the conversion of two nearby barns were not positive;
- There should be full agreement that the barns are truly redundant;
- Green Belt requirements should be adhered to;
- Access to the footpath at the existing site entrance should be retained;
- The barns are located on land rented from the local farmer which means that any redevelopment would be inappropriate;
- The site is close to a long established wildlife pond;
- The proposal would adversely affect the wildlife encouraged to the site by Avon Scout County Council;
- Drainage details do not meet the necessary regulations.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy E6 details that proposals for employment development outside of the urban areas and settlement boundaries will not be permitted unless it involves the conversion or re-use of existing rural buildings.

- 5.2 Planning policy E7 cites that proposals for the conversion and re-use of existing buildings for employment uses outside the existing urban areas and settlement boundaries will be permitted provided that:

- The buildings are of permanent construction and structurally sound, capable of conversion without major or complete reconstruction, and
 - The buildings are in keeping with their surroundings in terms of character, form, bulk and overall design; and
 - Development, including any alterations, intensification or extensions would not have a harmful effect on the character of the countryside/ amenities of the surrounding area.
- 5.3 Planning policy GB1 details that the change of use of existing land or buildings will only be permitted where:
- It would not have a materially greater impact than the present authorised use on the openness of the Green Belt or conflict with the purposes of including land within the Green Belt;
 - The buildings are of permanent substantial construction and are capable of conversion without complete or major reconstruction; and
 - The form, bulk and general design of the buildings are in keeping with their surroundings.
- 5.4 Policy H10 details that proposals for the conversion of buildings for residential purposes will not be permitted unless those same criterion as for policy E7 are satisfied. Additionally, all reasonable attempts for a business re-use should have been made whilst any development, including the creation of a residential curtilage should not have a harmful effect on the character or amenities of the surrounding area. The building should be well related to an existing settlement or other group of buildings.
- 5.5 Finally, policy T12 details that development proposals will only be permitted (in terms of transportation) where it provides safe, convenient and secure access and does not generate traffic that would be detrimental to highway safety or neighbouring residential amenity (considered relevant in this case).
- 5.6 Design/ Visual Amenity
The application relates to two redundant barns at Lower Woodhouse Farm on the north side of Fernhill. The barns are set back from the highway accessed via an existing track that crosses the adjoining field to the front of the site. The larger of the buildings is of stone construction with a tiled roof and large 'wagon' entrance door. This barn stands within a yard area enclosed by a combination of stone walling and fencing. The smaller building comprises an open fronted cart shed again primarily of stone construction and with a tiled roof.
- 5.7 Planning approval is sought for the change of use of these buildings to provide a live/ work unit. In so doing, a first floor level would be formed within the larger of the two buildings with this providing two bedrooms, bathroom, kitchen and central living area. Ground level would provide the new workshop area. The smaller of the two buildings would be subdivided to provide additional business accommodation (two thirds) and parking (one third).
- 5.8 The proposal would not involve any extensions to the buildings with external alterations kept to a minimum. As such, the wagon door to the larger building would be glazed with larger first floor windows replacing the existing slit openings on the flank elevations.

- Two rear ground floor windows would also replace two further slit openings with two rear rooflights also provided. No extra openings would be formed within the smaller building with the open front elevation partly glazed and with timber doors to the vehicle parking area.
- 5.9 In this instance, it is considered that the works would retain the rural character of these two buildings in view of the limited external alterations and lack of extensions proposed. For these reasons, there is no objection to the current proposal on this basis.
- 5.10 Landscape Impact/ Impact upon the Openness of the Green Belt
The existing buildings are well screened within their landscape setting by virtue of the local topography (with land rising to the rear of the application site), other buildings and existing vegetation. For these reasons, and with no extensions to the either building proposed, it is not considered that the conversion of these buildings would cause any significant harm to visual amenity or the openness of the Green Belt.
- 5.11 The associated curtilage to this live/work unit would replicate the existing yard area around the larger of the two buildings with this already clearly defined by walls and planting. Similarly, the smaller building is well contained by virtue of the existing access track which continues to wrap around the north perimeter of the site into the area of woodland behind. As such, there is also no objection to the proposal on this basis.
- 5.12 The proposal would also allow the realignment of the existing access and the repositioning of the entrance. To this extent, there is no overriding landscape objection to this element of the proposal although some further detail would be required. In this regard, the existing access track is not fenced or flanked by hedgerows and it is considered that this contributes to the landscape character of the locality. As such, the proposed access track should be similarly treated with an informal gravel finish and no kerbs.
- 5.13 A significant quantity of planting would be lost through the creation of the new access. It is considered that this loss should be made good with new planting of native/ semi-native trees and shrubs. Further vegetation would be lost to allow for the necessary visibility splays from the new entrance; however, these losses to not appear to be significant and might amount to little more than the trimming of the existing hedgerow.
- 5.14 It is considered that the proposed access gate should be of traditional timber design with this helping to retain the character and distinctiveness of the local landscape.
- 5.15 Structural Condition of Building
The buildings are of stone construction with pitched tiled roofs. Nevertheless, it is noted that whilst the walls and roof of the large barn appear sound overall, the support over the main opening is failing. Having regard to the cart shed, the walls are in a good condition although the roof structure is in a poor state of repair with many of the common rafters in need of replacement (the principal trusses appear sound).

