



**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. 31/08**

**Date to Members: 01/08/08**

**Member's Deadline: 07/08/08**

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

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

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

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

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

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

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

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

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

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

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

## CIRCULATED SCHEDULE

**DATE: 01/08/08**

**SCHEDULE NO. 31/08**

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

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

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

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

**Please note: - Reason for Referral**

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

**SIGNATURE .....**

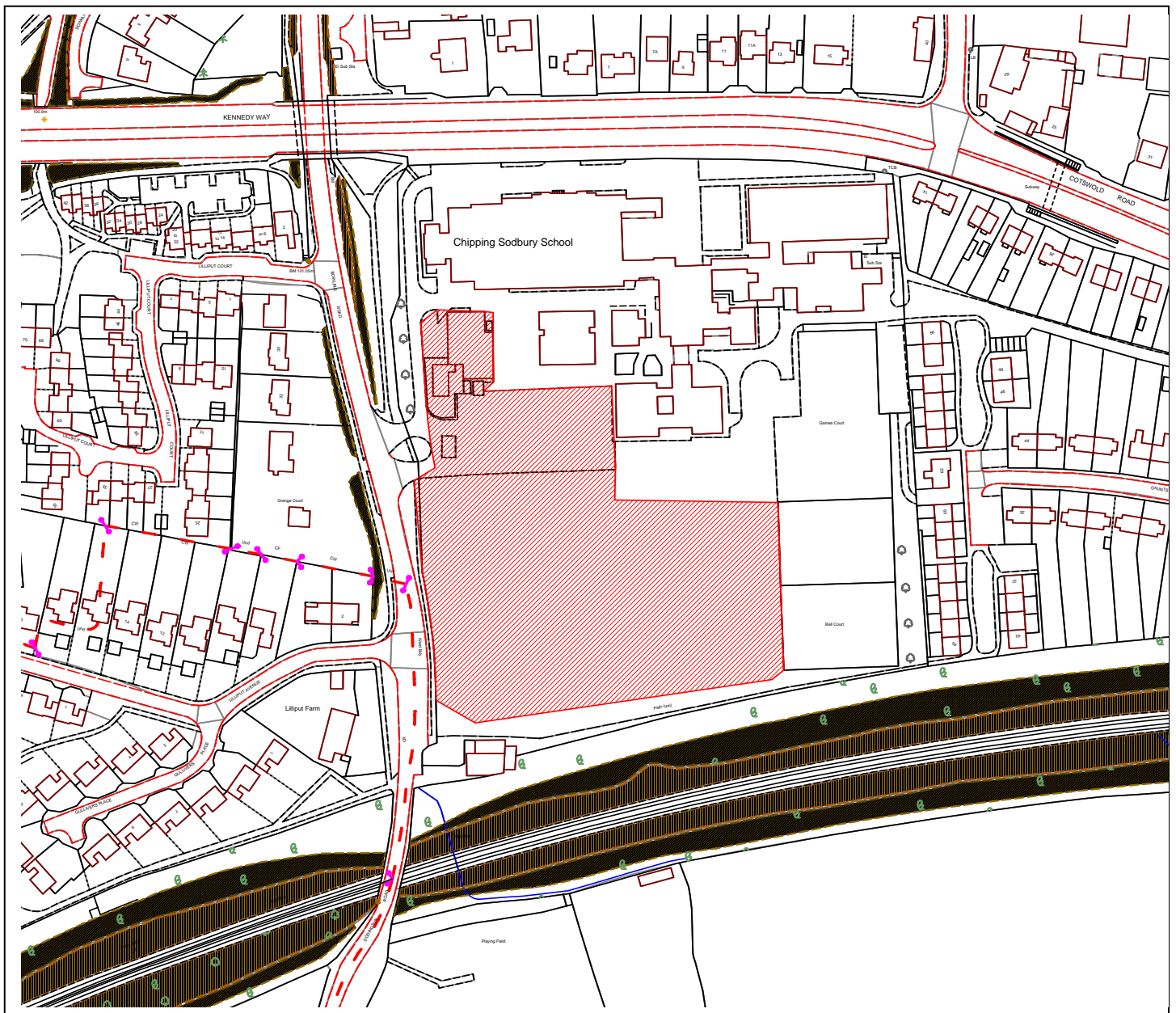
**DATE .....**

# Circulated Schedule 01 August 2008

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK08/1459/R3F	Deemed consent	Chipping Sodbury School, Bowling Road, Chipping Sodbury, South Gloucestershire, BS37 6EW	Chipping Sodbury	Sodbury Town Council
2	PK08/1480/R3F	Approved subject to Section 106	Land adjacent to 22 Memorial Road, Hanham, South Gloucestershire, BS15 3JA	Hanham	Hanham Parish Council
3	PK08/1592/F	Approve with conditions	High Trees, Rounceval Street, Chipping Sodbury, South Gloucestershire, BS37 6AR	Chipping Sodbury	Sodbury Town Council
4	PK08/1724/F	Approve with conditions	120 Willis Road, Kingswood, South Gloucestershire, BS15 4SF	Rodway	
5	PK08/1748/F	Approve with conditions	132 Station Road, Yate, South Gloucestershire, BS37 4PQ	Yate Central	Yate Town Council
6	PK08/1842/F	Approve with conditions	3 Sturmer Close, Yate, South Gloucestershire, BS37 5UR	Yate North	Yate Town Council
7	PK08/1868/TRE	Approve with conditions	George Wimpey Development, Plot 4 Charnhill Drive, Mangotsfield, South Gloucestershire, BS16 9JL	Rodway	
8	PK08/1880/F	Approve with conditions	30 Kensington Road, Staple Hill, South Gloucestershire, BS16 4LX	Staple Hill	
9	PT08/1129/F	Approve with conditions	Laurel Cottage, Gillingstool, Thornbury, South Gloucestershire, BS35 2EH	Thornbury North	Thornbury Town Council
10	PT08/1702/F	Approve with conditions	27 Park Barn, Park Row, Frampton Cotterell, South Gloucestershire, BS36 2BS	Frampton Cotterell	Frampton Cotterell Parish Council
11	PT08/1719/F	Approve with conditions	Land adjoining Flaxpits House, Flaxpits Lane, Winterbourne, South Gloucestershire, BS36 1LB	Winterbourne	Winterbourne Parish Council
12	PT08/1818/F	Approve with conditions	1 Manor Lodge, Manor Lane, Winterbourne, South Gloucestershire, BS36 1QJ	Winterbourne	Winterbourne Parish Council
13	PT08/1849/F	Approve with conditions	86 The Willows, Bradley Stoke, South Gloucestershire, BS32 8HJ	Bradley Stoke South	Bradley Stoke Town Council
14	PT08/1850/F	Refusal	Coningsby House, Pilning Street, Pilning, South Gloucestershire, BS35 4JJ	Pilning and Severn Beach	Pilning and Severn Beach
15	PT08/1855/F	Approve with conditions	17 Eleventh Avenue, Filton, South Gloucestershire, BS7 0QN	Filton	Filton Town Council

**CIRCULATED SCHEDULE NO. 31/08 – 1 AUGUST 2008**

<b>App No.:</b>	PK08/1459/R3F	<b>Applicant:</b>	South Gloucestershire Council
<b>Site:</b>	Chipping Sodbury School, Bowling Road, Chipping Sodbury, South Gloucestershire, BS37 6EW	<b>Date Reg:</b>	29th May 2008
<b>Proposal:</b>	Erection of sports hall and construction of all weather sports pitch.	<b>Parish:</b>	Sodbury Town Council
<b>Map Ref:</b>	72684 81685	<b>Ward:</b>	Chipping Sodbury
<b>Application Category:</b>	Major	<b>Target Date:</b>	14th August 2008



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## **INTRODUCTION**

This application has been submitted by South Gloucestershire Council and as such is a Regulation 3 application. The application is also a 'major' application. Letters of concern have also been received from a local resident. In accordance with the Council's Revised Scheme of Delegation, on all three counts the application falls to be determined via the Circulated Schedule.

### **1. THE PROPOSAL**

- 1.1 It is proposed to construct a new Sports Hall and all weather sports pitch at Chipping Sodbury School. The sports pitch would be enclosed by a wire mesh fence and would include floodlighting on 6 x 15m high masts.
- 1.2 The School site is located approximately half a mile south-east of Chipping Sodbury Town Centre. Access to the school campus is directly off Bowling Road which bounds the site to the west. The immediate site perimeters are bounded by residential properties to the east along Hounds Road and the A432 Kennedy Way/Cotswold Road dual carriageway to the North. Further residential properties lie within Bowling Road. The southern perimeter of the campus comprises a predominantly rural landscape with a small mature wooded area along the site boundary, beyond which, some 30m distant is a railway cutting separating the school site from the detached school playing fields. The site is generally flat.
- 1.3 The proposal aims to provide not only improved sporting facilities for the pupils attending the school, but to also provide a facility that would benefit the community as a whole. As such, a grant of approximately 65% of the development cost is being sought from the Football Foundation.
- 1.4 The present role number of the school is 930 pupils and it is estimated that links with feeder schools and shared use of facilities between neighbouring schools, will increase the potential for in excess of 3,000 children of all ages within the South Gloucestershire area, to benefit directly from this proposed project based on 'normal hours' education use alone. The proposed floodlighting will allow further community use during periods of restricted daylight hours.
- 1.5 The proposed sports hall would be located within the complex of school buildings adjacent to the main access off Bowling Road. The all weather sports pitch would be situated immediately to the south of the Sports Hall on what is currently a normal turf pitch. In order to facilitate the proposal, an existing gymnasium and caretaker's house would be demolished. The new building would accommodate a 4 court sports hall, a dance studio, a coach education suite, fully accessible changing facilities, staff resource areas and internal and external storage for sports equipment. The net building area is 1265sq.m. The all weather pitch would measure 106m x 71m and would be surfaced with a state of the art, green, synthetic grass-like covering.
- 1.6 The proposal has been the subject of extensive pre-application consultation with students, parents, governors, primary schools, local councils, local sports clubs, the Football Association, Football Foundation and the general public.
- 1.7 The application is supported by:
  - Design and Access Statement (including a Travel Plan)

- Artificial Pitch Design and Access Statement
- Planning Application Supporting Information Document (including floodlighting specifications).

## 2. **POLICY CONTEXT**

### 2.1 National Guidance

PPS1 - Delivering Sustainable Development  
 PPG13 - Transport  
 PPG17 - Sport and Recreation  
 PPG24 - Planning and Noise  
 Circular 11/95 - The use of conditions in planning permissions.

### 2.2 Development Plans

#### Joint Replacement Structure Plan

Policy 1 - Sustainable development objectives.  
 Policy 2 - Location of development.  
 Policy 43 - New recreational facilities.  
 Policy 54 - Car Parking provision (non-residential).

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

D1 - Achieving good quality design in new development.  
 L1 - Landscape Protection and Enhancement  
 L5 - Open Areas within the Existing Urban Areas and Defined Settlements  
 L12 - Conservation Areas  
 L17 & L18 - The Water Environment  
 EP1 - Environmental Pollution  
 EP2 - Flood Risk and Development  
 GB1 - Green Belts  
 T7 - Cycle Parking  
 T8 - Parking Standards  
 T9 - Car Parking Standards for People with Disabilities  
 T10 - Travel Plans  
 T12 - Transportation Development Control Policy for New Development  
 LC3 - Proposals for Sports and Leisure Facilities Within the Existing Urban Area and Defined Settlement Boundaries.  
 LC4 - Proposals for Educational and Community Facilities Within the Existing Urban Areas and Defined Settlement Boundaries.

### 2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List (SPD) Adopted 23<sup>rd</sup> August 2007.  
 SG Landscape Character Assessment – Character Area 5, Wickwar Ridge and Vale

## 3. **RELEVANT PLANNING HISTORY**

3.1 PK00/2101/R3 - Erection of single storey extension.  
 Deemed Consent 7<sup>th</sup> Nov 2000

3.2 PK01/0555/R3F - Demolition of existing three storey science block and erection of single storey extension to science block. Erection of single storey extension to art block.

Deemed Consent 11<sup>th</sup> May 2001

- 3.3 PK06/0387/R3F - Erection of palisade fencing 2.1m high.  
Withdrawn 6<sup>th</sup> March 2006
- 3.4 PK06/0421/R3F - Installation of 5m CCTV mast with 4 no. cameras.  
Deemed Consent 17<sup>th</sup> March 2006
- 3.5 PK07/2501/R3F - Erection of 2.1m high fencing to west side of school boundary.  
Deemed Consent 28<sup>th</sup> Sept 2007

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

- 4.1 Sodbury Town Council  
No objection and strongly supports the development of a sports hall and all-weather pitch.
- 4.2 Sport England  
The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields. This being the case, Sport England does not wish to raise an objection to this application providing that the new sports facilities are open to the wider community in perpetuity and adequately maintained including a 'sinking fund' to replace the synthetic surface when worn out.
- 4.3 Other Consultees
- 4.4 The Environment Agency  
No objection subject to a condition to secure a drainage scheme including SUDS.
- 4.5 South Gloucestershire Council PTSE Conservation & Design Advisory Panel  
Recommend approval. The building form is welcomed. Choice of colours for materials will be crucial e.g. vibrant window/door elements.
- 4.6 Avon & Somerset Police Community Safety Dept.  
Support the application having worked closely with the architect and applicant to address crime, disorder and security of the school site.
- 4.7 Government Office for the South West  
No comment

#### **Other Representations**

- 4.8 Local Residents  
Correspondence has been received from one resident who supports the scheme in principle, but objects to the reduction in car parking facilities and loss of the drop off area.

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

- 5.1 Principle of Development



The ODPM recently published a report entitled *Our Towns and Cities: The Future*, indicated in paragraph 6.20 that the government “..want to see a stronger cultural and sporting infrastructure, providing opportunities for everyone, and acting as an educational resource, especially for young people.” The site is an existing school site within the urban area, so the proposal is supported in principle by this government objective. Policy LC4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 permits the development, expansion or improvement, of education and community facilities within the existing urban area and within the boundaries of settlements provided that:

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

Policy LC3 also permits the development, expansion or improvement of indoor and outdoor sports and leisure facilities within the urban area, subject to a similar set of criteria.

5.2 Planning Policy Guidance Note 17 Sport and Recreation (para.1) recommends that assessments are undertaken in relation to the supply of open space and recreation facilities; the Council is still in the process of carrying out this assessment. Planning permission for the development of playing fields may however be granted in advance of such an assessment where the proposed development is for an outdoor sports facility of sufficient benefit to the development of sport to outweigh the loss of the playing field (see para 15 iv). Sport England supports the proposal and officers consider that in this case the wider benefit would outweigh any loss of the on-site green sports field, which at present has limited use. PPG17 sets out 5 fundamental objectives, these include the promotion of social inclusion and community cohesion, health and well being, and promoting more sustainable development. It states “...good quality sports and recreational facilities can play a major part in improving people’s sense of well being in the place they live. As a focal point for community activities, they can bring together members of deprived communities and provide opportunities for people for social interaction”. The need to provide such facilities that are easily accessible by walking and cycling is emphasised. The Council has also adopted its own Sports Strategy, which states that provision of a range of facilities will be provided at a network of high quality leisure centres. These will be supplemented by general community access to Secondary School facilities. In the long term it is intended that every Secondary School will have a Sports Hall and good outdoor playing fields. It is considered that this proposal accords with the aims of the Sports Strategy.

5.3 The schools recent OFSTED report has identified the need for improved sporting facilities at Chipping Sodbury School. The delivery of the physical education curriculum is limited on the main school campus, which currently only provides an area suitable for the provision of one full sized football pitch and training grid zones. The detached playing field to the south provides the principal area for sports pitches to support curriculum delivery and extended community use. The practical constraints of teaching time periods, often restrict

- opportunities for staff to provide pupils with the maximum amount of core activity during physical education lessons, if the detached playing field is used. Typically as much as 15-20% of an allocated teaching period may be lost in pupils accessing the detached playing fields from the main school campus. Increased use of the single pitch on the main campus results in the area frequently becoming unfit for play, due to the poor drainage characteristics of the site.
- 5.4 The provision of an artificial turf pitch on the main school campus will significantly extend opportunities to maximise the available teaching time for curriculum delivery and provide outdoor use throughout the year. The provision of floodlighting will increase opportunities for extended community use, particularly during periods of restricted daylight hours.
- 5.5 In addition to the above, PPG17 advises that residential, and local amenities generally, should be protected, particularly when considering applications for floodlighting. In this respect officers have taken particular note of an appeal decision (APP/P0119/A/03/1109342) against refusal of a very similar proposal as this at The Ridings High School, Winterbourne; the appeal was allowed. Furthermore, floodlighting similar to that now proposed, was recently granted consent at Sir Bernard Lovell School in Oldland Common.
- 5.6 Subject therefore to the proposal meeting the criteria listed in Policy LC4 above, the scheme is acceptable in principle.
- 5.7 Sustainability  
In the first instance the facilities would be used by the schoolchildren already attending the school. It is not proposed to increase pupil numbers as a result of the proposed facilities, so traffic generation would not increase during school hours. At present the children have to walk to the detached playing fields to the south, beyond the railway line. The proposed on-site facilities would be far more accessible and would reduce this need to travel.
- 5.8 The proposed facilities are also intended for wider community use in the evenings and at weekends. The site is located close to the centre of Chipping Sodbury and is therefore easily accessible by foot or bicycle for the local populace, who might otherwise travel by unsustainable modes of transport to facilities further afield. Furthermore the site lies very close to an established Bus Route as well as a number of designated cycle paths. This accords with the sustainable and locational strategies set out in policies 1 and 2 of the Joint Replacement Structure Plan and criterion A of LC4. Officers are therefore satisfied that the facilities would be sited in a sustainable location.
- 5.9 Scale and Design  
Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 seeks to secure good quality design of new buildings. In particular the siting, layout, form, scale, height, detailing, colour and materials should be informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.
- 5.10 The existing school buildings on the school site can be divided into two groups. The first one being buildings located near the northern boundary of the site with rendered facades, white uPVC double glazed windows and doors and pitched roofs with clay tiles; this group includes the main building with its distinctive frontage, and the new science block. The second group of buildings were

mainly built in the 1970's and have no real architectural significance. These buildings are typically constructed with dark brown face brickwork, single glazed metal windows and flat roofs. Some of these buildings, including the existing sports facilities, are of poor quality.

