



**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. 18/08

Date to Members: 01/05/08

Member's Deadline: 09/05/08

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: 01/05/08

SCHEDULE NO. 18/08

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 Whitsun Bank Holiday period May 2008**

Schedule Number	Date to Members 12 noon on	Members Deadline 12 noon on
21/08	Thursday 22 May 2008	Friday 30 May 2008

Circulated Schedule 01 May 2008

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK07/3530/F	Approve with conditions	101 High Street Hanham South Gloucestershire BS15 3QG	Hanham	Hanham Parish Council
2	PK08/0501/F	Approve with conditions	11 Burley Avenue, Mangotsfield, South Gloucestershire, BS16 5PP	Rodway	
3	PK08/0671/F	Approve with conditions	11 Launceston Avenue, Hanham, South Gloucestershire, BS15 3JB	Hanham	Hanham Parish Council
4	PK08/0680/F	Approve with conditions	29A Beaufort Road, Staple Hill, South Gloucestershire, BS16 5JU	Staple Hill	
5	PK08/0801/F	Approve with conditions	36 Soundwell Road, Soundwell, South Gloucestershire, BS16 4QP	Staple Hill	
6	PK08/0861/F	Approve with conditions	Land adjacent to 44 Courtney Road, Kingswood, South Gloucestershire, BS159RH	Woodstock	Oldland Parish Council
7	PK08/0987/F	Approve with conditions	Land at 19 Cotswold View, Wickwar, Wotton-Under-Edge, GL12 8NJ	Ladden Brook	Wickwar Parish Council
8	PT06/2348/F	Refusal	Badminton Road Kendleshire South Gloucestershire	Westerleigh	Westerleigh Parish Council
9	PT08/0667/F	Approve with conditions	542 Filton Avenue, Horfield, South Gloucestershire, BS7 0QG	Filton	Filton Town Council
10	PT08/0741/F	Approve with conditions	53 Mancroft, Bristol Road, Frenchay, South Gloucestershire, BS16 1LQ	Frenchay and Stoke Park	Winterbourne Parish Council
11	PT08/0744/F	Approve with conditions	7 The Royal George, The Plain, Thornbury, South Gloucestershire, BS352AG	Thornbury North	Thornbury Town Council
12	PT08/0752/LB	Approve with conditions	7 The Royal George, The Plain, Thornbury, South Gloucestershire, BS352AG	Thornbury North	Thornbury Town Council
13	PT08/0819/F	Approve with conditions	Land adj toTownwell House, Townwell, Cromhall, South Gloucestershire, GL12 8AQ	Charfield	Cromhall Parish Council
14	PT08/0823/F	Approve with conditions	225 North Road, Stoke Gifford, South Gloucestershire, BS34 8RH	Stoke Gifford	Stoke Gifford Parish Council
15	PT08/0850/CLE	Approve	Cosy Farm, Swinhay Lane, Charfield, South Gloucestershire, GL12 8EZ	Charfield	Charfield Parish Council
16	PT08/0866/F	Refusal	894 - 896 Filton Avenue, Filton, South Gloucestershire, BS34 7AY	Filton	Filton Town Council
17	PT08/0886/F	Approve with conditions	27 Clyde Road, Frampton Cotterell, South Gloucestershire, BS36 2EF	Frampton Cotterell	Frampton Cotterell Parish Council

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
18	PT08/0911/F	Approve with conditions	4 Downfield Drive, Frampton Cotterell, South Gloucestershire, BS36 2EQ	Frampton Cotterell	Frampton Cotterell Parish Council

CIRCULATED SCHEDULE NO. 18/08 - 1 MAY 2008

App No.: PK07/3530/F
Site: 101 High Street Hanham BRISTOL
South Gloucestershire BS15 3QG
Proposal: Conversion of storeroom to form 1 no.
bedsit.
Map Ref: 64365 72305
Application Category: Minor

Applicant: Mr J Rodway
Date Reg: 29th November
2007
Parish: Hanham Parish
Council
Ward: Hanham
Target Date: 7th May 2008



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100023410, 2008.

N.T.S

PK07/3530/F

INTRODUCTION

This application appears on the Circulated Schedule as there is public comment that is contrary to the officer recommendation in this report.

1. THE PROPOSAL

- 1.1 This planning application proposes to convert an existing store to create residential accommodation in the form of a single bedsit. It is not proposed to make any external alterations to the existing store except that of structural improvements to enable the structure to be used for residential purposes.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H5 Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential Purposes
- 2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 N/A

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council

“No Objection”.

- 4.2 Other Consultees

Environmental Services – “No Adverse comments”.

Other Representations

- 4.3 Local Residents

1 letter of objection received, objecting on the grounds of anticipated harm to residential safety.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H5 generally supports the conversion of non-residential and residential properties for residential use provided that the proposal accords with five separate criteria. The proposal the subject of this application would not prejudice the character of the surrounding area and it would not prejudice the amenities of nearby occupiers. The building is within the existing 'urban area' and is on a heavily used public transport route thus it is considered that there would not be a requirement for the provision of off-street parking, provided that a cycle space is provided within the site. Furthermore, the existing communal amenity space is considered adequate at 101 High Street to be shared between the proposed bedsit and the existing flats.

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed; it lists eight criteria to be considered.

5.3 The minor structural improvements to provide for acceptable living conditions for future occupiers of the bedsit are considered acceptable in terms of their design impact upon the visual amenities of the existing building and surrounding area.

5.4 Residential Amenity

The proposed use of the store room as a bedsit would not unacceptably harm the amenities of neighbouring occupiers. The nature of behaviour of any potential occupier has been expressed as a concern by a local resident. However, the planning system cannot control who resides at new units of residential accommodation and thus this matter cannot be controlled through the consideration of this application.

5.5 It is not considered that there would be any harm resulting from overlooking impact from the existing windows which would be used on a residential basis given their siting at ground floor level.

5.6 Design and Access Statement

The submitted Design and Access Statement states that, despite not having any off-street parking, it is proposed to provide separate cycle and bin storage within the site. It also confirms that the premises would have its own independent pedestrian access.

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 and informatives:

Background Papers **PK07/3530/F**

Contact Officer: **Donna Whinham**
Tel. No. **01454 865204**

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.

3. Cycle Storage; details to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

Reason:

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

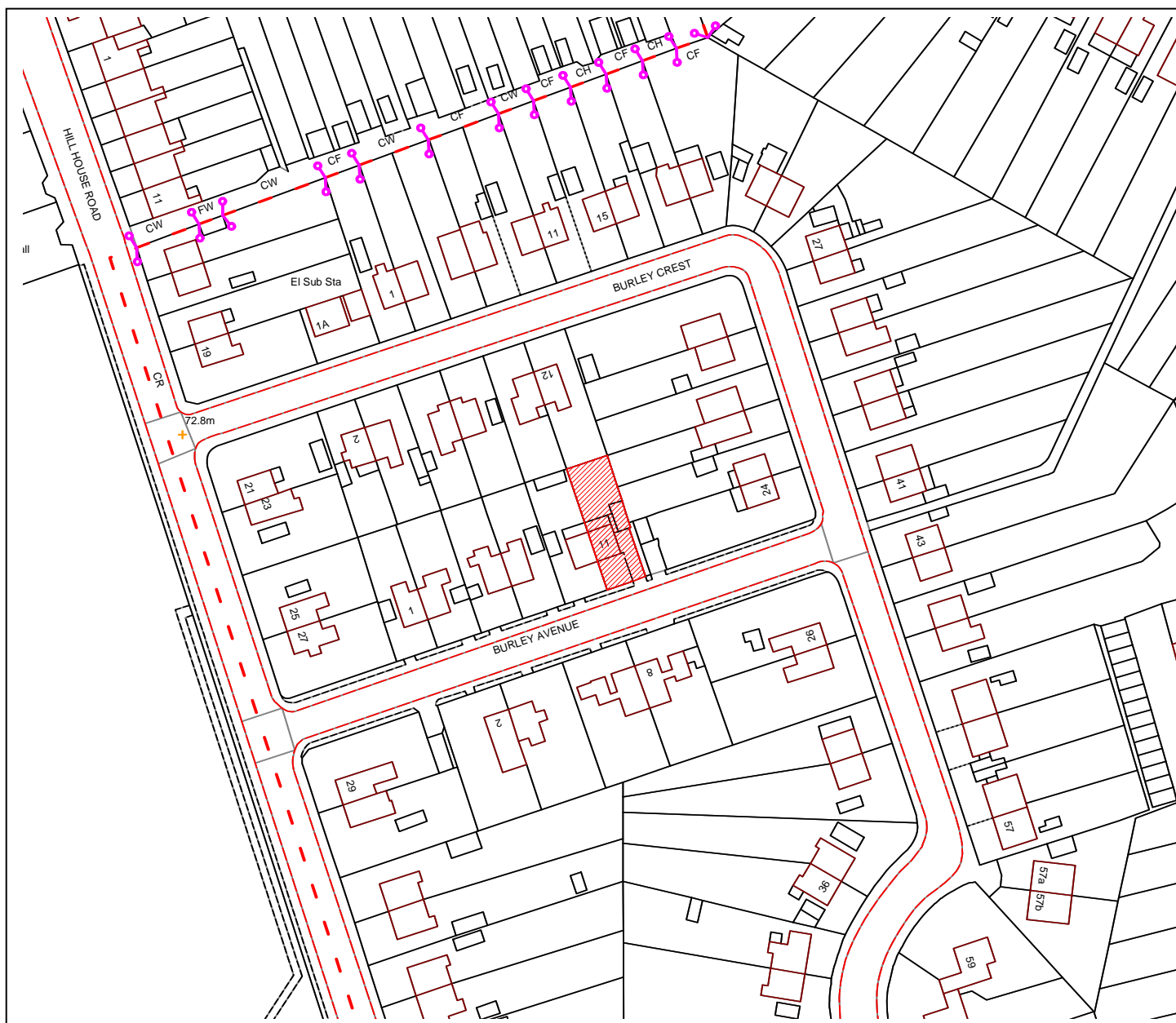
4. Bin Storage provision; details to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

Reason:

To safeguard the amenity of the locality, and to accord with Policy (E3/E4/E6*) of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 18/08 – 1 MAY 2008

App No.:	PK08/0501/F	Applicant:	Mr A Murley
Site:	11 Burley Avenue, Mangotsfield, South Gloucestershire, BS16 5PP	Date Reg:	11th March 2008
Proposal:	Erection of single storey side extension to form bedroom with en-suite facilities and additional living accomodation.	Parish:	
Map Ref:	65641 76498	Ward:	Rodway
Application Category:	Minor	Target Date:	23rd April 2008



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PK08/0501/F

INTRODUCTION

This application appears on the Circulated Schedule as there is public comment that highlights concerns relating to the details of the application.

1. THE PROPOSAL

- 1.1 This planning application proposes to demolish a detached single garage and erect a single storey side extension to form additional living accommodation. The existing dwelling is a semi-detached two storey dwelling that features a fine unpainted pebble-dash finish with uPVC windows. The other dwellings in the immediate locality replicate a similar design and age, many of which, including the application dwelling, have been previously extended.
- 1.2 The proposed single storey extension is proposed to be built of materials to match the existing measuring 11.25m in depth and 3.5m in width.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages
T8 Parking Standards
- 2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/2632/F. Erection of two storey and single storey rear extension. Approved with conditions 25th October 2001.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
"No Objection".
- 4.2 Other Consultees
No comments received.

Other Representations

- 4.3 Local Residents
2 representations received highlighting concerns relating to the following:
 - Asbestos roof in existing garage
 - Proposed materials should match existing un-painted pebble dash
 - Unclear as to the height of the proposed extension

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

5.2 An application was also approved on 17th February 2006 for the “erection of two storey residential detached annexe” at 24 Burley Crest; to the east of the application site and adjacent to the boundary where it is proposed to build the single storey extension to 11 Burley Avenue.

5.3 Design

Policy D1 of the Local Plan requires all new development to be well-designed; it lists eight criteria to be considered.

5.4 The scale of the proposed extension as well as the design and its siting is considered acceptable. The approved and built residential annex abuts the boundary of the application site. However, the proposed single storey extension is not considered to harm the visual amenities of the street scene by reason of a ‘terracing effect’ not least given that it is a single storey extension that is proposed.

5.5 The proposed materials of a rough brown render finish is similar to that of the existing pebble dash finish. However, in order to ensure that the developer uses a material to match the existing dwelling, a condition should be appended to the approval requiring the materials to be used to match the existing materials, including roof tiles and window frames. The issue of asbestos within the existing roof is not an issue that can be taken into account in the determination of this application.

5.6 Residential Amenity

The extension does not prejudice the amenity of the occupiers of neighbouring properties. It is proposed that there will be roof light windows to serve the new accommodation; however, these windows are ceiling windows internally and thus there would not be an overlooking impact. The side elevation of the existing annex adjacent to the application site features no side elevation windows. There will be sufficient amenity space retained for the enjoyment of the occupiers of the application property.

5.7 Transportation

Despite the loss of a garage, it is not considered that the proposal would have a harmful impact upon the off-street parking arrangements in the street not least given that one space would still be retained at the site and given that there would appear to be adequate on-street parking to offset the loss of the garage.

5.8 Design and Access Statement

N/A

5.9 Section 106 Requirements

N/A

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

Background Papers PK08/0501/F

Contact Officer: Donna Whinham
Tel. No. 01454 865204

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.

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

Reason:

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

CIRCULATED SCHEDULE NO. 18/08 – 1 MAY 2008

App No.:	PK08/0671/F	Applicant:	Mr J Hieron
Site:	11 Launceston Avenue, Hanham, South Gloucestershire, BS15 3JB	Date Reg:	11th March 2008
Proposal:	Erection of two storey side and rear extension to form integral garage and additional living accommodation. (Resubmission of PK07/3576/F).	Parish:	Hanham Parish Council
Map Ref:	63865 72141	Ward:	Hanham
Application Category:	Minor	Target Date:	28th April 2008



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N.T.S

PK08/0671/F

INTRODUCTION

This application appears on the Circulated Schedule as there is public comment and Parish Council comment that is contrary to the officer recommendation in this report.

1. THE PROPOSAL

- 1.1 This planning application proposes to erect a two storey side and rear extension to provide additional living accommodation to a semi-detached dwelling within Hanham. The existing dwelling features a render finish with bay windows and UPVc window frames. The site is located on sloping land. This is a re-submission of application ref. PK07/3576/F which was withdrawn on the request of SGC in order that the applicant re-consider the design and scale of the proposals in the interest of protecting the amenities of neighbours and the visual amenities of the street scene.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 N/A

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council

“Objection. This proposed extension would have an overbearing impact for the neighbouring occupiers.”

- 4.2 Other Consultees

No comments received.

Other Representations

- 4.3 Local Residents

One letter of objection received from the occupier of no. 13 Launceston Avenue to the west of the application site, stating the following objections:

- Overbearing impact
- Loss of light
- Discrepancy in Section 9 of application forms ‘Ground Levels’
- Ground stability

- Drainage
- Removal of boundary fence and tree

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed; it lists eight criteria to be considered.

5.3 The scale of the proposed extension as well as the choice of materials (to match the existing house) is acceptable. The proposal introduces an extension that takes account of pre-application consultation advice received from SGC to reduce the scale of the development and re-consider the design of the proposals; in particular the proposed roof. The re-submission addresses these comments and the rear two storey element now only protrudes 3 metres from the rear elevation of the existing dwelling; as recommended by officers in pre-application consultations (refer to file ref. PK07/3576/F).

5.4 Residential Amenity

There is a difference in levels between the application site and neighbouring dwelling no. 13 Launceston Avenue which helps to minimise any potential impact and a gap of 1 metre has been provided between the extension and the boundary between the application property and neighbouring dwelling no. 9 Launceston Avenue. In light of the amended proposals the subject of this planning application, it is not considered that there would be a harmful impact upon neighbouring occupiers by reason of overlooking or overbearing impact.

5.5 A condition can be appended to the approval that requires that the prior express consent of the local planning authority should be sought for any future proposals for the insertion of additional windows in the interest of preserving the privacy of the neighbouring dwellings.

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.

Background Papers **PK08/0671/F**

Contact Officer: **Donna Whinham**
Tel. No. **01454 865204**

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.

3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights in west and east elevations [other than those expressly authorised by this permission] shall be constructed.