- 5.16 In view of the above, it is considered that both buildings are capable of conversion without major or complete reconstruction. Ground levels within both have however been built up over the years and would need reducing; it is not anticipated that this would affect the stability of the buildings.
- 5.17 Consideration of the Provision of a Live Work Unit
The proposal would provide a two bedroom self contained flat. Accordingly, it is noted that policy H10 requires that all reasonable attempts have been made to secure a suitable business reuse prior to consideration of a residential use. However, within the supporting text it is stated that where any residential element of the scheme is subordinate to the business use, the Council will impose conditions tying occupation to the enterprise.
- 5.18 In this instance, the residential element of the schemes equates to half the floor area of the larger building with access to this accommodation via the business at ground floor. This arrangement would help ensure that this accommodation could not be occupied independently.
- 5.19 Notwithstanding the above, it is noted that planning permission was recently granted for a conversion where the residential element of the scheme formed less than 50% of the total floor space (PT08/2189/F). As such, it is considered that any associated refusal reason is very unlikely to prove sustainable.
- 5.20 Residential Amenity
The application site sits within relative close proximity of the neighbouring properties to the south of the site although feels physically detached by reason of the local topography, boundary screening and separate access. These units are not therefore readily visible from the application site although can be seen from views along the access. Nevertheless, in view of the separation between these units and with no extensions proposed, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.21 Highway Safety
Access to the application is currently via a metalled track which is devoid of any boundary treatment and partly grass covered. This is considered substandard thus would be replaced by a new access road some 10m south of the existing (the current vehicle access would be closed). Further, a single garage space would be provided within the barn with parking for two additional cars between the two buildings.
- 5.22 In this instance, highway officer comments concur with the agent's view that the existing access is substandard with the new access road considered to provide an acceptable solution. Further, car parking and turning areas are considered to be appropriate for a development of this scale. As such, there is no highway objection to this current proposal subject to a condition requiring that the new access be constructed in accordance with the plans submitted.
- 5.23 Ecological Issues
The application site lies to the north of Woodhouse, abutting woodland within Woodhouse Park to the rear and with open countryside to the west. In this regard, the application is now supported by an ecological report which provides details of the mitigation measures proposed.

- 5.24 The buildings were subject to a series of internal and external surveys for bats in July and September 2008. Six different species were recorded near or within the barn and thus the report contains a series of mitigation strategies to ensure the continued use of the building by bats upon completion. These are broadly acceptable.
- 5.25 Despite the suitability of the site for a barn owl nest box, this has not been recommended due to the proximity of the application site to the M4 and the fact that roads are a major cause of juvenile barn owl fatalities. This is accepted. The suggested approach to off-set the loss of nesting locations for swallow and wren by erecting suitable artificial nest boxes for the species is supported and welcomed.
- 5.26 Finally, the mitigation strategy outlined in the report to prevent development impacting upon the great crested newts associated with Woodhouse Park is considered to be acceptable. It is considered that this would also safeguard any reptiles (slow-worms) or hedgehog found.
- 5.27 In the light of the above, there is no objection to the current proposal on this basis.
- 5.28 Drainage
Concerns have been expressed regarding the proposed method of drainage from the site. In this instance, it is considered that this issue can be controlled by condition to help ensure that a satisfactory method of drainage is achieved.
- 5.29 PROW
An existing Public Right of Way enters the application site at the same point as the existing vehicular access. In this regard, there is no objection to the current proposal provided that the public right of way is not blocked or interfered with. An informative should be attached to any favourable decision to cover this.
- 5.30 Design and Access Statement
The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.
- 5.31 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT08/1214/F**

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

CONDITIONS

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

Reason(s):

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

2. The materials to be used in the construction of the external surfaces of the building works 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.

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

Reason(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers, all to accord with Planning Policies D1, GB1 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the buildings hereby approved.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to protect the spacial character of the buildings, all to accord with Planning Policies D1 and H10 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 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); and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason(s):

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

6. Prior to the commencement of development, a plan indicating the positions, design, materials and type of boundary treatment (including details of the front entrance gate) to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment(s) shall be completed before the buildings are occupied. 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 Planning Policies GB1, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of development, 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 L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The development hereby authorised shall comply with the protected species mitigation measures submitted to and agreed by the Local Planning Authority and the development when carried out shall conform to the details so approved.

Reason(s):

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

9. Prior to the commencement of development, the proposed vehicular access shown on drawing A239T-002-01 shall be constructed.

Reason(s):

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

10. The residential floorspace indicated on approved drawing 006-01 (as received by the Council on 28 April 2008) shall not exceed 58.6 square metres nor be used or occupied other than as ancillary and in conjunction with the business occupation of the workspace so identified on the same plan; and the business use shall not be sub-divided or sub-let in any way from the associated residential floorspace.

Reason(s):

The residential floorspace hereby approved is not suitable for separate occupation by virtue of its relationship with the workspace, and to accord with Planning Policy H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. The development hereby permitted shall not commence until the developer has submitted to the Local Planning Authority for its prior approval, the following information, detailing any potential land contamination and a proposed scheme of works:

- a) A preliminary investigation including a desk top study report detailing the history of the site and identifying risks to human health and the environment;

- b) A main investigation (if identified as being required) including a site investigation report documenting the types, nature and extent of contamination present, risks to receptors and potential for migration within and beyond the site boundary identified in the preliminary investigation. The investigations and assessments shall be in accordance with current Government and Environment Agency guidance.

- c) A detailed remediation scheme (if identified as being required) including a method statement and measures to be taken to avoid risk to human health and the environment, as identified by the desk top study and site investigation, from contaminants or gases.

The construction of buildings shall not commence until the Investigator has provided a validation report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report. Persons undertaking validation of remedial works shall also provide a validation certificate.

Contaminated land investigations shall be undertaken by suitably qualified persons with demonstratable experience and qualifications associated with this type of work, and the level of investigation and reporting as detailed above.

Reason(s):

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

12. The proposed access drive shall not be fenced, screened by hedgerow or enclosed by any other means without the prior approval, in writing, of the Local Planning Authority.

