



**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. 27/09

Date to Members: 10/07/09

Member's Deadline: 16/07/09(5pm)

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: 10/07/09

SCHEDULE NO. 27/09

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

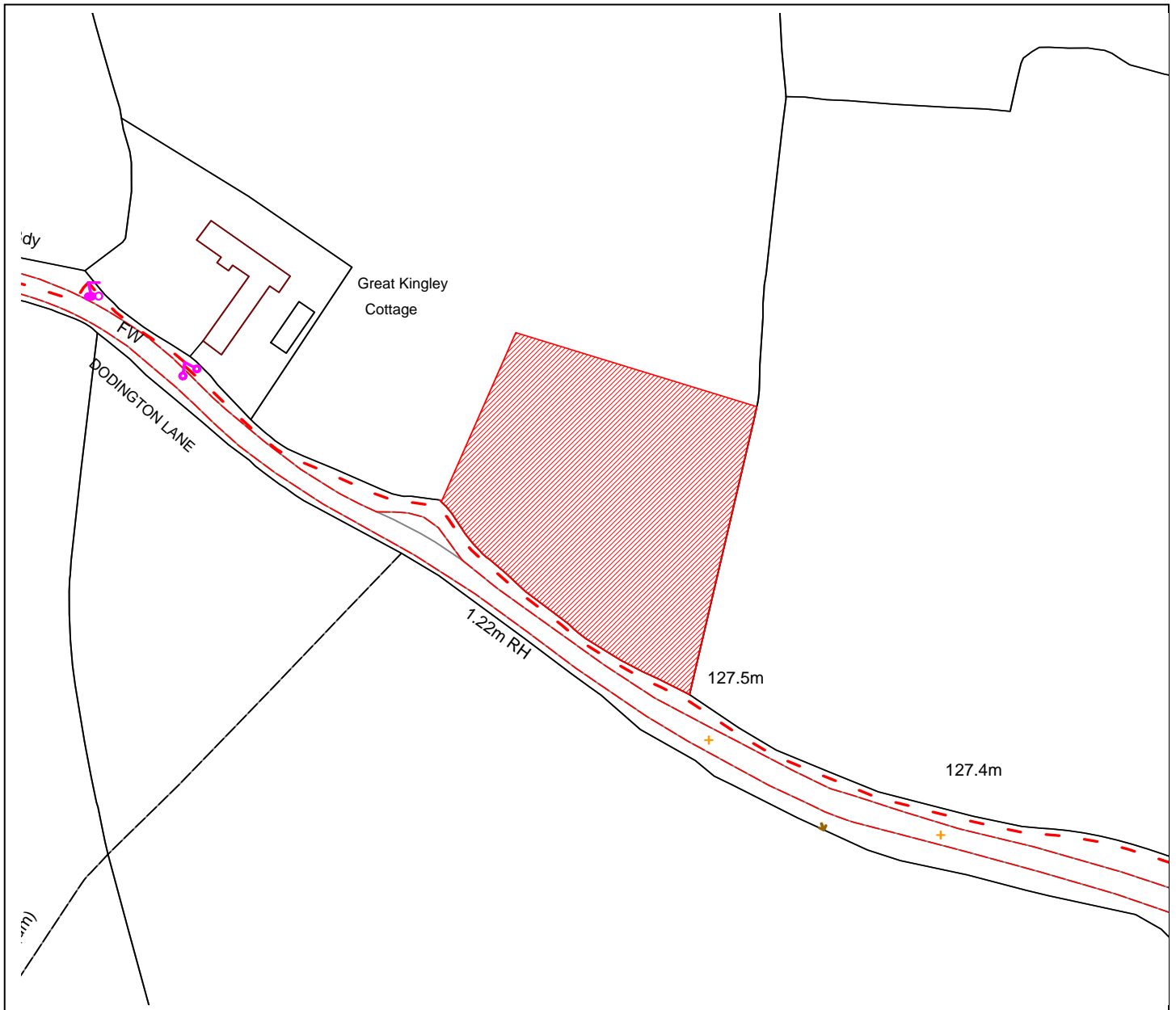
DATE

Circulated Schedule 10 July 2009

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1.	PK09/0979/F	Approve with conditions	Land off Dodington Lane, Dodington, South Gloucestershire, BS37 6SB	Cotswold Edge	Sodbury Town Council
2.	PK09/0984/F	Approve with conditions	The Barn, Siston Hill Farm, Siston Close, South Gloucestershire, BS15 4PF	Siston	Siston Parish Council
3.	PK09/0995/RVC	Approve with conditions	Garage adjoining 30C, Cock Road, Kingswood, South Gloucestershire, BS15 9SH	Parkwall	Oldland Parish Council
4.	PK09/1009/F	Refusal	Unit 1, 15 Douglas Road, Kingswood, South Gloucestershire, BS15 8NH	Woodstock	
5.	PK09/1042/F	Approve with conditions	15 Creswicke Avenue, Hanham, South Gloucestershire, BS15 3HD	Hanham	Hanham Parish Council
6.	PK09/1061/RVC	Approve with conditions	29a Beaufort Road, Staple Hill, South Gloucestershire, BS16 5JU	Staple Hill	
7.	PK09/1124/F	Approve with conditions	72 Burley Grove, Mangotsfield, South Gloucestershire, BS16 5PZ	Rodway	
8.	PT09/0986/F	Split decision See D/N	Severn Beach CP School, Ableton Lane, Severn Beach, South Gloucestershire, BS35 4PP	Pilning and Severn Beach	Pilning and Severn Beach
9.	PT09/0999/F	Approve with conditions	65 High Street, Thornbury, South Gloucestershire, BS35 2AP	Thornbury North	Thornbury Town Council
10.	PT09/1070/F	Approve with conditions	21 Mill Crescent, Westerleigh, South Gloucestershire, BS37 8QS	Westerleigh	Westerleigh Parish Council

CIRCULATED SCHEDULE NO. 27/09 – 10 July 2009

App No.:	PK09/0979/F	Applicant:	Mr A Hendy
Site:	Land off Dodington Lane, Dodington, South Gloucestershire, BS37 6SB	Date Reg:	28th May 2009
Proposal:	Erection of 2no.calf rearing buildings and 1no. fodder barn.	Parish:	Sodbury Town Council
Map Ref:	72953 80869	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	16th July 2009



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PK09/0979/F

INTRODUCTION

This application appears on the circulated schedule due to the receipt of three letters of objection from local residents.

1. THE PROPOSAL

- 1.1 This full planning application seeks permission for the erection of three agricultural buildings on the site – two large buildings for the rearing of calves and one small building for the storage of fodder. Other ancillary work including the laying of hard standing, additional planting, and the creation of a vehicle access are also proposed.
- 1.2 During the course of the application amended plans were received from the agent to move the buildings slightly away from the hedgerow, to remove some landscape bunds that were shown on the initial plan, and to seek confirmation of the design of the fodder store.
- 1.3 The purpose of the buildings is to facilitate an independent calf rearing business. The applicant is an experienced farmer running a suckler herd of around 70 cows. At present there are no facilities on site for the farmer to rear the young cows and this part of the enterprise has to be tendered to other farms.

2. POLICY CONTEXT

- 2.1 National
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
L1 Landscape Protection
E9 Agricultural Development
EP1 Environmental Pollution
GB1 Development in the Green Belt

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/0972/O Erection of Agricultural Workers Dwelling (Outline).
This is a current planning application yet to be determined. Should this application for the rearing units be successful, the applicant has submitted a second application for the erection of an agricultural workers dwelling. The dwelling however is not to be considered as part of this planning application.

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council
No objection subject to Robert Fox concluding that this is a viable farm option.

Other Representations

- 4.2 Local Residents
Three letters of objection have been received from surrounding land owners. A summary of the points of objection raised are as follows:

- Noise from the calf rearing/ weaning site
- The noise from 300 calves at feeding time will be unbearable
- The units should be nearer Whistedown Farm so they have the noise rather than putting it near other peoples property
- Increased farm machinery and cattle movements on a narrow road used as a rat run
- It is a green field site – no building has ever been there before
- The animals bought onto the site are from TB herds – do not want possible cross infection of TB to surrounding TB free farms
- The buildings would be unsightly for the people that use Dodington Lane and surrounding footpaths
- What facilities are in place for disposal or effluent and manure
- The noise may have a detrimental impact on the holiday cottages at a neighbouring farm

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy E9 of the South Gloucestershire Local Plan allows for agricultural development subject to a number of criteria to ensure the development has no adverse impact on environmental, visual or residential amenity. The site also lies within the Bristol/ Bath Green Belt where the requirements of Policy GB1 are also applicable.

5.2 Green Belt

The site lies within the designated green belt. The erection of agricultural buildings is one of the five categories of development that may be considered acceptable in the green belt and thus the principle of development is considered appropriate. Attention has also been paid to the design of the buildings. The eaves height at 3.6 metres is lower than found on many agricultural buildings as the operation is more manual than mechanical and therefore tractor movements are limited. This combined with the additional landscaping proposed means that the impact of the buildings upon the openness of green belt is considered to be acceptable.

5.3 Design/Visual Amenity

The site is in the open countryside in a relatively isolated location. There is one existing dwelling nearby and the proposal to erect another dwelling on land immediately to the side of the site. The buildings are considered to be appropriate for their agricultural setting and have a true agricultural form. The buildings are to be constructed with concrete walls at low level with Yorkshire boarding above. The roof is to be constructed of concrete boarding.

During the course of the application amended plans have been received to show additional screen planting around all sides of the site. New planting areas are proposed to the north and west of the site and the existing hedgerow to the south and west is to be thickened and improved.

The proposed buildings will be clearly visible from the highway, the public footpath and surrounding area. However, consideration must be given to the fact that this is an agricultural location and all surrounding land is in agricultural use. The buildings are of a simple design that one would reasonably expect to

find in an agricultural setting. Subject to the attachment of conditions, the design of the buildings are considered to be entirely acceptable.

5.4 Residential Amenity

There is one property near to the site – Great Kingley Cottage. It is noted that a number of local residents have raised concern about possible noise disturbance from the farm. The Council's environmental protection team have been consulted and raised no objection to the scheme given its agricultural location. Your officer also contacted DEFRA to ascertain if they were aware of any likely issues that may arise from the development. No issues were raised.

The agent has also submitted additional information to address the issue of noise and to demonstrate that the units will not result in unacceptable noise levels. Notably the calves will have food available at all times rather than at set feeding times. This should alleviate the concerns of neighbours regarding the noise at feeding times.

Whilst it is expected that some noise will indeed be heard at surrounding areas, given the rural setting and the low number of immediate neighbours, the noise levels will not be unacceptable. It is not considered that the scheme will have any other impact upon existing levels of residential amenity by means of overlooking or overshadowing. Impact upon existing levels of residential amenity are therefore considered to be acceptable.

5.5 Agricultural Justification

Policy E9 of the South Gloucestershire Local Plan, criterion A, allows for agricultural development providing there are no suitable underused buildings available. Your officer is happy from the site visit that there are no existing underused buildings. Similarly Robert Fox, who has undertaken an agricultural planning appraisal, has confirmed that the siting of the proposed buildings is sensible and necessary. With the proposed number of extra calves to be reared there would potentially be a serious welfare problem if, for instance, Whistledown Farm was closed through TB. With the number of calves running out of space it would seem sensible if possible to source a site on a different holding from the Whistledown Farm. Also if, ironically, you are providing a TB isolation unit and bio-security measures are kept up, you also need to have a separate holding otherwise you not be able to bring those calves onto Whistledown Farm for example. There are good reasons and business acumen behind the creation of a new unit, away from Whistledown Farm under a different holding number, to be able to have the freedom to operate the calf-rearing unit and to expand the business and make more use of calves that would otherwise be killed early in their lives and reared on for beef.

5.6 Transportation

It is accepted that the site is on a single tracked rural lane. It is likely that there will be two deliveries of calves each week. There will also be deliveries of food and other associated visits. The types of vehicles associated with the unit are to be expected at most agricultural holdings many of which are also along narrow country lanes. There is ample space within the boundaries of the site to park, manoeuvre and turn vehicles off of the public highway. It is not considered therefore that any objection could be upheld on transportation grounds.

5.7 Design and Access Statement

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

5.8 Section 106 Requirements

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

Background Papers **PK09/0979/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. Prior to the commencement of development a detailed landscaping plan shall be submitted to the Council and if acceptable agreed in writing. The detailed planting plan must include details of species and locations, a planting specification and a five year maintenance plan. Details must be submitted in relation to the new screen hedge/scrub to the west, the new native hedge to the north, and the existing hedgerow to the south and east. All development must take place exactly in accordance with the details so agreed.

Reason:

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

3. The landscaping scheme as agreed must be fully implemented prior to the first occupation of the buildings hereby permitted by animals.

Reason:

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

4. The access to the site must be finished with tarmac as shown on the approved plans unless the local planning authority give written consent to any variation.

Reason:

To prevent the spread of gravel onto the highway in the interests of highway safety and to accord with the requirements of Policy E9 of the South Gloucestershire Local Plan (Adopted).

5. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

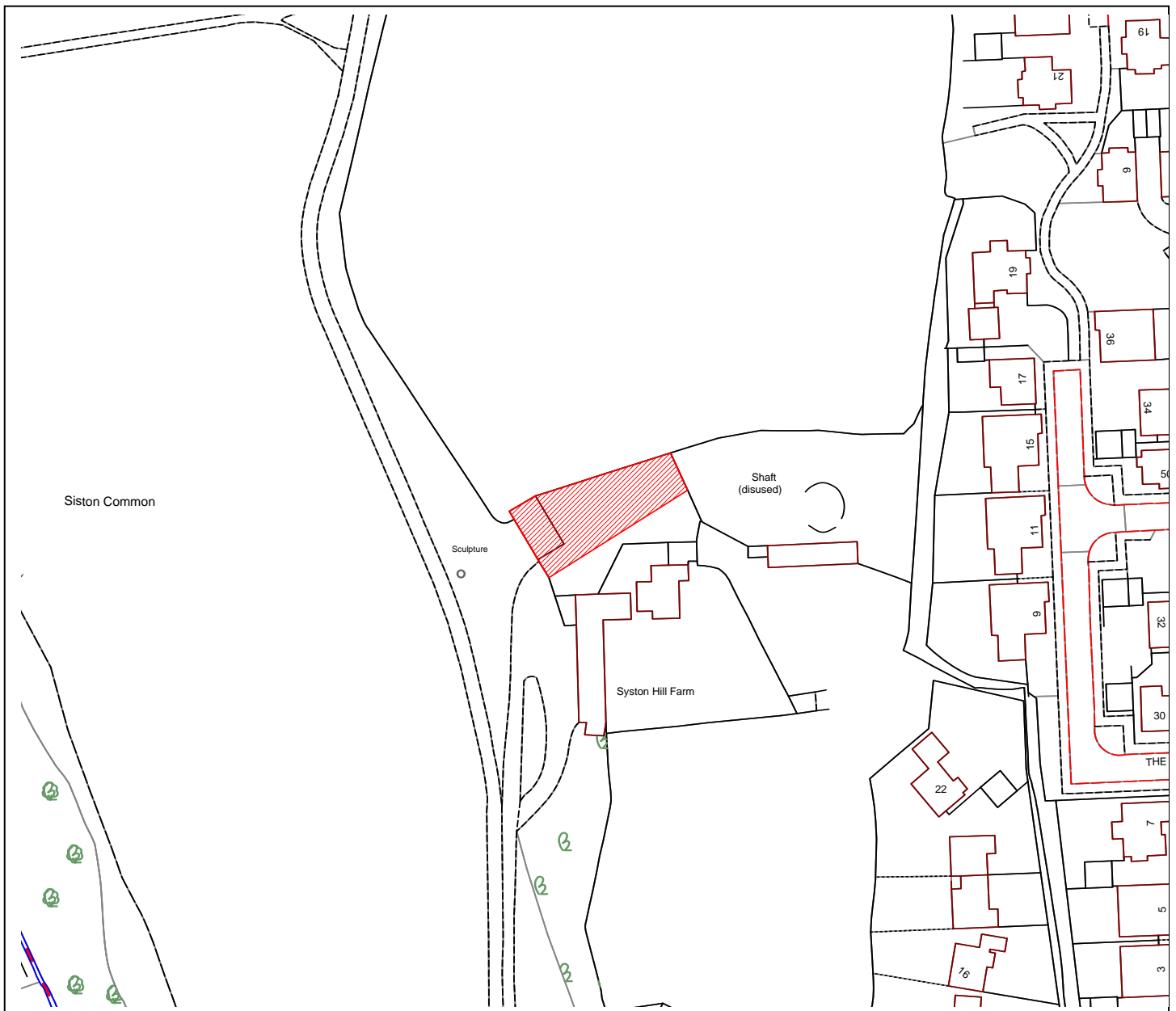
6. Prior to the commencement of development details of the roofing and external facing materials, and hard landscaping materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

CIRCULATED SCHEDULE NO. 27/09 – 10 JULY 2009

App No.:	PK09/0984/F	Applicant:	Mr D Wall
Site:	The Barn, Siston Hill Farm, Siston Close, Bristol, South Gloucestershire, BS15 4PF	Date Reg:	28th May 2009
Proposal:	Conversion/part new build of stone structure and erection of extension to form 1no. dwelling with associated works.	Parish:	Siston Parish Council
Map Ref:	66283 75100	Ward:	Siston
Application Category:	Minor	Target Date:	21st July 2009



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PK09/0984/F

INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule as a result of objections received on behalf of the owner (not the applicant) of the application site.

1. THE PROPOSAL

- 1.1 The application site relates to land formerly occupied by a farm dwelling. Access will be gained via the existing single track which serves the site. The building subject of this planning application relates to a former single storey agricultural stone building. Members are advised to consider that planning permission has already been granted in the past (PK02/0150/F) for the conversion of this building to residential use. Since that approval however which has not been implemented the building has been subject to vandalism and is now in a poor state of repair comprising of two end gable walls and part rear and front walls. The roof has been removed due to Health and safety requirements. The agent has confirmed that they do not intend to remove the substantial stone walls.
- 1.2 This application had originally applied for the erection of a two storey extension to facilitate the conversion of existing barn to 1no. dwelling with associated works.
- 1.3 Members are advised to consider that the Planning Officer did not agree with the proposed description of development given the current condition of the barn, as discussed above under paragraph 1.1. The description has subsequently been amended to "*Conversion/part new build of barn structure and erection of extension to form 1 new dwelling*".

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
T8 Parking Standards
T12 Transportation Development Control Policy
H2 Proposals for Residential Development
H5 Re-use of buildings for residential purposes
L1 Landscape Protection and Enhancement
L9 Sites of Regional and Local Nature Conservation Interest
LC12 Recreational Routes
- 2.3 Supplementary Planning Guidance

3. RELEVANT PLANNING HISTORY

- 3.1 PK02/0150/F Demolition of farmhouse, erection of 4 dwellings and barn conversion to form 1 no. dwelling. Approved August 2002.
- 3.2 PK04/1579/F Demolition of farmhouse and erection of 4 dwellings
Approved August 2004
- 3.3 PK08/1031/F Demolition of farmhouse and erection of 4 dwellings
Withdrawn march 2009

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No response received

Other Representations

- 4.2 Local Residents
One letter has been received on behalf of the owner of the application site, raising the following objections regarding the proposed development, which have been summarised by the Planning Officer as follows:
- Description of development incorrect and therefore question validity of application
 - Opportunity to improve lapsed planning permission
 - Extant permission on site
 - Land and building subject of application not with applicant's ownership
 - Material differences with this current application to that originally approved
 - Owner of site looking to submit further application for a new dwelling in this location that will be characteristic of the approved scheme

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
As this application relates to part conversion and new build of existing structure to form 1 residential dwelling, the main policy considerations that apply relate to Policy H2 and H5 of the South Gloucestershire Local plan, which both support residential uses within the existing urban area.
- 5.2 Members are advised to consider that the principle of residential development has already been established on this site through the granting of planning permission PK02/1050/F for the erection of 4 dwellings and conversion of barn for residential use.
- 5.3 Visual Amenity
The application site relates to a single storey barn located near the entrance of the site. The proposals are virtually identical to the previous approved scheme back in 2002. The barn itself is locally listed. The Councils' Listed Building Officer has raised concerns regarding the extent of the proposed works and whether or not the proposed works constitute a conversion given the poor state of the building. As discussed above it is considered that the description of

development should read “*conversion and part new built of barn structure*” The agent has subsequently confirmed by letter “*it is not intended to remove the substantial stone walls*”

- 5.4 The Council’s Listed Building Officer has advised that if the proposed works are considered new build careful attention to detail at the design stage is required to ensure the proposed works replicate the construction details that originally contributed to the buildings rural character. In light of the extent of proposed works required to enable the conversion it is considered appropriate in this instance to apply a number of conditions relating to detail matters to ensure the building is of an appropriate and acceptable manner.
- 5.5 Notwithstanding the issue of proposed works compared to the scheme originally approved, Members are advised to consider that the appearance of the works are practically identical to that already approved, which is clearly a material planning consideration.
- 5.6 Residential Amenity
It is considered that there are no nearby neighbouring properties that would be affected by the proposed development.
- 5.7 Landscaping Issues
No landscaping constraints on this part of the site. Should planning permission be granted a landscaping condition will be imposed requiring the submission of proposed soft and hard landscaping scheme.
- 5.8 Transportation Issues
This planning application follows two previous submissions, both of which were approved by the Council. The first application, in 2002 was for the barn conversion and 4no. three-bedroomed units and the second application in 2004 sought an amendment to that scheme of 4no. three bedroomed units. Both applications were approved by the Council.
- The current application is in effect renewal of the Barn conversion scheme which was previously approved in 2002. In view of the above therefore, there are no highway objections to this scheme subject to planning conditions requiring all off street parking to be provided prior occupation of the building. A previous planning condition was imposed requiring the submission of a full dilapidated schedule of the road and adjoining Common. However given the scale of the development propose i.e. one unit, it is not considered necessary in this instance to apply that condition.
- 5.9 Drainage Issues
The Councils’ Drainage Engineer has confirmed that no objection is raised subject to the submission of surface water drainage details including SUDs have been submitted and approved in writing by the Local Planning authority. This will be covered by a planning condition.
- 5.10 Ecological interests
As the roof has been removed it not considered necessary in this instance to request an ecological survey report.
- 5.11 Other issues

The description of development has been questioned and the validity of the application. This has been addressed above under paragraph 1.2 of this report.

- 5.12 It has been confirmed that the owner of the site intends to submit a comprehensive scheme which will also include the site subject of this current application. This is clearly welcomed, however the Council still has to decide the application submitted before the application and consider it on its own individual merits.
- 5.13 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.
- 5.14 Use of Energy and Sustainability
No specific measures proposed.
- 5.15 Improvements achieved to the scheme
None required
- 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, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK09/0984/F**

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

CONDITIONS

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

Reason:

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

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

Reason:

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

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

Reason:

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 T9 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. All new external rainwater and soil pipes shall be formed in cast metal and painted black.

Reason:

To maintain the appearance and character of the locally listed building and to accord with Policy L15 of the South Gloucestershire Local Plan.

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

Reason:

To maintain the appearance and character of the locally listed building and to accord with Policy L15 of the South Gloucestershire Local Plan.

6. A sample panel of the render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason:

To maintain the appearance and character of the locally listed building and to accord with Policy L15 of the South Gloucestershire Local Plan.

7. Prior to the commencement of development full details comprising plans at a scale of 1:20 of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.
 - (a) All new external joinery including finish, reveals, cill and lintel details
 - (b) Eaves, verge and ridge details
 - (c) All external flues, pipes, vents and extracts
 - (d) Meter boxes, exterior lighting and alarm boxes

Reason:

To maintain the appearance and character of the locally listed building and to accord with Policy L15 of the South Gloucestershire Local Plan.

8. All new rooflights shall be Conservation Rooflights and flush fitting.

Reason:

To maintain the appearance and character of the locally listed building and to accord with Policy L15 of the South Gloucestershire Local Plan.

9. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

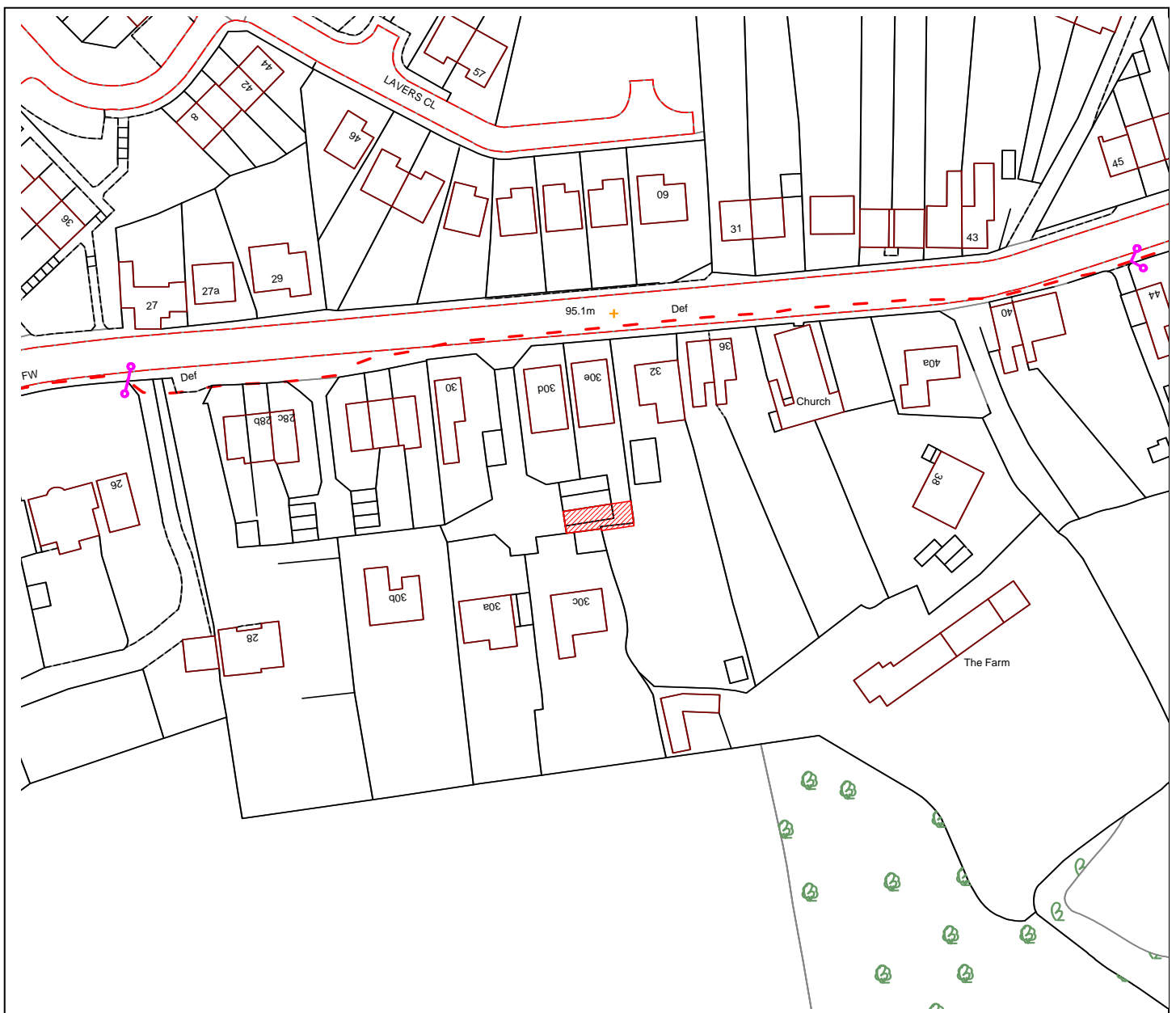
10. A sample panel of proposed roof tile which must be reclaimed clay pan or double roman tiles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed sample.

Reason:

To maintain the appearance and character of the locally listed building and to accord with Policy L15 of the South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 27/09 – 10 JULY 2009

App No.:	PK09/0995/RVC	Applicant:	Mr K Naish
Site:	Garage adjoining 30C, Cock Road, Kingswood, South Gloucestershire, BS15 9SH	Date Reg:	1st June 2009
Proposal:	Variation of condition 2 attached to planning permission PK02/2506/F to allow the garage adjoining 30C Cock Road to be used as a residential annexe ancillary to that dwelling. (Retrospective).	Parish:	Oldland Parish Council
Map Ref:	65574 72740	Ward:	Parkwall
Application Category:	Householder	Target Date:	21st July 2009



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 100023410, 2009.

This application has been referred to the Circulated Schedule due to the receipt of one letter of objection from a local resident and due to objections raised by Oldland Parish Council

1. THE PROPOSAL

- 1.1 The applicant is seeking permission for the variation of condition 2 attached to PK02/2506/F to allow the garage associated with 30C Cock Road to be used as a residential annex. Condition 2 of PK02/2506/F, states the following:
'Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)...the garages hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles and ancillary domestic storage without prior written consent of the Local planning Authority.'
- 1.2 30C Cock Road is an extended detached dormer bungalow with an existing detached garage and a single garage which forms part of a terrace of garages associated with 30C, 30D and 30E Cock Road. This single garage is the site subject to the application. The site is located within a residential area of Kingswood.

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
H2 Residential Development within the Existing Urban Area.
T8 Parking Standards
T12 Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 PK00/2649/O Erection of 2no. detached dwellings and garages (Outline)
Approved April 2001
- 3.2 PK02/2506/F Erection of 2no. detached dwellings and garage block
Approved December 2002
- 3.3 PK04/1642/F Erection of 2no. porches and 1no. storage shed.
Amendment to PK02/2506/F. Retrospective
Approved June 2004

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
Objection to the proposal on grounds of over-development and concerns regarding access and off street parking.
- 4.2 Sustainable Transport
No objections

Other Representations

4.3 Local Residents

One letter of objection from a local resident has been received citing the following concerns:

- It should be noted that vehicles visiting No.30D Cock road have to park out on the road due to the lack of space to the rear of their property,
- The South Gloucestershire highways authority was involved in the original application due to their concern of the narrowness of the access lane, which was to serve 6 properties. This was, at that time, 1 more than the highways/planning normally allow. Therefore, to allow this double garage to be converted into yet another domestic residence far exceeds the South Gloucestershire set planning conditions
- The access lane has no spare areas to accommodate the 2 vehicles that would have been housed in this double garage nor does 30C, without blocking other residents/users 'rights of access'.
- These two vehicles and possibly visitors cars would have to be parked out on the busy Cock Road near to the brow of the hill and the Bus stops causing an additional hazard.
- The garage door at the rear has clear glass in it as has the side windows and due to the elevated position, over looks other properties.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The garage subject to this application is associated with 30C Cock Road but is not located within the residential curtilage of 30C cock Road. The South Gloucestershire Plan (Adopted) 2006 identifies the site as lying within the urban area. Policy H2 allows for residential development in the urban area providing that the following criteria are complied with:-

5.2 **(a) Development would not have unacceptable environmental or transportation effects; and would not significantly prejudice residential amenity.**

In the interests of clarity these two issues will be discussed in turn.

Transportation Issues

The proposed development involves the regularisation of the existing garage to be used as ancillary accommodation in association with 30C Cock Road, thereby removing all vehicular parking from the garage. It is important to note that the application is not for an additional dwelling but for accommodation ancillary to No. 30C Cock Road. The proposed ancillary accommodation would be accessed from the shared drive off Cock Road. 30C Cock Road has an existing detached garage and driveway space for eight cars, Furthermore, the garage subject to this application also has an off road driveway space forward of the front elevation.

Concerns have been raised with regard to the loss of parking in combination with the existing levels of on street parking on Cock Road. It is considered that 30C Cock Road has adequate space within its site boundary to provide vehicular parking for both the existing dwelling and the proposed ancillary accommodation, as such, the parking provision would remain in compliance and within the Councils required parking standards. Further, with no objections from the Councils Transportation Officer the proposal is considered acceptable.

Residential Amenity

The single garage forms part of a terrace of garages associated with 30C, 30D and 30E Cock Road. No extension to the garage is proposed as such it is not considered that there are any issues of overbearing or overshadowing.

The side elevation windows of the garage overlook the detached garage and front driveway of the associated property, 30C Cock Road. The rear door overlooks a small walled patio area. Given the location of the property and the location of the windows, no direct inter-visibility or loss of privacy would result from the proposal. The rear garden of 32 Cock Road can be overlooked from the patio area associated with the garage and whilst it is accepted that the proposal would inevitably result in some overlooking from this area, given that this area could be accessed by the owner of the garage at any time, it is not considered that a refusal reason on overlooking grounds could be substantiated at appeal. Consequently, the impact on residential amenity is therefore considered to be acceptable.

5.3 **(b) The maximum density compatible with the sites location, its accessibility and surroundings is achieved.**

This criterion is not applicable as the proposal is for ancillary accommodation to 30C Cock Road, not a separate dwelling.

5.4 **(c) The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination.**

The ancillary accommodation would be subjected to no greater levels of noise, dust, pollutants etc than the existing dwellings in the vicinity.

5.5 **(d) Provision for education, leisure, recreation etc. in the vicinity is adequate to meet the needs arising from the proposal.**

The proposal is only for the variation of a condition to allow the garage to be used as ancillary accommodation to 30C Cock Road and therefore would not have a significant impact on the area in terms of service provision.

5.6 Design / Visual Amenity

No external alterations are proposed and the existing building has the appearance of a garage rather than a residential unit. When viewed from the front the building has a garage door to match the adjoining garages and the window and door openings are not readily visible from the front access road, as such the unit is not distinguishable from the adjoining garages in the terrace. It is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.7 Other Issues

It should be noted that whilst the unit is self contained, the building would be used in conjunction with the existing dwelling, 30C Cock Road. An informative would be attached to the permission highlighting that the building could not be used as a separate residential unit without planning permission.

5.8 Design and Access Statement

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

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That the application be approved.

Background Papers **PK09/0995/RVC**

Contact Officer: **Kirstie Banks**
Tel. No. **01454 865207**

CIRCULATED SCHEDULE NO. 27/09 – 10 July 2009

App No.: PK09/1009/F

Applicant: Mr T Blackman
Ministry Of Fitness
Ltd

Site: Unit 1, 15 Douglas Road, Kingswood,
South Gloucestershire, BS15 8NH

Date Reg: 2nd June 2009

Proposal: Change of use from Warehouse (Class
B8) to Health & Fitness Centre (Class
D2) as defined in Town and Country
Planning (Use Classes Order) 1987 (as
amended).

Parish:

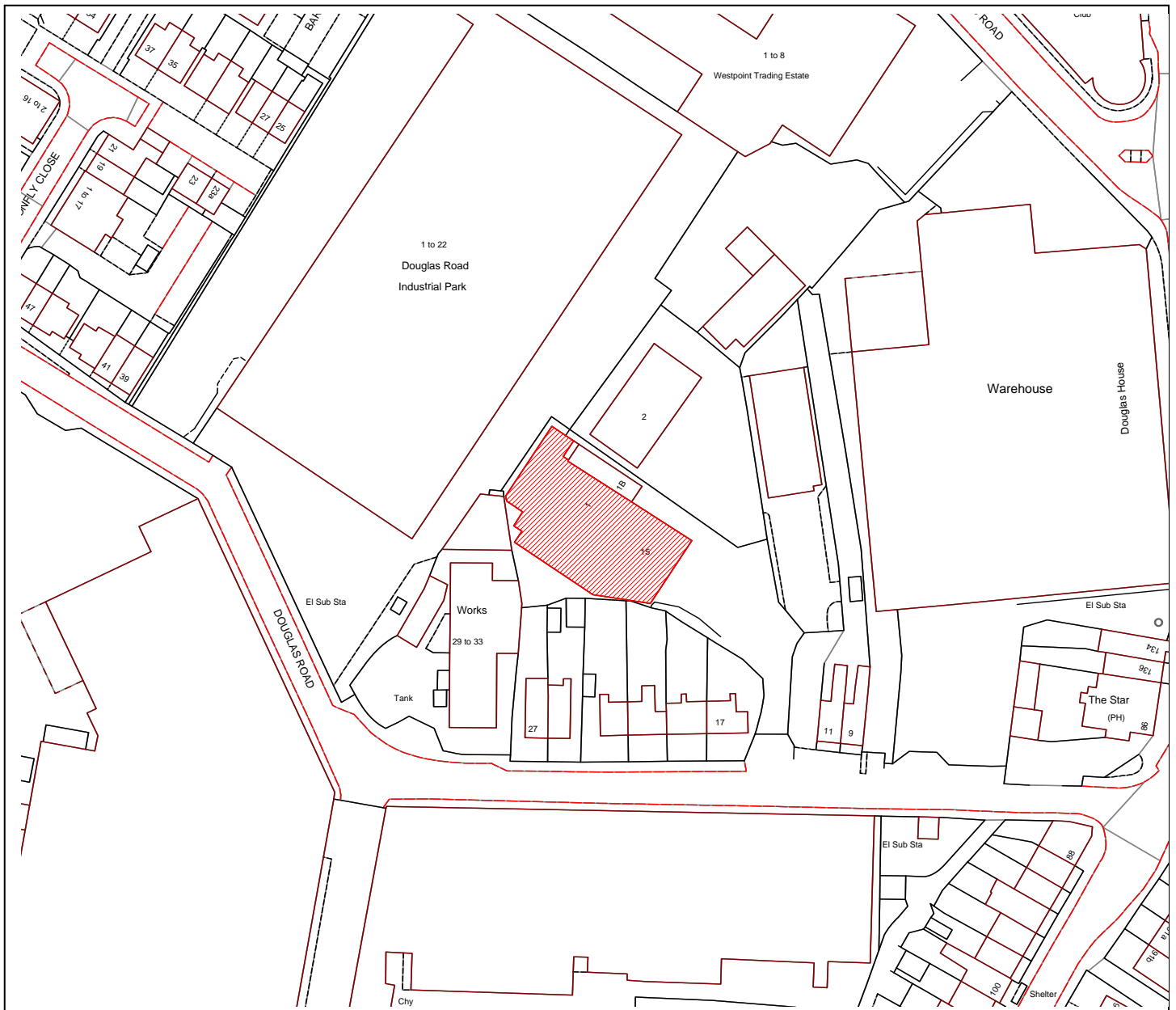
Map Ref: 64727 73368

Ward: Woodstock
Target 23rd July 2009

Application Minor

Category:

Date:



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INTRODUCTION

This application appears on the circulated schedule due to the receipt of 19 letters of support and one petition also in support containing 51 signatures.

