



**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. 23/09

Date to Members: 12/06/09

Member's Deadline: 18/06/09 (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: 12/06/09

SCHEDULE NO. 23/09

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

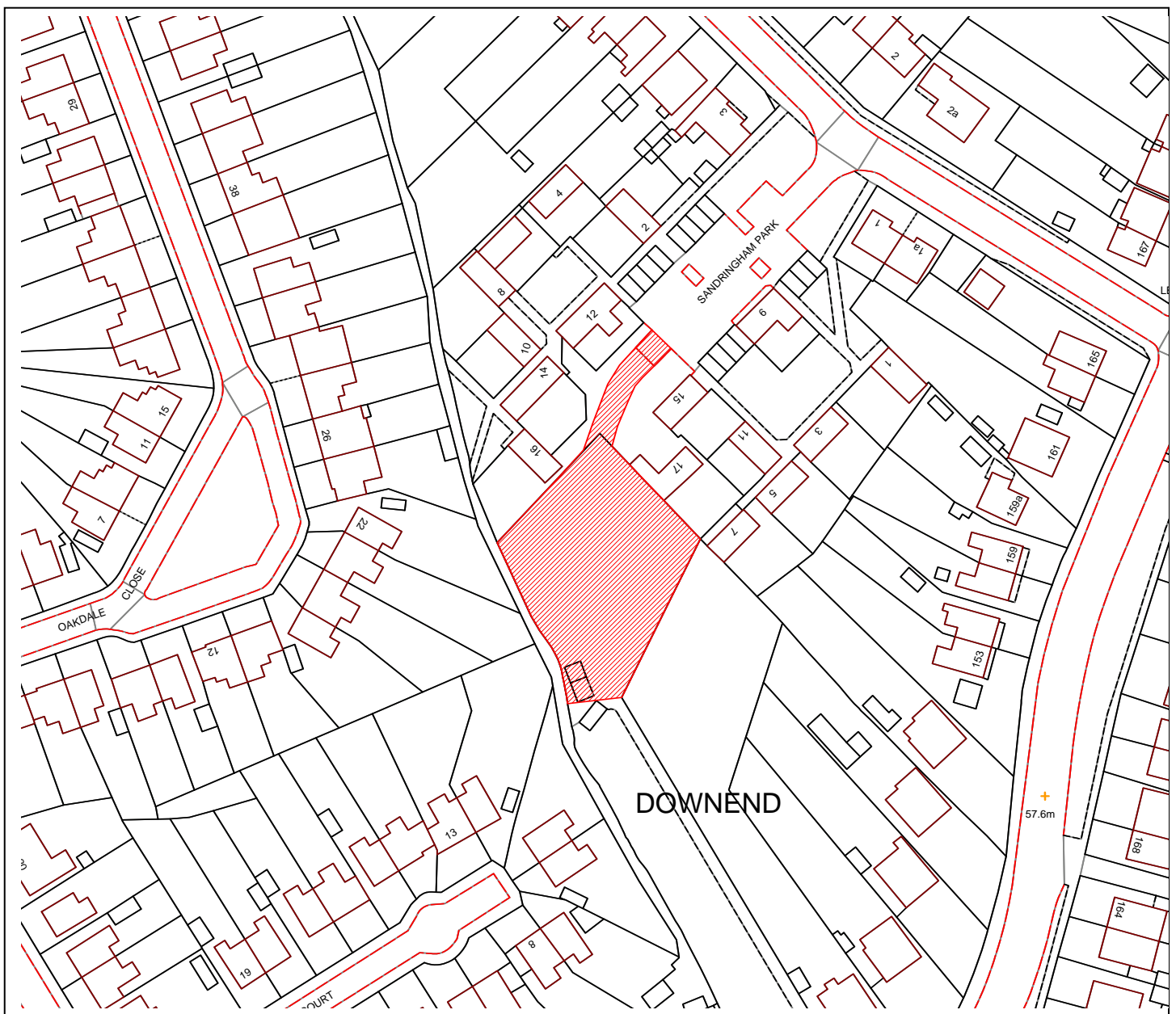
DATE

Circulated Schedule 12 June 2009

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1	PK08/2912/O	Approve with conditions	Land off Sandringham Park, Downend, Bristol, South Gloucestershire, BS16 6NZ	Downend	Downend and Bromley Heath
2	PK09/0555/F	Approve with conditions	The Lodge, Siston Court, Mangotsfield, South Gloucestershire, BS16 9LU	Siston	Siston Parish Council
3	PK09/0596/F	Approve with conditions	J Sainsbury Plc, The Village, Emerson Way, Emersons Green, South Gloucestershire, BS16 7AE	Emersons Green	Mangotsfield Rural Parish Council
4	PK09/0791/F	Approve with conditions	Former School House, School Road, Oldland Common, South Gloucestershire, BS30 6PH	Oldland Common	Bitton Parish Council
5	PK09/0793/LB	Approve with conditions	Former School House, School Road, Oldland Common, South Gloucestershire, BS30 6PH	Oldland Common	Bitton Parish Council
6	PK09/0799/F	Approve with conditions	25 Tyndale Avenue, Yate, South Gloucestershire, BS37 5EU	Yate North	Yate Town Council
7	PK09/0817/F	Approve with conditions	23 Aubrey Meads, Bitton, South Gloucestershire, BS30 6LQ	Bitton	Bitton Parish Council
8	PK09/0840/F	Approve with conditions	48E Downend House, Downend Road, Kingswood, South Gloucestershire, BS15 1SL	Kings Chase	
9	PK09/0852/RVC	Approve with conditions	183 High Street, Hanham, South Gloucestershire, BS15 3RD	Hanham	Hanham Parish Council
10	PK09/0893/F	Approve	106A, High Street, Oldland Common, South Gloucestershire, BS30 9TF	Oldland Common	Bitton Parish Council
11	PK09/0901/R3F	Deemed consent	St Barnabas C of E Primary School, Poplar Road, Warmley, South Gloucestershire, BS30 5JX	Oldland Common	Bitton Parish Council
12	PT09/0519/F	Approve with conditions	Golden Lion, Beesmoor Road, Frampton Cotterell, South Gloucestershire, BS36 2JN	Frampton Cotterell	Frampton Cotterell Parish Council
13	PT09/0783/F	Approve with conditions	26 Belmont Drive, Stoke Gifford, South Gloucestershire, BS34 8UR	Stoke Gifford	Stoke Gifford Parish Council
14	PT09/0812/F	Approve with conditions	283 Juniper Way, Bradley Stoke, South Gloucestershire, BS32 0DP	Bradley Stoke South	Bradley Stoke Town Council
15	PT09/0912/TCA	No objection	3 Sundays Hill, The Vicarage, Almondsbury, South Gloucestershire, BS32 4DS	Almondsbury	Almondsbury Parish Council
16	PT09/0917/CLP	Approve with conditions	126 Bristol Road, Frampton Cotterell, South Gloucestershire, BS36 2AX	Frampton Cotterell	Frampton Cotterell Parish Council

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.:	PK08/2912/O	Applicant:	Mr M Pickford
Site:	Land off Sandringham Park, Downend, Bristol, South Gloucestershire, BS16 6NZ	Date Reg:	3rd November 2008
Proposal:	Erection of 3 no. dwellings (Outline) with access and layout to be determined. All other matters to be reserved. (Resubmission of PK07/1939/O).	Parish:	Downend and Bromley Heath
Map Ref:	65251 77493	Ward:	Downend
Application Category:	Minor	Target Date:	26th December 2008



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 100023410, 2008.

INTRODUCTION

This application appears on the circulated schedule due to the receipt of one letter of objection from the Parish Council and 24 letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The application seeks outline planning permission for the erection of three properties on an undeveloped piece of land off Sandringham Park, Downend. Access and layout are to be determined – all other matters are reserved.
- 1.2 The site is overgrown and appears to have no current use. The agent has stated that historically the site used to be garden land associated with No. 141 Badminton Road.
- 1.3 This application is the resubmission of a previously refused outline scheme on the site for the erection of three dwellings (PK07/1939/O). The previous application was refused for the following reasons;
- 1. The application fails to demonstrate how adequate and useable parking, turning and manoeuvring space will be provided to serve each of the three dwellings. The application is thus considered to be contrary to Policies T8, T12 and H2 of the South Gloucestershire Local Plan (Adopted).*
 - 2. The proposed access into the new development is of substandard width and configuration which would result in issues of highway safety. The application is thus considered to be contrary to Policies T8, T12 and H2 of the South Gloucestershire Local Plan (Adopted).*
 - 3. The application would result in the intensified use of Sandringham Park resulting in increased risk to pedestrians by virtue of the lack of pavements. The increased traffic would also interfere with the existing parking and manoeuvring on Sandringham Park to the detriment of highway safety. The application is thus considered to be contrary to Policies T8, T12 and H2 of the South Gloucestershire Local Plan (Adopted).*
- 1.4 The previous refusal was tested at appeal and the appeal was dismissed. The inspector upheld refusal reason 1 relating to inadequate parking as the spaces in front of units 1 and 2 were found to be too small to be useable. The inspector did not however uphold refusal reasons 2 and 3 and did not consider these of sufficient concern to warrant the refusal of the application.
- 1.5 This current application has been submitted to demonstrate how refusal reason 1 attached to application PK07/1939/O and upheld by the inspector has been overcome.

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
- T7 Cycle Parking
- T8 Parking Standards
- T12 Transportation Development control
- H2 Development in the Existing Urban Area
- L1 Landscape Protection and Enhancement

2.3 Supplementary Guidance

SPD – Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/1939/O Erection of 3 no. dwellings (Outline). Siting and means of access to be determined, all other matters to be reserved. (Resubmission of PK06/1814/O).
Refused and dismissed at appeal (see sections 1.3 and 1.4 above)
- 3.2 PK06/1814/O Erection of 4 dwellings (outline). Siting and means of access to be determined, all other matters reserved.
Refused August 2006

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

Raise an objection to the planning application on the following grounds:

1. Highway safety issues raised by the Appeals Inspector have still not been addressed.
2. The car parking space now appears to be resolved but a restriction order needs to be placed to ensure no vehicular entrance is ever permitted from this parking area into the land behind the proposed development with the subsequent loss of these four parking spaces.
3. The access is still too narrow for emergency/refuse/construction vehicles and the diagram showing a large vehicle manoeuvring is unrealistic.
4. The long term issues of drainage and flooding have not been resolved.

Other Representations

4.2 Local Residents

24 Letters of objection have been received from local residents. A summary of the points of concern raised is as follows:

- Nothing has changed since the previous inspectors decision.
- To grant outline permission with only access and layout to be determined is too vague and could give license to change
- The turning auto tracks show the vehicles almost touching the proposed new building
- The appearance would not be in keeping with the unique design of Sandringham park
- Proposed parking is inadequate and unrealistic
- Could give access to develop neighbouring land

- Would result in further drainage and flooding problems
- Doubt whether there is enough room for fire engines, refuse lorries etc
- Concerns about safety of pedestrians
- Lack of parking (most households have more than one car) would result in congestion in Sandringham Park
- Questions whether the applicant has legal rights of access through Sandringham park
- Inadequate visitor parking space provision
- It will be impossible to build the houses as large lorries carrying bricks, roof apex's etc will not be able to access to the proposed site
- The road has not been built to a high enough standard to carry normal traffic – if the development went ahead part of the road would need to be rebuilt
- Disruption, noise, dust and inconvenience during construction
- Wessex Water have advised that some garden will need to be dug up so a new 9" sewer system can be laid

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The South Gloucestershire Local Plan (Adopted) identifies the site as being within the established urban area. Policy H2 of the South Gloucestershire Local Plan (Adopted) identifies that the principle of erecting new dwellings in the urban area is acceptable subject to compliance with 5 criteria. Policy T12 also identifies factors relating to parking, access and highway safety that must be taken into consideration. PPS3 identifies that the development plans are the framework against which decisions should be made and thus this application stands to be assessed against the policies listed above and in the light of all material considerations. Policy H2 identifies that residential development within the existing urban area will be permitted provided that the development:

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

5.3 Environmental Effects

It is considered that the site as currently stands does add considerably to the environmental character of the area. A number of local residents are concerned that the site is occupied by a variety of wildlife – including badgers. Since the previous applications in 2006/7, the site has been heavily cleared and much of the scrub and undergrowth has been removed from the site. As a result, it is highly improbable that any significant wildlife any longer exists on the site. In addition to this, the western boundary of the site is lined with a row of semi-mature and mature trees of varying species that contribute positively to the character of the area and the local environment. A Tree Preservation Order protects the band of trees along the western edge of the site.

- 5.4 A tree survey and an arboricultural report have been prepared and submitted in support of this application – the reports were prepared by an independent and qualified arboriculturalist. At this stage however no method statement has been submitted.

- 5.5 The Councils tree officer has assessed the application in light of all of the submitted information and is satisfied that the proposed dwellings are of sufficient distance not to be a concern to the protected trees. The access road round the dwellings to the parking bays in the southern corner is of some concern as it falls within the root protection area of the protected trees. The councils tree officers require a method statement providing details of a no-dig solution for the road and parking bay construction that will ensure the successful retention of these trees during and after the development of the site. The method statement should include specifications for materials and construction methods as well as a sequence of events to be undertaken. A condition will be attached to any consent granted to ensure that this information is submitted for agreement at reserved matters stage.
- 5.6 The application was also supported by an Ecological report. Due to the time the survey was carried out, the report submitted is solely an assessment of the suitability of the site as a habitat for species. The report identifies that there is potential for bats, slow worms, hedgehogs and birds to use the site. The report does suggest some remedial works to mitigate against the impact such as bird boxes and the planting of fruit trees to provide food for birds but as this is an outline application only, these details would be addressed at reserved matters stage.
- 5.7 Your planning officer fully agrees with the views of the Councils Tree Officer and the Ecological Officer and subject to the attachment of conditions, there are no objections to the proposal on the grounds of environmental impact.
- 5.8 Transportation effects
The only refusal reason upheld by the inspector at the previous appeal was the lack of suitable parking. Whilst many local residents and the Parish Council are understandably still concerned about other highway safety issues, it would be unreasonable to refuse the application for any reason other than lack of suitable parking.
- 5.9 In the previously refused application (PK07/1939/O), the parking spaces shown in front of proposed units 1 and 2 were too short. By parking a car in the proposed spaces, access to the rest of the site would be hindered. Also, because of the inadequate size of the parking spaces, residents were unlikely to use them and this would result on additional on street parking elsewhere in the cul-de-sac. The inspector agreed with this view and noted that the parking and roadway in front of units 1 and 2 were substandard and consequently the development would fail to satisfy the parking standards set out in Policy T8.
- 5.10 Since the refusal of the previous application, the site layout has been amended slightly to ensure that the spaces in front of all three dwellings are useable. This is achieved by increasing the width of the road way into the site – the site area and the footprint of the proposed units remain exactly the same as in the previous application. Each of the 7 parking spaces on site now has a minimum depth 4.8 metres and a minimum width of 2.5 metres. These dimensions are in accordance with the guidance contained in Manual for Streets. Following these amendments, two spaces are now to be provided for each dwelling with one additional visitor space. This level of parking is in line with the requirements of Policy T8 and thus there is no highway objection to the scheme in terms of adequate parking provision.

- 5.11 In the previous applications the Council raised concerns regarding the width of the access drive into the development and highway safety along Sandringham Park because of increased vehicle activity. However, the inspector concluded that the three houses would have a minimal impact upon existing levels of highway safety and would not have a significant impact upon existing vehicle movements in Sandringham Park. The inspector also concluded that because the entrance drive to the site is relatively short, vehicles briefly waiting to enter the site would not have unacceptable impacts. Given this previous inspectors decision, it would be unreasonable to still raise these points as refusal reasons.
- 5.12 In light of the above, and given that adequate on site parking is now provided, subject to the attachment of conditions there are no highway objections to the scheme.
- 5.13 Impact on Residential Amenity
The existing dwellings in Sandringham Park are very unusually designed with each of the houses having a single aspect with windows on one elevation only. In light of this unique design, the existing gardens serve the dwellings are very private indeed with very limited overlooking.
- 5.14 As this is an outline application, there are no details at this stage on the possible siting of windows and the possible impact these may have on the existing neighbouring properties. It is considered by your officer however that a design rationale could be adopted that could limit the possibility of overlooking and loss of privacy.
- 5.15 The design and access statement notes that the proposed new dwellings would have a ridge height of approximately 9 - 10 metres and a height to eaves of 5 - 5.4 metres. The proposed new dwellings would not therefore have an oppressive or overbearing impact on the surrounding dwellings as they will be of roughly similar height.

Sufficient garden space can be provided to serve each of the proposed dwellings and thus impact on residential amenity to deemed to be acceptable.

- 5.16 **B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved**
A density calculation on the site provides a density of approximately 20 dwellings per hectare. Whilst the density is relatively low, given the sub-urban surroundings of the site with large gardens and open space it is considered that this density is acceptable for its location, given the constraints of the access.
- 5.17 **C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and**
The site is surrounded by a mixture of residential development and associated gardens and open space. It is not considered that the development will be subject to any levels of disturbance over and above levels expected at a residential property within the urban area.
- 5.18 **Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposal.**

As the application is for the erection of three houses only, it is not considered that sufficient extra demand will be placed upon existing services to warrant to request of Section 106 contributions.

5.19 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document. The statement addresses how the revised application overcomes the previous inspectors decision to warrant the granting of planning permission.

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 outline consent be granted subject to the following conditions;

Background Papers **PK08/2912/O**

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason:

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

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason:

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

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason:

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

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

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

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

Reason:

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

6. A full method statement must be submitted with the reserved matters application providing details of a no-dig solution for all works within the root protection area of the protected trees. The method statement should include specifications for materials and construction methods as well as a sequence of events to be undertaken.

Reason:

In order to protect the health and longevity of the protected trees on site and to comply with the requirements of Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The reserved matters application must be accompanied by specific surveys for slow-worm and hedgehog. If either species are present, the surveys should include details of a mitigation strategy for either species.

Reason:

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

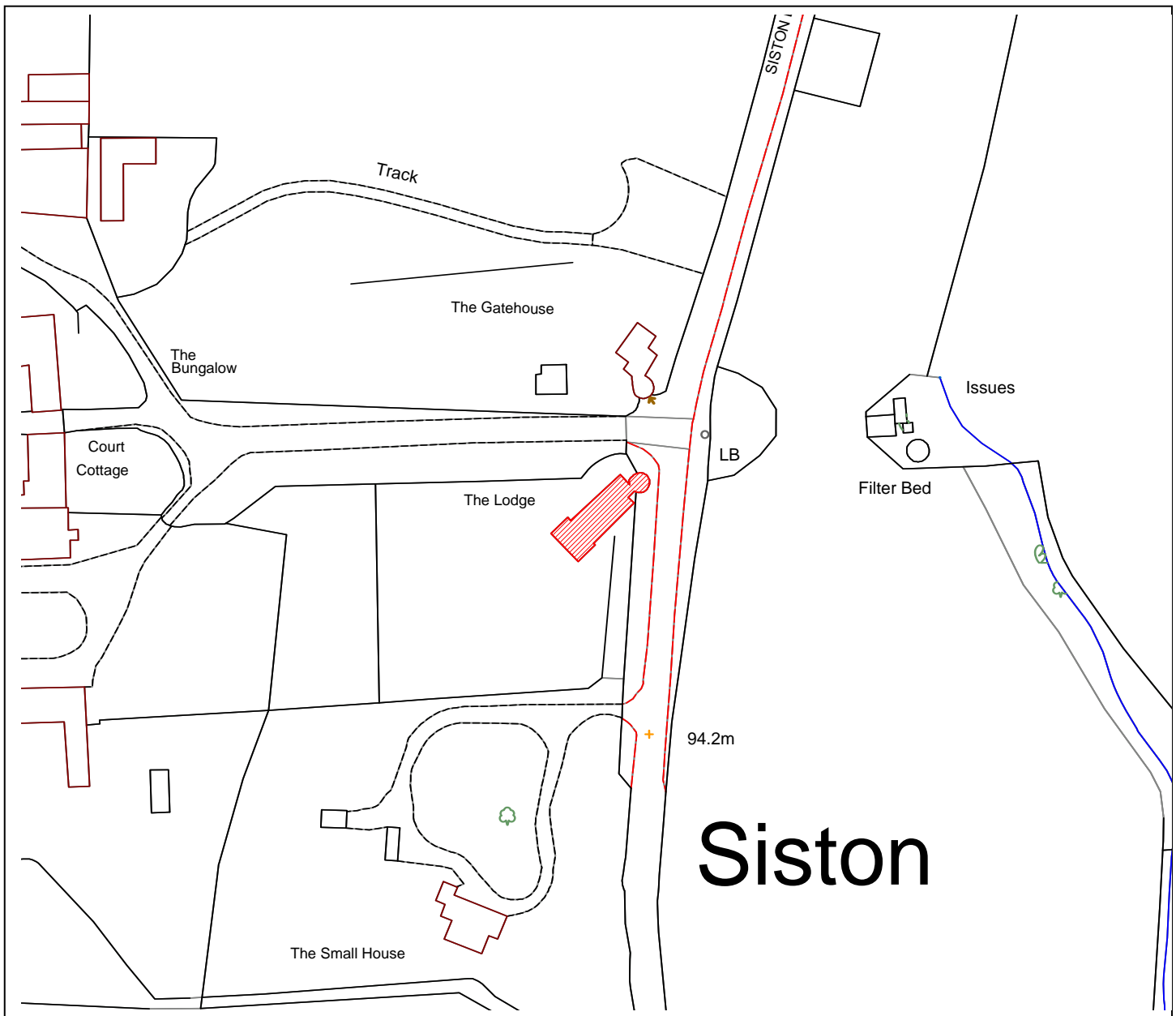
8. The reserved matters application must include details of a landscape planting scheme of mixed native shrubs to provide nesting/feeding habitat for a range of local bird species. Details of nest boxes including make, type and location should also be submitted.

