

**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. 34/09

Date to Members: 27/08/09

Member's Deadline: 03/09/09 (5pm)

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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. 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: 27/08/09

SCHEDULE NO. 34/09

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

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.

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

**Dates and Deadlines for Circulated Schedule leading up to the
August Bank Holiday 2009**

Schedule Number	Date to Members 9am on	Members Deadline 5pm on
34/09 Week commencing 24 August	Thursday 27 August 2009	Thursday 3 September 2009

CIRCULATED SCHEDULE -

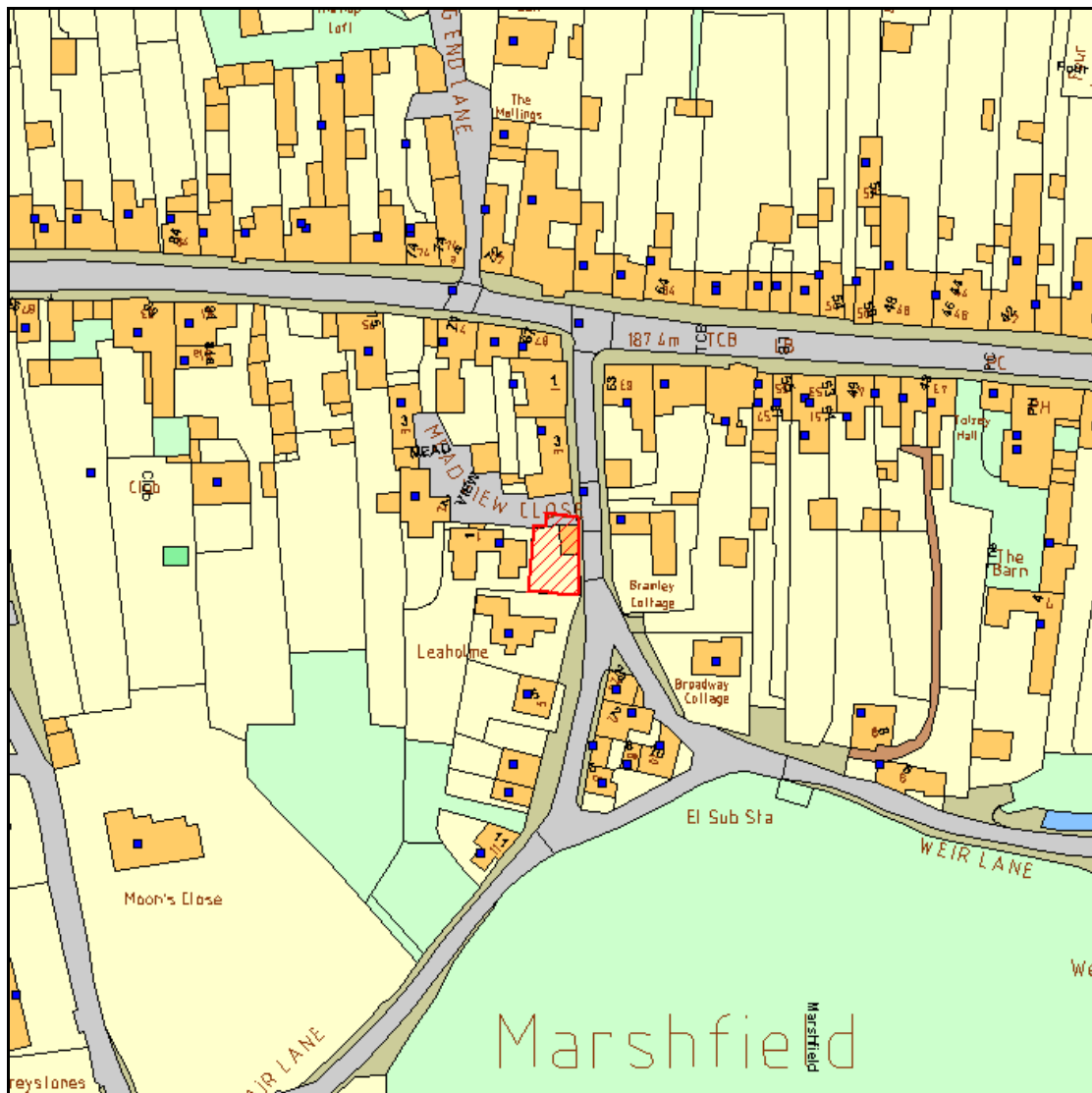
ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK09/1299/F	Approve with Conditions	Land in Sheepfair Lane Marshfield South Gloucestershire	Boyd Valley	Marshfield
2	PK09/1308/F	Approve with Conditions	11 Sydenham Way Hanham South Gloucestershire BS15 3TG	Hanham	Hanham Abbots
3	PK09/1311/F	Approve with Conditions	2 Prospect Cottages High Street Iron Acton South Gloucestershire BS37 9UL	Frampton Cotterell	Iron Acton
4	PK09/1313/F	Approve with Conditions	27 Glenwood Drive Oldland Common South Gloucestershire BS30 9RZ	Oldland	Bitton
5	PT08/2324/F	Approved Subject to	Garage Court off Filton Avenue Filton South Gloucestershire BS34 7HE	Filton	Filton
6	PT09/0586/O	Approve with Conditions	Gilslake Farm Station Road Pilning South Gloucestershire	Pilning And Severn Beach	Pilning & Severn Beach
7	PT09/1220/O	Approved Subject to	1700 Park Avenue Aztec West Almondsbury South Gloucestershire BS32 4UA	Patchway	Patchway
8	PT09/1304/F	Approve with Conditions	60 Bourne Villa Dragon Road Winterbourne South Gloucestershire BS36 1BJ	Winterbourne	Winterbourne
9	PT09/1333/F	Approve with Conditions	1 Brynland Tockington Lane Almondsbury South Gloucestershire BS32 4DZ	Almondsbury	Almondsbury

ITEM 1

CIRCULATED SCHEDULE NO. 34/09 – 27 AUGUST 2009

App No.: PK09/1299/F
Site: Land in Sheepfair Lane Marshfield
South Gloucestershire SN14 8NA
Proposal: Demolition of detached garage to
facilitate erection of 1 no. detached
dwelling. (Amendment to previously
approved scheme PK08/0197/F)
Map Ref: 3778430 1736880
Application Category: Minor

Applicant: Mr P George
Date Reg: 14th July 2009
Parish: Marshfield
Ward: Boyd Valley
Target Date: 4th September
2009



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100023410, 2008.

N.T.S.

PK09/1299/F

INTRODUCTION

This application has been referred to the Circulated Schedule following the receipt of objections from Marshfield Parish Council and local residents.

1. THE PROPOSAL

- 1.1 The application seeks an amendment to a previously approved scheme PK08/0197/F for the demolition of detached garage and erection of 1no. detached dwelling with associated works. (Resubmission of PK06/0872/F).
- 1.2 The site consists of a small garage in a walled courtyard, within the settlement boundary of Marshfield, within the Cotswolds AONB and the Marshfield Conservation Area. The proposed one bedroomed dwelling, with accommodation in the roof, is 'L' shaped with a pitched roof and gabled ends, one of which faces the road. Materials proposed are natural stone in coursed rubble stone walls, reclaimed clay double roman tiles and timber casement windows, apart from a larger 'hay loft' type opening in the east gable, which the architect has stated is for emergency means of escape from the attic studio. A single dormer is proposed on the front (south) elevation, with four conservation rooflights proposed, one on each roof plane. One internal garage is proposed, which would be accessed directly from a driveway that is shared with Mead View Close, a recent residential development to the rear.
- 1.3 The revised design purely relates to an increase in the resulting overall height of 1.3m to the proposed dwelling. The increase in height arises from the need to avoid the amount of ground excavation works originally approved, which the applicant submits has subsequently proven to be so costly as to render the scheme unviable. In all other respects the dwelling would be identical to that previously approved.
- 1.4 Given the nature of the proposed amendment, officers consider that the key issue to consider in this current application will be the implications of the increased height on neighbouring amenity and the visual amenity of the street scene and conservation area.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG15 Planning and the Historic Environment
Planning (Listed Buildings and Conservation Areas) Act 1990.

