



**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. 02/08

Date to Members: 11/01/08

Member's Deadline: 18/01/08

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

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

Having considered the reports, those applications that Councillors feel should be referred to an appropriate Area Development Control Committee must be notified to the Development Control section **within five working days of the publication of the schedule (by 12 noon)**. If there has been no member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule. **Before referring an item to the Committee, Members may wish to speak to an officer about the issue, in order that any problems can perhaps be resolved without the need for referral to a Committee.**

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

CIRCULATED SCHEDULE

DATE:11/1/08

SCHEDULE NO. 02/08

If you wish any of the applications to be considered by the appropriate Area Committee you should return the attached pro forma not later than 5 working days from the date of the appropriate schedule (by 12 noon), to the appropriate Development Control Support Team. For the Kingswood area, extension 3544 (fax no. 3545), or the Development Control Support Team at the Thornbury office, on extension 3419 (fax no. 3440), or email Planningapplications@southglos.gov.uk.

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

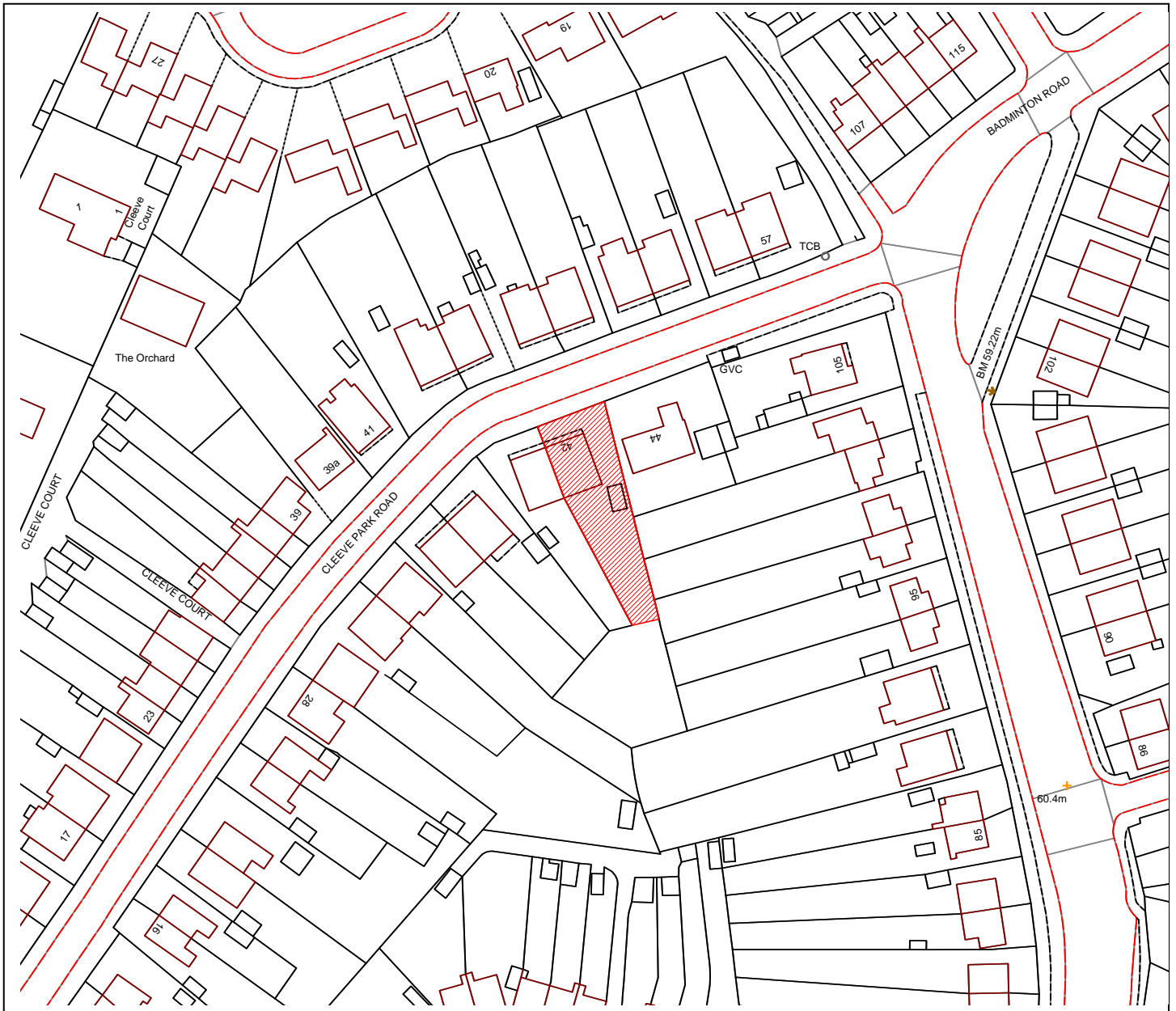
Circulated Schedule 11 January 2008

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK07/3220/F	Approve with conditions	42 Cleeve Park Road Downend South Gloucestershire BS16 6DN	Downend	Downend and Bromley Heath
2	PK07/3439/CLE	Approve	Dyers Cottage Mission Road Iron Acton South Gloucestershire BS37 9XR	Ladden Brook	Iron Acton Parish Council
3	PK07/3524/F	Refusal	Grey Barns Sodbury Road Wickwar WOTTON UNDER EDGE South Gloucestershire GL12 8NR	Ladden Brook	Wickwar Parish Council
4	PK07/3527/F	Approve with conditions	Land adjacent to 138 Mount Hill Road Hanham South Gloucestershire BS15 8QR	Hanham	Hanham Parish Council
5	PK07/3537/R3F	Deemed consent	Chipping Sodbury School Bowling Road Chipping Sodbury South Gloucestershire BS37 6EW	Chipping Sodbury	Sodbury Town Council
6	PT07/2507/F	Approve with conditions	Orchard Dene Sandy Lane Aust South Gloucestershire BS35 4AU	Severn	Aust Parish Council
7	PT07/3369/F	Refusal	40/42 Redwick Road Pilning BRISTOL South Gloucestershire BS35 4LQ	Pilning and Severn Beach	Pilning and Severn Beach
8	PT07/3380/F	Approve with conditions	64 Wolfridge Ride Alveston South Gloucestershire BS35 3PR	Thornbury South and Alveston	Alveston Parish Council
9	PT07/3447/F	Approve with conditions	13 Mackie Avenue Filton South Gloucestershire BS34 7NE	Filton	Filton Town Council
10	PT07/3464/O	Approve with conditions	11 Gloucester Road Almondsbury South Gloucestershire BS32 4HD	Almondsbury	Almondsbury Parish Council
11	PT07/3492/F	Approve with conditions	Almondsbury Forge Works Ltd Sundays Hill Almondsbury South Gloucestershire BS32 4DS	Almondsbury	Almondsbury Parish Council

CIRCULATED SCHEDULE NO. 02/08 – 11th JANUARY 2008

App No.: PK07/3220/F
Site: 42 Cleeve Park Road Downend
 BRISTOL South Gloucestershire BS16
 6DN
Proposal: Erection of rear conservatory.
Map Ref: 65101 77205

Applicant: Mrs B Freeman
Date Reg: 30th October 2007
Parish: Downend and
 Bromley Heath
Ward: Downend



© South Gloucestershire Council 2007. All rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2007.

N.T.S

PK07/3220/F

INTRODUCTION

This application appears on the Circulated Schedule as a result of comments received in response to the consultation process.

1. THE PROPOSAL

- 1.1 The application seeks permission for conservatory to the rear of the property.
- 1.2 The property itself is a semi detached bungalow set on a residential road, with neighbouring properties of similar design and scale.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1 – Achieving Good Quality Design in New Development
H4 – Development Within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
South Gloucestershire Advice Note 2 – House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 None found

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection

Other Representations

- 4.2 Local Residents
One letter of objection has been received. Objections are raised on the grounds firstly of perceived amenity issues associated with existing elements of the application dwelling to the rear elevation and secondly regarding the potential amenity impact that the proposed conservatory would have upon the neighbouring property by virtue of its height.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The proposal for the erection of a conservatory at this location is considered acceptable in principle, subject to satisfying the relevant detailed development control criteria as set out above.
- 5.2 Residential Amenity
Original plans illustrated that the proposed conservatory would measure just

over 5 metres in length and 5.4 metres in width. This has since been reduced, at the request of the LPA to a length of 4 metres. This should be looked at in context with the existing dwelling and also the site specific location of the conservatory. The proposed conservatory would replace an existing structure that measures 2.6 metres in length. The proposed conservatory would be set 1.6 metres away from the shared boundary. The proposed conservatory would be to a maximum height (glazed) of 3.4 metres at its highest point, which as it would be sloping away from the shared boundary (consisting of a boundary wall to approximately 1.6 metres) would be at a point approximately 3.5 metres from the boundary. Taking these factors into account it is considered that the off-set from the shared boundary is sufficient for the extent of the proposal and that no unreasonable impact upon surrounding residential amenity would arise as a result of the proposal such as to warrant a refusal of the planning application.

The issue of impacts of existing parts of the property are not the subject of consideration for this application. The planning history provides no information to indicate previous extensions or permitted development. And furthermore any suggested issues of unauthorised development or indeed exceedance of permitted development rights, as raised in the objection letter, are a matter to be passed to the Enforcement Team to be dealt with individually.

5.3 Design

The design of the conservatory is considered to be relatively standard in context with the nature of the location and does not raise any significant design issues.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted.

Background Papers **PK07/3220/F**

Contact Officer: **Simon Ford**
Tel. No. **01454 863714**

CONDITIONS

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

Reason:

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

CIRCULATED SCHEDULE NO. 02/08 – 11th January 2008

App No.:	PK07/3439/CLE	Applicant:	Mr N Masters
Site:	Dyers Cottage Mission Road Iron Acton BRISTOL South Gloucestershire BS37 9XR	Date Reg:	21st November 2007
Proposal:	Application for Certificate of Lawfulness for an existing use of outbuilding for ancillary residential purposes; and existing use of land as residential curtilage.	Parish:	Iron Acton Parish Council
Map Ref:	69526 83839	Ward:	Ladden Brook



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2007.

N.T.S

PK07/3439/CLE

This application is for a Certificate of Lawful Use and under the Council's current scheme of delegation must appear on the Circulated Schedule.

By way of information, Members should be aware, that the test to be applied to this application for a Certificate of Lawful Use, is that the applicant has to prove on the balance of probability that the outbuilding and land has been used for residential purposes, for a period of 10 years consecutively, prior to the receipt of the application.

1. THE PROPOSAL

- 1.1 The application has been submitted under Section 191 (1) of the Town and Country Planning Act 1990 for a Certificate of Lawfulness for an existing use of the site.
- 1.2 The application relates to land and an outbuilding at Dyer's Cottage, Mission Road, Iron Acton. The property is a small two-storey detached cottage probably 18thC in age. A former agricultural outbuilding lies immediately to the west of the cottage. To the front of the outbuilding is a yard area and paddock.
- 1.3 The applicant considers that the outbuilding has been used for ancillary residential storage purposes and the yard and paddock as residential curtilage for at least 10 years consecutively prior to the submission of this application.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24
Circular 10/97: Enforcing Planning Control.
- 2.2 Development Plans
As the application is for a Certificate of Lawfulness the policy context is not directly relevant, as the land use merits are not under consideration. The applicant need only prove that on the balance of probability the use has taken place for an uninterrupted period of at least the last 10 years prior to the receipt of the application (8th November 2007).

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/1387/O - Demolition of 1no. dwelling to facilitate the erection of 1no. dwelling (outline) with layout, scale, access, and landscaping to be determined. Design and appearance to be reserved.
Withdrawn 11th Sept. 2007.

4. SUMMARY OF EVIDENCE SUBMITTED IN SUPPORT OF THE APPLICATION

The applicant has submitted the following evidence in support of the application :

- One red edged site location plan.
- A Statutory Declaration by Colin Dyer dated 23rd October 2007.
- A Statutory Declaration by Mary Irene Masters dated 23rd October 2007.
- A Statutory Declaration by Nicholas Dudley Masters dated 23rd October 2007.

