



**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. 22/09**

**Date to Members: 05/06/09**

**Member's Deadline: 11/06/09 (5pm)**

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

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

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

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

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

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

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

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

## **GUIDANCE FOR 'REFERRING' APPLICATIONS**

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

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

## CIRCULATED SCHEDULE

**DATE: 05/06/09**

**SCHEDULE NO. 22/09**

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

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

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

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

**Please note: - Reason for Referral**

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

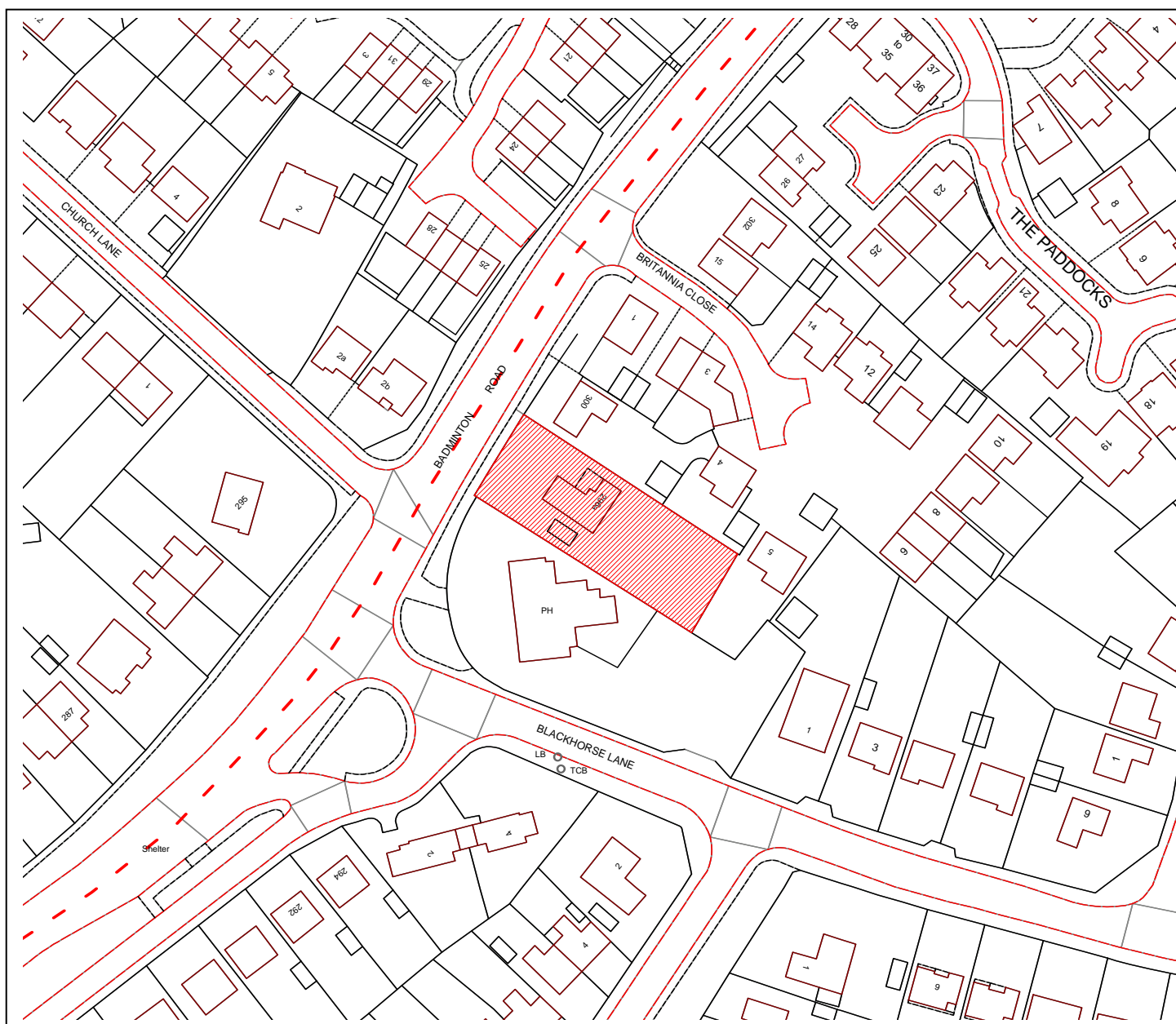
**SIGNATURE .....**

**DATE .....**

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1	<b>PK09/0715/F</b>	Approve with conditions	296A, Badminton Road, Downend, South Gloucestershire, BS36 1AQ	Emersons Green	Mangotsfield Rural Parish Council
2	<b>PK09/0728/F</b>	Approve with conditions	49 Bath Road, Bitton, South Gloucestershire, BS30 6HT	Bitton	Bitton Parish Council
3	<b>PK09/0733/F</b>	Approve with conditions	249 Blaisdon, Yate, South Gloucestershire, BS37 8TT	Dodington	Dodington Parish Council
4	<b>PK09/0764/F</b>	Approve with conditions	12 Taynton Close, Bitton, South Gloucestershire, BS30 6JZ	Bitton	Bitton Parish Council
5	<b>PK09/0771/F</b>	Approve with conditions	7 Castle Road, Pucklechurch, South Gloucestershire, BS16 9RF	Boyd Valley	Pucklechurch Parish Council
6	<b>PT09/0693/F</b>	Approve with conditions	881 - 883 Filton Avenue, Filton, South Gloucestershire, BS34 7HL	Filton	Filton Town Council
7	<b>PT09/0701/F</b>	Approve	50 South View Crescent and 194 Badminton Road, Coalpit Heath, South Gloucestershire, BS36 2LP	Westerleigh	Westerleigh Parish Council
8	<b>PT09/0741/VAR</b>	Refusal	Land At Bristol Parkway, Stoke Gifford, South Gloucestershire	Stoke Gifford	Stoke Gifford Parish Council
9	<b>PT09/0744/F</b>	Approved subject to Section 106	21 Rannoch Road, Filton, South Gloucestershire, BS7 0SA	Filton	Filton Town Council
10	<b>PT09/0745/F</b>	Approve with conditions	Hewlett Packard Ltd, Filton Road, Stoke Gifford, South Gloucestershire, BS34 8QZ	Frenchay and Stoke Park	Stoke Gifford Parish Council
11	<b>PT09/0760/F</b>	Approve with conditions	684 Southmead Road, Filton, South Gloucestershire, BS34 7QT	Filton	Filton Town Council

**CIRCULATED SCHEDULE NO. 22/09 – 05 JUNE 2009**

<b>App No.:</b>	PK09/0715/F	<b>Applicant:</b>	Mr T Moorman
<b>Site:</b>	296A, Badminton Road, Downend, South Gloucestershire, BS36 1AQ	<b>Date Reg:</b>	20th April 2009
<b>Proposal:</b>	Erection of 1no. detached dwelling with detached single garage (Re- Submission of PK08/0759/F)	<b>Parish:</b>	Mangotsfield Rural Parish Council
<b>Map Ref:</b>	65952 78075	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Minor	<b>Target Date:</b>	11th June 2009



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**N.T.S**

**PK09/0715/F**

## INTRODUCTION

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

### 1. THE PROPOSAL

- 1.1 This is a resubmitted application seeking full planning permission for the erection of a detached dwelling with a detached single garage at No. 296A Badminton Road, Downend. The proposal also includes the erection of a double garage at the front of No. 296A.
- 1.2 Previous planning application was refused for the following reasons:
- A. The proposed dwelling, by reason of its scale, height, mass, form and design, will not respect the character and appearance of the existing dwelling, No. 296A Badminton Road, and would further detract from the low profile character of the existing bungalow.
  - B. The proposed dwelling, by reason of its siting, scale, mass, height and design, will have an overshadowing and overbearing impact on the residential amenity of the neighbouring properties in particular No. 4 and No. 5 Britannia Close.
  - C. The siting of the new windows will allow for direct inter-visibility between habitable room on the amenity of the occupiers of dwellings. In addition, the proposed windows on the north east elevation of the new dwelling would directly overlook the main private amenity space of No. 4 Britannia Close.
  - D. The proposal, by virtue of the close proximity of new habitable windows and the public house, would have an adverse impact upon the future occupiers of the new dwelling.
  - E. The proposal, by virtue of its narrow access, substandard garages, restrictive parking and turning area, and lack of bin and cycle storage, would prejudice highway safety and level of adequate parking and amenity facilities.
- 1.3 There are a number of differences of this application, and the major differences are:
- A. The proposal is to erect a bungalow
  - B. No habitable windows are proposed on the south west elevation
  - C. Cycle and bin stores are provided for the existing and new dwelling
  - D. A single detached garage is provided for the new dwelling
- 1.4 The application site lies within a rear garden of No.296A Badminton Road, which is a detached bungalow with a garage to the side. The site is mainly bounded by timber fences, and there are trees/hedges along the north eastern boundary. There are two and half storey detached dwellings

adjacent to the north of the site and a public house lies to the south of the site.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing

### **2.2 Development Plans**

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

D1	Achieving Good Quality Design
L1	Landscape Protection and Enhancement
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
L18	The Water Environment (SuDs)
H2	Proposals for Residential Development within the Existing Urban Area and Defined Settlement Boundaries
H4	Development within Residential Curtilages

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PK08/0759/F Erection of 1 no. detached dwelling with detached double garage and erection of detached double garage for existing property. Refused 08.05.08

## **4. CONSULTATION RESPONSES**

### **4.1 Mangotsfield Rural Parish Council**

The Parish Council objects the proposal due to overdevelopment and lack of amenity space.

### **Other Representations**

#### **4.2 Local Residents**

Two objection letters have been received and the local residents raised the following concerns:

- Loss of privacy and daylight and residential amenity at No. 4 and No. 5 Britannia Close, No. 296a Badminton Road, No. 300 Badminton Road, and first floor occupiers of the Leap Inn
- The existing and new hedge along the boundary would have no foliage for much of the year and create no screening at all
- Poor residential amenity for the future occupiers.
- Inappropriate and potentially unsafe vehicular access
- Harm to the visual amenity of Badminton Road caused by the erection of a double garage

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The South Gloucestershire Local Plan (Adopted) identifies the site as sitting within an established settlement boundary.

Policy H4 of the South Gloucestershire Local Plan (Adopted) permits the erection of dwellings within existing residential curtilages providing a number of criteria are satisfied.

Policy H2 of the Local Plan also addresses a number of criteria that must be met to ensure residential development in the existing urban areas is acceptable.

Policies T7, T8 and T12 also identify factors relating to cycle and vehicular parking, access and highway safety that must be taken into consideration.

### 5.2 **A. Respects the massing, scale, proportions, materials and overall design and character of the existing property and the character of the street scene and surrounding area;**

The new building would be rendered finish under a concrete interlocking pan tile roof. The doors are to be made of thermoplastic 'secured by design' security door and the windows are to be made of uPVC. A new boundary wall dividing the existing and the new dwelling is to be made of 1.8 metres high rendered finish blockwork. It is considered that the use of these materials is sympathetic to the appearance of the existing dwelling, No. 296A Badminton Road.