Reason(s):

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

13. Beyond the highway entrance, the proposed access track hereby approved shall be finished with an informal gravel surface with no kerbs or other urban finishes added. The access track shall not be further altered without the the prior written approval of the Local Planning Authority.

Reason(s):

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

14. The existing access road shall be removed and the land restored to its original condition prior to the occupation of the development hereby approved.

Reason(s):

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

15. Within 6 months from the date of the decision 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 with no further external lighting to be installed without the grant of a further specific permission from the Local Planning Authority.

Reason(s)

To accord with Planning Policies D1, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 49/08 – 5 DECEMBER 2008

App No.: PT08/2863/TRE
Site: 8 Orchard Close, Winterbourne, South Gloucestershire, BS36 1BF

Applicant: Mr & Mrs Hensley
Date Reg: 27th October 2008

Proposal: Works to crown clean and raise 1 no. Birch tree and remove 1 no. Acer (identified as Liquidamber orientalis), and 20% thin of 1 no. twin stemmed Sycamore covered by Northavon District Council (The Mount, Hicks Common Road, Winterbourne) Tree Preservation Order 198 dated 15th May 1989.

Parish: Winterbourne Parish Council

Map Ref: 65371 80472
Application Category: Minor

Ward: Winterbourne
Target Date: 17th December 2008



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100023410 2008
 DC90 MW

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

1. THE PROPOSAL

- 1.1 The applicant seeks consent for works to crown clean and raise 1 no. Birch tree and remove 1 no. Acer (identified as Liquidamber orientalis), and 20% thin of 1 no. twin stemmed Sycamore covered by Northavon District Council (The Mount, Hicks Common Road, Winterbourne) Tree Preservation Order 198 dated 15th May 1989.
- 1.2 The trees are all growing within the gardens of 8 Orchard Close, Winterbourne. The works are proposed due to a variety of reasons.
- 1.3 Following advice from the Council's tree officer the description for proposed works for this application has been amended, to the agreement of the applicant. The amended description omits works to remove 1 no. single stemmed sycamore and remove 2-3 limbs of the twin stemmed sycamore.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement

3. RELEVANT PLANNING HISTORY

No relevant history

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Objection. The Parish Council objects to the removal of trees which were there before the development.

Other Representations

4.2 Local Residents

No response.

5. ANALYSIS OF PROPOSAL

The Council's Tree Officer was consulted as a part of this application.

The trees are all growing within the gardens of 8 Orchard Close, Winterbourne and they appear to be in good health. The Birch tree is growing adjacent to the driveway of the house and is encroaching onto the driveway causing problems for vehicular access. It is considered that the works to raise the crown to abate this nuisance are acceptable, this tree has been badly pruned in the past and would not be worthy of an individual Tree Preservation Order (TPO).

The Liquidamber is in close proximity to the house approximately 1-2 m away and would not be worthy of a TPO. Due to the proximity of this tree to the house it will not be capable of fulfilling its full growth potential and is extremely likely to cause damage to the dwelling in the near future if it is not removed. It's removal is therefore considered acceptable.

The Sycamore trees are growing in the rear garden and are growing as one canopy. The application to remove the single stemmed tree is not acceptable as this tree will continue to safeguard the twin stemmed tree. As a consequence, works to this tree have been omitted from the proposal description. It has been resolved to recommend consent for 20% thin to the twin stemmed tree, to allow more light through the canopy and also to reduce the resistance to wind. These works should not be detrimental to the health of the trees and therefore comply with Policy L1 of the Local Plan.

6. CONCLUSION

The decision to raise no objection 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 No objection.

Background Papers **PT08/2863/TRE**

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

CONDITIONS

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

Reason(s):

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.

