



**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. 19/10**

**Date to Members: 21/05/10**

**Member's Deadline: 27/05/10 (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 **by email 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**

**PLEASE NOTE: THE CIRCULATED SCHEDULE PROCESS IS ONLY OPEN TO THE ELECTED MEMBERS OF SOUTH GLOUCESTERSHIRE COUNCIL.**

## **NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS**

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Development Control Committee, please let the Director of Planning, Transportation and Strategic Environment know within 5 working days of the date of this Schedule (e.g, if the schedule is published on a Friday, comments have to be received by the end of Thursday) (see cover page for the date).

To refer an application(s) members are asked to email [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk) providing details of

- Application reference and site location
- Indicate whether you have discussed the application(s) with the case officer and/or area planning manager
- Indicate whether you have discussed the application(s) with ward member(s) if the site is outside of your ward
- The reason(s) for the referral

The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Development Control 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

## **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 Planning Manager 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. **Please do not leave it to the last minute**
- Always make your referral request by e-mail to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk), where referrals can be picked up quickly by the Development Services Support Team. If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863518, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- 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.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

**Dates and Deadlines for Circulated Schedule**  
**Over the May Bank Holiday Period 2010**

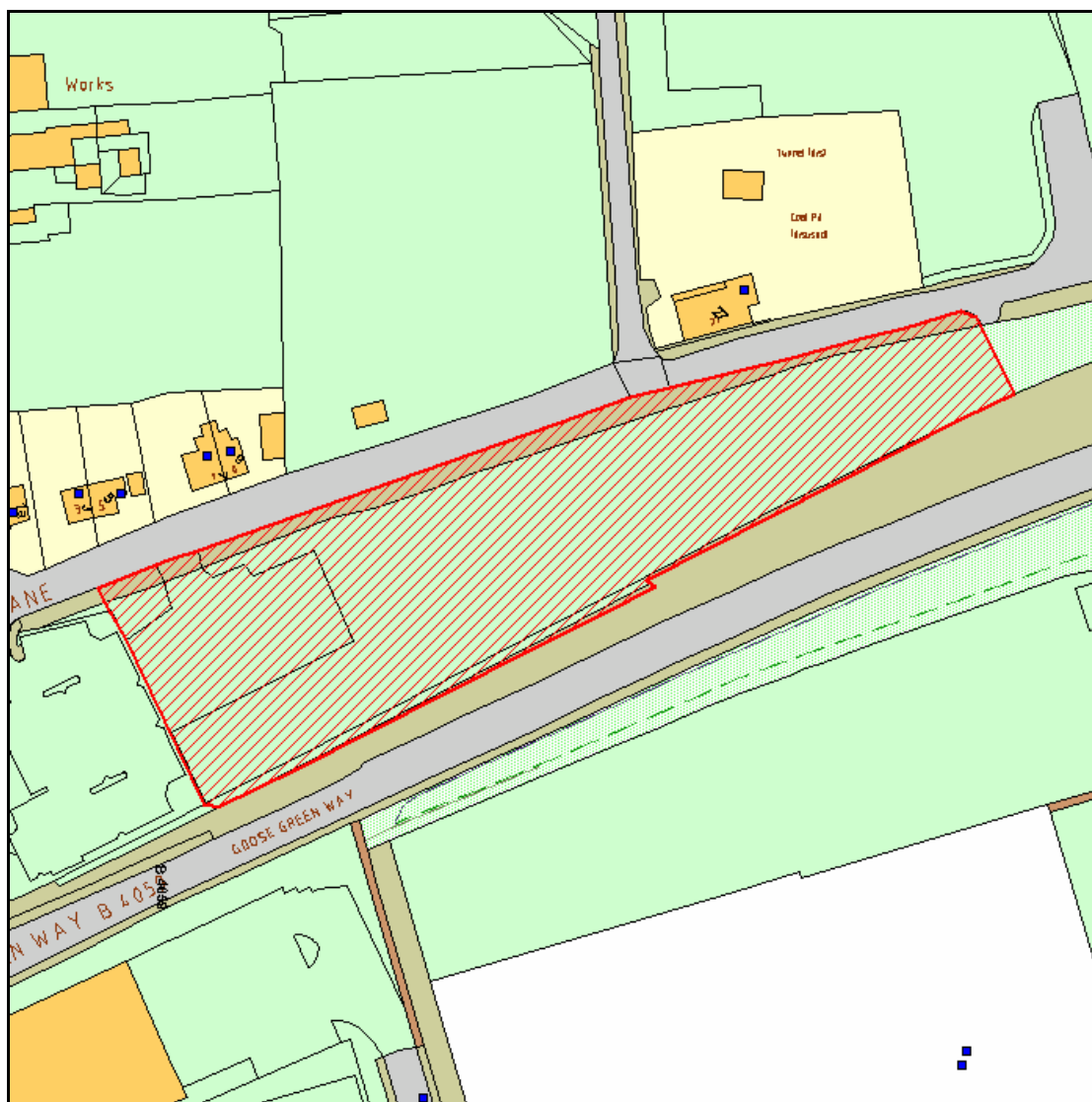
<b>Schedule Number</b>	<b>Date to Members 9am on</b>	<b>Members Deadline 5pm on</b>
20/10	Thurs 27 May 2010	Thurs 03 Jun 2010

# CIRCULATED SCHEDULE – 21 MAY 2010

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/0006/F	Approve with Conditions	Land At Broad Lane Yate South Gloucestershire BS37 7LD	Ladden Brook	Iron Acton Parish Council
2	PK10/0675/LB	Approve with Conditions	The Farm House Sands Farm Sands Hill Dyrham Chippenham South Gloucestershire SN14 8ES	Boyd Valley	Dyrham And Hinton Parish Council
3	PK10/0686/F	Approve with Conditions	49 Stoneleigh Drive Barrs Court South Gloucestershire BS30 7BZ	Parkwall	Oldland Parish Council
4	PK10/0714/R3F	Deemed Consent	Courtney Primary School Courtney Road Kingswood South Gloucestershire BS15 9RD	Woodstock	None
5	PK10/0757/F	Approve with Conditions	Hunters Hall Ashwicke Road Marshfield Chippenham South Gloucestershire SN14 8AS	Boyd Valley	Marshfield Parish Council
6	PK10/0776/LB	Approve with Conditions	Hunters Hall Ashwicke Road Marshfield Chippenham South Gloucestershire SN14 8AS	Boyd Valley	Marshfield Parish Council
7	PK10/0798/F	Approve with Conditions	3 Berkeley Road Kingswood South Gloucestershire	Woodstock	
8	PK10/0900/F	Approve with Conditions	16 Blanchards Chipping Sodbury Bristol South Gloucestershire BS37 6LJ	Chipping	Sodbury Parish Council
9	PT10/0096/F	Approve with Conditions	Filton College New Road Stoke Gifford Bristol South Gloucestershire BS34 8QT	Frenchay And Stoke Park	Stoke Gifford Parish Council
10	PT10/0442/F	Approve with Conditions	Land Off Ham Lane Oldbury On Severn Bristol South Gloucestershire BS35 1PZ	Severn	Oldbury-on-Severn Parish Council
11	PT10/0502/O	Approve with Conditions	Centre For Brain Injury Rehabilitation Frenchay Hospital Frenchay Park Road Frenchay South Gloucestershire BS16 1UU	Frenchay And Stoke Park	Winterbourne Parish Council
12	PT10/0564/F	Approve with Conditions	9 Grange Park Frenchay South Gloucestershire BS16 2SZ	Frenchay And Stoke Park	Winterbourne Parish Council
13	PT10/0568/PN1	No Objection	Land Adjacent Flaxpits Lane Winterbourne South Gloucestershire BS36 1JX	Winterbourne	Winterbourne Parish Council
14	PT10/0592/R3F	Approve with Conditions	The Castle School Gloucester Road Thornbury South Gloucestershire BS35 1DJ	Thornbury North	Thornbury Town Council
15	PT10/0651/F	Approve with Conditions	86 Bush Avenue Little Stoke South Gloucestershire	Stoke Gifford	Stoke Gifford Parish Council
16	PT10/0780/F	Approve with Conditions	Avening Cottage Kington Lane Thornbury South Gloucestershire BS35 1NJ	Severn	Oldbury-on-Severn Parish Council
17	PT10/0795/F	Approve with Conditions	19 The Paddocks Thornbury South Gloucestershire	Thornbury North	Thornbury Town Council
18	PT10/0903/F	Approve with Conditions	15 The Wicketts Filton South Gloucestershire BS7 0SR	Filton	Filton Town Council

## CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010

<b>App No.:</b>	PK10/0006/F	<b>Applicant:</b>	Mr B Hanson
<b>Site:</b>	Land At Broad Lane Yate Bristol South Gloucestershire	<b>Date Reg:</b>	8th January 2010
<b>Proposal:</b>	Erection of 2no. two storey office blocks for B1a Office Use as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with access parking and associated works. (Resubmission of PK09/0891/F)	<b>Parish:</b>	Iron Acton Parish Council
<b>Map Ref:</b>	369955 183496	<b>Ward:</b>	Ladden Brook
<b>Application Category:</b>	Major	<b>Target Date:</b>	6th April 2010



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100023410, 2008.

**N.T.S.**

**PK10/0006/F**

## **INTRODUCTION**

This application has been referred to the Circulated Schedule following the receipt of objections from Iron Acton Parish Council and local residents; the concerns raised being contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application relates to a 0.65ha linear plot of land, located between Yate and Engine Common. The site is enclosed by Goose Green Way to the South and Broad Lane to the north and was formerly part of a Market Garden and subsequently a Garden Centre. The western part of the former Garden Centre has already been developed for a large Public House and associated Car Park. The application site is flat and currently vacant and overgrown. A belt of trees and a hedgerow lie on the Broad Lane frontage, whilst a partly vegetated embankment rises to Goose Green Way to the south; thick natural vegetation lies to the east. The site is currently accessed from Broad Lane via a single access point.
- 1.2 It is proposed to erect 2no. two-storey office blocks within the site to provide gross internal floor area of 3179 sq.m. The proposal would provide employment for approximately 200 people, although the likely end user is not yet known. An associated car park would be provided within the site for 98 cars, together with cycle parking provision for 89 cycles. Two new vehicular access points would be provided from Broad Lane, together with a new footway; improvements to the junction of Broad Lane and North Road would also be carried out.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

- PPS1 - Delivering Sustainable Development
- PPS4 - Planning for Sustainable Economic Growth
- PPS9 - Biodiversity and Geological Conservation
- PPG13 - Transport

#### **2.2 Development Plans**

##### The Joint Replacement Structure Plan (Adopted) Sept 2002.

- Policy 1 - Sustainable Development Objectives
- Policy 2 - Location of Development
- Policy 54 - Car Parking Provision (non-residential)

##### The South Gloucestershire Core Strategy Pre-Submission Draft March 2010

- CS1 - High Quality Design
- CS5 - Location of Development
- CS6 - Infrastructure and Developer Contributions
- CS11 - Distribution of Economic Development Land
- CS12 - Safeguarded Areas for Economic Development

##### South Gloucestershire Local Plan (Adopted) January 2006

- D1 - Design

L1 - Landscape Protection and Enhancement  
 L5 - Open Areas within the Existing Urban Areas and Defined Settlement Boundaries  
 L9 - Species Protection  
 L11 - Archaeology  
 L17 & L18 - The Water Environment  
 EP1 - Environmental Pollution  
 EP2 - Flood Risk and Development  
 T7 - Cycle Parking  
 T8 - Parking Standards  
 T12 - Transportation Development Control Policy for New Development  
 E3 - Criteria for Assessing Proposals for Employment Development within the Urban Area and Defined Settlement Boundaries  
 LC12 - Recreational Routes

### 2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List SPD (Adopted) August 2007.  
 South Gloucestershire Landscape Character Assessment – Character Area 8, Yate Vale.  
 Trees on Development Sites SPG Adopted Nov 2005.

## 3. RELEVANT PLANNING HISTORY

- 3.1 N2566/3 Erection of house, 3 greenhouses and establishment of market garden. Approved 1981.
- 3.2 P84/1456 Change of use of market garden to garden centre, erection of 2 greenhouses, construction of new access, footpath and road widening works. Approved 1984.
- 3.3 P88/3367/AD Certificate of Appropriate Alternative Development application for the use of the land for residential and commercial purposes. Approved 1989.
- 3.4 P96/2835 Erection of A3 restaurant, pub, and associated manager's flat, car park, landscaping, access. (Outline) Approved subject to a Section 106 Agreement regarding highway improvements, never completed.
- 3.5 P98/2884 Erection of food pub with associated managers living accommodation and car parking, approved subject to a Section 106 Agreement regarding:
- (i) Financial contribution towards traffic calming in the vicinity of the Broad Lane / North Rd junction, and
  - (ii) Safeguarding north-west corner of the site for further highway improvements.
- Planning permission has now been issued and the scheme completed.

- 3.6 PK02/2636/F - Erection of 4 office units. Construction of new road junction (Broad Lane/North Road) and associated works. Refused on policy and transportation grounds.  
Appeal APP/P0119/A/03/1136182 Dismissed 18 Nov 2004.
- 3.7 PK04/1077/F - Erection of Nursing Home with associated car parking and landscaping.  
Refused 9 July 2004.
- 3.8 PK09/0891/F - Erection of 2no. two-storey office blocks for B1a Office Use as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with access parking and associated works.  
Withdrawn 6 Aug 2009.

#### **4. CONSULTATION RESPONSES**

##### **4.1 Iron Acton Parish Council**

The Parish Council object on the following grounds:

1. There have been a number of planning applications submitted for this site over recent years, which have been refused by South Gloucestershire Council on transportation grounds.
2. The Parish Council are concerned over the number of traffic movements at an already inadequate junction of North Road and Broad Lane, as well as the junction of North Road and Yate Road.
3. This area is a walking route used by children attending the local Primary and Secondary Schools.
4. Further, the Parish Council believe that this proposed development appears to encroach on reserved land.
5. The Parish Council also believe that any new commercial development should be kept to the south of Goose Green Way.

##### **4.2 Other Consultees**

###### Wessex Water

No response

###### Avon and Somerset Police Architectural Liaison Officer

No response.

###### Sustainable Transport

The Highway officer comments are as summarised in paras. 5.11 – 5.24 below.

#### **Other Representations**

##### **4.3 Local Residents**

2no. letters of objection were received from local residents; the concerns raised are summarised as follows:

- Increased traffic in Broad Lane would result in risks to horse riders, pedestrians and children walking/cycling to school.



- Sub-standard junction Broad Lane/North Road for increased volume of traffic.
- Insufficient parking provision would result in increased on-street parking.
- There would be potential for out-of-hours use of the car park.
- Two-storey blocks not in keeping with the rural area.
- Overbearing impact on the houses in Broad Lane.
- Loss of light and sunlight to the houses in Broad Lane.
- Overlooking of no.5 Broad Lane from spiral staircase in building A.
- No requirement for further office accommodation – already empty offices in the area.
- Not a designated E4 site in the Local Plan.
- On a Safe Route to School and part of the National Cycling Network.
- Poorly served by buses.
- Loss of hedgerow on Broad Lane.
- Disruption to wildlife.
- Possible anti-social behaviour if offices left empty.
- Previous applications refused.

4.4 A separate list of 64 names opposing the application was also received. None of the individuals provided an address and no reasons for opposing the scheme were provided; so officers consider that little weight can be afforded to this document.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Officers have noted the previous refusals of planning permission relating to this site, however in this case there are two fundamental differences:

1. The Adoption of the South Gloucestershire Local Plan in January 2006 re-designated the land as being within the Urban Area as opposed to open countryside.
2. The applicant has acquired land that that would facilitate improvements to the junction of Broad Lane with North Road.

5.2 In designating the site within the Urban Area, the Inspector for the Local Plan Inquiry noted that whilst site was previously developed land, it did provide a visual and physical gap between the more urban edge of Yate along Goose Green Way to the south, and the rural area of Engine Common to the north. The Inspector however concluded in his report (paras. 96.4 and 96.5) that:

*'Provided that a development respected the buffer role of the site, between Yate and Engine Common, and retained a high proportion of the site's existing vegetation, then I see no reason why some development should not be encouraged by the inclusion of the site within the settlement boundary.'*

*'In my view the plan's policies give a clear framework to consider the impact of any development of this site. These provide the policy context for the Council to make a judgement about the acceptability of a particular scale of development bearing in mind landscape, access and any other relevant issues. In my view this is a matter that can best be dealt with through the development control*

*process, rather than through the retention of a narrow wedge of land, which is surrounded by development, outside the settlement boundaries.'*

- 5.3 The proposal is for B1a office development and since the site now lies within the designated Urban Area, the proposal in the first instance falls to be determined under Policy E3 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006. Policy E3 permits employment uses within the Urban Area, subject to a number of criteria that are discussed below. Whilst priority is given to B use Classes within the Safeguarded sites, the Core Strategy para.9.10 confirms that office development outside Town Centres may be appropriate, as this reflects the existing pattern of development in South Gloucestershire and is in line with the local and sub-regional strategy.
- 5.4 **A. Development would not have unacceptable environmental effects; and**
- 5.5 Since the proposal is for B1a office use only, there would be no disruption from noisy or dirty manufacturing processes. The building would however be served by plant and ventilation equipment, the exact location and specification of which is currently not known; this is due to the speculative nature of the proposal where the end user is not yet known.
- 5.6 Having regard to these matters the Council's Environmental Health Officer has recommended that prior to the installation of any plant and equipment associated with the ventilation or air conditioning of the buildings, the applicant should provide full acoustic details to show that once completed, the noise emitted from the site should not exceed the pre-development background, measured between the development and the nearest noise sensitive building.
- 5.7 The internal noise levels in neighbouring residential premises should not exceed the levels outlined below.
- 40dB Laeq 16hr in all rooms during the daytime (07.00 to 23.00) and
  - 30dB Laeq 8hr in all bedrooms during the night time (23.00 to 07.00)
  - In addition a 45dB Lamax applies to all bedrooms during the night. (The target levels are as measured internally with windows closed)
- The applicant should show compliance with these restrictions by means of measurement, calculation or a combination of both.
- 5.8 To minimise the impact of light pollution, the lighting scheme for the site including the car park should be designed and operated in accordance with the Institute of Lighting Engineers publication 'Guidance Notes For The Reduction of Light Pollution'.
- 5.9 Subject to conditions to secure the above matters, there are no objections on environmental grounds.
- 5.10 **B. Adequate provision is made for servicing and delivery requirements and development would not give rise to unacceptable levels of vehicular traffic, especially heavy goods vehicles, or on-street parking,**

**to the detriment of the amenities of the surrounding areas and highway safety; and**

- 5.11 Given the planning history of this site, officers consider that the highway implications of the proposal are a key consideration in the determination of this planning application; as such, the application is supported by a Transport Statement, prepared by a suitably qualified consultant.
- 5.12 The proposal is for the erection of 2no office units and the creation of two new accesses onto Broad Lane, with car parking areas within the site. The main road safety concern in the refusal of the 2002 scheme PK02/2636/F was inadequate visibility at the Broad Lane junction with North Road.
- 5.13 Details of a submitted traffic survey pre-dates the opening of the Fox Public House, located at the western end of Broad Lane. The view is that The Fox generates little traffic at peak times, so there has been little change in traffic movements at the Broad Lane junction with North Road. Officers in their assessment, have however made allowance for this slightly out of date survey.
- 5.14 To estimate the car trips generated by the proposed office development, the applicant has used the TRICS data-base. Traffic generation to and from the site is estimated at 70 two-way movements in the a.m. peak and 60 two-way movements in the p.m. peak; these are average values.
- 5.15 For a more robust forecast of development traffic, officers have used the 85%ile values, which gives a traffic generation to and from the site of 106 two-way movements in the a.m. peak hour with similar movements in the p.m. peak. This level of traffic represents just over 1.5 additional vehicles per minute through the Broad Lane junction with North Road.
- 5.16 Local residents have expressed concerns about increased traffic on the highway network and its impact on other road users at this location. Officers are satisfied that there is adequate road capacity within the existing highway network to accommodate the traffic generated by the scheme, without resulting in significant delays. In terms of road safety, mitigating measures are required at the Broad Lane junction with North Road and these are as follows:
- 5.17 Access  
Two new accesses into the site would be created on the Broad Lane frontage. Visibility splays of 2.4m x 43m, as required for 30mph roads, can be achieved by the removal of some of the existing vegetation and this can be secured by condition.
- 5.18 Access to the wider highway network would be via the Broad Lane junction with North Road. The existing visibility splay at this junction is currently inadequate to accommodate increased traffic. To overcome this problem, the applicant has acquired a strip of land from the owner of no.1 Broad Lane, which would facilitate improvements to be carried out. When completed, the improved visibility splay would be 2.4 x 67m, which is considered to be acceptable.

- 5.19 There is pedestrian access to the site via the existing footway network. It is however proposed to improve pedestrian access by introducing two sections of new footway on the Broad Lane frontage of the site. A new footway would be provided to the west of the western access and a shorter length of footway to the east of the eastern access, both of which would link the site to the existing footway network and assist with safe movements of pedestrians along Broad Lane. In addition, it is proposed to provide a footpath link between the site and the bus stop on Goose Green Way; this would be a most useful pedestrian link that would improve pedestrian accessibility to the site.
- 5.20 Officers are satisfied that these improvements would overcome the previous highway reason for refusal of development on the application site. Officers recommend that the visibility improvements should be carried out prior to the commencement of any development on the site.
- 5.21 Parking  
It is proposed to provide 98no. on-site car parking spaces to serve the development. The car parking standards listed under Policy T8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, require one parking space per 30 sq.m. for office development of this size. The total floor space of the proposed development is 3175 sq.m. so 106 spaces are required. Allowing 5% for disabled parking then the total required would be 111 leaving a shortfall of 13 spaces. It must be highlighted however that the parking standards are maximum standards that should not be exceeded. Given that the proposed parking provision is close to the maximum, officers consider that the proposed parking provision would be acceptable.
- 5.22 Sustainability  
The site is now designated within the Local Plan as being within the Urban Area and as such is considered to be in a relatively sustainable location. In the previous appeal decision, the Inspector agreed (para.64) that the site is within relatively easy walking and cycling distance of large residential areas within Yate. There are bus stops on Goose Green Way, although some of the bus services are subsidised by the Council. The applicant has however agreed to make a contribution of £8000 towards improvements to public transport facilities within the area. Furthermore it is proposed to provide 40 secure cycle parking spaces on the site.
- 5.23 No formal 'Travel Plan' has been submitted because the 'end users' of the offices are not yet known. A condition can be imposed however to secure a Travel Plan, with targets to be set to achieve a reduction in car journeys to the site.
- 5.24 Subject therefore to a S106 Agreement to secure the improvements at the Broad Lane/North Road junction; a contribution of £8000 towards improvements to public transport facilities; construction of the new footways on Broad Lane and the provision of the two new accesses with visibility splays of 2.4m x 43m; plus conditions to secure the prior submission and approval of a Green Travel Plan; provision of the car and cycle parking facilities and surfacing of the parking areas with a bound and permeable material; there are no highway objections.