- 1.1 The application seeks permission for the change of use from a Warehouse (Class B8) to Health & Fitness Centre (Class D2) as defined in the Town and Country Planning (Use Classes) Order 2005. No external alterations are proposed.
- 1.2 The site consists of an industrial unit within a safeguarded employment area as defined on the South Gloucestershire Local Plan (Adopted) January 2006 proposals map. The applicant has secured a government loan backed Enterprise Finance Guarantee for the proposal.
- 1.3 A pre-application planning enquiry was submitted in March 2009 and Council responded with a letter outlining the likely issues a planning application would face.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG4	Industrial, Commercial Development and Small Firms
PPG17	Planning for open space, sport and recreation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

T8	Parking Standards
T12	Transportation Development Control Policy
E4	Safeguarded Employment Areas

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant to this unit.

4. CONSULTATION RESPONSES

4.1 Parish/Town Council

The area is unparished

Other Representations

4.2 Local Residents

19 letters of support have been received for the application along with one petition containing 51 signatures - also in support. Whilst some of the letters and signatures are from Kingswood residents, some are from local organisations and sports clubs, and some are also from addresses outside of

the Kingswood area. A summary of the points raised in the letters are as follows:

- All 51 signatures on the petition signed to agree to the following statement; *'We the undersigned ask South Gloucestershire Council to grant permission for a change of use to D2 class at Unit 1, 15 Douglas Road, Kingswood, so that the area can benefit from the facilities that this fully equipped and modern gym will provide for the local sports teams, residents and other athletes. In our opinion this need is currently not being met adequately and a gym owned by a top level competitive bodybuilder will be of the highest quality and should be encouraged especially in this current recession.'*
- Existing gyms in the area are difficult, intimidating and time consuming for disabled users to use.
- A gym suitable for disabled people meets a niche in the market – there is no similar suitable gym available
- Exercise has a great impact on health and quality of life
- Current local gyms are too expensive and too busy – the applicant is offering a better service at better prices
- The gym will be able to give help and advice needed to live a better and healthier lifestyle
- The applicants coaching in the past has helped rapid recovery from serious illnesses
- Not allowing the gym to open would be a loss to the community and also a loss to disabled people all around Bristol.
- In the current economic climate unemployment is rising at an alarming rate – the change of use will create desirable employment opportunities.
- There is no benefit of a unit remaining empty
- This will be one of the best gyms in Bristol
- It will bring jobs and money to the area
- It will help people get fitter in this age where obesity is 'normal'

4.3 One detailed letter of support has also been submitted from the owner and current occupier of the building explain the reasons behind the recent economic downturn of his business and his desire to move to an adjacent smaller unit.

4.4 One letter of objection has also been received but as this letter is anonymous, it cannot be taken into account when considering this application.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The site lies within Kingswood Safeguarded Employment Area. Policy E4 states that planning permission will only be granted for non-employment purposes where it can be clearly demonstrated that:

5.2 **A. The proposal would support or would not prejudice the creation or retention of employment uses elsewhere within the defined employment area: and**

No information has been submitted to suggest that the gym would support the creation of employment uses elsewhere within the Kingswood Safeguarded Employment Area.

5.3 **B. No suitable alternative provision for the proposal has been made elsewhere in the plan; and**

Land is allocated in the Local Plan for the provision of sports and leisure facilities. Indeed, many buildings other than those within safeguarded employment areas could be suitable for this use.

5.4 **C. It can be clearly demonstrated that the site is no longer capable of offering accommodation for employment purposes; or**

The application fails to demonstrate that the site is not capable of offering accommodation for employment purposes. Indeed the unit is still in employment use and is not vacant. Whilst the circumstances of the current occupier of the building are understood and they do intend to move out shortly, the fact that it is still in employment use clearly identifies that it is capable of accommodating such use.

Further information was requested from the applicant during the course of the application to investigate whether the unit had been advertised for sale/rent for other employment uses. Whilst the applicant states that the unit has been on the market since 2007, evidence has only been submitted to show that the unit has been marketed since September 2008. Details from the estate agent marketing the unit have advised that since September 2008 there have been approximately 8 interested parties. Two main reasons are given as to why prospective tenants do not wish to occupy the unit – Location and Price. Whilst clearly the location is fixed, the fact that price has been raised as an issue leads to the conclusion that the rents could possibly be set too high. Whilst monetary issues are not planning considerations, because of the uncertainty, the applicant has failed to demonstrate that the site is not capable of offering accommodation for employment purposes.

Kingswood Safeguarded Employment Area is not currently in decline. A visit by the planning officer of the surrounding area identified that there are only a few vacant units. Your officer believes that the site is still capable of offering accommodation for employment purposes that thus this criteria has not been met.

5.5 **D. It can be clearly demonstrated that it would contribute to a more sustainable pattern of development; or**

The application fails to demonstrate that the proposal would contribute to a more sustainable pattern of development. There are several other gyms in the locality that are easily accessible to local residents by foot or public transport. Whilst it is not disputed that some of the existing gyms in the locality may be crowded at times, there is ample opportunity for Kingswood residents to attend a gym should they wish to do so.

Several of the letter of support or names on the petition are from residents who reside a long way from Kingswood – Portishead, Whitchurch, Tormarton and Chipping Sodbury to name a few. This does not suggest that the gym will necessarily promote sustainable patterns or travel. This is a fact that is recognised by the applicant in his supporting statement where it is acknowledged that many of the people supporting the gym are from outside the area and will travel into the area for recreation.

5.6 **The proposal would provide a significant improvement in the amenities of existing neighbouring residential occupiers.**

The proposal would have no impact upon existing levels of residential amenity. Whilst day time noise levels may decrease, evening and weekend traffic movements and noise may increase. On balance, any improvement or detriment to existing levels of residential amenity are unlikely to be significant.

5.7 Transportation Issues

No plans have been submitted to show how adequate parking would be provided to meet the needs of the development. However, given that the principle of development is considered to be unacceptable, no further information on the parking and access arrangements has been requested.

5.8 Other Issues

It is important to note that the Council is of course supportive towards promoting healthy lifestyles. It must also of course be supportive of employment uses. The Council does not oppose the theory of opening a new gym in the locality – just not in a safeguarded employment area at the expense of employment land. In accordance with paragraph 4 of PPG4, *'Up-to-date and relevant plans are essential if the development needs of commerce and industry are to be met... Development plans should give industrial and commercial developers and local communities greater certainty about the types of development that will or will not be permitted in a given location.'* To grant consent for this proposal would be directly contrary to the purpose of including land in a safeguarded employment area and contrary to the requirements of PPG4.

5.5 Design and Access Statement

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

6. **CONCLUSION**

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

The 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 the application be refused for the following reasons:

Contact Officer: Marie Bath
Tel. No. 01454 864769

REFUSAL REASONS

The proposal would result in the loss of a safeguarded employment site without clearly demonstrating that the proposal would not prejudice the retention of employment uses elsewhere within the defined employment area or that site is no longer capable of offering accommodation for employment purposes. Suitable provision for sports and leisure facilities have been made elsewhere in the Local Plan. As such the proposal is contrary to the requirements of Policy E4 of the South Gloucestershire Local Plan (Adopted) January 2006 and is therefore unacceptable.

CIRCULATED SCHEDULE NO. 29/09 – 10 JULY 2009

App No.: PK09/1042/F
Site: 15 Creswicke Avenue, Hanham, South Gloucestershire, BS15 3HD

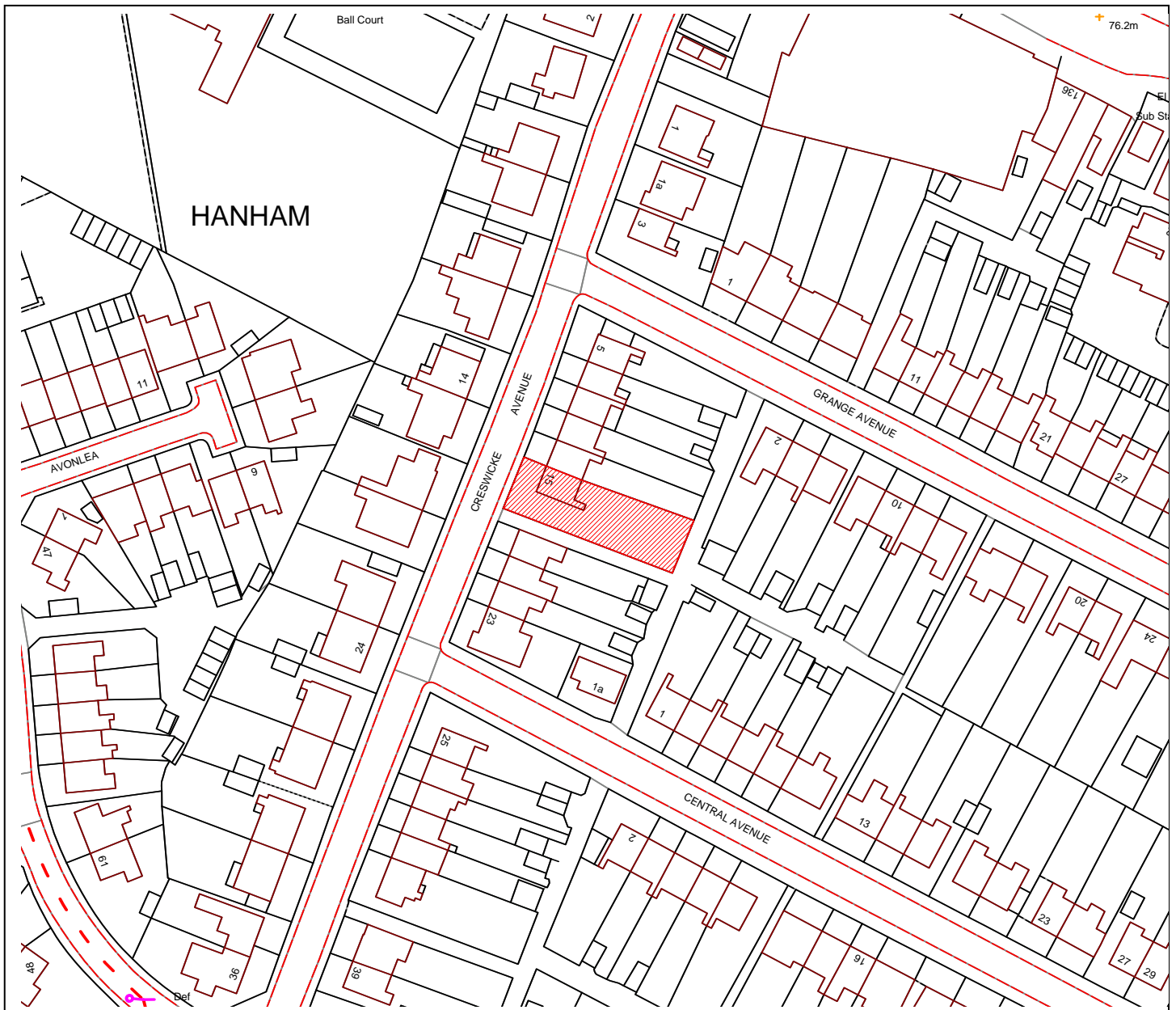
Applicant: Mr C Roberts
Date Reg: 8th June 2009

Proposal: Erection of two storey side and rear extension to form 1no. self contained dwelling with parking and associated works.

Parish: Hanham Parish Council

Map Ref: 64397 72102
Application Category: Minor

Ward: Hanham
Target Date: 29th July 2009



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100023410, 2009.

N.T.S

PK09/1042/F

INTRODUCTION

This application appears on the Circulated Schedule as representations have been received contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a two storey side and rear extension to form 1no. attached dwelling with associated works at 15 Creswicke Avenue, Hanham. The proposed dwelling would measure 4.1 metres wide by 10.5 metres in depth and would have an overall height to ridge of 8.65 metres.
- 1.2 The existing property (No. 15 Creswicke Avenue) is a two storey end of terrace dwelling and is located within the residential area of Hanham. The adjacent dwelling (No. 17 Creswicke Avenue) is situated on the other side of a single track access lane (that is overgrown and seems disused) and is also an end of terraced two storey dwelling. The dwellings on the opposite side of Creswicke Avenue are semi detached bungalows.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
H2 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
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
Objection. Overdevelopment. The proposal by virtue of its size, form, position and scale would seem to represent a sizeable new house and not a two storey side extension as described. This proposal would result in the removal of an existing parking space at the front of the property with the provision of four new

parking spaces sited at the rear of the building via an access lane. This would significantly increase the traffic movements in this lane.

4.2 Sustainable Transport

The main transportation issue relating to this application is the provision of adequate parking. Currently, there is parking in front of the property but as part of the application the applicant is proposing parking to the rear via the private rear access drive. Two parking spaces are provided for each the existing and new property that meets the parking requirements for both properties.

4.3 In view of all the above therefore, there are no highway objections to this proposal subject to conditions.

Other Representations

4.4 Local Residents

1 on-line objection has been received, raising the following concerns.

- access via the lane for additional cars would be at the junction of 2 lanes
- an increase in street parking in an area where they are already considerable issues with regard to parking due to the proximity of the primary school
- any increase in traffic close to the school is a concern
- view into back gardens

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposed new dwellings within the existing residential curtilage, providing that the design is acceptable, highway safety would not be compromised, adequate parking and amenity space is provided and that there is no unacceptable impact on residential and visual amenity.