Reason:

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

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.:	PK09/0555/F	Applicant:	Mr S Hallard
Site:	The Lodge, Siston Court, Mangotsfield, South Gloucestershire, BS16 9LU	Date Reg:	26th March 2009
Proposal:	Erection of extension to existing garage. Erection of entrance gates. (Resubmission of PK08/3232/F).	Parish:	Siston Parish Council
Map Ref:	68807 75384	Ward:	Siston
Application Category:	Householder	Target Date:	15th May 2009



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N.T.S

PK09/0555/F

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of local residents' objections.

1. THE PROPOSAL

- 1.1 This resubmitted planning application seeks permission to erect an extension to an existing garage at the Lodge. It is also proposed to erect entrance gates.
- 1.2 Previous planning permission for a similar development was refused for the following reasons:
- A. Siston Court is a grade I listed building and Siston Lodge is a grade II* listed building. The proposed development, by virtue of the increased massing and prominence of the new studio/home office, as well as the proposed roofing material and rooflights.
 - B. Siston Court is a grade I listed building and Siston Lodge is a grade II* listed building. The hurdle fencing, running across the garden of Siston Lodge from north to south, by virtue of its design, location and height, would have an adverse impact on the setting of the listed buildings.
 - C. Siston Court is a grade I listed building and Siston Lodge is a grade II* listed building. Insufficient details have been provided in order to assess the effect of the proposed new timber entrance gate on the setting of the listed buildings.
- 1.3 The main differences of this application are:
- A. No extension or alteration is proposed to the existing timber outbuilding.
 - B. The proposal is not related to the existing hurdle fencing.
 - C. Detailed information has been submitted with regard to the timber entrance gate.
- 1.4 The Lodge is a grade II* listed building, situated within the Siston Conservation Area and the Bristol/Bath Green Belt, and the site is outside settlement boundary defined on the proposals map. The Lodge is also adjacent to a grade I listed building Siston Court.

2. POLICY CONTEXT

- 2.1 National Guidance
- | | |
|-------|---------------------------------------|
| PPS1 | Delivering Sustainable Development |
| PPG2 | Green Belts |
| PPG15 | Planning and the Historic Environment |

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Design
H4	Extensions to Dwellings
L1	Landscape Protection and Enhancement
L12	Conservation Areas
L13	Listed Buildings
GB1	Green Belt

2.3 Supplementary Planning Guidance

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

3. **RELEVANT PLANNING HISTORY**

PK08/1151/F Erection of rear extension to existing garage and erection of studio / office. Withdrawn.

PK08/3232/F Erection of rear extension to existing garage and erection of studio / office (Resubmission of PK08/1151/F). Refused 05.02.09 for the reasons outlined in 1.2.

4. **CONSULTATION RESPONSES**

4.1 Siston Parish Council

No comment.

4.2 Technical Support – Drainage

No objection.

Other Representations

4.3 Local Residents

One letter of objection has been received raising the following concerns:

- Both garages and the area of ground have been significantly changed by the current owner and the impact has been considerable. It includes the removal of grass area, the height reduction of yew hedges, removal of fruit trees, the erection of new fencing, formation of hard standing. These works have been done without referral to the planning committee.
- The existing lean-to shed was erected within the last 2 years. Whilst removing the shed, the resultant building would still be larger than the original garage.
- Design of the proposed gate is out of keeping with those on the other side of the drive.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the Green Belt and as such Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 in line with PPG2 (Green Belts) allows for extensions and alterations to existing dwellings provided they do not result in a disproportionate addition to the original dwelling. Policy H4 considers additions within the curtilage of existing dwellings in terms of both design and impact upon the amenity of neighbouring occupiers with Policy D1 considering general design principles. Policy L12 considers the impact of development upon the character and appearance of Conservation Areas, while Policy L13 considers the impact of development upon the character and setting of Listed Buildings. Subject to the following assessment the development is considered acceptable in principle.

5.2 Green Belt

PPG2 sets out the objectives of Green Belt Policy (reiterated in Policy 16 of the Adopted Joint Replacement Structure Plan, namely the protection of its open character. A supplementary Planning Document (SPD) has also been produced "Development in the Green Belt – Adopted June 2007.

Paragraph 3.4 of PPG2 indicates that the limited extension or alteration to existing dwellings is permissible provided that it does not result in disproportionate additions over and above the size of the original building. In line with this Policy, Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for "limited extension, alteration or replacement of existing dwellings provided that it does not result in disproportionate additions over and above the size of the original building" as such development by definition would adversely affect the open character and thereby the visual amenity of the Green Belt.

Where development does not fall within the categories of development defined in GB1, the onus will be on the applicant to demonstrate that there are very special circumstances which would justify the grant of planning permission.

There are two outbuildings within the curtilage of the Lodge. The proposal is to erect extensions one of these to an existing garage.

The existing garage would be approximately 106.6 cubic metres and the resulting building (i.e. the existing garage with two extensions) would be approximately 118.4 cubic metres. The proposed building would be approximately 11% more than the existing building. Officers therefore consider that the proposed extensions would be modest in scale, and therefore do not consider that they would be disproportionate to the size of the original building and therefore would not, by definition, be harmful to the Green Belt.

5.3 Conservation Area/Design

The outbuilding is considered to be later than 1st July 1948, and is therefore not considered to be curtilage listed. However, it is clearly within the curtilage of Siston Lodge, and any works to the building and the existing boundaries/entrances, will have an impact on the 'setting' of the Lodges, the Court and other buildings on the site.

This application includes items of the previously submitted scheme, which was refused, and which is now the subject of an appeal (not yet decided). The refusal of the application did not relate to the works proposed to the garage, although one refusal reason did relate to the lack of detailed information relating to the new gates.

Officers consider that the alterations proposed to the garage building are acceptable. Whilst officers appreciate that the existing shed and lean-to may not be authorised, it is not considered that their replacement with the minor extensions proposed would have an adverse impact on the setting of the surrounding listed buildings. The closure of the existing access from the drive to this building is considered an enhancement in landscape terms.

There is an existing access in the location of the proposed new 1.8 metres high gates. It has been brought to light that the creation of a hard standing within this area of land has been created in recent years. Having studied the historic aerial photographs it is clear that this area of land was previously entirely grassed, however planning permission would not be required for the creation of this hard surfacing at that time.

With regard to the proposed gates, officers consider that these are acceptable. While there are open and extensive views from the driveway to the north, the south side of the driveway is enclosed by a high hedge, and this restricts views, and creates a sense of enclosure. Officers do not consider that the gates would detract from this character, or the setting of the listed buildings.

5.4 Residential Amenity

Policy H4 considers the impact of development upon the amenity of neighbouring occupiers. Given the scale and the location of the proposed development it is not considered that there will be any impact upon the amenity of adjoining occupiers. The proposal is therefore in accord with Local Plan policy.

5.5 Impact upon the protected trees

There is an avenue of Lime trees, which are covered by a Tree Preservation Order running either side of the entrance road to Siston Court.

The proposed removal of existing drive way and reinstatement will impinge on the rooting area of the trees. Soil compaction, level changes can have a serious affect on the tree roots which could be detrimental to the trees long term health.

To respond the Council Tree Officer's concerns, the applicant submitted a full detailed arboricultural report with tree protection plan. Officers have assessed the submitted details and raised no objection to the proposal.

5.6 Landscaping Issues

The site is mostly screened by existing hedges and vegetation and as such the proposal is unlikely to have any significant landscape impacts. The proposal entails the removal of an existing driveway from the avenue approach to Siston Court and this is considered a landscape enhancement.

It is considered there is no landscape or visual amenity objection to the proposal in the context of Policies D1, L1 and GB1 of the adopted local plan although the tree officers should be consulted regarding the removal method for the existing driveway from beneath the canopy of the TPO trees.

5.7 Design and Access Statement

This is a householder planning application, therefore the Design and Access Statement is not required.

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 planning permission be granted subject to the following conditions.

Background Papers **PK09/0555/F**

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

CONDITIONS

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

Reason:

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

2. Prior to the commencement of development, the detailed design including materials and finishes, of the following items shall be approved in writing by the Local Planning Authority:
 - a. all new windows (including cill and head details)
 - b. all new doors
 - c. rainwater goods

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

Reason 1:

To ensure a satisfactory form of development which serves to preserve the setting of the listed buildings, in accordance with Section 66(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and national guidance set out at PPG15.

Reason 2:

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

3. Prior to the commencement of development a sample panel of stone walling, of at least one metre square, showing the stone, coursing, mortar and pointing shall be erected and approved in writing by the Local Planning Authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of the development.

Reason 1:

To ensure a satisfactory form of development which serves to preserve the setting of the listed buildings, in accordance with Section 66(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and national guidance set out at PPG15.

Reason 2:

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

4. Prior to the commencement of development a representative sample of any roofing tiles shall be submitted and approved in writing by the Local Planning Authority.

Reason 1:

To ensure a satisfactory form of development which serves to preserve the setting of the listed buildings, in accordance with Section 66(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and national guidance set out at PPG15.

Reason 2:

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

5. 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 (including gates and railings) 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 1:

To ensure a satisfactory form of development which serves to preserve the setting of the listed buildings, in accordance with Section 66(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and national guidance set out at PPG15.

Reason 2:

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

6. The works hereby authorised shall comply with British Standard 5837:2005 - Trees in Relation to Construction

Reason:

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

7. The hard surface shown on plan no. 387.01c 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 ensure that a satisfactory means of drainage is provided, and to accord with Policies L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.: PK09/0596/F

Applicant: Sainsbury's Supermarkets Ltd
Date Reg: 1st April 2009

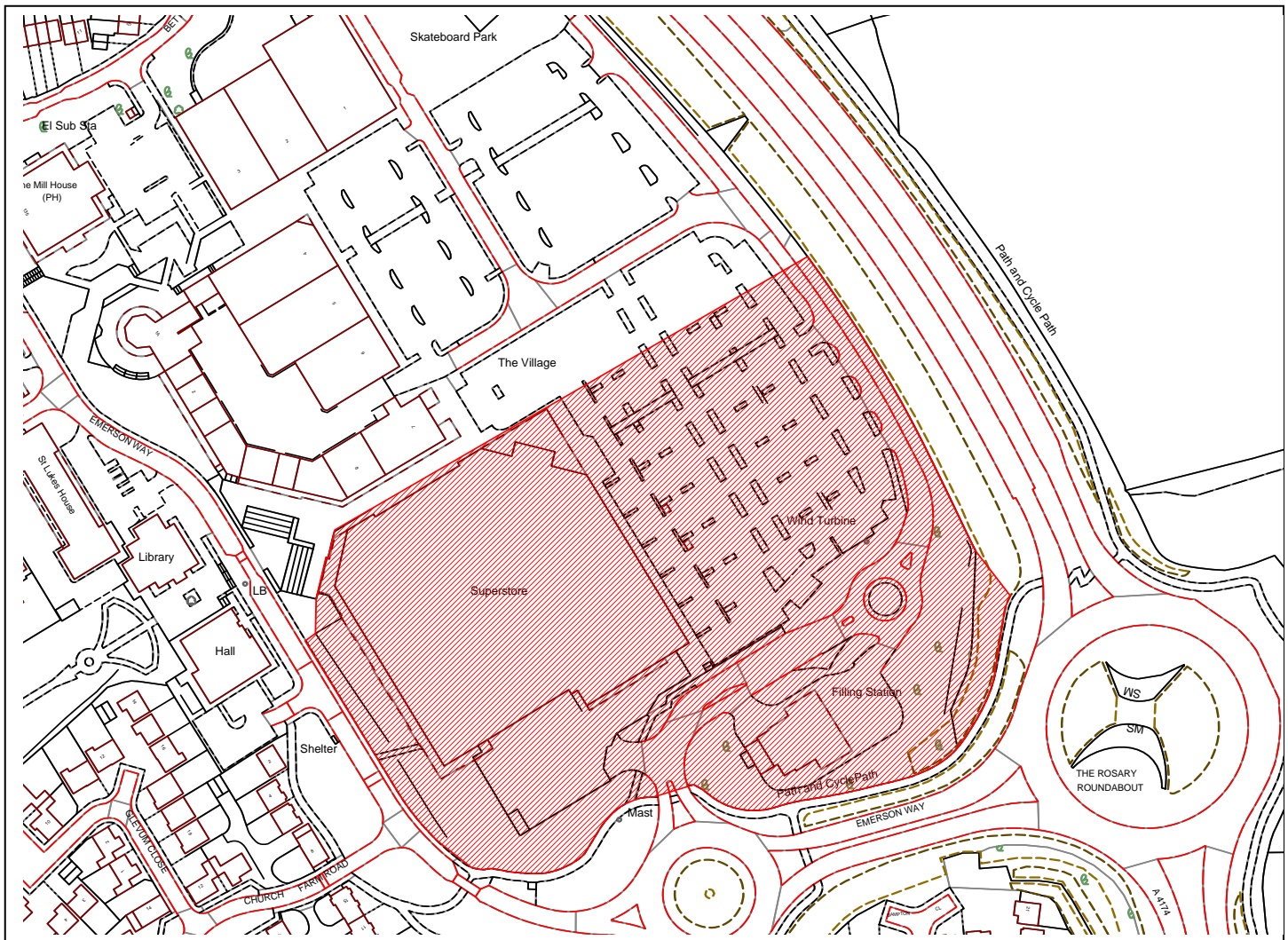
Site: J Sainsbury Plc, The Village, Emerson Way, Emersons Green, South Gloucestershire, BS16 7AE

Proposal: Erection of extension to existing supermarket. Reconfiguration of car park and internal roads and works to Petrol Filling Station with associated landscaping. Enlargement of bus lay-by. Amendment to previously approved scheme PK07/3381/F to include relocation of ATM's, re-design of lobby, formation of motorcycle parking areas and erection of 2 metre high fence to enclose recycling area. (Retrospective).

Parish: Mangotsfield Rural Parish Council

Map Ref: 67282 77140
Application Category: Major

Ward: Emersons Green
Target Date: 22nd June 2009



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100023410 2009 DC0901HW

1. **THE PROPOSAL**

1.1 This application relates to the recently completed extension at Sainsbury's and seeks retrospective planning permission for a number of amendments to the approved scheme. The amendments are summarised as follows:

- Location of ATMs inside store entrance lobby instead of north elevation (To mall walkway) ;
- Removal of doorway on north elevation leading from mall walkway into Explore Learning Concession;
- Removal of doorway on north elevation leading to kitchen;
- Omission of LED lighting system;
- Repositioning the entrance lobby so that it is external to, but remains adjoining the main store sales area;
- Relocation of motorcycle, cycle and trolley parking areas;
- Erection of 2 metre high fence around recycling area.
- Omission of three proposed trees adjacent to the southern elevation.

2. **POLICY CONTEXT**

2.1 National

PPS6: Planning for Town Centres

PPG13: Transport

PPS1: Delivering Sustainable Development
and supplement: Planning & Climate Change

2.2 Joint Replacement Structure Plan

38 Retail Development and hierarchy of centres

40 New retail development

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

RT1 Development in Town Centres

L1 Landscape protection enhancement

EP5 Renewable energy installations

T8 Parking

T12 Transportation for DC

LC13 Public Art

3. **HISTORY**

3.1 K84040 Erection of retail foodstore (Reserved matters).
Granted permission 13.2.96.

3.2 P99/4933 Erection of extension to existing store.
Granted permission 20.9.01.

3.3 PK01/3302/F Erection of extension to provide additional retail space.
Granted permission 11.2.03.

- 3.4 PK07/1673 Erection of extension to provide additional retail space. Reconfiguration of car park and internal works and works to PFS.
Withdrawn due to case officer concerns regarding urban design, landscaping and highway issues.
- 3.5 PK07/3381/F - Erection of extension to existing supermarket. Reconfiguration of car park and internal roads, and works to petrol filling station, with associated landscaping. Enlargement of bus lay-by. Erection of 2X 20metre high wind turbines. Granted permission October 2008.

4. CONSULTATION RESPONSES

4.1 Mangotsfield Rural parish Council

No objection.

4.2 Other Consultees

Environment Agency

No objection as the submitted Flood Risk Assessment (WYG dated 30.08.07) satisfactorily demonstrates that runoff rates will not increase as a result of the extension and a suitable surface water drainage system will be incorporated.

Street Care – Drainage

No objection.

Public Rights of Way

No objection subject to existing PROW remaining clear, and other provisions.

Other Representations

4.3 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As the principle of the extension has already been accepted through the grant of planning permission PK07/3381/F, the only issues to consider in the current application relate to the proposed amendments, as set out in paragraph 1.1 above.

5.2 Vitality of the mall area

An important consideration for the assessment of the previous application for the store extension related to improving the vitality of the mall area between Sainsbury's and the units to north. Hence the inclusion of new doorways onto this area, the outdoor café seating area and the public art. The current proposal seeks to regularise the omission of two of the external doors into this area, relocate the ATMs out of this area, and to omit the LED lighting from the public art running through the centre of the mall.

- 5.3 It is considered that the narrowing of the mall area through the store extension has been successful in humanising the scale of this thoroughfare. Further, the

- external seating for the café is well used and introduces activity in to the area, as does the recently developed café, with its own outside seating area, on the northern side of the mall. It is considered that the reasons for omitting two doorways are acceptable and do not significantly alter the levels of activity on the area. In addition, the relocation of the ATMs is considered a security benefit.
- 5.4 With regard to the public art, the Council has been in discussions regarding the omission of the LED lighting since the scheme was originally approved. It was found by the applicant that it could not be installed and maintained at an appropriate cost in relation to the overall public art contribution. In lieu of the omission of the LED lighting it has now been agreed to carry out a way marking project in relation to referencing the public library from within the retail area. A proposed brief is currently under discussion. This is considered an satisfactory way of resolving the issue, and will enhance the area. A condition will be necessary to ensure implementation.
- 5.5 Overall therefore, it is considered that the proposed amendments in the mall area are acceptable when viewed in the context the improvements to this area.
- 5.6 Fence an Entrance Lobby
The proposed fencing around the recycling area is satisfactory in terms of visual amenity, and will be softened by planting as it matures. However the amount of bannerage attached to the fencing is unacceptable as it leads to an undue amount of advertising clutter in the area. It is proposed therefore to impose a condition preventing the attachment of banners on this fencing as well as that in the vicinity of the bus stops at the site entrance.
- 5.7 The proposed entrance lobby amendments relate to the internal lobby and are considered to improve the relationship of the entrance and exits with the mall area and the footpath to the bus stops, hence the desire lines around the centre. This amendment is therefore considered acceptable.
- 5.8 Landscaping
The proposed location of the overflow trolley parking to the west of the steps leading from the bus stop to the store have prevented the planting of three trees that should have been planted in this area. This is considered unfortunate as it is an important viewpoint on entering the site. The applicant has however now agreed to revise the scheme to incorporate the planting of a semi mature tree in this location. This would be of the type and size of those newly planted along the eastern elevation. It is considered that this would satisfactorily soften the southern elevation of the extension and integrate it with the existing planting scheme. A condition will be necessary to ensure that this is implemented in the next planting season.
- 5.9 Design and Access Statement
The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.