**5.25 C. Development would not prejudice existing residential amenities.**

5.26 In addressing this issue in the appeal against refusal of PK02/2636/F, the Inspector considered that, should overspill parking occur on Broad Lane, this could be adequately addressed by Traffic Regulation Orders. In considering other matters, at para.80 of his decision letter, the Inspector went on to state the following:

*'As to increased noise, pollution and loss of view I agree that all could impinge on some residents to a degree. However, in no case do I anticipate that the impact would be inordinate and, therefore, have not found these fears, either individually or cumulatively, compelling. In saying this, I am mindful that the background noise and pollution levels occasioned by the traffic on Goose Green Way establishes a baseline that, so long as appropriate conditions were attached to any planning permission, is unlikely to be exceeded other than very marginally. In practice, the proposed structures could screen some of the road noise for residents of Engine Common.*

5.27 Given that these comments were made in relation to a substantially larger scheme for a development of 4no. office blocks, officers are satisfied that the current proposal would have even less impact. Much of the high belt of vegetation on the Broad Lane frontage would be retained and supplemented with additional planting within the site. Having regard to the scale and location of the two office blocks proposed, officers are satisfied that there would be no significant loss of residential amenity to result from overbearing impact, overshadowing or loss of privacy from overlooking. A security barrier could be introduced to ensure that the car park would not be used as overspill parking for the pub.

5.28 Given however the proximity of the dwellings along Broad Lane to the proposed car park and access points, it is inevitable that some disturbance from the slamming of car doors, changing of gear, screeching of break, noise from CD players and the general comings and goings, would be experienced by local residents during office hours. Having regard however to the Inspector's comments quoted in para. 5.26 above, officers concerns are somewhat tempered, nevertheless a condition to control the hours of use is still considered to be necessary.

5.29 Since the end user/users are not yet known this creates something of a dilemma. The applicant is concerned that too strict a control may render the scheme unviable as office uptake by for example a call centre or some branch of the medical profession may require later hours of use, albeit on a limited scale. Following negotiations with the applicant's agent, the applicant is prepared to accept a condition to limit the hours of use to between 07.30hrs to 19.30hrs Mon to Sat (incl.) with no use on Sundays or Bank Holidays. This is considered to be a reasonable and necessary condition that would meet the tests of Circular 11/95 but still allow a 12 hour working window 6 days a week. Should some future user wish to vary these hours they would need to submit a variation of condition application, which would be determined on its individual

merits at the time and most likely in the light of the proposed users requirements and experience of the office use to that date.

5.30 On balance therefore and subject to the hours of use condition and the conditions recommended in 5.7 and 5.8 above, officers are satisfied that there would be no significant adverse impact on residential amenity.

5.31 **D. The character of the area or settlement is not adversely affected; and**

5.32 At the Local Plan Enquiry the Inspector acknowledged that the site helps to provide a visual and physical gap between the edge of Yate and its main road, Goose Green Way, and the more rural Engine Common area to the north; i.e. two areas of quite distinct and different characters. The Inspector noted that the thick hedge on the northern edge and some vegetation on the southern boundary of the site, helps to form a break between the town and the more rural development to the north. It was also noted however that Broad Lane also gives access to a Safeguarded Employment Area to the north-east of the site and in effect, the site is surrounded by built development. Furthermore the site is previously developed land and whilst this does not necessarily mean that the whole site should be re-developed, national guidance stresses the priority to be given to such land.

5.33 In designating the site within the Urban Area, the Inspector considered that (para.96.4):

*'Provided that a development respected the buffer role of the site, between Yate and Engine Common, and retained a high proportion of the site's existing vegetation, then I see no reason why some development should not be encouraged by the inclusion of the site within the settlement boundary.'*

The Inspector was satisfied that the Local Plan policies would give a clear framework to consider the impact of any development on the site.

5.34 Since the site now lies within the Urban Area, policy L5 can now be applied in assessing the impact that the scheme would make on the character of the open area. In applying this policy, officers consider that the layout of the development now proposed, with the two office blocks being separated by open areas and extensive planting, does acknowledge that the site forms a visual break between Yate and Engine Common. This would allow views between the buildings and adequately retain the feeling of space.

5.35 Apart from the access points, the existing hedgerow to the site frontage would be retained; the best of the mature trees to the Broad Lane frontage would also be retained. The proposed planting is also considered to be acceptable, as is the landscape maintenance schedule.

5.36 On balance therefore the scheme would adequately retain the character of the area.

5.37 **E. The maximum density compatible with the site's location, its accessibility and its surroundings is achieved; and**

- 5.38 Given the need to retain the site's character; retain and supplement existing vegetation; provide adequate access and provide a sufficient level of parking; it is not envisaged that a higher density of development could realistically be achieved on this site.
- 5.39 **F. (In the case of travel intensive B1 (Office) development) the location is well served by public transport.**
- 5.40 There is a bus stop next to the site on Goose Green Way that is served by three bus services. A new pedestrian link would make this bus stop very accessible for future office staff and visitors alike. The railway station is a feasibly walkable distance from the site. The criteria within Policy E3 are therefore all satisfied.
- 5.41 Other Landscape and Tree Issues  
The application is supported by detailed method statements and a tree constraints plan. Subject to the development being undertaken in full accordance with the recommendations contained within the arboricultural reports, the proposed development would have minimal impact on the retained trees.
- 5.42 The proposal would entail the removal of a short section of Conifer Hedge on the North Road frontage of 1 Broad Lane, to allow the sightline onto North Road; there is no objection to the loss of this hedgerow. There would be insufficient space to allow replanting of a replacement hedge, so it is proposed to erect a 1.8m close-boarded fence instead.
- 5.43 Urban Design  
Consideration was previously given to a similar scheme submitted under PK09/0891/F, revisions to which are incorporated within the current proposal.
- 5.44 The proposal is for two office buildings located to the southern and south-western boundaries of the site. Given where the proposed accesses would be on Broad Lane, the general siting of the buildings is considered to be logical, providing enclosure to Goose Green Way and an appropriate frontage/entrance point to Broad Lane.
- 5.45 The two-storey development is considered appropriate for the site given the height, and more importantly the scale and massing of development in the immediate surrounding area. The proposal has been adequately broken down to mediate between the residential properties to the north and the industrial estate to the south.
- 5.46 Building A is located in the south west corner of the site, and in addressing both south and west boundaries in an 'L' shape, its massing is broken down. The building's scale is further broken down by the treatment of recessed windows, and materials.
- 5.47 The scale of building B is more important given its siting and location, being a long, single building fronting both Broad Lane and Goose Green Way. The

- scale of the southern elevation has been broken up with the inclusion of bay windows, with further depth to the façade being provided by recessed windows and the overhang of the eaves.
- 5.48 By contrast the north elevation is plainer, with focus provided by the main entrance to the buildings that contain a greater level of detail and visual interest than the south elevation. Officers therefore consider the massing and scale of the buildings to be appropriate for the context.
- 5.49 The proposed materials comprise brick with some metal cladding with slate roofs and aluminium windows. This limited palette would help unify both buildings and also give a simple contemporary appearance.
- 5.50 The proposal is therefore considered to comply with Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policy CS1 of the South Gloucestershire Core Strategy Pre-Submission Draft March 2010 and the South Gloucestershire Design Check List SPD.
- 5.51 Need  
The Council's Economic Development Coordinator considers that current market conditions suggest that there is an imbalance of office and industrial space in the Yate area. Evidence from the Council's database indicates that there are currently 13no. available industrial units compared with 1 available office unit at 600 sq.ft. The officer therefore concludes that there is a need for office development in the Yate area.
- 5.52 Ecology  
The site is not covered by any statutory or non-statutory nature conservation designations. The site has been surveyed and an Ecological Report submitted. Retaining most of the hedgerow on the Broad Lane frontage together with an area of diverse sward is welcomed. There were no Badger Setts on site but slowworms were present. A mitigation strategy would need to be drawn up and agreed with the Council prior to the commencement of any development on the site, this could be secured by condition. Hand searching for hedgehogs would also need to be carried out.
- 5.53 Nesting sites for sparrows and swifts could be incorporated within the roof structure. Subject therefore to conditions to secure the aforementioned matters, there are no objections on ecological grounds.
- 5.54 Archaeology  
An archaeological evaluation of the site has been carried out which concluded that the probability of archaeological structures or deposits being present was low but sufficient to impose a watching brief condition.
- 5.55 Drainage  
A mining report has been submitted to the satisfaction of the Council's Drainage Engineer. An appropriate condition could secure the prior submission and approval of a drainage scheme to include SUDS. Subject to this condition there are no drainage objections.



5.56 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.

5.57 Use of Energy and Sustainability

A SUDS drainage scheme would be secured by condition. The Mechanical and Electrical services installation would be designed in accordance with Approved document Part L for the conservation of fuel. Low energy solutions would be employed wherever possible to reduce the carbon footprint of the development, as set out below for each of the developments;-

- High efficiency gas fired combination condensing boilers.
- Automatic controls.
- Point of use domestic hot water systems to reduce system losses.
- High efficiency heat pump systems.
- High frequency T5 lighting.
- Occupancy sensing lighting controls.
- Day-light sensing controls on internal and external lighting installations.
- Secure covered cycle parking.
- All buildings designed for natural ventilation.
- The solid wall to window ratio of the buildings, whilst providing appropriate levels of natural light internally, minimises solar heat gains. This is further assisted by the use of generous eaves detailing. More extensively glazed elements are reserved for entrance areas and features (assisting in the architectural language of the building), which are not specific working environments for the occupants.

5.58 As the scheme is for offices only with no residential element, it is not required under Policy CS1 the South Gloucestershire Core Strategy Pre-Submission Draft March 2010, to meet a BREEAM building standard above building regulations. However the installation of renewable energy (heat pumps) and the range of other sustainable measures being included (such as passive and material energy efficiency measures, provision of cycle storage etc.) would positively contribute to meeting the objectives of BREEAM. These measures can also be seen as a '*primary indicator of good design*', as set out in Policy CS1.

5.59 Improvements Achieved to the Scheme

Improved layout. Enhanced parking provision, visibility splays and landscaping.

5.60 Section 106 Requirements

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

a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic environment to grant permission, subject to 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) to secure the following:
- i. A contribution of £8000.00p towards improvements to the public transport facilities within the area, such as subsidised bus services, improvements to bus shelters or raised kerbs.
  - ii. Prior to the commencement of development works on the site, the provision of a visibility splay of 2.4m by 67m to the right side of the Broad Lane junction with North Road, clear of any obstruction together with all associated works; and dedicate the land (fronting no.1 Broad Lane) shown cross-hatched on submitted Boreham Consulting Engineers Figure 2 (dated 3<sup>rd</sup> May 2005, appended to Waterman Boreham Transport Statement 29<sup>th</sup> April 2009).
  - iii. Prior to the first occupation of any of the approved buildings, the construction of footway facilities on Broad Lane in accordance with the details shown on the approved drawing – ‘Proposed Site Plan’ no.3418(L)005 Rev C, together with all associated works.
  - iv. Prior to the commencement of the construction phase of the development, the provision of the two new accesses (to serve the development) on Broad Lane, together with all associated works and with clear visibility splays of 2.4m x 43m on both sides of the new accesses.
  - v. A contribution at a rate of 4% of the total requirement sum for monitoring purposes. This equates to £320.00

The reasons for this agreement are:

- i. To promote alternative modes of transport other than the use of private motor cars having regard to Policy T12(F) of the South Gloucestershire Local Plan (Adopted) 6th January 2006.
- ii. In the interests of highway safety having regard to the increased traffic generation on Broad Lane to result from the development and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
- iii. To enhance pedestrian accessibility to the site and in the interests of highway safety having regard to the increased traffic generation on Broad Lane to result from the development and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
- iv. To ensure adequate and safe access to/from the site onto Broad Lane is provided, having regard to the traffic generated by the development, in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- v. To allow the Council to fully monitor the progress of the S106 Agreement.

7.2 Should the agreement not be completed within 6 months of the date of the resolution, that planning permission be refused.

(2) That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.

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

### **CONDITIONS**

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

#### Reason

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

2. All hard and soft landscape works shall be carried out in accordance with the approved landscape details shown on the approved Tree Protection Plan No. sma/460; Landscape Proposals Plan No. 459/03; Tree Pit Detail in Car Park Plan No. 459/02; and Arboricultural Method Statement, all received 8 Jan 2010. 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. Thereafter the landscaping shall be maintained in accordance with the approved Landscape Maintenance Schedule received 8 Jan 2010.

Reason

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

3. Prior to the commencement of the development hereby approved, 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 and before the first occupation of the buildings hereby approved.

Reason

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

4. The off-street car parking, cycle parking and turning facilities, shown on the Proposed Site Plan No. 2418 (L) 005 Rev C hereby approved, shall be provided before the first occupation of the buildings so approved, and thereafter retained as such and used only in conjunction with the occupation of the buildings' purpose.

Reason

To ensure the satisfactory provision of car and cycle parking, and turning facilities; in the interest of highway safety and the amenity of the area, and to accord with Policies E3, T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the first occupation of the buildings hereby approved, a Draft Green Travel Plan shall be submitted to the Local Planning Authority. Thereafter the Green Travel Plan is to be completed and agreed in writing by Council Officers within 2no. months of the first occupation of the buildings hereby approved. The Green Travel Plan shall include the agreed modal split targets, and measures to achieve them, for journeys in association with the development, together with penalties (form and quantum agreed) for not achieving those targets.

Reason

To encourage sustainable forms of transport and to reduce highway congestion in the interests of highway safety and the environment, in accordance with Policies E3, EP1 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. Prior to their first use, the car parking areas shall be surfaced with a bound material and the spaces marked out in accordance with the approved Proposed Site Plan No. 2418 (L) 005 Rev C received 5 Jan 2010 and maintained as such thereafter.

Reason

To allow adequate demarcation of the parking spaces, in accordance with Policy T8 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.

7. The hours of working on the site for the period of construction of the development hereby approved, shall be restricted to 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of

any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. No development shall commence (including clearance of vegetation) until an ecological management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include a detailed scheme of protection, mitigation and compensation measures to be incorporated within the development, including a timetable for the implementation of the scheme and for the monitoring of the impact of the development on the ecological features. The ecological management plan must include the following:

1. A slowworm mitigation strategy.
2. Management details for the on-site scrub, grassland and hedgerows.
3. A working statement relating to the identification of hedgehogs on the site and their subsequent relocation.
4. Details of the design features or nesting boxes for swifts and house sparrows.

The requirements of the management plan, shall subsequently be carried out in accordance with the approved details and timetabling.

Reason

To protect the wildlife and ecological interests of the site and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of The South Gloucestershire Core Strategy Pre-Submission Draft March 2010.

10. Prior to the installation of any plant or equipment associated with ventilation or air conditioning for either of the buildings hereby approved, full acoustic details shall be submitted to the Local Planning Authority, to show that once completed, the noise emitted from the site should not exceed the pre-development background noise, measured between the development and the nearest noise sensitive building. (Pre development background X LA90dB; Fan/Plant noise level Y\_X+0L<sub>aeq</sub> dB determined using the principles of BS4142). These details shall be agreed in writing by the Local Planning Authority and thereafter the plant/equipment shall be installed in full accordance with the details so approved.

Reason

To minimise disturbance to the occupiers of the nearest dwelling houses and to accord with Policies E3 and EP1 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2010.

11. The internal levels of noise in neighbouring residential premises shall not exceed the levels outlined below. The applicant must show compliance with this condition by means of measurement, calculation or a combination of both;
- a) 40dB Laeq 16hr in all rooms during the daytime (07.00 to 23.00) and
  - b) 30dB Laeq 8hr in all bedrooms during the night time (23.00 to 07.00).
  - c) In addition a 45dB Lmax applies to all bedrooms during the night.  
(The target levels are as measured internally with windows closed).

Reason

To minimise disturbance to the occupiers of the nearest dwelling houses and to accord with Policies E3 and EP1 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2010.

12. Prior to the first occupation of either of the buildings hereby approved, details of the lighting scheme for the site, including the car park, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the details so approved. For the avoidance of doubt, the lighting scheme should be designed and operated in accordance with the Institute of Lighting Engineers publication 'Guidance Notes For The Reduction Of Light Pollution'.

Reason

To reduce light pollution in the interests of visual amenity and to protect the amenity enjoyed by those living in the locality and to accord with Policies EP1 and E3 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.

13. The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

Reason

In order to ensure the adequate protection of archaeological remains, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. The use of the buildings, for the purpose hereby approved, shall be restricted to the hours of 07.30hrs to 19.30hrs Monday to Saturday (incl.) with no use on Sundays or Bank Holidays.

Reason

To protect the amenities of the nearest residential dwellings and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PK10/0675/LB	<b>Applicant:</b>	Monarch Assurance Plc
<b>Site:</b>	The Farm House Sands Farm Sands Hill Dyrham Chippenham	<b>Date Reg:</b>	9th April 2010
<b>Proposal:</b>	Replacement windows and doors	<b>Parish:</b>	Dyrham And Hinton Parish Council
<b>Map Ref:</b>	373955 175055	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	1st June 2010



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100023410, 2008.

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**PK10/0675/LB**

## **INTRODUCTION**

This application has been referred to the Circulated Schedule due to the receipt of an objection raised by Dyrham and Hinton Parish Council.

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking listed building consent for the installation of replacement windows and doors at The Farm House, Sands Farm, Dyrham.
- 1.2 The application property is a three storey detached Grade II listed dwelling which is located outside of the settlement boundary of Dyrham, within the open countryside. The application site is also located within the Bristol Bath Green Belt.
- 1.3 The application seeks listed building consent for the removal and replacement of the existing uPVC double glazed windows which were installed without authorisation. It should be noted that the proposal was initially described as retrospective, which is incorrect. All windows and doors proposed as part of the application apart from one door are different to the existing unauthorised uPVC windows and doors. The proposed windows are painted timber casement and the doors would be hardwood timber.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS5 Planning for the Historic Environment

### **3. RELEVANT PLANNING HISTORY**

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Dyrham and Hinton Parish Council  
Object to the proposal as the new windows are not in keeping with the area.

#### **Other Representations**

- 4.2 Local Residents  
No response received

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
PPS5 states that when considering whether to grant listed building consent for works which affect a listed building or its setting, special regard should be had to the desirability of preserving the building, or its setting, or any features of architectural or historic interest which it possesses.



The scheme could be described as part retrospective as one of the doors proposed on the application is already in situ, however in all other ways the application is not retrospective. All other existing windows and doors are different to those which are proposed under this application (although those that are in situ have been installed without consent). The majority of the windows in the house were replaced in the recent past with uPVC, a few with timber double glazed windows. Neither of these are acceptable and therefore the current application proposes timber single glazed window of an acceptable design.

In terms of the details of the new windows, it is considered that these are on the whole acceptable in principle. The majority of the original windows have dressed stone surrounds, and are flush with the stone elevations. There are other windows that have clearly been added at a later date and these are set directly in to the rubble stone. The replacement windows are proposed to be set back in reveals and have stone cills. This is a traditional method however in order to tie in with the other windows it may be better to set these flush with the wall, with a small raked mortar cill. A condition would be attached to any permission to ensure the submission and approval of the full details of the cill and reveal of those windows which do not have a dressed stone surround.

The design of the secondary doors is acceptable however there is concern that a ledged and braced door would not be appropriate as the principal front door. It is therefore recommended that the application is approved, subject to a condition to ensure the submission and approval of a detailed design of the front door.

#### 5.2 Design and Access Statement

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

#### 5.3 Improvements Achieved to the Scheme

Pre-application discussions between the applicant and the Conservation Officer have ensured the submission of an application that is acceptable in principle.

#### 5.4 Other Issues

With regard to the objections raised by Dyrham and Hinton Parish Council. It should be noted that the proposal is for the existing uPVC windows to be replaced by painted timber casement windows and the doors would be hardwood timber. As such it is considered that the proposal is a vast improvement on the existing unauthorised uPCV windows in place. Furthermore the proposal is in accordance with the recommendations of the Councils Conservation Officer.

#### 5.5 Section 106 Requirements

Not applicable

## 6. CONCLUSION

- 6.1 The decision to GRANT Listed Building consent has been taken having regard to the section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 and Government advice contained in PPS5 (Planning for the Historic Environment).

## 7. RECOMMENDATION

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

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

### 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. Prior to the commencement of development the paint colour finish of all new windows and doors shall be submitted and agreed in writing with the local planning authority.

Reason:

In order that the development serves to preserve the architectural and historic significance of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5, Planning for the Historic Environment and Historic Environment Planning Practical Guide (March 2010) and policy L13 of the Adopted South Gloucestershire Local Plan.

3. Notwithstanding previously submitted details, prior to the commencement of development, the cill and reveal of those windows which do not have a dressed stone surround, shall be submitted and approved in writing by the local planning authority.

Reason:

In order that the development serves to preserve the architectural and historic significance of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5, Planning for the Historic Environment and Historic Environment Planning Practical Guide (March 2010) and policy L13 of the Adopted South Gloucestershire Local Plan.

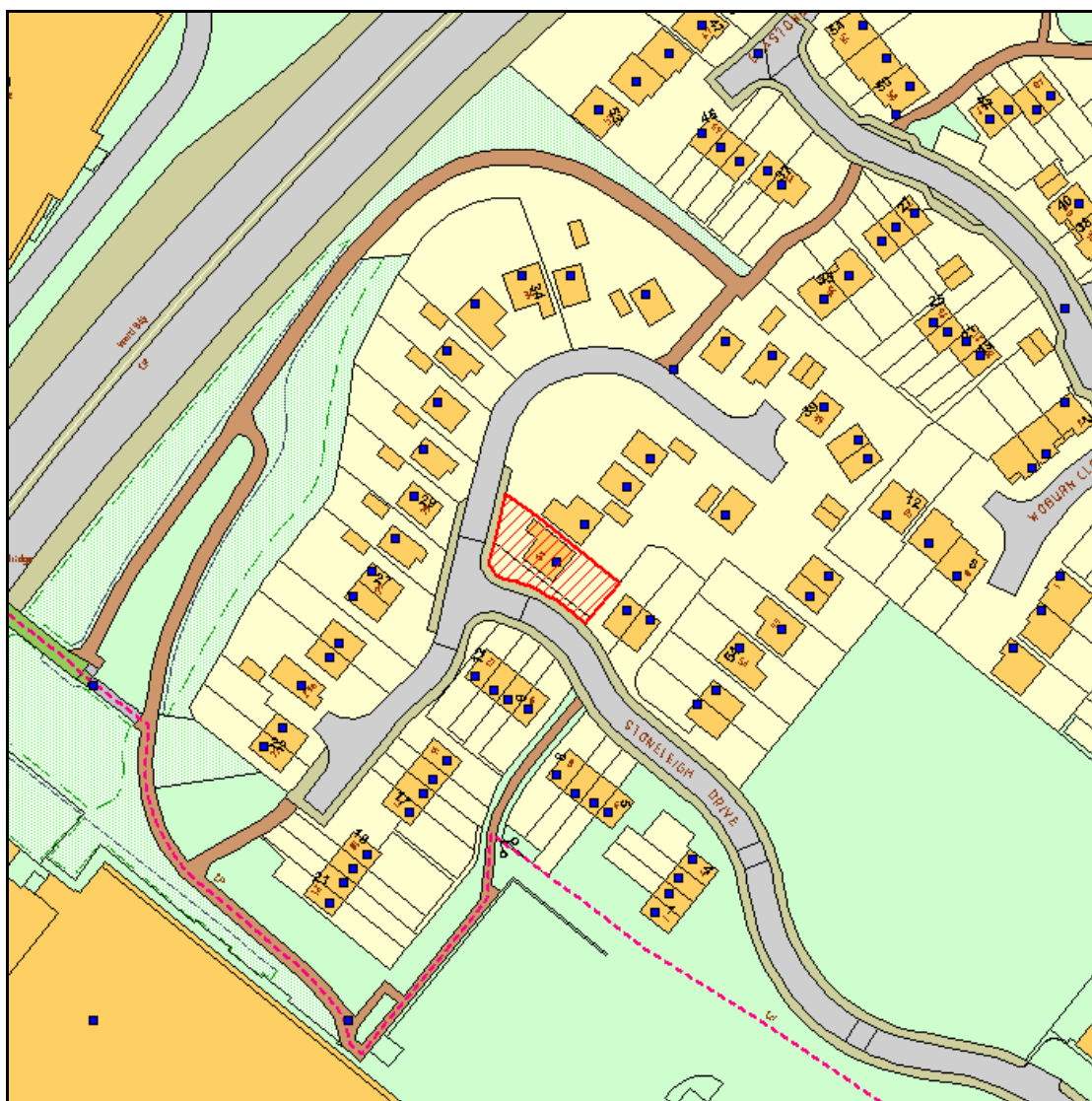
4. Notwithstanding previously submitted details, the detailed design for the front door shall be submitted and approved in writing by the local planning authority. The details submitted shall include elevation drawings and large scale section drawings.

