



**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. 37/08**

**Date to Members: 12/09/08**

**Member's Deadline: 18/09/08**

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: 12/09/08**

**SCHEDULE NO. 37/08**

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
Have you discussed the application(s) with the case officer and/or area team leader?			
Have you discussed the application with the ward members(s) if the site is outside your ward?			

**Please note: - Reason for Referral**

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

**SIGNATURE .....**

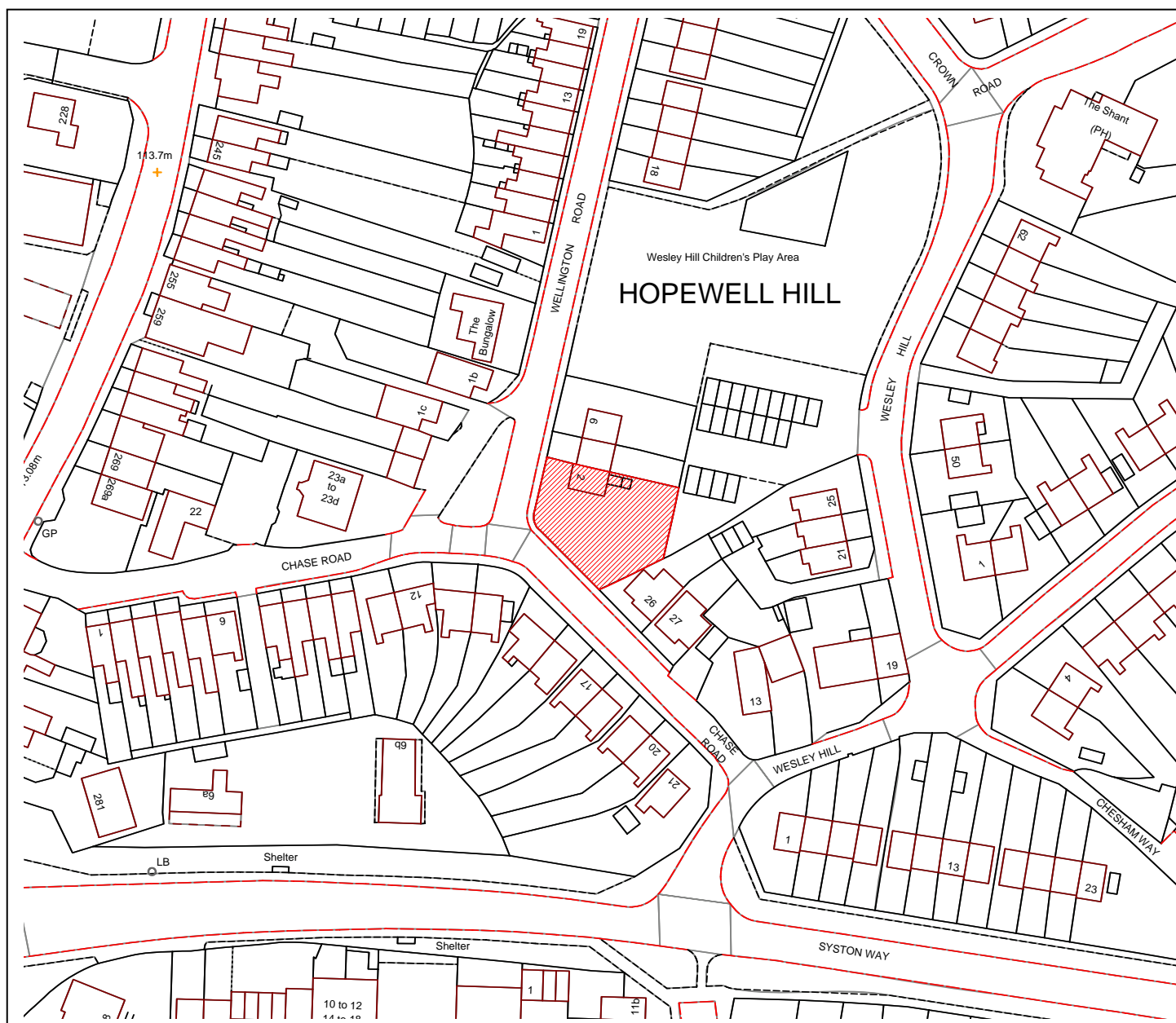
**DATE .....**

# Circulated Schedule 12 September 2008

<b>ITEM NO.</b>	<b>APPLICATION NO</b>	<b>RECOMMENDATION</b>	<b>LOCATION</b>	<b>WARD</b>	<b>PARISH</b>
1	PK08/2174/F	Approve with conditions	2 Wellington Road, Kingswood, South Gloucestershire, BS15 1PS	Kings Chase	
2	PK08/2222/R3F	Deemed consent	23 South Parade, Yate, South Gloucestershire, BS37 4BB	Yate Central	Yate Town Council
3	PK08/2250/F	Approve with conditions	1 Rushy Way, Emersons Green, South Gloucestershire, BS16 7ER	Emersons Green	Mangotsfield Rural Parish Council
4	PK08/2348/R3F	Deemed consent	Chipping Sodbury School, Bowling Road, Chipping Sodbury, South Gloucestershire, BS37 6EW	Chipping Sodbury	Sodbury Town Council
5	PT05/2203/F	Approve with conditions	8 Forest Hills Almondsbury South Gloucestershire BS32 4DN	Almondsbury	Almondsbury Parish Council
6	PT08/2006/R3F	Deemed consent	Bradley Stoke Community School Fiddlers Wood Lane, Bradley Stoke, South Gloucestershire, BS32 9BS	Bradley Stoke Central and Stoke Lodge	Bradley Stoke Town Council
7	PT08/2199/F	Split decision See D/N	12 Bell Cottage, The Hill, Almondsbury, South Gloucestershire, BS32 4AE	Almondsbury	Almondsbury Parish Council
8	PT08/2215/F	Approve with conditions	19 Farley Close, Little Stoke, South Gloucestershire, BS34 6HB	Stoke Gifford	Stoke Gifford Parish Council
9	PT08/2313/F	Approve with conditions	142 Bush Avenue, Little Stoke, South Gloucestershire, BS34 8NF	Stoke Gifford	Stoke Gifford Parish Council
10	PT08/2324/F	Approve with conditions	Garage Court off Filton Avenue, Filton, South Gloucestershire, BS34 7HE	Filton	Filton Town Council

**CIRCULATED SCHEDULE NO. 37/08 – 12 SEPTEMBER 2008**

<b>App No.:</b>	PK08/2174/F	<b>Applicant:</b>	Willowdeen Development
<b>Site:</b>	2 Wellington Road, Kingswood, South Gloucestershire, BS15 1PS	<b>Date Reg:</b>	4th August 2008
<b>Proposal:</b>	Conversion of existing dwelling to form 2no. flats. Erection of 2 storey side extension to form 4no. flats with associated works.	<b>Parish:</b>	
<b>Map Ref:</b>	64737 74540	<b>Ward:</b>	Kings Chase
<b>Application Category:</b>	Minor	<b>Target Date:</b>	19th September 2008



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 100023410, 2008.

**N.T.S**

**PK08/2174/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule following objections received from local residents; the concerns raised being contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application relates to an existing 2 bedroom, end of terrace dwelling house i.e. 2 Wellington Road, situated on a corner plot, 0.053ha in area, at the junction of Chase Road and Wellington Road, Kingswood. The property has a relatively large garden to the side and rear. The location is suburban in character, consisting of a mix of predominantly two-storey dwellings of varying age and design, located along either side of narrow roads. The centre of Kingswood lies a short distance away to the south. Planning permission PK08/1000/F was recently granted for the conversion of no.2 to form 2 flats with the erection of a 2-storey side extension to create an additional 2 flats, plus associated car parking for 4no cars.
- 1.2 In addition to converting no.2 to 2 flats, it is now proposed to erect a larger extension to the side of no.2 to form 4no. flats, making six flats in all. Flats 3 & 6 would have 2 bedrooms whilst the remaining four flats would have only 1 bedroom each. Five new car parking spaces would be introduced to serve the flats, four being accessed from Wellington Road and one from Chase Road.

### **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 - Principles
- Policy 2 - Location of Development
- Policy 17 - Landscape
- Policy 33 - Housing Provision and Distribution
- Policy 34 - Re-use of Previously Developed Land (support for infill)
- Policy 54 - Car Parking Provision

##### South Gloucestershire Local Plan (Adopted) 6th January 2006

- D1 - Design
- L1 - Landscape Protection and Enhancement
- L5 - Open areas
- L17 & L18 - The Water Environment
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- EP7 - Unstable Land
- H2 - Residential Development within the existing Urban Area
- H4 - Development within Existing Residential Curtilages

H6 - Affordable Housing  
LC2 - Provision of Education Facilities  
T7 - Cycle Parking Provision  
T8 - Parking Standards  
T12 - Transportation Development Control Policy for New Development  
LC4 - Proposals for Educational and Community Facilities Within the Existing Urban Area.

Supplementary Planning Guidance  
South Gloucestershire Design Checklist (SPD) adopted 23<sup>rd</sup> August 2007

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

- 3.1 P81/4407 - One house.  
Withdrawn 13<sup>th</sup> Nov 1981
- 3.2 PK08/1000/F - Conversion of 1 no. dwelling to form 2 no. flats. Erection of 2 storey side extension to form 2 no. flats with associated works.  
Approved 23<sup>rd</sup> May 2008

### **4. CONSULTATION RESPONSES**

- 4.1 Parish Council  
Not a parished area.
- 4.2 Other Consultees  
None

#### **Other Representations**

- 4.3 Local Residents  
10no. letters/e.mails of objection have been received from local residents. The concerns raised are summarised as follows:
- Loss of on-street parking.
  - Insufficient parking provision will result in increased on-street parking.
  - Highway hazard.
  - Loss of trees.
  - Overbearing impact on 26 Chase Road – difference in ground levels.
  - Loss of light already from new flats (PK06/1363/F)
  - Loss of privacy to garden of no.26.
  - 1.8m boundary fence should remain in-situ.
  - Loss of retaining wall Chase Rd. – adversely affect neighbouring wall no.26.
  - No visitor parking.
  - Too many flats – overdevelopment.
  - Loss of wildlife habitat.
  - Loss of house values.
  - Disturbance during development phase.
  - Flats built opposite.
  - Inadequate road infrastructure.
  - No site notice posted.
  - Increased surface water run-off in Chase Road.
  - Not in-keeping with street scene.
  - Not enough school places.
  - Excessive scale.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The site lies within the Urban Area and being residential curtilage, is previously developed land and can therefore be assessed as a brownfield windfall site. There is therefore no in-principle objection to the development of the site for residential use.

5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 34 states that in making allocations for housing provision, Councils should give priority to the re-use of previously developed land. Similarly, Policy 33 states that priority will be given to the re-use of previously developed sites *within the urban area*. Furthermore, Policy 2 of the JRSP, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub-regional centres. JRSP Policy 19 requires development to be managed in a manner that respects local character and distinctiveness through good design.

5.3 Government advice contained in PPS3 – ‘Housing’ supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes. The South Gloucestershire Local Plan (Adopted) 6th January 2006 (para.8.26) seeks to “..increase the proportion of smaller dwellings, reflecting the projected growth in one-person households and the existing disproportionate provision of smaller dwellings in South Gloucestershire.”

5.4 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the residential development proposed, subject to the following criteria:

- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity; and
- B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit. Not least, in and around existing town centres and locations well served by public transport, where densities of upwards of 50 dwellings per hectare should be achieved.
- C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
- D. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals.

### 5.5 Density

Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land. PPS3 (para.47) indicates that a national indicative minimum density of 30 dwellings per hectare should be used and whilst not prescribing any maximum figure the PPS encourages the highest density that can be achieved within the various local considerations that need to be taken into account.



The proposal, which includes the conversion of the existing house, equates to 113.2 units per hectare but this higher figure merely reflects the fact that the development would comprise of 6 small flats as opposed to individual dwelling houses.