The dwelling would be one and half storey, and it would have a hipped roof, which is similar to existing dwelling, No. 296A. Officers therefore consider that the design and scale would respect the character and appearance of the existing dwelling. In addition, the new dwelling would be located at the rear of the existing dwelling, officers therefore consider that it would not cause significant adverse impact upon the character and appearance of the area.

With regard to the proposed garages, officers consider that the design of the garages would not have adverse impact upon the character and appearance of the locality.

#### Trees and Landscaping Issues

A number of trees in the rear garden would be affected. The trees are growing within the rear garden of 296a Badminton Road. The garden appears to be an old orchard and the trees are all fruit trees. Although the development would mean the loss of the vegetation within the garden the trees do not fulfil the criteria for a Tree Preservation Order.

There is significant vegetation along the northern boundary that provides protection against overlooking from properties on Britannia Close and should be retained. There is also existing vegetation along the Badminton Road frontage that should also be retained. It is considered all this vegetation should be protected during construction.



Indicative planting proposals are shown on the proposed site plan but no details are provided.

The garden constitutes an open area within the existing urban area but it is not considered it meets the criteria to be considered under Policy L5 of the adopted local plan.

In this instance, officers have no objections to the scheme subject to the following conditions.

**5.3 B. Would not prejudice the amenities of nearby occupiers;**

Impact upon No. 5 Britannia Close

The new dwelling would be of a 'L' shaped and it would be a one and half storey building with a hipped roof. The dwelling would be approximately 2 to 2.3 metres adjacent to the boundary of No. 5 Britannia Close.

One roof light is proposed on the first floor level on the south east elevation and it would be approximately 1.7 metres above the finished floor level. It is considered that the proposal would not cause significant loss of privacy to No. 5 Britannia Close.

There is an existing timber fence along the south eastern boundary. Officers consider that the proposed window on the ground floor level would not cause loss of privacy to the neighbouring property.

Impact upon No. 4 Britannia Close

The new dwelling would be minimum 15.5 metres away from the ground floor kitchen window of No. 4 Britannia Close. There are two windows and one dormer window on the north east elevation of the new dwelling. They are a living room and bedroom window on the ground floor and a bedroom window on the first floor. The dormer window and ground floor bedroom window would be approximately 20 metres from the first floor window of No. 4 Britannia Close. It is therefore considered that the proposal would not cause significant loss of privacy to the neighbouring property.

The eaves of the new dwelling would be approximately 3.1 metres high and the proposed dormers would be modest in scale, officers therefore considered that the new dwelling would not have significant overbearing impact upon the neighbouring property.

Impact upon the public house

The new dwelling would be approximately 8 metres away from the first floor window of the public house. There are two rooflights, which are landing and bathroom windows, and two ground floor toilet windows. As these windows are set at an angle to the public house and they are non-habitable windows, officers considered that the proposed windows would not cause significant loss of privacy or inter-visibility upon the public house.

### Impact upon the existing bungalow No. 296A

The new dwelling would be approximately 14 metres away from the existing bungalow, and there would be a single detached garage between the new dwelling and the bungalow, and the garage would be approximately 3.5 metres.

One bedroom window is proposed on the ground floor level and it would be overlooking the turning / parking space. On the first floor level, there is a dormer, which is a bedroom window, and it would be approximately 20 metres away from the rear elevation of No. 296A. Officers therefore consider that these windows would not cause significant loss of privacy.

The proposal would involve the demolition of existing garage to make way for the development. A 1.8 metres high boundary wall is proposed to divide the existing and new property. There is no doubt that there would be some levels of traffic nuisance, e.g. dust and noise, affecting the existing bungalow, officers however consider that the new boundary wall would adequately protect the amenity of the existing bungalow.

### Impact upon No. 300 Badminton Road

The proposed double detached garage would be approximately 2.5 metres from the gable wall of No. 300 Badminton Road. It is considered that the proposal would not have any adverse impact upon the residential amenity of the neighbouring property.

### Impact upon the future occupiers

A local resident is concerned that the close proximity of ground floor kitchen windows to the close boarded boundary fence. Nevertheless, the drawings show that there would also be two windows in the proposed kitchen and there is a semi open plan between kitchen and living room. Officers therefore consider that the design would not be harmful to the residential amenity of the future occupiers.

### Other Issues

With regard to the provision of drainage, the Council Drainage Engineer has raised no objection in principle to the proposal.

- 5.4 **C. Would not prejudice highway safety or the retention of an acceptable level of parking provision, and an acceptable level of parking provision is provided for any new separately occupied dwelling;**

Planning permission has previously been sought to erect a detached dwelling on land to the rear of 296A Badminton Road (PK08/0759/F). Transportation objection was raised on the narrow access, substandard garages and restrictive parking and turning within the site.

This current proposal again seeks to erect a three-bed detached dwelling.

Alterations have been proposed to the access of the site. In response to the highway officer' concerns, a revised drawing is submitted and it shows that the width of the access would be 4.1 metres.

As requested as part of the previous proposal, the garage for the new dwelling has been pushed back further into the site and reduced in size to a single garage.

Bin and cycle storage for both dwellings is now being provided with a bin collection area being located to the front of the site.

Officers therefore consider the proposal is acceptable in highway terms subject to the following conditions.

**5.5 D. Would not prejudice the retention of adequate private amenity space, and adequate private amenity space is provided for any new separately occupied dwelling.**

Whilst the amount of amenity space remaining to serve No. 296A will be reduced, it is considered that ample private garden are will remain to serve the existing dwelling and the new dwelling. Both existing and proposed gardens will be separated by boundary walls and vegetation ensuring that a sufficient degree of privacy is maintained.

**5.6 Design and Access Statement**

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

**5.7 Section 106 Requirements**

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

**6. CONCLUSION**

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

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

**7. RECOMMENDATION**

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

**Background Papers**      **PK09/0715/F**

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

**CONDITIONS**

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

Reason:

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

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

Reason:

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

3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 or any Order revoking and re-enacting that Order with or without modification no development as specified in Part 1 Classes A, B, C, E and G, other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason:

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

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

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.

5. The new dwelling shall not be occupied until the parking areas and manoeuvring areas have been drained and surfaced in accordance with the details approved in writing by the Local Planning Authority. The access, turning and parking areas shall be of a permeable bound surface and shall be satisfactorily maintained as such.

Reason:

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

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

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

Reason:

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

8. The existing vegetation along the northern boundary and the Badminton Road frontage shall be retained and be protected during construction in accordance with BS 5837:2005 'Trees in relation to construction', and full details of the location and type of protection shall be submitted to and approved in writing prior to the commencement of development. The approved details shall be carried out prior to the commencement of development.

Reason:

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the vegetation, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

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

**CIRCULATED SCHEDULE NO. 22/09 – 05 June 2009**

<b>App No.:</b>	PK09/0728/F	<b>Applicant:</b>	Mr P House
<b>Site:</b>	49 Bath Road, Bitton, South Gloucestershire, BS30 6HT	<b>Date Reg:</b>	21st April 2009
<b>Proposal:</b>	Erection of rear orangery.	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	67721 69930	<b>Ward:</b>	Bitton
<b>Application Category:</b>	Householder	<b>Target Date:</b>	15th June 2009



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**N.T.S**

**PK09/0728/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

1.1 This application seeks permission for the erection of an orangery at the rear of No. 49 Bath Road, Bitton. The orangery would measure 7 metres deep by 5.7 metres wide and 4.4 metres to its ridge. The site lies within the Green Belt and Bitton Conservation Area.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG15	Planning and Historic Environment
PPG2	Green Belts

#### 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H4	Development in Residential Curtilages
GB1	Green Belt
L13	Conservation Areas

#### 2.3 Supplementary Planning Guidance

Design Checklist  
Advice Notes 2 – House Extension  
Development in the Green Belt SPD

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

3.1 P87/4682 (K5616) First floor rear extension. Approved 20.11.87

3.2 P98/4337 Conversion of outbuilding to living accommodation and erection of first floor extension. Approved 20.07.98

3.3 PK01/0253/F Erection of detached garage and creation of vehicular access. Refused 19.03.01

3.4 PK01/2739/F Erection of detached double garage and garden store and creation of vehicular access (Re-submission of planning application PK01/0253/F) Approved 22.04.02

3.5 PK03/2880/F Erection of detached garage and garden store to rear. Approved 17.10.03

### **4. CONSULTATION RESPONSES**

#### **(a) Statutory Consultees**

- 4.1 Bitton Parish Council  
No objection

**(b) Other Representations**

- 4.2 Local Residents

A letter has been received and the local resident is concerned that the proposal is large in particular the height. It would come close to the boundary wall. The proposed extension would be 10ft in front of a kitchen window.

**5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of development

The site is located within a settlement boundary of Bitton and the Bristol/Bath Green Belt. As such green belt policies are particularly relevant in the assessment of this application. Planning Policy Guidance 2 and Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 permits limited extensions to dwellings provided that it does not result in disproportionate additions over and above the size of the original building. Further to this any proposals for development should not have an adverse impact on the visual amenity of the green belt.

Policies D1 and H4 of the adopted Local Plan advise that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and the 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 private amenity space.

- 5.2 Scale of development

The property is a two-storey dwelling house and has first floor rear extensions, three dormers, and a detached double garage with garden store. The cubic volume of the principle dwelling is approximately 1004.7 cubic metres and the cubic volume of the existing extensions and building would be approximately 234.2 cubic metres. The proposed orangery would be approximately 123.7 cubic metres. Therefore the overall extensions including the new orangery would be approximately 35.6% of the original dwelling. As such, it is considered that the proposal would not constitute a disproportionate addition to the original property. Taking consideration of these factors, it is considered that the proposal would not be an inappropriate form of development in the Green Belt.

The proposed orangery would be located at the rear of the property and would not be visible from public realm. It is therefore considered that the proposal would not have significant adverse visual impact upon the open character of the Green Belt.

- 5.3 Visual Amenity and Impact upon Conservation Area

This is an application to extend an unlisted building in the conservation area. The proposed orangery is being erected to the rear of the building in an angle between the main house and a rear wing. The proposal will be effectively screened from public view and would not have an adverse impact on the



character or appearance of the conservation area. Officers therefore have no objection subject to suitable materials being conditioned.

#### 5.4 Residential Amenity

The proposed orangery would be a single storey structure and it would be approximately 4 metres from a kitchen window of the neighbouring property, No. 47 Bath Road. As there are other windows in the neighbour's kitchen and dining area, officers therefore consider that the proposal would not cause significant overbearing impact upon the neighbouring property to warrant a refusal of this application.

No window is proposed in the side elevation, it is therefore considered that the proposal would not cause any loss of privacy upon the neighbouring property.

#### 5.5 Design and Access Statement

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

#### 5.6 Section 106 Requirements

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

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

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

**Background Papers**      **PK09/0728/F**

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

## **CONDITIONS**

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

Reason:

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

2. The Cotswold coursed stone work to be used externally in the development hereby permitted shall match that of the existing building in type, colour, texture, size, coursing and jointing.

