



**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. 51/08

Date to Members: 18/12/08

Member's Deadline: 24/12/08

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: 18/12/08

SCHEDULE NO. 51/08

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

Circulated Schedule 18 December 2008

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1	PK07/1622/F	Refusal	Portland Street Staple Hill South Gloucestershire BS16 4PS	Staple Hill	
2	PK08/2669/F	Approve with conditions	Northfield House, Abson Road, Pucklechurch, South Gloucestershire, BS16 9UB	Boyd Valley	Pucklechurch Parish Council
3	PK08/2864/F	Approve with conditions	Annexe, Twin Gables, Carsons Road, Mangotsfield, South Gloucestershire, BS16 9LW	Siston	Siston Parish Council
4	PK08/2991/F	Approve with conditions	Oak View, Firing Close, Wickwar, South Gloucestershire, GL12 8PE	Ladden Brook	Wickwar Parish Council
5	PK08/3025/R3F	Deemed consent	Emersons Green Playing Fields, Pomphrey Hill, Bristol, South Gloucestershire	Emersons Green	Mangotsfield Rural Parish Council
6	PK08/3064/TRE	Approve with conditions	Land to side of 1 Mangotsfield Road, Mangotsfield, South Gloucestershire, BS16 9JG	Emersons Green	Mangotsfield Rural Parish Council
7	PT08/2805/F	Refusal	The Pitch, Beach Road, Severn Beach, South Gloucestershire, BS35 4PE	Pilning and Severn Beach	Pilning and Severn Beach
8	PT08/2849/RVC	Approve with conditions	Airbus UK, Golf Course Lane, Filton, South Gloucestershire, BS99 7AR	Filton	Filton Town Council
9	PT08/3052/F	Approve with conditions	12 Mackie Grove, Filton, South Gloucestershire, BS34 7NF	Filton	Filton Town Council
10	PT08/3056/TCA	No objection	Frenchay Lodge Cottage, Beckspool Road, Frenchay, South Gloucestershire, BS16 1NT	Frenchay and Stoke Park	Winterbourne Parish Council
11	PT08/3058/TCA	No objection	Frenchay Lodge West, Beckspool Road, Frenchay, South Gloucestershire, BS16 1NT	Frenchay and Stoke Park	Winterbourne Parish Council
12	PT08/3059/TCA	No objection	Frenchay Lodge, Beckspool Road, Frenchay, South Gloucestershire, BS16 1NT	Frenchay and Stoke Park	Winterbourne Parish Council

**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 NO. 51/08 – 18 DECEMBER 2008

App No.: PK07/1622/F
Site: Portland Street Staple Hill Bristol South Gloucestershire BS16 4PS

Applicant: City & Provincial Plc
Date Reg: 23rd May 2007

Proposal: Demolition of existing factory and erection of 42 no. dwellings with associated parking, amenity space, cycle and bin store.

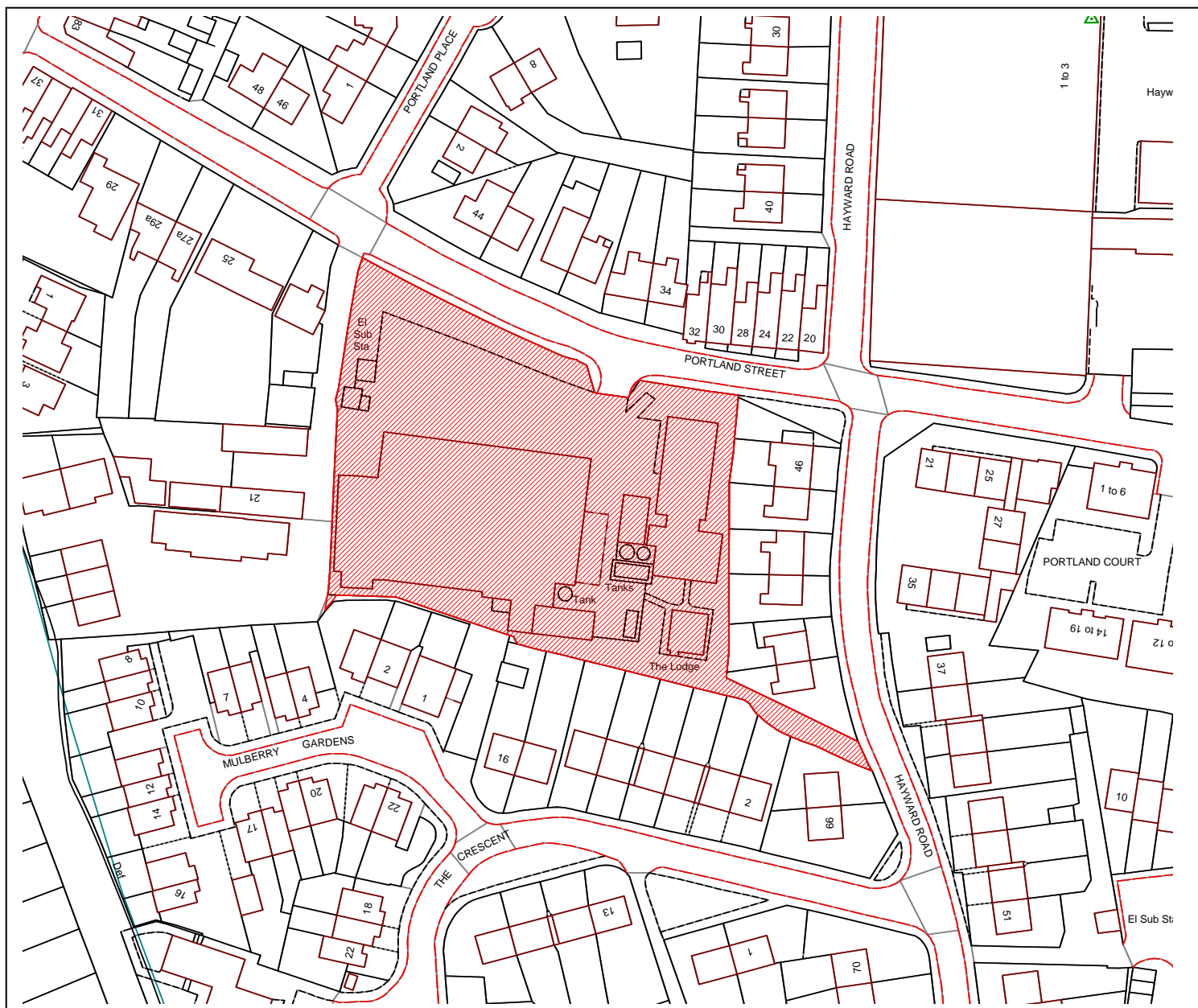
Parish:

Map Ref: 64641 75392

Ward: Staple Hill
Target Date: 17th April 2007

Application Category: Major

Date:



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100023410, 2008.

N.T.S

PK07/1622/F

1.0 INTRODUCTION

Members will recall that the above application was placed on the Circulated Schedule to Council Members on the 12th October 2007 (Circulated Schedule No.41/07) and an update was sent on 27th November 2007.

A further update was referred to members on 20th June 2008. The purpose of this update was to allow negotiations to continue between the applicant and the Council on the Section 106 Agreement (giving a further 6 months to the applicant to conclude/sign the agreement). Members have not previously referred the matter to the Development Control Committee. These reports are attached as Appendix 1.

The recommendation was as follows:

1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- £ 44,346.90 towards enhancement of existing open space in the vicinity of the site and £39,647.64 towards maintenance of these enhancements
- £4466.98 towards the provision of book/IT/audio equipment to the nearest library to the site
- £35,000 towards highway improvements
- 14 units of Affordable Housing with a tenure split approximating to 77% Social Rented Accommodation and 23% Shared Ownership and in accordance with the details agreed with the applicant (see Paragraph 5.14)
- £27,720.60 towards the provision of two additional secondary school places.

2) That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

Should the agreement not be completed within 6 months of the date of the decision that planning permission be refused.

2.0 KEY ISSUES

2.1 A Section 106 Agreement under section 106 of the Town and Country Planning Act 1990 (as amended) has not been completed to secure the above contributions that are necessary to mitigate the impact of the development and is therefore contrary to the policies set out in the South Gloucestershire Local Plan (Adopted January 2006).

3.0 RECOMMENDATION

3.1 That the application be refused for the following reasons:

- 1) In the absence of a Section 106 Agreement to secure an appropriate level of affordable housing, (ensuring mixed and balanced communities), the proposed development would be contrary to Policy H6 of the South Gloucestershire Local Plan (Adopted January 2006).

- 2) In the absence of a Section 106 Agreement or Unilateral Undertaking to secure works to mitigate the impact of the development upon the adjoining highway network in the interests of highway safety the proposed development is contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006).
- 3) In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions towards Education provision the proposal would be contrary to Policy LC2 of the South Gloucestershire Local Plan (Adopted January 2006).
- 4) In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions towards mitigating the under provision of open space and other community service requirements the proposal would be contrary to Policy LC1 and LC8 of the South Gloucestershire Local Plan (Adopted January 2006).

Background Papers **PK07/1622/F**

Contact Officer: **David Stockdale**
Tel. No. **01454 863131**

APPENDIX 1

INTRODUCTION

Members will recall that the above application was placed on the Circulated Schedule to Council Members on the 12th October 2007 (Circulated Schedule No.41/07). The report is attached. The purpose of this update is to draw members attention to an error in the report.

ISSUES

Paragraph 7.1 (Recommendation) should have also included the following in the heads of terms for the Section 106 Agreement:

- £27,720.60 towards the provision of two additional secondary school places.

This requirement was set out in Paragraphs 4.6 and 5.13 of the report. The recommendation should have read:

7.1 That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- £ 44,346.90 towards enhancement of existing open space in the vicinity of the site and £39,647.64 towards maintenance of these enhancements
- £4466.98 towards the provision of book/IT/audio equipment to the nearest library to the site
- £35,000 towards highway improvements
- 14 units of Affordable Housing with a tenure split approximating to 77% Social Rented Accommodation and 23% Shared Ownership and in accordance with the details agreed with the applicant (see Paragraph 5.14)
- £27,720.60 towards the provision of two additional secondary school places.

2) That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

7.2 Should the agreement not be completed within 6 months of the date of the decision that planning permission be refused.

CIRCULATED SCHEDULE REPORT

App No.:	PK07/1622/F	Applicant:	City & Provincial Plc
Site:	Portland Street Staple Hill BRISTOL South Gloucestershire BS16 4PS	Date Reg:	23rd May 2007
Proposal:	Demolition of existing factory and erection of 42 no. dwellings with associated parking, amenity space, cycle and bin store.	Parish:	
Map Ref:	64641 75392	Ward:	Staple Hill

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with procedure given that it is a “Major Application” and given that objections have been raised.

1. PROPOSAL

1.1 The development would involve the demolition of the existing laundry building and associated offices and the erection of 42 residential units. The scheme will incorporate 54 no. parking spaces, cycle and bin storage as well as associated amenity space. The development would consist of 4 no. four bed houses, 2 no. three bed houses, 6 no. two bed houses, 15 no. one bed flats and 15 no. two bed flats.

1.2 The 54 no. parking spaces proposed would be allocated at a rate of two spaces per three and four bed dwelling with one space for all other units. Access to the development is from Portland Street, with buildings grouped around a central courtyard. In terms of layout the houses are situated in three blocks, with a height of either two-storey or three-storey (within each block) with a frontage and allocated parking onto Portland Street with amenity space to the rear. The flats are also situated within three blocks of two and three storeys in height and located to the rear of the site. Parking spaces associated with the flats are situated around the courtyard with communal areas to the rear (with some private space for the agreed affordable units). Landscaping is proposed within the site, to include the planting of mature trees in particular along the southern boundary. Cycle and bin storage is also provided.

1.3 The application site is situated on 0.52 hectares of land previously occupied by a laundry. The site rises from the north (Portland Street) to the south, a topographical survey indicates this difference to be approximately 4 metres in places. To the south of the site, lie residential properties in The Crescent and Mulberry Gardens, the latter a modern development of detached, semi-detached and terrace properties. Given the difference in levels these properties overlook the site. To the east there are further residential properties in Hayward Road, these are semi-detached with varying levels of screening along the boundary with the application site. To the north, at a lower level than the application site there are further residential properties in Portland Street, a mix of terrace and semi-detached dwellings. To the west, No.21 Portland Street is currently being developed to provide 14 no. dwellings (PK05/0757/F). Within the wider context the site is situated within a predominantly residential area approximately 500m to the south of the local district centre of Staple Hill.

1.4 The application has been amended such that an original scheme for 44 dwellings has been reduced to 42, this has involved a reduction in the number of two-bed flats.

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
L1	Landscape Protection and Enhancement
L9	Protected Species
L17/18	The Water Environment
EP1	Environmental Pollution
EP6	Contaminated Land
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy
H2	Proposals for Residential Development within the Existing Urban Areas
H6	Affordable Housing
LC1	Provision for Built Sport , Leisure and Community Facilities (Site Allocations and Developer Contributions)
LC2	Provision for Education Facilities (Site Allocations and Developer Contributions)
LC8	Open Space and Children's Play in Conjunction with New Residential Development

The South Gloucestershire Design Checklist (Adopted August 2007)
Trees on Development Sites (November 2005)

3. RELEVANT PLANNING HISTORY

3.1 All previous history relates to the use of the site as a laundry.

4. CONSULTATION RESPONSES

Parish Council

4.1 This area is unparished

Other Consultees

Wessex Water have issued advices to be drawn to the attention of the developer.

Affordable Housing Requirements

33.3% affordable housing to be provided on site in line with Local Plan Policy H6 and the findings from the JHA Housing Needs Survey 2004. It is proposed the applicants make an offer to the Council for the mix of 14 units of affordable housing having regard to identified housing need and in accord with Council criteria.

Sustainable Transport

Given the extant use of the site, there are no highway objections to the principal of the residential development on the site.

Access - It is proposed to upgrade the existing access off Portland Street and to serve the new development from this location. Visibility splays from the site access onto the public highway (Portland Street) is satisfactory. **Traffic** - No traffic detail has been submitted with this planning application however, it is the officers' assessment that this proposal would increase traffic particularly, pedestrian movements in the area. The footway along the site frontage needs upgrading to the Council standards. The existing footway at this location needs to be widened to minimum of 2m along the whole frontage. There would be a planning condition to secure this.

Pedestrian provision along Portland Street is not complete over the entire length of this road. A section footway on north side of Portland Street and on the approach to junction with Soundwell Road is missing. In view of the fact that traffic movements would increase on Portland Street and in consideration of increased pedestrian movements particularly children walking or cycling to school, mitigating measures are required to lessen the impact. Having visited the site, I also note that there are double yellow lines on Portland Street. I have been advised by colleagues in traffic management section that these yellow lines maybe have to be altered in light of the new development. In view of this therefore, the applicant would be required to make contribution towards such measures.

Parking - The original scheme included provision of 50 parking spaces. A revised plan has now been submitted showing 54 parking spaces for 44 dwellings on the site. This provision is considered in line with the SGC maximum parking standards. **Internal road layout** - The new access road serving new development would be 5.5m wide. The design also allows sufficient turning area on the site to ensure that service vehicles can manoeuvre easily within the site boundary. The proposal indicates a new footway along eastern (right) side of the new access but footway on western side (left hand side of access) does not continue through into development. It is appropriate to provide footway on both side of the new access road in this case. With this in mind, the applicant is expected to submit a revise plan to show footway provision on both sides of access road.

In view of all the above therefore, there are no highway objections subject to the followings,

- 1) Securing financial contribution of £35,000 to be used towards pedestrian and cycle facilities, traffic management (including review of waiting restrictions in the area) and improve access for disable at bus stop in the area. The scheme of highway works would be subject to the public consultations and the final scheme will be dependent on those matters arising from those consultations. (This contribution would need to be secured under an appropriate legal agreement).
- 2) Prior to occupation of any dwelling on site the applicant should widen the footway along Portland Street fronting the development site to minimum of 2m.

- 3) All works associated with the new access and widening of the footway on Portland Street shall be completed to the full and final satisfaction of the Council.

Internal site layout needs to be altered to show a 2m wide footway on both side of the new access road.

4.5 Community Services (summary)

It is calculated that this development of 42 dwellings would generate an average population increase of 74.4 people. If this development is implemented it would create a need for extra community facilities. In order to offset this increased demand on community facilities we would request contributions towards the following:

Public Open Space

Guidelines from the National Playing Field Association recommends a minimum of 24m² of public open space per person and Policy LC8 of South Gloucestershire Local Plan (Adopted) January 2006 requires provision for informal open space, we consider 5m² per person to be reasonable to improve the quality of the environment in this area. Therefore the total public open space required from this development equates to: 2001.1sq.m and after accounting for space provided this leaves a shortfall of 1850.1 sq.m.

The total contribution towards off-site enhancements of public open space would be £44,346.90. The developer would be required to contribute towards future maintenance of the enhancements, which equates to £39,647.64 giving a total requirement of £83,994.54. In accord with Policy LC1 of the South Gloucestershire Local Plan (Adopted) January 2006, a contribution of £4,466.98 towards new stock, IT equipment and towards the Library Building is required. The contributions will be spent at Staple Hill Library.

4.6 Education Services

There is a projected surplus of places at primary schools in the local area. No contribution is required for additional primary provision. Current DfES cost calculators give a figure of £13,860.30 per additional secondary school pupil place. A secondary level there are insufficient projected surplus places in the local area. The proposed mix of 42 dwellings will generate an additional two secondary school pupils based on the pupil number calculator. A contribution of £27,720.60 is required for additional secondary provision.

Other Representations

4.7 Local Residents

Given that there has been a change in the description of development, namely a reduction in the number of units from 44 to 42, and a change in the appearance of the scheme, re-consultation has been undertaken.

12 letters of objection have been received in response to the original proposal. The grounds of objection can be summarised as follows:

- The proposed development would be detrimental to highway safety
- The proposed development would result in parking problems for neighbouring occupiers
- The proposed buildings are out of character with the type of buildings in the area
- The proposed development will result in overlooking of adjoining properties
- The proposed development would result in drainage and sewerage problems
- The proposal will appear oppressive and overbearing to neighbouring occupiers
- The proposed refuse storage is close to adjoining properties.

Two letters of support has been received stating that the scheme will enhance the immediate area.

There have been 3 letters of objection received following the change in the description of the development and the subsequent re-consultation. These letters restate previous concerns.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H2 allows for residential development within existing urban areas, subject to certain criteria, including environmental and transportation effects, effects on residential amenity, the maximum density is achieved for the site's location, with a minimum density of 30 dwellings per hectare, and provision for education, leisure, recreation and other community facilities is adequate to meet the needs arising from the proposals.

5.2 The proposed density on site is 79 dwellings per hectare, is greater than the minimum density level set out in Policy H2 and PPS3, this is nevertheless considered appropriate given the sustainable nature of the location, close to local services and public transport routes (this is discussed in greater detail in the design section – para 5.5 below).