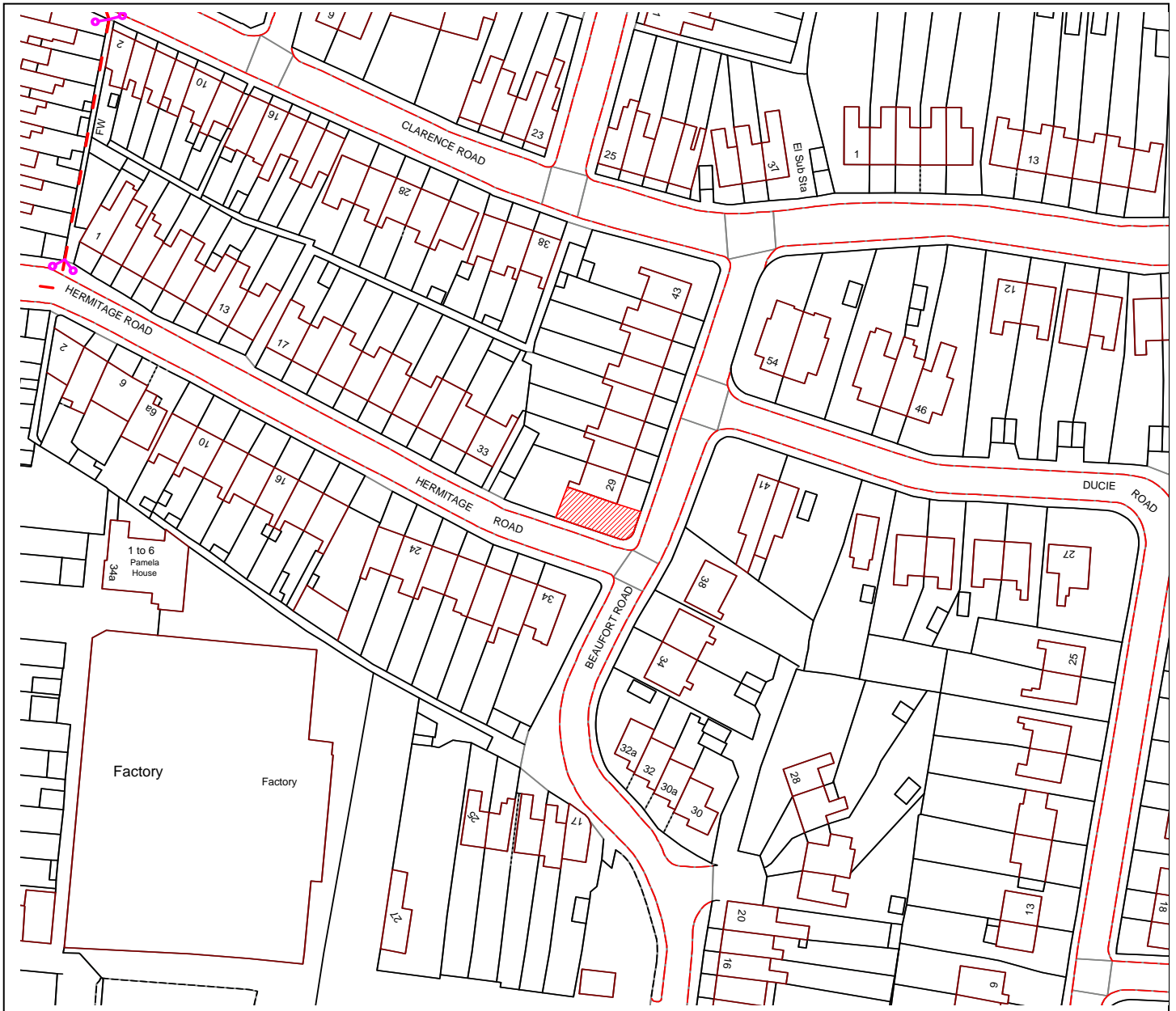
Reason:

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

CIRCULATED SCHEDULE NO. 18/08 – 1 MAY 2008

App No.: PK08/0680/F
Site: 29A Beaufort Road, Staple Hill,
 South Gloucestershire, BS16 5JU
Proposal: Erection of 1 no. attached dwelling with
 associated works.
Map Ref: 65073 76091
Application Category: Minor

Applicant: Mr J Wade
Date Reg: 12th March 2008
Parish:
Ward: Staple Hill
Target Date: 25th April 2008



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PK08/0680/F

INTRODUCTION

This application appears on the Circulated Schedule following objections received from local residents; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a 0.01ha. plot of land that until recently formed the garden to the side of no.29 Beaufort Road. No.29 is a 3 bedroom, end of terrace dwelling house, situated on a corner plot at the junction of Beaufort Road and Hermitage Road. The location is suburban in character, consisting predominantly of Victorian/Edwardian terraces along either side of fairly narrow roads. The centre of Staple Hill is only a short walk away to the south. The house fronts onto Beaufort Road with most of the garden area to the side being adjacent to Hermitage Road and enclosed by a low wall and 2m high hedge. A double garage located to the rear and accessed off Hermitage Road is in separate ownership. Planning permission PK07/3454/F was recently granted to convert no.29 into 2no. flats as well as erecting a two-storey side extension to no.29 to provide a third 'flat'. Following the grant of planning permission PK07/3454/F the side garden of no.29 has been sold off and is now in separate ownership.
- 1.2 It is now proposed to erect a two-storey side extension to no.29 to provide a two-bed dwelling. A vehicular parking space would be provided for one car to the rear of the site onto Hermitage Road.
- 1.3 The key differences between the current application and that previously granted are:
- No.29 is no longer in the applicant's control.
 - The proposed house would be 2 bedroom as opposed to the previously allowed one bedroom maisonette.
 - The side elevation of the extension would be rendered as opposed to being natural rubblestone with ashlar window surround.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

Joint Replacement Structure Plan

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

South Gloucestershire Local Plan (Adopted) 6th January 2006

- D1 - Design
L1 - Landscape Protection and Enhancement
L5 - Open areas

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

Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) adopted 23rd August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P75/4730 - Erection of detached double garage for two vehicles and private storage.
Approved 31st Oct. 1975
- 3.2 P77/4110 - Alteration and extension of existing outbuilding to form a conservatory.
Approved 4th May 1977
- 3.3 PK07/1473/F - Erection of 2no self contained flats and associated works.
Withdrawn 2nd July 2007
- 3.4 PK07/1998/F - Erection of 2 no. self contained flats with parking and associated works (Resubmission of PK07/1473/F)
Refused 14th September 2007 for the following reasons:
1. The development, with off-street parking below the maximum residential parking standards set out in Policy T8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, would lead to an increase in on-street congestion in close proximity to a road junction thereby causing obstructions to visibility, all to the detriment of highway safety; contrary to Policies T12, H2 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.
 2. The proposal would result in a cramped form of development leaving inadequate areas of private amenity space to serve the occupiers of the existing house, all to the detriment of residential amenity, which is contrary to Policies H2 (A) and H4 (D) of The South Gloucestershire Local Plan (Adopted) 6th January 2006.
 3. The proposal would result in built development protruding well beyond the established building line in Hermitage Road, which would represent an incongruous element within the street scene to the detriment of the visual amenity of the locality, contrary to Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.

- 3.5 PK07/3454/F - Conversion and extension of existing dwelling to provide 3no. self-contained flats.
Approved 3rd January 2008

4. **CONSULTATION RESPONSES**

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

Other Representations

- 4.3 Local Residents
3no. letters of objection have been received from local residents. The concerns raised are summarised as follows:

- Inadequate road infrastructure.
- Proposed parking bays are close to a busy junction resulting in a highway hazard.
- Proposed parking bays are too small.
- Loss of on-street parking.
- Adverse impact on the street scene.
- Increased flood risk.
- Loss of garden.
- Not in-keeping with the locality and Victorian terrace.
- Disruption and pollution during construction phase.
- Too many flats in the area.
- Inadequate sewers.
- Proposed side elevation should be rubblestone/ashlar not render.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
The site lies within the Urban Area and being residential curtilage, is previously developed land and can therefore be assessed as a brownfield windfall site. There is therefore no in-principle objection to the development of the site for residential use. The acceptance in principle of a two storey residential unit on this plot, of the scale proposed, has already been established with the grant of PK07/3454/F.
- 5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 34 states that in making allocations for housing provision, Councils should give priority to the re-use of previously developed land. Similarly, Policy 33 states that priority will be given to the re-use of previously developed sites *within the urban area*. Furthermore, Policy 2 of the JRSP, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub regional centres. JRSP Policy 19 requires development to be managed in a manner that respects local character and distinctiveness through good design.

- 5.3 Government advice contained in PPS3 – ‘Housing’ supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes. The South Gloucestershire Local Plan (Adopted) 6th January 2006 (para.8.26) seeks to “..increase the proportion of smaller dwellings, reflecting the projected growth in one-person households and the existing disproportionate provision of smaller dwellings in South Gloucestershire.”
- 5.4 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the residential development proposed, subject to the following criteria:
- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity; and
 - B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit. Not least, in and around existing town centres and locations well served by public transport, where densities of upwards of 50 dwellings per hectare should be achieved.
 - C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
 - D. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals.
- 5.5 Density
Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land. PPS3 (para.47) indicates that a national indicative minimum density of 30 dwellings per hectare should be used and whilst not prescribing any maximum figure the PPS encourages the highest density that can be achieved within the various local considerations that need to be taken into account.
- 5.6 Officers are satisfied that having regard to the site’s constraints and the previous planning consent for an extension of similar proportions, albeit for a one-bedroom unit, a larger building containing more than one unit could not realistically be accommodated on the site and in this respect the proposal represents the most efficient use of the land in what is a very sustainable location, close to the centre of Staple Hill and within easy walking distance of the shopping and community facilities and main bus routes. The proposal therefore accords with Government guidelines and in terms of its density alone the development is not considered to be an overdevelopment of the site.
- 5.7 Scale and Design
The extension is designed as a continuation of the Beaufort Road terrace and in terms of its general form and appearance would satisfactorily achieve its aim, having identical dimensions to the extension approved under PK07/3454/F. The length of the extension (as viewed from the Beaufort Road frontage) would measure 3.9m and as such would not protrude beyond the well defined building line created by the front elevations of the houses along the northern side of

- Hermitage Road. The depth of the extension (when viewed from Hermitage Road) would be slightly less than that of the existing house. The proposal would be subservient in scale to the rest of the terrace and would not appear as an incongruous element in the street scene. There would be a reasonable amount of open space retained within the front and side gardens. The proposal does not therefore represent an overdevelopment of the site.
- 5.8 The existing terrace has not been significantly altered and currently has no rendered elevations within it. All elevations are natural Pennant Sandstone with Ashlar window surrounds and quoin detailing. Following officer negotiation it has now been agreed that all of the proposed elevations would be constructed to match those of the existing terrace and this can be secured by condition. Subject to this condition the scale and design are acceptable.
- 5.9 Landscape
There is little vegetation of note on the site other than the boundary hedge, much of which appears to be retained in the scheme. Supplementary planting could be secured by way of an appropriate landscape condition.
- 5.10 Transportation
One off-street parking space is proposed for this development of a single 2-bed dwelling. The parking space would be accessed off Hermitage Road. The proposed parking space meets the required size guidelines of 2.4m wide by 5.0m deep to avoid having a vehicle hanging over into either the footway or carriageway.
- 5.11 The Council's Highways Officer considers that the off-street parking provision satisfies the maximum residential parking standards set out in Policy T8 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 and would not therefore lead to an increase in on-street parking congestion. Furthermore there is no objection to the proposed positioning of the car parking space close to the junction. In the previously approved application PK07/3454/F a parking space in the same position as that now proposed would have served the flat in the extension. There are therefore no highway objections to the proposal.
- 5.12 Impact upon Residential Amenity
The proposed extension would be on a corner plot and would not have a significant overbearing affect on neighbouring property. Any overlooking of neighbouring gardens from the proposed windows would be from a reasonable distance, angle and height. There would be no windows on the southern side elevation facing the houses on the opposite side of Hermitage Road; there would be two velux rooflights but these only serve a stairwell and landing. Some overlooking of gardens to the front and rear is considered to be inevitable in a densely populated urban area such as this. Any loss of privacy that might occur would be minimal and certainly not considered to be significant enough to justify refusal of planning permission.
- 5.13 Adequate amenity space would be retained in the remaining garden to serve the small dwelling proposed. The high boundary hedge ensures that the garden is a relatively private area and it is proposed to retain this hedge. A bike and bin storage area would be provided. Soundproofing of party walls would be controlled under building regulations. Officers therefore conclude that that the proposal would not have an adverse impact upon residential amenity.

5.14 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds. Any increase in noise levels or anti-social behaviour would be the subject of normal environmental health controls. In terms of drainage the Council's Drainage Engineer has previously raised no objection to the proposal. A condition would however be required to secure the submission of a full drainage scheme for approval before development could commence.

5.15 Affordable Housing

The proposal is for 1no. dwelling only, which is below the Council's threshold (15) for affordable housing provision.

5.16 Education Service

The proposal is for 1no. dwelling only, which is below the Council's threshold (5) for contributions to the Education Service.

5.17 Community Services

The proposal is for 1no. dwelling only, which is below the Council's threshold (10) for contributions to Community Services.

5.18 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist (Adopted) 23rd August 2007.

5.19 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 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 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 be GRANTED subject to the following conditions:

Background Papers **PK08/0680/F**

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

CONDITIONS

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

Reason

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

2. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details.

Reason

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

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 H4/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policies EP1, EP2, L17 & L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policies EP1, EP2, L17 & L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The off-street car parking facilities, shown on the Proposed Ground Floor Plan 00808 10 hereby approved shall be provided before the first occupation of the dwelling so approved, and thereafter retained as such and used only in conjunction with the occupation of the buildings' purpose.

Reason

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

7. The parking facilities hereby approved shall, prior to their first use, be surfaced with a bound material, and maintained as such thereafter.

Reason

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

8. Prior to the first occupation of the dwelling hereby approved, the cycle parking as shown on the plans hereby approved, shall be provided in the form of a secure and undercover store.

Reason

To ensure the provision of adequate and secure cycle parking facilities in accordance with Policy T7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2007.

9. The hours of working on the site for the period of construction of the development hereby approved, shall be restricted to 07.30 to 18.00 Monday to Friday and 07.30 to 13.00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

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

10. Other than those shown on the plans hereby approved, no new first floor windows, dormers or roof lights shall be inserted at any time in the building, unless the Local Planning Authority gives consent in writing to any variation.

Reason 1

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.

Reason 2

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policies D1/H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policies D1/H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. Notwithstanding the details shown on the plans hereby approved, the front, side and rear elevations of the approved dwelling shall be constructed in natural rubble stone with ashlar window surrounds and quoin detailing to match the existing terrace

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policies D1/H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

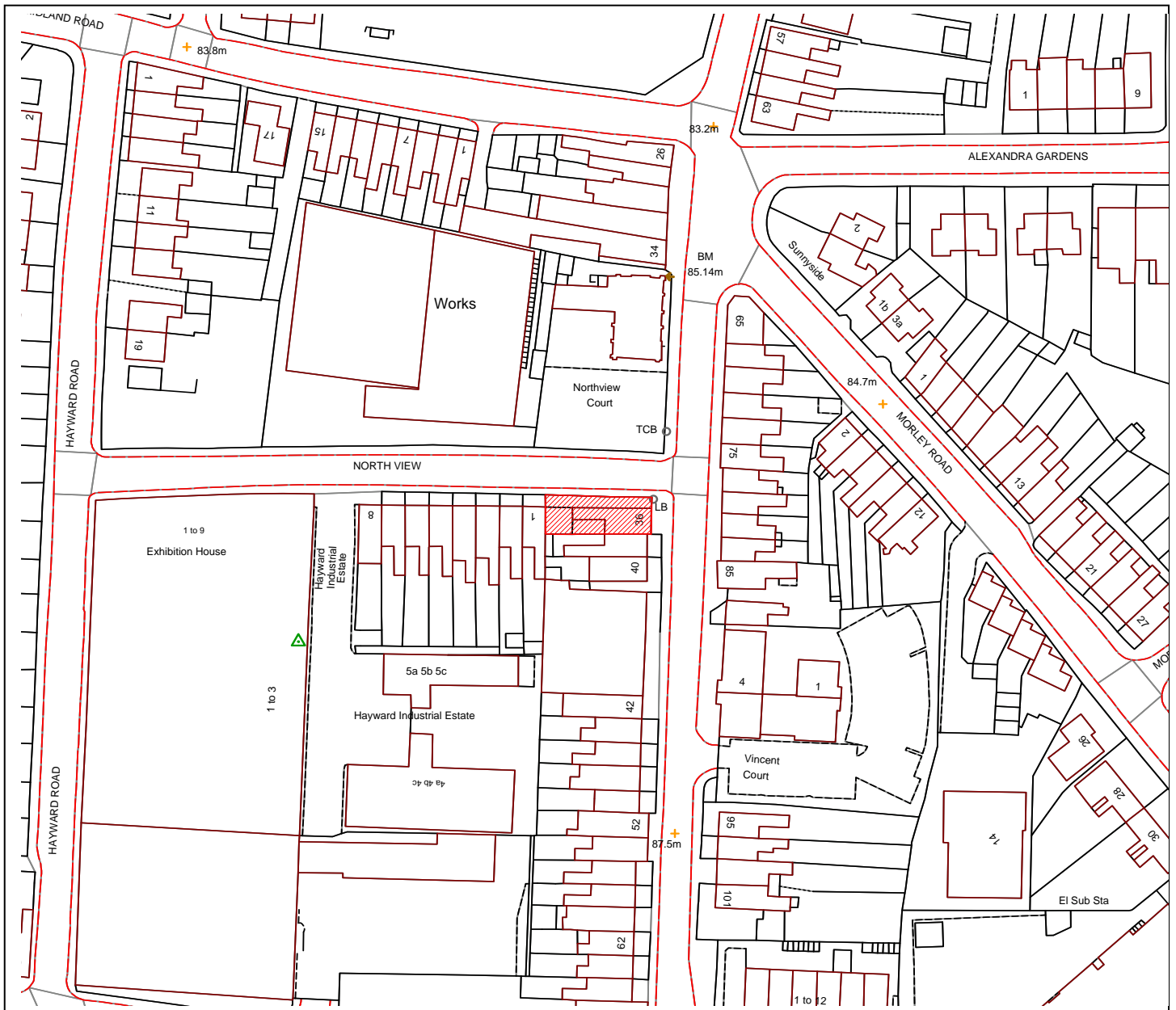
Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policies D1/H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 18/08 – 1 MAY 2008

App No.: PK08/0801/F
Site: 36 Soundwell Road, Soundwell, South Gloucestershire, BS16 4QP
Proposal: Demolition of detached garage & office to facilitate the erection of 1 no. dwelling with associated works. (Resubmission of PK07/2777/F).
Map Ref: 64806 75520
Application Category: Minor

Applicant: Mr J Curry
Date Reg: 26th March 2008
Parish:
Ward: Staple Hill
Target Date: 9th May 2008



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INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 1 no. dwelling with associated works, which will involve the demolition of an existing garage and ancillary office.
- 1.2 The application site relates to an existing A1 unit with flat above within the established residential area of Soundwell.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
T9	Parking Standards
H2	Residential Development within existing Urban Area and Defined Settlement Boundaries
T12	Transportation

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates to the application site:
- 3.2 P81/4472 (K3754) Change of use to restaurant
Approval November 1981
- 3.3 PK07/2777/F Demolition of detached garage & office to facilitate the erection of 1 no.dwelling
Refused on Highway grounds November 2007

4. CONSULTATION RESPONSES

(a) Statutory Consultees

4.1 Town/Parish Council

The application site does not come under a Town/Parish Council.

(b) Other Representations

4.2 Local Residents

1 letter has been received from a local resident raising the following planning objections regarding the proposed development which have been summarised as follows:

- Sewage & Drainage issues regarding location of drainage and sewage
- Water Service
- Demolition of garage will enable access into our property
- If boundary wall demolished this will affect our fence that was erected for privacy
- No indication of heating vents or flues.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site is located within the established residential area of Soundwell. Policy H2 of the South Gloucestershire plan allows for residential development within urban areas subject to a number of criteria being satisfied.

5.2 Design and Scale of Development

The application site property relates to a two storey building suited on the junction of Soundwell Road and North View. The principal elevation of the building fronts onto Soundwell Road. The side elevation comprises of a single storey red brick addition with double garage. The application proposes to replace this single storey addition with a single storey one bedroom dwelling, which will mirror the existing building (to be demolished) in terms of height and footprint.

5.3 The scheme proposes a render finish to match the existing dwellings along North View. It is considered that a single storey dwelling of this scale and design in this location would enhance the existing situation and although single storey would not have an adverse impact on the character of residential development i.e. 2 storey dwellings within this immediate location. Whilst it is accepted that the proposed undercroft to enable a car to be parked on site it not characteristic of those properties within the immediate vicinity it is considered that on balance it would not have a visual impact.