- 5.11 It is clear that the scale and design of the existing school buildings has not been informed by or conform to any particular local architectural vernacular, which itself is not a strong one. The scale of the proposed Sports Hall takes its lead from its functionality. The building is however designed to integrate with the existing buildings within the school campus. The new Sports Hall has been placed at the front of the school site on Bowling Road, thus achieving safe and secure access to all sports facilities nearby, including the All Weather Pitch and multi-games areas for the use of the school and the community, easily accessible with the provision of car parking facilities, cycle storage and pedestrian access routes. The proposed parking areas will maintain an open view from the road to the community entrance of the new building.
- 5.12 The new Sports Hall is proposed as a single-storey (excluding plant room) free standing building of modern contemporary design, with a contemporary exterior. It would be offset by 4m from it's two neighbouring buildings, which are both single storey buildings varying in height between 3.18 and 6.33m.
- 5.13 The new Sports Hall has been designed as a flowing curved shape that rises up from the front with a lower height of 5.0m (accommodating the changing area and the dance studio) to the rear providing the height required for a 4 court Sports Hall (7.6m unobstructed height for games). This shape connects both internal areas under one continuous roof and reduces the scale of the building along the front elevation to a height that is more in proportion to surrounding buildings.
- 5.14 The materials to be used include a light colour face block with a textured finish and a render finish. The render along three elevations reflects the vernacular of a number of the existing buildings. Newly introduced materials include the aluminium standing seam roof. Windows and doors are proposed as powder coated aluminium finish for low maintenance. Five large cone shaped roof cowls form a feature on the standing seam roof. These cowls house standard ventilation shafts, which would naturally ventilate the Sports Hall.
- 5.15 A number of elements and approaches have been included within the scheme to achieve energy conservation and protection of environmental resources. The scheme and design would be developed inline with BREEAM requirements. A formal assessment is not intended, as only a bespoke BREEAM is suitable for this type of project. The Council's Urban Designer supports this approach.
- 5.16 The proposed fence, to be located around the perimeter of the all-weather pitch would be 3m high, rising to 4.5m behind the goals. Constructed of square mesh, the fence would have a galvanised finish, which would not stand out against the skyline. The visual impact of the floodlight pylons would also be minimised by using slimline masts with galvanised finish and light grey floodlights.
- 5.17 Having regard to all of the above, The proposed scale and design are considered to be acceptable.
- 5.18 Impact Upon Visual and Residential Amenities

### Sports Hall

- 5.19 The proposed building, although large, would be set well back (90m) from the nearest residential properties on Bowling Road and would not therefore have a significant overbearing impact, or result in a significant loss of privacy from overlooking, or significant loss of light from overshadowing, for occupiers of the nearest dwelling houses. Being set well back, the building does not have to have a direct relationship with any of the street frontages. Viewed against the backdrop of the existing school buildings the Sports Hall would not look out of place. Furthermore, the existing buildings, proposed earth mounding and planting scheme, will help to screen and soften views of the building. In any event, the building is set well back into the site and any views of it would be fairly distant over the proposed car park and existing railway cutting.
- 5.20 It is proposed that the facilities will be available for use by the school and local community on a strictly controlled basis from 9.00am until 10.00pm Monday to Friday, and during weekends from 9.00am until 7.00pm on Saturday and 9.00 am until 4.00pm on Sunday. Officers intend to impose a condition to ensure that all members of the public clear the site by no later than 10.15 p.m. This will allow ample time for the last users of the football pitch to shower change and leave by a reasonable hour.

### Car Park & Football Pitch

- 5.21 The proposed car park and drop off area would be located towards the front of the site, adjacent to the existing access off Bowling Road. The car park would be screened to the north and east by the new Sports Hall and the existing buildings. Views of the car park from the south would be screened by the proposed landscaping, comprising 1.5m high earth mounds with trees on top. Views from the west across Bowling Road are baffled by the existing vegetation, which would be enhanced by the landscaping proposals. The all weather football pitch would be enclosed by a 3.5m/4.5m high mesh fence and would also be screened by the boundary bunding and existing vegetation. Officers are therefore satisfied that the proposed car park and football pitch would be adequately screened and would not have a significant adverse affect on visual amenity for neighbouring occupiers.

### 5.20 Impact of Floodlighting

Government guidance in PPG17 (para.19) states that, in considering applications for floodlighting, local authorities should ensure that local amenity is protected. It is proposed to illuminate the all-weather football pitch using Abacus AL5760 Challenger 1 floodlighting. This very modern floodlighting has been specifically designed to be environmentally friendly, reducing the amount of light spillage to a minimum. Technical information submitted with the application confirms that the minimum column heights have been utilised to achieve the optimum lighting performance for the activity involved, as well as to limit obtrusive lighting effects.

- 5.21 The maximum illuminance level of the area would be 200 lux for competitive football matches. The system would be designed to allow reduced levels of lighting to be used for training and coaching sessions. This level of illumination accords with the standards set out in the Institution of Lighting Engineers (ILE) Guidance Notes for the Reduction of Light Pollution, 2005, the site being classed as one of 'low district brightness'. A light spillage plan has been submitted showing ISO Contours showing surface illuminance in Lux, the extremities of which would not reach any of the nearest residential properties,

which lie some 60 to 70 m away to the west and east. A curfew timing device would be incorporated into the control system to ensure that the lighting could not be used after the stipulated hours of operation. A light meter test would be undertaken on the installed system to ensure compliance with the design specification. However, if a time limit for shutting the lights down were to be imposed, the period of illumination in the summer, when gardens are used to their full, would be very short. The greatest potential for intrusion would be in the autumn and winter months during the hours of darkness when people are unlikely to make use of their gardens and more likely to have curtains drawn. Such harm as would result, would not therefore be great. This view concurs with that of the Inspector in 'The Ridings' appeal case where the nearest residential properties were about 40m from the football pitch and its nearest 15m high floodlight pylon. At SBL the nearest floodlight pylons to the Nursing Home were 36.5m and 40m away and the nearest houses on High Street some 63m to 73m away.

- 5.22 The upper sections of the proposed lighting columns would however be visible in the wider locality. Since the lighting is very lightweight the columns and lamps would not be excessively large. The floodlighting columns would take account of the wind design factors of the site. Officers consider that the proposed columns and lamps would not look out of place in an urban environment and compare favourably with other such structures, such as street lighting columns, telegraph poles, CCTV poles or telecommunications masts, that are commonly found within the townscape. The visual impact of the columns is further reduced by the galvanised finish and light grey floodlights, which do not stand out against the skyline.
- 5.23 Whilst it is acknowledged that the lights would inevitably have some adverse affect on visual and residential amenity, officers are satisfied that this would be kept to an absolute minimum and when assessed in the context of the enhanced sporting facility that would be provided, not only for the school but for the wider community, officers consider that the provision of the facilities outweighs any harm that is likely to occur from the floodlights. Notwithstanding this conclusion, officers consider that it would be appropriate to control the hours of illumination of the floodlights, especially having regard to the proximity of residential dwellings to the site. A condition to prevent illumination of the lights between the hours of 10.00 p.m. to 8.30 a.m. the following day is proposed. This would be in line with a similar condition to control the hours of use of the football pitch.
- 5.24 The impact of the lighting has therefore been assessed in terms of impact on residential amenity, and the character of the wider area. It is considered that the type of lighting proposed, with conditions, will not unreasonably affect individual living conditions; and that the level of lighting is reasonable in the context of this urban location.
- 5.25 Noise  
The application site is an existing sports field, where noise associated with the playing of football etc. would already be experienced by local residents'. Other activities already take place in the evenings in the existing gymnasium. The provision of the floodlit all-weather pitch would provide the potential for an intensification of the uses and an extension of the hours of use later into the evening and at weekends. If the facilities are to be accessible to the wider community, this would need to be outside school hours and when people are not working, i.e. evenings, holidays and weekends.

- 5.26 The all weather pitch has been located equidistant from the nearest residential properties which lie 60 to 70 m away in Bowling Road to the west and Hounds Road to the east. Officers consider that in all of these instances, the distance from the football pitch would be such that any noise experienced is likely to be of an acceptable level.
- 5.27 Whilst it is not envisaged that loud music would be played in the proposed dance studio, this would be subject to the normal Environmental Health Legislation. The performance area windows on the western elevation are relatively small and at a high level, so for loud music to be audible at the nearest houses, the level of noise in the dance studio would most likely be unbearable. Officers do consider however that a condition to prevent the playing of any amplified music or other sound on the all weather pitch could be reasonably imposed.
- 5.28 Some noise would also arise from the comings and goings of additional vehicles in the evenings but this would be limited to the western end of the site around the car park. In order to limit the affects of this disturbance to a reasonable hour, officers intend to impose a condition to ensure that all members of the public have left the site by 10.15pm.
- 5.29 Transportation Issues  
The originally submitted plans proposed only 12no car parking spaces, 4no coach spaces and no dropping off area. To overcome both officer and local resident concerns, revised plans have been submitted to now show 21no car parking spaces plus 2no disabled spaces, a large dropping off zone big enough to incorporate coaches, and cycle parking facilities. The revised access and turning area now allows for all vehicles to enter and leave the site in forward gear; an autotrack diagram has been submitted to demonstrate this. The existing pedestrian access will remain. Connected to the cycle storage is a newly marked 2.2m wide shared cycle and pedestrian path.
- 5.30 The school would ideally prefer, and will encourage parents to find alternative more sustainable forms of travel and this is supported by the submission of a Travel Plan.
- 5.31 Subject to a condition to require the prior submission of details of the phased access and parking arrangements for all vehicles accessing the site, for approval by the Council, there are no highway objections to the proposal.
- 5.32 Landscape Issues  
Policy L1 seeks to conserve and enhance the character, distinctiveness, quality and amenity of the landscape. Officers must consider if there is any significant loss of vegetation or features of the landscape and whether or not the proposed landscaping sufficiently mitigates for any loss. In line with Policy L5 an assessment must be made of the contribution that the open area makes to the quality, character, amenity and distinctiveness of the locality.
- 5.33 Notwithstanding the existing boundary vegetation enclosing the site, the scheme includes the introduction of 1.5m high earth screen mounding with planting on top to the south, with additional tree planting to the west. The existing trees to the east will mitigate the lighting and fencing impacts, whilst to the west, the existing and proposed planting will also adequately mitigate the visual impacts. The site is already well screened from the adjoining Green Belt

land to the south but this will be significantly enhanced by the proposed screen bund and planting to the south of the all weather pitch. The lighting itself has also been designed to reduce light pollution to acceptable levels. The proposed building would be located against a background of existing structures and as such, would appear as part of that group and therefore unlikely to have any significant visual impact in the broader landscape.

5.34 Officers have considered the proposal and concluded that the site is presently a large open area and whilst it may in part fulfil the criteria of Policy L5, it is also considered that the most important characteristics of the site and locality have already been considerably eroded. Also, a considerable area of the site would still remain open upon completion of the project. It is also considered that the proposal will not adversely affect the overall landscape character of the locality.

5.35 The landscaping proposals are considered to be acceptable. Suggested revisions to the planting scheme have been incorporated within the current proposal. There are therefore no landscape objections.

5.36 Drainage

PPS25 and Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 require that proposed development ensures that foul and surface water disposal arrangements are acceptable and incorporate sustainable drainage principles. In addition, development will not be permitted where it could increase the risk of flooding. Neither the Environment Agency or the Council's Drainage Engineer have raised any objection in principle to the proposal; nevertheless a condition requiring the submission and approval of a detailed drainage scheme is justified in order to secure the implementation of a sustainable urban drainage system (SUDS) to ensure adequate flood prevention, pollution control and environmental protection.

5.37 Security

Following consultation with the Avon & Somerset Crime Reduction Officer the Police now support the application, which adequately takes account of crime, disorder and security issues.

5.38 Environmental Issues

There are no objections to the proposal subject to a condition to limit the hours of construction having regard to the proximity of the nearest residential properties. A condition to limit the daily use of the football pitch and lights would be imposed as detailed above.

5.39 Conservation Issues

The site lies approximately half a mile to the south of the Chipping Sodbury Conservation Area. Between the site for the 15m high floodlights and the Conservation Area lies the school itself with its two-storey buildings, the dual carriageway (Cotswold Road) and the modern residential extension of Chipping Sodbury. In terms of the appearance of the floodlights, officers consider that given the separation distance between the site and the Conservation Area, and the screening that would be provided by the existing buildings and planting, views of the floodlights to and from the Conservation Area would not be so significant as to adversely affect the setting of the Conservation Area.

#### 5.40 Design and Access Statement

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

#### 5.41 Section 106 Requirements

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

### 6. CONCLUSION

- 6.1 The scheme as proposed would improve the recreational facilities in the area for both the school and the wider community. This accords with principles set out in the development plan and meets the requirement of the schools OFSTED report. This must be balanced against the impact of the scheme on local residential amenity. Subject to conditions, it is considered that the detailed aspects of the scheme would not cause such detriment that they would warrant refusal of planning permission.
- 6.2 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.
- 6.3 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

### 7. RECOMMENDATION

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

**Background Papers      PK08/1459/R3F**

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

#### **CONDITIONS**

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

Reason:

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



2. The floodlighting hereby permitted shall not be illuminated, nor the all-weather football pitch used between 22.00 hours and 08.30 hours the following day.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies EP1, LC3 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The use of the Sports Hall hereby approved shall be restricted to the hours of 08.30 hrs to 22.00 hrs. and all members of the public shall vacate the building and site (the subject of the development hereby approved) no later than 22.15 hours each day.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies EP1, LC3 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. All planting, seeding or turfing comprised in the approved details of landscaping as shown on the plan no. LC102/01 Rev B, shall be carried out during the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

Reason:

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

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

Reason:

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

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

Reason:

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

7. The hours of working on site during the period of construction shall be restricted to 0730 hours to 1800 hours Mondays to Fridays and 0730 hours to 1300 hours Saturdays, no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies EP1, LC3 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The floodlighting hereby approved, shall be constructed and finally adjusted in accordance with lighting design proposals received 15th May 2008.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies EP1, LC3 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. No amplified music or other sound shall be played on the all weather football pitch hereby approved.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies EP1, LC3 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Prior to the commencement of the development hereby approved details of the phased access and parking arrangements for all vehicles accessing the site, are to be submitted to and approved in writing by the Local Planning Authority. Thereafter the phased accessing arrangements shall be implemented in full accordance with the details so approved unless otherwise approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

11. Building operations shall not be commenced until details of the roofing and external facing materials including the colour of the window and door frames proposed to be used, with the provision of samples where requested, have been submitted to and approved by the Council and all such materials used in construction of the building hereby authorised shall conform to the details so approved.

Reason:

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

## CIRCULATED SCHEDULE NO. 31/08 – 01 AUGUST 2008

App No.: PK08/1480/R3F

Applicant: Knightstone  
Housing AssociationSite: Land adjacent to 22 Memorial Road,  
Hanham, South Gloucestershire, BS15  
3JA

Date Reg: 2nd June 2008

Proposal: Demolition of existing Scout and Guide  
halls to facilitate the erection of 14no.  
flats with associated car parking, cycle  
store and works. Construction of new  
vehicular access from Memorial Road.  
(Amendment to previously approved  
scheme PK07/3613/R3F).Parish: Hanham Parish  
Council

Map Ref: 63839 72295

Application Major

Ward: Hanham  
Target Date: 20th August 2008

Category:



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PK08/1480/R3F

## **INTRODUCTION**

This application is reported on the Circulated Schedule due to the recommendation involving a Section 278 Agreement under the 1980 Highways Act. Objections were also received to the proposal.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of a three storey building to contain 14 flats and the creation of a parking area for 14 vehicles, along with a cycle parking outbuilding and the creation of a new access off Memorial Road. In order to achieve this, two buildings currently on the site would have to be demolished, a redundant single scouts hut and a Locally Listed lean-to stone building which runs along the site's rear wall, where it bounds the church to the rear. This latter building is locally listed. There is currently a footpath linking Memorial Road to Church Road, via the church itself. This would be retained under this proposal, running along the northern boundary of the site.
- 1.2 The proposal is to erect a three storey building fronting Memorial Road. This building would contain 6 one bedroom flats and 8 two bedroom flats. The proposed building is smaller than the previously approved scheme which gained approval earlier this year. The differences in the current scheme are as follows: The building has been made narrower by approximately half a metre, and the depth of the building reduced by 200mm. In all other external respects the design of the building is the same as previously approved. As a result of these changes, the grounds of the proposed building have increased in size, the building has been taken away from the boundary with 22A Memorial Road and pinch points around the site have been increased in width. In addition to this, the scheme now proposes the retention of the boundary walls at the south and west of the site, which were previously to have been removed.
- 1.3 The main proposed building would form an arch to allow traffic from Memorial Road into the rear of the site. It is proposed to consist of sections which are stepped forward and back in relation to the street frontage. Materials and features are varied to reflect this design approach. The site is proposed to be fronted by the retained low stone wall. Railings would be added to that wall between the proposed building and No. 22 Memorial Road.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPS25	Drainage

#### **2.2 Development Plans**

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

D1	Design
H2	Residential Development
L1	Landscape
T7	Cycle parking
T8	Parking standards
T12	Transportation policy
EP1	Environmental pollution

- EP2 Flood risk
- L15 Locally Listed Buildings
- L17 The water environment
- L18 The water environment

2.3 Supplementary Planning Guidance  
Design checklist adopted 2007

**3. RELEVANT PLANNING HISTORY**

- 3.1 PK07/3613/R3F Demolition of scout and guide halls to facilitate erection of block of 14 flats. Formation of new access from Memorial Road. Approved subject to signing of Section 278 agreement.
- 3.2 PK08/1368/RVC Variation of condition 6 attached to above approval, to reduce distance from the public sewer to the approved building to 6 metres Approved 2008.

**4. CONSULTATION RESPONSES**

4.1 Hanham Parish Council

Object to the proposal on the grounds of concerns over the access/ egress of the site, lack of visitor parking, with only one space, overbearing impact, the three storey design being out of keeping with the area and safety risks from the planned footpath if it is poorly lit.

4.2 Other Consultees

Wessex Water

A major sewer crosses the site and must not be built over or close to. A minimum clearance of 6 metres is required from the sewer. Wessex recommend that a condition is placed on any planning permission approved that the built form respects this clearance distance.

Technical Services

No objection in principle, subject to the inclusion of a condition regarding a submission of a drainage plan which conforms to Sustainable Drainage principles.

Transportation Officer

Planning permission is sought to amend a previously approved scheme (PK07/3613/R3F) to demolish existing scout and guide halls to facilitate the erection of fourteen dwellings. Vehicular access and parking remain the same as per the permitted scheme.

As part of the previous proposal the Applicant agreed to make a financial contribution of £500 per dwelling towards public transport infrastructure improvements. A contribution of £1000 per dwelling was also required towards traffic management and highway safety measures in the area. This financial contribution is still outstanding and would need to be secured prior to planning permission being issued.