- 5.6 PPS3 (para.50) states that *“The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.”*
- 5.7 Having re-appraised the position of the site in its spatial context, officers consider that the site is acceptable for high density development. If three terraced dwellings occupied the site this would give a density of 56.6 units per hectare, which falls within the expected range for this sustainable location. Given that the proposed flats would occupy buildings that resemble 3no terraced houses and that the scheme is an innovative design that seeks to make the most efficient use of land within the urban area, the site can accommodate the density of development proposed.
- 5.8 Officers are therefore satisfied that having regard to the site’s constraints relating to its location, pattern of development, landscape characteristics, access, and impact on residential amenity, the proposal represents the most efficient use of the land in what is a sustainable location, close to the centre of Kingswood, within walking distance of the shopping and community facilities and main bus routes. The proposal therefore accords with government guidelines and in terms of its density the development is not considered to be an overdevelopment of the site.
- 5.9 Scale and Design  
Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 requires a good standard of design. Officers acknowledge that a number of local residents have concerns about the design of the proposed building, stating that it would not be in-keeping with the existing street-scene. PPS1 (para. 38) in addressing design issues states that:-  
  
*“Local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness particularly where this is supported by clear plan policies or supplementary planning documents on design.”*
- 5.10 Officers have considered the proposal in the context of the local architectural vernacular. This area of Kingswood is not noted for its aesthetic quality, being suburban in character and although some older properties are in evidence, there is no strong local distinctiveness supported by any supplementary planning documents. Most of the buildings are two-storey brick and render with tiled pitched roofs.
- 5.11 The extension is designed as a continuation of the Wellington Road terrace and in terms of its form and appearance would satisfactorily integrate within the existing built form. The development turns the corner at the junction of Wellington Road and Chase Road and successively steps down to take account of the level changes within the plot.

Sizeable garden areas would be retained to the rear of the buildings. The proposal does not therefore represent an overdevelopment of the site.

5.12 The existing dwelling is a mid C20th building with rendered walls and a tiled roof. The proposed materials to be used to construct the extension would match those of the existing building. The scale and design are therefore acceptable.

5.13 Landscape

The existing garden areas to the side and rear of the property are quite spacious. The land falls away to the rear and side, so that the garden is elevated above Chase Road and the neighbouring property to the rear i.e. no.26 Chase Road. A low level brick retaining wall forms the boundary to Chase Road and Wellington Road. A levels diagram has been submitted, which shows a levels difference of approximately 1.4m from north to south where the extension is proposed to be built. This will undoubtedly require some ground-works to facilitate the erection of the extension. Whilst these works are not likely to be excessive, further sectional details are required, which could be adequately secured by a condition.

5.14 Within the site towards the southern boundary is a belt of Conifer Trees and brambles. Whilst this is not high quality vegetation, it does have amenity value and serves to screen the site from properties along Chase Road. It is proposed to sub-divide the garden area to provide private rear gardens for the ground floor flats, with parking spaces provided to the front and side. The development will inevitably result in the loss of much of the existing vegetation. This will need to be mitigated for by a comprehensive scheme of landscaping, the prior submission and approval of which can be adequately secured by condition. As in the previously approved application, ample garden space has been retained to implement such a scheme of planting. Subject to the aforementioned conditions, there are no landscape objections.

5.15 Transportation

There is currently no off-street car parking provision to serve the existing property. Five off-street parking spaces have been proposed for this development. Under the Council's adopted maximum parking standards, 7no. parking spaces would be the most permissible for the scheme. The Council's Highway Officer is satisfied that the level of parking provision proposed is appropriate for flats of this size, in this sustainable location. Car ownership cannot be assumed in sustainable locations where alternative modes of transport are available i.e. foot, bicycle or public transport. The proposal therefore satisfies the maximum parking standards set out in Policy T8 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. The Policy does not require the provision of visitor parking spaces. Officers do however consider it appropriate to allocate the parking spaces on the basis of one per 2-bed flat and one for the remaining one-bed flats, whichever they may be. Furthermore cycle storage facilities are proposed, the full details of which would need to be secured by condition.

5.16 Parking space 5 off Chase Road, would be enclosed within a retaining wall that abuts a narrow footway. The Highway Officer has raised concerns over the level of inter-visibility between pedestrians using the narrow footway and drivers emerging from a concealed access.

To mitigate this problem a 2m x 2m visibility splay will need to be introduced that will also serve to open up the parking area, thus improving egress onto the adjoining road. Subject therefore to the following conditions, there are no highway objections:

- The proposed access onto Chase Road shall incorporate splays on both sides to the rear of the existing footway based on co-ordinates of 2.0m x 2.0m and which shall be kept free of obstruction above a height of 0.6m.
- The gradient of the proposed access shall not be steeper than 1 in 6.
- Prior to the first occupation of the flats, detailed plans showing 6 sheltered cycle parking spaces shall be submitted and approved.
- The 5no. car parking spaces shall be allocated on the basis of 1no space per 2 bed flat and 1no space for 3no of the 4no remaining one bed flats.

#### 5.17 Impact upon Residential Amenity

The proposed extension would be located on a corner plot but any overlooking of neighbouring gardens from the windows proposed, would be from a reasonable distance, angle and height. Some overlooking of gardens to the front and rear is considered to be inevitable in a densely populated suburban area such as this. The garden most affected would be that of no.26 Chase Road, but this garden is already overlooked from properties in Wesley Hill and Chase Road itself. There is a substantial close-boarded boundary fence and some high vegetation already on the boundary of the application site with this garden. There are no windows in the north-western side elevation of no.26 and the windows in the rear elevation of the extension proposed would not directly face those in the rear of no.26. In the current proposal the block immediately adjacent to no.2 Wellington Road would in fact be set 1.2m further away from the boundary with no.26 Chase Road than that previously approved. The additional block now proposed, turns the corner, so that the side elevation would now be located between 4 to 7 metres from the boundary with no.26. Given that there would be no windows in the flank elevation of the proposed building, there would be no overlooking of no.26 from this direction. Any loss of privacy from overlooking that might occur would be minimal and certainly not considered to be significant enough to justify refusal of planning permission.

5.18 In terms of overbearing impact, concerns have been raised by the occupant of no.26, especially given the levels differences between the application site and the garden area of no.26, which steps up to the rear. The proposed extension would however be set back anything from 4m to 7m from the boundary with no.26 and would not protrude beyond the established building lines in Chase Road. This sort of relationship between neighbouring properties is not considered to be uncommon in built up areas such as this. Given that the proposed flank elevation would be approximately 12m from the main side elevation of no.26 and that there are no windows in the side of no.26 the proposal is not considered to have a significant overbearing impact. Any overshadowing of the garden of no.26 is only likely to be in the late evening, when the sun sets in the west.

5.19 Adequate private amenity space would be provided for the three garden flats; no private amenity space would be provided for the three first floor flats, but this is not uncommon in densely populated areas close to town centres. Separate bike and bin storage areas would be provided.

The space standards of the flats, ventilation arrangements and soundproofing are all controlled under building regulations. Loss of house values is not in fact a material consideration in the determination of planning applications. Officers therefore conclude that the proposal would not have a significant adverse impact upon residential amenity.

#### 5.20 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds. Any increase in noise levels or anti-social behaviour would be the subject of normal environmental health controls. In terms of drainage the Council's Drainage Engineer has raised no objection to the proposal. A condition would however be required to secure the submission of a full drainage scheme, to include Sustainable Drainage Systems (SUDS) and a mining report, for approval before development could commence.

#### 5.21 Affordable Housing

The proposal is for 6no. flats only, which is below the Council's threshold (15) for affordable housing provision.

#### 5.22 Education Service

There is a projected surplus capacity at both primary and secondary schools within the area of the proposed development. For this reason no contributions to the Education Service are requested.

#### 5.23 Community Services

The proposal is for 6no. flats only, which is below the Council's threshold (10) for contributions to Community Services.

#### 5.24 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.

#### 5.25 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 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**      **PK08/2174/F**

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

Reason:

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

3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

4. Prior to the commencement of the development hereby approved, details of the groundworks required including sectional plans shall be submitted to and approved in writing by the Local Planning Authority, thereafter the development shall proceed in full accordance with the details so approved.

Reason:

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

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 Policies 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 Policies EP1, EP2, L17 & L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The off-street car parking facilities, shown on the Proposed Site Plan No. 1944/12 hereby approved shall be provided before the first occupation of the flats so approved, and thereafter retained as such and used only in conjunction with the occupation of the buildings' purpose.

Reason:

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

8. Prior to the first occupation of the flats hereby approved, the cycle parking as shown on the plans hereby approved, shall be provided in the form of a secure and undercover store for 6 cycles .

Reason:

To ensure the provision of adequate and secure cycle parking facilities in accordance with Policy T7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2007.

9. Prior to the commencement of the development hereby approved, details of the junction between the proposed vehicular access off Chase Road and the highway shall be submitted to the Local Planning Authority for approval. The flats hereby approved shall not be occupied nor the use commenced until the access has been constructed to include a 2.0m x 2.0m visibility splay on both sides to the rear of the footway and is available for use in accordance with the approved plans. There shall be no obstructions to visibility exceeding 0.6 metres in height within the splayed areas.

Reason:

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

10. The gradient of the proposed vehicular access off Chase Road shall not exceed 1 in 6.

Reason:

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

11. The 5no car parking spaces shown on the approved Proposed Site Plan No. 1944/12 shall be allocated on the basis of one space per each 2 x bedroom flat and one space each for 3no. of the 1 x bedroom flats, whichever they may be.

Reason:

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

12. The hours of working on the site for the period of construction of the development hereby approved, shall be restricted to 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason:

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

13. 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.

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

Reason:

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

15. No windows shall be inserted at any time in the easternmost side elevation of the property hereby approved.

Reason:

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

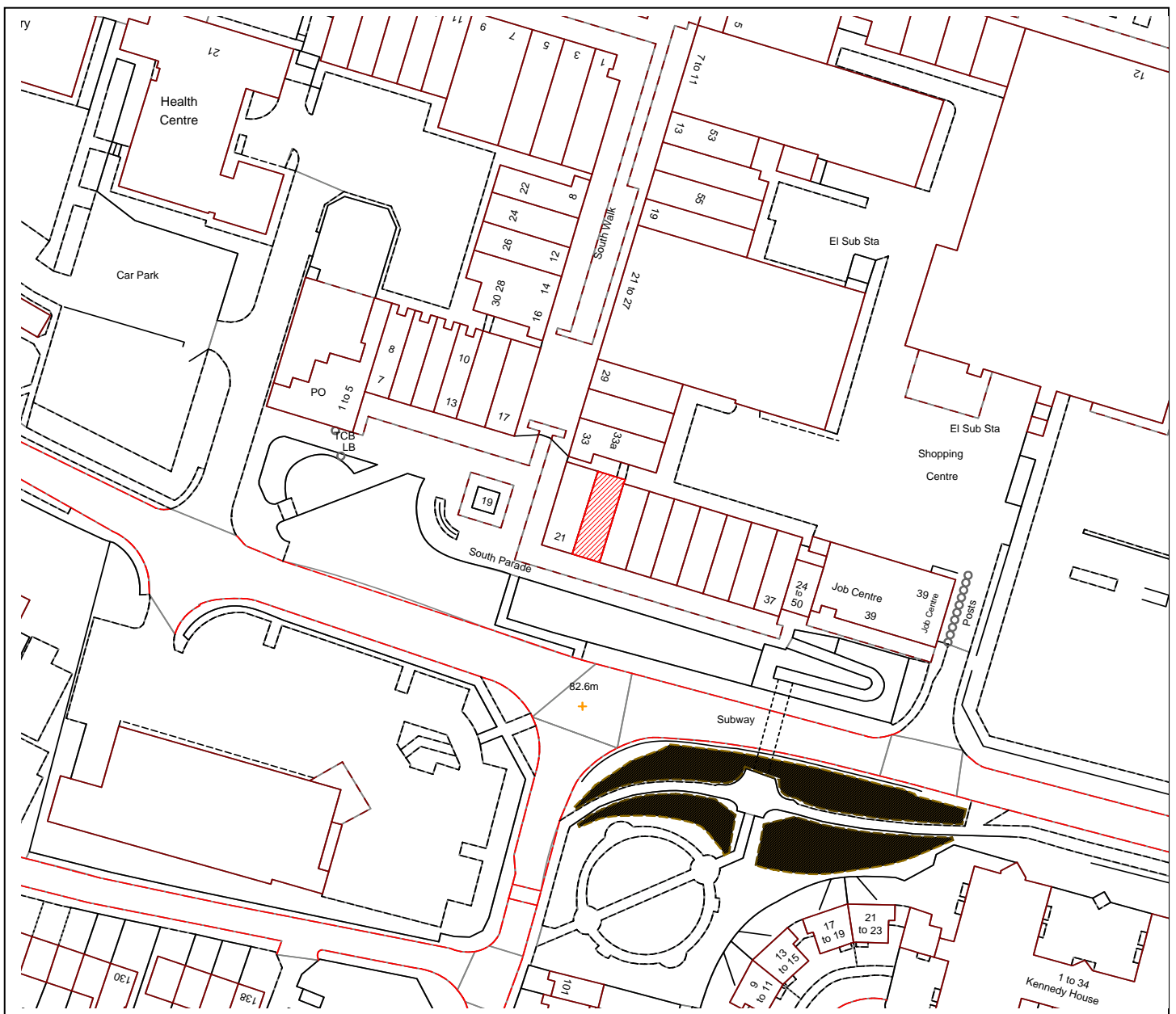
16. Prior to the commencement of the development hereby approved a Coal Mining Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the development can be safely implemented having regard to past coal mining in the area and to identify the possible presence of shafts, adits, drainage levels and culverts, in accordance with Policies EP2 and EP7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

**CIRCULATED SCHEDULE NO. 37/08 – 12 SEPTEMBER 2008**

<b>App No.:</b>	PK08/2222/R3F	<b>Applicant:</b>	Mr I Lyons South Gloucestershire Council
<b>Site:</b>	23 South Parade, Yate, South Gloucestershire, BS37 4BB	<b>Date Reg:</b>	8th August 2008
<b>Proposal:</b>	Change of use from Retail (Class A1) to Library (Class D1) as defined in the Town and Country Planning (Use Classes Order) 1987 (as amended) for a temporary period of 20 months.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	71436 82340	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Minor	<b>Target Date:</b>	24th September 2008





## **INTRODUCTION**

This application is reported on the Circulated Schedule as it relates to an application submitted by the Council itself.