5.10 Use of Energy and Sustainability

The scheme as a whole has a condition requiring BREEAM 'very good', as well as a scheme for a reduction on carbon dioxide emissions by 10% from energy use of the extension. In addition the proposal includes a wind turbine. It is therefore considered satisfactory in terms of energy and sustainability.

5.11 Improvements achieved to the scheme

Specifically to the amendments sought::

- Additional public art over and above what was previously approved.
- Additional planting.
- Condition that will result in the removal of excess signage at the store

5.12 Section 106 Requirements

A section 106 agreement was attached to the original consent covering public art, contribution towards footbridge, and transportation improvements, with a total contribution of £143,000 excluding works. This S.106 Agreement will equally apply to the current scheme.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That retrospective planning permission be granted, subject to the conditions below.

Background Papers **PK09/0596/F**

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

CONDITIONS

1. Within one month of the date of this decision, a revised plan shall be submitted to the local planning authority for written approval, indicating an additional tree to be planted between the south elevation of the extension and the bus stop area hereby approved. The details of the tree shall match, in terms of size and species, those trees already planted adjacent to the eastern elevation of the extension hereby approved. The new tree shall be planted in October or November 2009, unless otherwise agreed in writing by the Local Authority.

Reason

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

2. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, there shall be no advertising banners attached to any structures within the application site area without the prior written consent of the Local Planning Authority.

Reason

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

3. Within six months of the date of this permission, a revised public art scheme incorporating signage for the public library shall be submitted to the Council for written approval, and be fully implemented in accordance with such details as approved within this timescale.

Reason

To protect the character and appearance of the area to accord with Policies D1 and LC13 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. 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. For the avoidance of doubt, the approved landscaping relating to the petrol filling station and new roundabout shall be carried out in the planting season beginning October 2009.

Reason

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

5. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have the effect until the expiration of 5 years from the date of the occupation of the extension for its permitted use.

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

lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].

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

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

Reason

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

6. No development of the petrol filling station shall take place until a scheme for the provision and implementation of foul drainage works (including contaminated drainage from the forecourt area) has been approved by the Council and implemented in accordance with the approved details.

Reason

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

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

Reason

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

8. Within 6 months of the occupation of the extension hereby approved an updated commuter plan shall have been submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented at all times thereafter.

Reason

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

9. The following additional landscape details shall be submitted and approved by the Local Planning Authority:

a) Details of the retaining structure to the north east of the petrol filling station, together with root protection measures to protect the TPO'd oak trees to be submitted before any works commencing on the new roundabout or in the vicinity of this area.

b) Details of forest scale trees instead of fastigate hornbeam in the vicinity of the new roundabout as appropriate to be submitted before the commencement of any new landscaping works.

c) Full construction details of the mall paving area, to be submitted before the commencement of paving works in this area.

d) Such details as approved shall be fully implemented.

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.

10. The development hereby approved shall be carried out only in accordance with the approved plans. Only those trees and vegetation shown to be removed on approved drawing 619- 04 REV C (approved under PK07/3381/F) shall be removed. All other trees and vegetation shall be retained.

Reason

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

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

Reason

To ensure that the development minimises the use of energy and natural resources as required by PPS1 and its supplement: ' Planning and Climate Change', SGLP Policy D1, the adopted South Gloucestershire Design Checklist, and the Draft Regional Spatial Strategy for the South West.

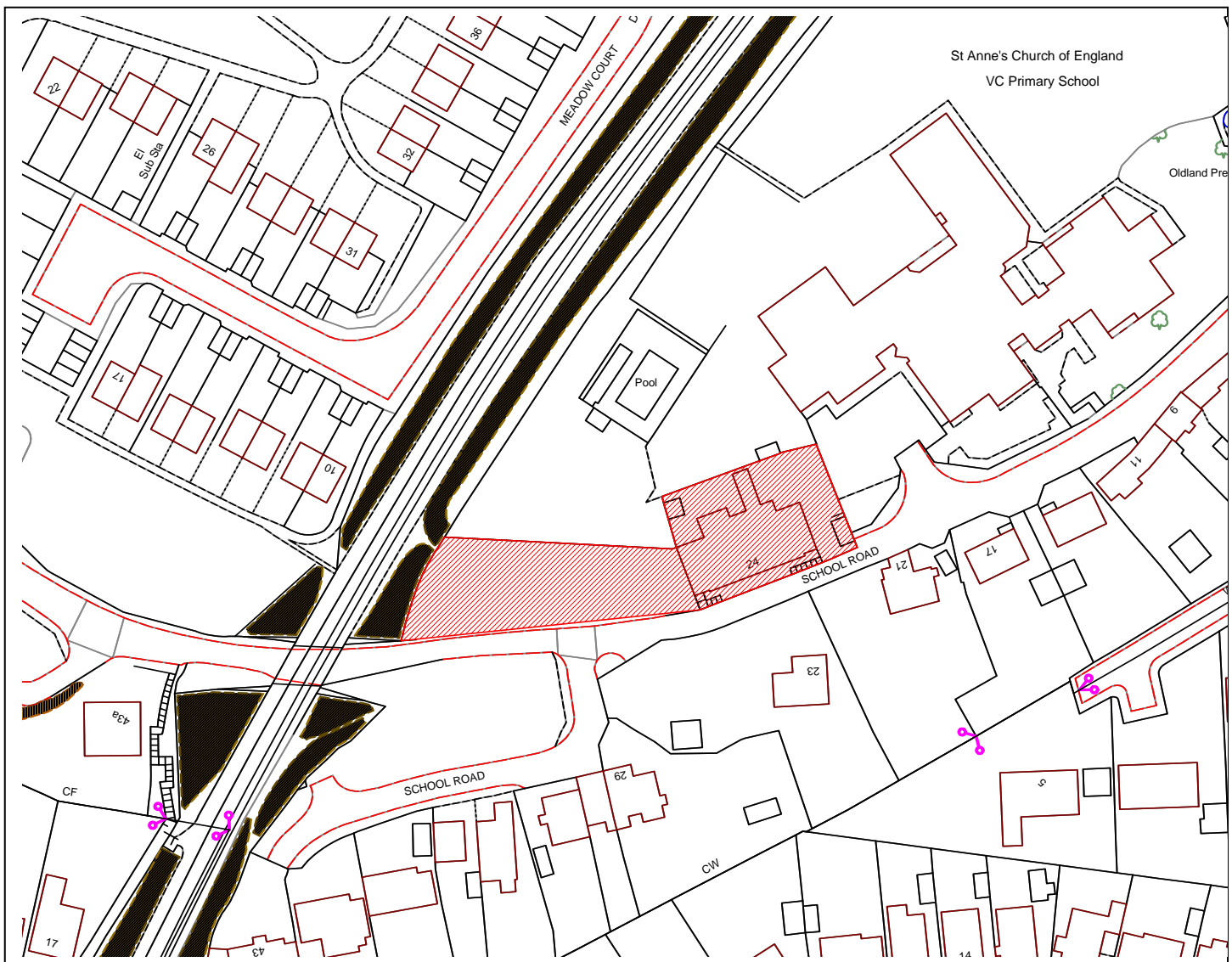
12. The development hereby approved shall not be occupied until a scheme for renewable energy that will reduce regulated Carbon Dioxide emissions from energy use by the users of the building by a minimum of 10% has been approved in writing by the LPA.

Reason

To reduce Carbon Dioxide emissions and to maintain reliable and competitive energy supplies in accordance with PPS1, the supplement to PPS1 : Climate Change, the adopted SGC Design Checklist and the Draft Regional Spatial Strategy for the South West of England.

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.:	PK09/0791/F	Applicant:	Mr A Burgess
Site:	Former School House, School Road, Oldland Common, South Gloucestershire, BS30 6PH	Date Reg:	30th April 2009
Proposal:	Change of use of school house (Class D1) to 1 no. dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 with ground floor annexe ancillary to main dwelling with associated parking and works. (Resubmission of PK09/0655/F)	Parish:	Bitton Parish Council
Map Ref:	67127 71130	Ward:	Oldland Common
Application Category:	Minor	Target Date:	20th June 2009



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 100023410, 2008.

INTRODUCTION

This application is reported on the Circulated Schedule as an objection has been received, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the conversion of a former school building into residential accommodation consisting of a dwelling and ground floor annexe. The building, constructed of stone and tile, is Grade II Listed and stands in its own grounds, in an elevated position above School Road, accessed by steps. Three parking spaces are proposed in accordance with a previously approved application which has not been implemented. The replacement school stands next to the site and to the west is overgrown land leading up to the Bristol-Bath recreational route.
- 1.2 The proposal would create a single storey dwelling from the top floor of the building, with an annex below in the basement, the two being connected by an internal spiral staircase. What was formerly the playground would form the garden/ amenity area to serve the dwelling.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H5	Residential conversions
L13	Listed Buildings
T7	Cycle parking
T8	Parking standards
T12	Highway Safety

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/0504/LB Internal and external works. Repairs to windows and replacement windows to be fitted. Demolition of outbuilding Approved
- 3.2 PK04/0523/R3F Change of use of building to 3 flats. Erection of 1.8 metre boundary wall, associated parking and works Approved
- 3.3 PK04/3940/LB Amendments to PK04/0504/LB Approved
- 3.4 PK09/0655/F Change of use to one dwelling and annexe Withdrawn
- 3.5 PK09/0657/LB Listed Building application to accompany the above Withdrawn
- 3.6 PK09/0793/LB Listed Building application to accompany this planning application See relevant report on this Circulated Schedule

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Councillors objected to the proposed development. They appreciated that, being a listed building, there were restrictions on what might be proposed but felt that the application did not fulfil the potential of this historic and special site.

4.2 Other Consultees

Listed Building Officer

The Former School House is a grade II listed building currently on the Council's Buildings at Risk Register. This revised application follows discussions with the applicant prior to the withdrawal of the earlier scheme.

This building, the former Oldland National School was built, according to the plaque, in 1837. It was designed in the Tudor style and, based on the physical evidence, appears to have been designed with the main hall divided centrally, forming two mirror image school rooms; one for boys and one for girls. This central wall appears to have been removed and a lightweight screen introduced at a later date, only the remnants of which survive today. Entrance to the two classrooms was gained via the flanking lobbies which, based on map evidence, existed from at least 1880, if not from the date of construction; the dual entrances add weight to the evidence of the division of the main hall. The range to the back possibly served as a shared space, with access from both halves of the hall. The rooms to the ground floor may have served as staff accommodation or storage associated with the school.

The hall and the small rooms beneath it make a significant contribution to the character of the listed building and there would, therefore, be a presumption in favour of retaining and respecting these important spaces and the features therein.

On plan, the proposals for the building appear generally acceptable in principle. The main hall is retained as a large single space and the bedrooms, bathrooms etc accommodated in the existing building envelope. The ground floor, which is single aspect, also retains all of its original partitions and plan form. The main intervention into the building, however, is the new spiral staircase that connects the ground and first floors. This has been discreetly located on the ground floor but, due to the layout and construction of the building, rises into the main hall space above. The top of the stairs are located away from the doors into the hall and tucked against the projecting wall which carries the flue from the ground floor rooms. The detail of the stairs is limited but a well designed, metal stair with slender balustrades could sit quite unobtrusively in this position.

The application still lacks the level of information and detail that would normally be expected in a Listed Building Consent application. Section 6 of the design and access statement, whilst commendable in its scope, is a brief schedule of the works proposed but there are no specifications or method statements included in the application to explain how the repairs are to be implemented. In respect of some of the more specific repairs/restoration to the building, I would make the following comments:

Chimneys – it is evident that the building previously had two gable ridge stacks which have been removed. The reinstatement of these stacks is acceptable in principle, but the design and scale of the chimneys as proposed is poor and has little regard to the architecture and proportions of the main building. There

are also conflicting annotations in the detailed plans which state that the flues are to exit on the north side of the roof. The reintroduction of the stack serving the ground floor fireplaces will be located within the valley between the front and rear range. The proposed flue appears unduly low and may not meet current building regulations in terms of height. This needs to be checked as it will affect the appearance of the chimney. It is also not illustrated on the roof plan.

Windows – The application proposed the restoration of the windows which is welcomed. There are to be a number of new windows in certain elevations but there is insufficient detail in the plans to illustrate how these will appear. The removal of the modern brick extension will also expose a previously external wall and a new window (W18) is proposed here. However, this elevation is not included in the application and needs to be provided. W17 is also shown as a door in the West elevation.

Doors – As with the windows, many of the original doors are to be retained and restored. There are, however, many doorways which are to have the arches reinstated and/or new door sets introduced. Elevations showing these alterations and a specification of the structural work will be required to ensure the alterations will not have a detrimental impact on the character of the listed building.

Internal finishes – Damage to the roof covering has resulted in large areas of the wall plaster and ceiling finishes failing. The replacement of this wall plaster with traditional haired lime plaster is welcome but the wholesale replacement of lath and plaster ceilings with plasterboard is a concern. This is not an approach that is advocated in listed buildings where repairs should be carried out like for like using traditional materials in order to protect the historic character of the listed building. There may be some flexibility in areas of the building heavily affected by the water damage or where the ceilings have been replaced in modern materials but where minor repairs are required, or ceilings taken down to install services, they should be reinstated like for like. The incorporation of insulation may, however, dictate the approach taken in respect of the high ceilings in the 1st floor – if it can be installed above lath and plaster ceilings that remain in good condition, then there is little justification to replace them with plasterboard. This area of the proposals, therefore, requires further discussion and consideration.

Vents/Flues. There will inevitably be a requirement for various vents and flues from the WC/bathrooms but no information has been provided. This can be conditioned.

Ground floor bathroom and ensuite – Due to the fact that this part of the building has been built into the ground, it is suffering from the ingress of damp. The proposal suggests injecting a DPC cream into the wall to resolve any damp problems. Chemical injection into traditionally constructed buildings is rarely effective in the long term due to the irregularities and inconsistencies in the wall construction. A waterproofing/dry-lining system that allows moisture to move through the walls rather than holding it in the fabric may be a more suitable solution. Any water that does come though is directed to a sump and discharged from the building rather than accumulating in the fabric of the building.

Skylights - The scheme proposes the replacement of three skylights to the flat roof lobby. No details of the existing rooflights, nor their replacements are provided which makes it difficult to come to an informed decision about the alterations.

Boundaries – The scheme proposes the repair and restoration of the steps to the left hand side of the building and the reinstatement of similar railings to the right hand set of steps. This is acceptable in principle, but no information has been provided in terms of the extent of works or the design of the railings. There is also a proposed new fence to be erected to the land south of the building which is described as a ‘tree protection fence’. It is not clear what form this fence will take, why it is actually required and what visual impact it will have.

Conclusion: This scheme proposes a minimal amount of alterations to the layout of the building to enable its conversion to a residential property. The open hall and small rooms to the ground floor are retained and the general character of the building respected. The application proposes the restoration of many architectural features that have been previously removed or damaged and, in this respect, it is supported.

Recommendation. Approval subject to conditions on the provision that the above items are satisfactorily resolved as far as is practicable at this stage.

Suggested conditions for LB application appear on the relevant report on this Schedule.

Sustainable Transportation

Planning permission (PK04/0523/R3F) has previously been granted to change the use of this building to residential accommodation to facilitate its conversion to three one-flats.

A further planning application (PK09/0655/F) was submitted seeking to amend the approved design but this was withdrawn prior to its determination.

This current submission seeks to change the use of the site to residential and to convert the building into a three-bed dwelling with an ancillary two-bed annexe.

Three vehicular parking spaces are proposed on School Road as per the previous planning permission. Given the size of the proposed dwellings this level of parking is considered acceptable.

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

Environmental Protection

No objection in principle.

Technical Services Unit

No objection, subject to the inclusion of a condition requiring drainage details to accord with Sustainable Drainage.

Other Representations

4.3 Local Residents

No replies received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The prime material consideration in this case is that planning permission has been approved, but not implemented, to convert the building into three flats. This is considered to have established that a residential use is acceptable to bring the building back into use. Beyond this, given that the parking element of the proposal copies that already approved, the issues to be resolved are the impact of the proposal on the Listed Building and on residential amenity.

5.2 Listed Building Issues

As detailed at 4.2 above, this current application is considered to have overcome the concerns which led to the previous scheme being withdrawn. At this stage, with the principle of the conversion of the building to residential use being confirmed, the remaining issues are over the detailing of this conversion. The proposal is considered to be relatively complex and as much detail as could reasonably be expected has been submitted at this stage. Once work is underway, other issues may emerge, and to that end, the conditions regarding the work which are recommended on the Listed Building Consent have been carefully drafted to take this into account. Subject to compliance with those conditions it is considered that the proposal accords with policy L12 of the adopted Local Plan.

5.3 Residential Amenity

While the site is separated from the nearest dwellings by School Road and is considered to set up an acceptable window to window relationship across the street, the school to the rear of the site is also a concern. To this end, the design has been amended in this current application to ensure that there are no direct views from inside the converted building over the school playground. The proposal is considered to accord with policy in this respect.

5.4 Other Issues

While the Parish Council would like to see the building put to a better use than that proposed, this application needs to be determined on the basis of the proposal which has been submitted. The principle of residential use of the site having been previously confirmed as acceptable through the approval of planning permission means that this current proposal is acceptable in principle, subject to the analysis above regarding details of the conversion.

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 Use of Energy and Sustainability

The fact that the Building is Listed puts limits on what can be achieved. Within this constraint, where possible, thermal insulation is intended to be used in the roof; low energy lighting will be used and a combined heat and power boiler will be installed, which uses 30% less energy than a standard boiler. It is stated that all materials will be responsibly sourced and , where possible, be recyclable.

5.7 Improvements achieved to the scheme

The previous applications, as noted above, were withdrawn in order that a meeting could take place with the Listed Building Officer and the approach towards a number of details be amended. This current application follows the agreed approach towards the conversion of the building to bring it back into active use.

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

7. RECOMMENDATION

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

Background Papers **PK09/0791/F**
Contact Officer: **Chris Gosling**
Tel. No. **01454 863787**

CONDITIONS

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

Reason:

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

2. 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 Policies L17, L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The landscaping details approved under this planning permission shall be implemented in the first planting season after the first occupation of the dwelling.

Reason:

To protect the character and appearance of the area to accord with Policies D1, L1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

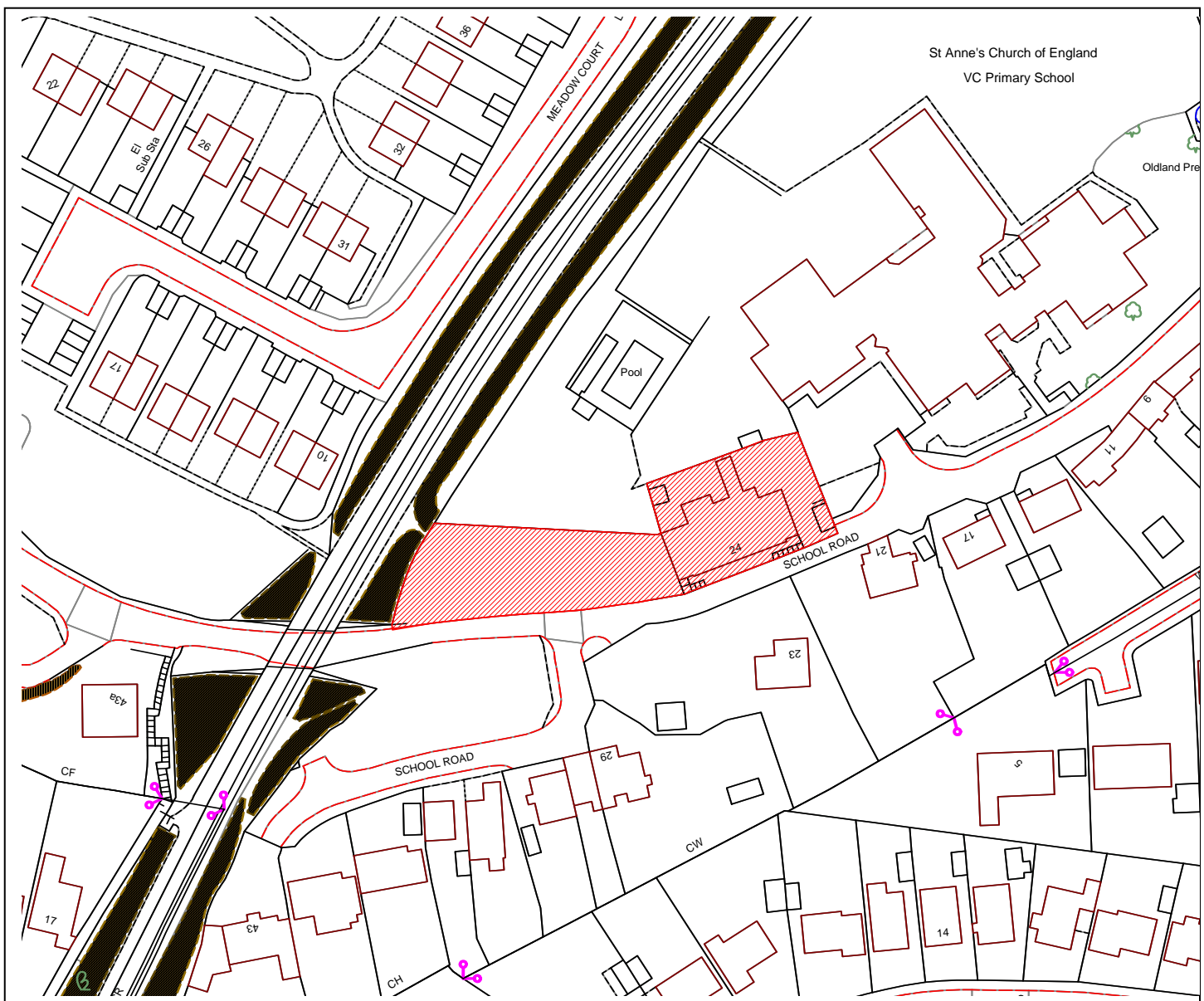
4. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason:

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

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.:	PK09/0793/LB	Applicant:	Mr A Burgess
Site:	Former School House, School Road, Oldland Common, South Gloucestershire, BS30 6PH	Date Reg:	30th April 2009
Proposal:	Internal and external alterations including demolition of existing rear extension to facilitate the conversion of former school house to dwelling with ancillary annexe. (Resubmission of PK09/0657/LB).	Parish:	Bitton Parish Council
Map Ref:	67127 71130	Ward:	Oldland Common
Application Category:	Minor	Target Date:	20th June 2009



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 100023410, 2008.