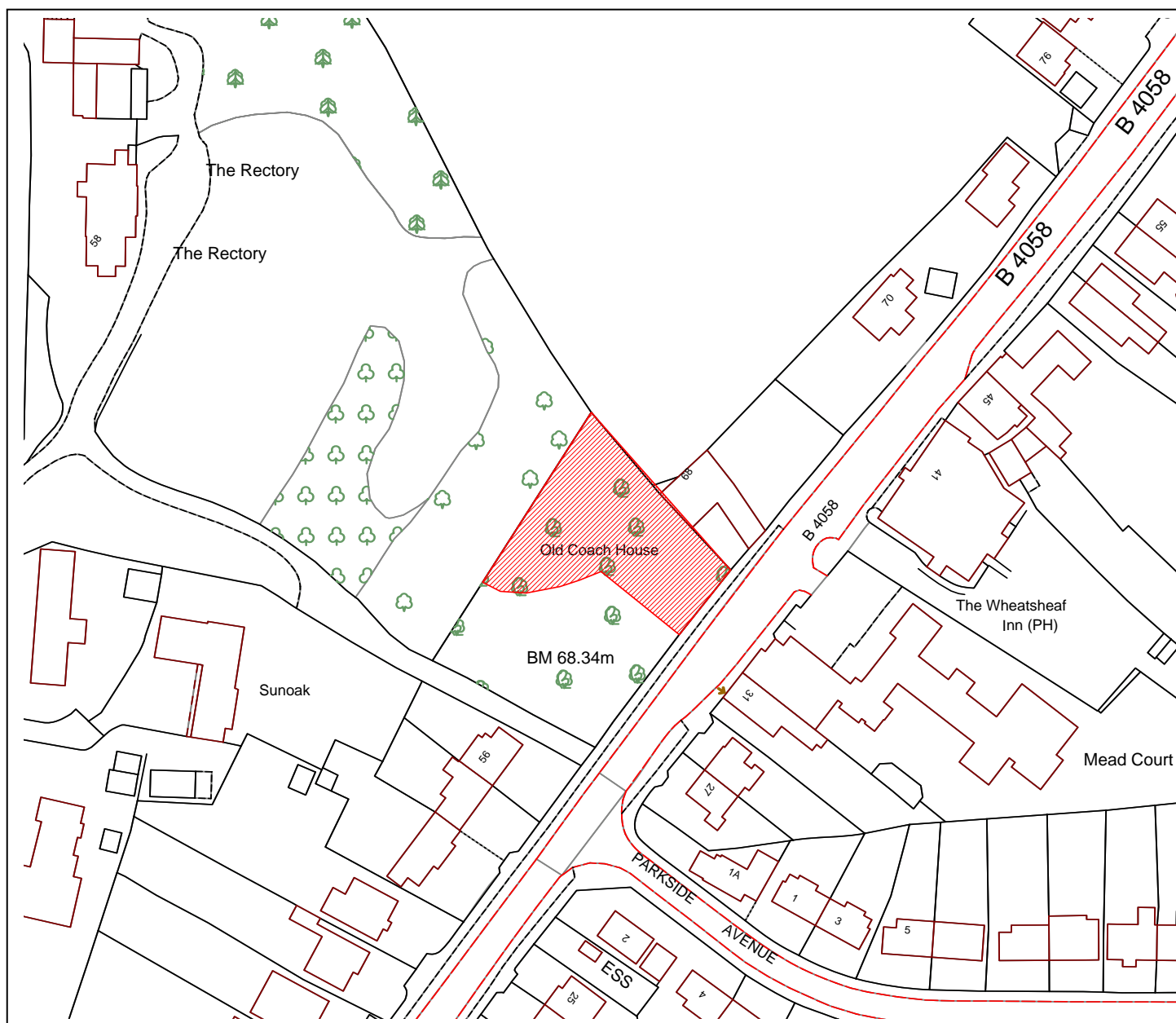
2. The works hereby authorised shall comply with British Standard 3998: 1989 - Recommendations for Tree Work.

Reason(s):

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. 49/08 – 5 DECEMBER 2008

App No.:	PT08/2873/LB	Applicant:	Bristol Diocesan Board Of Finance Ltd
Site:	58 The Rectory, High Street, Winterbourne, South Gloucestershire, BS36 1JQ	Date Reg:	27th October 2008
Proposal:	Alterations to boundary wall. Creation of new vehicular access.	Parish:	Winterbourne Parish Council
Map Ref:	64947 80936	Ward:	Winterbourne
Application Category:	Minor	Target Date:	18th December 2008



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 100023410, 2008.

This application appears on the Circulated Schedule in view of the letter of objection that has been received from the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks listed building consent for the formation of a vehicular access through a curtilage listed stone boundary wall.
- 1.2 The application relates to a front boundary wall situated on the west side of the High Street, Winterbourne. The application site forms part of the walled garden attached to the Grade II listed rectory on this side of the highway.
- 1.3 A corrected block plan forms part of this submission with the original detailing the proposed dwelling (PT08/2877/F) and a separate pedestrian access.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG13: Transport
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 Residential Curtilages
L13: Listed Buildings
T12: Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 N149: Alterations to existing store to form kitchen and additional bedrooms; extension at first floor level. Permitted: 11 July 1974
- 3.2 P84/1929: Alterations to existing vehicular and pedestrian access. Permitted: 8 August 1984
- 3.3 P84/1930: Erection of three dwellings; new vehicular and pedestrian access (outline). Permitted: 8 August 1984
- 3.4 P89/1690: Erection of three detached dwellings; construction of new pedestrian and vehicular access (outline): Permitted: 1 June 1989
- 3.5 P93/2538: Erection of three detached dwellings with garages; construction of new vehicular and pedestrian access (outline). Permitted: 12 January 1994

- 3.6 P96/2634: Erection of three detached dwellings with garages; construction of new pedestrian & vehicular access (renewal of outline permission). Permitted: 12 February 1997
- 3.7 P98/1549: New rectory & garage and associated car parking (reserved matters approval). Permitted: 22 May 1998
- 3.8 PT04/2694/F: Erection of new dwelling with detached garage. Permitted: 10 September 2004
- 3.9 PT07/0653/F: Erection of one detached dwelling and garage; construction of new vehicular access. Refused: 24 May 2007
- 3.10 PT08/2877/F: Erection of one detached dwelling and garage; construction of new pedestrian and vehicular access. Decision Pending

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection: 'The Parish Council regrets another breach in the listed wall. Could the original drive onto the High Street be closed and an adequate drive installed for all the properties?'
- 4.2 Other Consultees
Listed Building Officer: no objection
Highways DC: no objection

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning policy L13 cites that development including alterations or additions affecting a listed building or its setting will not be permitted unless:
- The building and its setting would be preserved; and
 - Features of architectural or historic interest would be retained; and
 - The character, historic form and structural integrity of the building would be retained.

The Council will expect proposals for development involving listed buildings to incorporate detailed measures for their preservation and, where relevant, achievable and desirable enhancement.

- 5.2 Analysis
The application relates to the walled garden which is attached to the Grade II listed rectory positioned on this western side of the High Street. Listed Building consent is sought for the removal of a section of this wall to facilitate vehicular access into the garden area.