### **1. THE PROPOSAL**

1.1 The proposal is to change the use of a vacant shop unit in South Parade, facing Kennedy Way, but separated from it by a substantial landscaping buffer, into a library to serve Yate while extensions and remodelling takes place to the existing library building in West Walk. To this end, a change of use for a temporary period of 20 months has been applied for.

1.2 The site lies within Yate Town Centre, within a secondary shopping frontage, intended to buttress the primary shopping frontage of South Walk.

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG6 Retailing

2.2 Development Plans  
South Gloucestershire Local Plan  
RT10 Changes of Use of A1 Units in Secondary Shopping Frontages

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

3.1 None

### **4. CONSULTATION RESPONSES**

4.1 Yate Town Council  
No objection

4.2 Sustainable Transport  
No reply received

**Other Representations**  
4.3 Local Residents  
No replies received.

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

5.1 Principle of Development  
This proposal stands to be assessed against the policies listed above, precisely RT10, in the light of all material considerations, under the following headings. The principle of development depends upon whether the proposed use would (a) undermine the established character, vitality or civic role of the frontage or (b) have unacceptable transportation effects.

5.2 Effect of the proposal on character, vitality or civic role of the frontage  
Policy RT10 applies in this instance. This policy sets two tests, as covered above. This involves an assessment of the proposal in terms of the existing secondary frontage uses. This secondary frontage is one of four identified for Yate Town Centre, each buttressing the primary frontage. The site itself is approximately half way along the secondary frontage. In this stretch are a range of shops and hairdressers, along with this empty retail unit. This

demonstrates the character of the area as primarily retail. The test is therefore whether the proposed change of use, would undermine this character. The intention of the policy is set out in the supporting text, where five further tests are set out:

- a) position in the frontage – this has been identified above as central, rather than marginal, to the frontage.
- b) the size of the frontage of the unit in relation to the whole frontage – the site is considered to contribute physically to the make-up of the frontage as a unit of average size. All other units of this size are in use.
- c) The number, distribution of other non-retail uses – the whole frontage is in retail use, with the exception of the site due to it being vacant
- d) The nature of proposed use and level of activity – the proposal is considered to offer an attraction which will aid the vitality of the area for the existing retail uses.
- e) The potential for environmental improvement – the proposal is considered to offer little material by way of improvements to the appearance of the unit, other than to bring it back into use.

Overall, it is considered that, due to the enhancement of vitality through this proposal and the central position of the site within the frontage, the proposal would not undermine the vitality of the secondary frontage and therefore complies with policy RT10. The use proposed is considered to be the type of use appropriate to this location in that it would attract people to the site and wider area, thereby strengthening the nearby primary shopping frontage.

### 5.3 Transportation

Since the site is in a reasonably sustainable location and proposed use would not necessarily generate more traffic than the authorised retail use, the proposal represents no worsening of the current situation in transportation. Adequate parking is available in the town centre car parks in general and the proposal, for a temporary period, is not considered to require its own dedicated parking provision.

### 5.4 Residential Amenity

Due to the site's location within a purpose built town centre, it is considered that the proposal would have no impact upon existing levels of residential amenity.

### 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 approve 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 approved for a temporary 20 month period, as in the conditions shown below.

**Background Papers      PK08/2222/R3F**

**Contact Officer:    Chris Gosling**

**Tel. No.                01454 863787**

**CONDITIONS**

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

Reason:

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

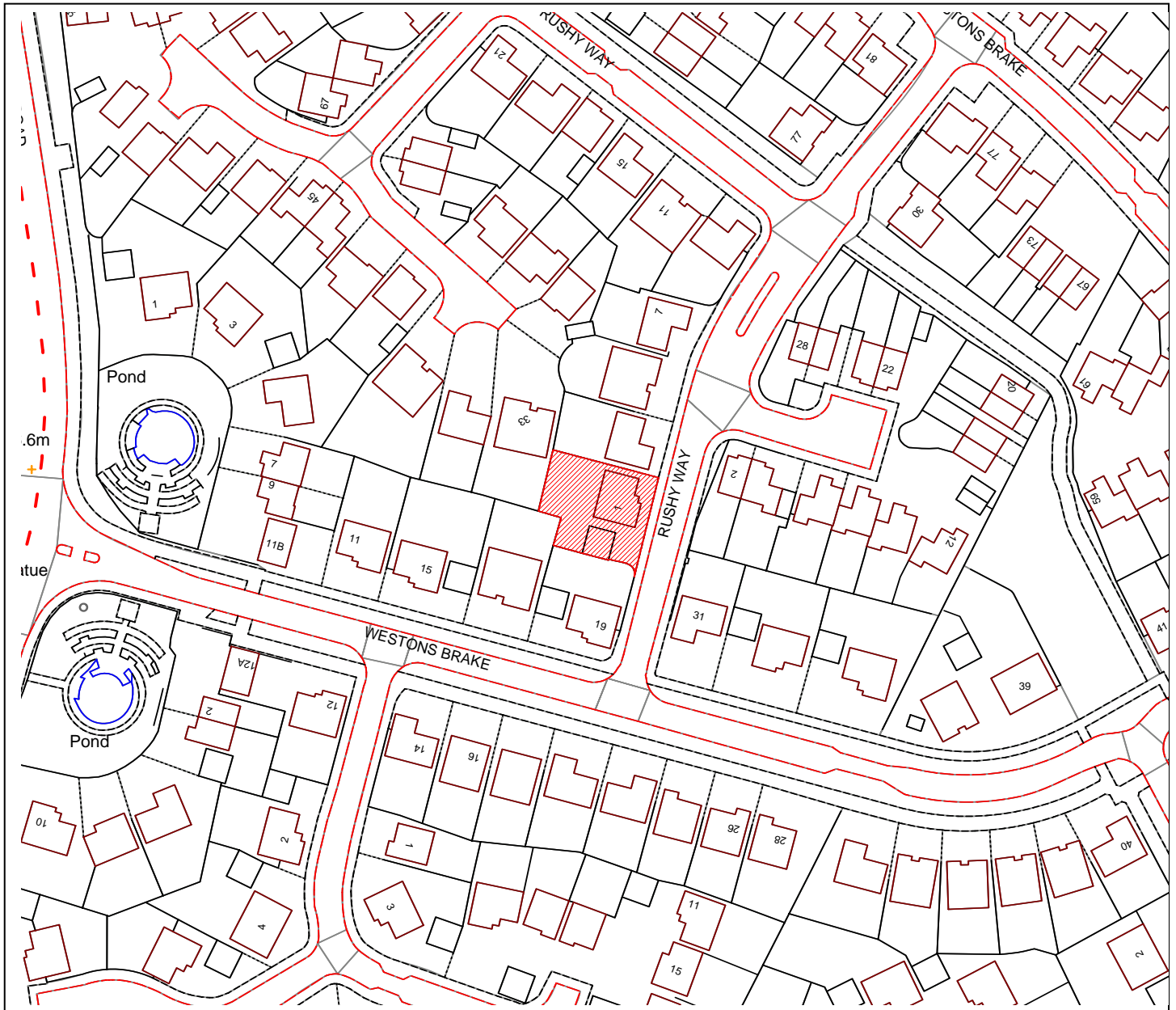
2. The use hereby permitted shall be discontinued on or before 31 January 2010.

Reason:

In accordance with the temporary nature of the use applied for and to promote retail uses in the longer term in the town centre in accordance with policy RT10 of the adopted South Gloucestershire Local Plan.

**CIRCULATED SCHEDULE NO. 37/08 – 12 SEPTEMBER 2008**

<b>App No.:</b>	PK08/2250/F	<b>Applicant:</b>	Mr D Holbrook
<b>Site:</b>	1 Rushy Way, Emersons Green, South Gloucestershire, BS16 7ER	<b>Date Reg:</b>	11th August 2008
<b>Proposal:</b>	Erection of detached timber summerhouse.	<b>Parish:</b>	Mangotsfield Rural Parish Council
<b>Map Ref:</b>	66197 78323	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Minor	<b>Target Date:</b>	8th October 2008



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**N.T.S**

**PK08/2250/F**

## **INTRODUCTION**

This planning has been referred to the Council's Circulated Schedule Procedure as the local resident is concerned about the height of the roof.

### **1. THE PROPOSAL**

1.1 This planning application seeks planning permission for the erection of a timber summerhouse at the rear garden of No. 1 Rushy Way, Emersons Green. The summerhouse would measure 4.27 metres wide by 3.65 metres deep and the ridge height would be approximately 2.8 metres. The existing greenhouse and shed will be removed to make way for the proposed summerhouse.

1.2 The application site relates to a purpose-built two storey detached dwelling which is sited within the residential area of Emersons Green.

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Extensions

2.3 Supplementary Planning Guidance  
South Gloucestershire Advice Note no.2 Extensions

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

None.

### **4. CONSULTATION RESPONSES**

4.1 Mangotsfield Rural Parish Council  
No objection.

#### **Other Representations**

4.2 Local Residents  
A letter is received, the local resident makes an observation on the height which is approx. 9ft to the apex of the roof.

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

5.1 Principle of Development  
Policy H4 of the SGLP (Adopted) January 2006 allows for extensions to existing dwellings and development within existing residential domestic curtilages subject there may be no adverse impact on existing visual and residential amenities.

## 5.2 Visual Amenity

The application seeks planning permission for the erection of a detached summerhouse which will be sited within the southern corner of the garden. The proposed summer house is considered acceptable in terms of scale and design. Members are advised to consider that given the size of the existing garden, it is considered that the proposed developments would not result in overdevelopment of the site.

## 5.4 Residential Amenity

The local resident of No. 19 Westons Brake raised a concern about the height of the summerhouse.

The summerhouse, which is approximately 2.8 metres height to its ridge, would be one metre away from the rear boundary of No. 19 Westons Brake, and it would have a low pitched roof. Most part of the building would be screened by the existing timber fence, which is approximately 1.8 metre high. The building would approximately 9 metres from the rear elevation of No. 19, and approximately 6 metres from the rear elevation of No. 17. It is therefore considered that the proposal would not cause significant overbearing impact upon the neighbouring properties to warrant a refusal of this application.

The proposed building is a single storey structure and no windows are proposed on the rear and side elevations. It is therefore considered that the proposal would not cause any loss of privacy or inter-visibility upon the neighbouring properties.

## 5.5 Design and Access Statement

As this is a householder application, Design and Access Statement is not required.