On that basis, subject to the following conditions, there is no transportation objection to this proposal, subject to the same conditions as before being brought forward and the funding required to mitigate the transportation effects of the development being acquired through a Section 278 Agreement.

Urban Design Officer

This application is an amendment to a previously approved scheme. The differences are noted above. Comments are therefore restricted to the boundary treatments. The design and layout of the scheme overall is considered to be generally very good, providing a pleasing, rather than jarring contrast to the historic church building adjacent to the site. There is also a good response to maintaining connectivity, with vehicular and footpath access onto Memorial Road. The use of reclaimed material on the facades is also welcomed. Regarding the boundary treatments, the applicant has acknowledged the structural instability of the boundary wall adjacent to the church and has suggested that sections of it be removed and replaced by railings. Amended plans have been requested showing a combination of piers, low walls and railings, in preference to just railings, to provide a more attractive and robust boundary to the site, which can help to bind the whole scheme through the use of reclaimed materials. Subject to this amendment, approval is recommended.

#### Education

Did not wish to pursue a contribution in this instance on the previous scheme as there is projected surplus capacity in the area at both primary and secondary level.

#### Wildlife

No comment to make beyond that given for the previous application. Informatives have been brought forward accordingly from the previous planning permission.

#### Landscape

The proposal to replace part of the stone wall with railings is acceptable. However the layout of the railings has resulted in a pinch point along the footpath. It is possible to position the railings without this pinch point.

#### Environmental Protection

No objection in principle.

### **Other Representations**

#### 4.3 Local Residents

One letter of objection was received to this proposal, citing the following concerns:

All concerns from the previous application apply equally to this proposal. This proposal is the same except for the protection of two lime trees and a section of railing in place of a damaged stone wall.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The principle of this development has already been established under PK07/3613/F. The only issues to consider therefore are those relating to the proposed small amendments.

### 5.2 Residential Amenity for Existing occupiers

Given that the site lies within an established frontage, the main effect on nearby residential properties is considered to be to the sides of the site, where the site is abutted by a two storey dwelling at each end. The space between the

proposed building and the nearest dwelling to the south has been increased by some half a metre. To the north, the house has no habitable window in its gable end, but appears to have one at first floor level in a two storey rear extension, facing the site. At the other end of the site the house has no habitable room window facing the site. With regard to the effect across the road, this remains the same as on the application which has already been approved.

Given that the proposed building is now smaller than that already approved, it is considered that the proposal would not harm residential amenity.

### 5.3 Residential Amenity for Future Occupiers

Now that the available amenity space has been increased marginally, no objection can be raised to the amended proposal in this regard. The overall amount is on balance considered to be appropriate for the immediate needs generated by a development of this size, given that most of the proposed flats would also possess balconies, giving them further, individual, amenity space.

### 5.4 Design of proposed building

In terms of design, there is very little difference between the approved scheme and the current one, other than the current scheme is for a marginally smaller building in both depth and width.

Overall, the design of the proposed building is considered to be successful and appropriate to its location, complying with policy D1 and the recently adopted design checklist. Changes from the approved scheme are minimal and the building would be reduced in size. This is not considered to have a significant impact on the street scene in comparison with the previously approved scheme.

### 5.5 Transportation

The transportation comments appear above. Subject to the conditions recommended, brought forward from the previous planning approval, the level of parking provided under the proposal is considered acceptable to meet the Local Plan maximum standards, taking into account the sustainability of the site's location. Parking provision and factors relating to highway safety remain the same as previously approved.

### 5.6 Locally Listed Building

Policy L15 protects locally listed buildings from demolition, unless the replacement of that building is with another building of similar or better design. It was considered that the design quality of the replacement building, approved in the determination of the previous application was sufficient to justify the loss of the locally listed building. This scheme is not materially different to the approved one in design terms and it is considered that the same principles apply.

### 5.7 Waste Management

Waste management details were submitted with the application. These have been assessed by the Council's Waste and Minerals team and it is considered that the submitted document is too generic to apply in a meaningful manner to this site. The submission of more specific waste management details has therefore been included as a condition below.

5.8 Landscaping

Landscaping of the site will be ensured by condition shown below. There are no significant changes to the previously approved scheme.

5.9 Drainage Issues

The council's Technical Services team has commented above. No objection has been raised and a condition below requires the submission of a drainage plan demonstrating the use of Sustainable Drainage principles. The condition requested by Wessex Water appears below.

5.10 Wildlife and Nature Conservation

The consultation process has highlighted some wildlife issues regarding bats and badgers, both protected species. Again, the impact of this proposal in comparison with the previously approved scheme would not affect ecological considerations.

5.11 Tree Issues

The current proposal would have no different impact than the previous one on trees, two of which are off site but covered by Tree Preservation Orders. Therefore, their removal would require consent in its own right. If this planning application were to be approved, it would not result in permission for any works outside of the site boundary. Details of the rebuilding of the wall close to the trees, as well as tree protection measures and a no-dig strategy to protect their roots have all been required by condition below.

5.12 Design and Access Statement

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

5.13 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 278 Agreement under the Highways Act.

In the case of the transportation improvement requirements, to provide traffic management and highway safety measures in the area, the applicant has been requested to make a financial contribution of £21,000. This has been agreed with the applicant's agent.

**6. CONCLUSION**

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

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



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

## **7. RECOMMENDATION**

7.1 That planning permission is granted, subject to the conditions shown below and also subject to the applicant signing an agreement to pay the Council £21,000 towards 1) public transport facilities and 2) traffic management and road safety measures in the area. This legal agreement for the contribution would be made under Section 278 of the Highways Act 1980.

### **Background Papers      PK08/1480/R3F**

**Contact Officer:**    **Chris Gosling**

**Tel. No.**                **01454 863787**

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

Reason:

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

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

Reason:

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

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

Reason:

To protect the character and appearance of the area to accord with Policies H2, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No development shall take place until drainage details proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (eg soil permeability, watercourses, mining culverts) within the development have been 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 that a satisfactory means of drainage is provided, and to accord with Policies L17/L18/EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No development shall take place until a Waste Management Audit has been submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:
- (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
  - (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.
  - (c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
  - (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.
  - (e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

Development shall be carried out in accordance with the agreed details.

Reason:

To accord with the Local Planning Authority's adopted Waste Management Strategy, and to accord with Policies 37 and 43 of the adopted South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002; and Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The distance (measured at ground level) between the existing public sewer and the building hereby approved shall be no less than 6.0 metres.

Reason:

To protect the sewer from structural damage and collapse to prevent flooding and pollution, to accord with Policy EP2 of the adopted 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 side elevations of the building.

Reason:

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

8. No development shall take place until full details comprising plans at a scale of 1:20 of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

- (a) gates;
- (b) gate piers;
- (c) fences.
- (d) any new boundary treatments, demonstrating the effect of their construction on nearby trees and their root systems.

Reason:

To ensure a satisfactory standard of external appearance and to protect nearby trees and to accord with Policy D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 31/08 – 01 AUGUST 2008**

<b>App No.:</b>	PK08/1592/F	<b>Applicant:</b>	Mr M Fitzhugh
<b>Site:</b>	High Trees, Rounceval Street, Chipping Sodbury, Gloucestershire, BS37 6AR	<b>Date Reg:</b>	13th June 2008
<b>Proposal:</b>	Erection of rear and side conservatory and installation of dormers to west and east elevations (Resubmission of PK07/3216/F).	<b>Parish:</b>	Sodbury Town Council
<b>Map Ref:</b>	72428 82164	<b>Ward:</b>	Chipping Sodbury
<b>Application Category:</b>	Minor	<b>Target Date:</b>	1st August 2008



## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a conservatory to wrap around the rear and side of the building. The conservatory would have an 'L' shaped footprint. The application also seeks permission for the installation of 4 small dormer windows – two to the front roof slope and two to the rear. The application site relates to a large, detached property at a prominent position in Chipping Sodbury Conservation Area.
- 1.2 This application is the resubmission of a previously refused application ref. PK07/3216/F for the erection of a conservatory to the dwelling. This previous application was refused because of the design of the conservatory and its lack of integration into the existing built form. This application seeks to overcome the previous refusal reasons.
- 1.3 It is stated on the application form that the conservatory and dormer window frames are to be made of white uPVC. Because of the location of the property within a conservation area, this is not considered to be acceptable. The case officer has received written confirmation from the agent that the conservatory will be constructed of timber and not uPVC contrary to what is written on the application form. The application will be determined on this basis.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 Delivering Sustainable Development  
PPG15 Planning and the Historic Environment
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Extensions and New Dwellings  
L12 Conservation Areas

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

- 3.1 PK07/3216/F Erection of rear conservatory.  
Refused December 2007

## 4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council  
No response received

### Other Representations

- 4.2 Local Residents  
One letter of objection has been received from a local resident. The neighbour is concerned about the proximity to their boundary and the effect on the root system of the trees which shield the neighbouring properties.

## 5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met. Policy L12 of the South Gloucestershire Local Plan only allows for development within conservation area providing it would preserve or enhance the character or appearance of the conservation area.

- 5.2 Design/ Visual Amenity  
The application relates to a large detached Edwardian Villa which is prominently sited at an elevated plot at the corner of Rounceval Street and Culverhill Road. The dwelling is constructed of natural stone with buff brick detailing. The main front of the property faces out over the mini-roundabout at the junction so the main garden of the house runs out to the side. The proposed conservatory therefore is actually to be constructed partly to the side, and partly to the rear of the dwelling.

The previously refused application for the erection of a conservatory at the site (Reference PK07/3216/F) was significantly different from the conservatory now for consideration. The previous conservatory, whilst still having an 'L' shaped footprint did not tuck in around the corner of the dwelling but instead jutted out into the garden. Because of this, it was not considered that it had a sufficient degree of attachment or integration with the dwelling. Also, the conservatory subject of the previous application was substantially larger than the conservatory now for consideration. The conservatory subject of this current application is some 2.5 metres shorter than the previously refused conservatory. Because of these significant differences, it is considered that the conservatory now for consideration overcomes the previous refusal reason.

The conservatory as proposed is of a traditional design which incorporates multi-panelled glazing with glazing bars. It will wrap around the rear corner of the existing dwelling and thus will have an adequate degree of attachment to the main dwelling. Whilst the roof of the conservatory does not fully integrate with the extension, to introduce a lean to type roof would be out of keeping with the character of the conservation area and the particular dwelling. On balance therefore, no objection is raised to the conservatory because of its ridged roof.

The four dormer windows as proposed are all very small in scale and will allow the original roof plane to dominate. The dormers are placed just to either side of the main entrance door on the front elevation and thus the symmetry and balance of the original dwelling will be retained. Similarly, the windows on the

rear elevation will be placed centrally on the rear elevation again maintaining the balance and integrity of the original building.

Whilst the application form states that the conservatory and windows are to be made of uPVC written confirmation has been received from the agent to confirm that the conservatory will in fact be made of timber – a traditional material suitable for its siting in the Conservation Area. Subject to the attachment of a series of conditions to ensure the use of suitable materials, the design of the extensions are considered to be acceptable and will protect the character of the conservation area.

### 5.3 Residential Amenity

The proposed conservatory because of its distance from the boundaries would not result in any issues of overbearing, overshadowing or loss of privacy for the neighbouring dwellings. The impact of the proposed conservatory on neighbouring properties is thus considered to be acceptable.

The dormer windows as proposed, are very small in scale and will not result in any issues of loss of privacy or overlooking over and above the levels already resulting from the first floor windows in the dwelling.

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

### 5.4 Trees

As the site sits within a Conservation Area, and informative would be added to any consent granted to remind the applicants that they are not permitted to carry out works to trees without first notifying the Local Planning Authority.

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**Background Papers**      **PK08/1592/F**

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

## **CONDITIONS**

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

Reason:

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

2. Notwithstanding the submitted details, the conservatory and dormer window frames must be made from timber and painted/stained to match those of the existing dwelling. The use of uPVC frames is not permitted.

Reason:

To ensure the satisfactory external appearance of the development in the interests of visual amenity of both the dwelling and Chipping Sodbury Conservation Area and to accord with Policies D1 H4 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

To ensure the satisfactory external appearance of the development in the interests of visual amenity of both the dwelling and Chipping Sodbury Conservation Area and to accord with Policies D1 H4 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

To ensure the satisfactory external appearance of the development in the interests of visual amenity of both the dwelling and Chipping Sodbury Conservation Area and to accord with Policies D1 H4 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

To ensure the satisfactory external appearance of the development in the interests of visual amenity of both the dwelling and Chipping Sodbury Conservation Area and to accord with Policies D1 H4 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 31/08 – 01 AUGUST 2008**

<b>App No.:</b>	PK08/1724/F	<b>Applicant:</b>	Mr N Smith
<b>Site:</b>	120 Willis Road, Kingswood, South Gloucestershire, BS15 4SF	<b>Date Reg:</b>	25th June 2008
<b>Proposal:</b>	Erection of single storey rear extension to form additional living accommodation. Erection of raised decking area with associated steps.	<b>Parish:</b>	
<b>Map Ref:</b>	65718 74922	<b>Ward:</b>	Rodway
<b>Application Category:</b>	Minor	<b>Target Date:</b>	18th August 2008



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**N.T.S**

**PK08/1724/F**



## **INTRODUCTION**

This application appears on the circulated schedule due to the receipt of two letters of objection from the attached dwelling.

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a single storey extension to the rear of the dwelling. The applicant then proposes to attach a raised walkway to allow access from the extension into the garden. The purpose of the extension is to provide a new lounge as the existing lounge needs to be converted to a bedroom and WC for use by a disabled resident.
- 1.2 During the course of the application contact was made with the agent to try and seek amended plans. As a result of the negotiations, amended plans have been received showing a reduction in depth of the extension by 20cm and also alterations to the rear decking to significantly reduce its size and pull it away from the boundaries with the attached dwellings.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development

H4 Development within Existing Residential Curtilages, Extensions and New Dwellings

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

- 3.1 No history

### **4. CONSULTATION RESPONSES**

- 4.1 Town/Parish Council  
The area is unparished

#### **Other Representations**

- 4.2 Local Residents

Two letters of objection have been received – both letters are from the same address. A summary of the points of concern raised is as follows:

- Loss of light into the neighbours dining room – exacerbated by the changes in ground level
- The view from the neighbours property will just be a brick wall
- Will devalue the neighbours home

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met.

### 5.2 Design/ Visual Amenity

The extension as proposed has a maximum depth of 3.3 metres and a maximum height to the ridge of 3.9 metres. The extension has a simple hipped roof with one velux style roof light in either side roof plane. The extension is of appropriate design and is constructed of materials to match the main dwelling.

The decking area with steps and handrails are constructed of timber and form a raised deck outside of the rear doors before stepping down to garden level. The timber construction is not overly elaborate and does manage to integrate quite successfully with the host dwelling. The extension and decking therefore are acceptable in terms of design.

### 5.3 Residential Amenity

The proposed extension is of reasonable depth at 3.3 metres. This depth is required to allow adequate space internally for furniture and wheelchair access. Your officer does accept that the garden level of the attached dwelling at No. 118 Willis Road is set approximately 60 cm lower than the garden level of the application property. The side elevation of the extension facing this neighbour therefore will be slightly taller than one would 'normally' expect from a simple single storey rear extension having a height to eaves of 2.9 metres. However, the roof of the extension is to have hipped sides that will naturally slope away from the neighbours dwelling reducing the impact of the roof on the neighbour.

As initially submitted, there were concerns that the proposed decking could result in loss of privacy for the attached properties No. 118 and 122 Willis Road. The new raised decking is tacked onto the proposed extension. The decking is required to allow the wheelchair user to sit just inside the garden to get sun light – they will not be able to access the whole garden because of the steps from the decking. As originally proposed the decking was to extend across the whole rear of the extension, revised plans have been received to show only a much smaller area of decking kept well away from the boundaries with the attached properties. The decking as now proposed, because of its limited size and set in away from the boundaries is considered to be acceptable and will have no impact upon existing levels of residential amenity.

It is accepted that the neighbours are concerned that their view will be of plain brick wall. This is true but is not uncommon on almost all rear extensions proposed. This is not considered to be of sufficient concern to warrant the refusal of the application.

### 5.4 Other Issues

The possible devaluation of neighbouring properties is not a material planning consideration and cannot be taken into account as part of this planning application.