5. **SUMMARY OF CONTRARY EVIDENCE**

5.1 None

6. **OTHER CONSULTATIONS**

6.1 Iron Acton Parish Council
No response

6.2 Councillor Howard Gawler
No response

6.3 Local Residents
No responses received.

7. **EVALUATION**

7.1 The application seeks to prove that on the balance of probability the principal outbuilding otherwise known as 'The Dairy' has been used for ancillary residential uses and that the adjacent yard and paddock has been used as residential curtilage for a period of 10 years consecutive to the receipt of the application. The application has been supported by 3no. separate Statutory Declarations and these signed legal documents are considered to carry considerable weight in the determination of this application. There is no contrary evidence relating to this 10 year period.

7.2 The Statutory Declarations have all been made by people with long term intimate knowledge of the site and all have confirmed that the outbuilding has been used continuously for the 10 year period for:

- General domestic storage.
- Storage of garden implements.
- Storage of building materials in association with repairs at Dyers Cottage and the associated outbuildings as well as a neighbouring property called 'Craigaffie'.
- Storage of timber and coal for domestic use.

7.3 All three Statutory Declarations also confirm that the land defined within the submitted red edge plan has been used as residential curtilage.

7.4 Having visited the site on a number of occasions, officers have seen no evidence of farming activities within the site and building in question. Domestic materials were being stored within the outbuilding. The paddock area was distinct from the neighbouring agricultural field, being overgrown and containing domestic clutter. Furthermore the paddock is also the site of a Sceptic Tank serving the residential property.

7.5 In the absence of any contrary evidence, it is the considered view therefore that on the balance of probability the applicants have provided the evidence to support the claim.

8. RECOMMENDATION

- 8.1 That a Certificate of Existing Lawful Use be GRANTED for the continued use of the outbuilding and land for ancillary residential purposes and residential curtilage respectively.

Background Papers PK07/3439/CLE

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CIRCULATED SCHEDULE NO. 02/08 – 11th January 2008

App No.: PK07/3524/F
Site: Grey Barns Sodbury Road Wickwar
 WOTTON UNDER EDGE South
 Gloucestershire GL12 8NR
Proposal: Erection of 1no. detached dwelling with
 associated parking and works.
Map Ref: 72472 87953

Applicant: Mr K Bateman
Date Reg: 29th November
 2007
Parish: Wickwar Parish
 Council
Ward: Ladden Brook



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2007.

N.T.S

PK07/3524/F

INTRODUCTION

This application is placed on the Circulated Schedule to members given that correspondence supporting the proposal has been received.

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the erection of a single detached dwelling with associated parking and amenity space. The scheme allows for the creation of 3 no. parking spaces for the proposed dwelling and the retention of 3 no. spaces for the original property.
- 1.2 The building would be two-storey, with projecting front gables. Access is to be shared with the existing property. Stonework and tiles to match existing property. Indication has been given that some wooden workshops on the site would be demolished although other brick buildings will remain.
- 1.3 The application site is situated on the western side of Sodbury Road, outside of the settlement boundary of Wickwar, (which lies on the opposite of Sodbury Road), and therefore within the countryside.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS7	Sustainable Development in Rural Areas
PPG13	Transport

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape
T8	Car parking
T12	Transportation
H3	Residential development in the Countryside

2.3 Supplementary Planning Guidance

South Gloucestershire Council Design Checklist (Adopted August 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 N3583 Use of land for the stationing of a residential caravan (Approve)
N3583/1 Change of use of stable to dwelling and erection of single storey (Approve)
P86/2636 Erection of detached dwelling house (Outline) Refused
P87/1120 Erection of detached dwelling (Outline) Refused
P87/1960 Erection of single storey extension (Approved)

4. CONSULTATION RESPONSES

4.1 Wickwar Parish Council

Wooden workshops are to be demolished although all existing walls and brick buildings will remain. With regard to the proposal of a dwelling the Councillors

had no objection as long as the brick work is in keeping with the existing neighbouring buildings. It was felt that with regard to the overall site the proposals would be a planning gain.

4.2 Sustainable Transport

The proposal is for creation of a new detached dwelling house on part of the garden of the dwelling at Greybarns, Sodbury Road. It is proposed to use the existing access onto the B4060 Sodbury Road.

Having visited the site, I note that existing access has inadequate visibility splays onto the main road when the visibilities are measured in accordance with the design guidance. The obstruction to visibility splays are boundary wall either side of the existing access. I consider increased use of this access that would result if the development to be approved would be detrimental to highway and road safety and for this reason, the application is recommended refusal for the following reason;

The proposal would lead to the increased use of a substandard access by reason of inadequate visibility splays onto the B4060 Sodbury Road a classified highway thereby it will be detrimental to highway safety and contrary to policies T12 and H4 of the SGC Local Plan.

Other Representations

4.3 Local Residents

There have been no responses received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site lies outside of the settlement boundary of Wickwar and therefore lies within open countryside. Policy H3 of the South Gloucestershire Local Plan (Adopted January 2006) applies following Policy outlined in PPS7.

Paragraph 9 of PPS7 states that local planning authorities should strictly control new house building (including single dwellings) in the countryside, away from established settlements or areas allocated for housing. Isolated houses will require special justification. One such justification can be that the house is needed to provide for the essential housing of a worker associated with agriculture who requires to live close to their place of work.

Policy H3 states that “proposals for new residential development outside the existing urban areas and boundaries of settlements as defined on the proposals map will not be permitted with the exception of affordable housing on rural exception sites, housing for agricultural or forestry workers and replacement dwellings. The proposed development does not fit within these criteria. The site, whilst not in open countryside, comprises countryside in policy terms and the proposal is clearly outside of the settlement boundary of Wickwar.

The comments of Wickwar Parish Council are noted, however the removal of any existing structures on the site does not overcome the Policy objection to the proposal. The settlement boundary is in place to steer development within

the boundary and away from the open countryside, to protect the countryside for its own sake and in the interests of sustainable development. It is considered that to permit this proposed development outside of the settlement boundary (and thereby in the open countryside), would in itself set an undesirable precedent. It is considered that the proposal is in conflict with the aims and objectives of Policy H3 and PPS7.

5.2 Design/Landscaping

It is considered that the design of the development is appropriate and is similar to that of neighbouring properties. If the scheme were acceptable in principle, conditions would be attached to ensure the use of suitable materials and an appropriate landscaping scheme to include boundary treatments.

5.3 Residential Amenity

It is not considered that the proposed development would adversely affect the residential amenity of neighbouring occupiers

5.4 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006) considers the impact of development upon the surrounding highway network. Among other criteria, new development should “provide adequate, safe, convenient, attractive and secure access and facilities for pedestrians, cyclists and people with disabilities and should provide safe access capable of accommodating the motorised traffic generated by the proposal. In addition new development should not “...have an unacceptable effect on road, pedestrian and cyclist safety”.

It is proposed to use the existing access onto the B4060 Sodbury Road. It is considered that the existing access has inadequate visibility splays onto the main road when the visibilities are measured in accordance with the design guidance. The obstruction to visibility splays are boundary wall either side of the existing access. Officers consider that the increased use of this access, if the development were to be approved would be detrimental to highway and road safety contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006).

5.5 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.

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 is refused for the following reasons.

Background Papers **PK07/3524/F**

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

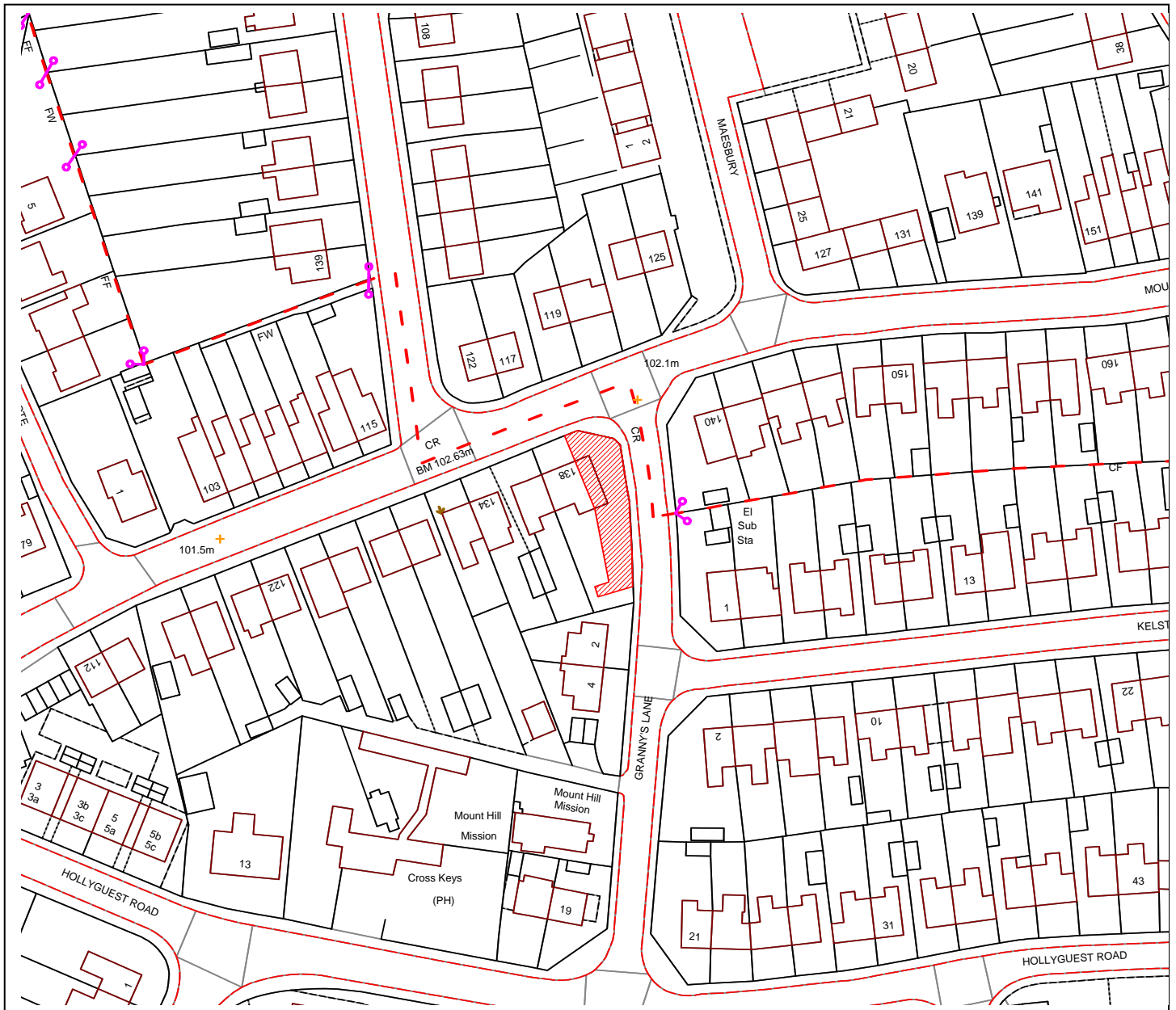
REFUSAL REASONS

1. The development comprising the erection of a dwelling house and associated works is situated on land outside of the settlement boundary of Wickwar and falls outside of the acceptable criteria for development in the countryside contrary to Policy H3 of the South Gloucestershire Local Plan (Adopted)
2. The proposal would lead to the increased use of a substandard access by reason of inadequate visibility splays onto the B4060 Sodbury Road a classified highway thereby it will be detrimental to highway safety and contrary to policies T12 and H4 of the South Gloucestershire Council Local Plan (Adopted).

CIRCULATED SCHEDULE NO. 02/08 – 11th JANUARY 2008

App No.: PK07/3527/F
Site: Land adjacent to 138 Mount Hill Road
 Hanham BRISTOL South
 Gloucestershire BS15 8QR
Proposal: Erection of 4no. flats with associated car
 parking and cycle store.
Map Ref: 65015 72642

Applicant: HM Construction
Date Reg: 29th November
 2007
Parish: Hanham Parish
 Council
Ward: Hanham



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2007.