INTRODUCTION

This application is reported on the Circulated Schedule as an objection has been received, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the conversion of a former school building into residential accommodation consisting of a dwelling and ground floor annexe. The building, constructed of stone and tile, is Grade II Listed and stands in its own grounds, in an elevated position above School Road, accessed by steps. The replacement school stands next to the site and to the west is overgrown land leading up to the Bristol-Bath cycleway.
- 1.2 The proposal would create a single storey dwelling from the top floor of the building, with an annex below in the basement, the two being connected by an internal spiral staircase. What was formerly the playground would form the garden/ amenity area to serve the dwelling.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG15 Planning and the historic environment
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
L13 Listed Buildings

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/0504/LB Internal and external works. Repairs to windows and replacement windows to be fitted. Demolition of outbuilding Approved
- 3.2 PK04/0523/R3F Change of use of building to 3 flats. Erection of 1.8 metre boundary wall, associated parking and works Approved
- 3.3 PK04/3940/LB Amendments to PK04/0504/LB Approved
- 3.4 PK09/0655/F Change of use to one dwelling and annexe Withdrawn
- 3.5 PK09/0657/LB Listed Building application to accompany the above Withdrawn
- 3.6 PK09/0791/F Planning application to accompany this Listed Building application See this Circulated Schedule

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Councillors objected to the proposed development. They appreciated that, being a listed building, there were restrictions on what might be proposed but felt that the application did not fulfil the potential of this historic and special site.
- 4.2 Other Consultees
Listed Building Officer

The Former School House is a grade II listed building currently on the Council's Buildings at Risk Register. This revised application follows discussions with the applicant prior to the withdrawal of the earlier scheme.

This building, the former Oldland National School was built, according to the plaque, in 1837. It was designed in the Tudor style and, based on the physical evidence, appears to have been designed with the main hall divided centrally, forming two mirror image school rooms; one for boys and one for girls. This central wall appears to have been removed and a lightweight screen introduced at a later date, only the remnants of which survive today. Entrance to the two classrooms was gained via the flanking lobbies which, based on map evidence, existed from at least 1880, if not from the date of construction; the dual entrances add weight to the evidence of the division of the main hall. The range to the back possibly served as a shared space, with access from both halves of the hall. The rooms to the ground floor may have served as staff accommodation or storage associated with the school.

The hall and the small rooms beneath it make a significant contribution to the character of the listed building and there would, therefore, be a presumption in favour of retaining and respecting these important spaces and the features therein.

On plan, the proposals for the building appear generally acceptable in principle. The main hall is retained as a large single space and the bedrooms, bathrooms etc accommodated in the existing building envelope. The ground floor, which is single aspect, also retains all of its original partitions and plan form. The main intervention into the building, however, is the new spiral staircase that connects the ground and first floors. This has been discreetly located on the ground floor but, due to the layout and construction of the building, rises into the main hall space above. The top of the stairs are located away from the doors into the hall and tucked against the projecting wall which carries the flue from the ground floor rooms. The detail of the stairs is limited but a well designed, metal stair with slender balustrades could sit quite unobtrusively in this position.

The application still lacks the level of information and detail that would normally be expected in a Listed Building Consent application. Section 6 of the design and access statement, whilst commendable in its scope, is a brief schedule of the works proposed but there are no specifications or method statements included in the application to explain how the repairs are to be implemented. In respect of some of the more specific repairs/restoration to the building, I would make the following comments:

Chimneys – it is evident that the building previously had two gable ridge stacks which have been removed. The reinstatement of these stacks is acceptable in principle, but the design and scale of the chimneys as proposed is poor and has little regard to the architecture and proportions of the main building. There are also conflicting annotations in the detailed plans which state that the flues are to exit on the north side of the roof. The reintroduction of the stack serving the ground floor fireplaces will be located within the valley between the front and rear range. The proposed flue appears unduly low and may not meet current building regulations in terms of height. This needs to be checked as it will affect the appearance of the chimney. It is also not illustrated on the roof plan.

Windows – The application proposed the restoration of the windows which is welcomed. There are to be a number of new windows in certain elevations but there is insufficient detail in the plans to illustrate how these will appear. The removal of the modern brick extension will also expose a previously external wall and a new window (W18) is proposed here. However, this elevation is not included in the application and needs to be provided. W17 is also shown as a door in the West elevation.

Doors – As with the windows, many of the original doors are to be retained and restored. There are, however, many doorways which are to have the arches reinstated and/or new door sets introduced. Elevations showing these alterations and a specification of the structural work will be required to ensure the alterations will not have a detrimental impact on the character of the listed building.

Internal finishes – Damage to the roof covering has resulted in large areas of the wall plaster and ceiling finishes failing. The replacement of this wall plaster with traditional haired lime plaster is welcome but the wholesale replacement of lath and plaster ceilings with plasterboard is a concern. This is not an approach that is advocated in listed buildings where repairs should be carried out like for like using traditional materials in order to protect the historic character of the listed building. There may be some flexibility in areas of the building heavily affected by the water damage or where the ceilings have been replaced in modern materials but where minor repairs are required, or ceilings taken down to install services, they should be reinstated like for like. The incorporation of insulation may, however, dictate the approach taken in respect of the high ceilings in the 1st floor – if it can be installed above lath and plaster ceilings that remain in good condition, then there is little justification to replace them with plasterboard. This area of the proposals, therefore, requires further discussion and consideration.

Vents/Flues. There will inevitably be a requirement for various vents and flues from the WC/bathrooms but no information has been provided. This can be conditioned.

Ground floor bathroom and ensuite – Due to the fact that this part of the building has been built into the ground, it is suffering from the ingress of damp. The proposal suggests injecting a DPC cream into the wall to resolve any damp problems. Chemical injection into traditionally constructed buildings is rarely effective in the long term due to the irregularities and inconsistencies in the wall construction. A waterproofing/dry-lining system that allows moisture to move through the walls rather than holding it in the fabric may be a more suitable solution. Any water that does come through is directed to a sump and discharged from the building rather than accumulating in the fabric of the building.

Skylights - The scheme proposes the replacement of three skylights to the flat roof lobby. No details of the existing rooflights, nor their replacements are provided which makes it difficult to come to an informed decision about the alterations.

Boundaries – The scheme proposes the repair and restoration of the steps to the left hand side of the building and the reinstatement of similar railings to the right hand set of steps. This is acceptable in principle, but no information has

been provided in terms of the extent of works or the design of the railings. There is also a proposed new fence to be erected to the land south of the building which is described as a 'tree protection fence'. It is not clear what form this fence will take, why it is actually required and what visual impact it will have.

Conclusion: This scheme proposes a minimal amount of alterations to the layout of the building to enable its conversion to a residential property. The open hall and small rooms to the ground floor are retained and the general character of the building respected. The application proposes the restoration of many architectural features that have been previously removed or damaged and, in this respect, it is supported.

Recommendation. Approval subject to conditions on the provision that the above items are satisfactorily resolved as far as is practicable at this stage.

Suggested conditions for LB application appear below.

Other Representations

4.3 Local Residents

No replies received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. There is a previous approval on this site for a conversion of the building into flats. This is considered to have established that a residential use is acceptable to bring the building back into use. Beyond this, the issues to be resolved in the determination of this Listed Building application stem from the impact of the proposal on the Listed Building.

5.2 Listed Building Issues

As detailed at 4.2 above, this current application is considered to have overcome the concerns which led to the previous scheme being withdrawn. At this stage, with the principle of the conversion of the building to residential use being confirmed, the remaining issues are over the detailing of this conversion. The proposal is considered to be relatively complex and as much detail as could reasonably be expected has been submitted at this stage. Once work is underway, other issues may emerge, and to that end, the conditions regarding the work which are recommended on the Listed Building Consent have been carefully drafted to take this into account. Subject to compliance with those conditions it is considered that the proposal accords with policy L12 of the adopted Local Plan.

5.3 Use of Energy and Sustainability

The fact that the Building is Listed puts limits on what can be achieved. Within this constraint, where possible, thermal insulation is intended to be used in the roof; low energy lighting will be used and a combined heat and power boiler will be installed, which uses 30% less energy than a standard boiler. It is stated that all materials will be responsibly sourced and, where possible, be recyclable.

5.4 Improvements achieved to the scheme

The previous applications, as noted above, were withdrawn in order that a meeting could take place with the Listed Building Officer and the approach towards a number of details be amended. This current application follows the agreed approach towards the conversion of the building to bring it back into active use.

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

7. RECOMMENDATION

7.1 That listed building consent is granted subject to the following conditions.

Background Papers **PK09/0793/LB**

Contact Officer: **Chris Gosling**

Tel. No. **01454 863787**

CONDITIONS

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

Reason:

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

2. Notwithstanding previously submitted details, the detailed design including materials and finishes of the following items shall be approved in writing by the local planning authority prior to the commencement of the relevant stage of the works:
 - a. All new internal and external joinery including doors, windows, frames, architraves and door fittings
 - b. New stone walls and steps, including doorways, gates, railings and parapets
 - c. All new chimney stacks (including samples of new stone), vents, flues & extracts
 - d. Alarm boxes, bat boxes, meter boxes, satellite dishes, TV antenna and all external lighting
 - e. Skylights
 - f. Dry-lining system to the ground floor bathrooms

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

Reason:

In order that the development serves to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at PPG15.

3. Notwithstanding previously submitted details, joinery details of the new spiral staircase, including handrails, balusters and newel posts shall be submitted to and approved in writing by the local planning authority prior to the commencement of the relevant stage of works. The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason:

In order that the development serves to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at PPG15.

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

Reason:

In order that the development serves to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at PPG15.

5. Notwithstanding previously submitted details, a full schedule, specification and method statement for all interior stone and brick cleaning shall be submitted to and approved in writing by the local planning authority. A sample area of walling shall be cleaned in accordance with the approved details and made available for inspection and approval in writing by the Local Planning Authority prior to the commencement of the relevant stage of the works. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason:

To ensure the degree and process of cleaning is not detrimental to the fabric and character of the listed building which it is desirable to preserve or enhance in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at PPG15

6. Notwithstanding previously submitted details, detailed schedules and specifications for the following items shall be submitted to and approved in writing by the local planning authority prior to the commencement of the relevant stages of the works. The works shall be carried out exactly in accordance with the details so approved:
 - a. Structural repairs and alterations to the main building including the roof structure, internal wall & ceiling finishes and the making good and pointing of exterior wall surfaces. For the avoidance of any doubt, where historic finishes are to be removed from walls and ceilings they shall be re-plastered using

- traditional split lath and haired lime plaster unless otherwise agreed in writing with the local planning authority.
- b. Restoration of all boundaries, gates, walls & steps.
 - c. Opening up and restoration of fireplaces.

Reason:

In order that the development serves to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at PPG15.

7. A detailed specification for the repairs of the former Boys and Girls Toilet block (proposed store) including any proposed structural works (in respect of which approval is expressly reserved) and samples of new materials shall be submitted to the Local Planning Authority for approval. The specification shall include details of the extent of proposed replacement of historic fabric. The works shall be carried out exactly in accordance with the details so approved prior to first occupation of the dwelling.

Reason:

In order that the development serves to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at PPG15.

8. All new rainwater goods shall be cast metal and painted black.

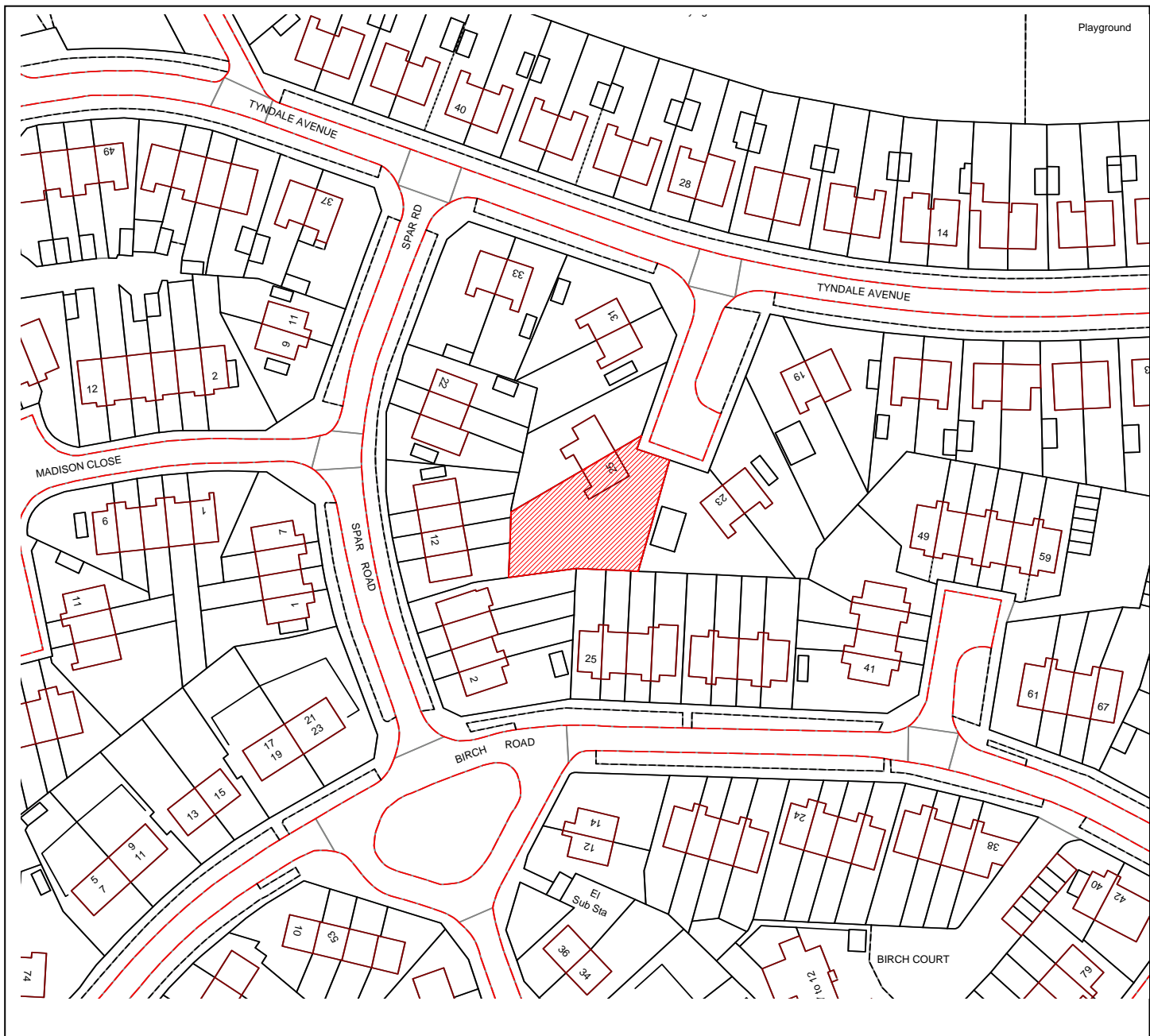
Reason:

In order that the development serves to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at PPG15.

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.: PK09/0799/F
Site: 25 Tyndale Avenue, Yate, South Gloucestershire, BS37 5EU
Proposal: Erection of 1no. detached dwelling with associated works.(Amendment to previously approved scheme PK08/1804/F)
Map Ref: 70873 82948
Application Category: Minor

Applicant: Mr J Clode
Date Reg: 30th April 2009
Parish: Yate Town Council
Ward: Yate North
Target Date: 22nd June 2009



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 100023410, 2008.

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This planning application seeks an amendment to a recently approved planning permission PK08/1804/F for the erection of 1 no. dwelling with access and associated works. Planning application PK08/1804/F was refused by the Council but subsequently allowed at appeal.
- 1.2 This application seeks permission to amend the parking layout, everything else remains the same.
- 1.3 The application site relates to a two storey semi detached dwelling with large domestic curtilage located within the residential area of Yate.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transportation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
H2	Residential Development
H4	Development within residential curtilages
T6	Cycle Parking Provision
T7	Parking Standards
T12	Development Control Transportation Policy
EP2	Flood Risk and Development

2.3 Supplementary Planning Guidance

Supplementary Planning Document Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates to the application site:
- 3.2 N3533 Erection of garage
 Withdrawn May 1977
- 3.3 PK07/2579 Erection of extension to facilitate conversion of existing dwelling to 3 no. self contained flats
 Refused Oct.2007 on design grounds

- 3.4 PK08/1804 Erection of Dwelling
Refused Aug 2008
Allowed on Appeal Jan 2009

4. **CONSULTATION RESPONSES**

(a) Statutory Consultees

4.1 Yate Town Council

Object on the grounds that a considerable amount of soil would need to be extracted to accommodate the proposed change and therefore a site visit is recommended in order to assess whether this would cause a problem.

(b) Other Representations

4.2 Local Residents

5 letters have been received from local residents raising objections regarding the proposal which have been summarised by the Planning Officer as follows:

- Parking by reason of location will introduce exhaust pollution, noise and lack of security
- Concerns regarding Flooding i.e excess water and sewerage
- Parking space and Turing area do not comply with Highway Standards

5. **Analysis of Proposed Development.**

5.1 Principle of Development

The application site is located within the established residential area. Policy H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006 allow for residential development within existing residential curtilages provided a number of criteria are satisfied.

5.2 As the principle of development for residential development has already been established on this site under planning permission PK08/1804/F, this will not be revisited. The main issue for consideration as part of this planning application relates to the proposed revised parking layout.

5.3 Visual amenity

The approved scheme provided 4 on site car parking spaces, two at the front of the site and two alongside the side elevation of the existing house in a tandem arrangement. This application now proposes to retain the 2 parking spaces at the front but the other two car parking spaces will be provided within the rear garden, side by side.

5.4 As the revised parking layout will be sited within the rear garden, it is considered that it will not have an adverse impact on the visual amenities of the immediate locality.

5.5 Residential Amenity

Objections have been raised by a local resident on the grounds that the revised parking by reason of its siting would introduce levels of noise and exhaust pollution. The two parking spaces will be confined within the middle of the site and not against adjoining boundaries. As it is limited to 2, it is considered that it

would not have such an adverse impact on existing amenities so as to warrant refusal of the application.

5.6 Transportation issues

Objections have been raised on the grounds that the parking spaces and turning area don't comply with the Council's Highway standards.

5.7 The Council's Highway Officer has advised the following. This current proposal seeks to amend the parking layout previously approved by the Inspector. Two spaces are again proposed to the front of the site. The plans submitted shows one of these spaces measures only 2.0m wide, however there is sufficient space within the front of the site to provide these two spaces.