## 5.6 Section 106 Requirements

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

# 6. CONCLUSION

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

The recommendation to grant 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**      **PK08/2250/F**

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

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

### **CONDITIONS**

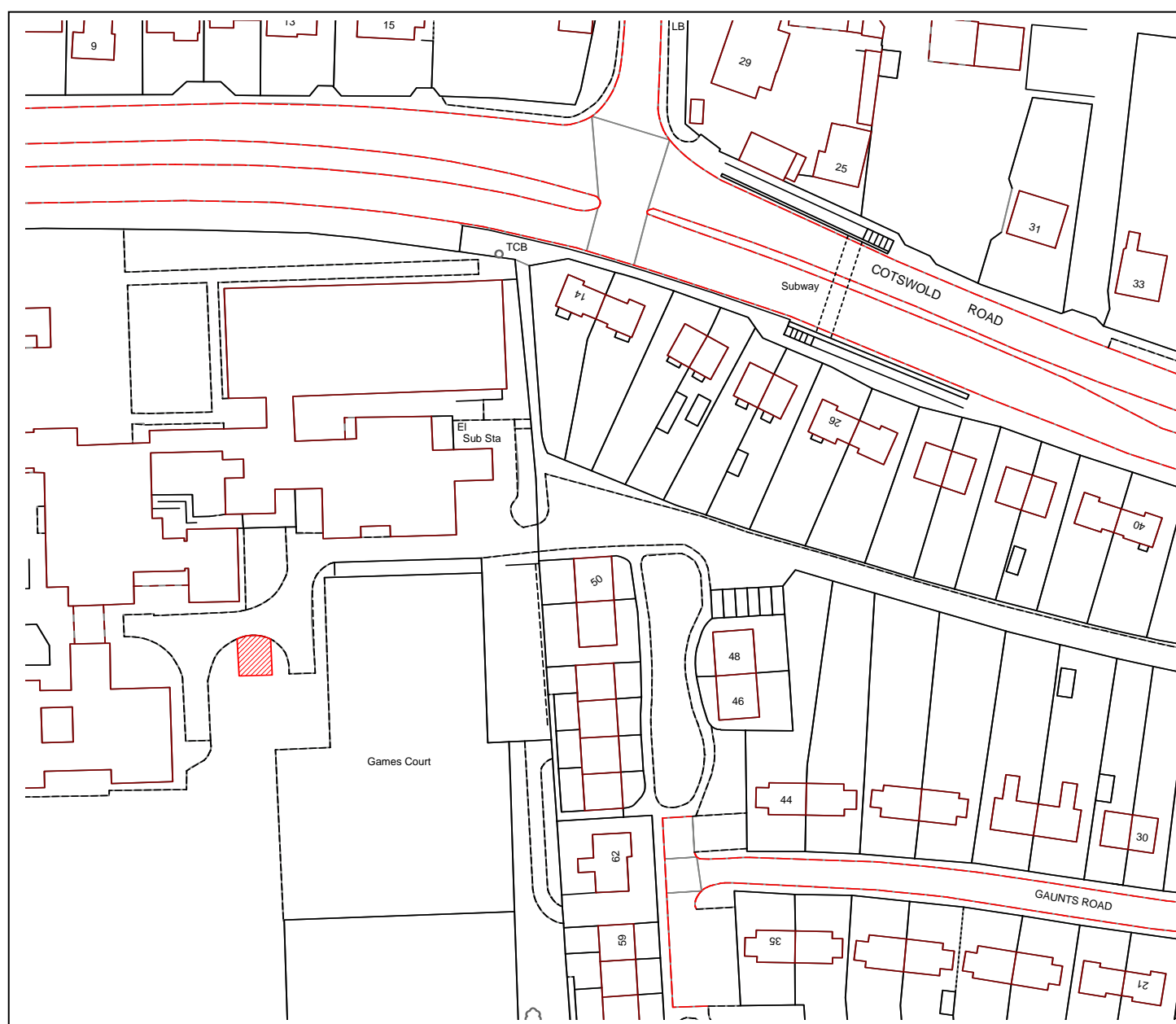
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

## CIRCULATED SCHEDULE NO. 37/08 – 12 SEPTEMBER 2008

<b>App No.:</b>	PK08/2348/R3F	<b>Applicant:</b>	Chipping Sodbury School
<b>Site:</b>	Chipping Sodbury School, Bowling Road, Chipping Sodbury, South Gloucestershire, BS37 6EW	<b>Date Reg:</b>	20th August 2008
<b>Proposal:</b>	Erection of replacement garage and store.	<b>Parish:</b>	Sodbury Town Council
<b>Map Ref:</b>	72752 81744	<b>Ward:</b>	Chipping Sodbury
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th October 2008



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**N.T.S**

**PK08/2348/R3F**



## **INTRODUCTION**

This application appears on the Circulated Schedule in accordance with Council procedure as this is a Regulation 3 application – the application is on land within the ownership of South Gloucestershire Council.

### **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for the erection of a large building within the grounds of the school. The purpose of the building is to form a garage for the schools mini bus and also to store outdoor sports equipment. The building will be a steel clad structure coloured olive green. Sodbury School itself is a locally listed building.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

L15 Locally Listed Buildings

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

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

### **4. CONSULTATION RESPONSES**

- 4.1 Sodbury Town Council  
No Response received

#### **Other Representations**

- 4.2 Local Residents  
None Received.

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

- 5.1 Principle of Development

Policy D1 seeks to ensure that the design of the building is appropriate and sympathetic for its setting. Policy D1 seeks to ensure that new development respects the site and the wider locality.

- 5.2 Design

The proposed building is to be of substantial size. The building will be 8m x 12m and have a height to the eaves of 3.5 metres. The height of the building is somewhat dictated by the fact that it is to be used to park a mini bus. The building is to be located relatively centrally within the school grounds and will be tucked up close to the other school buildings. Whilst the structure will be visible from outside of the school site, views of it will be limited.

Although the steel clad building would appear rather utilitarian, it is visually separated from the locally listed building by other structures. Overall it is not considered that the proposal would harm the historic and architectural interest of this locally listed building or its setting.

5.3 Transportation

The new shed would be erected on what is currently a grassed area. The proposal would have no impact upon existing levels of parking at the school – with the exception of providing a secure parking space for the schools mini bus.

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 and help justify the need for the large building.

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.

6.1 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 approved subject to the following conditions;

**Background Papers**      **PK08/2348/R3F**

**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. The building hereby approved must be coloured Olive Green as detailed on the application form unless the Local Planning Authority gives written consent for any variation.

Reason:

In order to ensure the building blends into its surroundings as far as possible in the interests of the visual amenity of the area and to accord with the requirements of Policy D1 of the South Gloucestershire Local Plan (Adopted).

## CIRCULATED SCHEDULE NO. 37/08 – 12 September 2008

<b>App No.:</b>	PT05/2203/F	<b>Applicant:</b>	Mr J A Rudge
<b>Site:</b>	8 Forest Hills Almondsbury South Gloucestershire BS32 4DN	<b>Date Reg:</b>	28th July 2005
<b>Proposal:</b>	Change of use of land from redundant highway turning head to residential curtilage.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	60854 84387	<b>Ward:</b>	Almondsbury
<b>Application Category:</b>	Minor	<b>Target Date:</b>	12th September 2005



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N.T.S

PT05/2203/F

## **UPDATE REPORT**

### **Introduction**

Members are advised that this application appeared on the Circulated Schedule 9 September 2005. The resolution was for conditional consent subject to the applicant first entering into a section 106 legal agreement. The original planning report is appended below. In the intervening period there has been little progress on the section 106 agreement; and given the length of time that has elapsed since this resolution is such that the prospect of a legal agreement being signed now is unrealistic; and furthermore the policy context would need to be reviewed. Accordingly this recommendation is based on the lack of progress that has been; and is likely to be made in relation to the legal agreement, as the planning application cannot remain unresolved indefinitely.

### **Analysis**

The proposal, history and consultation responses are set out in the original report. Members are advised that the policy context has changed in the South Gloucestershire Local Plan was adopted in 2006, and this would be the relevant Development Plan policy under which the application should be assessed. However, there is no material change to the conclusions reached in terms of planning merit.

Nevertheless, in light of the failure to enter into a section 106 agreement to secure the following:

- a) The reinstatement of the pavement to the front of 8 Forest Hills, Almondsbury, and
- b) B) The diversion of any services which currently pass under the site;

It is recommended that the planning application be refused.

### **Recommendation**

That the planning application is refused for the following reason.

“ The proposal does not make adequate provision to reinstate the pavement, nor make adequate alternative provision for any services that pass under the site to the front of 8 Forest Hills, Almondsbury. This is contrary to the interests of Highway Safety and policy T12 of the South Gloucestershire Local Plan (adopted) January 2006.

## **1. THE PROPOSAL**

- 1.1 This planning application seeks full planning permission for the change of use of a redundant head to residential curtilage. The site is where the development is proposed is quiet road within the settlement of Almondsbury. The road had has houses on one side and an open view to the other side across the Severn estuary. The village of Almondsbury is located within the Bristol and Bath Green Belt.
- 1.2 The road at present has two turning heads within close proximity to each other. The other turning head is approximately 40 metres away and is sited at the end of the road.

## **2. POLICY CONTEXT**

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belt
PPG13	Transport

2.2 Rural Areas Local Plan

- RP1 General Policy for development  
RP34 Development with the Green Belt

2.3 South Gloucestershire Local Plan (Revised Deposit Draft)(Incorporating Proposed Modifications)

- D1 Design  
GB1 Green Belt  
T12 Transportation

3. **RELEVANT PLANNING HISTORY**

- 3.1 None which affect the determination of this application

4. **CONSULTATION RESPONSES**

4.1 Almondsbury Parish Council:

Objects to the proposal on the following grounds:

- The applicant will enhance his property greatly , and that residents have paid for the lands up keep until now
- The footpath must be kept and pavement reinstated

4.2 Local Residents:

No responses received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Green Belt

In determining applications such as this it is important to consider policies RP34 of the Rural Areas Local Plan and more importantly GB1 of the South Gloucestershire Local Plan (Revised Deposit Draft)(Incorporating Proposed Modifications) which reflect the up to date guidance contained within PPG2 on Green Belts. Policy GB1 allows for the change of use of land provided that it would not have a materially greater impact than the present authorised use on the openness of the Green Belt and would not conflict with the purpose of including land within it.

It is considered that in this instance the change of use of the highway to residential curtilage will not impact upon the openness of the Green belt in this location. This is in the main due to the elevated position this road has over the rest of Almondsbury, thus there will be no visible difference unless one is viewing the site from Forest Hills. Changing from highway to residential use will ensure that this property will match the rest of the properties in the area. It is considered that the proposal will have no greater impact upon the openness of the Green Belt.

5.2 Design/layout

In conjunction with the above policies it is also important to consider the requirement of Policies D1 of the South Gloucestershire Local Plan (Revised Deposit Draft)(Incorporating Proposed Modifications) and RP1 of the rural

Areas Local Plan which both seek to ensure that the proposed development achieves a good standard to site design There can be in terms of layout, design, landscape impact , access and public safety.

It is considered that the proposed change of use will ensure that the front of this property will match the others in the vicinity. Thus it will be in keeping with area generally. The development will not impact upon the surrounding landscape.

### 5.3 Transportation

Policy T12 of the South Gloucestershire Local Plan (Revised Deposit Draft)(Incorporating Proposed Modifications) specifically deals with the transportation implications of any new development. It states that development will only be allowed where it does not contribute to a greater increase in traffic congestion, doesn't impact upon highway safety nor would it impact upon the residential amenities of any of the surrounding properties.

5.4 The development will not impact upon public safety or access. In order to ensure this the applicant has voluntarily agreed to reinstate the foot path and divert any services which run under the footpath in its present location, but this will be made the subject of a Section 106 Agreement.

5.5 Furthermore, it is considered that in this instance the proposed development will not conflict with transportation policy. These primarily due to the fact that this is

a quiet road and presently has two turning heads. The other turning head is the one that is used predominantly as it at the end of the road. The one subject to this application has the appearance of being underused with moss and leaves collecting in it. The road is wide enough should people wish to turn prior to the turning head, and a three-point turn could be executed successfully.

### 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, having regard to the above advice, the issues of Highway improvements are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

## 6. CONCLUSION

6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), 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 Rural Areas Local Plan and in the South Gloucestershire Local Plan (Revised Deposit Draft) (Incorporating Proposed Modifications) set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

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

- a) The reinstatement of the pavement to the front of 8 Forest Hills Almondsbury to full and final satisfaction of the Highways Authority
- b) The diversion of any services which currently in pass under the site

The reasons for this Agreement are:

1. In the interests of Highway Safety
2. That the Head of Legal and Democratic Services be authorised to prepare and seal the Agreement.