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
L2 Cotswolds AONB
L12 Conservation Areas
L13 Listed Buildings

T8	Parking Standards
T12	Transportation Development Control Criteria
H2	Proposals for Residential Development within Defined Settlement Boundaries

2.3 Supplementary Planning Guidance

Marshfield SPG March 2004

The South Gloucestershire Design Check List SPD (Adopted) 23rd Aug 2007.

3. RELEVANT PLANNING HISTORY

3.1 PK06/0872/F - Demolition of detached garage and erection of one detached dwelling.

Refused May 2006 for the following reasons:

1. The proposal, due to its height, mass and bulk in a part of the Marshfield Conservation Area that is characterised by a transition from village to open landscape, create an unwelcome sense of enclosure at an inappropriate location, and furthermore, would dominate the streetscene, creating a visually jarring element, harming the visual amenity of the area and the setting of the listed building directly to the north. The proposal would therefore harm the character and appearance of the Marshfield Conservation Area, harm the visual amenity of the area and harm the setting of the nearby listed building. The proposal is therefore contrary to Policies D1, L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposed dwelling, due to its height, mass, bulk, and positioning, would dominate and create an overbearing presence for the occupiers of both 'Leaholme' to the south and the future occupiers of the proposed dwelling the subject of planning permission PK06/0008/F, directly to the west, harming their reasonable residential amenities. The proposal is therefore contrary to Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The visibility from the proposed garage is severely restricted and would be likely to increase highway hazards. The level of off-street parking provision proposed is considered inadequate in this village location, and is also likely to lead to increased highway hazards due to increased on-street parking in the locality. The proposal is therefore contrary to Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3.2 PK08/0197/F - Demolition of detached garage and erection of 1no. detached dwelling with associated works. (Resubmission of PK06/0872/F).

Approved 11th April 2008.

4. CONSULTATION RESPONSES

4.1 Marshfield Parish Council

Objection on the following grounds:

- Insufficient off-street parking.
- Building work will lead to reduced soakaway area leading to increased risk of water run-off into Sheepfair Lane.

Other Representations

4.2 Local Residents

6no. letters were received, 2no. in support of the application and 4no. objecting on the following grounds:

- Overdevelopment of the plot.
- Scale of building too large – disproportionate to neighbouring buildings.
- Loss of light to window above garage of 1 Mead View Close.
- Adverse impact on street scene.
- Loss of views to countryside.
- Increased on-street parking.
- Loss of privacy – overlooking of 1 Mead View Close courtyard from velux window on west side.
- Garage will be converted to another room.
- Precedent for larger development.
- Loss of amenity (privacy) for Bramley Cottage.
- Boundary wall to south should be 1.8m high.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The acceptance in principle of a dwelling on this site of the same proportions and design has already been established with the grant of planning permission PK08/0197/F. The only difference now proposed is the increased height of 1.3m following the deletion of the groundworks from the scheme. Policy H2 allows for proposals for residential development within the boundaries of settlements, as defined on the Proposals Map, subject to certain detailed criteria. Since the site is within the settlement boundary of Marshfield, the principle of development is acceptable, subject to the following detailed assessment.

- 5.2 Whilst the applicant has indicated that the originally proposed groundworks have subsequently proven to be prohibitive in cost terms, no figures have been submitted to substantiate this claim. Officers therefore consider that the proposal should be determined on its individual merits and that the cost implications are not in this case a material consideration.

The design rationale behind the previously approved scheme PK08/0197/F was to excavate the site in order to allow the dwelling to be ‘sunk’ into the plot thus reducing the impact in relation to neighbouring dwellings and the street scene in general. The scheme as now proposed would not involve any groundworks, thus increasing the overall height of the dwelling by 1.3m.

It is acknowledged that the Conservation Officer has previously objected to the proposal on the grounds that this small area of open land contributes to the diversity of the area and its transitional rural character. Whilst the site is ‘open’ in the sense that it does not contain buildings of a similar mass and scale as on adjacent plots, the site does not read as entirely open, as it is surrounded by substantial walls/fences and has an outbuilding within it. Furthermore, it is a

material consideration that the previous application was accepted. Part of the character of Marshfield itself is the dense form of development that the historic pattern necessitates, and given the above, it is not considered that a reason for refusal based on an in-principle objection to the scheme could be substantiated at an appeal. Furthermore the latest government advice contained in PPS3 – ‘Housing’ requires that the most efficient use of land be made for residential development where sites lie within the Urban Area or within Established Settlement Boundaries. Higher densities of development are expected near Town Centres.

5.3 Visual Amenity, Conservation Area and AONB

The site lies within the conservation area and forms the setting for the listed building to the north of the site. It is this part of Sheepfair Lane where the landscape begins to open up and evokes the transition from settlement to countryside.

5.4 Despite the 1.3m increase in height; the scale and massing of the building is still considered to be acceptable and remains a significant improvement on the previously refused application PK06/0872/F. The proposal is single storey with accommodation in the roof. The highest part of the roof ridge would be no higher than the neighbouring properties. The wall at the front of the site would be rebuilt. There would also be a courtyard at the front of the site. The foot-print of the building would remain the same as previously approved as would the mass and proportions. There are two-storey dwellings down either side of Sheepfair Lane and despite the proposed increase in height, officers consider that the scheme represents a continuation of the ‘stepping down’ of the roof ridges when viewed down Sheepfair Lane from a north-south direction. The single-storey element retains some degree of openness and on balance the scheme would not harm the character and appearance of the Conservation Area or the setting of the nearby listed building (no. 3 Sheepfair Lane).

5.5 Given that the site lies within the main body of the settlement boundary of Marshfield, the proposal would have a negligible effect on the natural beauty of the Cotswolds AONB.

5.6 Residential Amenity

The proposed dwelling would still have much smaller mass and scale than the previously refused scheme. Despite being in effect 1.3m higher than that recently approved, the proposed dwelling would not have a significant adverse impact on Leaholme to the south, and would not be overbearing to the occupiers of the newly built property to the west.

5.7 There is a study room window in the first floor above the garage of the newly built dwelling to the west, that directly faces the development. This study is accessed by an external staircase and is also served by two roof-lights. It is acknowledged that the proposed dwelling would be very close to the side elevation of this newly built house, approx. 1m, however, in the historic context of the village, this is not considered an unusual relationship, and is therefore considered appropriate here. Furthermore the study above the neighbouring garage is not considered to be a principle habitable room.

- 5.8 Some concerns have been raised about loss of privacy from overlooking of 'Leaholme' to the south, Bramley Cottage to the east and 1 Mead View Close to the west. In the first instance the applicant has agreed that to overcome the concerns the boundary wall to the south should be built to a height of 1.8m and this can be secured by a condition.
- 5.9 Any overlooking of 1 Mead View Close would be from a high level velux window only and would not be significant. Overlooking of Bramley Cottage would be from the proposed first floor Attic Studio window in the facing gable end. The nearest habitable room windows in the front of Bramley Cottage would be 16/17m away with some overlooking of the front garden. This is considered to be a common enough scenario in Marshfield where even houses on the opposite side of the streets are in very close proximity. Nevertheless the overlooking and inter-visibility would be mitigated for by obscurely glazing this window. Some overlooking of gardens in densely populated town centres is considered to be a ubiquitous situation, which is not considered to be justification for refusal of planning permission.
- 5.10 Transportation
The application includes an off-street parking space in the form of an integral garage that egresses onto the shared private lane off Sheepfair Lane, rather than onto Sheepfair Lane itself. The applicant has stated that he has legal rights over this lane, and these have not been disputed following consultations with neighbours. On the basis that the proposed access and parking arrangements are the same as previously approved, the Highways Officer raises no objection.
- 5.11 Drainage and Environmental 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. 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) for approval before development could commence.
- 5.12 Other matters
Permitted development rights are proposed to be removed by a condition and therefore the occupier of the dwelling could not convert the garage to a room without applying for planning permission.
- 5.13 Landscape Issues
There are currently no trees within the site. It is proposed to introduce a tree into the south-eastern corner of the proposed front courtyard and this is considered to be appropriate.

5.14 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.

5.15 Use of Energy and Sustainability

A drainage scheme incorporating SUDS would be secured by condition.

