

**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. 11/08

Date to Members: 13/03/08

Member's Deadline: 20/03/08

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: 13/03/08

SCHEDULE NO. 11/08

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

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

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

Schedule Number	Date to Members 12 noon on	Members Deadline 12 noon on
11/08	Thursday 13 March 2008	Thursday 20 March 2008
12/08	Thursday 20 March 2008	Monday 31 March 2008
18/08	Thursday 1 May 2008	Friday 9 May 2008
21/08	Thursday 22 May 2008	Friday 30 May 2008

Circulated Schedule 13 March 2008

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK08/0149/ADV	Approve	Unit D, Longwell Green Retail Park, Longwell Green, Bristol, BS30 7DY	Longwell Green	Oldland Parish Council
2	PK08/0303/RVC	Approve with conditions	Existing Landfill Site, Shortwood Quarry, Cattybrook Road North, Shortwood, Pucklechurch, South Gloucestershire, BS16 9NJ	Boyd Valley	Pucklechurch Parish Council
3	PK08/0353/F	Approve with conditions	3.48 Acre Field, Larks Lane, Latteridge, Bristol, South Gloucestershire	Frampton Cotterell	Iron Acton Parish Council
4	PK08/0380/CLP	Approve	29 Highfield Avenue, Hanham, South Gloucestershire, BS15 3RA	Hanham	Hanham Parish Council
5	PK08/0399/R3F	Deemed consent	Brimsham Green School, Broad Lane, Yate, South Gloucestershire, BS37 7LB	Yate North	Yate Town Council
6	PK08/0400/F	Approve with conditions	Site Adjacent to White Hart Inn, High Street, Iron Acton, South Gloucestershire, BS37 9UG	Frampton Cotterell	Iron Acton Parish Council
7	PK08/0406/F	Approve with conditions	79 Barkers Mead, Yate, South Gloucestershire, BS37 7GB	Yate North	Yate Town Council
8	PK08/0424/F	Approve with conditions	1 Brook Office Park, Folly Brook Road, Emersons Green, South Gloucestershire, BS16 7FL	Emersons Green	Mangotsfield Rural Parish Council
9	PT07/3203/F	Approved subject to Section 106	Woodlands Manor Nursing Home, Ruffet Road, Kendleshire Winterbourne, South Gloucestershire, BS36 1AN	Westerleigh	Westerleigh Parish Council
10	PT08/0304/F	Approve with conditions	15 Ribblesdale, Thornbury, South Gloucestershire, BS35 2DW	Thornbury South and Alveston	Thornbury Town Council
11	PT08/0324/CLP	Approve	Unit 9/10 (Comet), Cribbs Retail Park, Lysander Road, Patchway, South Gloucestershire, BS34 5UL	Patchway	Almondsbury Parish Council
12	PT08/0358/F	Approve with conditions	16 Ribblesdale, Thornbury, South Gloucestershire, BS35 2DW	Thornbury South and Alveston	Thornbury Town Council
13	PT08/0386/F	Approve with conditions	69 Station Road, Winterbourne, South Gloucestershire, BS36 1EN	Winterbourne	Winterbourne Parish Council
14	PT08/0395/F	Approve with conditions	14 Ribblesdale, Thornbury, South Gloucestershire, BS35 2DW	Thornbury South and Alveston	Thornbury Town Council
15	PT08/0419/F	Approve with conditions	1 Dunkeld Avenue, Filton, South Gloucestershire, BS34 7RH	Filton	Filton Town Council
16	PT08/0466/F	Approve with conditions	19 Swallow Drive, Patchway, South Gloucestershire, BS34 5RE	Patchway	Patchway Town Council
17	PT08/0479/F	Approve with conditions	2 Conygre Road, Filton, South Gloucestershire, BS34 7DA	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.: PK08/0149/ADV

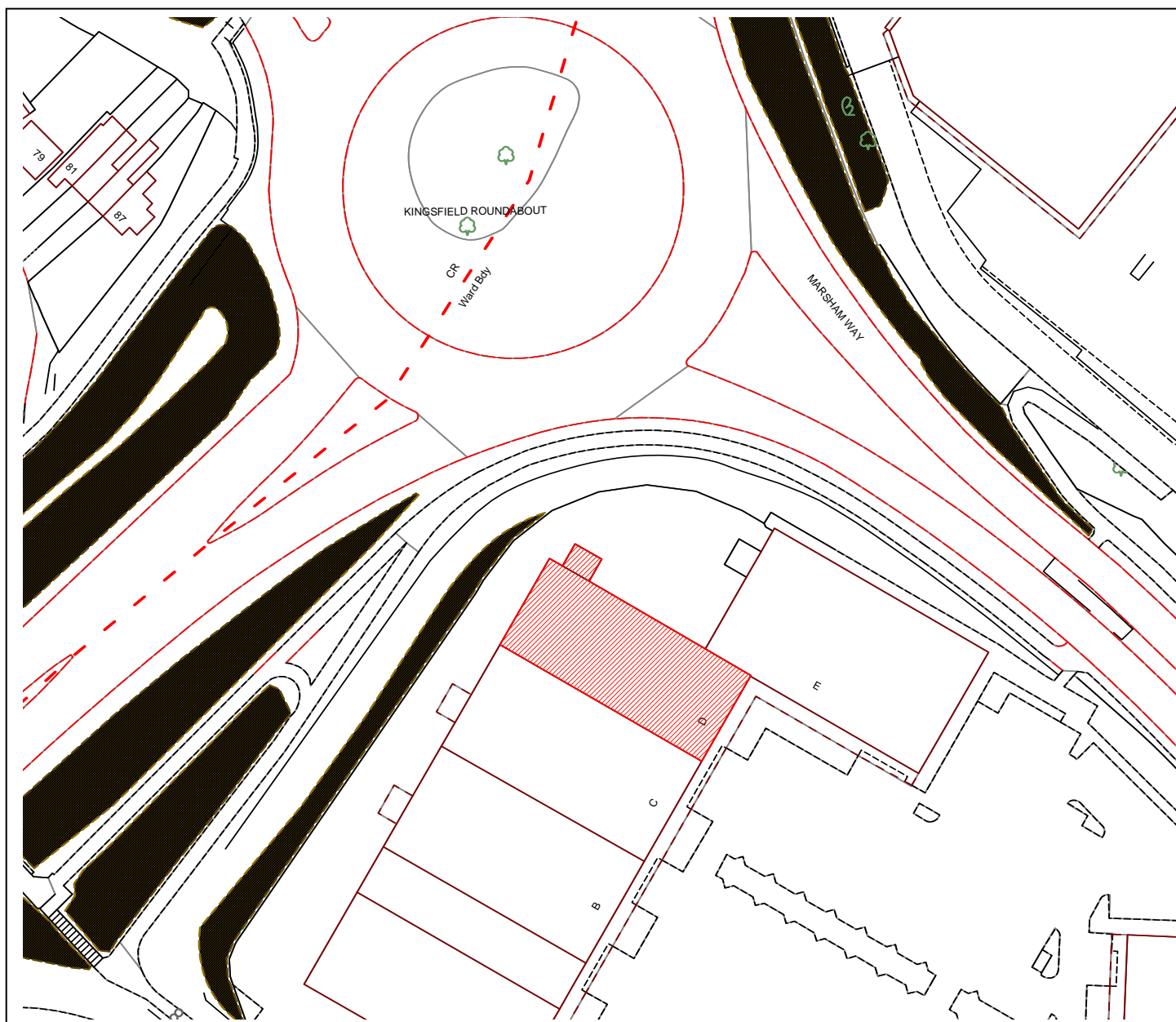
Applicant: Mr J Ewins Boots
The ChemistSite: Unit D, Longwell Green Retail Park,
Longwell Green, Bristol, BS30 7DY

Date Reg: 15th January 2008

Proposal: Display of 2no. non-illuminated fascia
signs, 9no. vinyl window signs and 1no.
freestanding welcome panel.
(Resubmission of PK07/2489/ADV).Parish: Oldland Parish
Council

Map Ref: 65438 72081

Ward: Longwell Green



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100023410, 2008.

N.T.S

PK08/0149/ADV

The application appears on the circulated schedule as a representation has been received contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks advert consent for the Display of 2no. non-illuminated fascia signs, 9no. vinyl window signs and 1no. freestanding welcome panel. (Resubmission of PK07/2489/ADV).
- 1.2 The site consists of a unit within the recently opened Gallagher's Retail Park, within the urban area of Longwell Green. The proposed signage all relates to the Boots store, and none of it is proposed to be illuminated.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/2489/ADV Display of 2 no. internally illuminated fascia signs, 9 no. vinyl window signs, 1 no. freestanding welcome panel. Refused 6/12/2007 on the following grounds: The proposed two internally illuminated fascia signs represent an over illumination of the building when considered cumulatively with existing neon lighting on the building and, as such, the cumulative effect of the proposals and the existing lighting would harm the visual amenity of the area, contrary to Policy L19 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
No objection.

Other Representations

- 4.2 Local Residents
One local resident has objected to the proposal on the grounds of increased light pollution and erosion of the visual amenity.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application is for advertisements, so that only issues that can be taken into account are public safety and amenity.
- 5.2 The majority of the adverts are on the front elevation and consist of small, informative panels, with one larger advert just above the entrance and one on the main signage panel at the front. There is one large advert proposed on the rear elevation. None of the adverts are proposed to be illuminated.

5.3 Whilst it is considered that the number of adverts on the front elevation is high, given the size and overall context of the shopfront, within a retail park, and the fact that they are mostly instructional and non-illuminated, it is not considered that the proposal would harm the visual amenity of the area.

5.4 There would be no affect on public safety as a result of these proposals.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Approve.

Background Papers **PK08/0149/ADV**

Contact Officer: **Sarah Tucker**
Tel. No. **01454 863780**

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.: PK08/0303/RVC

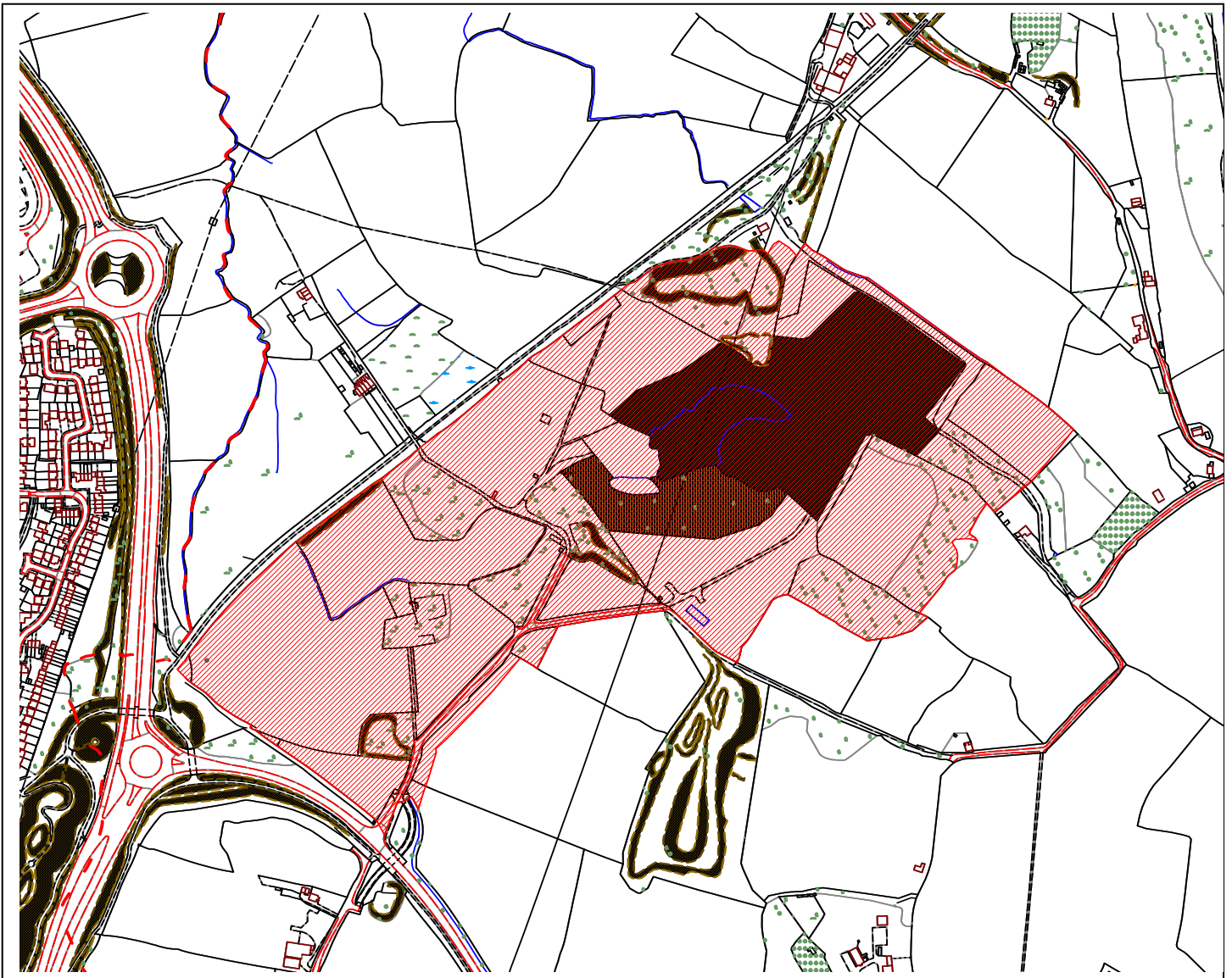
Applicant: Cory Enviromental
(Gloucestershire)
LtdSite: Existing Landfill Site, Shortwood
Quarry, Cattybrook Road North,
Shortwood, Pucklechurch, South
Gloucestershire, BS16 9NJ

Date Reg: 1st February 2008

Proposal: Variation of condition 33 attached to
planning permission PK03/1545/F to
amend the operational working hours of
the landfill site to 07.00 to 13.00
Saturdays and 07.00 to 16.00 Bank
Holidays.Parish: Pucklechurch Parish
Council

Map Ref: 68043 76776

Ward: Boyd Valley



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100023410, 2008.

INTRODUCTION

This application appears on the Circulated Schedule as a result of consultation responses received.

1. THE SITE AND PROPOSAL

- 1.1 The application relates to the operational landfill site at Shortwood Quarry near Pucklechurch. The quarry site, a former clay pit, commenced landfilling operation in autumn last year. Condition 33 of planning consent reference PK03/1545/F restricts hours of operation for the landfill to 0800 – 13.00 on Saturdays, with no Bank Holiday working. This application seeks to vary those hours of operation to 0700 – 1300 on Saturdays and 0700 to 1600 on Bank Holidays.
- 1.2 The application site is bounded by the Mangotsfield to Yate cyclepath and the Shortwood link North Link Road to the north west and south west respectively and the Pucklechurch Ridge to the east. The nearest residential properties are located at the Rosary, 75 metres from the application boundary, immediately to the west. Grove Farm lies 150 metres to the north of the site boundary at the bottom of Coxgrove Hill. Continuing up Coxgrove Hill there are a number of further residential properties. Around the eastern side of the site, largely hidden by woodland are the isolated properties of Park Glen, Greatwood Farm and Shortwood Lodge.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 – Delivering Sustainable Development
PPS10 – Planning for Sustainable Waste Management
MPS2 – Controlling and Mitigating Environmental Impacts
- 2.2 Development Plans

Joint Replacement Structure Plan
Policy 29 – Waste Management

South Gloucestershire Minerals and Waste Local Plan
Policy 22 – Residential/Local Amenity
Policy 24 – Traffic Impact
Policy 36 – Management of Waste Arisings
Policy 39 – Household Waste Recycling Facilities

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/1545/F – Continuation of clay extraction and restoration by landfilling with residual non-hazardous waste. Approved 10 March 2006.

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
Object to the application on the grounds that the proposal would lead to an increase in lorry movements by up to 20 movements and considers that this would be unacceptable in terms of noise and disturbance upon local residents plus additional traffic on the Avon Ring Road.

4.2 Mangotsfield Parish Council
No objections

4.3 The Environment Agency
No comments

4.4 Sustainable Transport
No objection

4.5 Local Occupiers
4 letters have been received objecting to the proposals on the grounds that the existing nuisances caused by the site (noise, traffic, sea gulls) would increase, as would mud on the road, the sound of reversing beepers are considered to be one of the main issues which would increase with any extended hours, however it is considered that something may be done to alleviate this particular problem. There is concern with what is seen as incremental and ongoing increases to existing and established planning consents and conditions.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the use of the site has been established for landfill purposes through consent reference PK03/1545/F. The issue the subject of this application is therefore restricted to assessing the acceptability of the proposed extension to operating hours on Saturday mornings and Bank Holidays, and what additional impact this may have upon the surrounding area. The main issues to be examined are considered to be on residential amenity terms, on the basis of noise, and additional vehicle movements generated by the proposals.

The original condition was included in the consent on the basis that it is what was referred to by the applicants as it would represent the anticipated required hours for operating the landfill. Additional requirements have been identified for some works and hence have subsequently been applied for. It is solely the impact of these additional hours that is the subject of this application.

5.2 Local/Residential Amenity

Some concerns have been raised regarding noise emanating from operations at the site, and how this would increase to other hours of the day if increased operating hours were permitted. Of particular note is the reference to reversing beepers. Whilst evidently some form of warning system is required for Health and Safety reasons, the operators have stated their intentions to introduce a new an alternative reverse warning system on its plant and machinery that operates to lower, more confined sound levels and should therefore further reduce any attributable sound beyond the sites boundaries.