5.3 The principle of development is therefore acceptable, subject to the following detailed assessment.

5.4 Residential Amenity

Policy H2 of the South Gloucestershire Local Plan (Adopted January 2006) considers the impact of development upon the residential amenity of adjoining occupiers. Amenity is assessed in terms of the physical impact of the development ie whether the built form would appear oppressive or overbearing and also the impact in terms of any loss of privacy from overlooking. Some concern has been raised by local residents that the proposal would result in loss of residential amenity.

With respect to the impact of the development upon properties in Hayward Road, it will be at this point where the development would be closest to the nearest adjoining properties. At this point the side (east elevations) of the proposed flats, (Block 4) and the side elevation of the proposed houses (Block 3) would be situated to the rear of some properties in Hayward Road.

With respect to the flats (Block 4), negotiations have taken place to ensure that there is a gap of 12 metres between the side elevation of the flats and the rear elevation of the nearest property. It should also be noted that the proposed flats would be approximately 1 metre lower in height than the existing substantial laundry building. It is considered that this relationship is acceptable, given also that landscaping is proposed and the mature Oak tree at this part of the site is to be retained and is subject to conditions to ensure its protection. With respect to privacy, a condition will be attached to the decision notice to require that windows in the east elevation (there are three shown, one per floor) are obscure glazed (to level 3 obscure glazing), to protect the residential amenity of the adjoining occupiers.

With respect to the impact from the dwellings (Block 3), there would be a gap of 11.7 metres to the nearest part of a property in Hayward Road. The new building would have a height of 8.2 metres (6.8 metres to eaves level with the roof hipped away from the boundary) as opposed to the 5 metres high building at this position at present. It should be noted that the existing building associated with the laundry has a width of approximately 35 metres and the new dwelling would have a width of 8 metres. It is considered on balance that this relationship is acceptable. No windows are proposed in the side elevation and a condition will be attached to the decision notice requiring consent for any future windows in this elevation to protect the residential amenity of the adjoining occupiers.

It is not considered given the scale and location of the buildings, that any adverse impact to residential amenity would result on the western and northern (Portland Street) elevations. New residential development has been approved at 21 Portland Street and was under construction at the time of the Officers site visits. Block 6, the nearest element to this development has been reduced in height to 2 storeys, given a distance of 16 metres to the nearest building and the juxtaposition of the buildings it is not considered that there would be any significant impact from the development either in respect of the physical impact or loss of privacy.

On the southern boundary, the proposed flats range in height from approximately 9.0 metres at three storey level to just over 6 metres where the buildings are two storey in height. Separation distances to properties in Mulberry Gardens and The Crescent range from 17.7 metres (to the rear of No.1 Mulberry Gardens) to 25.9 metres (to the rear of 16 The Crescent). It should be noted that properties to the rear are at a slightly higher level given the topography of the site. In addition it should be noted that the existing laundry building with a height ranging from 6 to 7 metres itself, lies closer to the boundary (3.5 metres approximately in places), while the proposed buildings lie 6 metres (Block 5) at their closest. The existing landscape screening along this boundary is to be retained and enhanced as part of the scheme of submitted landscaping (see landscape section below). It is acknowledged that the new development would have some impact on this southern boundary however it is not considered, given the separation distances, landscape treatment along the boundary and impact from the existing laundry building would be so significant as would justify the refusal of the application.

In summary it is that the proposed development, subject to the conditions set out above, will ensure that the development does not have a significant impact upon the amenity neighbouring occupiers.

5.5 Design

Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted January 2006) supported by the South Gloucestershire Design Checklist (Adopted August 2007) are relevant in considering the design merits of the scheme. Policy D1 makes it clear that development will only be permitted where the scheme can demonstrate the proposal will enhance the character, distinctiveness and amenity of the site and the locality.

With respect to the density/amount of development, a development of 42 dwellings equates to approximately 79 dwellings per hectare. The density would therefore be at a higher level than the surrounding area (albeit the surrounding area largely consists of semi-detached and detached properties rather than the flats that form part of this proposal). PPS3 indicates that the efficient use of land is to be welcomed subject to good design. It is considered that the density of the development is acceptable within this sustainable urban location, close to local facilities.

With respect to the layout, the Council Urban Design Officer has expressed concerns regarding the amount of car parking and manoeuvring space. This is acknowledged, however this is self-contained and the central location ensures that there is no loss of amenity to neighbouring occupiers. The parking area is split up by areas of landscaping and the Council Landscape Officer is satisfied with the paving/hard landscaping to be used. It is considered that negotiations to achieve an acceptable perimeter landscaping arrangement will ensure that there is an acceptable attractive mix of private, semi-private and public space and ensure that the most significant landscaping features on the site have been successfully integrated into the proposed development.

In terms of the scale, height and massing of the development some concern has been raised by the Urban Design Officer regarding the positioning of the principle buildings, the flats to the rear of the site and the dwellings to the front. It is considered that Portland Street is characterised by semi-detached and terrace properties that are modest in scale. The positioning of two and three storey terrace properties is considered to be in keeping with the character of the remainder of the street (and would be a significant visual improvement upon the buildings situated on the site). It is also considered that the variation in heights to both the flats and dwellings creates visual interest. The use of parking to the front of the dwellings along Portland Street is also considered in keeping with properties nearby and ensures that the development rather than “turning its back on the street” forms part of the street scene visually and in terms of activity, adding to security and surveillance on the street.

With respect to the proposed materials, the design and access statement has not demonstrated how the detailing, colour and materials have been informed by the locality. It is considered however that use of colour and different materials will enhance the visual amenity of the streetscene. It is also considered that the development is of a scale that it should to a degree have its own visual identity. A condition will be attached to the decision notice requiring the submission of a full schedule of the materials to be used and requiring the inspection (on site if necessary), of roof tiles and facing materials prior to the commencement of work.

With respect to Environmental Responsiveness, Policy D1 (G) supported by PPS 3 and The South Gloucestershire Design Checklist (Adopted August 2007) indicate that the design, density, orientation and location of buildings and associated landscape proposals should seek to achieve energy conservation and the protection of environmental resources. It is considered that the proposal will be able to achieve Code Level 3 of the Code for Sustainable Homes the recognised standard by which this policy would be assessed. The applicant has indicated acceptance of this assessment procedure and a condition to support this will be attached to the decision notice.

Policy D1(H) indicates that adequate provision should be made for the storage and collection of waste and recyclable materials. Negotiations have taken place to ensure sufficient communal bins of an appropriate size and number for the flats to the rear and a condition will be attached to the decision notice, to ensure that these are in place prior to the first occupation of the development. A condition will also be attached to the decision notice requiring full details of bin storage to be associated with the houses to the front of the site (with the requirement that these are situated within the rear garden area with access onto the courtyard to enable collection).

Subject to the above conditions the proposed development is considered in accord with Policy D1 of the South Gloucestershire Local Plan (Adopted January 2006).

5.6 Trees

At the south eastern corner of the site there is a fine oak tree. The eastern boundary to the rear of properties in Hayward Road largely comprise a Cypress hedge that in places has become a double row. The southern boundary to the rear of The Crescent/Mulberry Gardens comprises a natural hedgerow that has encroached into the site.

With respect to the Oak Tree, a condition will be attached to the decision notice to secure the submission of an Arboricultural Impact Assessment (AIA) and Method Statement prior to the commencement of any works on the site to secure the protection of the tree throughout the development process.

It is considered that the hedge along the southern boundary should be retained as it provides some screening and could be enhanced. Concern has been raised by neighbouring occupiers that the large/tall cypress hedge on the eastern boundary (situated within the application site) should be retained. It is not considered by Council Officers that this element would be worthy of Preservation Order, however as part of a landscaping scheme, replacement planting will be required of a form to be agreed. This would be secured by a landscaping condition attached to the decision notice.

5.7 Landscaping

Policies D1 and L1 seek to conserve those aspects of the landscape that make a significant contribution to the character of the landscape.

The area of landscaping along the southern boundary (to include the narrow strip within the south-eastern corner) has been identified as a significant landscape feature, also serving as a partial barrier between the site and

residential properties beyond. It is considered that the most important vegetation is located between the south western end of the proposed Block 5 and extends eastward to the southern boundary of No.56 Hayward Road. There are a number of young Ash trees in this location. Following negotiations, all existing vegetation along the boundary is to be retained and will be protected during the course of the construction. The landscaping details supplied indicate this boundary will be supplemented with new planting and a landscaping condition will secure this to the satisfaction of the Council's Landscape Officers. The narrow strip of land in the south-east corner will not be affected by the proposal. All other landscape proposals are considered acceptable.

It is considered that the proposed development is fully in accord with Policy D1 and L1 of the South Gloucestershire Local Plan (Adopted January 2006).

5.8 Ecology

Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 considers the impact of development upon protected species. Development that would directly or indirectly have an adverse impact on nationally or internationally protected species of flora or fauna will not be permitted unless any damaging effects are capable of being avoided, overcome or offset by mitigation measures. No ecological information has been submitted with the application.

The Council Ecologist raises no objection to the proposed development subject to informatives being attached to the final decision notice to advise the applicant of their duties under Wildlife Protection Legislation in respect of birds and bats. A condition is recommended requiring a Badger survey to be submitted and approved by the Council prior to any development starting at the site.

5.9 Transportation

Policies T7 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006 consider standards for both cycle and car parking respectively. Policy T12 indicates that new development will be permitted provided that the new development makes adequate, safe and appropriate provision for the transportation demands that it will create with the paramount aim of preserving highway safety and minimising the impact of motorised traffic.

Given the extant use of the site, there are no highway objections to the principal of the residential development on the site. The key issues to consider are the appropriateness of the access, the impact upon traffic in particular pedestrian movement, parking provision and the acceptability of the internal road layout.

With respect to the access, this will be from the existing access to the laundry and will be upgraded to serve the new development from this location. The visibility splays from the site access onto the public highway (Portland Street) are considered satisfactory. In terms of the impact upon traffic, it is considered that this proposal would increase traffic particularly, pedestrian movements in the area. The footway along

the site frontage needs upgrading to the Council standards. The existing footway at this location needs to be widened to minimum of 2m along the whole frontage. A condition is recommended to secure this.

It should be noted that pedestrian provision along Portland Street is not complete over the entire length of this road. A section of footway on north side of Portland Street and on the approach to the junction with Soundwell Road is missing. In view of the fact that traffic movements would increase on Portland Street and in consideration of increased pedestrian movements particularly children walking or cycling to school, mitigating measures are required to lessen the impact. In addition existing double yellow lines may need to be altered in the light of the new development. It is considered appropriate that the applicant should contribute the sum of £35,000 (to be secured under an appropriate legal agreement) to be used towards pedestrian and cycle facilities, traffic management (including a review of waiting restrictions in the area) and improved access for disabled at a bus stop in the area. The scheme of highway works would be subject to the public consultation and the final scheme will be dependent on matters arising from those consultations.

With respect to parking, the scheme has been amended to provide 54 parking spaces for 42 dwellings on the site. This provision is considered in line with the South Gloucestershire Council maximum parking standards.

In terms of the internal road layout, the new access road serving new development would be 5.5m wide which is acceptable. The design also allows sufficient turning area on the site to ensure that service vehicles can manoeuvre easily within the site boundary. The scheme has been amended to include a footway on the western side of the access that continues through into development and it is therefore considered that the internal layout is acceptable.

In summary, subject to the above condition and agreement, the proposed development is considered to be in accord with the aims and objectives of Policy T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.10 Drainage

There is no objection to the proposed development subject to the use of best drainage practice. A condition is recommended to secure this. In addition given the location of the site within a former mining area a condition will be attached to the decision notice to require a mining report to be submitted to and approved in writing by the Council prior to the commencement of works on site.

5.11 Contaminated Land

Given that the proposed site has been used historically as a laundry/dry cleaners, potentially land contamination may have occurred as a result of this use. A condition is recommended to require an investigation and mitigation (if required) prior to the commencement of any development on the site.

5.12 Community Services

Policy LC8 of the South Gloucestershire Local Plan (Adopted January 2006) considers provision towards open space and Children's Play Space in relation to new residential development. The Policy indicates that where local provision is inadequate to meet the projected needs arising from the future occupiers of proposals for new residential development, the Council will negotiate with developers to secure provision to meet these needs. In addition Policy LC1 indicates that where local provision for leisure, recreation and other community facilities is inadequate to meet the projected needs arising from the future occupiers of proposals for new residential development, the Council will negotiate with developers to secure provision in scale and kind, (to accord with the tests set out in Circular 05/05), to meet these needs. This may include contributions towards the enhancement of existing provision within the vicinity where on-site provision is not possible.

It is calculated that this development of 42 dwellings would generate an average population increase of 74.4 people. If this development is implemented it would create a need for extra community facilities. Guidelines from the National Playing Field Association recommends a minimum of 24m² of public open space per person and Policy LC8 of South Gloucestershire Local Plan (Adopted) January 2006 requires provision for informal open space, we consider 5m² per person to be reasonable to improve the quality of the environment in this area. Therefore the total public open space required from this development equates to: 2001.1sq.m and after accounting for space provided this leaves a shortfall of 1850.1 sq.m.

The total contribution towards off-site enhancements of public open space would be £44,346.90. The developer would be required to contribute towards future maintenance of the enhancements, which equates to £39,647.64 giving a total requirement of £83,994.54

The three sites identified for potential contributions are Soundwell playing field and play area, Lees Hill Playing field and Page Park. All these sites are within 2 kms of the site. The National Playing Fields Association Audit 2007 indicates that local provision of publicly accessible formal open space, children's play space is already inadequate to meet the needs of the present population. While it would not be reasonable to expect the applicant to rectify this shortfall, the projected needs of the occupiers of the site must be adequately met and this is the fundamental objective of Policy LC8.

In accord with Policy LC1 of the South Gloucestershire Local Plan (Adopted) January 2006, a contribution of £4,466.98 towards new stock, IT equipment and towards the Library Building is required. The contributions will be spent at Staple Hill Library.

The applicant has agreed to make these contributions which shall therefore be secured through a Section 106 Agreement.

5.13 Education Services

Policy LC2 indicates that where local education provision is inadequate to meet the projected need for places arising from the future occupiers of proposals for new residential development, the Council will negotiate with developers to secure provision in scale and kind, (to accord with the tests set out in Circular

05/05), to meet these needs via an appropriate agreement. Having regard to this policy, the Department for Children and Young People have indicated that there is a projected surplus of primary school places in the area and therefore no contribution is required in this respect.

With respect to secondary school education there are insufficient projected surplus places in the local area. It is considered that the number and mix of dwellings would generate an addition two secondary school pupils and based on this number the applicant has been requested to provide a contribution of £27,720.60. The applicant has agreed to make this contribution which shall be secured through a Section 106 Agreement.

5.14 Affordable Housing Requirements

Policy H6 of the South Gloucestershire Local Plan (Adopted January 2006) in line with guidance given in PPS3 states that the Council will seek an element of subsidised affordable housing without any public subsidy to meet local needs on all new housing development within the Urban Area of 15 dwellings or more (or where the site is 0.5 hectares or more). This proposal therefore falls within this category.

In line with the policy, Officers have negotiated with the applicant on the basis that the development should achieve 33.3% affordable housing to provide for those who cannot afford to rent or buy houses available on the open market. The requirement on this basis is for 14 units to be “affordable”. Negotiations are on the basis that there is a tenure split of 77% social rent and 23% intermediate affordable units and on this basis the split would be 11 units and 3 units. In line with policy the units provided should reflect the findings of the Housing Needs Survey. Other requirements are that 100% of initial occupants should be nominated by South Gloucestershire Council, a proportion should be accessible for wheelchair users, the units should be distributed in clusters of no more than 6 units and the development should achieve Code 3 of the Code for Sustainable Homes (this has been agreed in any case by the applicant and is subject to a condition attached to the decision notice). The development must also comply with the latest housing corporation standards applicable at the time of that the S106 is drawn up.

Delivery of the affordable housing is preferred through a partnering Registered Social Landlord(RSL), the affordable housing is built at the same time as the rest of the housing and the completion time shall be agreed and be included within the final Section 106 agreement, social rents to be set at target rent. The annual rent on the equity retained by the RSL shall be no more than 1% of the unsold equity. No more than 40% of the market value shall be payable by the purchasers so that the units can go to those in need of intermediate housing. As far as is possible the affordable housing shall be retained in perpetuity.

The applicant has agreed to the above terms/criteria and has indicated this upon a submitted plan and in terms of the detail 14 units will be provided as follows:

Plot 12 (4 bed house) – Social Rent;

Plot 10 (3 bed house) – Social Rent;

Plots 2, 3 and 11 (2 bed houses) – Social Rent;

Plots 39,40, 41 and 42 within Block 6 (2 bed flats) – Social Rent and of these 2 shall be on the ground floor with private garden space and 2 shall be on the first floor;

Plots 22 and 23 (2 bed flat) – Shared Ownership with one on the ground floor and one on the first floor;

Plots 19,20 and 21 (1 bed flat) – 2 for Social Rent and 1 for Shared Ownership with 1 each on the ground, first and second floors.

Subject to the signing of an appropriate agreement (Section 106) to cover the above requirements, the proposed development is considered in accord with Policy H6 of the South Gloucestershire Local Plan (Adopted January 2006) and PPS6.

5.15 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 Design Checklist (Adopted August 2007).

5.16 Section 106 Requirements

In this instance, having regard to the above advice, the transportation improvements, provision of affordable housing, public open space/community services and education contributions are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

6. CONCLUSION

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

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

- 7.2 That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- £ 44,346.90 towards enhancement of existing open space in the vicinity of the site and £39,647.64 towards maintenance of these enhancements
- £4466.98 towards the provision of book/IT/audio equipment to the nearest library to the site
- £35,000 towards highway improvements
- 14 units of Affordable Housing with a tenure split approximating to 77% Social Rented Accommodation and 23% Shared Ownership and in accordance with the details agreed with the applicant (see Paragraph 5.14)

2) That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

- 7.2 Should the agreement not be completed within 6 months of the date of the decision that planning permission be refused.

ITEM 2

CIRCULATED SCHEDULE NO. 51/08 – 18 DECEMBER 2008

App No.:	PK08/2669/F	Applicant:	Ms G Griffiths
Site:	Northfield House, Abson Road, Pucklechurch, South Gloucestershire, BS16 9UB	Date Reg:	30th September 2008
Proposal:	Change of use of land from agricultural to personal equestrian use. Erection of 4 no. stables.	Parish:	Pucklechurch Parish Council
Map Ref:	70368 76066	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	30th January 2009



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100023410, 2008.

N.T.S

PK08/2669/F

This application has been referred to the circulated schedule due to an objection raised by the Parish Council.