- 5.3 The application site benefits from a history of planning permissions allowing the erection of three dwellings within this walled garden area which have presumed the creation of an access through this wall.
- 5.4 A number of possibilities have been considered for achieving vehicular access into this garden because the historic access was a modest one off the narrow lane which served as access to the Rectory. However, access along this lane would require the demolition of a significant length of this wall to allow vehicles to access the site. Similarly, further demolition (to the rear) would be required if all vehicles were to be routed through the new access.
- 5.5 In view of the above, it is considered that the vehicular access would be better achieved through a new opening within the existing front boundary wall. To this extent, whilst this wall is more visible, it has weathered badly in places and is in need of extensive repair. Accordingly, it is considered that the loss of a shorter length of wall in a bad condition is preferable to the loss of a larger length of wall that is in better condition.
- 5.6 For the above reasons, on balance there is no objection to the creation of a vehicular access through this wall. This is on the basis that the new dwellings (if of appropriate design) would enhance this neglected garden area allowing it to be brought back into a good state of preservation. Further, this is subject to conditions safeguarding the external appearance of the wall (i.e. through matching stonework, coursing and pointing) and requiring a scheme of repairs to the walls enclosing this garden to help ensure their long term survival.
- 5.7 Notwithstanding the above, there is some concern regarding the design of the entranceway proposed with it noted that all other entrances benefit from vertical openings allowing a shorter break in the wall. However, the sloped design that is currently proposed is considered to be essential for highway safety (and also preferable to a recessed curvature in the wall to provide the necessary visibility splay).
- 5.8 Design and Access Statement

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Listed Building Consent is **GRANTED** subject to the following conditions:

Background Papers **PT08/2873/LB**

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

CONDITIONS

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

Reason(s):

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

2. The facing stonework shall match the existing original stonework in respect of colour, texture, coursing, jointing and pointing.

Reason(s):

To safeguard the special architectural and historic character of this curtilage listed walled garden, and to accord with Planning Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. A sample panel of stonework in respect of any rebuilt sections of the wall, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason(s):

To safeguard the special architectural and historic character of this curtilage listed walled garden, and to accord with Planning Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

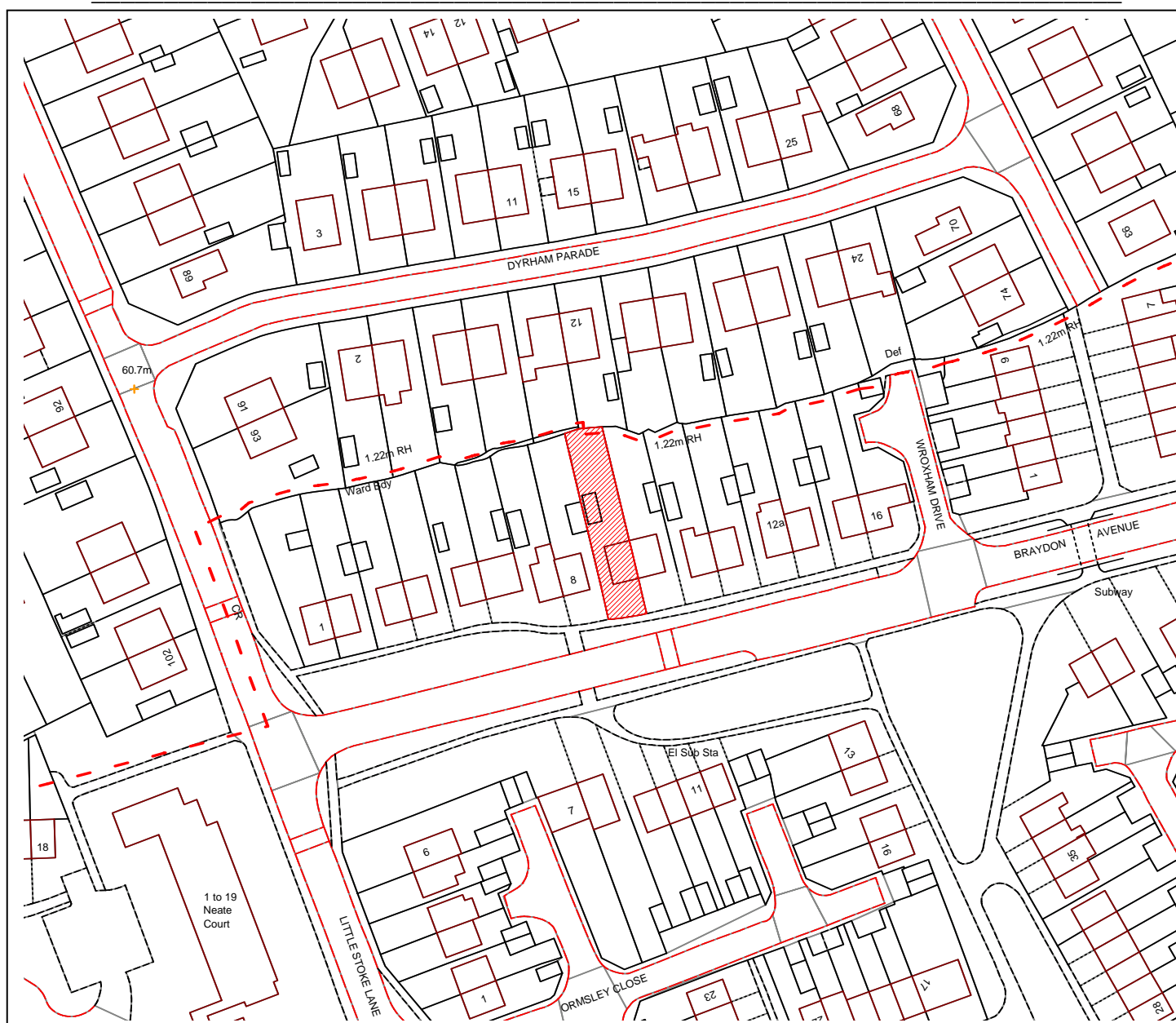
4. No development shall take place until a detailed specification and schedule of repair works in respect of all four walls enclosing this curtilage listed walled garden have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with a programme agreed in writing with the Local Planning Authority with development strictly in accordance with these agreed details.