5.8 Two vehicular parking spaces are also shown to the rear of the site, one for each dwelling. Although these spaces are considered to be less favourable than the previous proposals, no transportation objection is raised as there are no highway safety implications.

5.9 Drainage

Objections have been received regarding flooding issues and the extent of hard surface area. Members are advised to consider that at the time of the previous planning objection no planning objection was raised and at the time of the appeal the Inspector noted that neither the Council or Environment Agency raised an objection and went on to say "*From what I saw on my visit, the area of the proposed dwelling is already hard surfaced and there would be no material increase in surface water run off*"

5.10 Whilst the Council accepts that the area of hard standing will be increased, issues of surface water run off however can be controlled by means of a drainage condition. It should also be noted that no objection has been raised by the Drainage Engineer regarding this current scheme

5.11 Other Issues

Excavation

Objections have been raised by the Parish Council regarding the amount of material that is required to be excavated to accommodate the parking. The size of the area in question is considered minimal and indeed the site is generally level, so it not considered that a large quantity of soil and earth will have to be removed from the site.

5.12 Design and Access Statement

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

5.13 Use of Energy and Sustainability

No proposed measures.

5.14 Improvements achieved to the scheme

None required.

5.15 Section 106 Requirements

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

6. CONCLUSION

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

The 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 **PK09/0799/F**

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

CONDITIONS

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

Reason:

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

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

Reason:

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

3. The cycle and waste storage facilities shown on the approved plans shall be provided prior to the occupation of the dwelling hereby approved.

Reason:

In the interests of the future occupiers of the development and to comply with Policy D1 and T7 of the South Gloucestershire Local Plan.

4. 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.

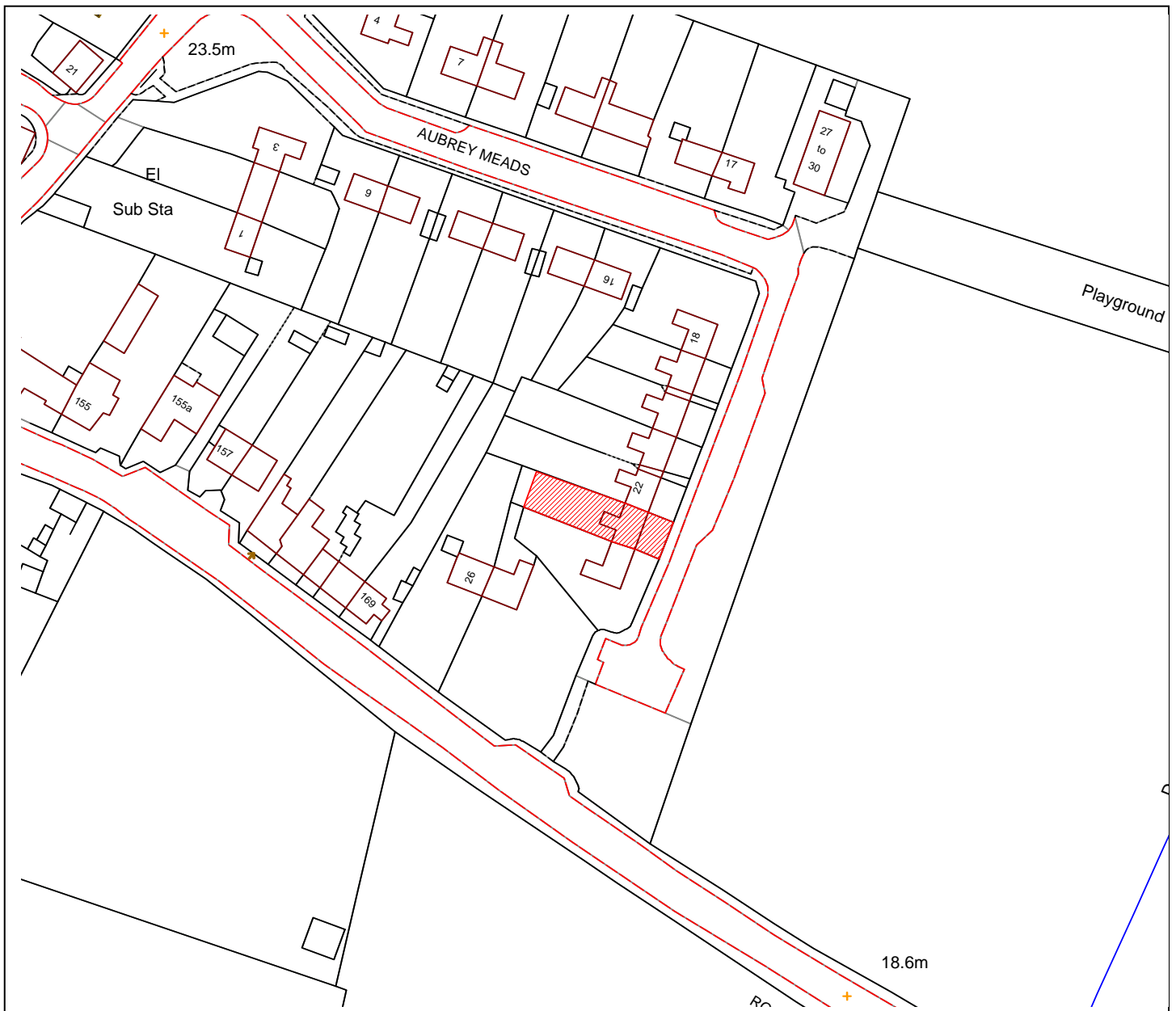
5. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason:

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

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.:	PK09/0817/F	Applicant:	Mr P Woolley
Site:	23 Aubrey Meads, Bitton, South Gloucestershire, BS30 6LQ	Date Reg:	5th May 2009
Proposal:	Erection of two storey and single storey rear extensions to form additional living accommodation. Erection of front door canopy.	Parish:	Bitton Parish Council
Map Ref:	68405 69539	Ward:	Bitton
Application Category:	Householder	Target Date:	24th June 2009



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N.T.S

PK09/0817/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a two storey and single storey rear extension and erection of canopy over the front door.
- 1.2 The applications site relates to a two storey semi detached dwelling within the settlement boundary of Bitton and within Bitton Conservation Area.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG15 Planning and the Historic Environment

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
H4 Extensions
L12 Conservation Area

2.3 Supplementary Planning Guidance

SPD Design
Bitton Conservation Area SPG

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/0147/F Erection of two storey and single storey rear extensions
Withdrawn March 2009

4. CONSULTATION RESPONSES

4.1 Bitton Parish/Town Council

Bitton Parish Council commented on application PK09/0817/F on 12 May, taking the view that this application had gone some way with regard to comments made previously. However, Councillors were unaware that, at this time, no details were available to others as your website was experiencing problems.

- 4.2 The Council has reviewed its comments on the application in the light of further information and comments that have come to light since 12 May. Councillors now appreciate that the two end houses were constructed as larger than the others, covering a larger footprint, and have not been extended. The increase in footprint of 23 Aubrey Meads therefore has no precedent. Bearing in mind this and other considerations, councillors are now of the view that the

comments made in relation to application PK09/0147/F are equally applicable to this application

Other Representations

4.3 Local Residents

4 letters have been received from 2 local residents raising the following planning objections regarding the proposed development, which have been summarised by the Planning Officer as follows:

- Overdevelopment of site
- Issues of Rights of Light Act
- Issues relating to pedestrian access through neighbouring site
- Concerns regarding structural aspect i.e. existing foundations and possible problems for neighbouring property
- Other suitable options
- Set precedence for other extensions
- Problems with web site
- Breach of covenant
- Neighbouring properties 18 & 24 & 25 have not been similarly extended

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 As the application site lies within the Bitton Conservation Area, regard must be had for Policy L12 of the South Gloucestershire Local Plan which only permits development that “*preserves or enhances the character or appearance of the Conservation Area*”

5.3 Visual Amenity

The application site relates to a two storey mid terrace dwelling within Aubrey Meads estate on the edge of the Conservation Area. The Council’s Conservation Officer has considered the application and is of the view that as views of the proposed extension will not be generally visible its impact will be minimal on the Bitton Conservation Area. Concerns are raised however regarding the scale of the extension in terms of its width and its impact on the remaining terrace.

5.5 Objections have been received from local residents on the grounds that the extension would result in an overdevelopment of the site and would not in keeping. The Planning Officer is of the view that an extension in terms of its footprint is acceptable. The proposed extension will replace an existing 3.80m deep single storey rear extension with a 3.0m deep two storey and single storey rear extension. The rear garden measures 15.0m in length. An extension of this scale in terms of its footprint is considered acceptable.

5.6 In terms of those concerns raised regarding the impact of the proposed extension on the remaining terrace regard should be had for the following. The terrace in question comprises of 7 dwellings and both end properties have a two storey gable element on the rear, which form part of the original dwelling

and measure 4.20m in width. The proposed extension measures 5.10m in width and although wider, the design of the proposed scheme reflects the end gable features. It is considered that an extension of this scale and on the rear elevation would not have such an adverse impact on the character of the existing dwelling or remaining terrace so as to warrant refusal of the planning application. As advised above by the Conservation Officer the impact of the proposed development on the Conservation would be minimal due to its position on the rear, and therefore it is considered that the extension would preserve the Bitton Conservation Area. Concerns have been raised that no other extensions have taken place along the terraces, Members are advised that this in itself is not a reason to prohibit mid terrace properties from being extended on the rear.

5.7 Residential Amenity

Objections have been raised on the grounds that an extension will impact on light levels. The application site is set at a slightly higher level than that of no. 24 Aubrey Meads, with this in mind the two storey extension has been sited on the other side. As both extension measures 3.0m in length, which in line with the Councils' guidance, it is considered that extensions of this scale and in this location would not have an overbearing impact on the adjacent occupiers. Members are advised to consider that issue of right to light is not a material planning consideration with regards the determination of this application.

5.8 Other issues

Website

As advised by residents and the Parish Council the Council did experience problems with its public website during the consultation period of this application. All relevant parties have now had an opportunity to view those plans and make representations.

Pedestrian Access

Objections have been raised regarding the use of a rear pedestrian access and neighbours land. Such issues are a civil matter and not material planning considerations.

Covenants

Issue of covenants are not a material planning consideration. The granting of planning permission does not override the need for any other permission that may be required.

Structural Issues

Concerns have been raised regarding foundations and possible damage to neighbouring properties. Such matters are not material planning considerations.

5.9 Design and Access Statement

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

5.10 Use of Energy and Sustainability

No measures proposed.

5.11 Improvements achieved to the scheme

None required as part of this planning application.

5.12 Section 106 Requirements

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

6. CONCLUSION

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

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 following planning conditions.

Background Papers PK09/0817/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. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevations 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. Prior to the use or occupation of the single storey extension hereby permitted, and at all times thereafter, the proposed glazing on the side elevation shall be glazed with obscure glass to level 3 standard or above.

Reason:

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

4. Prior to the commencement of development samples of the roofing 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 in the Bitton Conservation Area, and to accord with D1, H4 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.: PK09/0840/F

Applicant: Mr R Wilton K.P.
Wilton & Son

Site: 48E Downend House, Downend Road, Kingswood, South Gloucestershire, BS15 1SL

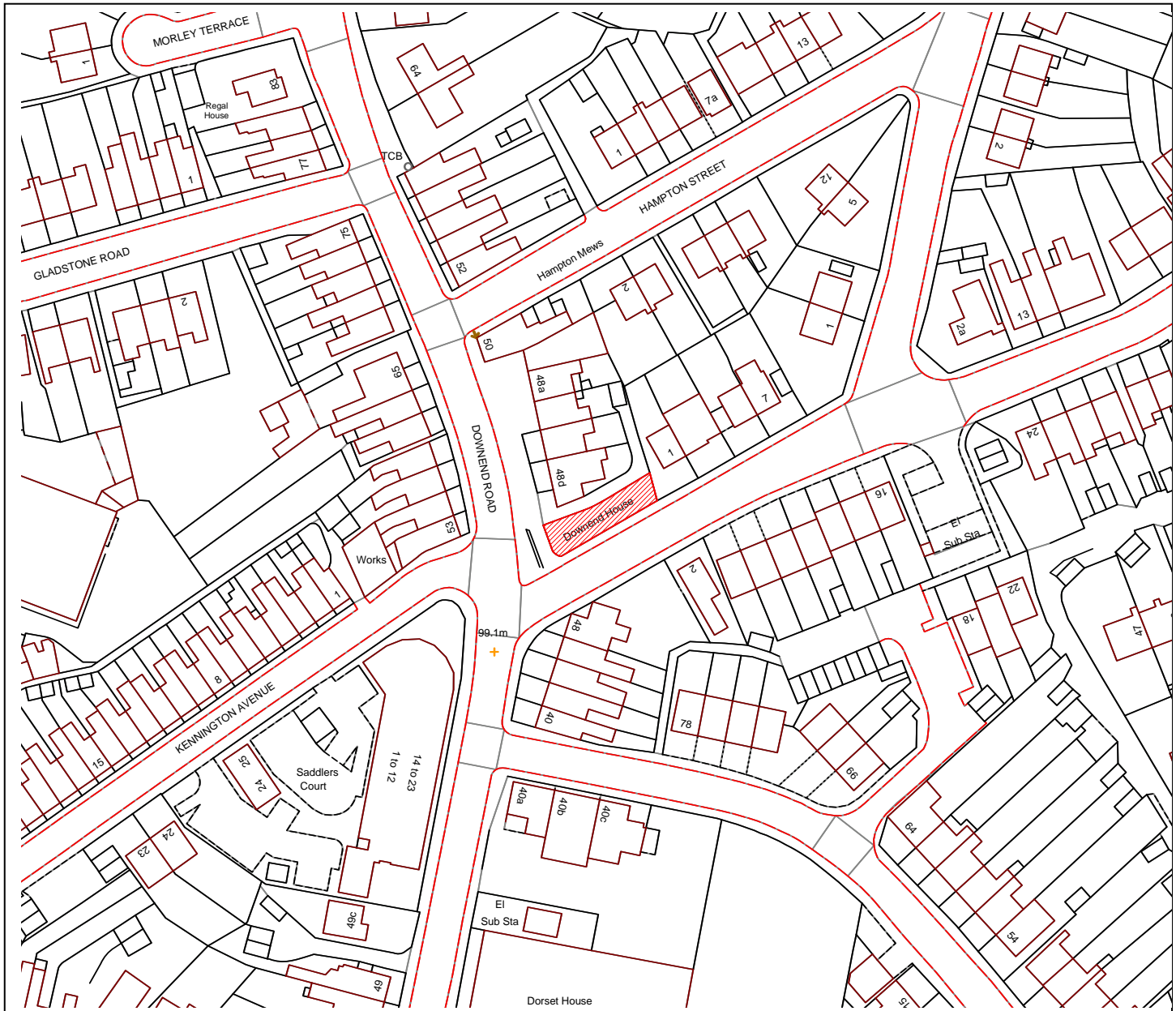
Date Reg: 7th May 2009

Proposal: Alterations to form pitched roof over existing rear single storey extension to facilitate change of use of print works to 3 no. self contained flats (Class C3) as defined in Town and Country Planning (Use Classes Order) 1987 (as amended) with associated works. (Re-Submission of PK09/0281/F)

Parish:

Map Ref: 64659 74268
Application Category: Minor

Ward: Kings Chase
Target Date: 30th June 2009



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INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This is a resubmitted planning application seeking permission for the change of use of print works to 2 no. 2 bedroom self contained flats and 1 no. 1 bedroom self contained flat at No. 48E Downend Road. The proposal also includes the erection of a pitched roof over an existing rear single storey extension. The application site is situated within a residential area of Kingswood.
- 1.2 The major differences of the proposal:
- No windows are proposed on the north side elevation
 - A hipped roof is proposed
 - Relocation of bin store and cycle store
 - Change the mix of flat types
- 1.3 During the course of the application, a revised drawing has been submitted to reduce the height of the new roof from 5.7 metres to 5.1 metres in order to respond the local resident's concerns.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Design
PPG3 Housing

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design
H2 Proposals for Residential Development within the Existing Urban Area and Defined Settlement Boundary
H5 Residential Conversions, Houses in Multiple Occupation and Re-use Buildings for Residential Purposes
T8 Car Parking Standards
T12 Transportation Development Control

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/0840/F Alterations to form pitched roof over existing rear single storey extension to facilitate change of use of print works to 3 no. self contained flats (Class C3) as defined in Town and Country Planning (Use Classes Order) 1987 (as amended) with associated works. Withdrawn.

4. **CONSULTATION RESPONSES**

4.1 Parish/Town Council

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

Other Representations

4.2 Local Residents

One letter has been received from a local resident raising the following objections regarding the proposed development:

The proposed pitched roof would block light into the neighbouring property, No. 48D.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H5 of the South Gloucestershire Local Plan (January 2006) allows for the conversion of existing non-residential properties for residential use subject to a number of criteria relating to residential and visual amenity, provision of amenity space and transportation issues being satisfied.

5.2 Proposals for conversion of non-residential properties for residential use will be permitted provided that

A. Would not prejudice the character of the surrounding area.

The proposed major alteration is to erect a pitched roof over the existing single storey rear extension. Officers consider that the proposed hipped pitched roof would improve the appearance of the building as it would match the existing hipped roof of the host building.

The proposal also includes a number of alterations on the existing windows and door openings. Officers consider that these alterations are acceptable and would not adversely affect the character and appearance of the building and the area.

B. Would not prejudice the amenities of nearby occupiers

A number of roof lights are proposed on the roof slope of the north side elevation. Officers consider that these roof lights would not cause significant loss of privacy or intervisibility to the future occupiers of ground floor flats and the occupiers of No. 48D.

As a local resident is concerned that the proposed pitched roof would cause the loss of light, the applicant submitted a revised drawing to reduce the height of the new roof. The proposed hipped pitched roof would be approximately 6.7 metres long and 5.1 metres high to its ridge. The roof would have a hipped end and would be 4.5 metres from the neighbour's kitchen window. As this is a secondary kitchen window and there is a driveway between the neighbour's garden and the new roof, in this instance, it is considered that the proposal would not cause significant overbearing or loss of light to the neighbouring property to warrant a refusal of this application.

C. Would identify an acceptable level of off-street parking

The applicant is seeking planning permission to convert the existing building, is currently used as printing business, to 3 no. residential flats. The proposal does not include extension to the building's footprint but alteration is proposed to alter the roof to the existing rear extension on the site.

The existing property and business has no formal off-street parking provision anywhere on site and therefore, staff and visitor currently take place on the public highway.

With the new proposed residential development on the site, the applicant is not providing any off-street parking provision.

Impact on parking on public highway by this new development would need to be considered against that parking impact caused by the extant use, if that extant use is to be continued. Whilst parking requirements for residential use could increase during evenings and weekends, it is considered that parking demand for business use on the site is higher during working hours (say between 08.0am-18.0 pm) Monday to Fridays.

The site is considered to be in a sustainable location. Downend Road passing the site and Syston Way within two minutes walking distance are on bus routes. The site is approximately 400 metres walking distance to the Kingswood Town Centre.

Given nature and scale of the proposal, officers consider that proposal would not any significantly impact or increase in parking on the public highway compared to the existing situation and, given the sustainability of the site, it is officer's view that no highway objections could be sustained to this proposal (even without parking for development) in appeal situation.

D. Would provide adequate amenity space

The proposal is to provide 2 no. 2 bedroom self-contained flats and 1 no. 1 bedroom self-contained flat. No communal or allocated amenity spaces are proposed. As some of these flats would have two bedrooms, officers consider that they would likely to be occupied by families. As the site would be approximately 400 metres from the nearest playing field, i.e. Southey playing field, officers consider that the property is within a sustainable location for families, it is therefore considered that the proposal would not cause an adverse impact upon the future occupiers.

E. The property is located within the existing urban area and the boundaries of settlements, as defined on the proposals map.

Although the building is not currently for residential purposes, the property is located within the existing urban area of Kingswood. Officers therefore consider that the proposal would meet the criteria.

5.3 Bin Storage

Policy D1 of the SGLP advises “*that adequate provision must be provided for storage and collection of waste and recyclable materials within the new development. This should be easily accessible top the public and should not give rise to a highway safety hazard.*”

The drawings show that each flat would have its own bin and bike store. It is therefore considered that the proposal would provide adequate facilities for the collection of waste and recyclable materials.

5.4 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.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK09/0840/F**

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

CONDITIONS

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

Reason:

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

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

Reason:

To ensure a satisfactory standard of external appearance and to accord with Policies D1, H2 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No windows shall be inserted at any time in the north side elevation of the property.