5.4 Residential Amenity

It is considered that the proposed dwelling would have no greater impact on the existing amenities of neighbouring occupiers than the existing situation, in terms of loss of privacy or overbearing impact.

5.5 Concern has been raised by the occupiers of no. 38 situated rear of the application regarding issues of security in the short term as a result of the demolition of the existing rear garage wall which also forms the adjoining boundary with no. 38. This is considered to be a civil matter however it is assumed that the applicant would ensure that adequate security measures are put in place.

5.6 Transportation Issues

An objection was raised on highway grounds regarding the previous application due to the lack of vehicular parking. This revised scheme proposes the provision of one on site car parking space for the proposed dwelling and on this basis no highway objection is raised.

5.7 Drainage Issues

Concerns have been raised regarding existing drainage and sewer arrangements. Such matters will be covered by Building regulations.

5.8 Other issues

Concerns have been raised regarding lack of information regarding further heating and flue vents. Such matters will be covered by Building Regulations.

5.9 Design and Access Statement

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

5.10 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, 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 Town Planning & 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 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 **PK08/0801/F**

Contact Officer: **Tracey Price**
Tel. No. **01454 86342**

CONDITIONS

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

Reason

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

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

Reason

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

CIRCULATED SCHEDULE NO. 18/08 – 1 MAY 2008

<p>App No.: PK08/0861/F Site: Land adjacent to 44 Courtney Road, Kingswood, South Gloucestershire, BS15 9RH Proposal: Erection of 1no. detached dwelling and associated works. Erection of 1.8m high wall, fencing and gates. Map Ref: 65152 73258 Application Category: Minor</p>	<p>Applicant: SKS Development Date Reg: 1st April 2008 Parish: Oldland Parish Council Ward: Woodstock Target Date: 20th May 2008</p>
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N.T.S

PK07/3530/F

INTRODUCTION

This application is referred to the Circulated Schedule to Members in accordance with procedure, given that an objection to the proposal has been received

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the erection of a detached property. The application site comprises an area of 302sq.m situated on land to the immediate south-west of No.44 Courtney Road. The site is currently vacant land and is bounded by a timber 1.8 metre. To the east of the site lies a private access lane, while to the rear there lies a public footpath. The site lies within a predominantly residential area with varying forms and styles.
- 1.2 The detached dwelling would have a depth of 10.2 metres and width of 6.3 metres. The building featuring a gable on the front elevation would have a height of 7.8 metres to the apex of the roof. The building line matches that of No.44 as would the eaves height. The building would be finished in facing brickwork on the rear elevation and front gable and the porch, with render on remaining elevations. Tiles are to match the adjoining property. Access is onto Courtney Road, with two parking spaces provided to the rear of the front boundary comprising a brick and timber wall with gates between brick piers. 1.8 metre timber fencing is retained along the other boundaries and a 19 metre south-west facing garden is to be provided to the rear.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing
PPG13	Transportation

2.2 South Gloucestershire Local Plan (Adopted) January 2006

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.
D1	Achieving Good Quality Design in New Development
T12	Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

P91/4343 Erection of 1 no. 2 bed detached dwelling with parking (Approval)
P93/4158 Erection of 1 no. 3 bed house with parking and alteration to access (Outline Approval)

4. CONSULTATION RESPONSES

4.1 Parish Council

The area is unparished.

4.2 Sustainable Transport

Having visited the site it is evident that sufficient parking (for at least 2 parking cars) will be retained for the existing dwelling within the frontage of no.44 via a separate access, though this has not been indicated on plan.

The proposed boundary fence will be located at least 2 metres from the effective edge of the carriageway and so I am satisfied intervisibility will be maintained between cars emerging from the proposed access and vehicles travelling along Courtney Road. Visibility will not be adversely affected for vehicles egressing the access lane to the east and the boundary fence will not encroach onto the Public Right of Way.

I am satisfied with the access and parking arrangements for the proposed dwelling and so raise no transportation objection.

4.3 Local Residents

One letter of objection has been received. The grounds of objection can be summarised as follows:

- The visibility from the access is inadequate given the position of the wall/fence and would result in danger to other road users
- The fence/wall will narrow the access to the side of the property preventing access

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPS3 seeks to widen housing choice, maintain an adequate housing supply within sustainable locations. The guidance places emphasis on good design and the creation of sustainable development. Following this guidance Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 supported by Policy H4 apply. The policy allows for residential development within existing defined settlement boundaries and urban areas subject to the criteria outlined below. Policy T12 gives more detailed guidance relating to the impact of new development upon the surrounding highways network.

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

These issues are discussed in detail under separate headings below.

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

The site including the original property has an area of 302 sq.m, that equates to approximately 33 dwellings per hectare. This density is considered compatible and appropriate within the context of this area and within the guidelines indicated in PPS3.

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

The site is not adversely affected by any of the above.

D) provision for education, leisure, recreation etc. within the vicinity of the site is adequate to meet the needs arising from the proposal.

The proposal is for 1 dwelling and is therefore not likely to impact upon the area significantly in terms of service provision.

The impact upon residential amenity, transportation and landscape/design is considered in more detail below. Subject to consideration of these issues the proposed development is considered acceptable in principle.

5.2 Design/Visual Amenity

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure a high standard of design, this policy is reiterated in Policy H4 and is required by H2 in terms of environmental impact.

It is considered that the site is able to accommodate a new dwelling without appearing cramped. In terms of character, while the street and area predominantly consists of semi-detached and terraced properties, there are also examples of detached properties including No.60 the immediately adjoining site. The design and appearance is considered acceptable. While it is noted that Policy D1 promotes distinctive buildings, in this location it is considered important that the building integrates successfully into the street scene where there is a degree of uniformity of appearance. In this respect the use of render and brickwork is considered appropriate. The front boundary is considered appropriate and is similar to others in the vicinity.

At present the site, which is fenced to the front appears completely incongruous within the general street scene. The erection of a dwelling and more modest enclosure to the front, is considered to enhance the appearance of the locality.

The scheme has been amended following negotiations to ensure acceptable window proportions and to add some detailing at the upper level. This is considered to enhance the appearance of the proposal.

Subject to the above conditions the design of the proposal is considered acceptable and in accord with Policy H2, H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.3 Residential Amenity

Amenity is assessed in terms of whether a development would appear oppressive or overbearing when viewed from adjoining properties and in terms of whether loss of privacy would occur as a result of overlooking.

In terms of privacy issues, it is not considered that the proposal would result in significant overlooking of the adjoining properties. No windows are proposed in the side elevations. In order to assess the potential impact of future windows on No.44 and No.60 situated to either side of the proposed dwelling a condition will be attached to the decision requiring consent for future windows at first floor level in the side elevations.

In terms of the physical impact of the proposal, given its location any impact must be assessed largely against No.44. The proposal would extend by 3 metres beyond the rear of No.44 and would lie alongside the boundary of that property.

This is considered to be acceptable. It should be noted that a carport, (associated with No.44), provides separation from the main windows in the rear elevation of No.44. The proposal is considered acceptable in this respect and the distance to other neighbouring properties ensures that there is no significant impact.

The development is considered able to provide adequate private amenity space for future occupiers. A condition will be attached to the decision notice to require that all boundary treatments are in place prior to the first occupation of the dwelling in order to protect residential amenity and to ensure a satisfactory appearance of the development.

Given the close proximity of adjoining properties, a condition will be attached to the decision notice to restrict working hours during the construction period.

Subject to these conditions the proposed development is not considered to affect the residential amenity of neighbouring occupiers and is therefore in accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.4 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 considers the impact of new development upon the surrounding highway network, having regard to access and parking. Development will not be permitted where it would result in detriment to highway safety.

Officers consider that it is evident that sufficient parking (for at least 2 parking cars) will be retained for the existing dwelling within the frontage of no.44 via a separate access, although this has not been indicated on plan. A condition is recommended to ensure that all parking provision is in place prior to the first occupation of the new dwelling.

Concern has been expressed regarding visibility into and out of the property in particular given the position and height of the wall/fence. Officers consider however that given that the boundary fence will be located at least 2 metres from the effective edge of the carriageway, intervisibility will be maintained between cars emerging from the proposed access and vehicles travelling along Courtney Road. In addition visibility will not be adversely affected for vehicles egressing the access lane to the east. It is not considered that there would be any adverse impact upon other road users or pedestrians.

Concern has been expressed that the proposal will have an adverse impact upon the access to the side of the property, however the development takes place within the red line (ownership of the applicant) and does not encroach upon this area. Any encroachment upon land outside of the ownership of the applicant would be a legal matter between the different parties.

Subject to the above condition there is no transportation objection to the proposal and thus the development is considered to be in accord with the aims and objectives of Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.5 Drainage

There is no objection to the proposed development by the Council Drainage Engineers. Informatives will be added to advise the applicant of their duties with respect to surface water run-off.

5.6 Section 106 Requirements

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

5.7 Design and Access Statement

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

6. CONCLUSION

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

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 **PK08/0861/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-west and south-east) elevations 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. The hours of working on site during the period of construction shall be restricted to 0730 to 1800 hours Monday to Friday and 0800 to 1300 hours Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason:

To minimise disturbance to occupiers of [specify nearby buildings] and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The boundaries treatments shown on Drawing No.2369 (L) 010 shall be in place prior to the first occupation of the dwelling hereby permitted and shall be retained as such thereafter.

Reason:

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

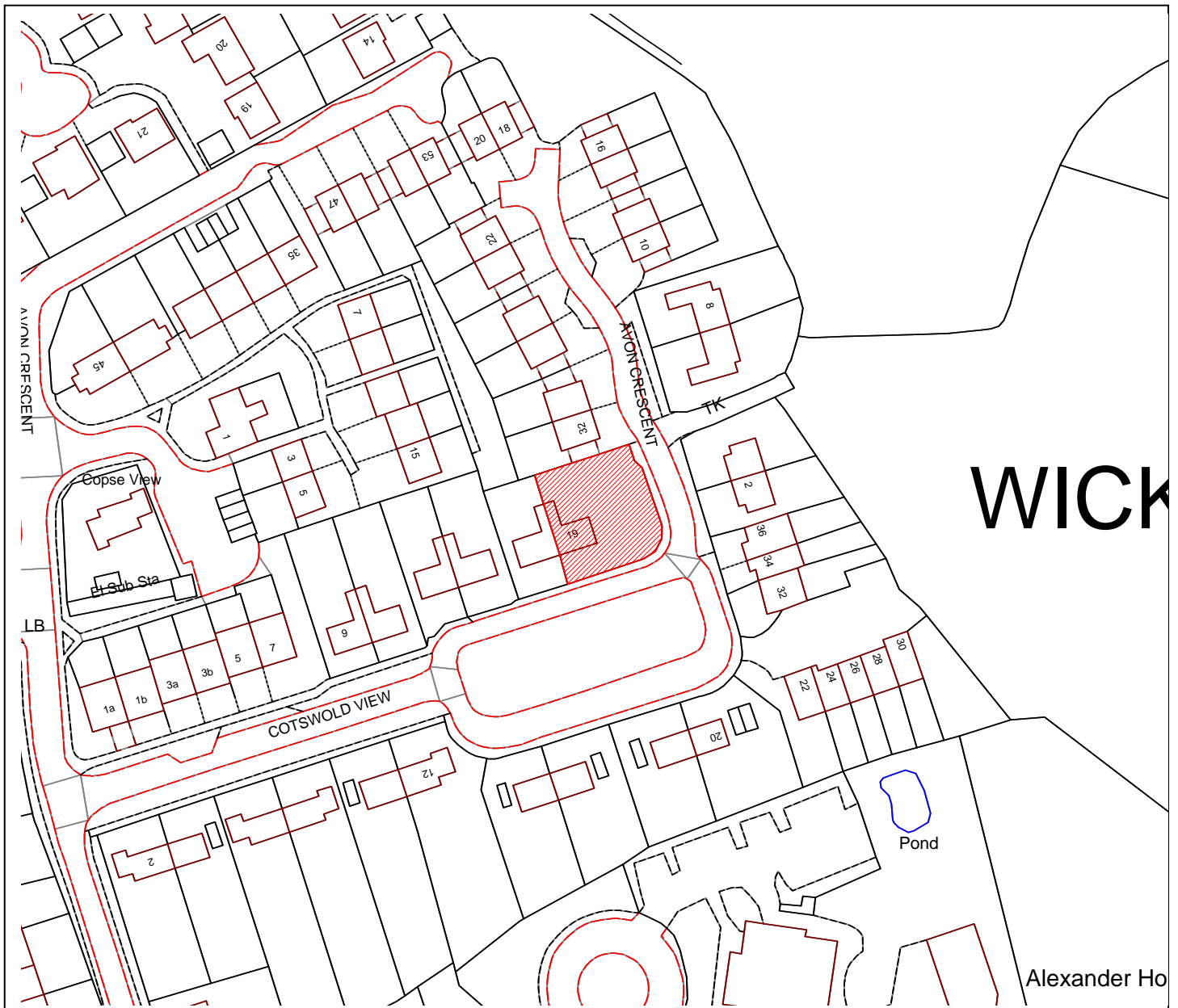
5. The off-street parking facilities for all vehicles shown on the plan hereby approved and for existing property shall be provided before the building is first occupied, and thereafter retained for that purpose.

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.

CIRCULATED SCHEDULE NO. 18/08 – 1 MAY 2008

App No.:	PK08/0987/F	Applicant:	Miss A Hiley Peter Golden Designs
Site:	Land at 19 Cotswold View, Wickwar, Wotton-Under-Edge, GL12 8NJ	Date Reg:	9th April 2008
Proposal:	Erection of 2no. dwellings with associated access and works. (Resubmission of PK07/1200/F).	Parish:	Wickwar Parish Council
Map Ref:	72628 88593	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	28th May 2008



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N.T.S

PK08/0987/F

INTRODUCTION

This application is reported on the Circulated Schedule due to the receipt of neighbour objections. Consultation was carried out on the basis that the proposal was for two dwellings, but this was later revised to one.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of one dwelling, in the side garden of No. 19 Cotswold View. The existing house is constructed on smooth render and tile and has a blank side elevation facing the proposed dwellings, other than its front door. No. 19 faces south, over a wide green where the cul de sac loops. Next to the site a later arm has been added to the road and the housing fronting this is two storey and brick.
- 1.2 Cotswold View is very regular in appearance, with well-spaced semi detached houses. The side garden of the site is something of an anomaly given its expansive size, the end of which currently provides off-street parking. The proposal would provide a large front garden but also some private garden space to the rear of the proposed dwelling. The proposed footprint attempts to 'turn the corner' from one development to the other. It respects the front building line of Cotswold View, while the side building line would stand forward of the established front building line formed by Avon Crescent, but only marginally so. The revised proposal shows one dwelling, a three bedroom house, within the shell of the proposed two semi-detached dwellings originally proposed.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
H4 Development within residential curtilages
D1 Design
T7 Cycle parking
T8 Car parking
T12 Transportation
- 2.3 Supplementary Planning Documents
Design Checklist (adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 P93/1231 Demolition of 24 houses and erection of 56 houses Approved
- 3.2 PK07/1200/F Erection of two dwellings Withdrawn

4. CONSULTATION RESPONSES

- 4.1 Wickwar Parish Council
No objection.

4.2 Other Consultees

Transportation

The proposal is for two three bedroom semi detached residential dwellings on the land adjoining No. 19 Cotswold View. NB This has now been reduced to one.

Given the fact that proposal is a modest size development, it is considered that the traffic impact of the development on the adjoining highway networks will also be small. In parking terms, the proposal includes parking provision for all properties including parking provision for the existing dwelling.

In view of all of the above therefore, there are no highway objections to this proposal but the following conditions are offered:-

1. Prior to occupation of any dwelling on site provide off-street parking on site and maintained them satisfactory thereafter;
2. All works on the public highway in order to create vehicular access shall be carried out to the full satisfaction of the Council's Street Care Manager;
3. Provide parking areas on site with surfaced with bound surfaced material and such areas shall be maintained satisfactorily thereafter.

Environmental Protection

No objection in principle

Other Representations

4.3 Local Residents

Six letters of objection, to the two dwelling scheme, were received, citing the following concerns:

- * Insufficient off-street parking provision for two houses
- * Road safety impact on children playing in the area
- * The new houses will overlook a rear garden
- * Loss of outlook
- * The building will obstruct views for motorists
- * Dangerous position for proposed access

* Noise and inconvenience during construction phase

NB The last point is not a valid planning concern.

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 site lies within the residential curtilage of a dwelling, which itself lies within the village development boundary of Wickwar. In principle therefore, subject to the analysis below, the proposal proposal complies with policy. The density of development, at 35 dwellings per hectare, meets the government's minimum density requirement of 30 d.p.h. in this village location.

5.2 Design and Appearance

The floorplate of the building respects the front building lines. The residual house has an 'L' shaped floorplate and the proposed house would be rectangular, leading to a design of building which has a similar mass to other semis seen in the vicinity. This mass is partly disguised by the proposed dwelling effectively turning the corner.

The roof pitch and height to eaves are considered to fit in with the street scene. The front and rear elevations are considered to be generally acceptable, having a simple design and while the front of the building is narrower than the nearby pairs of semis, this is not considered to be inappropriate. As such, it is considered that the proposal represents a successful design approach which would enhance the locality through linking the two adjoining developments in a way which respects local distinctiveness and the street scene at this location. The proposal is therefore considered to comply with policy D1 and the Design Checklist.

5.3 Residential Amenity for Surrounding Occupiers

The proposed location of the new dwelling would have the building facing south, with most of the windows in the east and south elevations, to the benefit of solar gain. The exceptions to this are the side windows in close proximity to the host dwelling and facing towards No. 32 Avon Crescent, all of which are secondary or serve non-habitable rooms. As such, the proposal is not considered to set up intervisibility problems facing in any direction and to preserve existing levels of residential amenity.

5.4 Residential Amenity for future occupiers

The new dwelling would have an adequately-sized private rear garden under this proposal in addition to a large front garden. The residual house would have a garden of a similar size to its neighbouring properties. The proposed dwelling would have three bedrooms and offer family accommodation. It is considered that the scheme as a whole provides enough private amenity space to meet the needs of future occupiers for both the proposed and residual dwellings.

5.5 Transportation

The Transportation comments above apply to the original, two dwelling scheme. This has since been revised down to one dwelling. No objection was raised to the scheme on transportation grounds at the higher density and the reduction in density is additionally considered to be likely to have at least partially allayed local concerns over highway safety and off street parking. The proposal is considered to provide an adequate level of parking to leave on-street parking unaffected and meet policy requirements in highways terms.

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 (Consultation Draft).

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 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 listed below.