Reason:

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

Reason:

To ensure a satisfactory standard of external appearance in the Bitton Conservation Area, and to accord with and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

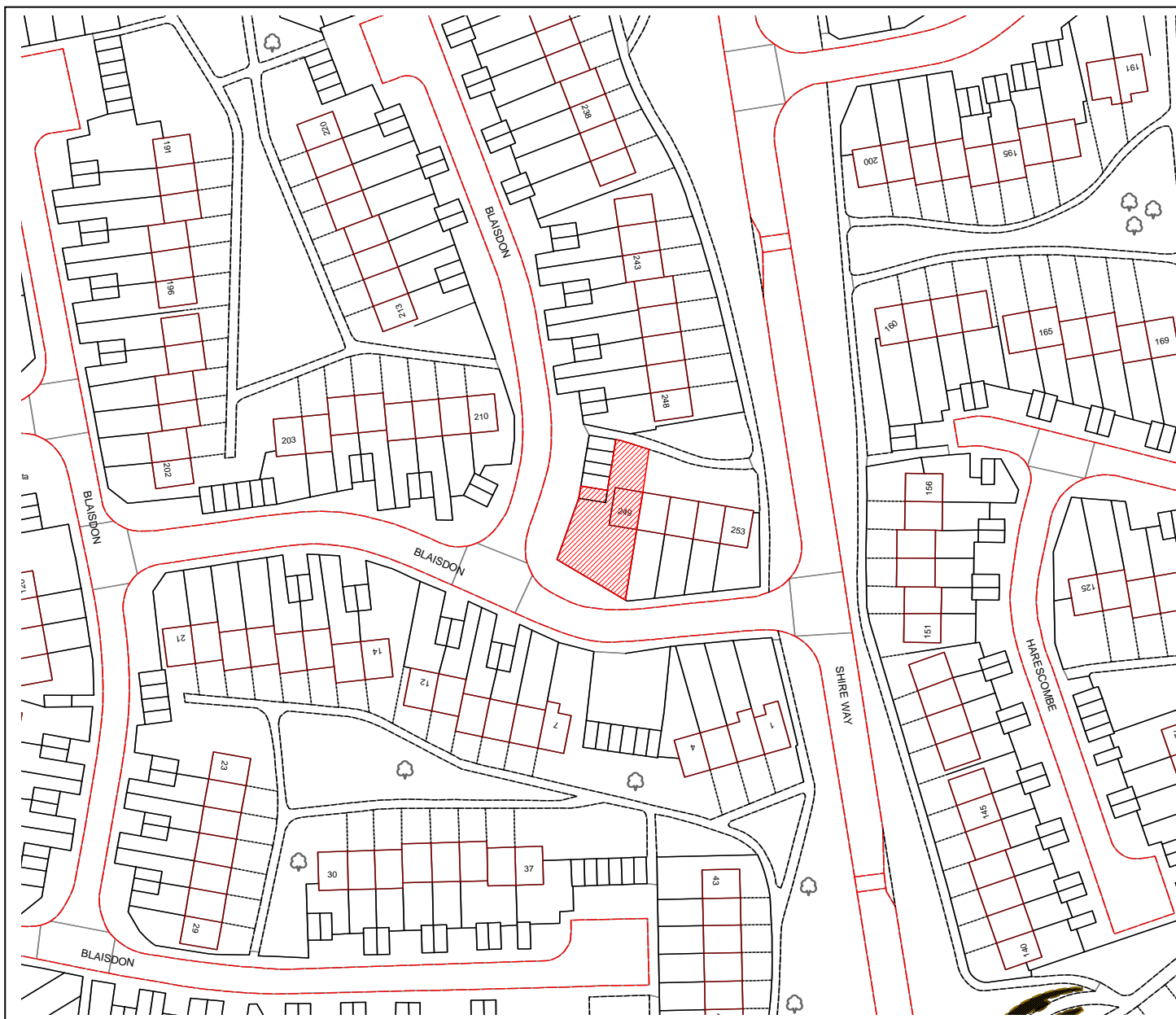
3. No windows shall be inserted at any time in the north west side elevation of the property.

Reason:

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

**CIRCULATED SCHEDULE NO. 22/09 – 05 JUNE 2009**

<b>App No.:</b>	PK09/0733/F	<b>Applicant:</b>	Mr D Brooks
<b>Site:</b>	249 Blaisdon, Yate, South Gloucestershire, BS37 8TT	<b>Date Reg:</b>	22nd April 2009
<b>Proposal:</b>	Erection of side and rear conservatories and erection of front porch.	<b>Parish:</b>	Dodington Parish Council
<b>Map Ref:</b>	71275 81222	<b>Ward:</b>	Dodington
<b>Application Category:</b>	Householder	<b>Target Date:</b>	16th June 2009



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**N.T.S**

**PK09/0733/F**

This application has been referred to the circulated schedule due to an objection raised by Dodington Parish Council.

## **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a front extension, one side conservatory and one rear conservatory at 249 Blaisdon, Yate.
- 1.2 The property is a two storey extended end terrace dwelling and is located within a residential area of Yate of 'Radburn' design.
- 1.3 During the course of the application amended plans were requested to remove the front extension from the scheme, it was later considered that a front extension of a smaller scale would be acceptable. Amended plans were received as requested.

## **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  
L1 Landscape Protection and Enhancement
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Council Advice Note No 2: House Extensions

## **3. RELEVANT PLANNING HISTORY**

- 3.1 N2423 Erection of storm porch and two storey side extension to provide Study and bedroom  
Approved April 1976

## **4. CONSULTATION RESPONSES**

- 4.1 Dodington Parish Council  
Object to the porch. It is considered that the proposal represents a departure from the established grain of development and would therefore fail to respect the character of the existing house and visual amenity of the street scene at the front of the property.

## **Other Representations**

- 4.2 Local Residents  
No response received

## **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 application is for the erection of a front extension, one rear conservatory and one side conservatory. The property is located on a 'Radburn' estate. As a result the grain of development is defined by dwellings being set back from the public footpath, with the intervening land, the front gardens and verges, creating a sense of openness. The front garden of the application property is open plan. The proposed front extension is modest in size in comparison to the bulk of the main host dwelling and is suitably subservient to it. Furthermore the materials used in the construction of the extension would match the main dwelling assisting the integration of the structure with the host dwelling. There are no front extensions in the immediate vicinity, however several properties in the surrounding area have front extensions of similar design. Given that the applicant has reduced the depth of the extension to 2 metres in combination with the location of the extension adjacent to the rear of the garages associated with the dwellings No's 249-253 Blaisdon, it is considered that a refusal reason based on design and visual amenity grounds could not be substantiated at appeal.

The proposed conservatories are of an appropriate standard in design and reflect the character of the main dwelling house and surrounding properties. Whilst the property would benefit from both a rear conservatory and a side conservatory it is considered that the additions would not harm the visual amenity of the area. This is particularly the case given their location at the rear of the building, the simple design and moderate dimensions. Consequently it is not considered that the proposal would be harmful to the principal dwelling and street scene.

### 5.3 Residential Amenity

The proposed rear conservatory measures 3.7 metres in depth by 5 metres in width with a height to ridge of 3.6 metres. The rear addition would be slightly set back from the boundary with the neighbouring property, No. 250 Blaisdon, which has an existing rear conservatory of 3.2 metres in depth. The front extension would be set 2.5 metres away from the adjoining dwelling furthermore, the proposed side conservatory is located away from any neighbouring properties. Consequently, given the existing boundary treatments

in place, combined with the depth and height of the proposals, it is not considered that the proposal would have any overshadowing or overbearing effect on the neighbouring dwellings.

The proposed side conservatory would overlook Blaisdon Road and the rear garages of No's 209-210 Blaisdon. The eastern side elevation of the proposed rear conservatory which faces the neighbouring property, would not contain any glazing. It is therefore 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 Improvements achieved to the scheme

The front extension has been reduced in depth from 2.6 metres to 2 metres. This reduction in scale, albeit minimal, is considered to significantly reduce the impact of the front extension on the character and appearance of the host dwelling and surrounding area.

#### 5.5 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**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 and Country Planning Act 1990 (as amended).

CIRCULATED SCHEDULE NO. 22/09 – 05 JUNE 2009

<b>App No.:</b>	PK09/0764/F	<b>Applicant:</b>	Ms F Riley
<b>Site:</b>	12 Taynton Close, Bitton, South Gloucestershire, BS30 6JZ	<b>Date Reg:</b>	27th April 2009
<b>Proposal:</b>	Erection of single storey rear extension and conversion of garage to form additional living accommodation.	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	67028 70578	<b>Ward:</b>	Bitton
<b>Application Category:</b>	Householder	<b>Target Date:</b>	17th June 2009



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N.T.S

PK09/0764/F



## **INTRODUCTION**

This application appears on the Circulated Schedule following objections received from a local resident and the Parish Council.

### **1. THE PROPOSAL**

- 1.1 This application seeks permission for the erection of a single storey rear extension and the conversion of an existing attached garage to form additional living accommodation. The property is a semi-detached brick built dwelling with an attached single width, double length garage. The front garage was built as an extension.
- 1.2 The original measurements for the proposed rear extension were 5.5 metres in width by 3.9 metres in depth, however, due to officer concern and objections received, revised plans have been received reducing the depth to 3.3 metres and the overall height from 3.8 metres to 3.4 metres. The extension will have a mono-pitch roof. Three rooflights will be inserted into the new roof. Planning permission is required for the garage conversion due to the 'permitted development rights' for garage conversions having been removed.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
T8 Parking Standards

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

- 3.1 P93/4498 Garage Extension  
Approved 2<sup>nd</sup> November 1993 (Ref K7550)

### **4. CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council  
Councillors expressed concern that there would [not] be adequate parking at this site. The garage as shown on the site plan appears to be further back than as shown on the drawing of proposed development, the latter allowing insufficient room for parking.
- 4.2 Sustainable Transport  
No objection.

### **Other Representations**

#### 4.3 Local Residents

One letter of objection has been received, objecting on the following grounds.

- Concerns over loss of daylight to patio
- Increased risk of flooding to patio
- Cosmetic appearance
- Decrease in value of property

Please note that property values are not a planning issue.

### 5. ANALYSIS OF PROPOSAL

#### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety. The principle of development is therefore acceptable subject to the following detailed assessment.

#### 5.2 Design/Visual Amenity

This application seeks permission for the erection of a single storey rear extension and conversion of existing garage to living accommodation. The proposed extension will measure 5.5 metres in width by 3.3 metres in depth, as shown on the revised floor plan received by the Council on 2<sup>nd</sup> June 2009. It will have a mono-pitch roof and the revised plans show the overall height of the extension of 3.4 metres. Three rooflights will be inserted into the new roof.

5.3 Concern has been raised by the Parish Council that the site location plan does not show the garage correctly. The site location plan does not show the garage extension that was permitted in 1993, however the block plan shows this correctly. The extension will be subservient to the main house and in terms of scale and design would integrate satisfactorily with the host dwelling. Furthermore, the materials used would match those of the existing house. It is considered that the scale and design are therefore acceptable.

5.4 The proposed garage conversion requires planning permission due to the 'permitted development rights' for garage conversions having been removed. There is one proposed window in the rear wall of the garage and the pedestrian access door will remain. The front part of the garage will remain as a garage with a garage door, therefore it is considered that the proposed conversion is acceptable in design terms.

