



**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. 07/13**

**Date to Members: 15/02/13**

**Member's Deadline: 21/02/13 (5pm)**

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

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

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

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

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

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

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

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

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

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

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development

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

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

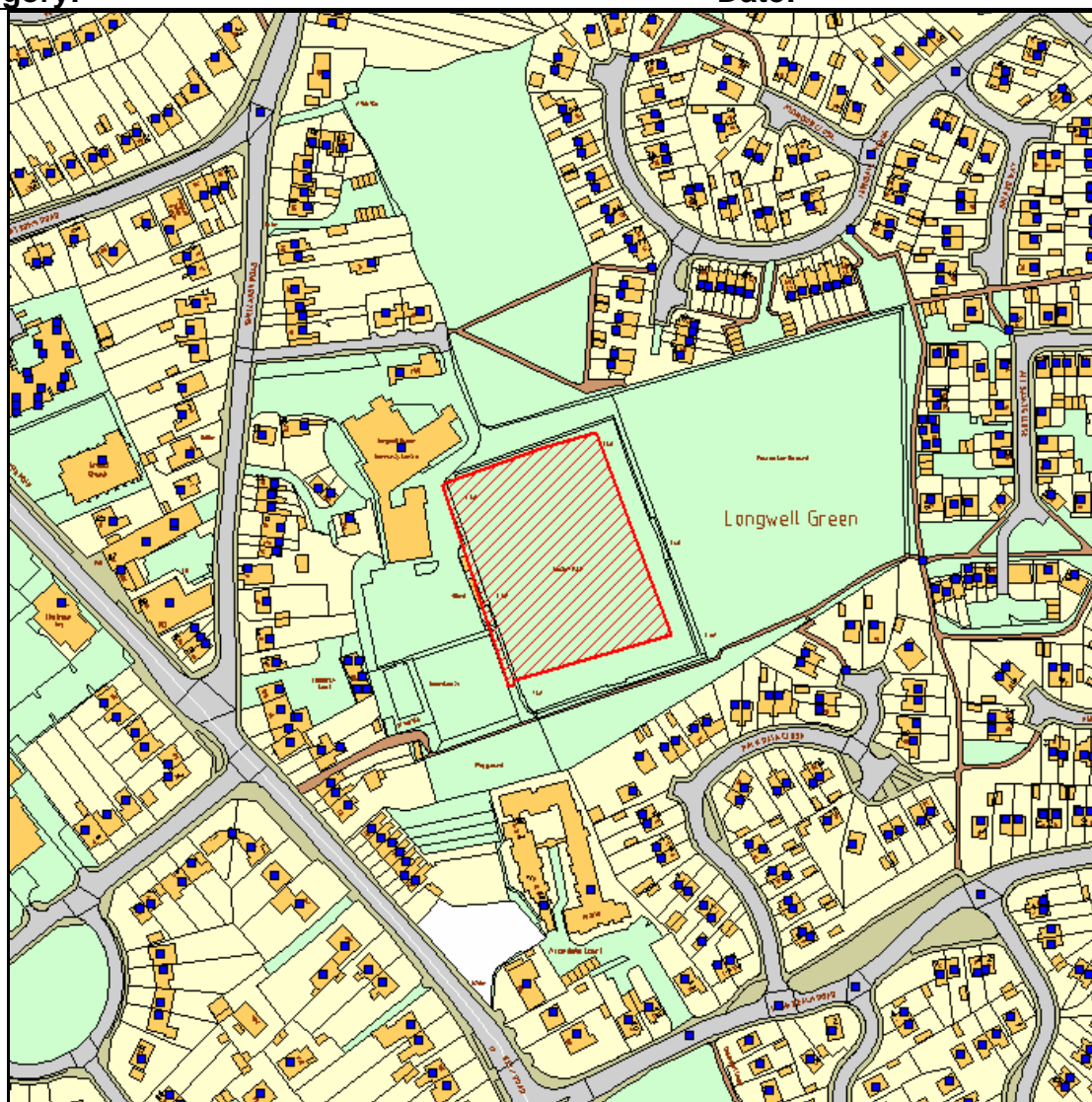
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. Please do not leave it to the last minute
- Always make your referral request by e-mail to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk), where referrals can be picked up quickly by the Development Management Technical Support Team. If in exceptional circumstances, you are unable to e-mail your request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

# CIRCULATED SCHEDULE – 15 FEBRUARY 2013

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK12/3989/RV	Approve with Conditions	Football Ground Longwell Green Community Centre Shellards Road Longwell Green South Gloucestershire BS30 9DU	Longwell Green	Oldland Parish Council
2	PK12/4093/AD	Approve	16 Badminton Road Downend South Gloucestershire BS16 6BQ	Downend	Downend And Bromley Heath Parish Council
3	PK12/4139/F	Approve with Conditions	74 Cock Road Kingswood South Gloucestershire BS15 9SG	Parkwall	Oldland Parish Council
4	PK12/4208/R3F	Deemed Consent	Barley Close Community Primary School Barley Close Mangotsfield South	Rodway	None
5	PK12/4229/F	Approve with Conditions	59 High Street Marshfield Chippenham South Gloucestershire SN14 8LR	Boyd Valley	Marshfield Parish Council
6	PK12/4242/TRE	Split decision See D/N	4 The Stables Bromley Farm Bromley Heath Road Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
7	PK13/0044/CLP	Approve	Tesco Stores 12 East Walk Yate South Gloucestershire BS37 4AS	Yate Central	Yate Town
8	PT12/3556/F	Approve with Conditions	The Conifers Wotton Road Rangeworthy South Gloucestershire BS37 7LZ	Ladden Brook	Rangeworthy Parish Council

## CIRCULATED SCHEDULE NO. 07/13 – 15 FEBRUARY 2013

<b>App No.:</b>	PK12/3989/RVC	<b>Applicant:</b>	Longwell Green Sports
<b>Site:</b>	Football Ground Longwell Green Community Centre Shellards Road Longwell Green Bristol	<b>Date Reg:</b>	9th January 2013
<b>Proposal:</b>	Variation of condition 1 attached to planning permission PK08/0170/RVC to extend the use of the floodlights to the hours of 6.00 pm to 9.50 pm Monday to Friday, 2.45 pm to 6.15 pm Saturdays. Additionally to allow for the use of floodlights to continue for injury time or extra time and penalties in cup games and exceptionally up to 10.30 pm with penalties.	<b>Parish:</b>	Oldland Parish Council
<b>Map Ref:</b>	365905 171178	<b>Ward:</b>	Longwell Green
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th March 2013



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**N.T.S.**

**PK12/3989/RVC**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

Objections have been received, contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission to amend condition 1 of planning permission PK08/0170/RVC to allow for extended times of use of the floodlighting, which would effectively include Cup ties which need extra time and potentially a penalty shoot out, if the tie is not settled within the 90 minutes of normal time. At present, the condition reads:

1. The use of floodlights hereby approved shall be restricted to the hours of 2.45pm to 5.30pm Saturdays or Bank Holidays and 6.30pm to 9.30pm Monday to Friday inclusive, with no use on Sundays. Any use outside these hours shall only be with the prior written consent of the Local Planning Authority.

Unless permission is obtained from the Local Planning Authority on a case by case basis, therefore, there is a risk that if a match has to continue beyond 2130 the floodlights would have to be switched off to comply with the condition. This could lead to sanctions from the Western League and the FA if the referee, as the last person to leave the pitch after the match, is still on the pitch at this time.

- 1.2 The reason stated for the current condition 1 is: To minimise the effect of light spillage in the interests of residential amenity in accordance with policies LC3 and EP1 of the South Gloucestershire Local Plan (adopted) 2006.
- 1.3 The application seeks to change the hours within which the floodlights can be used to 2.45pm to 6.15pm on Saturdays and Bank Holidays and 6.00pm to 9.50pm on Mondays to Fridays, with an exceptional dispensation to 10.30pm in the case of a penalty shoot out.
- 1.4 The floodlighting takes the form of cowled lights, which direct the light downwards and towards the pitch, suspended from six monopoles, one in each corner of the pitch and one at each end of the half way line. The ground is unenclosed behind the spectator accommodation and forms part of the larger Community Association site. There is housing, firstly rear gardens, along three sides of the pitch, with variable separation distances from the site.
- 1.5 Since the condition applied to be amended is to allow illumination of the pitch in the event of extra time and penalties, it is important to note that condition 2 would still prevent the use of floodlights for any matches other than league matches. League matches do not require extra time or penalties. It is therefore considered reasonable and logical under these circumstances to take this application as also seeking to vary condition 2 to allow the floodlights to be used for all first team matches. This would still preclude the use of floodlights for training and reserve matches or use of the floodlighting for clubs other than Longwell Green Sports FC. The alternative approach, should this application be

approved, would be to seek a subsequent variation to condition 2 to allow the longer floodlighting hours to be implemented in circumstances other than for league matches. Such an approach is considered to be unnecessarily bureaucratic and can be avoided by considering the variation of condition 2 in the same spirit as will be applied to condition 1.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework March 2012  
Circular 11/95

### **2.2 Development Plans**

South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
EP1 Environmental Pollution

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.  
CS1 High Quality Design

## **3. RELEVANT PLANNING HISTORY**

3.1 PK08/0170/RVC Variation of condition 2 of PK07/1215/F to extend use of floodlights to 0630pm – 0930pm Monday to Friday and 0245pm – 0530pm on Saturdays  
Approved 2008

3.2 PK07/1215/F Erection of 6 floodlight pylons, 16 metres tall  
Approved 2007

## **4. CONSULTATION RESPONSES**

4.1 Oldland Parish Council  
No objection

4.2 Other Consultees [including internal consultees of the Council]  
Environmental Protection

No previous complaints have been received in respect of the floodlights. Would object to the use of the lights after 2200 unless in exceptional circumstances. The use of the lights would have the potential to lead to noise from the football ground which has previously been the subject of complaints to Environmental Protection.

Transportation  
No objection

4.3 Local Residents

Four letters of objection were received, citing the following concerns:

- the proposals would allow the club to hold any game under floodlights, potentially 6 days a week

- loud shouting and swearing keeps a child awake who needs to be in bed around 2100 to 2130 on weekdays and do not want to have to keep windows closed
- nothing has changed and the site is still in a residential area
- light pollution from the floodlights would be extended – the lighting is too intense when one streetlight would suffice
- removing the limitation for first team matches only would lead to too broad a use of the floodlights
- the extended hours are far too late
- house prices will be affected if the condition was varied
- does the club have the appropriate planning/licences to use the PA system?

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The reason that the conditions in question were imposed originally was to protect residential amenity which might otherwise be subject to light spillage. The following analysis therefore concentrates on the effects of this current proposal on residential amenity.

### **5.2 The current situation**

Conditions 1 and 2 of the current planning permission enables Longwell Green Sports FC to use floodlighting, when required, i.e. when there is not enough natural daylight, within the hours stipulated above for first team league matches. Although the lights could be used, within the specified hours, when they are not needed due to sufficient daylight, it is considered that at such times, residential amenity would not be affected by light spillage. As the comments from Environmental Protection at 4.2 above indicate, the use of the floodlights has not resulted in any complaints being received since they were installed. Environmental Protection are satisfied that occasional use would be acceptable, recognising that there is a link between the use of the lights and noise generated from the site.