5.16 Improvements Achieved to the Scheme

Increased height of southern boundary wall.

5.17 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is GRANTED subject to the following conditions:

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

4. Prior to the commencement of development a representative sample of roofing tile shall be submitted and approved in writing for the local planning authority. The development shall be implemented in accordance with the approved sample.

Reason

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

5. All doors and windows shall be of traditional painted timber construction and finished in a colour to be agreed in writing by the local planning authority and thereafter so maintained in the approved colour unless an alternative is first approved in writing by the Local Planning Authority.

Reason

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

6. The stone from the existing outbuilding shall be salvaged and re-used in the external facing elevations of the proposed development. All new stone to be used in the elevations shall be reclaimed stone to match as closely as possible.

Reason

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

7. A sample panel of new facing stonework of at least one square metre, demonstrating the colour, texture and pointing is to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

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

8. Notwithstanding the details shown on the plans hereby approved, the replacement wall on the southern boundary of the site shall be a minimum of 1.8m high and faced on either side with natural stone.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to the use or occupation of the building hereby permitted, and at all times thereafter, the proposed first floor Attic Studio window on the east elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed .

Reason

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

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

Reason

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

11. 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 L17/L18/EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

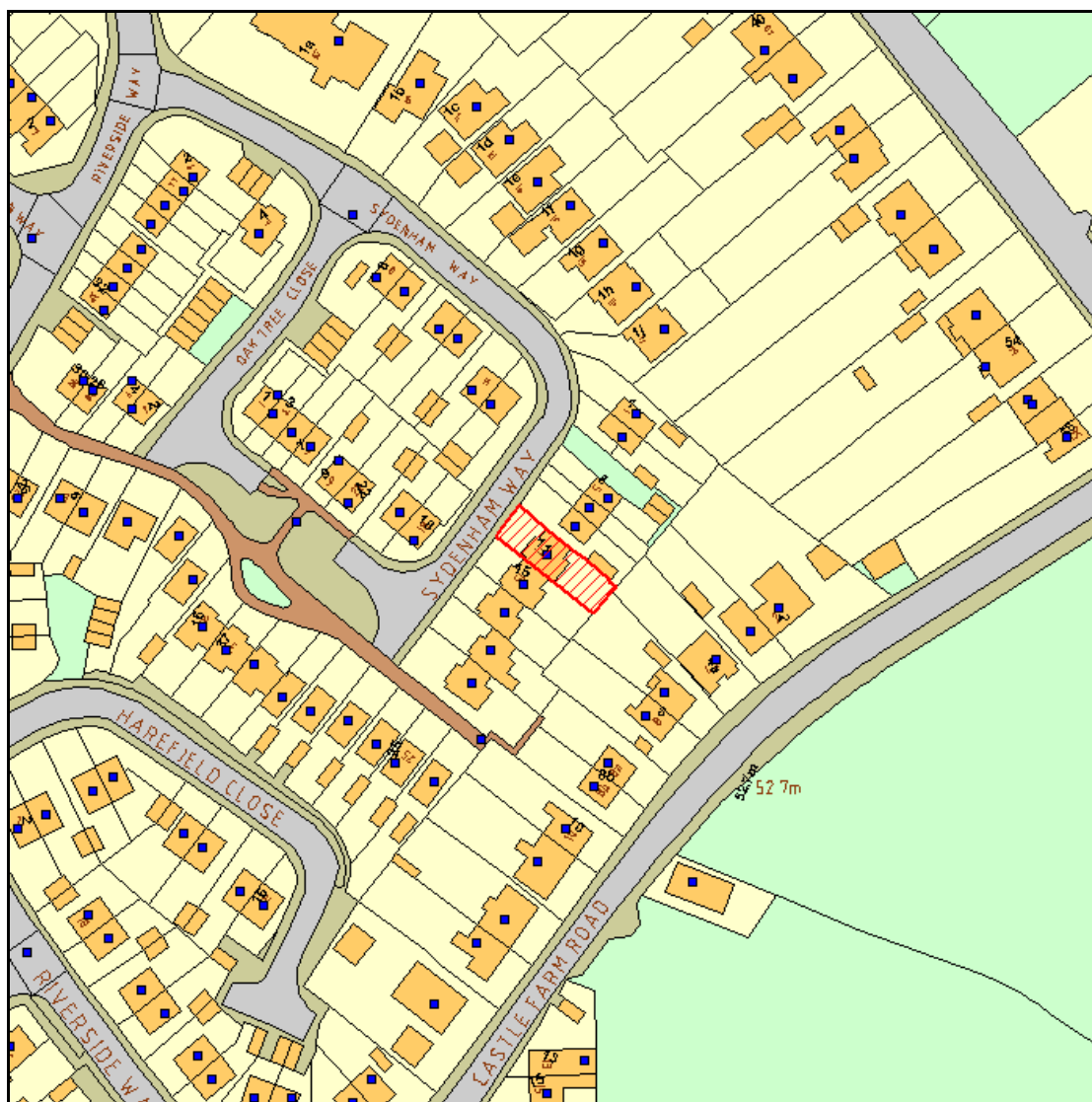
Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy H2 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 2

CIRCULATED SCHEDULE NO. 34/09 – 27 AUGUST 2009

App No.:	PK09/1308/F	Applicant:	Mr Burr
Site:	11 Sydenham Way Hanham South Gloucestershire BS15 3TG	Date Reg:	15th July 2009
Proposal:	Erection of two storey side and rear extension to form additional living accommodation.	Parish:	Hanham Abbots
Map Ref:	3641240 1709710	Ward:	Hanham
Application Category:	Householder	Target Date:	4th September 2009



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100023410, 2008. **N.T.S.** **PK09/1308/F**

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two-storey extension to the side and rear of the existing property. The proposed extension would run along the side of the dwelling house and continue to project 3.25 metres out from the main rear wall. There is an existing garage on the site that would need to be removed to make way for the extension as proposed. A replacement integral garage would be included in the extension.
- 1.2 The application site consists of a two-storey link-detached dwelling located in a residential area of Hanham.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design in New Development

H4 House Extensions

T8 Parking Standards

3. RELEVANT PLANNING HISTORY

3.1 None relevant

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council
No Objection

Other Representations

4.2 Local Residents

One letter of objection has been received from a neighbouring resident who raises the following point of concern:

- The proposed house would be overbearing and overpower the neighbours little house

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) states that house extensions will be permitted subject to issues relating to massing, scale, proportions, materials, design, highways, and impact upon residential amenity.

5.2 Design/Visual Amenity

When viewed from the front elevation, the extension will integrate successfully with the existing dwelling. The main front wall is set back and the ridge height is set down affording a suitable degree of subservience. The windows will match the windows in the existing dwelling and a ground floor canopy will match that of the host dwelling.

It is noted that when viewed from the northeastern elevation the extension has a substantial un-broken mass. This elevation will be not however be readily visible from the highway as it will be partially obscured by the neighbouring property. In addition to this, the proposed roof arrangement with a central flat section does not integrate completely with the host dwelling. However, again, this will not be immediately apparent when viewing the extension from street level. On balance, the extension is of acceptable design and will not detract from the street scene or character of the area.

5.3 Residential Amenity

The extension is to be erected on the north eastern side of the existing dwelling – closer to No. 9 Sydenham Way. There are no windows in the side elevation of No. 9 facing towards the application site. The bulk of the extension therefore where it runs along the side of No. 9 will have no impact upon the amenity afforded to this neighbour.

Part of the proposed two storey extension will project beyond the main rear wall of the neighbouring dwelling by 3.25 metres. The neighbouring dwelling at No. 9 is erected away from the boundary with a driveway running along the side of the property closest to the proposed extension. The neighbours also have an existing detached garage in place to the rear of their property that would obscure the ground floor of the extension from view. It is also important to note that the ground level at the neighbouring dwelling is slightly higher than the ground level at the application site.

Shadow tracking analysis plans have been submitted with the application to demonstrate that as a result of the proposed extension the neighbour at No. 9 would not suffer any significant increased levels of overshadowing.

As such, it is not considered there are any issues of overbearing or loss of privacy. Further, sufficient garden space would remain to serve the property and a new bins store is to be located within the rear garden. The impact on residential amenity is subsequently deemed acceptable.