Reason:

In order that the development serves to preserve the architectural and historic significance of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5, Planning for the Historic Environment and Historic Environment Planning Practical Guide (March 2010) and policy L13 of the Adopted South Gloucestershire Local Plan.

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PK10/0686/F	<b>Applicant:</b>	Mrs T Broderick
<b>Site:</b>	49 Stoneleigh Drive Barrs Court Bristol South Gloucestershire BS30 7BZ	<b>Date Reg:</b>	9th April 2010
<b>Proposal:</b>	Erection of single storey rear extension to form additional living accommodation. Erection of 1.8m high boundary wall.	<b>Parish:</b>	Oldland Parish Council
<b>Map Ref:</b>	365650 172371	<b>Ward:</b>	Parkwall
<b>Application Category:</b>	Householder	<b>Target Date:</b>	1st June 2010



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100023410, 2008.

**N.T.S.**

**PK10/0686/F**

## **INTRODUCTION**

This application has been referred to the Circulate Schedule due to the receipt of one letter of objection from a local resident.

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a single storey rear extension at 49 Stoneleigh Drive, Barrs Court. The proposed extension would measure 7.7 metres wide by 2.7 metres in depth and would have an overall height to ridge of 3.6 metres. In addition a small alteration to the rear boundary wall is proposed.
- 1.2 The property is a two storey detached dwelling and is located within a residential area of Oldland Common.
- 1.3 During the course of the application amended plans were requested to alter the roof of the proposal so that the impact on neighbouring property would be reduced. Given the existing neighbouring extensions in place and the orientation of the property, the applicants do not consider the amendment necessary and as such the application will be assessed as submitted.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- South Gloucestershire Core Strategy, Pre-submission Publication Draft March 2010  
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007.

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P99/4400                      Erection of rear conservatory and 1.8m rear boundary wall.  
Approved July 1999
- 3.2 PK01/2437/F                  Erection of two storey side extension to form dining area, utility room at ground floor and study and store at first floor.  
Approved October 2001

## **4. CONSULTATION RESPONSES**

### **4.1 Oldland Parish Council**

Object to the proposal on grounds of serious concerns regarding over-development in a compact residential area.

### **Other Representations**

### **4.2 Local Residents**

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

- Property has been subject to several extensions, it is considered that a further application the full width of the property, would constitute over-development.
- The property is already been subject to an extension at No.47, resulting in overbearing, an extension to the other side would result in a boxed in effect.
- Overbearing, increased as no.49 is at a higher level
- Loss of light to kitchen and patio

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

### **5.2 Design / Visual Amenity**

The applicant proposes the erection of a single storey rear extension at 49 Stoneleigh Drive. An existing rear conservatory would be demolished to facilitate the proposed works. The proposed extension is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. The extension is of modest size in comparison to the bulk of the main dwelling and is suitably subservient to it, this is especially the case given that the proposal is single storey. Furthermore, the proposed addition would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling.

Concern has been raised that the proposal is inappropriate and over development. Whilst the property does benefit from both a two storey side extension and a rear conservatory, the rear conservatory would be demolished to facilitate the works proposed. The proposal is single storey with a modest depth of 2.8 metres. Consequently it is considered that the appearance of the resultant building would be well proportioned and would remain in keeping with the scale of the surrounding dwellings within Stoneleigh drive. Furthermore it is considered that the addition of a rear extension would not harm the visual amenity of the area, as it is mostly screened by the existing boundary treatments. Overall, it is considered that the proposal would not be harmful to

the character and appearance of the principal dwelling and street scene and would not constitute as over-development of the site.

The alterations to the boundary wall are modest in scale, the wall would be of a height and design to match the existing boundary wall and would extend a further 2 metres in length. There is planting to the front of the existing wall adjacent to the pavement. Sufficient space for vegetation would remain after the proposed alterations to the wall, as such this addition is considered acceptable.

### 5.3 Residential Amenity

Concern has been raised by the neighbouring resident that the proposal would be overbearing and would result in loss of light to the rear patio area and kitchen. The proposed extension would be set 900mm from the boundary with the nearest neighbouring property No. 48 Stoneleigh Drive. The proposal would have a modest depth of 2.8 metres and a height to eaves of 2.4 metres. Whilst it is accepted that the proposal will result in a small increase in overshadowing, given the existing boundary treatments in place, combined with the depth and height of the proposal and the fact that the extension is set slightly away from the boundary with the neighbouring property, it is not considered that the extension would have any significant overshadowing or overbearing effect on the neighbouring dwellings over and above the existing situation. As such it is not considered that a refusal of the application on overbearing or overshadowing grounds could be justified or substantiated at appeal.

It is considered that there are no issues of inter-visibility or loss of privacy. Further, sufficient garden space would remain to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

### 5.4 Design and Access Statement

None submitted

### 5.5 Use of Energy and Sustainability

No additional measures proposed

### 5.6 Improvements Achieved to the Scheme

None required

### 5.7 Section 106 Requirements

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

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed extension is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. Furthermore the extension would not significantly harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. As such the proposal accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

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

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

## **CONDITIONS**

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

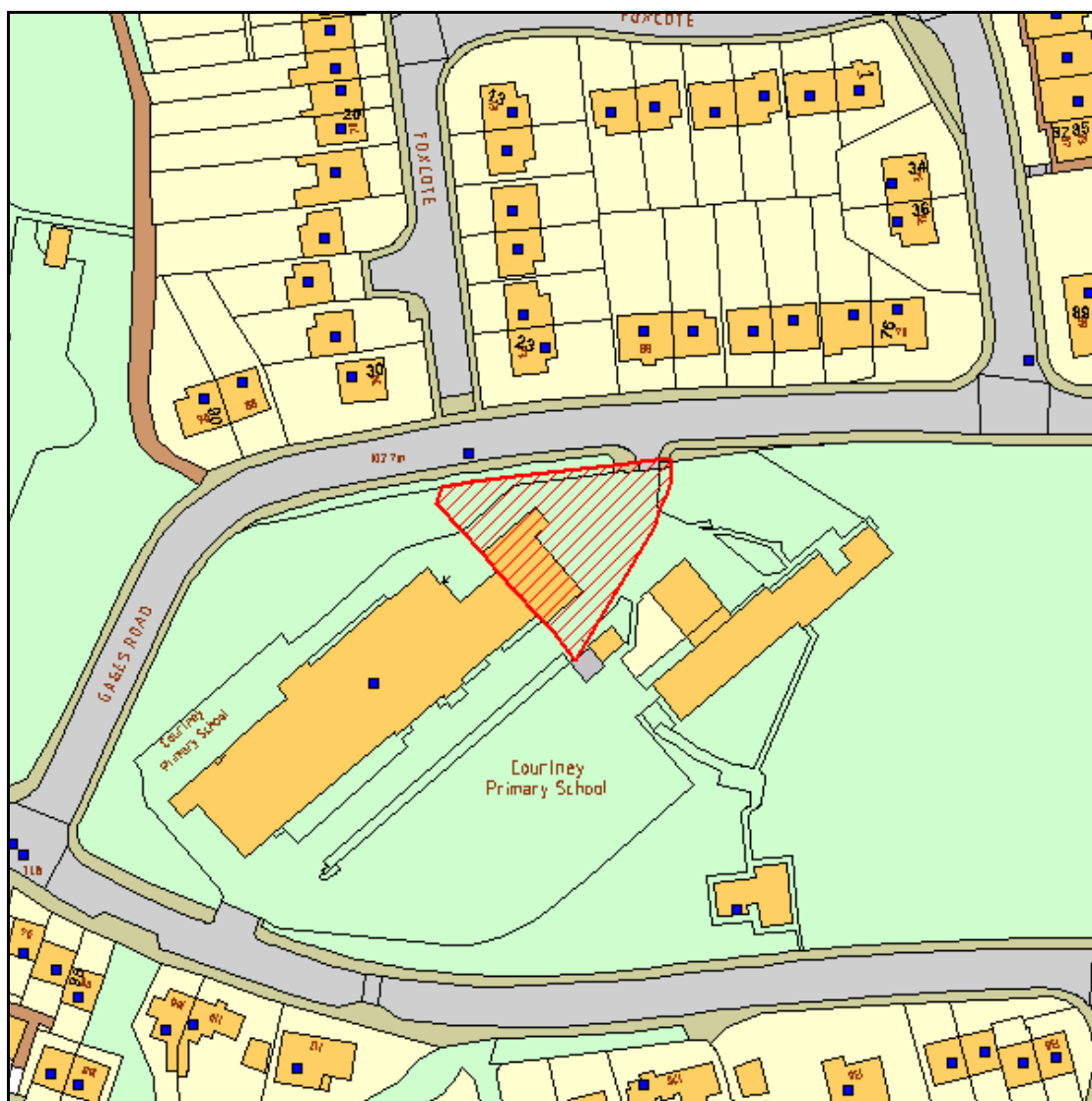
Reason

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



**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PK10/0714/R3F	<b>Applicant:</b>	The Wessex Reserve Forces And Cadets Association
<b>Site:</b>	Courtney Primary School Courtney Road Kingswood Bristol South Gloucestershire	<b>Date Reg:</b>	6th April 2010
<b>Proposal:</b>	Erection of single storey building for use by a pre-school group and the Air Training Corps.	<b>Parish:</b>	None
<b>Map Ref:</b>	365520 173224	<b>Ward:</b>	Woodstock
<b>Application Category:</b>	Minor	<b>Target Date:</b>	24th May 2010



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 100023410, 2008. **N.T.S.** **PK10/0714/R3F**

## **INTRODUCTION**

This application appears on the circulated schedule in accordance with correct procedure, as the applicant is South Gloucestershire Council itself.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the construction of a new building for use as a pre-school nursery and by the Air Training Corps (ATC). There is an existing building on the site that would be demolished to make way for the new building as proposed. Boundary fencing to ensure site safety is also proposed.
- 1.2 The site comprises a small parcel of land within the larger Courtney Primary School complex all owned by South Gloucestershire Council. The site as a whole consists of a triangular shaped wedge on which a new Primary School is under construction and a new special school has received planning consent to start construction shortly. This application relates to a small piece of land within this larger complex.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG17 Planning for open space, sport and recreation

- 2.2 Development Plans

South Gloucestershire Core Strategy – Pre-Submission Publication Draft  
SC1 Design

South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
L1 Landscape Protection and Enhancement  
LC4 Proposals for Community and Education Facilities  
T8 Parking standards  
T12 Transportation Development Control

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK09/6022/R3F Erection of new 15 place BESD special primary school with associated works. Erection of 3m high boundary fence and gates.  
Approved February 2010

- 3.2 PK08/2561/R3F Erection of replacement primary school (7 classrooms) on existing site with new access and associated works. Erection of 2.4m high perimeter fence.  
Approved September 2008

#### 4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council  
The area is un-parished

- 4.2 Other Consultees  
  
Highway Officers  
No objection

#### Other Representations

- 4.3 Local Residents  
None Received

#### 5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development  
Policy LC4 of the South Gloucestershire Local Plan (Adopted) relates to the expansion of education and community facilities within the existing urban area. Policy D1 seeks to ensure that new design is appropriate and respects and enhances the site and the locality. Policies T8 and T12 relate to parking and seek to ensure that new development will not have any adverse impact upon existing levels of highway safety. Policy LC4 states that proposals for education facilities within the urban area will be permitted provided the following criteria are satisfied:

- 5.2 **A. Proposals are located on sites which are highly accessible on foot and by bicycle;** and

The site is located in the centre of a densely populated residential area with many dwellings within easy walking/cycling distance of the building. This criterion is therefore complied with.

- 5.3 **B. Development would not unacceptably prejudice residential amenities;** and

There is an existing building on the site that is used as a pre-school nursery. This existing building is to be demolished to make way for the new building subject of this application. The Air Training Corps are also located in a Pratten Hut on the existing Courtney school site. As the proposed new building will accommodate existing uses it is not considered that any new issues of noise or disruption will result for occupiers of neighbouring dwellings.

The proposed new building will be single storey in height although due to changes in site level, the eaves height will be 3.7 metres high in certain locations. Given the fact that the nearest neighbouring dwelling is on the opposite site of Gages Road, and the existing boundary hedge is to be

retained, the new building will not result in any issues of overbearing or overshadowing from neighbouring properties.

5.4 **C. Development would not have unacceptable environmental or transportation effects;** and

5.5 The proposal will have no adverse environmental effects. As mentioned previously, the existing uses coexist without causing unacceptable annoyance to the neighbouring residential properties. This existing situation is expected to continue. Other than some disturbance during the construction period, there will be no adverse impact of noise, dust, fumes or vibration as a result of the proposed development. The Councils highway engineer has been consulted regarding the proposals and raises no objection to the new building. Transportation issues are discussed in more details in section 5.6 below.

5.6 **D. Development would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area and highway safety.**

The site is served by good public transport connections. At present, the ATC cadets arrive by bus, foot or bicycle or are dropped off by parents. ATC instructors have arrangements with the new primary school under construction for use of their car park out of hours to park their cars. Access between the two sites is provided by a path and steps secured by a lockable gate.

Pre-school children are dropped off by their parents. Pre-school staff currently arrive by car and park on the road and they will continue to do this. The proposed new building will not therefore impact upon existing highway and parking situations as they will continue to operate as per the existing situation. In light of the above there are no highway objections to the proposal and the applications complied with the requirements of LC4, T8, T7 and T12 of the South Gloucestershire Local Plan (Adopted).

5.7 Design

The existing building on the site does not offer any significant or positive contribution to the street scene or character of the area. The proposed new building has been designed to compliment the adjoining school buildings recently approved planning permission. The building will be of traditional construction finished with face brick and a pitched roof - similar to the residential properties in the surrounding area. Although the building subject of this application will appear visually different to the recently approved school buildings, the use of similar materials will ensure a degree of visual integration. The design of the proposed new building is therefore considered to be acceptable and will integrate appropriately with the surrounding street scene.

5.8 Fencing

The application seeks consent for the erection of security fencing around the perimeter of the site. The new fencing will match that recently approved on the neighbouring school sites and is required in the interests of site safety. The fence will be largely screened from the public highway by the existing boundary hedge reducing its visual impact on the street scene.

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. The statement is thorough and comprehensive and fully explains the reasoning behind the design and layout of the scheme.

5.10 Use of Energy and Sustainability

The design and access statement confirms that a number of energy conservation measures have been included within the scheme and BREEAM measurement of 'excellent' is included within the brief.

5.11 Improvements Achieved to the Scheme

None required.

5.12 Section 106 Requirements

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

**6. CONCLUSION**

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

6.2 The proposed building is suitable for its setting and is of a good design that will enhance the street scene and character of the area. The proposed new building is to have a single storey only and will be separated from the nearest residential properties by the road and the boundary hedge. Existing levels of residential amenity are protected through the development. The site is located in a densely populated residential area with many dwellings within easy walking/cycling distance. The proposal does not include any on site parking but this is the same as the existing situation and therefore no issues of highway safety will arise as a result of the proposal. As the proposed new building is simply to re-accommodate existing facilities on site, there will be no change to the existing parking situation.

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

## **7. RECOMMENDATION**

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

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

### **CONDITIONS**

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

Reason

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

2. Prior to the commencement of development details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies D1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

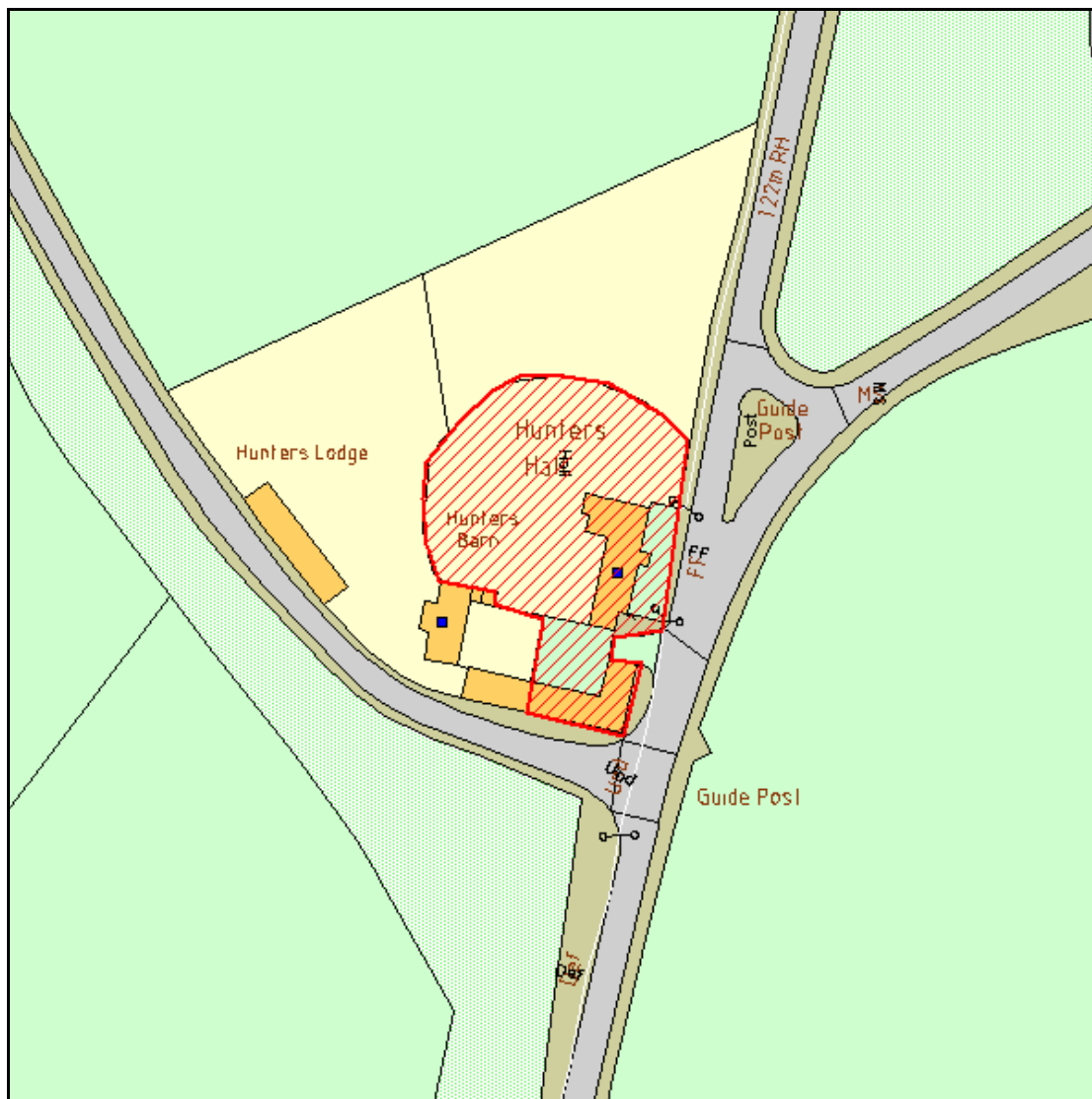
3. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning 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 L17 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PK10/0757/F	<b>Applicant:</b>	Mr And Mrs Alcott
<b>Site:</b>	Hunters Hall Ashwicke Road Marshfield Chippenham South Gloucestershire	<b>Date Reg:</b>	7th April 2010
<b>Proposal:</b>	Erection of single storey rear extension to provide additional living accommodation.	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>		<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Householder	<b>Target Date:</b>	26th May 2010



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 100023410, 2008. **N.T.S.** **PK10/0757/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a single storey rear extension at Hunters Hall, Ashwicke. The proposed extension would measure 5.6 metres wide by 2.5 metres in depth and would have an overall height to ridge of 4.7 metres.
- 1.2 The property is a substantial Grade II listed, three storey detached dwelling located within the open countryside. The application property is located within the Bristol bath Green Belt and within the Cotswold Area of Outstanding Natural Beauty.
- 1.3 During the course of the application amended plans were received reducing the level of glazing, the number of rooflights and addressing the importance of the existing well.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG2 Green Belt  
PPS5 Planning for the Historic Environment
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
L2 Cotswold Area of Outstanding Natural Beauty  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
GB1 Development in the Green Belt  
L13 Listed Buildings  
  
South Gloucestershire Core Strategy, Pre-submission Publication Draft March 2010  
CS1 High Quality Design  
CS9 Environmental Resources and Built Heritage
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007.

### **3. RELEVANT PLANNING HISTORY**

- 3.1 Pk06/2049/F Conversion of barn to form residential ancillary accommodation.  
Approved November 2006



- 3.2 PK06/2128/LB Internal and external alterations to facilitate the conversion of barn to residential ancillary accommodation.  
Approved November 2006

#### 4. **CONSULTATION RESPONSES**

- 4.1 Marshfield Parish Council  
No objections

##### **Other Representations**

- 4.2 Local Residents  
One letter of objection has been received from a local resident raising the following concerns.
- The proposed glazed modern conservatory form would be an alien feature to the detriment of the special architectural and historic interest of the host dwelling
  - The introduction of rooflights would interfere with the simple roof forms of the building
  - The existence of significant areas of glazing on buildings surrounding Hunters Hall should not be considered as justification for similar detailing on the main listed building.

#### 5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space. The application site is also located within the Bristol Bath Green Belt, as such the proposal would need to meet the criteria set out in Policy GB1
- 5.2 Design / Visual Amenity  
Hunters Hall is a substantial stone building, of three storeys. The main building is of a single depth plan of long linear form, and with a pitched slate roof with coped and raised verges. The windows to the front elevation are a combination of 2 and 3 light casements. The rear elevation contains just one historic mullion and transom cross window, with all others having been replaced with modern casements. The rear extension is of single storey, and of an unusually wide gable width. This addition does appear on the nineteenth century map however, and is clearly historic. It is considered that the proposed extension is of modest size in comparison to the bulk of the main dwelling and is suitably subservient to it, this is especially the case given the modest depth and simple design. The proposed extension would be located to the rear of the dwelling and would not be highly visible from the public realm. Concern has been raised

by a local resident that the level of glazing proposed is inappropriate, the level of glazing has been significantly reduced in the revised scheme, consequently the visual prominence of the proposal has been reduced and the proposal is considered to be in keeping with the main dwelling. Overall it is considered that the proposal would not be harmful to the character and appearance of the principal dwelling or the visual amenity of the area.

### 5.3 Residential Amenity

Given the location of the application property set away from any neighbouring residential properties, in combination with the siting of the proposal and the existing boundary treatments in place, it is not considered that the extension would have any overshadowing or overbearing effect on the neighbouring dwellings.

It is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

### 5.4 Green Belt Issues

The application site lies within the designated Green Belt, where proposals for extensions must not result in 'disproportionate additions' over and above the size of the original dwelling and would not compromise the 'openness' of the Green Belt. As a general rule of thumb Council guidelines advise that extensions should not increase the original size of a dwelling by any more than 30%. In addition to the impact the proposed side conservatory would have on the openness of the green belt on its own, regard must also be had for other works that have taken place. In order to avoid the cumulative effect of several modest extensions resulting in a disproportionate enlargement of the dwelling, the presence of any existing extensions must be taken into account.