### 5.5 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**Background Papers**      **PK08/1724/F**

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

### **CONDITIONS**

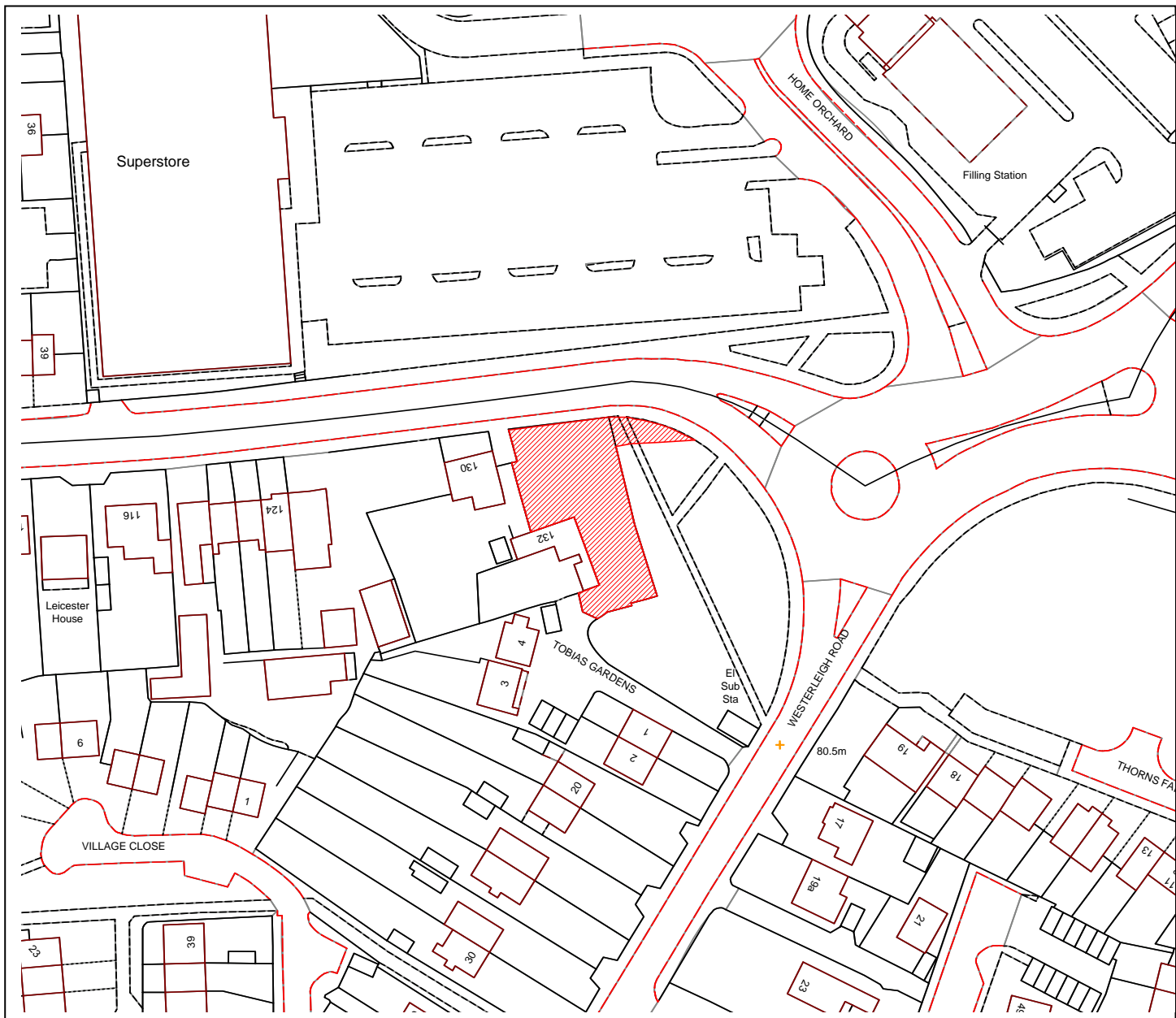
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

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

**CIRCULATED SCHEDULE NO. 31/08 - 01 AUGUST 2008**

<b>App No.:</b>	PK08/1748/F	<b>Applicant:</b>	Mr G Lowe Gorden Lowe & Co Solicitors
<b>Site:</b>	132 Station Road, Yate, South Gloucestershire, BS37 4PQ	<b>Date Reg:</b>	26th June 2008
<b>Proposal:</b>	Construction of new vehicular access. (Resubmission of PK08/0370/F).	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	70979 82494	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th August 2008



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## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 This planning application seeks full permission for the creation of a vehicular access point to the front of No. 132 Station Road. Planning permission is required as the proposed access fronts onto a classified road. Following the creation of the access a small car park would then be created with 5 car parking spaces.
- 1.2 The new access would be to serve a firm of Solicitors who operate from the site. There is currently pedestrian access from Station Road but no vehicular access. The new access would be very close to a roundabout at the junction of station Road with Westerleigh Road not far from the centre of Yate.
- 1.3 This application is the resubmission of the previously refused application on the site reference PK08/0370/F. The previous application was refused due to lack of certainty over land ownership meaning that the Council could not be confident that sufficient visibility splays could be provided. Information has been submitted with this current application in an attempt to overcome the previous officer concern.

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS 1 – Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006  
T12 Transportation Development Control Policy for Development

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

3.1 PK08/0370/F Construction of Vehicular Access  
Refused March 2008

### **4. CONSULTATION RESPONSES**

4.1 Yate Town Council  
No Objection

#### **Other Representations**

- 4.2 Local Residents  
One letter of objection has been received from a local resident. A summary of the points of concern raised are as follows;
  - Proposes the formation of an access adjoining a very busy junction with poor visibility
  - Clients using the access may not be familiar with the roundabout and turning movements

- Creation of an additional hazard and vehicles manoeuvre
- The proposal requires the removal of much hedgerow which is important to wildlife and amenity

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy T12 of the South Gloucestershire Local Plan allows for development subject that it does not have an adverse impact on highway safety and satisfies a number of criteria.

### 5.2 Transportation Issues

Station Road is a very busy classified highway and the new access would be close to a roundabout. For highway safety reasons, it is essential that adequate visibility splays are provided from the site access onto the public highway at this location. Visibility requirements at this location are 2.4m by 43m.

In order to provide the above-mentioned vision splays, the applicant is proposing to set back the existing boundary wall to the right of the access and is removing some of boundary hedge. However, some of land to the right of the access over which visibility splays cross is neither owned by the applicant nor initially in the last application appeared to be within the highway boundary. In view of this therefore, the Councils highway officer was not convinced in the last application that visibility splays could be achieved fully at this location and for this reason

With this resubmitted application, additional information has been submitted regarding the ownership of the land. Whilst the land is not part of the formally adopted highway, it is all within the ownership of South Gloucestershire Council highways department. An email from a South Gloucestershire Council Officer has been submitted with the application to confirm this. In light of this highway officers can be confident that the visibility splay is achievable and maintainable. Full consent will be required from the Councils Property Services department and negotiations for terms of use of the land will need to be agreed between the two parties prior to the commencement of development. Subject to the attachment of relevant conditions and informatives, the previous refusal reason has been overcome and there are no objections to the works as proposed.

### 5.3 Trees/Vegetation

Policy L1 of the South Gloucestershire Local Plan requires that those features of the landscape which make a significant contribution to the character or distinctiveness of the locality should be retained. It is noted that a local resident is concerned about the loss of vegetation at the site. It is important to note that none of the trees or shrubs are protected in any way. The most significant tree on the site is a semi-mature conifer tree growing to the front of the building that will need to be removed to make way for the driveway. The tree is a non native species and does not offer significant visual amenity to the area that would warrant its retention. The hedges and shrubs to be lost are of no significant importance having regard to policy L1 and again, there are no objection to their removal.

#### 5.4 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document. The statement clearly identifies how the previous refusal reason has been overcome thus justifying the granting of planning permission in this instance.

#### 5.5 Section 106 Requirements

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

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

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

**Background Papers**      **PK08/1748/F**

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

### CONDITIONS

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

Reason:

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

2. Prior to commencement of any works on site, the required visibility splay of 2.4m x 43m as shown on the submitted plans must be installed. The visibility splay of 2.4m x

43m must be provided and retained at all times thereafter. No plants, vegetation or other means of obstruction shall be allowed to exceed 90cm in height within the protected visibility splay at any time.

Reason:

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

3. The vehicular parking and turning as shown on Drawing No 001 shall have a permeable bound surface and this shall be satisfactorily maintained at all times thereafter.

Reason:

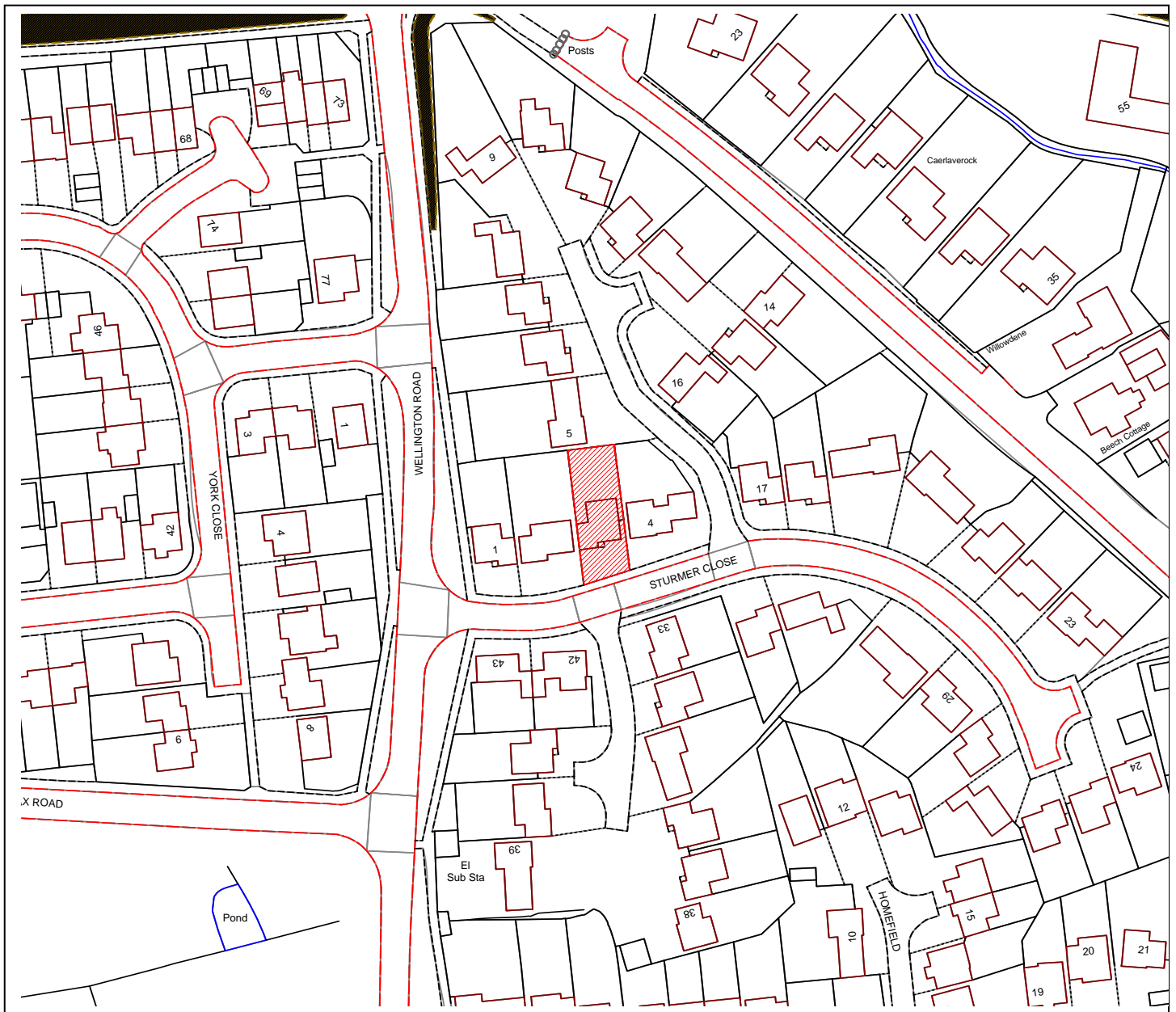
To prevent the spread of loose debris on the carriage way and in the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.



**CIRCULATED SCHEDULE NO. 31/08 – 1 AUGUST 2008**

**App No.:** PK08/1842/F  
**Site:** 3 Sturmer Close, Yate, South Gloucestershire, BS37 5UR  
**Proposal:** Erection of rear conservatory.  
**Map Ref:** 71208 83594  
**Application Category:** Minor

**Applicant:** Mr P Willey  
**Date Reg:** 3rd July 2008  
**Parish:** Yate Town Council  
**Ward:** Yate North  
**Target Date:** 20th August 2008



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**N.T.S**

**PK08/1842/F**

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

## **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a conservatory at the rear of 3 Stumer Close, Yate. The proposed conservatory would measure 3.3 metres wide by 3.8 metres in depth and would have an overall height to ridge of 3 metres.
- 1.2 The property is a two storey detached dwelling and is located within a residential area of Yate.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Council Advice Note No 2: House Extensions

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None relevant.

## **4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
No response received

### **Other Representations**

- 4.3 Local Residents  
One letter of objection was received. The neighbouring property raised concern that the proposed conservatory would result in a loss of sunlight in their rear garden.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers,

and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

#### 5.2 Design / Visual Amenity

The proposed conservatory is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. Furthermore, the bricks used in the low walls of the conservatory would match the main dwelling, assisting the successful integration of the structure with the host dwelling.

The proposed conservatory would be to the rear of the existing dwelling, it is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

#### 5.3 Residential Amenity

The rear of the property is bound on all sides by neighbouring residential properties and is enclosed and screened by a combination of 1.8 metre high closed board fencing, trees/hedges and a 1.5 metre high wall to the rear. The Council's guidance contained in Advice Note 2: House Extensions, stipulates that rear extensions should not exceed; "3 metres from the main original wall of the building." However this advice relates to semi-detached or terraced dwellings. Although the neighbouring property, No. 4 Sturmer Close, is set back from the host dwelling, the application property is detached and 2 metres away from this neighbouring property. Accordingly, given the existing boundary treatments in place, the total projection of the conservatory at 3.8 metres is not considered to have any significant overshadowing or overbearing effect on the neighbouring dwelling. In addition, the proposed conservatory would project 2.8 metres then angle away from the boundary with No. 4 Sturmer Close.

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

#### 5.4 Section 106 Requirements

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

### 6. CONCLUSION

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

The decision to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006

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

## **7. RECOMMENDATION**

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

**Background Papers**      **PK08/1842/F**

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

### **CONDITIONS**

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

Reason:

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

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

Reason:

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

## CIRCULATED SCHEDULE NO. 31/08 – 01 AUGUST 2008

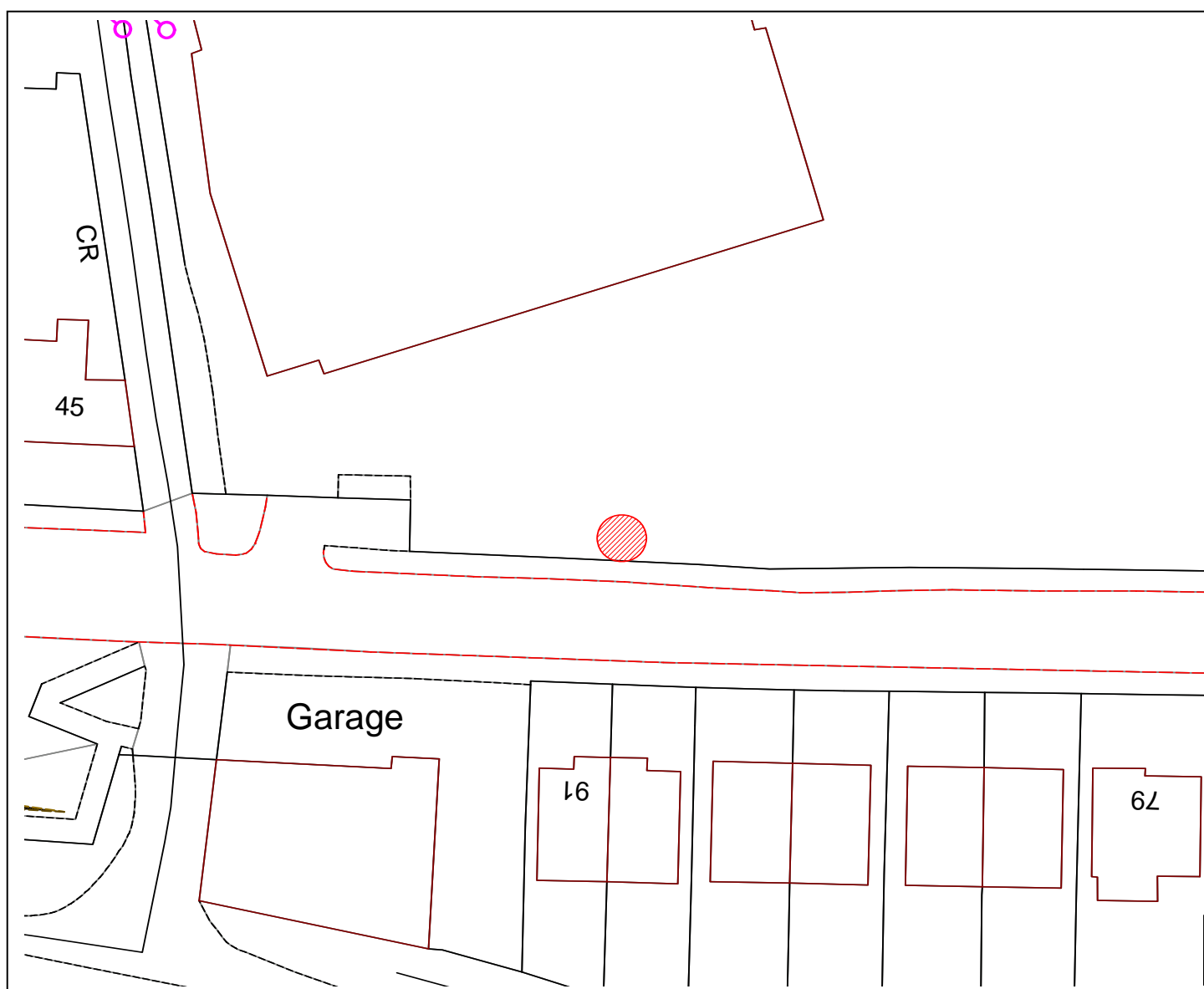
**App No.:** PK08/1868/TRE      **Applicant:** George Wimpey (Bristol)

**Site:** George Wimpey Development, Plot 4 Charnhill Drive, Mangotsfield, South Gloucestershire, BS16 9JL      **Date Reg:** 7th July 2008

**Proposal:** Works to 1no. Lime tree to remove epicormic growth, crown lift to 3m, crown thin by 20% and reshape to correct one-sided form covered by Tree Preservation Order SGTPO01/05.      **Parish:**

**Map Ref:** 65689 75679      **Ward:** Rodway

**Application Category:** Minor      **Target Date:** 22nd August 2008



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## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The application seeks permission to carry out works to 1 Lime tree growing within the front garden of Plot 4 Charnhill Drive. The works as proposed include the removal of epicormic growth, a crown lift to 3 metres, a crown thin by 20% and a re-shape to correct the one –sided shape. The application states that the works are proposed to alleviate visual amenity issues and to increase the amount of light entering the primary living areas of the dwelling.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- L1 Landscape Protection and Enhancement  
L5 Forest of Avon

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

- 3.1 PK03/2020/TRE Removal and pruning of various trees.  
Approved August 2003

### **4. CONSULTATION RESPONSES**

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

- 4.1 Town/Parish Council  
The area is unparished

#### **(b) Other Representations**

- 4.2 Local Residents  
One letter has been received from a local resident. A summary of the points of objection as raised by the resident are as follows;
- No objection to 3m crown lift but 20% thin is excessive
  - Crown re-shape does not give any details of amount of pruning
  - The tree is only affecting light because the hose is too close to the tree
  - The Root Protection Area has been damaged by trenches
  - Over pruning will upset the local community

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policies L1 and L5 of the South Gloucestershire Local Plan (Adopted) seek to conserve and enhance the quality and amenity of the landscape and distinctiveness of the locality and to protect the features that contribute to the character or appearance of the area.

### 5.2 Analysis of the Health of the Trees

The crown lift and removal of epicormic growth will allow access around the base of the tree and permit more light to the property. A 20% crown thin will allow more light through the canopy whilst retaining the overall size of the crown. The crown reshape should not be in excess of 1 metre and will enhance the appearance of the tree. A condition will be attached to restrict the amount of crown re-shaping.