N.T.S

PK07/3527/F

Introduction

This application appears on the Circulated Schedule following objections received from Hanham Parish Council and local Residents, the concerns raised are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to land to the side of an early 20C two-storey semi-detached house, located on a corner plot at the junction of Mount Hill Road and Granny's Lane, Hanham. The house did have a single-storey self-contained annexe extension to the side/rear but this has recently been demolished. A double garage is situated at the bottom of the rear garden and is accessed from Grannys Lane. The large garden is enclosed to the front and side by a low natural stone-wall and to the rear/side by a high close boarded fence. The location is entirely residential and suburban in character. Planning permission PK06/3026/F was previously granted for the erection of a detached two-storey 4no. bedroom dwelling to the side of no.138 and more recently planning permission PK07/1524/F was granted for the erection of a building to contain 2no. self contained flats and detached single garage with associated parking and works. This building is now in the process of being constructed.
- 1.2 It is now proposed to re-arrange the internal arrangements of the approved building and replace the 2no. self-contained, one-bedroom flats with 4no. smaller one-bedroom flats. The former rear garden of no138 has already been sub-divided by a new 1.8m high fence thus segregating the building plot from no.138. There would be no other alterations to the building that was previously approved. No. 138 is now in separate ownership but has retained half of the garage located to the rear of the application site as well as a parking space to the front of no.138.
- 1.3 The proposal would also include a new cycle shed and bin store plus three parking spaces (one in the existing garage) all accessed off Granny's Lane; a further parking space would be provided in the driveway accessed off Mount Hill Road.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

Joint Replacement Structure Plan

- Policy 1 - Principles
- Policy 2 - Location of Development
- Policy 17 - Landscape
- Policy 33 - Housing Provision and Distribution
- Policy 34 - Re-use of Previously Developed Land (support for infill)
- Policy 54 - Car Parking Provision

South Gloucestershire Local Plan (Adopted) 6th January 2006

- D1 - Design
- L1 - Landscape Protection and Enhancement
- L5 - Open areas
- L17 & L18 - The Water Environment
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- EP7 - Unstable Land
- H2 - Residential Development within the existing Urban Area
- H4 - Development within Existing Residential Curtilages
- H6 - Affordable Housing
- LC2 - Provision of Education Facilities
- T7 - Cycle Parking Provision
- T8 - Parking Standards
- T12 - Transportation Development Control Policy for New Development
- LC4 - Proposals for Educational and Community Facilities Within the Existing Urban Area.

Supplementary Planning Guidance
Advice Note One - "Altering Your Home"

3. RELEVANT PLANNING HISTORY

- 3.1 P95/4630 - Erection of rear conservatory and double garage.
Approved 5th Feb 1996
- 3.2 PK06/3026/F - Erection of 1no. detached dwelling with car parking and associated works.
Approved 22nd December 2006.
- 3.3 PK07/1524/F - Erection of 2no. self-contained flats and detached single garage with associated parking and works.
Approved 6th July 2007

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
Objected on the following grounds:
 - Overdevelopment of the site.
 - Insufficient off-street parking.
 - Insufficient amenity space for future occupiers.
- 4.2 Other Consultees
None

Other Representations

- 4.3 Local Residents
Three letters of objection were received from local residents. The concerns raised are summarised as follows:
 - Inadequate sewerage/drainage.
 - Affects access to 140 from owners/visitors parking in Grannys Lane.
 - Bins too close to the pavement.
 - Overlooking of no.140.
 - Increased traffic and more parking in Mounthill Road.

- Inadequate parking provision.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the Urban Area and is previously developed land and can therefore be assessed as a brownfield windfall site. There is therefore no in-principle objection to the re-development of the site for residential use. The acceptance in principle of the residential development of the site and for a building of the same dimensions and appearance as now proposed was previously established with the granting of planning consent PK07/1524/F.

5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 34 states that in making allocations for housing provision, Councils should give priority to the re-use of previously developed land. Similarly, Policy 33 states that priority will be given to the re-use of previously developed sites *within the urban area*. Furthermore, Policy 2 of the JRSP, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub regional centres. JRSP Policy 19 requires development to be managed in a manner that respects local character and distinctiveness through good design.

5.3 Government advice contained in PPS3 – ‘Housing’ supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes. The South Gloucestershire Local Plan (Adopted) 6th January 2006 (para.8.26) seeks to “..increase the proportion of smaller dwellings, reflecting the projected growth in one-person households and the existing disproportionate provision of smaller dwellings in South Gloucestershire.”

5.4 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the residential development proposed, subject to the following criteria:

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

5.5 Density

Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land. PPS3 (para.47) indicates that a national indicative minimum density of 30 dwellings per hectare should be used and whilst not prescribing any maximum figure the PPS encourages the highest density that can be achieved within the various local considerations that need to be taken into account. The proposal equates to 133.2 dwellings per hectare but this higher figure merely reflects the fact that the development would comprise of 4 small flats as opposed to individual dwelling houses, thus distorting the density figure.

5.6 Officers are satisfied that having regard to the site's constraints relating to its location, pattern of development, landscape characteristics, access, and impact on residential amenity, a larger building could not realistically be accommodated on the site and in this respect the proposal represents the most efficient use of the land in what is a sustainable location, close to the centre of Hanham within walking distance of the shopping and community facilities and main bus routes. The proposal therefore accords with Government guidelines and in terms of its density the development is not considered to be an overdevelopment of the site.

5.7 Scale and Design

Whilst there is a mix of house types of varying ages and design in the wider locality, the houses on the southern side of Mount Hill Road, in the vicinity of the site, exhibit quite a strong architectural vernacular, being constructed of natural Pennant Sandstone or re-constituted stone, with design features common to the row of dwellings. Only one detached building is proposed, the foot-print of which would be very similar to the neighbouring houses on the southern side of Mount Hill Road. The general scale and form of the proposed dwelling would replicate that of no. 138 and its immediate neighbours. Furthermore the proposed materials to be used in construction i.e. natural stone to match no.138, dark brown roof tiles and white uPVC windows would also be in-keeping with neighbouring houses on the southern side of Mount Hill Road. The proposed building is exactly the same in terms of scale and design as that previously approved under PK07/1524/F. The proposal would integrate very well within the established architectural vernacular and built form.

5.8 It is acknowledged that the pairs of semi-detached houses on the southern side of Mount Hill Road are evenly spaced and that the proposed detached dwelling, in being set only 1 metre from no.138 (as approved under PK07/1524/F), would not replicate this spacing. The house would however be a detached dwelling and there is insufficient room on the site to locate the dwelling further from no.138. Bearing in mind that the proposed building would replicate its neighbours in every other respect and having regard to the overriding need to provide housing within the urban area, the spacing issue is considered to be a relatively minor anomaly, which in this case is considered acceptable.

5.9 Landscape

The application site was previously part of a domestic garden, which was a relatively small open space within the urban landscape. There were some tall Leylandii Trees on the north-eastern edge of the site, but these have now been removed. The trees were not afforded protection by Tree Preservation Order and had minimal amenity value. A single-storey annexe extension previously occupied most of the site where the proposed building is to be erected. As an

open area the site is not considered to make a significant contribution to the quality, character, amenity or distinctiveness of the locality and having regard to the planning history of the site, officers are satisfied that in terms of Policy L5 and L1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 the proposal is acceptable and would not represent a significant loss of open space or have a detrimental impact on the character of the landscape.

5.10 Transportation

Mount Hill Road is an unclassified highway and Grannys Lane a one-way street. Two parking spaces have been retained for no.138, one on the existing driveway to the front of the house and a second in half of the existing garage, which has two separate doors, no.138 is now in separate ownership. One parking space would be provided for each of the proposed 4 no. flats, one in the other half of the existing garage and 2no. to the side, all accessed off Granny's Lane. A further parking space is provided on the driveway off Mounthill Road. The 4no. parking spaces would be allocated on the basis of one per flat. No objection has been raised by the Council's Highway Officer on the grounds of visibility. The proposed car parking provision is 100% and satisfies the Council's adopted car parking standards.

- 5.11 Furthermore secure cycle parking (for 4 cycles) and bin storage for each flat would also be provided adjacent to the parking area accessed via a gate off Grannys Lane. The bin store is considered to be appropriately located for ease of collection.

5.12 Impact upon Residential Amenity

The proposed block of flats would be on a corner plot, any overlooking of neighbouring gardens would be from a reasonable distance, angle and height. The proposed first floor rear balcony is very narrow, being a Juliet Balcony only. Large windows in the side elevation facing no.140 Mounthill Road were previously approved under PK06/3026/F and PK07/1524/F. Some overlooking of gardens is considered to be inevitable in a densely populated urban area such as this and any loss of privacy that might occur would be minimal and certainly not considered to be significant enough to justify refusal of planning permission. There are no habitable room windows in the facing elevations of nos. 140 Mount Hill Road or 2 Grannys Lane, furthermore the rear gardens to these properties are well screened by high fences, existing garages and vegetation, there would therefore be no significant issues of inter-visibility.

- 5.13 Adequate amenity space would be retained in the communal garden to serve the 4 no. one bedroom flats. A separate bin store would also be provided. In this respect the proposal is not considered to be an overdevelopment of the site, a 4no. bedroom house having previously been approved on this plot (see PK06/3026/F. The main body of the proposed building would be situated in line with neighbouring no.138, with a two storey wing extending 3.6m to the rear. Whilst this depth of rear extension would not satisfy the Council's 3m rule as outlined in the Council's SPG Notes 1 and 2, this departure would be more than compensated for by the building being set back more than 1m from the side elevation of the rear extension and garden of no.138. The relationship of the properties to each other would not therefore result in an overbearing impact for neighbouring occupiers. Having regard to all of the above there would be no significant adverse impact on residential amenity.

5.14 Environmental and Drainage Issues

Whilst there will inevitably be some disturbance for neighbouring occupiers during the construction phase, this can be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds. In terms of drainage the Council's Drainage Engineer has raised no objection to the proposal. If it is intended to connect to a private sewer then this is a civil matter. Any connection to the public sewer system would first have to be agreed with Wessex Water.

5.15 Affordable Housing

The proposal is for 4no. flats only, which is below the Council's threshold (15) for affordable housing provision.

5.16 Education Service

The proposal is for 4no. flats only, which is below the Council's threshold (5) for contributions to the Education Service.

5.17 Community Services

The proposal is for 4no. flats only, which is below the Council's threshold (10) for contributions to Community Services.

5.18 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 (Adopted) 23rd August 2007.

5.19 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 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) 6th 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 **PK07/3527/F**

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

CONDITIONS

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

Reason

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

2. Building operations shall not be commenced until samples of the roofing tiles proposed to be used have been submitted to and approved by the Local Planning Authority and all such materials used in construction of the building hereby authorised shall conform to the details so approved.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Sample panels of render, demonstrating the colour and texture are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the rendering is complete.

Reason:

To ensure a satisfactory standard of external appearance and to accord with Policies D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

To ensure a satisfactory standard of external appearance and to accord with Policies D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The hours of working on site during the period of construction shall be restricted to 7.30am to 6.00pm Mondays to Fridays inclusive, 7.30am to 1.00pm Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: deliveries of construction materials, the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) Jan 6th 2006.

6. Developments shall not begin until drainage proposals incorporating Sustainable Drainage Systems (SUDS) and hydrological conditions (soil permeability, watercourses, mining culverts etc) within the development site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details and thereafter maintained.

Reason:

To ensure that a satisfactory means of drainage is provided and prevent an increased risk of flooding, and to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) Jan 6th 2006.

7. The drainage scheme approved, incorporating best management practices, shall be implemented in accordance with the approved details before the development is occupied.

Reason:

To ensure that a satisfactory means of drainage is provided and prevent an increased risk of flooding, and to accord with Policy EP1, EP2, L17 and L18 of the South Gloucestershire Local Plan (Adopted) Jan 6th 2006.

8. 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.

9. The off-street parking facilities (one vehicles per flat) including cycle parking as shown on the approved plan nos 1870/100 shall be provided before the building is first occupied, and thereafter the parking facilities shall be retained and used only in conjunction with the occupation of the buildings purpose.

Reason:

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T8, T7 and T12 of the South Gloucestershire Local Plan (Adopted) Jan 6th 2006.

10. The four car parking spaces shown on approved plan no.1870/100 shall be allocated on the basis of 1 parking space per flat, whichever they may be, and maintained as such thereafter.

Reason:

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) Jan 6th 2006.