The proposed extension would have a volume of approximately 47 cubic metres. This is modest in scale in comparison to the bulk of the main dwelling and would not increase the size of the original dwelling by 30% or more.

Given the location of the proposed extension within the curtilage of the dwelling and screened by the existing boundary treatments, it is not considered that the proposed extension would have a detrimental impact on the openness or visual amenity of the Green Belt. As such the proposal is in accordance with the guidance set out in PPG2 and policy GB1

### 5.5 Listed Building Implications

The list description describes the building as early-mid eighteenth century, although the design and access statement refers to the building having sixteenth century origins. The building is known to have been a coaching inn at one time.

In terms of the design and form of the extension proposed it is considered that the scale of Hunters Hall is such that the relatively modest extension proposed would not erode the special character of the building, subject to detailed design.

The well, which it is now known to be historic, will be retained and access maintained as part of the development, thereby retaining this historic feature. The detailed design of the construction of the extension and access to the well will be conditioned to ensure it is acceptable. Furthermore the replacement of the existing flue with a more discreet one is beneficial.

In terms of the design of the extension the level of glazing within the new extension has been reduced. It is considered that it is acceptable for the new extension to be dealt with in a more lightweight manner, distinct from the original building, however it is considered that the revised design will integrate more satisfactorily with the host building, and will enable the stone removed from the gable elevation to be re-used. Because the proposal has been revised, and the existing roof is being retained, some of the large scale details which were originally submitted (drawing 1539 AO1) will no longer apply, however a condition would be attached to the listed building consent to ensure the detailing is of an appropriate standard. On the basis of the revised submissions (drawing numbers **1539 P12B** & **1539 P11B**, submitted on the 12<sup>th</sup> May and the revised heritage statement) the application is considered acceptable subject to the attachment of conditions to ensure the detailed design of the proposal.

#### 5.6 Design and Access Statement

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

#### 5.7 Use of Energy and Sustainability

No additional measures proposed

#### 5.8 Improvements Achieved to the Scheme

The application site has been subject to several pre-application discussions, however the submitted scheme was not drawn up and submitted for comments prior to submission. During the course of the application amended plans were received reducing the level of glazing, the number of rooflights and addressing the importance of the existing well.

#### 5.9 Section 106 Requirements

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

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed extension is of an appropriate standard in design and reflects the character of the main dwelling house. Furthermore the extension would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. As such the proposal accords with Policies D1, L13 and H4 of the South Gloucestershire Local Plan (Adopted) 2006. The proposal is a proportionate addition and would not harm the openness or visual amenity of the Green Belt in accordance with PPG2 and policy GB1
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

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

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

## **CONDITIONS**

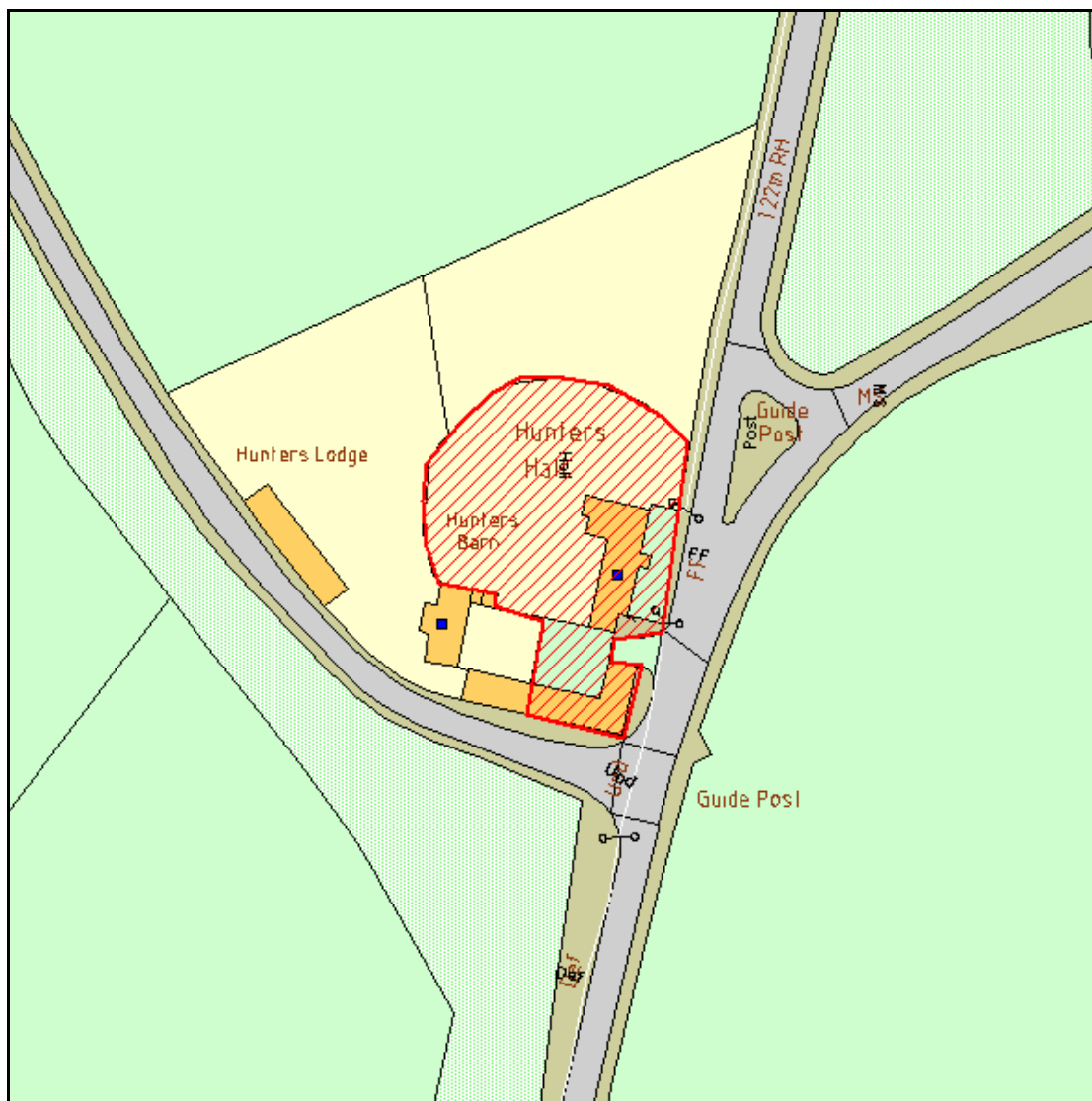
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PK10/0776/LB	<b>Applicant:</b>	Mr And Mrs G Alcott
<b>Site:</b>	Hunters Hall Ashwicke Road Marshfield Chippenham South Gloucestershire	<b>Date Reg:</b>	7th April 2010
<b>Proposal:</b>	Erection of single storey rear extension.	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>	379738 170662	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	26th May 2010



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 100023410, 2008. **N.T.S.** **PK10/0776/LB**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a single storey rear extension at Hunters Hall, Ashwicke. The proposed extension would measure 5.6 metres wide by 2.5 metres in depth and would have an overall height to ridge of 4.7 metres.
- 1.2 The property is a substantial Grade II listed, three storey detached dwelling located within the open countryside. The application property is located within the Bristol Bath Green Belt and within the Cotswold Area of Outstanding Natural Beauty.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS5 Planning for the Historic Environment

### **3. RELEVANT PLANNING HISTORY**

- 3.1 Pk06/2049/F Conversion of barn to form residential ancillary accommodation.  
Approved November 2006
- 3.2 PK06/2128/LB Internal and external alterations to facilitate the conversion of barn to residential ancillary accommodation.  
Approved November 2006

### **4. CONSULTATION RESPONSES**

- 4.1 Marshfield Parish Council  
No objections

#### **Other Representations**

- 4.2 Local Residents  
One letter of objection has been received from a local resident raising the following concerns.
- The proposed glazed modern conservatory form would be an alien feature to the detriment of the special architectural and historic interest of the host dwelling
  - The introduction of rooflights would interfere with the simple roof forms of the building

- The existence of significant areas of glazing on buildings surrounding Hunters Hall should not be considered as justification for similar detailing on the main listed building.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

PPS5 states that when considering whether to grant listed building consent for works which affect a listed building or its setting, special regard should be had to the desirability of preserving the building, or its setting, or any features of architectural or historic interest which it possesses.

- 5.2 Hunters Hall is a substantial stone building, of three storeys. The main building is of a single depth plan of long linear form, and with a pitched slate roof with coped and raised verges. The windows to the front elevation are a combination of 2 and 3 light casements. The rear elevation contains just one historic mullion and transom cross window, with all others having been replaced with modern casements. The rear extension is of single storey, and of an unusually wide gable width. This addition does appear on the nineteenth century map however, and is clearly historic. The list description describes the building as early-mid eighteenth century, although the design and access statement refers to the building having sixteenth century origins. The building is known to have been a coaching inn at one time.

In terms of the design and form of the extension proposed it is considered that the scale of Hunters Hall is such that the relatively modest extension proposed would not erode the special character of the building, subject to detailed design.

The well, which it is now known to be historic, will be retained and access maintained as part of the development, thereby retaining this historic feature. The detailed design of the construction of the extension and access to the well will be conditioned to ensure it is acceptable. Furthermore the replacement of the existing flue with a more discreet one is beneficial.

In terms of the design of the extension the level of glazing within the new extension has been reduced. It is considered that it is acceptable for the new extension to be dealt with in a more lightweight manner, distinct from the original building, however it is considered that the revised design will integrate more satisfactorily with the host building, and will enable the stone removed from the gable elevation to be re-used. Because the proposal has been revised, and the existing roof is being retained, some of the large scale details which were originally submitted (drawing 1539 AO1) will no longer apply, however a condition would be attached to the listed building consent to ensure the detailing is of an appropriate standard. On the basis of the revised submissions (drawing numbers **1539 P12B** & **1539 P11B**, submitted on the 12<sup>th</sup> May and the revised heritage statement) the application is considered acceptable subject to the attachment of conditions to ensure the detailed design of the proposal

### 5.3 Other Issues

Concern has been raised by a local resident that the level of glazing proposed is inappropriate. The level of glazing has been significantly reduced in the revised scheme, consequently the visual prominence of the proposal has been reduced and the proposal is considered to be in keeping with the main dwelling.

### 5.4 Use of Energy and Sustainability

No additional measures proposed

### 5.5 Improvements Achieved to the Scheme

The application site has been subject to several pre-application discussions, however the submitted scheme was not drawn up and submitted for comments prior to submission. During the course of the application amended plans were received reducing the level of glazing, the number of rooflights and addressing the importance of the existing well.

### 5.6 Section 106 Requirements

Not applicable

## 6. CONCLUSION

- 6.1 In The decision to GRANT Listed Building consent has been taken having regard to the section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 and Government advice contained in PPS5 (Planning for the Historic Environment).

## 7. RECOMMENDATION

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

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

## 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. Prior to the commencement of development a sample panel of the rebuilt stone facing walling of at least one metre square (to be built extending from the existing walling) showing the stone, mortar, coursing 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.



Reason:

In order that the detailed design of the development is of an appropriate quality and serves to preserve the architectural and historic significance of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and policy L13 of the Adopted South Gloucestershire Local Plan.

3. Prior to the commencement of development details of all structural alterations and repairs to the existing roof structure, including materials, shall be submitted and approved in writing by the local planning authority.

Reason:

In order that the detailed design of the development is of an appropriate quality and serves to preserve the architectural and historic significance of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and policy L13 of the Adopted South Gloucestershire Local Plan.

4. Notwithstanding previously submitted details, prior to the commencement of development the detailed design of the following items, including materials and finishes, shall be submitted and approved in writing by the local planning authority.
  - a. all new windows (including cill and head details).
  - b. rooflight
  - c. oak framed fixed framed glazing
  - d. all new doors
  - e. eaves, verges and ridges
  - f. rainwater goods
  - g. new flue

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with cross sections.

Reason:

In order that the detailed design of the development is of an appropriate quality and serves to preserve the architectural and historic significance of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and policy L13 of the Adopted South Gloucestershire Local Plan.

5. Notwithstanding previously submitted details, and prior to the commencement of development details of all alterations and repairs to the well, for which consent is expressly reserved, shall be submitted and approved in writing by the local planning authority.

Reason:

In order that the detailed design of the development is of an appropriate quality and serves to preserve the architectural and historic significance of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and policy L13 of the Adopted South Gloucestershire Local Plan.

6. Notwithstanding previously submitted details, and prior to the commencement of development full design details of the construction, including materials and finishes, of the protective covering and access to the well structure, shall be submitted and approved in writing by the local planning authority.

Reason:

In order that the detailed design of the development is of an appropriate quality and serves to preserve the architectural and historic significance of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and policy L13 of the Adopted South Gloucestershire Local Plan.

7. Prior to the commencement of development details of the wall, floor and ceiling (including timbers) finishes shall be submitted and approved in writing by the local planning authority.

Reason:

In order that the detailed design of the development is of an appropriate quality and serves to preserve the architectural and historic significance of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and policy L13 of the Adopted South Gloucestershire Local Plan.

8. Prior to the commencement of development a representative sample of natural roofing slate shall be submitted and approved in writing by the local planning authority.

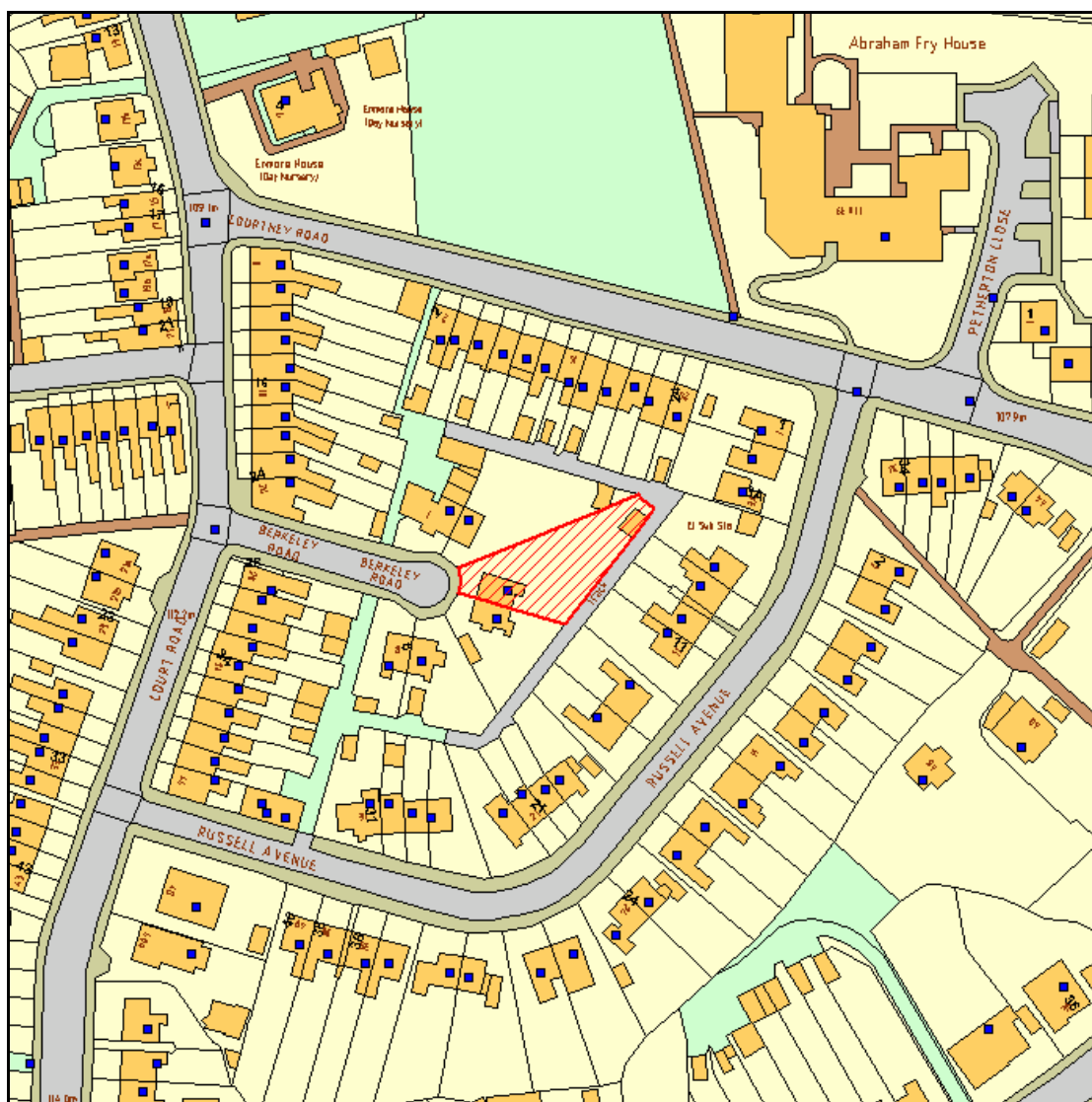
Reason:

In order that the detailed design of the development is of an appropriate quality and serves to preserve the architectural and historic significance of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and policy L13 of the Adopted South Gloucestershire Local Plan.

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

**App No.:** PK10/0798/F  
**Site:** 3 Berkeley Road Kingswood Bristol  
 South Gloucestershire BS15 9QE  
**Proposal:** Erection of detached bungalow with  
 associated works  
**Map Ref:** 365036 173249  
**Application** Minor  
**Category:**

**Applicant:** Mr J Nelson  
**Date Reg:** 13th April 2010  
**Parish:**  
**Ward:** Woodstock  
**Target** 1st June 2010  
**Date:**



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## **INTRODUCTION**

This application has been forwarded to the Council's Circulated Schedule of applications for Member consideration as representations have been received which present views contrary to the Officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application site is situated within a predominantly residential suburb of Kingswood. The site is bounded by residential development to the north and south, with an unused access track at the rear and vehicular access onto Berkeley Road to the west. The site comprises a 1930's two storey semi detached dwelling with large garden at the rear which tapers off to a point to the east with a detached single garage in the east corner. An unmade track runs between the side elevation of the house and the north boundary of the site providing vehicular access from Berkeley Road to the rear of the site.

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

- 1.2 This full application proposes erection of detached two bedroom bungalow with associated parking, turning and access.

### **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  
T8 Parking standards  
T12 Transportation for new development  
H4 Development within existing residential curtilages

South Gloucestershire Core Strategy, Pre-submission Publication Draft March 2010

CS1 High Quality Design

- 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P99/4684  
Erection of 1 No. dwelling (outline) at  
no.2 Berkeley Road  
Refused 17.12.1999

## 4. **CONSULTATION RESPONSES**

### 4.1 Consultees

Sustainable transport – No objection, subject to condition

### **Other Representations**

### 4.3 Local Residents

3 letters of objection received from the occupiers of 2, 5 and 6 Berkeley Road raising the following concerns:

The existing severe on street parking problems on Berkeley Road would be exacerbated; Over development of a cramped site; the access track at the rear of the houses on Berkeley Road is substandard; the proposed development would result in further aggravation of congestion and obstruction to emergency and service vehicles; issues with right of access to the rear lane; existing foul drainage disposal problems between nos 2 and 3 would be increased; planning permission was refused for a similar development at no.2 (P99/4684); overlooking of no.2.

One letter of support received from the occupiers of 4 Berkeley Road.

## 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 including new dwellings, providing that the design is acceptable, there are no material highway safety implications and that there is no unacceptable impact on residential and visual amenity.

### 5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. Berkeley Road is an entirely residential cul de sac, typified by mid 20<sup>th</sup> Century semi detached dwellings with a variety of rendered finishes. The proposal is to erect a detached two bedroom bungalow in the rear garden of no.3 behind the street frontage. The dwelling would be visible from public views only through the existing access at the side of no.3. The proposal would be well screened from all other public vantage points. Due to its lack of visual prominence and position behind the existing street frontage, a bungalow dwelling type would not be considered out of character in principle. The design and materials would be of good quality using red brick and render with double Roman roof tiles, typical of and in keeping with the character, distinctiveness and amenity of the surrounding area. The application site contains a large ungrassed open garden area. A condition is recommended for a landscape scheme to be submitted which would further enhance the site which at present does not positively contribute to the visual amenity of the street. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

### 5.3 Residential amenity

A band of tall trees/hedges runs along the rear (east) boundary of the site. This band of trees provides a screen from the rear gardens of the houses to the east which would be positioned more than 10m from the proposal. The proposal would provide a single storey building only. As such the proposal would not result in any significant loss of amenity to the occupiers of the dwellings to the east. The application site is situated at a slightly higher ground level than the rear garden of no.2 immediately to the north and the ground level falls further to the dwellings to the north on Courtney Road. The only window on the north (side) elevation of the proposed dwelling would be obscurely glazed. A condition is also attached to retain control of this. The rear windows of the proposal would be sufficient distance from the dwellings to the north and the front windows would be screened from no.2 by existing hedges and trees on the west side of the north boundary.

The proposed dwelling would measure 9.5m in width on the north elevation, 2.4m to eaves and 4.5m to ridge. The dwelling would be situated less than 0.5m from the north boundary with no.2 and the rear garden of no.2 is situated at a lower ground level. The dwelling would be situated a significant distance (17m) from no.2 itself and although situated close to the boundary the proposal would be situated some distance from the patio and conservatory of no.2.

The resultant garden for the existing dwelling at no.3 would be more than 10m long and 5m wide. This is considered to be acceptable for a three bedroom family dwelling. The garden for the proposed dwelling would broadly measure 7m length by more than 6m width. This is considered to be ample for a two bedroom bungalow. Considering all of the above factors the proposal would result in no significant loss of amenity to the adjacent occupiers.

### 5.4 Highway matters

The proposal would incorporate off street parking for 4 vehicles within the site. The proposal would therefore meet the Council's adopted parking standard as stated in policy T8 of the adopted Local Plan. An adequate turning area would be provided within the site so cars could access and egress in a forward gear. The proposed access would be of sufficient width for vehicles to manoeuvre. The proposal is therefore considered to be acceptable in highway safety terms

A similar planning application for a detached single dwelling in outline was refused in 1999 at the adjacent site no.2. The application proposed a vehicular access via the rear track. The application was refused as the access track was considered to be substandard by reason of its narrow width, poor surfacing, lack of footway and inadequate forward visibility. Additionally, it was considered that the proposal would inevitably lead to on street parking as access to the rear by the service track at the rear would make parking off street very awkward. This application proposes access via the front of the site only and the access, turning and parking are all considered to be acceptable as explained above. Approving the proposal therefore would not be in conflict with decision P99/4684.

## 5.5 Drainage

The applicant proposes a new and separate foul drainage connection to the main infrastructure. As such the existing issues related to sewage blockages between nos 2 and 3 would not be further affected. A condition is recommended for details of the proposed drainage to be submitted for approval and implemented in full. The proposal is therefore considered to be acceptable in foul drainage terms.

## 5.6 Design and Access Statement

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

## 5.7 Use of Energy and Sustainability

The proposal would use good quality modern materials and would be of good quality construction. Situated walking distance to local amenities and close to public transport routes the proposal is considered to represent an energy efficient and sustainable form of development.

## 5.8 Improvements Achieved to the Scheme

Officers negotiated a reduction in the original dwelling size and scale at pre application stage.

## 5.9 Section 106 Requirements

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

## 6. **CONCLUSION**

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report. A summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.