1. THE PROPOSAL

- 1.1 The application site comprises a 1.7ha field to the north of Northfield House, Abson Road, Pucklechurch. Vehicular access to the farmhouse is via a gateway and drive off Abson Road. The site lies in open countryside and within the Bristol/Bath Green Belt. The authorised use of the land is agricultural, although horses are currently kept in the field and in this respect the application is in part retrospective.
- 1.2 It is proposed to change the use of the land from agricultural to the recreational keeping of no more than 4no. horses. It is also proposed to erect a stable building incorporating 4 boxes only. The building would have a footprint area of approximately 75sq.m. and a maximum ridge height of 2.87 metres. The proposed building would be located in the south of the field, adjacent to the farmhouse. In addition it is proposed to construct hard standing for vehicular access to the stables, this would be adjacent to the existing access to the farmhouse, via the existing gateway into the field.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPG2 - Green Belts
- PPG13 - Transport
- PPS7 - Sustainable Development in Rural Areas

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

- GB1 Development within the Green Belt
- T12 Transportation
- D1 Design
- L1 Landscape Protection and Enhancement
- L17 & L18 The Water Environment
- EP1 Environmental Pollution
- E10 Horse related development
- LC5 Proposals for Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundary

2.3 Supplementary Planning Guidance

- Advice Note 9 - Development Involving Horses
- Development in the Green Belt (SPD) – Adopted June 2007
- The South Gloucestershire Design Checklist (SPD) – Adopted August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P99/4864 Erection of two storey side extension
Approved Nov 1999

4. **CONSULTATION RESPONSES**

4.1 Pucklechurch Parish Council

Object to the proposal for the following reasons

- It would detract from the openness of the Green Belt
- There is concern about the proliferation of stables in the area

Other Representations

4.5 Local Residents

No response received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

In the first instance the proposal must be considered in the light of current Green Belt Policy. Guidance contained in PPG2 states that, the change of use of land or the re-use of existing buildings in the Green Belt is not inappropriate where it would not have a materially greater impact on the openness of the Green Belt than the present authorised use. Furthermore the construction of new buildings inside the Green Belt is not inappropriate development if it is an essential facility for outdoor sport and recreation. Paragraph 3.5 of PPG2 states that essential facilities should be genuinely required for the uses of the land, which preserve the openness of the Green Belt and gives an example of '*small stables*' as possible essential facilities, the PPG does not however define what is meant by '*small*'. This is supported by Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, which states that proposals for outdoor sports and recreation outside the urban area and defined settlement boundaries will be permitted, subject to a number of criteria being met.

- 5.2 Furthermore, PPS7 generally supports equine related developments in the countryside, provided that they maintain environmental quality and countryside character. Policy E10 of the South Gloucestershire Local Plan reinforces the view that '*proposals for horse related development such as stables, will be permitted outside the urban boundaries of settlements*', subject to the criteria being met:

The analysis of the proposal in relation to these criteria is considered below.

5.3 Green Belt Issues

Paragraph 3.4 of PPG2 and Policy GB1 of the South Gloucestershire Local Plan sets out those types of development that are appropriate in the Green Belt and these include essential facilities for outdoor sport and recreation provided they are genuinely required for uses of land which preserve the openness of the Green Belt. Small stables are given as an example.

The proposed change of use of the land for the keeping of horses is considered to be a use that will preserve the openness of the Green Belt. The stable would have a floor area of 75sq.m. and consist of 4 stalls only. Officers consider that the proposed stable building has been kept to a minimum size. Furthermore the stable building has been designed to minimise its impact in the landscape with the roof height restricted to only 2.87m in height. The building would be

appropriately located to the south of the field where it would relate well to the existing buildings. The scale of the building is therefore considered to be sufficiently small and would not be inappropriate development within the Green Belt.

- 5.4 Impact on the Visual Amenity of the Green Belt and Landscape in General
Objections have been raised by the Parish regarding the impact of the proposed stables on the openness of the Green Belt and the proliferation of stables in the area.

The proposed stable would have a simple design being constructed of pine shiplap boarding. It is proposed to keep a maximum of 4 horses on the site and this can be restricted by condition. Other than an access road to the front of the stable, there would be no new areas of hard-standing.

The site is set well back from Abson Road. The stable would be located to the south of a pasture that is relatively flat and well screened by the existing hedgerows to the north and the west, and the farm house and associated buildings to the south. Given that no hedgerows on the site are to be removed, views from Abson Road would be screened. It is considered that whilst the proposed stable may be visible from long views from the north and east, there would be no significant impact due to the existing dwellings which form its backdrop. Furthermore, officers consider that stable buildings such as that proposed are common features in a rural landscape. Given that the stables are modest in scale, in combination with the siting within the field and the existing hedgerows, it is considered that a stable block in this location would not have such a detrimental impact on the openness of the Green Belt so as to warrant refusal of the application.

- 5.5 Policy E10 Horse Related Development:

- A. Development would not have unacceptable environmental effects; and
All matters of external lighting, erection of loose jumps and fences, could be strictly controlled by conditions.

The disposal of foul waste should be undertaken in accordance with the MAFF (now DEFRA) Code of Good Agricultural Practice for the Protection of Water and would be the subject of Environment Agency controls. Criterion A of Policy E9 is therefore satisfied.

The impact of the proposed stable block on the openness of the Green Belt has been discussed above in detail. It is considered that the proposed stable block by reason of its design, siting and external appearance will not have an adverse impact on the visual amenities of the immediate surrounding area or the Green Belt.

- B. Development would not prejudice the amenities of neighbouring occupiers;

The nearest residential properties are those located to the west of Abson Road on Hawkridge Drive and the neighbouring farm building to the east of the application site on Hodden Lane. Given the distance from the application site to these neighbouring dwellings, it is not considered that the scheme would impact upon the existing levels of residential amenity.

C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and

The proposal would utilise the existing field access. The access is adjacent to the existing vehicular access to the farmhouse and is considered acceptable to serve the proposed equine use of the field. The presence of a stable on the site would eliminate the need to rent stables further afield; the proposal would therefore reduced vehicle journeys and make a positive contribution to the Council's adopted principles of sustainability. Subject to the number of horses to be kept on the field, being limited to 4 and there being no livery use or sub-letting of the stables, there are no highway objections.

D. Safe and convenient access to bridleways and ridings is available to riders; and

There are lanes that run adjacent to the application site on both sides.

E. There are no existing suitable underused buildings available and capable of conversions; and

There are no existing buildings on the land that could be converted for the use as a stable

F. The design of the buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

The proposal accords with the advice given in Supplementary Guidance Note 9 concerning care and housing of horses. It is proposed to keep a maximum of 4 horses on the site. It is stated that the horses would be exercised on the local roads and bridleways. Officers consider that with good management, the existing field would be big enough for the number of horses proposed and this number can be limited accordingly by condition. Furthermore, the application site lies within a rural area where there are a number of recreational routes where walking, cycling and horse riding are possible.

5.6 Ecology

The site has no special nature conservation designation. The field is already used for grazing purposes. It is therefore considered that there would be no adverse impact upon the ecology of the area.

5.7 Design and Access Statement

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

5.8 Section 106 Requirements

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

6. CONCLUSION

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

The 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 PK08/2669/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. At no time shall the stables and the associated land be used for livery, riding school or other business purposes whatsoever.

Reason 1

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

Reason 2

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

Reason 3

To protect the character and appearance of the area to accord with Policies GB1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The number of horses kept on the site edged in red shall not exceed Four.

Reason

In the interests of the welfare of horses, to accord with the guidance of the British Horse Society; and Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No jumps, fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land.

Reason

To protect the character and appearance of the area to accord with Policies Gb1, E10 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Details of any external illumination shall be submitted to and approved in writing by the Local Planning Authority. The external illumination shall be implemented in accordance with the approved details.

Reason 1

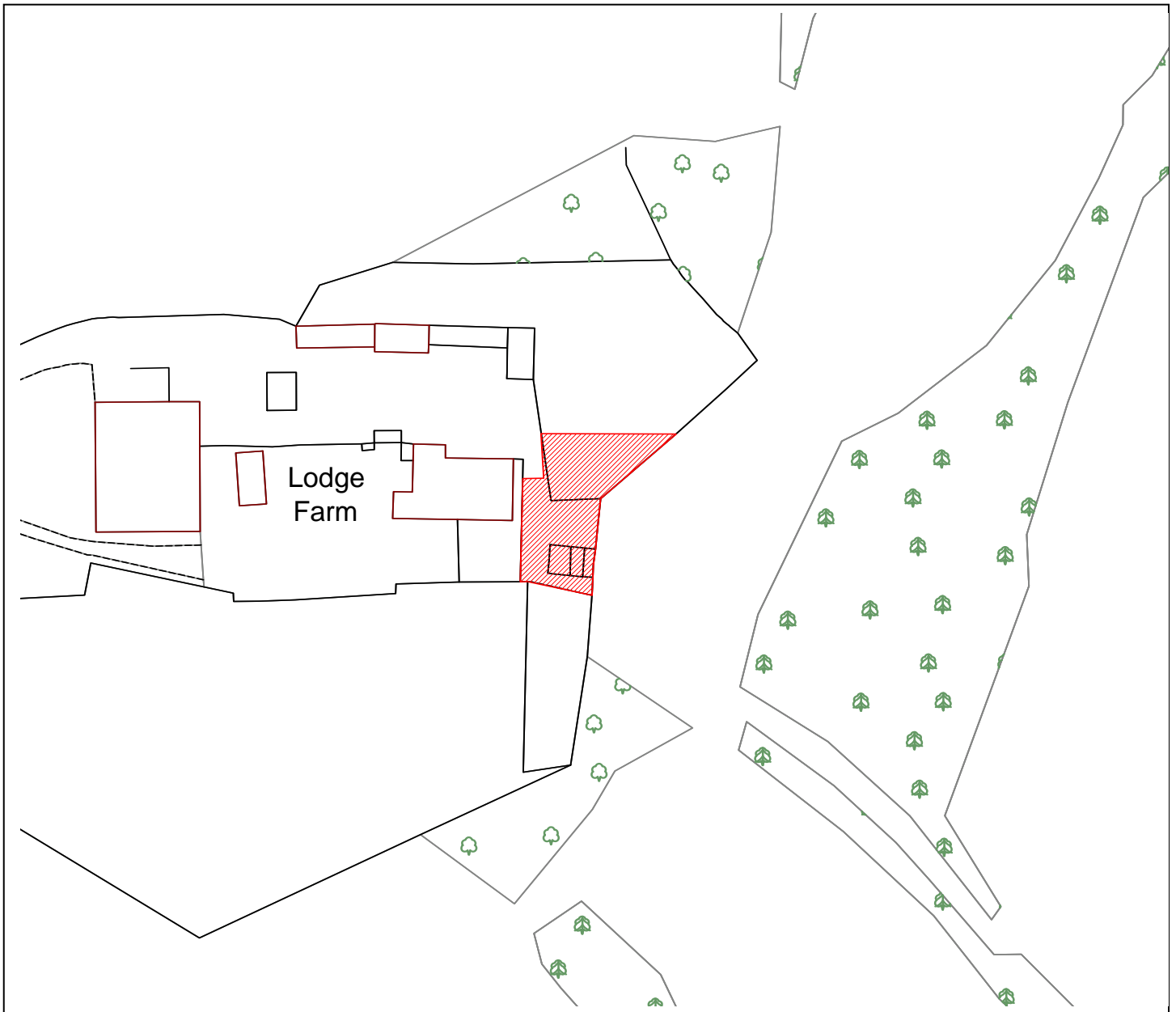
To protect the character and appearance of the area to accord with Policies GB1, E10 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 2

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 51/08 – 18 DECEMBER 2008

App No.:	PK08/2864/F	Applicant:	Miss S Bowers
Site:	Annexe, Twin Gables, Carsons Road, Mangotsfield, South Gloucestershire, BS16 9LW	Date Reg:	27th October 2008
Proposal:	Conversion of existing pigsty to form 1no. self contained dwelling with associated works.	Parish:	Siston Parish Council
Map Ref:	67732 75254	Ward:	Siston
Application Category:	Minor	Target Date:	15th December 2008



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N.T.S

PK08/2864/F

INTRODUCTION

This application appears on the circulated schedule due to the receipt of one letter of objection from a local business.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for conversion of an existing residential outbuilding to form a separate dwelling. The outbuilding is curtilage listed by means of its association with Lodge Farm - the outbuilding appears to have been originally used as a pig sty but is now within the residential curtilage of the dwelling known as Twin Gables.
- 1.2 The background behind this application is somewhat complicated. The original pigsty had been largely demolished and a new building erected in its place. This was carried out without the necessary planning or listed building consent. Applications were submitted for the conversion as carried out but both of these applications were refused and the conversion was wholly unacceptable. Subsequently, following extensive negotiations with the Council, more applications were submitted to rectify the situation and convert the building to an annex associated with Twin Gables. Planning and Listed building consents were granted to convert the building to an Annex in October 2008. Since these approvals, the applicants had decided to re-apply for a new dwelling rather than an annex – this is the application before us now.
- 1.3 The applicants did submit another listed building application also but as the scheme now for consideration is identical structurally to that previously approved under application PK08/2360/LB a revised listed building application is not considered necessary. Any approval would also need to comply with all conditions attached to PK08/2360/LB.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering sustainable Development
PPG15	Planning and the Historic Environment

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L13	Listed Buildings
T8	Parking Standards
T12	Transportation Development Control
H4	Development within Existing Residential Curtilages
GB1	Development in the Green Belt

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/2360/LB Internal and external alterations to facilitate the conversion of existing pigsty to form annex ancillary to existing dwelling.
Approved October 2008
- 3.2 PK08/2357/F Conversion of existing pigsty to form annex ancillary to existing dwelling.
Approved October 2008
- 3.3 PK08/0080/LB Internal and external alterations to facilitate the conversion of existing store to form annex ancillary to existing dwelling.
Refused February 2008
- 3.4 PK08/0041/F Conversion of existing store to form annex ancillary to existing dwelling.
Refused February 2008

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No comments received

Other Representations

4.2 Local Residents

One letter of support has been received from a local resident who raises the following points:

- The new dwelling would have adequate garden space
- There is sufficient off street parking
- Is not displacing any parked vehicles from inside to outside
- Any new vehicle movements would be minimal
- Keen to see the building back in use so support the scheme

One letter of objection has been received raising the following points:

- Health and safety issues as the one track road is not constructed for that amount of traffic
- There has already been one accident
- Issue of services to the site
- Lodge Farm is already overdeveloped

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development.

The application site lies outside of the defined settlement boundary and thus sits in the open countryside. Consent has already been given for the conversion and use of the pigsty as an annex. The proposed dwelling is structurally identical in every way to the annex previously approved. The only issue for consideration here is whether the use of the pigsty as a separate dwelling is acceptable. The application thus stands to be assessed against the

requirements of Policy H4 which allows for new dwellings within existing residential curtilages providing several criteria are satisfied. Policies T8 and T12 relating to parking and highway safety are also of importance.

Design/Visual Amenity

The resultant building would be exactly the same as that already approved under application PK08/2357/F. No additional walls or boundary treatments are required to facilitate the division of the curtilage so there would be no visual alterations. All permitted development rights would be removed via the attachment of condition to ensure any future changes are fully controlled by the Council.

Listed Building Officers have been consulted and are happy that subject to conditions to be attached to the associated listed building application (PK08/2360/LB) the works are acceptable and enable the site to be restored avoiding the need to take legal action against the unauthorised works.

5.2 Residential Amenity

The plans show the retention of adequate private and useable garden space for both the existing and proposed dwellings. Similarly the orientation of the windows means that there is no scope for intervisibility or loss of privacy.

5.3 Transportation

The plans show the provision of one off street parking space to serve the proposed new dwelling and the retention of two spaces to serve the existing dwelling. This is the same level of parking previously approved under the applications to convert the building for use as an annex. Highway officers have been consulted and raise no objection to the scheme. Whilst it is true that the use of the building as a separate dwelling rather than annex is likely to result in additional vehicle movement, as the dwelling will have one bedroom only, the additional number of movements is likely to be very low. It is not considered that the level of traffic generated by the additional resident will have any impact on existing levels of parking and highway safety in the vicinity of the site.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK08/2864/F**

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

1. The works hereby permitted shall be completed to the full satisfaction of the Council within ten months of the date of this decision notice unless the local planning authority gives written consent to any extension.

Reason

To correspond with the time limit attached to application PK08/2360/LB to facilitate the urgent removal of the existing unauthorised structure on the site and to restore the site to a more sympathetic form in accordance with the requirements of policies D1, L13, GBI and H4 of the South Gloucestershire Local Plan (Adopted).

2. Within two months of the date of this decision, details of the native hedgerow to form 'edge of access' and the 'residential curtilage limit' as shown on the submitted plan shall be submitted to the Council. The details shall include species mix and number along with protection details. If acceptable, the Council will give written approval to the details so agreed. The development must be carried out exactly in accordance with the details so agreed.

Reason

In the interests of visual amenity and to accord with the requirements of Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) no development as specified in Part 1 (Classes A, B, C, D, E, F, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

In the interests of the visual amenity of the area, setting of the listed building and the openness of the green belt to accord with Policies D1, H4, GB1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The off-street parking space 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 the amenity of the area, and to accord with Policies D1, GB1, and T8 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 4

CIRCULATED SCHEDULE NO. 51/08 – 18 DECEMBER 2008

App No.:	PK08/2991/F	Applicant:	Mr G Naish
Site:	Oak View, Firing Close, Wickwar, South Gloucestershire, GL12 8PE	Date Reg:	13th November 2008
Proposal:	Erection of 1 no. agricultural workers dwelling with associated works.	Parish:	Wickwar Parish Council
Map Ref:	70155 86859	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	5th January 2009



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100023410, 2008.

N.T.S

PK08/2991/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of 1 no. permanent agricultural workers dwelling with associated works.
- 1.2 The site relates to agricultural land sited in the open countryside. The site is outside both the Green Belt and Cotswolds AONB.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS7	Sustainable Development in Rural Areas

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

L1	Landscape Protection and Enhancement
L17	The Water Environment
EP1	Environmental Pollution
EP2	Flood Risk and Development
T12	Transportation Development Control Policy
H8	Agricultural/Forestry Workers Dwellings in the Countryside
H3	Residential Development in the Countryside
H2	Residential Development

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates to the application site:
- 3.2 PK02/3603/F Change of use of land from agriculture to the Keeping of horses. Erection of stable block and creation of a hard standing.
Withdrawn Jan 2003
- 3.3 PK03/ 1428/F Change of use of land from agricultural To equine use. Erection of stable block and secure agricultural store. Construction of access track
Approved October 2003
- 3.4 PK04/4113/F Erection of mobile home for agricultural worker, Concrete pad and treatment plant. Variation of Condition 04 of planning permission PK03/1428/ to allow fences, gates and other structures for Accommodating animals and associated storage
Approved May 2005.
- 3.5 PK08/0650/O Erection of 1 no. agricultural workers dwelling and Garage (outline) with access and layout. All other Matters to be reserved.
Approved July 2008

4. **CONSULTATION RESPONSES**

4.1 Wickwar Parish Council

This application is the site of the alpacas and intends to change the land status from agricultural to residential. This we believe is contrary to current planning policy for South Gloucestershire. We do, therefore object to this application.