Background Papers **PK08/0987/F**

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

CONDITIONS

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

Reason

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

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

Reason

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

3. The off-street parking facilities shown on the plan hereby approved shall be provided, utilising a bound material, 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 T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

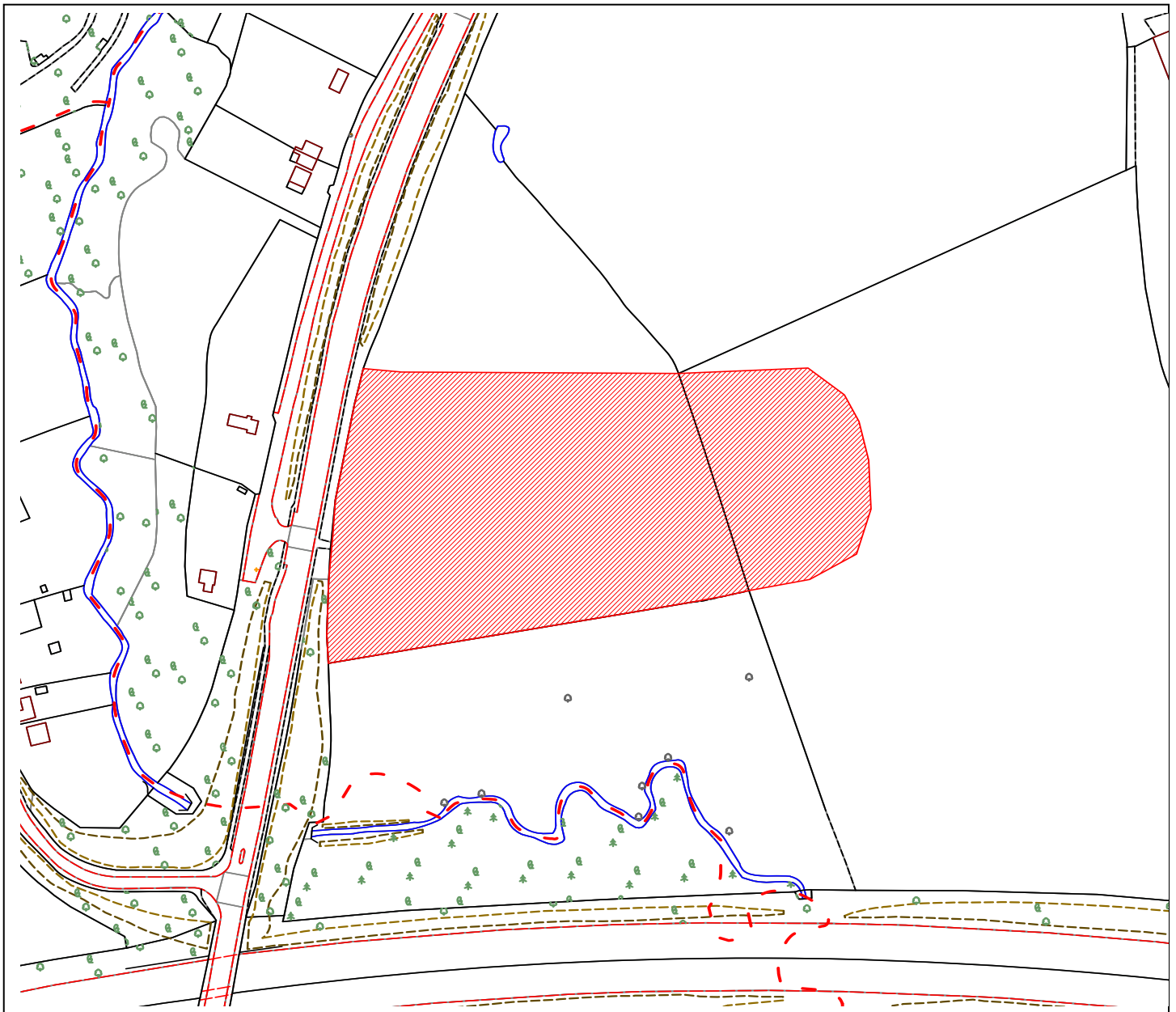
5. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building, No 19 Cotswold View, Wickwar.

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. 18/08 – 01 MAY 2008

App No.:	PT06/2348/F	Applicant:	Kendleshire Golf Club Ltd
Site:	Badminton Road Kendleshire South Gloucestershire	Date Reg:	9th August 2006
Proposal:	Use of land for driving range with external floodlighting. Erection of driving range building and construction of associated car parking and access and erection of fencing and gate piers (Resubmission of PT05/0613/F)	Parish:	Westerleigh Parish Council
Map Ref:	66271 78946	Ward:	Westerleigh
Application Category:	Major	Target Date:	23rd October 2006



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1. THE PROPOSAL

- 1.1 The site is made up of open countryside currently under arable land. The land is currently accessed via a field gate, off Badminton Road. The land is enclosed along its western boundary by Badminton Road; the M4 Motorway and the A4174 (Avon Ring Road) are situated to the south.
- 1.2 The site is within the open Green Belt, and falls within the Westerleigh Vale and Oldland Ridge (Area 12 South Gloucestershire Landscape Character Assessment) and Frome Valley (Area 13 South Gloucestershire Landscape Character Assessment).
- 1.3 Planning consent is sought for the use of the land for a driving range with external illumination. The driving range itself covers an area of land measuring approximately 4.5 hectares.
- 1.4 The proposed development includes the construction of a building measuring approximately 85 metres wide and approximately 5 and 14 metres deep respectively. The building would contain 28 'driving bays', with a 'professional teaching bay' and viewing gallery and a waiting area together with an office and toilets accommodation located at the centre of the building. The proposed development would also include parking for a total of 48 private cars and associated turning facilities. Access to the site is proposed to be in a very similar position to the existing field gate, and would involve the introduction of a 'right turn' box in the centre of Badminton Road immediately in front of the access. It is further proposed to introduce measures so restrict exiting vehicles to turn south bound along Badminton Road.
- 1.5 An alternative access has also been provided which would introduce a new access onto Badminton Road approximately 320 metres to the North of the existing field access. Access to the proposed building would then be via a new access lane within the field adjacent to Badminton Road. It should be noted that these amendments are in response to the highways objection raised against this planning application (as detailed below). These amendments have not been formerly accepted as part of this application as they would materially alter the application site and would effectively require a fresh planning application. Nonetheless, some consideration of the implications for the amendments has been made and these are addressed throughout this report.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS7	Sustainable development in Rural Areas
PPG17	Sport and Recreation

2.2 Development Plans

Adopted Joint Replacement Structure Plan

Policy1	Guided Principles
Policy2	Locational Strategy
Policy16	Green Belt

Policy17 Landscape Conservation Enhancement

South Gloucestershire Local Plan (Adopted) January 2006

L1	Landscape Protection and Enhancement
L5	Forest of Avon
L9	Sites of Regional and Local Nature Conservation Interest
L10	Protection of Wildlife Species
GB1	Development within the Green Belt
LC5	Proposals for Outdoor Sports and Recreation Outside Existing Urban Areas and Defined Settlement Boundaries.
D1	Design
EP1	Environmental Pollution
T8	Off Street Parking Standard
T12	Transportation Development Control Policy for New Development
L17	The Water Environment

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted SPD)

Development in the Green Belt (Adopted SPD)

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/0613/F Use of land for driving range with external floodlighting. Erection of driving range building and construction of associated car parking improved access and erection of fencing and gate piers.
- 3.2 PT03/3033/F Construction of nine hole golf course – Approved
- 3.3 PT02/1444/RVC Installation of External Lighting (Condition 5 of PT02/0103/F).
- 3.4 PT02/0103/F Construction of driving bays. Consent (Condition 5 specifically excluded external illumination).
- 3.5 PT01/1342/F Construction of covered driving bays. Refused
- 3.6 PT01/1341/F Erection of 2 storey extension to club house. Consent
- 3.7 P90/2491 Original outlines planning permission for golf course, clubhouse, access and car park allowed on appeal.

4. CONSULTATION RESPONSES

4.1 Westerleigh Parish Council

No comments received in relation to this application and in respect of the previous planning application (PT05/0613/F) the Parish Council wished to make no comment

4.2 Other Consultees

Highways Agency raise no Objection provided that the flood lighting is implemented in accordance with the NEP Floodlighting report dated September 2006.

4.3 Sport England (unsolicited)

Support the proposed development on the basis that it would result in an improved level of sport and recreation provision in the area.

Other Representations

4.3 Local Residents

As with the previous planning application (PT05/0613/F), five letters have been received as a result of the consultation process associated with this application. The comments reiterate the previous concerns raised and can be summarised as follows:

- a) The proposed development would result in a detrimental impact upon highway safety along Badminton Road
- b) The construction of new floodlighting, new buildings and parking associated with the development would have a negative impact upon the rural character of the area and the Green Belt.
- c) The proposed development would commence the expansion of the Bristol urban sprawl.
- d) The proposed development would set a precedent for people to build new homes within their curtilages.
- e) The proposed development would take place close to a public footpath. Reassurances should be given that the users of the footpath would not be put in danger.
- f) There is question as to whether or not there is sufficient demand for another driving range in the Bristol Area

4.4 Ramblers Association

Object on the grounds of serious safety concerns for the walking public using the nearby public right of way; and that the development will urbanise what is a very rural and picturesque landscape.

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the construction of an illuminated golf driving range with associated facilities and access, within the open countryside.

5.2 Principle of Development

Policy LC5 of the South Gloucestershire Local Plan (Adopted) January 2006 are relevant to this planning application. These policies indicate that such proposals are acceptable in principle subject to the following considerations.

5.3 Green Belt Considerations

PPG2 carries a presumption against 'inappropriate development' within the Green Belt. Inappropriate development is defined in PPG2 as development, which is harmful to the Green Belt. Such development should not be approved except in very special circumstances.

5.4 In line with the advice contained within PPG2, Policy GB1 South Gloucestershire Local Plan (Adopted) January 2006 provides very limited categories of development that are considered appropriate within the designated Green Belt. These categories include the construction of new buildings where they are essential facilities required for outdoor sport and recreation, provided that they would not themselves conflict with the purposes of including the land within the Green Belt. Where such facilities are not regarded as being essential (and therefore inappropriate), or are considered to

- conflict with the purpose of the Green Belt, then it is the responsibility of the applicant to demonstrate that very special circumstances exist that would outweigh the harm to the openness of the Green Belt.
- 5.5 The revisions in respect of this planning application when compared to the previous refusal (PT05/0613/F) are relatively minor in that the proposed two storey element is now reduced to a single storey element. There would be an increase of 18 car-parking spaces (to 48 spaces) with this development proposal when compared with the previously refused development. In Green Belt terms therefore, it is considered that the changes are not such that the impact of the development is reduced. As with the previously submitted application, the illuminated driving range facilities are proposed to be accessed from Badminton Road via an independent access, and would be isolated from the main club house complex associated with Kendleshire Golf Club. This would also be the case in the instance that the revised access as outlined in part 1.5 of this report is implemented. It is clear, therefore that this development would provide an independent illuminated golf driving range facility. Given that Kendleshire Golf Club already has a driving range (with improvements approved PT02/0103/F) closely associated with the Club House complex, it is not considered that the proposed illuminated driving range is an essential requirement in this instance. Furthermore, there are alternative illuminated facilities located elsewhere in relatively close proximity to the subject location.
- 5.6 The impact of the proposed development in landscape character terms is assessed below. In that regard, it is considered that the nature of the proposed development would introduce 'sub-urban' characteristics to this location. This is considered to be in conflict with the purposes of the Green Belt designation of the land.
- 5.7 Having regard to the above, it is considered that the proposed development does not represent appropriate development as defined in PPG2 and the appropriate development plan. Furthermore, it is considered that by virtue of the proposed illumination and the associated building and parking facilities, the proposed development would be conspicuous in the Green Belt. As such the development would be harmful to the openness of the Green Belt, and would conflict with the purposes of including land within it. It is therefore the responsibility of the applicant to demonstrate the very special circumstances that would outweigh this harm. No such information has been submitted with this planning application.
- 5.9 Design and Landscape Issues
Notwithstanding the above, it is necessary to assess the impact of the proposed development upon the character of the surrounding landscape. In the case of proposed new outdoor sporting facilities in the open countryside, Policy LC5 of South Gloucestershire Local Plan (Adopted) January 2006 provide the starting point for such considerations.
- 5.10 These policies seek to ensure that such development would not have an unacceptable impact upon the character and diversity of the landscape. In particular, Policy LC5 also requires that the impact of cumulative sports development is taken into account where they would take place in the immediate locality.
- 5.11 The above principles are supported by Policy L1 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006. In particular, policy L1

- states that 'in order that the character, distinctiveness, quality and amenity of the landscapes of South Gloucestershire are conserved and enhanced, new development will be permitted only where the landscape is protected and enhanced. Policy D1 relates specifically to new buildings, and seeks to ensure that development is of a high quality design standard and is consistent with the character and distinctiveness of the site and the surrounding locality.
- 5.12 The development site is an important area of the rural fringe, adding to the landscape setting around east Bristol. The area forms part of the Westerleigh Vale and Oldland Ridge and Frome Valley, which are recognised areas of landscape character and identified as Area 12 and 13 in the South Gloucestershire Landscape Assessment (Adopted).
- 5.13 This application differs from the previously refused planning application (PT05/0613/F) in that this proposal no longer involves the extensive re-grading earth works. Nonetheless, the development will result in the loss of sections of the three existing hedges so removing the current regular field pattern and extending the less structured golf course landscape northward from the golf course extension no being implemented (PT03/3033/F). The golf course extension permitted under PT03/3033/F would benefit from substantial woodland planting, which, if this proposal were to be implemented would be lost. Whilst there are some modifications to the planting scheme, no alternative planting is proposed of the same scale. In considering the cumulative impact, the proposed development would be harmful in this respect.
- 5.14 It is considered that the proposed gateway onto Badminton Road would form a substantial sub-urban feature onto Badminton Road. Having regard to the access revisions (submitted in order to over-come highway safety objections) this impact would become compounded by the introduction of the 200 metre access drive leading from the alternative access gate proposed to the North. The proposed building is substantial in length (in excess of 80 metres) and is located in close proximity to Badminton Road. Despite the introduction of some planting at this point, the building will remain highly visible and would substantially erode the character of the countryside in this location. Although it is acknowledged that there is considerable lighting provision in the immediate locality in respect of the nearby highway network, it is considered that the proposed flood lighting would extend the urbanising impact across the whole of the driving range area and will extend the lighting into a currently unlit part of the countryside.
- 5.15 Having regards to the above, it is considered that the location, position and scale of the proposed development would have a detrimental impact upon the character of the site and the surrounding rural landscape; and as such the development is contrary to Policy LC5, L1 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006, the South Gloucestershire Design Checklist (Adopted) and the South Gloucestershire Landscape Character Assessment.
- 5.16 Ecological Considerations
The strong network of hedgerows on the site contribute to the network and important wildlife corridors linking hedgerows and wetland habitats across large areas of countryside to the north-west and south-east of the site. There remains concern that the removal of the hedges shown will severely impact on this inter-linked hedgerow network and wildlife corridor.

- 5.17 The site is adjacent to The Cuckoo Lane designated Site of Nature Conservation Interest (SNCI). The development of a golf driving range in such close proximity to a SNCI will undoubtedly have some impact upon the ecological value of such a designation. Policy LC9 and LC10 of the South Gloucestershire Local Plan (Adopted) January 2006 are relevant to these issues. These policies seek to preserve and protect designated SNCI's and the wildlife associated with them.
- 5.18 This planning application is not supported by an ecological survey of the hedgerows and grassland, which would be required to allow an accurate assessment of the effect of development on the site and its surrounding area. Given the fundamental policy objection to this proposal, the information has not been requested to avoid unnecessary expense to the applicant. As such the planning application is contrary to Policies LC9 and LC10 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.19 Drainage Issues
The removal of the requirement to remodel the landscape has largely overcome the drainage issues relating to the previously refused planning application. Nonetheless, it will be necessary to provide foul and surface water drainage to deal with the proposed building, access and parking itself. There is not sufficient information by which to address this issue and as such the application falls to be contrary to Policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006. However, in the event that this application is approved it is considered that this issue could be adequately addressed through the use of a suitably worded condition.
- 5.20 Highway Implications
Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon highway safety and amenity.
- 5.21 The formal submission shows that the proposed development would access directly onto Badminton Road via the existing field gate at this location. The access would be formalised together with traffic management measures implemented on Badminton Road to control the vehicular movements into and out of the site across the Bus Lane which runs along this length of Badminton Road in a South bound direction. This arrangement would result in the introduction of traffic which would be turning into the site across effectively two lanes of traffic (normal carriageway and the existing bus lane). There is concern that oncoming and queuing traffic would obscure the view of two wheeled vehicles legitimately using the bus lane. There is additional concern that the development would introduce standing traffic in the North bound carriageway, waiting to turn right into the site so causing additional hazards. This is despite the proposed introduction of a right-turn reservation in this part of the highway.
- 5.22 In this instance, the Highways Agency is now satisfied that the proposed development can be implemented without causing a danger to the users of the M4 Motorway. Nonetheless, the proposed layout and use of the junction of the development with Badminton Road is considered to be unsafe for the reasons set out above; and as such the development is contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006. Given the nature of the proposed junction works it is also considered that the proposed development would undermine the implementation of public transport routes as

detailed in the South Gloucestershire Local Plan (Adopted) January 2006 (Bus Partnership Routes)

- 5.23 The applicant has submitted an alternative access junction in response to the above objections. This access would be located approximately 320 metres to the North of the existing field gate and would involve the introduction of a new access drive within the field adjacent to Badminton Road. Although that arrangement would overcome the highway objection raised above, it would create additional impact in Landscape amenity terms and is unacceptable for that reason.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That Planning Permission is refused for the following reasons.

Background Papers **PT06/2348/F**

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

REFUSAL REASONS

1. The site is located within the Bristol/Bath Green Belt and the proposed development is not considered to represent the provision of essential sporting facilities; and therefore does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2, Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy 16 of the Adopted Joint Replacement Structure Plan; and the South Gloucestershire 'Development in the Green Belt' Supplementary Planning Document (Adopted)

2. The site is located within the area that forms part of the Westerleigh Vale and Oldland Ridge and Frome Valley, which are recognised areas of landscape character and identified as Area 12 and 13 in the South Gloucestershire Landscape Assessment (Adopted). The proposed development would have a significant and detrimental impact upon the character and visual amenity of this landscape and as such the proposed development is contrary to Policy LC5, L1 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006; and the South Gloucestershire Landscape Character Assessment (Adopted Supplementary Planning Document) and the South Gloucestershire Design Checklist (Adopted Supplementary Document).