Reason(s):

To safeguard the special architectural and historic character of this curtilage listed walled garden, and to accord with Planning Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 49/08 – 5 DECEMBER 2008

App No.:	PT08/2890/F	Applicant:	Mr D Leaman MJD Property Services
Site:	9 Braydon Avenue, Little Stoke, South Gloucestershire, BS34 6EH	Date Reg:	30th October 2008
Proposal:	Erection of single storey side extension to form additional bedroom with ensuite facility and single garage.	Parish:	Stoke Gifford Parish Council
Map Ref:	61238 81658	Ward:	Stoke Gifford
Application Category:	Minor	Target Date:	23rd December 2008



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N.T.S

PT08/2890/F

This application appears on the Circulated Report as there is conflict between the neighbours consultation response and the officer recommendation.

1. THE PROPOSAL

- 1.1 The site consists of a semi-detached chalet bungalow fronting Brayden Avenue .
- 1.2 The proposed development consists of the erection of a side extension to create a garage and extra bedroom at the rear.
The external walls will be brick and the roof would be flat behind a fascia board.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- | | |
|-----|---|
| D1 | Achieving Good Quality Design in New Development |
| H4 | Development within Residential curtilages |
| T12 | Transportation development control policy for new development |
| T8 | Parking standards |

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist Adopted August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 N1423 Two storey side and single storey rear extension approved June 1975
- 3.2 P90/1895 Single storey rear extension approved 1990

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
The Parish Council raise no comment on the application.

Other Representations

- 4.3 Local Residents

One letter of objection raising the following points:

- there are existing drainage problems locally and the additional bathroom could add additional pressure.
- This will reduce driveway parking by one space and will encourage parking on the grass verge.
- the flat roof is out of character with the area.

5. ANALYSIS OF PROPOSAL

- 5.1 The development consists of the extension of an existing dwelling with a single story side extension which is finished with a fascia board matching that of the original chalet bungalow. The existing garage is retained for storage in the rear garden.
- 5.2 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is relevant to this planning application. The policy indicates that the proposed side extension is acceptable subject to the following considerations.
- 5.3 Design and Residential Amenity
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design. Policy H4 supports this principle and also seeks to ensure that new development would not have a detrimental impact upon the privacy and residential amenity of the occupants of nearby dwellings.
- 5.4 In this instance the development consists of a single storey side extension which is set back from the front of the dwelling. This limits its presence on the street. The chalet bungalow has characteristic flat roof dormer windows to the front and a wide fascia board across its frontage. The garage would be finished in matching brickwork and the wide fascia board would be carried on around the extension to hide the roof covering. This design respects the form, design and character of the chalet bungalow and is considered acceptable in respect of this property, neither would it detract from the street scene. The proposal would not overlook or be overbearing on the neighbouring properties and as such the application meets the test of policy H4 provided that a suitable materials condition is attached.
- 5.5 Transportation
The site would retain one parking space on the frontage with another substandard garage space. Given that the site is in the urban area of Little Stoke and the Council operates to maximum car parking standards in the Local Plan the level of parking at the site is considered to be satisfactory. The objector is concerned that visitor parking may re-occur on the grass verges but this is a behavioural issue which is not reasonably under the control of this application. No transportation objection is raised.
- 5.6 Other Matters
The objector raised concern about drainage matters which can not reasonably be resolved by this application and the potential additional load from an existing house is not considered to make a material difference.
- 5.7 Design and Access Statement
A Design and Access Statement is not required as part of this planning 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 appropriate.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That Planning Permission be granted subject to the following conditions

Background Papers **PT08/2890/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

CIRCULATED SCHEDULE NO. 49/08 – 05 DECEMBER 2008

App No.: PT08/2925/ADV

Applicant: Mr J Dobson
Gainwell Ltd/
Voodoo
Designworks

Site: 3 Gloucester Road, Almondsbury,
South Gloucestershire, BS32 4BJ

Date Reg: 4th November 2008

Proposal: Display of 1no. non-illuminated
individual letters fascia sign and 1no.
internally illuminated metal box sign.