4.2 Environment Agency

We do not wish to provide any comment regarding the above planning application. This is because the proposal is outside the scope of Appendix 2 (as revised March 2000), Liaison with Local Planning Authorities Manual, as published by the Environment Agency. Appendix 2 describes the location and / or type of planning application on which the we wish to be consulted.

However, for planning applications that propose the use of a non-mains foul drainage system (ie a private or on-site system), it is recommended that the Local Planning Authority and the applicant refer to;

- * Circular 3/99 - Planning Requirements in Respect of the Use on Non-mains Sewerage Incorporating Septic Tanks in New Development, and
- * Guidance provided by the Construction Industry Research and Information Association (CIRIA), in the form of three leaflets, about on-site sewage disposal and septic tank systems, and
- * General advice provided by the Environment Agency on the assessment of site We have no objections in principle to this proposal but recommend that the following be incorporated into the building design and operation:

Other Representations

4.3 Local Residents

6 letters of objections has been received from local residents regarding the proposed development which has been summarised by the Planning Officer as follows:

- Drainage and flooding problems
- Plans do not conform with outline permission.
- Proposed dwelling not single storey.
- Proposed dwelling not in keeping with the area.
- Drainage issues not resolved.
- Should not be allowing a new dwelling in the countryside
- Set a precedence
- Outline approval not adhered i.e size and height
- Not sustainable
- Plans make ref. to wheelchair access
- Impact on area
- Roof should be finished with old roof tiles.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is located within the open countryside. National Guidance PPS7 and Policies H3 and H8 of the South Gloucestershire Local Plan allow for the erection of permanent dwellings for agricultural purposes subject a number of criteria are satisfied.

5.2 PPS7 and Policy H8 of the South Gloucestershire Local Plan require that it be demonstrated that the following criteria be satisfied:

- (i) There is clearly established existing functional need
- (ii) The need relates to a full time worker, or one which is primarily employed in agriculture and does not relate to part time requirement
- (iii) The units and the agricultural activity concerned have been established for the last 3 years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so
- (iv) The functional need could not be fulfilled by another existing dwelling on the site, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) Other planning requirements e.g. in the relation to access or impact on the countryside are satisfied.

5.3 Members will recall that a recent outline planning application PK08/0650/0) relating to this site went before the Development Control (East) Committee meeting in July 2008 with a recommendation for approval for the erection of 1 no. Agricultural workers dwelling which was subsequently approved. The information submitted by the applicant in support of the application was assessed by an independent specialist in this field from Gloucestershire County Council. It was found that the applicant has built up a viable alpaca breeding business and that the scale of the enterprise is now such that the business is considered viable, with a functional need for there to be an experienced person living on site.

5.4 This current application before the Council still seeks planning permission for an agricultural workers dwelling in association with the existing alpaca business and the applicant has confirmed in writing that the business remains the same. Members are advised to consider that the Council will not be revisiting the principle of residential development on this site as it has already been established. It should be noted that the applicant has submitted a full planning application rather than an reserved matters planning application due to the floor plan in terms of size being different to that approved under the outline planning permission.

5.5 Visual Amenity

The site is located in the gently undulating countryside between Rangeworthy and Wickwar. The surrounding countryside has a good network of well maintained hedgerows with an even distribution of mature standard trees, creating a strong parkland character. A public footpath passes through the southern half of the site.

- 5.6 There are scattered dwellings and farmsteads in the surrounding countryside. These are typically rendered and have clay tiled roofs. These dwellings are often set amongst mature trees and hedgerows, which helps to set them aesthetically within the relatively flat and open countryside.
- 5.7 The extant outline planning permission relating to this site has outline approval for a single dwelling with matters of layout and means of access approved. As part of that outline permission a number of conditions were imposed and in particular the following. Condition 05 which restricts the floor space to 140 square metres maximum and Condition 08 restricting the new dwelling to a single storey.
- 5.8 This application proposes a storey and half dwelling with a smaller layout plan than that previously approved. Objections have been raised by local residents on the grounds that the height of the building does not comply with condition 08 i.e. single storey and that the building is in fact a two storey dwelling.
- 5.9 The reason that condition 08 was imposed was as follows:
- “In the absence of full detailed drawings relating to the scale and external appearance and in order to protect the visual amenities of the area and to accord with Policy D1, I1 and H8 of the South Gloucestershire Local Plan*
- 5.10 The proposed dwelling is not considered by the Planning Officer to be a two storey dwelling. Measuring at 6.50m in height to the ridge it is considered to be a storey and half with all first floor accommodation being in the roof space. Members are advised to consider that a single storey dwelling generally measures a minimum 5.0m in height. As discussed above the Council imposed the condition restricting the height of any new dwelling to single storey as it was unable to assess the impact of a building any higher due to the absence of detailed plans. Based on the plans however before Council the Planning Officer and Landscape Officer are both of the view that a building of this scale in this location would not have an adverse impact on the visual amenities of the immediate surrounding area. Should planning permission be granted a condition will be imposed requiring the submission of landscaping details as it is considered that standard trees should be planted to the east, west and north of the site.
- 5.11 A condition was also imposed restricting the overall floor space of any new dwelling to a maximum of 140 square metres. The supporting text relating to Policy H8 advises that dwellings in excess of a reasonable family home of 140 sq. metres will not normally be allowed, this is to ensure that the dwelling is of a scale commensurate with the established functional requirements. This allowance relates to all habitable floor areas. The submitted plans exceed this allowance by a total of 6.5 square metres. The agent has been advised of this by the Planning Officer and is submitting revised plans so that the total area of all proposed floor space at ground floor and within the roof space equates to 140 square metres. Members are advised to consider that should planning permission be granted a condition will be imposed removing all permitted development rights with regards extensions and outbuildings etc.

5.12 Design

Objections have been raised regarding the design and external appearance of the proposed dwelling. The dwelling as discussed above is a storey and a half with a steep pitched roof with render finish and natural stone plinth. The scheme proposes a glazed feature at first floor level which in the Officer's opinion is akin to a feature sometimes found on a barn conversion where original large openings are glazed and the proposed steep roof is typical of traditional rural buildings. Revised plans are currently being submitted that have reduced the number of roof lights. The render finish is typical of many of the properties within this area and should planning permission be granted a condition will be imposed requiring the submission of sample of proposed roof tiles to ensure a satisfactory finish. It is also considered that the use of a Cotswold stone for the plinth will add an element of visual interest.

5.13 Residential Amenity

This application proposes to site the building in the same location as that approved under the outline permission. It is therefore considered that a storey and half dwelling set back at an overall distance of approximately 40.0m from the nearest residential property would not have an adverse impact on the existing residential amenities of the neighbouring occupier in terms of loss of privacy or overbearing impact.

5.14 Transportation Issues

The site already benefits from outline planning consent for a permanent dwelling. The current planning application is seeking alterations to the original scheme but these would not result in additional traffic impact. In view of the above, there is no highway objection to this current proposal.

5.15 Drainage Issues

Objections have been received by local residents on the grounds that neighbouring land and properties are subject to flooding as a result of activities taken place on the application site. The Environment Agency has confirmed that in principle they raise no objection. The Council's Drainage Engineer has also confirmed that they raise no objection in principle. Should planning permission be granted a condition relating to the submission of drainage details will be imposed.

5.16 Local residents have asked the question if the drainage details as required under condition of 09 of the outline permission have been discharged. These details have not been submitted as yet, however notwithstanding this the Council is still in a position to support this application.

5.17 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.

5.18 Section 106 Requirements

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

condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the following planning conditions and the receipt of satisfactory amended plans.

Background Papers **PK08/2991/F**

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

CONDITIONS

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

Reason

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

2. Prior to the commencement of development 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.

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

Reason

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

4. Prior to the commencement of development 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 EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To prevent non-point source pollution EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. 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); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

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

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

Reason

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

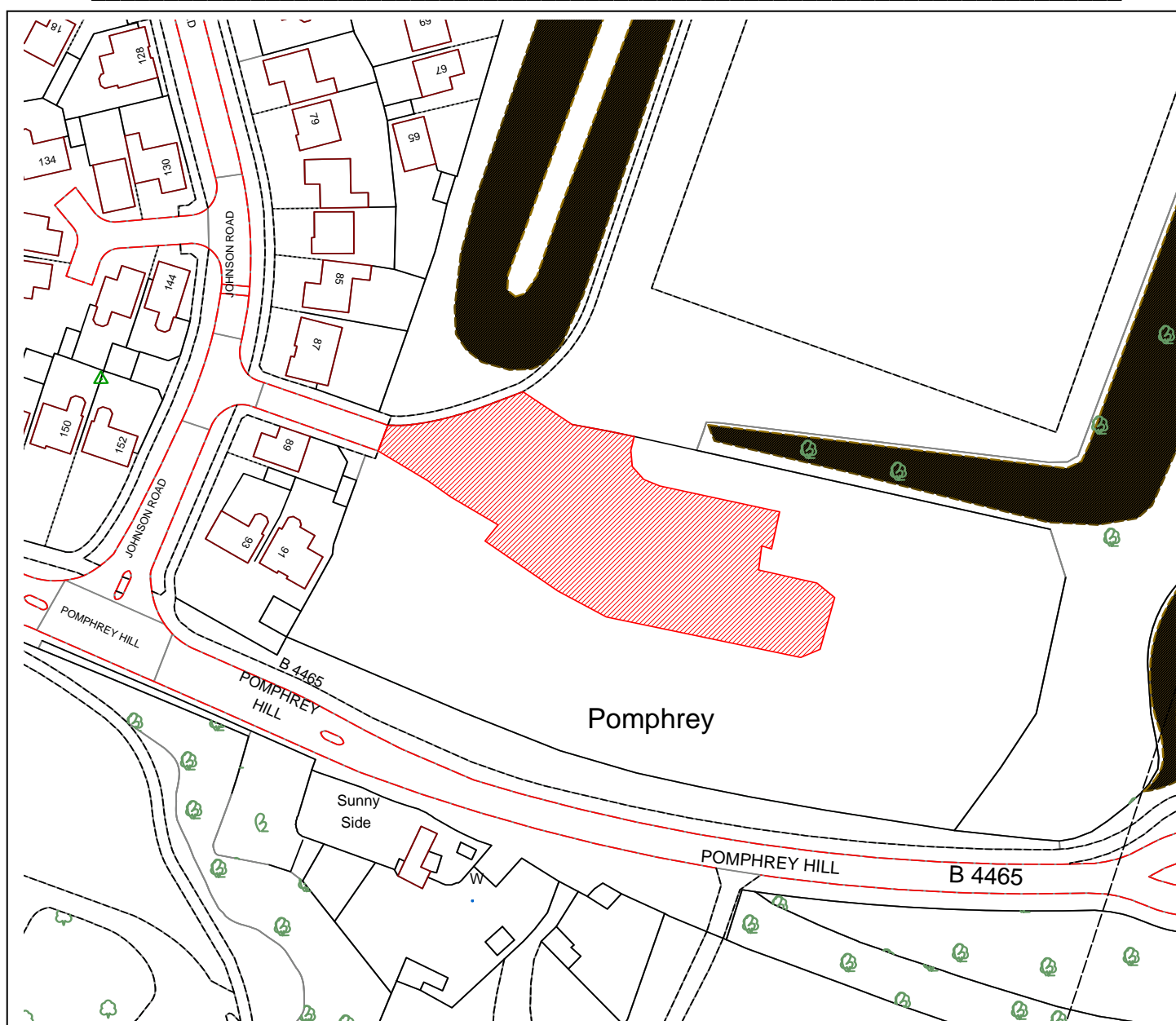
8. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) (Amendment) (England) Order 2008 no development as specified in Part 1 (Classes A, B, C, D, E, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure that the accommodation is limited to that commensurate with the established need and in the interests of the visual amenity of the area and to accord with Policy D1, L1 and H8 of the South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 51/08 – 18 DECEMBER 2008

App No.:	PK08/3025/R3F	Applicant:	Mr S Evans Director Of Coummunity Services
Site:	Emersons Green Playing Fields, Pomphrey Hill, Bristol, South Gloucestershire	Date Reg:	19th November 2008
Proposal:	Erection of single storey sports changing rooms. (Amendment to previously approved scheme PK08/2403/R3F).	Parish:	Mangotsfield Rural Parish Council
Map Ref:	67079 76050	Ward:	Emersons Green
Application Category:	Minor	Target Date:	5th January 2009



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100023410, 2008.

INTRODUCTION

This application has been submitted by the South Gloucestershire Council's Director of Community Services and as such is a Regulation 3 application. Under the current scheme of delegation such applications must be determined via the Circulated Schedule.

1. THE PROPOSAL

- 1.1 The application site lies in open countryside to the south of the new playing fields on the northern side of Pomphrey Hill, and east of Johnson Road, Emersons Green. The site lies within the Green Belt and consists of landscape features created during the recent ring road construction and levelled areas of construction spoil, part of which is grassed and part covered with hardcore to create the car park for the playing fields. Established hedgerows enclose the site to the north, east and south. Vehicular access is from an existing gated access off Johnson Road.
- 1.2 Planning permission PK08/2403/R3F was recently granted to erect a single-storey building to provide changing, W.C. and showering facilities for the users of the playing fields. The building is to be sited on the northern edge of the existing car park and consists of changing rooms for 4 teams and associated officials, sufficient to accommodate the anticipated usage of the adjacent pitches.
- 1.3 The current application proposes some small amendments to the previously approved scheme, which can only be regularised via a fresh application. In summary the proposed amendments relate to the following:-
- Removal of velux roof-lights.
 - Reconfigured door arrangement.
 - Revised landscaping.
 - Re-location of disabled parking spaces.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 - Delivering Sustainable Development
PPG2 - Green Belts
PPG13 - Transport
PPG16 - Archaeology and Planning
PPG17 - Sport and Recreation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 - Design
L1 - Landscape Protection and Enhancement
L11 - Archaeology
L17 & L18 - The Water Environment
EP1 - Environmental Pollution
EP2 - Flood Risk and Development
GB1 - Green Belt

T7 - Cycle Parking
T8 - Parking Standards
T12 - Transportation Development Control Policy for New Development
LC5 - Provision for Outdoor Sports and Recreation Outside Existing Urban Areas and Defined Settlement Boundaries.
LC7 - Allocated Sites for Formal and Informal Open Space.

- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Check List (SPD) Adopted 23rd August 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 P93/4419 - Comprehensive development for residential/district centre/public house/restaurant/roads/footpaths/open space and other associated uses (outline).
Approved 5th Oct 1995
- 3.2 PK08/2403/R3F - Erection of single-storey sports changing rooms.
Approved 10th Oct 2008

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No objection
- 4.2 Other Consultees
Avon & Somerset Police Architectural Liason Officer
No response
- Public Rights of Way
No objection

Other Representations

- 4.3 Local Residents
No response
- 4.4 For the original application, preliminary consultation included an open evening with local residents, meetings with the local Sports Association and consultation with Avon & Somerset Police.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
In the first instance the proposal must be considered in terms of the latest Green Belt Policy contained in PPG 2 and encompassed within Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. Policy GB1 permits the construction of new buildings within the Green Belt if, amongst other things, they are essential facilities for outdoor sport and recreation. The proposed building would provide badly needed changing and showering facilities for the adjacent sports pitches, which are already in use. Officers consider that the changing rooms are essential facilities and would not

therefore be inappropriate development within the Green Belt. By definition therefore the proposal would not be harmful to the openness of the Green Belt. The impact of the scheme on the visual amenity of the Green Belt is discussed in the Landscape section below.

5.2 The site lies within the open countryside but is allocated within the Local Plan under Policy L7 as land for open space provision or enhancement. As such the land is earmarked for the open space and recreational needs of the recent residential development at Emersons Green and to supplement existing provision to serve the existing population of the area. The acceptance in principle of a changing facility of the scale and nature proposed was previously established with the grant of planning permission PK08/2403/R3F. There is therefore no in-principle objection to the proposal.

5.3 As the site lies outside the urban area, the proposal falls to be determined against Policy LC5 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. The Policy lists a number of criteria which must be satisfied and these are discussed in the following paragraphs.

5.4 Scale and Design

The proposed building has a simple, somewhat utilitarian design, which would not look out of place in the countryside. The mono-pitch roof would have a maximum height of 3.5m dropping to only 2.5m at the front. The walls would be constructed of facing brickwork with the roof consisting of profiled metal sheeting, similar to agricultural buildings. The building has been re-designed to minimise the risks of vandalism, hence the removal of the roof-lights. There would be an area of paving around the building. The scale and design are therefore considered to be appropriate for the proposed buildings' use.

5.5 Transportation Issues

The site is located on the very edge of the Urban Area close to major transport routes and the Bristol/Bath Cycle Way. As such the site is highly accessible by car, public transport, foot or cycle. As the playing fields are already in use, the traffic generation to the site should not increase. The existing vehicular and pedestrian access off Johnson Road would be utilised. Adequate car parking for up to 77 cars including 3 disabled spaces (now more adjacent to the building) and parking for 2 mini-buses would be provided. The presence of on-site changing facilities, would eliminate the need for users of the sports pitches to walk across Pomphrey Hill from the site to the south or from Cleeve Rugby Club further up the road. Cycle and motorcycle parking would also be introduced as part of the scheme. There are therefore no highway objections.

5.6 Landscape Issues

The proposed building would not be prominent within the landscape and the indicative tree planting would provide visual mitigation where the site overlooks the Green Belt to the East. The loss of part of the hedgerow on the northern boundary of the site is unfortunate but this would be more than compensated for by the new tree planting proposed. Subject to a condition to secure a full scheme of planting and tree protection, there are no landscape objections.

5.7 Impact Upon Residential Amenity

The proposed changing room would not be sited immediately adjacent to residential properties but would be set well back within the car park area. The building would not be excessive in scale and being screened by existing and proposed vegetation, would not be conspicuous from the nearest residential properties on Johnson Road or Pomphrey Hill. The car park area is already used by the existing users of the adjacent pitches, so levels of disturbance should not increase. The impact upon residential amenity would therefore be acceptable.

5.8 Environmental & Drainage Issues

The Council's Drainage Engineer raises no objection to the scheme, subject to a condition to secure the prior submission and approval of a drainage scheme, to include a Sustainable Drainage System (SUDS) and submission of a mining report to take account of past coal mining activities in the locality. Details of any proposed lighting can be secured by condition and would need to be in accordance with the Institute of Lighting Engineers guidelines.

5.9 PROW

The existing footpath from Johnson Road into the playing field would be segregated from the parking area and changing rooms by the existing fencing and would not be adversely affected by the proposal.

5.10 Archaeology

Given the close proximity of a Roman Villa on the southern side of Pomphrey Hill a watching brief condition is recommended.