As such, the works to the trees represent sound arboricultural practice and there are no objections to the works as proposed.

## 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) set out above, and to all relevant material considerations set out in the report.

## 7. RECOMMENDATION

7.1 Permission be granted subject to the following conditions:

**Background Papers      PK08/1868/TRE**

**Contact Officer:    Marie Bath**  
**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(s), and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The works hereby authorised shall comply with British Standard 3998: 1989 - 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(s), and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The crown re-shape as hereby approved shall not be in excess of 1 metre.

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(s), and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.



**CIRCULATED SCHEDULE NO. 31/08 – 01 AUGUST 2008**

<b>App No.:</b>	PK08/1880/F	<b>Applicant:</b>	Mr J Riggs Riggs Properties
<b>Site:</b>	30 Kensington Road, Staple Hill, South Gloucestershire, BS16 4LX	<b>Date Reg:</b>	7th July 2008
<b>Proposal:</b>	Erection of single storey rear extension and conversion of existing dwelling to form 2 no. self contained flats and associated works.	<b>Parish:</b>	
<b>Map Ref:</b>	64513 75809	<b>Ward:</b>	Staple Hill
<b>Application Category:</b>	Minor	<b>Target Date:</b>	14th August 2008



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## **INTRODUCTION**

This application is referred to the Circulated Schedule to Members in accordance with procedure given that an objection has been raised.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks consent for the conversion of a mid terrace, two-storey (3 no. bed) property situated on the northern side of Kensington Road to 2 no. self contained flats. The development would consist of 2 no. one bedroom flats.
- 1.2 To facilitate the development, a single storey rear extension would be added. The extension would be lean-to and have a depth of approximately 3 metres. Access to the flats are only from Kensington Road with the internal subdivision allowing access to the upper floor flat from the hallway. The proposed ground floor flat would have access to the existing garden area. Bin storage is provided to the front. As with the existing property, there is no off-street parking provision.
- 1.3 The application site is situated close to the centre of Staple Hill, classed as a "major town centre" in the Local Plan.

### **2. POLICY CONTEXT**

- 2.1 National Guidance
  - PPS1 Delivering Sustainable Development
  - PPS3 Housing
  - PPG13 Transportation
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
  - D1 Achieving Good Quality Design in New Development
  - H5 Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential Purposes
  - T7 Cycle Parking
  - T8 Parking Standards
  - T12 Transportation Development Control Policy for New Development
  - EP4 Noise sensitive development

South Gloucestershire Council Design Checklist (Adopted August 2007)

### **3.0 RELEVANT PLANNING HISTORY**

No relevant planning history

### **4. CONSULTATION RESPONSES**

- 4.1 Parish Council

The area is unparished

- 4.2 Sustainable Transport

The traffic and parking impact resulting from a three bedrooms dwelling (i.e. existing situation) is comparable to the potential impact by 2 one-bedroom accommodations on the site and hence, no highway objections could be substantiated in an appeal situation.

The property is within 200m walking distance of High street, Staple Hill with access to local shops and public transport facilities and as such, the site is considered sustainable.

In view of the above therefore, it is not proposed to raise any highway objections to this proposal in this case.

#### 4.3 Local Residents

There has been one objection received. The grounds of objection can be summarised as follows:

- The parking provision is inadequate particularly given that there is an existing parking problem in the area
- The proposal represents overdevelopment of a small residential property

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

#### 5.1 Principle of Development

PPS3 (Housing) identifies the planning system as a means of widening housing opportunity and choice, maintaining a supply of housing and creating sustainable residential environments. Paragraph 10 of PPS3 indicates among other criteria that the planning system should deliver a mix of housing, both market and affordable, particularly in terms of tenure and price to support a wide variety of households in all areas, provide a sufficient quantity of housing taking into account need and demands and seeking to improve choice. Furthermore the planning system should provide housing developments in suitable locations, which offer a good range of community facilities with good access to jobs, key services and infrastructure. It is considered that the current proposal is appropriate within this context.

- 5.2 Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 reflecting the aims and objectives set out in this guidance considers the criteria for proposals for the conversion of existing residential properties into smaller units of self-contained residential accommodation. The policy recognises the important contribution that smaller units can make to the supply, range and mix of housing provision in South Gloucestershire and supports the conversion where appropriate of larger properties subject to consideration of the following criteria.

#### 5.3 Character of Surrounding Area

Policy H5A of the South Gloucestershire Local Plan (Adopted) January 2006 allows for such development provided that there is no adverse impact upon the character of the area.

The surrounding area consists of single (family) dwellings within this predominantly residential area. It should be noted that there are no examples of other flat conversions in the immediate vicinity of the site, however consent has recently been granted for the demolition of No.2 Kensington Road and the erection of 4 no. self-contained flats. The area is therefore predominantly one of family housing. To minimise the impact of the additional bins that would be required for two flats, the scheme has been amended. Two bins will be stored externally, in the current location and two bins (given that South Gloucestershire Council operates a twin bin scheme) will be located to the side of the hall. The hallway bin storage shall be for recycled materials while other materials will be stored externally, in the interests of future occupiers (this will be secured by a recommended condition). It is not therefore considered that the current proposal could be considered to undermine the character of the area.

#### 5.4 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to achieve a high standard of design in all new development having regard to scale, form and materials both in relation to the original property and within the wider context.

The changes to the external appearance of the building largely involve the addition of a small extension to the rear. Subject to the use of matching materials this minor addition is considered acceptable in design terms and is considered acceptable in visual amenity terms.

#### 5.5 Residential Amenity

Policy H5B of the South Gloucestershire Local Plan (Adopted) January 2006 considers that such development should be permitted provided that it would not prejudice the amenities of nearby occupiers.

The proposal will not result in any additional overlooking of adjoining properties. It is not considered that the proposed extension, given its location and scale will have any adverse impact upon the amenity of neighbouring occupiers.

Turning to a consideration of the impact of the proposal in terms of noise generation, both in terms of noise generation between ground and first floor and between the flats and adjoining occupiers, it is not considered that the addition of an extra unit of accommodation would cause any significant increase in overall noise and disturbance albeit the alignment of rooms between those proposed and those in adjoining existing properties will be different. The Building Regulations (Part E), would cover the issue of sound insulation between the new units themselves and between the new units and the adjoining properties on either side and for the avoidance of doubt a condition will be attached to the decision notice to secure these details.

The proposed development is considered in accord with Policy H5B of the South Gloucestershire Local Plan (Adopted January 2006).

## 5.6 Transportation

Policy H5C of the South Gloucestershire Local Plan (Adopted) January 2006 considers that such a development would be acceptable provided an acceptable level of parking is identified. Policy T8 indicates that development should not exceed the standards set out in the plan (figure 6.6) ie one space per bedroom. Policy T12 assesses development in terms of the impact of the development upon the wider highway network with the priority being highway safety.

Concern has been raised that inadequate provision for parking has been made citing an existing parking problem within the locality. Transportation Officers indicate that the traffic and parking impact resulting from a three bedrooms dwelling (i.e. existing situation) is comparable to the potential impact by 2 one-bedroom accommodations on the site and hence, no highway objections could be substantiated in an appeal situation.

It should also be noted that the property is within 200m walking distance of High street, Staple Hill with access to local shops and public transport facilities and as such, the site is considered to be a highly sustainable location.

The application is therefore considered to be in accord with the aims and objectives of Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006).

## 5.7 Amenity Space

Policy H5D requires development to provide adequate amenity space. The policy indicates that space may be provided either communally or on an allocated basis. Members should be aware that there is no specific guidance in either National or Local Guidance on the amount of amenity space that should be provided for any one development.

Having regard to this specific application, the existing garden area is provided for the ground floor flat only (with no space provided for the upper floor flat), however it is not considered, (in contrast to a 2 or 3 bed dwelling), that there would be an expectation of amenity space provision for this form of development. In summary therefore amenity space is available to ground floor occupiers. It should be noted that there is public open space within the vicinity of the site at Soundwell Road and at greater distance Page Park. It is considered that the proposal is in accord with this criterion of Policy H5.

## 5.8 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the South Gloucestershire Council Design Checklist (Adopted August 2007)

## 6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

## **7. RECOMMENDATION**

- 7.1 Planning Permission be granted subject to the following conditions.

**Background Papers**      **PK08/1880/F**

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

### **CONDITIONS**

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

Reason:

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

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

Reason:

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

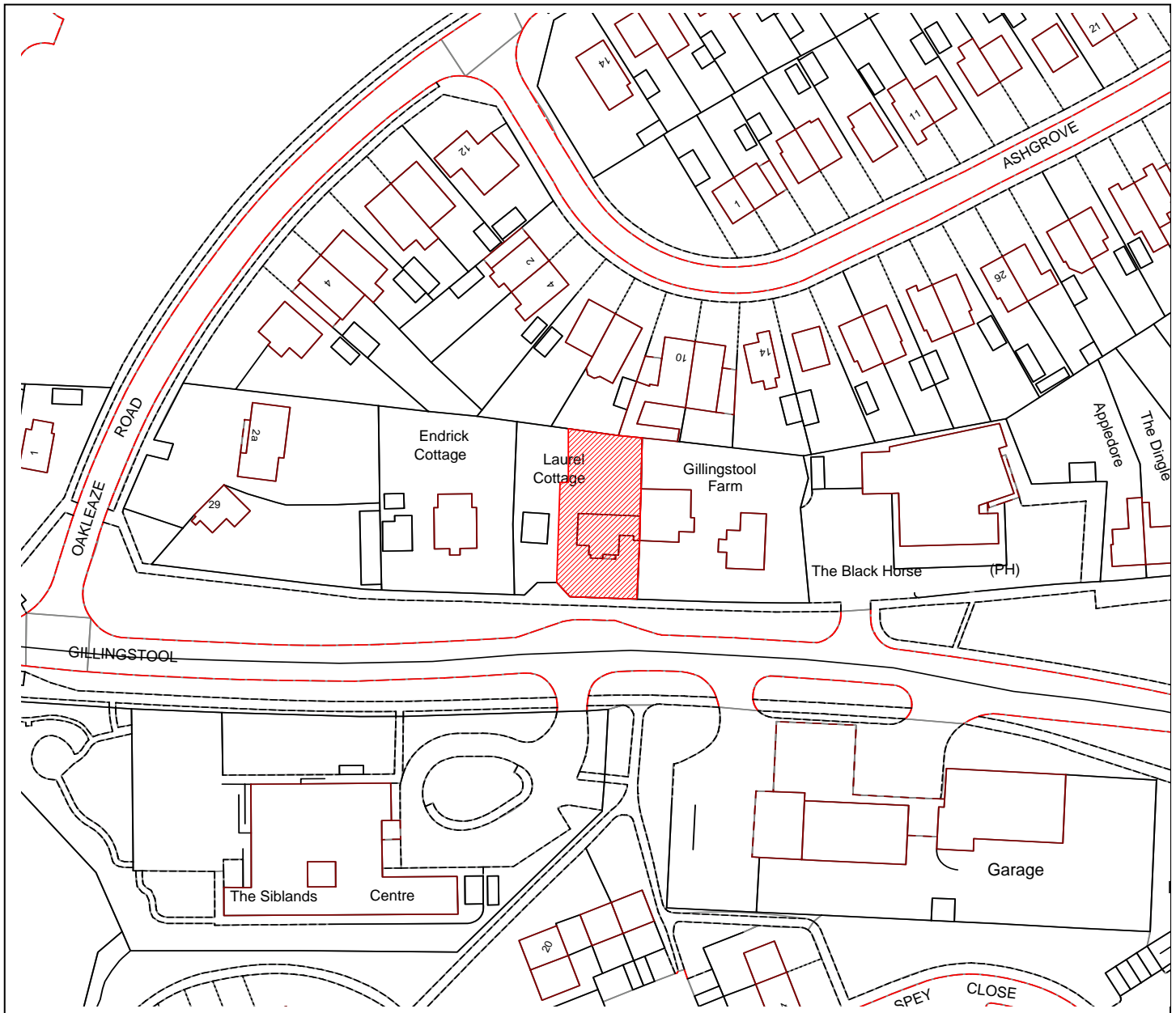
3. The proposed refuse storage shown on Drawing No. P1/B (received 28th July 2008) hereby approved, shall be in place prior to the first occupation of the flats. The Internal Bin Store shall be for recycling only. The Refuse Storage shall be retained for that purpose hereafter.

Reason:

To secure adequate refuse storage in the interests of the amenity of the locality and to accord with Policy D1H of the South Gloucestershire Local Plan (Adopted).

**CIRCULATED SCHEDULE NO. 31/08 – 1 AUGUST 2008**

<b>App No.:</b>	PT08/1129/F	<b>Applicant:</b>	Mrs R Bull
<b>Site:</b>	Laurel Cottage, Gillingstool, Thornbury, South Gloucestershire, BS35 2EH	<b>Date Reg:</b>	25th April 2008
<b>Proposal:</b>	Erection of single storey rear extension to form garden room.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	64253 89964	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th June 2008



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**N.T.S**

**PT08/1129/F**

This application appears on the Circulated Schedule as a result of a letter of objection, contrary to the officer recommendation.

## **1. THE PROPOSAL**

- 1.1 The application seeks planning permission to erect a ground floor single storey rear extension. The host building is a detached house which is linked to outbuildings belonging to a neighbour.
- 1.2 The proposal would be finished in matching clay tiles over low rendered walls and white UPVC windows.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
  - D1 Achieving good quality design in new development
  - H4 Development within existing residential cartilages, including extensions and new dwellings.
  - T8 Parking standards
  - T12 Transportation development control policy for new development
- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist (SPD) Adopted

## **3. RELEVANT PLANNING HISTORY**

- 3.1 P93 two storey rear extension Approved 6/93
- 3.2 PT05/2021/F new dwelling and altered access. Approved 8/2005

## **4. CONSULTATION RESPONSES**

- 4.1 Thornbury Town Council  
No objection
- 4.2 Transportation  
No issues
- 4.3 Local Residents  
One objection as a building plot has already been approved on site and this is overdevelopment. Laurel Cottage already extended. This will bring the cottage even closer and the roof will be visible from the rear of the writers bungalow.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
The application is for an extension to this essentially detached house and in this respect policies H4 (extensions) and D1 (design) are directly relevant to the application. Policy D1 seeks to ensure that the design of the proposals are appropriate to the character, distinctiveness and amenity of the area, that access and landscape are considered as appropriate. Policy H4 seeks to



ensure that the scale and materials of the proposal are appropriate, do not detrimentally affect the character of the street scene, and surrounding area, affect nearby occupiers or be detrimental to highway safety.

#### 5.2 Design and Residential Amenity

The extension would be located at the rear of the cottage and set at a lower level than the garden. A garden depth of 12 metres and the landscape screen at the rear of the garden ensures that the neighbours with adjoining rear gardens are unaffected and as the garden room only projects as far in to the rear garden as the new house next door no neighbours are affected by the proposal. Whilst the objecting neighbour may be able to see the roof of the garden room it will be seen against the form of the cottage and given that this is within the settlement of Thornbury the development is acceptable subject to other considerations of design and materials. The form of the extension and materials are both considered acceptable in this instance.

The proposal would not affect the privacy or amenity of the neighbouring house. It does not dominate the neighbouring properties and will not be prominent in the street scene. Materials are considered acceptable as they match the original cottage. As such the proposal complies with policy D1 and H4.

5.3 A neighbour's comments about a building plot having already been approved at the site. This was approved and has been built. As such the above recommendation is in the full knowledge of the total development already approved on site and the proposed development is not considered to be overdevelopment of the site or to affect neighbours detrimentally.

#### 5.4 Design and Access Statement

Design and Access Statements are not required for house extensions.

#### 5.5 Transportation

The proposal does not change the existing or future needs of the property and as such this complies with Policy T12.

#### 5.6 Section 106 Requirements

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

## 6. CONCLUSION

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

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 granted with conditions.

**Background Papers**      **PT08/1129/F**

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

## **CONDITIONS**

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

Reason(s):

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

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

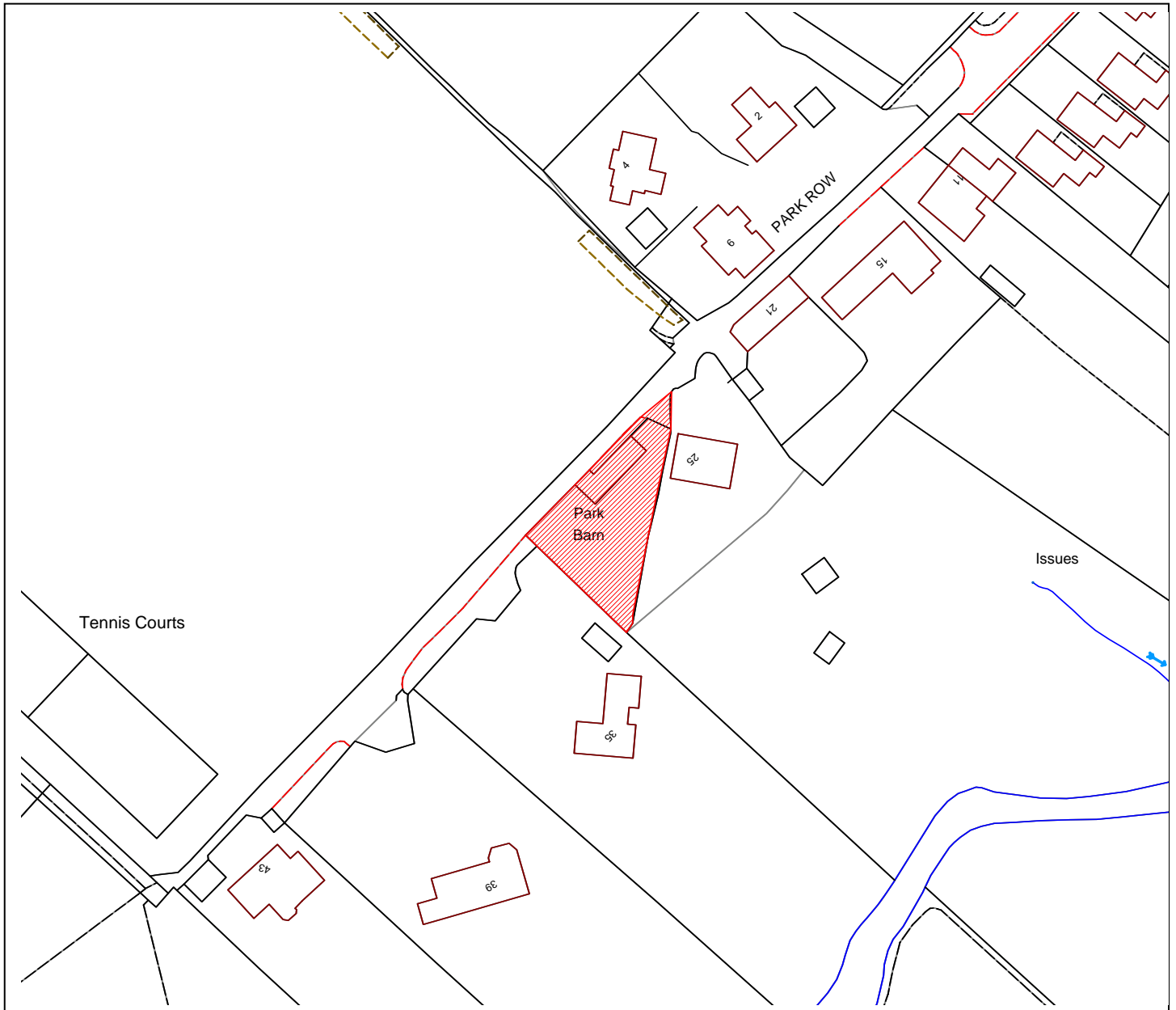
Reason(s):

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

**CIRCULATED SCHEDULE NO. 31/08 – 1 AUGUST 2008**

**App No.:** PT08/1702/F  
**Site:** 27 Park Barn, Park Row, Frampton Cotterell, South Gloucestershire, BS36 2BS  
**Proposal:** Erection of detached double garage and workshop.  
**Map Ref:** 66334 81687  
**Application Category:** Minor

**Applicant:** Mr P Draisey  
**Date Reg:** 23rd June 2008  
**Parish:** Frampton Cotterell Parish Council  
**Ward:** Frampton Cotterell  
**Target Date:** 14th August 2008



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**N.T.S**

**PT08/1702/F**

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

## **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of a detached double garage and workshop.
- 1.2 This is a detached barn conversion that lies just outside the existing urban area of Frampton Cotterell and also within the Green Belt. The proposal consists of a detached double garage and workshop to the rear of the main property. The garage will be constructed of timber and will measure, 5.5 m deep, 9.45 m in width and 4.7 m in height. The roof is pitched and materials consist of plain clay tiles.
- 1.3 A current planning consent for a detached garage at the site already exists and was approved on 23<sup>rd</sup> November 2007 under planning application PT07/3000/F.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPG2	Green Belts

### **2.2 Development Plans**

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H4	Development within Existing Residential Curtilage
GB1	Development within the Green Belt

### **2.3 Supplementary Planning Guidance**

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

## **3. RELEVANT PLANNING HISTORY**

P97/1256 – Conversion of barn to dwelling (as amended). Approved 15 May 1997

PT05/0102/F – Erection of two storey and first floor side extension. Approved 14 April 2005.