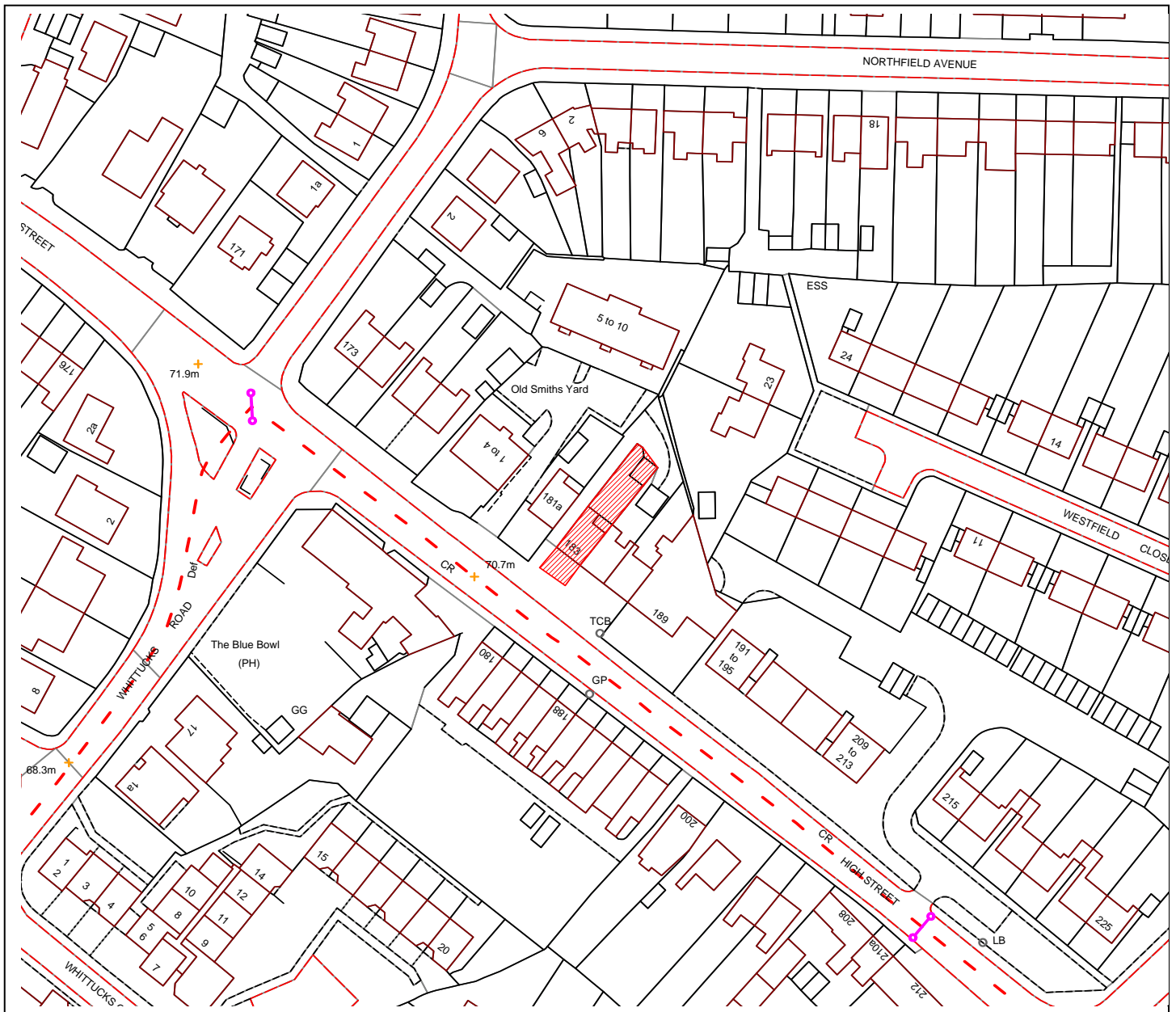
Reason:

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies H2 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.: PK09/0852/RVC
Site: 183 High Street, Hanham, South Gloucestershire, BS15 3RD
Proposal: Variation of Condition 2 attached to planning permission K449/2 to allow opening hours from 11.30am to 10.30pm, 7 days a week.
Map Ref: 64789 72054
Application Category: Minor

Applicant: Mr G Stanron
Date Reg: 8th May 2009
Parish: Hanham Parish Council
Ward: Hanham
Target Date: 30th June 2009



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N.T.S

PK09/0852/RVC

This application has been referred to the Circulated Schedule due to an objection raised by Hanham Parish Council.

1. THE PROPOSAL

- 1.1 This application is seeking permission for the variation of condition 2 attached to planning permission K449/2 to allow opening hours from 11.30am to 10.30pm 7 days a week at 183 High Street, Hanham. The premises are operating as a fish and chip take away(A5).
- 1.2 The existing permission restricts the opening times to the following:
11.30am – 2.00 pm and 5.00 pm – 10.30pm Mondays to Thursdays and from 11.30am – 2.30 pm and 5.00 pm – 11.00 pm Fridays and Saturdays.
As such the premises are currently not able to open at all on Sundays, but are able to open later Fridays and Saturdays.
- 1.3 The site is located within a small parade of retail units to the northern side of High Street, Hanham. The site is situated on the main thoroughfare to Hanham town centre and is located approximately 0.5 miles from the main town centre.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
EP1 Environmental Pollution

3. RELEVANT PLANNING HISTORY

- 3.1 P89/4690 Change of use from restaurant to a shop for the sale of Hot food. (Previous ID K449/2)
Approved December 1989

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
Concern has been raised about Sunday trading in general and the trading hour up to 10.30pm at night.
- 4.2 Sustainable Transport
No objections

Other Representations

- 4.3 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy EP1 allows for development provided that it does not unacceptably harm the environment, or the health, safety and amenity of users of the site or surrounding area, as a result of pollution to water, air or soil or through noise, vibration or light.

5.2 Residential Amenity

The existing planning permission reference P89/4690 conditioned the opening hours of the hot food takeaway in the interests of residential amenity. The main differences between the permitted hours and those proposed, is for the premises to be open throughout the day rather than having to close between 2pm and 5pm daily and for the premises to be open 11.30 - 22.30 on Sundays. No extension to the existing evening opening times has been proposed, although the hours will be reduced on a Friday and Saturday.

There have been several changes in policy since the last application was approved in 1989. However the principle would be much the same in that policy seeks to prevent harm to the amenity of local residents.

The application property is located within a small parade of retail units and the Blue Bowl public house is located to the south west of the site. Whilst it is accepted that the extension of opening hours to include Sundays would inevitably result in an increase in activity on these days, it is not considered that the extension of the opening hours would add significantly to existing levels of activity within the locality such as to cause unacceptable noise and disturbance to nearby residents. Furthermore the Councils Environmental Services Officer has no objections to the proposal

The proposed extension of hours for this premises would be unlikely to add significantly to existing potential levels of activity and would not therefore, justify a valid reason for refusal of this application.

5.3 Section 106 Requirements

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

6. CONCLUSION

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

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 condition.

Background Papers **PK09/0852/RVC**

Contact Officer: **Kirstie Banks**

Tel. No. **01454 865207**

CONDITIONS

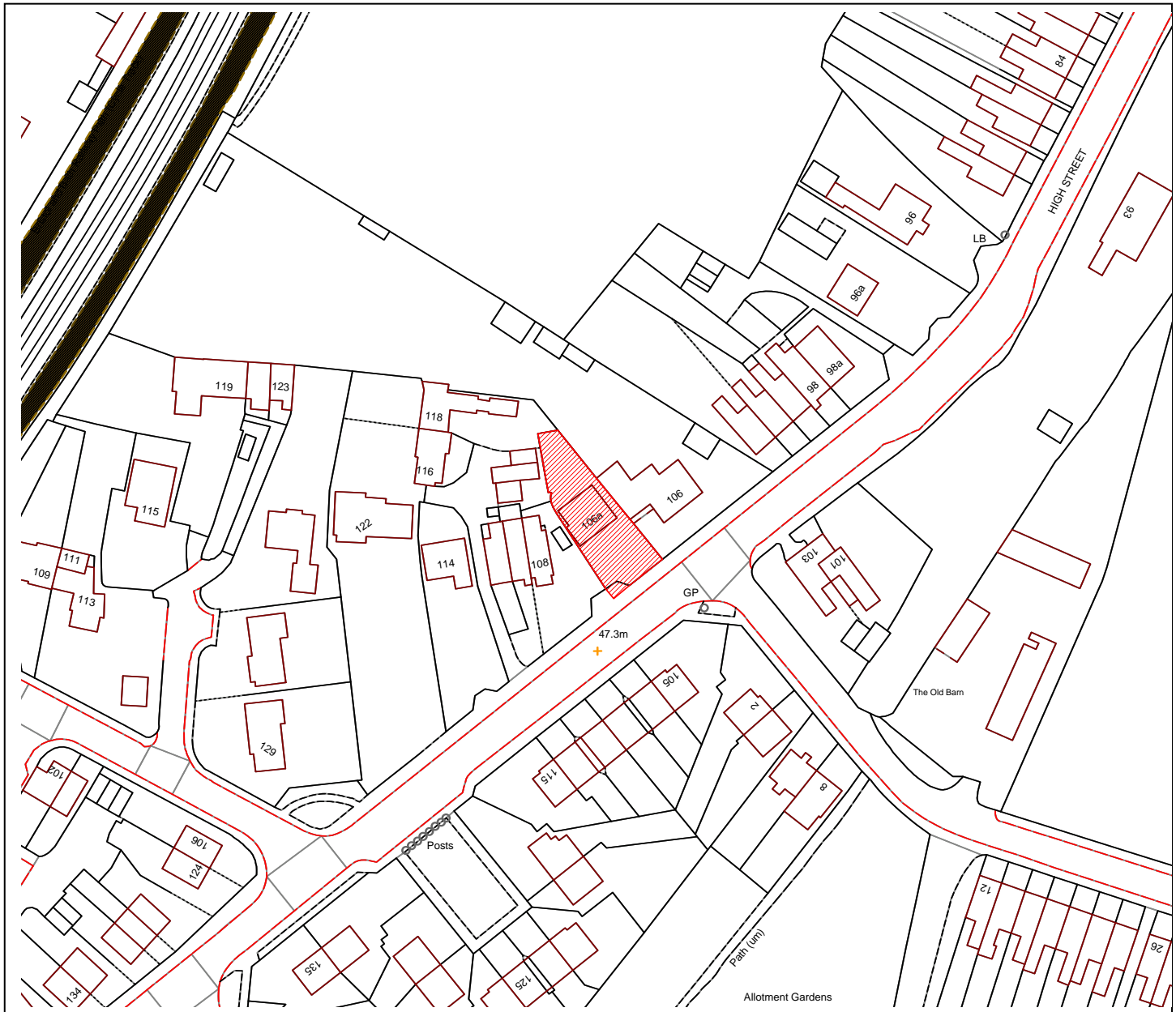
1. The use hereby permitted shall not be open to customers outside the following times
11.30am - 10.30pm Mondays to Sundays.

Reason:

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

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.:	PK09/0893/F	Applicant:	Mr D Brewer
Site:	106A, High Street, Oldland Common, South Gloucestershire, BS30 9TF	Date Reg:	13th May 2009
Proposal:	Erection of 2 metre high fence adjacent to highway. (Retrospective).	Parish:	Bitton Parish Council
Map Ref:	67719 71651	Ward:	Oldland Common
Application Category:	Householder	Target Date:	7th July 2009



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N.T.S

PK09/0893/F

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of concerns from Oldland Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission to retain the existing 2 metre high fence along the front boundary of No. 106A High Street, Oldland Common, which is a two-storey detached dwelling.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings.

3. RELEVANT PLANNING HISTORY

- 3.1 P80/4390 (K3313) Erection of two storey side extension. Approved 30.07.80
- 3.2 PK02/1931/F Erection of rear conservatory. Approved 23.07.02
- 3.3 PK06/0880/F Erection of porch and canopy. Widen existing vehicular access and installation of 1.2 metres gate. Approved 03.05.06

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Councillors noted that original stone walls along High Street, Oldland Common – and elsewhere locally – are about 1 metre high. They felt that the boundary wall and fence as constructed at this site are significantly higher and would, if other properties were to follow suit, form a tunnel effect along the road, to the detriment of the street scene and local heritage.

Other Representations

- 4.2 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their

curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

5.2 Design and Visual Amenity

The proposal is to retain the existing willow fence along the front boundary. Although the boundary fence would be approximately 2 metres high, there is an existing boundary stone wall with similar height along the front boundary of the adjacent property, No. 108 High Street.

Although the boundary fence is situated would be visible along High Street, it is constructed behind the existing low boundary wall. In addition, the material of the fence and its dark colour help to reduce its visual impact within the street scene. Officers therefore consider that there would not cause significant harm to the visual amenity to warrant a refusal of this application, which has to be considered on its individual merits.

5.3 Residential Amenity

The proposed boundary fence would be adjacent to the neighbour's boundary wall, it is therefore considered that the proposal would not cause any harm to the residential amenity of the neighbouring properties.

5.4 Highway Issues

There is no changes proposed to alter the existing vehicular access and off-street parking facilities, officers therefore raised no objection to the proposal.

5.5 Design and Access Statement

This is a householder planning application, therefore the Design and Access Statement is not required.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be granted.

Background Papers **PK09/0893/F**

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

CONDITIONS

None

INTRODUCTION

The application is submitted by the Council education establishment, and is required to be determined by the circulated schedule under the current scheme of delegation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a cycle shelter.
- 1.2 The shelter would measure 8.1 metres long, 2.2 metre deep by 2.1 metres high. It will be located on the northern perimeter of the site.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
T7 Cycle Parking
T12 Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 The site has been the subject of a number of applications in the past. However, none are relevant to the determination of this application.

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No objection.

Other Representations

- 4.2 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policies D1, T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 are relevant to this planning application. The policies indicate that the proposed development is acceptable subject to the following consideration.
- 5.2 Design
Policy D1 seeks to ensure that new development achieves an acceptable design standard.

The proposed shelter would have clear end panels and a blue framework. It would be erected on tarmac at the rear of the school. By virtue of the modest size of the structure, officers consider that this is an appropriate form of development for within the confines of the school site. The development would not cause any harm to the character and appearance of the area.

5.3 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon highway safety and amenity in the locality. Policy T7 of the South Gloucestershire Local Plan (Adopted) January 2006 provides maximum cycle parking standards.

The proposed cycle shelter would be located at the rear of the property, and can be accessed via a gate at the side of the scheme adjacent to the main school entrance on Poplar Close. The shelter would not affect the existing off-street parking arrangement, therefore officers consider that there is no transportation objection to this scheme.

5.4 Tree Issues

The proposed position of the cycle shelter is sited as being on a tarmac area and should not impact on any of the existing trees located on the grassed area adjacent. Provided the applicant does not intend to use any vehicles or store materials on the grassed area there are no Arboricultural reasons to object to this application.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK09/0901/R3F**

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

CONDITIONS

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

Reason:

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of seven two-storey dwellings which would replace the existing Golden Lion public house.
- 1.2 The application site comprises the Golden Lion public house and its associated buildings to the rear which formerly provided bed & breakfast accommodation. The Golden Lion closed in September 2008 and is now vacant.
- 1.3 The application site is on the corner of Woodend Road and Beesmoor Road fronting the former but with the car park accessed via Beesmoor Road. Two-storey dwellings adjoin the site along its southern boundary (fronting Beesmoor Road) with playing fields to the eastern side. The application site is located within the Frampton Cotterell settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG13: Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

H2: Residential Development within the Built up Areas/ Settlement Boundaries

H6: Affordable Housing

RT11: Retention of Local Shops, Parades, Village Shops and Public Houses

T7: Cycle Parking

T8: Parking Standards

T12: Transportation Development Control Policy for New Development

L1: Landscape Protection and Enhancement

L18: The Water Environment

Supplementary Planning Documents

South Gloucestershire Design Checklist (Adopted)

Frampton Cotterell Village Design Statement

3. RELEVANT PLANNING HISTORY

- 3.1 P84/2050: Erection of pair of semi-detached houses and garages; construction of vehicular access. Refused: 24 October 1984
- 3.2 P84/2501: Erection of entrance porch. Permitted: 28 November 1984
- 3.3 P85/1281: Erection of two-storey front and side extension to form restaurant and toilets with bedrooms above; erection of garage and store. Permitted: 24 April 1985

- 3.4 P85/2811: Erection of single-storey extension to existing public house to form skittle alley and store. Permitted: 12 March 1986
- 3.5 P87/2938: Alterations and extension to provide additional lounge bar area; bottle cellar and bar servery. Permitted: 10 March 1988
- 3.6 P89/3211: Erection of first floor extension to provide seven letting bedrooms and office; two-storey extension to provide bottle store and double garage with one bedroom staff flat above. Withdrawn: 6 February 1990
- 3.7 P90/1390: Erection of first floor extension to provide seven guest bedrooms and one staff flat; conservatory and office attached to existing properties accommodation; 18 additional car parking spaces on site of beer garden. Permitted: 13 June 1990
- 3.8 P96/1695/A: Display of various signage; non-illuminated fascia sign on eastern elevation, non-illuminated lettering affixed to western elevation, externally illuminated amenity board, non-illuminated board on western elevation and externally illuminated pictorial board sign on north site boundary. Permitted: 10 June 1996
- 3.9 P97/2278: Erection of single-storey extension. Permitted: 13 October 1997
- 3.10 P98/2298: Erection of walls and fencing to facilitate creation of external drinking area. Refused: 8 October 1998
- 3.11 P98/2698: Erection of wall & fencing. Permitted Development: 5 January 1999
- 3.12 PT02/2415/F: Erection of single-storey rear extension to form beer cellar. Permitted: 11 September 2002
- 3.13 PT02/1401/F: Construction of paved area and erection of low level fencing on part of existing car park to facilitate formation of beer garden. Withdrawn: 24 October 2003
- 3.14 PT05/2722/ADV: Display of various fascia signage; externally illuminated pictorial pole sign, free standing information sign and externally illuminated information sign. Permitted: 17 October 2005

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection to principle of housing: objection to the size of the affordable units and also to the loss of the original public house building
- 4.2 Other Consultees
Highways DC: no objection subject to cycle parking condition
Arboricultural Officer: no objection
Urban Design Officer: no objection
Technical Services: no objection in principle
Environmental Services: no objections in principle

Other Representations

4.3 Summary of Local Residents Comments:

Twelve letters received expressing the following concerns:

Existing Use:

- For the last few years the public house has ‘proved a nightmare with lots of disturbance and noise, violence and vandalism’;
- It is doubtful that the pub would prove economically viable without attracting lots of young people from further afield for late night karaoke and bands- this has proved not to work in this residential area;
- The local area is well served by other pubs in walking distance;
- Housing on this site may offer the neighbourhood some future stability;
- Mismanagement has resulted in the closure of this public house;
- The pub is missed and was an important part of the local community;
- There is a need in Frampton Cotterell for a pub like the Golden Lion;
- The pub is wanted and not more housing;
- The owners had little regard for the community and wish to make money;
- Reopening the pub would provide local job opportunities;
- The village is losing its facilities and becoming like a housing estate;
- The owners have not marketed the site as a public house;
- The owners have not consulted with local residents;
- There are no other letting rooms in the local area;
- It would provide an essential facility for any future housing on land bounded by Park Lane, Heather Avenue and The Park Farm Estate;
- Too many pubs are closing on a weekly basis- this is part of our heritage;
- It was thriving business before the mismanagement of the current owners.

Existing Buildings:

- A building of local interest is likely to be replaced by unsympathetic new housing- reference is made to recent development adjacent to Beesmoor playing fields;
- The internal/ external condition of the public house should be assessed by a architectural historian so that it be sensitively restored into a local home and provide the ‘landmark’ building on the corner;
- The old part of the pub is similar in age and design to the cottages opposite- the developers should be encouraged to retain this (as a dwelling);
- It benefits from a good location, large car park, excellent kitchen and hotel accommodation;
- The premises differs from other pubs providing letting rooms and a function room- the Planning Statement is incorrect;
- There is no reason why the owners can not invest in the pub and bring it up to the same standard of others in the area;
- The original building should be retained and restored.