5.11 Design and Access Statement

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

5.12 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That planning permission be GRANTED subject to the following conditions:

Background Papers PK08/3025/R3F

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. 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, GB1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of the development hereby approved details of any floodlighting or 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.

Reason

To minimise light spillage and to accord with Policies D1, EP1, GB1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of the development hereby approved, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policies D1/L1/GB1/LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To protect the character and appearance of the area to accord with Policies D1/L1/GB1/LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of the development hereby approved, 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/EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The off-street parking facilities for all vehicles, including cycles shown on the plan hereby approved shall be provided before the building is first used, 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 Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

Reason

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

9. Prior to the commencement of the development hereby approved a Coal Mining Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the development can be safely implemented having regard to past coal mining in the area and to identify the possible presence of shafts, adits, drainage levels and culverts, in accordance with Policies EP2 and EP7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 51/08 – 18 DECEMBER 2008

App No.: PK08/3064/TRE

Applicant: Ms L Thomas South Gloucestershire Council

Site: Land to side of 1 Mangotsfield Road, Mangotsfield, South Gloucestershire, BS16 9JG

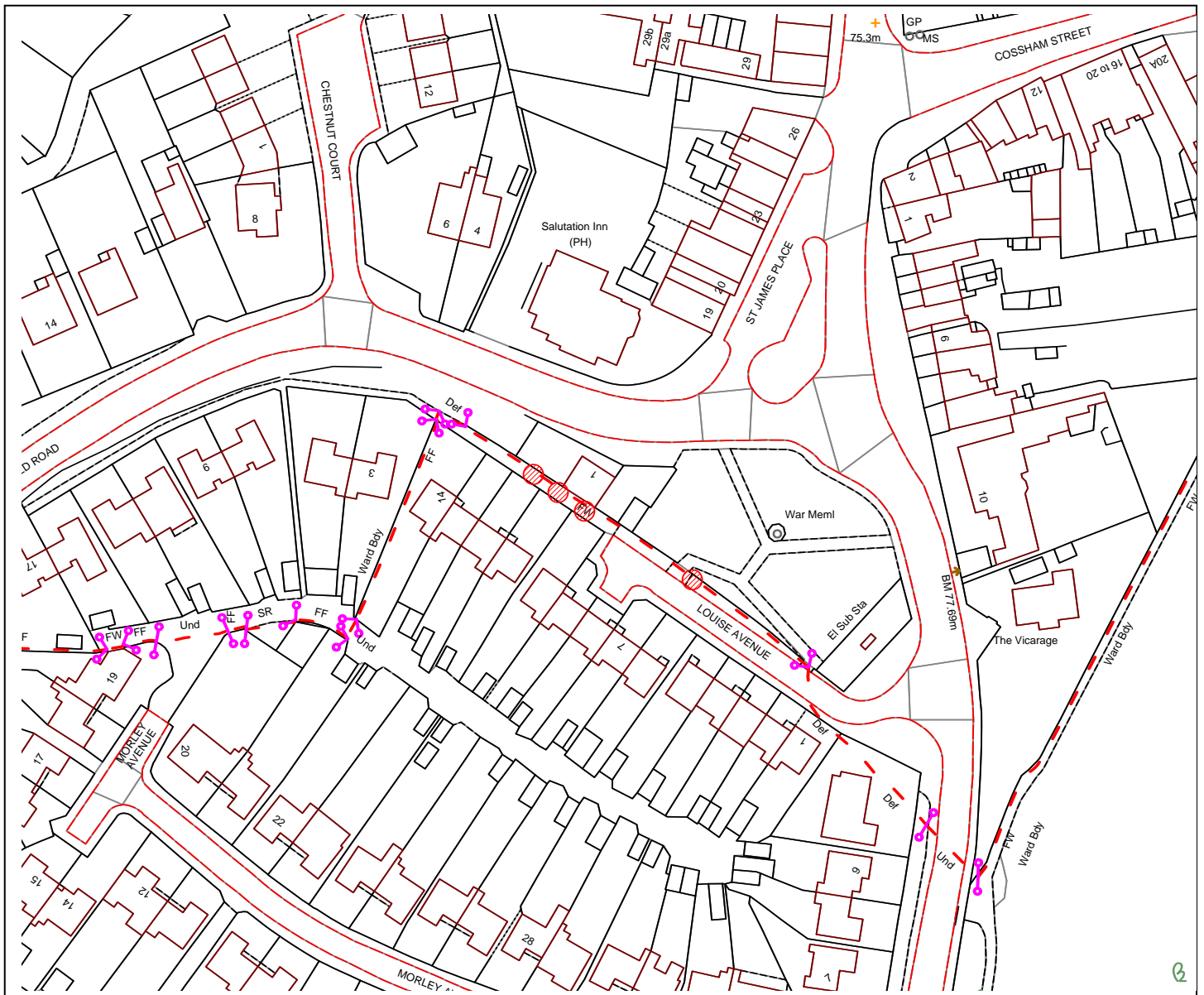
Date Reg: 26th November 2008

Proposal: Works to fell 1no. Lime tree, repollard 1no Sycamore tree, repollard 1no. Horse Chestnut tree and fell 1no. Sycamore tree all covered by Tree Preservation Order KTPO 5/77 dated 18 October 1979.

Parish: Mangotsfield Rural Parish Council

Map Ref: 66376 76051
Application Category: Minor

Ward: Emersons Green
Target Date: 16th January 2009



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100023410, 2008.

INTRODUCTION

This application appears on the circulated schedule in accordance with procedure as the works are to be carried out on land within the ownership of South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 The application seeks permission to carry out works to fell 1 Lime tree and 1 Sycamore tree and to repollard 1 Sycamore tree and 1 Horse Chestnut tree. The application states that the works are to be undertaken as they were identified as part of an arboricultural inspection undertaken by an arboricultural officer as part of the Council's duty of care to maintain council owned trees.
- 1.2 During the course of the application additional information was received to confirm that two lime trees will be planted as a replacement for the two trees to be felled.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
L1 Landscape Protection and Enhancement
L5 Forest of Avon

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

(a) Statutory Consultees

- 4.1 Downend and Bromley Heath Parish Council
No objection
- 4.2 Mangotsfield Rural Parish Council
Raised no objection – wishes the application to be referred to the tree surgeon

(b) Other Representations

- 4.2 Local Residents
None received

5. ANALYSIS OF PROPOSAL

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

5.2 Analysis of the Health of the Trees

All trees are growing on public open space owned by the Council. The Lime and Sycamore trees to be felled are both dead and thus should be removed for health and safety reasons. Two lime trees will be replanted to remove the two lost trees and thus levels of visual amenity will be retained.

The second Sycamore and the Horse Chestnut have been pollarded in the past. The trees should be regularly re-pollarded to ensure the safety of the tree.

The works represent sound arboricultural practice and as such there are no objections to the works as proposed.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Permission be granted subject to the following conditions:

Background Papers PK08/3064/TRE

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

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

Reason

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

3. Two replacement Lime trees, the location of which are to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the felling hereby authorised.

Reason

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

ITEM 7

CIRCULATED SCHEDULE NO. 51/08 – 18 DECEMBER 2008

App No.: PT08/2805/F

Applicant: Pilning Rugby Football Club

Site: The Pitch, Beach Road, Severn Beach, South Gloucestershire, BS35 4PE

Date Reg: 16th October 2008

Proposal: Importation of sub-soils to raise site and pitch area, instal pitch drainage system and formation of playing surface. Erection of single storey clubhouse and associated works.

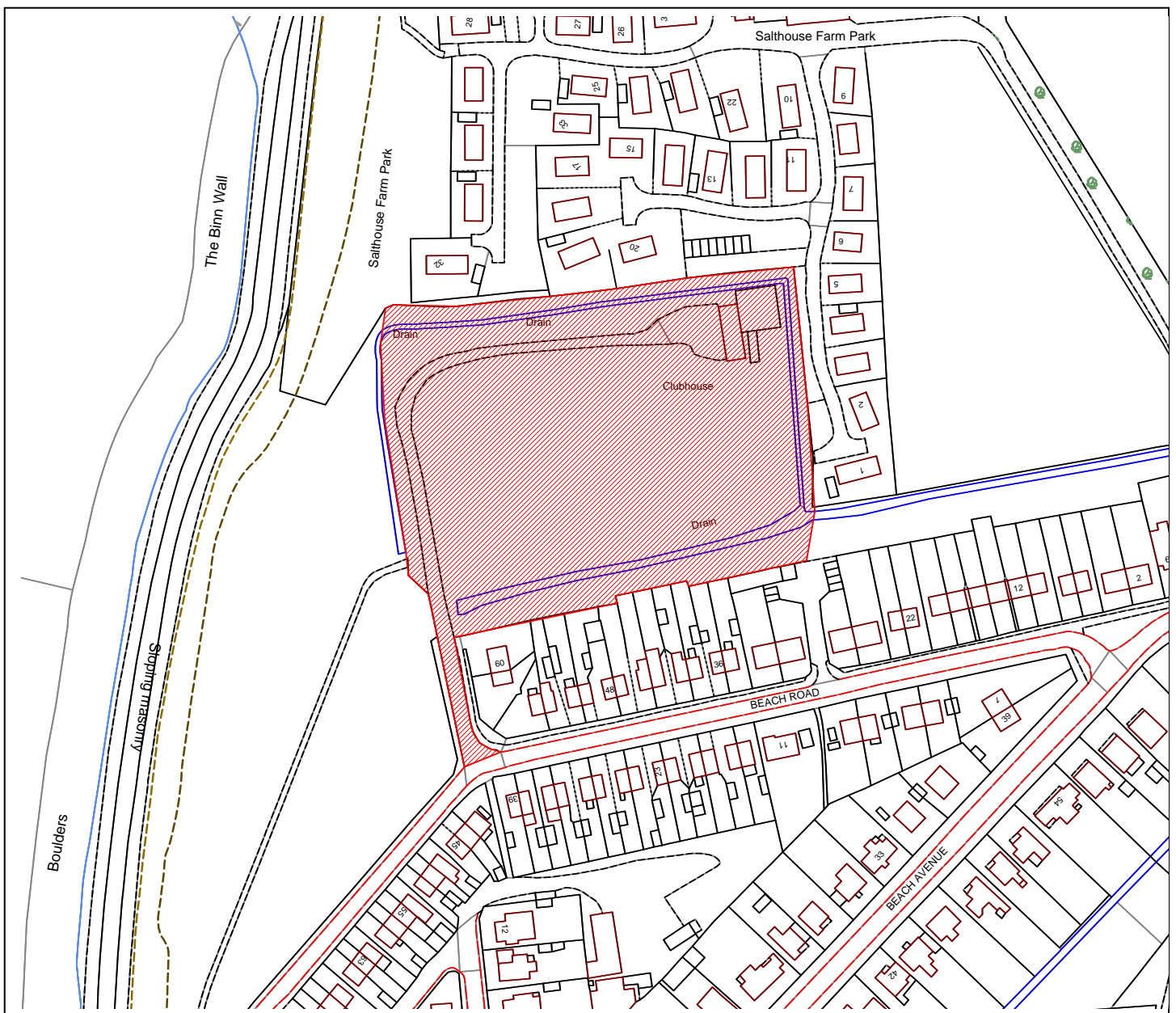
Parish: Pilning and Severn Beach

Map Ref: 54043 85364

Ward: Pilning and Severn Beach

Application Category: Major

Target Date: 14th January 2009



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N.T.S

PT08/2805/F

This application has been referred to the Circulated Schedule as it constitutes major development.

1. THE PROPOSAL

- 1.1 This full application relates to the following:- importation of inert sub-soils to raise existing pitch; installation of drainage system and formation of new improved playing surface and erection of single-storey clubhouse and associated works at Pilning Rugby Club, The Pitch, Beach Road, Severn Beach. The application also covers the installation of six 5m floodlighting columns which is retrospective.
- 1.2 The proposal replaces the existing clubhouse which is in a dilapidated condition and currently located to the north-eastern corner of the site. The level of the site is also to be raised by approximately 1m to install a new drainage system for the pitch. The current pitch is in poor condition, compacted and suffers from water-logging.
- 1.3 Access to the site is via Beach Road to the south. The existing access road runs along the west and northern boundary before terminating at the club house. The proposed club house is to be centrally located to the northern boundary with a new car park to the north-western corner of the site, providing car parking for 23 vehicles as well as 2 disabled spaces and 5 cycle spaces.
- 1.4 The application site has an area of approximately 1.4 hectares and is sandwiched between the residential properties of Beach Road to the south, with the chalet and caravan park of Salthouse Farm Park located to the north and east of the site. The western boundary is open, overlooking the flood defences and River Severn. The site lies just outside the settlement boundary of Severn Beach. The site is open in appearance and visible over a wide area, especially to the north and north-east.
- 1.5 Members may recall that planning permission for a two storey club house was granted in November 2004. This permission does not expire until 29 November 2009. The club house proposed under the current application is significantly smaller, being single storey in nature and measuring 25.5m in length, 13.7m in depth with a ridge height of 5.3m. It will provide home, away and referee changing rooms; bar, cellar and social area; toilet facilities and a canopy area for viewing matches. The building it is to be constructed of rendered block work with tiled roof.
- 1.6 It is proposed to create the new site levels over a 6 month period operating between 09.00 to 17.30 hours Monday to Friday and 09.00 to 13.00 hours on Saturdays with no working on Sundays or bank/public holidays. Approximately 10,750m³ of imported sub-soils will be required resulting in a maximum 26 vehicle movements per week day (13 in and 13 out) and 12 vehicle movements on Saturday (6 in and 6 out) with each vehicle having a maximum load of 20 tonnes. During the importation phase the site is to be managed with dust control measures implemented.

- 1.7 In support of the application the applicant's have submitted the following:-
- a) the site has previously been used as a bus park and boating lake prior to becoming a playing surface for the rugby club. The current surface has never been professionally laid and is uneven;
 - b) the application is essential to the development of the club;
 - c) proposal will result in a new state of the art playing surface;
 - d) new clubhouse will provide separate changing facilities for the home and away teams and the referee;
 - e) clubhouse will benefit local community by creating new social facility for the residents of Severn Beach;
 - f) will enhance status of Pilning RFC providing more practicable and comfortable facilities for playing and hosing competitive Rugby Football games.
- 1.8 The application has been amended to that originally submitted in that the proposed land raising has been reduced from an average of 1.7m to an average of 1m across the site. This has resulted in the overall amount of imported material reduced from 15,000m³ to 10,750m³.

2. **POLICY CONTEXT**

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS9	Biodiversity and Geological Conservation
PPG13	Transport
PPG17	Planning for Open Space, Sport and Recreation
PPS25	Development and Flood Risk

2.2 Development Plans

Joint Replacement Structure Plan

Policy 43	New Recreational Facilities
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2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L3	Coastal Zone
L4	Forest of Avon
L6	Sites of International Nature Conservation Interest
L7	Sites of National Nature Conservation Interest
L8	Sites of Regional and Local Nature Conservation Interest
L9	Species Protection
EP2	Flood Risk and Development
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
LC5	Proposals for Outdoor Sports and Recreation Outside Existing Urban Area and Defined Settlement Boundaries

2.4 South Gloucestershire Minerals and Waste Local Plan (Adopted)

Policy 42	Inert, Construction and Demolition Waste
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- 2.5 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)
South Gloucestershire Landscape Character Assessment – Character Area 20-
Pilning Levels (Adopted)

3. **RELEVANT PLANNING HISTORY**

- 3.1 N.5012 Erection of club house comprising changing rooms and recreation/training hall (outline).
Approved.
- 3.2 N.5012/1 Erection of club house.
Approved.
- 3.3 N.5012/2 Erection of building for use as temporary rugby/football clubhouse/changing rooms.
- 3.4 PT99/0308/F Continued use of land for the stationing of a portacabin to provide storage and changing facilities (retrospective).
Temporary consent granted (expired 31 January 2003).
- 3.5 PT03/0835/F Erection of replacement rugby facilities with associated parking and landscaping.
Refused 3 May 2003 on green belt, size and design, residential amenity and transportation grounds.
- 3.6 PT04/1952/F Erection of replacement rugby club facilities with associated parking and landscaping (Resubmission).
Approved 29 November 2004.
- 3.7 PT05/0446/F Retention of floodlighting to rugby/football pitch.
Refused 8 April 2005.

4. **CONSULTATION RESPONSES**

- 4.1 Pilning and Severn Beach Parish Council
No objection to the clubhouse but strongly object to the raising in land levels on the following grounds:-
- a) site was originally subject to a compulsory purchase order for improving local flood relief scheme;
 - b) raising level of pitch by 1.8m will have a catastrophic effect on neighbouring properties;
 - c) likelihood of flooding will increase;
 - d) contrary to topographical amenity and landscape features;
 - e) incompatible with welfare of neighbouring residents.

Other Consultees

- 4.2 Sustainable Transport
No objection.

4.3 Lower Severn Internal Drainage Board

Object to the proposal on the grounds that the site floods at present and that land raising would remove valuable flood storage.

4.4 Environment Agency

Object to the proposal.

Other Representations

4.5 Local Residents

174 letters in total have been received. 133 letters have been submitted supporting the proposal on the following grounds:-

- a) good for the youth of Pilning and Severn Beach;
- b) provides a desperately needed sports facility and supports the club;
- c) beneficial for the local community;
- d) club needs this to promote the sport for years to come;
- e) improved club house needed;
- f) will improve drainage and improve flood alleviation;
- g) valuable asset to the whole community;
- h) much needed recreational facility in the area;
- i) area has no facilities for youths and adults;
- j) pitch is unsafe to play on;
- k) club will probably fold if facilities aren't improved;
- l) improve the appearance of the area;
- m) will reduce anti-social behaviour and criminality;
- n) allows rugby to be played locally;
- o) encourages children to play sport and have a healthier lifestyle;
- p) existing facilities are very poor

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

- i) raised ground level will result in loss of privacy, increased noise, floodlights will be higher;
- ii) drainage/flooding;
- iii) noise from club house from social activities/loud music;
- iv) light pollution from floodlights;
- v) increased traffic/parking;
- vi) antisocial behaviour;
- vii) within the green belt;
- viii) existing pitch is infrequently used and poorly managed/maintained;
- ix) detracts from sea front area;
- x) highway safety issues;
- xi) field is a containment area for any future flooding and to raise the level will will lessen its capacity;
- xii) number and frequency of lorry movements;
- xiii) impact upon wildlife;
- xiv) they have broken licensing agreement;
- xv) increased dust;
- xvi) devaluation of property;
- xvii) security issues;
- xviii) most people in support of application do not live within Severn Beach

Of the above vii is not relevant as the site does not lie within the Green Belt. Points vi, viii, xiv, xvi and xviii are not considered relevant planning matters in relation to this planning application.

5. ANALYSIS OF PROPOSAL

5.1 Background

As can be seen from the planning history, planning permission for a clubhouse was granted in 2004 and this is still valid until 29 November 2009. The current application proposes a smaller clubhouse that is single storey in nature but the fundamental difference is the proposed raising of the land level across the site by an average 1m.