**Background Papers**      **PT05/2203/F**

**Contact Officer:**    **Helen O'Connor**  
**Tel. No.**                **01454 863438**

## **CONDITIONS**

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

Reason(s):

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



**CIRCULATED SCHEDULE NO. 37/08 – 12 SEPTEMBER 2008**

**App No.:** PT08/2006/R3F  
**Site:** Bradley Stoke Community School, Fiddlers Wood Lane, Bradley Stoke, South Gloucestershire, BS32 9BS

**Applicant:** Mr Casey  
**Date Reg:** 16th July 2008

**Proposal:** Erection of two-storey sixth form centre, dance studio/ gym and single-storey changing rooms; additional and repositioning of cycle shelter facilities, extension to car park and associated works.

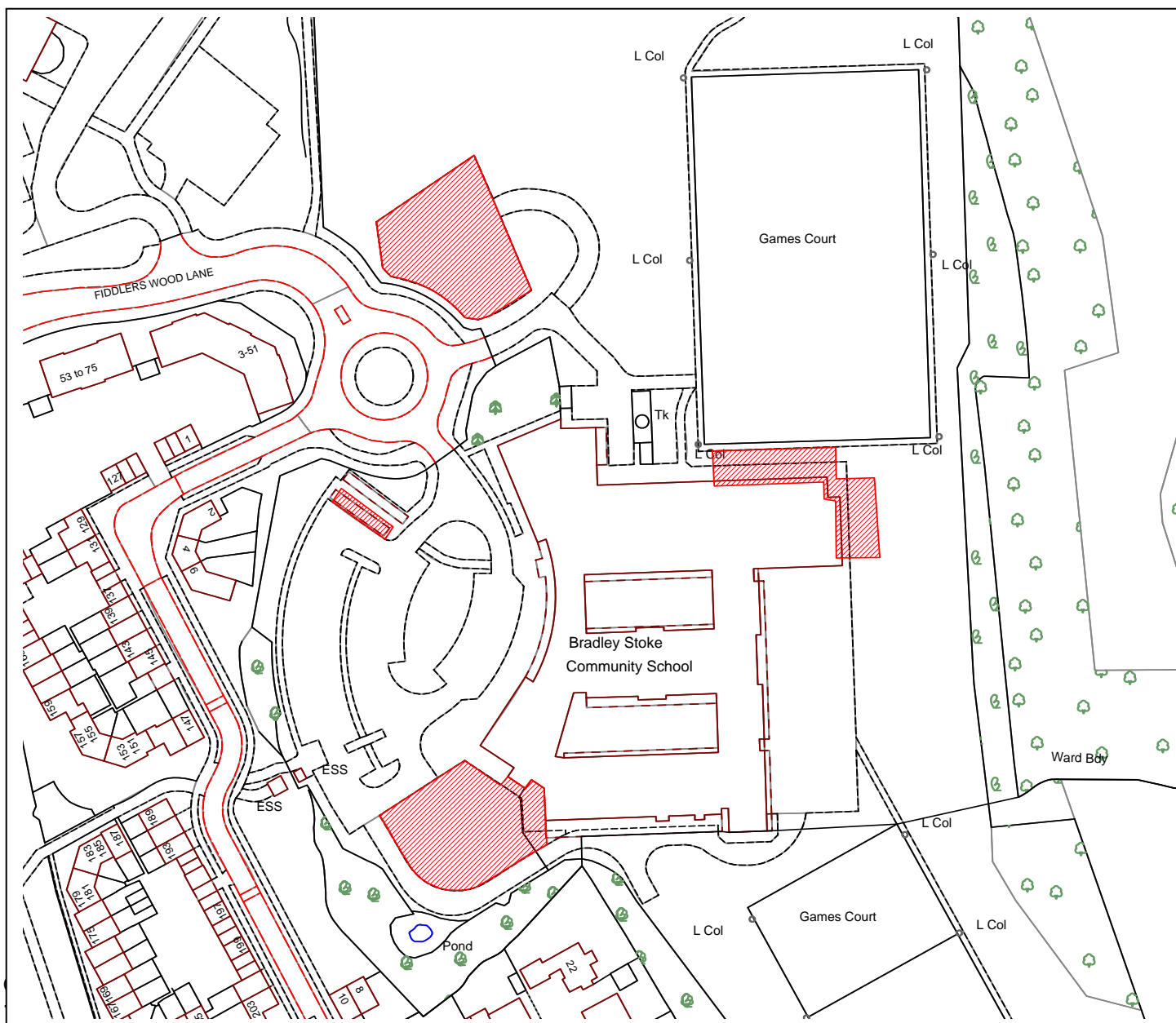
**Parish:** Bradley Stoke Town Council

**Map Ref:** 62437 81881

**Ward:** Bradley Stoke Central and Stoke Lodge

**Application Category:** Major

**Target Date:** 2nd October 2008



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This application appears on the Circulated Schedule given that it forms a 'major' submission which furthermore, has been submitted by the Council. One letter of objection has also been received from a neighbouring resident.

## **1. THE PROPOSAL**

- 1.1 The application relates to Bradley Stoke Community School accessed via Fiddlers Wood Lane, Bradley Stoke.
- 1.2 The application seeks full planning permission for the erection of a two-storey sixth form centre, two-storey dance studio/gym, single-storey changing rooms and for alterations to the existing cycle/ car parking facilities.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development  
PPG13: Transport  
PPG24: Planning and Noise
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
LC4: Proposals for Education and Community Facilities  
T7: Cycle Parking  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development  
L1: Landscape Protection and Enhancement  
L18: The Water Environment
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PT03/1914/R3F: Erection of secondary school, sports pitches and associated landscaping, parking and access. Deemed Consent: 22 December 2003

## **4. CONSULTATION RESPONSES**

- 4.1 Bradley Stoke Parish Council  
No objection
- 4.2 Other Consultees  
Highways DC: no objection  
Landscape Officer: no objection  
Technical Services (Drainage): no objection in principle  
Wessex Water: statutory comments  
Police Community Safety Dept.: no comment (having worked with architect)

## **Other Representations**

#### 4.3 Local Residents

Two letters of objection (one household) expressing the following concerns:

- The extension will encroach further onto the neighbouring properties and might reduce light, restrict views, increase noise and devalue property;
- Viewing the plans provides no comfort in respect of the above.

### 5. ANALYSIS OF PROPOSAL

#### 5.1 Principle of Development

Planning policy D1 states that development will only be permitted where good standards of site planning and design are achieved. In particular, proposals will be required to demonstrate that siting, layout, form, scale, height, massing and detailing respect and enhance the character, distinctiveness, and amenity of both the site and the locality.

#### 5.2 Planning policy LC4 details that proposals for the development, expansion or improvement of educational or community facilities within the existing urban areas and settlement boundaries will be permitted provided that:

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

#### 5.3 Planning policy T12 cites that new development will only be permitted (in terms of transportation) where (considered here most relevant), it:

- Provides adequate safe, convenient, attractive and secure access and facilities for pedestrians, cyclists, and people with disabilities; and
- Provides safe access capable of accommodating the motorised traffic that is generated by the proposal; and
- Would not create or unacceptably exacerbate traffic congestion, or have an unacceptable effect on road, pedestrian and cyclist safety; and
- Would not generate traffic that would unacceptably affect residential amenity or other environmentally sensitive areas in terms of noise, vibration or air quality.

#### 5.4 Design/ Visual Amenity: Sixth Form Centre

The application relates to Bradley Stoke Community School; a modern two-storey building accessed via Fiddlers Wood Lane. The application seeks full planning permission for the erection of a new two-storey sixth form centre, two-storey dance studio/ gym and single-storey changing room facilities. It would also make provision for additional cycle parking and car parking facilities.

#### 5.5 The sixth form centre would comprise the largest part of the scheme and would adjoin the far southern end of the existing school building overlooking the front car parking area. In this regard, the Design & Access Statement submitted as part of the application details that when the school was originally built, this area of land was allocated for a future sixth form centre; an analysis of the school site has further confirmed this as the only viable option.

#### 5.6 The proposal has been designed to act as a 'termination to the curving façade of the main building' which currently wraps around the main access road serving the school. A two-storey building is required to ensure the necessary

- facilities on this restricted site, this has manifested itself in a two-storey curved wing that runs along the side and rear boundaries which would encompass an open atrium to the front. In this regard, the shape of the proposal complements that of the school although it has been designed to appear 'visually different' to provide the sense of a 'school within a school'; i.e. it would have its own identity to reflect the aspirations of the sixth formers.
- 5.7 Materials would comprise vertical timber boarding to the single-storey element at the front of the building with walls of the curved two-storey section to be rendered (ivory) with blue coloured brickwork. The roof encompassing both the single-storey and two-storey parts of the build would comprise a low growing sedum mat (grassed appearance) with the roof to the central atrium clad in a standing seam metal to provide a visual contrast.
- 5.8 In view of the above, the design of the proposed sixth form centre is considered to be acceptable providing a building of high quality appearance to complement that of the existing premises. It would also provide a strong focal point when approaching the school providing the required 'termination point' within this corner; accordingly there is no objection to the current proposal on this basis.
- 5.9 Design/ Visual Amenity: Dance Studio  
The application also makes provision for a dance studio/ gym which would form an extension to the existing building at the rear of the school. This would be sited behind the sports hall and would also include a new single-storey block to the side of the sports hall to provide additional changing room facilities.
- 5.10 The dance studio/ gym would comprise a two-storey addition although would appear subservient to the sports hall adopting a lower roof height with front and rear walls inset. It would be encompassed by a 'gull-wing' roof replicating that above the sports hall and utilise a palette of materials to match those of the existing building.
- 5.11 The proposed changing rooms would stand adjacent to the existing sports hall alongside the all weather playing pitch allowing for their use outside of school hours. This element of the proposal would be encompassed by a lean-to roof although by virtue of the existing lean-to projection in this position, the two-roof shapes combined would again replicate that above the sports hall and new dance studio/ gym. It is noted that neither of these additions would appear readily visible from the public viewpoints when stood to the front of the school.
- 5.12 In view of the above, these elements of the proposal are also considered to be acceptable and thus there is no objection to the current proposal on this basis.
- 5.13 Design/ Visual Amenity: Alterations  
The proposal would also provide an additional cycle shelter to accommodate 60-80 bicycles and provide six additional car parking spaces within the main car park; achieved by the relocation of an existing cycle shelter.
- 5.14 Concerning the cycle parking provision, existing facilities would be consolidated adjacent to the main entrance to the north of the school building by reason of the relocation of two existing shelters from within the car park to this position in addition to the introduction of the additional shelters now proposed. Six new car parking spaces would be provided in lieu of the relocated shelters.

- 5.15 There is again no objection to this element of the scheme with it noted that these alterations would help to separate cycle and vehicle movements.
- 5.16 Landscape Impact  
The proposed sixth form centre would benefit from a backdrop of semi-mature trees that would provide a good buffer and degree of privacy to the residential properties behind. It is noted that four recently planted Alder trees would need to be removed; however, their loss would be mitigated for within the overall scheme.
- 5.17 Construction of the dance studio/ gym and changing rooms would necessitate the removal of six young Birch trees and two further Alder trees. Nonetheless, these are noted to form relatively poor specimens and again, their loss would be mitigated for as part of the overall scheme.
- 5.18 Concerning the existing and proposed cycle parking facilities, it is noted that these occupy an elevated position within the application site. Nevertheless, the existing planting provides screening with this further enhanced as part of the proposals.
- 5.19 For the reasons outlined above, there is no landscape objection to this current proposal.
- 5.20 BREEAM Assessment  
The application is accompanied by a BREEAM schools pre-assessment; this establishes an estimated score of 50 which equates to a BREEAM 'Good' rating. A score of 55+ is required to achieve a BREEAM 'Very Good' rating.
- 5.21 In response, the South Gloucestershire Local Plan lacks any policy requirement to help achieve a specific BREEAM rating with planning policy D1 providing the only relevant policy basis; this requires that development proposals incorporate measures to achieve energy conservation and the protection of environmental resources. In view of this policy position, the Council initially sought to achieve a 'Very Good' BREEAM for all major development with PPS1 and policy D1 providing limited justification for this requirement.
- 5.22 Notwithstanding the above, the proposed changes to the forthcoming South West Regional Spatial Strategy (published in July of this year) deleted Policy G (Sustainable Construction) from this policy document. In so doing, Government justified this approach stating that 'The secretary of State does not agree with the Panel's recommendation to endorse the accelerated introduction of more demanding standards of building sustainability on a region wide basis'.
- 5.23 For the above reasons, it is not considered that planning permission could be reasonably withheld on this basis, nor that a condition requiring a very good BREEAM rating could be justified.
- 5.24 Residential Amenity  
Given the size of the school site, Bradley Stoke Community School adjoins only a relatively limited number of residential properties with the majority of these located to the opposite side of Champs Sur Marne. This dictates that there are only a handful of residential dwellings which adjoin the site directly; these front Champs Sur Marne to the rear of the proposed sixth form block.