PT07/3000/F – Erection of detached garage. Approved 23 November 2007.

## **4. CONSULTATION RESPONSES**

### **4.1 Frampton Cotterell Parish Council**

Objection – The proposed development is in the Green Belt and the applicant has not demonstrated very special circumstances. There has already been a large extension to this property.

### **Other Representations**

#### 4.2 Local Residents

No response.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

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

The application site lies within the Green Belt, therefore, consideration must be taken in regards to the impact on the openness of the Green Belt. PPG2 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 allow in principle for extensions to residential dwellings subject to the cumulative additions to the dwelling house being proportionate to the original size.

### 5.2 Green Belt

The original property has been subject to one previous extension (PT05/0102/F), a two storey side extension that resulted in a 28% increase in the cubic volume of the original dwelling house.

It is important to note that a detached garage measuring 6 m wide, 6 m deep and 4.2 m in height was approved last year under planning application PT07/3000/F. The double garage was to be located closer to the host dwelling (approximately 6.5 m away) adjacent to the eastern boundary of the site. It is also important to note that 'permitted development' rights at the property for domestic extensions have been removed and so the Local Planning Authority has full control over any future development at the site.

Although the proposed detached double garage is slightly larger (3 m wider, 0.5 m higher, but 1 m less in depth) than the one approved last year it would be a much greater distance from the original dwelling at 13 m. Given the siting and size of the proposed garage it is considered that the proposal would be a proportionate addition to the application site and would not adversely impact upon the openness of the Green Belt. A condition will be attached to the decision notice preventing the previously approved PT07/3000/F application from being implemented.

### 5.3 Design Issues

It is considered that the proposal is in keeping with the original dwelling. The use of oak framing to the front elevation gives a high quality appearance in terms of design. The open frontage and side elevation where the wood store is located gives the garage a fairly 'light' appearance that is sympathetic to the large grounds of the site and the nearby open countryside. The proposed garage is well screened to the front, side, and rear and therefore cannot be viewed from the public realm.

## 5.4 Residential Amenity

### Overbearing Analysis

The proposed garage is to be sited adjacent to the south west boundary wall of the property's garden. The nearest building to the proposed garage would be no. 35's detached garage some 5 m away thus there would be no overbearing impact.

### Privacy Analysis

The proposal is single storey and the elevation on the party boundary is to have no windows so therefore there would be no overlooking or loss of privacy as a result of the proposal.

### Amenity Space

Whilst the proposed conservatory does project into the rear garden its modest size means that sufficient garden space will remain to serve occupiers of the property.

## 5.5 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**Background Papers**      **PT08/1702/F**

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

### **CONDITIONS**

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

Reason(s):

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

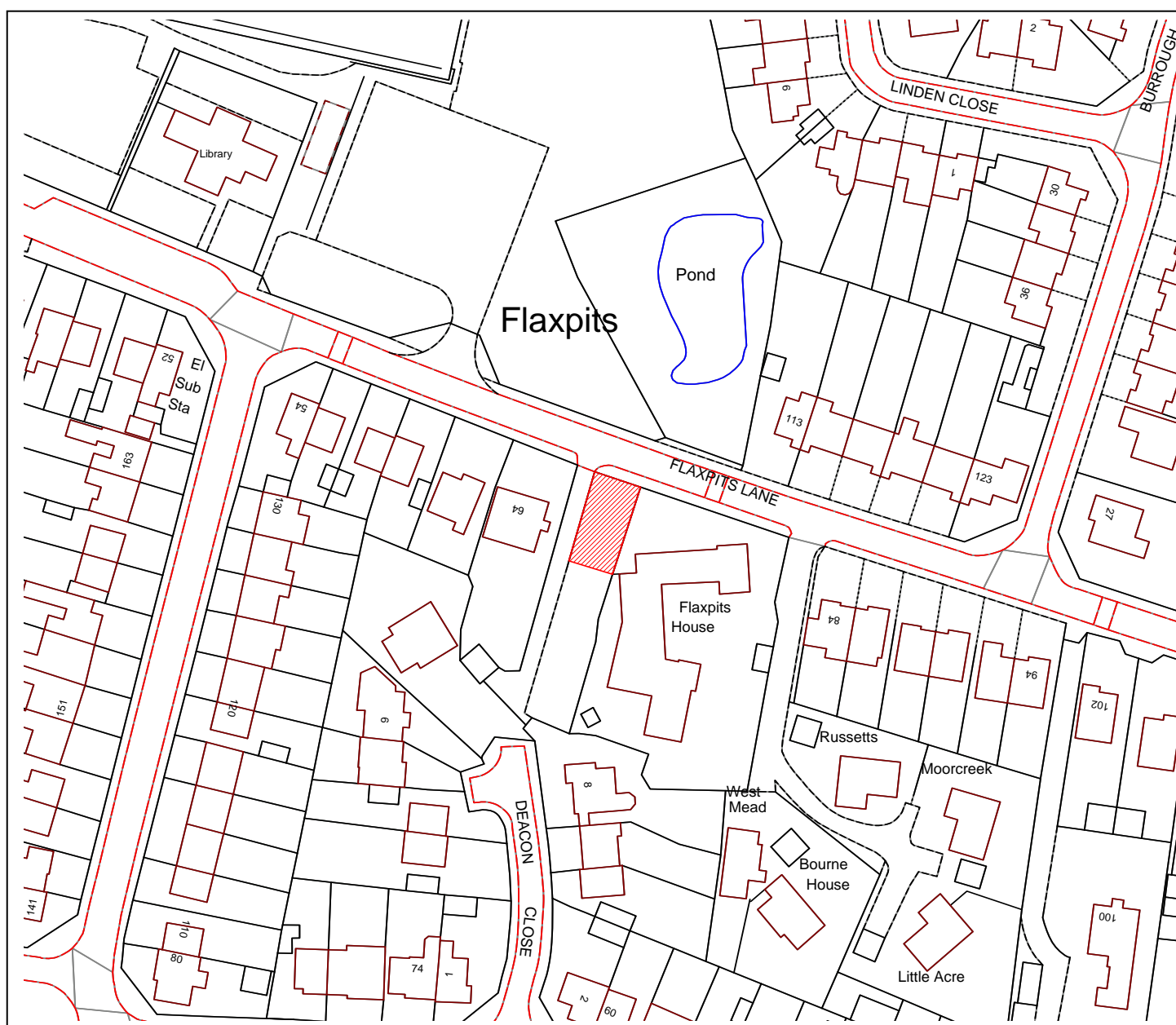
2. The development hereby permitted shall be carried out as an alternative to the permission granted on 23/11/2007 for 'Erection of detached garage' at 27 Park Barn, Park Row (Reference PT07/3000/F) but not in addition to it, to the intent that the applicant may carry out one of the developments permitted but not both, nor parts of both developments.

Reason(s):

To prevent an unsatisfactory mix of development or over-development of the site and to protect the openness of the Green Belt.

## CIRCULATED SCHEDULE NO. 31/08 – 1 AUGUST 2008

<b>App No.:</b>	PT08/1719/F	<b>Applicant:</b>	Mr K Elliott
<b>Site:</b>	Land adjoining Flaxpits House, Flaxpits Lane, Winterbourne, South Gloucestershire, BS36 1LB	<b>Date Reg:</b>	24th June 2008
<b>Proposal:</b>	Erection of detached chalet bungalow and double garage with associated works. (Resubmission of PT08/0226/F) (in accordance with amended plans received on 28 July 2008).	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	65163 80435	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	18th August 2008



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DC0901MW



This application has been referred to the Circulated Schedule due to objections received from a local resident and the Parish Council.

## 1. THE PROPOSAL

- 1.1 This full application relates to the erection of a chalet bungalow and detached double garage on land adjoining Flaxpits House, Flaxpits Lane, Winterbourne.
- 1.2 The application site is vacant land and is currently overgrown. It has a site area of some 0.027 hectares. Numerous trees have recently been felled due to their poor condition. Vehicular access is off Flaxpits Lane, via a private lane running alongside the site which serves the rear garage of 64 Flaxpits Lane and a parking area associated with Flaxpits House. A pedestrian access is proposed to the front of the site. The site is rectangular in shape and linear in nature and has a width ranging from 9m to 9.8m and a depth of 29m. The site lies within the settlement boundary of Winterbourne with residential property adjacent.
- 1.3 The proposed chalet bungalow provides 4 bedrooms. It is orientated so that the gabled elevations are located to the front and rear elevations. The proposal has a depth of 11.7m, width of 7.8m and a ridge height of 7.5m. The front elevation of the dwelling is constructed of local stone with the remaining elevations having a roughcast render finish. A single garage and hardstanding area is provided to the rear of the site.
- 1.4 This application is a resubmission of PT08/0226 F. This application differs in that the siting of the dwelling has now been set back a maximum 7.2m from the Flaxpits Lane road frontage (instead of 4.6m on the previous application), the proposed double garage has been reduced to a single and window openings on the eastern elevation have been reduced from three to one.

## 2. POLICY CONTEXT

### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

### 2.2 Development Plans

#### Joint Replacement Structure Plan

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 33	Housing Provision and Distribution
Policy 34	Re-use of Previously Developed Land
Policy 35	Housing Density

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

D1	Achieving Good Quality Design in New Development
L1	Landscape Protection and Enhancement
H2	Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.4 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)

**3. RELEVANT PLANNING HISTORY**

- 3.1 N.1581/1 Erection of detached dwelling and garage. Construction of pedestrian and vehicular access.  
Refused 7 November 1975 on the grounds of restricted size of site and cramped form of development.
- 3.2 N.1581/4 Erection of detached house (Outline)  
Refused 14 September 1978.
- 3.3 N.1581/6 Erection of detached dwelling house.  
Dismissed on appeal 10 July 1980.
- 3.4 PT08/0266/F Erection of detached chalet bungalow and double garage with associated works.  
Refused 22 February 2008 on the following grounds:-  
1) ground floor windows will result in loss of privacy/overlooking to neighbouring property;  
2) adverse impact to trees on site with no arboricultural report submitted;  
3) siting of dwelling does not respect established building line.
- 3.5 PT08/1505/TRE Works to remove 1 no. Weeping Ash Tree.  
Approved 4 July 2008.

**4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
Object to the proposal on the grounds that the proposal is exactly the same as the previous scheme and should be refused on the same grounds as before.

Other Consultees

- 4.2 Sustainable Transport  
No objection.

Other Representations

- 4.3 Local Residents  
1 letter has been received objecting to the proposal on the following grounds:-  
a) access is narrow;  
b) highway safety issues;  
c) overlooking from velux roof lights and side window;  
d) loss of light/sun;  
e) loss of tree.

**5. ANALYSIS OF PROPOSAL**

Background

As can be seen from the planning history, a similar application was refused earlier this year on the grounds of overlooking from the side windows to the western elevation; possible adverse impact to trees with no arboricultural assessment submitted as part of application and loss of established building line. This application attempts to overcome the previous concerns by setting the building further back and reducing the number of windows to the western elevation from 3 to 1. In addition, planning permission has recently been granted to fell the Weeping Ash Tree covered by a TPO located to the north-western corner of the site. This was due to the poor health of the tree. This tree has now been felled, as have the other trees on the site.

5.1 Principle of Development

Advice contained within PPS3 states that Local Planning Authorities should make effective use of land by re-using land that has been previously developed. Using land efficiently is a key consideration in planning for housing. Additional housing on previously developed land within existing towns and cities promotes more sustainable patterns of development. This policy stance is reflected in policies contained with the Adopted Joint Replacement Structure Plan and the South Gloucestershire Local Plan (Adopted) January 2006. However, such development must be acceptable in terms of its impact upon the character of its surroundings.

5.2 Policy H2 of the adopted Local Plan specifically relates to new residential development within the boundaries of settlements provided the following criteria are complied with:-

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

5.3 i)Transportation Issues

No objection is raised to the proposal. The access is satisfactory and the site provides adequately off-street parking/turning facilities in accordance with the Council's parking standards.

5.4 ii)Residential Amenity

In terms of residential amenity, the current application, on balance, overcomes the previous refusal reason in terms of loss of privacy. The number of windows to the side (west) elevation has now reduced from 3 to 1. This window is centrally located and directly faces onto the side elevation of 64 Flaxpits Lane, some 8m away. This property also has side windows, in particular a secondary living room window and a glazed porch 6.6m away at its closest point. The proposed window will face directly on to the glazed porch. However, as a porch is not a habitable room it is considered that the current application is now acceptable. In addition, the window will not have a direct line of site into the secondary window and as a consequence the degree of overlooking/loss of privacy are not so unacceptable as to warrant a refusal.

5.5 The proposed rooflights are also acceptable. The two on the eastern roof slope look out over the front garden of Flaxpits House. The two on the western roof slope serve a landing and a bathroom. The height of the landing window prohibits any overlooking and the bathroom window will be conditioned to be obscurely glazed.

5.6 Loss of light is not considered to result from the proposal due to the distance between the existing and proposed dwelling and its one and a half storey design.

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

5.7 The application site has an area of some 0.027 hectares resulting in a density of 37 dwellings per hectare. A minimum density of 30 dwellings per hectare is advocated within the Local Plan, where local circumstances permit. The proposal is therefore at a density in accordance with the local plan. In addition, due to the constrained nature of the site the proposal would be unable to accommodate any additional dwellings.

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

5.8 The proposal is not affected by any of the above to a material degree and therefore complies with this criterion.

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

5.9 The proposal is for 1 additional dwelling and as such will not impinge upon levels of service provision within the locality to a significant degree. The application therefore complies with this criterion.

5.10 Other Issues  
Design

Advice contained within PPS3 states the importance of good design in housing development. In particular proposals should be well integrated with, and complement, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Consideration of design and layout must be informed by the wider context, townscape and landscape of the wider area. This advice is reflected in Policy D1 of the adopted plan and the Adopted South Gloucestershire Design Checklist.

5.11 Due to the narrow and constrained nature of the site the proposal has been designed as a chalet bungalow, with the gabled elevations to the front and rear. This part of Flaxpits Lane has an established building with garden frontage averaging 8-9m. The only exception to this is the adjacent property of Flaxpits House which has a front extension a minimum distance of 3.6m from the pavement edge. The proposed dwelling has a setback of 7.2m from Flaxpits Lane and extends beyond the front elevation of 64 Flaxpits Lane by some 1.4m. It is considered that the revised siting of the proposed dwelling overcomes the previous refusal reason and now respects the established building line prevalent within the area. It would no longer be visually intrusive within the street scene, especially when travelling down Flaxpits Lane from the west. The development would be well integrated within the street scene, especially as the extension to the adjacent Flaxpits House is also well forward of the established building line.

5.12 The design of the dwelling itself is also acceptable. The immediate area is characterised by a wide variety of dwelling types and styles and a dwelling of

this design would not appear incongruous or obtrusive within the street scene. The use of local stone to the front elevation with the remainder having a rendered finish is also acceptable. The proposed roof finish of second hand pantiles is also appropriate. In addition, the Council's Urban Design Officer has raised no objection to the proposal.

#### 5.13 Garden Area

In terms of garden area the proposed dwelling (excluding garage) has a rear garden measuring 9.4m in depth, 9.2m in width and has an area of some 86m<sup>2</sup>. It is considered that this area of amenity space is an acceptable size for the property proposed and is larger than the previous application.

#### 5.14 Trees

The Weeping Ash Tree covered by a Tree Preservation Order has now been felled. The protected tree did make an important contribution to the street scene but permission to fell this tree was granted due to extensive decay in the stem. An arboricultural report covering the remaining trees on this site has also been assessed by the Council's Tree Officer. None of the other trees were of a quality or condition to be covered by a TPO and subsequently have also been felled. A condition of any planning permission will however require a replacement tree to be planted.

#### 5.15 Design and Access Statement

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

#### 5.16 Section 106 Requirements

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

## 6. CONCLUSION

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

## 7. RECOMMENDATION

- 7.1 Planning permission be granted.

