



**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. 04/09

Date to Members: 30/01/09

Member's Deadline: 05/02/09

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

CIRCULATED SCHEDULE

DATE: 30/01/09

SCHEDULE NO. 04/09

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

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

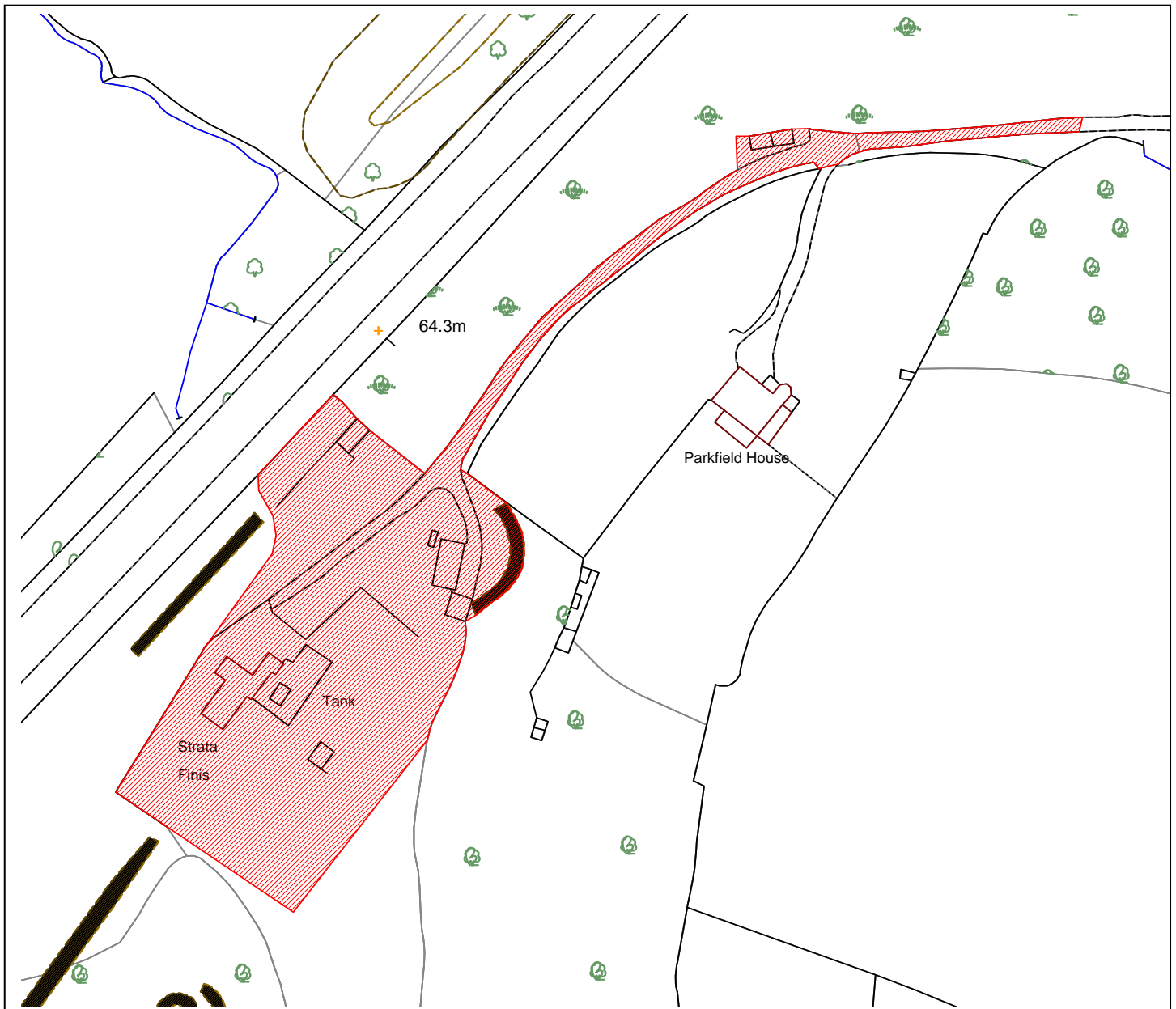
DATE

Circulated Schedule 30 January 2009

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1	PK08/3175/F	Refusal	Strata Finis, Parkfield, Pucklechurch South Gloucestershire, BS16 9NS	Boyd Valley	Pucklechurch Parish Council
2	PK08/3210/F	Approve with conditions	28 Anchor Road, Kingswood, South Gloucestershire, BS15 4RG	Kings Chase	
3	PK08/3223/F	Approve with conditions	The Crown, 14 High Street, Staple Hill, South Gloucestershire, BS16 5HP	Staple Hill	
4	PK08/3256/F	Approve with conditions	14 Briarfield Avenue, Hanham, South Gloucestershire, BS15 3ER	Hanham	Hanham Parish Council
5	PK08/3258/F	Approve with conditions	63A, Abbots Road, Hanham, South Gloucestershire, BS15 3NQ	Hanham	Hanham Abbots Parish Council
6	PK09/0004/F	Approve with conditions	13 Sandpits Lane, Hawkesbury Upton, South Gloucestershire, GL9 1BD	Cotswold Edge	Hawkesbury Upton Parish Council
7	PK09/0006/F	Approve with conditions	19 Common Road, Hanham, South Gloucestershire, BS15 3LL	Hanham	Hanham Abbots Parish Council
8	PK09/0023/ADV	Approve with conditions	Unit A2, Gallagher Retail Park, Aldermoor Way, Longwell Green, South Gloucestershire, BS30 7ES	Longwell Green	Oldland Parish Council
9	PT08/2324/F	Approved subject to Section 106	Garage Court off Filton Avenue, Filton, South Gloucestershire, BS34 7HE	Filton	Filton Town Council
10	PT08/3029/F	Approve with conditions	85 Gloucester Road, Thornbury, South Gloucestershire, BS35 1JZ	Thornbury North	Thornbury Town Council
11	PT08/3093/F	Approve with conditions	Former Wallscourt Farm, Filton Road, Stoke Gifford, BS34 8QZ	Frenchay and Stoke Park	Stoke Gifford Parish Council
12	PT08/3219/F	Approve	150 Bush Avenue, Little Stoke, South Gloucestershire, BS34 8NF	Stoke Gifford	Stoke Gifford Parish Council
13	PT08/3251/VAR	Approve	14 Old School House, Church Road, Almondsbury, South Gloucestershire, BS32 4ED	Almondsbury	Almondsbury Parish Council

CIRCULATED SCHEDULE NO. 04/09 – 30 JANUARY 2009

App No.:	PK08/3175/F	Applicant:	Mr & Mrs R Hallett
Site:	Strata Finis, Parkfield, Pucklechurch, South Gloucestershire, BS16 9NS	Date Reg:	15th December 2008
Proposal:	Demolition of existing dwelling to facilitate erection of 1 no. dwelling with associated works.	Parish:	Pucklechurch Parish Council
Map Ref:	68787 77687	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	5th February 2009



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100023410, 2008.

N.T.S

PK08/3175/F

This application appears on the Circulated Schedule as a third party representation has been received contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the demolition of existing dwelling, Strata Finis, and the erection of a detached two-storey replacement dwelling.
- 1.2 The application site is situated outside the settlement boundary of Pucklechurch and is within the Bristol/Bath Green Belt. The existing detached dwelling is a single storey building with a number of extensions. A designated public footpath runs along the south west boundary of the site.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS3	Housing
PPS7	Sustainable Development in Rural Areas
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
EP1	Environmental Pollution
GB1	Green Belt
H11	Replacement dwellings in the countryside
T6	Cycle Routes and Pedestrian Routes
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist – August 2007
Development in the Green Belt – June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 N4463 Erection of single storey extension to provide enlarged kitchen.
Approved 25.05.78

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
No objection.

4.2 Other Consultees

Environmental Services: No objection

Public Rights of Way:	No objection
Sustainable transport:	No objection
Drainage engineer:	No objection

Other Representations

4.3 Local Residents

One letter of support received from the occupiers of Parkfield House.

Stratafinis was constructed piecemeal over a number of decades utilising much reclaimed material. As such there was no overall vision for the building and this is self-evident in the differing ridge heights, window sills, floor levels and decorative finishes.

The proposed replacement dwelling however has much to commend it, having been designed to make the best use of space on a relatively small footprint compared with what's there at the moment. Moving the new building away slightly from the existing right of way would be a bonus for those strolling by or walking their dog. As the nearest neighbour to Stratafinis, I wholeheartedly support the planning application.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for the replacement of existing dwellings within their curtilage, providing that the design is acceptable, the replacement is of similar size and scale to the existing dwelling and that there is no unacceptable impact on residential and visual amenity. Similarly, Policy H11 of the South Gloucestershire Local Plan is supportive in principle of proposals for the replacement of existing dwellings in the countryside subject to scale and provided the existing dwelling has not been abandoned or is incapable of retention in its current state. The application site is also situated within the designated Green Belt and to accord with Policy GB1 of the South Gloucestershire Local Plan proposals for replacement dwellings must not result in 'disproportionate additions' over and above the size of the original dwelling or compromise the openness of the Green Belt.

5.2 Green Belt

The overriding concern with the replacement of existing dwellings within the Green Belt is the effect upon openness and replacement buildings will only be allowed if there is no greater impact on the openness of the Green Belt than that of the original dwelling.

The applicant states that the existing bungalow is approximately 585.41 cubic metres and the total volume of all adjoining domestic outbuildings is approximately 125.20 cubic metres. The proposed building comprises three 'pods' linked by glazed structure. The total external volume of the 'pods' is 764.60 cubic metres and the links are 167 cubic metres. Therefore the total volume of the existing building is approximately 931.60 cubic metres. The

applicant has calculated the replacement dwelling to constitute approximately 31% increase in volume terms over the existing dwelling.

With regard to the history of the existing dwelling, the applicant states that the building originally formed part of the Parkfield Colliery Works on the site of the railway sidings. It was informed that a conveyance dated 1948 refers to the site as being 'derelict building and vacant land. It was also informed that in 1951 the original semi derelict pitched roof colliery building was redeveloped for residential use, with a flat roof extension being added to the north eastern side. The approval for these alterations is also believed to have included a further extension to the south western side, which was not provided. In 1978 a small kitchen extension, complete with pitched roof was added, again to the north eastern side.

Officers also noted that the existing dwelling has been substantially extended in the past. The 1939 historic map shows that the footprint of the original building is approximately 69 square metres (including 3 bedrooms, hallway, w.c. and bathroom), the existing building is approximately 229.8 square metres (net increase 160.8 square metres). In addition, the proposal is a two-storey dwelling, the ridge height of new dwelling is approximately 7.4 metres and the existing dwelling is 5.5 metres. (The eaves heights of the new dwelling and the existing dwelling are approximately 4.4 metres and 2.5 metres respectively, and the height of the existing flat roof extension is approximately 3 metres.)

Taking these available information into consideration, officers consider that the proposal represents a substantial increase to the existing dwelling which is at odds with Policy GB1 which requires replacement of existing dwellings unless it does not result in disproportionate additions over and above requires the replacement to be proportionate to that existing. The proposal is therefore considered to be harmful to the openness of the Green Belt contrary to policy GB1 of the South Gloucestershire Local Plan. Whilst officers consider that the existing dwelling has a number of piecemeal and unsightly extensions, the host dwelling itself is modest in scale with simple architectural elements. There is no very special circumstance agreement has been put forward to justify why planning permission should be granted.

5.3 Visual amenity

The site is presently located in open countryside to the west of Pucklechurch but the allocated development site of Emersons Green East site closely adjoins the site immediately to the west. The site immediately adjoins a PROW that provides an important link to the wider network of major recreational routes.

The site is well integrated into the landscape by existing vegetation and apart from a few garden trees and shrubs this vegetation will be unaffected by the proposed development. There is however, one significant tree where the proposed new access drive passes over the tree rooting zone and where further details of the form of construction will be required.

The proposed dwelling is to be taller than the existing dwelling but it is unlikely this additional height will present any significant additional visual impacts given the amount of existing vegetation. It is also noted that the applicants are

prepared to carry out further planting both in the interests of visual amenity and nature conservation.

5.4 Impact upon the existing trees

The proposal need not have any impact on trees of any significance. The new proposed position of the property is reasonably distant from trees though excavation into the bank does appear to come close to the rooting areas of trees to the east of the existing building.

Officers consider that the applicant needs to submit a detailed report including a Tree Constraints Plan, Arboricultural Impact Appraisal and Arboricultural Method Statement for the proposal to indicate how the proposal may impact on the existing trees and what steps will be taken to minimise damage to the trees' root systems.

5.5 Residential amenity

The proposed dwelling would have no material impact on the amenity enjoyed by the adjacent occupiers due to its design, distance from the neighbouring dwelling, i.e. Parkfield House which is approximately 90 metres and substantial existing boundary treatment which comprises mixed hedging and trees.

5.6 Highway safety

The applicant is seeking to demolish an existing house and to reconstruct a new one in place of it.

In view of the existing situation, it is considered that traffic and parking impact of the proposed dwelling, once it is completed, would be neutral.

There is no transportation objection to this planning application.

5.7 Ecological Issues

The site comprises an existing property, outbuildings and mown lawn amid a curtilage/screen of mature trees and garden amid open countryside and adjoining the former Bristol/Bath cycle path south of the M4 motorway corridor.

The application site forms part of Parkfield Site of Nature Conservation Interest (SNCI) designated for its calcareous and neutral grassland, scrub, and broadleaved woodland. It also adjoins the Disused Railway, Shortwood Farm to Lyde Green Farm SNCI.

The development footprint does not appear to support any habitat types for which the area is designated.

Bats

In this instance, the existing property and outbuildings do not show strong potential for bat roosting and therefore a bat survey is not specifically required. However, the applicant is advised that bats can roost in a range of unlikely structures and therefore vigilance is recommended during demolition. If bats are uncovered works would need to be halted and a mitigation strategy drawn

up in consultation with Natural England (and the Council), possibly as part of a licence application under the Habitats Regulations.

Birds

If nesting/breeding birds are present, to avoid any potential offences under the Wildlife & Countryside Act 1981 (as amended) or CROW Act 2000, development any clearance of scrub should only take place outside the nesting season (generally speaking, this is between March and August inclusively, although it will vary according to seasonal temperatures).

Slowworms

Neglected parts of gardens can provide excellent habitat for herpetofauna, such as slowworms and grass snake, which are protected against intentional/reckless killing or injury under the Wildlife & Countryside Act 1981 (as amended) and CROW Act 2000. They are also listed on the South Gloucestershire Biodiversity Action Plan as a species for which the Council will require developers to take specific measures to conserve and enhance populations.

The proposal does not directly impact on any habitats likely to support reptiles and therefore no specific survey is required. However the applicant is advised that there is potential for reptiles occurring in tall vegetation around the site periphery and that any renewed garden management or scrub clearance in these areas should be with exercising care at ground level.

There is no objection to the current proposal, however an informative should be attached to the permission with regards to demolition of the existing house (and potential for encountering bats). An informative should also be added with regards to boundary habitats – particularly next to the cycle track, where there is potential for reptiles. If protected species are encountered during any site clearance or demolition, works would need to halt and a mitigation strategy be drawn up with the Council and Natural England.

5.8 Other Issues

The applicant has drawn officers' attention on two planning applications reference no. P99/4265 and PK08/1102/F. Officers studied these applications and summarised the cases as follows:

P99/4265: The proposal was to erect of a two storey side extension to form a granny annexe at Parkfield House, which is a neighbouring property of Strata Finis. In the report, officers stated that the actual footprint of the building would increase by about 79 squares metres or 40% as a result of the proposed works...although the extension increased the original floor space of the house in excess of the Council's guideline of 30%, officers were satisfied that the proposal would not create an intrusive feature in the landscape and would not prejudice the integrity and original scale of the dwelling.