5.4 Transportation

To facilitate the erection of the side extension the existing garage will need to be removed. Whilst the plans show the provision of a replacement garage in the extension, the replacement garage will be far too small for use by cars.

However, two off street parking spaces will remain on the driveway and thus sufficient off street parking is provided in accordance with Policy T8 despite the loss of the garage.

5.5 Section 106 Requirements

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

5.6 Use of Energy and Sustainability

None above building regulations statutory minima.

5.7 Improvements Achieved to the Scheme

None required in this instance.

6. ONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

ITEM 3

CIRCULATED SCHEDULE NO. 34/09 – 27 AUGUST 2007

App No.: PK09/1311/F
Site: 2 Prospect Cottages High Street Iron Acton South Gloucestershire BS37 9UL
Proposal: Engineering works to facilitate the construction of a car parking area in front garden.
Map Ref: 3681280 1834510
Application Category: Householder

Applicant: Mr G Hunt
Date Reg: 16th July 2009
Parish: Iron Acton
Ward: Frampton Cotterell
Target Date: 7th September 2009



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N.T.S.

PK09/1311/F

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for engineering operations to facilitate the creation of an off street parking area. The application includes the removal of a section of the existing front garden wall and the lowering of part of the existing garden level to allow vehicular access. Several small garden trees and shrubs are to be removed to facilitate the development.
- 1.2 Conservation area consent is only required if you wish to demolish a wall, fence, gate or railing over 1 metre in height next to a highway (including a public footpath or bridleway) or public open space; or over 2 metres in height elsewhere. As the wall in question is not next to a highway, not next to public open space and is just under 2 metres in height, conservation area consent is not required for its demolition. No planning permission or conservation area consent is therefore required for the removal of the section of wall – the only works for consideration are the physical engineering works – that is the levelling of the ground to create a flat parking space.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG15 Planning and the Historic Environment

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design in New Development
H4	House Extensions
T8	Parking Standards
L12	Conservation Areas

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/1322/F Erection of Single Storey rear extension to provide additional living accommodation. Erection of detached double garage.
Withdrawn June 2008

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council

Objects to the planning application for the following reasons:

- Object to the demolition of the traditional stone wall in the conservation area
- Considered that there is insufficient vehicle turning capacity on the narrow access drive.

Other Representations

4.2 Local Residents

None Received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) states that house extensions will be permitted subject to issues relating to massing, scale, proportions, materials, design, highways, and impact upon residential amenity. Policy L12 of the adopted Local Plan only allows for development within conservation areas where it would preserve or enhance the character or appearance of the conservation area.

5.2 Design/Visual Amenity

As explained in section 1.2 above, consent is not required for the removal of the section of wall. Nonetheless, the applicants are only proposing to remove the minimal section of wall required to allow easy vehicle access. The section of wall to be removed faces onto a private drive and will not effect the continuous stone walled frontage running along the High Street. Solid gates are to be installed in place of the removed section of wall and a condition will be attached to any consent granted to ensure that details of these gates are submitted and agreed. A condition will also be attached to ensure that details of all hard and soft landscaping are submitted and agreed to enable the Council to regulate the finished appearance of the driveway.

Subject to the attachment of conditions, there are no objections to the proposed engineering works and these will not have any adverse impact upon the character of Iron Acton Conservation Area.

5.3 Residential Amenity

The proposal includes no physical building works that could impact upon the level of amenity afforded to neighbouring properties. The parking space would not be immediately adjacent to any habitable room windows in neighbouring buildings and thus no issues of noise or disturbance could occur.

As such, it is not considered there are any issues of overbearing or loss of privacy. Further, sufficient garden space would remain to serve the property and a new bins store is to be located within the rear garden. The impact on residential amenity is subsequently deemed acceptable.

5.4 Transportation

At present the dwelling has no off street parking available. On street parking in the area is not encouraged because the High Street is narrow. Because of the width of the gates, it will be possible to manoeuvre a vehicle into and out of the parking space despite the narrow width of the lane. The lane onto which vehicles will be existing is a private lane and is not a public or adopted highway. Vehicles carrying out any manoeuvres in this lane will not therefore have any impact upon the safe and free flow of traffic in the area. There are no transportation objections to the proposal.

5.5 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 1/97

relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

5.6 Use of Energy and Sustainability
None required for this scheme

5.7 Improvements Achieved to the Scheme
During the course of the application amended plans were received to accurately show the position and retention of the garden walls not affected by the proposal.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

2. Prior to commencement of development details of all new hard and soft landscaping shall be submitted too and approved in writing by the local planning authority. All development must take place exactly in accordance with the details so agreed.

Reason

To ensure the satisfactory appearance of the development in the interests of visual amenity and to accord with the requirements of Policies D1, L12, and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of development design details of the new gates, including materials and finishes, shall be submitted too and approved in writing by the local planning authority. All development must take place exactly in accordance with the details so agreed.

Reason

To ensure the satisfactory appearance of the development in the interests of visual amenity and to accord with the requirements of Policies D1, L12, and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The rebuilt section of walling in the western boundary to the rear of the dwelling shall be rebuilt using lime based mortar, and to match the coursing of the existing wall.

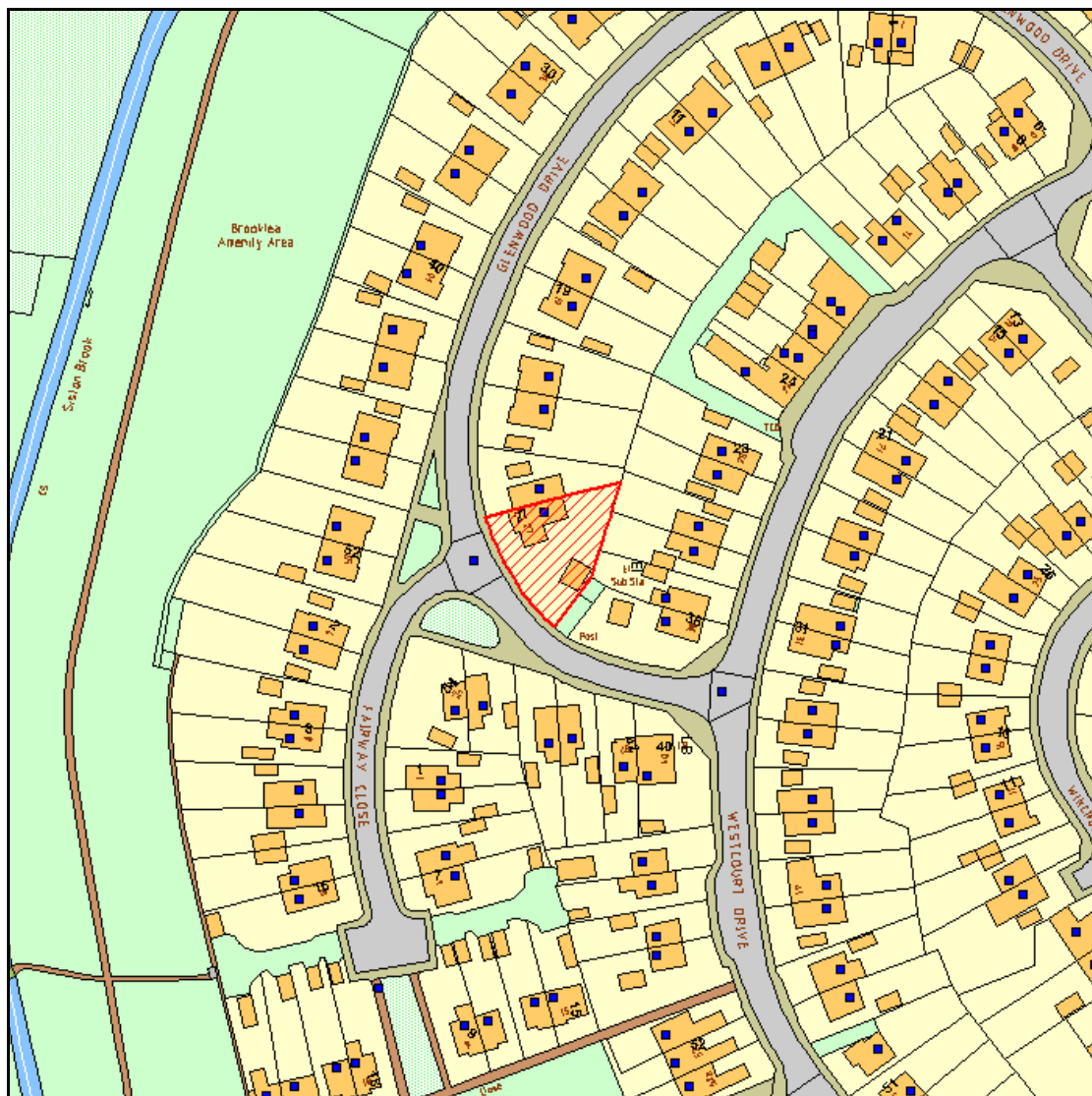
Reason

To ensure the satisfactory appearance of the development in the interests of visual amenity and to accord with the requirements of Policies D1, L12, and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 4