5.3 Further to this an extensive statutory monitoring regime is in place for the site that requires the Local Authority to run through all the operations and conditions of site operations. This includes the requirement for ongoing noise monitoring which has been provided to date. Noise levels for standard working hours are within satisfactory standards and meet the noise requirements set in MPS 2. The noise monitoring regime and limits would remain in place.

5.4 Whilst it is considered that the proposed Saturday working hours are not therefore unreasonable there are reservations regarding working hours on Bank Holidays, which are generally restricted from operations. Whilst the site has not to date been the source of sustainable noise complaints through the liaison process or indeed through noise readings provided concerns have been raised regarding the additional working hours, particularly on Public Holidays. Taking into account the general nature of operations and location of the site plus the actual limited amount of days on which Bank Holiday working may occur along with the existing noise readings for the site and the relatively short timescale the site has been in operation, it is considered in the first instance that Bank Holiday working should be restricted to an initial 1 year period to allow for monitoring and assessment of its impact upon the local area.

5.5 Highways/Traffic Impact

The proposal to changes to the operational working hours would result in de-minimis traffic increase and impact to the existing highway network and therefore, there are no highway objections to the proposal.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted.

Background Papers **PK08/0303/RVC**

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).

2. No operations in connection with waste deposit or deliveries to the site shall take place on Saturdays, other than between 07.00 and 13.00, except those necessary for essential maintenance and water leachate pumping.

Reason

To protect the amenities of local residents and to accord with Policy 22 of the South Gloucestershire Minerals and Waste Local Plan.

3. For a period of one year only, no operations in connection with waste deposit or deliveries to the site shall take place on Bank Holidays, other than between 07.00 and 16.00 hours, except those necessary for essential maintenance and water leachate pumping. The Council shall be informed prior to the commencement of this one year period.

Reason

To enable the Local Planning Authority to monitor and review the impact of the operations and to protect the amenities of local residents and to accord with Policy 22 of the South Gloucestershire Minerals and Waste Local Plan.

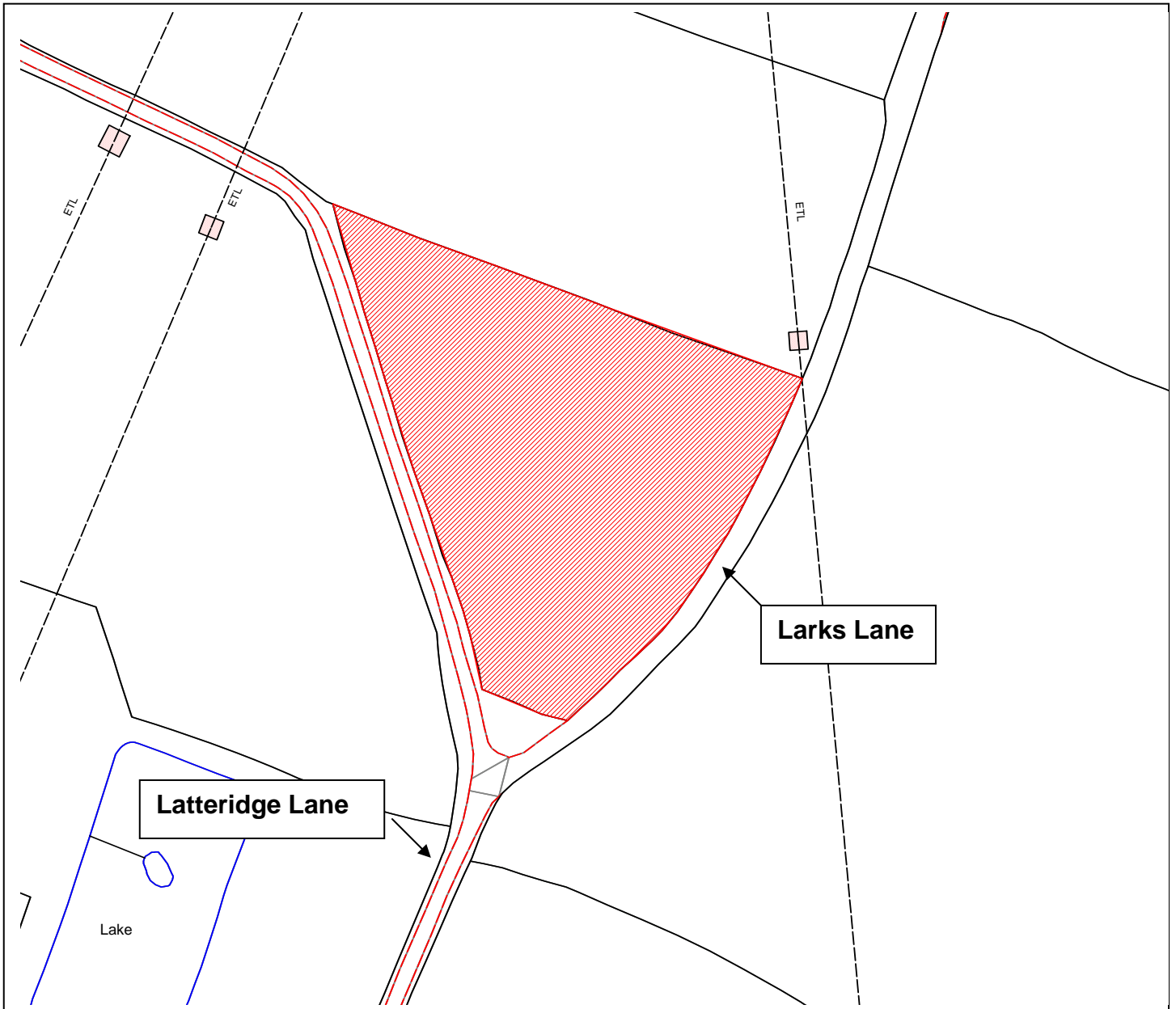
4. Within 3 months from the date of this permission improvements to the reverse warning systems of site vehicles shall be implemented. Notification of this implementation shall be provided to the Council.

Reason

To protect the amenities of local residents and to accord with Policy 22 of the South Gloucestershire Minerals and Waste Local Plan.

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.: PK08/0353/F	Applicant: Mr A P Bessell
Site: 3.48 Acre Field, Larks Lane, Latteridge, Bristol, Gloucestershire,	Date Reg: 6th February 2008
Proposal: Change of use of land from agricultural land to equine use. Erection of 3 no. stables with hay store and feed room.	Parish: Iron Acton Parish Council
Map Ref: 66718 85228	Ward: Frampton Cotterell



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 100023410, 2008.

PK08/0353/F

INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule procedure as a result of objections received from the Parish Council regarding the proposed development as well as being a major planning application.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a stable block with hay store and feed room and change of use of land from agricultural to personal equestrian use for the keeping of four horses.
- 1.2 The building is L shape measuring 10.80m and 11.40m on both sides and 4.60m on the ends x 2.20m in height to the eaves and 3.0m to the ridge. The building will be constructed of wood.
- 1.3 The application site relates to land sited within the open country side and is washed over by the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1
PPG2

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design
- L1 landscape
- GB1 Green Belt
- E10 Horse related development

- 2.3 Supplementary Planning Guidance
Development in the Green Belt Adopted June 2007

3. NO PLANNING HISTORY

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council
Feel that this development is an intrusion and a loss of green belt land, overdevelopment of green belt land and increased traffic movements on an unsuitable country lane.

Other Representations

- 4.2 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for horse related development, subject to a number of criteria being satisfied. In addition regard must be had for the Green Belt.

5.2 Green Belt

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

5.3 Appropriateness

The proposed change of use of land for the keeping of horses is considered to be a use that will preserve the openness of the Green belt. In addition the proposed stable block with a foot print of 66.92 sq.metres is considered small scale and therefore is also considered appropriate development within the Green Belt.

5.4 Openness

Paragraph 1.4 states that the most important attribute of green belts is their openness. The stable block will be sited within the southern corner of the application site on the junction of Larks lane and Latteridge Lane and will be screened largely by an established hedge. So although the Parish and Council's landscape officer have raised concerns regarding overdevelopment of the site, it is considered that the site in question by reason of its size can satisfactorily accommodate this scale of development without having an harmful impact on the openness or visual amenities of the Green Belt.

5.5 Visual Amenity

It is considered that the siting and design of the proposed stable block would not adversely affect the visual quality the landscape. At present there is a large container and a field shelter on the site both of which will be removed as agreed by the applicant. A condition will be imposed to ensure their removal.

5.6 A number of planning conditions are proposed in terms of restricting the use of horse jumps, trailers and other associated paraphernalia.

5.7 Policy E10 Horse Related Development:

A. Development would not have unacceptable environmental effects; and
All matters of external lighting, erection of loose jumps and fences, car parking and use of horse-boxes or portable buildings or trailers, could be strictly controlled by conditions.

The disposal of foul waste should be undertaken in accordance with the MAFF (now DEFRA) Code of Good Agricultural Practice for the Protection of Water and would be the subject of Environment Agency and Environmental Health controls.

B. Development would not prejudice the amenities of neighbouring occupiers;
No nearby neighbouring properties that would be affected by the proposed scheme.

- C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and
 Concerns have been raised regarding the existing lane. The Council's Highway Officer has advised that subject to a suitable planning condition to control the operation of the site so that there is no commercial use such as a riding school or DIY livery use from the site then no highway objection is raised to this proposal. Additionally should planning permission be granted a condition should be imposed limiting the number of horses on site to a maximum of 3.
- D. Safe and convenient access to bridleways and ridings is available to riders; and
 Adjacent lane runs alongside application site.
- E. There are no existing suitable underused buildings available and capable of conversions; and
 There are no existing buildings on the land that could be converted for the use as a stable
- F. The design of the buildings, the size of the site and the number of horses to be accommodated has proper regard to tee safety and comfort of horses.
 The proposal accords with the advice given in Supplementary Guidance Note 9 concerning care and housing of horses. It is proposed to keep a maximum of 3 horses on the site. The horses would be exercised in the field. There is sufficient space in the field for the number of horses proposed and this number can be limited accordingly by condition which in this case would be 3.

5.8 Design and Access Statement

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

5.9 Section 106 Requirements

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

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

6. CONCLUSION

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

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

7. **RECOMMENDATION**

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

Background Papers **PK08/0096/F**

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

CONDITIONS

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

Reason

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

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

Reason

To protect the character and appearance of the area and in the interests of highway safety, and to accord with Policies GB1, E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The number of horses kept on the site shall not exceed 3.

Reason

To protect the character and appearance of the area and in the interests of highway safety and to accord with Policies GB1, E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006

4. No more than one horse box/trailer shall be kept on the site, otherwise at no time shall other horse boxes, trailers, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses.

Reason

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

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

Reason

To prevent pollution of the water environment in accordance with Policy E10 of The South Gloucestershire Local Plan (Adopted) January 2006.

6. No development shall take place until details of the reinforced grass system has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason

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

7. No jumps (other than mobile jumps in the exercise arena), fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land without the prior written approval of the Local Planning Authority.

Reason

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

8. The existing unauthorised container and field shelter shall be removed from the application site prior to the approved stable block being brought into use.

Reason

To safeguard the visual amenities and character of the area and to accord with Policy D1, I2 and GB1.

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.: PK08/0380/CLP	Applicant: Ms D Fry
Site: 29 Highfield Avenue, Hanham, South Gloucestershire, BS15 3RA	Date Reg: 8th February 2008
Proposal: Application for Certificate of Lawfulness for the proposed erection of single storey rear extension.	Parish: Hanham Parish Council
Map Ref: 64812 72244	Ward: Hanham



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N.T.S

PK08/0380/CLP

INTRODUCTION

This application appears on the Circulated Schedule in accordance with the standard procedure for the determination of such applications.

1. THE PROPOSAL

- 1.1 This application seeks clarification that a proposed single storey rear extension does not require planning permission. The application site relates to a two storey semi detached property within a residential area of Hanham.

2. POLICY CONTEXT

- 2.1 Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995

The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

- 3.1 No history.

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
No objection.

Other Representations

- 4.2 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The purpose of this application for a Certificate of Lawful Development is to establish whether or not the proposed development can be implemented lawfully without the need for Planning Consent. This is not a Planning Application but is an assessment of the relevant planning legislation, and as such the policies contained within the South Gloucestershire Local Plan (Adopted) January 2006 do not apply in this instance. The assessment must be made on the 'balance of probability'.
- 5.2 The proposed development consists of a single storey rear extension. This development would fall under the criteria of *Schedule 2, Part 1, Class A* of Town and Country Planning (General Permitted Development) Order 1995 (The enlargement, improvement or other alteration of a dwellinghouse). Developments which fail any of the following criteria would not be permitted:

(a) the cubic content of the resulting building would exceed the cubic content of the original dwellinghouse—

(i) in the case of a terrace house or a house on article 1(5) land, by more than 50 cubic metres or 10%, whichever is the greater,

(ii) in any other case, by more than 70 cubic metres or 15%, whichever is the greater, or

(iii) in any case, by more than 115 cubic metres; or

The dwelling does not stand on article 1(5) land and is not terraced. The dwelling can thereby be extended by up to 70 cubic metres before permission is required. A volume calculation on the proposed extension gives a total volume of extension at 68.58 cubic metres. Criterion a is therefore satisfied.

(b) the part of the building enlarged, improved or altered would exceed the height of the highest part of the roof or the original dwellinghouse;

The extension will be single storey only whereas the original dwellinghouse is two storeys in height. Criterion b is therefore satisfied.

(c) the part of the building enlarged, improved or altered would be nearer to any highway which bounds the curtilage of the dwellinghouse than -

(i) the part of the original dwellinghouse nearest to that highway, or

(ii) any point 20 metres from that highway;

The only highway which bounds the curtilage of the dwellinghouse is Highfield Avenue that runs along the front of the dwelling. There are no other highways immediately to either side or the rear. The extension will be located to the rear of the original dwellinghouse and thus will not be any closer to the highway than the original dwellinghouse. Criterion C is therefore satisfied.

(d) the part of the building enlarged, improved or altered would be within 2 metres of the boundary of the curtilage of the dwellinghouse and would exceed 4 metres in height;

The proposed extension will stand within 2 metres of the boundary of the curtilage but will have a maximum height of only 2.957 metres. Criterion d is therefore satisfied.

(e) the total area of ground covered by the buildings within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage;

The property has a very large curtilage – circa 385 square metres. By comparison, the extension will occupy a very small part of the curtilage. It is calculated that the extension will cover approximately 6% of the total area of the curtilage. Criterion e is therefore satisfied.

(f) it would consist of or include the installation, alteration or replacement of a satellite antenna;

No satellite antennas are proposed or affected by the extension. Criterion f is therefore satisfied.

- (g) *it would consist of or include the erection of a building within the curtilage of a listed building; or***

The building is not listed. Criterion g is therefore satisfied.

- (h) *it would consist of or include an alteration to any part of the roof.***

The proposal does not include any alteration to the roof. Criterion h is therefore satisfied.

5.3 Conclusion

It is therefore considered that the proposal falls within the categories of development which are permitted development, for which planning permission is not required.

6. RECOMMENDATION

- 6.1 That a Certificate of Lawfulness for Proposed Development is granted.

Background Papers PK08/0380/CLP

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

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.: PK08/0399/R3F

Applicant: South Gloucestershire Council

Site: Brimsham Green School, Broad Lane, Yate, South Gloucestershire, BS37 7LB

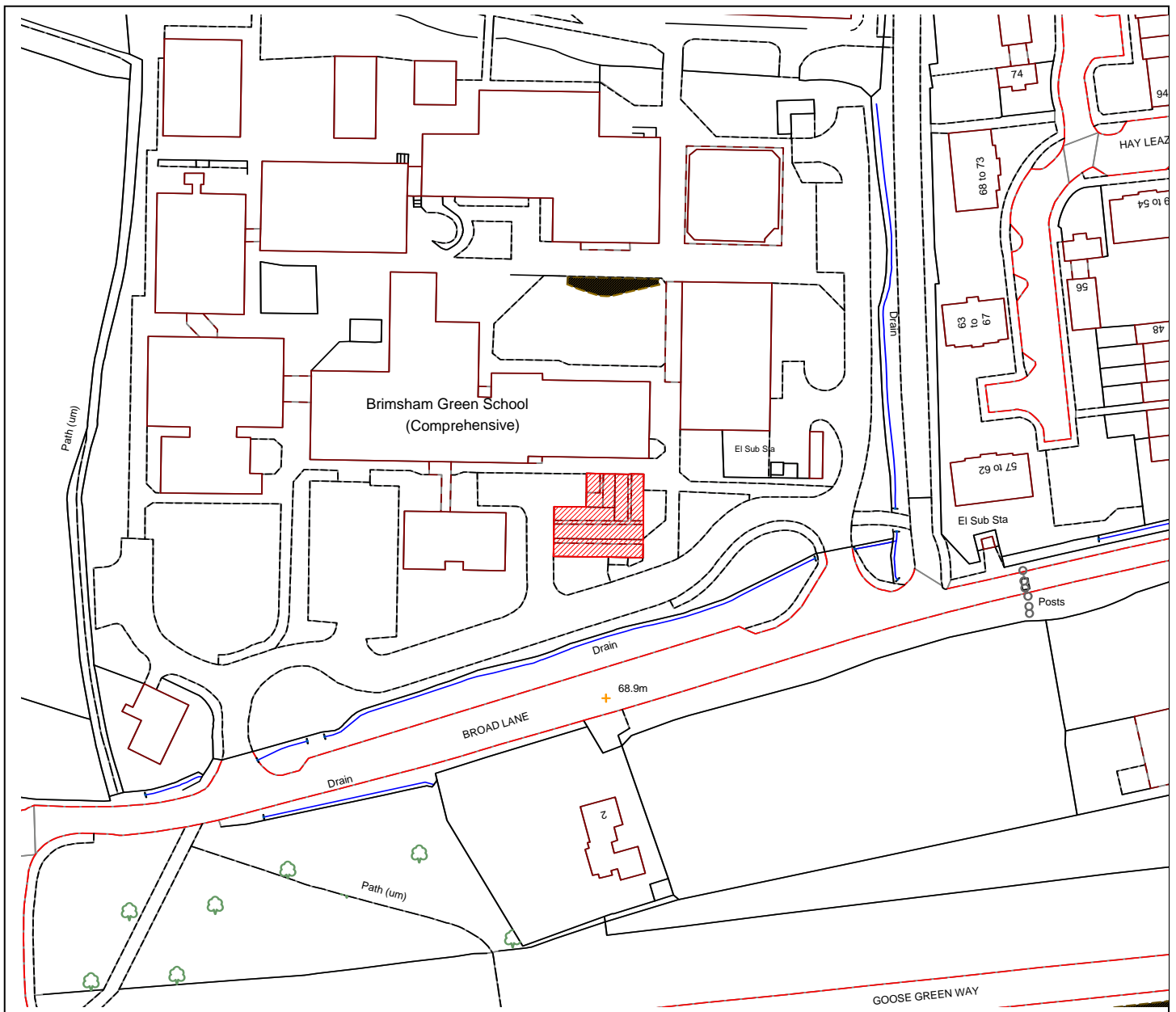
Date Reg: 12th February 2008

Proposal: Demolition of cycle stores to facilitate the erection of single storey detached building to form resource base with offices and toilet facilities, suitable for wheelchair users. Construction of hardstanding to form lay-by. (Resubmission of PK07/3497/R3F).