5.2 The main issues to consider in the assessment of the application are the principle of development, transportation, waste, landscaping, flooding, residential amenity and ecology issues.

5.3 Principle of Development

In assessing applications for sports facilities outside settlement boundaries, policy LC5 of the adopted local plan is particularly relevant. This policy allows for such development provided it is acceptable in transportation terms; would not have an unacceptable effect on the character and diversity of the landscape; would not have unacceptable environmental effects or unacceptably prejudice residential amenity, including the effect of any external lighting. In addition, new buildings will only be permitted where they are essential for and proportionate to the use of the land for outdoor sport and recreation.

5.4 In terms of the clubhouse, and having regard to the existing extant permission, it is considered that this element of the proposal is acceptable. The building is sited in a similar position. The size and scale of the clubhouse is appropriate within its context and is of a design that is typical of such a building. In addition, the clubhouse is a much needed facility for the club, the existing clubhouse being in a very poor and dilapidated condition. It is also an eyesore in visual terms and its replacement will improve the overall visual amenity of the area.

5.5 The floodlighting element is however unacceptable. Indeed this element was refused under planning application PT05/0446/F. It is already in place and no information has been submitted to demonstrate the full environmental impact of the lighting.

5.6 Transportation

Access to the site remains unchanged via Beach Road, an unclassified residential highway. The proposal is smaller than the extant planning permission which has a floor area of 504m² in comparison to 347m² for the current application. A reduction in the amount of traffic generated by the proposal is therefore anticipated and the reduced car parking from 35 to 25 is acceptable. The submitted planning statement also outlines an acceptable methodology for the import of excavated materials with any inconvenience caused likely to be in the short term. As such, no objection is raised subject to a condition imposed requiring that all vehicles leaving the site do not deposit mud or debris on the public highway.

5.7 Waste

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

5.8 Other Material Considerations

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

5.9 The application is intended to address a continued deterioration of the football pitch through compaction, poor soil structure, restricted plant rooting and poor drainage of the surface of the pitch. The applicants consider that raising the levels as proposed, by approximately 1m, will provide for an adequate playing surface and allow for a much improved drainage system to be implemented below the surface, whilst also allowing for improved surface water run-off. The existing topsoil would be removed and stored and the imported subsoils deposited, a drainage system would then be installed across the pitch and the top soil would then be redistributed across the pitch to a depth of 50mm. A blanket top dressing would then be applied and final preparation of the playing surface undertaken. The pitch will be tapered off at its edges with a gradual slope.

5.10 Unfortunately the application has not demonstrated that the amount and type of material proposed to be brought onto the site for the purpose of the project is considered to be the most suitable means by which to address the existing problem. No supporting documentation, for example an agronomy report has been submitted to back up the manner in which the drainage measures would best be achieved, the problems associated with the site and the means by which to address them. As such there does not appear to be any special justification for the degree of landraising proposed and it is therefore considered that the policy presumption against the development has not been satisfactorily overcome.

5.11 Landscaping

The submitted drawings do not acknowledge the existence of any of the boundary vegetation and hence the inference is that most, if not all, will be removed. This is unacceptable on the grounds of loss of habitat, landscape character and the residential amenities of surrounding properties. Similarly the proposals offer nothing by way of mitigation for the loss of vegetation, landscape enhancement or a contribution to the Forest of Avon. The proposal does not safeguard or enhance existing features of the landscape and has an unacceptable effect upon the character and diversity of the landscape. The

application therefore falls contrary to policies D1, L1, L4 and LC5 of the adopted local plan.

5.12 Flooding Issues

The entire site lies within Flood Zone 3, in an area at risk of breach of overtopping of the sea defences. Although this development would be considered partly water compatible and partly less vulnerable, the Environment Agency have concerns that raising the ground levels in this area would reduce flood storage volumes and therefore increase the flood risk to the surrounding area. Due to the site's proximity to the sea defences and the high risk in this area with potentially deep flood flows, the Environment Agency objects to the proposal on the basis of reduced flood storage with no compensation.

5.13 The proposal does not demonstrate that this loss of flood storage will not increase the overall flood risk in the area. In addition to these concerns, it should be noted that a one-storey club house presents a particular flood risk for users, which has not been addressed in the flood risk assessment. Flood warning and evacuation procedure plans should be considered.

5.14 The application site is greater than 1 hectare and therefore requires detailed layout drawings showing the drainage scheme on the site. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). Evidence should also be provided to the LPA to ensure that the flood risk Sequential Test has been adequately completed. It should be demonstrated that there are no reasonably available alternative sites in areas with a lower probability of flooding that would be appropriate for the type of development proposed.

5.15 In addition, currently the use of waste soils to raise the level of sports pitches requires registration with the Environment Agency, Paragraph 19 exemption under the Environmental Permitting Regulations 2007. The application also proposes the use of a cesspit for disposal of sewage from the clubhouse. This is the least sustainable option for sewage disposal.

5.16 Residential Amenity

The proposed raising of the site, although reduced from 1.7m to 1m, is considered to result in an unacceptable degree of overlooking/loss of privacy to surrounding dwellings, in particular 19, 20 and 32 Salthouse Farm Park, and to a lesser degree the properties of Beach Road. The proposed car park for the club lies directly opposite 32 Salthouse Park and only some 12m from the boundary to this property. The rear boundaries of 19 and 20 Salthouse Farm Park are within 8m of the raised site. As a consequence the general comings and goings associated with the use of the site will result in a material loss of privacy, to the detriment of surrounding residential amenity.

5.17 Ecology

The site comprises an existing sports pitch surrounded by ditches with native hedgerows and tall grassland. There are no designations associated with the site, however, the site lies close to the Severn Estuary SSSI, SAC, SPA and SNCI. Although the principle of a clubhouse has previously been accepted the current scheme represents a significant change to ground levels having direct effects on boundary vegetation and possible 'knock-on' effects to wildlife in the

area. The current application does not show investigation of these issues, nor therefore propose any mitigation.

5.18 An ecological survey for the site and the immediate surrounding area has not been submitted to indicate how potential ecological impacts will be addressed both during and after site development. Given the ecological sensitivity of the location, the application needs to demonstrate how development will contribute towards the objectives of Individual Action Plans as advised in the Council's planning guidance 'Biodiversity and the Planning Process' and how it accords with PPS9. The implication of the proposal on ecological issues cannot therefore be assessed without this information and as such the proposal is unacceptable in this regard.

5.19 Other Issues Raised

The consultation letters in support point out the wider benefits of the sports club. There is no objection to the use in principle, but these points do not outweigh the objections identified in this report.

5.20 Design and Access Statement

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be refused.

Background Papers **PT08/2805/F**

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

REFUSAL REASONS

1. It has not been demonstrated that the degree of land raising is a necessary requirement to provide adequate drainage measures to the pitch. As such the proposal falls contrary to

Policy 43 of the Adopted Minerals and Waste Local Plan, and Policies D1 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006.

2. The proposal will result in the removal of existing boundary vegetation, resulting in the loss of habitat and landscape character to the area. The proposal does not safeguard or enhance existing features of the landscape and will unacceptably effect the character and diversity of the landscape. The application therefore falls contrary to Policies D1, L1, L4 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006.

3. The application site is ecologically sensitive, being in close proximity to the Severn Estuary SSSI, SAC, SPA and SNCI. No ecological survey has been submitted to indicate how potential ecological impacts of the raised ground levels will be addressed both during and after site development and the application therefore falls contrary to advice contained within PPS9 and Policies D1, L6, L7, L8, L9 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006.

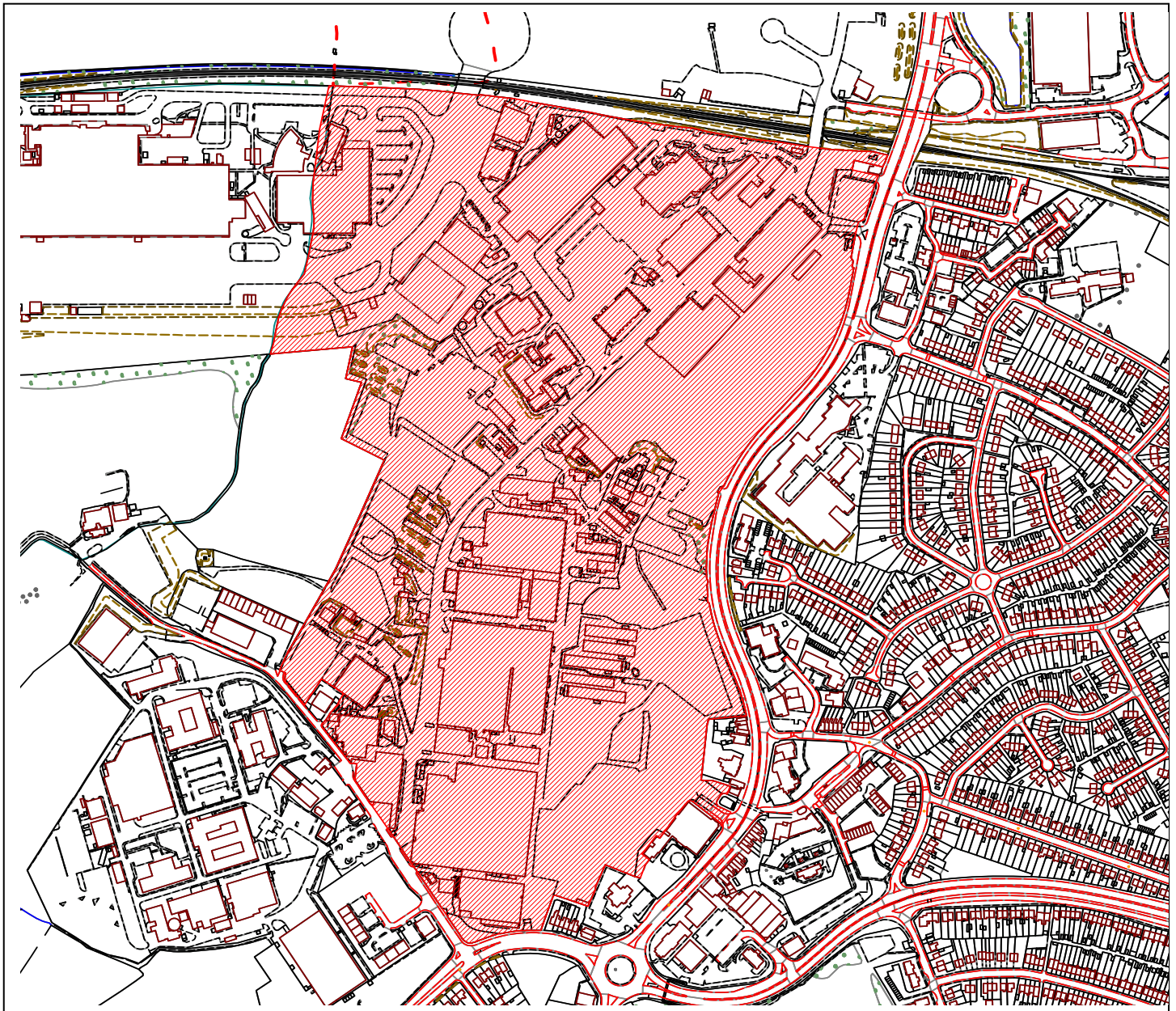
4. The proposed development by virtue of the raised land level would result in an unacceptable degree of overlooking/loss of privacy to surrounding dwellings, in particular 19, 20 and 32 Salthouse Farm Park, to the detriment of residential amenity. The proposal therefore falls contrary to policies D1 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006.

5. The site lies within Flood Zone 3. The proposed raising of ground levels would reduce flood storage volumes and therefore increase the overall flood risk in the area. The proposal is therefore contrary to advice contained within PPS25 and Policies D1, EP2 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006.

6. The floodlights are unauthorised. Insufficient information has been submitted to assess the full environmental impact of the floodlights in terms of light pollution and as such the proposal falls contrary to Policies D1, EP1 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 51/08 – 18 DECEMBER 2008

App No.:	PT08/2849/RVC	Applicant:	Airbus UK Limited
Site:	Airbus UK, Golf Course Lane, Filton, South Gloucestershire, BS99 7AR	Date Reg:	23rd October 2008
Proposal:	Variation of condition 3 attached to planning application PT05/0749/O to allow for an extension of time for the submission of reserved matters for the campus area.	Parish:	Filton Town Council
Map Ref:	59634 79539	Ward:	Filton
Application Category:	Major	Target Date:	20th January 2009



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100023410, 2008.

N.T.S

PT08/2849/RVC

INTRODUCTION

This report appears on the Circulated Schedule as the Planning Application requires a Legal Agreement as part of the recommendation.

1. THE PROPOSAL

1.1 The application relates specifically to condition 3 of the previous outline planning consent for development at BAE systems (Filton Airfield) under PT05/0749/O. This application is detailed below.

1.2 Condition 3 of the outline consent reads;

‘Application for approval of the reserved matters for the office campus area shown on plan number 5026347/AA/100/1014 received on 1 November 2005 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. All other further reserved matters shall be submitted within 15 years from the date of this permission.’

1.3 The Outline Planning Permission (PT05/0749/f) was granted on 27th January 2006. Under the current condition, the developer must submit reserved matters in relation to the office campus by 27th January 2009. This is not now possible and as such the applicant is seeking consent to vary the above condition so as to enable a further 3 years time limit for submissions relating to the office campus only.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing
PPG4	Commercial Development
PPG9	Nature Conservation
PPG13	Transportation
PPG15	Listed buildings
PPG16	Archaeology
PPG23	Planning and Pollution Control
PPG24	Planning and Noise
PPG25	Flood Risk

2.2 Regional Planning Policy Note 10 – South West

2.3 Joint Replacement Structure Plan (adopted 2002)

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 12	North Fringe development
Policy 19	Cultural Heritage
Policy 30	Safeguarded employment areas
Policy 34	Housing
Policy 47	Encouraging alternatives to the car
Policy 59	Transport in new developments

- 2.4 South Gloucestershire Local Plan (Adopted January 2006)
- | | |
|----------|--|
| D1 | Design |
| L10 | Species Protection |
| L12 | Archaeology |
| L14 | Listed Buildings |
| L15 | Buildings and structures which make a contribution to the character and distinctiveness of the locality. |
| L17 | The Water environment |
| L17A | The Water environment |
| EP1 | Environmental Pollution |
| EP2 | Flood Risk and Development |
| EP6 | Contaminated Land |
| T6 | Cycle parking |
| T7 | Parking standards |
| T12 | Transportation policy for new development |
| E2 | Criteria for assessing employment development |
| E3 | Safeguarded employment areas |
| E4 | Filton Airfield Safeguarding |
| H1(A)(2) | Sites for new residential development |
| LC13 | Public Art |
- 2.5 South Gloucestershire Minerals and Waste Local Plan
Policy 37 Waste Reduction and Re-Use
- 2.6 Supplementary Planning Documents
South Gloucestershire Design Checklist (Adopted)

3. **RELEVANT PLANNING HISTORY**

- 3.1 There is an extensive planning history to this established employment site, in the main reflecting incremental developments. Those cited here are considered the most relevant, or significant.
- 3.2 PT05/0749/O Redevelopment of site to provide new office campus, research, development and manufacturing buildings, new staff facilities and revised parking and access to A38.
(Outline)
Approved (27th January 2006)
- 3.3 PT06/0296/RM Erection of industrial building for B2 use with ancillary offices, parking and associated works (Approval of reserved matters to be read in conjunction with Outline Planning Permission PT05/0749/O).
Approved (15th May 2006)
- 3.4 PT06/0310/RM Erection of industrial building for B2 use with ancillary offices, parking and associated works (Approval of reserved matters to be read in conjunction with Outline Planning Permission PT05/0749/O).
Approved (26th June 2006)

- 3.5 PT06/0567/RM Erection of industrial building for B2 use with parking and associated works (Approval of reserved matters to be read in conjunction with Outline Planning Permission PT05/0749/O).
Approved (26th June 2006)
- 3.6 PT06/0737/RM Erection of extension to industrial building for B2 use with parking and associated works (Approval of reserved matters to be read in conjunction with Outline Planning Permission PT05/0749/O).
Approved (23rd June 2006)
- 3.7 PT08/1373/RM Redevelopment of site to provide new office campus research development and manufacturing buildings, new staff facilities and revised parking and access to A38. (Approval of reserved matters of siting, design, external appearance and landscaping of Building 200A to be read in conjunction with PT05/0749/O).
Approved (17th June 2008)
- 3.8 PT08/2064/RM Erection of a building to house test facility (Approval of reserved matters appearance, landscaping, layout and scale to be read in conjunction with outline planning permission PT05/0749/O)
Approved (3rd October 2008)
- 3.9 It should be noted that the above reserved matter approvals (Para 3.3 to 3.8) have not been implemented.

4. CONSULTATION RESPONSES

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

Other Representations

- 4.3 Local Residents
No Comments Received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks consent to vary condition 3 of Planning Permission PT05/0749/F in order to allow the extension of the three year time limit in respect of submissions of reserved matters relating to the office park element of this application. The previously approved planning application was supported by an Environmental Statement. In this instance it is not considered that the variation of Condition 3 of that consent would require a further Environmental Impact Assessment as such an Environmental Statement is not required in support of the assessment of this application.

5.2 Principle of Development

Approval for a mix of office and manufacturing at the Filton site was approved in outline under PT05/0749/O and is subject to a master plan which sets out zoning for each element of the development of this site. The application to vary condition 3 does not itself create any material change in respect of the current consent or the agreed master plan and therefore, the principle of the development is established.

5.3 Variation of Condition 3

Condition 3 of PT05/0749/F sets out two time limits for the submission of reserved matter applications. The three year limit relates specifically to the area of land shown under the existing consent for an office campus. This area of land is confined to the Southeast corner of the site and surrounds The Pegasus Buildings. There is also a fifteen year limit in respect of the submission of all other reserved matters under the outline approval.

5.4 In this instance, the developer is not yet in a position to submit the details in respect of reserved matters for the office campus. Several applications have been submitted and approved in respect of reserved matters on the other areas of the development. However, these have not been implemented. The developer does intend to develop the relevant part of the site as an office campus and as such now wishes to extend the three year time limit for a further three years so as to enable relevant submissions to be submitted as reserved matters.

5.5 No development has taken place as part of the consent under PT05/0749/F. There is no material change in respect of planning policy and the merits of the existing planning consent and in the event that a complete resubmission of an identical application detailed in the current consent, it is likely that a decision would be favourable. Having regards to this and given that there is a 15 year time limit in respect of the submission of reserved matters of non-office campus development, it is considered reasonable to allow the extension of time in relation to the office campus. In this instance, the applicant is requesting a further three years. Again this is a reasonable length of time. Notwithstanding this, the applicant does not seek to extend the fifteen year time period and as such it is appropriate to reduce this period to twelve years to take account of the three year period which has elapsed to date.