### **5.3 Proposed changes and their effects**

The variation of condition 2 as mentioned at 1.6 above, would allow the floodlighting to be used for league and cup matches. For the avoidance of doubt, Longwell Green Sports FC are involved in the following cup competitions: FA Cup, FA Vase, Western League (Les Phillips) Cup and Gloucestershire FA Trophy, which traditionally follow a knock out format. Therefore the club's involvement lasts until they are knocked out or reach the final. Because Cup opponents are drawn randomly, the venue for these matches can be at home or away. Therefore it is possible that LGSFC could play no home matches in a season, or at the other extreme, they could progress to the final of each competition, receiving a home draw in each round. In practice, the laws of probability dictate that on average every other cup match will take place at home. The duration of LGSFC's involvement depends on the team. An additional factor is whether the competitions are played at the weekend or midweek. Of the four cup competitions mentioned above, the FA Cup, Les Phillips Cup and FA Vase matches involve Saturday afternoon fixtures, meaning that only replays take place in midweek. The GFA Trophy is

prioritised for midweek. Extra time and penalties are required in all four cup competitions only if the scores are level at the end of normal time in a replay.

#### 5.4 Saturday matches

The extended hours of illumination applied for would lead to the use of the floodlights also being extended for league matches, which are scheduled prior to the start of each season, notwithstanding postponements. The number of league matches would remain the same but the hours of floodlight illumination (if natural light conditions require their use) are proposed to commence at the same time as at present but not be switched off until 1815 for Saturday matches. The additional 45 minutes of lighting is only likely to be required in the Winter months and only for Cup matches which go to extra time and penalty shoot outs. This is considered to be an exceptional event in comparison with the current switch off time, taking into account the costs of keeping the lights on and the inherent incentive in not using the lights at times when they are not required to be used under ground regulations. League fixtures on average provide 6 or 7 home midweek games. While the number of home midweek Cup ties is unknown, due to the random nature of the draws, it is not anticipated that the number of matches played at home in midweek would double the number of league matches. Indeed, Cup matches are played at home at present, under individual dispensation from the Council and amending condition 2 would simply formalise this arrangement. As such it is considered appropriate to amend condition 2 to allow the use of the floodlighting to include Cup matches. The impact on residential amenity from such a measure is considered to be limited and not significant.

#### 5.5 Midweek matches

The lighting times are proposed for midweek matches to be extended to 2150 from the current 2130, or exceptionally to 2230. It is considered that the word exceptionally in a planning condition is too vague and therefore not precise enough to meet the tests in the Conditions Circular. Therefore the wording shown below is proposed to be more appropriate and precise, allowing the lights to be switched off no later than 30 minutes after the end of a match. In practice, this will normally mean a switch off time soon after 2130 for league and cup matches, comparable to the present situation, with the dispensation to keep the lights on for extra time and penalties should this occur when cup matches are not settled over the course of the 90 minutes play. This would however have to be subject to an absolute switch off time in any event, to prevent kick off times being pushed back significantly from the current start at 1930. The condition recommended below sets this at 2230, although it is anticipated that the floodlights will normally be switched off earlier than this even for cup matches. Switching on time would be from 1800 and allow for the match to be set up, pitch inspections to take place, an opportunity for the players to warm up on the pitch etc. In practice, the lights would only be switched on from this time when required due to natural light conditions and at such a time of day, any perceived light pollution is not considered to be as critical as later in the evening, leaving residential amenity unaffected by this measure. The difference between the current situation and the proposed situation, therefore, is considered to be occasional and effectively de minimis in terms of the impact on current levels of residential amenity for the dwellings surrounding the football ground. The additional 30 minutes of illumination



beyond the end of the match is required in order that the spectators can leave the ground safely and the ground can be tidied safely after the event. The applicant has drawn attention to injuries that have been sustained to people tidying the ground in darkness due to the necessity to comply with the current planning condition.

## 5.6 Other Issues

The issue raised through the consultation process with regard to house values is not a matter for the planning system to address. Having permission, if such is required, for the PA system at the club is also not a planning matter. If it is a statutory noise nuisance, then Environmental Protection legislation would cover this issue. While it is recognised that there is a direct relationship between football matches and noise generated from the pitch and the spectators, it should be recognised that this proposal would not see any more football matches played at the ground than at present and at no different times. Leaving the lights on after the end of the match to ensure safe practice in clearing the ground is not considered, per se, to lead to additional noise. Even if it does, this would be short term and occasional and not to such a degree that there would be a significant impact on existing levels of residential amenity. As the comments from Environmental Protection show, the existing floodlights have cowls to prevent light spillage and direct light to where it is needed, i.e. downwards to the pitch. Accordingly, the current lighting is not considered to be too bright and is not considered to adversely affect residential amenity. The limited extension in hours that has been applied for is not considered to result in a significant effect upon existing levels of residential amenity. Regarding the point that removing the limitation for first team matches only would lead to too broad a use of the floodlights, the conditions recommended below show that floodlighting can only be used for first team games, previously league games only, but now league and cup games. This is considered to be a small increase in use and would not constitute broad use of the floodlights.

## 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 additional hours when the floodlights can be used would not lead to any significant harm to residential amenity through noise or light pollution and accords with policy EP1 of the adopted South Gloucestershire Local Plan.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

- 7.1 That the planning permission is re-issued with condition 1 amended from 1800 for midweek matches and 1330 at weekends to no later than 30 minutes after

the end of play in each case. In addition, condition 2 is recommended to be amended to include first team cup matches as well as league matches. The previous condition 3, requiring the submission and implementation of a landscaping scheme is yet to be complied with and is also reproduced below, although it is noted that some conifer planting has taken place on site along the northern touchline.

**Contact Officer: Chris Gosling**  
**Tel. No. 01454 863787**

### **CONDITIONS**

1. The use of the floodlights shall be restricted to the hours of 14.45 to 30 minutes after the end of the match on Saturdays or Bank Holidays and 18.00 to 30 minutes after the end of the match on weekdays, with no use on Sundays and no use between 2230 and 1800 on weekdays.

**Reason**

To minimise the effect of light spillage in the interests of residential amenity in accordance with policies LC3 and EP1 of the South Gloucestershire Local Plan (adopted) 2006.

2. The floodlights shall be for the sole use of the first team of Longwell Green Sports Football Club.

**Reason**

To minimise the effect of light spillage in the interests of residential amenity in accordance with policies LC3 and EP1 of the South Gloucestershire Local Plan (adopted) 2006.

3. Within 3 months of the date of this approval, a scheme of landscaping, which shall include details of proposed planting, sizes of plants and trees (and times of planting) and boundary treatments shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details in the planting season following approval of the details..

**Reason**

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

## CIRCULATED SCHEDULE NO. 07/13 – 15 FEBRUARY 2013

<b>App No.:</b>	PK12/4093/ADV	<b>Applicant:</b>	Motaman (Bristol) Ltd
<b>Site:</b>	16 Badminton Road Downend South Gloucestershire BS16 6BQ	<b>Date Reg:</b>	20th December 2012
<b>Proposal:</b>	Display of 1no. non illuminated fascia sign (Retrospective)	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	365182 176790	<b>Ward:</b>	Downend
<b>Application Category:</b>	Minor	<b>Target Date:</b>	12th February 2013



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PK12/4093/ADV

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the circulated schedule as an objection has been received which is contrary to the officer's recommendation for approval.

### **1. THE PROPOSAL**

- 1.1 This application seeks consent to display one non-illuminated fascia sign. The application is retrospective – the applicant is seeking consent for the sign that is already being displayed.
- 1.2 The sign has already been reduced in size following the involvement of the Enforcement Team. The sign measures approximately 6 metres wide (which covers the shop front) by 0.7 metres high. It is located on the outside of a projecting roller-shutter box.
- 1.3 The site is a mid-terraced retail unit in Downend 'town centre', located on Badminton Road. The surrounding area has a predominant retail function; the unit is located within a secondary shopping frontage.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Design  
  
South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.  
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
  - (a) South Gloucestershire Design Checklist (Adopted) August 2007
  - (b) Shopfronts and Advertisements (Adopted) April 2012

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

- 3.1 There is no planning history for this site.

### **4. CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
No objection

#### 4.2 Sustainable Transport

No objection

#### 4.3 Local Residents

One objection received. Grounds for objection are summarised as:

- Signage is substandard and excessively protruding;
- Signage poses a health and safety risk;
- Signage has a negative impact on the street-scene;
- Signage obscures signage at adjacent property.

### 5. ANALYSIS OF PROPOSAL

5.1 This application seeks retrospective planning consent for the display of one non-illuminated fascia sign at a retail unit in Downend.

#### 5.2 Principle of Development

Guidance within the National Planning Policy Framework states that advertisements should only be controlled in the interests of amenity, public safety and cumulative impact. The design quality of the signage is assessed, in the interests of visual amenity and cumulative impact, using policy D1 of the Local Plan and the Shopfronts and Advertisements SPD. Public safety is assessed in terms of traffic hazards.

#### 5.3 Amenity

Consent is sought for a fascia sign, located above the shopfront. The shop unit is located within mid-terraced property in a rank of shops. All units have a fascia sign of varying designs, sizes, and styles, both illuminated and non-illuminated. The size and appearance of the sign is not considered to have an adverse impact on the visual amenity of the area. It is in keeping both in terms of the style of signage, location, and purpose with the other signs in the rank.

5.4 However, the sign is positioned on the front of a roller shutter box. This results in the sign projecting beyond the main elevation. Drawings submitted indicate that this projection is 400mm. A projection of 400mm is not dissimilar to that of an illuminated light box fascia sign. On this basis the projection of the sign is not considered to be unacceptable or have a prejudicial impact on the visual amenity of the street scene.

5.5 By positioning the signage on the roller shutter box, an adjacent projecting sign has been partially obscured. However, the roller shutter box pre-existed the erection of the fascia sign and therefore the projecting sign was already subject to obstruction, albeit not to the same extent. Although the fascia sign obscures the projecting sign, it is not considered that this is detrimental to amenity (or the function of the projecting sign) and is therefore a consideration of little weight in determining this application.

5.6 Cumulative Impact

The cumulative impact of signage should be assessed. The retail unit will display only one fascia sign; no projecting sign is proposed or present. Located in a high street location, almost all the properties have a fascia sign of some description. Although there are a high number of signs in the vicinity, the display of a fascia sign is not out of character with the area or deemed to be excessive.

- 5.7 The impact of the sign has been assessed. It is not considered that there would be a detrimental impact on the area by the accumulation of signage should this advertisement be approved.

5.8 Public Safety

The signage has been assessed in terms of public safety. The sign is un-illuminated and simple in design. It does not contain excessive detail nor is it visually distracting or jarring.

- 5.9 The signage has been assessed as to have no impact on traffic or pedestrian safety.

- 5.10 A public comment has been received saying that the design of the sign and the manner in which it is attached to the building is a public safety hazard. The means by which a sign is erected is not within the control of the Local Planning Authority.

6. CONCLUSION

- 6.1 In accordance with Section 220 of the Town and Country Planning Act 1990 and Regulation 4 of the Advertisement Regulations 1992, 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.