CIRCULATED SCHEDULE NO. 34/09 – 27 AUGUST 2009

App No.:	PK09/1313/F	Applicant:	Mrs Henson
Site:	27 Glenwood Drive Oldland Common South Gloucestershire BS30 9RZ	Date Reg:	16th July 2009
Proposal:	Erection of 1no. detached dwelling with access, cycle store and associated works. (Amendment to previously approved scheme PK08/1437/F to increase height of dwelling.)	Parish:	Bitton
Map Ref:	3669170 1716750	Ward:	Oldland Common
Application Category:	Minor	Target Date:	7th September 2009



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INTRODUCTION

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

1. THE PROPOSAL

- 1.1 In July 2008, full planning permission was granted for the construction of a four bedroomed property on the site under planning reference number PK08/1437/F. The property has now been largely constructed. During construction however it was noticed that the house has actually been erected slightly differently from the house that was approved. Following enforcement investigations, this current planning application was submitted to allow officers the opportunity to consider the dwelling as actually constructed rather than the dwelling as approved. The house as constructed differs from that previously approved in the following ways:
- The dwelling is 600mm taller than approved
 - Two roof lights and solar panels are added to allow for the utilisation of the roof space
 - The dwelling is 500 deeper than originally approved.
- 1.2 The site is located within a residential estate in Oldland Common. The surrounding properties are mainly semi-detached but come in a variety of forms from bungalows to two storey dwellings.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering sustainable Development
PPS3	Housing
PPG13	Transport - Guide to Better Practice

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Residential Development in Urban Areas
H4	Development within Existing Residential Curtilages
T8	Parking Standards
T12	Transportation Development Control Policy

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/1437/F Erection of 1 no. detached dwelling with access, cycle store and associated works.
Approved July 2008
- 3.2 PK07/1299/F Erection of two storey side extension to form additional living accommodation with front entrance porch.

Approved May 2007.

This permission has not been implemented.

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Objects to the application for the following reasons:

Councillors noted that, rather than an amendment to an approved scheme only to increase the height of the dwelling (as the heading suggests), this application sought retrospective permission for a third storey at the new dwelling, 2 Velux windows, solar panels and significant extra roof height. Councillors were very concerned that the wording as given is misleading and does not represent the changes already carried out.

Councillors felt that, rather than the difference in height occurring due to necessity as opposed to intention (as stated on plan 4), it is the addition of an extra storey that has led to this situation. As such this would be a flagrant and deliberate attempt to circumvent the development control legislation and, if allowed to stand, would set a dangerous precedent.

In the circumstances Councillors oppose the application very strongly and ask that the application be refused and the roof area of the dwelling rebuilt to conform to the permission already given. They feel also that the amendments to the previous application cause this dwelling to be overbearing: other dwellings in Glenwood Drive are a mixture of bungalows and two storey dwellings and this dwelling would be higher and therefore out of place.

Other Representations

4.2 Local Residents

One letter of objection has been received from a local resident. A summary of the points of concern raised is as follows;

- The house will block sun to the neighbours garden. The increase in height exacerbates this.
- Overshadows rooms in neighbours houses
- Children can't play in their gardens because of the lack of sun
- No mention of the reason for the increase in height
- There are velux windows in the roof

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) allows for development within existing residential curtilages including new dwelling subject to there being no adverse impact on the existing visual and residential amenities within the immediate area. Therefore subject to these constraints, the proposal is considered acceptable in principle.

The South Gloucestershire Local Plan (Adopted) identifies the site as lying within the urban area. With the exception of design, Policy H2 of the South

Gloucestershire Local Plan (Adopted) encompasses all the relevant issues of the above policies, for Policy H2 allows for new residential development providing that the following criteria are complied with:-

5.2 **(a) Development would be on previously developed land.**

The proposed site is considered previously developed land by virtue of its status as land being within the curtilage of the existing residential property. This complies with the definition outlined in PPG3 (Annex C).

The site is therefore considered an appropriate site for residential development subject to compliance with the following criteria.

5.3 **(b) Development would not have unacceptable environmental or transportation effects; and would not significantly prejudice residential amenity.**

In the interests of clarity these two issues will be discussed in turn;

Transportation Effects

The site is located on Glenwood Drive which is an unclassified residential highway. The road is in a crescent formation which links at both ends with Westcourt Drive. It is proposed to demolish the existing garage to facilitate the erection of the new dwelling. The proposed new dwelling will utilise the existing dropped kerb and vehicular access point and a new dropped kerb will be created to provide access for the existing dwelling. The proposed new dwelling will have three off street parking spaces – one in the integral garage and two spaces in front of the proposed dwelling. The existing dwelling on the site will be provided with two off street parking spaces within its curtilage. The level of parking proposed is within the standards set out in Policy T8 of the South Gloucestershire Local Plan and are therefore considered acceptable.

The increase in height and depth of the building has no impact upon the level of parking provision. Similarly the roof conversion, be this for a play room or a bedroom has no impact upon the parking requirement. Three parking spaces to serve a five bedroomed dwelling is in line with the Councils maximum parking standards and as such, there are no objections to the amended scheme.

Residential Amenity

It is noted that objections have been received concerning the impact of the development on levels of residential amenity at neighbouring properties. The issue for consideration here is whether the additional 600mm height, 500mm depth and 2 roof lights have any significant or detrimental impact upon existing levels of residential amenity.

Three bedroom windows would be inserted into the first floor on the rear elevation of the new dwelling. These new windows would result in no significantly greater levels of overlooking of the surrounding gardens than the existing dwellings. All gardens in the area are, to a certain extent, all overlooked by neighbouring dwellings – as is normally the case in residential estates with semi-detached dwellings. This proposed new dwelling would not exacerbate the existing situation to such an extent that would warrant the

refusal of the application. The new roof lights in the roof slope – one on the rear elevation and one of the front would not result in any issues of intervisibility between habitable room windows because of the distances involved.

As was the case with the initially approved scheme, it is not considered that there are any issues of overbearing or overshadowing for neighbouring dwellings. Because of the location of the new dwelling and the distance from the surrounding residential properties, no issues of overbearing arise. The new dwelling is located to the east of the properties along Westcourt Drive and at the bottom of their gardens. Whilst the additional 600mm in height will indeed be noticeable from the neighbouring properties it is not considered that it will cause such an additional or problematic degree of overshadowing sufficient to warrant the refusal of the application.

The plans show how adequate private and useable amenity space will be provided to serve both the existing and proposed dwellings. The impact on residential amenity is therefore considered to be entirely acceptable.

5.4 **(c) The maximum density compatible with the sites location, its accessibility and its surroundings is achieved.**

A density calculation on the site provides a density of approximately 40 houses per hectare. This density is in keeping with the character of the surrounding area, makes efficient use of the land and is in keeping with the guidance contained within PPS3.

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

The new dwelling would be subjected to no greater levels of noise, dust, pollutants etc than the existing dwellings it would be erected next too.

5.6 **(e) Provision for education, leisure, recreation etc. in the vicinity is adequate to meet the needs arising from the proposal**

The proposal is only for 1 dwelling and therefore would not have a significant impact on the area in terms of service provision.