3. The proposed development would result in an unacceptable increase in the standing and manoeuvring of vehicles in the highway to the detriment of highway safety; and the development, if allowed would have a detrimental impact upon the implementation and safe use of the cycling network in South Gloucestershire. As such the proposed development would be contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006, and PPG13

4. The site is within an ecologically sensitive location and is adjacent to a designated Site of Nature Conservation Interest. It is considered that the proposed development carries the potential to have a significant harmful impact upon the ecological integrity of the area. The submitted planning application does not include any information by which to allow the Local Planning Department to assess the impact of this development in ecological terms and as such fails to adequately demonstrate the level of harm upon the ecological integrity of the site and the surrounding location. Therefore, the proposed development would be contrary to Policy LC9 and LC10 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 18/08 – 01 MAY 2008

App No.: PT08/0667/F
Site: 542 Filton Avenue, Horfield, South Gloucestershire, BS7 0QG
Proposal: Erection of two storey rear extension and single storey rear extension to provide shop with flat above.
Map Ref: 60559 78281
Application Category: Minor

Applicant: Mr A Mashinchy
Date Reg: 11th March 2008
Parish: Filton Town Council
Ward: Filton
Target Date: 12th May 2008



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N.T.S

PT08/0667/F

1. **THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a two storey rear extension and single storey rear extension to provide shop with flat above.
- 1.2 This is a terrace property within the existing urban area of Horfield. The shop was previously a fish aquatics shop but is currently unused. The proposal consists of a two storey and single storey extension to the rear with render to match existing, 11.5 m deep, 6.2 m in width and 7.0 m in height. The roof is pitched at two storey level and flat at single storey level and materials consist of tiles to match existing.
- 1.3 Amended plans were received following Officer's concern that a proposed patio would result in a loss of privacy and a 1.8 metre 'privacy fence' at first floor level would result in an 'overbearing' impact on a neighbouring property.

2. **POLICY CONTEXT**

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS6 Planning for Town Centres

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design
H4 Development within Existing Residential Curtilage
RT8 Small Scale Retail Uses within the Urban Areas
T12 Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

Design Checklist (Adopted) 2007

3. **RELEVANT PLANNING HISTORY**

PT07/1995/F – Change of use of first floor from office (B1) to residential (C3).
Approved (07/08/2007).

4. **CONSULTATION RESPONSES**

4.1 Filton Town Council

No objection.

Other Representations

4.2 Local Residents

One objection received on the basis that the proposed first floor patio would be overlooking a neighbouring property and concern that a rear access lane is being blocked by skips in situ during construction work.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Residential Amenity

Overbearing Analysis

Due to the overall scale and size of the proposed development and sufficient boundary treatment between the neighbouring properties the proposal would not be overbearing on the residential amenity of neighbouring occupiers. To the south west elevation of the proposed extension there is an existing mini supermarket (no. 540 Filton Avenue) which encloses the application site. To the north east the two storey extension replaces former outbuildings and there is a wall approximately 6 m in height. At single storey level the proposed rear extension will have no overbearing impact.

Privacy Analysis

There would be no overlooking or loss of privacy as a result of the proposal due to existing boundary treatments. A condition will be imposed on the decision notice to ensure that the flat roof on the single storey rear extension is not used as a patio/balcony which could lead to overlooking/loss of privacy.

Amenity Space

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

5.3 Assessment of Retail Use

The shop is currently unused and in a state of disrepair. It is proposed that the shop (A1) floor space on the ground floor is slightly increased to the rear. The application site is outside of a local centre and it is considered that the proposal to refurbish the shop and extend it would improve the range of services on offer in the local vicinity and aid the areas vitality.

5.4 Design / Visual Amenity

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

5.5 Highways Analysis

Comments were received from the Council's Highways Officer. Additional vehicle movements are not anticipated and additional parking is not required. The site cannot incorporate on-street parking; however it does lie within a sustainable location with viable transport alternatives to the car.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT08/0667/F**

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

CONDITIONS

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

Reason(s):

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

2. The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

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. 18/08 – 01 MAY 2008

App No.:	PT08/0741/F	Applicant:	Mr C Ludwell
Site:	53 Mancroft, Bristol Road, Frenchay, South Gloucestershire, BS16 1LQ	Date Reg:	19th March 2008
Proposal:	Installation of 2 no. front dormer windows to facilitate loft conversion and erection of single storey rear extension to provide additional living accommodation	Parish:	Winterbourne Parish Council
Map Ref:	63695 78140	Ward:	Frenchay and Stoke Park
Application Category:	Minor	Target Date:	6th May 2008



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N.T.S

PT08/0741/F

This application appears on the Circulated schedule due to the objections received to the proposal.

1. THE PROPOSAL

This application seeks planning permission for the Installation of 2 no. front dormer windows to facilitate loft conversion and erection of single storey rear extension to provide additional living accommodation. The property subject to the application is a 1920's detached bungalow within the established residential area of Frenchay. The site is not within the Frenchay Conservation Area.

2. POLICY CONTEXT

National Guidance:

PPS1 Delivering Sustainable Communities

Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Residential curtilage

Supplementary Planning Document

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

PT07/1341/F Erection of single storey rear extension and single storey side and front extension to form additional living accommodation and garage. Installation of 2no. front dormers to facilitate loft conversion....Refused

4. CONSULTATION RESPONSES

Winterbourne Parish Council:

No response received

Local Residents:

One letter of objection have been received and they raise the following issues:

- Over development of the site
- Increase in traffic in the area
- The family house will be turned into one which is used for multiple occupations.

5. ANALYSIS OF PROPOSAL

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to residential development including extensions to 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.

5.1. 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 using materials that match those used in the construction of the main house. Thus ensuring that the proposed development blends in well with the original property.

5.2 Residential Amenity

It is considered that this proposal does not impact upon the amenities of any of the adjoining properties. Its size and design ensure that the proposal does not have an overbearing impact on the surrounding properties nor does it result in a impact on their privacy. No windows are proposed which directly over look adjacent properties. Therefore residential amenity is not affected.

5.3 Transportation

There are no transportation issues with regard to this development

5.4 Other issues

During the consultation process the issue of multiple occupation has been raised. As long as the individual family are living as one family then this would not require any further applications.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

The decision 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 Planning permission be approved with the following conditions

Background Papers **PT08/0741/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).

CIRCULATED SCHEDULE NO. 18/08 – 01 MAY 2008

App No.: PT08/0744/F

Applicant: Mr A Breese
Enterprise Inns PlcSite: 7 The Royal George, The Plain,
Thornbury, South Gloucestershire,
BS35 2AG

Date Reg: 19th March 2008

Proposal: Conversion of existing outbuildings to
form function rooms. Erection of timber
framed glass lobby and erection of 1.5
metre high stone wall and timber bin
store. Installation of post and chain
bollards. (Resubmission of
PT07/3179/F)Parish: Thornbury Town
CouncilMap Ref: 63746 90198
Application Category: MinorWard: Thornbury North
Target Date: 6th May 2008

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This application is placed on the circulated schedule as objections have been received to the proposal.

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the conversion of existing outbuildings to form function rooms and restaurant. Erection of timber framed glass lobby and erection of 1.5 metre high stone wall and timber bin store and the installation of post and chain bollards to the front of the building.
- 1.2 The application site comprises a two-storey detached public house situated on the southern end of Thornbury High Street. The property is situated within the Thornbury Conservation Area and is Grade II Listed.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS6	Planning for Town Centres
PPG13	Transport
PPG15	Planning and the Historic Environment

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L13	Listed Buildings
L12	Conservation Areas
EP1	Environmental Pollution
EP4	Noise Sensitive Development
T12	Transportation Development Control Policy for New Development
RT1	Development in Town Centres

3. RELEVANT PLANNING HISTORY

- 3.1 There have been a large number of applications considered in relation to these premises. But none are considered relevant to this decision.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

Object to the loss of the stained glass window

4.2 Sustainable Transport

No objection subject to the provision of cycle parking facilities.

4.3 Local Residents

One letter has been received raising the following issues:

- 1) Loss of stained glass window in front elevation
- 2) Highway safety issue with regards to alteration to front boundary treatment
- 3) Lack of details of extractor flues etc
- 4) Concern over lack of detail of car park wall

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policies RT1 and RT10 of the South Gloucestershire Local Plan (Adopted) January 2006 following guidance in PPS6 indicates that retail and other appropriate development will be permitted within the Town Centre of Thornbury subject to not detracting from the overall vitality and viability of the centre and it is consistent with the scale and function of the centre, it is accessible to public transport users, there are no adverse environmental or transportation effects or impact upon residential amenity and that other uses including residential accommodation is included on the upper floor.

5.2 It is considered that the proposal would enhance the vitality and viability of the centre. The use of the building as a restaurant would extend choice to those using the High Street

5.3 Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006 considers the environmental impact of development, with regard to noise and odour. Policies L12 and L13 consider the impact of alterations to the building in terms of the Conservation Area and Listed Building Status respectively. IN terms of the Conservation Area following guidance given in PPG15 all development should preserve or enhance the character and the appearance of the area. With respect of Policy 13, this requires all development to ensure that the building and its setting is preserved, features of architectural or historic interest are retained and the character, historic form and structural integrity of the building are retained. Policy T12 considers the impact of development upon the surrounding highway network.

5.4 Residential Amenity/Environmental Impact

It is not considered that the proposed physical alterations to the building will adversely affect the amenity of neighbouring occupiers. As the use of the building as a public house already exists.

5.5 Design/Conservation Area

Policy L12 considers the impact of development upon the character and appearance of the Conservation Area with a need to ensure that the development preserves and/or enhances this character.

The proposal involves internal alterations and the erection of a single storey extension on the rear elevation. Concern has been raised regarding the provision of bollards on the front of the property, and the loss of the stained glass window on the front elevation. However none of these are original features and as such their alteration is considered acceptable.

Subject to conditions it is considered that the proposal will accord with the aims and objectives of Policy L12 and the guidance given in PPG15.

5.6 Design/Listed Building

It is considered that the changes to the building are appropriate in relation to the aims and objectives of Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006. The proposal is considered acceptable subject to conditions requiring the following:- large scale details of the proposed orangery and flat roof structure, and large scale details of the flues, vents, , eaves verge and roof details, fenestration and doors, new floor construction and finishes and

rainwater goods. No works should be commenced until the Council has given written approval for these details. A condition will also be attached to the decision notice to require samples of materials and requiring details of joinery, metalwork and render finishes again no work shall be commenced until approval has been given for these details. Prior to the commencement of development details of the proposed landscaping treatment including boundary walls and fences and areas of hard landscaping are also required.

5.7 Transportation

Policy T12 considers the impact of development upon the surrounding highway network with specific reference to highway safety.

The level of off street parking associated with the development is below the maximum standard however given the development town centre location, and the close proximity to other free car parks the development is on balance considered to be acceptable. However it would be advantageous to offset this by providing some on site cycle parking. This would be achieved by way of a condition.

It is also considered that the alterations to the front of the building would not cause any highway safety issues.

The proposed development is therefore considered to accord with the aims and objectives of Local Plan Policy.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be approved subject to the following conditions

Background Papers **PT08/0744/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:

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

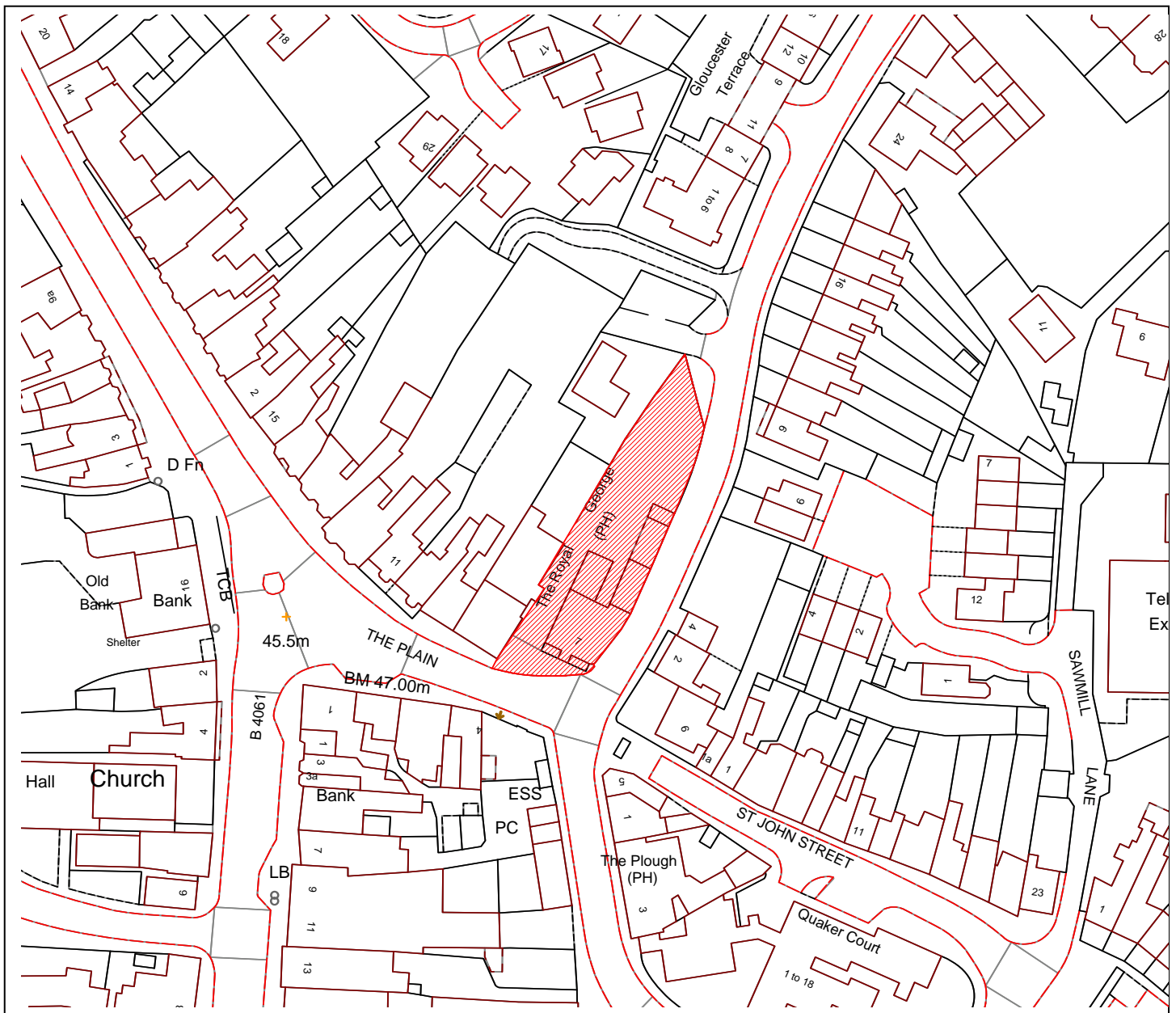
2. Prior to the commencement of development, detailed plans showing the provision of car and cycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason:

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

CIRCULATED SCHEDULE NO. 18/08 – 01 MAY 2008

App No.:	PT08/0752/LB	Applicant:	Enterprise Inns
Site:	7 The Royal George, The Plain, Thornbury, South Gloucestershire, BS35 2AG	Date Reg:	19th March 2008
Proposal:	Conversion of existing outbuildings to form function rooms. Erection of timber framed glass lobby and erection of 1.5 metre high stone wall and timber bin store. Installation of post and chain bollards.	Parish:	Thornbury Town Council
Map Ref:	63746 90198	Ward:	Thornbury North
Application Category:	Minor	Target Date:	6th May 2008



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N.T.S

PT08/0752/LB

This application is placed on the circulated schedule as objections have been received to the proposal.

1. THE PROPOSAL

- 1.1 The applicant seeks Listed Building consent for the conversion of existing outbuildings to form function rooms and restaurant. Erection of timber framed glass lobby and erection of 1.5 metre high stone wall and timber bin store and the installation of post and chain bollards to the front of the building.
- 1.3 The application site comprises a two-storey detached public house situated on the southern end of Thornbury High Street. The property is situated within the Thornbury Conservation Area and is Grade II Listed.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS6	Planning for Town Centres
PPG13	Transport
PPG15	Planning and the Historic Environment

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L13	Listed Buildings
L12	Conservation Areas
EP1	Environmental Pollution
EP4	Noise Sensitive Development
T12	Transportation Development Control Policy for New Development
RT1	Development in Town Centres

3. RELEVANT PLANNING HISTORY

- 3.1 There have been a large number of applications considered in relation to these premises. But none are considered relevant to this decision.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

Object to the loss of the stained glass window

4.2 Sustainable Transport

No objection subject to the provision of cycle parking facilities.

4.3 Local Residents

Three letters have been received raising the following issues:

- 1) Loss of stained glass window in front elevation
- 2) Highway safety issue with regards to alteration to front boundary treatment
- 3) lack of details of extractor flues etc
- 4) Concern over lack of detail of car park wall

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policies RT1 and RT10 of the South Gloucestershire Local Plan (Adopted) January 2006 following guidance in PPS6 indicates that retail and other appropriate development will be permitted within the Town Centre of Thornbury subject to not detracting from the overall vitality and viability of the centre and it is consistent with the scale and function of the centre, it is accessible to public transport users, there are no adverse environmental or transportation effects or impact upon residential amenity and that other uses including residential accommodation is included on the upper floor.

5.2 It is considered that the proposal would enhance the vitality and viability of the centre. The use of the building as a restaurant would extend choice to those using the High Street

5.3 Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006 considers the environmental impact of development, with regard to noise and odour. Policies L12 and L13 consider the impact of alterations to the building in terms of the Conservation Area and Listed Building Status respectively. In terms of the Conservation Area following guidance given in PPG15 all development should preserve or enhance the character and the appearance of the area. With respect of Policy 13, this requires all development to ensure that the building and its setting is preserved, features of architectural or historic interest are retained and the character, historic form and structural integrity of the building are retained. Policy T12 considers the impact of development upon the surrounding highway network.

5.4 Residential Amenity/Environmental Impact

It is not considered that the proposed physical alterations to the building will adversely affect the amenity of neighbouring occupiers. As the use of the building as a public house already exists.

5.5 Design/Conservation Area

Policy L12 considers the impact of development upon the character and appearance of the Conservation Area with a need to ensure that the development preserves and/or enhances this character.

The proposal involves internal alterations and the erection of a single storey extension on the rear elevation. Concern has been raised that the provision of bollards on the front of the property, and the loss of the stained glass window on the front elevation. However none of these are original features and as such their alteration is considered acceptable.