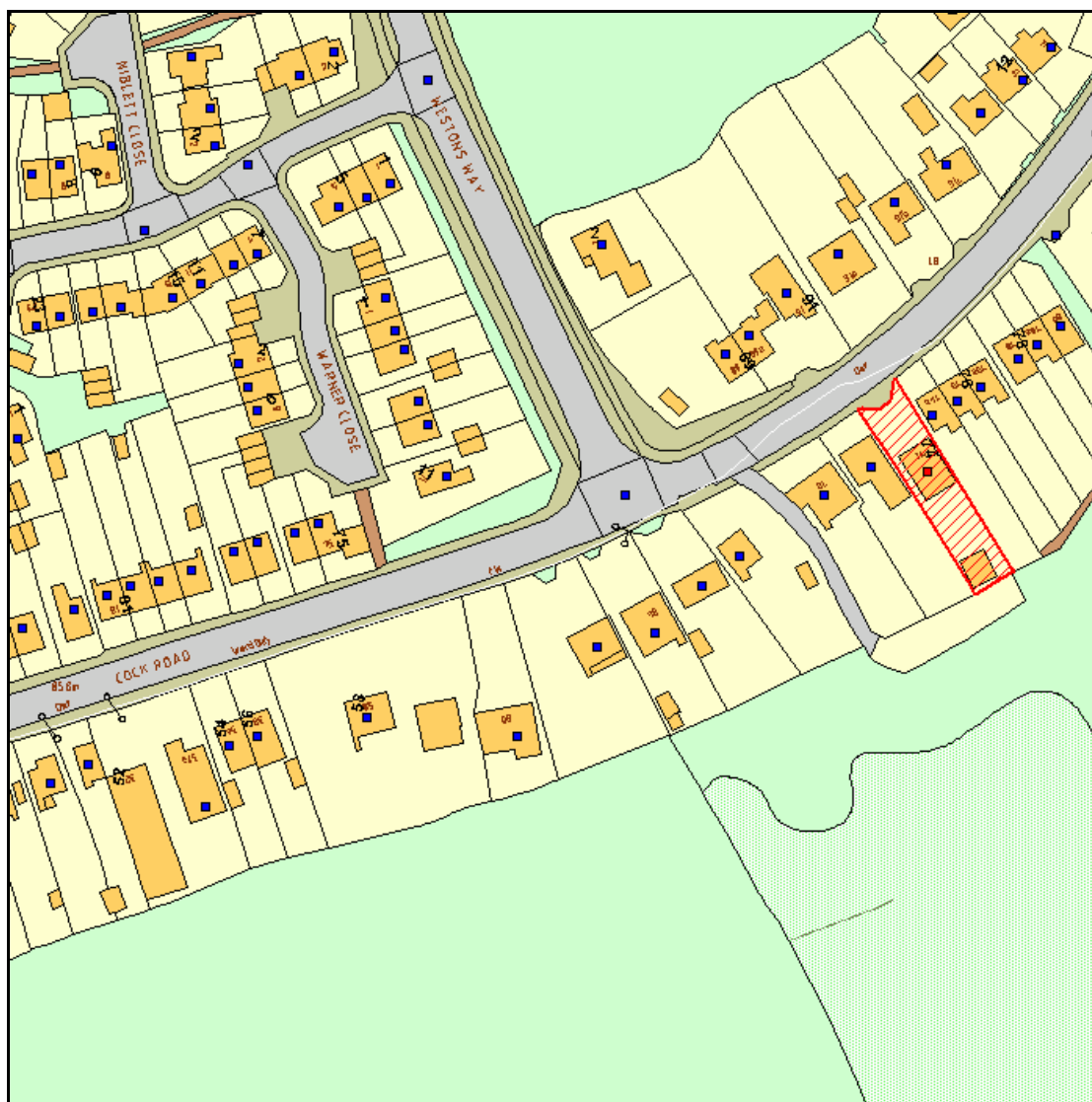
7. RECOMMENDATION

- 7.1 It is recommended that this application be APPROVED.

**Contact Officer: Griffith Bunce**  
**Tel. No. 01454 863438**

## CIRCULATED SCHEDULE NO. 07/13 – 15 FEBRUARY 2013

<b>App No.:</b>	PK12/4139/F	<b>Applicant:</b>	Mr D Farmiloe
<b>Site:</b>	74 Cock Road Kingswood South Gloucestershire BS15 9SG	<b>Date Reg:</b>	7th January 2013
<b>Proposal:</b>	Demolition of existing garage. Erection of single storey residential annexe and associated works ancillary to main dwelling	<b>Parish:</b>	Oldland Parish Council
<b>Map Ref:</b>	365906 172857	<b>Ward:</b>	Parkwall
<b>Application Category:</b>	Householder	<b>Target Date:</b>	28th February 2013



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PK12/4139/F

## **REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE**

The application is referred to the circulated schedule as the Parish Council has made an objection, which is contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The application seeks permission for the demolition of the existing detached garage and the erection of a single storey residential annexe ancillary to the main dwelling.
- 1.2 The application relates to a detached residential bungalow within a residential area of Kingswood. The site has a separate access at the rear of the site and a hardstanding area to the front.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design  
H4 Development within Existing Residential Curtilages  
  
South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.  
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist SPD (Adopted) 2007

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

- 3.1 None

### **4. CONSULTATION RESPONSES**

- 4.1 Oldland Parish Council  
Objection on the grounds of traffic and access – there are already issues with on street parking in this area.
- 4.2 Transportation DC  
No objection in principle as the proposal is unlikely to materially increase traffic congestion and adequate parking would be available on site. A condition is recommended to secure the ancillary nature of the annexe.



- 4.3 Coal Authority  
Application is exempt from the requirement for Coal Mining Risk Assessment.  
Informative recommended.
- 4.4 Local Residents  
No comments received

## 5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
The application seeks permission for the erection of a single storey annexe situated within the rear garden of 74 Cock Road, Kingswood. The proposal would replace an existing detached garage. Policy H4 of the South Gloucestershire Local Plan permits this type of development in principle subject to criteria relating to residential amenity, highways, and design.
- 5.2 Residential Amenity  
The proposed single storey annexe would be located at the rear of the site and would replace an existing flat roof detached garage. The proposal has a width of 5.75 metres, a depth of 8.1 metres, and a maximum height of 5 metres. The proposal would not exceed the width of the existing garage but would exceed the depth by 1.6 metres, and the height by 2 metres. The gradient of the land increases slightly from north to south and as such the proposed annexe would be located on land approximately 1 metre higher than the host dwelling. The site does not have any neighbouring properties at the rear of the site and the site backs on to an open green space.
- 5.3 In light of the location of the proposed annexe at the rear of the site, and given that the site does not have any neighbours at the rear, it is considered that the proposal would not have an overbearing impact on neighbouring dwellings to the detriment of their residential amenity. The windows of the proposed annexe remain a significant distance from those of neighbouring properties and as such it is considered that the proposal would not result in a significant loss of privacy. As the proposal replaces an existing detached garage it is considered that there would not be a significant loss of private amenity space. Adequate private amenity space would remain to serve the host dwelling provided the annexe remains of an ancillary nature. This will be enforced through the use of a condition. Accordingly the proposal is considered acceptable in terms of policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 5.4 Highways  
The existing access on the site consists of a hardstanding area at the front of the dwelling and a separate access from Cock Road leading to the rear of the site. At the rear of the site is the existing detached garage and a hardstanding area next to it for one car accessed through double gates. The proposal would result in the loss of the existing garage, however all other parking provision including the space at the rear of the site would remain to serve the site.
- 5.5 During the consultation period the Council Transportation Development Control Officer requested further information in relation to the parking provision on site

and the number of bedrooms in the main dwelling. The applicant has confirmed that the hardstanding area adjacent to the proposed annexe will still be used for parking for the main dwelling, and the main dwelling has 3 rooms that could be used as bedrooms. On receipt of this information the Highway Officer has confirmed that the parking provision available on site would be adequate to serve the existing dwelling and the annexe and is acceptable in terms of current Local Plan policy. The additional annexe is unlikely to result in a material increase in traffic and existing accesses and parking spaces are both permitted and extant. The impact of the annexe on highway safety and parking provision is considered negligible. As such the proposal is considered acceptable in terms of policy H4 of the South Gloucestershire Local Plan.

- 5.6 It is noted that highway development control may raise concerns for parking on site should the proposal have potential to generate as an isolated unit. A condition is requested to secure the ancillary nature of the annexe, which will appear on the decision notice.

5.7 Design

The application site consists of a residential bungalow with a pitched tiled roof and a render finish. The locality is characterised by a mix of one and two storey dwellings with a mix of architectural styles and materials.

- 5.8 The proposal is of a scale similar to the existing garage but incorporates a pitched tiled roof. A render finish and white UPVC windows are proposed, which matches the existing dwelling. The scale of the proposal is considered acceptable in the context of the site and is not overbearing in design terms. It is considered that the proposal would improve the overall visual appearance of the site when compared to the existing. The design of the proposal is informed by and respects that character of the site and the locality and is therefore considered acceptable in terms of policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

## 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 It is considered that the proposed detached annexe, by virtue of its location, scale and design, would not have a significant impact on either the private or residential amenity of surrounding dwellings. Subject to a condition securing the ancillary nature of the annexe it is considered that the proposal would not be detrimental to highway safety and adequate parking provision and private amenity space would remain to serve the host dwellings. The design of the proposal is informed by and respects the character of the site and the locality. Accordingly the proposal is considered acceptable in terms of policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

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

## **7. RECOMMENDATION**

- 7.1 That permission is **GRANTED** subject to the conditions on the decision notice.