Parish: Yate Town Council

Map Ref: 70682 83769

Ward: Yate North



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INTRODUCTION

This application is reported on the Circulated Schedule in accordance with the standard procedures for Regulation 3 applications.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a single storey to be used as a resource centre and toilet block. Permission is also sought for the construction of a hardstanding to be used as a lay-by. In order to facilitate this development, it is proposed that the existing cycle store is demolished. This building is single storey, in common with all of the school buildings and constructed from blockwork, under a corrugated roof. The building forms a 'L' shape, with car parking in the crook of the 'L'. The roof is mostly hidden and appears therefore to be missing. There is a prominent tree at the front of this part of the site, otherwise the building is unscreened. The tree is proposed to be removed.
- 1.2 The proposed replacement building would also be single storey, covering approximately the same footprint, although slightly larger and extending further forward. The roof proposed would feature a number of monopitch slopes, joining at different angles. Windows are proposed on all four elevations, with a covered bus shelter as the main feature of the elevations facing Broad Lane.
- 1.3 This application follows the refusal of an earlier scheme due to the cycle parking facilities being lost altogether. Since then, planning permission has been approved for a replacement cycle parking facility in the school grounds and this application is exactly the same as the previously refused scheme.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
L1 Landscaping
LC4 Education Facilities

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/3497/R3F Demolition of cycle store and erection of teaching block
Refused
- 3.2 PK07/3684/R3F Erection of two cycle stores Approved

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objection.

4.2 Other Consultees
Technical Services

No objection, subject to the inclusion of a condition on the decision notice requiring the submission of a drainage plan compliant with Sustainable Drainage principles.

Transportation

This proposal is a resubmission of PK07/3497/R3F which was recommended for refusal due to the lack of alternative cycle storage being provided within the site boundary. Planning permission has since been granted for two new cycle stores (PK07/3684/R3F). In light of the above, there is no transportation objection to this proposal.

Tree Officer

The tree is a young lime. It has good form and appears to be healthy. It is growing in close proximity to the existing structure and will cause damage either physically or via root activity as the tree increases in size. If the tree was removed to allow the construction a similar size /species tree should be planted to mitigate the loss. There is no objection to this application with the condition that the tree to be removed is replaced with a similar size/ species tree.

Other Representations

4.3 Local Residents
No replies received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The proposal needs to meet the four tests set by policy LC4 and the other issue to be resolved is the loss of the tree at the front of the site.

5.2 D1: Design of the proposal

The design of the proposed replacement building is considered to represent an improvement to visual amenity, over the current situation of an unattractive, utilitarian building. The proposed design is modern in both style and the use of its constituent materials and this is considered to be both appropriate to a complex of school buildings and the location, as it would give a visual lift to the front of the site.

5.3 LC4: Major transport generators should be on sites highly accessible by foot and cycle

This proposal is not considered in itself to be a major transport generator and therefore this policy criteria is not considered to apply.

5.4 LC4: Effect on Residential Amenity

This site is located well away from any residential property, other than No. 2 Broad lane, which is across Broad Lane from the site and set back within its plot. Since the proposal is for the replacement of a single storey building with another, albeit taller single storey building, the proposal is not considered to have much potential impact upon residential amenity in itself. When the distance to the nearest property is taken into consideration, it is considered that no adverse impact would occur.

5.5 LC4: Transportation Effects

The Transportation comments appear above and make clear that with the replacement cycle parking facilities, now approved under the reference number above, the scheme would comply with policy. To ensure that this facility is provided prior to the demolition of the existing bicycle store, a condition has been appended below.

5.6 LC4: Effect of the proposal on on-street parking

The proposal as it stands would lead to the loss of cycle parking facilities on site, however the previously approved scheme, under a different application, would ensure that replacement on-site parking for cycles is provided. On this basis, it is not considered that this proposal would lead to additional trips to the site by car and therefore on-street parking would be unlikely to be affected by the proposal.

5.7 L1: Tree Issues

The Tree Officer's comments also appear above. Subject to the inclusion of a condition requiring a replacement tree to be planted, there is no objection to the proposal. The condition requiring replacement planting appears below.

5.8 Design and Access Statement

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

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK08/0399/R3F**

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

CONDITIONS

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

Reason

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

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

Reason

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

3. A replacement tree, the species, size and location of which is to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the felling hereby authorised.

Reason

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

4. Prior to the commencement of development, the bicycle parking facilities approved under planning permission ref. no. PK07/3684/R3F shall be constructed and available for use.

Reason

To ensure that cycle parking facilities are available continuously for student and staff use, to accord with Policies T7 and T10 of the adopted South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.: PK08/0400/F

Applicant: Benson Bros
(Bristol) Limited

Site: Site Adjacent to White Hart Inn, High Street, Iron Acton, South Gloucestershire, BS37 9UG

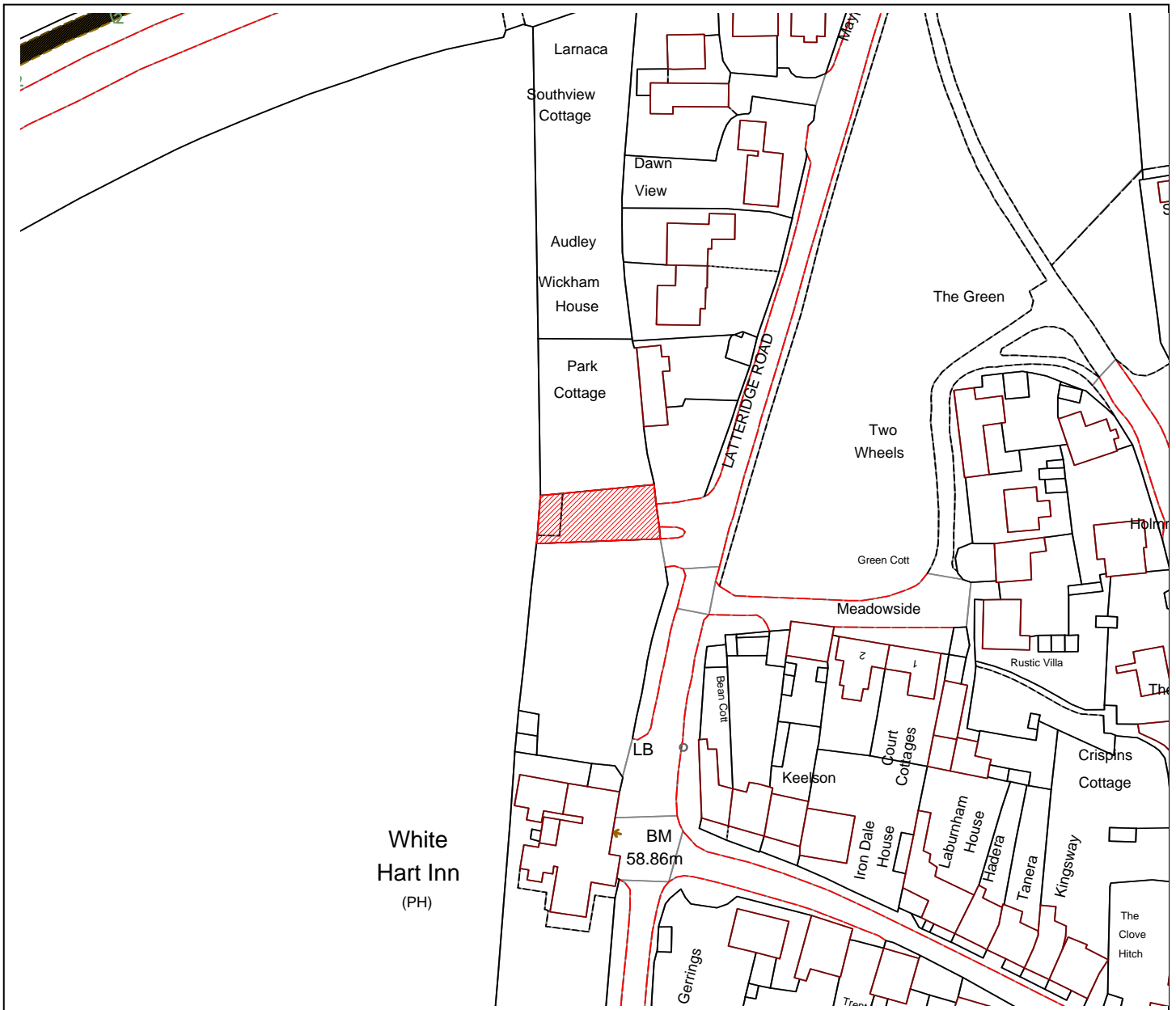
Date Reg: 12th February 2008

Proposal: Erection of 1no. detached dwelling with detached store, associated parking and works. (Resubmission of PK07/3580/F).

Parish: Iron Acton Parish Council

Map Ref: 67659 83697

Ward: Frampton Cotterell



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100023410, 2008.

N.T.S

PK08/0400/F

INTRODUCTION

This application is placed on the Circulated Schedule to Council Members given comments that have been made (see Consultation Responses below).

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the erection of a single dwelling. The dwelling would be sited to the north of the car park associated with the White Hart Inn with the garden associated with Park cottage situated immediately to the north. At the time of the Case Officer's visit the site was largely overgrown and vacant. The site is surrounded by a natural (dry) stone wall and to the front there is a natural access onto Latteridge road via a spur from the main carriageway.
- 1.2 The proposed dwelling would be two-storey in height with a single storey rear wing, covered external area and store. The building would be rendered with a clay pantile roof and other features include a chimney (pot), timber framed windows and two conservation style roof lights on the rear single storey wing. The rear area is indicated as being paved with some soft landscaping. To the front, two parking spaces are indicated. Natural stonewalls are to be retained (and repaired) with the building set within these features. A section of wall will be removed to the front to accommodate the entrance.
- 1.3 The site is within the settlement boundary of Iron Acton and is washed over Green Belt. It is within the Iron Acton Conservation Area. Recent applications PK07/3604/CA and PK07/3580/F were refused (see history below). The current proposal differs from the previous submission given that the parking area to the front of the house and turning area is larger, the northern boundary wall is retained and the front boundary wall is retained aside from a simple opening for vehicles. Previously large timber framed gates dominated the front elevation and a substantial area of wall was to be removed (hence the previous need for Conservation Consent).

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG 2	Green Belts
PPS3	Housing
PPG 13	Transport
PPG15	Planning and the Historic Environment

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H2	Proposals for Residential Development, Including Residential Institutions and Special Needs Accommodation, and Applications to Renew Permissions for Residential development, within the Existing Urban Area and Defined Settlement Boundaries.
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings.
T12	Transportation Development Control Policy for New Development
GB1	Development within the Green Belt.

EP1	Environmental Pollution
L12	Conservation Areas
L17	The Water Environment

South Gloucestershire Council Design Checklist (Adopted August 2007)
Development in the Green Belt – June 2007

3. RELEVANT PLANNING HISTORY

PK07/3604/CA - Partial demolition of front, side and rear stone boundary walls and removal of iron gates (Refused – The extent of the works was considered to be detrimental to the character and appearance of the Iron Acton Conservation Area)

PK07/3580/F – Erection of 1 no. detached dwelling with detached store, associated parking and works. Installation of 2m high front timber gates. (Refused - The extent of the works was considered to be detrimental to the character and appearance of the Iron Acton Conservation Area), without the provision of turning facilities the proposed development was considered detrimental to highway safety).

4. CONSULTATION RESPONSES

Iron Acton Parish Council

Iron Acton Parish Council has no objection in principle to the dwelling. However on the east elevation, the height of the wall should be the same height as the rest of the walls on the Village Green, the store to the front of the dwelling is considered inappropriate for the Village Green setting, the exterior should be in keeping with existing properties and any gates to be installed should be in keeping.

Sustainable Transport

Transportation objection was raised to the previous proposal for one dwelling on this site due to the lack of vehicular turning within the site (PK07/3580/F). Although the whole front of the site is now proposed for vehicular parking and turning, I have concerns that the location of the proposed store will cause obstruction to vehicles manoeuvring within the site. The proposal if allowed in its current form is likely to lead to vehicles having to perform complicated and difficult manoeuvres within the site boundary.

If the Applicant is unable or unwilling to relocate the store then this proposal is recommended for refusal for the following reason:- The location of the proposed store is likely to cause obstruction to vehicles turning within the site, leading to complicated and difficult manoeuvres being performed, leading to potential pedestrian and vehicular conflict. This proposal is detrimental to highway safety and contrary to Policy T12 of the SGLP.

Local Residents

There have been no responses received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The applicant seeks consent for a single detached dwelling. The site is situated within the washed over settlement of Iron Acton within the Bristol/Bath Green Belt and a Conservation Area.

The principle of residential development, as set out in Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the guidance in PPG2, within 'washed over' Green Belt villages is limited to residential in-fill. This is considered to constitute such in-fill development, and would result in a density equivalent to 38 dwellings per hectare on this 259 sq.m. This is considered to be appropriate in this context. The proposal is therefore considered acceptable in principle, and would not compromise the openness of the Green Belt at this point.

Policies H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006 indicate that the environmental impact of development and transportation effects are criteria. Consideration is therefore needed with regard to the visual impact having regard to the design and the Conservation Area, residential amenity, impact upon the highway network and drainage outlined below.

5.2 Design/Conservation Area

Policy L12 having regard to guidance in PPG15 requires that development within or affecting a Conservation Area will only be permitted where it would preserve or enhance the character or appearance of the area. Consideration needs to be given to the size, form, position, scale, materials, design, colour and detailing having regard to the distinctive character and appearance of the Conservation Area. This is supported by Policy H4 and more specifically Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

Within context this site is considered to be located within a prominent location within the Conservation Area. There are views into and out of the settlement through the site which also lies on the edge of development to the north (albeit the site is set back from a building line). To an extent, it is considered that the large open car park to the south enhances the prominence of this site situated as it is on the edge of further development to the north. Stone walls are a prominent feature of the Conservation Area and their preservation and repair are objectives set out in the Iron Acton Conservation Statement. It is considered that in contrast to the earlier applications, that the current scheme respects the importance of the stonewalls, retaining the wall along the northern boundary and to the front of the property and through their repair the scheme is considered to enhance the character of the Conservation Area providing some continuity with adjoining properties.

The building itself is considered to have an appropriate form and scale and the overall appearance through the materials to be used, (off-white render, timber framed windows/doors with clay pantiles), is considered appropriate. With respect to the scale it is considered that the building is modest in scale and is quite typical of the buildings within the vicinity clustered around the Village Green. A condition will be attached to the decision notice requiring the submission of a sample tile as well as requiring the submission of details at 1:20 scale of the rooflights, which should be Conservation Grade.

Concern has been raised that the small store shown within the parking area to the front of the property is inappropriate. This store has been removed to a more discreet location to the rear following negotiation. The proposed store will accommodate the South Gloucestershire Council Twin Bin Scheme. No gates have been proposed (a concern in relation to the previous proposal), however it should be noted that given the proximity to the highway, consent would be required for any gates exceeding 1 metre in height. For the avoidance of doubt and to ensure a suitable design for any future enclosure at this point, permitted development rights are recommended to be removed in this respect.

It is therefore considered for the reasons set out above and subject to the conditions indicated that the proposed development would preserve the character and appearance of the Iron Acton Conservation Area and would therefore be in accord with Policy L12 of the South Gloucestershire Local Plan (Adopted January 2006) and Policy as set out in PPG15.

5.3 Drainage

There is no objection to the proposal from the Council's Technical Services Unit subject to a condition relating to drainage and to an informative relating to surface water run-off being attached to the decision notice.