- a) Due to its single storey scale and position in relation to the adjacent dwellings, the proposed development is considered not to give rise to a material loss of amenity to the adjacent occupiers, subject to condition. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) It has been assessed that the proposed dwelling has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.
- c) The proposal would provide adequate parking, turning and accessibility within the site which would result in no significant highway safety implications. The development therefore accords to Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

## **7. RECOMMENDATION**

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

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

### **CONDITIONS**

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

Reason

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

2. Prior to the commencement of development details or samples of the roofing and external facing materials (brick and render) proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

3. 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 Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No development shall commence until details of the proposed means of drainage disposal from the new dwelling have been first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

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

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

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.

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

To protect the character and appearance of the area to accord with 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

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

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

Reason

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

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PK10/0900/F	<b>Applicant:</b>	Mr W Smith
<b>Site:</b>	16 Blanchards Chipping Sodbury South Gloucestershire BS37 6LJ	<b>Date Reg:</b>	21st April 2010
<b>Proposal:</b>	Erection of single storey side extension to provide additional living accommodation.	<b>Parish:</b>	Sodbury Parish Council
<b>Map Ref:</b>	373504 181716	<b>Ward:</b>	Chipping Sodbury
<b>Application Category:</b>	Householder	<b>Target Date:</b>	11th June 2010



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 100023410, 2008. **N.T.S.** **PK10/0900/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a single storey extension to the side of the existing dwelling. The works include the demolition of an existing side extension and the erection of a smaller side extension in its place.
- 1.2 The plans also show the construction of other alterations to the dwelling – namely two rear dormer windows, a single storey rear extension and a detached quadruple garage in the rear garden. All of these elements however can be erected under permitted development rights and therefore do not require the benefit of planning permission. Whilst these elements are all shown on the submitted plans they are not for consideration as part of this application.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 Delivering Sustainable Development
- 2.2 Development Plans  
  
South Gloucestershire Core Strategy – Pre-Submission Publication Draft  
CS1 Design  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007

### **3. RELEVANT PLANNING HISTORY**

- 3.1 No history

### **4. CONSULTATION RESPONSES**

- 4.1 Sodbury Town Council  
No Objection
- 4.2 Sustainable Transport  
Note that the number of parking spaces proposed is in excess of the Councils maximum parking standards.

#### **Other Representations**

- 4.3 Local Residents

One letter of objection has been received from a local resident. The resident is concerned about the number of garages being proposed and feels that the increased number of cars would put pedestrians and other vehicles at risk. The resident also states that they would object to any change of use from residential to business use for the hiring of wedding cars.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met. Policy T8 advises of maximum parking standards and Policy T12 seeks to ensure that new development has no adverse impact upon existing levels of highway safety.

### 5.2 Design/ Visual Amenity

The proposed side extension meets an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. The materials and detailing match those of the original property ensuring that the extension blends in with the original property in visual amenity terms. The existing extension to be demolished with its flat roof does not contribute positively to the street scene and therefore there is no objection to its removal. It is evident that attention has been paid to the proposed conversion and extension to ensure that the design is sympathetic to the existing dwelling and that the street scene is respected.

### 5.3 Residential Amenity

The proposed extension will have no impact upon levels of amenity for neighbouring occupiers. The extension will be to the side of the house facing towards the public highway – it will be no closer to neighbouring dwellings than the existing house and therefore will have no detrimental impact upon them.

It is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. The impact on residential amenity is subsequently deemed acceptable.

### 5.4 Transportation

Whilst the plans show the provision of a quadruple garage and that this is in excess of the Council's maximum parking standards, planning permission is not required for its construction. As shown on the revised plans received by the Council on 12<sup>th</sup> May 2010, the garage complies with the requirements of the General Permitted Development Order (As Amended) and can therefore be constructed at any time without the need for planning approval. The garage is only shown on the plans in the interests of completeness – there is no requirement for the applicant to include these details on the plans. An informative will be attached to remind the applicant that the garage is only permitted development if it is to be used incidentally to the occupation of the main dwelling. However, as the garage is Permitted development no objection is raised on this basis.

5.5 Use of Energy and Sustainability  
None above building regulations statutory minima.

5.6 Improvements Achieved to the Scheme  
None required.

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

## 6. CONCLUSION

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

The proposed extension demonstrates a good standard of design that reflects and enhances the character of the original dwelling. Attention has been paid to the detail of the extension through the use of appropriate materials and roof detailing to ensure the extension is appropriate for its setting and compliments the existing dwelling and neighbouring properties. By virtue of the location of the extension within the curtilage of the plot, the existing levels of residential amenity afforded to neighbouring properties is protected.

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

## 7. RECOMMENDATION

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

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

### CONDITIONS

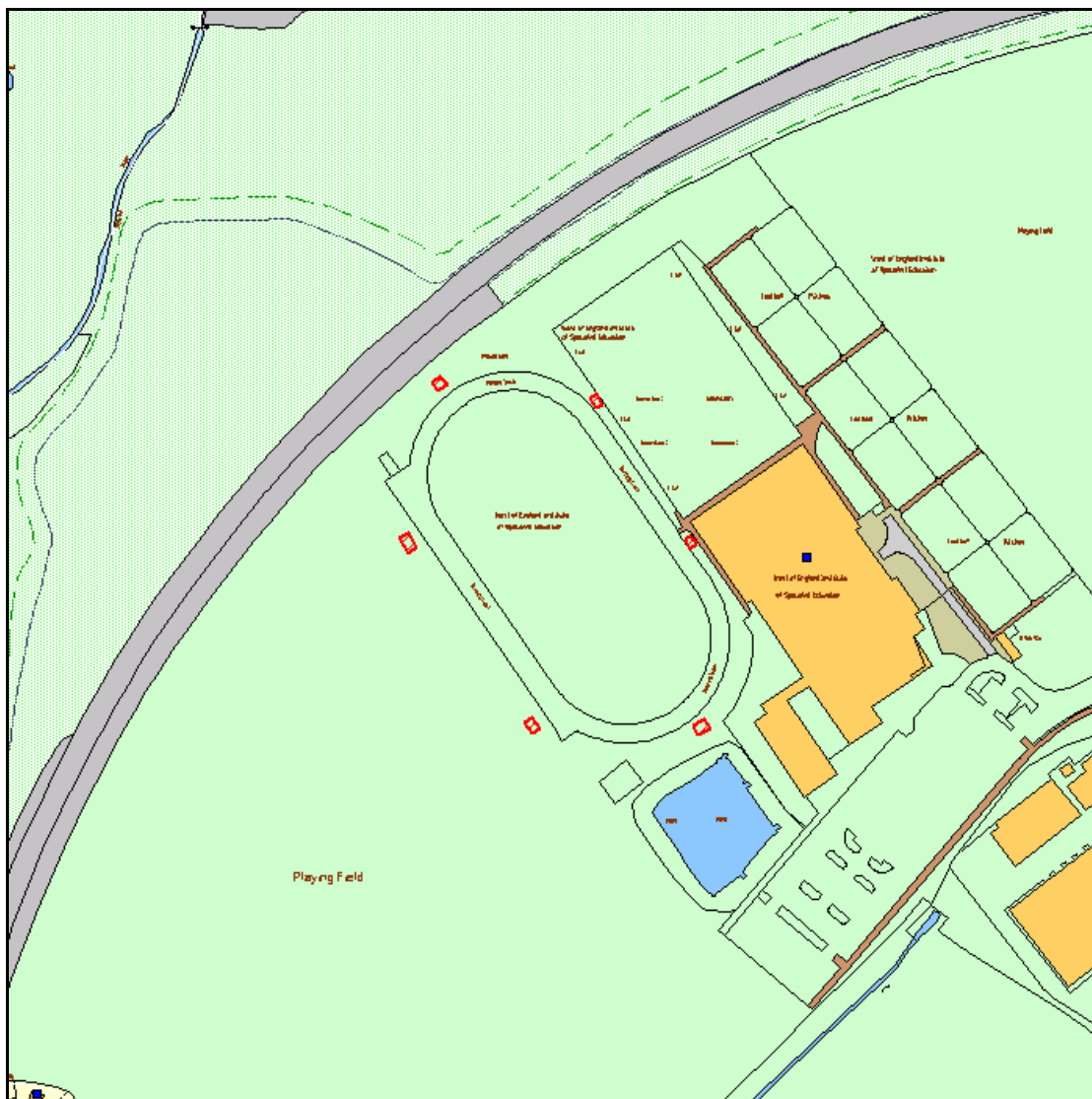
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PT10/0096/F	<b>Applicant:</b>	Mrs V Johnstone
<b>Site:</b>	Filton College New Road Stoke Gifford Bristol South Gloucestershire	<b>Date Reg:</b>	9th February 2010
<b>Proposal:</b>	Erection of 6 no. floodlights to running track and football pitch.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	361803 179378	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>	Minor	<b>Target Date:</b>	6th April 2010



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## **INTRODUCTION**

This application appears on the Circulated Schedule given the letter of objection received from a neighbouring resident.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the installation of six flood lighting columns that would light an existing athletics track.
- 1.2 The application relates to the Filton College WISE campus that is located on the north side of New Road, Stoke Gifford.
- 1.3 Amended plans form part of this application, which allow an increase in height to the two end lighting columns; these would not exceed the height of the flanking lighting columns.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
LC4: Proposals for Educational and Community Facilities  
T12: Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P95/1970: Erection of single-storey detached building to form technicians training facility (outline). Permitted: 14 Sept 95
- 3.2 P95/2415: Erection of single-storey building for use as technicians training centre. Permitted: 16 Nov 95
- 3.3 P97/1308: Erection of training workshop. Permitted: 1 June 99
- 3.4 P99/2590: Erection of new classroom block and enlargement of car park. Permitted: 21 Dec 99
- 3.5 PT02/1576/F: Erection of extension to form paint spray booth. Permitted: 23 Aug 02
- 3.6 PT05/2570/F: installation of roof top louvers to conceal plant. Withdrawn: 28 Sept 05



- 3.7 PT05/2572/F: Retention of roof top plant. Permitted: 6 Oct 05
- 3.8 PT05/2750/O: Two-storey building to form IT facility. Permitted: 27 Oct 05
- 3.9 PT05/2897/RM: Relocation of coach park and services outbuildings (amendments to PT03/1569/RM). Permitted: 19 Dec 05
- 3.10 PT05/3129/TMP: Retention of two temporary portacabins for classroom use. Permitted: 6 Dec 05
- 3.11 PT06/1900/F: construction of handrails with associated works to facilitate new disabled access. Permitted: 27 July 06
- 3.12 PT06/3454/RVC: variation of condition 6 attached to PT03/1569/RM to allow use of floodlights beyond the hours of 10pm on any day). Refused: 6 July 07  
  
*(Refusal Reason: The proposed variation of condition 6 of Planning Permission PT03/1569/RM would allow the continued use of the five-a-side football pitches beyond 22:00 hours until 22:30. Given the intensive nature of the use of those pitches and the number of players likely to be using the facilities at any one time, the proposed variation would lead to an unacceptable impact upon the residential amenities of the occupants of the dwellings to the North East (Located on New Road, Stoke Gifford) and would be contrary to Policy LC3 and EP4 of the South Gloucestershire Local Plan (Adopted) 2006; and PPG17)*
- 3.13 PT07/2217/TMP: Erection of 1 two-storey and 2 single-storey portacabins for use as temporary classrooms, trainee room and WC for period of three years (retrospective). Permitted: 7 Sept 07
- 3.14 PT07/3129/RVC: Variation of condition 6 attached to PT03/1569/F to extend use of floodlighting to the hours of 10.30pm on any day) (resubmission of PT06/3454/RVC). Withdrawn: 22 Nov 07
- 3.15 PT10/0380/F: Construction of additional two lanes to athletics track. Permitted 19 April 2010

#### **4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council  
No comments
- 4.2 Other Consultees  
Highways DC: no objection  
Network Rail: no objection in principle (if within three months of operation the lighting is found to interfere with driver's vision or signal sighting, alteration/mitigation will be required to remove the conflict at the applicant's expense).

#### **Other Representations**

- 4.3 Summary of Local Residents Comments  
One letter received expressing the following concerns:

- o The proposal will cause light pollution;
- o Neighbouring dwellings are already illuminated by the lighting around the hard court pitches;
- o A Section 106 Agreement should be added to any planning permission to ensure the lights around the athletics track and hard court pitches are downward facing, only used when the facility is being used and are on no later than 10pm.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy LC4 advises that proposals for the development, expansion or improvement of educational and community facilities within the existing urban areas and the settlement boundaries will be permitted provided:

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

### 5.2 Design/ Visual Amenity

The application seeks permission for the installation of six floodlighting columns that would illuminate an existing athletics track and football pitch (with the football pitch to be marked out inside the running track). Four of the flood lighting columns would stand alongside the running track (two either side) and measure 21.4m in height; two lighting columns would be at either end and measure 18.42m in height.

5.3 The athletics track/ football pitch is located behind the new Filton College WISE campus with an existing Astroturf and football pitches to the east; these are floodlit. Land to the east comprises existing playing fields with the Avonsmere Residential Caravan Park located an appreciable distance away. To the south of the playing fields, a new residential development (accessed via New Road) is currently under construction. The Bristol Parkway/ Bristol Temple Meads railway line runs to the north of the site.

5.4 In considering the current proposal, comments received from the Councils Landscape Officer cite that the site is intensely developed with a number of large buildings in the immediate vicinity; it is further noted that the athletics track sits within the general envelope of built form that forms the WISE campus. As such, it is not considered the proposed floodlighting would create any significant additional visual impact.

5.5 Nevertheless, the Councils Lighting Engineer has expressed concern and this has taken time to resolve. In this regard, as submitted there was concern that the lighting columns, in view of their height and the lumen output might have

had an adverse impact on the adjoining railway line and surrounding residential properties. Subsequent discussions between the architect and the lighting engineer have though now addressed these concerns with additional details having been submitted. As part of these discussions, it has proved necessary to raise the height of the two end lighting columns; the lighting engineer has advised that this is necessary so as to allow an extra luminaire at either end and thus reduce that along the sides which face towards the surrounding properties.

5.6 In view of the above, there is now no objection to the proposal on design/ visual amenity grounds.

5.7 Residential Amenity

Neighbouring dwellings are generally remote from the application site with properties within Avonsmere Residential Park some 250m from the athletics track and the new dwellings within Great Swanmoor Close some 200m from the track. Nevertheless, the area of land between is flat and relatively open comprising of playing fields. On this basis, the application site remains visible from these dwellings.

5.8 In response, given the level of separation between the application site and these dwellings, and having regard to the backdrop of the existing floodlit Astro turf, football pitches and the college buildings, it is not considered that planning permission could be reasonably refused on this basis. This recommendation is made having regard to the comments of the Councils Lighting Engineer.

5.9 Notwithstanding the above, it is considered that the hours of operation should be controlled by an appropriately worded condition. In this regard, operating hours are specified on the application form but it is considered reasonable to ensure that the lighting would not be used after 10pm. This would accord with the condition in respect of the existing floodlighting (see planning history) and would also accord with the requirements of the Councils Environmental Health Officer whom has raised no objection to the proposal subject to the lighting being turned off after 10pm. It is also recommended that best practice guidance in respect of levels of illumination and the orientation of the proposed lighting be forwarded to the applicant.

Finally, it is also noted that the existing site (and the land closer to the surrounding dwellings) is already utilised for sport and recreation. On this basis, it is not considered that there would be any additional issues in respect of noise albeit with the athletics track and football pitch likely to be utilised slightly later in the evenings. However, the separation distance would mitigate this impact whilst the aforementioned condition would limit use beyond 10pm.

5.10 Highway Safety

There is no highway objection to this current proposal.

5.11 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.

5.12 Section 106 Requirements

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

**6. CONCLUSION**

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

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

6.3 The recommendation to grant permission is for the following reasons:

1. The development proposed would not significantly detract from the character and appearance of the existing area that is already intensively developed. On this basis, the proposal is considered to accord with Planning Policies D1 (Achieving Good Quality Design in New Development), L1 (Landscape Protection and Enhancement) and LC4 (Proposals for Education and Community Facilities) of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The proposal would not cause any significant adverse impact in residential amenity. The proposal would therefore accord with Planning Policy LC4 (Proposals for Education and Community Facilities) of the South Gloucestershire Local Plan (Adopted) January 2006.

3. There is no objection to the proposal on highway safety grounds. The proposal is therefore considered to accord with planning policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

## 7. RECOMMENDATION

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

**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

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

2. The floodlighting hereby approved shall not be used outside of the hours 08.00am-10.00pm.

Reason

In the interests of residential amenity and to accord with Planning Policy EC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

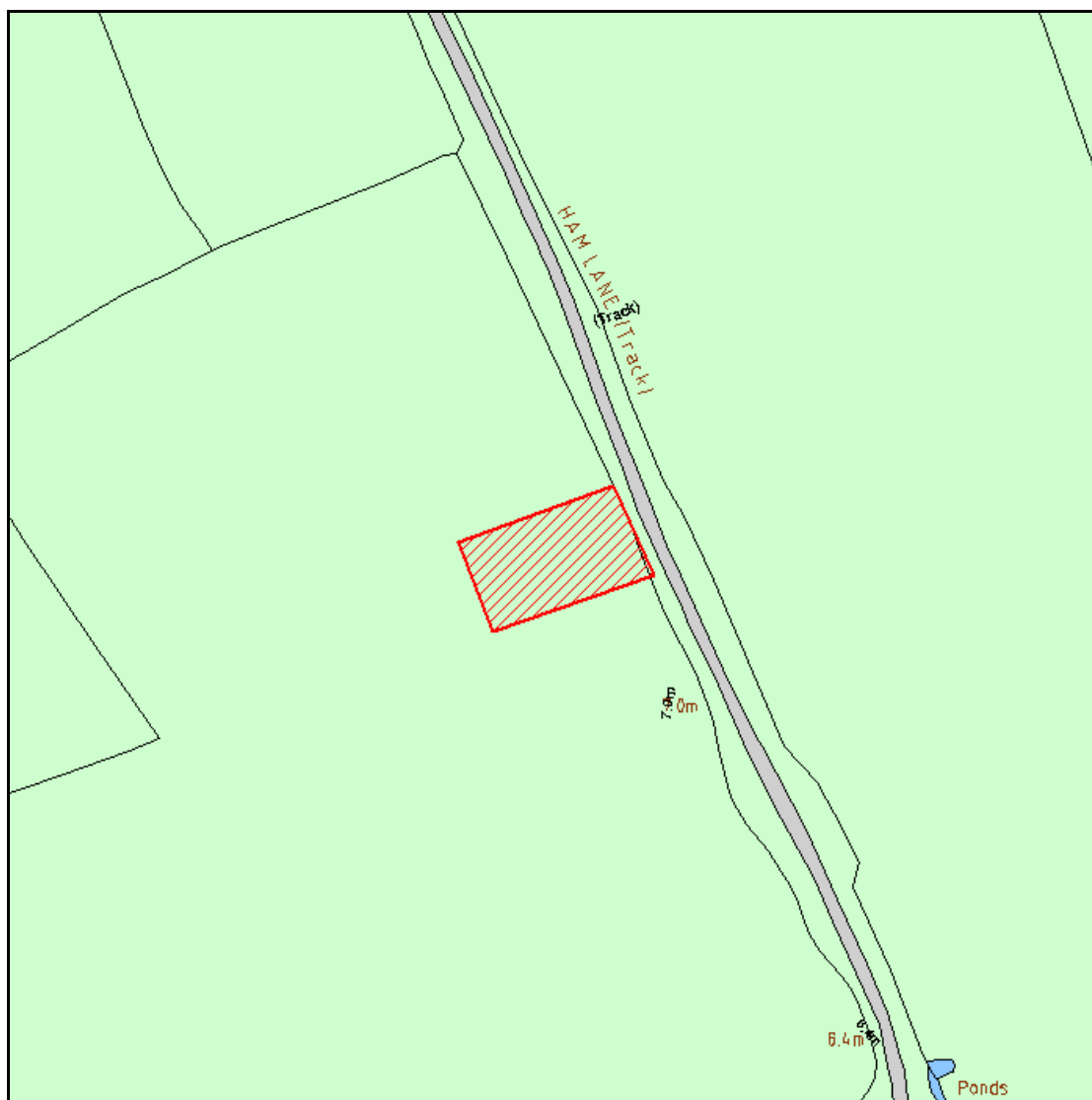
3. Prior to the commencement of development, details of the colour of the lighting columns hereby approved shall be submitted to and confirmed in writing with the Local Planning Authority. Any variation from these approved details would require the further written consent of the Local Planning Authority.

Reason

In the interests of visual amenity and to accord with Planning Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010

<b>App No.:</b>	PT10/0442/F	<b>Applicant:</b>	Mr D C Rugman
<b>Site:</b>	Land Off Ham Lane Oldbury On Severn Bristol South Gloucestershire	<b>Date Reg:</b>	22nd March 2010
<b>Proposal:</b>	Creation of car park for 15 cars (Retrospective).	<b>Parish:</b>	Oldbury-on-Severn Parish Council
<b>Map Ref:</b>	361065 192928	<b>Ward:</b>	Severn
<b>Application Category:</b>	Minor	<b>Target Date:</b>	2nd June 2010



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100023410, 2008.

N.T.S.

PT10/0442/F

## **INTRODUCTION**

This application appears on the Circulated Schedule List because objections have been received from local residents.

### **1. THE PROPOSAL**

- 1.1 This application seeks retrospective planning permission for the creation of a car park for 15no. cars.
- 1.2 The application site comprises approximately 1 hectare of agricultural land being used for allotments. The site is situated to the west of Ham Lane within the open countryside. In addition, the site is located within Flood Zone 3. The allotments are served by a section of road that does not form part of the public highway, though it carries a bridleway. The private road forms a junction with Power Station Road to the north of the site and links with the adopted section of Ham Lane to the south.
- 1.3 Allotments are considered to fall within the sec.336 statutory definition of 'agriculture' within the 1990 Planning Act and therefore, do not constitute a material change of use of the land. A number of wooden garden type structures have been erected for storage of equipment for use with the allotments and the applicant originally sought planning permission for these structures. However, given the modest size of the structures and the fact that they are not fixed to the ground, it is considered that they can be considered as part of the use of the land rather than operational development and therefore, do not require planning permission.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG13 Transport  
PPS25 Development and Flood Risk
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
L1 Landscape Protection and Enhancement  
T12 Transportation Development Control Policy for New Development  
EP1 Environmental Pollution  
EP2 Flood Risk and Development  
L17/18 The Water Environment
- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist (adopted)
- 2.4 The South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010  
CS1 High Quality Design  
CS9 Environmental Resources and Built Heritage  
CS2 Green Infrastructure

### **3. RELEVANT PLANNING HISTORY**

3.1 No relevant planning history.

### **4. CONSULTATION RESPONSES**

#### **4.1 Oldbury on Severn Parish Council**

No objection - however since it appears that Ham Lane may be a public right of way for vehicles, we would require there to be an agreement written into the allotment association's rules with tenant that access must only be made to the site from the Power Station road.

#### **4.2 Transportation DC**

No objection

#### **4.3 Environment Agency**

Observations awaited

#### **4.4 Local Residents**

Four letters of objection have been received from local residents and highlight the following concerns:

Road safety issues with regards to walkers and horse riders since Ham Lane is a bridleway;

No way to enforce access from Power Station Road only;

Access at Power Station Road is a highway safety hazard;

The car park could be used as a site by travellers;

The number of allotments will increase, which would require a larger parking area;

Allotment is located in an unsustainable location, as people are required to use their cars to reach it.

### **5. ANALYSIS OF PROPOSAL**

#### **5.1 Principle of Development**

Planning Policy D1 applies to all types of development and ensures that a good standard of design is achieved. Planning Policy T12 allows for development subject to access, congestion and highway safety considerations. Planning Policies EP2 and PPS25 seeks to avoid new development, which would be at risk of flooding or increase the risk of flooding elsewhere and recommends a sequential approach for determining the suitability of land for development in flood risk areas.