11. Prior to the first occupation of any of the flats hereby approved, a plan indicating the positions, design, materials and type of boundary treatment to be erected or retained, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the boundary treatment shall be completed before the building is first occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To protect the privacy and amenity of neighbouring occupiers and in the interests of the visual amenity of the street scene, and to accord with Policies H2 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO.02/08 – 11th January 2008

App No.: PK07/3537/R3F

Applicant: Chipping Sodbury
SchoolSite: Chipping Sodbury School Bowling Road
Chipping Sodbury South Gloucestershire
BS37 6EW

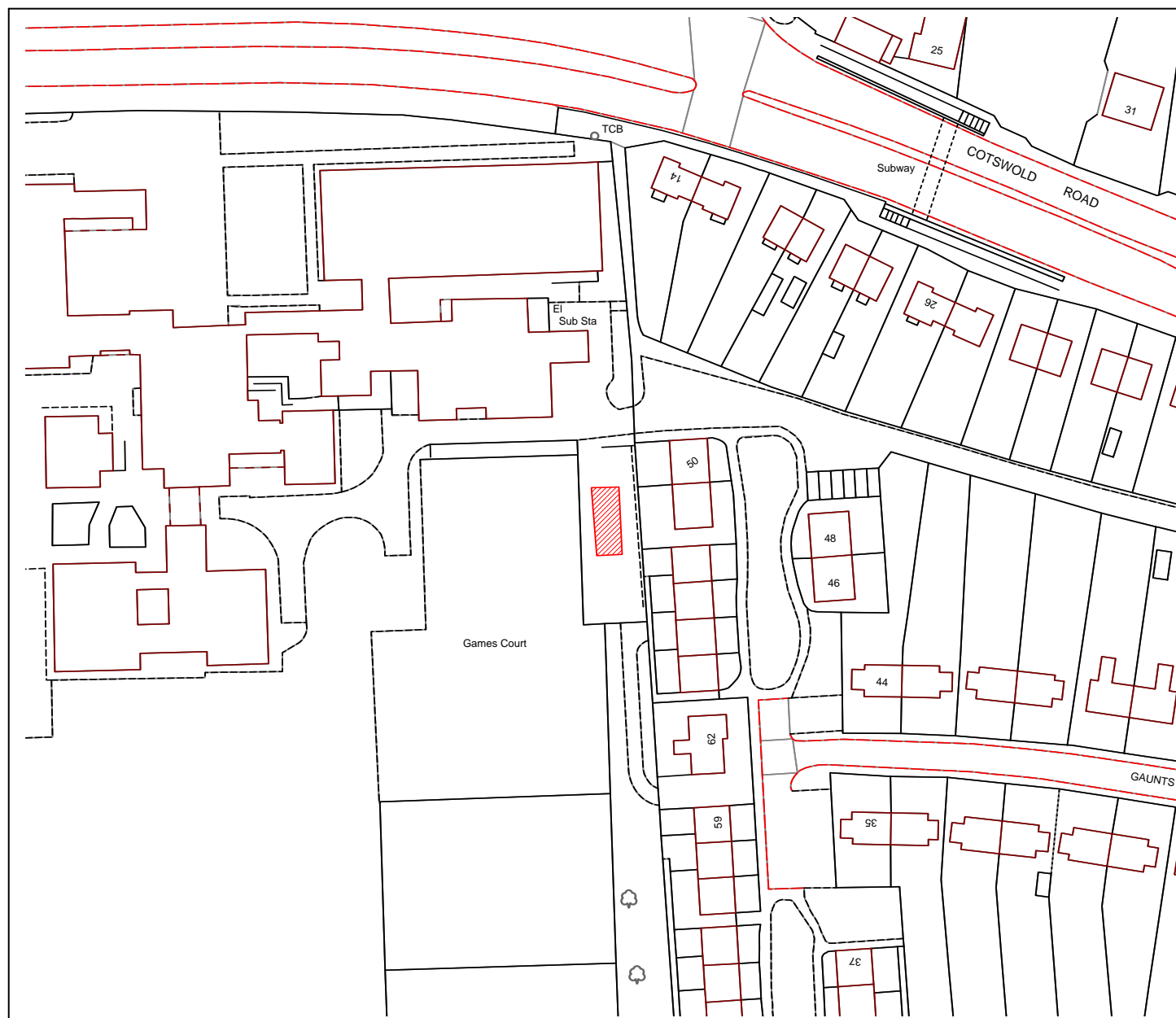
Date Reg: 3rd December 2007

Proposal: Erection of replacement cycle shed.

Parish: Sodbury Town
Council

Map Ref: 72805 81747

Ward: Chipping Sodbury



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2007.

N.T.S

PK07/3537/R3F

INTRODUCTION

This application has been submitted by Chipping Sodbury School, on behalf of South Gloucestershire Council's Education Service and must therefore appear on the Circulated Schedule as a Regulation 3 submission.

1. THE PROPOSAL

- 1.1 The application relates to Chipping Sodbury School, which is located on the eastern side of Bowling Road, Chipping Sodbury. The location is generally residential in character and lies outside the Chipping Sodbury Conservation Area.
- 1.2 It is proposed to erect a new cycle shed adjacent to the eastern boundary of the school complex. The shed would replace a former shed that fell down in a gale some 5 years ago and would be located in the same position.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 - Delivering Sustainable Development
PPG13 - Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 - Design in New Development
LC4 - Proposals for Educational Facilities Within the Existing Urban Area and Defined Settlement Boundaries.
T7 - Cycle Parking
T10 - Travel Plans

3. RELEVANT PLANNING HISTORY

- 3.1 P89/2983 - Erection of Chain Link Security Fencing – 2.7m in Height
No objection to County Matter 6th Dec. 1989.
- 3.2 P91/2881 - Construction of pedestrian access to foot bridge on Cotswold Road; Construction of pedestrian access to Bowling Road; Construction of Cycle Track entrance and exit to Bowling Road; Alteration to existing vehicular access arrangements to Bowling Road.
No objection to County Matter 19th Feb 1992
- 3.3 PK00/2101/R3 - Erection of single storey extension..
Deemed consent 7th Nov. 2000
- 3.4 PK01/0555/R3F - Demolition of existing three storey science block and erection of single storey extension to science block. Erection of single storey extension to art block.
Deemed Consent 11th May 2001

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council
No objection

- 4.2 Other Consultees
None

Other Representations

- 4.3 Local Residents
No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposed cycle shed is the final phase of the School Travel Plan and is supported by Policies LC4, T7 and T10 subject to the criteria discussed below:

5.2 Scale and Design

The proposed Cycle Shed would be 4m wide x 16m long consisting of a low pitched roof supported on narrow poles covering 100 cycle stands. The shed would be located within an existing gated compound enclosed by high chain link fencing. The design and scale of the cycle shed is typical of its type and is considered to be acceptable.

5.3 Impact Upon Residential Amenity

The nearest residential properties are bungalows situated in Gaunts Road, which form part of the Gaunts Road Sheltered Housing Scheme. The tenants of the Sheltered Housing were consulted by the School and no objections have been raised to the proposal. There would be minimal impact on residential amenity.

5.4 Transportation Issues

The proposed shed would have capacity for 100 cycles. The School currently only has cycle parking capacity for 40 cycles. The cycles would be stored under cover with an individual rack to which the cycles could be locked. The compound would be visible to staff at all times and is located next to the Schools rear entrance gate and adjacent to an existing cycle network. The proposal would encourage the use of sustainable forms of transport. The Council's Highway Officer therefore raises no objection to the scheme.

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 (Adopted) 23rd August 2007.

5.8 Section 106 Requirements

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Background Papers PK07/3537/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).

CIRCULATED SCHEDULE NO. 01/08 – 11 JANUARY 2008

App No.: PT07/2507/F
Site: Orchard Dene Sandy Lane Aust
 BRISTOL South Gloucestershire BS35
 4AU

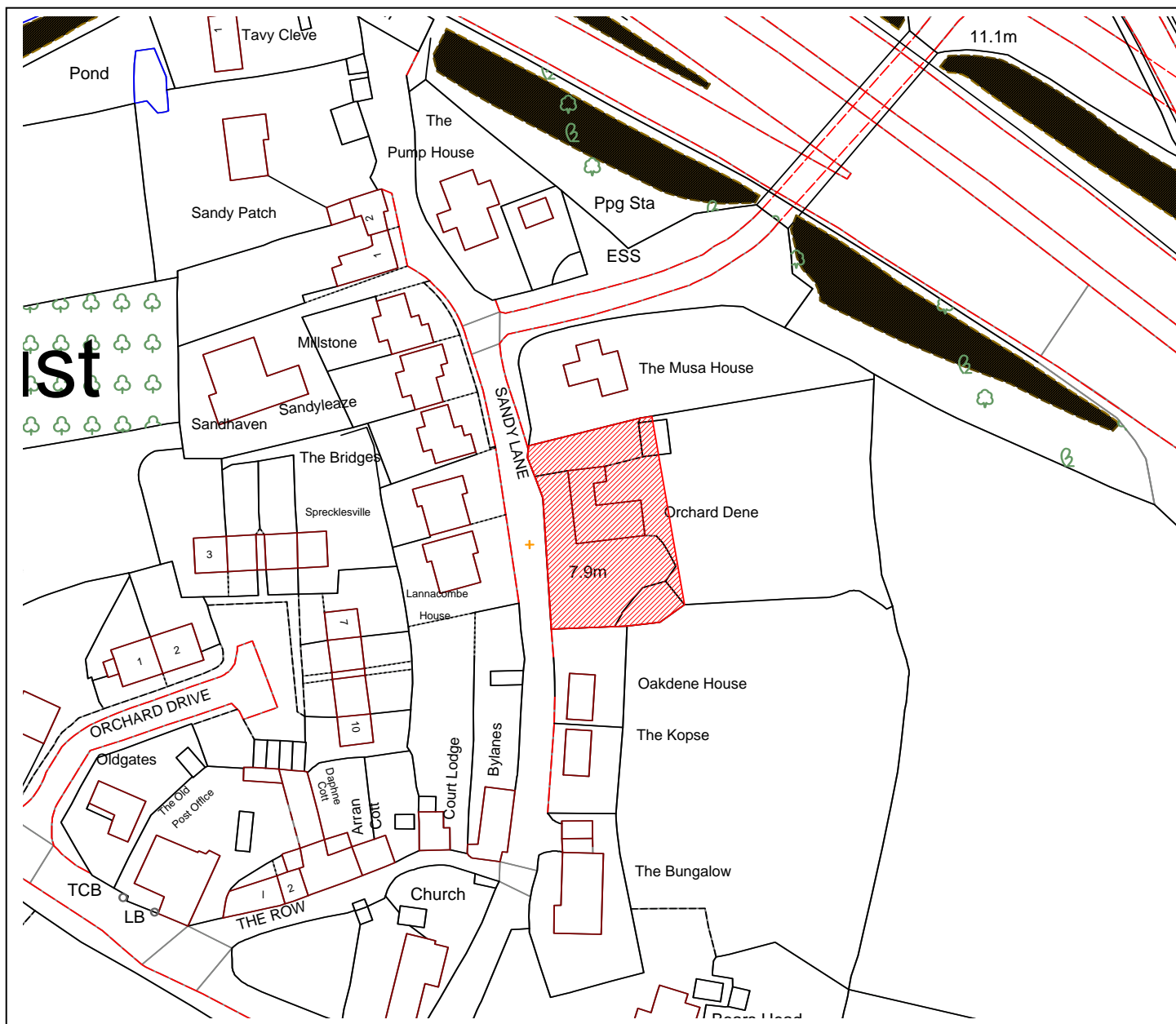
Applicant: Centaur Homes
Date Reg: 15th August 2007

Proposal: Demolition of existing bungalow and
 garage to facilitate the erection of 3 no.
 dwellings with garages, new accesses
 and associated works (Variation of
 PT06/0635/F) (Retrospective).

Parish: Aust Parish Council

Map Ref: 57484 89115

Ward: Severn



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2007.