#### 5.5 Residential Amenity

##### Overbearing Analysis/Privacy Analysis

The extension will be set back from eastern side elevation of the host dwelling by 0.2 metres and will be sited 18 metres from the boundary to the north. The extension will be sited adjoining the existing garage that projects in to the rear garden, screening the extension from the neighbouring dwelling to the west. The east (side) boundary consists of a 1.8 metre close boarded fence, changing to hedgerow approximately 2 metres from the rear wall of the dwelling.

- 5.6 Concern has been raised regarding the proposed depth, due to overshadowing. It is considered that the revised depth of the extension of 3.3 metres and the revised height of 3.4 metres, when taken in relation to the depth of the garden, would not create an overbearing effect on the occupiers of the adjoining dwelling. In addition, the proposed extension extends into a north facing garden, ameliorating concerns over loss of light. Due to the siting of the extension to the side of the existing garage, the extension will not affect the amenities of the property to the west.
- 5.7 There will be no openings on the east side elevation of the extension. It is therefore considered that the extension will not lead to problems of inter-visibility or cause a loss of privacy.
- 5.8 The proposed garage conversion will not involve extending it in any way. It is considered that the proposed conversion will not create an overbearing effect on the neighbouring properties or lead to a loss of privacy.
- 5.9 Other Matters  
Concern has been raised that the proposals will lead to an increased risk of flooding. The site is not within a flood risk area and the small scale of the proposals is not likely to increase the flood risk. Additionally, drainage from the extension will have to conform to current building regulations. It is therefore considered that the proposals are not likely to increase the risk of flooding.
- 5.10 Improvements achieved to the scheme  
Due to officer concern and objections received regarding the loss of amenity due to the overbearing effect of the depth of the proposed extension, through negotiation a revised depth of the extension of 3.3 metres and a revised height of 3.4 metres was achieved. This is a reduction in depth of 0.6 metres and a reduction in height of 0.4 metres. It is considered that this will overcome any overbearing effects of the extension.
- 5.11 Amenity Space  
Whilst the extension does project into the rear garden, sufficient garden space will remain to serve the occupiers of the property.
- 5.12 Highway Safety Analysis  
Concern has been raised that the conversion of the garage will result in the loss of one parking space and the resulting garage space will be insufficient for parking. However, there is no highway objection because the property will retain one attached garage, which complies with the Council's Maximum Parking requirements and is therefore in accordance with Policy T8 of the South Gloucestershire Local Plan (Adopted) 2006. Consequently the development will not impact upon highway safety.
- 5.13 Section 106 Requirements  
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is

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

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

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

**Background Papers**      **PK09/0764/F**

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

## **CONDITIONS**

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

Reason:

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

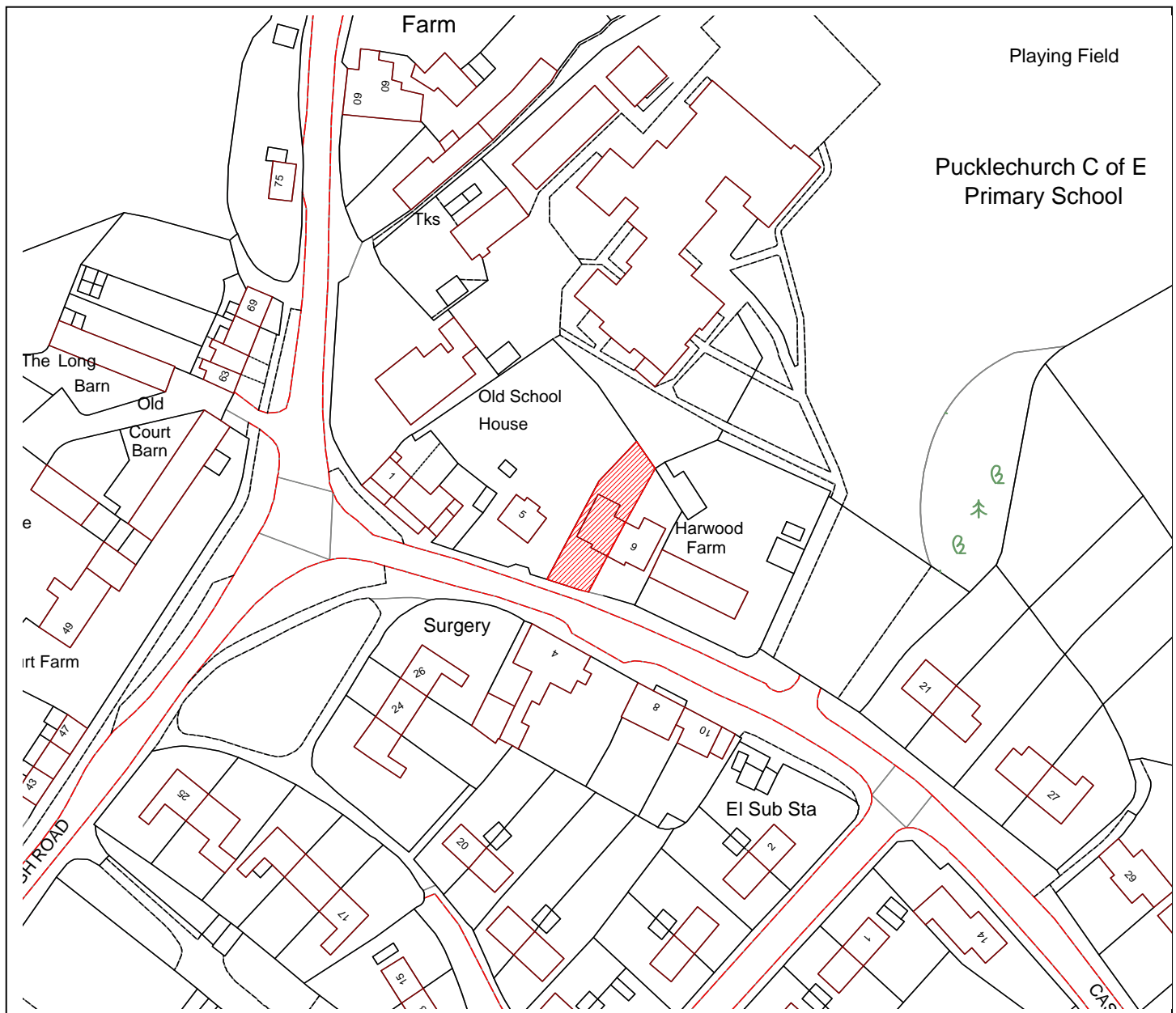
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason:

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

**CIRCULATED SCHEDULE NO. 22/09 – 05 JUNE 2009**

<b>App No.:</b>	PK09/0771/F	<b>Applicant:</b>	Mr P Kelly
<b>Site:</b>	7 Castle Road, Pucklechurch, South Gloucestershire, BS16 9RF	<b>Date Reg:</b>	28th April 2009
<b>Proposal:</b>	Installation of 1no. rear dormer windows to facilitate loft conversion. (Resubmission of PK09/0446/F).	<b>Parish:</b>	Pucklechurch Parish Council
<b>Map Ref:</b>	70047 76721	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Householder	<b>Target Date:</b>	18th June 2009



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**N.T.S**

**PK09/0771/F**

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

## **1. THE PROPOSAL**

- 1.1 This is a resubmitted planning application seeking full planning permission for the erection of a dormer at the rear of No. 7 Castle Road, Pucklechurch. The proposed dormer would be approximately 2.1 metres wide by 1.3 metres deep and 2.6 metres high. The major difference is the number of roof lights on the rear elevation.
- 1.2 This is a semi-detached property within the existing residential area of Pucklechurch, and is adjacent to the Pucklechurch C of E Primary School.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG15	Planning and Historic Environment

### 2.2 Development Plans

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

D1	Achieving Good Quality Design
H4	Development within Existing Residential Curtilage
L12	Conservation Areas
L13	Listed Buildings

### 2.3 Supplementary Planning Guidance

South Gloucestershire Advice Note 2  
Design Checklist

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PK09/0446/F Installation of 1no. rear dormer windows to facilitate loft conversion, Withdrawn.

## **4. CONSULTATION RESPONSES**

- 4.1 Pucklechurch Parish Council  
No comments.

### **Other Representations**

#### 4.2 Local Residents

One letter of objection has been received and the local resident raised the following concerns:

The proposal crowded onto the applicants half of the roof will make a farce of the condition to prevent the roof space from development. The applicant does not have the right to develop anything other than exactly the same as the roof of number 9 Castle Road.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

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

Policies L12 and L13 seeks to protect the character or appearance of conservation areas and their settings, and the setting of listed buildings.

### 5.2 Design and impact upon conservation area

Number 7 Castle Street is a 20<sup>th</sup> Century semi-detached building constructed in 'Bradstone' type walling with a concrete tile roof and uPVC windows. It was built very close to the grade II listed Harwood Farm in the 1980s creating quite a cramped form of development in this part of the conservation area. It is visible from the main road through the village, with the listed Harwood farm immediately to its right.

The proposal is for the conversion of the attic and the introduction of a new dormer to the rear elevation and a number of roof lights to both the front and rear roof slopes. The adjoining half of the building has already had two conservation roof lights introduced on the lower half of the roof, in line with the first floor windows.

The rear of the building is generally obscured from public viewpoints and the proposal to introduce a new dormer would, therefore, have little demonstrable impact on the character or appearance of the conservation area. The number of roof lights to the front elevation has been reduced and their proposed position would now correspond to those found in the neighbouring property. The proposals would, therefore, mirror the adjoining property and will have a limited impact on the character and appearance of the conservation area.

In this instance, officers therefore have no objection in principle, but would suggest the following condition to secure details of a traditional conservation roof light for use on the front elevation.

### 5.3 Residential Amenity

The proposed rear dormer and roof lights would be overlooking the playing area of Pucklechurch C of E Primary School, and the proposed dormer is modest in scale. It is therefore considered that the proposal would not cause significant loss of privacy nor overbearing impact upon the neighbouring residential properties.

### 5.4 Other Issues

A local resident raised a concern that the applicant has no right to develop anything other than exactly the same as the roof of No. 9 Castle Road.

The original permission for the development of the site (N2327 (outline)) was approved with the condition that the buildings shall be two storeys and that no living accommodation should be contained either wholly or partially within the roof space. The reason given was to ensure a satisfactory standard of design due to the sites location in the conservation area and in the interests of visual amenity. The intention, therefore, appears to have been to avoid the introduction of roof lights or dormers on the principal elevation by limiting the accommodation to the ground and first floors.

It appears from the application drawings that there is currently no living accommodation in the roof space. The owners of the neighbouring property, 9 Castle Road, applied in 1998 (P98/4511) to relax this condition to allow the conversion of their attic and introduce the roof lights. This consent was approved and subsequently conditioned to agree the choice of roof lights or dormer details.

In this instance, as per paragraph 5.2, officers consider that the proposal is acceptable in terms of design and impact upon conservation area, therefore it is considered that there is no substantial reason to warrant a refusal of this application.