**Background Papers**      **PT08/1719/F**

**Contact Officer:**    **Vivian Butt**  
**Tel. No.**                **01454 863427**

**CONDITIONS**

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

Reason(s):

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

2. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights [other than those expressly authorised by this permission] shall be constructed/inserted.

Reason(s):

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

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

Reason(s):

To minimise disturbance to occupiers of neighbouring dwellings and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The glazing serving the bathroom window on the western roof slope shall at all times be of obscured glazing, Level 3.

Reason(s):

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

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

Reason(s):

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

6. Prior to the commencement of development details of the proposed boundary treatment shall be submitted to and approved in writing by the Local Planning

Authority. The agreed boundary treatment shall be erected prior to the first occupation of the dwelling.

Reason(s):

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

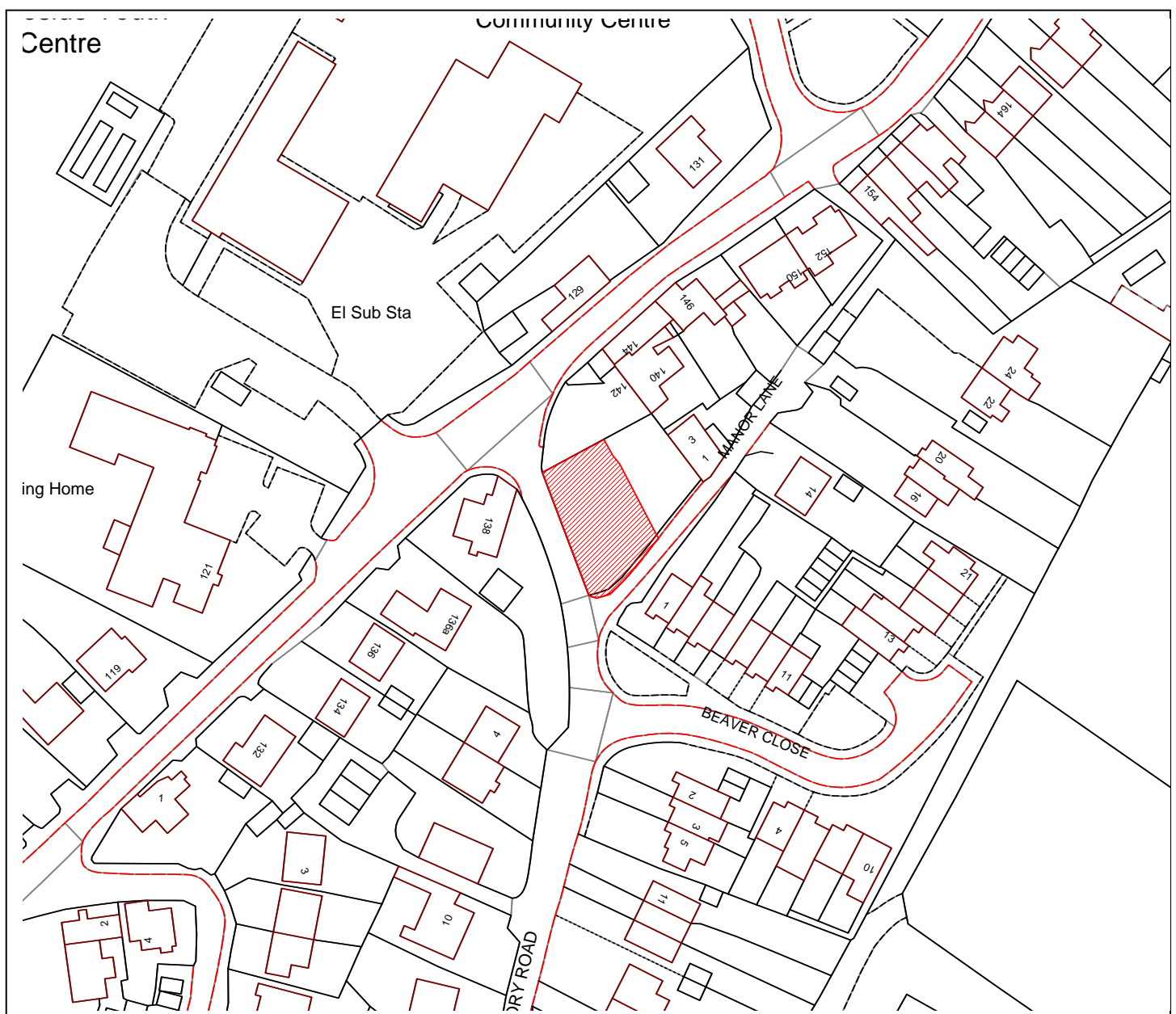
7. A replacement tree, the species, size and location of which is to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the occupation of the dwelling hereby authorised.

Reason(s):

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

**CIRCULATED SCHEDULE NO. 31/08 – 1 AUGUST 2008**

<b>App No.:</b>	PT08/1818/F	<b>Applicant:</b>	Mr D Down
<b>Site:</b>	1 Manor Lodge, Manor Lane, Winterbourne, South Gloucestershire, BS36 1QJ	<b>Date Reg:</b>	2nd July 2008
<b>Proposal:</b>	Erection of 1 no. detached dwelling with associated works. Construction of new access. (Amendment to previously approved scheme PT07/3460/F)	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	65875 81328	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th August 2008



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## INTRODUCTION

This application appears on the Circulated Schedule following the receipt of objections from Winterbourne Parish Council and three local residents.

### 1. THE PROPOSAL

- 1.1 The applicant seeks planning permission to amend the access arrangements relating to the previously approved scheme (PT07/3460/F). The previous application allowed an access onto Factory Lane which served both the proposed and existing dwellings. This application proposes two access points, the proposed dwelling would gain access from Factory Lane, whilst the existing dwelling would gain access from Manor Lane.
- 1.2 The application site relates to land within the curtilage of 1 Manor Lane. The application site is located within a well established residential area within the Winterbourne settlement boundary.

### 2. POLICY CONTEXT

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development  
PPS3: Housing  
PPG13: Transport
- 2.2 Joint Replacement Structure Plan (Adopted) September 2002  
Policy 1: Sustainable development objectives  
Policy 2: Location of development  
Policy 33: Housing provision and distribution
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006  
D1: Delivering Good Quality Design in New Development  
H2: Residential Development within Existing Urban Areas  
H4: Development within Existing Residential Curtilages  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development
- 2.4 Supplementary Planning Guidance  
South Gloucestershire Design Checklist SPD (Adopted) August 2007

### 3. RELEVANT PLANNING HISTORY

- 3.1 P93/1480                      Erection of double detached garage  
**Refused** 16 June 1993
- 3.2 PT05/2165/F                Erection of two storey rear extension to form extended  
kitchen with bedroom and en-suite.  
**Approved** 5 September 2005
- 3.3 PT05/2622/F                Erection of two metre high boundary fence with gates  
**Approved** 31 October 2005

- 3.4 PT07/3460/F Erection of 1 no. detached dwelling with associated works  
**Approved 29<sup>th</sup> February 2008**

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

4.1 Winterbourne Parish Council

Objection – Concerns regarding traffic on a dangerous corner. Six parking spaces have been allocated for a three bedroom house. The Parish Council question why an amendment had been made when the planning application has already been passed.

4.2 Highways and Transportation

No objection

4.3 Local Residents

Three letters of objection have been received. The main points are summarised below:

- A. Access from Manor Lane is inappropriate and impractical;
- B. More pressure on vehicular access for Manor Lane; and
- C. Increase likelihood of accident and injury to vehicles and pedestrians.

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

5.1 Principle of Development

Planning application PT07/3460/F granted consent for the erection for the erection of a new dwelling with associated works. This application seeks consent for an amendment to relocate the parking for No. 1 Manor Lane from the Factory Lane to Manor Lane. The proposed new access would comprise of two parking spaces which would be defined by a new 0.8 metre dry stone wall with timber fence.

5.2 Since the determination of PT07/3460/F there have been no material changes to national or local planning policy. As such, this application will only assess the material planning issues which would arise from the new access. The other planning issues arising from this application were dealt with within PT073460/F and are discussed in detail in the officer's report. To maintain consistency the conditions attached to the previous consent will be attached to this application.

5.3 The main issues resulting from this amendment would be highway safety, residential amenity and visual amenity. These issues will be assessed with regard to policies D1, H2, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.4 Highway Safety

The Council have received representations from Winterbourne Parish Council and three local residents which object to the proposed new access on the grounds of highway safety. To address these issues, the Council Highways Engineer has been consulted and undertook a site visit. They commented that Manor Lane acts as a, slow speed, shared surface access lane. As such the slight increase in traffic in connection with the development would not be considered to materially harm highway safety.

5.5 In the previous application the Highways Engineer was concerned that right visibility onto Factory Lane may be eroded through future boundary treatment

changes. As such, it is recommended a condition is attached to remove permitted development rights for the erection of fences and gates. This would ensure the transportation implication of any future boundary treatment is fully assessed.

5.6 Furthermore, the level of parking proposed for the existing and proposed dwellings would accord with the Council's Parking Standards.

5.7 Residential Amenity

It is considered that the provision of two parking spaces in the proposed location would not result in any material harm to residential amenity of nearby occupiers.

5.8 Design and Visual Amenity

The proposed development comprises of the laying of two parking spaces and the construction of a dry stone wall to match the existing. It is considered that the proposal would not harm visual amenity. However, it is noted that the existing dry stone wall is essential to the character of the area. As such, to ensure this character is retained it is recommended that a condition is attached to ensure the proposed wall matches the existing dry stone wall.

5.9 Design and Access Statement

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

5.10 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

7.1 Planning permission to be **GRANTED** subject to the following conditions:

**Contact Officer: Peter Rowe**  
**Tel. No. 01454 863538**

**CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason(s):

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

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

Reason(s):

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

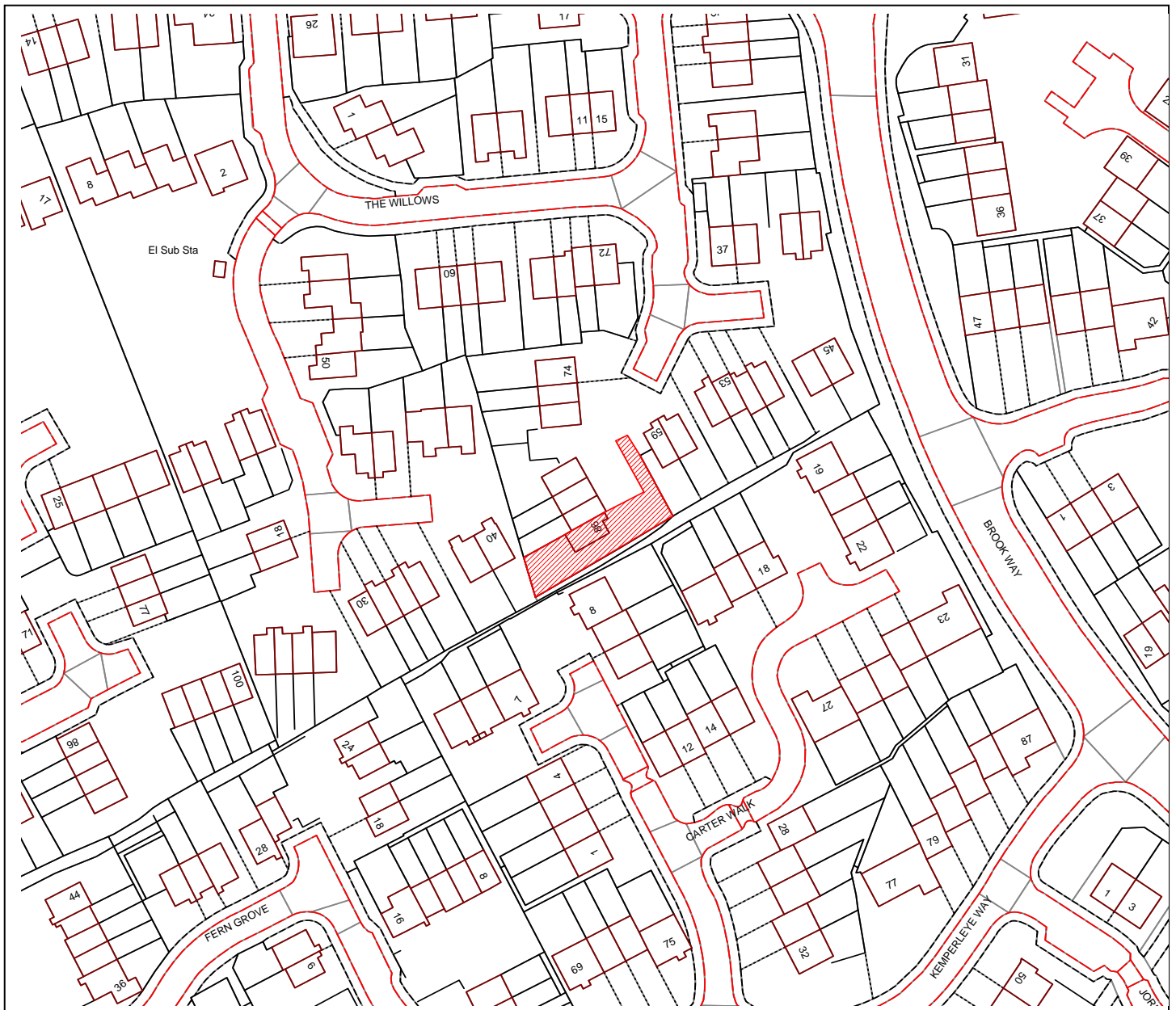
4. The dry stone wall hereby permitted shall match the existing dry stone wall in type, colour, texture, size and coursing.

Reason(s):

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

## CIRCULATED SCHEDULE NO. 31/08 – 1 AUGUST 2008

<b>App No.:</b>	PT08/1849/F	<b>Applicant:</b>	Westhay Properties
<b>Site:</b>	86 The Willows, Bradley Stoke, South Gloucestershire, BS32 8HJ	<b>Date Reg:</b>	4th July 2008
<b>Proposal:</b>	Erection of two storey side extension to provide additional dwelling (in accordance with amended plans received on 25 July 2008).	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	61733 81638	<b>Ward:</b>	Bradley Stoke South
<b>Application Category:</b>	Minor	<b>Target Date:</b>	15th August 2008



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**N.T.S**

**PT08/1849/F**

This application has been referred to the Circulated Schedule as a financial contribution for transportation works is required.

## **1. THE PROPOSAL**

- 1.1 This full application relates to the erection of a two storey side extension to form a new 2 bed dwelling at 86 The Willows, Bradley Stoke. The proposed extension replicates the design, proportions and materials of the existing dwelling. Two additional off-street parking spaces are provided within the front garden area ensuring that both dwellings will benefit from two of-street parking spaces.
- 1.2 The application site is an end-terraced property located to the end of The Willows, a cul-de-sac. It occupies a large plot and lies within the urban area of Bradley Stoke. The site has been cleared of all vegetation and boundary treatment largely consists of 2m close boarded timber fencing. The front of the site, separating the garden from hardstanding area is enclosed by 1m post and rail fencing.
- 1.3 Planning permission for a two storey side extension at the property was recently granted in June 2008.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing
- 2.2 Development Plans  
Joint Replacement Structure Plan  
Policy 1 Sustainable Development Objectives  
Policy 2 Location of Development  
Policy 33 Housing Provision and Distribution  
Policy 34 Re-use of Previously Developed Land  
Policy 35 Housing Density
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
H2 Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
T8 Parking Standards  
T12 Transportation Development Control Policy for New Development
- 2.4 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PT08/1215/F Erection of two storey side extension.  
Approved 3 June 2008.

## **4. CONSULTATION RESPONSES**

- 4.1 Bradley Stoke Town Council  
No objection.

#### Other Consultees

- 4.2 Sustainable Transport  
No objection subject to a financial contribution towards the North Fringe Development Major Scheme (Transport Matters).

#### Other Representations

- 4.3 Local Residents  
No response received.

### 5. ANALYSIS OF PROPOSAL

#### 5.1 Principle of Development

The application site lies within the urban area of Bradley Stoke. Advice contained within PPS3 states that priority for new residential development should be on previously developed land. Using land efficiently is a key consideration in planning for housing. This advice is generally reflected in the Adopted Joint Replacement Structure Plan and the South Gloucestershire Local Plan (Adopted) January 2006.

#### 5.2 Housing Policy

Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for residential development within the boundaries of settlements provided the following criteria are complied with:-

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

In transportation terms, the site is located off the cul-de-sac of The Willows. The proposal provides 2 off-street parking spaces for the existing and proposed dwelling and as such complies with Policy T8 of the adopted Local Plan. A contribution of £1,800 is required to offset the incremental increase in traffic associated with the proposed dwelling which should be secured by an appropriate legal agreement. This contribution will go towards the North Fringe Development Major Scheme (Transport Measures). The applicant has agreed to this contribution should planning permission be granted.

- 5.3 With regard to residential amenity, the principle of a two storey side extension has recently been accepted under planning application PT08/1215/F. The size and design of the proposed extension is exactly the same as that previously approved with the exception of a small single storey extension to the front/side to provide a downstairs toilet and entrance porch.

- 5.4 The site is considered of adequate size to accommodate one dwelling without the proposal resulting in loss of privacy/overlooking/overbearing impact to adjoining and surrounding occupiers. The only property that would be affected by the proposal is that of 8 Carter Walk, a bungalow located to the south of the site. The extension would project some 5m beyond the rear elevation of this property. However, a distance of 3.5m separates the properties as well as 2m

boundary fencing. It is therefore considered that the proposal will not be overbearing to the occupiers of this property. In addition, the proposal will not worsen existing levels of privacy.

- 5.5 In design terms the proposal continues the terrace and follows the ridge, eaves and building line of the existing dwelling. It has been designed to blend with the rest of the terrace and replicates the proportions, design detailing, windows and materials. It is considered that the development will integrate well within the street scene by respecting the existing built form and layout of the area as well as maintaining the site frontage of The Willows. The proposal therefore complies with this criterion.

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

- 5.6 The area of the site, including the existing dwelling has an area of 0.0288 hectares. The erection of an additional dwelling equates to a housing density of 70 dwellings per hectare. The adopted local plan advocates a minimum density of 30 dwellings per hectare and higher densities of upwards of 50 dwellings where local circumstances permit, ie in sustainable locations. Although the density is above this level, the size of the dwelling and the site itself is comparable with other properties of The Willows which is characterised by small properties with limited garden areas. The proposal therefore complies with this criterion.

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

The site is not adversely affected by any of the above.

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

The proposal is for an additional one dwelling. As such it will not impinge significantly in terms of service provision.