DC0901MW

This application appears on the Circulated Schedule as there are public comments regarding this planning application which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This site has been subject to development since the approval of planning permission under (PT07/0635/F). The development that has occurred is the construction of three dwellings and associated works. Prior to this development the site was occupied by a single detached dwelling and garage.
- 1.2 The site is within the Village Development Boundary (VDB) associated with Aust. Aust is washed over by the Green Belt.
- 1.3 This submission seeks approval for the variation of the previous consent (PT07/0635/F) to allow largely cosmetic changes to the approved dwellings and garages. There are also changes to the Western boundary of the approved development proposed. Development has occurred on this site and to this end this application is considered retrospectively

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belt
PPG3	Housing
PPG24	Planning and Noise
PPG25	Flood Risk

2.1 Adopted Joint Replacement Structure Plan

Policy 16	Green Belt
Policy 24	Flood Risk
Policy 34	Previously Developed Land for Housing

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H2	New Residential Development within the Urban Areas or Village Development Boundary
H4	Development within Residential curtilages
GB1	Development in the Green Belt
EP4	Noise Sensitive Development
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
L17 & 18	The Water Environment

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/0635/F Demolition of existing bungalow and garage to facilitate the erection of 3 no. dwellings with garages, new access and associated works.
Approved at DC West June 2006

4. CONSULTATION RESPONSES

4.1 Aust Parish Council
No Comment received

4.2 Sustainable Transport
No Objection

Other Representations

4.3 Local Residents
There have been two sets of comments received. These raise objection on the following grounds

The introduction of dormer windows will allow the overlooking of surrounding properties to the detriment of privacy.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The development of three detached dwellings and garages on this site has been established with the planning consent granted under PT06/0635/F. This application seeks approval for amendments to the previously approved development, and these are essentially cosmetic changes. These issues are considered below.

5.2 Green Belt
The proposal site is principally the same as that which forms the basis of the development approved under PT06/0635/F; and the Eastern boundary of the development site follows the exact Eastern extreme of the agreed Aust Village Development Boundary. As such, the curtilages of the proposed dwellings would be confined to the land which is within the Aust Village Development Boundary. Essentially the proposed development is considered to represent 'limited infilling' within the existing settlement boundary and is appropriate development and the principles of this development within the Green Belt remain acceptable.

5.3 Notwithstanding the above, the submitted site location plan shows the area of paddock land immediately to the East of the site as being fenced into three plots to be associated with each of the three proposed dwellings. This area of land is enclosed in a blue line, indicating that it is within the same ownership as the development site. This area of land is located outside the Aust Village Development Boundary and as such any form of residential development (including the designation for residential curtilage) would be contrary to the provisions of policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006; and PPG2. However, the continued use of this land as paddock (whether is associated with the proposed dwellings or not) does not require planning consent as this would not be development. Similarly the creation of enclosing stock fence (as shown on the submitted plans) does not require planning consent. This area of land is not included within the development site (red line) and as such it is not appropriate to control development by way of planning conditions. In any case, the area is not within the residential curtilage associated with the proposed development and such controls would not be necessary as any development would require planning consent in its own right.

In this instance, it is considered to indicate the planning status of this land as an informative attached to any approval of this planning application.

5.4 Design and Residential Amenity

The position and footprint of the proposed dwellings and garages remains the same as that which was approved under PT06/0635/F. The overall height of the dwellings is proposed to be increased by approximately 700mm in comparison to the previous approval. Indeed, the buildings have been constructed according to this height. Further amendments relate to the introduction of a timber porch to the front of each dwelling, changes in widow type and for the introduction of dormer windows in the rear elevation of each of the dwellings. Again, the construction of the dwellings on site is consistent with this change.

5.5 In visual terms it is considered that the above changes are acceptable and would not result in a material impact with regards to the character and visual amenity of the surrounding village context. Indeed, it is considered that these changes represent a positive change in design terms; and the rear dormer windows are within the roof plain of each dwelling and appear traditional in form.

5.6 In addition to the above, it is proposed to implement new hedge planting along the Western Boundary of the site along Sandy Lane. This would include a post and rail fence within the planted hedgerow. The existing grass verge would be retained with a driveway cross over provided for each of the dwellings. Traditional timber gates at each access are also proposed. These would be approximately 1.2 metres in height. This approach is submitted as an alternative to the stone wall as approved under PT07/0635/F. In visual terms it is considered that the hedge and traditional gates would provide a boundary treatment that is consistent with the rural character of Aust Village, and is very similar in approach to existing development to the West of the site. This approach is considered of equal quality to the use of a stone wall in design terms.

5.7 Having regard to the above, it is considered that the development is acceptable in design terms.

5.8 Notwithstanding the above, there are concerns raised as to the use of dormer windows in the roof on the basis that these would allow overlooking into the nearby properties to the detriment of residential amenity. In considering the potential loss of privacy as a result of the dormer windows, it is clear that the windows would allow limited views across nearby residential garden areas. However, the windows would not allow a view directly into habitable rooms of the surrounding dwellings or those within this development. The windows look Eastward across paddock land, and do not directly face any other dwellings. For this reason, it is considered that the windows would not result in a material loss of privacy as a result of overlooking. The proposed development is therefore acceptable in

5.9 Flood Risk and Drainage Issues

The principle of the development of this site for three dwellings has been established. In flood risk terms there is no material change impact as a result of this proposal over the previous planning permission. Nonetheless, the previous approval (PT07/0635/F) was subject to a condition requiring drainage details to be submitted prior to commencement. Information has now been submitted that

shows the methods of the drainage of the site. The Severn Drainage Board has advised that the drainage methods are acceptable. The development has continued in accordance with those details and subject to a condition requiring that this system is retained as such the proposed development is acceptable in drainage and flood risk terms.

5.10 Design and Access Statement

The Design and Access Statement submitted with this application is (not) considered to demonstrate that the applicant has adopted a design approach that is consistent with the Councils Design Checklist Supplementary Planning Document (Adopted)

5.11 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That Planning Permission be granted subject to the following conditions

Background Papers PT07/2507/F

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

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

The site is located within the Bristol and Bath Green Belt. In order to control further domestic development (which would normally not require planning permission) which may be harmful to the character and openness of the Green Belt the normal permitted development rights have been removed; in accordance with Policy GB1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. Notwithstanding the detail contained within the approved drawings, within 1 month of the date of this planning permission, further details relating to the precise nature and species to be used of the hedgerow planting to be carried out to the front boundary of the site (as shown on the approved drawing 07-001/PL/002) shall be submitted to and agreed in writing by the Local Planning Authority. The planting shall be implemented in the next available planting season in accordance with the agreed details, and thereafter shall be retained as such unless the Local Planning Authority agree to any variation in writing.

Reason(s):

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

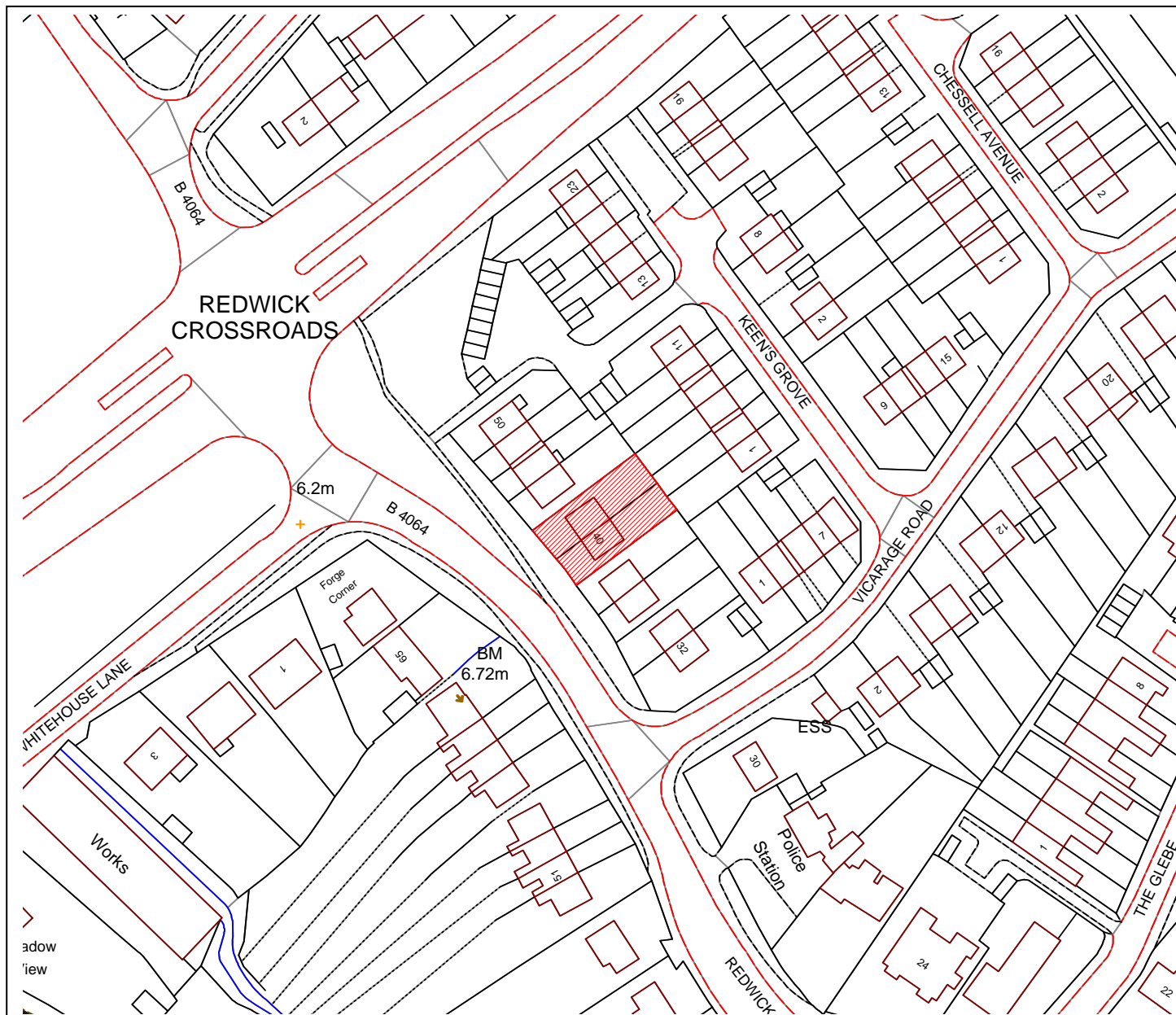
3. The drainage scheme approved (as detailed in the letter dated 2nd November 2007 ref: 07-001/071102.12 and received by the Council on 7th November 2007) incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason(s):

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

CIRCULATED SCHEDULE NO. 01/08 – 11 JANUARY 2008

App No.:	PT07/3369/F	Applicant:	Mr I Humphries
Site:	40/42 Redwick Road Pilning BRISTOL South Gloucestershire BS35 4LQ	Date Reg:	14th November 2007
Proposal:	Formation of dropped kerb to allow off street parking facilities (Resubmission of PT07/2708/F)	Parish:	Pilning and Severn Beach
Map Ref:	55275 85284	Ward:	Pilning and Severn Beach



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2007.

N.T.S

PT07/3369/F

This application appears on the Circulated Schedule in view of the letter of support received from the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the formation of a dropped kerb to allow off street parking to two properties.
- 1.2 The application site comprises nos. 40 and 42 Redwick Road on the east side of the highway within the Pilning settlement boundary.
- 1.3 This application follows an earlier submission that was withdrawn in view of an error on the plans submitted.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG13: Transport
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: Development within Residential Curtilages
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/1233/F: Construction of vehicular access. Refused: 10 June 2003
- 3.2 PT03/2490/F: Construction of vehicular access. Refused: 19 September 2003
- 3.3 PT07/2708/F: Dropped kerb to allow vehicle hardstanding. Withdrawn: 17 October 2007

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
'With the applicants now complying with the requirements of the highways authority the parish council can see no good reason why the application should not be granted. Accordingly, the parish council supports this application.'
- 4.2 Other Consultees
Highways DC: objection

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 allows for the principle of development within residential curtilages subject to considerations of design, residential amenity and highway safety.

5.2 Planning policy T12 allows for the principle of new development (in terms of transportation) provided that the proposal (here considered relevant):

- Provides adequate safe, convenient, attractive and secure access; and
- Provides safe access capable of accommodating traffic generated by the proposal; and
- Would not create or unacceptably exacerbate traffic congestion, or have an unacceptable effect on road, pedestrian and cyclist safety; and
- Would not generate traffic that would unacceptably affect residential amenity.