Agriculture and Forestry are classified as less vulnerable within the Flood Risk Vulnerability Classification in PPS25 and the Flood Risk Vulnerability and Flood Zone Compatibility table within PPS25 demonstrates that low risk development is compatible with Flood Zone 3 areas. Given the modest scale of the parking area, the flood risk assessment submitted is considered to sufficiently address the risk of flooding to the development and the risk of flooding as a result of the



development. The primary use of the site as allotments does not require planning permission and this proposal is considered to be ancillary to that. It is considered that the proposal therefore, passes the sequential test in that the use is directly related to an authorised use that is in existence. It would not materially increase the flood risk, as it is likely that if refused cars would simply be parked on the highway. A condition will be applied in respect of sustainable drainage to ensure adequate drainage of rainwater from the site.

Concern has been raised by a local resident with regards to the sustainability of the site given that it is required to be accessed by car. However, the Council's emerging core strategy highlights the importance of growing of food locally due to the anticipated impact of climate change. Rural and green infrastructure policies within the plan therefore, encourage local food production opportunities. On this basis, it is considered that the principle of the use of the allotments is in accordance with the Core Strategy in terms of a sustainable use within the countryside. The comment with regards to car use is noted, but is likely that users of the allotment will be from the surrounding area and notwithstanding this, cars are used to transport produce and equipment. The Local Planning Authority has no control of the location of allotments since the principal use of the land for allotments does not require planning permission. If permission is granted a condition will be applied to the consent to ensure that the car park is only used for purpose related to the allotments and for no other purposes.

Whilst the Planning Authority are still waiting for comments from the Environment Agency with regards to the proposal, given the agricultural use of the site and modest size of the parking area, it is considered that it complies with PPS25. If the Environment Agency objects to the proposal, then an amended report will be brought back to the Circulated Schedule.

## 5.2 Design/Impact on Landscape

The proposed hard standing measures approximately 9 metres by 37 metres and is situated adjacent to the access from Ham Lane. The hard standing comprises type one quarry stone on a terram underlay. Given the modest scale of the car parking, it is considered that it does not adversely affect the character of the surrounding landscape. The site is flanked by mature hedging on the boundaries, which helps to contain views of the hard standing from the wider area.

## 5.3 Transportation

The majority of the objections received highlight concern with regards to the impact of increased traffic along Ham Lane, which being a bridle way, is used for horse riding and walking by members of the public. The Council Transportation Officer has visited the site and considers that all traffic should be routed via Power Station Road to minimise conflict with other road users along Ham Lane. Whilst it is considered unlawful to condition access from Power Station Road only, since it would be impossible to enforce, it is understood from the applicant that access will be from Power Station Road only and that this will be written into the tenancy agreements of the allotments; this is also reflected in the design and access statement. Nevertheless, it is considered that the most practical route is from Power Station Road, since

access from Ham Lane is difficult given the condition of the road. Concerns have been raised by local residents with regards to the access from Power Station Road and the Council Transportation Officer has requested that the junction be improved to allow for two-way vehicular movements. This will be ensured by condition if permission is granted.

5.4 Further Matters

The concerns regarding the possibility of travellers using the site are noted, however, the application can only be assessed on its own merits and therefore, events, which might happen in the future cannot be taken into consideration. As stated previously, the use of the land for allotments does not require planning permission, therefore, the Local Planning Authority cannot control the number of allotments on the land. However, any increase in the size of the parking area would likely require planning permission and would be assessed on its own merits if required. In terms of the access over the land, the applicant has signed 'Certificate A' in the application form to certify that he is the owner of the land in which the application relates.

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

N/A

5.7 Improvements Achieved to the Scheme

N/A

5.8 Section 106 Requirements

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

**6. CONCLUSION**

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

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

The site is visually contained by mature hedging and the small scale of the parking area is such that the proposal does not have a significant adverse impact on the character of the surrounding landscape – Policies D1 and L1 of the South Gloucestershire Local Plan (adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted).

The proposal is classified as a use that is compatible within Flood Zone 3 within PPS25 and given the modest size of the proposal, it is considered that it does not adversely increase the risk of flooding to other areas – Policy EP2 of the South Gloucestershire Local Plan (adopted) January 2006 and PPS25.

Subject to improvements to the Power Station Road/Ham Lane junction and given that this access will predominantly be used to access the allotments, it is considered that the proposal would not have an adverse impact on highway safety – Policy T12 of the South Gloucestershire Local Plan (adopted) January 2006.

## **7. RECOMMENDATION**

- 7.1 Planning Permission is GRANTED subject to the Environment Agency not objecting and subject to the following conditions.

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

## **CONDITIONS**

1. Within 3 months of the date of this permission, a plan showing an improved junction between Ham Lane and Power Station Road shall be submitted and approved by the Local Planning Authority. For the avoidance of doubt, the junction should be widened to at least 5 metres (for the first 8 metres) including a 6 metre corner radii. Within 3 months of the plan being approved the improvements to the junction shall be implemented in accordance with the agreed details.

Reason

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

2. Within 3 months from the date of this permission, a plan showing the parking layout shall be submitted and approved by the Local Planning Authority. For the avoidance of doubt, the plan should show the car park layout in relation to the allotment and site access. Within 3 months of the plan being approved, the parking layout shall be implemented in accordance with the agreed details.

Reason

To accord with Policy T12 of the South Gloucestershire Local Plan (adopted) January 2006.

3. Within 3 months of the date of this permission 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. Within 3 months of the drainage details being approved they shall be implemented in accordance with the agreed details.

Reason

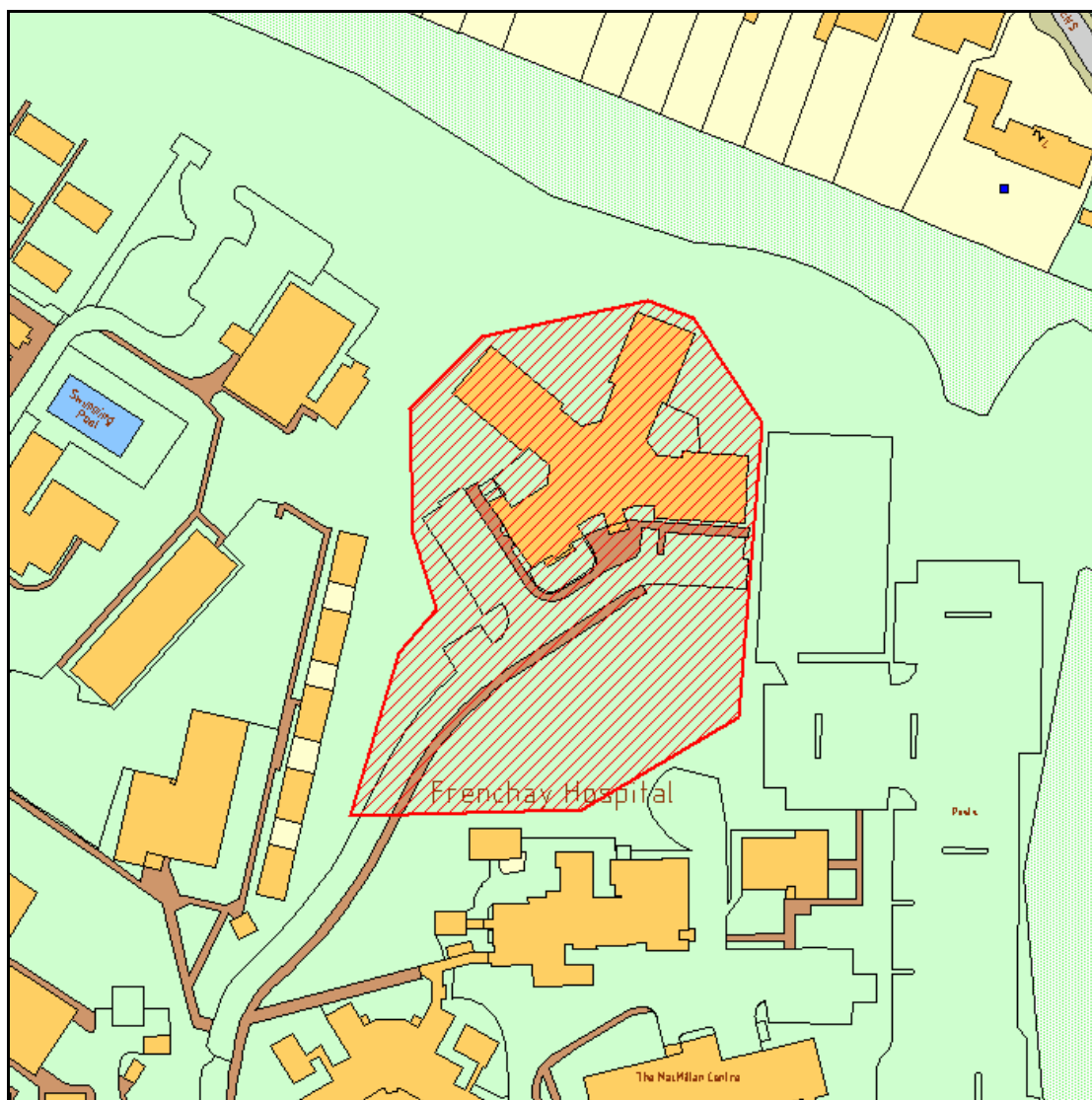
To ensure that a satisfactory means of drainage is provided, and to accord with policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The car park hereby approved shall only be used for purposes related to the allotments and for no other purposes whatsoever.

In the interests of sustainability and to accord with Policies D1 and T12 of the South Gloucestershire Local Plan (adopted) January 2006 and Policies CS1, CS9, CS2 and CS34 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010.

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PT10/0502/O	<b>Applicant:</b>	Four Seasons Health Care
<b>Site:</b>	Centre For Brain Injury Rehabilitation Frenchay Hospital Frenchay Park Road Frenchay Bristol South Gloucestershire	<b>Date Reg:</b>	22nd March 2010
<b>Proposal:</b>	Erection of residential care unit (Outline) with access, layout and scale to be determined. All other matters reserved.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	363922 177683	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>	Major	<b>Target Date:</b>	16th June 2010



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100023410, 2008.

**N.T.S.**

**PT10/0502/O**

## **INTRODUCTION**

This application is referred to the Circulated Schedule to Members in accordance with procedure given that objections have been raised.

### **1. THE PROPOSAL**

- 1.1 This application largely, (see para 1.2 below), seeks consent for the renewal of Application PT05/0722/REP which expires 27<sup>th</sup> June 2010. The Outline application will involve the erection of residential care unit with access, layout and scale to be determined with appearance and landscaping to be considered at the reserved matters stage.
- 1.2 The building of 1404 sq.m will include 15 additional bedrooms, 20 consultant/office rooms and a large rehabilitation flat. The proposed building will be 102 sq.m smaller in floor area (a reduction of 7.25%) over that previously approved by application PT/05/0722/REP. The site currently accommodates 21 car parking spaces and a further 8 are proposed along with a covered cycle shelter. The remainder of the site is given over to landscaping and soft garden amenity areas. There is no alteration to existing access arrangements.
- 1.3 In terms of its dimensions of the building the front elevation to the north spans 65.5 metres in length (as opposed to 73 metres of the current approval). A single storey buildings extends by 16.6 metres. In terms of height at two storey level the ridge height would be 8.2 metres, this ridge dropping to approximately 6 metres for the single storey parts of the building.
- 1.4 The application site comprises an area of the hospital site that is currently undeveloped at the north-eastern corner. The site is situated between two large detached units. The building to the north built in the early 1990's houses 20 bedrooms, day rooms, therapy rooms, staff facilities, offices, consulting rooms as well as Hydrotherapy Pool and Gym areas to assist rehabilitation. The centre provides a rehabilitation service for adults with traumatic and acquired brain injury.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG13 Transport

- 2.2 Development Plans

South Gloucestershire Core Strategy Pre-Submission Publication Draft (March 2010)

CS1 High Quality Design

South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
L1 Landscape Protection and Enhancement

L12 Conservation Areas  
L17 and L18 The Water Environment  
T7 Cycle Parking  
T8 Parking Standards  
T12 Transportation Development Control Policy for New Development  
H2 Proposals for Residential Development including residential institutions and special needs accommodation

2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist

**3. RELEVANT PLANNING HISTORY**

3.1 PT00/2390/F – Erection of residential unit for patients with learning disabilities – Approved with conditions

PT05/0772/REP – Erection of a residential unit for patients with learning disabilities (renewal of above) Approved with conditions

**4. CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council

The comments of the Parish Council are: Objection - The Planning Committee does not know if this new building is a proposed permanent building as the hospital is due to be down graded in the near future. The Committee is at a loss to understand why extra buildings are being proposed if they are only to be used for a very short time.

- This issue is addressed in Section 5.8 below.

4.2 Sustainable Transport

There is no transportation objection to this proposal. The extension to the hospital does by necessity increase the demand for additional parking for both staff and visitors to the site. However, this increase is relatively small in comparison to the rest of the hospital and would in all likelihood not be noticeable given the daily variance of demand for parking on the site. The Hospital trust has a good travel plan, which should be conditioned to be updated to reflect this application (should it be approved). In the longer term the hospital is due to be down graded with the new hospital development at Southmead taking the majority of services apart from a few specialist services which will remain at the Frenchay site.

It is considered that the additional impact of this development will not be noticeable on the surrounding streets due to the daily variance observed in the usage of the hospital, that said it is clear that 'overspill' parking from staff and visitors not wishing to pay the parking costs does exist. The authority regularly reviews the on-street parking issues in the area with a view to looking at what improvements can be made. In this instance it is not considered that any additional remedial work is necessary.

## **Other Representations**

### **4.3 Local Residents**

There have been two letters of objection received. The matters raised can be summarised as follows:

- The proposal is not required given that Frenchay Hospital is to be downgraded to a Community Hospital in 2012/14
- Concern raised that the proposed development will result in additional on-street parking to the detriment of the amenity of neighbouring occupiers. If additional parking occurs on-site this could be at the expense of the wildlife areas.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Policy H2 of the South Gloucestershire Local Plan Adopted January 2006 considers proposals for residential development including residential institutions and special needs accommodation

A key material consideration relating to this proposal is the previous approved scheme, a consent that expires in June 2010 (PT05/0772/REP). This approval was itself a resubmission of an earlier scheme PT00/2390/F. It is considered that the acceptability of the principle of development has therefore been established (it should be noted that the current proposal is smaller in scale than that previously approved – see para 1.2 above).

Subject to consideration of the following issues the proposed development is considered acceptable.

### **5.2 Scale and Layout**

In terms of the scale of the proposal, it should be noted that the proposal as indicated above is less than that which has previously been approved with a width on the north elevation of 65.5 metres as opposed to the 73 metres that has previously been approved. The building has a shallow pitched roof. It is considered that the scale is entirely appropriate within the context of the hospital site and the form and scale of neighbouring buildings.

In terms of layout the building takes a simple form with the spine of the building running from the east to the west and is situated at an appropriate distance from the original unit to preserve the outlook from rooms in this building and those within the new building.

The appearance including detailing, colour and materials will be considered at the Reserved Matters application stage.



### 5.3 Conservation Area

The site lies outside of the Frenchay Conservation Area, immediately to the west. It is not considered however given the location of the building within the Frenchay Hospital site and the significant belt of trees and vegetation that lie along the boundary that there would be any significant impact upon the character and appearance of the conservation area. The proposal has been viewed by the Council Conservation Area and there is no objection raised.

### 5.4 Residential Amenity

The proposed development is largely identical to one previously approved. The building is situated to the rear (south) of the existing unit. In addition there is substantial screening along the northern boundary of the site comprising hedging and trees. The building would be almost 80 metres from the nearest residential property to the north.

Given the above it is not considered that the development would have any significant impact upon the residential amenity of neighbouring occupiers.

### 5.5 Transportation

Policy T12 of the South Gloucestershire Local Plan Adopted January 2006 states that new development shall make adequate, safe and appropriate provision for the transportation demands which it will create with the overriding aim of both minimising the adverse impact of motorised traffic and maintaining/promoting highway safety.

The site currently accommodates 21 car parking spaces and a further 8 are proposed along with a covered cycle shelter. The existing access is to be used. The applicant has indicated that the number of spaces occupied by staff would be between 15 and 20 with the remainder being occupied by visitors. Visitors are at the site sporadically because there are no designated visitor times however on average 6 spaces are occupied by visitors.

Transportation officers have viewed the proposed development and it is considered that the proposal would necessitate an increase in demand for additional parking for both staff and visitors to the site, however this increase will be relatively small in comparison to the rest of the hospital. It is considered that the small increase would not be noticeable when viewed against the daily variance of parking on the site.

The hospital site has a good travel plan and a condition is recommended to require that this is updated to reflect the small changes that would take place. It should of course be noted as well (as is set out in paragraph 5.8 below) that the hospital is due to be downgraded with most services moving away from the site. While a community hospital and a few specialist services will remain the parking requirements and vehicle movements would be reduced.

Officers consider that the additional impact of this development will not be noticeable on the surrounding streets due to the daily variance observed in the

usage of the hospital, however it is acknowledged that some 'overspill' parking from staff and visitors not wishing to pay the parking costs does exist. Transportation officers indicate that regular reviews of on-street parking issues in the area take place, with a view to looking at what improvements can be made. In this instance it is not considered that any additional remedial work is necessary.

Subject to a condition to require the additional parking places to be in place prior to the first use of the building and a condition to require the travel plan to be updated to take account of the changes, it is considered that the proposed development is acceptable in transportation terms and in accord with the aims and objectives of Policy T12 of the South Gloucestershire Local Plan Adopted January 2006.

#### 5.6 Landscape

Policy L1 of the South Gloucestershire Local Plan Adopted January 2006 seeks to preserve and enhance those aspect of the landscape that make a contribution to the character of the landscape. It is not considered given the nature of the site that there will be any adverse impact upon the landscape. In terms of proposed landscaping, this will be considered as part of the reserved matters application.

It is considered that the proposal is fully in accord with the aims and objectives of Policy D1 and L1 of the South Gloucestershire Local Plan Adopted January 2006.

#### 5.7 Ecology

Policy L9 of the South Gloucestershire Local Plan Adopted January 2006 considers the impact of development upon the flora and fauna of the area. The site and proposal has been viewed by the Council Ecologist who notes that the site comprises amenity grass at present with negligible conservation interest.

Subject to an informative being attached to the decision notice to advise the applicant of their responsibilities in relation to nesting birds, the proposal is considered acceptable in ecological terms.

#### 5.8 Other Issues

An issue has been raised by the Parish Council (see para 4.1 above) and other respondents as to how this proposal fits in with the plans to close Frenchay Hospital. Firstly the building would be a permanent structure and compliment the existing building run and occupied by the same organisation which is not part of the Primary Care Trust.

Advice received from the applicant indicates that while the remaining site as part of the plans of the Primary Care Trust would no longer function as a General Hospital, it is proposed that there should be a community hospital on the Frenchay Hospital site and that this will provide a rehabilitation and out-patient service. It is proposed that the community hospital beds are going to be

specifically for cardiac, stroke and orthopedic rehabilitation. It is understood that there are no neurological rehabilitation beds, (as proposed by this Health Care provider), planned for the community hospital.

The applicant has indicated that the service that they provide will dovetail and complement the planned NHS Community Hospital services. The rehabilitation service will be in keeping with the service that will be built here at Frenchay and secondly, it will provide the neurological rehabilitation that is a service not currently provided for anywhere in Bristol. The applicant has indicated that there are approximately 10 patients at the acute Frenchay services at any one time who require neurological rehabilitation and in this respect the service planned as part of this application will be providing a much needed service that is currently not provided and furthermore has been omitted by the PCT in the plans for the Frenchay Community Hospital. The applicant has indicated that discussions have taken place with the North Bristol NHS Trust and they are in support of the new service to be provided.

#### 5.9 Use of Energy and Sustainability

The applicant has submitted a detailed sustainability statement at the request of the Case Officer and this has been examined by the Council Sustainability Officer.

In terms of building standards, the proposed development will adhere to 16 of the 20 Building for Life (BfL) criteria, as carried out in an informal assessment by the building's design team. This has been included in Appendix 1 of the Sustainability Statement. This conforms with Policy CS1 (High Quality Design) of the South Gloucestershire Core Strategy Pre-Submission Publication Draft (March 2010), which requires developments of 10 dwellings or more to achieve a 'Very Good' rating, equivalent to meeting 16 or more of the criteria. The building will also be achieving a BREEAM rating of 'Very Good'. This is a requirement for major developments within CS1, however would not normally be required for a building of this scale. This can therefore be seen as going beyond our sustainable energy requirements.

In terms of energy efficiency, this will be achieved through minimising excessive solar gain, good insulation, low energy lighting and reductions in heat loss in accordance with BREEAM. It is the intention of the applicant to use a combination of passive energy efficiency measures and utilising technology, such as the low energy lighting and thermally efficient building materials. This also complies with the guidance and requirements in Core Strategy Policy CS1. In terms of renewable energy, it is indicated that a solar hot water system will meet 10% of the energy needs.

In summary Officers consider from the information supplied that the scheme can meet a BREEAM standard of 'very good'. This would not normally be required for a building of this scale and as such goes beyond the usual policy requirements however the applicant has indicated that they are willing to achieve this target and a condition will be attached to the decision notice to secure this target.

#### 5.10 Improvements Achieved to the Scheme

It has not been necessary to seek improvements to the scheme.

#### 5.11 Design and Access Statement

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

### 6. **CONCLUSION**

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

In summary it is considered that:

The principle of the development is acceptable

The proposed development has taken fully account of neighbouring residential amenities through its scale and siting Policy H2

The scale of the building is entirely appropriate within the context of the site and its surroundings and will preserve the visual amenity of the area Policy D1 and CS1

The proposal offers cycling and parking provision and access arrangements which are fully acceptable and in accord with Policy T7, T8 and T12

The proposed development fully addresses Energy Conservation and the protection of Environmental resources Policy D1 and CS1

The development fully takes account of the ecological needs of the site Policy L9

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

### 7. **RECOMMENDATION**

- 7.1 Planning Permission be granted subject to the following conditions

**Contact Officer: David Stockdale**  
**Tel. No. 01454 866622**

#### **CONDITIONS**

1. Approval of the details of the appearance of the building 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 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 & 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 & Country Planning Act 1990 (as amended).

5. 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 Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of development an updated travel plan shall be submitted to the Local Planning Authority for approval. The agreed scheme shall be implemented as approved before the development hereby permitted is brought into use or otherwise agreed in the travel plan.

Reason

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

7. In accordance with the Sustainability Statement received 10th May 2010, the proposed development shall achieve a BREEAM rating of "very good" unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to achieve energy conservation and the protection of finite environmental resources and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) and Policy CS1 of the South Gloucestershire Core Strategy (Pre-Submission Publication Draft) March 2010.

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PT10/0564/F	<b>Applicant:</b>	Mr And Mrs Plenty
<b>Site:</b>	9 Grange Park Frenchay Bristol South Gloucestershire BS16 2SZ	<b>Date Reg:</b>	17th March 2010
<b>Proposal:</b>	Alterations to existing roofline to include 1 no. dormer window to facilitate loft conversion.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	364338 177880	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>	Householder	<b>Target Date:</b>	2nd June 2010



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100023410, 2008.