Subject to these conditions it is considered that the proposal is in accord with the aims and objectives of Policy L12 and the guidance given in PPG15.

5.6 Design/Listed Building

It is considered that the changes to the building are appropriate in relation to the aims and objectives of Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006. The proposal is considered acceptable subject to conditions requiring the following:- large scale details of the proposed orangery and flat roof structure, and large scale details of the flues, vents, , eaves verge and roof details, fenestration and doors, new floor construction and finishes and rainwater goods. No works should be commenced until the Council has given written approval for these details. A condition will also be attached to the

decision notice to require samples of materials and requiring details of joinery, metalwork and render finishes again no work shall be commenced until approval has been given for these details. Prior to the commencement of development details of the proposed landscaping treatment including boundary walls and fences and areas of hard landscaping are also required.

5.7 Transportation

Policy T12 considers the impact of development upon the surrounding highway network with specific reference to highway safety.

The level of off street parking associated with the development is below the maximum standard however given the development town centre location, and in close proximity to other free car parks the development is on balance considered to be acceptable. However it would be advantageous to offset this by providing some on site cycle parking. This would be achieved by way of a condition.

It is also considered that the alterations to the front of the building will not cause any highway safety issues.

The proposed development is therefore considered in accord with the aims and objectives of Local Plan Policy.

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 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

7. RECOMMENDATION

7.1 Listed Building consent be granted subject to the following conditions

Background Papers PT08/0752/LB

Contact Officer: Gareth John
Tel. No. 01454 863438

CONDITIONS

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

Reason(s):

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

2. Prior to the commencement of development, detailed plans showing the provision of car and cycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; 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. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details.

Reason(s):

To protect the character and appearance of the area to accord with Policies H4/D1/L1/E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of development, the detailed design including materials and finishes, of the following items shall be approved in writing by the local planning authority:
 - a. all new doors including frames, architraves and door furniture & fittings (other than the new sliding doors, for which large scale details have already been submitted)
 - b. all new windows (including cill, head and lintol details)
 - c. all new vents and flues
 - d. new stairs
 - e. bin store
 - f. new external gates
 - g. all new rainwater goods

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with cross sections. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason(s):

Reason: To ensure that the design of the details listed are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and national guidance set out at PPG15. These are important details which need to be constructed in a manner which ensures that they serve to preserve the special interest of the building.

5. Notwithstanding previously submitted details, prior to the commencement of development, detailed drawings, including materials and finishes of the new part glazed extension shall be submitted and approved in writing by the local planning authority. The submitted drawings shall specifically include details of the following items:
 - a. eaves
 - b. verges
 - c. gutters and rainwater goods

- d. rooflights
- e. junction between glazing and masonry wall
- f. junction between flat roof and masonry wall
- g. ceilings and downstands
- h. doors and all fixed glazing
- i. roofing materials (including that to the existing flat roofed rear extension)

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with cross sections. The works shall thereafter be implemented strictly in accordance with the agreed details

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L12, L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of development representative samples or specification details (where appropriate) of the following items shall be submitted and approved in writing by the local planning authority:
- a. All necessary replacement roof tiles
 - b. new floor boarding
 - c. new flag stones
 - d. new resin flooring
 - e. new bollards

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with cross sections. The works shall thereafter be implemented strictly in accordance with the agreed details

Reason(s):

To safeguard the special architectural and historic character of the building, and to accord with Policy L12, L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Notwithstanding previously submitted details, prior to commencement of development details of all new internal wall and ceiling finishes shall be submitted and approved in writing by the local planning authority. For the avoidance of doubt where traditional haired lime plaster and lath and lime plaster ceilings exist, this shall be repaired like for like.

Reason(s):

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

8. Notwithstanding previously submitted details, prior to commencement of development a detailed schedule and specification for the repairs, including proposed structural works (in respect of which approval is expressly reserved) shall be submitted and approved in writing by the local planning authority.

Reason(s):

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

9. Notwithstanding previously submitted details, if any new rendering is to be carried out on the building a sample panel of new render of at least one metre square, showing

the render texture, finish and colour shall be erected on site for inspection and approval in writing by the local planning authority. For the avoidance of doubt, any new render on the historic walls shall be a lime based render.

Reason(s):

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

10. Prior to the commencement of development a sample panel of new natural stone boundary walling, of at least one metre square, showing the proposed stone, coursing, mortar, pointing and coping detail, shall be erected and approved in writing by the local planning authority. The development of the boundary wall shall be completed strictly in accordance with the approved sample, which shall be retained on site until completion of the development for the purposes of consistency.

Reason(s):

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

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 18/08 – 01 MAY 2008

App No.:	PT08/0819/F	Applicant:	Mr P Hanney
Site:	Land adj to Townwell House, Townwell, Cromhall, South Gloucestershire, GL12 8AQ	Date Reg:	27th March 2008
Proposal:	Erection of 1no. dwelling and detached garage with associated works. (Amendments to previously approved scheme PT07/2480/F)	Parish:	Cromhall Parish Council
Map Ref:	69744 90700	Ward:	Charfield
Application Category:	Minor	Target Date:	13th May 2008



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100023410, 2008.

INTRODUCTION

This application appears on the circulated schedule as there is public comment made in contradiction of the officer recommendation

1. THE PROPOSAL

- 1.1 The site consists of an area of land currently occupied by disused buildings. The ground is made up of scrub and hardcore and contains several parking spaces for vehicles. A walnut tree occupies the southern part of the site that is protected by a Tree Preservation Order. The site provides access to the adjacent dwellings and is accessed direct from Townwell.
- 1.2 The proposed development consists of the construction of a single dwelling and associated garage and store. Access is via the existing access onto the site.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing

2.2 Adopted Joint Replacement Structure Plan

Policy 33 and 34 Housing

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development
L1 Landscape Protection and Enhancement
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) SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT00/2291/O Erection of one dwelling (outline) Approved
- 3.2 PT03/2958/RM Erection of dwelling and detached garage. (Approval of Reserved Matters pursuant to the Outline Planning consent number PT00/2291/O).
Approved
- 3.2 PT07/1185/F Erection of 1 no. dwelling and detached garage with associated works (amendment to previously approved scheme PT03/2958/RM).
Refused
- 3.3 PT07/2480/F Erection of 1no. dwelling and detached carport with associated works.
Approved

4. CONSULTATION RESPONSES

4.1 Cromhall Parish Council
Wish to make no comment

4.2 Sustainable Transport
No Objection

4.3 Local Residents
Three sets of comments have been received. These comments reiterate the previous objections relating to this application; which can be summarised as follows;

- a) There is concern regarding the intended route for the discharging of rainwater from the garage building.
- b) There is not sufficient space for the parking of owners vehicles within the site which will give rise to parking on the highway to the detriment of highway safety.
- b) The proposed development is close to the Walnut Tree and could have a detrimental impact upon its wellbeing.
- c) The proposed garage would have an overbearing impact upon the occupants of the dwellings to the south of the site

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the erection of a single dwelling and garage on this site.

5.2 Principle of Development
The site benefits from a planning consent under PT07/2480/F which details the erection of a single dwelling and detached garage. This consent remains current and can be implemented any time before 5th October 2010. On this basis, the principle of the development of one dwelling and garage on this site is established.

5.3 This application details amendments to the approved development. The assessment of the changes are addressed below.

5.4 Design and Residential
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves high standards of design; and seeks to ensure that new residential development would not have a detrimental impact upon the privacy and residential amenity of the occupants of nearby dwellings and would itself provide a reasonable residential environment for the occupants of the new development.. This is supported by Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist.

5.5 The proposed amendments relate to the position and size of the approved garage. In this instance it is proposed to move the garage Westward by 500mm so that its rear elevation forms the boundary with the adjacent dwelling at Townwell House itself; and it is proposed to reduce the overall length of the building by 350 mm so that it is moved away from the Southern boundary of the site.

5.6 In this instance, it is considered that the proposed amendments are very minor and would not be material. It is therefore considered that there would be no greater impact as a result of this proposal when considered against the original approval (PT07/2480)

5.7 Walnut Tree

There is a Walnut Tree located within the site that benefits from a Tree Preservation Order. The impact of the development upon this tree was considered under the assessment relating to the approved development (PT07/2480/F) and was considered acceptable at that time. There is no material change in respect of the relationship of the development with this tree as a result of the proposed changes. The scope of the tree protection measures (as required by condition under the previous approval) have also been considered and approved; and are in place at this time. Further consideration in this matter is not required.

5.8 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon highway safety and amenity in the surrounding locality. Policy T8 provides the maximum parking standards for new development.

5.9 Again, the impact of the development upon highway safety was considered under the assessment relating to the approved development (PT07/2480/F) and was considered acceptable at that time. There is no material change in respect of the relationship in transportation terms and as such the development is considered acceptable. Further consideration in this matter is not required.

5.10 Other Matters

Concern has been raised as to the route of surface water discharge from the garage building. Essentially, where it is proposed to discharge drainage across land in third party ownership this can only be at the agreement between the applicant and the owner of the third party land. This is a civil matter and cannot be addressed as part of this planning application.

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 Councils 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. 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 conditions

Background Papers **PT08/0819/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).

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

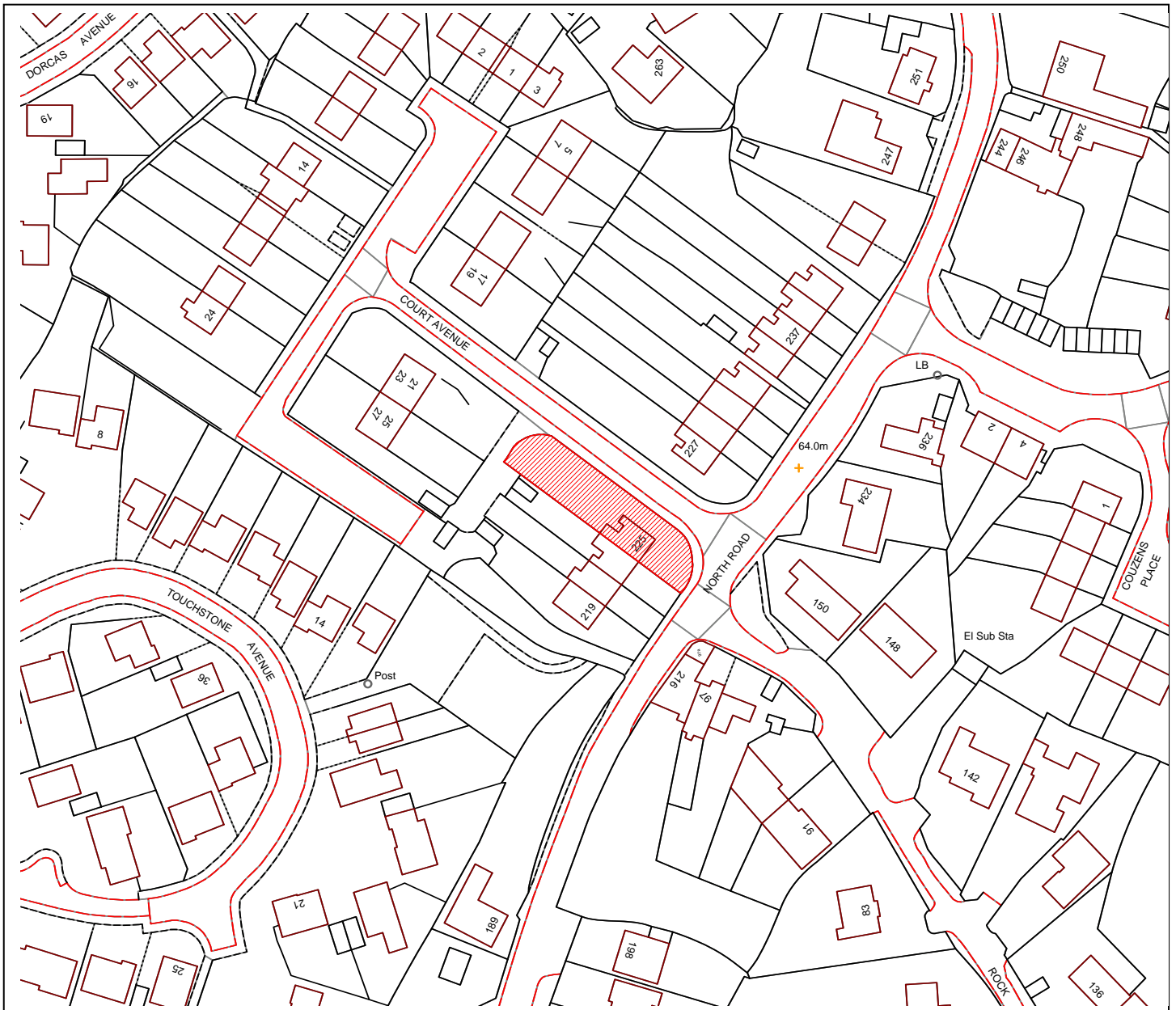
Reason(s):

Given the nature of the constraints of the site and to ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy D1, H2 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 18/08 – 01 MAY 2008

App No.: PT08/0823/F
Site: 225 North Road, Stoke Gifford, South Gloucestershire, BS34 8RH
Proposal: Erection of 1 no. terraced new dwelling with attached garage and associated works.
Map Ref: 62665 80190
Application Category: Minor

Applicant: Mr D Williams
Date Reg: 27th March 2008
Parish: Stoke Gifford Parish Council
Ward: Stoke Gifford
Target Date: 12th May 2008



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N.T.S

PT08/0823/F

This application appears on the Circulated Schedule as a financial contribution towards the North Fringe development proposal (Transport Measures) has been required by the Council's Highways Department.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 1 no. terraced new dwelling with detached garage and associated works.
- 1.2 The application site relates to land within the curtilage of 225 North Road, Stoke Gifford. The application site is located within a well established residential area within the Stoke Gifford settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
H2	Residential Development within Existing Urban Areas
H4	Development within Existing Residential Curtilage
T8	Parking Standards
T12	Transportation Development Control Policy for new Development

2.3 Supplementary Planning Guidance

Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

No relevant history

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

No objection raised

Other Representations

4.2 Local Residents

No response

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Advice contained within PPS3 encourages the provision of additional housing on previously developed land within existing towns and cities to promote more sustainable patterns of development. This policy stance is reflected in policies contained with the South Gloucestershire Local Plan.

Policy H2 of the South Gloucestershire Local Plan March 2006 incorporates current planning advice contained within PPS3 and allows for new residential development within the boundaries of settlements. This is subject to compliance with a number of criteria as expressed through policy H2 and H4, which are assessed below.

5.2 Design and Visual Amenity

The application seeks full planning permission for the erection of 1 no. terrace new dwelling within the side garden of 225 North Road, Stoke Gifford. The site is situated on the corner of the junction between North Road and Court Avenue. The proposal also includes provision for a detached rear garage, adjacent to an access lane that already serves vehicular access for 219-223 North Road.

It is considered that the proposal is modest in scale and fits with the character of the surrounding area. Its location to the side of the existing row of terrace properties together with the chosen construction materials, which match the palette of materials displayed in the existing building, means that this dwelling is an appropriate addition to the streetscene.

The proposed garage to the rear of the property would join an existing row of garages that serve properties 219-223 North Road and therefore the garage would also be in keeping with its surroundings. There is no harm caused to the visual amenity and therefore the proposal complies with policies D1 and H4 of the Local Plan.

5.3 Density

Planning policy H2 cites that the maximum density compatible with the site, its location, its accessibility and surroundings should be achieved. To this extent, the expectation is that all development will achieve a minimum density of 30 dwellings per hectare and that higher densities (upwards of 50 dwellings per hectare) will be achieved where local circumstances permit.

In this instance, the total site area equates to 0.0175ha providing for a density of some 30 dwellings per hectare. Therefore, the proposal comfortably falls within the threshold required. It is not considered that any more than one dwelling could be provided for given the design, access and transportation issues which would arise from more than one dwelling on this site. As such, there is no objection to the proposal on this basis.

5.4 Residential Amenity

Overbearing Analysis

Due to the overall scale and size of the proposed development and sufficient boundary treatment between the neighbouring properties the proposal would not be overbearing on the residential amenity of neighbouring occupiers. To the rear the proposed dwelling has a two storey gable end that extends 2.8 m and it is not considered that this would have an undue overbearing impact on the occupiers of 225 North Road. To the rear (46 m) and side (12 m) sufficient distance remains for there to be no overbearing impact on neighbouring occupiers.

Privacy Analysis

To the rear the nearest habitable room of an occupying property is some 46 m away and to the side the two windows proposed would be just over 12 m away from habitable rooms at no. 227 North Road. This is considered a sufficient distance for there to be no overlooking or loss of privacy as a result of the proposal.

Amenity Space

Sufficient garden space will remain to serve occupiers of the property.

5.5 Transportation

The proposed dwelling includes provision for a garage and therefore there will be adequate parking for this two bedroom property. In order to mitigate the incremental damage on the North Fringe accumulated via numerous small housing developments a financial contribution towards the North Fringe development proposal (Transport Measures) has been required by the Council's Highways Department. This has been assessed at £1800 and should be provided prior to the issuing of any permission. The applicant has agreed to pay the full amount due.

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.