PK08/1102/F: The proposal was to erect a two storey rear extension to form additional living accommodation at Greatwood, Coxgrove Hill, Pucklechurch, and planning permission was approved in June 2008. The application proposed to demolish all single storey extensions and outbuildings surrounding the dwelling and to erect a two storey extension on the rear of the existing

dwelling that will basically replicate the scale and design of the existing two storey element.

In the officer's report, it was stated that the proposed extension was very large yet it was the balanced opinion of the officer that the extension was not disproportionate and would not have a significant or detrimental impact upon the openness of the green belt. The bulk of the extension would be viewed against the backdrop of the existing building and the double valley avoids the addition of a bulky roof when viewing across the site. There was a significant amount of natural vegetation on the field boundaries surrounding the site which would further help soften views too and from the extension and mitigate against the impact on the greenbelt.

Although the above proposals were approved, officers consider that the nature of the above schemes is significantly different from the current scheme, which is proposed to erect a replacement dwelling. Policy H11C of the adopted Local Plan – Replacement Dwellings in the Countryside states that proposals for replacement of a single existing dwelling outside the existing urban areas and the boundaries of settlement will be permitted provided that the replacement dwelling is of a similar size and scale to the existing dwelling, within the same curtilage, and of a design in keeping with the locality and which minimises intrusion in the countryside. In this instance, officers consider that the scale and size of the proposed new replacement dwelling would be significantly larger than the existing dwelling. In addition, the first mentioned scheme was determined in 1999, the current local plan was adopted in January 2006 and the Supplementary Planning Document – Green Belt was adopted in June 2007. These policies not only provide more clear and precise policy and they are more rigid than the previous area local plans with regard to the proposals for development in the Green Belt. Taking into consideration of the above issues, Officers therefore consider that the above historic planning applications would not carry sufficient weight to overcome the officers' concerns of this application.

5.9 Design and Access Statement

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

5.10 Section 106 Requirements Not applicable

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be refused for the following reasons:

Background Papers **PK08/3175/F**

Contact Officer: **Olivia Tresise**

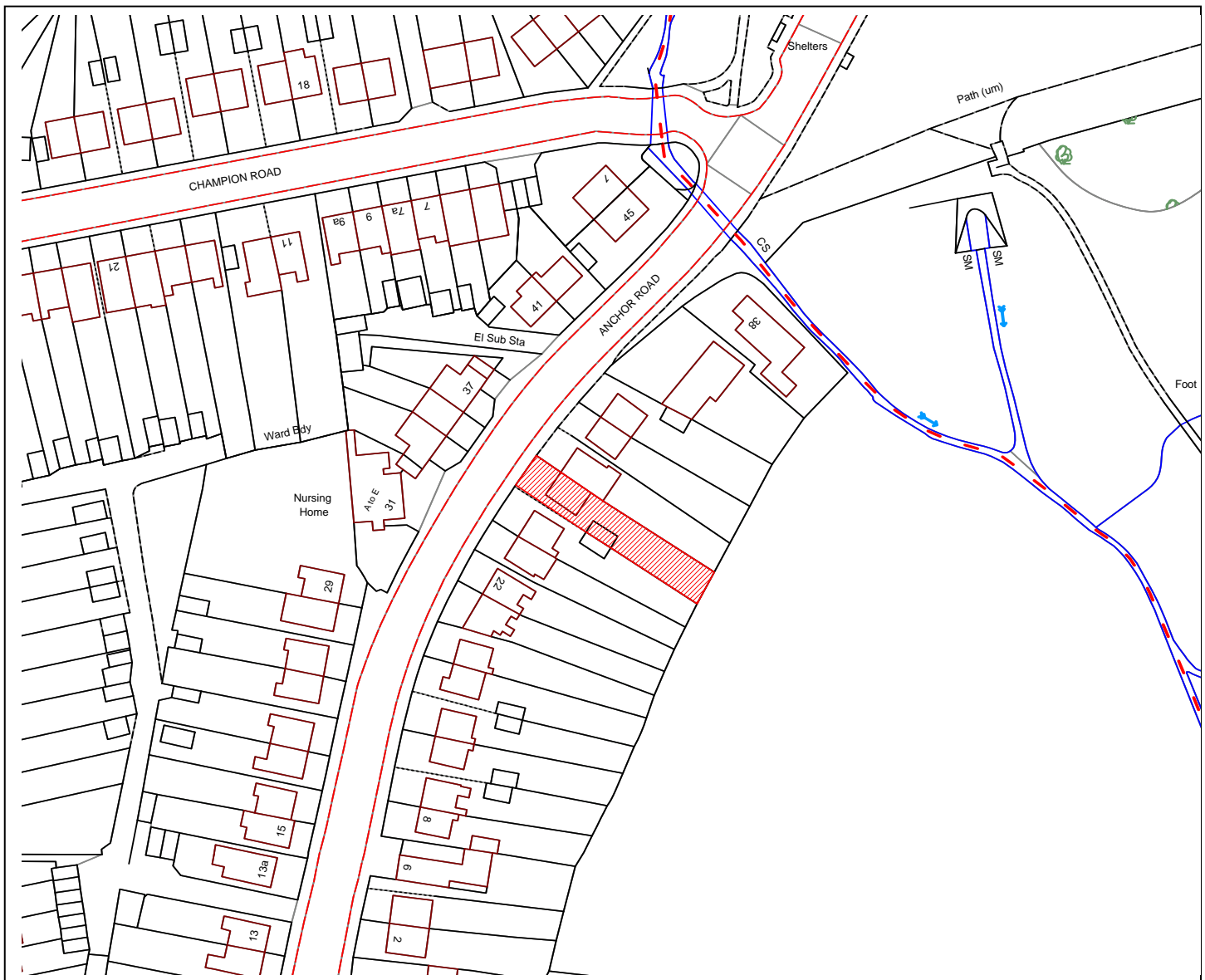
Tel. No. **01454 863761**

REFUSAL REASONS

1. The proposed replacement dwelling would be situated within the Green Belt wherein there is a general presumption against inappropriate development. The proposed replacement dwelling by virtue of its disproportionate size and scale over and above the original dwelling would constitute inappropriate development and as such would result in material harm to the Green Belt. No very special circumstances have been put forward to overcome the presumption against refusal. The proposal is therefore contrary to policy GB1 of the adopted South Gloucestershire Local Plan and Government Guidance contained in PPG2 Green Belts.
2. The proposed replacement dwelling is situated outside the existing urban areas and boundaries of settlements as defined in the proposals maps of the adopted South Gloucestershire Local Plan. The proposal by virtue of its disparate size and scale to the existing dwelling would be materially harmful to the character and appearance of the area and as such the proposal is contrary to policy H11 of the adopted South Gloucestershire Local Plan and Government advice contained in PPS1 and PPS7.
3. The proposed excavation into the bank to make way for the new dwelling appears to come close to the rooting areas of trees to the east of the existing building. However inadequate information regarding the tree has been submitted with the application to allow a full and proper assessment of the proposal in terms of its impact upon the tree contrary to Policy L1 of the South Gloucestershire Local Plan (Adopted).

CIRCULATED SCHEDULE NO. 04/09 – 30 JANUARY 2009

App No.:	PK08/3210/F	Applicant:	Mr Warren
Site:	28 Anchor Road, Kingswood, South Gloucestershire, BS15 4RG	Date Reg:	18th December 2008
Proposal:	Erection of two storey rear extension to form additional living accommodation (Amendment to previously approved scheme PK08/1798/F).	Parish:	
Map Ref:	66186 74565	Ward:	Kings Chase
Application Category:	Minor	Target Date:	9th February 2009



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100023410, 2008.

N.T.S

PK08/3210/F

INTRODUCTION

The application has been forwarded to the Circulated Schedule for Member consideration as an objection has been received and the Officer recommendation is to approve.

1. THE PROPOSAL

- 1.1 The application site is situated on the eastern edge of a suburban residential area. The rectangular site is bounded by residential development to the north and south, playing fields to the east with access onto Anchor Road to the west. The site comprises a modern two storey semi detached dwelling with detached single garage to the side/rear.

The application site is situated within the urban area as defined in the adopted Local Plan and within Flood Zone 2 as defined by the Environment Agency's records.

- 1.2 The application proposes erection of a two storey rear extension to form additional living accommodation (Amendment to previously approved scheme PK08/1798/F).

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS25 Development and Flood Risk

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages
EP2 Flood Risk and Development

- 2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/1798/F Erection of two storey rear extension to form additional living accommodation. Repositioning of detached garage. Erection of raised decking area. Approved 15.08.2008

4. CONSULTATION RESPONSES

- 4.1 Consultees

None

Other Representations

4.3 Local Residents

One letter of objection received from the occupiers of 26 Anchor Road raising the following concern:

A condition of approval for the previous application on this property was that both new windows to the side elevation should be glazed with obscure panels, so as to afford us a degree of privacy. We note that the architect has shown only the ground floor panel to be obscure on the latest detailed drawing, and we wish to ensure that the first floor panel will also be obscure.

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.

Policy EP2 of the South Gloucestershire Local Plan states that development, which generates surface water run-off or water discharge will not be permitted in flood sensitive locations, unless adequate environmentally acceptable measures are incorporated which provide suitable protection, attenuation or mitigation.

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The dwelling is situated within a suburban residential context. The dwelling the subject of this application is a semi-detached two storey building with detached garage to the side/rear. The proposed amended extension would be well screened from public vantage points by the existing dwelling and would be less conspicuous than that previously approved under PK08/1798/F as the extension is now designed to be flush with the side elevation of the existing dwelling. This has resulted in an improved design. The design and materials would be of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Residential Amenity

A condition was attached to the previous approval PK08/1798/F requiring the proposed first floor side (south west) window to be obscurely glazed. This condition is recommended for this application. The applicant has indicated that the proposed ground floor side (south west) window to the shower room is proposed to be obscurely glazed. There are no further material fenestration changes to approval PK08/1798/F. As such it is considered that subject to condition, the proposal would result in no material loss of privacy to the neighbouring occupiers.

Adequate rear amenity space to the property would be retained following the erection of the proposed extension. The extension approved under PK08/1798/F measured 3.3m length, 5.95m width, 5.9m height to eaves, 8.5m to ridge. This revised proposal would have similar dimensions with a small increase to the rear projection of 0.3m, a reduced width being flush with the existing side elevation (5.4m), an increase to eaves height by 0.3m and the same ridge height retained. Considering the reduced distance from the neighbour to the south west and the only modest increase in rear projection and eaves height, it is considered that the revised proposal would have no additional material impact on the amenity enjoyed by the neighbouring occupiers.

5.4 Flood issues

The application site and the proposed location of the rear extension in particular, are located within Flood Zone 2 as defined by the Environment Agency's records. Using the Environment Agency's development and Flood Risk Matrix this type of development must show floor levels set no lower than existing and flood proofing. The applicant has satisfactorily demonstrated on acceptable floor levels on the submitted drawings and removable barriers to doors and air bricks, water proofed plaster, water resistant building materials, sockets and fuse boxes set above flood level and non return valve to drains. The applicant has therefore provided an adequate Flood Risk Assessment in accordance with the Environment Agency's advice and the scheme is therefore considered to be acceptable in terms of flood matters.

5.5 Highway matters

The proposal would result in an obstruction to the existing rear garage result in difficulty in manoeuvring vehicles in or out of it. However, there is sufficient space within the application site adjacent to the side elevation and front of the site for parking for 2 vehicles. This meets the required parking standard adopted by this Authority. The proposal would result in no material change to the previous approval PK08/1798/F in terms of highway safety matters.

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 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 Consent is GRANTED subject to the following conditions and informatives:

Background Papers **PK08/3210/F**

Contact Officer: **Sean Herbert**
Tel. No. **01454 863056**

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 dwelling.

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 side (south west) elevation of the property.

Reason:

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

4. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the side (south west) elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

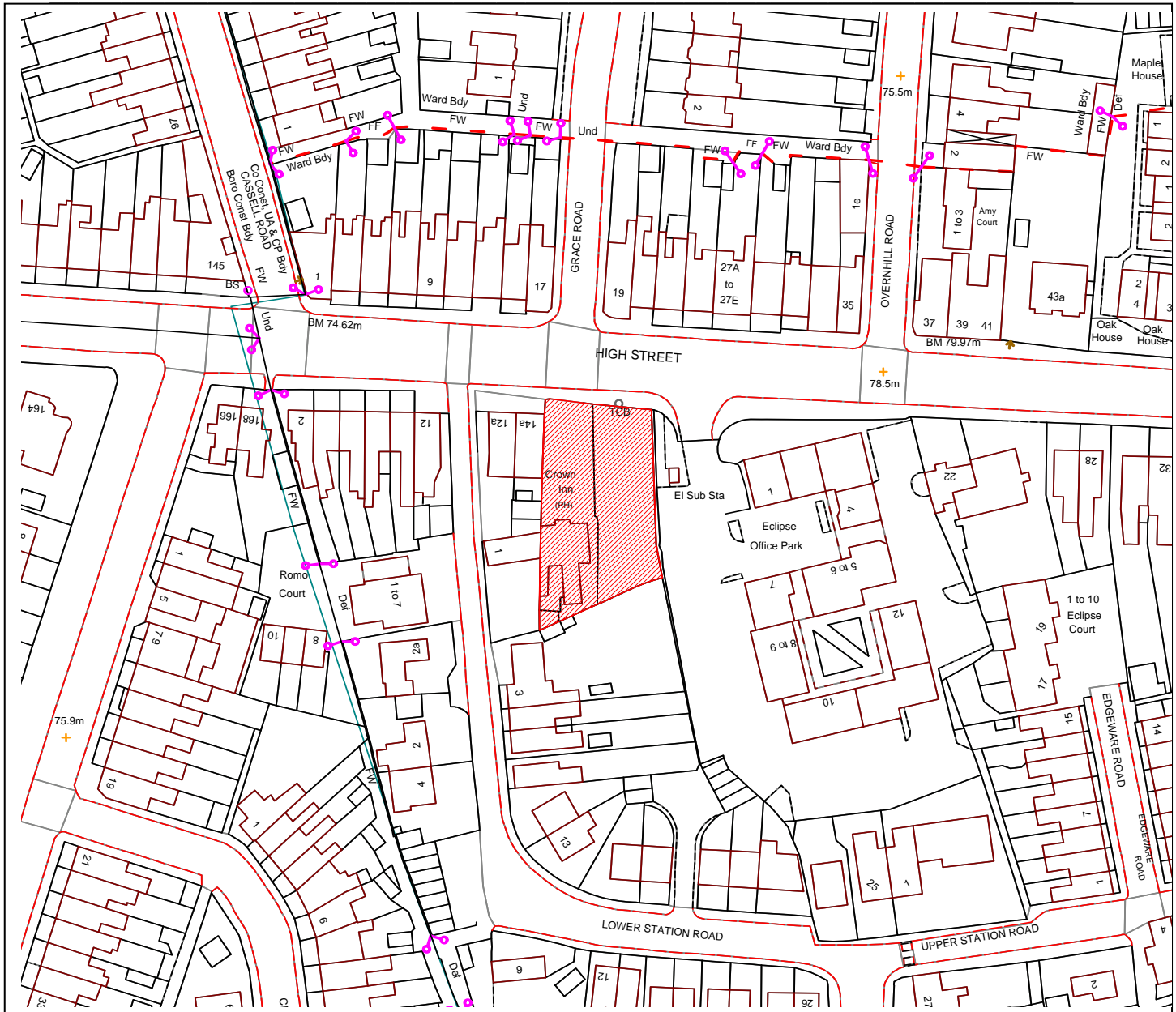
Reason:

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. 04/09 – 30 JANUARY 2009

App No.: PK08/3223/F
Site: The Crown, 14 High Street, Staple Hill,
 South Gloucestershire, BS16 5HP
Proposal: Erection of timber smoking shelter.
Map Ref: 64391 75924
Application Category: Minor

Applicant: S.A Brain & Co Ltd
Date Reg: 22nd December 2008
Parish:
Ward: Staple Hill
Target Date: 10th February 2009



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N.T.S

PK08/3223/F

INTRODUCTION

The application has been forwarded to the Circulated Schedule for Member consideration as representations have been received contrary to the Officer recommendation.