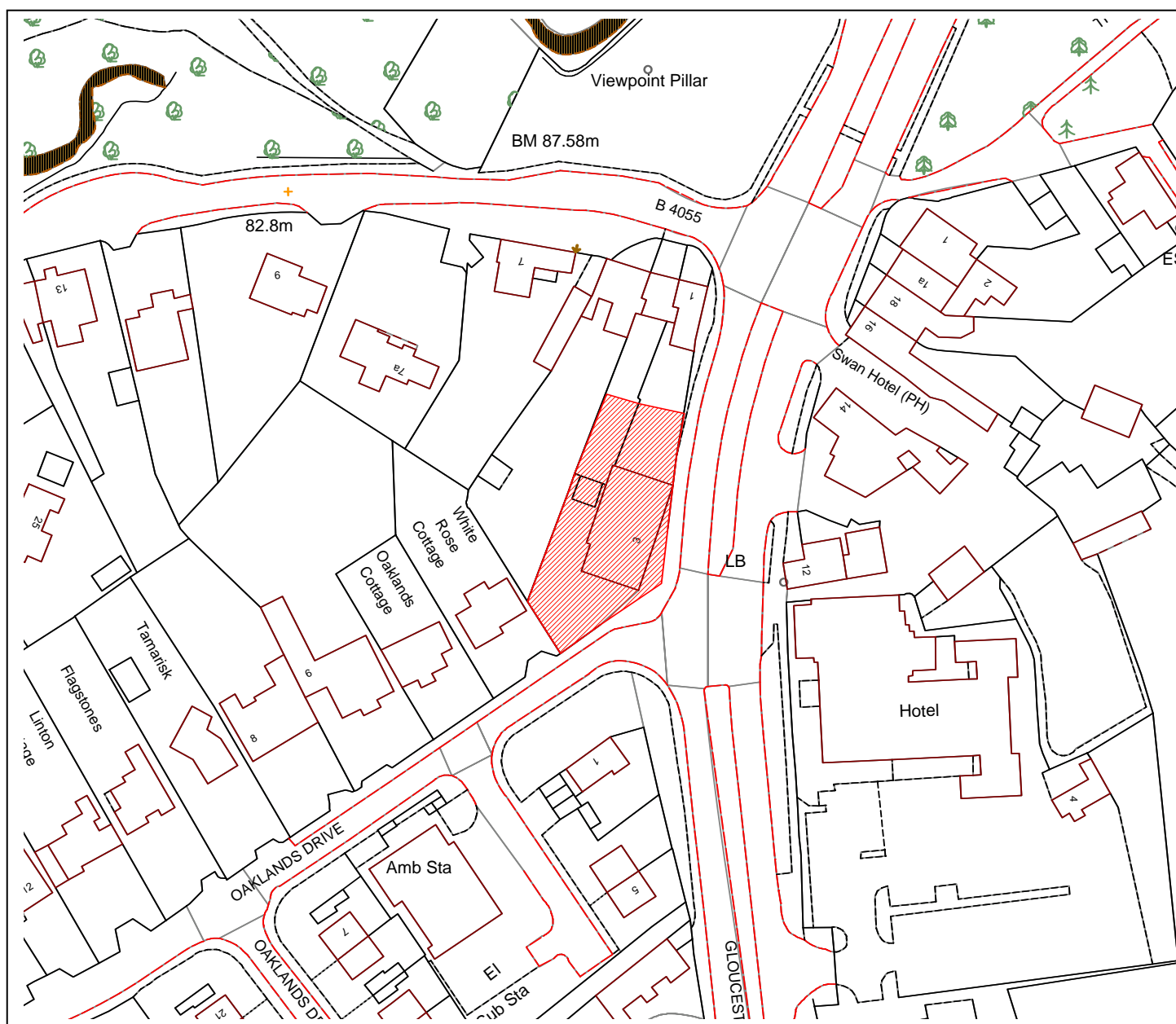
Parish: Almondsbury Parish
Council

Map Ref: 60543 83789

Ward: Almondsbury

Application Category: Minor

Target Date: 25th December
2008



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INTRODUCTION

This application appears on the Circulated Schedule following the receipt of an objection from Almondsbury Parish Council which is contrary to the Case Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks advertisement consent for the display of one non illuminated fascia sign (individual letters), and one internally illuminated metal box sign.
- 1.2 The application site relates to a recently extended office building which is situated in a prominent position adjacent to the A38. The site is situated within the Almondsbury defined settlement boundary and is designated as Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPG19: Outdoor Advertisement Control
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
L19: Display of Advertisements

3. RELEVANT PLANNING HISTORY

- 3.1 No advertisement applications.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
The Parish Council has no objection to the signs being erected but do object to the illumination of the metal box sign.
- 4.2 Local Residents
None.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The display of outdoor advertisement is controlled through the Town and Country Planning (Control of Advertisements) Regulations 1992. Advertisements can only be controlled in the interests of visual amenity and public safety, which is reiterated at local level with Policy L19 of the South Gloucestershire Local Plan (Adopted) January 2006. As such, the impact of this proposal on residential amenity is not a material consideration in determination of this application.
- 5.2 Visual Amenity
This application seeks consent for the display of one non illuminated fascia sign (individual letters) which shall be positioned above the first storey windows, and one internally illuminated metal box sign, which shall be position above the

ground floor windows. It is considered that the design of the proposed sign would be simple and unassuming. Furthermore, their scale and positions would be proportionate to the existing building. In view of this, it is considered that the advertisements would not adversely harm visual amenity.

5.3 Almondsbury Parish Council has objected to the illumination of the proposed metal box sign. Notwithstanding these comments, it should be noted that the site is located in an area which is already well lit by street lighting and faces into a busy classified road. As such, it is considered that the illumination of this sign would not materially harm visual amenity at this location.

5.4 Public Safety

The Council Sustainable Transportation has raised no objection to the proposal. It is therefore considered the proposal would not threaten public safety.