5.7 Design/Visual Amenity

The surrounding built form is very varied – although most of the surrounding dwellings are semi-detached. The existing dwelling on the site is a two storey property although many others in the street are single storey bungalows and dormer bungalows. As was the case with the initially approved dwelling the proposed dwelling, simply because of the fact that it will be detached rather than semi-detached will be different to the others in the street scene. However, satisfactory attempts have been made to ensure that it integrates with the surrounding dwellings – the new dwelling will have brick at ground floor and render at first floor to match the neighbouring buildings and the width of the new dwelling will match the width of the pairs of semi-detached properties. It is also accepted that front gables are not a traditional form of design in the area, however given that front dormers are present in the area; it would be unreasonable to refuse the application on this basis.

The additional 600mm in height does indeed have a noticeable effect on the character of the dwelling. It makes the proposed dwelling noticeably taller than the existing dwelling known at 27 Glenwood Drive. In this particular instance however, the additional height is not considered to be an issue. This is because the properties immediately to the West of the site – along Westcourt Drive are at a higher level than the properties on Glenwood Drive. The ridge height of the proposed dwelling will be very similar to the existing ridge height of the dwellings on Westcourt Drive. Therefore, the proposed dwelling will not be viewed in isolation and the ridge of the dwelling will not appear to project up taller than the surrounding dwellings. Its integration is further assisted by the fact that the dwellings along Glenwood Drive are of varied heights and have staggered ridge lines because of the gradient of the land.

5.8 Design and Access Statement

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

5.9 Use of Energy and Sustainability

The application includes the installation of solar panels. These reduce the carbon footprint of the property above building regulations statutory minima

5.10 Improvements Achieved to the Scheme

None required

5.11 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 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.

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

7. RECOMMENDATION

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

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason. To ensure the satisfactory provision of parking facilities and in the-interest of highway safety and the amenity of the area, and to accord with Policies H4, H2, T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

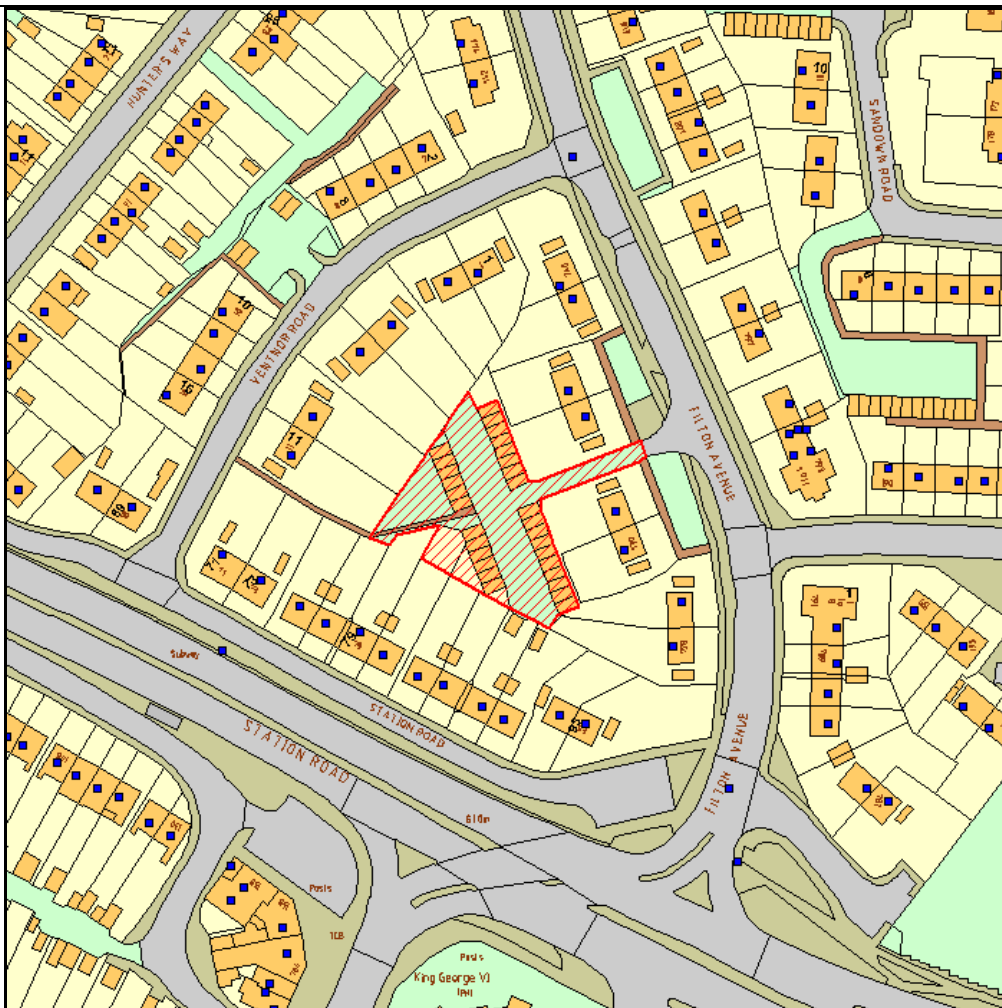
2. Prior to the commencement of the laying of any hard surfacing, detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to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

ITEM 5

CIRCULATED SCHEDULE NO. 34/09 – 27 AUGUST 2009

App No.:	PT08/2324/F	Applicant:	Solon (SW) Housing Association
Site:	Garage Court off Filton Avenue Filton South Gloucestershire BS34 7HE	Date Reg:	18th August 2008
Proposal:	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).	Parish:	Filton
Map Ref:	3609640 1790250	Ward:	Filton
Application Category:	Minor	Target Date:	6th October 2008



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100023410, 2008.

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PT08/2324/F

INTRODUCTION

- 1.1 Members may recall this planning application from the Circulated Schedule No. 37/08, dated 12 September 2008 where it was resolved to grant the proposal conditional planning permission, subject to a Section 106 Agreement requiring financial contributions towards the North Fringe Development Major Scheme (Transport Matters) and additional primary school provision.
- 1.2 The Section 106 Agreement is required to be signed and sealed within 6 months of the resolution, giving a date of 12 March 2009. However, this planning application appeared on the Circulated Schedule No. 04/08, dated 30 January 2009 where this date was extended to the 12 September 2009. The applicants have now requested a further extension of this time scale by 6 months. The applicant now requires this extension to secure funding from the new Homes and Community Agency which cannot be achieved prior to the 12 September 2009. As such the applicants are not yet in a position to enter in to a Section 106 Agreement.
- 1.3 Members are therefore requested to extend this time limit by a further 6 months, ie until 12 March 2010.
- 1.4 The original report relating to this application is attached for information. It is not considered that there have been any material changes to the policy context in the intervening period. Notwithstanding this, Councillor Peter Tyzack has commented that there has been a material change due to the recession, and this may impact the housing need, and the types of housing that are required. In view of this Council Housing Enabling Officer has been contacted and these comments are reported below:

2. ANALYSIS OF PROPOSAL

2.1 Housing Need

To date 3 bed & 2 bed family dwellings for social rent (as being proposed) are the highest identified needs. This is re-enforced by the Council's soon to be adopted "Strategic Market Assessment" May 2009 which identifies housing need and demand for the period between 2009 -2021 and will replace the Herrington Report. The report identifies a need for 727 social rented units between 2009 -2021 and identifies that South Gloucestershire need is for relatively more 2 & 3 bedroom family suitable housing, with a 37.3% need for 2 beds houses and 21.6% for 3 bed houses. As such, despite the current economic climate, there is an identified need and demand for the type of units being proposed. The Enabling Team clearly sees this current application as an excellent opportunity to provide much needed affordable housing.

3. RECOMMENDATION

- 3.1 (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 by 12 March 2010 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: 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.

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.

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.

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.

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.

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.

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.

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

APPENDIX - A

CIRCULATED SCHEDULE NO. 37/08 – 12 SEPTEMBER 2008

App No.: PT08/2324/F

Applicant: Solon (SW)
Housing Association

Site: Garage Court off Filton Avenue, Filton,
South Gloucestershire, BS34 7HE

Date Reg: 18th August 2008

Proposal: 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).