5.6 Section 106 Issues.

The outline consent as detailed in PT05/0749/O is subject to a section 106 legal agreement which carries trigger dates for the carrying out of certain works which would enable the development which is approved. These include junction improvements and the renovation of the listed building at The Pegasus Building. The terms of the Section 106 agreement remain relevant to this development and as such this agreement should be carried through to any consent under this planning application. In this instance, the Section 106 agreement does not accommodate further planning consents for the development so approved under PT05/0749/O. As such a Deed of Variation' is required to carry the Section 106 agreement onto this planning application. This is a relatively simple process and would not act to undermine the heads of terms contained within the agreement; and would act to ensure that the heads

of terms continue to apply should consent for the variation of condition 3 be approved.

5.7 Notwithstanding the above, the Council's Listed buildings Officer has raised some concern over the delay of development coming forward which would trigger works to the Listed Building (which is currently protected with a scaffold cover). This is clearly set out within the Section 106 agreement and the trigger for this work is at twelve months from the first occupation of the office campus; and three months from the date of any Listed Building Consent. In addition, a Listed building application must be submitted on or prior to the first occupation of the office campus.

5.8 It is accepted that the variation of the condition will potentially delay the commencement of works relating to the office campus. However, the trigger date for the commencement of works to The Pegasus Building is (at the very latest) twelve months from the date of the first occupation of the new office campus. Development of the office campus need not commence until 2 years after the submission of the last of the reserved matters across the whole of the development site, which at present is potentially fifteen years from the date of the original outline consent. On this basis, it is considered that the variation of condition 3 (so as to allow a further three years) would have no implications for the provision and timing of works to The Pegasus Buildings.

5.9 Other Matters

As previously set out, the proposed variation of condition 3 would not alter the principle of the development which is approved under PT05/0749/F. The planning merits of this development remain current and there are no material changes in circumstances affecting the current approval; and as such no further consideration of them is required for the assessment of this planning application.

5.10 Design and Access Statement

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

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. A Section 106 Agreement is in force in relation to the development approved under PT05/0749/O. This would remain appropriate in relation to this application. A Deed of Variation in relation to the existing Section 106 Agreement is therefore required to take account of any consent granted under this application; and this would satisfy the tests set out in Circular 05/2005.

6. CONCLUSION

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

7. RECOMMENDATION

7.1 Authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission for the variation of condition 3 of planning permission PT05/0749/F, subject to the conditions set out below and the applicant first voluntarily entering into a Deed of Variation under section 106 of the Town and Country Planning Act 1990 (as amended) to allow the existing Section 106 Agreement to be carried forward onto this Planning Application (PT08/2849/RVC); and to secure the following;

1) For the applicant to agree not to submit further Planning applications in relation to planning permissions P98/2890/O and PT03/1137/F

Reason: To ensure that the Masterplan is not compromised by additional piecemeal development and to accord with policy D1 of the South Gloucestershire (adopted) January 2006.

2) Works to the Grade 2 Listed Pegasus and Filton House

- i) Within 3 months of the grant of outline planning consent reference PT05/0749/O Interim Protection Measures to ensure the buildings are wind and weathertight shall be provided and maintained to such time as the Works to the listed buildings are commenced.
- ii) A timetable for the works to be carried out to the Listed Buildings to enable an appropriate beneficial use of the buildings shall be submitted to the Council and approved in writing within 12 months of the date of planning permission The works shall be carried out in accordance with this approved timetable unless agreed in writing by the Local Planning Authority.
- iii) The submission of detailed applications for listed building consent for the repair & refurbishment of both listed buildings (Pegasus House and New Filton House) and the listed entrance gates as soon as practicable , and before first occupation of the office campus .
- iv) The Listed Building Consents for Pegasus House and New Filton House shall be implemented within 12 months of the first occupation

of the office campus. Should Listed Building Consent not be granted until after that implementation , then the works will be commenced within 3 months of the grant of Listed Building Consent.

Reason: To secure the long term future of the listed buildings in accordance with policies L13 of the South Gloucestershire Local Plan (adopted) January 2006.

- 3) i) The sum of £920,000 to secure improved public transport provision including infrastructure provision relating to new bus stops and priority measures as part of the emerging proposals for the A38 Corridor Strategy.
- ii) Provision of a cycle way and at grade crossing facilities for pedestrians and cyclists as part of the proposed site access junction solutions for the A38 corridor at the Filton Avenue junction to include bus lane and bus gate.
- iii) Closure of existing subway adjacent to Pegasus House to accommodate proposed site access and public transport improvements. Subway to be replaced with at grade facilities offering safer and more secure alternatives.
- iv) Maintaining, development, monitoring and progression of the existing site Travel plan, to include implementation of a Car Park Management Strategy to manage access and egress via specified entrance and exit points.

Reason : To ensure that the development would cause no detrimental harm to traffic flows on the surrounding roads and to provide alternative forms of transport to the car. The proposal would therefore accord with policies T6, T7 and T12 of the South Gloucestershire Local Plan (adopted) 2006.

Background Papers **PT08/2849/RVC**

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

CONDITIONS

1. Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before work is commenced on the construction of any building approved under the reserved matters.

Reason 1. This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

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

Reason 1. This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters for the office campus area shown on plan number 5026347/AA/100/1014 received on 11th December 2008 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. All other further reserved matters shall be submitted within 12 years from the date of this permission.

Reason 1. This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

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

Reason 1. This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

5. The proposed office campus development shall be occupied by Airbus , Companies contracted to Airbus, and other related aerospace companies primarily engaged in the field of aerospace research and development for a period of ten years from the first occupation of the office campus.

Reason 1. The use of this allocated housing site for general office purposes would not be acceptable.

6. The hours for construction work shall be restricted to 8am to 6pm Monday - Friday ; 8am -1pm on Saturdays and no working shall take place on Sundays or Public Holidays, unless with the prior written consent of the Local Planning Authority.

Reason 1. To minimise disturbance to occupiers of nearby buildings, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to commencement of development within the area boundary for that reserved matters application, a construction traffic management plan to include matters such as hours of construction traffic movements, traffic management, routing and signage, load protection and wheel cleaning shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with this approved plan.

Reason 1. In the interest of highway safety and the amenity of the area, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The development shall be implemented in accordance with the noise protection measures as shown in the approved Environmental Statement (Section 13), plans and specifications. The noise level in LAeq arising from the proposals and ancillary activities shall not exceed the Pre-existing LA90 background noise level in accordance with the British Standard BS4142;1998 as amended .

Reason 1. To minimise disturbance to occupiers of nearby buildings , and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. The development shall be implemented in accordance with the air quality mitigation measures identified for this site , and set out in Section 7 of the Environmental Statement (Air Quality)

Reason 1. To preserve the Air Quality of the area to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Prior to commencement of development within the area boundary for that reserved matters application the developer shall submit to the Local Planning Authority for its prior written approval, the following information detailing any potential land contamination and a proposed scheme of works:

a preliminary investigation including a desk study report detailing the history of the site and identifying risks to human health and the environment.

If identified as being required by the above, a main investigation 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 as identified in the preliminary investigation. The investigations and assessments shall be in accordance with current Government and Environment Agency guidance.

If identified as being required by the above, a detailed remediation scheme including a method statement and measures to be taken to avoid risk to human health and the environment, as identified by the desk study and site investigation, from contaminants or gases.

The construction of buildings within the area boundary for that submitted reserved matter shall not commence until the investigator has provided a validation report, (if identified as being required by the above) 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 demonstrable experience and qualifications associated with this type of work, and the level of investigation and reporting as detailed above.

Details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to and approved in writing by the Local Planning Authority before development is commenced within the boundary area of the submitted reserved matter. Development shall be carried out in accordance with the approved details.

Reason 1. In the interests of mitigating against land contamination to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to and approved in writing by the Local Planning Authority before development is commenced within the boundary area of the

submitted reserved matter. Development shall be carried out in accordance with the approved details.

Reason 1. To minimise disturbance to occupiers of nearby buildings and in the interests of the visual appearance of the area, and to accord with Policy E3 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out during the first planting and seeding seasons following the occupation of the buildings positioned within the boundary area of the submitted reserved matter application or the completion of the development, whichever is the sooner; and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

Reason 1. To protect the character and appearance of the area to accord with Policies D1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. Detailed drawings of the method by which all the retained trees and hedgerows within the area boundary for that reserved matters application or overhanging the area boundary, are to be protected during construction works shall be submitted to and approved by the Local Planning Authority before works commence on site. Such protection shall be provided prior to the clearance of the site and shall be maintained for the duration of the works.

Reason 1. To protect the character and appearance of the area to accord with Policies D1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. The existing (trees and hedgerows) within the site shown on drawing no. 5026347/LA/050/4904 Rev P2 (as approved under PT05/0749/O and received by the Council on 3rd October 2005) shall be retained, shall not be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998: 1989 (Tree Works). Any trees and hedgerows removed without such consent or dying, or becoming damaged or becoming diseased shall be replaced in the next planting season with trees and hedgerows of such size and species as may be specified by the Local Planning Authority.

Reason 1. To protect the character and appearance of the area to accord with Policies D1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

15. Details of the boundary treatment to the A38 shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the development shall only be carried out in accordance with the details so approved. Details of other boundary treatments shall be submitted to and approved in writing before development is commenced within the area covered by the reserved matter, that adjoins the boundary.

Reason 1. To protect the character and appearance of the area to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

16. Development shall not begin until a Drainage Masterplan for the overall site, incorporating best management practices and the hydrological context of the development have been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details.

Reason 1. To ensure that a satisfactory means of drainage is provided, and to accord with Policies L17, EP1, and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

17. There must be no new buildings, structures (including gates, walls and fences) or raised ground levels within :
- a) 4 metres of the top of any bank of watercourses, and/or
 - b) 4 metres of any side of an existing culverted watercourse, inside or along the boundary of the site, unless agreed in writing by the Local Planning Authority.

Reason 1. To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows, and to accord with Policies L17, EP1, and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

18. A Flood Risk Assessment to comply with the requirements of Planning Policy Guidance Note 25 shall be submitted to and approved in writing by the Local Planning Authority before work is commenced on the site. The development shall then be carried out in accordance with the approved assessment.

Reason 1. To prevent the development being subject to or causing flooding in the local area, and to accord with Policies L17, EP1, and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason 1. To prevent pollution of the water environment and to accord with Policies L17, EP1, and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

20. Any facilities for the storage of oils, fuels, or chemicals shall be sited on impervious bund walls, details of which should be submitted to the Local Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%, or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges, and sight glasses must be located within the bund. whilst the drainage system of the bund shall be sealed with no discharge to any watercourse, and or underground strata.

Reason 1. To prevent pollution of the water environment and to accord with Policies L17, EP1, and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

21. A programme and methodology for eradicating the stands of Japanese Knotweed occurring on site and based on the submitted interim Japanese Knotweed Statement of September 2005 must be agreed in writing with the Council prior to development or clearance work affecting any area within 7m of the identified stands.

Reason 1. To prevent the continuing spread of this highly invasive plant, which if left unchecked can cause structural damage to buildings and decrease the biodiversity value of the site, and to accord with policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

22. Prior to commencement of development within the area boundary for that reserved matters application, details of building design features for buildings in this area to accommodate breeding birds, such as nesting boxes, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with these approved details.

Reason 1. To ensure the proposal would have no detrimental impact on protected wildlife species and to accord with policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

23. An appropriate strategy to demolish those buildings identified within the submitted bat survey dated September 2005 as having the potential to be used as roost sites must be submitted to and approved in writing by the Local Planning Authority prior to any development or clearance work affecting the identified buildings. The development shall then be carried out in accordance with any approved mitigation works.

Reason 1. To ensure the proposal would have no detrimental impact on protected wildlife species and to accord with policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

24. Prior to development or clearance work that would affect the identified slow worm habitat as shown in the submitted reptile survey dated August 2005, a translocation programme for the slow worms shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with these approved details.

Reason 1. To ensure the proposal would have no detrimental impact on protected wildlife species and to accord with policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

25. The development hereby approved shall achieve a "very good" rating measured against the Building Research Establishment Environmental Assessment Method (BREEAM) or any other similar scheme as may be approved in writing by the Local Planning Authority. Details to verify that the minimum "very good" rating has been achieved for each phase of the development shall be submitted to and approved by the Local Planning Authority prior to the first occupation of that respective phase of the development

Reason 1. To ensure that the proposed building is constructed to be as energy efficient as possible and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

26. Prior to the commencement of the development within the boundary area of that reserved matters application a Waste Management Audit shall be submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:

(a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.

(b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.

(c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.

(d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.

(e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

The approved works shall subsequently be carried out in accordance with the agreed details.

Reason 1. To accord with the Council's adopted Waste Management Strategy, and to accord with Policy 37 of the adopted South Gloucestershire Waste and Minerals Local Plan , and Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

27. Prior to the commencement of development within the area boundary of that reserved matters application , detailed plans showing the provision of car and cycle parking facilities in accordance with the standards set out in Policies T7 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the buildings within the area boundary of that reserved matters application ; and thereafter retained for that purpose.

Reason 1. To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

28. No buildings within the boundary area of the reserved matters application will be occupied until areas for the turning of vehicles and the internal access roads have been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The turning areas so approved shall thereafter be kept clear at all times for the manoeuvring of vehicles.

Reason 1. In the interest of highway safety and the amenity of the area, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

29. Prior to the commencement of development within the area boundary of that reserved matter application, a detailed programme of archaeological investigation and recording shall be submitted to and approved in writing by the Local Planning Authority. No development or preparatory works of demolition or ground disturbance within the area boundary shall be undertaken until the programme has been agreed in writing by the Local Planning Authority.

Reason 1. In the interest of archaeological investigation or recording, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

30. Details of craneage to include positions , heights and duration of time of use shall be submitted to and approved in writing by the Local Planning Authority before work is commenced on the construction of the buildings approved under the reserved matter permission for that respective phase of this development. The cranes shall then be operated in accordance with these approved details.

Reason 1. To safeguard the neighbouring airfield in accordance with policy E5 of the South Gloucestershire Local Plan (Adopted) January 2006.

31. No outside storage shall take place within 50 metres of the boundary with the A38 without the prior consent, in writing of the Local Planning Authority.

Reason 1. In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

32. Prior to the first occupation of the office campus , a detailed scheme of artwork appropriate to the business being carried out (including method of lighting) shall be submitted to and agreed in writing by the Local Planning Authority (in conjunction with local ward members). The artwork so agreed shall be installed prior to occupation of the office campus.

Reason 1. In the interest of achieving a high quality distinctive design to accord with Policies D1 and LC13 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 51/08 – 18 DECEMBER 2008

App No.:	PT08/3052/F	Applicant:	Miss C Green
Site:	12 Mackie Grove, Filton, South Gloucestershire, BS34 7NF	Date Reg:	25th November 2008
Proposal:	Erection of two storey side and rear extension to form additional living accommodation.	Parish:	Filton Town Council
Map Ref:	60727 78869	Ward:	Filton
Application Category:	Minor	Target Date:	8th January 2009



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N.T.S

PT08/3052/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of an objection from an adjacent neighbour which is contrary to the Case Officers recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a two storey side and rear extension to provide additional living accommodation.
- 1.2 The application site relates to a semi-detached dwelling situated within a well-established residential area of Filton.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 P97/1741 Erection of single storey rear extension and detached garage
Approved on 8 July 1997
- 3.2 PT07/2917/F Alterations to roofline to facilitate loft conversion and installation of rear dormer window to provide additional living accommodation
Refused on 8th November 2007 (Appeal Dismissed)

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No objection
- 4.2 Local Residents
Several letters have been received from the adjacent neighbour all on the same day, these have raised the following objections: -
- Loss of light to landing window and garden;
 - Overbearing presence on the side of the house;
 - Proposed extension does not include a window; and
 - Impact the re-sell value of property.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

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

5.3 Residential Amenity

The application site is adjoined by two dwellings to the side (Nos.14 and 10 Mackie Avenue) and an access lane to the rear. The proposed side extension would be sited on the south-east elevation which faces onto No. 43. This extension would be approximately 2m in width, 6.8m in depth and 6.7m in height. The proposed rear extension would be situated above the single storey rear extension.

5.4 The neighbouring occupier has raised objection to the development on the grounds that the development would be overbearing and would cause a loss of light. These issues are addressed below: -

5.5 ***Overbearing/Loss of Light***

The proposed side and rear extension would be approximately 2 metres from the adjacent property No. 10 Mackie Grove. The occupier of this property is concerned that the development would cause a loss of light to the first floor landing window and overbearing effect on their rear garden. Notwithstanding these comments, it is considered that any loss of the light to the adjacent first floor window would be minimal given the distance separating both properties. Furthermore the window serves a landing which does not serve a main habitable room, as such it is considered that the loss of light would not materially prejudice the amenities of the occupiers of the adjacent dwelling. The proposed first floor rear extension would project approximately 2.8 metres and would feature a hipped roof, it would also be stepped in from both boundaries. In view of these features, it is considered that this element of the proposed would not result in material overbearing impact.

5.6 ***Privacy***

The proposal would include a first storey rear window which would result in some oblique views into the neighbouring dwellings rear gardens. It is considered that this window would offer the same relationship as existing first floor rear windows and would therefore not cause any material harm to the privacy of the neighbouring occupiers.

5.7 Design and Visual Amenity

The proposed side extension would continue the front building line and roof shape of the existing dwelling and would be finished in render and tiles which would match the existing dwelling. The proposed rear extension would appear subservient and proportionate to the existing dwelling. It is considered that the scale and mass of the extension would respect the proportions and character of the existing dwelling and the street scene.

5.8 Other Matters

The neighbour has objected to the proposal on the grounds of a loss of property value. Notwithstanding these comments, it should be noted that this is not a material planning consideration.