- 5.6 Development within Existing Residential Curtilages  
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to development within existing residential curtilages. Such development, including new dwellings, is only permitted where the design is acceptable and in keeping with the street scene, would not prejudice residential amenity or highway safety and allows for the retention of adequate garden area for both the existing and proposed dwellings.

- 5.7 Residential amenity, transportation and design issues have already been assessed above under policy H2. With respect to garden area, the existing property will have a minimum garden depth of just under 10m and an area of some 52m<sup>2</sup>. The proposed dwelling has a minimum depth of 10.6m and an area of approximately 63m<sup>2</sup>. It is considered that the size of both gardens is commensurate with the size of dwellings they serve, as well as other properties of The Willows. The proposal is therefore acceptable in this regard.

- 5.8 Design and Access Statement



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

#### 5.9 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005. However, this contribution could equally be secured through a S278 agreement under the Highways Act.

### 6. CONCLUSION

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

### 7. RECOMMENDATION

- 7.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering a legal agreement to secure the following:-
- (a) A financial contribution of £1,800 towards the North Fringe Development Major Scheme (Transport Matters).
- Reason: To provide a contribution commensurate to the scale of the development towards the North Fringe Development Major Scheme (Transport Matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with policies T12, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- (2) If the legal agreement is not signed within 12 months of this determination then, in view of the length of time the application should either:
- (a) Return to the Development Control Area Committee for reconsideration or alternatively;
- (b) The application should be refused due to the failure to secure the

Heads of Terms listed above under a legal agreement, for the reason listed in section (1) a.

**Background Papers**      **PT08/1849/F**

**Contact Officer:**    **Vivian Butt**  
**Tel. No.**                **01454 863427**

**CONDITIONS**

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

Reason(s):

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

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

Reason(s):

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

3. The hardstanding areas shall be constructed of a bound surface.

Reason(s):

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

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

Reason(s):

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

5. Prior to the commencement of development, a plan indicating the positions, design, materials and type of existing and proposed boundary treatment to be erected to the front and rear of the site shall be submitted to the local planning authority for approval. The boundary treatment shall be completed before the dwelling is occupied and the development shall be carried out in accordance with the approved details.

Reason(s):

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

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

Reason(s):

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

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

Reason(s):

To minimise disturbance to occupiers of nearby dwellings and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

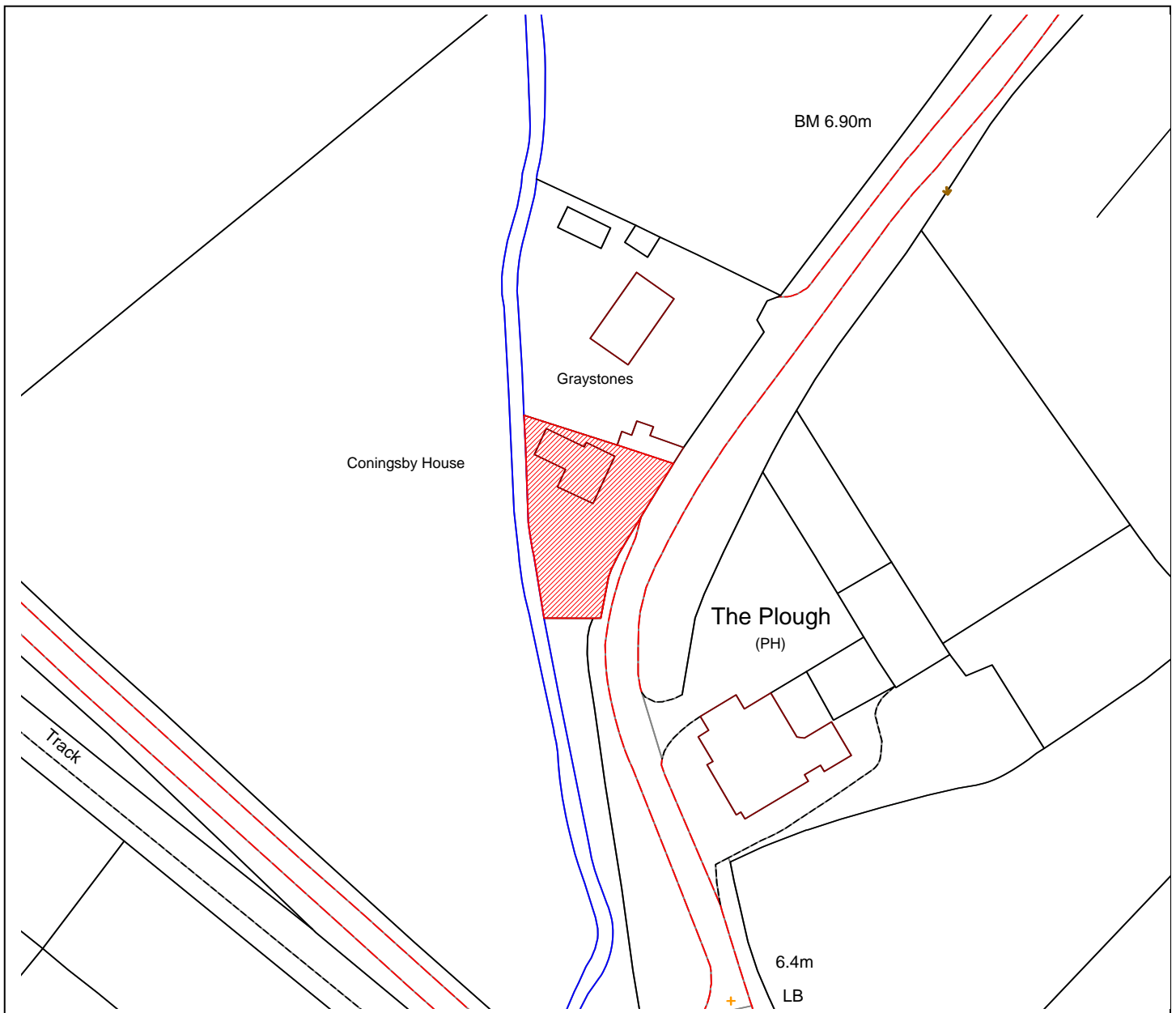
8. The glazing to the bathroom window shall at all times be of obscured glazing, Level 3.

Reason(s):

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

**CIRCULATED SCHEDULE NO. 31/08 – 01 AUGUST 2008**

<b>App No.:</b>	PT08/1850/F	<b>Applicant:</b>	Mr Wakefield
<b>Site:</b>	Coningsby House, Pilning Street, Pilning, South Gloucestershire, BS35 4JJ	<b>Date Reg:</b>	4th July 2008
<b>Proposal:</b>	Erection of side conservatory	<b>Parish:</b>	Pilning and Severn Beach
<b>Map Ref:</b>	56710 84560	<b>Ward:</b>	Pilning and Severn Beach
<b>Application Category:</b>	Minor	<b>Target Date:</b>	19th August 2008



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**N.T.S**

**PT08/1850/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule in view of the comments received from the Parish Council.

### **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for a side conservatory.
- 1.2 The application site forms a detached two-storey dwelling on the west side of Pilning Street, Pilning. The site sits beyond the Pilning settlement boundary and within the Green Belt.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development  
PPG2: Green Belts
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
H4: House Extensions  
GB1: Development within the Green Belt
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)  
Development within the Green Belt (Adopted)

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

- 3.1 P86/1041: Single-storey rear extension to form kitchen and study. Permitted: 26 February 1986
- 3.2 P88/3125: Single-storey rear extension to provide double domestic garage. Permitted: 14 December 1988

### **4. CONSULTATION RESPONSES**

- 4.1 Pilning and Severn Beach Parish Council  
'The parish council supports this application, seeing no good reason why the application should not be granted'.
- 4.2 Other Consultees  
Technical Services (Drainage): no objection in principle
- 4.3 Local Residents  
No comments received

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

- 5.1 Principle of Development  
Policy H4 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety. Further, where in the Green Belt, policies H4 and GB1 advise that works should not form a disproportionate addition over and above the size of the original dwelling.

5.2 Design/ Visual Amenity

The application seeks approval for a side conservatory that would stand to the south side of the dwelling entranced via an existing opening within the side of the lounge. The proposal would measure 4m in width, 5.5m in depth whilst it would be inset from the front and rear walls of the dwelling.

5.3 In this instance, the property sits in relative isolation whilst the proposal would be sited towards the centre of the plot away from the boundaries. As such, and with the design of the proposal considered acceptable, there is no objection to the current proposal on this basis.

5.4 Impact on the Openness of the Green Belt

The property benefits from existing extensions in the form of a single-storey rear extension which in turn is attached to a single-storey double garage; these works comprise a 46% increase (approx.) in floor space to the dwelling.

5.5 This current proposal would add a further 22sqm to the property increasing the floor area of extensions to some 62% over and above the size of the original dwelling. This is considered to cumulatively form disproportionate addition to the property and thus by definition, it is considered that the works would have an adverse impact on the openness of the Green Belt extending the sprawling floor plan of the property. Planning refusal is therefore recommended on this basis.

5.6 Residential Amenity

The application site sits in relative isolation with the site of the proposal at an appreciable distance from all other dwellings. As such, it is not considered that any significant adverse impact in residential amenity would be caused.

5.7 Design and Access Statement

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 Planning Permission is **REFUSED** for the following reason:

**Background Papers**      **PT08/1850/F**

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

## REFUSAL REASON

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt because the proposed extension would result in a disproportionate addition over and above the size of the original building. The applicant has not demonstrated that very special circumstances apply such that the normal presumption against development within the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2, and Policies GB1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 31/08 – 1 AUGUST 2008

App No.: PT08/1855/F

Applicant: Mr Popat  
Foundations 4  
Fortunes LtdSite: 17 Eleventh Avenue, Filton, South  
Gloucestershire, BS7 0QN

Date Reg: 4th July 2008

Proposal: Erection of two storey rear and side  
extension. Conversion of existing  
house to form 2no. flats and 1no. semi  
detached dwelling. Erection of 3no.  
garages. Alterations to access. (Re-  
Submission of PT07/2719/F)

Parish: Filton Town Council

Map Ref: 60616 78516

Ward: Filton

Application Category: Minor

Target Date: 13th August 2008

Category:

Date:



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## 1. THE PROPOSAL

- 1.1 This full application relates to the conversion and extension of this end of terrace property to form two flats and a house. The development will provide a 1 bedroom flat, a two bedroom house and a two bedroom flat. The proposal also involves the demolition of existing outbuilding and single storey rear extension to facilitate the development.

A detached garage block is also proposed, which will accommodate three cars and will have a parking space on each end, a parking space is also proposed at the front of the site. Thus six off street spaces are proposed. A cycle store for six bicycles is also proposed. Vehicular access is proposed off Eleventh Avenue and the access lanes surrounding the site.

Two of the units which have direct access to the garden, will have their own private amenity space, whilst the first floor flat will have access to the shared space on the front garden.

The application site has an area of 0.05 hectares. It is an end-terraced property in a state of disrepair and currently vacant. It is situated on a large triangular shaped plot located to the end of a cul-de-sac serving 22 properties. An access lane serving the rear of 1-55 (odd) Wallscourt Road runs along the side boundary and an access lane serving the rear properties of 1-17 (odd) Eleventh Avenue and 18-38 (even) Tenth Avenue runs along the rear boundary of the site. These access lanes are un-surfaced and unadopted. The site lies within the urban area of Filton.

This is a follow up application to PT07/2719/F which sought consent for a similar scheme to that proposed. That application was refused for the following reasons:

- 1.2 The proposed development by reason of the proposed external stair cases position, would have a harmful and unreasonable impact upon the privacy of the occupiers of the adjoining property, and upon the living conditions of the proposed ground floor flat contrary to Policy H4 / H5 of the South Gloucestershire Local Plan, and the adopted South Gloucestershire Design Check list.
- 1.3 In the absence of a suitable legal agreement there is inadequate mitigation against the cumulative impact small scale developments such as this have on the highway network in the North Fringe of Bristol, contrary to policy T12 of the South Gloucestershire Local Plan.

That application was then subject to an appeal which was dismissed as the inspector considered that the top floor flat had a poor linkage to its private amenity space and as would have a harmful affect upon the amenities to the occupiers of the dwellings. A unilateral undertaking was submitted to provide the transport improvements which was accepted by the inspector.

This application is an attempt to address the inspector's concerns by now only allocating private amenity space at the rear to the ground floor flat and the dwelling.

## 2. POLICY CONTEXT

- 2.1 National Guidance  
 PPS1 Delivering Sustainable Development  
 PPS3 Housing  
 PPG13 Transport
- 2.2 Development Plans  
Joint Replacement Structure Plan  
 Policy 1 Sustainable Development Objectives  
 Policy 2 Location of Development  
 Policy 33 Housing Provision and Distribution
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006  
 D1 Achieving Good Quality Design in New Development  
 H2 Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries  
 H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
 T7 Cycle Parking  
 T8 Parking Standards  
 T12 Transportation Development Control Policy for New Development  
 H5 Residential Conversions
- 2.4 Supplementary Planning Guidance  
 South Gloucestershire Urban Design Checklist adopted 2007

### 3. RELEVANT PLANNING HISTORY

- 3.1 P92/1533 Erection of two storey side extension - Approved 20 May 1992.  
 PT07/0410/F Conversion and extension to form 6 flats - Refused,  
 PT07/2719/F Conversion of dwelling to form 2 flats and extension to form a house .....Refused ....see above.

### 4. CONSULTATION RESPONSES

- 4.1 Filton Town Council  
 a) No response received

- 4.2 Sustainable Transport  
 No objection to the proposal but the following conditions are suggested.

1. A contribution of £1800 is required towards the mitigation of development traffic on the North Fringe Network, prior to the commencement of on site works. The package of measures is detailed in the South Gloucestershire Local Plan (Adopted) January 2006 as Figs 8.2 and 8.3. The funding for the said contribution should be secured via an appropriate legal agreement.

2. The proposed facilities for the on-site parking of motor vehicles shall be provided to the satisfaction of the Local Planning Authority prior to the proposed development and thereafter retained.

- 4.3 Local Residents

5 letters have been received objecting to the proposal on the following grounds:-

- a) Eleventh Avenue is a narrow cul-de-sac;
- b) Increase in traffic/parking;
- c) Noise/disruption caused by construction works;
- d) Out of keeping with area;
- e) Trees have already been felled;
- f) Overdevelopment;
- g) Visitor parking;
- h) Access lane is inadequate and unmade;
- i) Construction may cause encroachment onto property;
- j) Access to existing garages would be difficult;
- k) development encroaches on to lane;
- l) lanes behind the site are classed as private and are supposedly maintained by residents.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The application site lies within a highly sustainable location within the defined urban area of Filton. Advice contained within PPS3 actively encourages new residential development in urban areas on previously developed land as well as the conversion of existing housing. With regard to new housing development, Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant. Policy H5 is also of relevance as it covers the conversion of buildings for residential purposes. These policies allow for new residential development within urban areas provided the following criteria are complied with:-

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

### 5.2 Transportation

It is considered that in this instance the proposed development would not give rise to any unacceptable transportation impacts provided the impact in locality is mitigated by the required financial contribution towards the North Fringe Transport Scheme. Sufficient off street parking has been provided for each dwelling. The applicant has proposed satisfactory cycle and bin storage areas.

The council's officers have considered the issue of pedestrian access to entrance 3 at the side of the building. It is considered that this entrance will not cause any pedestrian concerns as this lane is only sporadically used, and will not lead to any pedestrian safety concerns.

In the event of consent being granted for the development a contribution of £1800 is required via a 278 Highways Act Legal Agreements towards the Bristol North Fringe Transport Scheme.

Therefore there is no transportation objection to the proposed scheme.

### 5.3 Design

It is considered that this proposal in design term terms is broadly acceptable. The external appearance of the building reads as part of the existing terrace. This is in the most part due to the use of matching materials and having detailing such as windows, and barge boards. Thus the proposed building integrates well with the existing dwelling. The same can be said proposed garage building to the rear.

#### 5.4 Residential Amenity

In terms of residential amenity the proposal is considered acceptable, The proposal will not impact upon the neighbouring properties nor will impact upon the amenities of the proposed residents.

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

The site has an area of 0.05 hectares. The provision of 3 residential units on the site results in a density of 60 dwellings per hectare. Although advice contained within PPS3 and the adopted local plan encourages higher density development it is considered that the location of the site and its access arrangements cannot accommodate a housing density of any higher. Thus the density of the development is considered acceptable.

Despite the density proposed each unit will have access to its own area of private amenity space, and garage.

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

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

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

The proposal is for an additional two residential units. Due to the location of the site within the urban area of Filton it is considered that the proposal will not impinge upon service provision within the locality to a significant degree and as such complies with this criterion.

5.5 Policies H4 and H5 of the adopted local plan are also relevant. These policies relate to development within existing residential curtilages and the conversion of existing residential properties into smaller units of self contained accommodation. Such development is permitted only where it respects the design and character of the street scene and would not prejudice the amenities of nearby occupiers or highway safety. All these issues have previously been assessed under the foregoing paragraphs. The proposal therefore does not conform with the principle of development.

#### 5.6 Family Homes.

The issue of the loss of family housing has been raised but this is not considered to be an issue in this area as over 90% of the dwellings in Filton are family homes. Even on this site two bedroom units are proposed with gardens. Also PPS3 encourages a mixture of house types and in this development will help achieve this.

5.7 Other issues

The issue of rubbish in the garden as been raised but this is not a matter for consideration at this time, as should the development be approved then the issue will disappear, should the application be refused then the Council's Enforcement team will investigate and consider the appropriate course of action.

The issue of scaffolding on neighbouring land has been raised but this issue is covered by separate legislation and as such is not a planning consideration.

The issue of workers vehicles blocking Eleventh Avenue has also been raised but this is a police matter and as such is covered by other legislation.

5.8 Design and Access Statement

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

5.9 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 278 Agreement under the Highways act and would satisfy the tests set out in Circular 05/2005.

**6. CONCLUSION**

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

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

**7. RECOMMENDATION**

- 7.1 That Authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant permission subject to conditions set out below and the applicant first voluntarily enter into an agreement under Section 278 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- 7.2 A contribution of £1800 towards the North Fringe Development Proposal (Transport Matters) initiative. The reasons for this agreement are to mitigate against the impact on the Bristol North Fringe local road network to comply with Policy T12.

- 7.3 Should the section 278 agreement fail to be determined within 6 months of this resolution, then the application is refused on the failure to secure the head of term set out in section 1 of the recommendation.

**Background Papers**      **PT08/1855/F**

**Contact Officer: Peter Rowe**  
**Tel. No. 01454 863438**

**CONDITIONS**

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

Reason(s):

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