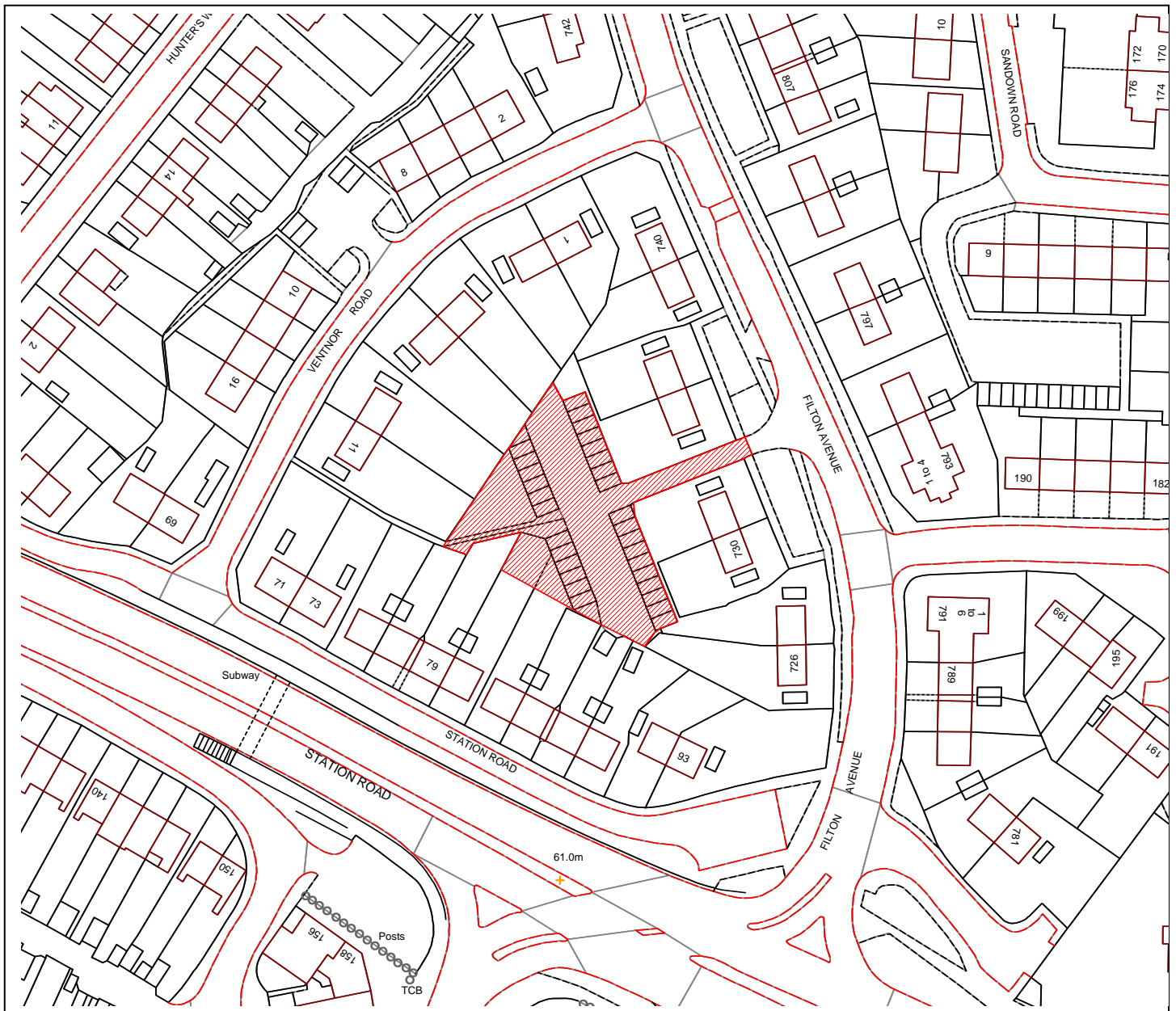
Parish: Filton Town Council

Map Ref: 60964 79025

Ward: Filton

Application Category: Minor

Target Date: 6th October 2008



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100023410, 2008.

DC0901MW

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 40m² to 50m². 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.

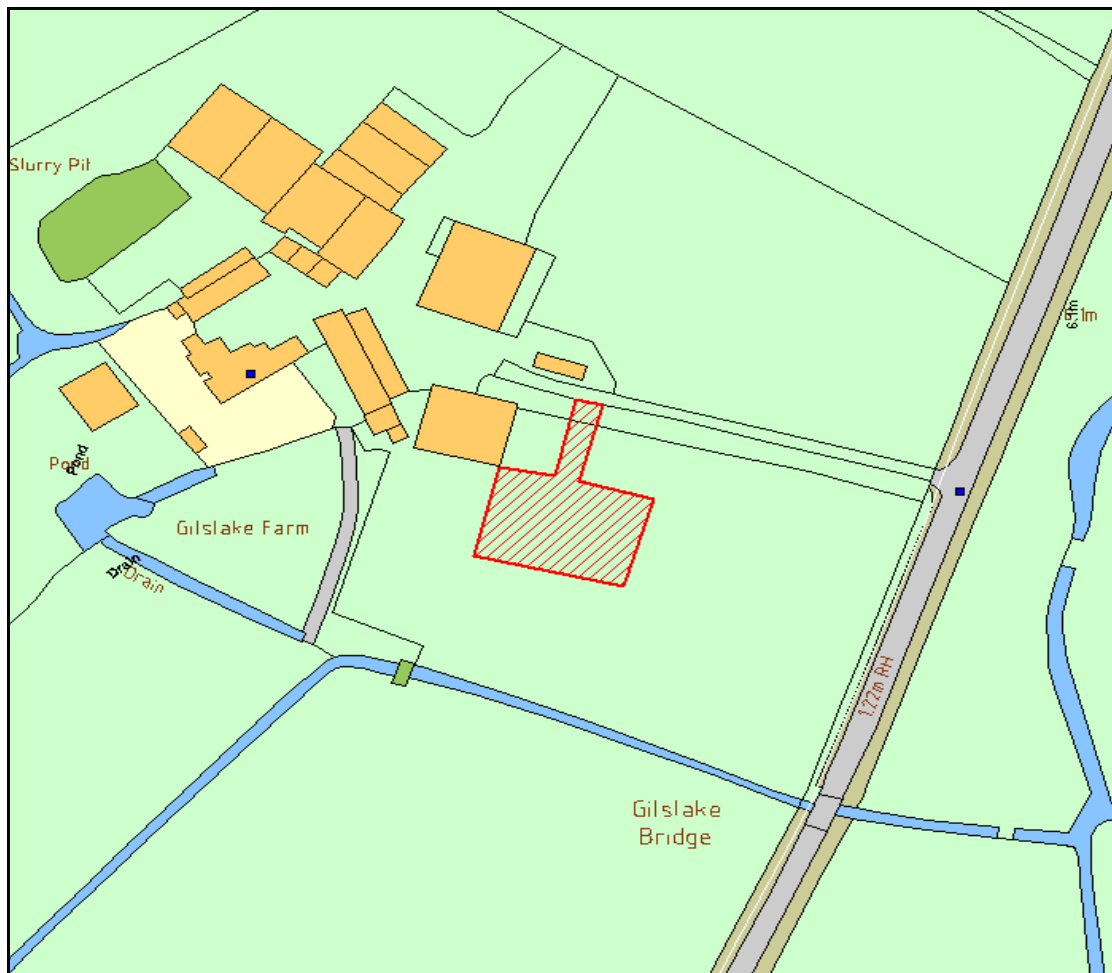
Reason(s):

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

ITEM 6

CIRCULATED SCHEDULE NO. 34/09 – 27 AUGUST 2009

App No.:	PT09/0586/O	Applicant:	Mr & Mrs D Cheacker
Site:	Gislake Farm Station Road Pilning South Gloucestershire BS35 4JT	Date Reg:	31st March 2009
Proposal:	Erection of agricultural workers dwelling (outline) with access and layout to be determined. All other matters reserved.	Parish:	Pilning & Severn Beach
Map Ref:	3566210 1838330	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	22nd May 2009



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100023410, 2008. **N.T.S.** **PT09/0586/O**

INTRODUCTION

Members will recall that this application appeared on the Circulated Schedule No.33/09 following the receipt of representations from Pilning and Severn Beach Parish Council which were contrary to the case officer's recommendation. The report has been recirculated because the full set of plans were not then available on the public website.