5.4 Transportation

Policy T12 considers the impact of development upon the highway network, in respect of small-scale development having regard for parking provision and the suitability of the access. The proposal should not have an unacceptable effect on road, pedestrian and cyclist safety.

The access to the proposed dwelling will be in close proximity to a public house access and therefore it is essential that safe access is provided. There is a general requirement (for road safety reasons) that off-street turning facilities, independent of parking area, is provided when new accesses are constructed off classified roads so that vehicles can enter and leave the site in forward gear. In this case, no turning facilities are provided with this proposal. The previous proposal was refused on the basis that this requirement was not met.

In this respect the current proposal has addressed the previous concerns. Further concern was raised regarding a store shown within the front boundary on the grounds that this would have resulted in restricting manoeuvring within the turning area. The store has subsequently been removed to the rear of the site. On this basis there is no objection to the proposed development which is considered in accord with Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006).

5.5 Residential Amenity

Given the scale and the location of the proposed development it is not considered that the proposal will result in any significant loss of amenity to neighbouring occupiers. Aside from one obscure glazed window at first floor level, in the side elevation (north), there are no windows that would face towards Park Cottage to the north. A condition removing permitted development rights in relation to future windows in this elevation has been attached to the decision notice in order to assess the impact of any such proposal.

Given the height of the building of 7 metres and the distance of 7 metres to the nearest part of Park Cottage it is not considered that the structure would appear oppressive or overbearing when viewed from that property.

It is considered that the proposed dwelling affords sufficient amenity space for future occupiers.

Subject to the above condition, the proposed development is considered acceptable both in terms of the impact upon adjoining occupiers and the future amenity of the occupiers of the building.

5.6 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.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Planning Permission be granted subject to the following conditions

Background Papers **PK08/0400/F**

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

CONDITIONS

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

Reason

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

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

Reason

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

3. All rainwater goods shall be painted black.

Reason

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

4. Prior to the commencement of development, a section drawing at 1:20 scale of the proposed rooflights shall be submitted to and approved in writing by the Local Planning Authority. Works shall proceed in accordance with the approved plans.

Reason

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

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

Reason

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

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

Reason

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

7. 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 2 (Class A - Gates, fences, walls and enclosures), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

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

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

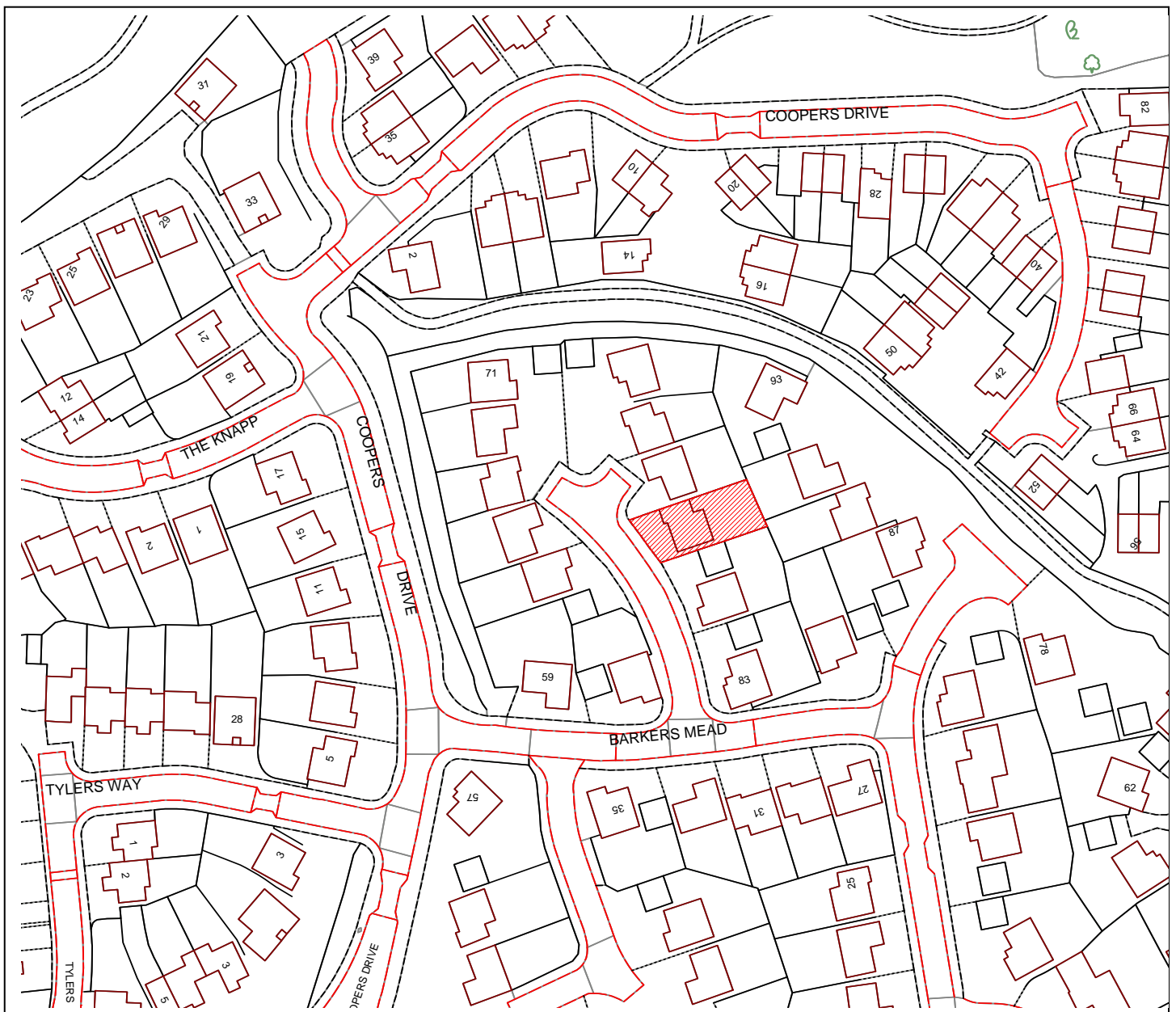
App No.: PK08/0406/F
Site: 79 Barkers Mead, Yate, South Gloucestershire, BS37 7GB
Proposal: Erection of first floor and two storey side extensions to provide additional living accommodation. Installation of ground floor front bay window and erection of additional roof canopy to front elevation. (Resubmission of PK07/2128/F).

Applicant: Mrs H Sutherland
Date Reg: 12th February 2008

Parish: Yate Town Council

Map Ref: 71650 84080

Ward: Yate North



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N.T.S

PK08/0406/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application seeks permission for a first floor and two storey side extension above and behind the existing attached single garage, plus the installation of a ground floor front bay window.
- 1.2 The property itself is a modern volume built detached dwellinghouse set on a cul-de-sac, entirely residential in character and containing properties of similar scale and design.

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 PK07/2128/F Erection of first floor and two storey side extensions to provide additional living accommodation. Installation of ground floor front bay window and erection of additional roof canopy to front elevation and conservatory.

Refused July 2007 on design and residential amenity grounds.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objection

Other Representations

- 4.2 Local Residents
Two letters have been received from local residents raising the following objections regarding the proposed extension, which have been summarised by the Planning Officer:
 - Extension will block light and skyline
 - This scheme isn't much different to that already refused
 - Block view
 - Detrimental to character of the area

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Residential Amenity

The Planning Officer made the following assessment with regards the previous application (PK07/2128):

Whilst the property is detached in nature development is and would be close to the neighbouring property and associated curtilage. In this instance the rear building line of the adjacent dwelling is aligned similarly to that of the application dwelling. It is considered that the combination of the side extension and the proposed conservatory to which it is attached and extends to a further five metres beyond is to large in this instance and as such impacts upon the reasonable amenities of the neighbouring property.

5.3 This scheme has addressed the above by omitting the previously proposed 5.0m rear conservatory. It is therefore considered as the proposed two storey side extension will fall in line with the rear building line of no.77, that an extension of this scale and in this location would not have an overbearing impact on the adjacent occupier.

5.4 Design

The Planning Officer made the following assessment with regards the previous application (PK07/2128):

The design of the side extension is such that the ridge of the proposed roof would be of the same height as that of the existing dwelling. The proposed extension would therefore not be of a subservient nature in comparison to the original dwelling contrary to design guidance and therefore Development Plan policy.

5.5 This current scheme has sought to overcome the above by amending the design of the two storey side extension. This current scheme proposes to set back the proposed first floor side extension 0.40m from the existing front building line keep the ridge height of the extension lower than the existing main roof. By doing this the extension will be subservient in design and appearance and is considered to overcome the previous planning objection.

5.6 Whilst it is accepted that the proposed first floor extension will infill a gap, it is considered that as the property is detached and the extension is subservient in design that an extension in this location will not have an adverse impact on the character or the visual amenities of the street scene.

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 be granted subject to the following conditions.

Background Papers **PK08/0406/F**

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

CONDITIONS

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

Reason

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

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

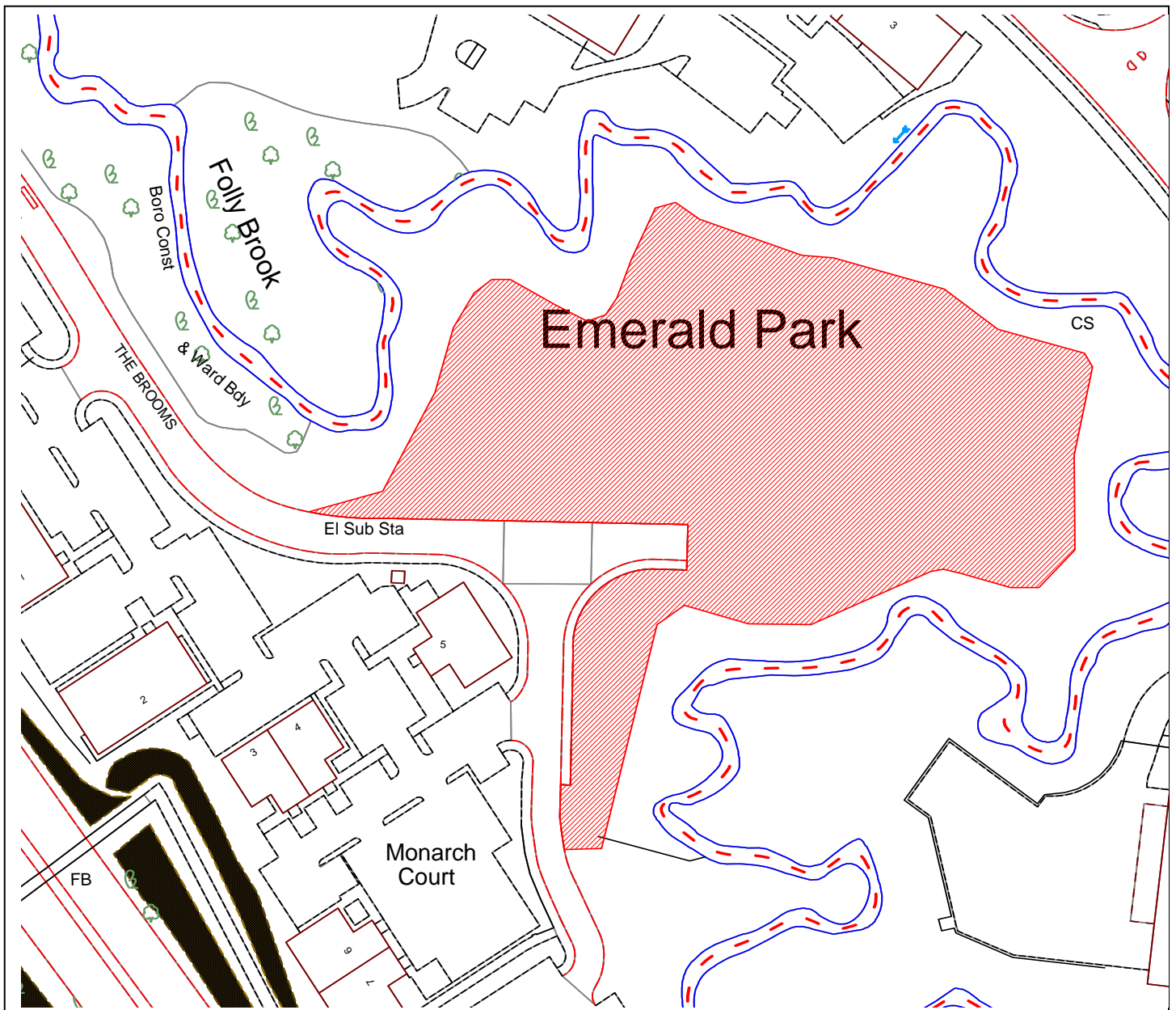
Reason

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

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2007

App No.: PK08/0424/F
Site: 1 Brook Office Park, Folly Brook Road, Emersons Green, South Gloucestershire, BS16 7FL
Proposal: Erection of Independant Sector Medical Treatment Centre (Class C2) as defined in the Town and Country (Use Classes) Order 1987 (as amended). Erection of single storey service compound, landscaping, car parking and associated works. Amendment to previously approved scheme PK06/3410/F.
Map Ref: 66565 78424

Applicant: Ms F Calnan
Date Reg: 14th February 2008
Parish: Mangotsfield Rural Parish Council
Ward: Emersons Green



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INTRODUCTION

This application appears on the Circulated Schedule as it is a Major application.

1. DESCRIPTION

- 1.1 Full planning permission is sought for the erection of an Independent Sector Treatment Centre – a speciality hospital. The building would be 3 and four-storeys - up to 16 metres in height with a total floorspace of 5,642m².

The application is an amendment of a previously approved scheme – PK06/3410/F, which appeared on the Circulated Schedule on 9th February 2007. It has arisen due to required internal alterations and changes to design. The main differences between the current application and the previously approved one are as follows:

- The previous full height curved glass entrance atrium has been lowered to reduce mass and environmental impact. There would now be a canopied faceted glass entrance foyer.
- Stair and lift areas now integrated into the main building rather than connected by walkway.
- Previous cedar louvre boarding replaced with timber hit and miss flat boarding to principal elevation.
- External compound buildings now the same finish as main building.
- Increase in number of car parking spaces.

Amended proposals

- 1.2 Since the current application was originally submitted it has been amended in the following ways:

- Retention of living green roof on whole of compound buildings as previously approved.
- Red line to Folly Brook stream itself as previously approved.

2. SITE AND LOCATION

- 2.1 The proposal relates to 1.33 hectares of land in the central part of Area B, Emersons Green. To the south west the site is bound by office development. Otherwise, the site is almost entirely surrounded by the Folly Brook, which is a Site of Nature Conservation Interest, (SNCI). Most of the site consists of rough grassland and it is bounded by dense, mature vegetation including a number of TPO'd trees.

3. APPLICANT'S SUPPORTING INFORMATION

- The application has been supported by the submission of an Ecological Assessment, Transport Assessment and detailed Planning Report with Design and Access Statement.
- United Kingdom Specialist Hospitals have been commissioned by the Department of Health to provide and operate an independent sector treatment centre (ISTC) in the South Glos area – one of six in the NHS south west area.
- This is part of a national programme by the Government to create high quality fast-track diagnosis and treatment centres.

- It is designed primarily to significantly reduce the waiting time for planned surgery, to increase patients' choice as to where their operation is carried out, as well as creating the facilities to carry out an additional 256,000 patient/treatments per year.
- Although run by the private sector the scheme is funded by the NHS.
- Shepton Mallet was the first such treatment centre which opened in 2005.
- The building will consist of three floors and accommodate four operating theatres and 31 beds, with associated facilities.
- The proposed ISTC will treat some 20,000 patients per year.
- The scheme will comprise both day surgery and in-patient surgery.

4. **POLICY CONTEXT**

4.1 National

PPS1	Delivering sustainable development
PPS9	Biodiversity and Geological Conservation
PPG13	Transport
PPS 23	Planning and Pollution Control
PPG24	Planning and Noise
PPS25	Development and Flood Risk

4.2 Regional Planning Guidance

<u>RPG10</u>	<u>Regional Planning Guidance for the South West</u>
EN5	New Health Facilities
RC2	Flood Risk and Sustainable Development
RE6	Energy conservation measure in new development
<u>RSSIO</u>	<u>Draft Regional Spatial Strategy</u>
HE2 & HE1	Healthcare facilities

4.3 Joint Replacement Structure Plan

30	Safeguarded Employment Areas
24	Flooding

4.4 South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
E4	Safeguarded Employment Areas
L1	Landscape protection and enhancement
L8	Sites of Regional and Local Nature Conservation
L9	Species protection
L17	The water environment
EP2	Flood Risk and Development
EP4	Noise sensitive development
T7, T8 & T9	Cycle and car parking standards
T10	Travel Plans
T12	Transportation and DC
S2	Proposals for Health Provision
LC4	Community Facilities

5. RELEVANT PLANNING HISTORY

5.1 P92/4320:

In 1997 Outline planning permission (P92/4320) was granted for the development of B1, B2 and B8 uses on land within Area B Emersons Green. As part of this consent a detailed Master Plan was approved which established design principles to guide the submission of reserved matters applications. In addition there was an associated Section 106 Agreement which included the following two documents:

- Management Strategy for the Folly Brook Corridor
- Landscape Report

Since 1997, reserved matters applications have been approved and constructed on the majority of Area B.