5.2 The South Gloucestershire Plan (Adopted) 2006 identifies the site as lying within the urban area. With the exception of design, Policy H2 of the adopted Local plan encompasses all the relevant issues of the above policies. Policy H2 allows for new residential development providing that the following criteria are complied with:-

5.3 **(a) Development would not have unacceptable environmental or transportation effects; and would not significantly prejudice residential amenity.**

In the interests of clarity these two issues will be discussed in turn.

5.4 Transportation Issues

Although the application will result in the loss of the existing off street parking space, the application proposes 2no. off street parking spaces for each dwelling, to be located at the rear of the dwelling. Concerns have been expressed by Hanham Parish Council and some local residents about parking issue and increase use of the rear access resulting from the development. Sufficient parking has been proposed (two parking spaces) for each existing

and new property. The suggested level of parking provided is in line with the South Gloucestershire Council parking standards. Parking itself therefore could not be used as a reason to refuse this planning application. In relation to increased use of the rear access lane, it is advised that the applicant has rights of access over this private lane (to the rear of the property) and therefore the occupants can use it at any time. There is also pedestrian access to each property from the front of the properties (i.e. off Creswicke Avenue). It is considered that resulting increased use of the lane by one additional property would not be significant and highway safety conflict would not rise to a level to justify refusal of the planning application. An objection has been received regarding the increase in traffic close to a school. However, due to the above comments, the proposal is considered acceptable in terms of highway safety.

5.5 Residential Amenity

The proposed new dwelling would be situated adjoining the existing dwelling at 15 Creswicke Avenue, with an entrance door on the side elevation. An objection has been received regarding the view into back gardens. The properties to the rear are situated on the far side of the rear access lane, over 24 metres away, and the proposed dwelling will have its own garden. It is therefore not considered that the proposal would result in any significant increase in overlooking or loss of privacy over and above the levels of overlooking from the existing dwelling. It is therefore considered that there are no issues of inter-visibility or loss of privacy.

5.6 Although the proposed dwelling would extend in to the rear garden by 4 metres, it is the same depth as the existing single storey extension to 15 Creswicke Avenue. Also, there are no windows proposed at first floor level in the (north) side elevation of the part that extends into the garden. On the other (south) side elevation there is one small first floor stairway window proposed. There are no openings in the side elevation of the adjacent end of terraced property, No. 17 Creswicke Avenue. It is therefore considered that the proposal would not have any overshadowing or overbearing effect on the neighbouring dwellings.

5.7 The plans show that adequate private and useable amenity space would be provided to serve both the existing and proposed dwelling. The impact on residential amenity is therefore considered to be acceptable.

5.8 **(b) The maximum density compatible with the sites location, its accessibility and surroundings is achieved.**

Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3, seeks to avoid development which makes an inefficient use of land. PPS3 (para.47) indicates that a national indicative minimum density of 30 dwellings per hectare should be used.

5.9 When the new dwelling is included, the density of the dwellings will be 47 per hectare, above the minimum density required. Officers are satisfied that having regard to the sites constraints, the pattern and scale of existing development, access and impact on residential amenity, the proposed dwelling is acceptable.

- 5.10 **(c) The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination.**
The new dwelling would not be subjected to greater levels of noise, dust, pollutants etc than the existing dwellings in the vicinity.
- 5.11 **(d) Provision for education, leisure, recreation etc. in the vicinity is adequate to meet the needs arising from the proposal.**
The proposal is for one dwelling only and therefore would not have a significant impact on the area in terms of service provision.
- 5.12 Design / Visual Amenity
The application is for the erection of a three bedroom dwelling adjoining No. 15 Creswicke Avenue. The proposed dwelling has been designed to be similar in appearance and scale to the adjoining property and the properties on the east side of Creswicke Avenue. The new dwelling would have a hipped roof with the same ridge line as the existing dwelling. The bay window on the existing dwelling will be duplicated on the new dwelling. It is considered that the proposed dwelling is of an appropriate standard in design and would respect the character and appearance of the area. Furthermore, the proposed dwelling would incorporate materials to match those of the main dwelling, assisting the successful integration of the structure with the existing dwelling. It is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.
- 5.13 Environmental and Drainage Issues
Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds.
- 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.

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**

That planning permission be **GRANTED** subject to the following conditions.

Background Papers **PK09/1042/F**

Contact Officer: **Elizabeth Dowse**
Tel. No. **01454 862217**

CONDITIONS

1. Prior to the occupation of the new dwelling hereby approved, the proposed parking facilities, cycle store and bins stores shall be provided.

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.

2. The proposed parking areas hereby approved shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Reason:

To avoid the spread of debris and surface water onto the highway in the interests of highway safety and to comply with the requirements of Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The proposed boundary treatments shall be installed prior to the first occupation of the dwelling unless otherwise agreed in writing by the Local Planning Authority.

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.

4. The hours of working on site during the period of construction shall be restricted to 0730 to 1800 hours Monday to Friday, 0800 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 Nos. 15 & 17 Creswicke Avenue and nearby buildings and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

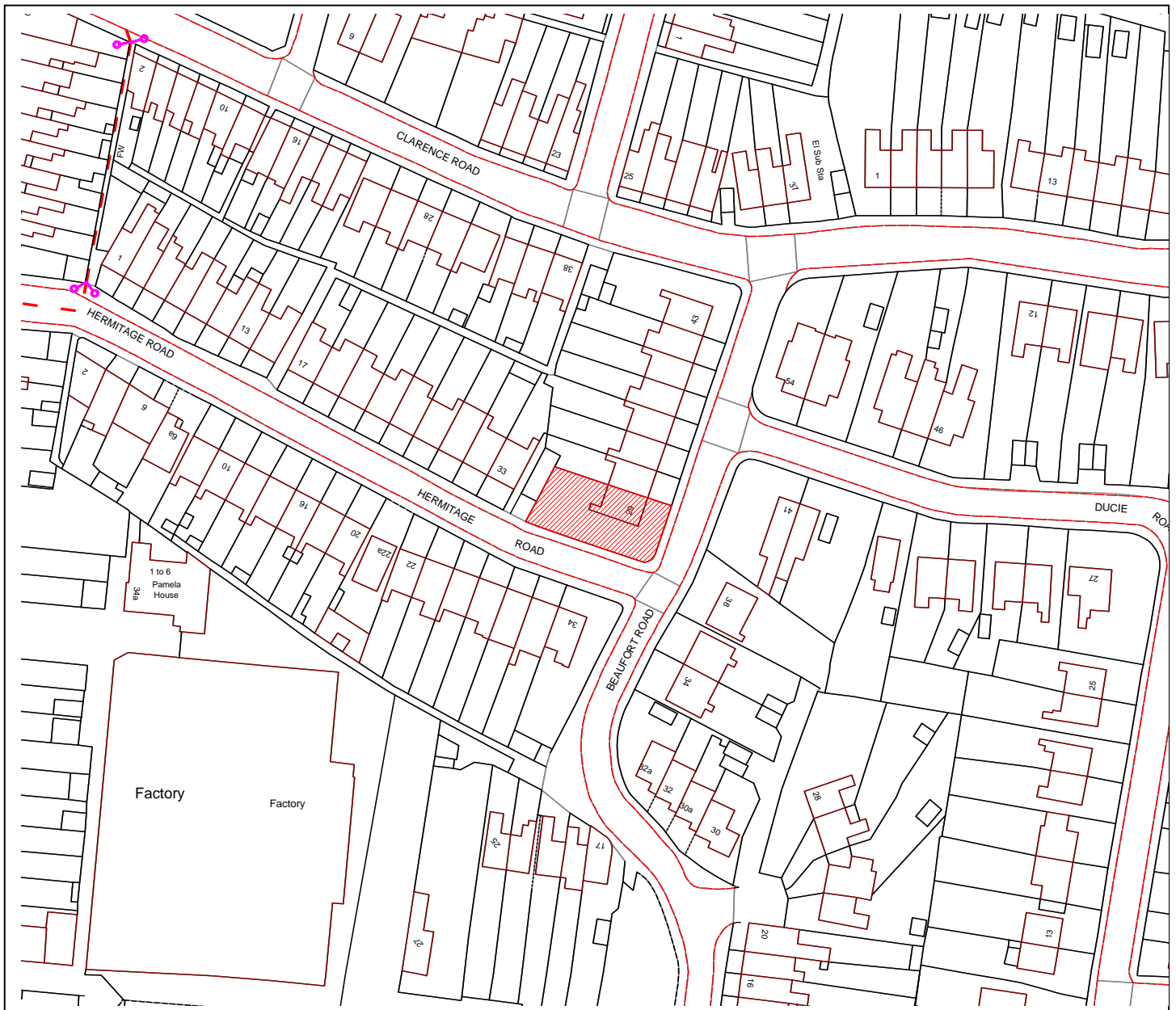
5. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason:

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. 27/09 – 10 July 2009

App No.:	PK09/1061/RVC	Applicant:	Mr J Wade Linil Contractors Ltd
Site:	29a Beaufort Road, Staple Hill, South Gloucestershire, BS16 5JU	Date Reg:	10th June 2009
Proposal:	Variation of Condition 12 attached to Planning Permission PK08/3168/F to allow the dwelling to be constructed in Pennine Bradstone.	Parish:	
Map Ref:	65068 76095	Ward:	Staple Hill
Application Category:	Minor	Target Date:	4th August 2009



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 100023410, 2009.

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application relates to a 0.01ha. plot of land that until recently formed the garden to the side of no.29 Beaufort Road. No.29 is a 3 bedroom, end of terrace dwelling house, situated on a corner plot at the junction of Beaufort Road and Hermitage Road. The location is suburban in character, consisting predominantly of Victorian/Edwardian terraces along either side of fairly narrow roads. The centre of Staple Hill is only a short walk away to the south. The house fronts onto Beaufort Road with most of the garden area to the side being adjacent to Hermitage Road and enclosed by a low wall. A double garage located to the rear and accessed off Hermitage Road is in separate ownership. Planning permission PK07/3454/F was recently granted to convert no.29 into 2no. flats as well as erecting a two-storey side extension to no.29 to provide a third 'flat'. Following the grant of planning permission PK07/3454/F the side garden of no.29 was sold off and is now in separate ownership.
- 1.2 A subsequent application PK08/0680/F was recently granted to erect a two-bedroom, semi-detached dwelling to the side of no.29. Parking provision for the approved dwelling consisted of a space for one car to the rear of the site, and accessed from Hermitage Road.
- 1.3 A subsequent application PK08/3168/F sought some small amendments to the previously approved scheme PK08/0680/F. In order to provide more internal living space, it was proposed to place the stairs in a small stairwell to the side of the dwelling. It was also proposed to make the depth of the dwelling (at ground floor) slightly larger, so that the entire rear elevation would be flush with that of the existing terrace. In all other respects the scheme was much the same as that previously approved.
- 1.4 The application (PK08/3168/F) was duly approved subject to the same conditions that were attached to the earlier approvals and works have since begun on the erection of the dwelling. In the interests of visual amenity, Condition 12 of the planning permission required the front, side and rear elevations of the dwelling to be constructed in natural rubble stone, with Ashlar (pre-cast 'Cotswold' stone) window surrounds and quoin detailing to match the existing terrace. It is now proposed to vary the wording of the condition to allow the building to be constructed in Pennine Bradstone with Ashlar window surrounds and quoin detailing.

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1 - Delivering Sustainable Development
 - PPS3 - Housing
 - PPG13 - Transport
 - Circular 11/95 The Use of Conditions in Planning Permissions

2.2 Development Plans

Joint Replacement Structure Plan

- Policy 1 - Principles
- Policy 2 - Location of Development
- Policy 17 - Landscape
- Policy 33 - Housing Provision and Distribution
- Policy 54 - Car Parking Provision

South Gloucestershire Local Plan (Adopted) 6th January 2006

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

Supplementary Planning Guidance

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 P75/4730 - Erection of detached double garage for two vehicles and private storage.
Approved 31st Oct. 1975
- 3.2 P77/4110 - Alteration and extension of existing outbuilding to form a conservatory.
Approved 4th May 1977
- 3.3 PK07/1473/F - Erection of 2no self contained flats and associated works.
Withdrawn 2nd July 2007
- 3.4 PK07/1998/F - Erection of 2 no. self contained flats with parking and associated works (Resubmission of PK07/1473/F)
Refused 14th September 2007 for the following reasons:
 - 1. The development, with off-street parking below the maximum residential parking standards set out in Policy T8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, would lead to an increase in on-street congestion in close proximity to a road junction thereby causing obstructions to visibility, all to

the detriment of highway safety; contrary to Policies T12, H2 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.

2. The proposal would result in a cramped form of development leaving inadequate areas of private amenity space to serve the occupiers of the existing house, all to the detriment of residential amenity, which is contrary to Policies H2 (A) and H4 (D) of The South Gloucestershire Local Plan (Adopted) 6th January 2006.

3. The proposal would result in built development protruding well beyond the established building line in Hermitage Road, which would represent an incongruous element within the street scene to the detriment of the visual amenity of the locality, contrary to Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.