**N.T.S.**

**PT10/0564/F**

## **INTRODUCTION**

This application appears on the circulated schedule list because an objection has been received from a neighbouring occupier.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the installation of 1no. dormer window. Permission is also sought for 2no. velux rooflights, 1no. gable window to facilitate roof accommodation and the installation of a ground floor side window and a replacement chimney.
- 1.2 The application site comprises a large two-storey detached dwellinghouse situated on the eastern side of the cul-de-sac Grange Park within the established residential area of Frenchay. The property benefits from an existing two-storey rear extension and single storey side extension.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Residential Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist (adopted)
- 2.4 The South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010  
CS1 - High Quality Design

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT04/1938/F, erection of two-storey and single storey side/rear extensions to form garage, WC, utility room and kitchen with 2no. bedrooms, bathroom and store over, refusal, 24/08/04.
- 3.2 PT05/0372/F, erection of two-storey and single storey side/rear extension to form garage, study, WC, utility room, playroom and kitchen with 2no. ensuite facilities over, resubmission of PT04/1938/F, approval, 21/03/05.

### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
The comments of the Parish Council are: Objection - This is a very large conversion with 4 large windows. This would be the second large development on this property.



## **Other Representations**

### 4.3 Local Residents

One letter of objection has been received from a local resident. The resident raises the following concerns:

Detrimental impact on the character of the properties within Grange Park;  
Adversely impacted by the previous development to the rear of the property;  
Additional window to the side of the property appears to be a French door.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Planning Policy D1 applies to all types of development and requires that a good standard of design is achieved. Planning Policy H4 allows for residential development subject to design, residential amenity and transportation considerations.

5.2 The velux windows are considered to be permitted development by virtue of Schedule 2, Part 1, Class C of the General Permitted Development Order (2008) and require no further assessment. A condition will ensure that the rooflights would not protrude more than 150mm beyond the plane of the roofslope. The ground floor side window and front attic window are considered to be permitted development by virtue of Schedule 2, Class A of the General Permitted Development Order (2008) and requires no further assessment. The removal and erection of a new chimney and vent are considered to be permitted development by virtue of Schedule 2, Part 1, Class G of the General Permitted Development Order (2008) and require no further assessment.

### 5.3 Design/Visual Amenity

This application seeks planning permission for the installation of 1no. dormer window in the front roofslope of the property. The application site comprises a large two-storey detached dwellinghouse situated on the eastern side of the cul-de-sac Grange Park within the established residential area of Frenchay. An objection has been received from a neighbouring occupier concerned that the proposed dormer window would have a detrimental impact on the character of the estate. Nevertheless, the design of the dormer is considered to be acceptable in general and the proposed gable roof would reflect the form and pitch of the prominent projecting gable in the existing dwelling. However, the Officer requested that amendments be made to the scale and positioning of the dormer. The applicant has acceded to this request and has reduced the scale of the dormer window and amended its position in the roofslope so that it would be more sympathetic to the character of the existing dwellinghouse. The applicant originally specified a render finish for the dormer, however, it is considered that a timber cladding/tile finish would be more in-keeping with the character of the area. Revised plans have been received to reflect this.

- 5.4 Given the above, it is considered that the proposal complies with Policy D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- 5.5 Residential Amenity  
The proposed dormer would not face any neighbouring properties directly. Moreover, given that windows are already located in the front elevation of the dwellinghouse at first floor level, it is considered that the proposal would not introduce any new significant adverse privacy issues.
- 5.6 Further Matters  
The objections from the Parish Council and neighbouring occupier are noted, however, the majority of the proposal, including the conversion and installation of the rooflights and side window are considered to be permitted development and therefore, cannot be considered as part of this application. It is also noted that the property benefits from an existing large extension, but the cumulative impact is considered acceptable in terms of design and appearance.
- 5.7 Design and Access Statement  
A design and access statement is not required.
- 5.8 Use of Energy and Sustainability  
The proposal would comply with building regulation specifications.
- 5.9 Improvements Achieved to the Scheme  
Reduction in the scale of the dormer as well amendments to the proposed positioning and materials.
- 5.10 Section 106 Requirements  
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report for the following reasons:
- The proposal would be informed by the scale, form, design, siting and materials of the host dwelling and would be in-keeping with the character of the

surrounding area – Policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

- The proposal would not face any neighbouring properties directly and consequently, would not have a significant adverse impact on the residential amenity of the neighbouring occupiers through loss of privacy – Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

## **7. RECOMMENDATION**

7.1 Planning Permission is GRANTED subject to the following conditions.

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

### **CONDITIONS**

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

Reason

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

2. Notwithstanding the information submitted, the rooflights proposed on the rear elevation shall not protrude more than 150 mm beyond the plane of the existing roofslope.

In the interests of visual amenity and to accord with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PT10/0568/PN1	<b>Applicant:</b>	Vodafone Ltd
<b>Site:</b>	Land Adjacent Flaxpits Lane Winterbourne Bristol South Gloucestershire BS36 1JX	<b>Date Reg:</b>	15th March 2010
<b>Proposal:</b>	Prior Notification of the intention to erect a 12.5 metre high telecommunications pole to replace an existing 11.4 metre high pole, 1 no equipment cabinet and ancillary works.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	364853 180524	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>		<b>Target Date:</b>	2nd June 2010



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## **INTRODUCTION**

This application appears on the Circulated Schedule List because objections have been received from the Parish Council and local residents. Members should be aware that there is insufficient time to refer this application to the next available Development Control (West) Committee as the date of the meeting falls after this application expires. Should the Local Planning Authority fail to notify the applicant of their decision by 2<sup>nd</sup> June 2010 the applicant can carry out the development in any case.

### **1. THE PROPOSAL**

- 1.1 This application seeks prior approval for the erection of 1no. 12.5 metre mobile telephone mast and 1no. equipment cabinet.
- 1.2 According to the applicant, the proposal is required to provide 2G and 3G coverage to the area of Winterbourne.
- 1.3 The proposal would be situated on highway land to the south of a central green area between Dragon Road and Flaxpits Lane within the Winterbourne settlement boundary. The proposed mast would replace an existing mobile telephone mast, which measures approximately 11.4 metres in height. Given that the Council had no objection to the erection of a 12 metre high telecommunication (PT07/1935/PN1) on 13<sup>th</sup> August 2007, the pole in-situ is shorter than the approved telecommunications pole. However, this is not a material factor when assessing this application for a replacement mast.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG8 Telecommunications  
Code of Best Practice on Mobile Phone Network Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
T12 Transportation Development Control Policy for New Development  
S5 Telecommunications  
L1 Landscape Protection and Enhancement
- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist (adopted)  
The Telecommunications Network Infrastructure SPD (adopted) August 2005

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT07/0726/PN1, Prior notification of the intention to erect a 12m telecommunications monopole, 3no. antennas, 2no. equipment cabinets and ancillary works, objection, 04/04/07.
- 3.2 PT07/1935/PN1, Prior notification of the intention to erect a 12metre high telecommunications pole, 3no. antennas, 2no. equipment cabinets and ancillary development, no objection, 13/08/07.

- 3.3 PT08/1371/PN1, Prior notification of the intention to erect an 11.4 metre high telecommunications pole, 2no. equipment cabinets and ancillary development, 07/07/08, objection.
- 3.4 PT07/2683/PN1, Prior notification of the intention to erect a 12.5 metre high telecommunications pole and associated equipment cabinet, 19/01/07, no objection.

#### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
Objection - There is already a telecommunication pole on this site, this pole is considerably higher than the original pole. Could the original pole be shared by two companies, to eliminate the need for another large pole?
- 4.2 Transportation DC  
No objection

#### **Other Representations**

- 4.3 Local Residents  
Six letters of objection have been received from local residents, which express the following concerns:
- Cumulative impact of proposal with existing street furniture would be harmful;
  - Could prevent future opportunities for road improvement changes;
  - Proposed equipment cabinet would be situated on private land and the applicant has failed to serve the notice on the relevant landowner;
  - Village green area is of local historical importance;
  - Errors in application form;
  - Significantly higher than existing street furniture;
  - Plans are incorrect;
  - Impact on health and safety;
  - No indication of proposed width of the mast.

#### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
The proposed development is permitted by virtue of Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995, however the applicant must give the Local Planning Authority Prior Notification of the Development.
- 5.2 The Council will require developers to demonstrate what attempts have been made to minimise the impact through appropriate siting and design of appearance in terms of materials, colours, height, etc. In all instances the main material consideration will be the technical needs of the operator as demonstrated by the applicant and the need to facilitate development.

5.3 Design/Appearance and Siting

The proposal comprises a 12.5 metre high mobile telephone mast, which would contain 6no. antennas and provide mobile phone coverage to 2no. operators. The proposal would be located on highway land between Dragon Road and Winterbourne Hill, which adjoins a central green area where there are numerous vertical structures such as streetlights and road signs located nearby. The proposal would replace an existing 11.4 metre high mobile telephone mast and an equipment cabinet would be located to the southeast of existing equipment cabinets.

5.4 The proposed equipment cabinet would be constructed of steel with a fir green (RAL 6009) colour coating; the proposed mast would be constructed of steel and be covered by a wooden cladding effect. Whilst a timber pole would be preferable in this location, the applicant has stated that that it is not possible to provide a wooden pole since the proposed structure would accommodate a second mobile operator. However, the applicant has submitted further details regarding the proposed cladding, and the Officer is satisfied that it would provide an adequate finish in terms of colour and texture.

5.5 An objective of PPG8 is to encourage innovative design. The applicant has stated that the proposed design is innovative because, until recently, it has not been possible for 2 operators to share a street works installation. Nevertheless, given the character of the surrounding area, the street work type mast proposed is considered to be the correct approach in this instance because it would be similar in appearance to the existing mast in situ and more in-keeping with the character of the streetscene. The sharing of the mast has effectively doubled the number of antenna required and the residents and Parish Council's concerns regarding the increase in height and the cumulative impact on the surrounding area are noted. However, the applicant has stated that the proposed height of 12.5 metres is the minimum height required to allow both mobile telephone companies to meet the coverage requirements in the area. Whilst the proposal would be approximately 1.1 metres taller than the existing structure, on balance, it is considered that it would not be significantly more harmful on the character of the surrounding area than the existing mast. Although the additional equipment cabinet would add to the existing street furniture, it would be sympathetically sited close to the existing cabinets and coloured fir green to match. The antenna sheath would be coloured dark brown to match the wood effect of the cladding of the mast and whilst, as a neighbouring occupier has stated, it is possible to share the antenna, the applicant has stated that this would require a different type of structure, which would likely be more prominent within the streetscene.

5.4 Given that the mast would replace an existing mast in the same location and the additional equipment cabinet would be located within close proximity to the existing equipment cabinets, it is considered that the proposal would not adversely interfere with pedestrian or vehicular movements. In addition, no objection has been received from the Council Transportation DC Officer.

### 5.5 Health and Safety

Properties are situated on both sides of the street at a distance of approximately 25 meters from the site. On this basis, it is considered that the proposal would not have a significantly greater impact in terms of residential amenity than the existing mast. Correspondence has been received expressing concerns regarding the possible impact of radiation on the health of local residents nearby. However, PPG 8 states that provided the proposed equipment adheres to the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines, it is not necessary for the Local Planning Authority to consider health and safety implications or insist on minimum distances between telecommunications development and existing development. The applicants have submitted a declaration of conformity with ICNIRP public exposure guidelines certificate, therefore, the proposal is considered to be acceptable in terms of health and safety.

### 5.6 Mast Sharing

The application form states that the proposed site would provide the required coverage to the area whilst having a minimum impact on the environment by allowing 2no. operators to mast share. PPG 8 attaches considerable importance to the sharing of masts to reduce the need of a second mast nearby and therefore, the proposal is considered to be acceptable in this regard.

### 5.7 Further Matters

In the original plans submitted an equipment cabinet was sited on private land and the application was made invalid because the applicant had not served the required notice on the landowner as required by Part 24 Class A3 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001. Consequently, the applicant moved the structure onto highway owned land and the application was re-validated. In reference to the objection regarding the prevention of future opportunities for road improvements, the application can only be assessed on its own merits and therefore, events, which might happen in the future cannot be taken into consideration. The plans submitted appear to be sufficiently accurate to make an informed decision.

## 6. CONCLUSION

6.1 The recommendation 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

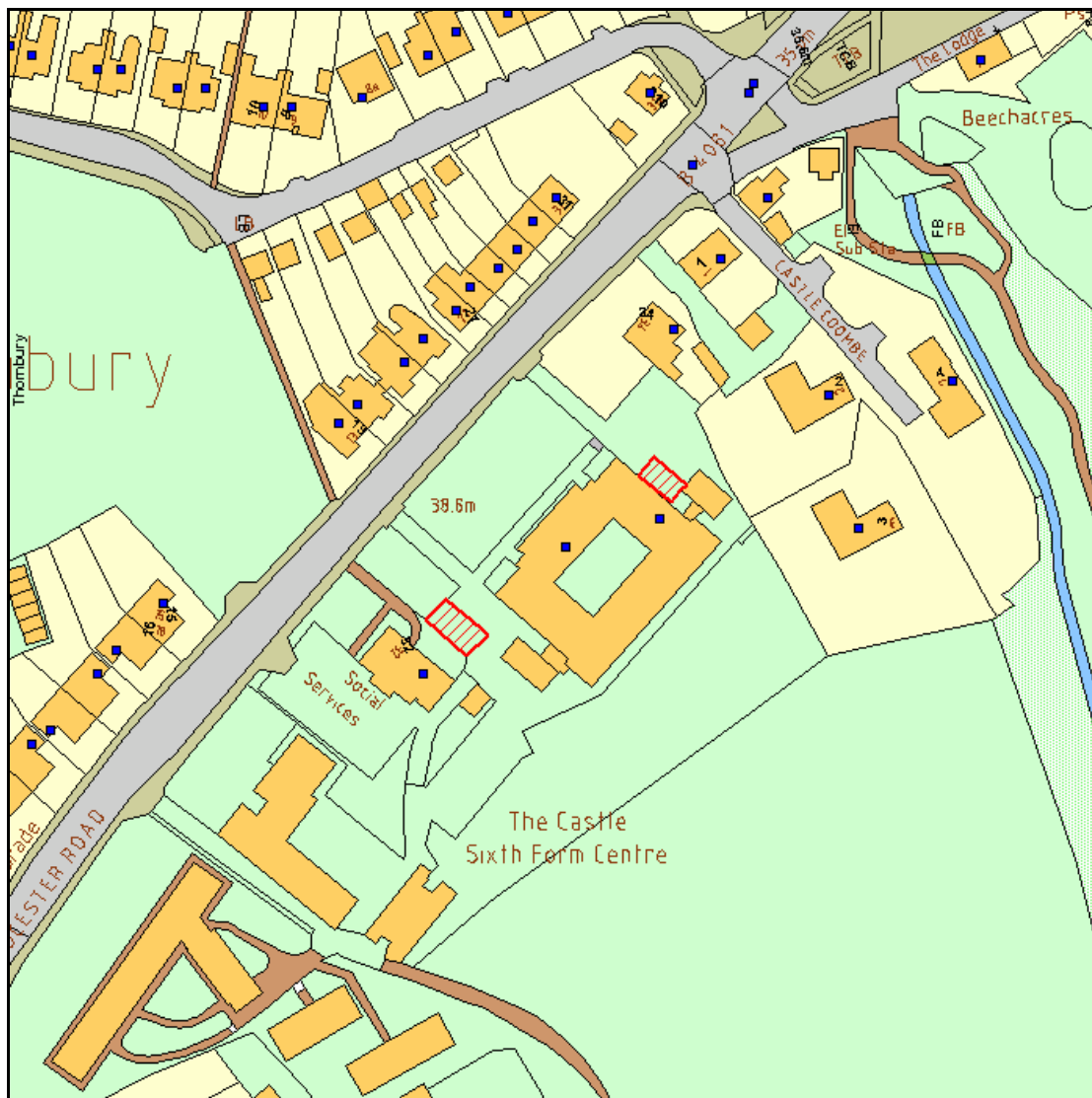
7.1 No objection

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



**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PT10/0592/R3F	<b>Applicant:</b>	The Castle School
<b>Site:</b>	The Castle School Gloucester Road Thornbury Bristol South Gloucestershire	<b>Date Reg:</b>	20th April 2010
<b>Proposal:</b>	Erection of 2 no. cycle sheds.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	363962 190435	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	14th June 2010



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**PT10/0592/R3F**

## **INTRODUCTION**

This application appears on the Circulated Schedule because South Gloucestershire Council has made the application.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the erection of 2no. cycle sheds. The individual units would be approximately 2m in width, 2.2m in depth and 2.2m in height. The sheds would be located adjacent to the existing car park.
- 1.2 The application site relates to an existing Sixth Form centre. The site is situated adjacent to Gloucester Road and is surrounded by residential development. The site lies within the Thornbury settlement boundary.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1: Delivering Sustainable Development

#### 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

LC4: Proposals for Educational and Community Facilities within Defined Settlement Boundaries

T7: Cycle Parking

T12: Transportation Development Control Policy for New Development

#### 2.3 South Gloucestershire Core Strategy (Pre-Submission Draft) March 2010

CS1: High Quality Design

CS32: Thornbury

#### 2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

### **3. RELEVANT PLANNING HISTORY**

- 3.1 None.

### **4. CONSULTATION RESPONSES**

#### 4.1 Thornbury Town Council

No objection.

#### 4.2 Sustainable Transport

No objection.

#### 4.3 Local Residents

None received.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the improvement of educational facilities within the boundary of settlement. On this basis it is considered that the principle of the development would be acceptable providing that the proposal would not harm character of the area, residential amenity, or have unacceptable transportation effects.

### **5.2 Visual Amenity**

The proposed development relates 2no. cycle sheds which would be situated within the curtilage of the school, adjacent to the existing car park. The sheds would be modest in scale and mass, and would adopt a fairly simple design. It is considered that the development would respect the character and appearance of the site and the locality.

### **5.3 Residential Amenity**

The site is isolated and detached from any residential property. As such the proposal would not harm the amenities of nearby occupiers.

### **5.4 Transportation**

The proposed cycle sheds would promote sustainable travel and help to reduce car use. Moreover the proposal would not prejudice existing parking provision or be detrimental to highway safety.

### **5.5 Design and Access Statement**

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

### **5.6 Use of Energy and Sustainability**

This scheme would promote the use of non-car modes of transport.

### **5.7 Improvements Achieved to the Scheme**

None.

### **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.

- a) The proposed development would achieve a good quality design and would respect the character and appearance of the existing building and the surrounding area. The proposed development would therefore accord to Policy LC4 and D1 of the South Gloucestershire Local Plan (adopted) January 2006.
- b) In view of the location of the proposed development it is considered that the proposed development would not prejudice the residential amenity of the nearby occupiers. The proposed development would therefore accord to Policy LC4 and D1 of the South Gloucestershire Local Plan (adopted) January 2006.
- c) The impact of the proposed development on transportation has been fully considered. It was concluded that the proposed development would promote sustainable travel and help to reduce car use.. The proposed development would therefore accord with Policy LC4, T7, T12, D1 of the South Gloucestershire Local Plan (Adopted) January 2006

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

## **7. RECOMMENDATION**

7.1 Planning permission to be **GRANTED** subject to the following condition(s): -

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

## **CONDITIONS**

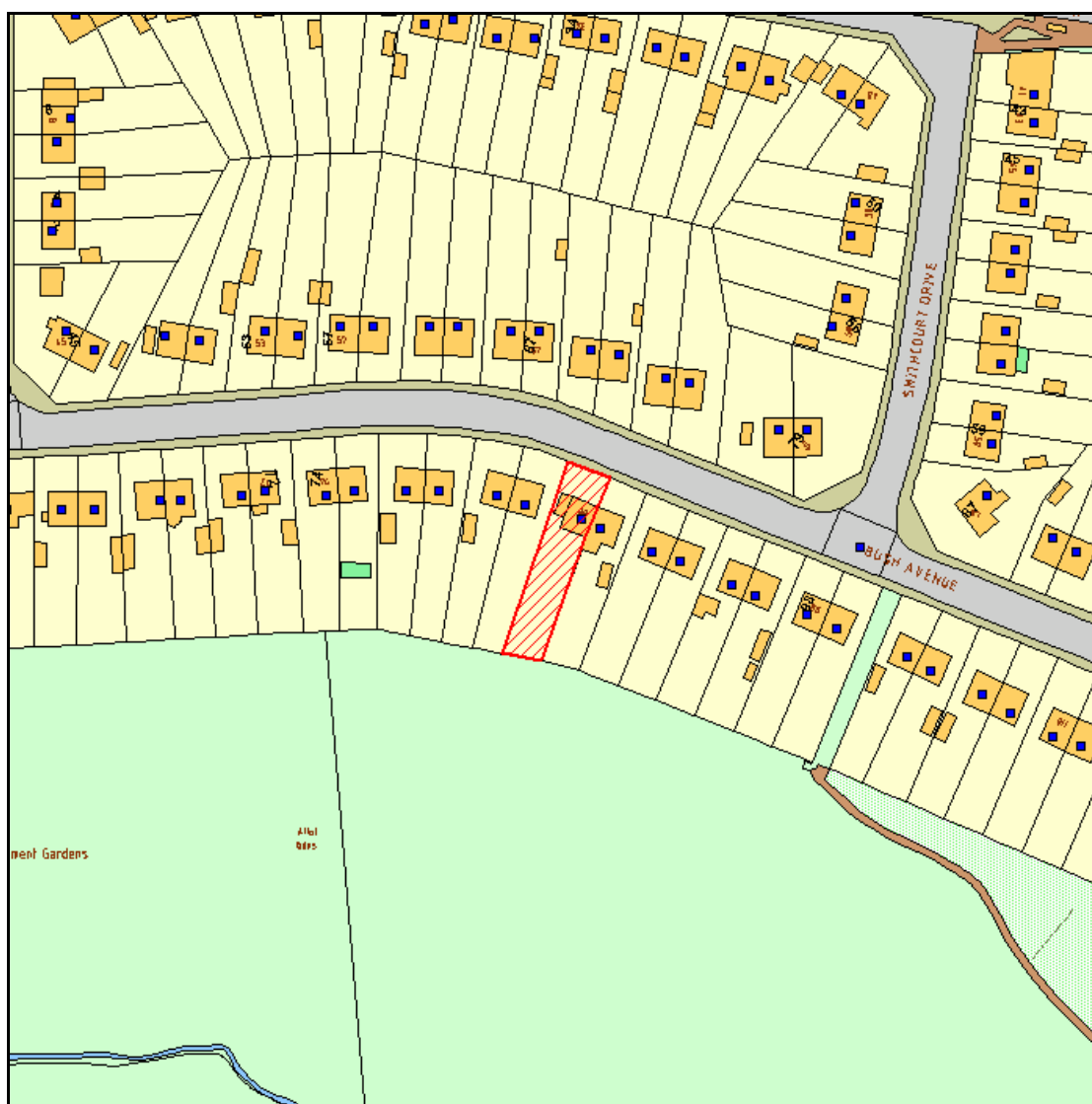
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PT10/0651/F	<b>Applicant:</b>	Mr D Casson
<b>Site:</b>	86 Bush Avenue Little Stoke Bristol South Gloucestershire BS34 8ND	<b>Date Reg:</b>	8th April 2010
<b>Proposal:</b>	Subdivision of existing dwelling to form 2 no. self contained flats. Erection of first floor rear extension over existing ground floor extension.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	361562 180421	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Minor	<b>Target Date:</b>	26th May 2010



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**PT10/0651/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the subdivision of an existing dwelling to form 2 no. self contained flats and for the erection of a first floor rear extension over existing ground floor extension.
- 1.2 This is a semi detached property located on Bush Avenue within the established urban area of Little Stoke. The property has been previously extended to the front, side and rear and permission is now sought for a further extension to the rear in order to facilitate the conversion of the property into 2 no. self contained flats.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

#### **2.2 Development Plan**

##### **Joint Replacement Structure Plan**

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 34	Re-use of Previously Development Land
Policy 35	Housing Density

##### **South Gloucestershire Local Plan (Adopted) January 2006**

Policy D1	Achieving Good Quality Design in New Development
Policy H4	Development within Existing Resident Curtilages
Policy H5	Residential Conversions
Policy L1	Landscape Protection and Enhancement
Policy T7	Cycle Parking
Policy T8	Parking Standards
Policy T12	Transportation Development Control Policy

##### **Emerging Development Plan**

##### **Core Strategy Pre-Submission Publication Draft (March 2010)**

Policy CS1	High Quality Design
Policy CS5	Location of Development
Policy CS9	Environmental Resources and Built Heritage

Policy CS17 Housing Diversity

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted)

3. **RELEVANT PLANNING HISTORY**

3.1 PT01/3404/F – Erection of two storey side, front and rear extension to form porch, garage and extended dining room with two bedrooms over. Approved 18/02/2002.