**Contact Officer:** Sarah Fordham  
**Tel. No.** 01454 865207

## **CONDITIONS**

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

Reason

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

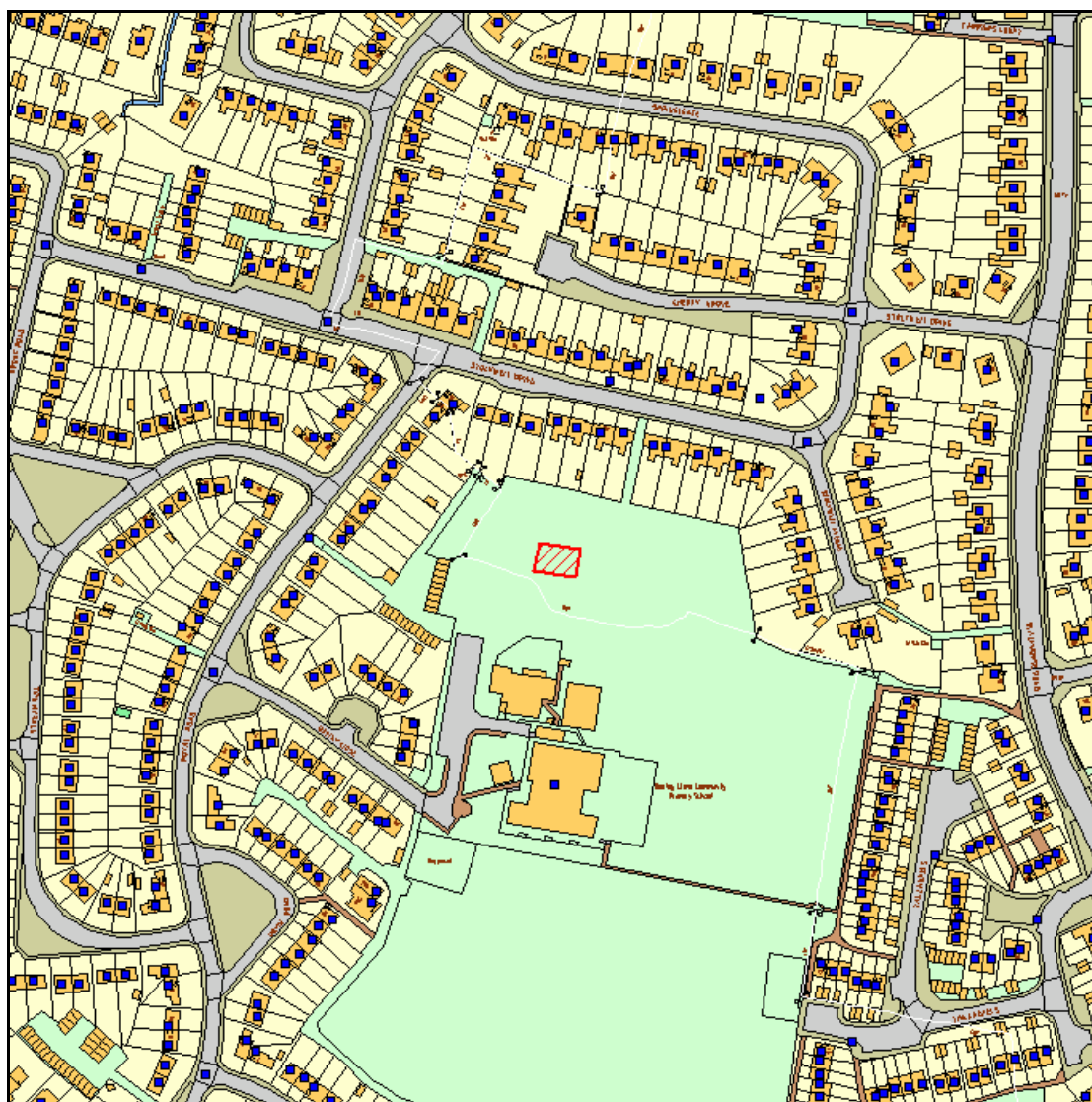
2. The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 74 Cock Road.

Reason

To ensure a satisfactory level of parking provision and private amenity space remains to serve the host dwelling, and to accord with policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 07/13 – 15 FEBRUARY 2013

<b>App No.:</b>	PK12/4208/R3F	<b>Applicant:</b>	Mrs Monica Lumsden SGC
<b>Site:</b>	Barley Close Community Primary School Barley Close Mangotsfield South Gloucestershire BS16 9DL	<b>Date Reg:</b>	19th December 2012
<b>Proposal:</b>	Erection of stand alone Nursery Classroom	<b>Parish:</b>	None
<b>Map Ref:</b>	366161 176730	<b>Ward:</b>	Rodway
<b>Application Category:</b>	Minor	<b>Target Date:</b>	8th February 2013



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**PK12/4208/R3F**

## **REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE**

This application has been forwarded to the Council's Circulated Schedule of applications for Member consideration as it proposes development on land in the ownership of South Gloucestershire Council.

### **1. THE PROPOSAL**

1.1 The application site is situated within the residential suburb of Mangotsfield. The site comprises a primary school with school buildings and large playing field. A separate nursery and sure start centre are also located within the site. The site is bounded by residential development on all sides with rear gardens facing into the site. The site is accessed via Barley Close, a residential cul de sac, which is subject of traffic control measures to prevent school traffic from using the road. A designated off street parents parking area is situated in the south east corner of the site.

1.2 The application proposes erection of temporary building to provide a stand alone Nursery Classroom. Four additional staff parking spaces and a new cycle store are also proposed.

The proposed temporary building is required to relocate an existing on site nursery within the permanent foundation unit on the north side of the main complex which also accommodates the sure start centre. The foundation unit is associated with the school although it functions independently. A reception class for the primary school will then be created in the vacated room within the existing foundation centre.

The nursery accommodates 30 children with associated staff and this will remain unchanged in the relocated building. The new reception class would comprise 30 children, one full time teacher and one part time teaching assistant.

This proposal is phase two of a proposed three phased project with the purpose of increasing the overall size of the primary school from single to two class entry. Phase one took place in 2012 when a two class Elliot building was provided within the site. Phase three would involve a future planning application for a further 4 classroom block later this year. The phasing is necessary due to the financial constraints being experienced by the Council at present and in the interest of minimal disruption to pupils.

### **2 POLICY CONTEXT**

2.1 National Guidance  
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

LC4 Expansion of Educational Facilities within the urban area

T8	Parking Standards
T12	Transportation for New Development
L17 & L18	The Water Environment

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.

CS1	High Quality Design
CS8	Improving Accessibility
CS9	Environmental Resources
CS23	Community Facilities and Cultural Heritage

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

### 3 RELEVANT PLANNING HISTORY

- 3.1 PK03/2022/R3F Erection of new nursery unit, 3 no. classrooms, office and amenities with car parking and associated works.  
Approved 29.09.2003
- 3.2 PK10/1383/R3F Erection of single storey front extension to form additional surestart facilities.  
Approved 16.07.2010
- 3.3 PK11/1557/R3F Erection of single storey Elliott Classroom Block with associated works. Construction of tarmac play area.  
Approved 22.07.2011

### 4 CONSULTATION RESPONSES

- 4.1 Consultees [including internal consultees of the Council]  
**Sustainable Transport** – The TRO for traffic management on Barley Close has been implemented as has the additional car park at The Laurels. The proposal would create no significant additional traffic and additional staff spaces are proposed on site. Due to the traffic management and car parking already provided the proposal is acceptable in highway safety terms.  
**Ecology Officer** – No objection. There are no ecological constraints.  
**Drainage Engineer** – No objection
- 4.2 Local Ward Member  
Letter received from Cllr Bell Ward Member for Rodway Ward raising the following views which are not in objection or support of the application:

The increased intake of pupils to the School will effect local residents. Due consideration needs to be given to those residents living in Stockwell Drive who will be affected by opening up a school entrance in their road. Thus parents will dropping off their children and possibly blocking off driveways - there has to be a real effort made by the school to encourage pupils to walk if they live within a

reasonable distance. Another alternative is car sharing, to reduce the amount of traffic

4.3 Local Residents  
None received.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The National Planning Policy Framework was published in March 2012. The document replaces most PPG/PPS guidance providing a more simplified and up to date advice in determination of planning applications. The NPPF indicates that where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

It is considered that the relevant policies of the adopted Development Plan do not materially depart from the NPPF. As such full weight can be afforded to the Development Plan policies in this case.

Policy LC4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing schools within the urban area, providing there would be no detrimental impact in terms of residential amenity, environmental or transportation effects, the site is highly accessible on foot or by bike and the proposal would not give rise to an unacceptable level of on street parking.

Transportation issues related to parking (Policy T8) and highway safety/access/vehicle movements (T12) are also material to consideration of this application. The NPPF provides a new consideration in relation to transportation matters. Par.32 of the NPPF is most relevant to consideration of this application in transportation and public safety terms. Par.32 reads,

*‘..... decisions should take account of whether:*

- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- *safe and suitable access to the site can be achieved for all people; and*
- *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.’*

The test in determining whether this application is acceptable in transportation and public safety terms is now, whether the impact of the development in transportation terms would be severe.

The site is situated within the urban area and within an existing school site. The proposal would provide additional and relocated school facilities and as such, subject to consideration of matters of residential amenity, visual amenity, highway safety, drainage and ecology, the proposal can be accepted in principle.

The South Gloucestershire Core Strategy Development Plan Document was considered by the Inspector appointed to hold the Core Strategy Examination in Public and a refreshed Core Strategy that incorporates Post-Submission Changes was considered by the Council in mid December. Following this decision, the South Gloucestershire Core Strategy (incorporating Post-Submission Changes) December 2011 was taken forward to Examination in Public. The Inspector concluded that the Submission Core Strategy is capable of being made sound provided a number of modifications are made. Following a further period of consultation on the Inspector led changes and passed back to the Inspector. The Inspector issued an interim report in September 2012 of draft modifications and a further day of Examination is scheduled for March 2013. At this stage the Core Strategy therefore remains unadopted. This document is therefore a material consideration in the determination of planning applications, and the Core Strategy policies, which are not subject to Inspector modification, will now carry considerable weight at this stage.

In determination of this application other than the differences expressly referred to above, there are no significant differences between the relevant adopted Development Plan policies and the Core Strategy.

## 5.2 Community, sports and recreation facilities

### **Community and education:**

The proposal would retain an existing nursery facility within the site to be relocated to the temporary building. In its place, an additional permanent reception class would be created within the foundation centre block. The proposal is phase two of a three phased enlargement of the school to gradually increase the size from a single class to two class entry. The proposal would result in a two class reception year. An application for the third phase to provide a further 4 classroom block is proposed come forward later this year.

The proposal would contribute towards the provision of additional school places in the local area where there is significant demand which has currently resulted in significant pressure on local schools to find places to meet the increased demand. The NPPF highlights the need for Local Planning Authorities to assist in fulfilling the need for providing school facilities to meet local demand. Par.72 of the NPPF states,

*'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.'*



The proposal would assist with meeting a recognised need for school places in the area and would therefore result in a positive community and educational benefit for the local area.

### **Sports and recreation:**

The new reception class would be located within the existing permanent foundation building within the site. The new nursery building would be located on a grassed area in the north west corner of the site. The grassed area is currently unused. The school site benefits from an extensive grassed recreation area located on the east and south sides of the site. The proposal would not interfere with the existing sports and recreation facilities within the site as the playing field is located on the south side of the site.

### **5.3 Visual amenity**

Policy D1 of the Local Plan requires all new development to be well-designed. The proposal would be located in a position on the north west side of the site close to the existing foundation building. The location has been chosen as it is close to the main service infrastructure within the site and will not impede on existing school facilities.

The building is of standard design for temporary class building and sits comfortably within the context of the school. The proposed building would be screened well from views outside the school site with only glimpses afforded through gaps between dwellings on Royal Road to the west and Stockwell Drive to the north. Considering the standard design and visual screening of the building, the proposal is considered to be acceptable and in keeping with the character of the site and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

### **5.4 Residential amenity**

The new building would be located 23m from the rear gardens of the dwellings to the north (Stockwell Drive) and 40m from the dwellings on Royal Road to the west. Considering the distance to the nearest dwellings, the proposal is considered not to prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development or result in a loss of outlook from the adjacent dwellings.

The proposal would house a nursery facility within the existing school site. Considering the existing school use and activities, the times when the building would be operational (weekday daytimes only) and the distance to the nearest dwellings it is considered that the proposal would result in no material increase in noise and disturbance within the site and would not unduly impact on the amenity of local residents in this respect.

### **5.5 Highway safety and transportation matters**

As indicated above, the proposal would provide an additional classroom for 30 children together with 4 additional car parking spaces for staff and an additional cycle shelter. The new classroom would result in one additional full time teacher and one part-time assistant.