1. THE PROPOSAL

1.1 The application site is situated close to the western edge of Staple Hill on the south side of High Street. The application site comprises a two storey Victorian Public House with beer garden to the east and separate private garden behind this to the south and car park to the north. The site is bounded by residential dwellings to the south and west, offices to the east and the highway to the north. A make shift shelter has been constructed at the front of the building, this structure is unauthorised.

The application site is situated within the urban area as defined in the adopted Local Plan.

1.2 The application proposes erection of a single storey smoking shelter attached to the east elevation of the Public House. The shelter would be constructed from timber with slate roof and would run along the southern boundary of the beer garden.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS24 Planning and Noise

2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
EP1 Environmental pollution

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

3.1 P91/4551 Single storey rear extension (Previous ID: K7045)
Approved 18.11.1991

4. CONSULTATION RESPONSES

4.1 Consultees
None

Other Representations

4.3 Local Residents

2 letters of objection received from the occupiers of 3 Lower Station Road, Flat 4 Romo Court raising the following concerns:

The rear of the shelter should be solid to retain privacy/reduce noise; there have been incidents of anti social behaviour and the introduction of a smoking shelter could exacerbate this; drawings do not clearly show entrances which could be a potential fire safety risk; increased noise disturbance and anti social behaviour.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy D1 of the Local Plan requires all new development to be well-designed. Policy EP1 seeks to prevent unacceptable harm to the environment, and the health and safety and amenity of users the site or surrounding land as a result of a number of considerations including noise.

5.2 Visual amenity

The application site is situated within a mixed commercial and residential context with a variety of architectural styles and building type/form. Much of the immediate area is typified by modern office development and Victorian terraces. The application site is not situated within any area of recognised visual sensitivity. The proposal would be situated in an open area to the side (east) of the Public House, used as a beer garden. The proposal would be set back some distance from the highway (over 20m). The proposal would be situated on the east elevation of the existing Public House stretching along the rear of the beer garden to the east boundary. The shelter would measure 13m long, 4.7m width, 2.2m to eaves and 3.4m to ridge. These dimensions result in an elongated structure with a span 1.5 times longer than the front elevation of the existing building. Notwithstanding the 13m length, the shelter would be modest in terms of height and would be good quality in relation to materials and design. Additionally, the shelter would be open sided at the front and rear. Therefore considering the context of the area, the modest height of the structure and the quality of design, the proposal is considered to be acceptable in visual terms, in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Residential amenity

Concerns have been raised in terms of noise impact from the proposed shelter. It is clear that a roofed shelter with heaters, tables and chairs would be a congregation point for smoking customers and their friends. The shelter would be situated within the existing beer garden, and as such during warmer times of the year customers will inevitably use the beer garden day and night. It would therefore be difficult for Officers to justify that the smoking shelter would create additional noise above that normally associated with the beer garden at these

times of year. During winter and poor weather, the smoking shelter would provide a more accessible area for outside usage by customers. As smoking customers are likely to be outside at all times whilst the business is open, the shelter will concentrate all outside customer activity within a specific area. The proposed shelter would be situated adjacent to the east elevation adjacent to office development. This is reasonably the most feasible location within the site for a shelter being the furthest (some 20m+) from the adjacent residential development to the south and west, situated close to the existing building and not visually intrusive. A condition is recommended controlling public access to all areas south of the smoking shelter other than for emergency purposes. The applicant has indicated that they intend to preclude public access from these areas. Considering the above matters it would be difficult for Officers to demonstrate that the smoking shelter would result in a material increase in noise disturbance above that already experienced within the site. It is also worth noting that generally, issues of noise nuisance would be controlled through legislation enforced by Environmental Health Officers outside of the planning system.

A local resident has raised concern in relation to noise and has requested the rear elevation to be enclosed to mitigate the impact. If the rear elevation were to be enclosed, the smoking shelter would not meet the Smokefree Regulations 2007. However, the shelter is proposed to be situated adjacent to the rear boundary fence and as the fence is not attached to the shelter the layout does meet the legislative requirements. The fence would act as an enclosure of the rear elevation for additional noise mitigation and privacy. A condition is recommended to control retention of this fence and the applicant has indicated that they intend to renovate and retain the fence.

Due to its modest size and scale, the proposed shelter would appear bulky or overbearing in relation to the neighbouring occupiers. As such it is considered that the smoking shelter would not materially compromise the amenity enjoyed by the neighbouring occupiers and local residents in general

5.4 Other issues

The proposed shelter would create additional floorspace to the existing business use. It is considered that this would not result in a material increase in pressure for on street parking. The proposal would have no additional impact in terms of highway safety matters.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Consent is GRANTED subject to the following conditions.

Background Papers **PK08/3223/F**

Contact Officer: **Sean Herbert**
Tel. No. **01454 863056**

CONDITIONS

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

Reason:

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

2. Prior to the commencement of development samples of the roofing and external facing materials proposed to be used including paint/stain finish for all external woodwork shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

3. A closed boarded or panelled fence shall be retained adjacent to the southern elevation of the smoking shelter hereby approved in the position as indicated on the approved Site Location Plan dated 16.12.2008.

Reason:

To protect the residential amenity of the neighbouring occupiers and to accord with Policy D1 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority showing how all outside areas within the application site to the south of the smoking shelter hereby approved are to be made unavailable for public access at all times other than for emergency purposes. The development shall be implemented in strict accordance with the approved details prior to the use of the development hereby permitted commencing and shall be retained as such thereafter.

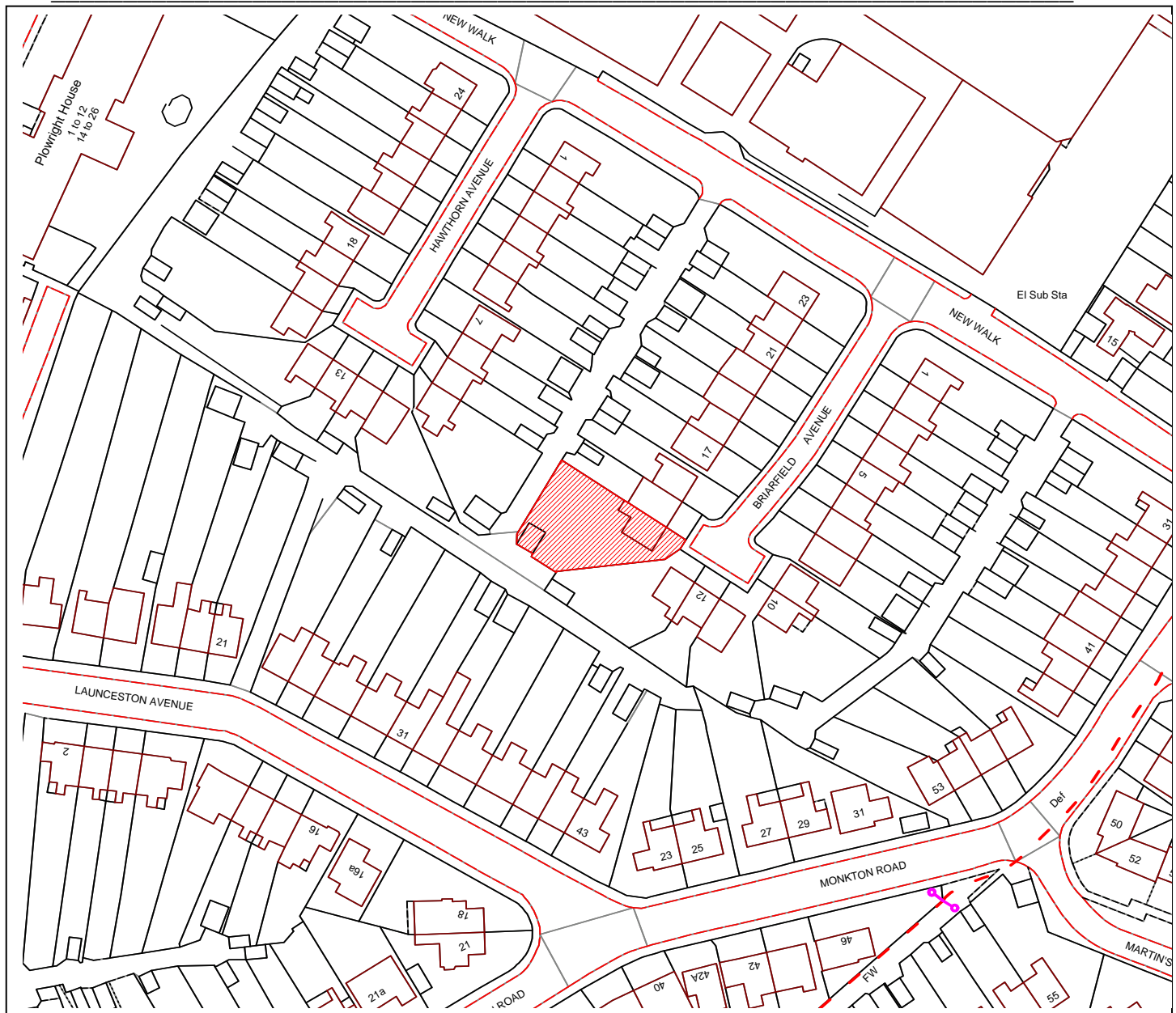
Reason:

To protect the residential amenity of the neighbouring occupiers and to accord with Policy D1 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 04/09 – 30 JANUARY 2009

App No.: PK08/3256/F
Site: 14 Briarfield Avenue, Hanham, South Gloucestershire, BS15 3ER
Proposal: Erection of detached double garage.
Map Ref: 63973 72134
Application Category: Minor

Applicant: Mr & Mrs D Manuel
Date Reg: 30th December 2008
Parish: Hanham Parish Council
Ward: Hanham
Target Date: 11th February 2009



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N.T.S

PK08/3256/F

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of an objection from a local resident.

1. THE PROPOSAL

- 1.1 The planning application proposed the erection of a detached double garage at the rear of No. 14 Briarfield Avenue, Hanham. The proposed garage would measure 6.6 metres wide by 6.7 metres deep and 4.3 metres high.
- 1.2 The application site is situated within a residential area of Hanham. The application site includes a two storey terraced dwelling. The existing garage is situated at the rear of the plot and is accessed via a service road at the rear.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG13 Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK02/1081/F Erection of two storey side extension to provide kitchen and utility with en suite bedroom above. Erection of single storey rear extension.
Approved 11.07.02

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
No objection

Other Representations

- 4.2 Local Residents
One letter of objection was received and the local resident is concerned that there would not be enough space to park a car in front of his garage.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows in principle for 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. The proposed garage would situate at the rear of the plot. The only public viewpoints of the garage would be from the service road at the rear and there are already a number of different styles of garages in the rear. The garage would be finished in render and spar under a Redland Double Roman tile roof to match the existing materials of the host dwelling. It is therefore considered that the design and material would be acceptable. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Residential Amenity

There is adequate rear amenity space to the property that would be retained following the erection of the proposed garage. The location of the proposed garage would remain unchanged, although the size of the garage would be bigger than the existing garage. The distance to the nearest dwelling house would be approximately 20 metres. It is therefore considered that the proposal would not prejudice to the amenity of neighbouring occupiers.

5.4 Highway considerations

The proposal is to create additional parking space within the residential curtilage of the property, therefore no highway objection to the proposal.

5.5 Other issues

The local resident is concerned that the proposal would adversely affect the existing off-street parking in front of the garage of No.13 Briarfield Avenue. Although the proposal may cause conflicts with the use of the space in front the neighbour's garage, it is considered that it would be unreasonable to refuse this application on this ground as the land for the proposed garage would be within the ownership of the applicant. It is therefore considered that the raised parking issue would be a private civil matter between the applicant and the adjoining owners.

5.6 Design and Access Statement

As this is householder planning application, no Design and Access Statement is required.

5.7 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK08/3256/F**

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

CONDITIONS

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

Reason:

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

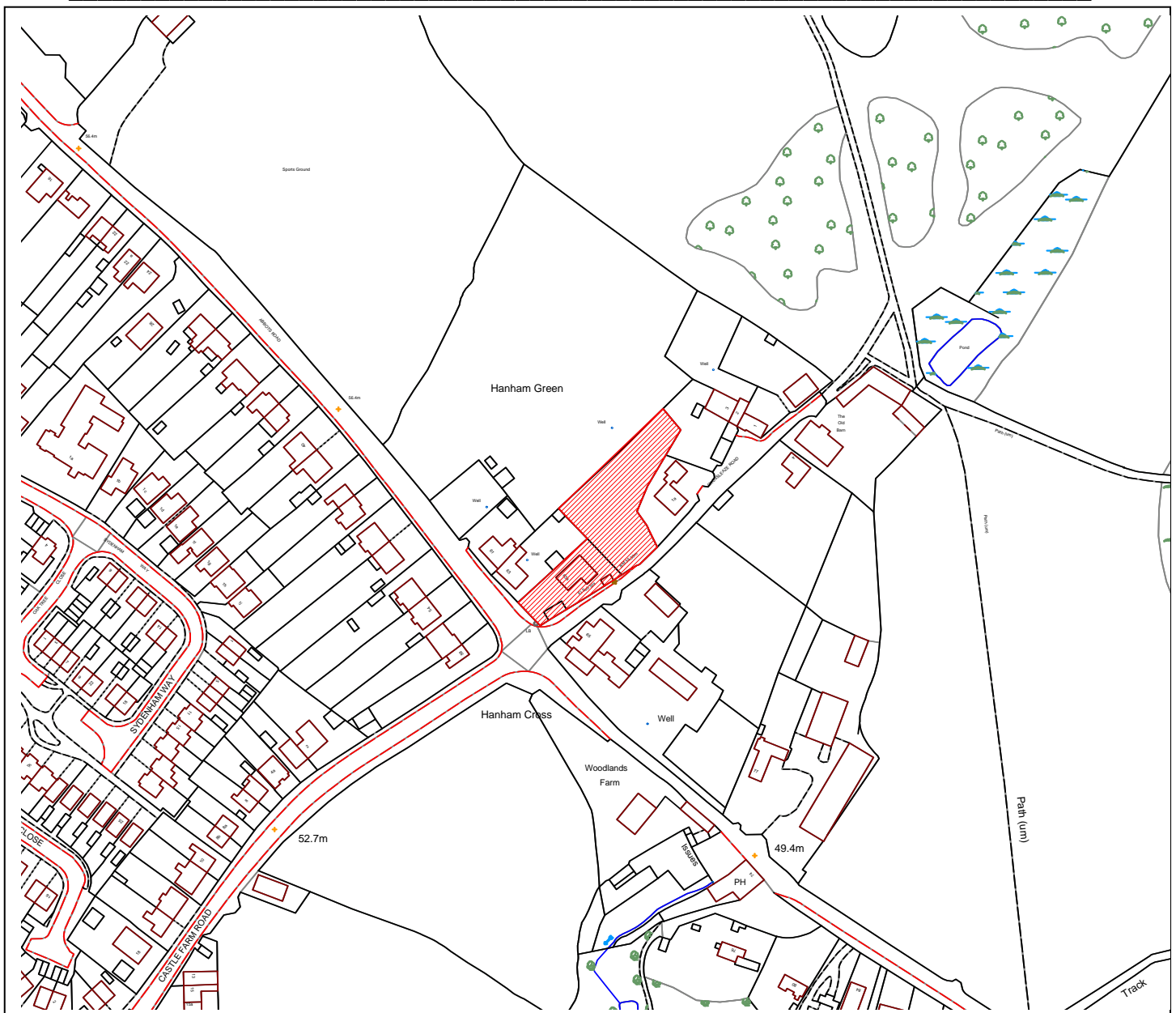
2. The materials to be used in the construction of the external surfaces of the garage hereby permitted shall match those used in the existing building.