6. CONCLUSION

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

7. RECOMMENDATION

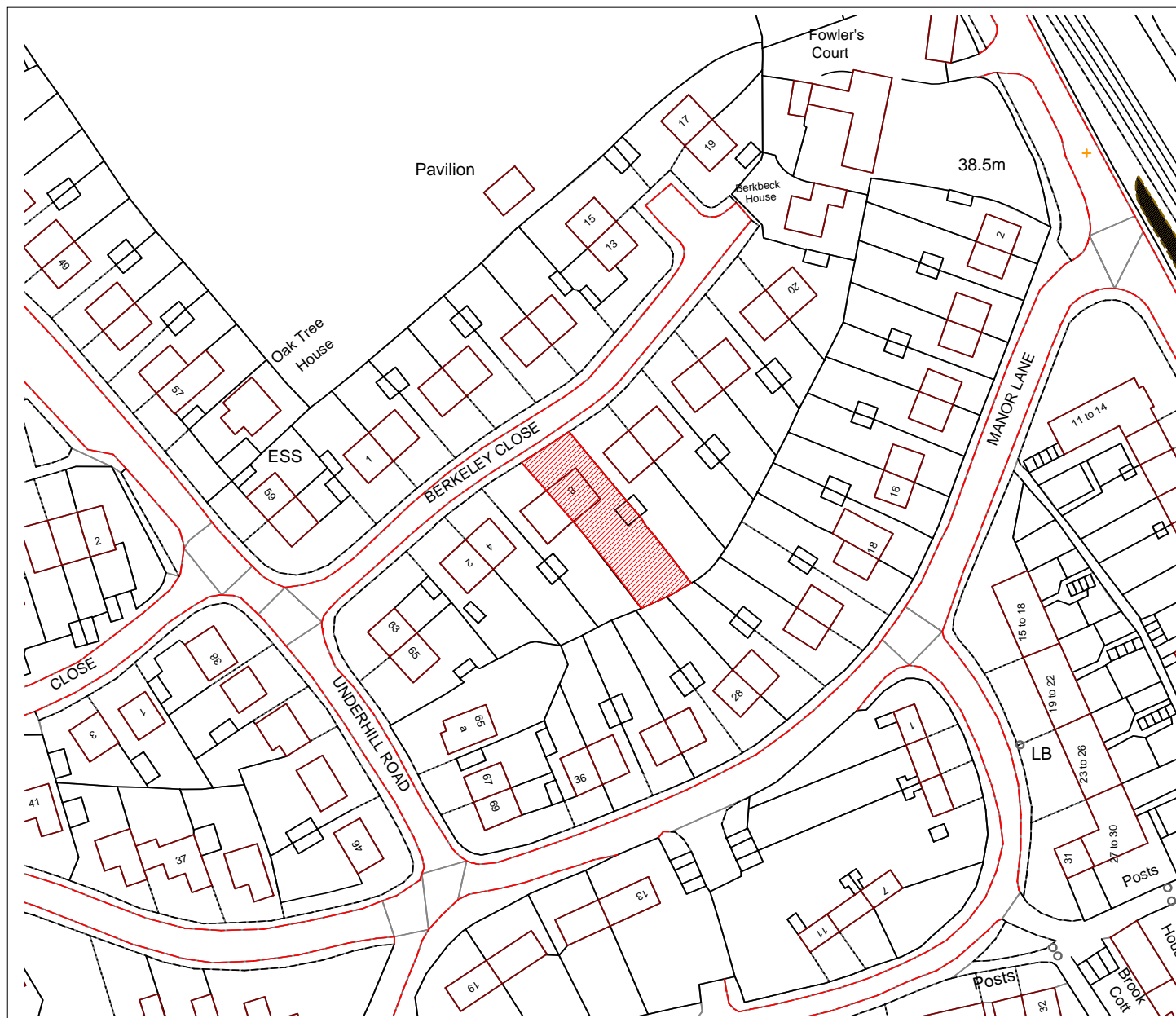
7.1 Advertisement consent to be **GRANTED**.

Background Papers **PT08/2925/ADV**

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 49/08 – 5 DECEMBER 2008

App No.:	PT08/3000/F	Applicant:	Mr G Wignall
Site:	8 Berkeley Close, Charfield, South Gloucestershire, GL12 8TE	Date Reg:	13th November 2008
Proposal:	Erection of first floor side extension incorporating front and rear dormer. Erection of single storey rear extension.	Parish:	Charfield Parish Council
Map Ref:	72400 92004	Ward:	Charfield
Application Category:	Minor	Target Date:	8th January 2009



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N.T.S

PT08/3000/F

This application has been referred to the Circulated Schedule due to objections received from Charfield Parish Council.

1. THE PROPOSAL

- 1.1 This application relates to the erection of a first floor side extension incorporating front and rear dormers and single storey rear extension at 8 Berkeley Close, Charfield. The application is a semi-detached dormer style property located within a cul-de-sac. It also lies within the settlement boundary of Charfield.
- 1.2 The side extension measures 2.7m in width, and has a depth and height to match the existing dwelling. It is open at ground floor level to provide vehicular access to the detached garage to the rear of the site. The rear extension has a depth of 5m and extends the width of the original dwelling. All materials are 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 Design
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P84/1406 Erection of single storey rear extension.
Approved 18 April 1984.
- 3.2 PT07/1441/F Erection of 2 storey rear extension.
Refused 8 June 2007 on the following grounds:-
a) mass, height and depth would be overbearing on adjoining occupiers;
b) design out of keeping.

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
Object to the proposal on the following grounds:-
a) possible parking difficulties;
b) may set a precedent of detrimental street scene development and a terraced housing effect;

c) rather large living space increase given size of dwelling.

Of the above, c is not a relevant planning objection.

Other Consultees

4.2 Sustainable Transport
No objection.

Other Representations

4.3 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 It is considered that the application accords with the above policy criteria. The size and design of the extensions are in keeping with the existing dwelling and area as a whole. The side extension and front/rear dormers continues the symmetrical and balanced appearance of this pair of semi-detached dwellings and due to its location to the side of the property will not adversely affect the residential amenities of the adjacent occupiers of 10 Berkeley Close in terms of overbearing impact/loss of privacy/light. The rear extension, although 5m in depth, is single storey in nature and will not have a detrimental impact upon the adjoining occupiers of 6 Berkeley Close as this property has a single storey rear extension some 3m in depth, directly abutting the site boundary.

5.3 The proposal will not be detrimental to the street scene as no terracing effect will result from the proposal – a gap of between 2.5m to 3m will still exist between 8 and 10 Berkeley Close and the application site is set some 1m forward of 10 Berkeley Close. Adequate off-street parking and garden area will still remain. The proposal is therefore in accordance with the adopted local plan and is acceptable in all respects.

5.4 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The 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 **PT08/3000/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

To ensure a satisfactory standard of external appearance and to accord with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.