5.3 Design/ Visual Amenity

The application seeks permission for the formation of a vehicular access point to facilitate the creation of an area of hardstanding to the front of nos. 40 & 42 Redwick Road, Pilning. The dropped kerb would be located centrally between these two semi-detached dwellings with the proposed driveway running along the shared boundary and with one parking space to each dwelling.

5.4 In considering the above, it is noted that the applications made in 2003 were in part refused having to do with the visual impact of the works. However, permission is only required for the formation of the access onto this classified highway with the formation of any hardstanding permitted development: all land including the grass strip to the front of the properties falls under the ownership of the applicants. Therefore, notwithstanding the officer's comments at the time of the previous submissions, there is no objection to the proposal on this basis.

5.5 Residential Amenity

Having regard to the nature of the works, there is no objection to the application on residential amenity grounds.

5.6 Highway Safety

The application site fronts the busy B4064 whilst the proposed access would be approximately 60m from a signalised junction with a class 1 highway. Further, the verge to the front of these dwellings is approximately 5m wide.

5.7 The proposal would rely on a turning movement that would be dependent upon cars reversing back into the neighbouring garden to allow vehicles to enter and leave the site in forward gear. However, this would not be possible to control whilst any vehicle parked in this area would also restrict turning. Accordingly, the layout shown would give rise to vehicles having to reverse over a significant distance including a footway and then onto the busy classified road.

5.8 In view of the above, such a manoeuvre is considered to be acceptable from a highway safety viewpoint thus refusal is recommended in this instance.

5.9 Design and Access Statement

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Planning Permission is **REFUSED** for the following reason:

Background Papers **PT07/3369/F**

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

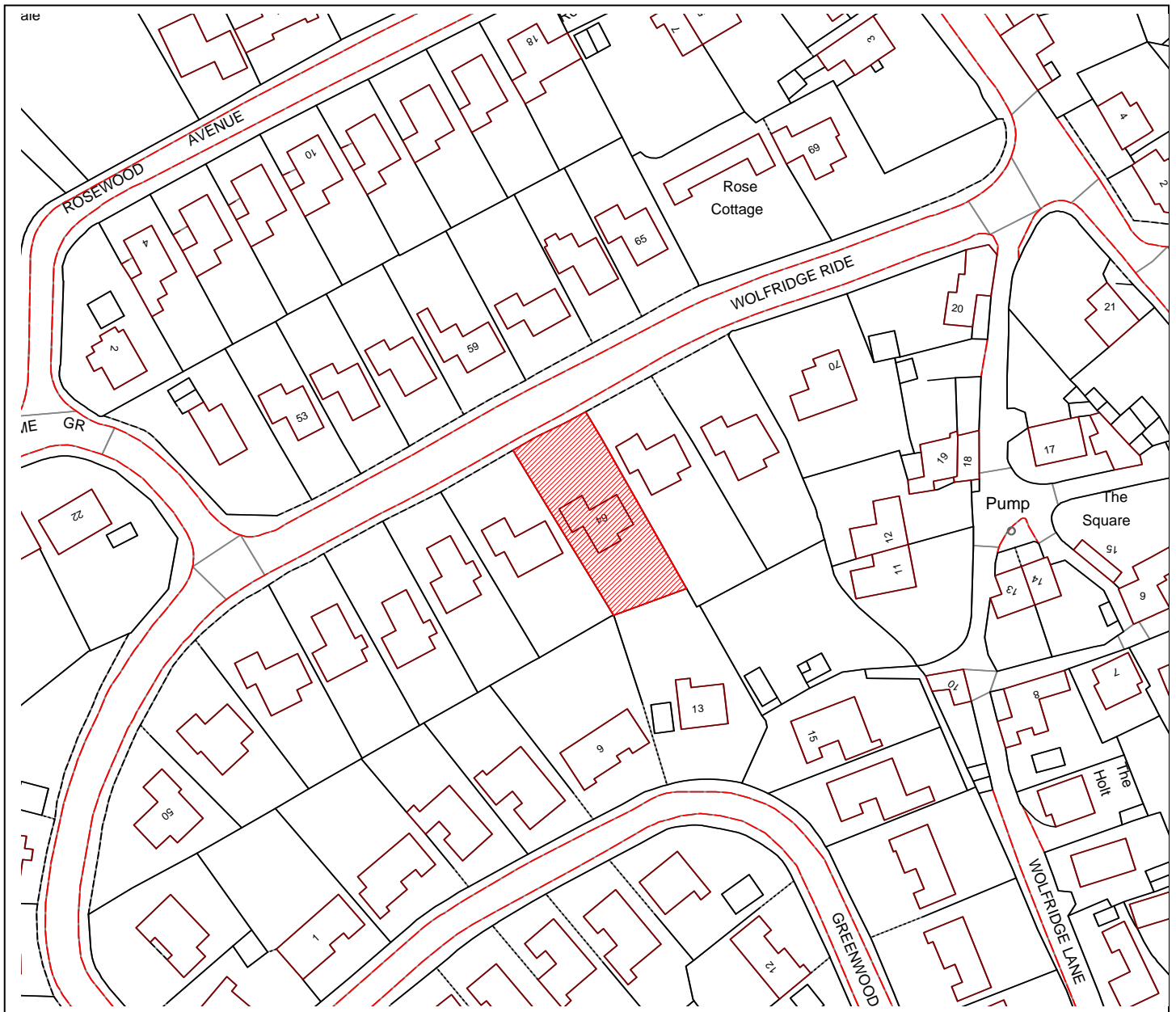
REFUSAL REASONS

1. The proposal fails to incorporate adequate turning facilities to enable a vehicle to enter and leave the highway in a forward gear which is essential to highway safety. The proposal is therefore considered to be contrary to Planning Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 01/08 – 11 JANUARY 2008 ITEM 8

App No.: PT07/3380/F
Site: 64 Wolfridge Ride Alveston BRISTOL
South Gloucestershire BS35 3PR
Proposal: Erection of two storey rear extension to
provide additional living accommodation.
Map Ref: 62885 87984

Applicant: Mr I Clark
Date Reg: 14th November
2007
Parish: Alveston Parish
Council
Ward: Thornbury South
and Alveston



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2007.

N.T.S

PT07/3380/F

This application is on circulated schedule as a result of the neighbour's objection.

1. THE PROPOSAL

- 1.1 The proposal seeks planning permission to erect a part side and part rear extension which would be two storeys high. This extends a total of 4.7m where it is closest to the boundary or 2.3m past the rear most elevation of the original house.
- 1.2 The house is detached, on split levels and is set into the sloping site. The development would require the excavation of part of the rear garden to facilitate the works. The materials would be Bradstone and tiles all to match the main dwelling.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG2 Green Belts

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving good quality design in new development
H4 Development within existing residential cartilages, including extensions and new dwellings.
T12 Transportation development control policy for new development
GB1 Green Belt

Supplementary Planning Guidance

South Gloucestershire Design Checklist (Supplementary Planning Document) Adopted 2007.
Development in the Green Belt (Supplementary Planning Document) Adopted May 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/1542/F Erection of first floor extension over existing garage to form living room. Approved July 2003

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
No objection

- 4.2 Other Consultees
None

Other Representations

- 4.3 Local Residents

one letter of objection raises the following points:

- these split level properties have a feeling of space around them and the overbearing development is out of character
- unsympathetic to adjoining properties
- major impact on daylight and sunlight

- if windows were inserted loss of privacy would occur
- reduce outlook of trees and sky
- concern about stability of writers land due to considerable digging
- concern about future use of the site due to existing extension

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The first issue to consider is that of the green belt as Alveston is washed over with green belt but the site is located well within the settlement boundary where infill development would be acceptable in principle. As such the principle of erecting a relatively modest two storey extension even given the existing extension would be acceptable as neither singularly nor collectively is the proposal disproportionate. The other main issues to consider are the impact on neighbours and the impact on the development on the street scene. As such Policies H4 and D1 are relevant considerations in the determination of this application.

5.2 Residential amenity

Policy H4 seeks to protect the neighbour from overbearing proposals or proposals which overlook neighbouring properties. The ground floor has a window facing the side boundary but this would not overlook the neighbouring house and there is no window in the proposed first floor side elevation. As such there would be no loss of privacy from the proposal. A condition can be attached to ensure that no window is inserted in the extension at a later date.

The extension would be sufficiently remote from the detached neighbour, particularly given the lack of windows in the closest corner of that neighbouring property. The gardens of these properties face south-south-west and as such it appears that the side facing windows of the neighbours house would be more affected by the existing house than the proposed extension due to their juxtaposition and the level changes on site.

Policy H4 also seeks to ensure that there is adequate amenity space retained for the existing dwelling. In this case ample amenity space is retained.

As such the extension would not be harmful to the residential amenities of the neighbouring occupiers and complies with policies D1 and H4 of the Local Plan.

5.3 Visual Amenity & Design

Policy D1 seeks to ensure that such proposals are acceptable in appearance. The extension respects the form of the original dwelling and does not encroach on the neighbour. The space around the property is maintained and as such the extension respects the character of the site and area. This is acceptable under policy D1 which seeks that new development respects and enhances the form, scale and massing of the site.

The matching materials proposed are considered acceptable.

5.4 Transportation

There is no impact on the transportation needs of the site in planning terms as there are already at least three parking spaces at the property which would serve the additional bedroom.

5.5 Other issues

The neighbour objects on a number of grounds. The last three are not considered above as there is no right in planning to a view/outlook, the stability of the site is not a planning consideration but is considered by Building Regulations and as the application is for a domestic extension it has been considered as such. Should the use of the site change in the future then an application for change of use might be appropriate at that stage.

5.6 Design and Access Statement

A Design and Access Statement is not required for a domestic application.

5.7 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT07/3380/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

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

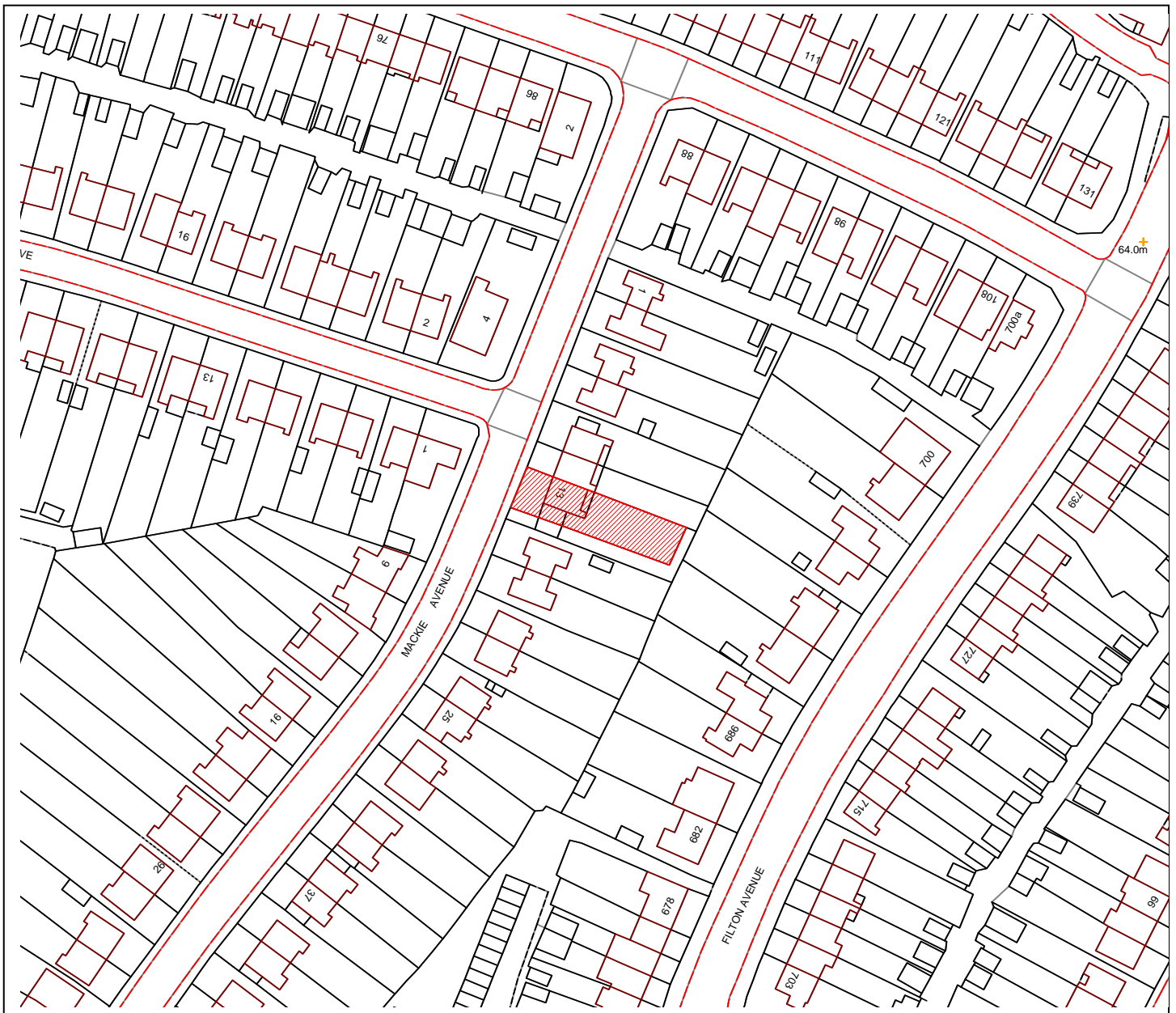
Reason(s):

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

CIRCULATED SCHEDULE NO. 01/08 – 11 JANUARY 2008

App No.: PT07/3447/F
Site: 13 Mackie Avenue Filton BRISTOL
 South Gloucestershire BS34 7NE
Proposal: Erection of first floor side and two storey
 side and rear extensions to form
 additional living accommodation.
Map Ref: 60794 78809

Applicant: Mr M Evans
Date Reg: 21st November
 2007
Parish: Filton Town Council
Ward: Filton



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2007.