*There have recently been a number of planning applications to facilitate an increase in the number of pupils at the school and this has and will continue to generate additional traffic and this has created highway safety issues and concerns for local residents. To address the highway and transportation issues a number of off-site highway works have already been undertaken to mitigate the existing and future impact of increasing pupil numbers on local residents. Measures already implemented include the followings;*

1. the installation of grass-crete surfacing and drop kerbs to a former grassed area off Barley Close to increase parking provision for local residents.
2. keep clear white lining to the turning area in Barley Close and yellow keep clear zig-zags by the school entrance.
3. introduction of Traffic Regulation Orders for the aforementioned lining to allow enforcement of penalties for traffic offences.
4. the extension of the Laurels car park to provide an additional 14 car spaces for parents to drop off and collect their children. A gate in the school boundary fencing has also been installed to provide safe and direct access to the school buildings.

As part of this current application, the following additional measures would also be implemented;

1. creation of 4 extra car parking spaces within the school grounds for staff and visitors,
2. creation of additional cycle shelters for 8 bikes.

A detailed “travel-plan” has also been submitted with this application, which follows extensive public consultation with residents and parents. This forms the basis of a sustainable and organised pattern of travel to the school in the interest of minimal disruption to the local community.

A need has been recognised for additional classrooms on site to cater for future increase in pupil numbers up to year 2017. However, this would be subject to future consideration as part of a separate application.

The 30 additional pupils would include a percentage of siblings which would result in shared vehicle trips. Additionally, in line with the recommendations of the travel plan, parents are to be encouraged to use other means of travel to and from school than the private car. A significant percentage of pupils would live within walking and cycling distance of the school.

The existing traffic management measures implemented and proposed additional cycle facilities are considered to be effective in mitigating the additional traffic which would be created by the provision of one additional reception class of 30 pupils.

The provision of 4 additional staff parking spaces within the site would be sufficient to meet the additional staff (one full time and one part time), which would result from the development. Considering all of the above matters, the

proposal would result in no significant highway safety issues and as such the transportation and public safety impact of the proposal is unlikely to be severe.

No entrance from Stockwell Drive is proposed as part of this application. The provision of a new entrance to the site from Stockwell Drive is being considered as part of phase three and as such may be considered as part of a future application.

#### 5.6 Ecology

The application includes an ecological survey dated December 2012 by Wessex Ecological Consultancy.

The site for the new classroom consists of a mixture of tarmac hardstanding and close mown amenity grassland. The grassland is improved and species-poor and, with the tarmac, the site is of minimal value for nature conservation. The mown grassland is furthermore unsuited for use by hedgehog or slowworm which would preferentially use the belt of taller rough grassland to the north if present on site. The proposal is therefore unlikely to result in material ecological harm.

#### 5.7 Flood and drainage

A culvert is located close to the site of the proposed building at a distance of 4m. The culvert is covered. The proposal is unlikely to impact on the flow of water in the culvert. The proposal would provide an adequate soakaway close to the building to manage surface water and would connect to the existing foul main infrastructure. The proposal is therefore considered to be acceptable in terms of flood and drainage matters.

### 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report. A summary of reasons for granting planning permission in accordance with Article 31 of the Town and Country Planning (Development Management Procedure) Order 2010 is given below:
  - a) Due to its scale and position in relation to the adjacent dwellings, the proposed development is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy LC4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
  - b) It has been assessed that the proposed development been designed to respect and maintain the massing, scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and LC4 of the South

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

- c) The proposal would result in no significant increase in traffic and on street parking issues and any such increase would be mitigated by existing traffic management measures and as such the proposal would result in no significant increase in traffic and no severe impact in terms of transportation and public safety matters. The development therefore accords to Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
- d) The proposal would result in no material increase in surface water and would provide an effective method of surface water disposal. The proposal would also have no significant impact in relation to ground water. The development therefore accords to Policy L17 and L18 of the South Gloucestershire Local Plan (Adopted) January 2006.
- e) The proposal would have no significant ecological implications and therefore accords to Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

## **7. RECOMMENDATION**

- 7.1 Consent is GRANTED subject to the conditions and informatives as outlined in the attached decision notice:

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

## **CONDITIONS**

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

Reason

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

2. The temporary Nursery Classroom building hereby permitted shall be removed within 3 months of the after the date when occupation ceases and it is no longer required for purposes falling within or ancillary to Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the land restored to its former condition in accordance with the scheme of work to be first submitted to and approved in writing by the Local Planning Authority.

Reason

To preserve the character, appearance and amenity of the surrounding area and to accord with Policy LC04 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

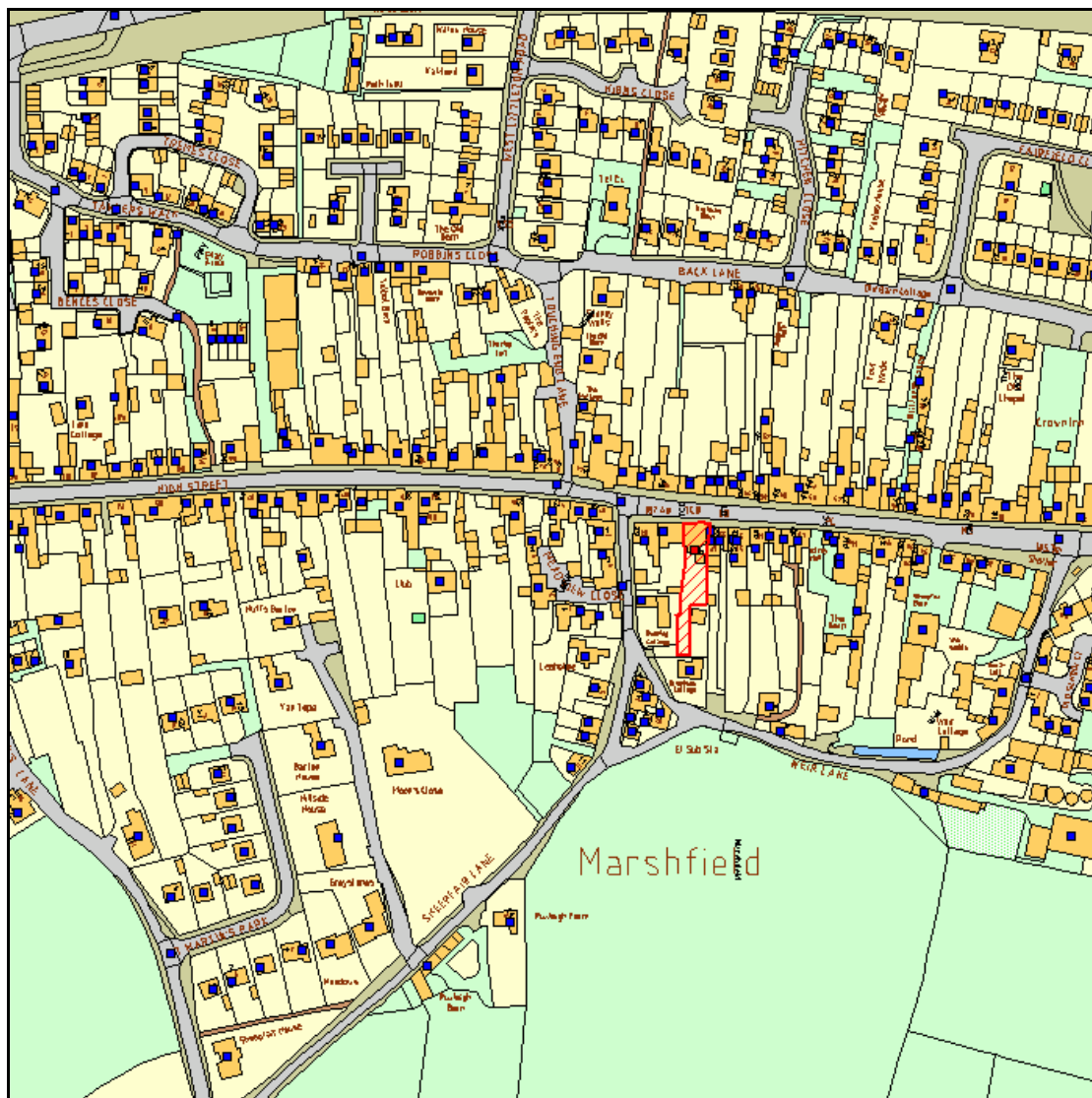
3. Within one month prior to the first occupation of the development hereby approved, a full travel plan shall be submitted for approval. The approved Travel Plan shall be implemented as approved before the development hereby permitted is brought into use; or as agreed in the travel plan.

Reason

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

## CIRCULATED SCHEDULE NO. 07/13 – 15 FEBRUARY 2013

<b>App No.:</b>	PK12/4229/F	<b>Applicant:</b>	Mr And Mrs O'Mahony
<b>Site:</b>	59 High Street Marshfield South Gloucestershire SN14 8LR	<b>Date Reg:</b>	21st December 2012
<b>Proposal:</b>	Erection of two storey rear extension to provide additional living accommodation	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>	377879 173716	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Householder	<b>Target Date:</b>	13th February 2013



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PK12/4229/F

## **REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule following the receipt of an objection from a local resident; the concerns raised being contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of two-storey rear extension to provide additional living accommodation. The site lies in Marshfield High Street, within the Conservation Area, although the render and slate, two storey terraced dwelling is not a Listed Building. The site has a long rear garden. Amendments have been requested and received to the proposed rear extension.

### **2. POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

L12: Conservation Areas

H4: Development within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.

CS1 High Quality Design

2.3 Supplementary Planning Guidance

Marshfield Conservation Area Guidance Notes

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

- 3.1 PK00/1240/F - Change of use of part of ground floor from retail (A1) to residential (C3) – Approved 24<sup>th</sup> July 2000
- 3.2 PK11/1542/F - Erection of two storey rear extension and detached single storey building to form home office. – Approved 6<sup>th</sup> July 2011

### **4. CONSULTATION RESPONSES**

4.1 Marshfield Parish Council

No objection

4.2 Conservation Officer

Recommendation: Seek reduction in ridge and eaves height of two-storey extension. If these are forthcoming, approve, subject to conditions.

#### 4.3 Local Residents

One objection was received.

- Objection to the windows on the west elevations, which would overlook number 61 High Street.

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

#### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 allows for the principle of development within residential curtilages providing it is within keeping with the character of the area and subject to considerations of design, residential amenity and highway safety. Policy D1 permits development where good standards of design are achieved. Policy L12 requires development proposals therein to preserve or enhance the character and appearance of the Conservation Area. This application is in accordance with these policies.

#### 5.2 Design/Visual Amenity/ Impact upon Conservation Area

The applicants have reduced the ridgeline of the two-storey extension to be in accordance with the conservation officer's comments. The extension would feature traditional detailing, the only views are limited to those from the houses on either side of the site and as such it is considered that the character of the Conservation Area would not be compromised. The depth and scale of the proposed extension has taken its cue from the adjoining property, the height as amended reflects that of the host dwelling. In terms of massing and detailing therefore the design is considered to be appropriate and would preserve the Marshfield Conservation Area in accordance with policy and the Supplementary Planning Guidance.

#### 5.3 Residential Amenity

The existing extension is single storey, consisting of a flat roofed extension and finished with a lean-to conservatory. Given the height of the boundary wall to the west, it would barely be appreciable from ground level from that direction. The additional storey with greater width and depth would make for a substantial addition, give the lack of windows in the side elevation of the property to the east, it is considered that the impact only merits examination on the adjoining property to the west. The reduction in ridge height will reduce the mass of the extension as well as its overall height. The eaves height is set below that of the host dwelling.