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

7. RECOMMENDATION

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

Background Papers **PT08/0823/F**

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

CONDITIONS

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

Reason:

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

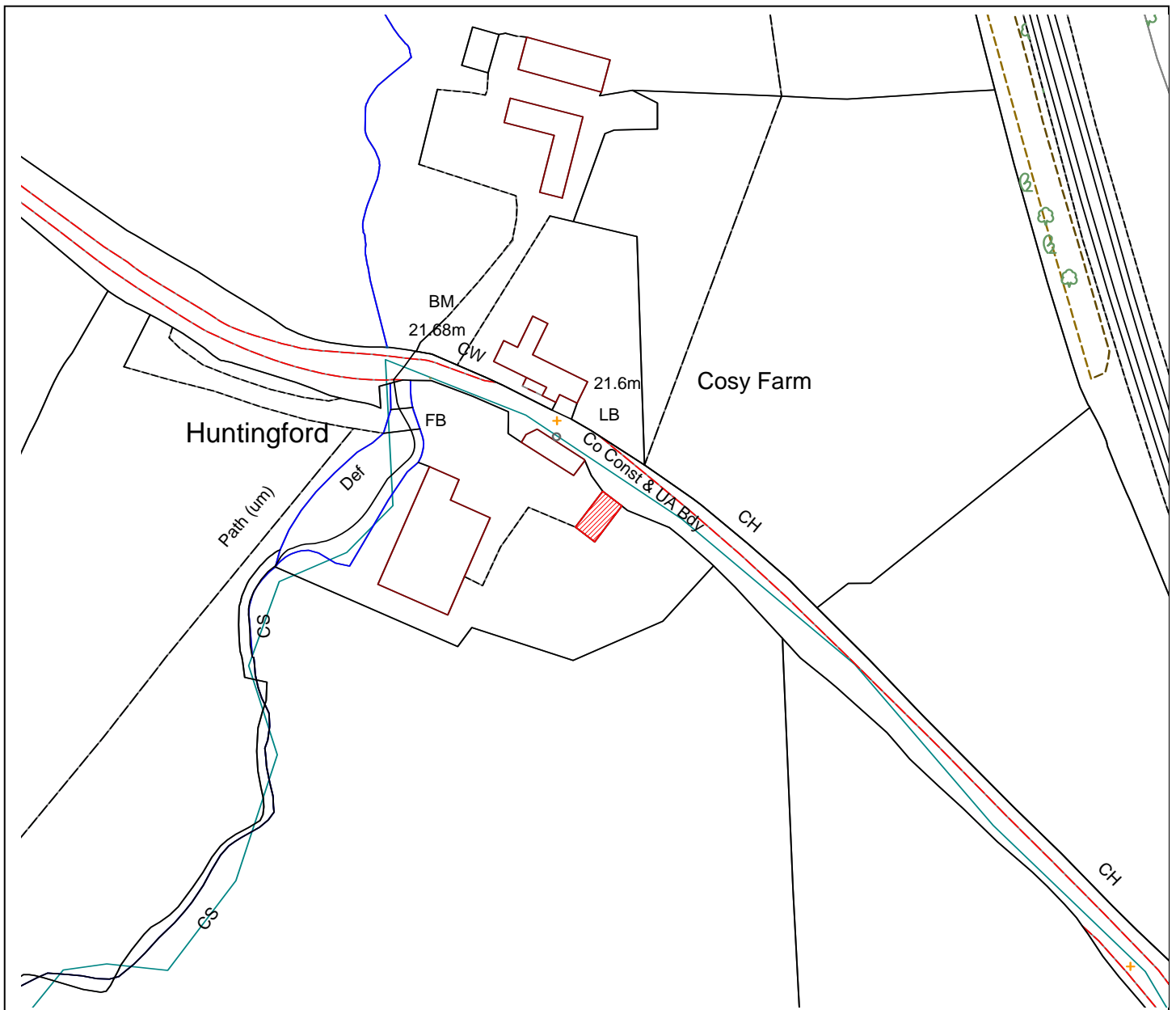
2. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E,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

Reason:

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

CIRCULATED SCHEDULE NO. 18/08 – 01 MAY 2008

App No.:	PT08/0850/CLE	Applicant:	Mr & Mrs J Randall
Site:	Cosy Farm, Swinhay Lane, Charfield, South Gloucestershire, GL12 8EZ	Date Reg:	31st March 2008
Proposal:	Application for Certificate of Lawfulness for continued occupation of dwelling house.	Parish:	Charfield Parish Council
Map Ref:	71403 94030	Ward:	Charfield
Application Category:	Minor	Target Date:	15th May 2008



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N.T.S

PT08/0850/CLE

This application is for a Certificate of Lawfulness, and as such, under the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. **THE PROPOSAL**

- 1.1 The application is for a Certificate of Lawfulness for the continued occupancy of the subject building (as approved under PT01/2825/F) as a residential dwelling.
- 1.2 The site consists of a yard and various buildings, including the subject building relating to the business operation associated with Cosy Farm.

2. **POLICY CONTEXT**

- 2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24
Circular 10/97 Enforcing Planning Control

3. **RELEVANT PLANNING HISTORY**

- 3.2 PT00/1980/F Change of use of agricultural buildings and land for livery.
Approved (November 2000)
- 3.2 PT01/2825/F Restoration of previous milking parlour to form equestrian
and agricultural storage and hatchery.
Approved December 2001

Condition 2 of the above planning application is of particular relevance to this application. The condition reads;

The use of the building for the purposes hereby permitted shall remain ancillary and subservient to the primary use of the site/premises and shall not become a separate or dominant use at any time.

Reason

To prevent separate uses arising which may be inappropriate or over-intensive, and to accord with Policy RP1 of the adopted Northavon Rural Areas Local Plan; and Policy E8 and T12 of the South Gloucestershire Local Plan (Deposit Draft).

- 3.3 PT07/3417/CLE Application for Certificate of Lawfulness for continued
occupation of dwelling house.
Refused

4. **SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION**

- 4.1 The claimants (Mr and Mrs J Randall) have submitted individual sworn declarations from John Randall (claimant) and associated persons Christopher Lock, Derek Pask, Enid Pask and Heidi Pask. This evidence is supported by electricity bills and paid TV Licences; and bills and receipts relating to the conversion work and supply of materials and receipts for domestic appliances. The declarations provide detailed accounts and key dates over the period of occupation of the building as a dwelling and site since 30th September 2003.

4.2 The statutory declaration provided by John Randall provides the date (30th September 2007) from which the occupation of the building as a dwelling began. The declaration also provides the key stages in the planning history which relates to this building. In particular, the evidence draws attention to the conditional planning approval PT01/2825/F for which condition 2 of that approval restricts the use of the building to be ancillary to the primary use of the site. The remaining declarations are submitted by associates of Mr and Mrs Randall and outline the help given to them on 3rd June 2003 with respect to moving house; and indicating that conversion works had commenced at that time. A declaration is also submitted that details visiting Mr and Mrs Randall whilst in residential occupation of the building.

4. The existing situation at the site shows that the subject building appears to be in occupation as a dwelling house.

5. **SUMMARY OF CONTRARY EVIDENCE**

5.1 None Received

6. **OTHER REPRESENTATIONS RECEIVED**

6.1 Charfield Parish Council

Continue to object to the application for the following reasons (The Parish Council also objected to the previous application PT07/3417/F);

The proposed development is outside the development envelope of the Village.

The Development would set a precedent for further unsuitable residential development.

Citing continued unlawful occupation is an unsavoury method of obtaining planning permission

Approval of this application would lead to the granting of permission by 'back-door' methods and would encourage further activity of this sort in rural areas.

7. **EVALUATION**

7.1 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to prove precise and unambiguous evidence.

7.2 In relation to the comments made by Charfield Parish Council, these relate to 'planning merits' and are subjective issues which cannot be considered as part of the assessment of this application. The Parish Council have not provided any factual evidence that is contrary to the evidence submitted by the applicant.

7.2 In this instance, the applicant is claiming that the occupancy of the building as a dwelling has occurred since 30th September 2003. Through their agent, they also argue that the permitted use on the site as a whole (equestrian and agricultural storage and hatchery) was abandoned at the point that the building became a dwelling; and that therefore the applicant need only demonstrate that the building has been occupied as a dwelling continuously for a period of four

- years. The applicant has not submitted any evidence to show that the use on this site has been abandoned. In any case, an unlawful change of use does not constitute abandonment of the authorised use. Further, the submitted electricity bills indicate that they were presented for the use of electricity relating to a business use from the site, and so indicating that the authorised use has not entirely ceased.
- 7.3 Having regard to the above, it is clear that the starting point for the assessment of this claim lies with the currently authorised use of the site, granted under planning approval PT01/2825/F. This approval was subject to a condition (Condition 2) which effectively restricts the subject building so that its use remains ancillary and subservient to the primary use of the site/premises and shall not become a separate or dominant use at any time. In fact, the occupancy of the building as a dwelling is in direct breach of the terms of that condition.
- 7.4 The previous certificate application PT07/3417/CLE was assessed on the basis that, in the case of the breach of planning conditions, it must be proven that the occupancy of the subject building as a dwelling in breach of Condition 2 of PT01/2825/F has occurred for a period of 10 years or more. At the time of that assessment it could only be shown that the breach had occurred over the preceding 4 years and 10 months and on that basis the certificate application was refused. However, since the issuing of the previous decision under PT07/3417/CLE, further case law evidence has been submitted (Arun DC v First SOS (2007) and Bloomfield v SSofE (1992)) that shows that in the case where a breach of condition results in the occupation of a building as a dwelling, then it must be proven that the use has occurred for a period of 4 years or more.
- 7.5 The submitted evidence includes electricity bills which go back as far as February 2003. However, given the nature of the approved use of the site it can be reasonably assumed that the site would require an electricity supply regardless of whether or not there is a residential occupancy. It is not considered that this evidence is sufficient to show that a residential occupancy has occurred in its own right. Similarly, the submission of delivery notes and invoices for domestic items and conversion works themselves demonstrate that residential occupancy has occurred. Nonetheless, the application is supported by statutory declarations which are legally binding documents, effectively made under oath. For this reason, the declarations, supported by the supplementary evidence and the observations made at the officer site visit are sufficient to show that 'on the balance of probability', residential occupation has and is occurring within this building.
- 7.6 However, the above evidence shows that the occupation began on 30th September 2003. The submitted declaration by Mr Randall is conclusive in demonstrating that no such occupation occurred prior to this date. Accordingly, the submitted evidence is sufficient to show that the residential occupancy has been continuous within this building for a period of 4 years or more.
- 7.7 For the above reason, the application is successful.

8. RECOMMENDATION

8.1 A Certificate of Existing Lawful Use be issued for the continued use of the subject building as a residential dwelling in breach of condition 2 of planning permission PT01/2825/F.

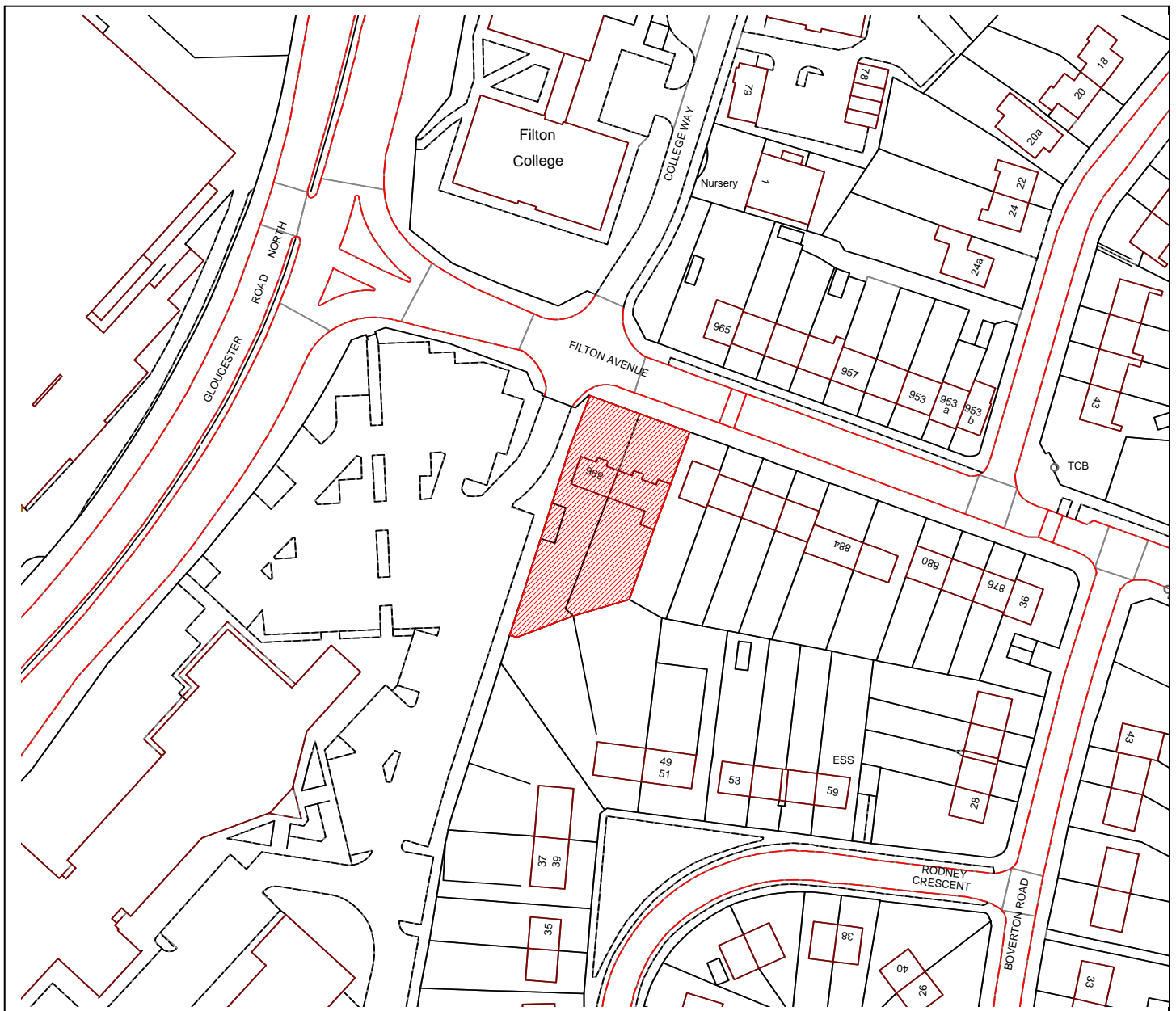
Background Papers **PT08/0850/CLE**

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

CIRCULATED SCHEDULE NO. 18/08 – 01 MAY 2008

App No.: PT08/0866/F
Site: 894 - 896 Filton Avenue, Filton, South Gloucestershire, BS34 7AY
Proposal: Demolition of 2 no. existing dwellings to facilitate the erection of 12 no. flats with car parking, access and associated works.
Map Ref: 60442 79658
Application Category: Major

Applicant: Mr M Coleman
Date Reg: 1st April 2008
Parish: Filton Town Council
Ward: Filton
Target Date: 18th June 2008



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N.T.S

PT08/0866/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This full application relates to the demolition of 2 no. dwellings to facilitate the erection of 12 no. flats with associated car parking at 894-896 Filton Avenue, Filton. The proposal is arranged in an 'L' shape, the rear wing being two storey in nature and having a depth of 18.8m, width of 7.5m and a ridge height of 8.5m. The front element of the building is 2½ stories with a ridge of 9.2m. It measures 16.7m in width, has a depth of 7.5m and incorporates 4 dormer windows to the front elevation and 3 to the rear roof slope.
- 1.2 The proposal provides 8 no. two bed flats and 4 no. one bed flats. 8 off-street parking spaces are proposed to the front of the site with a covered cycle store to the rear. The remaining part of the site is dedicated to communal garden.
- 1.3 The application site currently consists of a pair of brick built semi detached dwellings set within a large curtilage. The east and south of the site is adjacent to other residential properties with Filton Avenue forming the northern boundary. The Filton College campus lies to the western boundary, with the car parking area immediately adjacent to the site. The site lies within the urban area of Filton.

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
EP4	Noise Sensitive Development
L4	Forest of Avon
L18	The Water Environment
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
LC2	Provision for Education Facilities (Site Allocations and Developer Contributions)
LC8	Open Spaces and Children's Play in Conjunction with New

Residential Development

- 2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
Object to the proposal in the following grounds:-
a) over-intensive;
b) out of keeping;
c) access onto already congested road;
d) loss of family homes for flats.

Internal Consultees

- 4.2 Sustainable Transport
No objection subject to a financial contribution secured under an appropriate legal agreement.
- 4.3 Department for Children and Young People
No objection subject to a financial contribution for additional primary school provision.
- 4.4 Community Services
The proposed development would create a need for extra public open space (POS). A financial contribution towards enhancing existing POS nearby will therefore be required.
- 4.5 Environmental Services
Request an acoustic report detailing how noise from Filton Avenue/Gloucester Road will affect the proposed development.
- 4.6 Wessex Water
The development is located within a sewered area with foul and surface water sewers. A private sewer also crosses the site. Points of connection on to Wessex Water systems will be required. State that the developer should be aware of the importance of checking with Wessex Water to ascertain whether there may be unchartered sewers or water mains within or very near to the site.
- 4.7 Local Residents
5 letters have been received objecting to the proposal on the following grounds:-
a) lack of parking;
b) entry and exit from site at peak times is a concern due to volume of traffic using the road;
c) extra traffic;
d) building out of character with the area;
e) overlooking/loss of privacy;
f) loss of light/sun;
g) density;

- h) height;
- i) increased noise and disturbance;
- j) eyesore.

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

Advice contained within PPS3 promotes more sustainable patterns of development. In particular it encourages the better use of previously developed land, especially in existing urban areas. However, such development should achieve good design to ensure that the character of the area is not adversely affected. In particular, housing development should be well integrated with, and complement, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Consideration of design and layout must be informed by the wider context, townscape and landscape of the wider area. This advice is reflected in the Joint Replacement Structure Plan and the South Gloucestershire Local Plan (Adopted) January 2006. Policy H2 of the local plan is particularly relevant and allows for residential development within existing urban area and defined settlement boundaries subject to the following criteria: -

- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity;**

5.2 **Transportation**

In transportation terms, the site is located on Filton Avenue, a classified highway. The site is located within the Bristol North Fringe in close proximity to a frequent bus service, a train station and within walking/cycling distance of shops, services and employment opportunities.

- 5.3 The proposal provides 8 off-street parking spaces which equates to a ratio of 0.66 per dwelling. Due to the highly sustainable location of the site the level of parking is considered acceptable, provided the spaces are shared between the occupiers rather than allocated. In addition, adequate level of cycle parking is provided. This is in accordance with the Council's parking standards set out under policies T7 and T8.

- 5.4 However, to offset the low level of parking a financial contribution is required towards the North Fringe (Transport Measures) Scheme. This is assessed at £900 per additional flat, less an allowance of £3,600 for the existing dwellings (£1,800 per dwelling). The overall contribution is therefore £7,200. This will need to be secured via an appropriate legal agreement consisting of either a Section 106 of the Town and Country Planning Act or a Section 278 agreement of the Highways Act.

5.5 **Residential Amenity**

Overbearing impact/loss of light/sun

The site has residential property to the east and southern boundaries. In terms of overbearing impact/loss of light, the proposal is considered acceptable. The location of the front element of the proposal occupies a similar position to the existing pair of semi-detached dwellings fronting Filton Avenue, which is set back from the adjacent property of 892 Filton Avenue by some 7.5m. The side elevation is also 3.4m from this boundary. This is comparable to the existing situation. With regard to the rear element of the scheme it is recognised that it

has a depth of some 18.8m. However, it is located to the west of the plot and a minimum distance of 11m from the boundary. The properties to the rear of the site are over 30m away. Any overbearing impact/loss of light will not be so significant as to warrant a refusal in this respect.