N.T.S

PT07/3447/F

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

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 end terrace 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

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
Objected to this proposal because:
 - a) it would be over intensive
 - b) they queried the footprint of the original property
 - c) the loss of side access to rear of property.

Only point a) represents a material planning consideration. This has been addressed in the report below.

Other Representations

- 4.2 Local Residents
None

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extension to residential dwelling subject to there being no adverse impact on the residential amenity and highway safety.
- 5.2 Policy D1 of the Local Plan considers general design principles and ensures good quality design.
- 5.3 Residential Amenity
The application site is adjoined by two dwellings to the side (Nos. 11 and 15 Mackie Avenue and two dwelling to the rear (Nos 690 and 690 Filton Avenue.

Given the length of the rear garden the proposal would not affect either dwellings to the rear.

5.4 The proposed side extension would be sited on the dwellings southern elevation which faces onto No. 15. The extension would be 3.2 metres in width and would extend the depth of the existing dwelling. The roofline of the proposed rear extension would be set down from the existing dwelling and would be approximately 5.5 metres in width and 2.2 metres in depth.

5.5 At the nearest point the proposed extension would be approximately 3 metres from both adjacent dwellings. As such, given the proposed scale and massing of the extension it is considered that proposal would not cause any overbearing impact. The proposal would include a number of first storey rear windows which would result in some views into the neighbouring dwellings rear gardens and an opaque side window. However, it is considered that the windows would offer the same relationship as existing first floor rear windows and would therefore not cause any additional harm to the privacy of the neighbouring occupiers. As such, the proposed development is considered to be acceptable in accordance to policy H4 of the local plan.

5.6 Design and Visual Amenity

The proposed side extension would continue the front building line and roof shape of the existing dwelling. The proposed rear extension would comprise of a two storey extension with hipped roof set down from the existing ridge height. Notwithstanding the comments of the Town Council, it is considered that this design solution would respect the massing and proportions of the extension dwelling and would not represent over development. Furthermore, the applicant has stated that the extension would be finished in render and tiles which would match the existing dwelling. It is therefore considered that the proposal would respect the character of the existing dwelling and would not detract from appearance of the street-scene. As such, the proposed development is considered to be acceptable in accordance to policy D1 and H4 of the local plan.

5.7 Section 106 Requirements

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

6. **CONCLUSION**

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

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

7. RECOMMENDATION

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

Background Papers **PT07/3447/F**

Contact Officer: Peter Rowe
Tel. No. 01454 863538

CONDITIONS

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

Reason(s):

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

CIRCULATED SCHEDULE NO. 01/08 – 11 JANUARY 2008

App No.: PT07/3464/O
Site: 11 Gloucester Road Almondsbury
 BRISTOL South Gloucestershire BS32
 4HD

Applicant: Mr A Hall
Date Reg: 22nd November
 2007

Proposal: Erection of 1 no. dwelling (Outline) with
 layout and means of access to be
 determined. All other matters reserved.
 Creation of new vehicular access to
 existing dwelling.

Parish: Almondsbury Parish
 Council

Map Ref: 60716 84121

Ward: Almondsbury



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2007.

This application appears on the Circulated Schedule in view of one letter of objection having been received from a neighbouring resident and the objections raised by the Parish Council.

1. **THE PROPOSAL**

- 1.1 The application seeks outline planning permission for a detached two-storey dwelling with siting/ layout and means of access to be determined; all other matters are reserved for future consideration.
- 1.2 The application site comprises the garden area of an existing end of terrace cottage style dwelling. The site is located on the western side of Gloucester Road within an existing lay-by. The site lies within the Alveston settlement boundary that is washed over by the Green Belt.
- 1.3 The application comprises a resubmission of application PT07/0427/O that was refused earlier this year for the following reasons:

'The proposal will result in on street traffic congestion on a classified highway. This will add to the hazards faced by the travelling public. This is detrimental to highway safety and contrary to T12 of the South Gloucestershire Local Plan (Adopted)'.

'Insufficient information has been supplied to assess the impact of noise and disturbance from the nearby A38 upon the development (an Acoustic Report should be supplied). As such, the proposal is contrary to Policy EP4 of the South Gloucestershire Local Plan (Adopted)'.

2. **POLICY CONTEXT**

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPG24	Noise

2.2 Development Plans

Joint Replacement Structure Plan

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 16	Green Belts
Policy 33	Housing Provision and Distribution
Policy 34	Re-use of Previously Developed Land
Policy 35	Housing Density

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
GB1	Development within the Green Belt
H2	Proposals for Residential Development within the Existing Urban Area and Defined Settlement Boundaries
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
EP4	Noise Sensitive Development

3. RELEVANT PLANNING HISTORY

- 3.1 P84/1643: Erection of dwelling and garage (Outline). Refused: 18 July 1984
- 3.2 P85/2628: Erection of detached dwelling and garage (Outline). Refused: 4 February 1986
- 3.3 P86/2108: Erection of garage block for 6 vehicles. Refused: 4 September 1986
- 3.4 PT07/0427/O: Erection of one dwelling with new pedestrian access and associated works. Refused: 2 April 2007

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
'The Parish Council objects to this application as they feel that the parking issues are still contrary to section T12 of the South Gloucestershire Local Plan, and also there will be more vehicles crossing the pedestrian highway in order to access/ egress this proposed development'
- 4.2 Other Consultees
Sustainable Transport: No objection
Technical Services (Drainages): No objections in principle

Other Representations

- 4.3 Summary of Local Residents Comments
One letter received expressing the following concerns:
 - This is a public lay-by where cars are parked for the day;
 - Between 1 and 5 cars were parked here each day over a one week period;
 - The owner of the adjoining hairdressers has applied for an office use that will need car parking;
 - The Rocklands restaurant can easily seat 30 people (also in this lay-by);
 - The new owners of Rocklands restaurant will have longer opening hours and be likely to generate additional traffic;
 - When the lay-by is full, cars have to park on the A38;
 - Residents often have to reverse into the lay-by compromising road safety.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policies H2 & H4 of the South Gloucestershire Local Plan allow for the principle of new residential development subject to considerations of design, residential amenity and highway safety. Further, the maximum density compatible with the site and location must be achieved whilst adequate private amenity space should be retained for any existing dwelling and provided for new separately occupied units.
- 5.2 Further, policy GB1 allows for limited infilling within the settlement boundaries provided such development also satisfies the criteria of those policies cited above. Nevertheless, the supporting text to this policy cites that "acceptable 'infilling' is unlikely to be more than the filling of small gaps within built development, where it does not significantly impinge upon the openness of the Green Belt".

5.3 Design/ Visual Amenity

The application site comprises the existing garden area serving 11 Gloucester Road. This existing property forms an end of terrace two-storey cottage style dwelling that sits behind a lay-by that runs parallel with the A38. Its associated garden area lies predominantly to the west of the dwelling with only a limited area of garden to the rear.

5.4 Outline planning approval is sought for a detached dwelling that would occupy this existing garden area thus with the proposal cited between this dwelling and the neighbouring Rocklands restaurant. In so doing, the area of garden to the rear of the existing dwelling would be retained for the host property with a new vehicular entrance provided to the west side of this dwelling. This drive would allow an element of separation between the existing property and the proposal.

5.5 The block plan details a two-storey building that would align with the front wall of the host dwelling and which would be of comparable size to this existing property. Vehicular access would be via the existing entranceway to the west side of the build with front and rear garden areas of comparable size to those proposed for the host property.

5.6 In view of the above, there is no objection to the proposal on this basis with it also noted that there was no associated refusal reason in respect of the previous submission. In this regard, detailed design issues would be assessed under any subsequent reserved matters application.

5.7 Impact on the Openness of the Green Belt

The site lies within the Almondsbury settlement boundary that is washed over by the green belt. In so doing, the proposal would stand between two existing buildings and thus is considered to comprise infill development. Accordingly, it is not considered that any significant adverse impact to the openness of the green belt would be caused and thus there is no objection on this basis. (It is also further noted that again there was no objection to the previous proposal on this basis.)

5.8 Density

Policy H2 advises that the maximum density compatible with the site and its location should be achieved. In this regard, the expectation is that a minimum of 30 units per hectare will be provided. Nonetheless, where circumstances permit, upwards of 50 dwellings per hectare will be anticipated.

5.9 In this instance, the site has an area of 521 square metres (including the existing dwelling) which equates to a density of 38 dwellings per hectare. This accords with the adopted local plan as detailed above and thus again, there is no objection to the proposal on this basis.

5.10 Residential Amenity

The previous application did not generate any refusal reasons in respect of the impact of the proposal on the adjoining properties. Nonetheless, each is again considered in turn.

5.11 Concerning the existing dwelling, the appearance of the proposal (including size and window details) would be addressed at the reserved matters stage. However, the proposed layout is considered to indicate that the build would be appropriate in amenity terms with it to front the highway (thus main windows

- are only likely at the front and rear) whilst it would align with this dwelling to the front. Behind, the proposal would only project some 1.5m beyond the building line of this property. As such, it is not considered that any significant adverse impact would be caused by the siting/ layout of the dwelling proposed.
- 5.12 Rocklands extends the full depth of its plot abutting its front boundary and extending through to that at the rear. It is noted that three windows face the site of the proposal; two at first floor with at one at ground level. Of those at first floor, one is small and close to the front of the site with the second larger and located towards the rear. The relationship between these and the proposal was considered acceptable at the time of the last submission. Meanwhile, that at ground floor appears to serve a kitchen whilst is screened by a 1.6m high (approx.) close-boarded fence. Again, it is therefore not considered that any significant adverse impact in residential amenity would be caused.
- 5.13 Highway Safety
Matters relating to highway safety issues formed a contentious element of the previous application with the first refusal reason relating to the lack of parking space for the existing unit. In this regard, whilst the application site is accessed via a small lay-by that runs parallel with the A38, the absence of any parking for either dwelling would have added to the hazards faced by the travelling public to the detriment of highway safety. Nonetheless, there was no objection to the principle of a new dwelling at this location.
- 5.14 This revised submission includes a new vehicular entrance and driveway to the existing dwelling that would potentially cater for up to three parked cars. Both the existing and proposed units would therefore be capable of accommodating the two parking spaces required. Further, whilst the potential to turn in the lay-by is slightly restricted given its width, it has been demonstrated within the submitted details that a turning movement could be achieved.
- 5.15 In view of the above, there is now no objection to the proposal from a highway safety viewpoint provided that a condition is attached requiring the provision and retention of a bound surface to the new car parking areas.
- 5.16 Noise Disturbance
Policy H2 also requires that the application site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination whilst policy EP4 indicates that “noise sensitive development which would suffer an unacceptable degree of disturbance as a result of close proximity to existing noise or vibration sources will not be permitted. To this extent, given the position of the site fronting the busy A38, this formed the second refusal reason in respect of the previous scheme that related to the potential for noise disturbance given that the submission was devoid of an acoustic report.
- 5.17 To this extent, the acoustic report now received indicates that the current noise levels fall within Noise Exposure Category C as defined by Planning Policy Guidance Note 24. This states that permission should not normally be granted.
- 5.18 Nevertheless, there have been a number of recent permissions for dwellings fronting the A38. Significantly, these include units at no. 17 Gloucester Road (PT05/2816/O) and 15b Gloucester Road (PT07/0586/F) the first of which was originally refused solely on noise grounds. However, the Inspector allowed the appeal and concluded that the imposition of a noise condition would be appropriate. Therefore, permission could not be reasonably withheld on this

basis and thus, as per the Inspectors recommendation, a noise condition requiring noise prevention measures should be attached to any permission.