Proposed Development:

- More housing will put a strain on local schools;
- More housing will cause congestion on an already overloaded road system;
- Additional housing will put a strain on the local health system;
- Additional housing will exacerbate parking problems;
- It will create excess water run off and put extra strain on drainage;
- The above problems will increase the risk of flooding;

- Bungalows would be more appropriate for this area;
 - Neighbouring dwellings might be reduced in value;
 - The affordable housing should consist of terraced rows of blocks of three-possibly at right angles to each other;
 - Building materials should blend with those of buildings surrounding the site;
 - Existing trees on site should be retained, they are important to wildlife and will help the new development to blend in;
 - The drive serving the detached dwelling on the corner appears too close to the road junction increasing the risk of accidents;
 - Cars owned by the new residents should not be allowed to park on the road given that this will increase the risk of an accident;
 - No reference is made to the proposed materials.
- 4.4 An objection has also been received from the Bristol and District CAMRA Pubs Campaigning Group:
- This pub has a strong potential as a respected community amenity if under the right ownership;
 - The pub has included a restaurant, skittle alley, games table, large floor space, private function room and eight ensuite bedrooms- it is therefore unique and thus the proposal fails criterion E of planning policy RT11;
 - Has criterion F been passed- no financial documents appear to have been submitted;
 - The owners have made no attempt to make the pub a success; previously it was well respected for its family food and high quality ales;
 - It is understood that there were problems of social disorder last year which perhaps explains the lack of an outdoor drinking license- this was the fault of the then manager;
 - The replacement manager made no attempt to make the pub appeal to the public due to a lack of popular beers;
 - A new manager without a negative reputation should be appointed to enable the local community to fully appreciate the pub;
 - There is no mention of any marketing undertaken to reopen the pub;
 - The Live and Let Live pub was revived when leased to a different brewery;
 - A pub belongs to the both the brewery and community- the latter have not been consulted;
 - The pub could cater for sports clubs/ car boot sales utilising the adjoining land;
 - Consideration should be given to the approved housing development south of Heather Avenue which will bring additional demand;
 - Reference is made to the walking distances quoted and transportation objectives which seek to maximise opportunities to walk to local services;
 - The building could be marketed to include Bed & Breakfast accommodation or with the accommodation wing converted to residential accommodation.

4.5 A copy of the Bristol Pubs Group Manifesto has also been submitted.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H2 allows for the principle of new residential development subject to considerations of design, residential amenity and highway safety. Further, the maximum density compatible with the site and its location should be achieved.

As such, it is anticipated that a minimum density of 30 dwellings per hectare will be provided with upwards of 50 units per hectare where circumstances permit.

- 5.2 Planning policy RT11 cites that the change of use of existing public houses that serve the local community will only be permitted where:
- There are satisfactory alternative facilities available in the locality; or
 - It can be demonstrated that the premises would be incapable of supporting a public house use.
- 5.3 Policy T12 details that development proposals will only be permitted (in terms of transportation) where (here considered relevant) it provides safe, convenient and attractive access and would not create or unacceptably exacerbate traffic congestion or have an unacceptable effect on residential amenity or other environmentally sensitive areas in terms of noise, vibration and air quality.
- 5.4 Design/ Visual Amenity
The application relates to the Golden Lion public house on the corner of Woodend Road and Beesmoor Road, Frampton Cotterell. The premises form the original pub which comprises a modest traditional two-storey building that fronts Woodend Road with a much larger two-storey rear addition that extends adjacent to the eastern boundary fronting the large car park; this is accessed via Beesmoor Road. The rear extension forms an unsympathetic addition to the original public house whilst the building as a whole appears rundown.
- 5.5 The application seeks full planning permission for the demolition of this existing building and its replacement with seven two-storey dwellings. These would comprise a mix of property type fronting both Woodend and Beesmoor Roads with the newly created rear gardens extending towards the playing fields.
- 5.6 The proposals would comprise three detached units and four semi-detached properties. In this regard, the detached dwellings would be located at the north end of the site with two dwellings fronting Beesmoor Road and the third facing Woodend Road in the position of the existing pub. The latter would form a four bed dwelling with an attached single garage to its west side. This unit would adopt an 'L' shaped footprint with a two-storey rear section to project into the garden area alongside which the attached garage would stand.
- 5.7 The largest of the new dwellings would stand occupy the corner plot with this dwelling also comprising a four bedroom dwelling albeit with an attached double garage. This property would front Beesmoor Road and would also adopt an 'L' shaped footprint with a subservient two-storey rear projection to the north side; this would be inset from the flank wall of the main build and provide an element of enclosure to the newly created rear garden. The garden would extend to encompass the rear of the attached double garage culminating at the boundary of the attached garage to the side of the aforementioned property.
- 5.8 The third of the detached dwellings would form a three bed unit and would be devoid of garage accommodation with parking to be provided to the front of the building.
- 5.9 The four semi-detached properties would all front Beesmoor Road standing to the south of the site. Those immediately adjacent to the southern site boundary

would comprise the affordable units of accommodation with these forming two bedroom dwellings. These units would align with the existing dwellings fronting Beesmoor Road and would benefit from a single car parking space to the front of each unit; their associated rear garden would extend behind.

- 5.10 The final two dwellings would comprise four bedroom dwellings albeit with the ensuite master bedroom within the roof space. These properties would each benefit from a single attached garage with their associated rear gardens also extending to the rear.
- 5.11 In response, pre-application discussions have focused upon a suitable design approach with particular attention having been given to the corner plot and the need to provide two affordable units of accommodation. At this time it was noted that dwellings within the locality form a mix of property type comprising traditional cottages, interwar housing and modern development; as such there is no predominate architectural style.
- 5.12 The Design & Access Statement outlines how the development would respond to this context providing a mixed built form that would replicate that of the surrounding area whilst also allowing glimpses through the buildings to the fields behind. It is considered that this would help to maintain the semi-rural low density character of development which is typical of this area.
- 5.13 The Design & Access Statement also sets out how issues of scale and appearance have been considered. In this regard, it states that *“The heights of the buildings will be consistent with the street scenes on both Beesmoor Road and Woodend Road as shown on the ‘Context Elevations’, with a variation in building height, pitches and proportion in order to avoid a suburban style of development of repetitive houses.”* This approach is considered acceptable in design terms with it noted that by keeping plan depths to a minimum the roof pitches are varied; this accords with the recommendations of the Frampton Cotterell Village Design Statement. As such, the heights of the buildings would vary across the site to avoid the impression of uniformity whilst the elevational treatment is also varied thus responding to the simple proportions and façade treatment that is considered to be typical of the surrounding development.
- 5.14 Finally, it is noted that the proposed materials would provide a mix of stone, brick and render with appropriate detailing. In this regard, the use of different materials on separate buildings is welcomed and would help relate the scheme to its immediate surroundings.
- 5.15 In view of the above, the design approach adopted is considered acceptable with the proposals considered to be in keeping with the general character of the area. Accordingly, there is no objection to the current proposal on this basis.
- 5.16 Density
Planning policy H2 advises that the maximum density compatible with the site and its location should be achieved. Further, where possible and on sites that occupy sustainable locations, upwards of 50 dwellings per hectare should be provided.

- 5.17 In this instance, the proposal would provide seven new dwellings at a density of 35 dwellings per hectare; as such, the policy accords with this policy criterion. Further, it is noted that the general pattern of development proposed would reflect that of the surrounding development whereby two-storey dwellings front the respective highway with a generous garden extending to the rear.
- 5.18 Retention of Public House
The Golden Lion closed in September 2008 owing to 'poor trading conditions, local demographics and a shift in the pub market'. Nonetheless, policy RT11 seeks to retain public houses with the supporting text stating that 'In many local communities, the public house provides a valuable meeting place and, may provide the sole meeting place for local inhabitants. It also plays a vital role in maintaining villages as viable communities'.
- 5.19 Notwithstanding the above, this policy does allow the change of use of public houses where there are satisfactory alternative facilities available or if it can be demonstrated that the premises would be incapable of supporting a continued public house use.
- 5.20 In this instance, the application site is located within an accessible location where a number of alternative public houses can be readily accessed. To this extent, the Planning Statement which accompanies this application details that there are six alternative public houses available within 1 mile of the site. These include:
- The Rising Sun- 385m from the application site;
 - Live and Let Live- 390m from the application site;
 - The Globe- 790m from the application site;
 - The Ring O'Bells- 1000m from the application site;
 - The Badminton Arms- 1140m from the application site;
 - The Star- 1195m from the application site.
- 5.21 Further, the Planning Statement notes that the Golden Lion is not considered to offer any alternative facilities to these other public houses with many of these also having undergone recent modernisations and expansion of their respective facilities. The Golden Lion is also considered to suffer given that it lacks any license for external drinking areas and does not benefit from a beer garden.
- 5.22 The aforementioned public houses are within 25 minutes walk of the application site or within 2km of the Golden Lion and the surrounding residential area; 2km is considered to be the maximum walking distance which people are likely to walk having regard to the provisions of Planning Policy Statement 13.
- 5.23 In support of the proposal, the Planning Statement outlines the catchment area of each pub based upon a 600m radius distance; this has been used as opposed to the 2km distance to account for local topography whilst this reflects the target pedestrian catchment area outlined by regional planning guidance for a non-residential facility. The Rising Sun and The Live and Let Live both fall within the 600m catchment area with The Globe and The Ring O'Bells within 1km. All six pubs fall within the 2km actual walking distance; the maximum permissible distance outlined by PPG13.

- 5.24 In view of the above, it is considered that any objection to the proposal would prove unsustainable on this basis. This also takes account of Planning Policy Officer advice received as part of pre-application discussions that indicate that the proposal would be policy compliant. Accordingly, there is no objection to the proposal on this basis.
- 5.25 Affordable Housing Requirement
Planning policy H6 advises that an element of affordable housing should be provided as part of any new residential development that would provide fifteen new dwellings or more; this threshold falls to five dwellings where in the rural settlement boundaries. As such, an element of affordable housing is required as part of this scheme with the target set at 33.3% of the new development.
- 5.26 In this instance, the scheme would allow for two units of affordable housing that would equate to 29% of the total provision. Whilst this falls below the 33.3% required, officers recognise the provision of an additional affordable unit would be in excess of the requirements of policy H6. As such, this level of provision is considered to be acceptable in view of the applicant's offer to meet the tenure requirements (social rent), the development standards and the delivery heads of terms. On this basis, it is considered that the proposal would maximise the affordable housing provision set out under this policy.
- 5.27 The greatest need for the Council's rural areas is for family housing thus provision of two two-bedroom four person houses is considered acceptable in order to help meet the identified affordable housing need. Further, from the details submitted, the units appear to meet those size requirements as set out in the Councils Affordable Housing Supplementary Planning Document whilst the proposed development standards are also considered to be acceptable.
- 5.28 In view of the above, this element of the proposal is considered acceptable with any planning permission subject to the completion of an appropriately worded legal agreement. This would also ensure that this housing is completed at the same time as the rest of the scheme with this social rented accommodation to be retained as affordable housing in perpetuity.
- 5.29 Residential Amenity
The only neighbouring property which directly adjoins the application site is that to the south that forms a two-storey semi-detached unit fronting Beesmoor Road. The main outlook from the this property is to the front and rear with only one upstairs side facing window visible; it would appear likely that this might serve the landing. A flat roofed attached garage stands to this side of the dwelling whilst a 2.2m high block wall along this boundary currently screens the existing car park serving the public house from view.
- 5.30 The proposal would introduce a two-storey semi-detached dwelling alongside this property which would align with this existing dwelling. The boundary wall is earmarked for retention whilst there would be only one side facing window in the new dwelling with this serving the first floor bathroom; an appropriately worded condition could ensure the provision and retention of obscure glass to this window. In view of the above, and with any overlooking between these dwellings at an oblique angle (typical in a residential area), it is not considered that any significant adverse impact in residential amenity would be caused.

- 5.31 All other neighbouring dwellings stand at an appreciable distance from the application site with the majority on the opposing sides of Beesmoor Road and Woodend Road; in this regard the level of indivisibility between these dwellings is also considered to be acceptable and typical of what would generally be found within a residential area. As such, there is no objection to the current proposal on this basis with no significant adverse impact in residential amenity considered to be caused.
- 5.32 Highway Safety
It is considered that the change of use from a public house to provide seven dwellings would reduce the level of traffic associated with the site albeit there would be a slightly higher level of traffic in the morning peak hour.
- 5.33 The proposed layout complies with the Councils maximum parking standards although there is some concern with regards to the provision of cycle parking although there is sufficient space within the application site to provide this. On this basis, there is no transportation objection to this current proposal subject to an appropriately worded condition requiring details of cycle storage provision.
- 5.34 Trees
It is noted that there are a number of trees within the site including those growing along the front boundary of the existing car park adjacent to Beesmoor Road. These trees appear to be in good condition and would add character to the site if it is developed; nevertheless, not all of these trees would be retained. However, it is noted that a telephone wire runs through the full length of these trees and thus given that the operating company would comprise a statutory undertaker, would be at liberty to prune back these trees at any time.
- 5.35 In view of the above, it is considered that there can be no reasonable objection to the loss of some of these trees but further details have been received as part of this application to ensure the retention/ protection of the remaining trees in accordance with BS: 5837: 2005. These details are considered to be generally acceptable and thus there is no objection to the proposal on this basis subject to a further condition with regards to the method statement for the proposed works.
- 5.36 Education Contribution
There is a projected surplus capacity at both primary and secondary schools within the area of the proposed development. As such, there is no request for any education contribution as part of this application.
- 5.37 Improvements made to the Scheme
The application was subject to pre-applications discussions which allowed the introduction of the two affordable units of accommodation and design changes to the scheme. These alterations resulted in a reduction in the number of units proposed (originally nine) and significant alterations to the prominent corner plot with a wrap around building originally shown; this would have necessitated a blank two-storey wall angled towards the road junction immediately adjacent to the pavement. As part of these discussions, it was advised that it was not considered necessary to introduce a 'landmark' building to this corner.

5.38 Use of Energy and Sustainability

The application is accompanied by the Code for Sustainable Homes Estimator Tool which indicates that the new dwellings which achieve Code Level 3; this is mandatory for the affordable units.

5.39 Outstanding Issues

Concerns have been expressed with regards to the loss of the original public house with this considered by some to be a building of historic/ architectural note. However, this building is neither listed nor locally listed and thus it is not considered that there can be any reasonable objection to its replacement.

5.40 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.

5.41 Section 106 Requirements

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

6. CONCLUSION

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

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 authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) within 12 months to secure the following:

- i. The total provision of 2 units of affordable housing provided as social rented accommodation and to be retained as affordable housing in perpetuity. The housing shall be built at the same time as the rest of the development.
- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.
- 7.3 Should the Section 106 Agreement not be completed within 12 months of the date of determination then the application be refused or returned to Officers for further consideration on this basis.

Background Papers PT09/0519/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 samples of the roofing and external facing 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(s):

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

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

Reason(s):

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

4. No windows other than those shown on the plans hereby approved shall be inserted at

any time in the south elevation of plot 7.

Reason(s):

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

5. Prior to the use or occupation of plot 7 hereby permitted, and at all times thereafter, the proposed side facing bathroom window on the first floor [south] elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason(s):

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

6. 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(s):

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

7. 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(s):

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

8. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

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(s):

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

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

Reason(s):

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

11. Prior to the commencement of development detailed plans showing the provision of cycle parking facilities in accordance with the standards set out in Planning Policy T7 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason(s):

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

12. Prior to the commencement of development, protective fencing to accord with British Standard BS:5837:2005 shall be erected on site in accordance with the details received in the Method Statement hereby approved (dated June 5th 2009).

Reason(s):

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

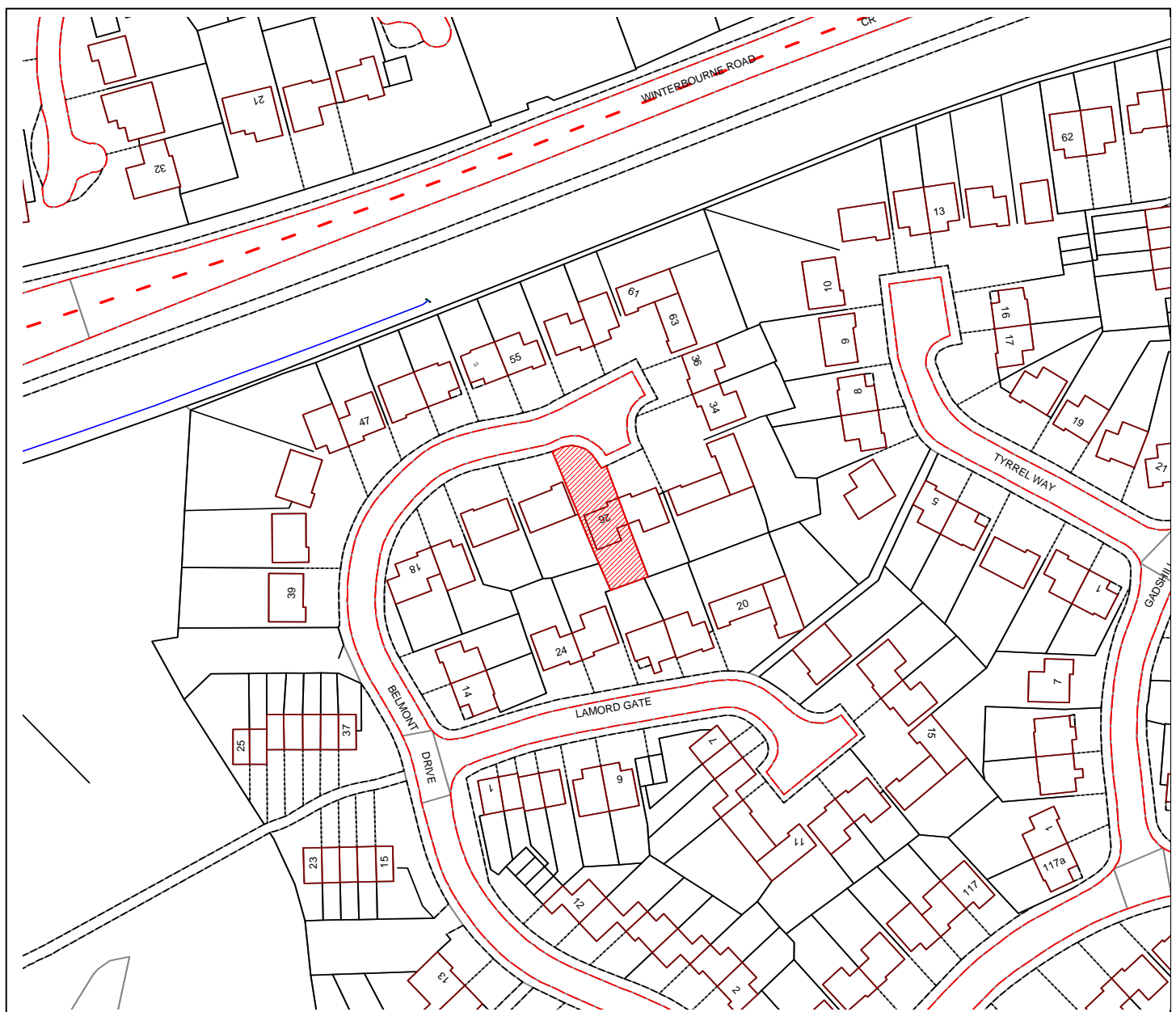
13. All development shall accord with those details outlined in the arboricultural method statement dated June 5th received as part of this application.

Reason(s):

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

CIRCULATED SCHEDULE NO. 23/09 - 12 JUNE 2009

App No.:	PT09/0783/F	Applicant:	Mr A Crawley
Site:	26 Belmont Drive, Stoke Gifford, South Gloucestershire, BS34 8UR	Date Reg:	29th April 2009
Proposal:	Erection of two storey side extension and conversion of existing garage to form additional living accommodation.	Parish:	Stoke Gifford Parish Council
Map Ref:	62221 80470	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	23rd June 2009



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100023410, 2009.

N.T.S

PT09/0783/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two storey side extension and conversion of existing garage to form additional living accommodation.
- 1.2 This is a modern link semi-detached property within the existing urban area of Stoke Gifford. The proposal consists of a first floor side extension above the existing garage. The integral garage is to be converted into additional living accommodation.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
H4 Development within Existing Residential Curtilage
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

No relevant history.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
Object on the grounds of over-massing.
- 4.2 Local Residents
No response.

5. ANALYSIS OF PROPOSAL

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

5.2 Residential Amenity

Overbearing Analysis

The proposal would not be overbearing on the nearest neighbouring occupiers at no. 28 Belmont Drive.

Privacy Analysis

No side elevation windows are proposed so therefore there would be no overlooking or loss of privacy as a result of the proposal.

Highway Safety Analysis

Parking in the existing integral garage would be lost however two off street parking spaces will remain to the front of the property and therefore the proposal would not prejudice highway safety.