Regarding the issue of the windows in the west elevation. Existing windows are not material to this proposal. The only windows proposed for the extension, which are on the west-facing elevation are a kitchen window at ground floor level, which will face the boundary wall and not provide views over it and windows to light the stairs and landing at ground and first floor level, there is also a rooflight proposed for the landing area. These latter areas are not habitable rooms and there is no reason why frosted glass should be used. The level of glazing for the stairs suggest that this area will only need to be lit after dark and any 'light pollution' which would be caused next door would be limited and is not considered to be to the detriment of existing levels of residential amenity at that property.



#### 5.4 Highway Safety

The proposed rear extension is located at the rear of the property, therefore the proposal would not affect the existing parking arrangement and would not cause any harm to the highway safety of the area.

### 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 proposal would provide enlarged living accommodation without having any adverse impact on residential amenity, visual amenity or the Conservation Area. The proposal accords with policies D1, L12 and H4 of the South Gloucestershire Local Plan (Adopted) 2006

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

### 7. RECOMMENDATION

- 7.1 That planning permission is **approved**, subject to the conditions detailed on the decision notice.

**Contact Officer: Melissa Hayesman**  
**Tel. No. 01454 864769**

### CONDITIONS

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

Reason

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

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

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of development a representative sample panel of facing render, of at least one metre square, showing the texture and finish, shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of development, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.
  - a. All new windows and fixed glazing (including framing, cill and head details)
  - b. Rooflights
  - c. All new doors
  - d. All new vents and flues
  - e. Eaves

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The repairs required to the traditional stone garden boundary wall off which the home office is to be built shall be carried out like-for-like, using traditional lime mortar, and the repairs completed prior to the occupation of the building.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of development a representative samples of the following materials shall be submitted to and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the agreed samples.
  - a. tile
  - b. natural slate

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

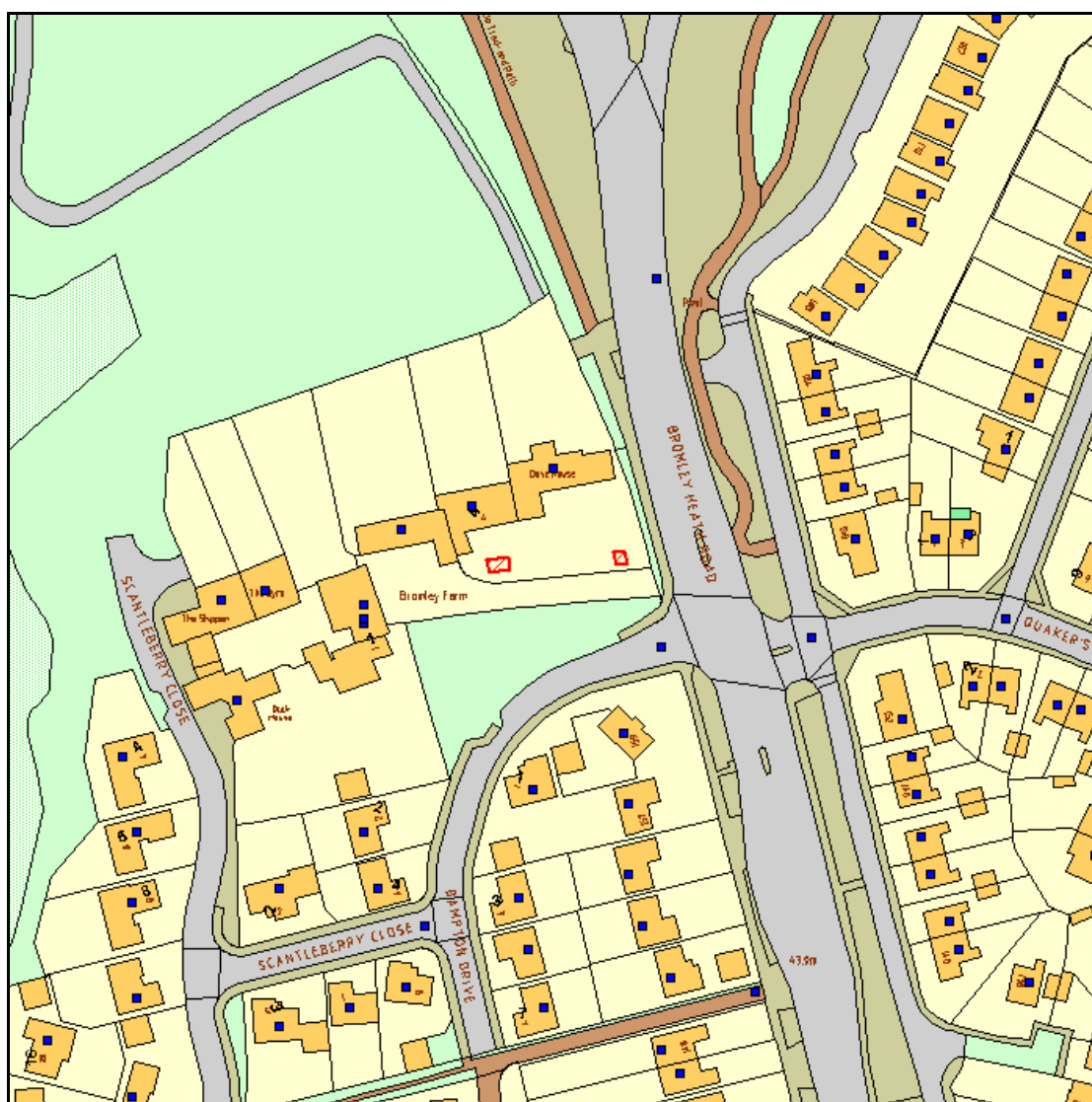
7. No windows other than those shown on the plans hereby approved shall be inserted at any time in the western elevation of the extension hereby approved.

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. 07/13 – 15 FEBRUARY 2013

<b>App No.:</b>	PK12/4242/TRE	<b>Applicant:</b>	Mr Colin Whiteside
<b>Site:</b>	4 The Stables Bromley Farm Bromley Heath Road Downend South Gloucestershire	<b>Date Reg:</b>	8th January 2013
<b>Proposal:</b>	Works to deadwood and crown reduce by 30% 2no. Ashtrees covered by Tree Preservation Order KTPO/09/94 dated 20 September 1994.	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	364636 178035	<b>Ward:</b>	Downend
<b>Application Category:</b>		<b>Target Date:</b>	1st March 2013



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PK12/4242/TRE

## **REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule following the receipt of an objection the concerns raised being contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 Works to deadwood and crown reduce 30% 2no. Ash trees covered by a Tree Preservation Order.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
The Town and Country Planning Act 1990  
The Town and Country Planning (Tree Preservation) (England) Regulations 2012

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

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
Objection - 30% crown reduction is excessive. We consider 20% reduction in this case in view of dead wood being removed also
- 4.2 Tree Officer  
I would recommend consent is granted for the reduction of T1 but the proposed works to T2 are refused consent, as they are considered detrimental to the long-term health of the tree
- 4.3 Local Residents  
No response

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

- 5.1 Principle of Development  
T1 had a large amount of deadwood removed last year, however the tree has development more deadwood within the canopy since these works. This would lead me to believe that the tree is in decline however on inspection there were no obvious reasons for the decline visible. The proposed works are to remove deadwood and reduce the crown by 30%. Having spoken with the contractor and owner of the trees it is intended to reduce the tree to a size, which matches the adjacent Ash tree growing on the area of grass at the front of the property. The Beech between the two Ashes will be given more space to establish a balanced crown and reduce the competition for light. For this reason the proposed works are considered acceptable.
- 5.2 The proposed works to T2 are considered unnecessary and would be detrimental to the visual amenity and long term health of the tree. Currently the Ash tree has an asymmetric crown but is growing to form one canopy with the

neighbouring Sycamore. If the Ash were reduced it would reduce the combined visual amenity of the two trees and potentially create new wind patterns, which could imp-act on the Sycamore.

The removal of the deadwood is health and safety issue and does not require prior consent.

## **6. CONCLUSION**

- 6.1 The proposed works to T1 are considered in accordance with good management and will improve the future growth habit of the neighbouring Beech tree. The proposed reduction of T2 is considered un-necessary and could be detrimental to the health of the tree and the neighbouring Sycamore.

## **7. RECOMMENDATION**

- 7.1 It is recommended that a **SPLIT DECISION** be issued stating the following:

T1 Works to deadwood and crown reduce by 30% – NO OBJECTION

T2 Works to deadwood and crown by 30% – OBJECTION

**Contact Officer:   Melissa Hayesman**  
**Tel. No.               01454 864769**

## **CONDITIONS**

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

In the interests of the long term health of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

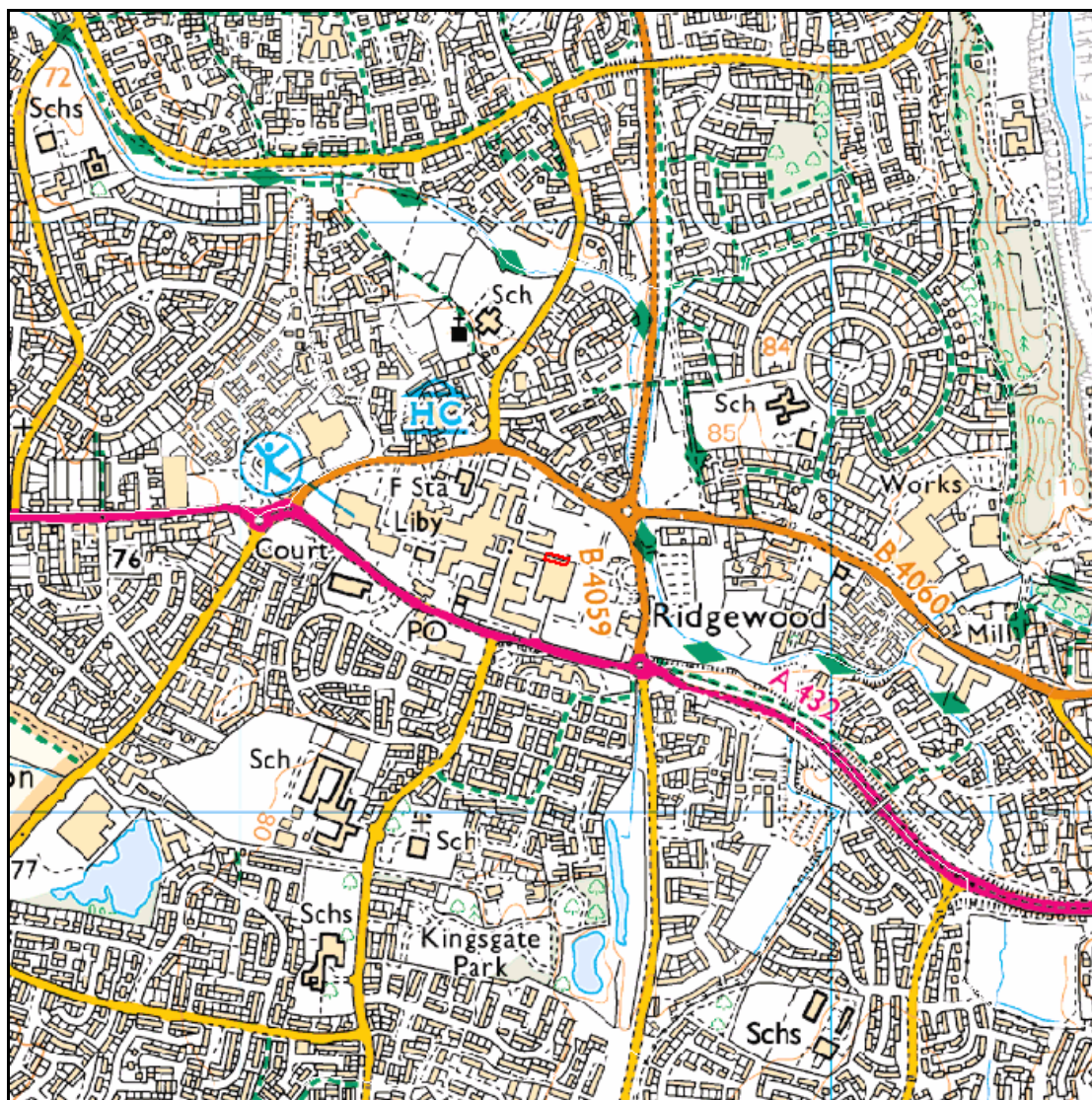
Reason:

The proposed reduction of T2 is considered un-necessary and could be detrimental to the health of the tree and the neighbouring Sycamore.