Reason:

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

CIRCULATED SCHEDULE NO. 04/09 – 30 JANUARY 2009

App No.:	PK08/3258/F	Applicant:	Mr N Painter
Site:	63A, Abbots Road, Hanham, South Gloucestershire, BS15 3NQ	Date Reg:	30th December 2008
Proposal:	Alterations to raise the roofline of existing bungalow to facilitate the erection of a two storey side and rear extension to provide additional living accommodation. (Resubmission of PK08/1686/F).	Parish:	Hanham Abbots Parish Council
Map Ref:	64291 71053	Ward:	Hanham
Application Category:	Minor	Target Date:	9th February 2009



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N.T.S

PK08/3258/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a variety of extensions to the existing bungalow to both increase its footprint and its height. At present, the existing dwelling consists of a small two bedroomed bungalow finished with reconstituted stone and render. Following the extensions as proposed the resultant dwelling would consist of a three bedroomed, two storey house with three bathrooms.
- 1.2 The application property sits in a residential area right at the edge of the Green Belt. Whilst the dwelling does not actually sit in the Green Belt, the boundary is just on the other side of the road. The plans show the property to have a very large garden – you officer is not certain whether this amount of land can lawfully be used as a garden or if infact its lawful use is agricultural land. Whilst this will not be investigated as part of this application the applicants may wish to submit a certificate of lawfulness to establish the authorised use of the site.
- 1.3 This application is the resubmission of a previously refused application on the same site reference PK08/1686/F. The previous application was refused for three reasons relating to design and the impact upon the neighbouring property. Since the refusal of the previous application the applicant has amended the plans quite significantly in the following ways:
- Removal of the first floor balcony on the rear elevation
 - Reduction in length of the two storey element of the extension by 7.1 metres.
 - Lowering of proposed eaves height by 1m
 - Lowering of proposed ridge height by 1.2 metres
 - Large simplification of the design
 - Reduction in the number of roof lights
 - Removal of Front Dormer
 - Removal of Front Bay Window
 - Removal of two storey front extension

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

GB1 Development in the Green Belt

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/1686/F Alterations to raise the roofline of existing bungalow to facilitate the erection of a two storey side and rear extension with a balcony to the rear elevation to provide additional living accommodation.
Refused July 2008

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
No Objection

Other Representations

4.2 Local Residents

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

- The extension shows no respect for the surrounding area
- The height, design and overall design clash with the existing building
- The extension would have an overbearing and overshadowing impact on the neighbouring property
- Would overshadow the bottom of the neighbours garden in the early morning in the summer
- Would block the neighbours views of Hanham Hills

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and providing a number of criteria relating to design, scale, highway and impact upon visual and residential amenities are met.

5.2 Design/Visual Amenity

In accordance with the requirements of Policy H4 of the South Gloucestershire Local Plan, extensions to existing dwellings will only be permitted where they respect the massing, scale, proportions, materials and overall design and character of the existing property. This is also enforced by Policy D1 which contains similar criteria.

In the previously refused application, the key concern was that the proposed extensions were excessively large and that the modest bungalow that currently exists would have been engulfed by the large extensions. Indeed, had permission been granted for the previously proposed extensions, it would have been difficult to even make out the outline of the original bungalow because of the sheer scale of the development upon it. Paragraph 1.3 above outlines the most significant changes since the previously refused application.

The revised scheme now for consideration is substantially smaller than the previously approved application – the two storey element is over 7 metres shorter in length. It is accepted that the proposed extensions will still change the character of the bungalow but it is now considered that the proposed works will not detract from the character of the surrounding area nor have any detrimental visual impact.

The existing bungalow is small and uncomplicated in design. It has a low roof pitch and is finished with re-constituted stone. The bungalow is quite unique in

its surroundings and does not integrate particularly successfully with the surrounding built form. The proposed application seeks to retain the single storey front element and the rest of the proposed extensions take their lead from the existing bungalow. The eaves heights of the extensions are now to match the existing dwelling and this will help to keep the scale of the resultant building down. The number of roof lights and other over complicated design features that were an issue in the previously refused have now been removed from this resubmitted scheme resulting in a far more sympathetic extension suitable for its setting.

It is now considered that the previous refusal reasons relating to design have been overcome and that the scale, proportions and design of the extensions are appropriate for their setting and integrate successfully with the surrounding built environment.

5.3 Green Belt

The application site does not actually lie within the green belt but lies adjacent to it. In accordance with Policy GB1 of the South Gloucestershire Local Plan, '*development within or conspicuous from the Green Belt should not injure the amenities of the Green Belt by reason of their siting, materials of design*'. The site is clearly conspicuous from the green belt and consideration has been given to whether the proposed extensions would impact upon the openness of the green belt. Because the surrounding dwellings are all two storey, including No. 65 Abbots Road on the opposite side of the road and actually within the green belt, it is not considered that the extensions as proposed would have sufficient impact upon the amenity and openness of the green belt sufficient to warrant an additional refusal reason. The application is thus considered to comply with the requirements of Policy GB1.

5.4 Residential Amenity

The previous application was refused partly because of its impact upon no. 63 Abbots Road although it is important to note that the owners of 63 Abbots Road did not object to the previous application. The key concern of the previously refused application and its impact on no. 63 Abbots Road revolved around the height and depth of the two storey element. The proposed extension now for consideration is much smaller than the previous extension. The maximum height of the extension has been reduced by over 1 metres and the depth of the two storey element has been reduced by over seven metres. Whilst it is not disputed that the extension will be seen from No. 63 Abbots Road, given the great reduction in size, it is not longer considered that it will have any overbearing or overshadowing impact upon it.

There are no new windows in the side elevation of the extension facing toward No. 63 that could result in any issues of overlooking and the rear balcony has been removed. Any additional overshadowing of the bottom of the neighbours garden is likely to be minimal given the existing garages and vegetation. The minimal additional overshadowing of only a small part of the garden is not considered to be of sufficient concern to warrant the refusal of the application. It is noted that one new first floor window is proposed facing out over Crossleaze Road. This new window however will not result in any issues of intervisibility or loss of privacy.

Finally, it is noted that the owners of No. 63 Abbots Road are concerned about their loss of view towards the Hanham Hills. Unfortunately in planning terms

there is no 'right to a view' and thus it is not a material planning consideration. Having said this, whilst some of the view will be lessened, it is still considered that No. 63 will have a pleasant outlook over rural land and the Hanham Hills will still be readily visible.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK08/3258/F**

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

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

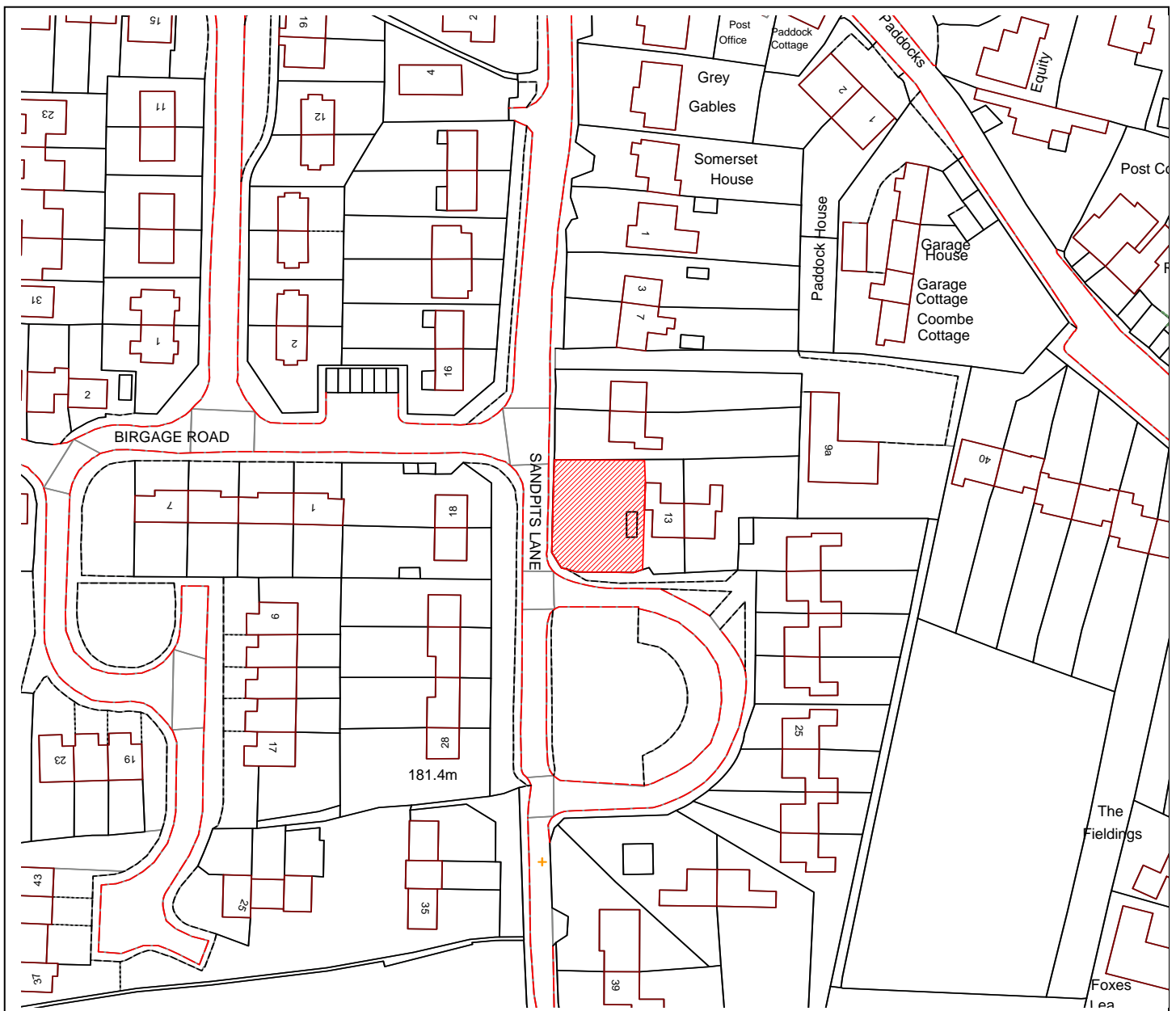
Reason

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

CIRCULATED SCHEDULE NO. 04/09 – 30 JANUARY 2009

App No.: PK09/0004/F
Site: 13 Sandpits Lane, Hawkesbury Upton, South Gloucestershire, GL9 1BD
Proposal: Erection of 1 no. dwelling with access and associated works (Amendment to previously approved scheme PK07/1978/F Re-Submission of PK08/2422/F) Retrospective
Map Ref: 78009 86731
Application Category: Minor

Applicant: Mr I Templeton
Date Reg: 5th January 2009
Parish: Hawkesbury Upton Parish Council
Ward: Cotswold Edge
Target Date: 13th February 2009



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N.T.S

PK09/0004/F

INTRODUCTION

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

1. PROPOSAL

1.1 The applicant seeks consent for the erection of a single dwelling with an access and associated works. The two-storey detached dwelling would be situated within part of the current garden area associated with No.13 Sandpits Lane. The front elevation would front onto a small crescent serving properties off Sandpits Lane while, the side elevation would face onto the lane. The drive/access would be from the front and a separate access is retained for the original.

1.2 The detached dwelling would have a height of 8.0 metres to match the adjoining semi-detached pair. The structure would also have a width of 6.8 metres and depth of 9.9 metres. The building line (aside from a front porch) would match that of properties on either side. The proposed dwelling would have a front and rear garden, while garden space is retained by the original property No.13. The application site is situated within the settlement boundary of Hawkesbury Upton and within the Cotswold Area of Outstanding Natural Beauty (AONB).

1.3 It is important to note that this application represents a retrospective consent and an amendment to Application PK07/1978/F (and PK08/2422/F) that have previously been approved (see paragraph 3 below for details). Work has been substantially completed on the approved scheme. This application has been submitted to rectify a mistake made during the construction of the house, whereby a window to the master bedroom has been located/installed on the side/west elevation of the property rather than the rear/north elevation as indicated on the previously submitted plans. All other aspects of the scheme remain the same. It should also be noted that this application is only required as the Council is no longer able to accept any alterations to an approved scheme as a "minor amendment".

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H2	Proposals for Residential Development within Existing Urban Area and Defined Settlement Boundaries
T8	Parking Standards
T12	Transportation Development Control Policy for New Developments
L17/L18	The Water Environment
L2	Cotswold Area of Outstanding Natural Beauty

2.2 Supplementary Guidance

The South Gloucestershire Design Checklist (Adopted)

3. **RELEVANT PLANNING HISTORY**

P88/1092 (Outline) Erection of detached dwelling, construction of vehicular and pedestrian access (Refusal)

P98/1577 Erection of side conservatory (Approved)

PK07/1978/F Erection of 1 no. dwelling with access and associated works (Approved with conditions).

PK08/2422/F Erection of 1 no dwelling with access and associated works (Amendment to previously approved scheme PK07/1978/F) Approved with conditions

4. **CONSULTATION RESPONSES**

4.1 Hawksbury Upton Parish Council

No objection has been raised

4.2 Sustainable Transport

Planning permission has previously been granted to erect a three-bed dwelling on this site (PK07/1978/F). This proposal seeks to amend the previously approved scheme to erect a new dwelling on this site. The density of the dwelling has been increased from a three-bed to a four-bed. Vehicular parking has been increased from one to two parking spaces in a tandem style arrangement. This level of parking is within the maximum standards set out in Policy T8 of the SGLP and is therefore considered acceptable.

In light of the above, there is no transportation objection to this proposal.

Other Representations

4.3 Local Residents

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

- The applicant, since the initial permission was granted has submitted plans retrospectively
- The windows are not level with those of adjacent houses
- A window in the west elevation was an initial concern on the basis that it would overlook neighbouring properties

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

As indicated above, the current application represents an amendment to a previous approval PK08/2422/F which itself was an amendment to PK07/1978/F. The scheme is identical in all respects to PK08/2422/F with one difference. A window has been installed on the west/side elevation facing onto the road (to serve the master bedroom) rather than on the rear/north elevation as shown on the previously approved plans. The building is largely completed.

This report will assess the scheme as a new application however it must be noted that the principle of development including the access has previously been accepted.

Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 states that infilling and small groups of dwellings will normally be permitted within the village development boundaries, provided that the character of the settlement is not affected and subject to conforming with other policies in the plan. The application is also for residential development on a site currently in residential use. The erection of an additional unit equates to a density of approximately 32 dwellings per hectare which is considered appropriate within this location (compatible with the size of the site, relationship with adjoining properties and accessibility requirements) and therefore in accord with Policy H2 and the guidance set out in PPS3. The principle of the development is therefore acceptable.

5.2 Impact on the Character and Appearance of Area

The proposed dwelling is sited such that it follows the building line established by No.13, the original property and to the side the property adopts the building line established by No.11 Sandpits Lane. It should be noted that a previous outline application in 1988 was rejected on the grounds that the building line along Sandpits Lane would have been adversely affected; in contrast, facilitated by the removal of a garage associated with No.13, the current proposal is able to maintain this building line. It is considered that the siting is acceptable.

The proposal adopts a simple design and this is considered to ensure that the building integrates successfully with adjoining properties. The height of the building will match that of the original property. The use of roughcast painted render as well as matching tiles will also ensure the integration of the property into the street scene.

It is not considered that the proposed amendment would have any significant impact upon the character and appearance of the area. It is considered that the proposal is in accord with the aims and objectives of Policies H2 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.3 Impact on Neighbouring Occupiers

An objection has been raised to the proposed development in respect of the window on the side/west elevation.

As has been indicated the only difference between the approved scheme and the current proposal is the position of the window serving the master bedroom. It is not considered that the position on the side/west elevation will cause any

significant overlooking. There is a gap of approximately 28 metres from the window concerned to the nearest properties on the opposite side of Sandpits Lane (No.18 and No.20). This gap includes the side garden of the new property, the pavement and carriageway and the front of the neighbouring properties. Views to other properties to the south, ie No.22 and No.24 would be at a greater distance and at an oblique angle.