- 3.5 PK07/3454/F - Conversion and extension of existing dwelling to provide 3no. self-contained flats.
Approved 3rd January 2008
- 3.6 PK08/0680/F - Erection of 1no. attached dwelling with associated works.
Approved 9th May 2008
- 3.7 PK08/3168/F - Erection of 1no. attached dwelling with associated works.
(Amendment to previously approved scheme PK08/0680/F)
Approved 30th Jan 2009

4. CONSULTATION RESPONSES

4.1 Parish Council
Not a parished area.

4.2 Other Consultees
None

Other Representations

- 4.3 Local Residents
4no. letters of objection have been received from local residents. The concerns raised are summarised as follows:
- The use of Pennine Bradstone would be out of keeping with the rest of the terrace.
 - The flats at 22a & 22b Hermitage Road were recently built in stone to match.
 - Pennine Bradstone is merely a cheaper option.
 - The extension should be built in Brown Stone with Sandstone trimmings.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The site lies within the Urban Area and being residential curtilage, is previously developed land and can therefore be assessed as a brownfield windfall site. There is therefore no in-principle objection to the development of the site for

residential use. The acceptance in principal of a two-storey residential unit on this plot has already been established with the grant of planning permissions PK07/3454/F, PK08/0680/F & PK08/3168/F.

5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 33 states that priority will be given to the re-use of previously developed sites *within the urban area*. Furthermore, Policy 2 of the JRSP, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub regional centres.

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

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

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

5.5 Condition 12 attached to PK08/3168/F reads as follows:

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

Reason: To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with policies D1/H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

5.6 Officers imposed the condition as it was envisaged at the time that the external walls would be constructed in natural rubble Pennant Sandstone to match those

of the rest of the terrace. It is now proposed to vary the wording of condition 12 to allow the building to be constructed in Pennine Bradstone with Ashlar window surrounds and quoin detailing.

5.7 Officers therefore consider that the only issue to consider in the determination of this application is whether or not the proposed Pennine Bradstone would be a suitable alternative material for the external walls, that would adequately retain the visual amenity of the terrace and the street scene in general.

5.8 Justification

At the time of the original applications, officers noted that the terrace, to which the new dwelling would be adjoined, was a particularly well preserved example, with no rendered elevations. All of the original Ashlar window surrounds and quoin detailing remained intact and all of the walls appeared to be constructed in natural rubble Pennant Sandstone. In order to preserve the visual character of the terrace, it was considered reasonable to impose condition 12. Condition 11 ensured that the roof tiles would also match those of the terrace and condition 13 ensured that a sample panel of the proposed stonework would be erected on site and agreed in writing prior to the commencement of the relevant parts of the work.

5.9 The site has since been cleared and the works have commenced, with the footings and floor slab now in place. In the course of these works however, it has transpired that the side and rear elevations of the terrace are not in fact constructed in Pennant Sandstone but some composite re-constituted material that from a distance has the appearance of Pennant Sandstone. It is also noted that the boundary walls are also made of the same composite material. The front elevation of the terrace to Beaufort Road does however appear to be faced with Pennant Sandstone.

5.10 The applicant has been unable to find a source of local Pennant Sandstone to match that on the front elevation of the terrace and has suggested the use of Pennine Bradstone as an alternative material. The Bradstone is not however a natural rubble stone (as required by condition 12) but a man-made re-constituted block.

5.11 The applicant has erected on-site a sample panel of the Pennine Bradstone for comparison and officers consider that the Bradstone, whilst not being identical, is a very good match when compared with the existing terrace walls.

5.12 Whilst the use of natural rubble Pennant Sandstone would be ideal, officers acknowledge that this material is now difficult to source. The Council's Minerals Planning section has confirmed that the only local source of the material i.e. Conygre Quarry, Clevedon has ceased production and whilst there are believed to be alternative sources in the Forest of Dean, the stone is usually a brighter red colour than that used extensively in the Bristol area, which tends to be a darker grey/brown/green.

5.13 In considering the use of the Bradstone as an alternative, officers have made a study of other developments along Hermitage Road. Here it was noted that no.2 has brown roughcast render to the front elevation, no.3 white smooth render and no.5 cream render at ground floor level; no.6A is a house constructed in Bradstone with red brick window surrounds and quoin detailing;

no.28 has a grey block-work porch. Nos 17-33 are however quite uniform in their design with Pennant Sandstone frontages and Ashlar window surrounds.

- 5.14 Of more significance is the recently constructed 2-storey dwelling comprising 3 flats at 22a & 22b Hermitage Road (see PK02/1316/F). This building has been sited by two of the objectors as being an example of good design that integrates well within the street scene. One objector described it as being:-

“..most sensitively constructed to match perfectly, in design, proportion and in ‘traditional’ use of building materials the surrounding terraces. The use here of Pennant Stone/Bath Stone has created a building that blends effortlessly and so pleasingly with its setting that it appears to have always been part of the road.”

On closer inspection however it is evident that the building is constructed in Bradstone with pre-cast Ashlar window surrounds and quoins; a study of the planning history confirms this. This merely demonstrates that modern re-constituted materials can be successfully used to create a high quality appearance when used for dwellings sited next to traditionally designed older properties. The Pennine Bradstone proposed at no.29 is very similar, if not identical in appearance, to that used at no.22a & 22b.

- 5.15 Circular 11/95 lists the tests that a condition must meet. Amongst other things conditions must be necessary, precise and reasonable in all other respects. Condition 12 required the use of natural rubble sandstone on the front, side and rear elevations, to match the existing terrace. Since it has transpired that the side and rear elevations of the terrace are not in fact natural rubble stone but a reconstituted material, officers are concerned that the existing wording of condition 12 could now be challenged at appeal as being unnecessary, imprecise and unreasonable.
- 5.16 On balance therefore, given that the proposed Bradstone is a reasonable match and has been used successfully at no.22a & 22b Hermitage Road, officers consider that the condition should be revised as proposed. The condition would of course still require the use of Ashlar for the window surrounds and quoin detailing.
- 5.17 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 vary the wording of condition 12 as proposed, 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 re-issued with condition 12 varied to allow the dwelling to be constructed in Pennine Bradstone with Ashlar window surrounds and quoin detailing.

Background Papers **PK09/1061/RVC**

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

CONDITIONS

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

subsequently be implemented in accordance with the approved details and thereafter maintained.

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason 1:

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

Reason 2:

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

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

Reason:

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

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

Reason:

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

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

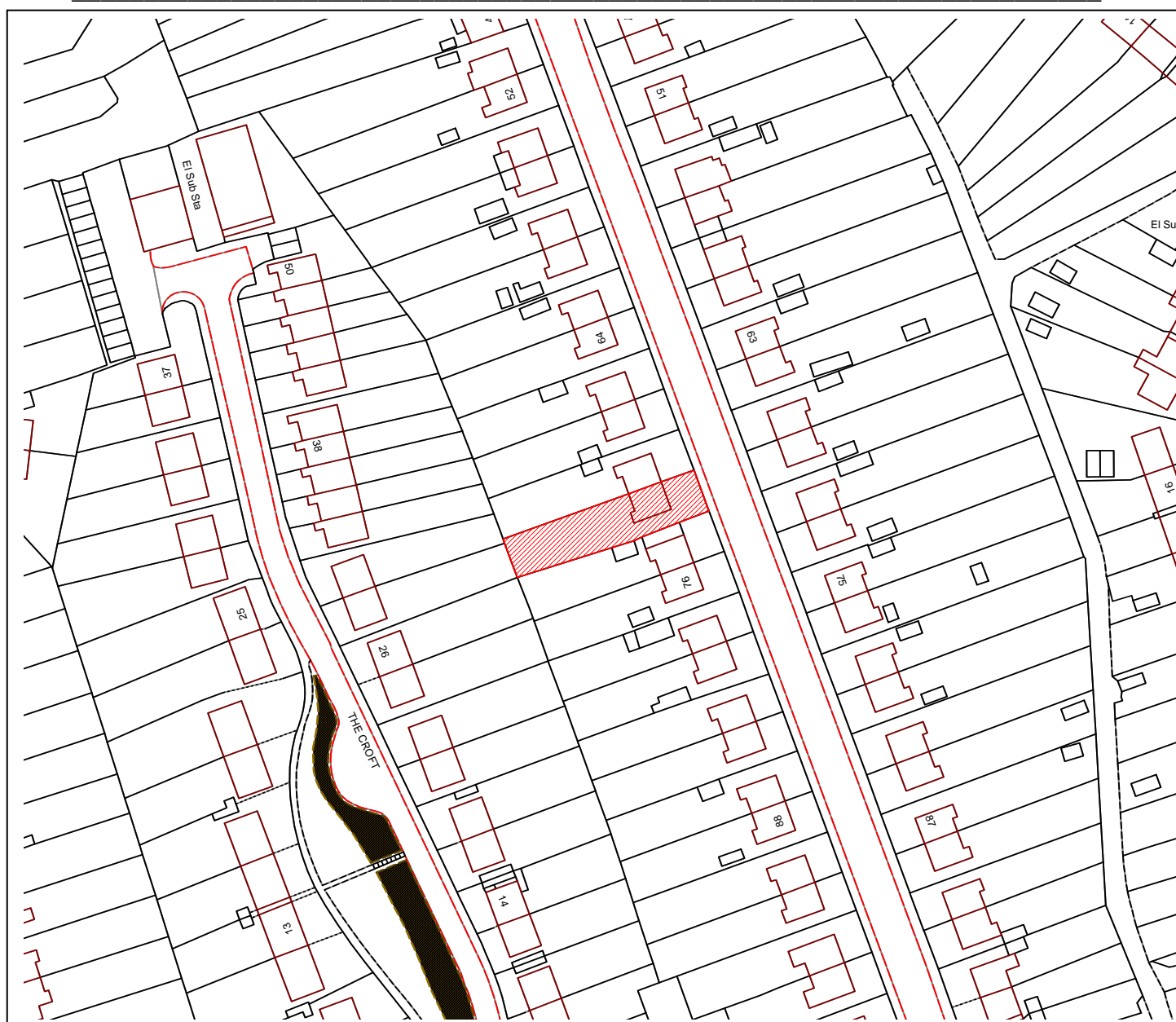
Reason:

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

14. Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the proposed first floor window on the southern side 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.

CIRCULATED SCHEDULE NO. 27/09 – 10 JULY 2009

App No.:	PK09/1124/F	Applicant:	Mr R Morecroft
Site:	72 Burley Grove, Mangotsfield, South Gloucestershire, BS16 5PZ	Date Reg:	17th June 2009
Proposal:	Erection of two storey side extension to form additional living accommodation.	Parish:	
Map Ref:	65854 76406	Ward:	Rodway
Application Category:	Householder	Target Date:	11th August 2009



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100023410, 2009.

N.T.S

PK09/1124/F

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with procedure given that an objection has been made where the Officer's recommendation is that the application be granted.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a two storey side extension. The site comprises a two storey semi-detached property that is situated on the western side of Burley Grove.
- 1.2 The proposed two single storey extension would have a width of approximately 2.3 metres, depth of 7.3 metres, (set back by 0.3m from the existing front elevation), and height to the ridge of the roof of 8 metres (being set down from the main ridge of the house by 0.4 metres). All materials will match those of the existing building.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
The site does not fall within a Parish / Town Council.

Other Representations

- 4.2 Local Residents

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

- The side elevation includes a window that will be situated 2 metres from a kitchen window in the neighbouring property
- There is a hedge on the boundary which must be retained
- Scaffolding will not be permitted to be erected on the adjacent property

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 considers development within existing residential curtilages, including extensions and is therefore relevant to the consideration of this proposal. The policy requires regard to be given to the design and character of the proposal both in respect of the original building and the wider street scene. In addition the impact upon the residential amenity of neighbouring occupiers will be assessed as will the impact upon parking provision and amenity space available for the use of the occupiers of the dwelling. Policy D1 considering design specifically, seeks to secure good quality design in all new development.

Subject to consideration of the above criteria, the proposed development is considered acceptable in principle.

5.2 Design

The proposed extension is fully subordinate, (being set back and the roof set down), in relation to the original property and as such would not unbalance visually this semi-detached pair. The windows are of an appropriate size and location. The proposed materials will match those of the original property both in terms of rendered walls and matching roof tiles and as such the structure would integrate successfully with the original dwelling. A condition is recommended to ensure that all materials match those on the original property.

The design of the proposed extension is acceptable and in accord with Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.3 Residential Amenity

Given the scale of the proposal and the location of the development in relation to neighbouring properties, (such that it lies to the side of No.74 immediately to the south, without projecting beyond the rear elevation of that property), it is not considered that any adverse impact upon residential amenity would result in terms of appearing oppressive and/or overbearing.

Concern has been raised that the proposed side window at ground floor level would be obtrusive given the close proximity of the adjoining property (No.74) and its openings. It is acknowledged given the close proximity that there is the potential for loss of privacy. In mitigation however there is a hedge along part of this boundary and more importantly the proposed window is to be a "high level" window set approximately 2 metres above ground level. It is considered that this arrangement prevents any possibility of overlooking the neighbouring side elevation. It is not considered that the refusal of the application could be justified or sustained on the basis that this window is obtrusive or would result in loss of privacy.