#### 5.5 Design and Access Statement

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

#### 5.6 Section 106 Requirements

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

## 6. CONCLUSION

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

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



## **7. RECOMMENDATION**

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

**Background Papers**      **PK09/0771/F**

**Contact Officer:**    **Olivia Tresise**

**Tel. No.**                **01454 863761**

### **CONDITIONS**

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

Reason:

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

2. The proposed rooflights on the front elevation hereby permitted shall be of a traditional conservation rooflight.

Reason:

To ensure a satisfactory standard of external appearance in the Pucklechurch Conservation Area, and to accord with and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 22/09 – 5 JUNE 2009**

**App No.:** PT09/0693/F  
**Site:** 881 - 883 Filton Avenue, Filton, South Gloucestershire, BS34 7HL  
**Proposal:** Erection of two no. two storey side extensions to form additional living accommodation (Retrospective) at the existing pair of semi-detached houses.  
**Map Ref:** 60823 79479  
**Application Category:** Householder

**Applicant:** Leda Stirling Ltd  
**Date Reg:** 15th April 2009  
**Parish:** Filton Town Council  
**Ward:** Filton  
**Target Date:** 10th June 2009



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## **1. THE PROPOSAL**

- 1.1 This is a full application, which seeks planning permission to erect a pair of extensions to this pair of interwar semi-detached houses in order to create more living accommodation for each house. The two bedroomed houses would be increased to six bedroomed houses. Two parking places would be provided for each house.
- 1.2 The site is located in the urban area of Filton on the corner of Filton Avenue with Conygre Road.
- 1.3 This application follows the approval of similarly shaped extensions for use as four two bedroomed flats.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development (Planning and Climate Change)  
PPS3 Housing
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving good quality design in new development  
H2 Residential development in the urban area or defined settlement boundaries  
H4 Development within existing residential cartilages, including extensions and new dwellings.  
T7 Cycle parking  
T8 Parking standards  
T12 Transportation development control policy for new development  
L17 The Water Environment  
L18 The Water Environment  
EP1 Environmental pollution

### Supplementary Guidance

By Design, Better Places to Live: A Companion Guide to PPG3.  
South Gloucestershire Design Checklist Adopted

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PT08/1137/F Erection of two storey side extensions to facilitate conversion of existing dwellings to 4 no. flats and construction of new access with associated works. Approved 5 September 2008.
- 3.2 PT07/1523/F Demolition of existing 2 no. dwellings to facilitate the erection of 8 no. flats. Creation of new vehicular access with associated works. Refused and dismissed on appeal 15 January 2008.
- 3.2 PT06/2703/F Demolition of pair semi-detached houses to facilitate erection of building to form 7 no. flats. Refused for the following reasons on 13/11/2006.

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

4.1 Filton Town Council  
Object to retrospective application.

4.2 Sustainable Transport

The Highways officer raises no objection to the retention of each of the existing accesses for one parking space. The other two parking spaces are created on the non-classified road known as Conygre Road, located a reasonable distance from the junction.

The proposal is not anticipated to significantly increase traffic generation. As such the current proposal is acceptable subject to detailed design of the cycle parking and bin storage being submitted.

4.3 Local Residents

Two letters were received from local residents in respect of the following matters

- disappointed that the work has already been carried out.
- lack of parking, historically the houses have been let as two bedroom houses with seven and three cars located at 881 and 883 respectively.
- concern that escalating from four bedrooms to twelve bedrooms will significantly increase cars associated with the houses, in addition to the use of Conygre Grove being used by visitors to the shops opposite Filton Avenue.
- more overlooking, more noise.

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

5.1 Principle of Development

The site lies within the urban area of Filton where extensions are generally acceptable providing that they do not have an adverse effect on the residential amenity of neighbours, transport issues and should retain adequate amenity space. Further the design of the proposal should reflect the site and surroundings. These matters are set out in policies D1 and H4 of the local plan.

5.2 Design

The form of the proposal is identical to the proposal for four flats save the access arrangements and that the bay window proposed to the side elevation has not been constructed. The structure has been completed and is already render finished with matching tiles over. Notwithstanding the modest changes to the previous scheme the manner in which the extensions have been carried out is acceptable in appearance and complies with policy H4 and D1 of the local plan.

5.3 Residential amenity

There are two properties which adjoin this site, neither of whom are prejudiced by loss of privacy. Similarly only the side extension facing 879 Filton Avenue could be said to

have any impact on a neighbour and in this respect the subservient nature of the extension and the neighbours own driveway prevent the extension at 879 from being overbearing on the neighbouring house at 879. Thus the form and relationship of the extensions is acceptable as it was for the similarly shaped previous application. The application complies with policy H4.

#### 5.4 Transportation

It has been identified by neighbours that the previous occupants of the houses had a large number of cars at the premises. The proposal seeks to provide only two parking spaces per dwelling and given the history of high car ratio to bedrooms the resulting six bedroom houses causes the neighbours some concern. However the Council seeks a maximum of 3 car parking spaces per house in Policy T8 for houses with four or more bedrooms and as such the proposal meets the maximum parking limit. Whilst six bedroom houses are shown this would not prevent the rooms from being used as additional reception rooms as one would generally expect downstairs (dining room/study etc.). Additionally it is reasonable to expect residents to use the public transport service in the area. As such the two parking spaces for each dwelling are considered to be acceptable under policy T8 and H4 of the local plan but as no designation has been made about usage/ownership of the parking spaces a condition will be imposed to clarify the use of each space to ensure that the parking spaces are equally shared.

#### 5.5 Amenity space

The two houses would share around 160 square metres of private amenity area in the rear. A cycle parking and bin storage facility is also shown in the rear amenity area. The provision of these facilities at the rear is acceptable and would retain the open nature of the front of the site. A landscaping scheme showing proposed landscaping and fencing would be required to ensure that the facilities are available to both houses with access via a rear path for house 883 Filton Avenue.

#### 5.6 Other issues

The site would be expected to provide a Sustainable Urban Drainage Scheme as there is no public surface water sewer and this is controlled by condition.

#### 5.7 Use of Energy and Sustainability

No evidence has been submitted to show any particular complementary features in this respect, but the residences would need to comply with Building Regulations.

#### 5.8 Improvements achieved to the scheme

None required.

#### 5.9 Section 106 Requirements

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

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

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

### **Background Papers      PT09/0693/F**

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

### **CONDITIONS**

1. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be constructed/maintained in accordance with the details submitted to discharge these same parking spaces on planning application PT08/1137/F. Thereafter parking spaces P1 and P4 shall be allocated to house 883 Filton Avenue and parking spaces P2 and P3 shall be allocated to 881 Filton Avenue. These off-street parking facilities shall be provided prior to first occupation of the respective dwellings.

Reason(s):

In the interests of highway safety, to ensure that parking is provided for each house and to accord with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. Prior to the commencement of development a scheme of landscaping, which shall include details of all proposed means of enclosure (between properties and rear access) and proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason(s):

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

3. Drainage proposals shall be carried out in accordance with the information submitted in relation to condition four (drainage) of planning consent PT08/1137/F.

Reason(s):

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







## **Other Representations**

### **4.2 Local Residents**

One letter of objection received raising the following concerns –

- This fence detracts from the appearance of the development and is not in keeping with the local surrounding properties.
- The erection of a garden shed in the front garden should not be allowed as the site is already over developed.
- The fence located at the corner of South View Crescent restricts the view on to the highway so is a danger to road users and pedestrians.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

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

Policy H4 states that *proposals for development within existing residential curtilages*, will be permitted subject to certain criteria.

The principle of the development is therefore acceptable subject to the following detailed assessment.

### **5.2 Design / Visual Appearance**

This 2 m high dark stained, timber close boarded fence is already in situ behind an existing 1 metre high natural stone wall. The fence runs all along the north west boundary of no's 194 Badminton Road and 50 South View Crescent and also along the south west boundary of no. 50 South View Crescent. An entrance gate is included for no. 194 Badminton Road, which is set back by approximately 5 metres from the highway.

The surrounding area contains many examples of similar close boarded fences already in situ on Badminton Road and also South View Crescent to the rear. Of most relevance are the existing fences on Badminton Road, some of which are in close proximity to the application site. Submitted as evidence with the planning application was examples of close boarded fences at no's 142, 148, 158, 197a and 274 Badminton Road. Other examples of wooden fences were viewed to the north of the application site on Badminton Road. Given these existing examples and the existence of similar fencing within the local area for fences of this type it is considered that the development respects the character and distinctiveness of the locality, and complies with Policies D1 and H4 of the Local Plan.

### **5.3 Highway Safety**

The Council's Highways Officer was consulted as a part of the application. Having taken some measurements from the application site the Officer was satisfied that neither pedestrian visibility (from the parking areas) or junction

visibility (from South View Crescent / Badminton Road) is obstructed by the fence line. The proposal therefore complies with policy T12 of the Local Plan.

5.4 Residential Amenity

The fence has no adverse impact on the residential amenity of nearby occupiers.

5.5 Improvements to Scheme

No improvements were negotiated.

5.6 Other Matters

A local resident raised concern regarding the erection of a garden shed; it should be noted that this application seeks to regularise the fence and so the garden shed is not under consideration. Planning permission would not normally be required for a garden shed, depending on the siting/size.

5.7 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

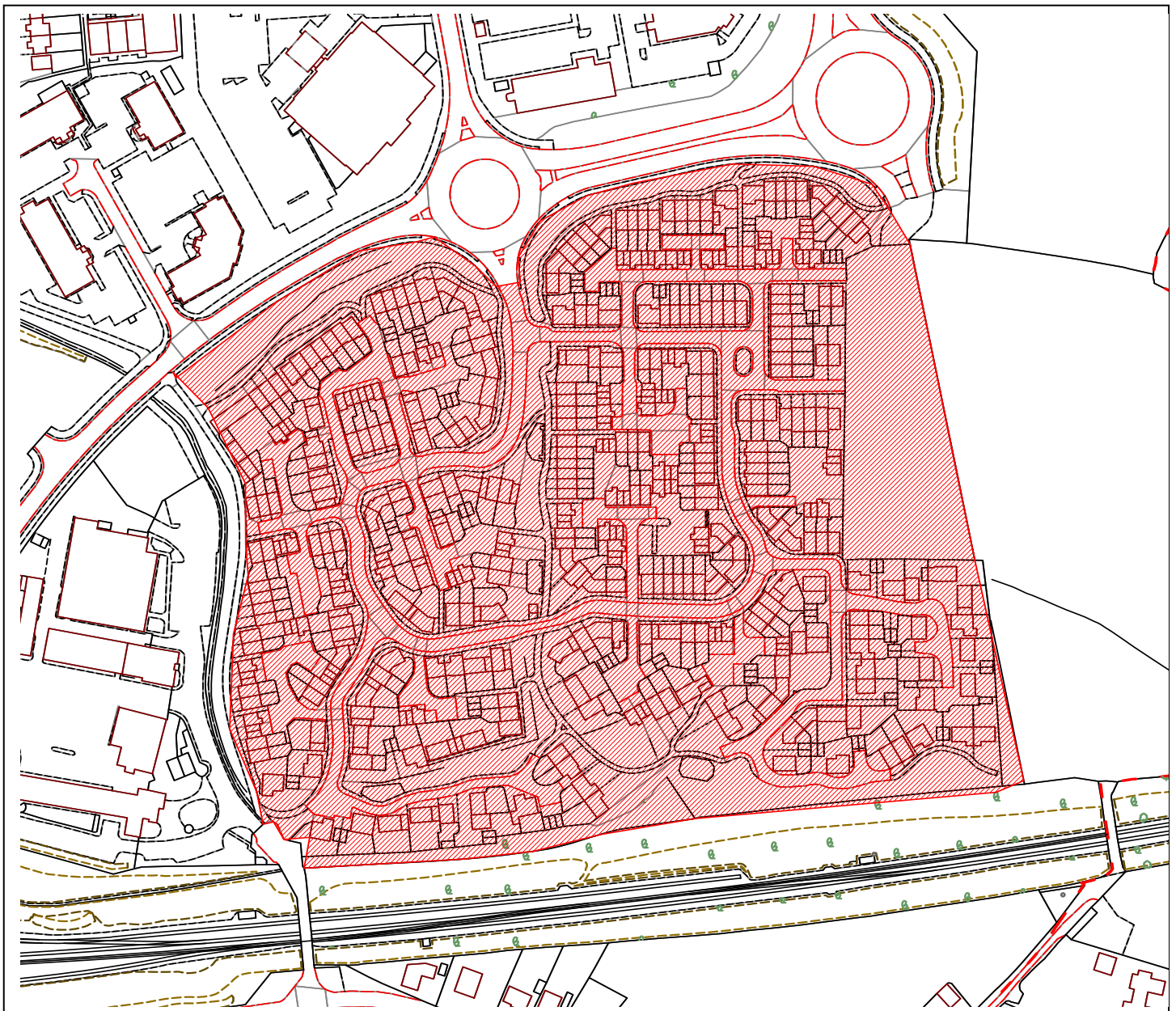
- 7.1 That planning permission is **granted**.