5.6 Loss of privacy/overlooking

In terms of loss of privacy/overlooking, the proposal is also considered, on balance, to be acceptable. No windows are proposed to the side elevation of the front part of the scheme. Although numerous ground and first floor windows are located on the side (eastern) elevation of the rear projection, they are a minimum 11m distance from the boundary. Appropriate boundary treatment will also ensure that no loss of privacy will occur from ground floor windows. Moreover, due to the set back of the proposed building the nearest window on the side elevation is some 9m beyond the rear building line of 886-892 Filton Avenue. In addition, the windows proposed at first floor level are both obscurely glazed and fixed, or they are orientated so that they face a south-westerly direction. As such any overlooking will be oblique and over the middle to end of the gardens and not over the private area immediately adjacent to the dwellings. Properties to the south of the site will not be affected by loss of privacy as no windows are proposed in the end elevation of the rear projection. Furthermore, the intervisibility distance between the front elevation and the property opposite is over 30m. The application is therefore acceptable in this regard.

5.7 Visual Amenity

The proposal, due to its size, scale, massing, bulk and overall design is considered unacceptable. This issue will be addressed in greater detail under paragraph 5.16 of this report.

5.8 Noise/disturbance

The increase in the residential intensity of the site in terms of noise and disturbance is considered acceptable. The proposal is located within an urban area that already has a degree of background noise, especially bearing in mind the adjacent Filton College and the A38 Gloucester Road. The additional level of residential accommodation is not considered to result in a material increase to existing levels of noise and disturbance to warrant a refusal.

5.9 However, in terms of the future occupiers of the development, the site, due to its proximity to the A38 and Filton Avenue may be adversely affected by traffic noise. Policy EP4 seeks to ensure that new noise sensitive development, such as residential development, would not be subject to unacceptable levels of disturbance due to close proximity to sources of noise or vibration. No acoustic report has been submitted as part of the application to adequately assess this issue and given the fundamental design objections to the proposal no report has been requested. Nonetheless, without this information the impact of the A38/Filton Avenue cannot be determined and as such the proposal falls contrary to this policy criterion as well as policy EP4 of the local plan.

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

5.10 The site has an area of 0.097 hectares and is located within the urban area of Filton. The proposal will result in a housing density of 124 dwellings per hectare. Densities of 50 dwellings or more are encouraged where local circumstances permit, especially in and around town centres and locations well

served by public transport. The proposed density is substantially above the minimum density requirement stipulated in PPS3, policy 35 of the Joint Replacement Structure Plan, policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 and the adopted Design Checklist SPD. Whilst some sites can achieve this level of density, it will be shown that the density proposed exceeds the maximum that the site can achieve allowing for existing constraints and will, as a consequence, result in a poor form of development.

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

5.11 With the possible exception of noise, the development is not affected by any of the above to a material degree.

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

5.12 The proposal is located within the urban area of Filton. There are numerous primary and secondary schools within the vicinity of the site. The locality is also well served by local shops, supermarket and pubs as well as community facilities including doctors, sports and recreation and employment opportunities. It is also sustainable in transportation terms with frequent bus services and a nearby train station. However, local education and Public Open Space provision is inadequate to meet the need arising from this residential development and will be discussed below.

5.13 Education

Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006 states that where local education provision is inadequate to meet the need for places arising from a residential development, the council will negotiate with developers to secure provision to meet those needs. In most cases this constitutes financial contributions to provision or enhancements of existing education provision in the vicinity. The Council's Education Department has advised that there is a projected surplus of secondary school places but a deficit of primary school places in the locality. The proposed development of 12 flats will generate one additional primary school pupil based on the pupil number calculator, which is assessed on the basis of 4 primary pupils per 100 flats with one or two bedrooms. Current DfES cost calculators give a figure of £10,747 per additional primary pupil place, indexed at Q4 2008 prices. A financial contribution of £10,747 is therefore required.

5.14 Public Open Space

Policy LC8 of the adopted Local Plan requires a minimum of 24sq.m. of POS per person where there is evidence of a shortfall to meet the needs that will arise from the development. This policy also requires provision for informal open space and a figure of 5sq.m per person would be reasonable for this development. It is estimated that the proposed development would generate a population increase of 15 people. There is an identified shortfall of POS in the locality. A contribution towards off-site open space provision of £9,420.21 is therefore required. In addition, a contribution of £8,421.99 will also be required towards the future maintenance of any enhancements. The total public open space contribution is £17,842.20. Any enhancements are to be carried out within 2km of the development. The contribution is likely to be spent at Canberra Grove and Elm Park.

5.15 Other Policy Considerations

Also of relevance is Policy H4 of the adopted local plan. This policy relates to residential development within existing residential curtilages and only allows such development where the design, massing, scale and proportions are in keeping with the character of the street scene; residential amenities are not adversely affected; transportation issues are acceptable in terms of parking and access and adequate private amenity space is provided. Of the above, the issues of design and garden area have yet to be considered.

5.16 Design

The building has been arranged in two distinct parts:- a 2 ½ storey element fronting Filton Avenue and a 2 storey rear extension, giving the building a broadly 'L' shaped appearance. The front part of the proposal has the same front building line as the existing pair of semi-detached dwellings, set back from the adjacent terrace by approximately 7.5m. The front of the site is to be used for car parking and turning purposes, this area also accommodating the bin store.

5.17 The 2 ½ storey element of the scheme measures 9.2m to the ridge. It is 2m higher than the ridge height of the existing semis and adjacent dwellings resulting in a building of a much greater scale than surrounding properties. In addition, the design of the front elevation is poor. It incorporates features such as small dormer windows and porches with poorly proportioned fenestration, resulting in over elaborate detailing that is wholly out of keeping with its urban setting.

5.18 The rear element of the scheme is also unacceptable. It is of significant size, having a length of nearly 19m and takes up a large proportion of the rear garden. The overall development is indicative of a scheme that is too great a scale, mass and density for the site and locality. Its overall size and bulk is greatly at odds with the grain of surrounding development which is characterised by modest, domestic dwellings. The proposed development will be incongruous in appearance and of a size that dominates the site. It does not respect its surroundings and would detract from the visual amenities of the immediate area and the wider locality. The proposal is therefore unacceptable in terms of its design.

5.19 The submitted Design and Access Statement does not inform the development proposed and does not in any way demonstrate that an appropriate design approach was taken, and furthermore the adopted Design Checklist SPD appears to be disregarded.

5.20 Garden Area

The area of communal garden to be provided is some 288m². This area serves all 12 apartments. It is considered that this communal area is of a size that is adequate to serve these units of accommodation, especially as they are limited in size, the largest being two bed and unlikely to provide for family accommodation. However, as mentioned above, there is a projected shortfall of POS within the locality to serve a development of this size.

5.21 Design and Access Statement

The Design and Access Statement submitted with the application is not considered to demonstrate that the applicant has adopted a design approach

consistent with the Council's Design Checklist Supplementary Planning Document.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Planning permission be refused.

Background Papers **PT08/0866/F**

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

REFUSAL REASONS

1. The density of the proposal will result in a development of substantial scale and mass that does not respect the character or visual amenities of the locality including the traditionally scaled residential estate within which the site is situated. The Design and Access Statement fails to justify in any way the proposed development and the design approach taken. As such the proposal fails to accord with guidance in PPS3; policy 35 of the adopted Joint Replacement Structure Plan; policies D1, H2 and H4 of the adopted South Gloucestershire Local Plan; and the adopted South Gloucestershire Design Checklist Supplementary Planning Document.
2. The application fails to provide any mitigation measures to offset the impact of the proposal on the Bristol North Fringe highway network. As such the proposal is considered contrary to Policies H2, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006
3. The application does not make adequate provision for educational facilities generated by the development and as such the proposal does not conform to Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The application does not make adequate provision for public open space requirements generated by the development and as such the proposal does not accord with Policy LC8 of the South Gloucestershire Local Plan (Adopted) January 2006.
5. The proposed development, due to its proximity to the A38 may be adversely affected by traffic noise. No acoustic report has been submitted to adequately assess this issue and as such it has not been demonstrated that the proposal would not suffer an unacceptable degree of noise disturbance. The proposal is therefore contrary to advice contained within PPG24 and Policies D1, EP4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 18/08 – 01 MAY 2008

App No.: PT08/0886/F
Site: 27 Clyde Road, Frampton Cotterell, South Gloucestershire, BS36 2EF
Proposal: Erection of two storey rear extension to provide additional living accommodation. (Resubmission of PT08/0460/F)
Map Ref: 66901 81640
Application Category: Minor

Applicant: Mrs S Case
Date Reg: 2nd April 2008
Parish: Frampton Cotterell Parish Council
Ward: Frampton Cotterell
Target Date: 22nd May 2008



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N.T.S

PT08/0886/F

This application has been referred to the Circulated Schedule due to letters of objection from local residents and the Parish Council.

1. THE PROPOSAL

- 1.1 The application relates to the demolition of single storey rear extension to facilitate the erection of a two storey rear extension at 27 Clyde Road, Frampton Cotterell.
- 1.2 The application site is located within the settlement boundary of Frampton Cotterell. It is completely surrounded by residential development and has no road frontage. Access to the site is via a private lane that lies between 25 and 29 Clyde Road and which also serves two other properties. The property has no rear garden area, the rear of the site directly abutting the rear curtilage of 2 and 4 Sunnyside. The garden associated with the application site is located to the side (south) of the property. The dwelling also has two designated parking bays.
- 1.3 This application is a resubmission of PT08/0460/F which was withdrawn due to concerns raised by Officer's over the 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, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/0460/F Demolition of rear extension to facilitate erection of two storey rear extension.
Withdrawn 10 March 2008.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
Object to the proposal on the grounds that the new extension will be closer to the boundary fence than the existing building and of greater height and will have a detrimental impact on the amenity of properties to rear.

Other Consultees

- 4.2 Sustainable Transport
No objection.

Other Representations

4.3 Local Residents

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

- a) overlooking/loss of privacy;
- b) loss of light/sun;
- c) overbearing impact;
- d) drainage ditch;
- e) design;
- f) devaluation of property;
- g) should the building be listed?

Of the above, **f** is not a relevant planning objection. With regard to **g**, the building has not been deemed worthy of inclusion on either the statutory list or the local list.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 It is considered that the application accords with the above policy criteria. The existing property is linear in nature and appears to originally have been two cottages. At two storey level the maximum width of the dwelling measures 4.45m, with a set back in the rear elevation reducing the width to 3.8m, indicating the original rear wall of the smaller cottage. A single storey rear extension with mono-pitch roof extends the whole length of the dwelling. This rear extension is to be demolished and replaced with a slightly deeper structure at one end. The ridge height of the extension measures 5.9m to match the existing dwelling.

5.3 The size and design of the extension is considered to be in keeping with the existing cottage. The original and modest ridge height of the dwelling has been maintained by the proposal with the design and proportions of the original cottage respected by the scheme. The form of the dwelling although altered to a double gable is considered to reflect the character of the original dwelling, especially as the 40 degree roof pitch is maintained. This application overcomes previous concerns raised with regard to the withdrawn application which consisted of a two storey rear extension with very shallow roof pitch (18 degrees). This design did not respect the character or proportions of the original dwelling.

5.4 In terms of residential amenity, the proposal is also acceptable. To avoid overlooking and loss of privacy, no first floor windows are proposed to the rear elevation, the lighting achieved at first floor level by the insertion of roof lights. Only two of these will be visible from the rear with the remaining four roof lights located on the inward facing roof slope. The lowest part of the roof lights are also set some 1.6m above floor level thus restricting any overlooking. As only two roof lights are visible the appearance of the rear roof slope is acceptable. A Juliet balcony is also proposed at first floor level to the south elevation of the

extension. This element will not result in an unacceptable loss of privacy as it will largely overlook the side garden associated with this property which is some 15m in length. Any overlooking over the rear gardens of Sunnyside will be at an oblique angle.

- 5.5 The extension is not considered to result in any overbearing impact to the occupiers of 2/4 Sunnyside which back on to the site. These properties already face on to the rear elevation and roof slope of the application site and are located approximately 16.5m away. Although it is recognised that the rear conservatory of 2 Sunnyside will be a minimum distance of 12m from with the rear elevation, this is no different to the existing situation. The creation of an additional floor located immediately to the west of this property will not result in loss of light/overshadowing or any overbearing impact to such an extent as to warrant a refusal. In addition, no loss of garden area will result from the proposal and parking/access arrangements are unchanged. The application is therefore in compliance with advice contained within PPS1, Policies D1 and H4 of the adopted local plan and the adopted South Gloucestershire Design Checklist Supplementary Planning Document.

5.6 Other Issues

In terms of the objections raised from the Parish Council, the extension will not be any closer to the rear boundary fence than the existing building. In fact, the extension will be 1m away whereas at present the nearest part of the dwelling is 0.9m away. In terms of drainage, no objection has been raised with regard to the proposal from the Council's Drainage Engineer.

5.7 Section 106 Requirements

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Planning permission be granted.

Background Papers **PT08/0886/F**

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

CONDITIONS

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

Reason:

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

2. No windows other than those shown on the plans hereby approved shall be inserted at any time at first floor level in the extension hereby permitted.

Reason:

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

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

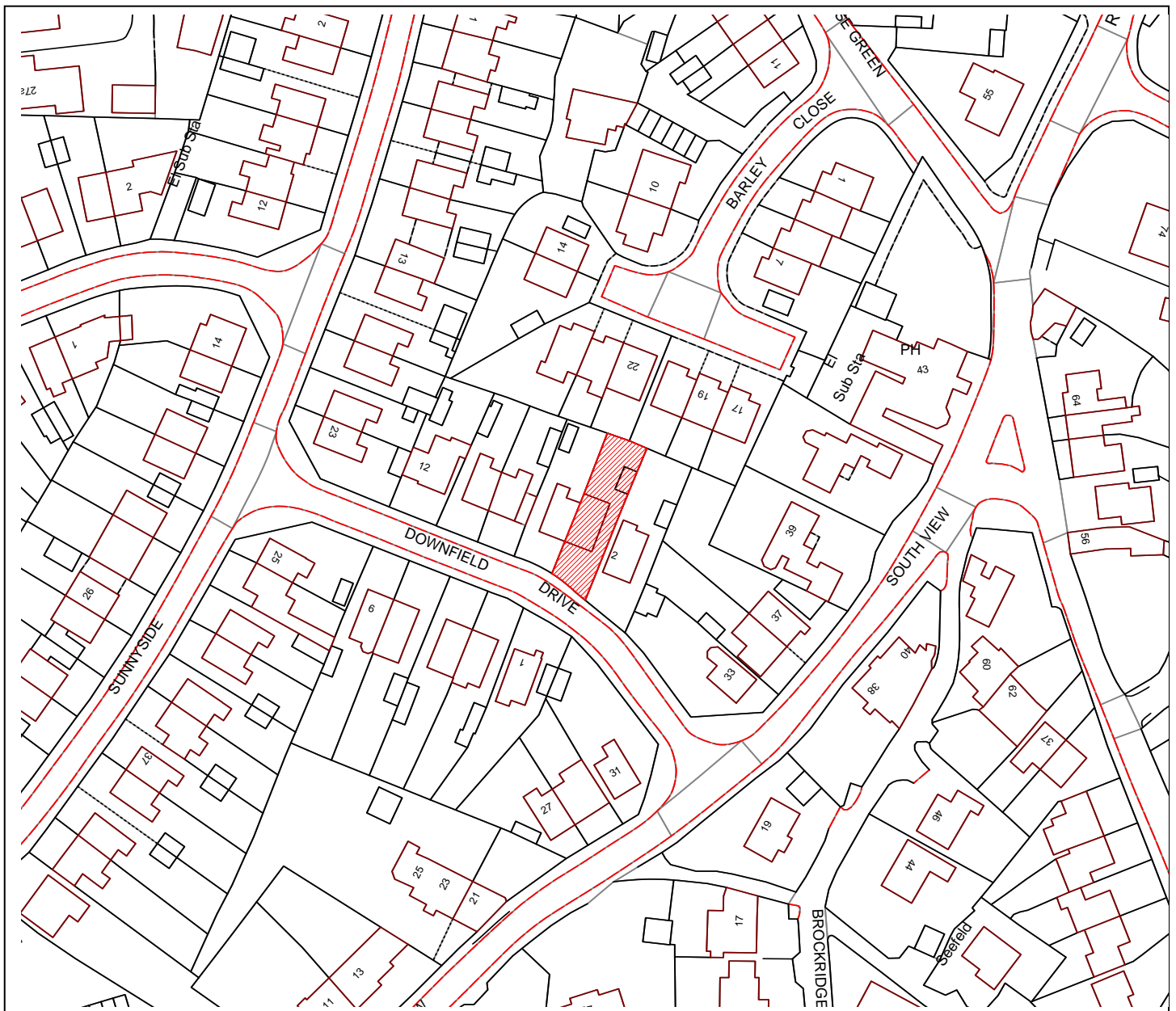
4. The colour, type and texture of the rendered finish to the external walls of the proposed extension shall match that of the existing building.

Reason:

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

CIRCULATED SCHEDULE NO. 18/08 – 01 MAY 2008

App No.:	PT08/0911/F	Applicant:	Miss R H Stinchcombe
Site:	4 Downfield Drive, Frampton Cotterell, South Gloucestershire, BS36 2EQ	Date Reg:	4th April 2008
Proposal:	Erection of replacement rear conservatory.	Parish:	Frampton Cotterell Parish Council
Map Ref:	66984 81538	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	23rd May 2008



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N.T.S

PT08/0911/F

This application has been referred to the circulated schedule due to a letter of objection from a local resident.

1. THE PROPOSAL

- 1.1 This application relates to the erection of rear conservatory measuring 3.2m in depth, 3m in width with a 3m pitched roof at 4 Downfield Drive, Frampton Cotterell.
- 1.2 The application site is a semi-detached property with vehicular access to the front. The site lies within the settlement boundary of Frampton Cotterell.
- 1.3 The application has been amended to that originally submitted in that the wall of the conservatory has been relocated to ensure that no encroachment over the adjoining boundary occurs.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
 - D1 Design
 - H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
 - T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection.

Other Consultees

- 4.2 Sustainable Transport
No objection.

Other Representations

- 4.3 Local Residents
One letter has been received objecting to the proposal on the grounds that the roof detail encroaches the boundary.

This issue has now been resolved with the conservatory now relocated some 150mm from the property boundary.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 It is considered that the application accords with the above policy criteria. The size and design of the extension is in keeping with the existing property and area as a whole and due to its single storey nature and modest size will not adversely impact upon the amenities of adjoining properties in terms of loss of light/privacy or overbearing impact. Adequate garden area will remain and access/parking arrangements are unchanged by the proposal. The proposal is therefore in accordance with the adopted plan and is acceptable.

5.3 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be granted.

Background Papers **PT08/0911/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. No windows shall be inserted at any time in the side (west) elevation of the extension hereby permitted.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.