It is not therefore considered that the proposed amended window would have a materially significant impact upon the residential amenity of neighbouring occupiers such as would justify the refusal of the application.

5.4 Transportation

Policy H2 and Policy T12 more specifically of the South Gloucestershire Local Plan (Adopted) January 2006 considers the impact of development upon the surrounding highway network.

No aspects in relation to parking or position of the access have been altered from the previously approved scheme.

5.5 Cotswold Area of Outstanding Natural Beauty (AONB)

It is not considered that the proposed development would adversely affect the Cotswold Area of Outstanding Natural Beauty.

5.6 Other Issues

Concern has been expressed that the applicant has applied retrospectively for amendments to the original approved proposal, having carried out the works.

To undertake works and then apply retrospectively for consent is a risk taken by the applicant. If such works were unacceptable the original approved scheme may have to be reinstated. It is for the Council to determine whether the works undertaken are acceptable having regard to the planning merits/all material considerations (an application cannot be rejected on the basis that it is made retrospectively). It is considered in this case that the variation from the approved scheme is acceptable. Conditions appropriate to the application at this stage are recommended.

5.7 Design and Access Statement

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

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 **PK09/0004/F**

Contact Officer: **David Stockdale**

Tel. No. **01454 864533**

CONDITIONS

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

Reason

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

2. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed bathroom window on the First Floor rear [north] elevation and two windows on the First Floor side (east) elevation, (to a bathroom and landing), shall be glazed with obscure glass only (Level 3 Obscure Glazing).

Reason

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

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

Reason

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

4. These hours of working on site during the period of construction shall be restricted to 0730 hours to 1800 hours and 0730 hours 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 neighbouring properties and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. There shall be no gates installed at any time across both entrances and both driveways shall have a bound surface and be 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.

CIRCULATED SCHEDULE NO. 04/09 30 JANUARY 2009

App No.: PK09/0006/F

Applicant: Harvey Shopfitters Ltd

Site: 19 Common Road, Hanham, South Gloucestershire, BS15 3LL

Date Reg: 5th January 2009

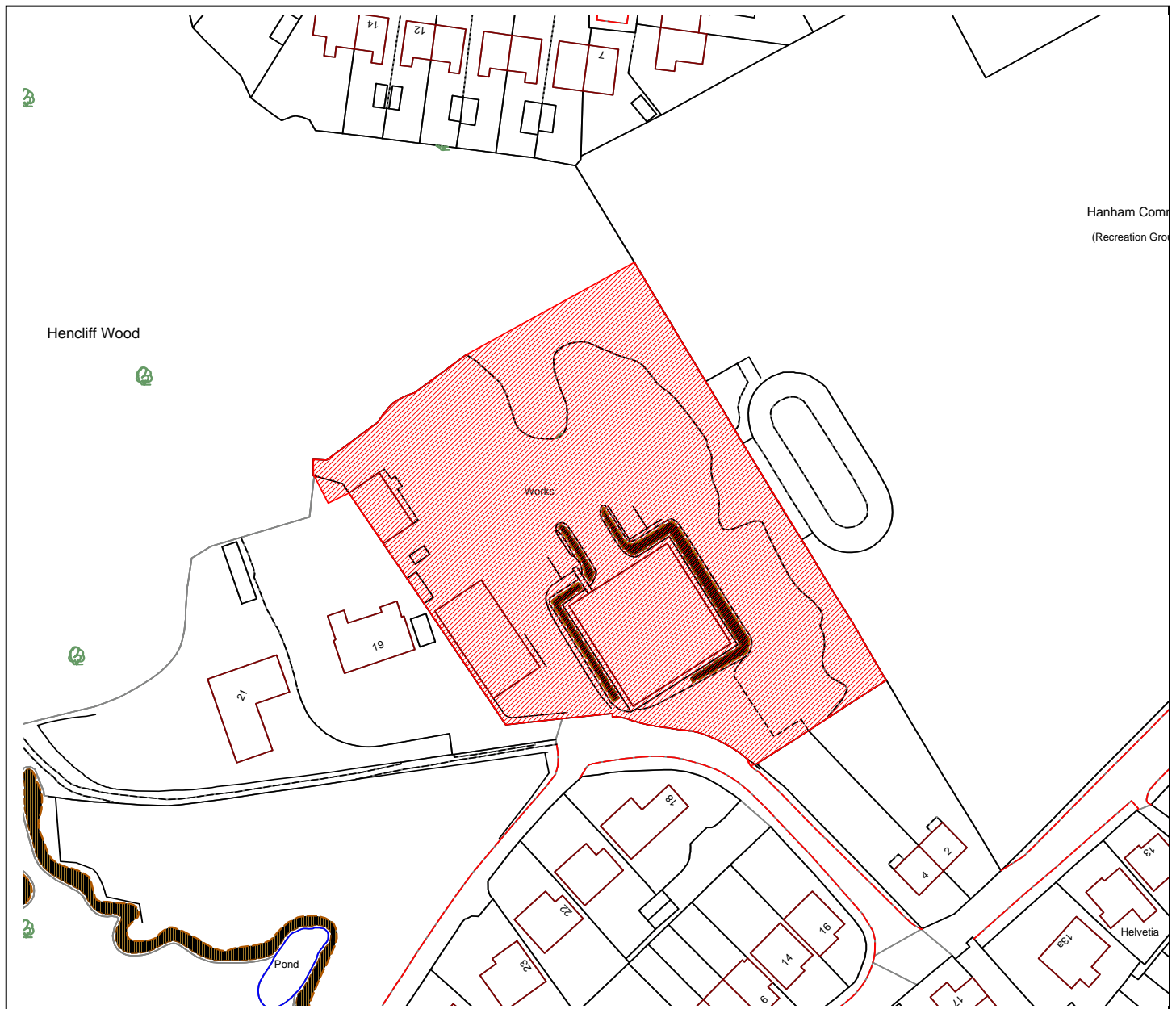
Proposal: Construction of replacement roof.

Parish: Hanham Abbots Parish Council

Map Ref: 63760 71227

Ward: Hanham
Target Date: 12th February 2009

Application Category: Minor



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N.T.S

PK09/0006/F

INTRODUCTION

The application has been forwarded to the Circulated Schedule for Member consideration as representations have been received contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 The application site is situated immediately to the west of Hanham. The site is bounded by Hencliff Wood to the north and north west, Hanham Common to the east and residential development to the west and south. The site comprises office building and studio on the west boundary and a large industrial unit in the centre of the site, used as a workshop. The workshop is constructed from brick and bottle green powder coated profiled metal sheeting. The site on which the workshop is situated has been excavated such that the workshop building is positioned at a lower ground level to the highway. The building is surrounded by tall established conifers on all sides.

The site is situated outside the urban area as defined in the adopted Local Plan and within the Bristol/Bath Green Belt.

- 1.2 The application proposes a roof extension to replace the existing pitched roof. The roof extension would form a flat roof, 1m higher than the existing ridge with a grassed external surface.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPG4 Industrial, Commercial Development and Small Firms

- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
GB1 Green Belt
T12 Transportation for New Development

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – August 2007
Development in the Green Belt – June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P80/4281 Erection of replacement workshop (Previous ID: K3248)
Approved 15.09.1980
- 3.2 P81/4204 Erection of workshop and two storage buildings (Previous
ID: K3248/1)

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council

No objection

4.2 Other Consultees

None

Other Representations

4.3 Local Residents

One letter of objection received from the occupiers of 18 Common Road raising the following concerns:

The existing tree screen has a limited lifespan and are 30 years old at present, once the screen has gone the building will be visually harmful; box like structure would be out of character with this semi rural area; a replacement roof following the existing profile would be visually more acceptable;

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy E6 of the adopted Local Plan acknowledges the economic benefits of allowing existing employment generating uses to flourish and will permit expansion and intensification provided the development accords with the other relevant policies of the Local Plan. Policy GB1 aims to control development within the Green Belt. There is a general presumption against inappropriate development which would harm the openness of the Green Belt.

5.2 Visual impact

The existing building is situated on a site which had historically been used for mineral excavation. As such the existing building occupies a sunken position in relation to the rest of the site and its surroundings. The building is also surrounded by a thick and mature screen of conifers on all sides other than at the access within the site on the north west side. The existing building is therefore entirely screened from public views. The proposal would raise the ridge height of the building by 1m and the eaves height by a further 750mm. The form and shape of the building would change from conventional pitched to flat roof. However, due to the existing screening and sunken position, the proposed roof extension would result in no material change to the character distinctiveness and amenity of the surrounding area when viewed from public vantage points. It is therefore considered that the design of the proposal accords with the criteria of Policy D1. Conditions are recommended to ensure protection of the existing conifer screen during construction and future protection of the screen for a further five years to ensure no adverse impact on the trees as a result of the development.

5.3 Residential amenity

The workshop building is situated 18m from the nearest dwelling (no. 18). This distance, the sunken position of the building in relation to its surroundings and the mature tree screen on all sides will ensure there is no prejudice to the amenity of neighbouring occupiers. The proposal would result in no further intensification of the existing business and as such the proposal would have no additional noise implications.

5.4 Green Belt

The main test in this case is whether the proposal would constitute inappropriate development that would harm the openness of the Green Belt. PPG2 states that the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. Strict controls are exercised over extensions to buildings to protect the openness of the Green Belt. The proposed extension relates to an existing building, in volume terms the proposal would constitute a 22% increase to the existing building. Additionally, the existing conifer screen and sunken position of the building would ensure no material compromise to the openness of the Green Belt. Accounting for all of the above considerations, the proposal is considered to be appropriate development in the Green Belt and as such the proposal accords with policy GB1 of the adopted Local Plan and Government advice in PPG2.

5.5 Other issues

The proposed extension would create no additional floorspace and as such it is considered that the proposal would not result in further intensification of the existing business use. The proposal would therefore have no additional material impact in relation to highway safety.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Consent is GRANTED subject to the following conditions and informatives:

Background Papers **PK09/0006/F**

Contact Officer: **Sean Herbert**
Tel. No. **01454 863056**

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 a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of all to be retained, together with measures for their protection during construction of the development hereby permitted shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason:

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

3. Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, within 5 years of the implementation of the development hereby approved, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

Reason:

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

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

Reason(s):

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

CIRCULATED SCHEDULE NO. 04/09 – 30 JANUARY 2009

App No.: PK09/0023/ADV

Applicant: Mr S Bethell The
Carphone
WarehouseSite: Unit A2, Gallagher Retail Park,
Aldermoor Way, Longwell Green,
South Gloucestershire, BS30 7ES

Date Reg: 7th January 2009

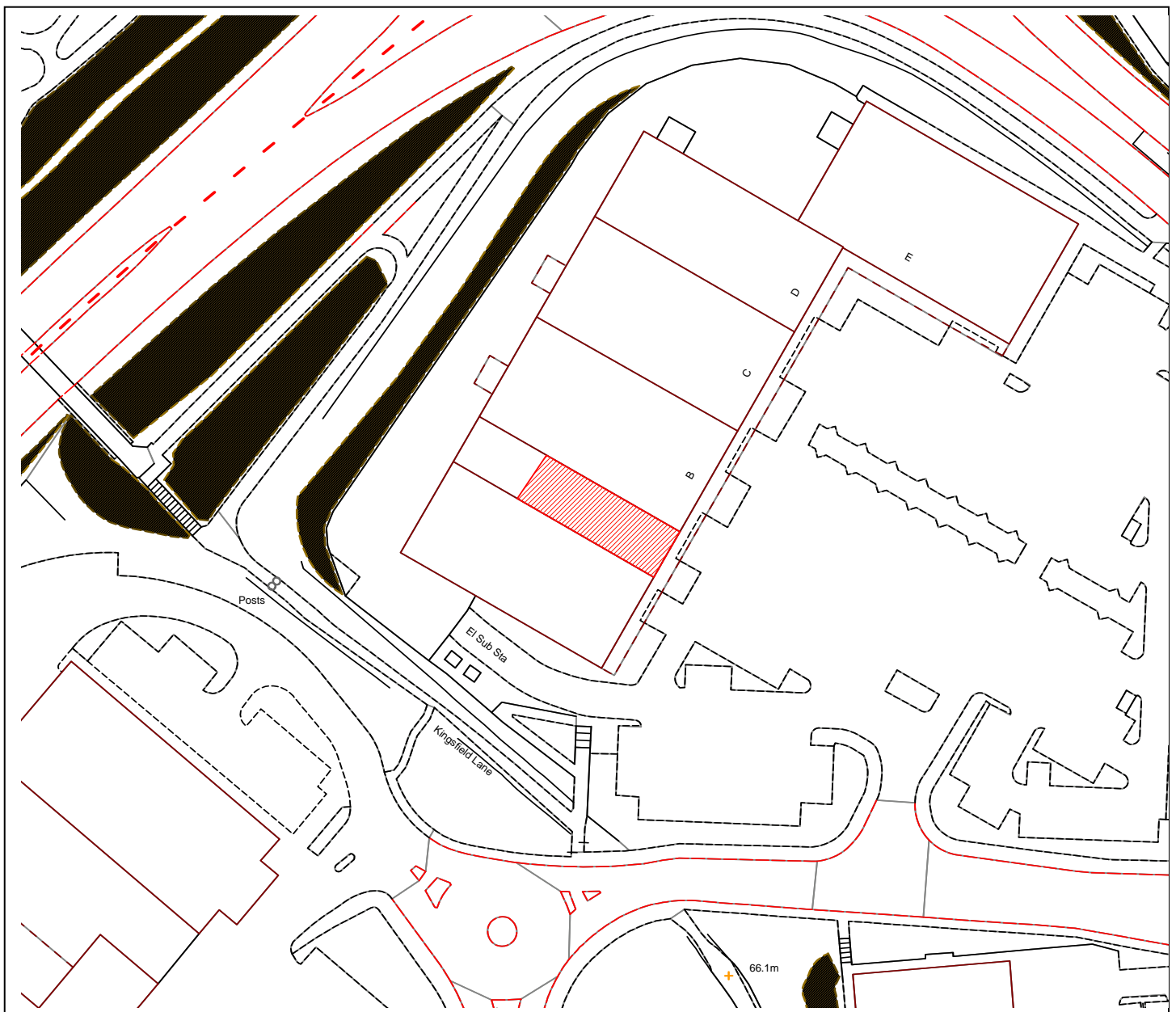
Proposal: Display of 1 no. non illuminated fascia
sign. (Retrospective)Parish: Oldland Parish
Council

Map Ref: 65413 72021

Ward: Longwell Green

Application Category: Minor

Target Date: 13th February 2009



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PK09/0023/ADV

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for the display of 1 no. internally illuminated fascia signs above the main entrance and 1 no. internally illuminated hanging sign.
- 1.2 The fascia sign would measure approximately 2.4 metres by 0.8 metres and the hanging sign would measure approximately 1.8 metres by 7.4 metres. The signages would be white flex-face with blue and white printed logo.

2. POLICY CONTEXT

- 2.1 National Guidance
PPG19 Outdoor Advertisement Control

3. RELEVANT PLANNING HISTORY

- 3.1 There is a lot of history on this site but the most relevant is: PK06/0854/F Demolition of all existing retail buildings on site and engineering works to produce a level site. Erection of 8 no. new retail units and construction of new central car park, associated servicing area and landscaping. (Amendment to previously approved scheme PK04/2530/F). Approved with conditions July 2006
- 3.2 PK07/2106/ADV Illuminated Sign (Clarks)
Advert Approval 2007
- 3.3 PK07/1926/ADV Illuminated Signs (Outfit)
Advert Approval 2007
- 3.4 PK08/0375/ADV Illuminated Signs (Next)
Advert Approval 2008
Condition: No illumination between the hours of 20.00 and 09.00
- 3.5 PK08/2087/ADV Illuminated Signs (Clinton Cards)
Advert Approval 2008
Condition: No illumination between the hours of 20.00 and 09.00

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
No comment.