5.2 The current application site has already been the subject of two reserved matters approvals, neither of which have been implemented:

PK00/0671/RM	Erection of office development (3,826m ²) (RM) Approved July 2000
PK02/0988/RM	Erection of 3 buildings for (B1) research and development use (RM) Approved 10.6.02
PK06/3410/F	Erection of three storey Independent Medical Treatment Centre. Approved 16/2/07 subject to Section 106 Agreement requiring contribution of £100,000 toward the provision of public transport facilities to Folly Brook Road, including the provision of two new bus stops on Folly Brook Road and the diversion of bus services via Folly Brook Road (including for example service numbers 686, 518, 533, 48 and 49 and others including existing hospital services.

6. CONSULTATION RESPONSES

6.1 Mangotsfield Rural Parish Council No objection.

Westerleigh Parish Council
No objection.

Other Consultees

6.2 Environmental Protection No objection subject to construction guidelines informative. Technical Services

6.3 Environment Agency The Agency has no objections subject to conditions.

Wessex Water

The development is located in a sewered area with foul and surface water sewers. It will be necessary for the developer to agree points of connection. Bristol Water should be contacted for water supply.

Other Representations

6.4 Local Residents

One letter has been received from an adjacent business, objecting to the proposal on the following grounds:

- It is not a three storey building, it is arranged over four floors. Out of keeping with adjacent two storey buildings.
- Loss of light and overbearing impact on adjacent offices.
- Noise and smells
- Service compound abuts wildlife corridor
- Potential pest issues.
- Increase in vehicular traffic through restricted access, with no improvements proposed to Folly Brook Road.
- Inadequate parking.

7. ANALYSIS OF PROPOSAL

7.1 Principle of Development

As the proposal is an amendment to a recently approved scheme, this report need only deal with the implications of those amendments. A full analysis was carried out in great detail in the previous Circulated Schedule report dated 9th February 2007. As stated above, the amendments are as follows:

- The previous full height curved glass entrance atrium has been lowered to reduce mass and environmental impact. There would now be a canopied faceted glass entrance foyer.
- Stair and lift areas now integrated into the main building rather than connected by walkway.
- Previous cedar louvre boarding replaced with timber hit and miss flat boarding to principal elevation.
- External compound buildings now the same finish as main building.
- Increase in number of car parking spaces.

Amendments to Design

The siting and size of the building are the same as previously approved and there is no increase in the height of the building, indeed parts of it are lower than previously approved. The massing and legibility of the building however are substantially the same as previously approved, with a strong entrance feature visible upon entering the site. The fenestration layout and style is different to that previously approved and the materials include timber hit and miss flat boarding rather than cedar boarding. The overall appearance is now considered to be less striking and more utilitarian than previously approved. However it is considered of sufficient quality in relation to the surrounding depots and offices, and the setting of the building in a densely vegetated meander of the Folly Brook and proposed high quality landscaping scheme remains as already approved. The proposal is therefore considered to satisfactorily comply with policy D1 of the SGLP.

Parking and Ecology.

An increase in the number of parking space from 109 to 122 spaces has been achieved predominantly by slightly increasing the size of the site to the south. This area does not impact on the Folly Brook Corridor. In addition, there has been a slight rearrangement of the internal layout adjacent to the Corridor to accommodate several more space in the western part of the site. Although this slightly encroaches into the previously approved badger foraging area, this is only marginal and the badger foraging area as a whole remains intact over the large circumference of the site. The loss is considered de minimus.

7.2 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

7.3 Section 106 Requirements

The section 106 Agreement attached to the previous consent is subject to a Section 106 Agreement requiring a contribution of £100,000 toward the provision of public transport facilities to Folly Brook Road, including the provision of two new bus stops on Folly Brook Road and the diversion of bus services via Folly Brook Road (including for example service numbers 686, 518, 533, 48 and 49 and others including existing hospital services.

This Section 106 Agreement will be equally applicable to this application as it is substantially similar. An informative will be added for the avoidance of doubt.

8. CONCLUSION

8.1 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.

8.2 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.

9. RECOMMENDATION

9.1 That planning permission be **granted** subject to the conditions below.

Background Papers **PK08/0424/F**

Contact Officer: **Helen Ainsley**
Tel. No. **01454 863788**

CONDITIONS

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

Reason

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

2. The building hereby approved shall be constructed in accordance with the methods of noise mitigation as detailed in a noise assessment to be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved.

Reason

To minimise disturbance to future occupants, in accordance with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

4. Prior to the commencement of any works on the site, including clearance, earthworks or development, a protective fence shall be erected along the boundary of the Folly Brook Corridor, as indicated on the approved Landscape Softworks Plan, Drawing No. 5042 193/4950/P2.

Reason

To protect the Folly Brook Corridor in accordance with Policies L1, L8 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No development shall commence until further ecological survey work has been undertaken on the site in terms of reptiles and Kingfishers. Any required protection/mitigation/compensation measures resulting from the surveys shall be fully implemented in accordance with a timetable to be agreed by the Local Planning Authority.

Reason

To protect the wildlife and the ecological interests of the site, in accordance with Policies L8 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of the development hereby approved, a management plan for the Folly Brook Corridor and its protected species including badgers shall be submitted to and approved by the Local Planning Authority. All approved measures shall be fully implemented thereafter.

Reason

To protect the wildlife and the ecological interests of the site, in accordance with Policies L8 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

12. No development shall take place until a commuter plan has been submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use; or otherwise as agreed in the commuter plan.

Reason

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

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

Reason

In order to ensure that the development would incorporate measures to achieve energy conservation and the protection of environmental resources, in accordance with Policy D1 of the South Gloucestershire Local Plan (Adopted 2006).

14. The living green roof on the outbuildings hereby approved shall be designed and constructed in accordance with details to be submitted and approved by the Council prior to the commencement of development. For the avoidance of doubt the specifications contained within the submitted ecological report dated 2 February 2007 are not considered satisfactory.

Reason

In order to ensure that the development would incorporate measures to achieve energy conservation and the protection of environmental resources, in accordance with Policy D1 of the South Gloucestershire Local Plan (Adopted 2006).

15. The approved cycle parking facilities shall be secure and undercover.

Reason

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

16. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have the effect until the expiration of [1 year] from [the date of the occupation of the building for its permitted use].

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the same place and that tree shall be of such size, species and shall be planted at such times, as may be specified in writing by the Local Planning Authority.

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, material and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason

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

17. No fences or walls other boundary structures shall be erected on the site without the prior written approval of the Local Planning Authority.

Reason

To protect the landscape, wildlife and the ecological interests of the site, in accordance with Policies L1, L8 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

18. Finished floor levels must be raised 300mm above the 1 in 100 year flood level plus climate change.

Reason

To mitigate against the risk of flooding and to accord with Policy EP1 of the South Gloucestershire Local Plan

19. A strip of land 8 metres wide adjacent to the top of the banks of all watercourses fronting or crossing the site must be kept clear of all new buildings and structures (including gates, walls and fences). Ground levels must not be raised within such a strip of land.

Reason

To preserve access to the watercourse for maintenance and improvement.

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.: PT07/3203/F
Site: Woodlands Manor Nursing Home Ruffet Road Kendleshire Winterbourne BRISTOL South Gloucestershire BS36 1AN

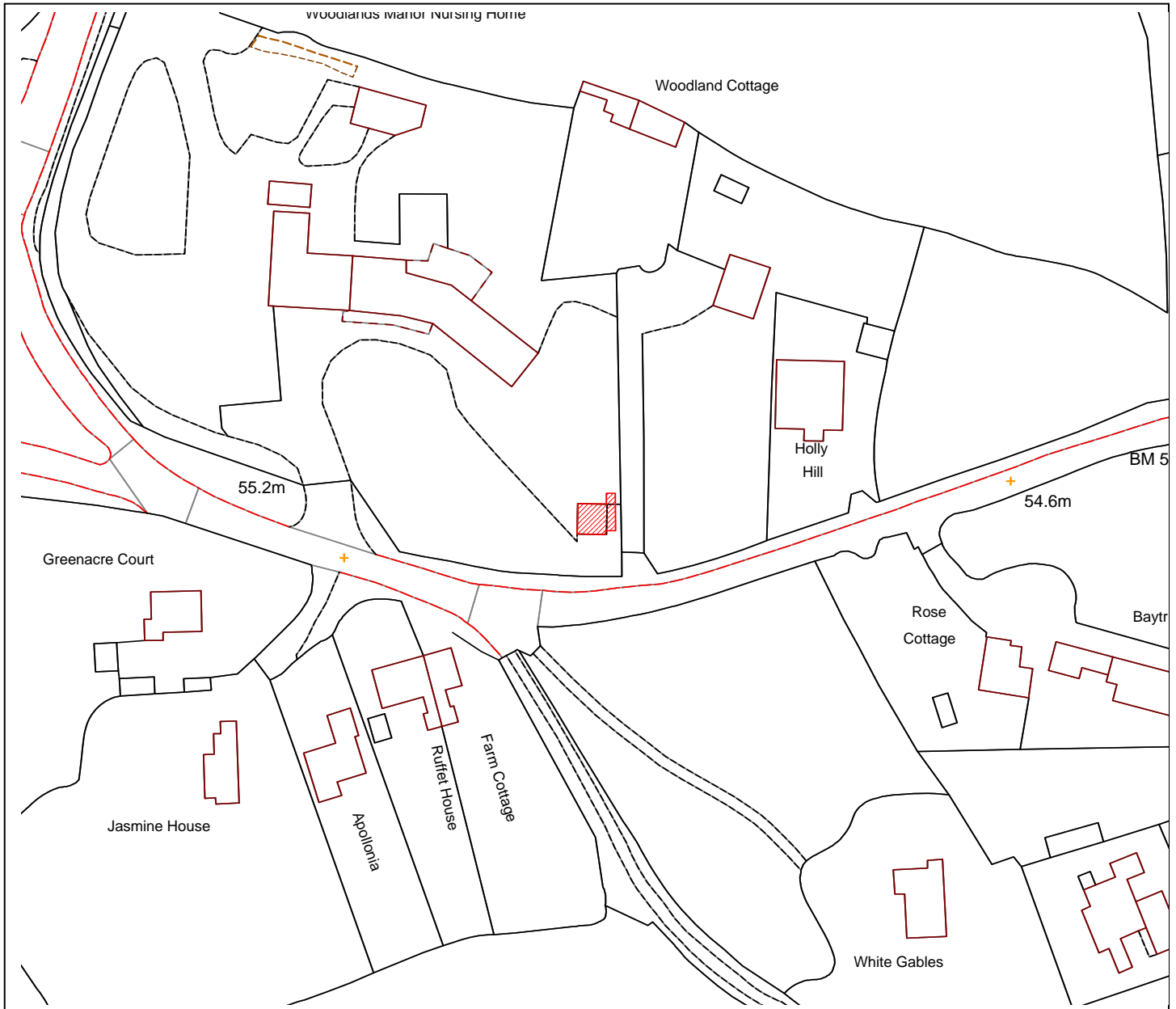
Applicant: Mr & Mrs D Jenkins
Date Reg: 29th October 2007

Proposal: Conversion of existing garage and store to 1 no. self contained extra care dwelling

Parish: Westerleigh Parish Council

Map Ref: 66438 79369

Ward: Westerleigh



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N.T.S

PT07/3203/F

INTRODUCTION

This application appears on the Circulated Schedule as in the event that the application is approved, an appropriate legal agreement is required to be prepared to secure measures as detailed below.

1. THE PROPOSAL

- 1.1 The site consists of an existing garage building and store located within the curtilage of and associated with the Woodlands Manor Nursing Home. Access to the site is via the existing access to the nursing home which is located on Ruffet Road.
- 1.2 The proposed development details the conversion of the building for the purpose of providing one residential unit for 'extra care' purposes.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 Delivering sustainable development
PPG2 Green Belts
PPS7 Sustainable Developments in Rural Areas
PPG13 Transport

2.2 Joint Replacement Structure Plan

- Policy 16 Green Belts
Policy 32 Rural economy
Policy 35 Provision of a range of housing

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Achieving Good Quality Design in New Development
GB1 Development in the Green Belt
H2 New Residential Development within the Urban Areas or Village Development Boundary
T12 Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist (Adopted)
Development in the Green Belt (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P93/2307 Erection of single storey rear extension to facilitate use of the premises as a nursing home for the elderly. Alterations to vehicular access and erection of boundary wall.
Approved
- 3.2 P95/1449 Erection of two storey and single storey extensions to provide residential and day care accommodation for the elderly
Refused and Appeal dismissed
- 3.3 P99/0471 Erection of one dwelling
Refused and Appeal dismissed 19.5.00

- 3.4 PT01/2221/F Erection of two storey side extension to provide additional residential and day care accommodation for elderly persons.
Withdrawn
- 3.5 PT02/1190/F Erection of two storey side extension to provide additional residential and day care accommodation for elderly persons.
Approved
- 3.6 PT02/3487/F Erection of two storey side extension to form additional residential and day care accommodation for elderly persons.
Approved
- 3.7 PT04/0428/F Erection of no.14 sheltered dwellings, community tea room and garden store with associated works.
Refused
- 3.8 PT04/4131/F Erection of single storey rear extension to form extended kitchen area, store and boiler room.
Refusal
Appeal APP/P0119/A/05/1179761 Dismissed
- 3.9 PT04/1432/F Erection of 14 no. sheltered dwellings, community tea room and garden store with associated works.
(Resubmission of PT04/0428/F dated 05 March 2004).
Appeal APP/P0119/A/05/1161257 Dismissed
- 3.10 PT05/0561/F Erection of 4 no. additional care sheltered dwellings and associated parking area.
Refusal
Appeal APP/P0119/A/05/1179762 Dismissed
- 3.11 PT05/0567/F Erection of 19 no. additional care sheltered dwellings, community tea room, garden store and associated parking area.
Refusal
Appeal APP/P0119/A/05/1179697 Dismissed
- 3.12 PT05/0571/F Erection of 2 no. additional care sheltered dwellings and associated parking area.
Refusal
Appeal APP/P0119/A/05/1184169 Dismissed
- 3.13 PT05/0579/F Erection of two storey extension, to form an additional 10 units and associated parking area.
Refusal
Appeal APP/P0119/A/05/1179763 Dismissed
- 3.14 PT08/0155/F Erection of 3 No. self contained elderly persons dwellings.
Refused

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No Comments Received

4.2 Sustainable Transport

No Objection subject to the provision of a 1 metres strip of land along the boundary of the site with Badminton Road for the purpose of highway land in order to improve highway safety at this junction and to cater for the additional motorised traffic that would result from this development.

4.3 Local Residents

No Comments Received

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the conversion of the existing garage/store building to provide 1 residential unit for 'extra care accommodation' associated with the existing residential care home located on this site.

5.2 Principle of Development

The proposed development relates to an existing building within the curtilage of the existing nursing home. In this instance the building does not benefit from planning consent, however the building is well established. It is very probable that it can be shown that the building has been in existence for a period exceeding 4 years and as such it is reasonable to assume that the building is 'lawful' under the terms of the Town and Country Planning Act 1990 (as amended).

5.3 The supporting statement submitted with this planning application sets the basis of the accommodation proposed. It clearly states that the accommodation would provide more than 'sheltered housing' in terms of the provision of care over a 24 hour period. In this regard it is considered that the proposed development constitutes Class C2 (Residential Institutions) rather than Class C3 (Dwelling House) as it would be directly associated with the existing nursing home (as defined in the Town and Country Planning (General Permitted Development) Order 1995).

5.4 On the basis of the above, it is considered that the proposed development should be treated as an extension of the facilities associated with the existing residential care home on the site. As the development would be classed as C2 (Residential Institutions) (as defined in the Town and Country Planning (General Permitted Development) Order 1995) there is no permitted change of use that would allow the buildings to be occupied as an independent dwelling house as defined in Class C3 of the Town and Country Planning (General Permitted Development) Order 1995.

5.5 Although it is necessary to require planning consent to move from C2 (Residential Institutions) to C3 (Dwelling House) officers consider that, in the event that this development proposal is approved, an appropriate legal agreement will be necessary to ensure that the 'extra-care' units are retained for that purpose and continue to have access to the associated services that would be provided by the existing nursing home on this site.

5.6 Green Belt

Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 provides the very limited categories of development that are appropriate within the Green Belt; and the policy is supported by 'Development in the Green Belt'

adopted supplementary planning guidance. These categories are consistent with the requirements of PPG2.

5.7 The above categories include the conversion of existing buildings. Officers consider that, although the building does not benefit from planning consent, the building and driveway leading to it appears on overhead photographs dating back to 1999. On this it is very probable that it can be shown to be 'lawful' under the terms of the Town and Country Planning Act 1990 (as amended). On this basis, the proposed development proposes the conversion of an existing building. This building is permanent and of substantial construction and is capable of conversion without major or complete reconstruction. It is also considered that the building is generally in keeping with the surrounding context.

5.8 On the basis of the above, it is consistent that the proposed conversion of the existing building, as detailed, is consistent with the criteria set out in policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPG2; and is therefore acceptable in Green Belt terms.

5.9 Design

With the exception of the replacement of the existing garage doors with new windows the appearance of the building will not materially change as a result of the proposed development. The conversion works involve very limited internal alterations and the provision of bathroom and kitchen facilities. On this basis, it is considered that the proposed development will have no material impact in visual terms and is acceptable from a design point of view.

5.10 Transportation

The access to the site is located close to the junction with Ruffet Road and Badminton Road. This access is sub-standard and the additional movements resulting from the proposed development would further compromise highway safety at this junction. However, it is considered that this issue can be overcome if a 1 metre strip of land along the boundary of the site with Badminton Road is designated as highway land in order to improve visibility and highway safety. This land is in the ownership of the applicant who has indicated a willingness to designate this land in accordance with the Council's requirements. Such measures would need to be secured through an appropriate legal agreement and subject to this being achieved, there would be no objection to the proposed development in highway safety terms.