## CIRCULATED SCHEDULE NO. 07/13 – 15 FEBRUARY 2013

<b>App No.:</b>	PK13/0044/CLP	<b>Applicant:</b>	Tesco Stores Ltd
<b>Site:</b>	Tesco Stores 12 East Walk Yate Bristol South Gloucestershire	<b>Date Reg:</b>	16th January 2013
<b>Proposal:</b>	Application for Certificate of Lawfulness for the proposed amalgamation of 3no. retail units to form 1no. retail unit.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371538 182400	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Minor	<b>Target Date:</b>	12th March 2013



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**PK13/0044/CLP**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule because it is for a Certificate of Lawful Proposed Development and this is standard procedure required by the adopted Council's delegated powers procedure.

### **1. THE PROPOSAL**

- 1.1 This application seeks a Certificate of Proposed Lawful Development for the use of three A1 retail units as a single A1 unit.
- 1.2 The proposed development relates to a vacant area of ground floor accommodation underneath the current Tesco superstore, fronting East Walk and with the undercover car park for Tesco to the rear. To the west lies the last shop in the East Walk part of the pedestrianised town centre. There are three separate entrances to the units and therefore the three units, albeit unoccupied at present, appear to have been constructed.

### **2. POLICY CONTEXT**

- 2.1 Town & Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (Application of Subordinate Legislation to the Crown) Order 2006 (SI 2006 No. 1282).

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

- 3.1 PK07/3391/F Erection of replacement Tesco store with ground floor parking, incorporating three separate non-food retail units. Erection of four non-food retail units, public transport interchange, construction of footway along north side of Kennedy Way, acoustic screen to service yard and associated works. Approved subject to Section 106, 2009

### **4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
No objection
- 4.2 Sustainable Transportation  
No highway issues with this application.
- 4.3 Local Residents  
No replies received.

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

- 5.1 Principle Of Development  
It must be first ascertained whether the proposal constitutes development. It should be borne in mind that no change of use is proposed: The remainder of the development approved under PK07/3391/F has been implemented, albeit with variations approved under PK10/2866/F and PK11/2871/F. Permission has been approved under PK07/3391/F for the three units to operate under Use



Class A1 and the proposal under this application is also for the A1 use of this land.

5.2 Does this proposal constitute development?

The changes under this proposal amount to internal changes, removing dividing walls between the three yet to be occupied retail units. Section 55 of the Town and Country Planning Act 1990 defines the meaning of development as the carrying out of building, engineering, mining or other operations in, on, over or under land or the making of any material change in the use of buildings or other land. The following operations or uses of land shall not be taken for the purposes of this act to involve development of the land -

- (a) the carrying out for the maintenance, improvement or other alteration of any buildings or works which (inter alia)
- (i) affect only the interior of the building

The building works which form this proposal are only considered to affect the interior of the building and therefore, it is considered that this does not constitute development in the terms of the 1990 Act.

5.3 The approved and implemented plans include the design of shopfronts for the units which comprise the site. Any changes to these approved plans which arise as part of this proposal are likely to involve a material change to the appearance of the building and therefore would require planning permission.

5.4 No conditions under PK07/3391/F or PK10/2866/RVC prevent the three retail units in question being used as a single retail unit. The description of development of the planning permission requires that the units, or as now proposed unit, would not retail food. This application is considered to leave this obligation unaffected.

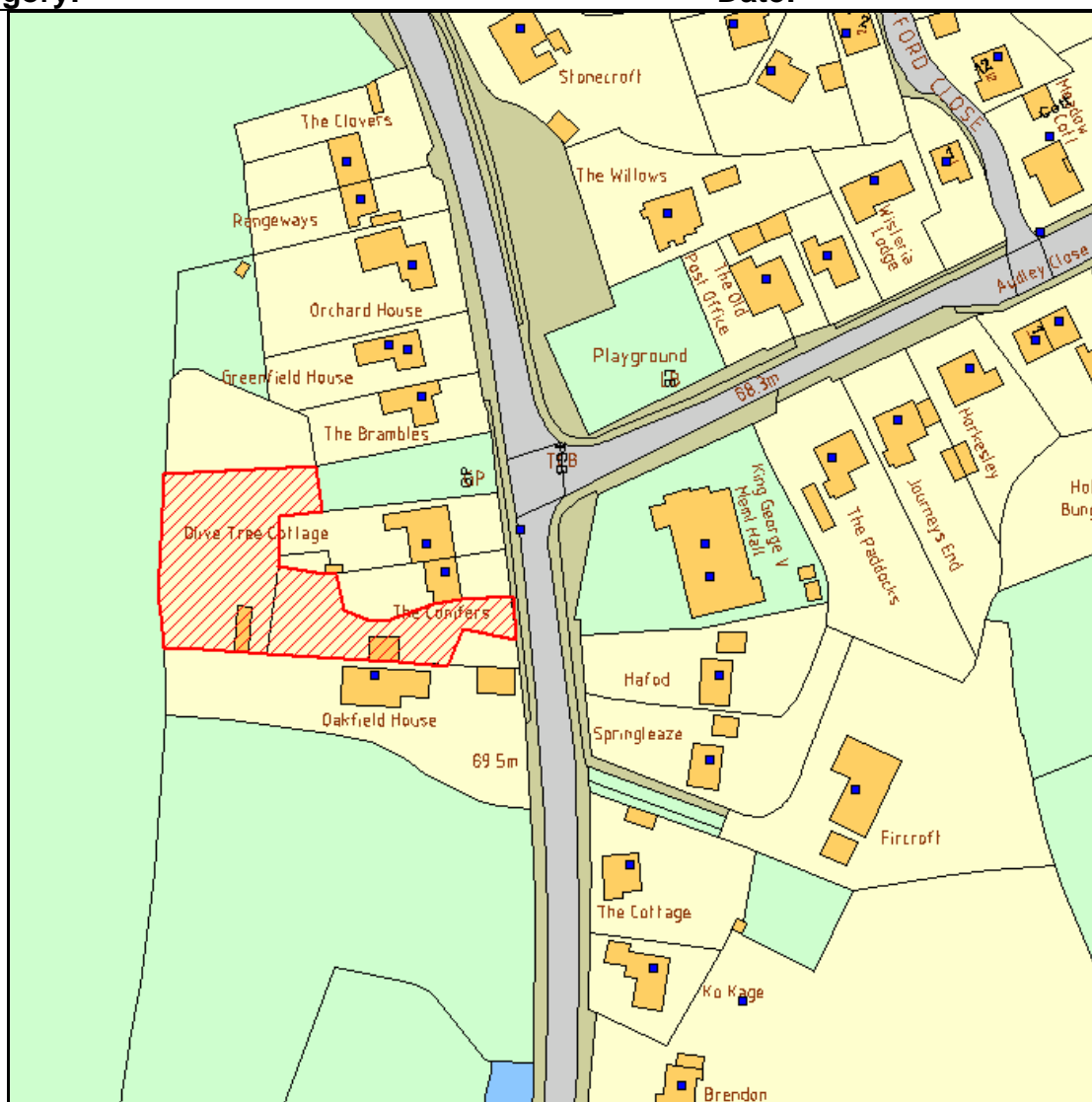
**6. RECOMMENDATION**

6.1 That a Certificate of Lawfulness of Proposed Development is granted as the proposal would not constitute development.

**Contact Officer: Chris Gosling**  
**Tel. No. 01454 863787**

**CIRCULATED SCHEDULE NO. 07/13 – 15 FEBRUARY 2013**

<b>App No.:</b>	PT12/3556/F	<b>Applicant:</b>	Mr Taylor
<b>Site:</b>	The Conifers Wotton Road Rangeworthy Bristol South Gloucestershire	<b>Date Reg:</b>	14th November 2012
<b>Proposal:</b>	Erection of 3 no. detached dwellings with garages, new access and associated works. Erection of detached garage for The Conifers.	<b>Parish:</b>	Rangeworthy Parish Council
<b>Map Ref:</b>	369127 185750	<b>Ward:</b>	Ladden Brook
<b>Application Category:</b>	Minor	<b>Target Date:</b>	9th January 2013



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**PT12/3556/F**

## **REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule owing to a letter of objection that has been received.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of three detached dwellings.
- 1.2 The application relates to land associated with The Conifers, a semi-detached two-storey cottage style dwelling on the west side of Wotton Road, Rangeworthy. The application site lies within the Rangeworthy settlement boundary, which runs close to the southern site boundary and along the rear boundary of the application site.
- 1.3 Outline planning permission was granted for three dwellings on this site under reference PT11/2199/O.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework (2012)  
National Planning Policy Framework (Technical Guidance)

#### **2.2 Development Plans**

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

D1: Achieving Good Quality Design in New Development  
H2: Proposals for Residential Development  
H4: Development within Residential Curtilages  
L1: Landscape Protection and Enhancement  
L9: Species Protection  
L18: The Water Environment  
T7: Cycle Parking  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development

##### **South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.**

CS1: High Quality Design  
CS9: Managing the Environment and Heritage  
CS16: Housing Density  
CS17: Housing Diversity  
CS34: Rural Areas

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

South Gloucestershire Design Checklist (Adopted)  
Trees on Development Sites (Adopted)  
Biodiversity (Adopted)  
Landscape Character Assessment (Adopted)