5.25 Existing tree screening within this corner of the application site limits views through to these dwellings with it noted that the two-storey building has been designed to appear inward facing and would also be inset from this boundary. For these reasons, and with an appreciable distance retained between the proposal and these properties, it is not considered that any significant adverse impact in residential amenity would be caused.

5.26 The dance studio/ gym and changing rooms would be positioned to the rear of the application site well away from neighbouring dwellings. For this reason, it is not considered that any significant adverse impact in residential amenity would be caused. Similarly, it is also not considered that the creation of the additional car parking spaces or the additional cycle parking facilities would result in any significant adverse impact in residential amenity.

5.27 Highway Safety

The Council's parking standards suggest one space per two members of staff might be provided at a ratio of 0.5. The proposal would allow a total of 116 parking spaces that would provide for 130 members of staff at a ratio of 0.89. Although this would exceed the Council's maximum standards it is important in this location that some spaces are made available for visitor parking to reduce the potential for overspill parking within the locality. Accordingly, there is no transportation objection to the current proposal on this basis.

5.28 The school has been pro-active in promoting sustainable forms of transport and in March 2007 a School Travel Plan was submitted to the Council. This included a number of initiatives including a further 70 cycle parking spaces as part of this application. To this extent, the overall level of cycle parking (400 in total) significantly exceeds the Council's minimum standards. Accordingly, there is again no objection to this proposal on this basis; a condition is however required to provide clarity in respect of the new cycle/ parking arrangements.

5.29 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.

5.30 Section 106 Requirements

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

## 6. CONCLUSION

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

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

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

## **7. RECOMMENDATION**

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

### **Background Papers**      **PT08/2006/R3F**

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

### **CONDITIONS**

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

Reason(s):

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

2. No development shall take place until details/samples of the roofing and external facing materials proposed to be used for the sixth from centre 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(s):

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

3. The materials to be used in the construction of the external surfaces of the dance studio/ gym and changing rooms 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.

4. Within 6 months of the date of the decision drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or during the first available planting season.

Reason(s):

To protect the character and appearance of the area to accord with Policies D1, L1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Within 6 months from the date of the decision, detailed plans showing the provision of the proposed car and cycle parking facilities in accordance with the standards set out in Planning Policies T7 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason(s):

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

7. Notwithstanding the details received, within 6 months from the date of the decision, details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

In the interests of visual amenity and to minimise disturbance to occupiers of surrounding dwellings, all to accord with Planning Policies D1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.



## CIRCULATED SCHEDULE NO. 37/08 – 12 SEPTEMBER 2008

<b>App No.:</b>	PT08/2199/F	<b>Applicant:</b>	Mr D Graham
<b>Site:</b>	12 Bell Cottage, The Hill, Almondsbury, South Gloucestershire, BS32 4AE	<b>Date Reg:</b>	6th August 2008
<b>Proposal:</b>	Erection of single and two-storey rear extension to provide additional living accommodation and detached garage.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	60709 83957	<b>Ward:</b>	Almondsbury
<b>Application Category:</b>	Minor	<b>Target Date:</b>	22nd September 2008



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N.T.S

PT08/2199/F

## **INTRODUCTION**

This application appears on the Circulated Schedule follow the receipt of objections from Almondsbury Parish Council and Local Residents.

### **1. THE PROPOSAL**

1.1 The applicant seeks planning permission for: -

- a) The erection of a single and two-storey extension on the rear elevation. The proposal would be approximately 8m in width, between 1.9m and 3.2m in depth and 6m in height.
- b) The erection of a detached garage. The proposal would be approximately 7m in width, 5.2m in depth and 5.2m in height.

(These developments will be addressed separately within this report.)

1.2 The application site relates to detached cottage which is situated within the settlement of Almondsbury. The site is adjoined by residential development to the side and rear and public open space to the front. Furthermore, the site would be situated within the village development boundary and is “washed over” by 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: Development within Existing Residential Curtilages  
GB1: Development within the Green Belt

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007  
South Gloucestershire Development within the Green Belt SPD (Adopted) 2007

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

3.1 None

### **4. CONSULTATION RESPONSES**

#### 4.1 Almondsbury Parish Council

The Parish Council are concerned over the height and location of the garage as it would have a detrimental effect on neighbouring properties.

#### 4.2 Local Residents

One letter of objection has been received from a local residential. The main points are summarised below: -

- A. No objection to the house extension providing roof line does not increase;

- B. The garage would be situated in front of the building line; and
- C. Considerably taller and more substantial.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

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

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

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

## 6. **ANALYSIS OF DEVELOPMENT (a)**

### ***The erection of a two storey rear extension***

#### 6.1 Residential Amenity

The proposed development comprises of a two storey extension on the rear elevation. The extension would be positioned adjacent to the existing rear gable-end and would not extend any deeper than the existing rear building line. The neighbouring properties are orientated away from the proposed development and a significant distance separates these dwellings from the proposal. In view of this, it is considered that the development would not harm residential amenity through an overbearing impact or a loss of privacy.

#### 6.2 Design and Visual Amenity

The existing dwelling relates to a modest sized detached cottage, which has been extended previously through a rear gable end projection. The proposed extension would comprise of a single and two storey extension on the rear elevation. The development would be situated adjacent to the existing rear gable end projection. The extension would not extend past the rear building line and its height would be set down in relation to the original dwelling. Furthermore, the proposals fenestration and finishes would match those of the existing dwelling. In view of the above features, it is considered that the extension scale and massing would be acceptable and the overall design would respect the character and appearance of the existing dwelling.

#### 6.3 Green Belt

The proposed extension would result in a proportionate volume increase to original dwelling and its design would allow the original dwelling to dominate. The site is situated within a well established residential area where infill development would be permitted and such the proposal is not considered to harm the openness of the Green Belt. As such, the proposed extension would satisfy both national and local Green Belt policy

#### 6.4 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.

## **7. ANALYSIS OF DEVELOPMENT (b)** ***The erection of a detached garage.***

### **7.1 Residential Amenity**

The proposed development relates to the erection of a detached double garage. The nearest residential dwelling would be No. 11 and 13 The Hill. The proposal is separated from these properties by approximately 10 metres. It is considered that this distance would mitigate any harm to residential amenity.

### **7.2 Design and Visual Amenity**

The proposed development relates to the construction of detached garage, which would include a carport, garage and store. The proposed garage would be of timber construction and would have hipped roof. The proposal would be finished with Oak lap boards and tiles to match the existing dwelling.

7.2 The proposed double garage would be situated beyond the established building line, in a prominent position within the dwellings front garden. The proposal would also be particularly large in terms of its footprint and scale. It is noted that there is some existing landscaping along the south and east boundaries which would help soften the proposal. Nevertheless, due to the scale of the proposal, the proposed garage would be very visible from the west (The Hill/A38).

7.3 The existing cottage is relatively attractive in appearance. The building is characterised by its modest scale and height (6.2 metres) and simple detailing. Conversely, the proposed garage would be significant in scale and height, with a width of 7m and a height of 5.2m. Furthermore, the proposed design would be fairly intricate, in terms of the cat slide roof and the timber boarding. It is therefore considered that the proposed development would fail to respect the massing, scale, proportions, material and overall design and character of the existing property and the character of the street scene. As such, this element of the development is contrary to policies D1 and H4 of the Local Plan

### **7.4 Green Belt**

The site is situated within a well established residential area where infill development would be permitted and such the proposal is not considered to harm the openness of the Green Belt. As such, the proposed extension would satisfy both national and local Green Belt policy

## **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 issue a split decision 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**

- a) Planning permission to be **GRANTED** for the erection of single and two-storey rear extension subject to the following condition:
- b) Planning permission to be **REFUSED** for the erection of a detached garage for the following reasons:

**Background Papers**      **PT08/2199/F**

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

## **CONDITIONS**

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

Reason(s).

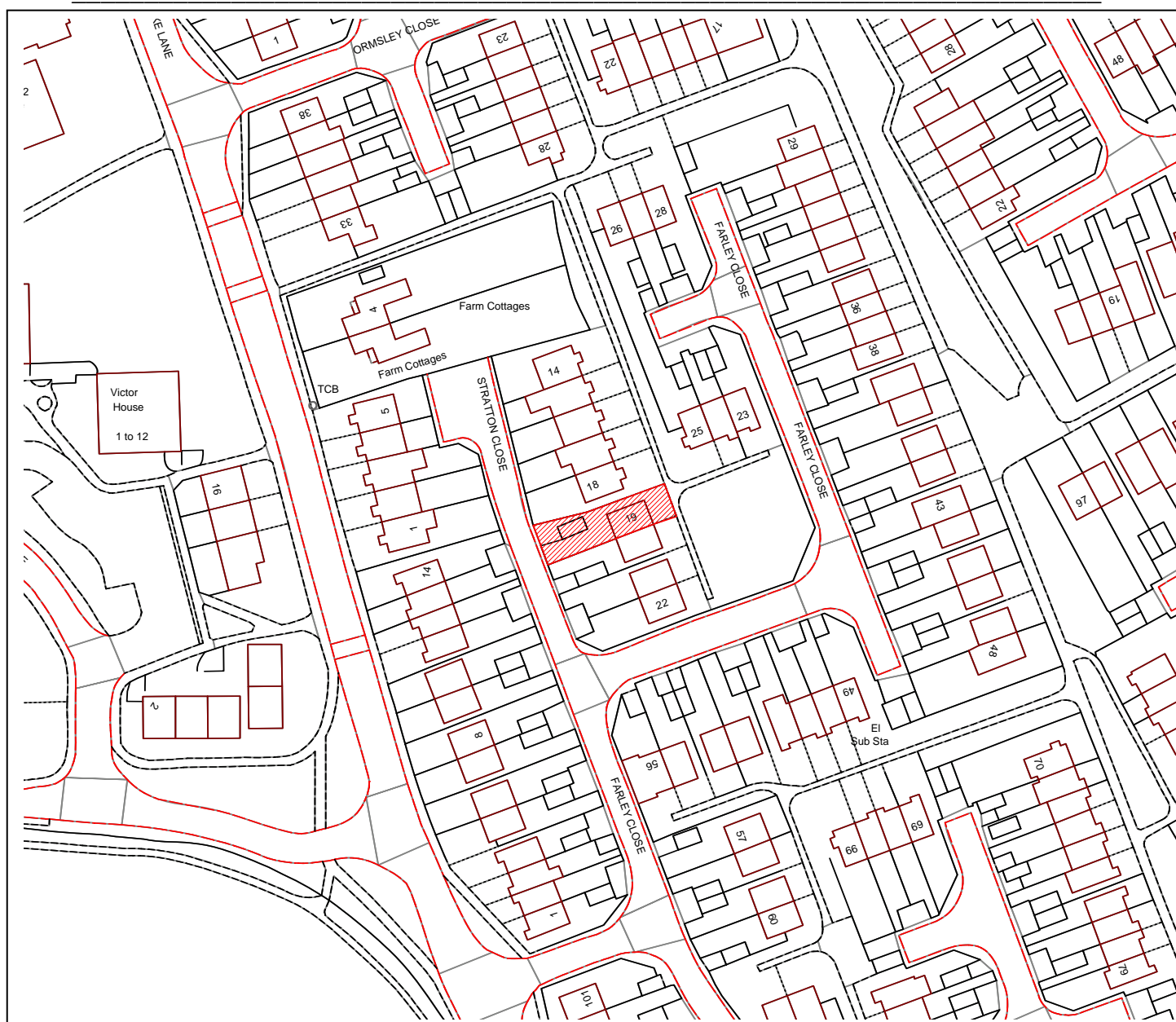
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

## **REASONS FOR REFUSAL**

1. The proposed detached garage, by reason of its size, scale and external appearance, would fail to respect the proportions, materials and overall design and character of the existing property and the character of the street scene and surrounding area. The proposal is therefore considered contrary to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 37/08 – 12 SEPTEMBER 2008

<b>App No.:</b>	PT08/2215/F	<b>Applicant:</b>	Mr Perkins
<b>Site:</b>	19 Farley Close, Little Stoke, South Gloucestershire, BS34 6HB	<b>Date Reg:</b>	7th August 2008
<b>Proposal:</b>	Erection of two storey side extension to provide additional living accommodation and erection of single storey front porch.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	61279 81462	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Minor	<b>Target Date:</b>	23rd September 2008



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## **INTRODUCTION**

This application appears on the Circulated Schedule following the receipt of an objection from Stoke Gifford Parish Council.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the erection of a two storey side extension (2.4m in width, 8m in depth and 7m in height) and the erection of a single storey front extension (4.1m in width, 1.2m in depth and 3.2m in height).
- 1.2 The application site relates to semi-detached dwelling which is situated in a radburn style residential estate, within the urban area of Little Stoke.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
H4: Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist SPD (Adopted) August 2008

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

- 3.1 None

### **4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council  
Object on the ground that the proposed extension will shade the garden of No.17 for the afternoon and evening. Had the extension been lined up with No. 17, this would have had much less effect. There was also concern about the new build being so close to the boundary.
- 4.2 Local Residents  
None received.