5.11 Design and Access Statement

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

5.12 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. Having regard to the above advice, the need to ensure that use of the development continues to be for 'extra care' for the elderly in conjunction

with the services provided by the existing nursing home and in order to secure the provision of land for the purpose of highway improvements, would be appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Authority be delegated to the Director of Planning , Transportation and Strategic Environment to grant planning permission subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) within 12 months of the date of this decision to secure the following:
- i) That the development shall be retained for the purposes of providing 'extra care' residential accommodation in association with the primary use of the site as a nursing home (Class C2 (Residential Institution) as defined in the Town and Country Planning (General Permitted Development) Order 1995).
 - ii) The provision of a 1 metre wide strip of land within the ownership of the Woodlands Manner Nursing Home along the boundary with Badminton Road in order to allow the Local Authority to provide highway safety improvement works.
- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.
- 7.3 Should the Section 106 agreement not be completed within 12 months of the date of this determination then the application be refused or returned to the DC West Committee for further consideration on this basis.

Background Papers PT07/3203/F

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

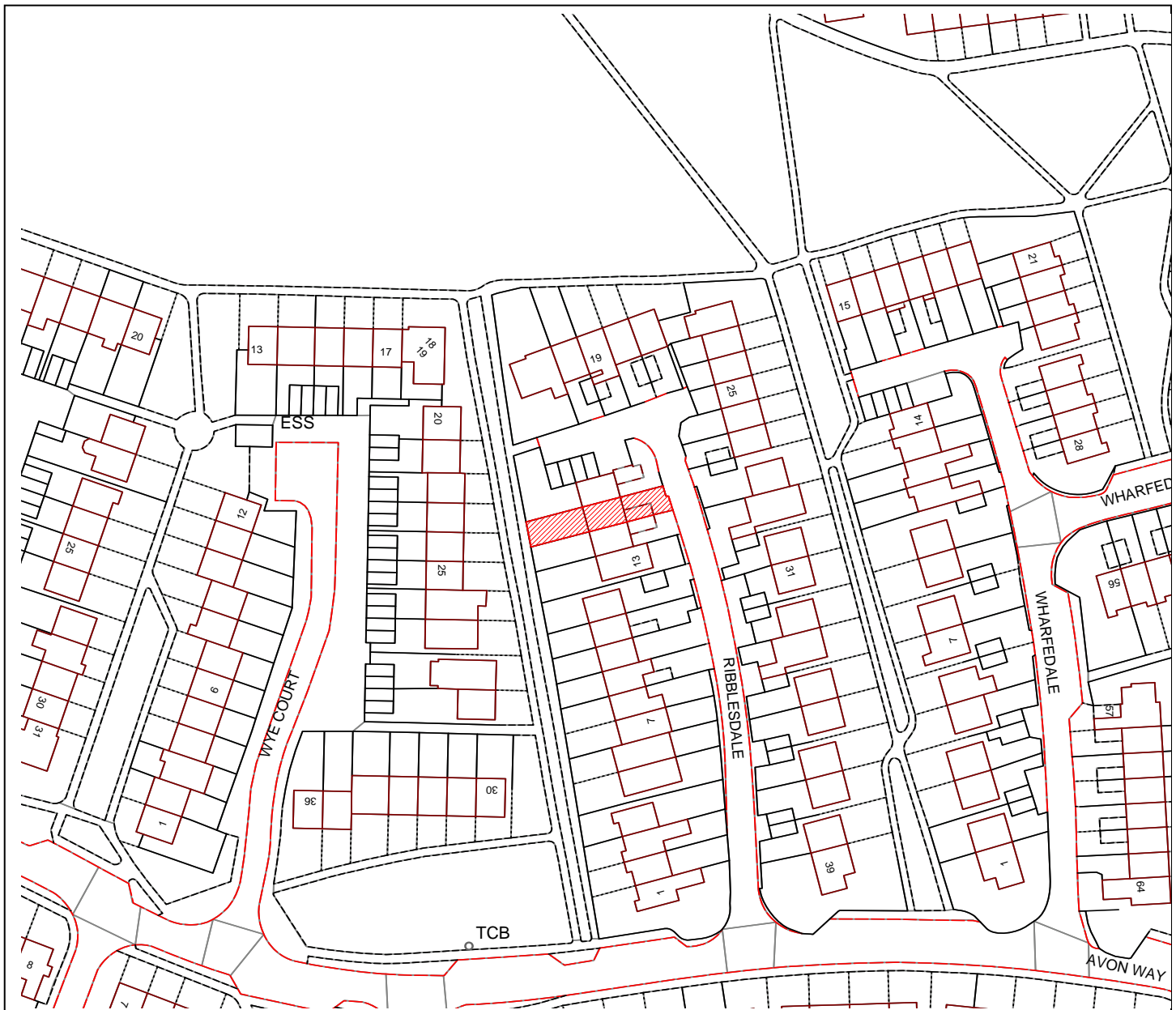
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s)

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

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.:	PT08/0304/F	Applicant:	Mr & Mrs J King
Site:	15 Ribblesdale, Thornbury, South Gloucestershire, BS35 2DW	Date Reg:	1st February 2008
Proposal:	Erection of single storey front extension to provide lounge and study. Erection of single storey rear extension to provide kitchen and additional bedroom.	Parish:	Thornbury Town Council
Map Ref:	64480 89573	Ward:	Thornbury South and Alveston



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N.T.S

PT08/0304/F

INTRODUCTION

This application appears on the Circulated Schedule in view of the letter of objection received from Thornbury Town Council.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of single-storey front and rear extensions.
- 1.2 The application site comprises a mid-terraced two-storey dwelling built to the Radburn layout of development within Ribblesdale, Thornbury.

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 House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 None relating to this property
- 3.2 *14 Ribblesdale*
PT08/0395/F: Erection of single-storey front and rear extensions to provide additional living accommodation. Decision Pending
- 3.3 *16 Ribblesdale*
PT08/0358/F: Erection of single-storey rear extension to provide additional living accommodation. Decision Pending

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
Object: 'the proposed extension at the front of the property is considered to be inappropriate and over development of the site'
- 4.2 Other Consultees
No comments received
- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

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

5.2 Design/ Visual Amenity

The application site forms a mid-terraced two-storey dwelling located within Ribblesdale cul-de-sac. The unit is built to the Radburn pattern of development with the dwelling facing westwards and with car parking/ garaging at the rear.

5.3 The application seeks full planning permission for the erection of single-storey front and rear extensions. These would provide a new lounge and study at the front with a bedroom and kitchen extension at the rear.

5.4 The front extension would project 3m into the garden and be encompassed by a lean-to roof. It is noted that the front garden is secluded, well screened by a front boundary 4m high (approx) conifer hedge and a 2.5m high (approx.) laurel hedge along the north flank boundary. A waist high close-boarded fence runs along the opposite side boundary. Therefore, and with this garden longer than that to the rear, this area appears to function as would the rear garden within a conventional residential layout.

5.5 In view of the above, the build would appear more akin to a rear addition with it devoid of any main entrance and to benefit from patio doors. Given the manner in which the site now operates, this design approach is considered acceptable with it considered unreasonable to withhold planning permission on this basis.

5.6 Further, the adjoining terrace of dwellings south of the application site step forward thus the proposal would not stand forward of this building line. Similar sized single-storey front extensions have also been added to 5 & 6 Ribblesdale; though the fenestration helps ensure that this remains the front of the dwellings.

5.7 The rear addition would project 3.5m into the garden area providing a kitchen extension and allowing the creation of a new bedroom. This would be covered by a lean-to roof and would adopt an appearance more akin to the front of the property; in view of the above considerations, this is considered acceptable.

5.8 Further, there are current applications in respect of 14 & 16 Ribblesdale with a rear addition sought at the latter and front and rear extensions sought at no. 14. These front and rear extensions would all be of identical depth whilst it is noted that there is an existing 3m rear extension behind no. 13 Ribblesdale.

5.9 Residential Amenity

The neighbouring property to the north is currently devoid of front and rear extensions with the exception of a front porch which appears an original feature of the properties. Both extensions are considered to be acceptable in terms of size with any associated refusal very unlikely to be sustainable. Further, given that a rear extension is proposed behind this neighbouring property, this would offset the impact of this element of the works. As such, it is not considered that any significant adverse impact in residential amenity would be caused.

5.10 The attached property to the south is also without front and rear extensions; again with the exception of its front porch. Nevertheless, again given the size of the proposals it is not considered that any significant adverse impact in residential amenity would be caused whilst due to the orientation of these units; this neighbouring dwelling benefits from its southerly position. Implementation of the near identical front and rear extensions at this address would also offset any impact on this adjoining property.

5.11 Design and Access Statement

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

5.12 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT08/0304/F**

Contact Officer: Peter Burridge
Tel. No. 01454 865262

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.

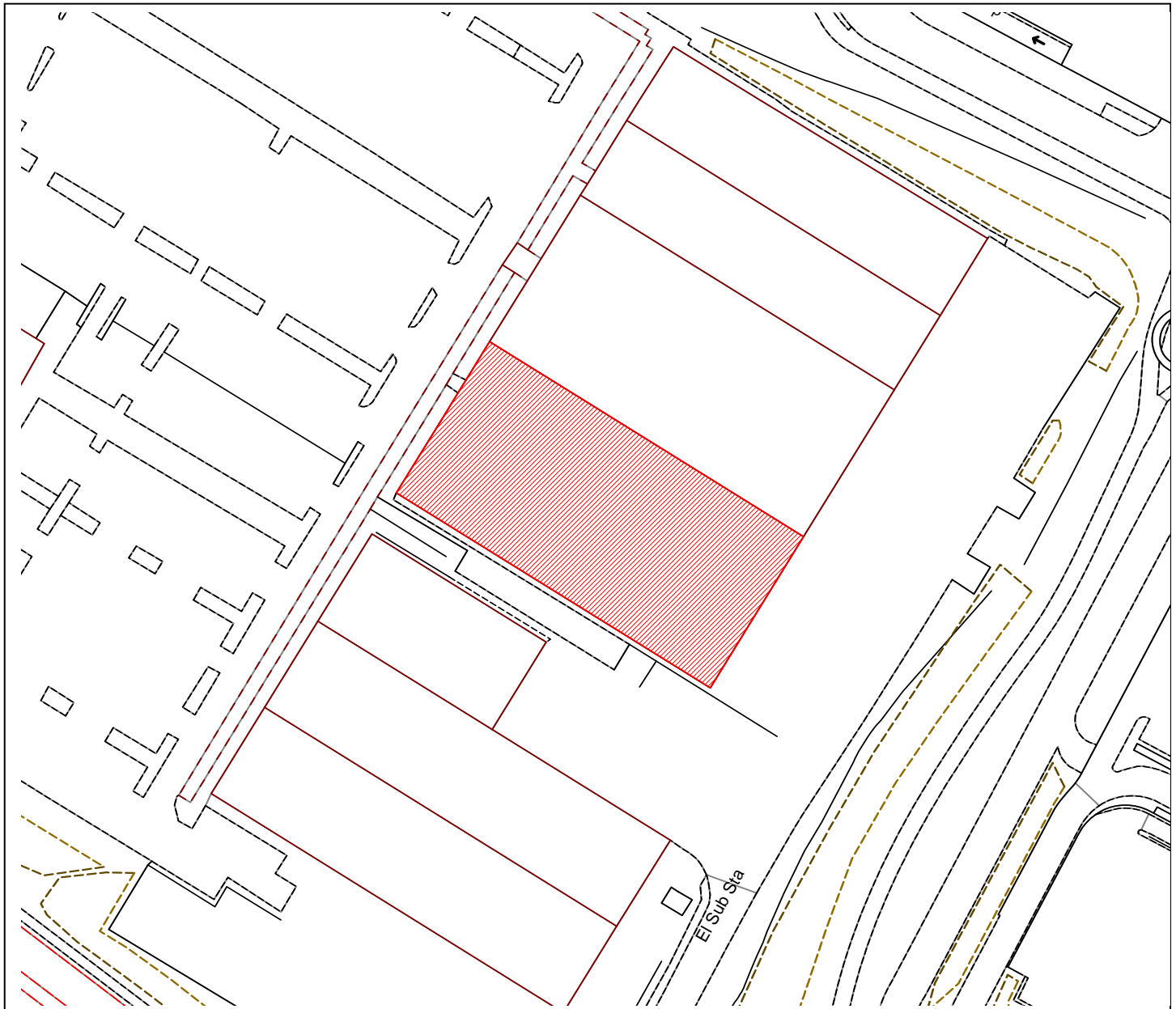
3. No windows shall be inserted at any time in the north and south elevations of the property as extended.

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. 11/08 – 13 MARCH 2008

App No.:	PT08/0324/CLP	Applicant:	Comet Group Plc
Site:	Unit 9/10 (Comet), Cribbs Retail Park, Lysander Road, Patchway, South Gloucestershire, BS34 5UL	Date Reg:	4th February 2008
Proposal:	Application for Certificate of Lawfulness for proposed use of installation of mezzanine floor.	Parish:	Almondsbury Parish Council
Map Ref:	58411 80915	Ward:	Patchway



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PT08/0324/CLP

INTRODUCTION

This report appears upon the Circulated Schedule as it relates to an application for a Certificate of Lawfulness for a Proposed Development. In such cases the Local Planning Authority must determine on an evidential basis as to whether planning permission is required for the proposed works. In this instance the applicant is claiming that the implementation of an internal mezzanine floor was begun before 10th May 2006 and is therefore seeking to establish whether or not the continuation and completion of the mezzanine is lawful and therefore does not require planning permission.

1. SITE DESCRIPTION

1.1 The application concerns the Comet Retail Store within units 9 and 10 of the Cribbs Retail Park.

2. SUMMARY OF EVIDENCE

2.1 The evidence submitted in support of this application can be summarised as follows: -

- a) Existing and proposed floor plans
- b) Supporting Statement (incl. review of planning history and legislation)
- c) Certificate of Lawfulness for proposed installation of a mezzanine floor (PT05/2470/CLP)
- d) Building Regulation Approval Certificate (Conditional) for the erection of mezzanine floor (BT05/2015/FP) and schedule of works.

3. RELEVANT PLANNING LEGISLATION

3.1 The Town and Country Planning Act 1990 (as amended)

3.2 The Planning and Compulsory Planning Act 2004

3.3 Statutory Instrument 2006 No.1062

3.4 Circular 01/06

4. RELEVANT PLANNING HISTORY

- 4.1 P84/0051/7 Retail warehouses and associated works.
Approved (outline).
- 4.2 P84/0051/16 Two retail warehouses.
Approved.
- 4.3 P90/0051/91 Retail warehousing.
Approved.
- 4.4 P91/0051/99 Erection of retail warehousing.
Approved.
- 4.5 PT05/0286/F Replacement of existing canopy and walkway.
Replacement cladding.
Approved

- 4.6 PT05/2470/CLP Certificate of Lawful Proposed Development
Installation of Mezzanine Floor
Approved

5. **CONSULTATION RESPONSES**

- 5.1 Almondsbury Parish Council
No objection.
- 5.2 Sustainable Transport
No Objection
- 5.3 Local Residents
No Comments Received

6. **EVALUATION**

- 6.1 This is an application for a Certificate of Lawfulness of Proposed Development. Accordingly, the decision is not based upon the land use merits of the case, nor whether the proposal accords with the development plan. Rather this is an evidential test as to whether on the balance of probability the proposed development is a lawful one in planning terms. The assessment to be made is whether this proposal constitutes 'development' and if so, whether it is development permitted under the terms of the Town & Country Planning Act (General Permitted Development) Order 1995.
- 6.2 The proposed development consists of the construction of an internal mezzanine floor totalling approximately 2554 sq.m to be used in association with the existing Retail (A1) Unit. In this instance there are no specific restrictive conditions precluding the introduction of mezzanine floor space in this retail unit.
- 6.3 A previous Certificate of Lawful Proposed Development (PT05/2470/CLP) was issued in respect of the introduction of a mezzanine floor into this retail unit. At the time that this certificate was issued (8th August 2005), the construction of internal mezzanine floor space did not constitute development under Section 55(2) (a) (i) and (ii) of the Town and Country Planning Act 1990; and as such the proposed development was considered lawful at that time.
- 6.4 Notwithstanding the above, Section 49 of the Planning and Compulsory Purchase Act 2004 amended Section 55 of the Town and Country Planning Act 1990 so that internal mezzanine floors (in excess of 200 sq.m) now constitute development. This came into effect with the posting of Statutory Instrument 2006 No. 1062. Government Circular 01/06 (Para 112) sets out the scope of these changes.
- 6.5 The purpose of this application is to establish whether or not the proposed mezzanine floor remains lawful on the basis that it was implemented prior to 10th May 2006 and would therefore be unaffected by the changes set out in Section 49 of the Planning and Compulsory Purchase Act 2004.
- 6.6 Essentially, the applicant claims that the mezzanine has been implemented prior to 30th January 2006 and has submitted working drawings and supporting schedule in order to show the extent of the works that are claimed to have been

carried out. The applicant has also submitted the Building Regulation Approval Certificate relating to the proposed mezzanine floor. Very similar information was submitted with the previously approved certificate application (PT05/2470/CLP). This information alone does not provide sufficient evidence to conclude that the mezzanine floor is lawful.