5.3 Design / Visual Amenity

The proposal is modest in scale and fits with the character of the existing property. The massing of the proposal is considered appropriate to the host dwelling and its surrounding. The chosen construction materials, which match the palette of materials displayed in the existing building, means that this is an appropriate addition to the dwelling and streetscene. It is considered that there is no harm caused to the visual amenity.

5.4 Improvements to Scheme

No improvements considered necessary.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT09/0783/F**

Contact Officer: Will Collins

CONDITIONS

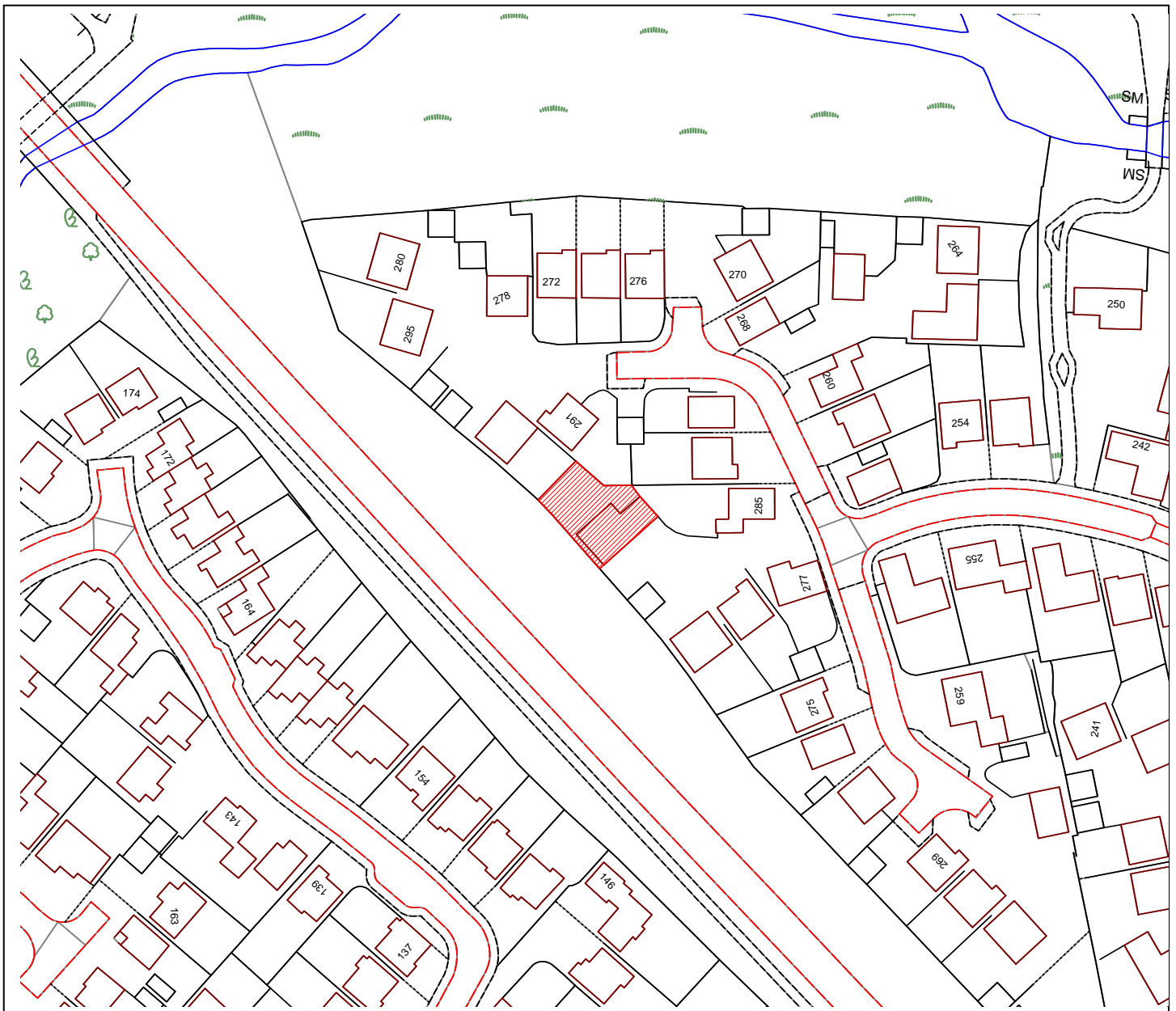
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.:	PT09/0812/F	Applicant:	Ms C Rehm
Site:	283 Juniper Way, Bradley Stoke, South Gloucestershire, BS32 0DP	Date Reg:	5th May 2009
Proposal:	Erection of first floor side extension over existing garage and single storey rear extension to provide additional living accommodation.(Resubmission of PT09/0490/F)	Parish:	Bradley Stoke Town Council
Map Ref:	62560 81377	Ward:	Bradley Stoke South
Application Category:	Householder	Target Date:	25th June 2009



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PT09/0812/F

Objection: over development and out of character with the area. It will have a detrimental affect on the local amenities and overlook neighbouring properties. Inadequate parking for what is effectively a 6/7 bedroom house. The application should be called in.

Other Representations

4.2 Local Residents

Four letters of objection were received from residents raising the following concerns:

- The proposal would devalue property prices
- The proposal would lead to overlooking / loss of privacy
- The proposal would lead to a loss of sunlight to neighbouring properties
- The proposal would change the outlook from properties at the rear and side
- The proposal would not be in keeping with the character of existing nearby properties
- The addition of further living space would provide a parking problem
- The proposal will be an imposing and dominant structure
- The proposal would infringe on neighbouring boundaries
- The proposal will be overbearing
- Increase in noise and disturbance
- Proposed guttering would be unsightly and out of character
- The light amenity report submitted is incorrect
- The proposal is overdevelopment of a small plot

Several responses were also received from the applicant's agent in regard to the letters of objection received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Residential Amenity

Overbearing Analysis

The bulk and massing of 283 Juniper Way is already established as a two storey building with an attached double garage with a roof height of 4.5 m at its highest. To the rear of the dwelling the closest properties are approximately 12 m away and on lower ground (approximately 1.5 – 2.5 m) than 283 Juniper Way. These properties are to the north and north east of the host dwelling and therefore suffer from a loss of light to their rear garden space caused by shadowing from 283 Juniper Way.

A light amenity report has been submitted by the applicant detailing the impact the extension would have in terms of loss of light to nearby properties. The report concludes that for the majority of the year there will be no impact on neighbouring dwellings nor their respective garden areas. This is considered a reasonable and accurate conclusion.

In the winter months all 5 properties to the rear and side of 283 Juniper Way suffer a significant loss of light, particularly to their rear garden spaces. In the spring, summer and autumn months when it is common for rear garden space to be most frequently used the overall impact is not as significant. It is considered that the extension would not impact upon light into neighbouring properties habitable rooms, which is the most important consideration when assessing loss of light. The extension would lead to a minimal increase in loss of light to rear garden space during the months of spring, summer and autumn however this is not considered significant enough that it would unduly harm the amenities of neighbouring occupiers in relation to the existing relationship.

In terms of overbearing impact, the massing and scale of 283 Juniper Way is already established and the modest width of the proposed extension at 2.5 m is not considered would have an overall overbearing impact on neighbouring properties.

In terms of residents concerns over the outlook from their properties it should be noted that in planning terms there is no 'right to a view'.

Privacy Analysis

To the rear elevation windows are only proposed on ground floor level. A 2 m wooden boarded fence ensures that there would be no overlooking or loss of privacy to the rear. To the side (north east facing) elevation two obscure glazed, non-opening windows are proposed at first floor level. A condition will be attached to the decision notice ensuring that these windows are obscure and non-opening. Two small velux rooflights are proposed in the roof of the first floor and the roof of the ground floor living accommodation. It is considered that no overlooking or loss of privacy would occur as a result of these additions.

Amenity Space

The proposal would have no impact on the private amenity space of the host dwelling.

Highway Safety Analysis

Two parking spaces are provided for in the integral double garage and there is available space for two further vehicles to park in front. This is considered sufficient for a 6 bedroom property.

5.3 Design / Visual Amenity

The first floor extension is a modest addition to this large detached property. In the previous application the proposal was a two storey addition that covered the full width of the property scaling the integral double garage. The overall scale and massing of this proposal was not considered acceptable. The new proposal is subservient to the host dwelling and respects the character of the property and the surrounding streetscene in which it resides. The materials

used are to match the existing and therefore no harm would be caused to the visual amenity.

The single storey rear extension to the garage alters the roof shape to a slightly shallower pitch. The size and scale of the extension is considered appropriate as is the use of a valley guttering system, neither of which will cause harm to the visual amenity of the host dwelling or locality.

5.4 Other Matters

Some concerns were raised by local residents that either cannot be considered as planning matters or are civil matters, these are as follows:

- The proposal would devalue property prices
- The proposal would infringe on neighbouring boundaries (the applicant has signed a Certificate to state they owned the site proposed for development). Should access from neighbouring land prove necessary this must be sought from the relevant landowners and planning consent would not grant this. An informative to this end would be placed on any decision notice granting approval.

Concern was also raised regarding possible noise and disturbance being generated as a result of the proposal. This is a residential development and it is not considered that an unreasonable amount of noise and disturbance would occur. If it did then this would be a matter for the Council's Environmental Health team to take up.

5.5 Improvements to Scheme

This scheme is an improvement on the previous submission as it constitutes better design that will have a greatly reduced impact on neighbouring residents in terms of privacy/overlooking and loss of light.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted)

January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Background Papers **PT09/0812/F**

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

CONDITIONS

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

Reason(s):

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

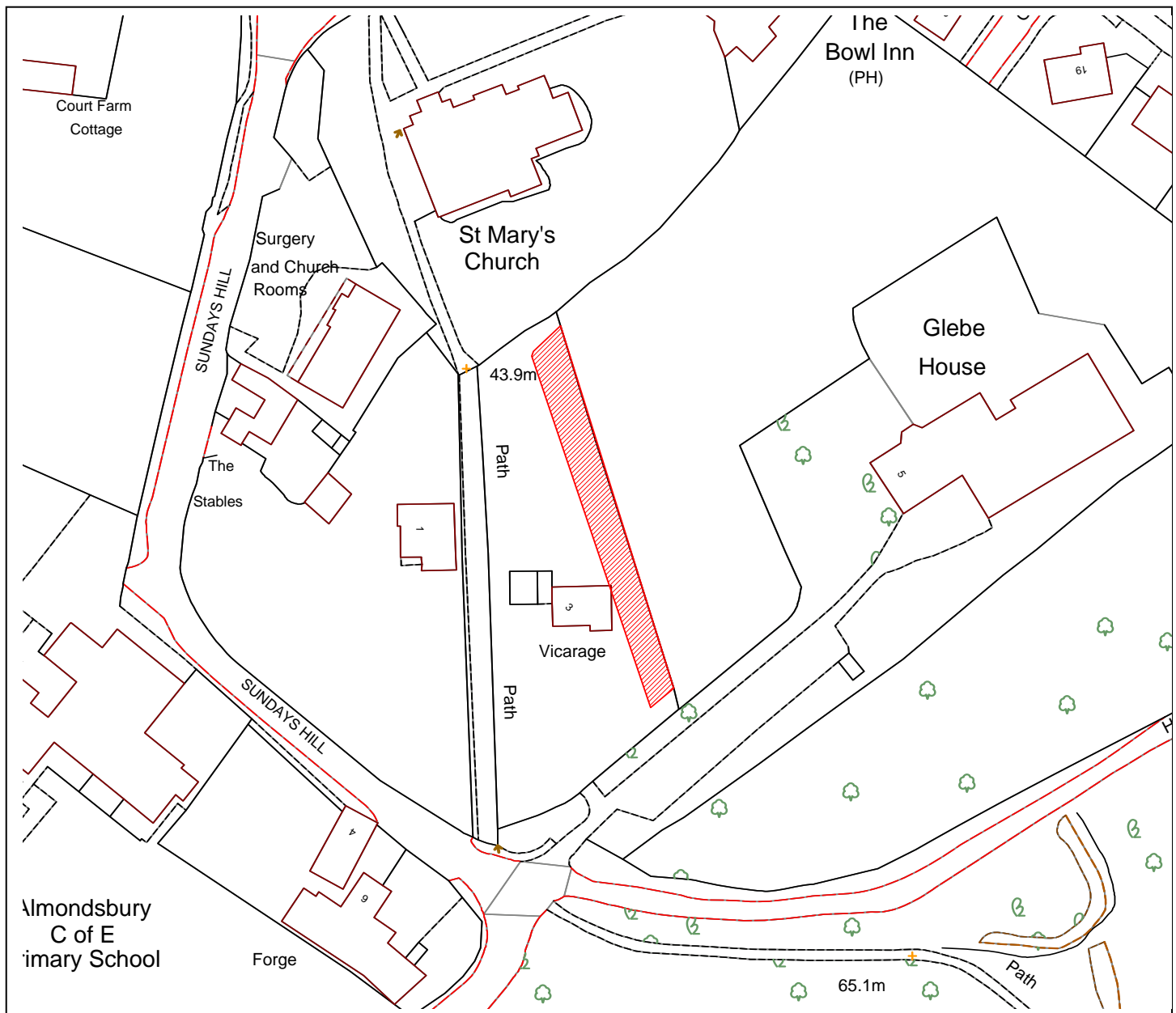
2. The glazing on the north east elevation shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

Reason(s):

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

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.:	PT09/0912/TCA	Applicant:	The Bristol Diocesan
Site:	3 Sundays Hill, The Vicarage, Almondsbury, South Gloucestershire, BS32 4DS	Date Reg:	15th May 2009
Proposal:	Works to fell various Leyland Cypress trees situated within the Lower Almondsbury Conservation Area.	Parish:	Almondsbury Parish Council
Map Ref:	60368 84009	Ward:	Almondsbury
Application Category:	Other	Target Date:	25th June 2009



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100023410, 2009.
 DC0901MW

INTRODUCTION

This application appears on the Circulated Schedule List because an objection has been received from a neighbouring occupier. Members are further advised that this application expires on 25th June 2009. If no decision is issued by that date the applicant may proceed with the works in any event. Accordingly, there would be insufficient time to refer this matter to the DC West Committee and as such this report is for information purposes only.

1. THE PROPOSAL

- 1.1 This application seeks approval for works to fell various Leyland Cypress trees situated within the Lower Almondsbury Conservation Area.
- 1.2 The trees form a screen which extends along the eastern flank boundary of the Vicarage. The application site is situated within a discreet location to the east of Sundays Hill. The site lies within the Almondsbury Conservation Area.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG15 Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
L1 Landscape Protection and Enhancement
L12 Conservation Areas

3. RELEVANT PLANNING HISTORY

- 3.1 PT00/2995/TCA, Works to trees within a Conservation Area, 05/01/01, No objection.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No comments received
- 4.2 Tree Officer
No objection

Other Representations

- 4.3 Local Residents
One letter received which objects to the proposed development:

The line of conifers which the application proposes to fell to ground level currently constitutes a major visual aspect of this conservation area site. The application is entirely vague about what planting will replace the conifers if they are felled – it suggests that ‘maybe’ laurel or some other planting could be undertaken. We at Glebe House who have not been consulted by our neighbour the Dioceses on this proposal therefore suggest that if permission is

given, a strict condition should be that replacement plants of a specified species to at least 1m height should be planted in place of the conifers. Otherwise the vista will simply look empty and devastated.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is recognised that trees can make a special contribution to the character and appearance of a conservation area. This Act makes special provision for trees in conservation areas which are not the subject of a Tree Preservation Order. Under Section 211, subject to a range of exceptions, planning permission is required for proposals to cut down, top or lop a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their general control by making a TPO in respect of it. When considering whether trees are worthy of protection in conservation areas, the visual, historic and amenity contribution of the tree(s) should be taken in to account.

5.2 Consideration of Proposal

The trees have been planted as a hedge and are now forming a barrier between the property and the adjacent parkland. Notwithstanding the correspondence received from the neighbouring occupier, the trees have been identified by the Council Tree Officer as non native species and they offer little visual amenity to the Conservation Area. As they are growing as a hedge and due to the species, the trees would not fulfil the criteria for a Tree Preservation Order. The Authority can only object and apply a Tree Preservation Order or not object when determining Trees in Conservation Areas applications. As such, and given that the Trees do not fulfil the criteria for a Tree Preservation Order, a condition cannot be applied to ensure the species and size of the replacement planting as requested.

5.3 The applicant is proposing to replant with smaller shrubs, Laurel or Photinia to create the screen.

6. CONCLUSION

6.1 The decision to not object 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 No objection to the proposed tree works.

Background Papers **PT09/0912/TCA**

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

CIRCULATED SCHEDULE NO. 23/09 – 12 JUNE 2009

App No.:	PT09/0917/CLP	Applicant:	Mr Harmer
Site:	126 Bristol Road, Frampton Cotterell, South Gloucestershire, BS36 2AX	Date Reg:	18th May 2009
Proposal:	Application for Certificate of Lawfulness for the proposed erection of a single storey rear extension.	Parish:	Frampton Cotterell Parish Council
Map Ref:	65809 81951	Ward:	Frampton Cotterell
Application Category:	Other	Target Date:	8th July 2009



1. THE PROPOSAL

- 1.1 The applicant seeks clarification that a proposed single storey rear extension does not require planning permission. The application site relates to a detached two storey dwelling situated in a well established residential area of Frampton Cotterell.

2. POLICY CONTEXT

- 2.1 Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008
The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
Not in a position to respond
- 4.2 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

- 5.1 This application is seeking a Certificate to state that the proposed development is lawful. It is not a planning application where the relative merits of the scheme are assessed against policy, rather it is an evidential test of whether it would be lawful to proceed with the proposal. Accordingly, the key evidential test in this case is whether proposals fall within the permitted development rights afforded to householders.
It stands to be ascertained whether the proposed development falls within the limits set in The Town and Country Planning (General Permitted Development) Order 2008, Schedule 2, Part 1, Classes A, B, C and D by means of size and positioning.
- 5.2 The application site relates to a two storey detached dwellinghouse which has its permitted development rights in tact.

Rear Extension

Class A allows for the enlargement, improvement or other alteration of a dwellinghouse. Development is not permitted by Class A if—

As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The submitted site location plan shows that the host property benefits from a large curtilage and the proposed development, together with the existing dwelling would not exceed 50% of the total area of the curtilage.

The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

Plan A Ref: SR/RH/04/09, demonstrates that the rear extension would not exceed the height of the roof apex of the existing dwellinghouse.

The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

Plan A Ref: SR/RH/04/09, demonstrates that the eaves heights of the extension would not exceed that of the existing dwellinghouse.

*The enlarged part of the dwellinghouse would extend beyond a wall which—
(i) fronts a highway, and
(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;*

The principal elevation of the property is the north-western elevation, which fronts onto Bristol Road. The rear extension would not extend past the front building line of the property.

*The enlarged part of the dwellinghouse would have a single storey and—
(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
(ii) exceed 4 metres in height;*

The proposed extension would be an addition to a detached dwellinghouse and does not exceed 4 metres in depth, nor would any part of it be of a height greater than 4 metres above ground level. The proposal therefore meets this criterion.

*The enlarged part of the dwellinghouse would have more than one storey and—
(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;*

The rear extension would not be more than one storey tall.

The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

The rear extension would be approximately one metre from the boundary of the curtilage of the dwellinghouse but the height to eaves of the extension would be 3 metres above ground level.

The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

- (i) exceed 4 metres in height,*
- (ii) have more than one storey, or*
- (iii) have a width greater than half the width of the original dwellinghouse;*

The proposal is not for a side extension. The proposed rear extension would not extend beyond a side wall of the original dwellinghouse.

It would consist of or include—

- (i) the construction or provision of a veranda, balcony or raised platform,*
- (ii) the installation, alteration or replacement of a microwave antenna,*
- (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or*
- (iv) an alteration to any part of the roof of the dwellinghouse.*

The extension would not comprise any of the above.

Conditions

Development is permitted by Class A subject to the following conditions—

The materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

Plan A Ref: SR/RH/04/09, show finishing materials will match those of the existing dwelling therefore this condition is considered to be met.

Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—

- (i) obscure-glazed, and*
- (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and*

No upper-floor windows are proposed. This condition is considered to be met.

Where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

The proposal is only for a single storey extension. This condition is also considered to be met.

6. **RECOMMENDATION**

6.1 A Certificate of Lawfulness for Proposed Development be **GRANTED**.

Background Papers **PT09/0917/CLP**

Contact Officer: **Genevieve Tuffnell**
Tel. No. **01454 863438**