**Background Papers**      **PT09/0701/F**

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

## CIRCULATED SCHEDULE NO. 22/09 – 5 JUNE 2009

<b>App No.:</b>	PT09/0741/VAR	<b>Applicant:</b>	Crest Nicholson Plc
<b>Site:</b>	Land At Bristol Parkway, Stoke Gifford, South Gloucestershire	<b>Date Reg:</b>	22nd April 2009
<b>Proposal:</b>	Modification of Section 106 agreement dated 28th April 2000 attached to planning permission P99/2180 discharge of obligation to pay the education contribution to the Council.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	63188 79758	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Other	<b>Target Date:</b>	15th June 2009



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100023410, 2009.

## **INTRODUCTION**

The application appears on the circulated schedule as it relates to an existing Section 106 Legal Agreement.

### **1. THE PROPOSAL**

- 1.1 The application relates to a Section 106 Legal Agreement directly relating to outline planning consent P99/2180. The agreement was signed on 28<sup>th</sup> April 2000. The agreement secured a contribution in order to offset the educational requirements resulting from the development of 315 dwellings on this site (as approved under the subsequent reserved matters planning applications. Essentially, Clause 4.1 of the Section 106 Legal Agreement provided the Local Authority with the option to construct a primary school or receive a financial contribution towards 106 additional school places in existing local schools.
- 1.2 The Local Authority has served notice upon the developer that it does not wish to construct the school, and has exercised its right to claim the financial contribution (February 2009). The application seeks to relinquish this requirement for the education contribution and has made an application to do so under S106A(3) of the Town & Country Planning Act 1990.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

LC2 Provision for Education Facilities (Site Allocations and Developer Contributions)

The development was subject to a planning application in 1999. At that time the South Gloucestershire Local Plan (Adopted) January 2006 was emerging and was in its Consultation Draft Stage. At that time, Policy LC4 carried a very similar purpose to the above and was assessed under that policy frame work.

- 2.3 Supplementary Planning Guidance  
None Relevant

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

- 3.1 P99/2180 Development of land for residential purposes, and erection of school site (outline).  
Approved subject to Section 106 Agreement.
- 3.2 PT99/0270/RM Erection of 83 dwellings and associated works.  
Approved

- 3.3 PT00/2213/RM Erection of 234 dwellings and associated works.  
Approved

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

- 4.1 Stoke Gifford Parish Council  
Object as the reasons are not acceptable.

- 4.2 Education  
Object as there remains a need for the contribution based upon. This assessment and recommendations in relation to this application relies upon the consideration of the merit of the case by officer in the Children and Young People Department. On this basis, these comments are specifically addressed in the main body of this report.

#### **Other Representations**

- 4.3 Local Residents  
2 letters have been received. The comments can be summarised as follows;

No objection to the principle of subsidising an extension to Frenchay School.

There is a shortage of nursery places in the area. A contribution to another nursery facility within walking distance would be welcomed.

Concern is raised regarding the development of the site for further housing on the grounds of privacy and visual amenity.

Concern that there would be a potential traffic impact limiting access in the Bristol Parkway and Hambrook Lane area.

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

- 5.1 This application does not seek to carry out development, rather it is an application to discharge the previously agreed term under the section 106 agreement in order to remove the obligation to pay the Local Authority the contribution for educational requirements resulting from the residential development on this site. To this end, this application is not a planning application in the normal sense and is submitted under section 106A(3) of the Town and Country Planning Act 1990. For the purpose of this report, the development is that which has been developed on the land so approved under P99/2180 and subsequent planning approvals.

- 5.2 Assessment of the Request to discharge the obligation  
The signed Section 106 agreement was set out in such away that either an area of land within the site is developed for a new school; or that a financial contribution is paid to the Local Authority in the event that the school is not constructed. The agreement is such that the Local Authority has the option of serving notice to claim this financial contribution.

- 5.3 The required financial contribution was set out in this agreement at £670,000 and is index linked based upon April 2000 figure. Officers are advised that this equates to approximately £967,000. In February 2009 the Local Authority (CYP) served notice on the developer to effectively claim these funds from the developer.
- 5.4 The developer has subsequently submitted this application. The application is supported with an assessment carried out on behalf of the applicant. In this instance the applicant argues that there is no longer a requirement to make the contribution on the basis of the following arguments;
- i) that all of the children in the development have been accommodated in existing schools, and;
  - ii) that the number of children from the development currently in primary schools exceeds the number of children below primary school age. On this basis the peak number of primary aged children has been achieved and now may be in decline; and
  - iii) that no additional school places are necessitated by additional children resulting from the development and that the Local Authority intends to direct the funds into the maintenance of existing schools; and
  - iv) that the obligation to pay an Education Contribution is no longer justified and no longer serves any useful purpose as there is no evidence that the net capacity held in local schools is higher than it would have been should the development have not occurred.
- 5.5 There are 2 criteria under S106A which the Local Planning Authority must assess. The first is that the requisite time has passed since the signing of the S106 agreement. In this instance 5 years must have passed – which is the case as it was signed in 2000. The second is whether the obligation no longer serves a useful purpose. This, it is considered, is a fairly low level threshold for a test – it need not even be a planning purpose. It is not akin to the Circular 05/05 tests which apply prior to the entering into a legal agreement. Nevertheless it is helpful to consider the usefulness of the financial contribution in the context of the current local plan framework. Policy LC4 of the South Gloucestershire Local Plan (Consultation Draft) November 2007, has been retained for that purpose and is included within the South Gloucestershire Local Plan (Adopted) January 2006 as Policy LC2. The purpose of this policy continues to apply to the development.
- 5.6 The Children and Young People Department have considered the information and arguments submitted by the applicant. They maintain that the numbers of primary school age children continues to rise as a result of the development. Indeed, it is estimated that there will be 113 children resident within the development by 2012 who will need to attend South Gloucestershire Schools. Additionally, should further residential development occur on the site set aside

for the school, it is very likely that further primary school pupils will come forward. Officers also maintain that the estimate of additional primary school places required made for the purposes of the section 106 agreement was accurate and remains valid.

5.7 It is clear from the Local Authority's statistical base that there are not sufficient surplus places at local schools to accommodate the numbers of projected primary pupils. Indeed, primary pupils in the locality are accommodated in temporary accommodation, which it has been necessary to retain in order to accommodate school pupils from the development. It is now necessary that the Local Authority implements permanent accommodation solutions at existing local primary schools in order to accommodate the increase in pupil numbers arising from the development.

5.8 On the basis of the above it is concluded that the obligation upon the developer to make a financial contribution for Educational purposes still stands and is justified for the following reasons;

- i) South Gloucestershire Primary Schools currently accommodate 70 pupils from the development. This is expected to reach 113 by 2012.
- ii) The existing net capacity is currently maintained in temporary accommodation at a level higher than it would have been if the development had not occurred.
- iii) There are not sufficient places at existing schools to accommodate the projected level of pupils.

5.9 It is clear the obligation does serve a useful purpose. The application to discharge this financial obligation should therefore be rejected and the planning obligation shall continue to have effect without modification.

#### 5.10 Other Matters

Under the terms of the agreed section 106 agreement, the developer may apply to 'buy back' the land designated for the school. In such an event, it is very likely that the developer may wish to apply to the Local Planning Authority for planning permission for further residential development on that site. This application does not seek planning permission for further residential development or imply that an approval of such a development would be forthcoming. Nonetheless, concerns have been raised in connection with this potential for further residential development, however this application is not the arena for considering whether such residential development is acceptable or not; and an assessment of such development can only be carried out at the time that an appropriate planning application is submitted.