Other Representations

4.2 Local Residents

One letter has been received from a local resident and Councillor Calway raising the following concerns:

At present there are two advertisements in place both fully illuminated and this is what the submitted plans also appear to be showing. We have no objection to non illuminated signage but with illuminated signage if permission is granted, in accordance with South Gloucestershire Local Plan we would request a condition of no illumination outside of business hours i.e. no illumination between the hours of 20.00 and 09.00.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The only issue that can be taken into account in the assessment of an advert application is amenity and public safety.

5.2 Amenity

Members are advised to consider that a number of applications sought advertisement consent within the Retail Park.

With the current scheme, no signs are proposed on the rear elevation of the building.

The illuminated signages are located on the front entrance of the building. It is considered that the scale and design are acceptable. As they would be facing into the retail park, it is considered that by reason of their sitting that they would have limited impact on the visual and residential amenity of the immediate locality. Members should also have regard for three recent advert consents on this site relating to Clarks, Outfit, Next and Clinton Cards where advertisement consent has been granted for similar signage on the front elevation.

It is considered that the proposal would not have a detrimental impact on the existing amenity of those neighbouring properties sites north and northwest of the application site or on the visual amenity of the immediate surrounding area.

5.3 Public Safety

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

5.4 Design and Access Statement

The Design and Access Statement will not be required for the advertisement proposal.

5.5 Section 106 Requirements

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

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

7. RECOMMENDATION

7.1 That advertisement consent granted subject to the following conditions.

Background Papers **PK09/0023/ADV**

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

CONDITIONS

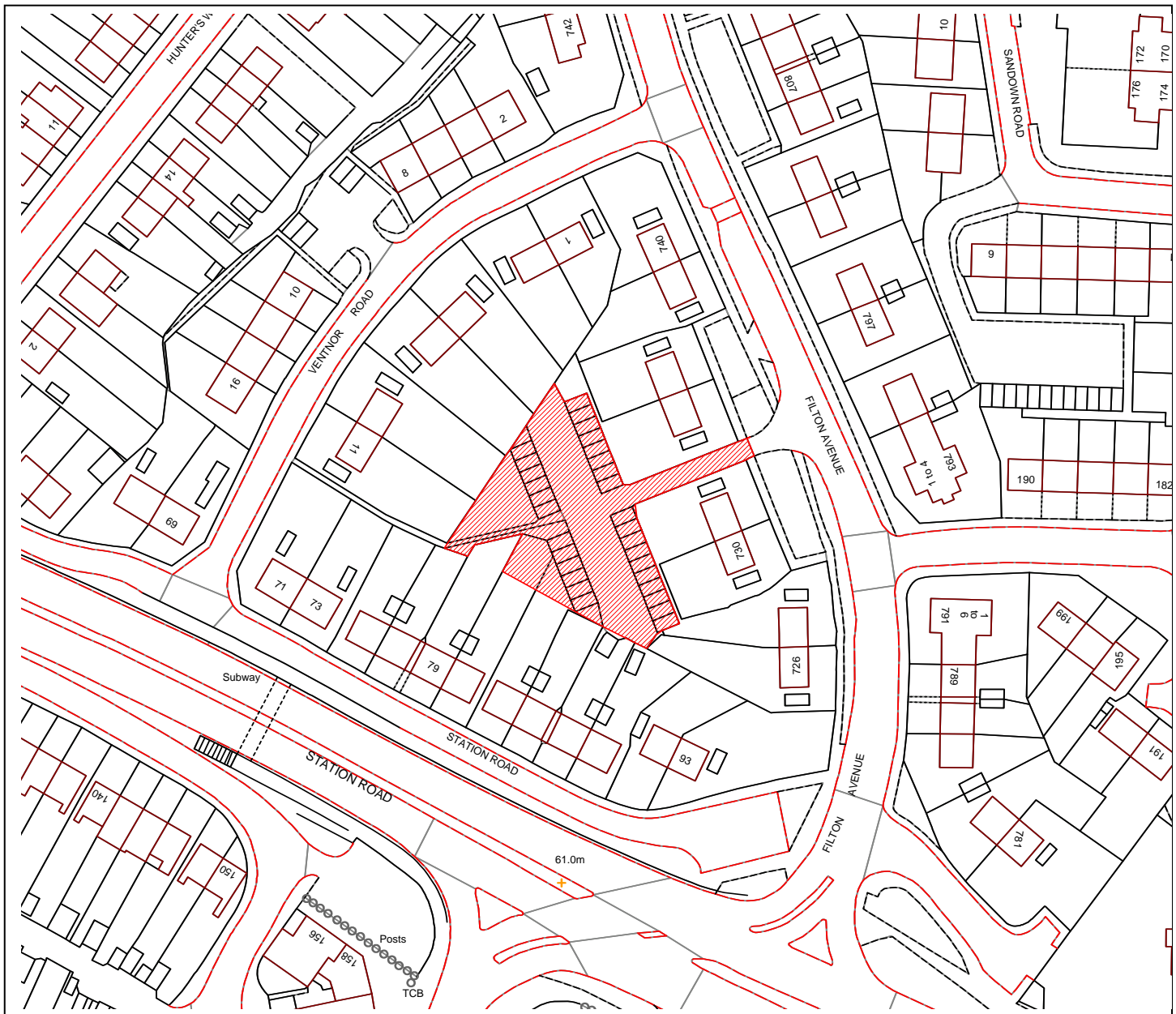
1. There shall be no illumination of the adverts hereby approved between the hours of 20:00 and 09:00 unless the Local Planning Authority give written consent to any variation.

Reason

In the interests of visual and residential amenity and to accord with PPG19 Outdoor Advertisement Control.

CIRCULATED SCHEDULE NO. 04/08 – 30 JANUARY 2009

App No.:	PT08/2324/F	Applicant:	Solon (SW) Housing Association
Site:	Garage Court off Filton Avenue, Filton, South Gloucestershire, BS34 7HE	Date Reg:	18th August 2008
Proposal:	Demolition of existing garages to facilitate the erection of 5 no. houses with associated works (in accordance with amended plans received on 10 September 2008).	Parish:	Filton Town Council
Map Ref:	60964 79025	Ward:	Filton
Application Category:	Minor	Target Date:	6th October 2008



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 100023410, 2008.
 DC0901MW

UPDATE REPORT

INTRODUCTION

- 1.1 Members may recall this planning application from the Circulated Schedule No. 37/08, dated 12 September 2008 where it was resolved to grant the proposal conditional planning permission, subject to a Section 106 Agreement requiring financial contributions towards the North Fringe Development Major Scheme (Transport Matters) and additional primary school provision.
- 1.2 The Section 106 Agreement is required to be signed and sealed within 6 months of the resolution, giving a date of 12 March 2009. However, the applicants have requested an extension of this time scale by a further 6 months. This has been due to a number of delays, primarily because the applicant, Solon Housing Association, do not yet own the site and the process of land assembly which involves 3 land owners is proving complex. As such the applicants are not yet in a position to enter in to a Section 106 Agreement.
- 1.3 Members are therefore requested to extend this time limit by a further 6 months, ie until 12 September 2009.
- 1.4 The original report relating to this application is attached for information. It is not considered that there have been any material changes to the policy context in the intervening period.

2. RECOMMENDATION

- 2.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) (or similar agreement) to secure the following:
 - (a) A financial contribution of £9,000 towards the North Fringe Development Major Scheme (Transport Matters).

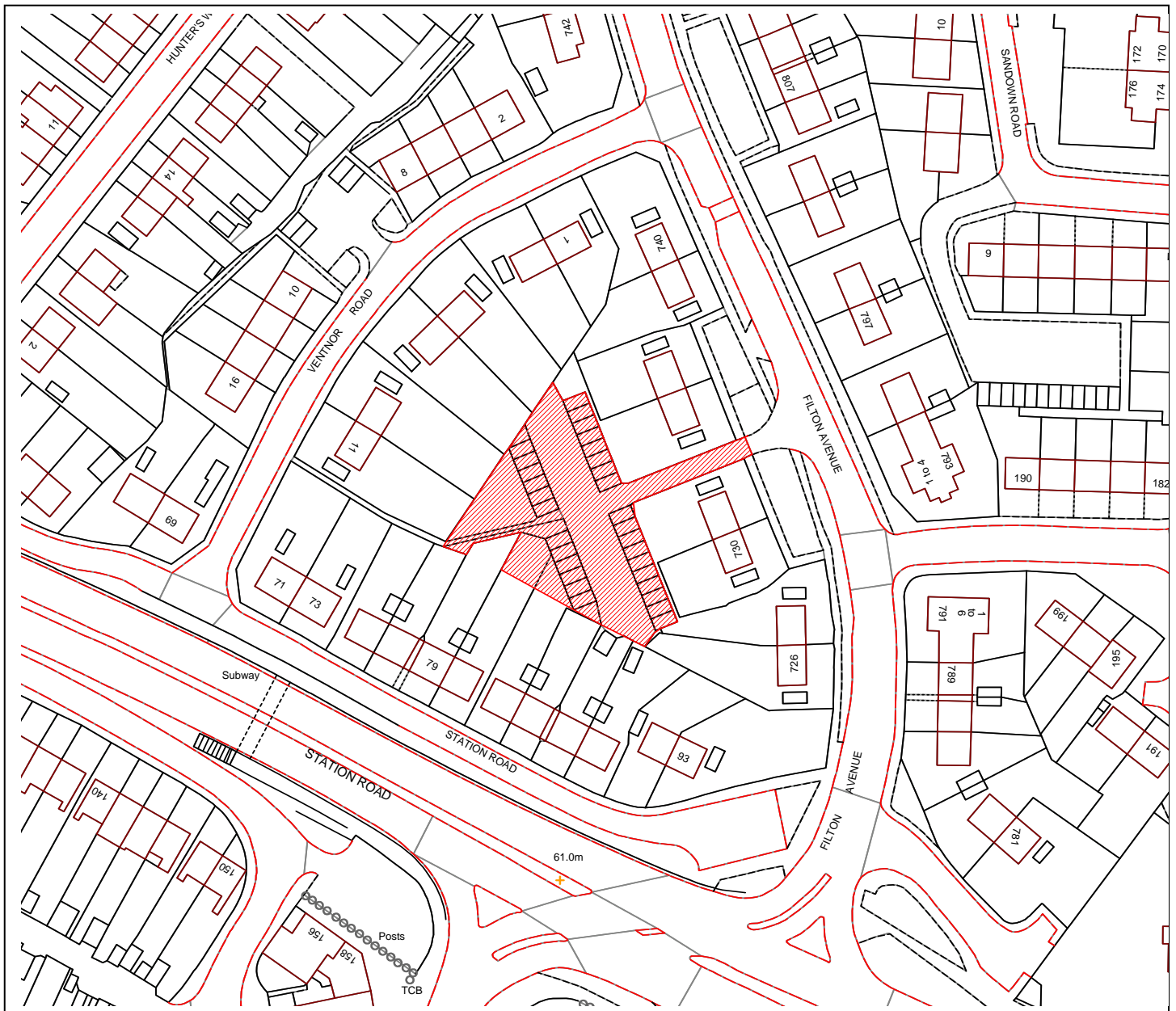
Reason: To provide a contribution commensurate to the scale of the development towards the North Fringe Development Major Scheme (Transport Matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with policies T12 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - (b) A financial contribution of £10,747 towards additional primary school provision.

Reason: There is a projected deficit at primary level in the local area and to comply with Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006.

- (2) If the Section 106 Agreement (or similar agreement) is not signed and sealed by 12 September 2009 then in view of the length of time the application should either:
 - (a) Return to the Circulated Schedule with an updated report or;
 - (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a legal agreement, for the reasons listed in section 1.

CIRCULATED SCHEDULE NO. 37/08 – 12 SEPTEMBER 2008

App No.:	PT08/2324/F	Applicant:	Solon (SW) Housing Association
Site:	Garage Court off Filton Avenue, Filton, South Gloucestershire, BS34 7HE	Date Reg:	18th August 2008
Proposal:	Demolition of existing garages to facilitate the erection of 5 no. houses with associated works (in accordance with amended plans received on 10 September 2008).	Parish:	Filton Town Council
Map Ref:	60964 79025	Ward:	Filton
Application Category:	Minor	Target Date:	6th October 2008



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DC0901MW

This application has been referred to the Circulated Schedule due to the requirement for transportation and education contributions.

1. THE PROPOSAL

- 1.1 This full application relates to the erection of 5 no. two storey dwellings on land to the rear of Filton Avenue, Filton. The site is currently occupied by 30 lock-up garages which are to be demolished to make way for the development. The proposal provides 3 no. two bed dwellings and 2 no. three bed dwellings arranged as one pair of semis and a small terrace.
- 1.2 The application site has an area of approximately 0.135 hectares and is broadly triangular in shape. It is accessed off Filton Avenue, between the properties of 732 and 734. The site is surrounded by residential development, wholly enclosed by the rear gardens of 730-736(even) Filton Avenue, 77-89(odd) Station Road and 5-11(odd) Ventnor Road. The site lies within the urban area of Filton. It is currently unsightly in appearance and little used for garaging purposes, with only two of the garages being used. The two displaced licensees have been allocated individual parking spaces within the site and a further 2 spaces have been provided for existing residents on Filton Avenue. In addition, all dwellings are provided with a garden shed (2.4m x 1.8m) to provide secure and covered cycle parking.
- 1.3 The application site slopes upwards from east to west across the site by approximately 1.4m.

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 Location of Development
Policy 2 Location of Development
Policy 33 Housing Provision and Distribution
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H2 Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
LC2 Provision for Education Facilities (Site Allocations and Developer Contributions)
- 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
No response received.

Other Consultees Internal

4.2 Sustainable Transport
No objection subject to a financial contribution.

4.3 Housing
Fully support the application. The scheme meets local strategic priorities as it maximises the use of resources to provide much needed affordable homes to meet housing need in the area. There are a limited number of Council owned sites available for redevelopment and this site is located in a sustainable area, supported by existing infrastructure, local facilities and transport links and where there is a high level of housing need. All the units are for social rent, and the District level JHA Housing Needs Survey identifies a high need for affordable rented units.

4.4 Education
No objection subject to a financial contribution.

Other Representations

4.5 Local Residents
No response received.

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**

The proposal involves the demolition of the 30 lock-up garages on the site. A survey of these garages was undertaken where it was discovered that of the 30 garages, only 2 are in use, occupied by 2 licensees. Both licensees are provided with one allocated parking space and a further two spaces allocated for existing residents of Filton Avenue within the site. Eight spaces are also provided for the proposed dwellings as well as covered and secure cycle parking. The proposal is therefore acceptable and in accordance with the Council's standards in parking terms.

- 5.3 With regard to means of access, the proposal utilises the existing access off Filton Avenue. Although restricted in width it benefits from a wide bell mouth with Filton Avenue, which allows conflicting vehicles to give way clear of the public highway. Vehicles can also give way within the site itself. In addition, the site incorporates sufficient turning for larger service vehicles. Furthermore, having regard to the existing use of the site for 30 garages, the potential for vehicle movements will decrease as a result of the development and it is acceptable in this respect.
- 5.4 Although the proposal involves the removal of the pedestrian walkway linking the site with Ventnor Road, this is also considered acceptable. The walkway is more relevant to the historical use of the site with garage users needing a link to their homes on Ventnor Road. Although owned by the Council, it is not a Public Right of Way and its continued use is no longer essential. In addition, it is not well used and is a source of concern from adjacent residents in terms of crime prevention.
- 5.5 No objection is therefore raised to the proposal subject to a financial contribution towards the North Fringe Major Scheme (Transport Matters). The scale of the contribution equates to £1,800 per dwelling resulting in a total contribution of £9,000. 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. The applicant's have indicated that they are prepared to provide this contribution should planning permission be granted.
- 5.6 Residential Amenity
With regard to the affect of the proposal on surrounding residential amenity, the proposal is considered to be acceptable. The site is large enough to accommodate the proposed units and maintains adequate inter-visibility standards between surrounding dwellings. The nearest property to the site is that of 734 Filton Avenue. Plot 1 of the proposal is side-on to the rear elevation of this property. However a 13.8m distance lies between both elevations and no windows are proposed to the side elevation. The remaining plots are a minimum distance of some 22m from neighbouring dwellings. These distances are acceptable in terms of loss of privacy/overlooking issues and no overbearing impact will result from the development
- 5.7 Noise/disturbance
The increase in the residential intensity of the site in terms of noise and disturbance is considered acceptable. The proposal provides an additional 5 units in a residential area and the existing use of the site as a garage forecourt of 30 garages could result in a greater degree of disturbance if used at full capacity.