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

- 3.1 N2402: Renewal of consent for siting of a residential caravan. Permitted: 15 April 1976
- 3.2 N2402/1: Erection of single storey extension at rear to provide kitchen. Permitted: 15 June 1978
- 3.3 N2402/2: Erection of a single storey rear extension to form entrance hall, bathroom, cloakroom and W.C. Permitted: 24 March 1983
- 3.4 P96/1229: Alterations to roofline to facilitate conversion of attic space to bedroom. Permitted: 18 March 1996
- 3.5 PT08/0782/F: Creation of vehicular access. Permitted: 2 May 2008
- 3.6 PT10/0954/O: Erection of three dwellings (outline) with access to be determined; all other matters reserved. Withdrawn: 7 June 2010
- 3.7 PT10/3197/O: Erection of three detached dwellings (outline) with access to be determined; all other matters reserved. Refused: 13 January 2011
- 3.8 PT11/2199/O: Erection of 3 detached dwellings and garages with associated works (Outline) with access to be determined; all other matters reserved. Permitted: 31 August 2011
- 3.9 PT12/0996/TRE: Removal of 1 Lawson Cypress tree covered by Tree Preservation Order SGTPO 51/10 dated 14 December 2010. Refused: 3 May 2012

### **4. CONSULTATION RESPONSES**

- 4.1 Rangeworthy Parish Council  
No objection
- 4.2 Other Consultees  
Environmental Services: no objection in principle (informatives suggested)  
Drainage Officer: no objection in principle  
Ecology Officer: no objection (informative suggested)  
Highways DC: no objections subject to condition  
Tree Officer: no objection subject to condition  
Landscape Officer: no objection subject to condition
- 4.3 Summary of Local Residents Comments:  
One letter received raising the following concerns:
  - o Further information is required concerning maintenance of the north boundary which adjoins an existing dwelling and which would in part adjoin a new property and in part a public area;
  - o Deeds should reflect the arrangements agreed in respect of the above;

- o The upper floor ensuite bathroom windows facing the neighbouring properties should be retained with obscure glass and fixed shut to protect residential amenity;
- o Comments from Environmental team must account for and be taken into account regarding numerous complaints of late night working, all day bonfires, noisy weekend/ bank holiday working with restrictions tightened to include no weekend working and no ambiguity.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The National Planning Policy Framework carries a presumption in favour of sustainable development and speaks of the need to 'boost significantly the supply of housing' (paragraph 47) and to deliver a wide choice of high quality homes and widen opportunities for home ownership and create sustainable, inclusive and mixed communities (paragraph 50). Further, it is advised that *'Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay'*. These considerations should be attributed significant weight in the assessment of this application. However, a word of caution is offered by paragraph 53 of the National Planning Policy Framework which advises: *'Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area'*.

5.2 Planning policies H2 and H4 are permissive of proposals for residential development within the settlement boundaries subject to considerations related to design, residential amenity and highway safety. However, where development would have a harmful impact on the character/ appearance of the surrounding area and residential amenity, development will not be permitted.

5.3 In this instance, the principle of further additional residential development has already been approved by virtue of PT11/2199/O. Nevertheless, only issues relating to the 'access' were considered although indicative plans were submitted that were considered to provide a good representation as to what the development might look like. Accordingly, this plan showed 3 detached dwellings arranged in a near semi-circle with a detached double garage serving one of the dwellings, an attached single garage to the second property and with two parking spaces to serve the third dwelling. Condition 5 of this permission required adherence to the scale parameters set out within the accompanying Design and Access Statement with the ridge height of the dwellings not to exceed 6.5m.

5.4 It is noted that policy CS34 of the emerging Core Strategy advises that local development documents and development proposals will maintain the settlement boundaries defined on the proposals map around rural settlements for the first five years of the Core Strategy.

5.5 Design/ Visual Amenity (Dwelling Design)

This application seeks full planning permission for the erection of three detached chalet style dwellings that, in contrast to the indicative details submitted as part of the outline application, would stand broadly in line with the rear boundary. Further to the receipt of amended plans, this 'line' has been slightly eroded with the central dwelling stepped forwards.

5.6 The three dwellings would benefit from a similar design approach (albeit with each dwelling different). In this regard, the proposals would each benefit from a projecting gable that would form the focus of the front of each property. That to plots 1 and 3 would accommodate garage facilities with an attached single garage to serve plot 2 (the central dwelling). Each unit would comprise of 3 bedrooms with the ridgelines broadly equal and measuring 6.1m in respect of plot 1. Materials would comprise a mix of stone and render and could form the basis of a suitably worded planning condition in the event that planning permission is granted.

5.7 In response, the design of the dwellings is considered to be broadly acceptable albeit with some concerns in respect of the size and design and position of the dormers at the rear. Nevertheless, it is not considered that this issue alone would substantiate a refusal reason and thus on this basis, there is no objection to the dwellings on design/ visual amenity terms.

5.8 The plans also show the erection of a detached garage to serve The Conifers. The design and siting of this is considered to be acceptable.

5.9 Design/ Visual Amenity (Landscaping/ Trees)

Comments from the Councils Landscape Officer advise that the previous layout shown on the indicative drawings (as part of the outline permission) was preferable given that it provided more space for planting in the back gardens to mature and soften the built edge of the settlement. However, the rear gardens would still provide an opportunity to provide some mitigation in the form of additional landscaping and it is considered that this could form the basis of a suitably worded condition in the event that permission is granted. On this point, it is worth noting that it would be preferable if the boundary treatment along the sensitive rear boundary could comprise stock proof fence and native hedge with a number of native trees.

5.10 Revised arboricultural details have been submitted given that those firstly received related to the layout of development shown as part of the outline application. Comments from the Tree Officer advise that this latest report identifies the potential impact of the development and how any impact can be minimised or avoided. It is advised that if the development is undertaken in accordance with the recommendations of this report then there should be no long-term impact on the health of the retained trees. On this basis, subject to a condition that all works are undertaken in accordance with this report, there is no objection to the application on this basis.

5.11 Residential Amenity

Access to the site would via the applicant's existing altered driveway with land behind providing a good size garden and parking to this existing property. On

this basis, and having regard to the level of separation between the rear of The Conifers and the new dwellings (approx 39m) it is not considered that any significant adverse impact in residential amenity would be caused. As part of this, consideration has been given to the number of vehicular movements past this dwelling which was deemed as acceptable as part of the outline planning permission.

- 5.12 Concerning the further neighbouring properties, Oakfield House to the south contains a number of side facing windows (albeit with the majority at ground level) whilst rear windows and a rear juliet balcony would allow oblique views into the application site. Concern has been raised regarding this new relationship before although this was addressed by the outline permission. In this instance, given the chalet style design of the adjoining plot 3, with the forward facing first floor window to serve a bathroom and in view of the outline permission, there is no objection to the application on this basis.
- 5.13 Olive Tree Cottage adjoins the site to the north. Given the separation distance between this dwelling and the proposals, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.14 All further dwellings are also positioned at an appreciable distance from the application site. On this basis, it is not considered that any significant adverse impact in residential amenity would be caused. In this regard, the comments received are noted and it is considered to be appropriate to add a condition requiring obscure glazing. However, given the separation distance proposed, it is not considered that it would be reasonable to also ensure that these would be fixed shut. It is also not considered that this would be sustainable in the event that this condition were the subject of an appeal.
- 5.15 Concerning the relationship between the new dwellings, views between properties would be at an oblique angle only and this is not uncommon within a residential area. Accordingly, and with each to benefit from a small garden area, there is no associated objection.
- 5.16 It is considered appropriate to add conditions in respect of hours of work and boundary treatments/ maintenance although the deeds to a property are a separate issue to that of the planning permission.
- 5.17 Highway Safety  
This proposal is similar in scale to the approved application and with no material change in transportation terms; there is no highway-associated objection. However, a condition is required to indicate a refuse collection point adjacent to the highway that is of suitable size to cope with the refuse and recycling operations that this authority undertakes.
- 5.18 Ecology  
The application site comprises the garden to an existing property; it is not covered by any statutory or non-statutory nature conservation designations. The site has been subject to a previous ecological survey that concluded that the site is unsuitable for reptiles and limited as a habitat resource for hedgehog. Accordingly, there is no ecologically based objection to this application.

5.19 Drainage

At the time of the previous application, comments from Wessex Water advised that the additional foul flows from three new dwellings would not generate a significant impact upon sewer capacity and in these circumstances they were able to accept foul water connections from the proposals. Therefore, as before, it is considered that there can be no reasonable objection to the proposal on this basis.

5.20 Outstanding Issues

Previously, it was noted that development of the site might preclude development of a parcel of land to the north that adjoins the north site boundary and which also falls within the settlement boundary. However, further intensification of the access would be undesirable in residential amenity/highway safety terms. On this basis, as before, there is no associated objection to the application although in the event that this parcel of land came forward for development in the near future, it might be necessary to ascertain whether an element of affordable housing would be required (for the site areas combined). (The current proposal falls below the threshold of 0.2Ha/ 5 units as detailed by H6 (Affordable Housing) of the adopted local plan and CS18 (Affordable Housing) of the emerging Core Strategy.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to **GRANT** permission is for the following reasons:
1. The principle of residential development has been established by PT11/2199/O that granted outline permission for three dwellings.
  2. The application site occupies a settlement location and the layout and number of dwellings proposed would reflect the general character of the locality. The proposal is therefore considered to accord with Planning Policies D1 (Achieving Good Quality Design in New Development), H2 (Proposals for Residential Development) and H4 (Development within Existing Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
  3. The proposal would not cause any significant adverse impact in residential amenity and thus would accord with Planning Policies H2 (Proposals for Residential Development) and H4 (Development within Existing Residential



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

4. The proposal would be acceptable in highway safety terms and would accord with Planning Policy T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

## **7. RECOMMENDATION**

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

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

### **CONDITIONS**

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

Reason

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

2. Prior to the commencement of development, samples of the roofing and external facing materials (including windows) 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 good standard of design and in the interests of visual amenity, all to accord with Planning Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

4. The buildings hereby approved shall not be occupied until a means of access for pedestrians and vehicles has been provided in accordance with the approved plan. Thereafter, this means of access shall be permanently retained.

Reason

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

5. The off-street parking places hereby permitted shall be provided before the dwellings hereby permitted are first occupied and shall thereafter be retained for that purpose.

Reason

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

6. Prior to the commencement of development, full details of refuse collection and storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall accord with these approved details.

Reason

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

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

Reason

Due to the edge of settlement position of the application site and the position of the neighbouring properties, any further extensions or outbuildings will require the further consideration of the Local Planning Authority to ensure accordance with Planning Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. During construction, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times:

Monday - Friday: 7.30am - 18.00pm.

Saturday, Sunday, Bank and Public Holidays: 8.00am - 13.00pm.

For the purposes of this condition, the applicant shall notify the Planning Authority in writing of the commencement and completion of works.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Planning Policies H2, H4 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to occupation of the dwellings hereby permitted, and at all times thereafter, the proposed first floor ensuite bathroom windows on the front elevation of each dwelling

shall be glazed with obscure glass to level 3 standard or above and thereafter retained as such.

Reason

In the interests of residential amenity and to accord with Planning Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. 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 those 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

In the interests of visual amenity and to accord with Planning Policies D1, H2, H4 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Prior to the commencement of development, details in respect of boundary treatment ownership and maintenance shall be submitted to and approved in writing by the Local Planning Authority. Development shall accord with these approved details.

Reason

In the interests of visual amenity and residential amenity and to accord with Planning Policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. Development shall strictly accord with the Arboricultural Method Statement submitted to and received by the Local Planning Authority on December 18th 2012. This report shall firstly be updated to account for the minor changes introduced by as part of the application with these details submitted to and agreed in writing by the Local Planning Authority.

Reason

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