- 6.7 However, the evidence also contains a Certificate of Practical Completion (provided by Tuffin Ferraby Taylor LLP and signed by a chartered structural engineer) which is also supported by a sworn declaration confirming that the work has taken place. Photographs are also submitted which show the work in situ. In this instance a Sworn Declaration is of considerable weight and that there is professional confirmation that the work has been carried out. Accordingly, it is considered that there is sufficient evidence to show, on the balance of probability that the mezzanine floor has been implemented and the completion of it would constitute lawful development.

7. RECOMMENDATION

- 6.1 A Certificate of Proposed Lawful Development be granted.

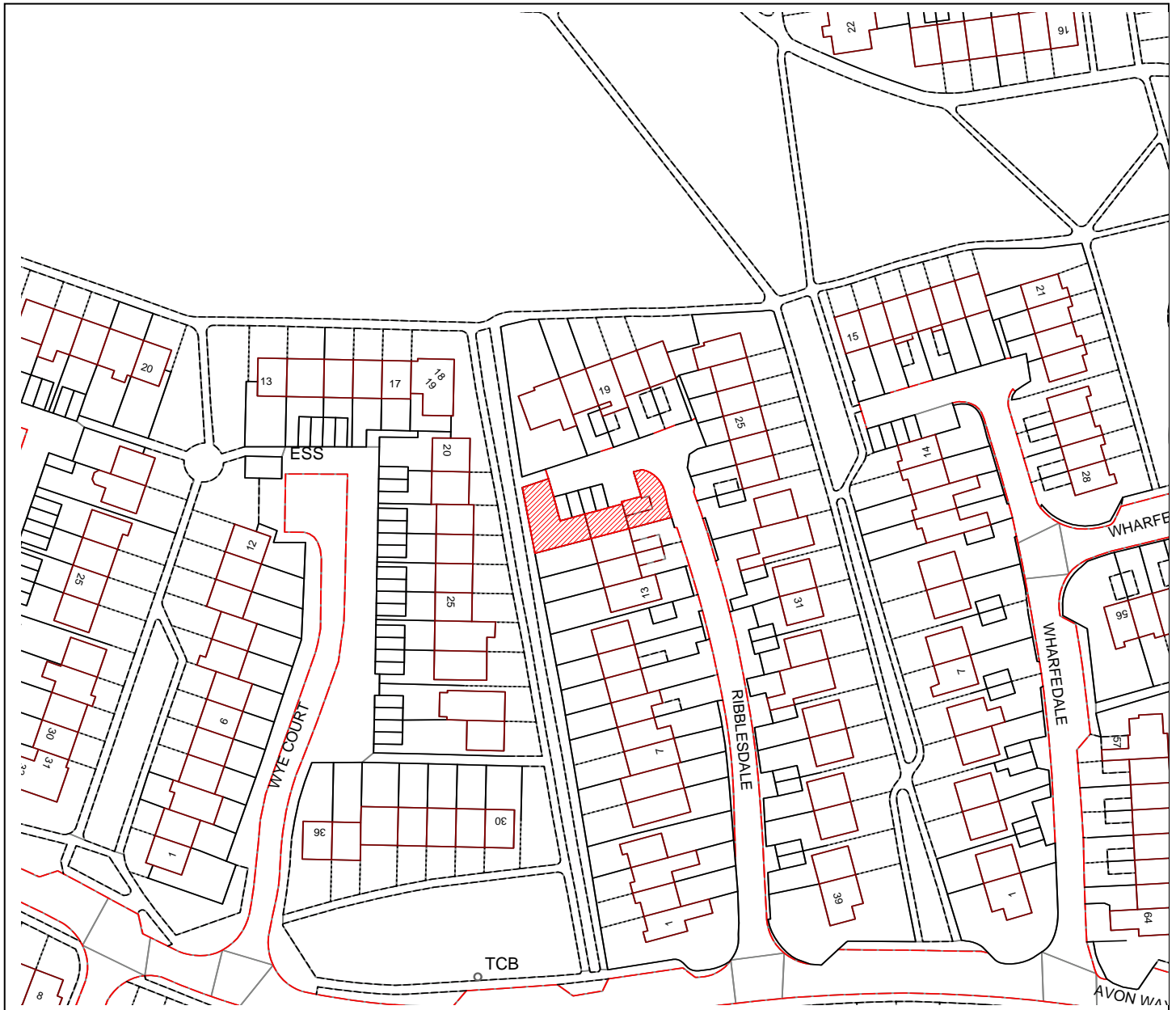
Background Papers **PT08/0324/CLP**

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

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.: PT08/0358/F
Site: 16 Ribblesdale, Thornbury, South Gloucestershire, BS35 2DW
Proposal: Erection of single storey rear extension to provide additional living accommodation.
Map Ref: 64478 89580

Applicant: Mr A C Wilson
Date Reg: 6th February 2008
Parish: Thornbury Town Council
Ward: Thornbury South and Alveston



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N.T.S

PT08/0358/F

The application appears on the Circulated Schedule in view of the comments received from Thornbury Town Council.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a single-storey rear extension to provide additional living accommodation.
- 1.2 The application site comprises an end of terrace two-storey dwelling built to the Radburn layout of development within Ribblesdale, Thornbury.
- 1.3 Amended plans form part of this submission correcting the side elevation and detailing the opposite flank elevation with this omitted from the application details originally provided.

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 House Extensions
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 No history relating to this property
- 3.2 *14 Ribblesdale:*
PT08/0395/F: Erection of single-storey front and rear extensions to provide additional living accommodation. Decision Pending
- 3.3 *15 Ribblesdale:*
PT08/0304/F: Erection of single-storey front extension to provide lounge and study; erection of single-storey rear extension to provide kitchen and additional bedroom'. Decision Pending

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
Object: due to alteration of the building line at the rear of the estate
- 4.2 Other Consultees
No comments received
- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design/ Visual Amenity

The application seeks planning approval for a single-storey rear extension that would provide a new kitchen/ diner. This would project 3.5m into the garden, extend the full width of the dwelling and be encompassed by a lean-to roof. As such, and with materials to match those of the dwelling, the build is considered to be acceptable and in keeping with the general character of the area.

5.3 Notwithstanding the above, having regard to the comments expressed by the Town Council, there is already an extension to the rear of no. 13 Ribblesdale whilst there are also current applications for rear extensions to nos. 14 & 15. It is considered that any associated refusal reason would be unreasonable and very unlikely to prove sustainable.

5.4 Residential Amenity

By virtue of its corner positioning, the application site benefits in that there is only one adjoining property. This sits to the south of the host dwelling helping to ensure that the proposal would not impact upon sunlight to this neighbouring dwelling. As such, and having regard to the size and scale of the build and with no facing windows proposed, it is not considered that any significant adverse impact in residential amenity would be caused. Nevertheless, there is a current application for a rear extension to this property that if approved, would offset any impact of this current proposal.

5.5 All further surrounding dwellings sit at an appreciable distance from the site of the proposal. Therefore, it is not considered that any significant adverse impact in residential amenity would be caused.

5.6 Design and Access Statement

A Design and Access Statement is not required for this 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.

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

7. RECOMMENDATION

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

Background Papers **PT08/0358/F**

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

CONDITIONS

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

Reason(s)

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

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

Reason(s)

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

3. No windows shall be inserted at any time in the south elevation of the property as extended.

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. 11/08 – 13 MARCH 2008

App No.:	PT08/0386/F	Applicant:	Mr & Mrs J Grout
Site:	69 Station Road, Winterbourne, South Gloucestershire, BS36 1EN	Date Reg:	11th February 2008
Proposal:	Erection of two storey side extension to include integral garage. Single storey rear extension to provide additional living accomodation	Parish:	Winterbourne Parish Council
Map Ref:	65415 79885	Ward:	Winterbourne



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N.T.S

PT08/0386/F

INTRODUCTION

This report appears on the Circulated Schedule as comments have been received that are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The site consists of a modern semi detached dwelling and garage. Access is directly from Station Road.
- 1.2 The proposed development consists of the demolition of the existing single storey development to the side of the existing dwelling, and for the construction of a new two-storey extension to the side and single storey extension to the rear of the dwelling. The development would provide additional living accommodation and a replacement garage.

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 Residential curtilages
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Object on the basis that the development will change the semi-detached properties into a terrace and that the street scene would be jeopardised. The Parish Council query as to whether there are plans to put a room in the roof as this would directly overlook the neighbours.
- 4.2 Sustainable Transport
No Objection
- 4.3 Local Residents
No Comments received

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of domestic extensions to an existing dwelling. The development will take place within the existing residential curtilage.

5.2 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is relevant to this planning application. The policy indicates that the proposed development is acceptable subject to the following considerations.

5.3 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would achieve a high standard of design. Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 carries this principle forward.

5.4 The proposed development would effectively introduce a two-storey element to the side of the dwelling where there is currently a single storey element. Winterbourne Parish Council has raised concern that this would make the semi-detached dwelling into a terraced dwelling as this would have a detrimental impact upon the existing street scene. The current arrangement is that the garages associated with the dwellings at 67 and 69 Station Road are very close together, but may not be physically joined. The proposed development effectively creates a first floor extension over the garage. In physical terms the development would not create a terrace as the proposed extension would not be physically joined to the adjacent dwelling (67). The first floor element of the extension is proposed to be set back behind the building line of the existing dwelling and adjoining dwellings. On this basis, it is considered that the appearance of terraced development will be avoided and the proposed development is acceptable in design terms.

5.5 The rear extension will effectively continue the existing single storey rear extension across the full width of the existing dwelling. It is considered that this element will have no material impact in visual terms and is also acceptable.

5.6 Residential Amenity.

The proposed development would take place between existing development and would not block or restrict light into windows on the adjacent dwellings. Given the relationship of the proposed development with the surrounding dwellings it is considered that it is acceptable in residential amenity terms.

5.7 Transportation

The proposed development will not alter the existing access and will retain the current level of off street parking. On this basis the proposed development is acceptable in Transportation Terms.

5.8 Other Matters

Winterbourne Parish Council has queried the future use of the roof space on the basis that the use of it for domestic accommodation would impact upon the amenity of the occupants of the adjoining dwellings. The use of the loft space as additional living accommodation would not need planning consent in its own right; and this is not detailed within the planning application submitted. On this basis, this issue cannot be considered as part of this planning application.

5.9 Section 106 Requirements

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

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Background Papers **PT08/0386/F**

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

CONDITIONS

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

Reason(s):

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

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.: PT08/0395/F	Applicant: Mr R Drown
Site: 14 Ribblesdale, Thornbury, South Gloucestershire, BS35 2DW	Date Reg: 11th February 2008
Proposal: Erection of single storey front and rear extensions to provide additional living accommodation	Parish: Thornbury Town Council
Map Ref: 64481 89568	Ward: Thornbury South and Alveston



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N.T.S

PT08/0395/F

INTRODUCTION

This application appears on the Circulated Schedule because of the concerns raised by Thornbury Town Council.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of single storey front and rear extensions to provide additional living accommodation.
- 1.2 The application site comprises a two storey terrace property built to the Radburn layout of development within Ribblesdale, Thornbury.

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 House Extensions
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 None for 14 Ribblesdale. (5 & 6 Ribblesdale, Thornbury granted permission for the erection of single storey front extensions to provide extended living areas and entrance porches on the 19th November 1987).
- 3.2 *15 Ribblesdale*
PT08/0304/F: Erection of single-storey front extension to provide lounge and study; erection of single-storey rear extension to provide kitchen and additional bedroom. Decision Pending
- 3.3 *16 Ribblesdale*
PT08/0358/F: Erection of single-storey rear extension to provide additional living accommodation. Decision Pending

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
Object: the proposed extensions are considered to be inappropriate and over development of the site
- 4.2 Other Consultees
No comments received
- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design/ Visual Amenity

The application seeks full planning permission for a single storey extension to the front of the dwelling that would provide extra living room/ hall space. This would project 3m into the garden and be encompassed by a lean-to roof. The application also seeks planning permission for a single storey extension to the rear of the dwelling to provide a new diner. This would project 3.5m into the garden and be encompassed by a lean-to roof. The applicant is not extending to the full width of the host dwelling at the rear as a result of a drainage cover obstructing development. Large shrubs are prominent at the front and a 5ft fence provides cover at the rear of the dwelling, reducing the visual impact of the proposed scheme.

5.3 Given the limited size of the proposals and with all materials to match those of the host dwelling, the scheme is considered to be acceptable and in keeping with the general character of the area.

5.4 Residential Amenity

The application site has two adjoining properties. The rear extension would project slightly beyond an existing rear extension to no. 13 and would be inset from this boundary: as such it is not considered that any significant adverse impact in residential amenity would be caused. Having regard to no. 15, this is currently devoid of rear extensions although permission for a near identical addition is sought. Nevertheless, given the size of the proposal, on balance it is not considered that any significant adverse impact would be caused should this adjoining proposal not be implemented.

5.5 The front extension would project 3m forward of no. 13, which is an acceptable length whilst with this neighbouring property also positioned south of the host dwelling, it is not considered that any significant adverse impact in residential amenity would be caused. Again, a near identical extension is proposed to no. 15 although again should this neighbouring addition not proceed, the size of the proposal would ensure that any associated refusal reason is unlikely to prove sustainable.

5.6 All further surrounding dwellings sit at an appreciable distance from the site of the proposal. Therefore, it is not considered that any significant adverse impact in residential amenity would be caused.

5.7 Design and Access Statement

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

5.8 Section 106 Requirements

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

preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Planning Permission is GRANTED subject to the following conditions.

Background Papers **PT08/0395/F**

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

CONDITIONS

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

Reason(s)

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

2. 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 north and south elevations of the property.

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. 11/08 – 13 MARCH 2008

App No.: PT08/0419/F	Applicant: Mr D Short
Site: 1 Dunkeld Avenue, Filton, South Gloucestershire, BS34 7RH	Date Reg: 13th February 2008
Proposal: Conversion and extension of existing dwelling to form 2 no. dwellings.	Parish: Filton Town Council
Map Ref: 59717 78719	Ward: Filton



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N.T.S

PT08/0419/F

INTRODUCTION

This application has been placed on the circulated schedule as an objection has been received to the proposal.

1. THE PROPOSAL

- 1.1 This full application relates to the conversion of existing dwelling to form 2 no. dwellings. In order to facilitate this a first floor side extension is required, 1The application site has an area of 0.02 hectares. It is an large extended detached property, with the access to front off Dunkeld Avenue. The site lies within the urban area of Filton.
- 1.2 This application is the resubmission of PT07/3521/F which was for a similar scheme but with a different roof construction and window detail. The application was refused for the following reason:
- 1.3 In the absence of a suitable legal agreement to achieve the required financial contribution towards transport measures there is inadequate mitigation against the cumulative impact small scale developments such as this have on the highway network in the North Fringe of Bristol, contrary to policy T12 of the South Gloucestershire Local Plan (Adopted).
- 1.4 The proposed roof of the extension, by reason of its size, design and external appearance, would be out of keeping with the existing dwellinghouse and other nearby properties and, if allowed, would have a detrimental effect on the visual amenities of the locality. The proposal is therefore considered contrary to Policy D1, H5, H4 of the South Gloucestershire Local Plan (adopted)

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1 Delivering Sustainable Development
 - PPS3 Housing
 - PPG13 Transport
- 2.2 Joint Replacement Structure Plan
 - Policy 1 Sustainable Development Objectives
 - Policy 2 Location of Development
 - 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
 - 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
 - T7 Cycle Parking
 - T8 Parking Standards
 - T12 Transportation Development Control Policy for New Development

2.4 Supplementary Planning Guidance
Design Checklist

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT04/3535/F Alteration to dwelling to facilitate change from bungalow to dwelling. Approved
- 3.2 PT07/3521/F Extension to dwelling to facilitate conversion of dwelling into two properties. Refused

4. **CONSULTATION RESPONSES**

4.1 Filton Town Council
No response received

4.2 Sustainable Transport
No objection to proposal subject to:

- a) the provision of cycle parking provision
- b) a financial contribution towards the north fringe transport strategy

4.3 Local Residents
1 letter has been received objecting to the proposal on the following grounds:-

- a) Loss of privacy

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site lies within a highly sustainable location within the defined urban area of Filton. Advice contained within PPS3 actively encourages new residential development in urban areas on previously developed land as well as the conversion of existing housing. With regard to new housing development, Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant. This policy allows for new residential development within urban areas provided the following criteria are complied with:-

(A) Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity;

Design

It is considered that in design terms this revised proposal is acceptable, due to the changes in the design of the roof of the new dwelling. The proposed roof now integrates well with the existing dwelling and appears as part of the original roof. The roof as proposed will now no longer detract from the appearance of the Streetscene. In terms of the design of the rest of the proposal, it is acceptable.

Residential Amenity

The proposal in residential amenity terms is acceptable. This as the development is effectively the same as what has previously been

approved on the site, with the exception that then the whole of the building was to be one property. Only one non-obscured window is proposed which could over look the neighbouring property but this on its own will not impact upon the living conditions of the neighbouring property.

Transportation

This proposed development will not give rise to any major transportation concerns. There is an acceptable level of a parking both off and on street. There is however a lack of cycle parking but given the size of the garden this is something that could easily be achieved and would on its own not warrant the refusal of the application.

In the event of consent being granted for the development a contribution of £1800 is required via a 278 Highways Act Legal Agreements towards the Bristol North Fringe Transport Scheme.

Therefore there is no transportation objection to the proposed scheme

(B) The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved;

The site has an area of 0.02 hectares. The provision of 2 residential units on the site results in a density of 50 dwellings per hectare. Taking the area edged in red only. Although advice contained within PPS3 and the adopted local plan encourages higher density development it is considered that the location of the site, size of site and its access arrangements can accommodate a housing density of this magnitude.