## 7. RECOMMENDATION

7.1 That the planning obligation shall continue to have effect without modification.

**Background Papers**      **PT09/0741/VAR**

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

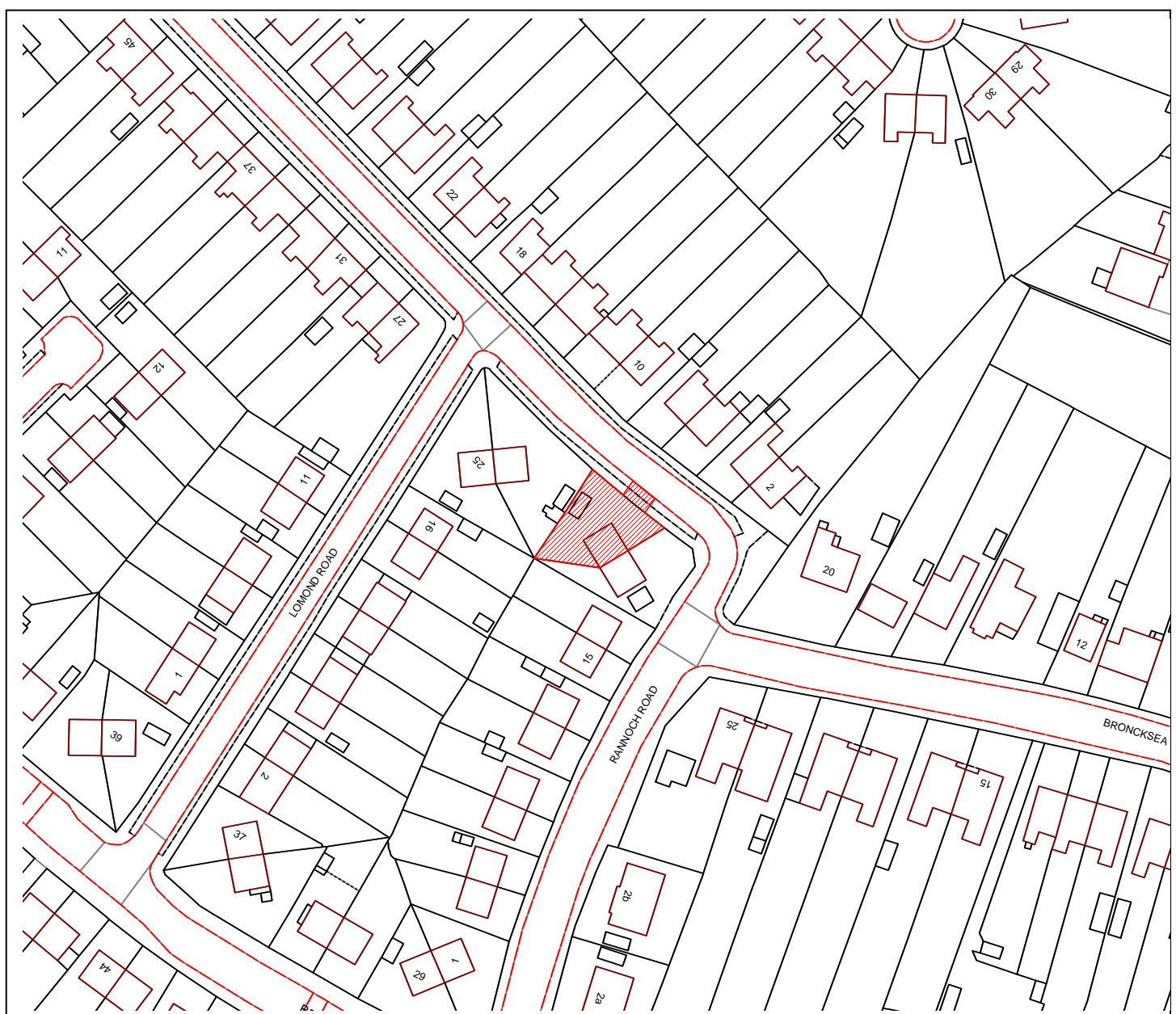
**REFUSAL REASONS**

The obligation under the section 106 legal agreement (dated 28th April 2000) attached to the outline planning consent P99/2180 continues to serve a useful purpose in order to provide additional primary school places.



## CIRCULATED SCHEDULE NO. 22/09 – 5 June 2009

<b>App No.:</b>	PT09/0744/F	<b>Applicant:</b>	Mr D Gharvy
<b>Site:</b>	21 Rannoch Road, Filton, South Gloucestershire, BS7 0SA	<b>Date Reg:</b>	23rd April 2009
<b>Proposal:</b>	Erection of two storey side and two storey rear extension and conversion of existing dwelling to form 4 no. flats and associated works. Amendment to previously approved scheme PT08/0999/F	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	59715 78439	<b>Ward:</b>	Filton
<b>Application Category:</b>	Householder	<b>Target Date:</b>	16th June 2009



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N.T.S

PT09/0744/F

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

## **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of a two storey side and single storey rear extension and conversion of existing dwelling to form 4 no. flats and associated works. Amendment to previously approved scheme PT08/0999/F
- 1.2 This is a semi-detached property with access onto Rannoch Road to the front of the site. The proposal consists of a two storey rear and side extension to facilitate the conversion of the property into 4 no. flats. It is proposed that there will be 3 no. one bedroom flats and 1 no. two bedroom flat. A paved parking area for up to 4 vehicles is provided as well as secure, covered refuse/recycling storage and cycle storage for 5 bicycles.
- 1.3 A previous application (PT08/0999/F) was refused at Planning Committee and then allowed on appeal. This scheme differs in terms of the design and appearance of the extensions, and now incorporates a two storey rear extension as opposed to a single storey one.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

### **2.2 Development Plans**

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

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

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

D1	Achieving Good Quality Design in New Development
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
H5	Residential Conversions, House in Multiple Occupation and Re-use of Buildings for Residential Purposes
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

## 2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

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

PT08/0999/F - Erection of two storey side and single storey rear extension and conversion of existing dwelling to form 4 no. flats and associated works. Refused 26/06/2008. Approved on appeal 27/10/2008.

### 4. **CONSULTATION RESPONSES**

#### 4.1 Filton Town Council

Object as the development is over intensive and there would be a loss of privacy to neighbouring properties. The renovations have completely changed the character of the building and are excessive to original footprint.

#### **Other Representations**

#### 4.2 Local Residents

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

- a) inadequate parking;
- b) loss of view;
- c) in close proximity to blind corner;
- d) extra traffic now uses Rannoch Road due to speed restrictions on Braemar Avenue;
- e) use of family house as flats would change the nature of the road;
- f) set a precedent;
- g) road safety/access issues;
- h) devaluation of property;
- i) loss of privacy/overlooking;
- j) loss of grass at front;
- k) extra waste collection is a health concern;
- l) out of keeping;
- m) adversely impact the street scene;
- n) flats not in keeping with area;
- o) beyond building line;
- p) would introduce inner city problems to area;
- q) similar type of housing has already been developed in area;
- r) increased noise and disturbance;
- s) relocation of dropped kerb area will involve removal of verge and tree;
- t) maintenance of common areas;
- u) size of flats are cramped;
- v) loss of light;
- w) area unsuitable for this type of development;
- x) loss of family home;
- y) overbearing impact;

- z) the change of use could be described as a warren;
- aa) no benefit for local residents;
- bb) loss of tree;
- cc) access for emergency vehicles.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The application site lies within the urban area of Filton. Advice contained within PPS3 actively encourages the conversion of existing dwellings into smaller units of self-contained residential accommodation and the provision of new residential development in urban areas and this advice is reflected in Policies H2 and H5 of the adopted local plan. Policy H5 relates to the conversion of existing dwellings provided the character of the area is not prejudiced, the proposal is acceptable in residential amenity and highway safety terms and provides adequate off-street parking and amenity space. Policy H2 broadly envelops the above policy criteria and specifically relates to new residential development within urban areas and settlement boundaries provided the following criteria are complied with:-

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

- 5.2 The Council's Highways Engineer was consulted as a part of this application. The previous application (PT08/0999/F) was granted planning permission following an appeal and there has been no material amendments, from a highway perspective. The applicant previously agreed in principle to make a contribution of £1800 towards the North Fringe Scheme (Transport Measures). Therefore, this contribution remains applicable to this application and should be secured via an appropriate legal agreement. It is considered a S278 Agreement under the Highway Act 1980 would be the most expedient.

In environmental impact terms, cycle storage and refuse/bin facilities are provided and it is considered the proposal would have no adverse impact in this regard.

### 5.3 Residential Amenity

With regard to residential amenity, the proposal is considered acceptable. The two storey element of the proposal is located to the side of the existing property and also to the rear where the extension would protrude 1.9 m from the existing rear building line. This is considered a modest distance and no significant loss of privacy or overlooking will occur due to the siting of the proposal. In addition no windows at first floor level are proposed on the side elevation of the extension. The provision of 1.8m timber fencing to the rear boundaries will also ensure no loss of privacy will occur from the rear amenity space. The amount of private amenity space provided for the ground floor flats is considered acceptable.

The proposal is therefore acceptable in residential amenity terms.

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

- 5.4 The site has an area of 0.0296 hectares. The provision of 4 residential units on the site results in a density of 135 dwellings per hectare. Advice contained within PPS3 and the adopted local plan encourages higher densities exceeding 50 dwellings per hectare in and around town centres and locations well served by public transport. It is recognised that the density is significantly higher but this is largely due to the small, predominantly one-bed nature of the development. Moreover, the proposal is located within an urban area and in a highly sustainable location and respects the existing pattern of development. The proposal is considered to satisfactorily maximise the efficient use of land without adverse impact to surrounding amenity and therefore accords with this criterion.

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

- 5.5 The site is not affected by any of the above and as such complies with this criterion.

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

- 5.6 The proposal is for four additional residential units. Due to the location of the site within the urban area of Filton and the range of facilities available, it is considered that the proposal will not significantly impinge upon the level of service provision within the locality and as such complies with this criterion.

5.7 Design

The proposed two storey side extension would maintain the ridge height of the existing dwelling and replicate the fenestration detail to the front facing the street. Both roofing materials and the render to the walls would match existing. To the rear the two storey extension is considered of an appropriate scale and massing and is to be set down from the existing ridge height ensuring subservience. The proposal does not protrude beyond the front building line of Rannoch Road and the site is large enough to accommodate the size of extension proposed. The proposal is considered to comply with Policies D1 and H4 of the Local Plan.

5.8 Design and Access Statement

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

5.9 Other Issues

It is not considered that the loss of view or devaluation of property are material planning considerations. The points raised in relation to the loss of family housing, waste, precedent and anticipated inner city problems are not

considered to amount to material considerations. No new material considerations have been raised given that consent exists for 4 flats at this location (PT08/0999/F).

#### 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, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 106 Agreement (or other similar agreement) and would satisfy the tests set out in Circular 05/2005. It is considered that this would be best secured via an agreement under Section 278 of the Highway Act 1980.

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

- 7.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering an agreement under Section 278 of the Highway Act 1980 to secure the following:

- (a) A financial contribution of £1,800 towards the North Fringe Development Major Scheme (Transport Matters).

Reason: To provide a contribution commensurate with the scale of development towards the North Fringe Development Major Scheme (Transport matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with Policies T12, H4 and H5 of this plan.

- (2) If the Section 278 Agreement is not signed within 6 months of this determination then, in view of the length of time the application should either:

- (a) Return to the Circulated Schedule for reconsideration or alternatively;

- (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a legal agreement, for the reasons listed in section (1) a above.

**Background Papers**      **PT09/0744/F**

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

**CONDITIONS**

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

Reason(s):

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

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

Reason(s):

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

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

Reason(s):

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

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

Reason(s):

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

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

plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason(s):

To minimise disturbance to occupiers of neighbouring properties and to accord with Policies H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of development details of the rendering materials to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

7. The screen walls/fences shown on the approved plan shall be erected in the positions indicated before the flats to which they relate are occupied.