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

5.8 The site has an area of 0.135 hectares and is located within the urban area of Filton. The proposal will result in a housing density of 37 dwellings per hectare. Advice contained within the adopted local plan expects minimum densities of 30 dwellings per hectare and higher density development is encouraged where local circumstances permit, especially in and around town centres and locations well served by public transport. It is considered that the size of the site is large enough to accommodate the density of development proposed, especially having regard to its highly sustainable location. The development would maximise the efficient use of the land without compromising the character or appearance of the area and as such complies with this criterion.

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

5.9 The site is not affected by any of the above to a material degree and therefore complies with this criterion.

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

5.10 The proposal is located within the urban area of Filton within close proximity to primary and secondary schools. The locality is also well served by local shops, supermarket and pubs as well as community facilities including doctors, sports and recreation. Sustainable choices of transport via the bus and train services are also available within the locality. However, local education provision is inadequate to meet the need arising from this residential development and will be discussed below.

5.11 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 three 2-bed houses and two 3-bed houses will generate one additional primary school pupil based on the pupil number calculator, which is assessed on the basis of 9 primary pupils per 100 houses with two bedrooms and 30 primary pupils per 100 houses with three 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. The applicant's have indicated that they are prepared to provide this contribution should planning permission be granted.

5.12 Other Issues

Design

Surrounding development largely consists of semi-detached and terraced dwellings of mansard type, with hipped and gabled roofs prevalent on other properties. None of the surrounding development is of any particular

architectural merit. The proposed dwellings are 2 storey in height. The elevations are broken up by varying ridge heights of between 7m and 8.2m and the incorporation of hipped and gabled roof styles. The dwellings are constructed of contrasting brickwork to provide visual interest and further break up the massing of the development. It is considered that the design of the proposal is considered appropriate to the context of the site in terms of its size, scale and massing.

5.13 In addition, due to the position of the proposal within the street scene the development will largely be screened by existing surrounding development and as such will be adequately incorporated within the streetscape. Although it is recognised that the site has no road frontage and constitutes backland development, the proposal maximises the efficient use of what is currently underused and unsightly land within an urban area. The proposal complies with privacy standards and can be accommodated without adverse impact to surrounding residential amenity. As such the proposal is considered to comply with the thrust of local, strategic and national planning policy and advice.

5.14 Garden Area

Each dwelling benefits from an area of private amenity space, ranging in size from approximately 40m² to 50m². This is considered acceptable for the size of dwellings proposed.

5.15 Design and Access Statement

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

5.16 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the transportation and education contributions are appropriately the subject of a Section 106 or Section 278 agreement and would satisfy the tests set out in Circular 05/2005.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

- (a) A financial contribution of £9,000 towards the North Fringe Development Major Scheme (Transport Matters).

Reason: To provide a contribution commensurate to the scale of the development towards the North Fringe Development Major Scheme (Transport Matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with policies T12 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

- (b) A financial contribution of £10,747 towards additional primary school provision.

Reason: There is a projected deficit at primary level in the local area and to comply with Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006.

(2) If the Section 106 Agreement (or similar agreement) is not signed and sealed within 6 months of this determination then, in view of the length of time the application should either:

- (a) Return to the Circulated Schedule with an updated report or;
- (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a legal agreement, for the reasons listed in section 1.

Background Papers **PT08/2324/F**

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

CONDITIONS

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

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

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

Reason(s):

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

3. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatment to be erected for the entire site shall be submitted to the local planning authority for approval. The boundary treatment shall be completed before the dwellings are first occupied and the development shall be carried out in accordance with the approved details.

Reason(s):

To protect the character and appearance of the area and the residential amenities of the locality, to accord with Policies H2, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting) and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. 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 H2, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No windows shall be inserted in the side (east) elevation of Plot 1.

Reason(s):

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

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

Reason(s):

To minimise disturbance to occupiers of adjacent dwellings and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

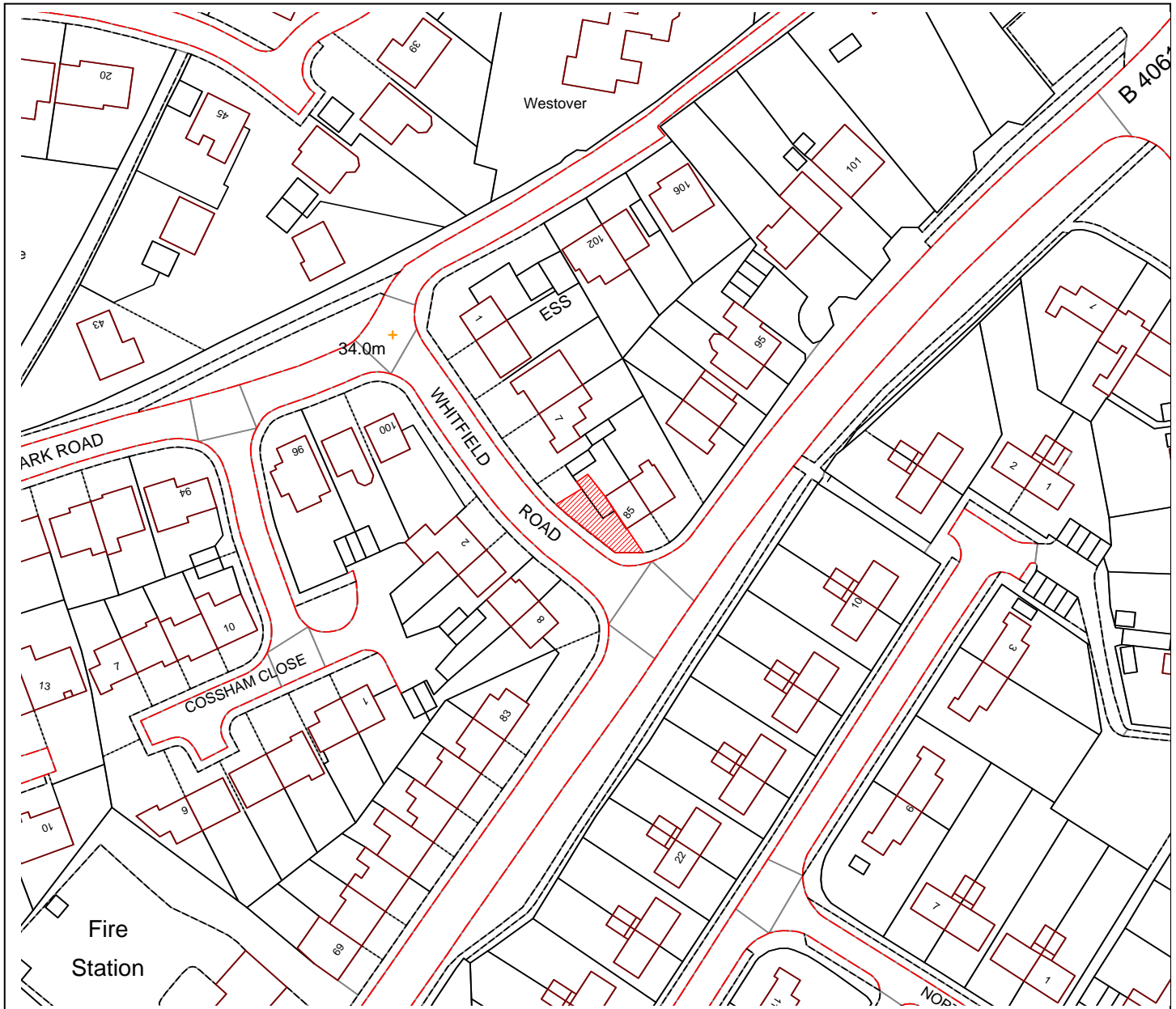
Reason(s):

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. 04/08 – 30 JANUARY 2009

App No.: PT08/3029/F
Site: 85 Gloucester Road, Thornbury, South Gloucestershire, BS35 1JZ
Proposal: Erection of front porch and conversion of existing two storey side extension to form 1 no. attached dwelling.
Map Ref: 64277 90895
Application Category: Minor

Applicant: Mr D Owen
Date Reg: 20th November 2008
Parish: Thornbury Town Council
Ward: Thornbury North
Target Date: 13th January 2009



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PT08/3029/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of representations from local residents which are contrary to the Case Officers recommendation. Members may recall seeing this report before, it has been re-circulated setting out details of additional letters of representations received.

1. THE PROPOSAL

- 1.1 The application seeks planning permission to erect a front porch to facilitate the conversion of an existing two storey side extension into one attached dwelling. The development would include the provision of one off street parking space to north-west of the application site.
- 1.2 The application site relates to an existing 1960s semi-detached dwelling. The dwelling has recently been extended through a two-storey side extension on its south-west elevation. The application site is situated within a well established residential area of Thornbury.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPS3: Housing
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H2: Proposals for Residential Development, within the existing urban areas and the boundaries of settlements
H4: Development within Existing Residential Curtilages
H5: Proposals for the Conversion of existing residential properties into smaller units of self contained Residential Accommodation
T12: Transportation Development Control for New Development
T8: Parking Standards
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/1690/F Erection of two storey side extension to form dining area, utility and WC with additional bedrooms and ensuite facilities over. Relocation of side boundary wall. (In accordance with amended plans received on 13 July 2004).
Approved 26 July 2004
- 3.2 PT07/1012/F Erection of front porch. Erection of rear extension to garage and construction of pitched roof.
Approved 4 May 2007

4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council
No objection.

4.2 Sustainable Transport
No objection.

4.3 Local Residents
Four letters have been received from three local residents in relation to this application. Their comments have been summarised below: -

Planning Considerations

- A. Nos. 85 & 87 are semi-detached and have a attractive and symmetrical appearance.
- B. The alterations would unbalance the frontage.
- C. The development would form a terrace.
- D. The development would give a jarring and disharmonious appearance to the terrace as a whole.
- E. The description of the proposed new frontage to the house as porch is misleading if one accepts the definition of a porch as being a free-standing unit leading to a door.
- F. Concern over the capability of the drainage system to cope with further waste.
- G. New wall and “mini-car park” would obstruct view of road at busy road junction.
- H. Access and egress manoeuvres would not be safe;
- I. It approved, would create a precedent for future planning applications.
- J. Where will be lamp post be moved to?
- K. Increase on-street parking and resultant inconvenience.
- L. Highway safety concerns.
- M. Increase in traffic in Whitfield Road which is an access road heavily used by both vehicular and pedestrians for nearby schools.
- N. Site plan on application is not up to date or accurate.
- O. Location plan on application does not show existing sideways extension.
- P. As previously acknowledged by South Gloucestershire Council the sideways extension to 85 Gloucester Road was in contravention of existing planning restrictions.

Non Planning Considerations

- Q. Deeds of Covenant issues raised.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development
Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the conversion of existing residential properties into smaller units of self contained residential accommodation provided that the scheme would:

- not prejudice the character of the surrounding;

- not prejudice the amenities of nearby properties;
- identify an acceptable level of off-street parking; and
- provide adequate amenity space.

5.2 Design and Visual Amenity

To facilitate the conversion of the side extension a single storey front porch would be erected. Some representations from local residents have suggested that the term “front porch” is misleading. As such, for the avoidance of doubt, this development shall be referred to as a front extension in this report, but in any event the plans submitted detail the proposal.

5.3 The front extension would span the entire width of the two storey extension and would match the existing porch in its height and depth. Some representations have been received which have objected to the extension on the grounds that it would unbalance frontage, and would give a jarring and disharmonious appearance to the terrace as a whole.

5.4 The proposed front extension would respect the materials, height and depth of adjacent porch. Furthermore it is claimed that the porch would unbalance the frontage, however it is considered that the addition of the existing two storey side extension has had a greater impact on the symmetry of the semi-detached pair. As such, it is considered that the addition of this modest porch would not result in semi-detached pair appearing more “unbalanced”. As such, notwithstanding the contrary representations, it is considered that the proposed porch would not materially harm the character of the existing dwelling or the surrounding residential area.

5.5 Some representations have raised concerns that the development would form a terrace. Notwithstanding this, the only material change to the appearance of the dwelling would be erection of the front extension. Furthermore, it is considered that the formation of a “terrace” in this location would not materially harm the character and appearance of the surrounding area.

5.6 Residential Amenity

Given the modest scale of the proposed porch, it is considered that it would have no overbearing effect, or would result in a loss of privacy. Furthermore, the existing extension has a residential use, hence the subdivision of the property into two residential units would have no significant further impact on the amenities of nearby occupiers.

5.7 Amenity Space

It is proposed to subdivide the existing garden to provide amenity space for both the existing and proposed dwellings. It is noted that the amenity space would be limited in size. Nevertheless it is considered that it would be sufficient for basic outdoor needs. Furthermore, this part of Thornbury has good access to open space for recreational purposes. In view of this it is considered that adequate private amenity space has been provided in this instance.

5.8 Transportation

The transportation impact of this development has become particularly contentious with local residents. These objections have been summarised in paragraph 4.3 of this report.

5.9 Notwithstanding these comments, the Transport Engineer has assessed the development and considers the access and parking to accord with Policy T12 of the local plan. As such, the development is considered to be safe in highway safety terms and would not generated unacceptable levels of on-street parking. Nevertheless it is recommended that a condition is attached to ensure the proposed parking space, as shown on plan, is implemented.

5.10 It is noted that an existing lamp post would be situated in close proximity to the proposed parking space. This is not a material planning and therefore would not warrant a refusal of planning permission. However, the applicant would have to construct the access to the specification of the Council Street Care team. As such, this issue would be addressed at that point. It is recommended that an informative is attached to advise the applicant of this.

5.11 Drainage

One of the objections to the scheme related to drainage. The applicant proposes to connect to the existing main sewer. As such there is no objection to this aspect of the scheme in terms of the capacity of the existing system. The detailed drainage arrangements would be covered by Building Regulations.

5.12 The site plan and location plans submitted are sufficiently accurate to enable the site to be identified. The detailed plans show the proposal at a greater scale. In terms of the concern that a precedent would be set, it is a basic tenet of the British planning system that each planning application is determined on its own merits. These are set out in the report. Any future development would be assessed on that basis.

5.13 Other Matters

One of the objections to the scheme related to the conditions of the deeds of covenant of the original development. These are civil matters between the applicant and the original developer and are therefore not material to the determination of this planning application.

5.14 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.