5.9 Section 106 Requirements

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

Background Papers **PT08/3052/F**

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

CONDITIONS

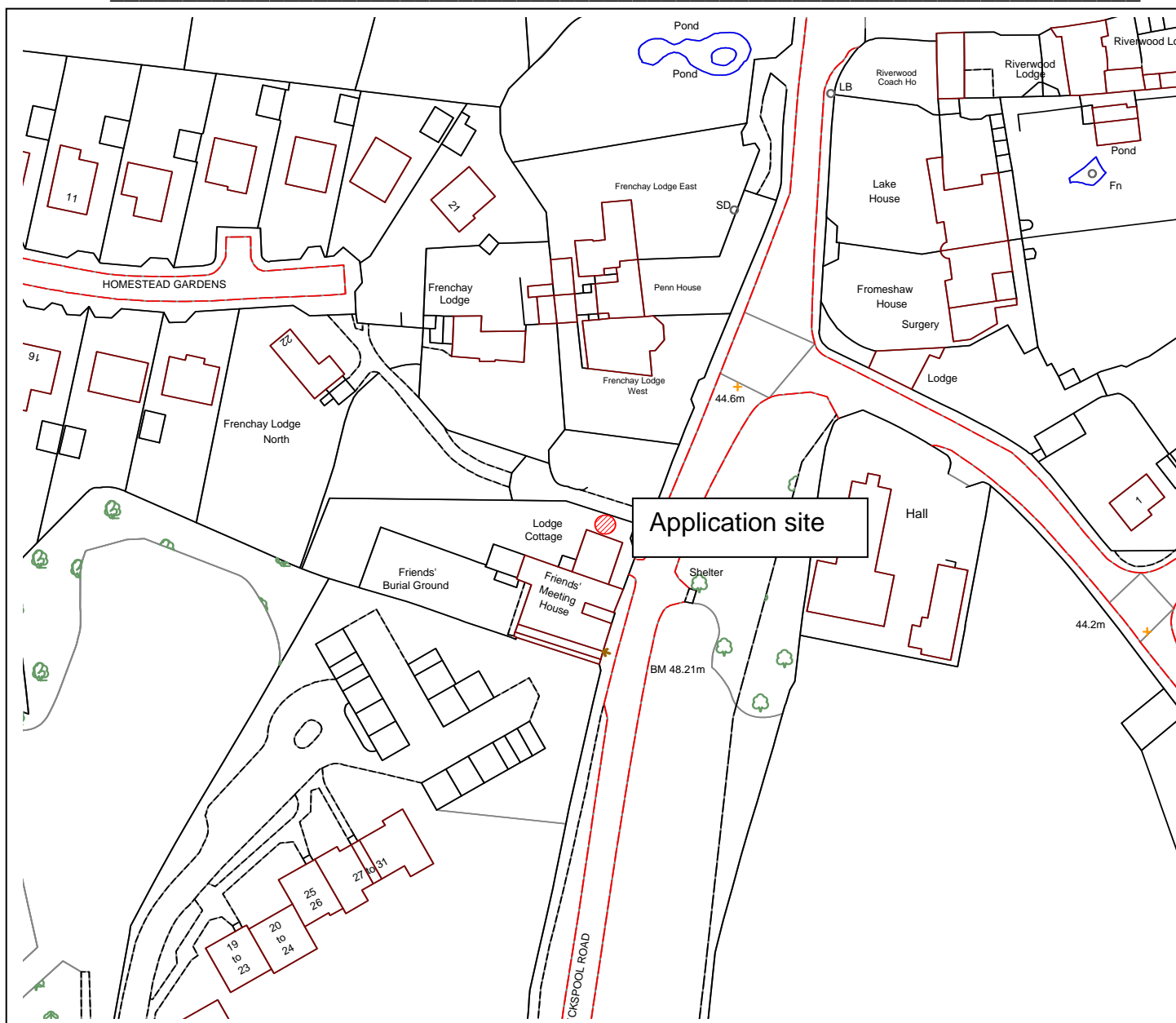
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

CIRCULATED SCHEDULE NO. 51/08 – 18 DECEMBER 2008

App No.:	PT08/3056/TCA	Applicant:	Mrs M Clark
Site:	Frenchay Lodge Cottage, Beckspool Road, Frenchay, Gloucestershire, BS16 1NT	Date Reg:	25th November 2008
Proposal:	Works to fell 1 no. cherry tree within Frenchay Conservation area.	Parish:	Winterbourne Parish Council
Map Ref:	64123 77906	Ward:	Frenchay and Stoke Park
Application Category:	Minor	Target Date:	5th January 2009



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 100023410, 2008.

This application appears on the circulated schedule listed because an objection was received from Winterbourne Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks approval for works to fell 1 no. Cherry Tree within the Frenchay Conservation Area. According to the applicant, the works are required because the tree is in ill health and is showing the potential to be a future hazard.
- 1.2 The tree is located in the grounds of Frenchay Lodge Cottage, which is located on the western side of Beckspool Road. The site is within the Frenchay Conservation Area and Settlement Boundary.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG15 Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
L1 Landscape Protection and Enhancement
L12 Conservation Areas
- 2.3 Supplementary Planning Guidance
Frenchay Conservation Area (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT00/3171/TCA, 25% crown reduction to 1 no. Cherry Tree, 04/01/01, No objection.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection – This property lies within the Conservation Area. The Parish Council objects to the felling of trees. A thorough inspection is required by a Tree Officer.
- 4.2 Tree Officer
No objections

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is recognised that trees can make a special contribution to the character and appearance of a conservation area. This Act makes special provision for trees in conservation areas which are not the subject of a Tree Preservation Order. Under Section 211, subject to a range of exceptions, planning permission is required for proposals to cut down, top or lop a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their general control by making a TPO in respect of it. When considering whether trees are worthy of protection in conservation areas, the visual, historic and amenity contribution of the tree(s) should be taken in to account.

5.2 Consideration of Proposal

This application seeks approval for works to fell 1 no. Cherry Tree. The tree is located in the grounds of Frenchay Lodge Cottage, which is located on the western side of Beckspool Road. The site is within the Frenchay Conservation Area and Settlement Boundary.

- 5.3 The Cherry Tree is growing adjacent to Frenchay Lodge Cottage, leaning towards the dwelling with the canopy extending towards the roof whereby it appears to be causing an actual nuisance. The tree would not be able to stay in its current position as it would be likely to fall on the house at some point in the future. As such, the application to fell the tree is acceptable.

6. **CONCLUSION**

The decision to not object 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 to the proposed tree works.

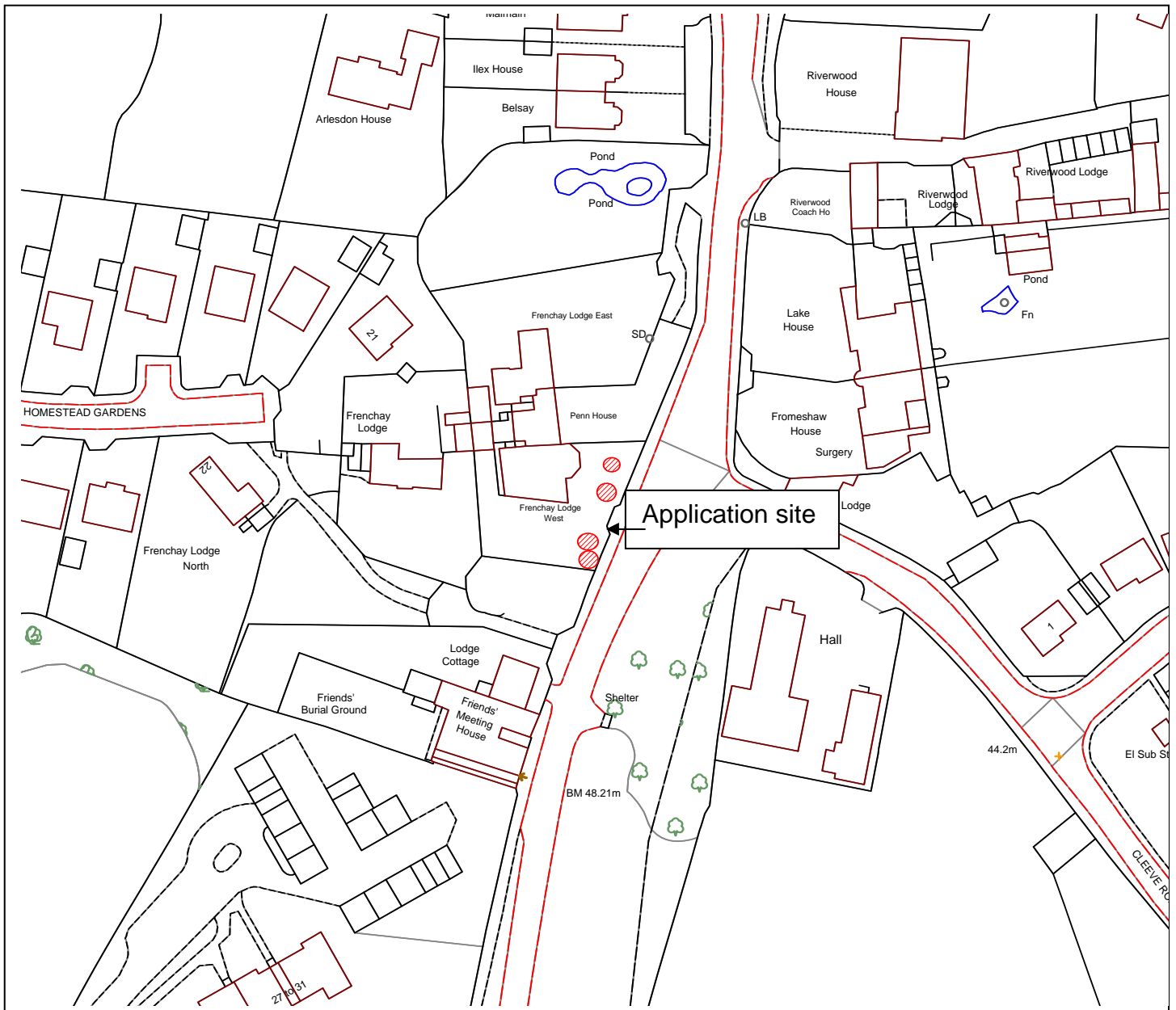
Background Papers **PT08/3056/TCA**

Contact Officer: **Jonathan Ryan**
Tel. No. **01454 863538**

CIRCULATED SCHEDULE NO. 51/08 – 18 DECEMBER 2008

App No.: PT08/3058/TCA
Site: Frenchay Lodge West, Beckspool Road, Frenchay, Gloucestershire, BS16 1NT
Proposal: Works to reduce 1 no. holly and 1 no. bay tree by 15% and 1 no. ash and 1 no. sycamore tree by 20%.
Map Ref: 64139 77934
Application Category: Minor

Applicant: Mr C Windsor
Date Reg: 25th November 2008
Parish: Winterbourne Parish Council
Ward: Frenchay and Stoke Park
Target Date: 5th January 2009



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100023410, 2008.

This application appears on the circulated schedule list because an objection has been received from Winterbourne Parish Council.

1. THE PROPOSAL

1.1 This application seeks approval for the following works:

- Reduce 1 no. Holly Tree and Bay Tree by 15%
- Reduce 1 no. Ash Tree and Sycamore Tree by 20%

1.2 The trees are located within the grounds of Frenchay Lodge West, which is on the western side of Beckspool Road. The site lies within the Frenchay Conservation Area and settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG15 Planning and the Historic Environment

2.2 South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement
L12 Conservation Areas

2.3 Supplementary Planning Guidance Frenchay Conservation Area (adopted)

3. RELEVANT PLANNING HISTORY

3.1 PT07/1391/TCA, Works to fell and reduce various trees within the Frenchay Conservation Area, 29/5/07, Withdrawn.

3.2 PT07/1956/TCA, Works to prune and fell various trees within the Frenchay Conservation Area.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Objection – Rather big reductions in a Conservation Area. 85% of trees have been removed. A thorough inspection by a tree officer is required.

4.2 Tree Officer

No objections

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is recognised that trees can make a special contribution to the character and appearance of a conservation area. This Act makes special provision for trees in conservation areas which are not the subject of a Tree Preservation Order. Under Section 211, subject to a range of exceptions, planning permission is required for proposals to cut down, top or lop a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their general control by making a TPO in respect of it. When considering whether trees are worthy of protection in conservation areas, the visual, historic and amenity contribution of the tree(s) should be taken in to account.

5.2 Consideration of Development

This application seeks approval for the following works:

- Reduce 1 no. Holly Tree and Bay Tree by 15%
- Reduce 1 no. Ash Tree and Sycamore Tree by 20%

5.3 The trees are located within the grounds of Frenchay Lodge West, which is on the western side of Beckspool Road. The site lies within the Frenchay Conservation Area and settlement boundary. The trees are growing adjacent to the eastern boundary of the site.

5.4 The Holly and the Bay trees are shrubs which have been managed in the past. The proposed 15% reduction will re-shape them and should not be detrimental to their health. The Ash and the Sycamore trees have also been managed in the past and the works can be seen as on going management. Both Ash and Sycamore trees respond well to pruning. The works should ensure that the trees are maintained in an appropriate manner. Given the above, the works would be in accordance with Policy L12 of the South Gloucestershire Local Plan (adopted) 2006 and are acceptable. Moreover, the tree has been inspected by a Council Tree Officer, who raises no objection to the application.

6. CONCLUSION

The decision to not object 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

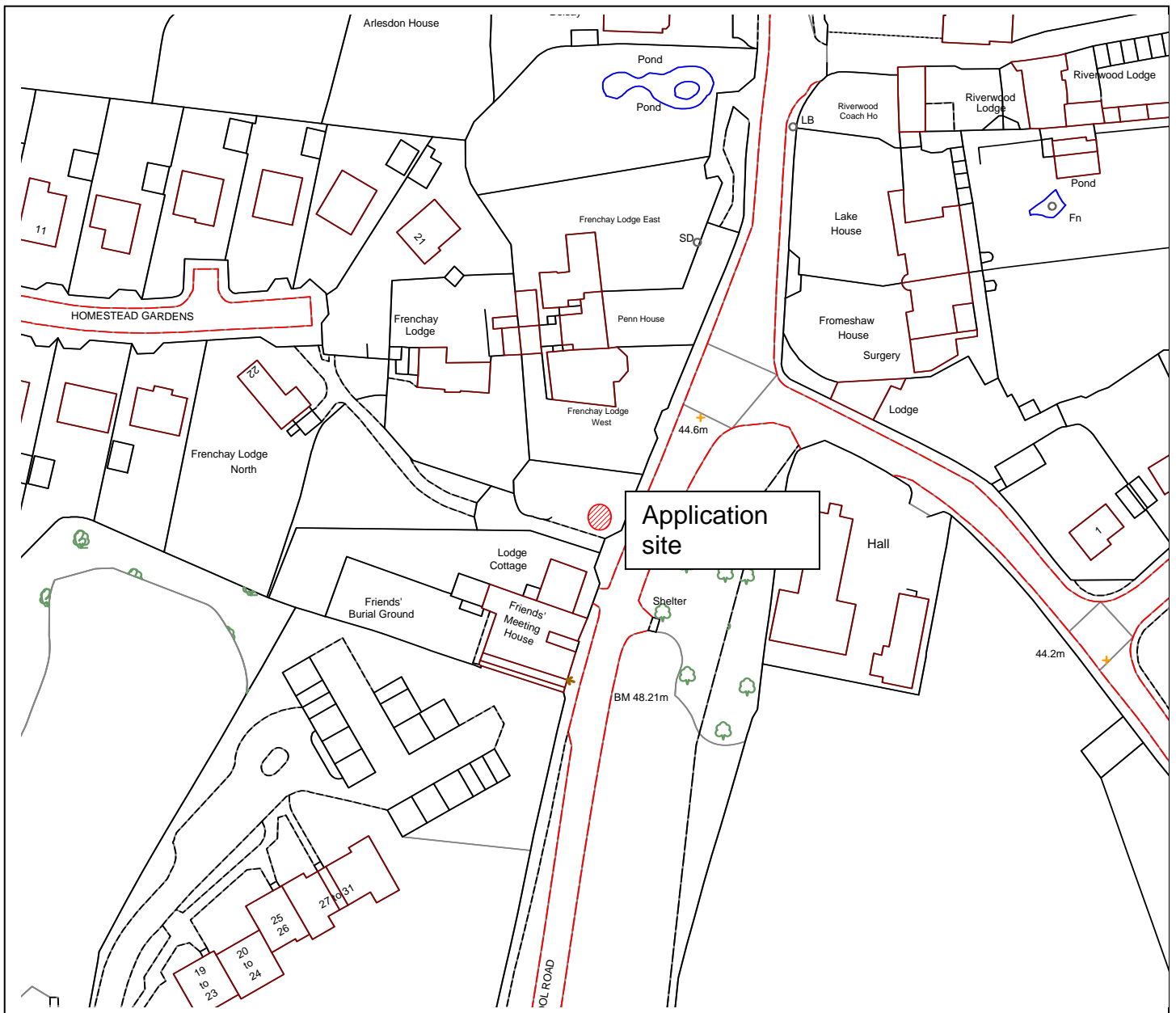
7.1 No objection to the proposed tree works.

Background Papers **PT08/3058/TCA**

Contact Officer: **Jonathan Ryan**
Tel. No. **01454 863538**

CIRCULATED SCHEDULE NO. 51/08 – 18 DECEMBER 2008

App No.:	PT08/3059/TCA	Applicant:	Mr K Helps
Site:	Frenchay Lodge, Beckspool Road, Frenchay, South Gloucestershire, BS16 1NT	Date Reg:	25th November 2008
Proposal:	Works to reduce 1 no. sycamore tree by 20%	Parish:	Winterbourne Parish Council
Map Ref:	64129 77914	Ward:	Frenchay and Stoke Park
Application Category:	Minor	Target Date:	5th January 2009



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 100023410, 2008.

This application appears on the circulated schedule list because an objection has been received from Winterbourne Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks approval for works to reduce 1 no. Sycamore tree by 20%.
- 1.2 The tree is situated within the grounds of Frenchay Lodge, which is located on the western side of Beckspool Road. The site lies within the Frenchay Conservation Area and settlement boundary.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG15 Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
L1 Landscape Protection and Enhancement
L12 Conservation Areas
- 2.3 Supplementary Planning Guidance
Frenchay Conservation Area (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection – Rather big reductions in a Conservation Area. A thorough inspection by tree officer is required.
- 4.2 Tree Officer
No objection

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is recognised that trees can make a special contribution to the character and appearance of a conservation area. This Act makes special provision for trees in conservation areas which are not the subject of a Tree Preservation Order.

Under Section 211, subject to a range of exceptions, planning permission is required for proposals to cut down, top or lop a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their general control by making a TPO in respect of it. When considering whether trees are worthy of protection in conservation areas, the visual, historic and amenity contribution of the tree(s) should be taken in to account.

5.2 Consideration of Proposal

This application seeks approval for works to reduce 1 no. Sycamore tree by 20%. The tree is situated within the grounds of Frenchay Lodge, which is located on the western side of Beckspool Road. The site lies within the Frenchay Conservation Area and settlement boundary.

5.3 The tree is growing at the entrance to Frenchay Lodge, adjacent to the site boundary. It is a Sycamore tree which appears to be in good health. At present, the canopy of the tree is resting heavily on the telephone cable which runs through it. The cable appears to be stretched and near to the point of failure. The proposal to reduce the tree by 20% would alleviate the nuisance caused to the cable and should not be detrimental to the health of the tree as Sycamore trees respond well to pruning. Given the above, it is considered that the works would not be detrimental to the health of the tree or to the character of the Frenchay Conservation Area and adheres to Policy L12 of the South Gloucestershire Local Plan (adopted) 2006. Furthermore, the tree has been inspected by a Council Tree Officer who raises no objections to this application.

6. CONCLUSION

The decision to not object 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 to the proposed tree works.

Background Papers **PT08/3059/TCA**

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538