5.19 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.

5.19 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT07/3464/O**

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

CONDITIONS

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

Reason(s):

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

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the scale and appearance of the building 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(s):

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 shall be made to the Local Planning Authority 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).

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(s):

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

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

Reason(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers, all to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

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

7. No development shall take place until details of a scheme of noise protection and sound insulation has been submitted to and agreed in writing with the Local Planning Authority. The dwelling hereby approved shall not be occupied until the noise protection and sound insulation measures have been provided in accordance with the agreed scheme.

Reason(s):

To ensure a satisfactory standard of noise protection for the residential units to accord with policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

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

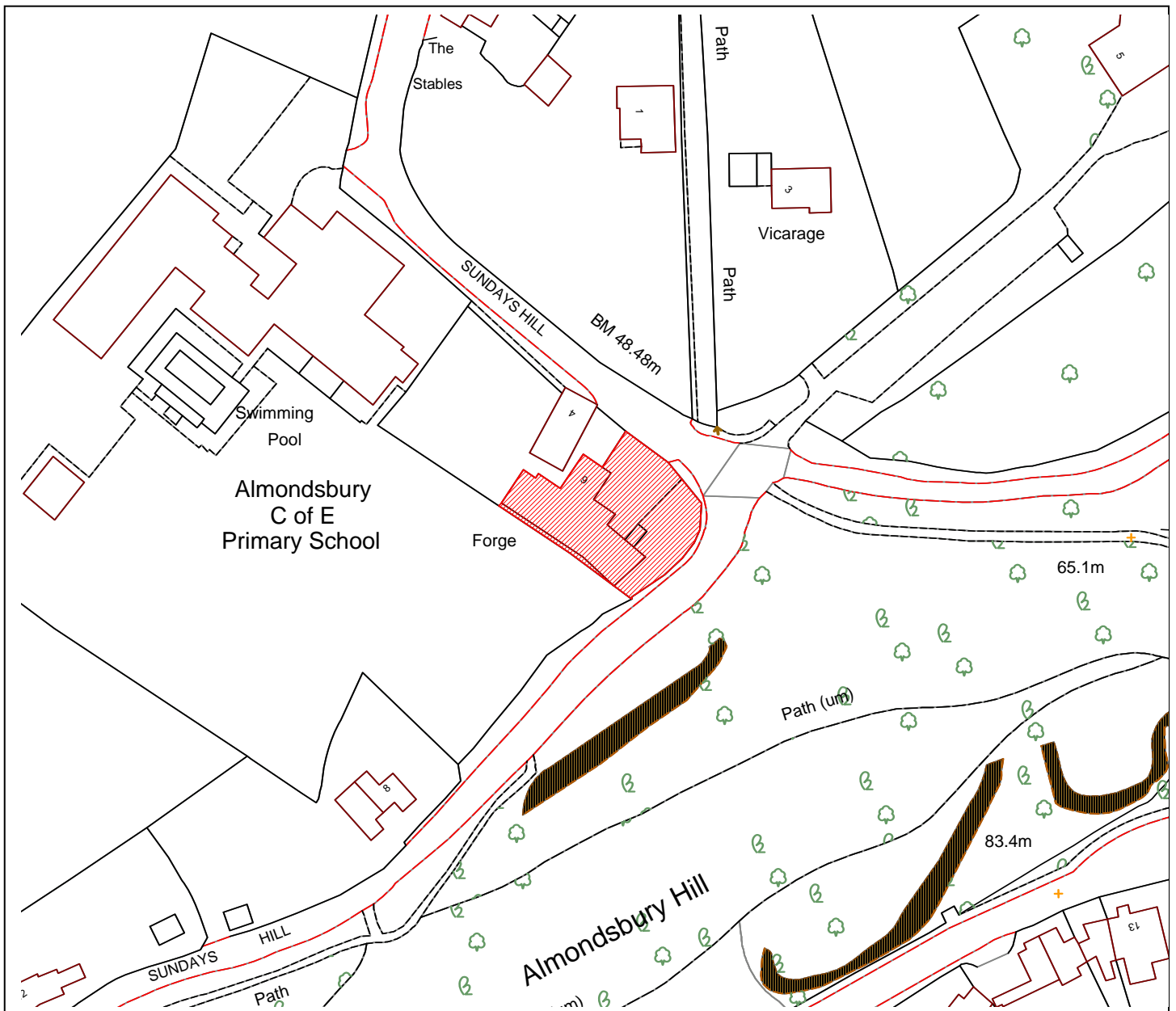
CIRCULATED SCHEDULE NO. 01/08 – 11 JANUARY 2008

App No.: PT07/3492/F

Applicant: Mr M Mills
Almondsbury Forge
Works LtdSite: Almondsbury Forge Works Ltd Sundays
Hill Almondsbury BRISTOL South
Gloucestershire BS32 4DSDate Reg: 27th November
2007Proposal: Erection of extension to front elevation.
Alterations to workshop roof and timber
facade on front elevationParish: Almondsbury Parish
Council

Map Ref: 60321 83924

Ward: Almondsbury



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2007.

1. THE PROPOSAL

- 1.1 This full application relates to the erection of a single storey front gabled extension; raising of roof over yard; building up of existing concrete block wall along part of rear boundary and erection of timber fencing above entrance gates to eastern workshop at Almondsbury Forge Works, Sundays Hill, Almondsbury.
- 1.2 The proposed front extension measures 2.5m in depth, 4.9m in width and has a ridge height of 4.3m. The front elevation is predominately glazed. The proposal provides a new entrance to the main workshop. The lean-to over the yard is to be raised in height from 4m to approximately 5m, falling to a height of 2.8m. The existing concrete block wall along part of the rear boundary is currently 'stepped' and this is to be altered so that the wall has a more uniform appearance and height. Finally, new 1m timber boarded fencing is proposed above the existing entrance gates to the eastern workshop. An additional two parking spaces are also to be provided within the existing yard to the front of the site.
- 1.3 The application site consists of numerous single storey buildings, some more substantial in construction than others. The site is detached but the buildings are in close proximity to 4 Sundays Hill which lies to the north/north west and under 2m minimum distance away. The premises are used as a working forge which has an element of retail use. The rear of the site backs onto the school playing field of Almondsbury Church of England School. Sundays Hill Road forms the side and front boundary. The site is set within the hillside and as a consequence is not particularly intrusive. It is also fairly well screened by existing vegetation.
- 1.4 The site also lies outside the settlement boundary of Almondsbury but is within the Green Belt and also within Almondsbury Conservation Area.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPG4	Industrial and Commercial Development and Small Firms
PPS7	Sustainable Development in Rural Areas
PPG15	Planning and the Historic Environment

2.2 Development Plans

Joint Replacement Structure Plan

Policy 16	Green Belts
-----------	-------------

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L12	Conservation Areas
GB1	Development Within the Green Belt
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P98/1425 Erection of extension to Blacksmiths workshop and partial replacement of office mono-pitched roof with pitched roof. Approved 21 August 1998.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No objection to the front extension but raise concerns over parking on site as current parking bays are always congested with other materials. This results in employees and customers parking on highway.

Other Consultees

- 4.2 Sustainable Transport
No objection subject to the removal of additional parking spaces, replaced with a sheltered cycle stand.

Other Representations

- 4.3 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

The main issues to consider in the assessment of this application is the principle of development, the effect of the proposal on the character and appearance of the Conservation Area and transportation issues.

- 5.1 Principle of Development
The application site is an established working forge. It lies outside the settlement boundary of Almondsbury but is within the Conservation Area and Green Belt.
- 5.2 In Green Belt terms, the erection of an extension to an industrial building does not fall within the limited categories of development normally considered appropriate within the Green Belt. As such the onus is upon the applicant to demonstrate that there are very special circumstances to justify the grant of planning permission. In support of the application the proposal provides a new entrance to the existing workshop and showroom to enable disabled access which is currently unavailable. It is considered that due to the small size and modest nature of the extension and the fact that it will have no adverse impact nor impinge upon the openness of the Green Belt that the proposed extension is acceptable. Moreover, due to its location and limited size it will also have no effect on adjacent residential amenity.
- 5.3 Conservation Issues
The application falls within Almondsbury Conservation Area. Advice contained within PPG15 and reflected in policy L13 of the adopted local plan allows development within or affecting a conservation area only where it would preserve or enhance the character or appearance of the conservation area. The application concerns an existing industrial site of which the front elevation

is the main elevation that is prominent within the public realm. Views either side are limited either due to gradient or existing structures as the property is sited on the inside of bend that has a fairly steep slope.

5.4 The industrial use of the site is clearly evident with areas of outside storage to the front. The timber fencing above the entrance to the rear yard is for security purposes. Overall the character of the site is unsightly in appearance. Any increase in the existing negative effect should therefore be resisted.

5.5 The proposed scheme is comprised of a number of components, the main element being the single storey front extension. The scale and design of this element is considered acceptable. The increase in roof height of the workshop is also acceptable as there would be no significant increase in the building's scale and existing fencing would screen the marginal increase in height. Furthermore, the increase in level of boundary treatment is also appropriate and would preserve the appearance of the Conservation Area. The most prominent views are to the south but this elevation largely remains unchanged. The differences in ground level and existing vegetation screen the southern elevation to a significant degree. Views from the main front elevation from Sundays Hill are not prominent and are again lessened by the setting of the site within the hillside. It is therefore considered that the character and appearance of Almondsbury Conservation Area would be preserved by the proposal and therefore the proposal accords with the development plan in conservation terms.

5.6 Transportation Issues

The proposed alterations will serve to consolidate the existing use of the site with only a marginal increase in ground floor area and no change to the number of staff. The proposal will therefore not lead to a significant increase in vehicular use of the site. As such additional parking demand is not anticipated and therefore the extra parking spaces are not required. The additional parking space to the front of the site would be difficult to access and the one to the rear would restrict movement into the workshop. One of these spaces should be replaced with a sheltered cycle stand. Subject to this, no highway objection is raised to the proposal.

5.7 Other Issues

With regard to comments raised by Almondsbury Parish Council, it is clear from site visits that the parking area is often unavailable for use as it is used for the outside storage of materials and bin storage. In order to overcome this problem and to improve the existing situation it is proposed to impose conditions requiring that the parking area shall only be used for the parking of vehicles and that the parking bays are clearly demarcated. A condition restricting outside storage is also proposed. This will improve the overall visual appearance of the area.

5.8 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Adopted 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 grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

- 7.1 Planning permission be granted.

Background Papers **PT07/3492/F**

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

CONDITIONS

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

Reason(s):

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

2. Notwithstanding the off-street parking facilities indicated on plan number 07/1158/101A, the additional 2 parking spaces shall be removed and replaced with a sheltered cycle stand, the details of which shall be submitted to an approved in writing by the Local Planning Authority and provided prior to the commencement of development.

Reason(s):

The additional parking spaces are difficult to access and would restrict access to the rear workshop. The provision of cycle parking facilities encourage means of transport other than the private motor car, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of development, the parking spaces shall be clearly demarcated and shall only be used for the parking of vehicles.

Reason(s):

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

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

Reason(s):

In the interests of visual amenity and to protect the character and appearance of Almondsbury Conservation Area to accord with Policies D1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

To ensure a satisfactory standard of external appearance in the Almondsbury Conservation Area, and to accord with and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.