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

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extension to a residential dwelling. This is subject to the proposal:
  - respecting the character and appearance of the existing dwelling and the surrounding area;
  - not prejudicing the amenities of nearby occupiers,
  - maintaining highway safety; and
  - providing adequate amenity space.

- 5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.
- 5.3 Residential Amenity  
The application site is adjoined by two dwellings to the side (Nos. 18 and 20 Farley Close). The Parish Council have referred to No. 17 within their comments. This particular dwelling is situated further down the terrace and therefore their residential amenity would not be affected by the proposed development. Nevertheless, the impact on the immediately adjacent properties is fully assessed below:
- 5.3 The proposed extension would be situated on the north-west elevation which faces onto No. 18. The building line of host dwelling and the adjacent dwelling (No. 18) is staggered by sited approximately 2.5m. The proposed side extension would be confined within the existing front and rear building lines and therefore would not exceed the rear building line of No. 18. Furthermore the side elevation of No. 18 does not include any primary windows which serve habitable rooms. In view of this, it is considered that the proposed extensions would not result in material overbearing impact.
- 5.4 With regard to privacy, the proposed rear first storey window would afford some oblique views into the amenity space of the neighbouring occupiers. The views from this window would not be materially different to the views from the existing first storey windows. Furthermore, this type of relationship is expected within well established residential areas. The extension would also include two opaque glazed windows on the side elevation. These are not considered to adversely affect privacy.
- 5.5 To the south-east of the host dwelling is No. 20. Due to the siting of the extension on the opposite elevation, the amenities of this property would not be affected by the proposed development.
- 5.6 Design and Visual Amenity  
The existing dwelling relates to a semi-detached property which is situated within a well established residential area. The proposed development would comprise of a two-storey side extension and a single storey front porch. The development would be finished in materials to match the existing dwelling.
- 5.7 The proposed two storey extension would comprise of a 2.5m side projection. The extension would have a simple design approach, whereby the front and rear building lines would be maintained. The proposed front porch would be modest in size and scale and would be similar to the porch seen at No. 21 Farley Close. It is therefore considered that the design approach for both extensions would respect the massing, scale, proportions, materials and the overall design and character of the existing dwelling and the surrounding residential area.
- 5.8 Section 106 Requirements  
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is



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

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

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

**Background Papers**      **PT08/2215/F**

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

## **CONDITIONS**

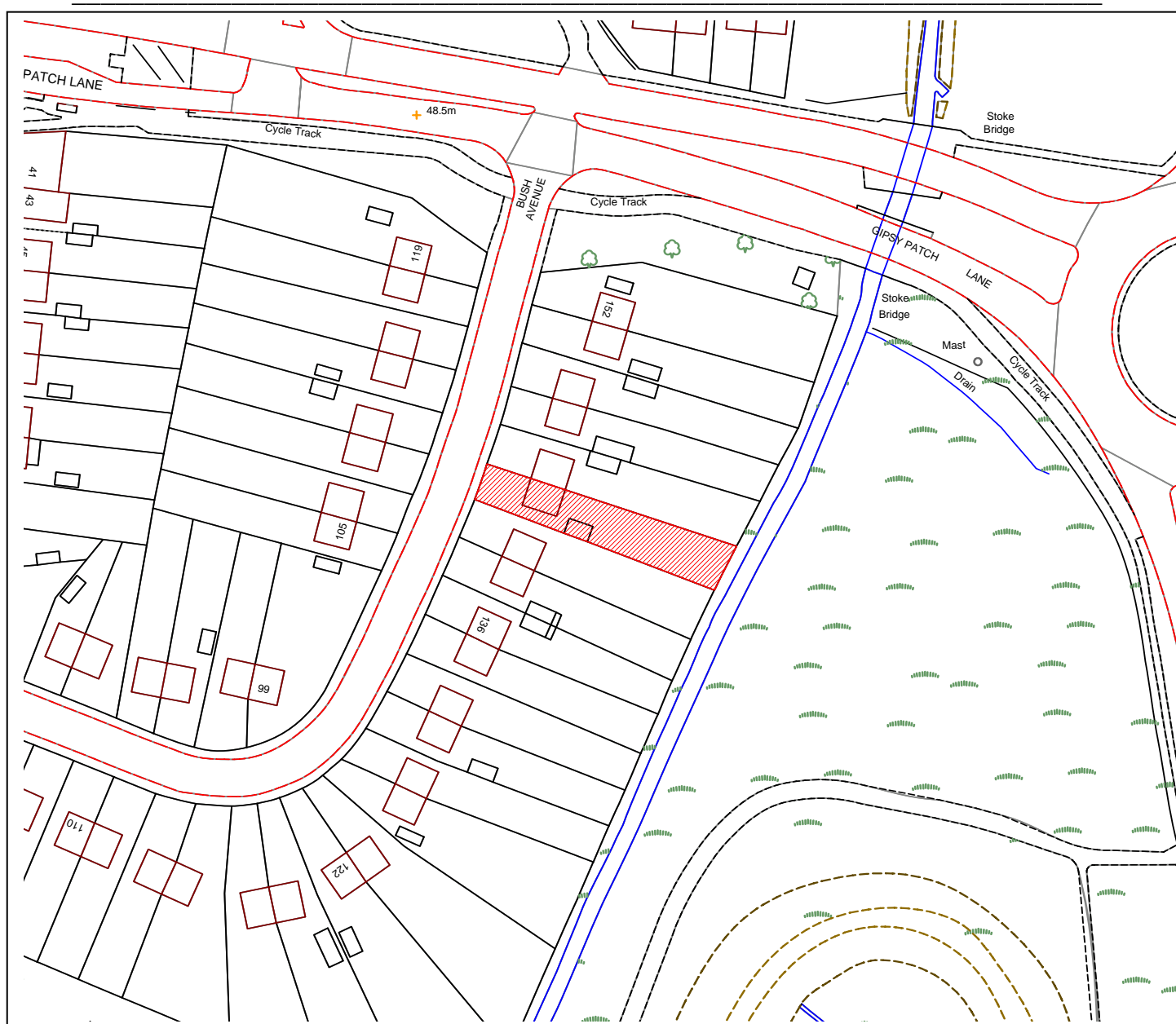
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

## CIRCULATED SCHEDULE NO. 37/08 – 12 SEPTEMBER 2008

<b>App No.:</b>	PT08/2313/F	<b>Applicant:</b>	Mr & Mrs G Morley
<b>Site:</b>	142 Bush Avenue, Little Stoke, South Gloucestershire, BS34 8NF	<b>Date Reg:</b>	18th August 2008
<b>Proposal:</b>	Erection of single storey rear extension to provide additional living accommodation (Resubmission of PT08/1506/F)	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	61773 80439	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Minor	<b>Target Date:</b>	30th September 2008



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This application appears on the Circulated Schedule in view of the concerns raised by the adjoining neighbour.

## **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for a single-storey rear addition to provide an extended kitchen and dining room.
- 1.2 The application site forms a semi-detached two-storey dwelling on the east side of Bush Avenue, Little Stoke.
- 1.3 This application forms a resubmission of PT08/1506/F which gained approval for a similar rear extension; this submission seeks a slight amendment to this approved scheme.

## **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: House Extensions
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)

## **3. RELEVANT PLANNING HISTORY**

- 3.1 N3728: Erection of two-storey side extension to provide garage with bedroom and study over. Refused: 3 November 1977
- 3.2 N3728/1: Erection of single-storey rear extension. Permitted: 27 July 1978
- 3.3 N5314/1: Erection of car port and front porch. Permitted: 1 July 1982
- 3.4 PT01/0177/F: Single-storey rear extension and conservatory. Permitted: 13 February 2001
- 3.5 PT08/1506/F: Erection of single-storey rear extension to provide additional living accommodation. Permitted: 11 July 2008

## **4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council  
No comment
- 4.2 Other Consultees  
No comments received

### **Other Representations**

#### 4.3 Summary of Local Residents Comments

One letter received stating the following:

- There is no objection to the proposal provided the following points are 'strictly observed'-
- 'The complete project must be totally contained and conducted within the boundaries of the applicants' property. This to include all the foundations and roofing etc';
- 'Any damage sustained to our existing walls, fences etc, caused by or subsequent to this development, to be rectified expediently at the applicants' expense'.

### 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.

#### 5.2 Design/ Visual Amenity

The application site comprises a semi-detached two-storey dwelling on the east side of Bush Avenue, Little Stoke. The application seeks approval for a single-storey rear addition to provide an extension to the kitchen and dining rooms; this would replace an existing conservatory.

5.3 The build would encompass the full width of the original dwelling and project 3.3m into the rear garden. To this extent, it would differ from the permitted scheme given that it would be marginally larger extending slightly closer to the adjoining dwelling to encompass the side boundary wall. The proposal would be covered by a lean-to roof with patio doors to the rear of the dining room and a window to the kitchen. Materials would match those of the existing dwelling.

5.4 In view of the rear positioning of the proposal, it would not appear readily visible from the public viewpoints. As such, and in the light of the above, the proposal is considered acceptable and in keeping with the general character of the area.

#### 5.5 Residential Amenity

The adjoining dwelling to the north is devoid of rear extensions whilst screening is provided by a 1m high (approx.) boundary wall with fencing above (approx 1m). Nevertheless, in view of the size of the build, with no side facing windows proposed and in light of the recent permission, it is not considered that any significant adverse impact in residential amenity would be caused.

5.6 The proposal would be inset from the southern flank boundary and thus having regard again to the size and positioning of the proposal, it is not considered that any significant adverse impact in residential amenity would be caused.

5.7 In response to the concerns raised, the grant of permission would not authorise works beyond the application site with the consent of the adjoining landowner firstly required; an explanatory informative would be added to any approval. It is noted that the application form states that there will be no encroachment with all works contained within the site boundaries.

#### 5.8 Design and Access Statement

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

## 5.9 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**Background Papers**      **PT08/2313/F**

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

### CONDITIONS

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

Reason(s):

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

2. 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.