5.15 Section 106 Requirements

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT08/3029/F**

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

CONDITIONS

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

Reason(s):

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

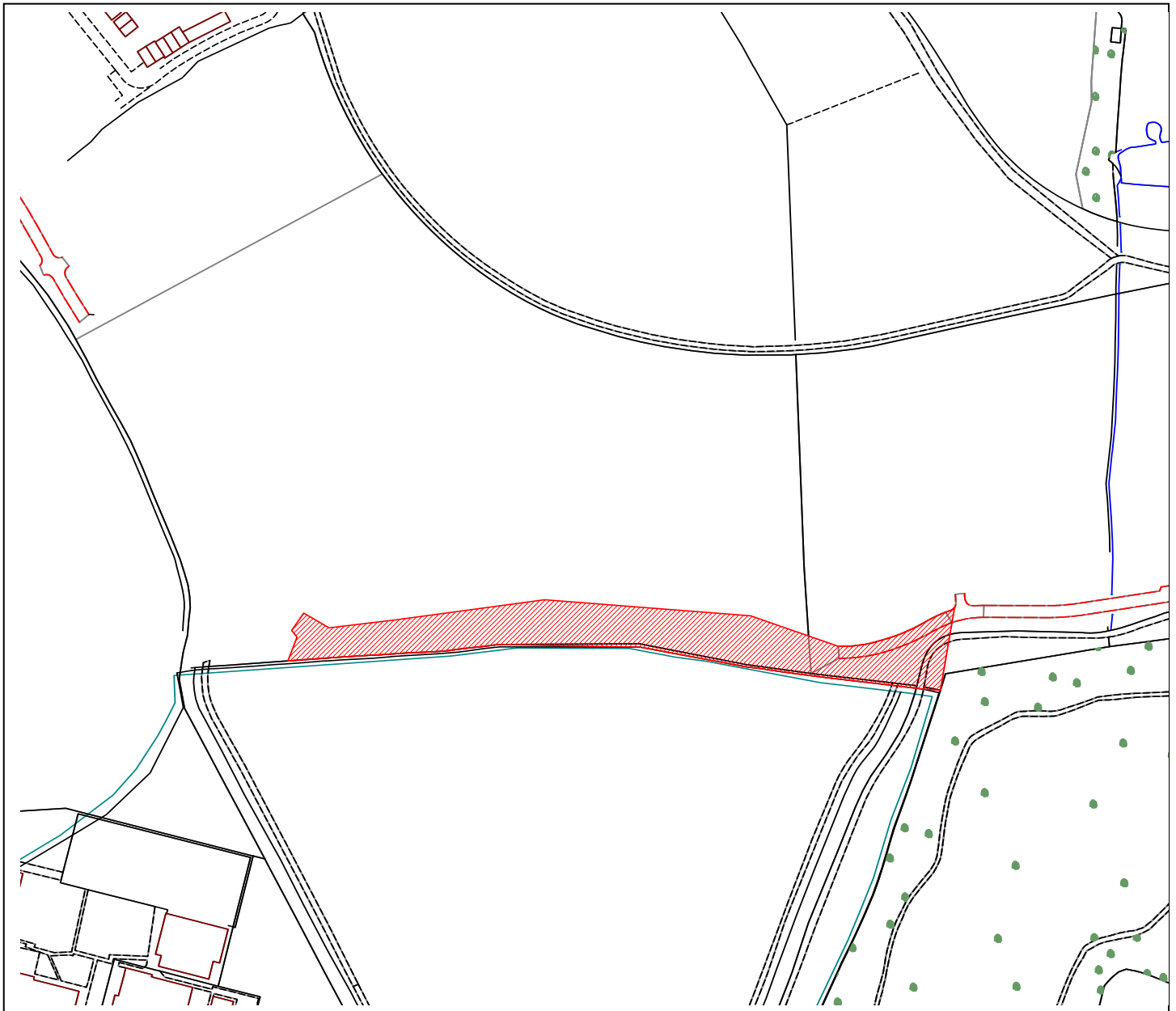
2. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason(s):

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

CIRCULATED SCHEDULE NO. 04/08 – 30 JANUARY 2009

App No.:	PT08/3093/F	Applicant:	Redrow Homes (South West)
Site:	Former Wallscourt Farm, Filton Road, Stoke Gifford, Bristol, BS34 8QZ	Date Reg:	2nd December 2008
Proposal:	Construction of Access Road to link Phases 4,5 and 6 and Primary School Site.	Parish:	Stoke Gifford Parish Council
Map Ref:	61438 77662	Ward:	Frenchay and Stoke Park
Application Category:	Minor	Target Date:	22nd January 2009



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PT08/3093/F

INTRODUCTION

This application is referred to the Circulated Schedule following objections to the proposed scheme from Winterbourne Parish Council and Bradley Stoke Town Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission to construct a section of the main access road that will serve the Wallscourt Farm residential development that was approved in outline under PT04/0684/O. The proposed access road which has been partially constructed is also a continuation of the access road as previously approved under ref PT07/1886/F that runs through the eastern side of the site and has a junction with Coldharbour Lane.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG13	Transport

2.2 Development Plans

2.2 Joint Replacement Structure Plan: Saved Policies

Policy 1	Sustainable development
Policy 2	Location of development
Policy 12	Development in North Fringe
Policy 33	Housing provision and distribution

South Gloucestershire Local Plan (Adopted) January 2006

H1	Allocated housing site
T12	Transportation
D1	Design
L17&L18	Drainage
EP2	Flood Risk
T6	Cycle and Pedestrian routes

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/3118/RM – Reserved matters for 77 dwellings, parking, landscaping, public open space and associated infrastructure (Approval of reserved matters). Application currently being considered.
- 3.2 PT07/1715/RM - Erection of 100 dwellings with car parking, landscaping and associated works (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT04/0684/O). Approved 05/11/07
- 3.3 PT07/1886/F - Road construction to create access and junction. Approved 12/09/07.

- 3.4 PT07/1107/F - Construction of access road with associated works (amendment to previously approved scheme PT04/0684/O). Approved 15/06/07.
- 3.5 PT07/3519/RM - Erection of 225 no. dwellings with car parking, landscaping and associated works (Approval of Reserved Matters to be read in conjunction with planning permission PT04/0684/O). Approved 16/05/08.
- 3.6 PT04/0684/O: Residential development at a density of 50 units per hectare overall across the site together with supporting infrastructure and ancillary facilities. Approved 02/11/05.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection – there is no additional infrastructure in place, traffic on the A4174 is very heavy and additional houses will only make matters worse. This will have a direct impact on Frenchay and Hambrook with a build up of traffic. The ring road is inadequate to deal with the volume of traffic. Access to Southmead hospital will be impaired.
- 4.2 Stoke Gifford Town Council
No comment.
- 4.3 Filton Parish Council
No objection
- 4.4 Bradley Stoke Town Council
Objection - a development of this size was ill advised because of the additional traffic problems it will create on already congested and inadequate roads and roundabouts”.

Other Representations

- 4.5 Local Residents
No consultation replies were received
- 4.4 The Highways Agency
No objection.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The principle of development has been established by reason of the access arrangements agreed as part of planning permission ref PT04/0684/O with the proposed access road shown as part of the approved masterplan.
- 5.2 Transportation
The specification for the access road, including the pedestrian/cycle crossover, is acceptable to the council's Transportation Engineer on the proviso that it is clarified that matters of technical detail are to be dealt with by a subsequent Section 38 Agreement as dealt with by the Highways Act.

5.3 Landscape

The submitted plan indicates the planting of a number of trees whose species is not noted. There is some concern over the number of the trees also, but it is considered that the trees shown are merely indicative and so a condition requiring the submission of a landscaping scheme is to attached to any approval to ensure species and number of trees are acceptable and in character with the area.

5.4 Other Issues

To address the comments of Winterbourne Parish Council and Bradley Stoke Parish Council, the principle of the residential development has already been approved and in some phases constructed and the proposed access road was agreed in principle through the agreement of the masterplan for the overall development. Consequently therefore any objection would be unreasonable, and it is noted that no objection to the scheme was received from the Highways Agency.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 Planning permission be APPROVED subject to the following conditions.

Background Papers **PT08/3093/F**

Contact Officer: **Robert Nicholson**
Tel. No. **01454 863536**

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).

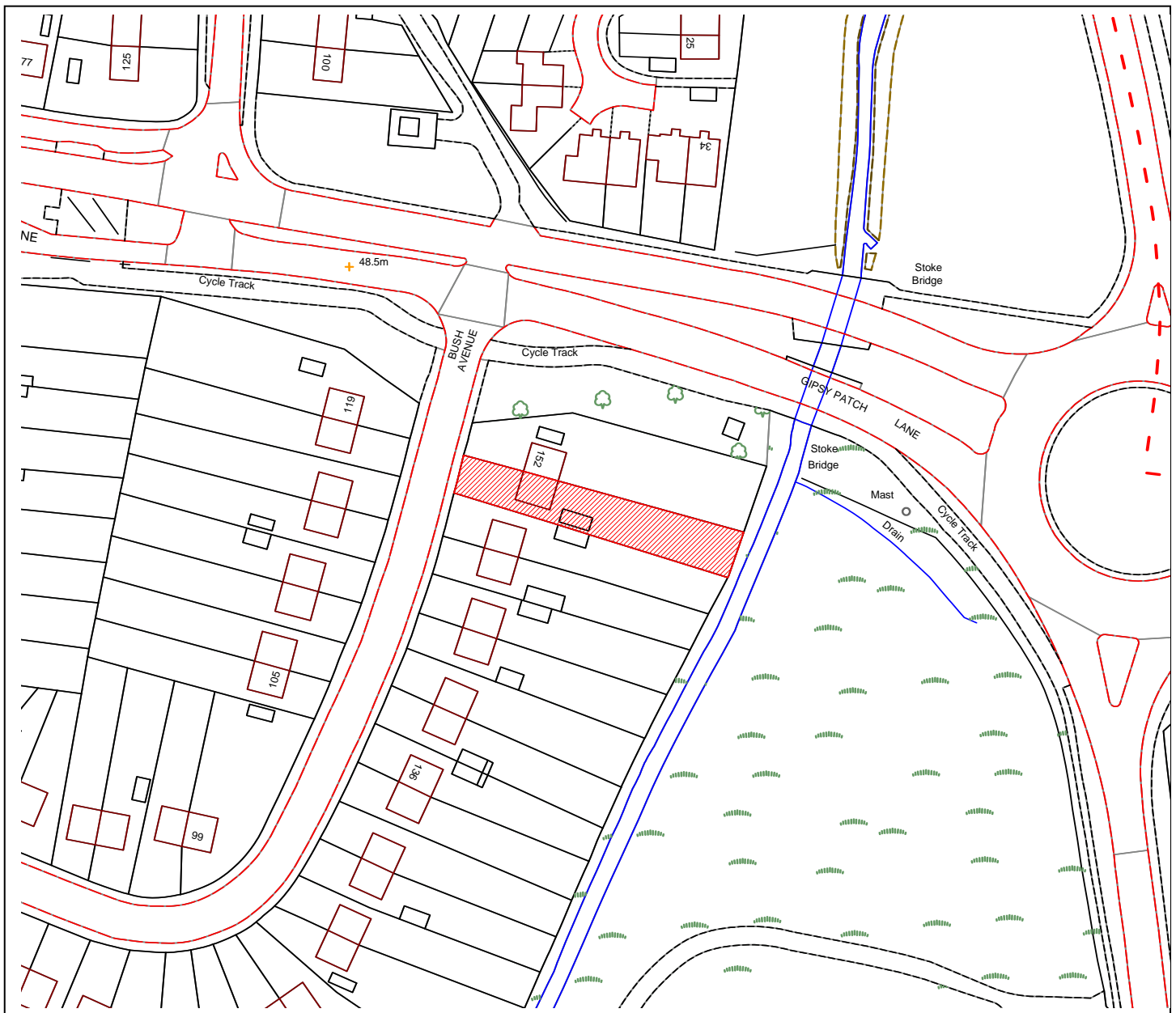
2. Within 3 months from the date of this permission, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting) shall be submitted to the Local Planning Authority for approval. 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 D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 04/08 – 30 JANUARY 2009

App No.:	PT08/3219/F	Applicant:	Mr N Toller
Site:	150 Bush Avenue, Little Stoke, South Gloucestershire, BS34 8NF	Date Reg:	22nd December 2008
Proposal:	Erection of workshop (retrospective).	Parish:	Stoke Gifford Parish Council
Map Ref:	61786 80472	Ward:	Stoke Gifford
Application Category:	Minor	Target Date:	11th February 2009



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PT08/3219/F

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

1. THE PROPOSAL

- 1.1 The applicant seeks planning consent for the erection of a domestic workshop.
- 1.2 This is a modern semi-detached property within the existing urban area of Little Stoke. The building consists of a detached workshop to the rear with white render, 4.5 m deep, 8.0 m in width and 4.3 m in height. The roof is of a 'hipped' design and materials consist of double roman roof tiles.
- 1.3 On visiting the site it was apparent that the workshop has already been constructed with only the render still to be applied.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
H4	Development within Existing Residential Curtilage
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

No relevant history.

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Town Council

No objection raised.

Other Representations

4.2 Local Residents

Three letters of objection were received raising the following concerns:

- Loss of amenity and views to rear of property
- Loss of privacy
- Concern over size of the building, it is too large
- The building is obtrusive
- It is out of keeping with the surrounding gardens

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

The workshop is 4.5 m deep and single storey in height, located at the bottom of the garden of no. 150 Bush Avenue. There is sufficient boundary treatment on both neighbouring boundaries consisting of shrubbery, in the case of the boundary with no. 152 Bush Avenue this is 3 m high. It is not considered that the workshop has an overbearing impact upon neighbouring occupiers and the workshop therefore complies with Policies D1 and H4 of the Local Plan.

Privacy Analysis

The workshop is single storey and there are windows located on the east and west elevations. The window located on the east elevation is at the rear of the building and would not result in any overlooking. The window on the west elevation facing back towards the rear of the properties on Bush Avenue is over 20 m away from the habitable windows at the rear of no's. 148 and 152 Bush Avenue. This is considered to be an adequate distance for there to be no undue loss of privacy to neighbouring occupiers.

Amenity Space

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

Highway Safety Analysis

As the workshop is located at the rear of the property it will not impact on the property's parking arrangements, located at the front of the house, nor will it prejudice highway safety.

5.3 Design / Visual Amenity

The workshop is located at the end of a large garden area. It is considered that this is a modest sized structure that respects the scale, proportions, materials and overall design of the existing property. 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.

It should be noted that residents concerns that the building will interrupt views to the rear of their properties cannot be considered as a material planning consideration.

5.4 Section 106 Requirements

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

6. CONCLUSION

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

The 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 **PT08/3219/F**

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

CIRCULATED SCHEDULE NO. 04/08 – 30 JANUARY 2009

App No.:	PT08/3251/VAR	Applicant:	ACSA
Site:	14 Old School House, Church Road, Almondsbury, South Gloucestershire, BS32 4ED	Date Reg:	29th December 2008
Proposal:	Variation of condition 1 attached to planning permission PT08/2724/F to alter the period of commencement of temporary change of use to run from 21st February 2009 to 20th February 2011	Parish:	Almondsbury Parish Council
Map Ref:	60250 84162	Ward:	Almondsbury
Application Category:	Minor	Target Date:	17th February 2009



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This application appears on the Circulated Schedule as representations were made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning consent for the variation of condition 1 attached to planning permission PT08/2724/F to alter the period of commencement of temporary change of use to run from 21st February 2009 to 20th February 2011.
- 1.2 This is a detached, locally listed dwelling house within the existing urban area of Almondsbury. The dwelling also lies within the Almondsbury Conservation Area and the Green Belt.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design

3. RELEVANT PLANNING HISTORY

PT08/2724/F – Change of use from dwelling (Class C3) to shop (Class A1) (as defined in the Town and Country Planning (Use Classes) Order 1987) for a period of two years. Approved 14 November 2008.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

No objection raised.

Other Representations

4.2 Local Residents

Four letters of support were received raising the following issues:

- The shop wants to run for a full two year period and this is not possible with the current consent
- There are benefits to the local economy, environment and community.

Two letters of objection were received raising the following concerns:

- The use of the property as a shop would exacerbate traffic

problems

- The extension of time period for the use of the property as a shop would make impact worse
- Parking and traffic congestion is set to be increased by major construction work at a nearby school and there will be a cumulative impact with the shop.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed change of use from a dwelling to a shop (A1 Use Class) for a period of two years has already been established and assessed through planning application PT08/2724/F. This application solely relates to the changing of the time period for the use of the shop to alter from 14th November 2008 until 30th November 2008 to 21st February 2009 until 20th February 2011.

It is not considered that the alteration of the time period for use of the property as a shop would result in any further material impact on traffic and parking. The use of the shop has already been determined and the forthcoming planning application at Almondsbury C of E Primary School will be assessed on its own planning merits.

The proposal complies with Policy D1 of the Local Plan.

5.2 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

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 consent is **GRANTED**.

Background Papers **PT08/3251/VAR**

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