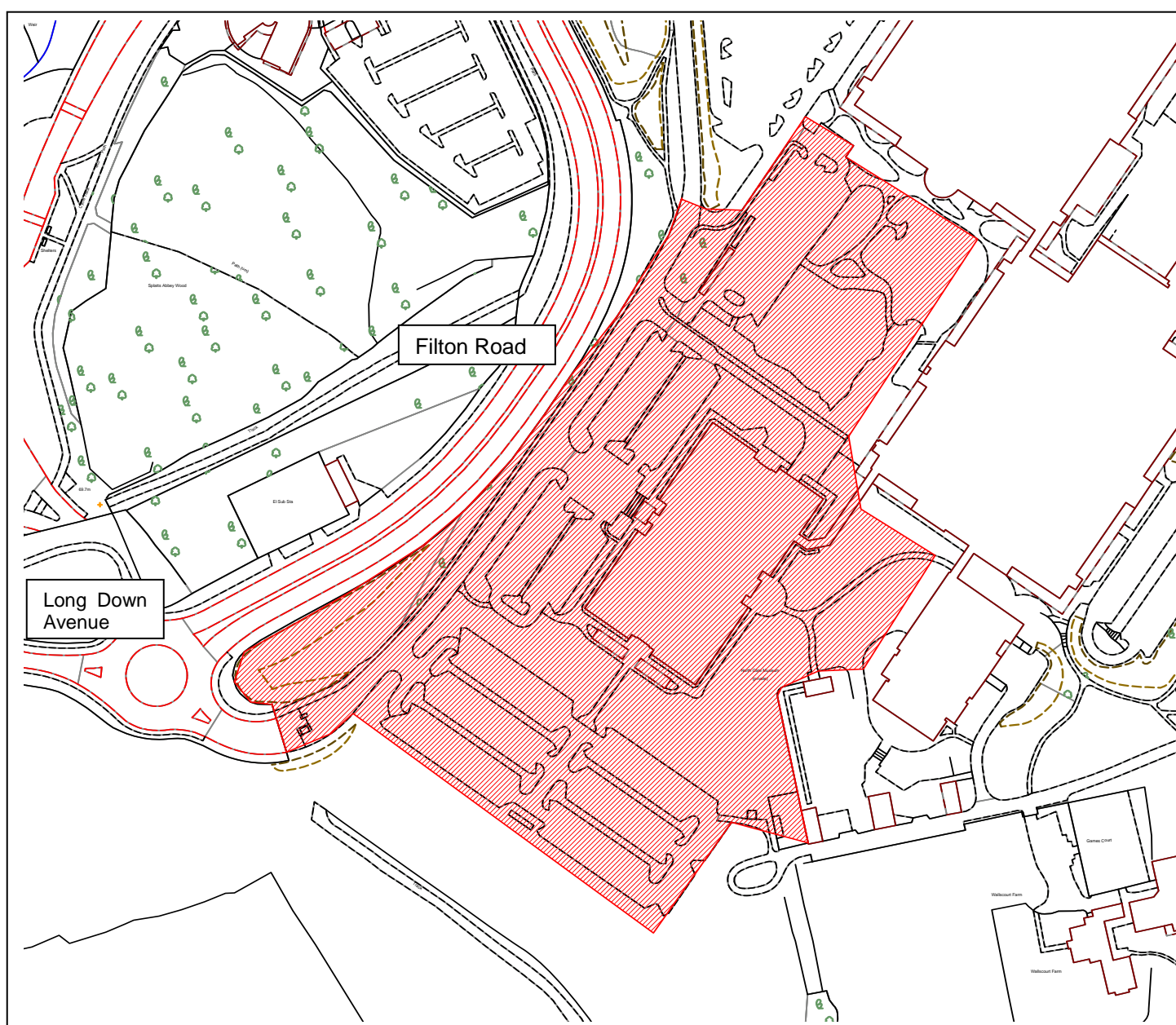
Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.



## CIRCULATED SCHEDULE NO. 22/09 – 5 JUNE 2009

<b>App No.:</b>	PT09/0745/F	<b>Applicant:</b>	Mr McNair Hewlett Packard Ltd
<b>Site:</b>	Hewlett Packard Ltd, Filton Road, Stoke Gifford, South Gloucestershire, BS34 8QZ	<b>Date Reg:</b>	23rd April 2009
<b>Proposal:</b>	Erection of 2no. single storey service buildings and construction of 40 no. car parking spaces.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	61595 78171	<b>Ward:</b>	Frenchay and Stoke Park
<b>Application Category:</b>	Major	<b>Target Date:</b>	22nd July 2009



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PT09/0745/F

## **INTRODUCTION**

This application is referred to the Circulated Schedule because by virtue of its development site area it represents major development.

### **1. THE PROPOSAL**

- 1.1 The proposed scheme seeks planning permission to extend an existing car parking area to provide an additional 40no. vehicular parking spaces and erect 2no. single storey buildings for plant and data storage uses.
- 1.2 The Hewlett Packard campus is allocated within the adopted local plan as an area of safeguarded employment. The proposed scheme is part of the rationalisation of the site which will culminate in two of the three main buildings and their associated land forming part of an extended University of the West of England campus. As a consequence of this land transfer to UWE, there is a need to provide stand alone parking and service facilities to allow Hewlett Packard to operate independently from the rest of the site.
- 1.3 The proposed car park extension and plant/data buildings are to be located adjacent to the three main office/factory buildings and the proposed site currently functions as a service area, external circulation space and provides two modest areas of informal open space.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPG4	Industrial, Commercial Development and Small Firms
PPG13	Transport

#### **2.2 Development Plans**

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

D1	Design
E3	Criteria for Assessing Proposals for Employment Development within the Urban Area
E4	Safeguarded Employment Area
L1	Landscape Protection and Enhancement
T12	Transportation Development Control Policy for New Development

#### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist SPD (Adopted) August 2007

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

- 3.1 Extensive planning history, none of which is specifically relevant to this application.

### **4. CONSULTATION RESPONSES**

#### **4.1 Stoke Gifford Parish Council**

No comment

#### 4.2 Other Consultees

##### Wessex Water

No comment

##### Environment Agency

No objections subject to the inclusion of a number of conditions to be attached to address surface water drainage issues.

#### **Other Representations**

#### 4.3 Local Residents

No consultation replies were received

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

#### 5.1 Principle of Development

With the car park and proposed buildings helping to facilitate the operation of an employment use within South Gloucestershire, the principle of development is considered to accord with Policy E4 of the adopted local plan. Furthermore Policy E3 of the adopted local plan allows for proposals for employment development, providing that the development respects the environment, existing residential amenity, highway safety and the character of the area. The proposal therefore stands to be determined against the policies listed above and in the light of all material considerations, under the following headings

##### Design

5.2 The plant room is to have a length of 30 metres and a width of 19.5 metres with a maximum height of 6 metres. The utility data building dimensions are to be a length of 18.5 metres, a width of 14.5 metres and a maximum height of 6 metres. Both buildings are to have mono-pitched green “sedum” roofs and are to be clad in perforated aluminium.

5.3 Although somewhat utilitarian, it is considered that the design and materials of the plant room buildings would be in keeping with the character of the site and the modern appearance of the surrounding campus buildings. The design and specification of the green roofs would help soften their appearance, especially when view from above out of the office windows of the adjacent buildings.

5.4 In light of the above, it is considered that the development would respect the character of the area and would not adversely harm visual amenity. The development therefore accords to Policies D1 and E3 of the adopted local plan.

#### 5.5 Landscaping

The landscape value of the existing site is considered limited but it is noted that care has been taken to ensure one of the main planted areas is being retained. Furthermore although one of the existing ornamental trees is being removed to make way for the car-park extension, an acceptable replacement is being proposed. Overall there are no landscape objections to the proposed scheme and the amenity of the site would be preserved.

5.6 Transportation

The level of additional traffic generated by the plant room is not considered to be significant within the wider context. The additional 40 parking spaces falls within the Council's maximum parking standards given the plant room and Building 3 form the part of the same site and should be considered collectively. In light of this there are no transportation objections to the proposed scheme.

5.7 Drainage Issues

The 2no. proposed structures will discharge their storm water into an sustainable drainage system. The car park will also be constructed using permeable paving to allow surface water to drain into the existing sustainable on-site drainage system, however further detail is required and so a condition is to be attached to address this issue.

5.8 Design and Access Statement

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

5.9 Improvements achieved to the scheme

As submitted the application was considered acceptable and so no improvements were required.

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.

**7. RECOMMENDATION**

7.1 Planning permission is to be APPROVED subject to the following conditions.

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

## **CONDITIONS**

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

**Reason**

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

2. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

**Reason**

To prevent the increased risk of flooding and to improve water quality and to accord with policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPS25.

3. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

**Reason**

To prevent non-point source pollution and flooding, and to accord with Policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPS25.

## CIRCULATED SCHEDULE NO. 22/09 – 5 JUNE 2009

<b>App No.:</b>	PT09/0760/F	<b>Applicant:</b>	Mr & Mrs D & M Sparks
<b>Site:</b>	684 Southmead Road, Filton, South Gloucestershire, BS34 7QT	<b>Date Reg:</b>	27th April 2009
<b>Proposal:</b>	Erection of single storey side and rear extension to provide additional living accommodation.	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	59788 78823	<b>Ward:</b>	Filton
<b>Application Category:</b>	Householder	<b>Target Date:</b>	17th June 2009



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PT09/0760/F

This application is submitted to the Circulated Schedule because a consultation response conflicts with the officer recommendation.

## **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the erection of a single storey side and rear extension. The proposal would be approximately 6.5 metres in depth and extending approximately 3 metres from the rear wall of the dwelling house. The proposal would be approximately 5 metres in width and 4 metres to ridge height.
- 1.2 The application site relates to a semi-detached dwelling situated in a well established residential area within Filton.

## **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: Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) August 2007

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None

## **4. CONSULTATION RESPONSES**

- 4.1 Filton Town Council  
No objection
- 4.2 Local Residents  
One letter of objection was received containing concerns about the proposed development encroaching on the boundary wall of No. 682 and potentially necessitating a removal of the wall.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extension to residential dwellings subject to there being no adverse impact on residential amenity.
- 5.2 Policy D1 of the Local Plan considers general design principles and ensures good quality design.

### 5.3 Residential Amenity

The application site is adjoined by two dwellings to the side (Nos. 682 and 686 Southmead Road). The proposed development would consist of a single storey extension which would be sited on both the side (southwest) and rear elevations. The neighbouring occupier (No. 682) has objected to the proposal on the ground of its proximity to the boundary wall.

### 5.4 Overbearing Impact

The proposed development would be single storey in scale and would have a modest depth from the rear wall of approximately 3 metres. The extension would be set back from the boundary with No. 682 by approximately 10 centimetres and would be sited approximately 2.6 metres from the dwellinghouse of No. 682. The proposal would be sited approximately 4 metres away from the boundary with No. 686. Both boundaries are marked by a 1.8 metre close boarded timber fence with tall mature trees acting as screening at the rear boundary.

5.5 The neighbouring occupier is concerned about the close proximity of the proposal to the boundary wall and the potential effect of the proposal on the wall. Notwithstanding that the proposal is set back by approximately 10 centimetres from the wall, this is a civil matter and not a material planning consideration.

### 5.6 Privacy

The proposal includes six Velux roof lights, one rear window and two sets of French doors. By nature of their positioning and the 1.8 metre boundary fences, none of these would give rise to direct inter-visibility with neighbouring occupiers. As such the proposal would not adversely impact on privacy.

### 5.7 Design and Visual Amenity

The proposed development relates to a single storey rear and side extension. It is considered that the proposal would respect the scale and massing of the existing building and would appear subservient to the main dwelling. The materials would match those of the existing building. As such it is considered that the proposal would appear in-proportion to the existing dwelling and would respect both its character and appearance. Furthermore, there are similar extensions existing to neighbouring dwellings near the proposed site.

### 5.8 Use of Energy and Sustainability

This would be appropriately covered by the Building Regulations.

### 5.9 Improvements achieved to the scheme

None required

### 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.

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

## **7. RECOMMENDATION**

- 7.1 Planning permission to be **GRANTED**.

**Background Papers**      **PT09/0760/F**

**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(s):

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