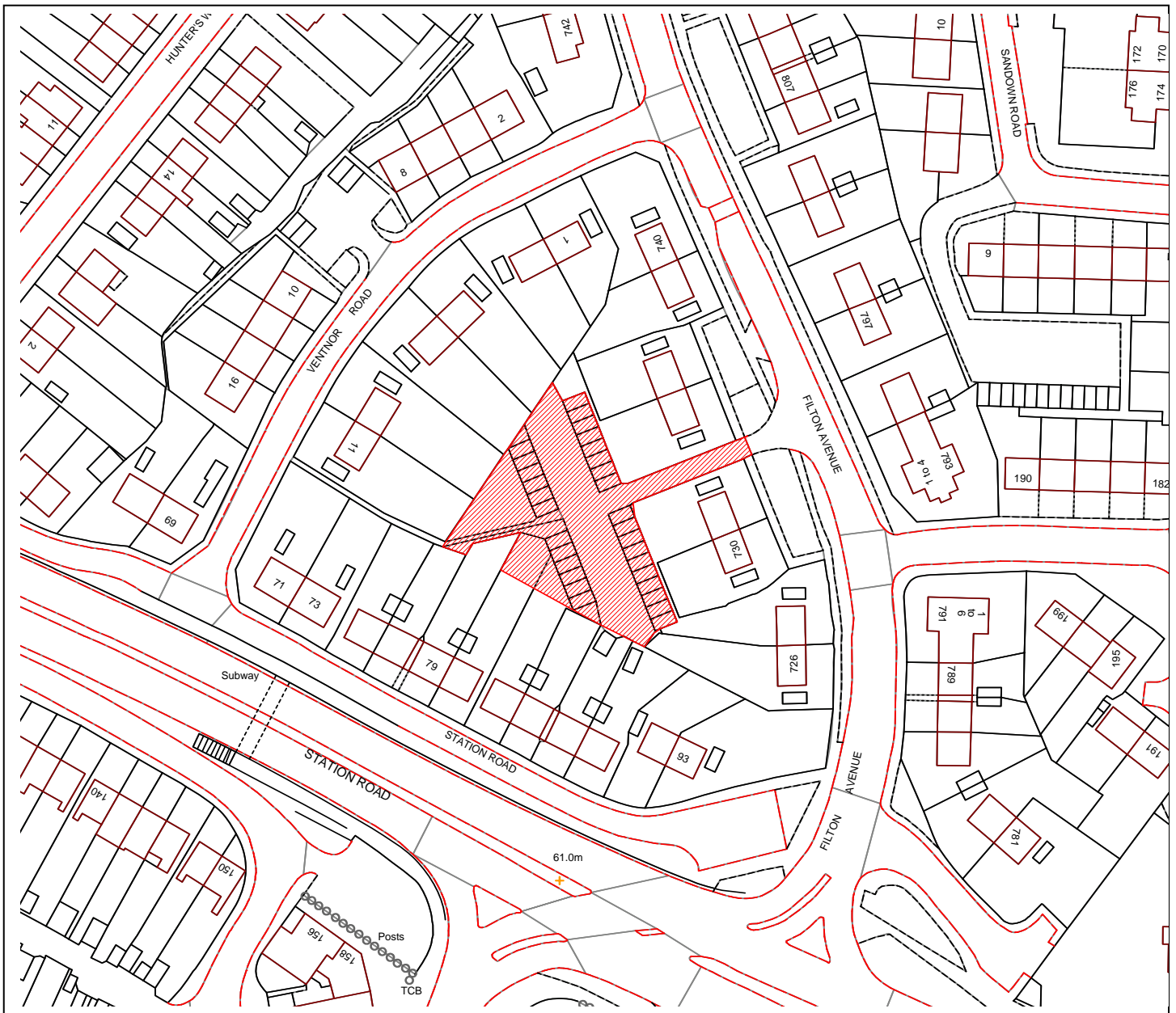
3. No windows shall be inserted at any time in the north elevation of the property.

Reason(s):

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

**CIRCULATED SCHEDULE NO. 37/08 – 12 SEPTEMBER 2008**

<b>App No.:</b>	PT08/2324/F	<b>Applicant:</b>	Solon (SW) Housing Association
<b>Site:</b>	Garage Court off Filton Avenue, Filton, South Gloucestershire, BS34 7HE	<b>Date Reg:</b>	18th August 2008
<b>Proposal:</b>	Demolition of existing garages to facilitate the erection of 5 no. houses with associated works (in accordance with amended plans received on 10 September 2008).	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	60964 79025	<b>Ward:</b>	Filton
<b>Application Category:</b>	Minor	<b>Target Date:</b>	6th October 2008



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This application has been referred to the Circulated Schedule due to the requirement for transportation and education contributions.

## 1. THE PROPOSAL

- 1.1 This full application relates to the erection of 5 no. two storey dwellings on land to the rear of Filton Avenue, Filton. The site is currently occupied by 30 lock-up garages which are to be demolished to make way for the development. The proposal provides 3 no. two bed dwellings and 2 no. three bed dwellings arranged as one pair of semis and a small terrace.
- 1.2 The application site has an area of approximately 0.135 hectares and is broadly triangular in shape. It is accessed off Filton Avenue, between the properties of 732 and 734. The site is surrounded by residential development, wholly enclosed by the rear gardens of 730-736(even) Filton Avenue, 77-89(odd) Station Road and 5-11(odd) Ventnor Road. The site lies within the urban area of Filton. It is currently unsightly in appearance and little used for garaging purposes, with only two of the garages being used. The two displaced licensees have been allocated individual parking spaces within the site and a further 2 spaces have been provided for existing residents on Filton Avenue. In addition, all dwellings are provided with a garden shed (2.4m x 1.8m) to provide secure and covered cycle parking.
- 1.3 The application site slopes upwards from east to west across the site by approximately 1.4m.

## 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 Location of Development  
Policy 2 Location of Development  
Policy 33 Housing Provision and Distribution
- 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  
T7 Cycle Parking  
T8 Parking Standards  
T12 Transportation Development Control Policy for New Development  
LC2 Provision for Education Facilities (Site Allocations and Developer Contributions)
- 2.4 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)



### 3. RELEVANT PLANNING HISTORY

3.1 None.

### 4. CONSULTATION RESPONSES

4.1 Filton Town Council  
No response received.

#### Other Consultees

##### Internal

4.2 Sustainable Transport  
No objection subject to a financial contribution.

4.3 Housing  
Fully support the application. The scheme meets local strategic priorities as it maximises the use of resources to provide much needed affordable homes to meet housing need in the area. There are a limited number of Council owned sites available for redevelopment and this site is located in a sustainable area, supported by existing infrastructure, local facilities and transport links and where there is a high level of housing need. All the units are for social rent, and the District level JHA Housing Needs Survey identifies a high need for affordable rented units.

4.4 Education  
No objection subject to a financial contribution.

#### Other Representations

4.5 Local Residents  
No response received.

### 5. ANALYSIS OF PROPOSAL

5.1 Principle of Development  
Advice contained within PPS3 promotes more sustainable patterns of development. In particular it encourages the better use of previously developed land, especially in existing urban areas. However, such development should achieve good design to ensure that the character of the area is not adversely affected. In particular, housing development 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 the Joint Replacement Structure Plan and the South Gloucestershire Local Plan (Adopted) January 2006. Policy H2 of the local plan is particularly relevant and allows for residential development within existing urban area and defined settlement boundaries subject to the following criteria: -

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

## 5.2 Transportation

The proposal involves the demolition of the 30 lock-up garages on the site. A survey of these garages was undertaken where it was discovered that of the 30 garages, only 2 are in use, occupied by 2 licensees. Both licensees are provided with one allocated parking space and a further two spaces allocated for existing residents of Filton Avenue within the site. Eight spaces are also provided for the proposed dwellings as well as covered and secure cycle parking. The proposal is therefore acceptable and in accordance with the Council's standards in parking terms.

5.3 With regard to means of access, the proposal utilises the existing access off Filton Avenue. Although restricted in width it benefits from a wide bell mouth with Filton Avenue, which allows conflicting vehicles to give way clear of the public highway. Vehicles can also give way within the site itself. In addition, the site incorporates sufficient turning for larger service vehicles. Furthermore, having regard to the existing use of the site for 30 garages, the potential for vehicle movements will decrease as a result of the development and it is acceptable in this respect.

5.4 Although the proposal involves the removal of the pedestrian walkway linking the site with Ventnor Road, this is also considered acceptable. The walkway is more relevant to the historical use of the site with garage users needing a link to their homes on Ventnor Road. Although owned by the Council, it is not a Public Right of Way and its continued use is no longer essential. In addition, it is not well used and is a source of concern from adjacent residents in terms of crime prevention.

5.5 No objection is therefore raised to the proposal subject to a financial contribution towards the North Fringe Major Scheme (Transport Matters). The scale of the contribution equates to £1,800 per dwelling resulting in a total contribution of £9,000. This will need to be secured via an appropriate legal agreement consisting of either a Section 106 of the Town and Country Planning Act or a Section 278 agreement of the Highways Act. The applicant's have indicated that they are prepared to provide this contribution should planning permission be granted.

## 5.6 Residential Amenity

With regard to the affect of the proposal on surrounding residential amenity, the proposal is considered to be acceptable. The site is large enough to accommodate the proposed units and maintains adequate inter-visibility standards between surrounding dwellings. The nearest property to the site is that of 734 Filton Avenue. Plot 1 of the proposal is side-on to the rear elevation of this property. However a 13.8m distance lies between both elevations and no windows are proposed to the side elevation. The remaining plots are a minimum distance of some 22m from neighbouring dwellings. These distances are acceptable in terms of loss of privacy/overlooking issues and no overbearing impact will result from the development

## 5.7 Noise/disturbance

The increase in the residential intensity of the site in terms of noise and disturbance is considered acceptable. The proposal provides an additional 5 units in a residential area and the existing use of the site as a garage forecourt of 30 garages could result in a greater degree of disturbance if used at full capacity.

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

5.8 The site has an area of 0.135 hectares and is located within the urban area of Filton. The proposal will result in a housing density of 37 dwellings per hectare. Advice contained within the adopted local plan expects minimum densities of 30 dwellings per hectare and higher density development is encouraged where local circumstances permit, especially in and around town centres and locations well served by public transport. It is considered that the size of the site is large enough to accommodate the density of development proposed, especially having regard to its highly sustainable location. The development would maximise the efficient use of the land without compromising the character or appearance of the area and as such complies with this criterion.

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

5.9 The site 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 proposals.**

5.10 The proposal is located within the urban area of Filton within close proximity to primary and secondary schools. The locality is also well served by local shops, supermarket and pubs as well as community facilities including doctors, sports and recreation. Sustainable choices of transport via the bus and train services are also available within the locality. However, local education provision is inadequate to meet the need arising from this residential development and will be discussed below.

5.11 Education

Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006 states that where local education provision is inadequate to meet the need for places arising from a residential development, the council will negotiate with developers to secure provision to meet those needs. In most cases this constitutes financial contributions to provision or enhancements of existing education provision in the vicinity. The Council's Education Department has advised that there is a projected surplus of secondary school places but a deficit of primary school places in the locality. The proposed development of three 2-bed houses and two 3-bed houses will generate one additional primary school pupil based on the pupil number calculator, which is assessed on the basis of 9 primary pupils per 100 houses with two bedrooms and 30 primary pupils per 100 houses with three bedrooms. Current DfES cost calculators give a figure of £10,747 per additional primary pupil place, indexed at Q4 2008 prices. A financial contribution of £10,747 is therefore required. The applicant's have indicated that they are prepared to provide this contribution should planning permission be granted.

## 5.12 Other Issues

### Design

Surrounding development largely consists of semi-detached and terraced dwellings of mansard type, with hipped and gabled roofs prevalent on other properties. None of the surrounding development is of any particular architectural merit. The proposed dwellings are 2 storey in height. The elevations are broken up by varying ridge heights of between 7m and 8.2m and the incorporation of hipped and gabled roof styles. The dwellings are constructed of contrasting brickwork to provide visual interest and further break up the massing of the development. It is considered that the design of the proposal is considered appropriate to the context of the site in terms of its size, scale and massing.

5.13 In addition, due to the position of the proposal within the street scene the development will largely be screened by existing surrounding development and as such will be adequately incorporated within the streetscape. Although it is recognised that the site has no road frontage and constitutes backland development, the proposal maximises the efficient use of what is currently underused and unsightly land within an urban area. The proposal complies with privacy standards and can be accommodated without adverse impact to surrounding residential amenity. As such the proposal is considered to comply with the thrust of local, strategic and national planning policy and advice.

### 5.14 Garden Area

Each dwelling benefits from an area of private amenity space, ranging in size from approximately 40m<sup>2</sup> to 50m<sup>2</sup>. This is considered acceptable for the size of dwellings proposed.

### 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, having regard to the above advice, the transportation and education contributions are appropriately the subject of a Section 106 or Section 278 agreement and would satisfy the tests set out in Circular 05/2005.

## 6. CONCLUSION

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

- 6.2 The 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 under Section 106 of the Town and Country Planning Act 1990 (as amended) (or similar agreement) to secure the following:

- (a) A financial contribution of £9,000 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 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

- (b) A financial contribution of £10,747 towards additional primary school provision.

Reason: There is a projected deficit at primary level in the local area and to comply with Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006.

- (2) If the Section 106 Agreement (or similar agreement) is not signed and sealed within 6 months of this determination then, in view of the length of time the application should either:
- (a) Return to the Circulated Schedule with an updated report or;
- (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a legal agreement, for the reasons listed in section 1.

### **Background Papers**      **PT08/2324/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 buildings are first occupied, and thereafter retained for that purpose.

Reason(s):

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

3. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatment to be erected for the entire site shall be submitted to the local planning authority for approval. The boundary treatment shall be completed before the dwellings are first 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 and the residential amenities of the locality, to accord with Policies H2, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

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

5. No windows shall be inserted in the side (east) elevation of Plot 1.

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.

6. 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 adjacent dwellings and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

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.