4. **CONSULTATION RESPONSES**

4.1 Stoke Gifford Parish Council

Object on the grounds of loss of recreational space, loss of parking space and overmassing.

4.2 Other Consultees

Highways

No objection.

**Other Representations**

4.3 Local Residents

No response.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H5 of the South Gloucestershire Local Plan allows for the conversion of residential properties into smaller units provided that the proposal:

**a) Would not prejudice the character of the surrounding area;**

Bush Avenue is characterised by residential development, mostly in the form of semi detached properties. There is at least one other example of a flat conversion that has taken place on the street, application PT06/2580/F referring to no. 35 Bush Avenue. A first floor extension is proposed to the rear and overall it is considered that the development would not prejudice the character of Bush Avenue or the immediate locality.

**b) Would not prejudice the residential amenities of neighbouring occupiers;**

A residential use of the property is being maintained and it is not anticipated that there would be any rise in noise levels from occupants. To the rear of the property an extension is proposed at first floor level. No side elevation windows are proposed and there would be no undue loss of privacy or overlooking as a result of the fenestration on the rear elevation. To the front a window will replace the garage door and this would add to existing fenestration on the frontage. The extension is set down from the ridge height of the existing two storey extension and is 3 m in depth, consequently it is considered that the proposal would not be overbearing on neighbouring occupiers.

**c) Would identify an acceptable level of off-street parking;**

Two off street parking spaces (one for each flat) are to be provided as a part of the scheme and this is in line with the Council's parking standards as outlined in Policy T8 of the Local Plan. The loss of the integral garage is therefore considered acceptable and the proposal would not prejudice highway safety.

**d) Would provide adequate amenity space.**

No. 86 Bush Avenue benefits from having a fairly large rear garden and the two bedroom ground floor flat would have access into this garden. Occupants of the first floor flat however would not be able to gain access to the rear as there is no internal staircase towards the rear of the property and no access available via the side of the dwelling as the side elevation is adjacent to the party boundary with no. 88 Bush Avenue.

Policy H5 of the Local Plan states that adequate amenity space should be provided for any new separately occupied dwelling. Policy CS17 of the Local Plan supports this principle and states that adequate amenity space should be provided in the form of private / semi private and / or communal outdoor space and where occupiers have access to adequate open and play space within the immediate vicinity. In this instance, no. 86 Bush Avenue is in very close proximity to a large public park situated to the south. The park has open space and footpaths and is accessed via a footpath leading off Bush Avenue, approximately 60 metres from the application site.

A 3 bedroom dwelling could potentially lead to a family occupying the unit and an approximate 10 minute walk away children's play equipment is available in Mead Park. In this instance, it is considered that given the dwelling's close proximity to a fairly large area of good quality open space the occupier's would have access to an acceptable amount of amenity space. It is not considered that the proposal would result in a loss of 'recreational space' as was a concern raised by the Parish Council.

5.2 Design / Visual Amenity

The existing garage door to the front of the property is to be removed and replaced with a window. The window is of an acceptable size and appearance and would not cause harm to the visual amenity. To the rear a first floor extension is proposed. The extension consists of a small gable end that would be subservient to the existing two storey gable end extension. A valley gutter is



proposed to sit between the two. The extension is considered to be of an acceptable size, massing and scale and the provision of a window at first floor level and patio doors on the ground floor would respect the character of the host dwelling.

### 5.3 Design and Access Statement

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

### 5.4 Use of Energy and Sustainability

Bin storage will be provided.

### 5.5 Improvements to Scheme

No improvements considered necessary.

### 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 proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.

- a) The proposal would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy D1, H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1, H4 and H5 of the South Gloucestershire

Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

- c) The proposed residential conversion identifies an acceptable level of off street parking, would not prejudice highway safety and would provide access to adequate amenity space. The development therefore accords to Policy D1, H4, H5, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

## **7. RECOMMENDATION**

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

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

### **CONDITIONS**

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

Reason

To comply with the requirements of Section 91 of the Town & 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 Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PT10/0780/F	<b>Applicant:</b>	Mr N Hoskins
<b>Site:</b>	Avening Cottage Kington Lane Thornbury Bristol South Gloucestershire	<b>Date Reg:</b>	23rd April 2010
<b>Proposal:</b>	Erection of balcony to first floor rear elevation.	<b>Parish:</b>	Oldbury-on-Severn Parish Council
<b>Map Ref:</b>	361383 190286	<b>Ward:</b>	Severn
<b>Application Category:</b>	Householder	<b>Target Date:</b>	15th June 2010



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**N.T.S.**

**PT10/0780/F**

## **INTRODUCTION**

The application appears on the Circulated Schedule in view of the letter of objection received from nearby residents.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the formation of a rear balcony.
- 1.2 The application relates to a two-storey detached dwelling, which occupies an isolated position accessed via the south side of Stock Hill, Thornbury. The property fronts a narrow lane forming part of The Jubilee Way recreational route and lies beyond any settlement boundary within the open Green Belt.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG2: Green Belts

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

H4: Development in Residential Curtilages

GB1: Development in the Green Belt

Emerging Policies: South Gloucestershire Core Strategy Pre-Submission  
Publication Draft (March 2010)

CS1: High Quality Design

CS17: Housing Diversity

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)  
Development in the Green Belt (Adopted)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 SG1196: Alterations and extensions to existing cottage to provide bathroom, two additional bedrooms & additional kitchen area. Permitted:
- 3.2 PT03/1976/F: Ground and first floor extension. Permitted: 18 September 2003
- 3.3 PT08/2951/F: Erection of single-storey rear extension and two-storey front extension to form additional living accommodation. Withdrawn: 2 December 2008
- 3.4 PT09/0617/F: single-storey front extension and first floor side extension to form additional living accommodation. Permitted: 26 May 2009

- 3.5 PT09/1144/CLP: Application for a Certificate of Lawfulness for the proposed erection of a rear single-storey and rear first-floor extension. Permitted: 7 Aug 2009

#### **4. CONSULTATION RESPONSES**

4.1 Oldbury-on-Severn Parish Council

No comments received

4.2 Other Consultees

PROW: no objection in principle

#### **Other Representations**

4.3 Summary of Local Residents Comments:

One letter received raising a strong objection and expressing the following concerns:

- The proposal to an already over-exposed window screen will be an invasion of privacy and totally out of keeping with the local environment and the countryside generally;
- The property is a blot on the landscape;
- A balcony is not in keeping with the character of a countryside dwelling.

#### **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning policy H4 allows for the principle of residential development subject to considerations of design, residential amenity and highway safety. Further, where in the green belt, policies H4 and GB1 advise that extensions should not comprise a disproportionate addition over and above the size of the original dwelling.

5.2 Design/ Visual Amenity

The application seeks full planning permission for the formation of a rear balcony that would provide for a first floor bedroom. The balcony would encompass the rear first floor patio doors of the newly built extension that has been completed as part of application PT09/1144/CLP. It would project 1.2m above the rear patio area and measure near the full width of this rear gable extension (5.1m).

- 5.3 In considering the proposal, it is noted that the dwelling occupies a remote location but one which is relatively prominent given its position on the hillside set against a woodland backdrop. It is the rear elevation of this extended property that is visible with the dwelling facing the woodland. Nonetheless, the balcony would have little material impact on the overall appearance of the dwelling and further, might help soften the appearance of this somewhat stark gable that is devoid of detailing (i.e. no overhang at eaves level) and characterised by the large amount of reflective glass. On this basis, there is no objection to the scheme on design/ visual amenity grounds given that it might provide some relief to this elevation. It is considered that an appropriately

worded condition should be attached in respect of the proposed glazing to the balcony to help reduce the level of reflected light that appears at odds with the rural character of the locality. This might also help to address some of those concerns that have been raised.

5.4 It is noted that the applicant has submitted an illustrative plan to show how the property might appear, if a Juliet balcony were instead fitted which would not require the benefit of planning permission; that is to say the fall back position that might be employed.

5.5 Impact on the Openness of the Green Belt

The property has been significantly extended beyond that which would generally be permissible within the Green Belt; the rear gable extension for which the balcony would provide was the subject of a Certificate of Lawfulness. If a full application had been submitted, it is very likely that this would have been refused on Green Belt grounds; however in that instance it constituted permitted development.

5.6 In this instance, the current proposal would provide a further extension of floor space albeit externally. However, it is not considered that planning permission could be reasonably withheld given that the proposal would have no significant adverse impact on the openness of the Green Belt over and above that which has already been completed as permitted development. Moreover there is a fallback position available under permitted development employing a Juliet balcony. There is no material difference between these in terms of the impact on the openness of the Green Belt. As such it is considered that the proposal should be seen as a proportionate addition and therefore appropriate development in the Green Belt. It is also considered that any associated refusal reason would be unlikely to prove sustainable.

5.7 Residential Amenity

The dwelling sits in isolation with all surrounding dwellings at a significant distance from the application site. This includes that of the objector and whilst this property might be visible from this dwelling, it is not considered that any significant adverse impact in residential amenity would be caused. It is noted that these properties are some 480m (approx.) apart.

5.8 Design and Access Statement

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

5.9 Section 106 Requirements

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

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to grant permission is for the following reason:
1. The proposal would appear in keeping with the character and design of the host dwelling. The proposal is therefore considered to accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
  2. The proposal would cause no further significant adverse impact to the openness of the Green Belt. The proposal is therefore considered to accord with Planning Policy GB1 (Development in the Green Belt) of the South Gloucestershire Local Plan (Adopted) January 2006.
  3. The proposal would not cause any significant adverse impact to residential amenity and thus is considered to accord with Planning Policy H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.

## 7. RECOMMENDATION

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

**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  
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. Prior to the commencement of development, a sample of the proposed glass to be used for the rear balcony hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Development shall accord with these approved details.

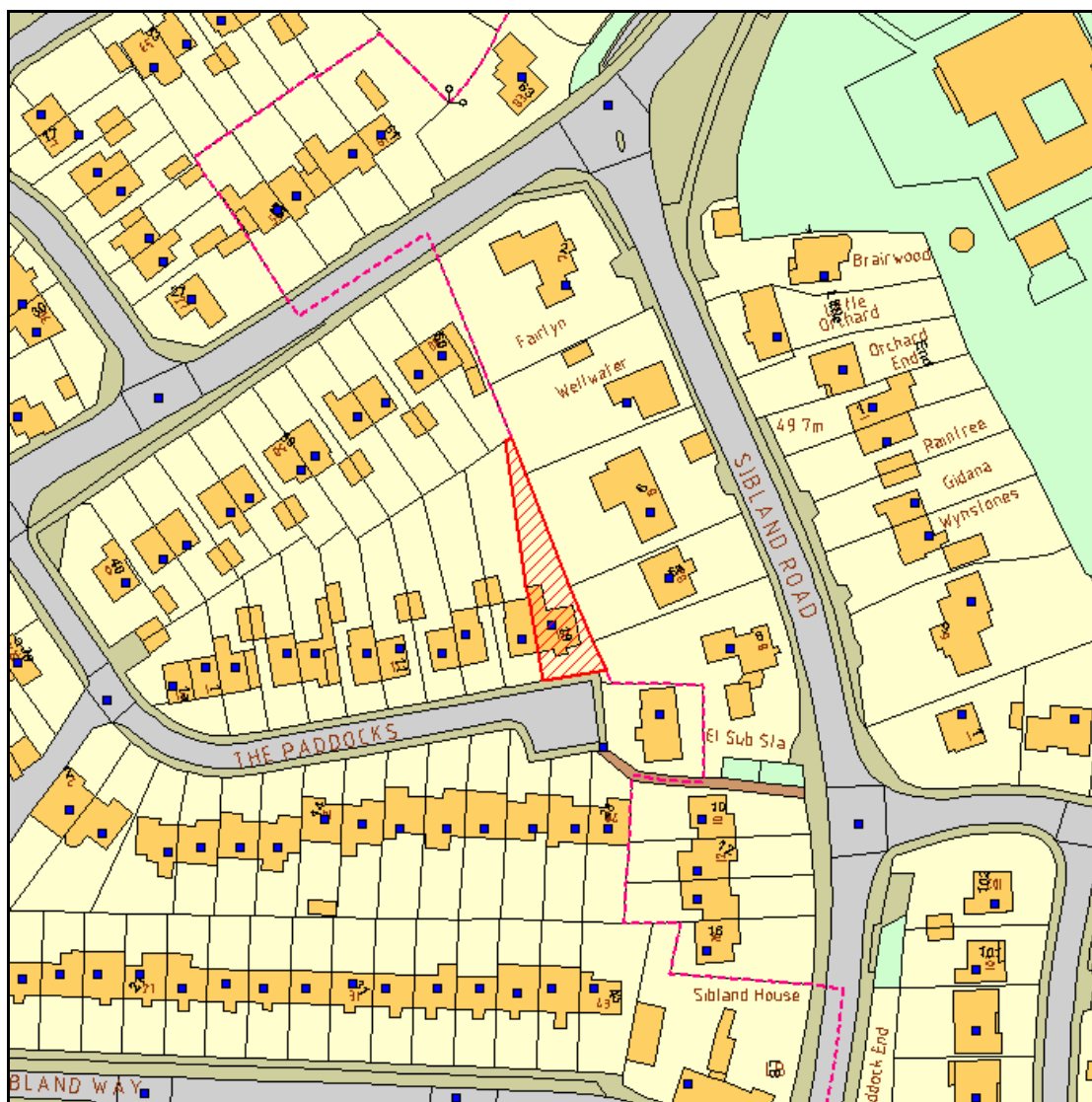
Reason

In the interest of visual amenity and to accord with Planning Policies D1, H4 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.



## CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010

<b>App No.:</b>	PT10/0795/F	<b>Applicant:</b>	Mr And Mrs P Duley
<b>Site:</b>	19 The Paddocks Thornbury Bristol South Gloucestershire BS35 2HP	<b>Date Reg:</b>	13th April 2010
<b>Proposal:</b>	Erection of two storey side and single storey front extension to provide additional living accommodation	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	364669 190062	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Householder	<b>Target Date:</b>	1st June 2010



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**PT10/0795/F**

## **INTRODUCTION**

This application is being circulated to Members because the officer's recommendation is contrary to a representation received by a local resident.

### **1. THE PROPOSAL**

1.1 The applicant seeks planning permission for a two-storey side extension and a single storey rear extension. The proposed two-storey side extension consists of adding a first floor to the existing single storey garage and utility room. The proposal would widen the garage by approximately 0.7 metres so that the side would be stepped to fit within the tapering boundary whilst attaining a modest size room on the first floor.

The proposed side extension would measure approximately 8 metres in depth, the current depth of the host dwelling and have a width at the front of approximately 3.5 metres with a width to the rear of circa 2.8 metres. Both ridge and eaves height would be the same as currently exists at approximately 7 metres and 5 metres respectively.

The proposed front extension would retain the depth of the existing porch (circa 1.2 metres) but adding a pitched roof to the existing flat porch and extending this along the front of the property, lengthening the garage and squaring of the front elevation. The width of the proposed front extension would be approximately 6 metres and be finished with a new front door and a new garage door. The eaves height would remain as existing at circa 2.5 metres and the ridge height would increase by approximately 0.5 metres to 3 metres. Materials would match the existing.

1.2 The application site relates to a modern two-storey semi-detached dwelling situated on a corner plot set at the end of a cul-de-sac in the well-established residential area of Thornbury.

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1 Delivering Sustainable Development

2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Design  
H4: Development within Existing Residential Curtilages  
T12: Transportation in Development

2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist Supplementary Planning Document 2007

2.4 Emerging Policy  
South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010:  
CS1: High Quality Design

### **3. RELEVANT PLANNING HISTORY**

3.1 N3244          Erection of Front Porch. **Approved.** 13 January 1977.

### **4. CONSULTATION RESPONSES**

4.1 Thornbury Town Council  
No objection.

#### **Other Representations**

4.3 Local Residents  
1 letter of objection from a local resident received on the following grounds:  
a) Overbearing;  
b) loss of light.

### **5. ANALYSIS OF PROPOSAL**

#### 5.1 Principle of Development

The proposed development consists of extensions to a dwelling within an existing residential curtilage. Policy H4 of the Local Plan permits this type of development in principle subject to the following considerations.

#### 5.2 Residential Amenity

The proposed development is on the eastern side of the existing dwelling with the neighbouring other half (No.17 The Paddocks) to the west. To the rear is a modest garden with mature trees that would effectively screen the proposal. Given that the proposal does not extend further than the current building line to either the front or rear, it is considered that the neighbouring dwelling of 17 The Paddocks would remain unaffected by the development. The existing property is set back from the road by a driveway and there is a large turning circle opposite. On the other side of this, also set back from the road is 28 the Paddocks. It is considered that this property being situated more than 30 metres away would also remain unaffected by the proposal. The eastern boundary treatment of the host dwelling consists of a raised bed with mature shrubs and an approximately 2.5 metre tall timber fence behind which is the end of the rear garden of 6A Siband Road.

Concerns have been raised about the proposal resulting in an overbearing impact on and loss of light to this property and the occupiers. The proposal would be set back from the eastern boundary and would be situated more than 15 metres away from 6A Siband Road. As such it is considered that the proposal would not result in an overbearing impact on the occupiers of this property. With regards loss of light it is considered that by virtue of the location of the proposal in relation to 6A Siband Road, any loss of light to the property would be negligible. Accordingly it is considered that the proposed development would not result in a detrimental impact on or material harm to the existing residential amenity of neighbouring occupiers.

### 5.3 Design/Visual Amenity

The existing property exhibits Bradstone, render and tile cladding to the front and is finished with brown tiles to the roof and white uPVC windows. The proposed development would use matching materials. Given the tapering nature of the application site, the proposal involves a stepping down in width to the rear of the house by approximately 0.5 metres. This would not be visible from the front but would look slightly awkward from the rear especially when combined with the proposed new window which does not match the majority of other existing windows on this rear elevation bar one. Amendments to this have been sought with the applicant's agent but no agreement was reached. However it is considered that this is not a sufficient basis for refusal. This is especially so given that the surrounding locality and street scene demonstrates a mixture of materials. Accordingly it is considered, on balance, that the proposal would not be contrary to Policy D1 of the South Gloucestershire Local Plan 2006 or the South Gloucestershire Design Checklist Supplementary Planning Document 2007.

### 5.4 Transportation

The proposed development would not result in any alterations to parking provisions and would not impact on highway safety. As such there is no objection in transportation terms.

### 5.5 Design and Access Statement

No Design and Access Statement was necessary for this application.

### 5.6 Use of Energy and Sustainability

Will be in accordance with Building Regulation standards.

### 5.7 Improvements Achieved to the Scheme

None.

### 5.8 Section 106 Requirements

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

## 6. CONCLUSION

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

6.2 By virtue of the location of the proposal and it being set back combined with the relatively minor nature of the alteration in footprint, it is considered that the proposed development would not result in a detrimental impact on or material

harm to the existing residential amenity of neighbouring occupiers. Accordingly it meets criteria in Policy H4 of the South Gloucestershire Local Plan 2006.

6.3 Given the mixture of materials and eclectic extensions in the locality the proposed development would not look out of keeping. It will be finished in materials to match the existing dwelling whilst respecting the scale and size of the existing dwelling. Notwithstanding the slightly awkward arrangement to the rear, on balance the proposal is not contrary to Policy D1 of the South Gloucestershire Local Plan 2006 or the South Gloucestershire Design Checklist Supplementary Planning Document 2007

6.4 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.

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

### **CONDITIONS**

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

Reason

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

**CIRCULATED SCHEDULE NO. 19/10 – 21 MAY 2010**

<b>App No.:</b>	PT10/0903/F	<b>Applicant:</b>	Mr T Hammond
<b>Site:</b>	15 The Wicketts Filton Bristol South Gloucestershire BS7 0SR	<b>Date Reg:</b>	21st April 2010
<b>Proposal:</b>	Erection of first floor side extension to provide additional living accommodation.	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	359890 178503	<b>Ward:</b>	Filton
<b>Application Category:</b>	Householder	<b>Target Date:</b>	11th June 2010



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**N.T.S.**

**PT10/0903/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule following the receipt of representations from Filton Town Council which were contrary to the case officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the erection of a first floor side extension above the existing attached garage. The proposal would provide an additional two bedrooms.
- 1.2 The application site relates to a detached garage and its associated curtilage. The site lies within a well established residential area and the Bristol north fringe urban area.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1: Delivering Sustainable Development

#### 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

H4: Development within Existing Residential Curtilage

#### 2.3 Emerging Development Plans

South Gloucestershire Core Strategy (Pre-Submission Draft) March 2010

CS1: High Quality Design

CS25: Communities of the North Fringe of Bristol Urban Area

#### 2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

### **3. RELEVANT PLANNING HISTORY**

- 3.1 None.

### **4. CONSULTATION RESPONSES**

#### 4.1 Filton Town Council

No objection in principle but following correspondence from neighbouring property, suggest that a condition be included limiting working hours to weekdays only, as this is a quiet cul de sac of elderly residents.

#### 4.2 Local Residents

None received.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extensions to residential dwellings. This is subject to the proposal:

- respecting the character and appearance of the existing dwelling and the surrounding area;
- not prejudicing the amenities of nearby occupiers,
- maintaining highway safety; and
- providing adequate amenity space.

Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.

### 5.2 Visual Amenity

The proposed extension would involve erecting a two-storey extension above the existing single storey attached garage. The extension would maintain the existing dwellings front and rear building lines, and the dwelling's roof shape. Moreover the extension would appear proportionate to the existing dwelling. It is also acknowledged that similar first floor extensions have taken place elsewhere within the street scene. On this basis, it is concluded that the proposed development would respect the massing, scale, proportions, overall design of the existing dwelling and character and appearance of the surrounding residential area.

### 5.3 Residential Amenity

The proposed extension would be contained within the front and rear building line of the adjacent dwelling. Moreover the proposal would not include any windows that would afford direct views into the adjacent property. It was therefore considered that the extension would not result in a material overbearing effect or a loss of privacy. On this basis it was concluded that the proposal would not prejudice the amenities of nearby occupiers.

5.4 It is noted that the Town Council have raised concerns that the construction period would cause disturbance to elderly residents within the cul-de-sac, and recommended that a condition be attached to limit working hours. Notwithstanding this, all development will generate some temporary disturbance during the construction period. This is acknowledged but given the scale of this proposal this is not sufficient to prevent or restrict the proposal. Nevertheless it is recommended that an informative be attached advising the applicant of best practices to be undertaken during the construction period and appropriate hours of working.

### 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  
To be built to Building Regulations

5.7 Improvements Achieved to the Scheme  
None.

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.

a) The proposal would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

b) The proposal would respect the overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

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

## 7. RECOMMENDATION

7.1 Planning permission to be **GRANTED** subject to the following condition(s): -

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

## **CONDITIONS**

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

Reason

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