(C) The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination;

The site is not affected by any of the above and as such complies with this criterion.

(D) Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals.

The proposal is only for an addition of 1 one dwelling. Due to the location of the site within the urban area of Filton it is considered that the proposal will not impinge upon service provision within the locality to a significant degree and as such complies with this criterion.

- 5.2 Policies H4 and H5 of the adopted local plan are also relevant. These policy relate to development within existing residential curtilages and the conversion of existing residential properties into smaller units of self contained accommodation. Such development is permitted only where it respects the design and character of the street scene and would not prejudice the amenities of nearby occupiers or highway safety. All these issues have previously been assessed under the foregoing paragraphs. The proposal therefore fails in terms of the principle of development.

5.3 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.

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 7.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering a legal agreement to secure the following:

- (a) A financial contribution of £1800 towards the North Fringe Development Major Scheme (Transport Matters).

Reason: To provide a contribution commensurate to the scale of the development towards the North Fringe Development Major Scheme (Transport Matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with policies T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

- (2) If the legal agreement is not signed within 12 months of this determination then, in view of the length of time the application should either:

(a) Return to the Development Control Area Committee for reconsideration or alternatively;

(b) The application should be refused due to the failure to secure the Heads of Terms listed above under a legal agreement, for the reasons listed in section (1) a.

Background Papers **PT08/0419/F**

Contact Officer: **Gareth John**
Tel. No. **01454 863438**

CONDITIONS

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

Reason(s)

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

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

Reason(s)

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

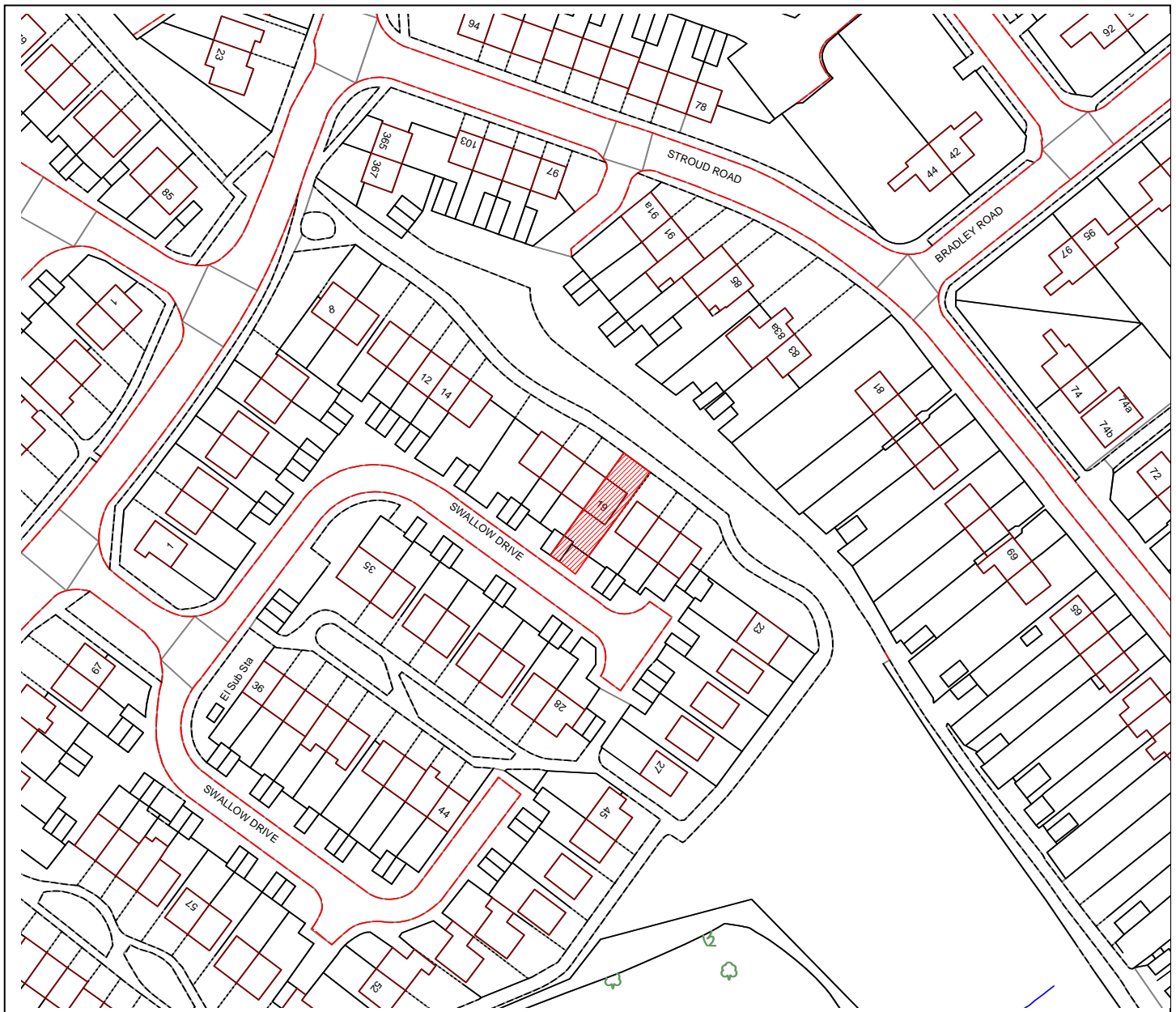
3. The glazing on the south west elevation(s) shall at all times be of obscured glass and be permanently fixed in a closed position. "The obscure glazing to be used shall be at least level 3 obscure glazing."

Reason(s)

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

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.:	PT08/0466/F	Applicant:	Mr P Clements
Site:	19 Swallow Drive, Patchway, South Gloucestershire, BS34 5RE	Date Reg:	19th February 2008
Proposal:	Erection of garden shed (Retrospective. Re-Submission of PT07/2362/F)	Parish:	Patchway Town Council
Map Ref:	59409 81819	Ward:	Patchway



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PT08/0466/F

INTRODUCTION

This application has been placed on the Circulated Schedule because an objection has been received to the scheme.

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission for the erection of a Wooden Garden Shed. The property in question is an end of terrace house located within the established residential area of Patchway.

2. POLICY CONTEXT

- 2.1 National Guidance:
PPS1 Delivering Sustainable Communities
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Residential curtilage
- 2.3 Supplementary Planning Document
South Gloucestershire Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/2362/F Erection of garden shed (retrospective). Withdrawn

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council:
No response received
- 4.2 Local Residents:
Three letters of objection has been received it objects to the proposal on the following grounds;
- a) Loss of light to neighbouring properties
 - b) Impact upon the street scene
 - c) Design and size of the shed
 - d) Inaccuracies on the plan
 - e) The shed is used for business purposes

5. ANALYSIS OF PROPOSAL

- 5.1 Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to residential development including shed within the gardens of dwellings. It states that any development should be in keeping with the character of the property and the area generally in terms of size, design and materials and that residential amenity should not be adversely affected by the proposal.
- 5.2 Design
It is considered that this proposal in terms of its overall size, design and external appearance is in keeping with the existing property and those that

surround it. The proposal will be constructed in the South west corner of the garden away from the house and that of the neighbours. The shed will be located next to the boundary fence. The shed is however set in off the boundary slightly so there will be no gutter overhang on to the neighbour's property. The scheme therefore blends in well with the original property and those that are present close by.

5.3 Residential Amenity

It is considered that this proposal does not impact upon the amenities of any of the adjoining properties. Its location next to a boundary fence ensure that the proposal does not have an overbearing impact on the surrounding properties nor does it result in a impact on their privacy, as no windows are proposed which overlook adjacent properties.

5.4 Other issues

There have been allegations that the shed is used for business purposes but from the site visit it was not evident that this is the case. There were tools in the shed but no more than in normal persons who likes DIY.

5.5 There are some concerns over the accuracy of the plans. The application is retrospective and the Council is satisfied that the plans relate to the building on site.

5.6 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions nor a a Section 106 Agreement is necessary.

6. CONCLUSION

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

6.2 The decision to 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 Retrospective Planning permission be granted

Background Papers **PT08/0466/F**

Contact Officer: **Gareth John**
Tel. No. **01454 863438**

CIRCULATED SCHEDULE NO. 11/08 – 13 MARCH 2008

App No.: PT08/0479/F
Site: 2 Conygre Road, Filton, South Gloucestershire, BS34 7DA
Proposal: Erection of single storey rear extension to facilitate conversion of existing dwelling to 2 no. flats with associated works
Map Ref: 60439 79232

Applicant: Mr S Dutta
Date Reg: 19th February 2008
Parish: Filton Town Council
Ward: Filton



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100023410, 2008.

N.T.S

PT08/0479/F

INTRODUCTION

This application has been referred to the Circulated Schedule due to objections from Filton Town Council.

1. THE PROPOSAL

- 1.1 This full application relates to the erection of a single storey rear extension to facilitate the conversion of existing dwelling to provide 2 no. self-contained flats at 2 Conygre Road, Filton. The ground and first floor flat provides two bed and one bed accommodation respectively. Access to both flats is to the front although the ground floor flat also benefits from rear access. The rear garden is also allocated to the ground floor flat. Off-street parking for 2 vehicles is to be provided to the front of the site (as existing). The bin store and recycling area is located to the side of the property. Cycle storage for both flats is also provided.
- 1.2 The application site is a semi-detached property located on a large corner plot on the junction with Conygre Road and Station Road. It lies within the urban area of Filton. Vehicular access is to the front of the site, off Conygre Road.
- 1.3 Members may recall the previous application PT07/3347/F which related to the erection of a 2 storey side and single storey rear extension to facilitate the conversion of existing house to 4 no. flats. That application was refused on the grounds of overdevelopment of the site.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 Joint Replacement Structure Plan
Policy 1 Sustainable Development Objectives
Policy 2 Location of Development
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
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
H5 Residential Conversions, House in Multiple Occupation and Re-use of Buildings for Residential Purposes
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT02/2162/F Erection of single storey side extension to form utility room and W.C.
Approved 12 August 2002.
- 3.2 PT07/1735/F Erection of two storey side extension to facilitate conversion of existing dwelling to 4 no. flats and construction of new access with associated works.
Withdrawn 9 July 2007.
- 3.3 PT07/2290/F Erection of two storey side extension to facilitate conversion of existing dwelling to 4 no. flats. Alteration to existing access with associated works (Resubmission of PT07/1735/F).
Refused 20 August 2007 on the following grounds:-
a) over-intensification in residential use of site which would increase noise and disturbance to surrounding residents and future occupiers of flats;
b) cramped form of development;
c) parking area would detract from visual and residential amenity;
d) restricted rear communal garden area;
e) cycle and bin store would detract from visual amenities of the locality.
- 3.4 PT07/3347/F Erection of 2 storey side and single storey rear extension to facilitate the conversion of existing dwelling to 4 no. flats, including alterations to access.
Refused 1 February 2008 on the following grounds:-
a) overdevelopment of a prominent corner plot;
b) lack of a legal agreement requiring an appropriate financial contribution for transportation issues in the north fringe.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
Object to the proposal on the grounds of increasing number of family homes being converted into flats.
- 4.2 Sustainable Transport
No objection.
- 4.3 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

- 5.1 Background
As can be seen from the planning history, previous applications have been refused on numerous grounds. The main issue has been the over-development of the site. The current application differs in that the number of flats has been

reduced to two, providing three bedrooms in total. A single storey rear extension is also proposed. All other elevations remain unchanged.

5.2 Principle of Development

The application site lies within the urban area of Filton. Advice contained within PPS3 encourages the conversion of housing into extra residential accommodation, regarding it as an important source of additional housing, particularly in town centres. This advice is reflected in the Adopted Joint Replacement Structure Plan where policies encourage a mixture of housing types in sustainable locations, especially dwellings for smaller households, subject to compatibility with local amenity and site characteristics. This policy stance is reflected in policy H5 of the adopted local plan. This policy allows for the conversion of existing residential properties into smaller units of self-contained accommodation provided the following criteria are complied with:-

A. the development would not prejudice the character of the surrounding area;

5.3 It is considered that the design of the proposal is acceptable. The single storey rear extension is small in size measuring 3.1m in depth and 4m in width. It is also located 2m from the boundary with the adjoining property. The modest size of the extension and its design is in keeping with the existing dwelling and the area as a whole and all materials are to match.

5.4 The application site lies on a corner plot. This area of Filton, although urban in nature, maintains a degree of openness by virtue of its site layout. Corner plots are quite generous in nature. The proposed extension maintains this openness due to its small size and location to the rear of the property and overcomes the previous issue relating to overdevelopment of the site.

5.5 The conversion of this property to flats is also acceptable in terms of the intensification in residential use of the site. The dwelling is located within the urban area of Filton and is large enough to accommodate the number of flats proposed. Adequate off-street parking can be provided within the site without adverse impact to the visual amenities of the street scene, especially as the front boundary wall is to be retained. The location of the cycle and bin stores to the side of the property will also ensure that they do not adversely impinge upon the street scene. The character and appearance of the existing property is also maintained by the proposal as the front elevation remains unchanged and the extension is modest in size. The application therefore accords with this criterion.

B. it would not prejudice the amenities of nearby occupiers;

5.5 The proposed rear extension by reason of its single story nature, small size and location 2m from the boundary will not adversely affect the residential amenities of adjoining occupiers in terms of any loss of privacy/overshadowing/overbearing impact.

5.6 As the current scheme now relates to two flats, the intensification in residential use of the site is acceptable as the scale of development is small. The location of bin store/cycle parking ensures that the proposal is also acceptable in terms of visual amenity and does not detract from the street scene. In terms of the off-street parking to the front of the site, two spaces are provided. The parking area will be screened to a degree by the existing stone boundary wall which is

attractive in appearance and is to remain as part of the current scheme. The proposal therefore complies with this policy criterion.

C. it would identify an acceptable level of off-street parking;

- 5.7 The proposal provides 2 off-street vehicular parking spaces in the front garden area with the existing vehicular access widened and gate removed. Cycle parking for both flats is also to be provided within the site. The existing vehicular access is to be widened and this is considered acceptable to serve the proposed development. The layout of the parking area ensures that it will be possible to enter and leave the site in a forward gear but it is not a requirement for vehicles to enter and leave in a forward gear in this location. The existing wall along the street frontage can be retained as it will not impact upon the safe operation of this site.
- 5.8 The site is also located in a sustainable location within South Gloucestershire, close to local services, public transport and employment. The surrounding highway network in the vicinity of the site currently has in force parking and waiting restrictions which control congestion and on-street parking in the area. The proposal provides for appropriate cycle storage for a minimum of 1 cycle per flat and this complies with policy T7 of the adopted local plan. Car parking provision provides one car parking space per flat. This also complies with policy T8 of the adopted local plan.
- 5.9 However, in order to mitigate against incremental traffic damage a contribution of £900 (£900 per flat in the extended part of the building) is required towards the North Fringe Development Proposal (Transport Measures). In the event of an approval, this would be sought via a S.278 agreement under the Highways Act.

D. it would provide adequate amenity space.

- 5.10 The proposal provides rear garden to the ground floor flat which is the larger of the two flats. It is recognised that the first floor flat will have no private amenity space. However, this flat is only one bed in nature and as such will not provide family accommodation. It is not considered essential for this flat to have private amenity space, especially as recreational areas are available within the vicinity of the site. The proposal therefore complies with this criterion.
- 5.11 Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is also relevant as it specifically relates to development within existing residential curtilages, including extensions and new dwellings. All the issues relating to this policy have already been addressed under policy H5 above.

5.12 Design and Access Statement

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

5.13 Section 106 Requirements

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

Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 106 Agreement (or similar agreement) and would satisfy the tests set out in Circular 05/2005. However this contribution could equally well be secured through a S278 agreement under the Highways Act 1980.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering a legal agreement to secure the following:
- (a) A financial contribution of £900 towards the North Fringe Development Major Scheme (Transport Matters).

Reason: To provide a contribution commensurate to the scale of the development towards the North Fringe Development Major Scheme (Transport Matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with policies T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

- (2) If the legal agreement is not signed within 12 months of this determination then, in view of the length of time the application should be refused due to the failure to secure the mitigation:

In this instance, having regard to the above advice, the transportation contributions are appropriately the subject of a Section 278 Agreement and would satisfy the tests set out in Circular 05/2005.

Background Papers **PT08/0479/F**

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

CONDITIONS

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

Reason(s)

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

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

Reason(s)

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

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

Reason(s)

To minimise disturbance to occupiers of adjoining dwellings and to accord with Policies H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The screen fence shown on the approved plan shall be erected in the position indicated before the flats are first occupied.

Reason(s)

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The stone work to be used externally in the blocking up of the existing pedestrian gateway as indicated on the approved plan shall match that of the existing boundary wall in type, colour, texture, size, coursing and jointing.

Reason(s)

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

6. With the exception of the widened vehicular access, the existing stone wall enclosing the boundary of the site shall be retained.

Reason(s)

To protect the character and appearance of the area to accord with Policies D1/L1/H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The parking area to the front of the site shall be constructed of a bound surface.

Reason(s)

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

8. No doors or gates shall be hung so as to open over or across the public highway/footway.

Reason(s)

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

9. Prior to the commencement of development, details of cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided before the flats are first occupied, and thereafter retained for that purpose. For the avoidance of doubt the cycle storage shall be secure and covered.

Reason(s)

To encourage means of transportation other than the private car, to accord with Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.