It should be noted that this is the only window in this elevation in the proposed flank wall however for the avoidance of any doubt and in order to allow and assessment of any future windows in the side/south elevation in terms of

potential impact upon residential amenity, a condition is attached to the decision notice to restrict future windows in this side elevation.

Subject to the above condition it is considered that the proposed development is acceptable in terms of impact upon residential amenity and thus in accord with the aims and objectives of Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

Furthermore it is not considered that the proposal would significantly adversely affect the level of private amenity space available to occupiers of the site.

5.4 Transportation

There are no highway objections to the proposal.

5.5 Other Issues

Concern has been raised by the neighbouring occupier that the hedge along the boundary should be retained and that scaffolding/access will not be permitted on the adjoining land during the construction period.

With respect to the impact upon the hedge, this is a civil matter between neighbours to reach agreement upon. As with the matter of access this is a matter that is covered by the Party Wall Act. Informatives will be attached to the decision notice to draw the attention of the applicant to the Party Wall Act (a leaflet will be sent out with the notice of decision to explain the rights and duties under the Act). This informative indicates that planning permission does not give right of access to neighbouring land.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and 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 **PK09/1124/F**

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

CONDITIONS

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

Reason:

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

2. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side (South) 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.

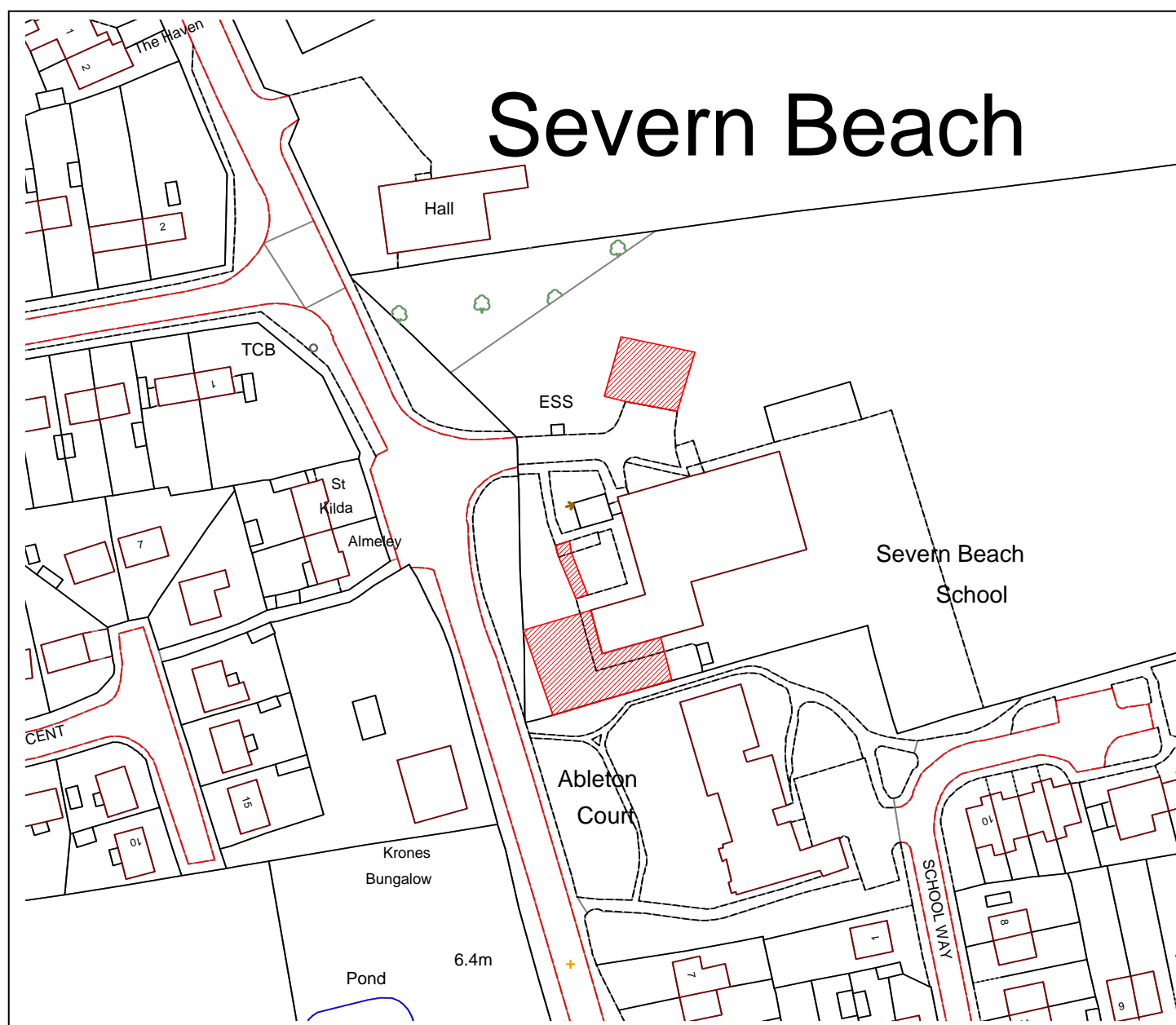
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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. 27/09 – 10 JULY 2009

App No.:	PT09/0986/F	Applicant:	South Gloucestershire Council
Site:	Severn Beach CP School, Ableton Lane, Severn Beach, South Gloucestershire, BS35 4PP	Date Reg:	29th May 2009
Proposal:	Construction of additional car park and access path with associated landscaping.	Parish:	Pilning and Severn Beach
Map Ref:	54263 84641	Ward:	Pilning and Severn Beach
Application Category:	Minor	Target Date:	22nd July 2009



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DC090 MW

This application appears on the Circulated Schedule in view of the comments received from the Parish Council and given that it has been submitted on behalf of the Council.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the construction of additional car parking spaces and for the construction of a new access path and further landscaping to facilitate the creation of a children's activity area.
- 1.2 The application relates to Severn Beach County Primary School positioned on the east side of Ableton Lane, Severn Beach. The school is located within the Severn Beach settlement boundary.
- 1.3 Amended plans have been received which provide extra detail in respect of the landscaping plan submitted

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development
PPG13: Transport
PPG17: Open Space, Sport and Recreation
PPS25: Development and Flood Risk

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in the New Development
L1: Landscape Protection and Enhancement
L5: Open Areas within the Existing Urban Areas and Defined Settlements
EP2: Flood Risk and Development
T7: Cycle Parking
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
LC4: Proposals for Educational and Community Facilities

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/1405/F: Erection of single-storey classroom. Permitted: 16 June 2003

4. CONSULTATION RESPONSES

4.1 Pilning and Severn Beach Parish Council

'Parking arrangements are extremely limited at the school and the parish council is wholly supportive of these proposals. Accordingly, the parish council has NO OBJECTION to this application.'

4.2 Other Consultees

PROW: No objection in principle

Technical Services (Drainage): no objection in principle

Highways DC: objection

Landscape Officer: no objection to amended plans

Other Representations

4.3 Local Residents

No comments received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning policy LC4 allows for the development, expansion or improvement of educational (and community facilities) within the existing urban areas and the settlement boundaries provided that:

- Proposals are located on sites which are, or will be, highly accessible on foot and bicycle; and
- Development would not unacceptably prejudice residential amenities; and
- It would not have an unacceptable environmental/ transportation effect; and
- It would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area and highway safety.

5.2 Planning policy T8 provides maximum car parking standards. In this regard, policy T8 cites a parking ratio of one space for every two members of staff.

5.3 Planning policy T12 cites that new development will be permitted (in terms of transportation) where (here considered relevant) it provides adequate safe, convenient, attractive and secure access for pedestrians, cyclists and people with disabilities. Further, it should be capable of accommodating motorised traffic that is generated and should not create or unacceptably exacerbate traffic congestion or have an unacceptable impact on road, pedestrian or cyclist safety. It should also not generate traffic which would have an unacceptable effect on residential amenity or other environmentally sensitive areas in terms of noise, vibration and air quality.

5.4 Planning policy L5 cites that within the existing urban areas and the settlement boundaries, development will not be permitted where it would adversely affect the contribution that an open area makes to the quality, character, amenity and distinctiveness of the locality. Where a site contributes to local character and distinctiveness the Council will seek to negotiate measures to enhance and manage these areas.

5.5 Design/ Visual Amenity

The application relates to Severn Beach County Primary School which forms a two-storey flat roofed structure which appears to date to the late 1960's/ 1970's and is typical of this period. The application seeks permission for landscaping works to provide a children's activity area and for an extension to the existing staff car park.

5.6 *Proposed Landscaping:*

- This element of the proposal relates to an existing grassed area in front of the school building; in this regard, it is noted that the frontage to the school is open with grassed areas either side of the wooden picket fence that denotes the front boundary of the application site.
- 5.7 The proposal would replace this grassed area to the south west corner of the site with an intensive form of landscaping which would introduce a compacted limestone surface with a meandering pathway which would work its way around this corner of the building. This would cross a snaking swale which would also work its way around this corner of the site passing under the proposed path three times.
- 5.8 The pathway would benefit from two willow tunnels which would measure some 1.5m in height whilst would provide access to a sandpit (alongside the school), a den (enclosed by timber fencing approx 1m high and to the south west corner of the site) and a post and canopy shelter (2.5m high) adjacent to the front site boundary. Steps and rocks would also be provided with a sound tube running between the aforementioned den and shelter.
- 5.9 In response, it is noted that the proposals would appear relatively prominent in view of the site location but given its position within the school grounds, the proposal is considered to be acceptable in principle. Nonetheless, as originally submitted, there were concerns related to this element of the proposal given that it would affect the existing trees in this area that would form an integral part of the proposal. This is because the works would involve works within the root protection area to these trees. As such, amended details have been submitted that provide the information considered necessary to address these concerns.
- 5.10 In view of the above, whilst the existing site layout is considered to contribute to the setting of the school in terms of Policy L5, it is considered that the proposal would have no significant adverse affect on the contribution the site makes to the character and distinctiveness of the locality. On this basis, there is no objection to this element of the proposal (that would also include an extended pathway to the front of the school).
- 5.11 *Proposed Car Park Extension:*
The application also seeks planning permission for an extension to the existing school car park to the north side of the building within the adjoining field. This part of the scheme would provide an additional ten staff car parking spaces.
- 5.12 In response, it is not considered that this element of the proposal would have a significant adverse visual impact given that it would be set back from the site entrance, devoid of fencing and closely associated with the existing access road. Further, it would not encroach significantly into the school playing field.
- 5.13 In view of the above, there is no objection to this element of the proposal on design/ visual amenity grounds.
- 5.14 Residential Amenity
Ableton Court stands to the south side of the application site and provides two-storey flatted accommodation set back from the highway level with the rear site

- boundary associated with the proposed landscaping works. A waist high hedge and a number of trees provide an element of screening from the school.
- 5.15 In response, given the nature of the application site and in view of the nature of the proposed works, it is not considered that any significant adverse impact in residential amenity would be caused (particularly with the proposed works generally at ground level).
- 5.16 All other neighbouring dwellings sit at an appreciable distance from the site of the proposals with a community hall (well screened) to the north of the school site. As such, it is again not considered that any significant adverse impact in residential amenity would be caused.
- 5.17 Highway Safety
Planning policy T8 relates to maximum car parking standards with a car parking ratio of one space for every two members of staff specified. However, in this instance, the proposal would provide nine new spaces allowing a total provision of seventeen spaces; this would provide for thirteen members of staff. This is therefore in excess of the Council's maximum standards and thus refusal must be recommended on this basis.
- 5.18 In view of the above, it should be noted that there are currently eight spaces on site to provide for this number of staff. This therefore reflects the provisions of policy T8.
- 5.19 There is no highway objection to the proposed landscaping works.
- 5.20 Improvements achieved to the scheme
As detailed above, further plans have been received in respect of the proposed landscaping works to provide the necessary information to help safeguard the existing trees on site.
- 5.21 Outstanding Issues
The application appears to show the erection of a new buggy store and storage shed alongside to the building in respect of which no further details have been provided. To this extent, in view of their limited size, it is suggested that these structures could be the subject of an appropriately worded condition in the event that planning permission were granted.
- 5.22 Design and Access Statement
The Design & Access Statement received with the application is not considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.
- 5.23 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 issue a split decision has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

- 7.1 Planning Permission is **GRANTED** for the proposed landscaping works and footpath but **REFUSED** in respect of the proposed additional parking spaces:

Background Papers **PT09/0986/F**

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

CONDITIONS

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

Reason(s):

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

2. Prior to the commencement of development, full details of the proposed buggy store and storage shed shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed strictly in accordance with these approved details.

Reason(s):

In the interest of visual and residential amenity and to accord with Planning Policies D1, L1, L5 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

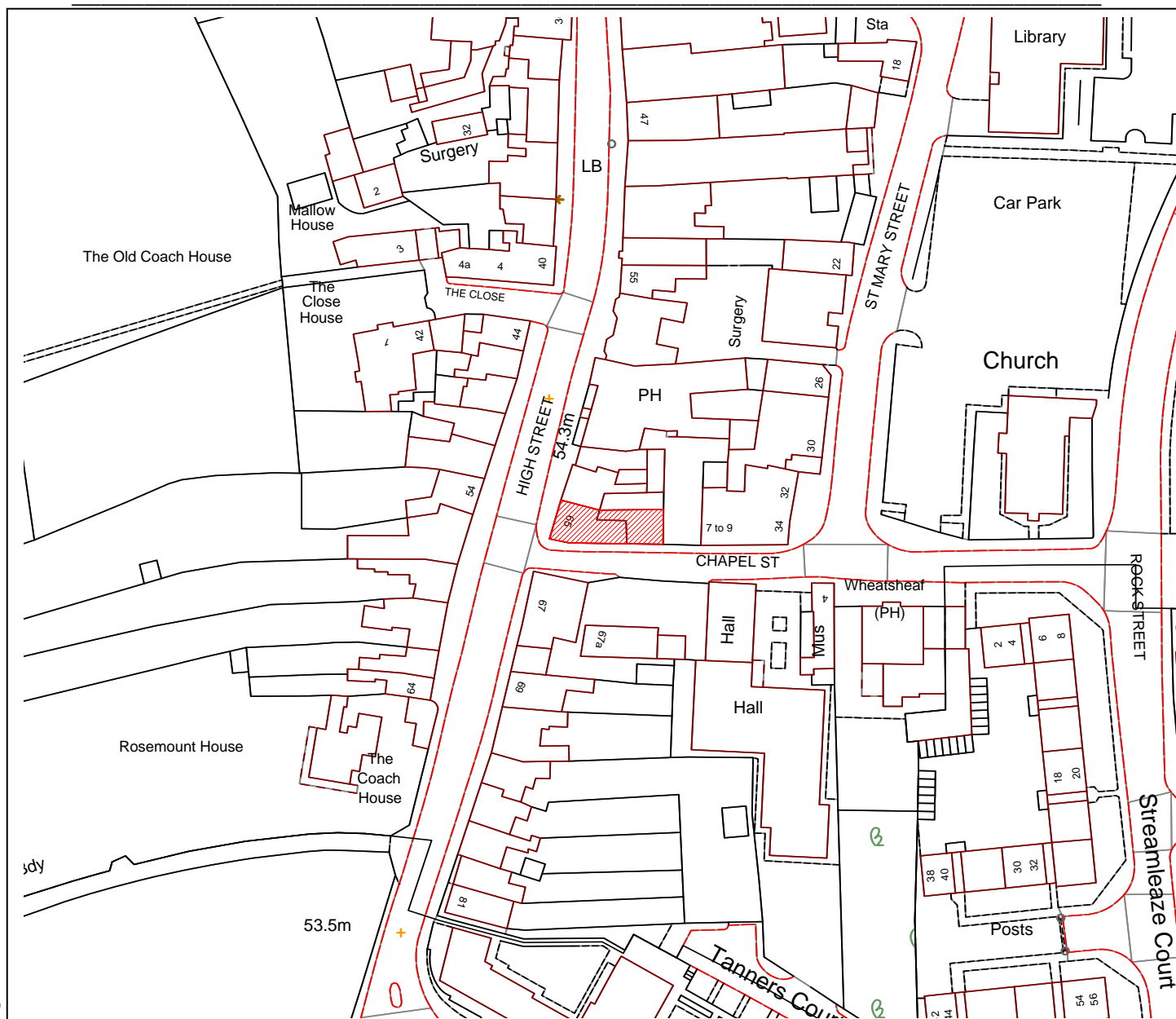
3. Development shall commence strictly in accordance with the revised plan received; reference PE/131/LS 01B (dated 18 June 2009).

Reason(s):

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the existing trees, and to accord with Planning

CIRCULATED SCHEDULE NO. 27/09 – 10 JULY 2009

App No.:	PT09/0999/F	Applicant:	Mr R Baker Blend Cafe Ltd
Site:	65 High Street, Thornbury, South Gloucestershire, BS35 2AP	Date Reg:	1st June 2009
Proposal:	Change of use of first floor from office (Class B1) to cafe/restaurant (Class A3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Hours of opening to be extended to include Sundays between the hours of 10.00am and 10.00pm. Erection of rear storage shed (Retrospective).	Parish:	Thornbury Town Council
Map Ref:	63670 89865	Ward:	Thornbury North
Application Category:	Minor	Target Date:	23rd July 2009



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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 full planning permission for the change of use of the first floor from office (Class B1) to cafe/restaurant (Class A3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). The hours of opening to be extended to include Sundays between the hours of 10.00am and 10.00pm, and the erection of a rear storage shed.
- 1.2 This is a period building situated on the corner of Thornbury High Street and Chapel Street. The property lies within the Thornbury Conservation Area and is on a designated 'secondary shopping frontage'. The use of the ground floor as a café/restaurant, named 'Blend' has already been established under planning application PT08/0320/F.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
EP1	Environmental Pollution
L12	Conservation Areas
RT1	Development in Town Centres
RT12	Use of Upper Floors in Town, Local and Village Centres
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

PT08/0320/F – Change of use of ground floor from Office (Class A2) to Café (Class A3) as defined in the Town and Country Planning (Use Classes Order) 1987 (as amended 2005). Approved 14/03/2008.

PT08/2266/ADV – Display of 2 no. non illuminated fascia signs and 1 no. projecting sign. Approved 26/09/2008.

4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council

No objection.

Other Representations

4.2 Local Residents

The Local Planning Authority has received one letter of objection and one letter of support. The letter of objection raised concern over loss of parking at the rear of the building and the fact that the shed has already been built.

The letter of support states that the proposal would be good for Thornbury and is appropriate to the streetscene and use of the building.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy D1 allows development where good standards of site planning and design are achieved.

Policy RT12 allows the use of upper floors in town centres to be used in connection with a ground floor use provided that it would not have unacceptable environmental or transportation effects and would not prejudice residential amenity.

The proposal is therefore acceptable subject to the following detailed assessment.

5.2 Residential Amenity

The nearest neighbouring residential occupiers are on the opposite side of Thornbury High Street to Blend. The change of use of the first floor into restaurant space would intensify the use of the building. In addition, the applicant is applying to open Blend on Sundays 10am – 10pm. Currently, the use is restricted to the hours of 8am – 11pm Monday-Saturday. It is not anticipated that altering the upstairs use from office space to an eating area would have an impact on neighbouring occupiers amenity. In regard to the hours of opening, it is noted that existing nearby pubs on the High Street such as The White Lion, The Knot of Rope and The Wheatsheaf on Chapel Street already open beyond 10pm on Sundays. It is therefore considered that the proposed Sunday opening hours at Blend would be acceptable.

The garden shed is already in situ in the rear yard of Blend. It is being used as storage for products mostly used in the adjacent kitchen. Again, there are no residential properties in close proximity and it is considered the proposal would have no undue impact upon residential amenity.

5.3 Design / Impact on Conservation Area

The Council's Conservation Officer was consulted as a part of this application. This period property is located on the corner of the High Street and Chapel

Street within the historic medieval market town of Thornbury characterised by a mix of architectural styles. The rear and side of the property is enclosed by a high stone boundary wall. The height of the shed is below the stone boundary wall and thus generally would not be visible in views from the street scene and will have minimal impact on the Conservation Area. Whilst the Council's Conservation Officer had suggestions in relation to the colour of the shed this has been added as an informative as it is not considered appropriate for a planning condition. It is therefore considered that the proposal complies with Policies D1 and L12 of the Local Plan.

5.4 Transportation

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

Blend café lies in a sustainable location that meets the criteria for car free development. Although the proposal has no customer parking associated with it, it is close to free public car parking. There is therefore no objection raised by the Council's Highways Engineer.

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 Improvements achieved to the scheme

None deemed necessary.

5.7 Section 106 Requirements

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

6. CONCLUSION

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

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

7. **RECOMMENDATION**

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

Background Papers **PT09/0999/F**

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

CONDITIONS

1. The use 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 use hereby permitted shall not be open to customers outside the following times 8am to 11pm Monday - Saturday and 10am to 10pm Sunday.

Reason(s):

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy EP1 and RT12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 27/09 – 10 JULY 2009

App No.:	PT09/1070/F	Applicant:	Mr B Shanks
Site:	21 Mill Crescent, Westerleigh, South Gloucestershire, BS37 8QS	Date Reg:	11th June 2009
Proposal:	Erection of two storey and single storey rear extension and first floor side extension over existing garage to form additional living accommodation.	Parish:	Westerleigh Parish Council
Map Ref:	69773 79776	Ward:	Westerleigh
Application Category:	Householder	Target Date:	3rd August 2009



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N.T.S

PT09/1070/F

INTRODUCTION

This application is circulated to Members as neighbour objections conflict with the officer recommendation.

1. THE PROPOSAL

1.1 The application seeks permission to extend this semi-detached house within the defined settlement area of Westerleigh. The subject house is linked to the neighbouring terrace of three houses by the subject property's own garage. The proposal extends over the existing garage and then a two and single storey extension is added across the rear of the house.

1.2 The materials are proposed to be face brick and tiles to match.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving good quality design in new development
H4	Development within existing residential cartilages, including extensions and new dwellings.
T8	Parking standards
GB1	Green Belt

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

3.1 P84/2827 31 dwellings Approved

3.2 P90/2415 Erection of single storey side extension to provide garage and extended kitchen Approved Sept 1990

4. CONSULTATION RESPONSES

4.1 Westerleigh Parish Council

No objection

4.3 Local Residents

Objections have been received from two neighbouring households in respect of the following points:

1. unneighbourly form
2. overdevelopment

3. out of keeping with the established pattern of development in the street.
4. loss of open plan character
5. There are no blocks of five houses in the whole street.
6. Unreasonable to allow both houses to become mid terraced.
7. The proposal would make 23 Mill Crescent an end terrace property, as opposed to semi-detached.
8. Devaluation of property though being made end of terrace.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Green belt

The site is located within the 'washed over' settlement of Westerleigh in the Bristol/Bath Green Belt. Within such settlements limited infill development would be permitted by policy GB1. Extensions to dwellings in the Green Belt should not be disproportionate. This application brings the total volume of extension to above the guidance in the Supplementary Planning Document on Green belts, however given that the site is in the 'washed over' settlement where infill housing would be acceptable in principle and the proposal would not project into or have a material impact on the openness of the green belt, it is considered that the proposed development is acceptable and proportionate green belt terms. The application should now be considered under the following headings.

5.2 Design and Residential Amenity

Policy H4 of South Gloucestershire Local Plan specifically relates to extensions and other development within residential curtilages. The policy indicates that such domestic development is acceptable in principle subject to the following considerations. Policy H4 also seeks to ensure that any extension should be in keeping with the character and visual amenity of the building and the surrounding area. The policy also seeks to protect the privacy and residential amenity of the neighbouring properties. Policy D1 seeks to ensure that a good standard of design is achieved.

5.3 The house has its attached, semi-detached house to the north and is attached to the extended end of terrace house to the south by the properties' own garage. The proposed extension above the garage would be similar to that created at the neighbouring end of terrace house as that property was extended above the garage too. The effect of this would be to create a bank of five terraced houses. There is a similar length (in meters) of four terraced houses (without extensions) with a mono-plain frontage within this street and as such the overall length in meters of the resultant terrace is not out of character with the street scene. Furthermore, the staggered frontage of the terrace created maintains and respects the staggered nature of the houses at this end of the street and therefore in keeping with the immediate street scene. Similarly the extensions to the house are not considered to be overdevelopment as they reflect the nature of the development carried out at 19 Mill Crescent and are not considered to be overbearing on the street scene or on the neighbouring properties.

5.4 The rear extension uses the full width of the property to add only 1.2m depth of extension at first floor level and 2.9m overall depth at ground floor to the

property. The first floor is proposed to be flush with the neighbours extension to the south and the ground floor element does not project past either neighbours' own ground floor extensions. All fenestration faces only forward or rearwards and as such there is no loss of privacy. Given the limited depth of the rear extension and the linking nature of the side extension there would be no loss of residential amenity to any of the neighbours.

5.5 The materials proposed reflect those already used in the house and as such the proposed materials are acceptable.

5.6 As such the application complies with Policy H4 and D1.

5.7 Transportation

The garage space and a parking space would remain to serve the resultant three bedrooms of the property. This accords with the maximum standards adopted by the council.

5.8 Other issues raised by neighbours

There is no change to the open plan nature of the street as no gates/fences/walls are proposed forward of the house frontage. With respect to points 6, 7 and 8 of the neighbour comments the application has been considered on its merits and can not be considered in terms of whether or not it is right to facilitate the change of description of a house by the development permitted, nor is loss of value to a home a planning consideration.

5.9 Design and Access Statement

A Design and Access Statement is not required.

5.10 Use of Energy and Sustainability

No specific measures proposed.

5.11 Improvements achieved to the scheme

The proposal did not require changes to make it acceptable.

5.12 Section 106 Requirements

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

6. CONCLUSION

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

The recommendation 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 **PT09/1070/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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