1. THE PROPOSAL

- 1.1 The applicant seeks outline planning permission for the erection of agricultural workers dwellings. The matters of access and layout are to be determined in this application. The matters of scale, appearance and landscaping shall be reserved for subsequent consideration.
- 1.2 Gislake Farm, which is owned and occupied, extends to about 54ha, farmhouse and buildings. A further 45ha is taken on an annual basis predominantly for silage production. The farm is a well established agricultural business, which consists a beef suckler herd that consisting around 100 Limousin and Belgian Blue cross cows. They also own four Belgian Blue stock bulls. It is noted that a farm worker and their family have been living on the site in a mobile home for the past couple of years without permission. This has formed separate enforcement investigation.
- 1.3 The application site is approximately 0.9ha in site area, and would situated to the south-east of the existing farmstead and to the west of Station Road. The site is situated adjacent to the existing farm track leading the farm and a mature hedgerow.
- 1.4 The proposed dwelling would have a footprint of a 8 square metres and the Design and Access Statement submitted with the application has indicated the height of the dwelling at the eaves would not exceed 5.5m above FFL (Finished Floor Level) with a ridge height not exceeding 7.5m above FFL. The dwelling would be finished in stone and rendered elevations under a tiles roof. Access to the site would be achieved from the existing farm track, which has access onto Station Road.
- 1.5 The application site is situated outside of any defined settlement boundary, it is designated as Green Belt and is located within the Environment Agency's Flood Zone 3.
- 1.6 Amended plans have been received which moved the site further towards Station Road. These were at the applicant's request.

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1: Delivering Sustainable Development
 - PPG2: Green Belt
 - PPS3: Housing
 - PPS7: Sustainable Development in Rural Areas
 - PPG13: Transport

PPG16: Archaeology and Planning
PPS25: Development and Flood Risk

2.2 Development Plans

Joint Replacement Structure Plan (Adopted) September 2002: Saved Policies

Policy 1: Sustainable Development Objectives
Policy 2: Location of Development
Policy 16: Green Belts
Policy 33: Housing Provision and Distribution

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
H3: Residential Development in the Countryside
GB1: Development within the Green Belt
L1: Landscape Protection and Enhancement
L11: Archaeology
EP2: Flood Risk and Development
T12: Transportation Development Control Policy in New Development

2.4 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 Pilning and Severn Beach Parish

The Parish Council is opposed to this application. The site is within the green belt and the local flood plain. Any development would be contrary to policy.

4.2 Sustainable Transport

No objection.

4.3 Local Residents

None received.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning Policy Statement 7: Sustainable Development in Rural Areas and Policy H3 of the adopted local plan identifies that in principle, a agricultural/forestry workers dwelling is one of the few circumstances in which a new dwelling may be justified in the open countryside. Policy H8 of the adopted local plan also supports agricultural/forestry workers dwelling within the countryside, however this policy was not saved by the Secretary of State, and therefore carries no weight in the determination of this application. In order for

such a development to be permitted the Local Planning Authority (LPA) must scrutinise the application thoroughly to establish that the need for such a dwelling is genuine.

- 5.2 PPS7 identifies that new permanent agricultural worker dwellings should only be allowed to support existing agricultural activities on well-established agricultural units. The development must also satisfy the following criteria identified under paragraph 3 of Annex A of PPS7. The LPA have commissioned a consultant to provide an agricultural planning appraisal which has assessed the development with regard to the following criteria: -

5.3 ***i) There is a clearly established existing functional need;***

When one considers the functional need, one should naturally look to the long-term future availability of land and buildings before assessing the need to be living on site – or another dwelling in this case. With a lot of the land rented, the question could be asked as to the long-term viability of the present scale of enterprise. In this particular case the applicants have rented the same land for over 10 years, and this historic nature mitigates to an extent the potential future non-availability argument. The rented land is used predominantly for the production of forage, in which case the enterprises could still continue if this land were to be lost, with forage and feed bought-in if necessary. The business would not be so profitable though in this instance.

Going back to the functional need itself, based on the present enterprises being sustainable it should be emphasised that there are roughly 200 calvings throughout the year plus the seasonal lambing. On this scale the consultant considered it essential for there to be two qualified people based on site ie somebody else readily available in addition to Mr Cheacker at Gislake Farm.

This information demonstrates that this criterion has been **satisfied**.

5.4 ***ii) The need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;***

With the number of stock around there is a need for at least two full-time qualified people, in other words the proposed dwelling would be in association with a full-time qualified person.

This information demonstrates that this criterion has been **satisfied**.

5.5 ***iii) The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;***

The applicant's family have been farming for a number of years and have moved on from dairy farming to create a successful, mixed livestock enterprise, as proven by the accounts which the consultant assessed. The business is profitable and would sustain the proposed second full time person living on site.

This information demonstrates that this criterion has been **satisfied**.

- 5.6 ***iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and***

There are no other under used building on the holding which are capable of conversion to residential accommodation. Furthermore, there is no evidence to suggest that there is any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

This information demonstrates that this criterion has been **satisfied**.

- 5.7 ***v) Other normal planning requirements are satisfied.***

This criterion is addressed through the remainder of this report.

- 5.8 In view of the above, it is considered that the proposed development accords with the national and local planning policy context laid out in PPS7. The development would be limited to a period of three year via an appropriate planning condition. Furthermore the design of the proposed log cabin allows it to be easily dismantled.

- 5.9 Green Belt

In Green Belt locations there is a general presumption in national and local planning policy against inappropriate development. The construction of new buildings inside a Green Belt is inappropriate unless it is for the following categories as defined in PPG2 and Policy GB1: -

- Agriculture and forestry;
- Essential facilities for outdoor sport and recreation
- Cemeteries;
- Limited extension, alteration or replacement of existing dwellings; and
- Limited infilling within the boundaries of settlements.

- 5.10 With regard to the above it is considered that the proposed agricultural workers dwelling would fall within the 'agriculture and forestry' category and, therefore represents an appropriate development within the Green Belt. Subject to a condition linking the development to occupation by an agricultural worker.

- 5.11 Flood Risk

The application site is situated within the Environment Agency's (EA) Flood Zone 3. This zone is all areas which are at high risk from flooding. To address this issue the EA have been consulted. They have raised no objection to the proposal subject to the LPA being satisfied that both the sequential and exception test have been satisfactorily applied and passed in line PPS25. Furthermore, the EA have recommended several conditions if the LPA consider the above tests to be passed. Consideration to the sequential and exception tests has been given below: -

- 5.12 ***Sequential Test***

According to PPS25, this is a risk-based test which should be applied at all stages of planning. Its aim is to steer new development to areas at the lowest probability of flooding (Zone 1). The proposed dwelling is required as part of an existing agricultural holding in order for the applicant to provide care for their livestock. In view of this, it is considered that it is essential that the dwelling is situated on this site. As such, there would be no other reasonable sites in other flood zones. Furthermore, the EA have demonstrated that flood risk can be reduced through conditions.

5.13 ***Exception Test***

The exception test is applicable because the site is situated within Flood Zone 3 and is considered to be a 'More Vulnerable' development under Table D.2 of PPS25. For the exception test to be passed the following criteria must be accorded to: -

5.14 ***a) it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk;***

It is considered that the proposed development would help deliver the Government objectives for rural areas which are identified in PPS7. For instance the development would; encourage the development of a viable rural business, contribute to the rural economy and help protect the rural landscape. Hence it is considered that the development would provide wider sustainability to the rural area which would outweigh flood risk in this instance.

5.15 ***b) the development should be on developable previously-developed land or, if it is not previously developed land, that there are no reasonable alternative sites on developable previously developed land; and***

Agricultural land-uses generally relate to undeveloped land in rural locations. In order for an agricultural workers dwelling to function effectively it must be located on or near to its agricultural land. In this application there is no previously developed land and no reasonable alternative site in such locations. As such, it is considered the proposed development is the only acceptable option and therefore passes this criterion.

5.16 ***c) a FRA must demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.***

The applicant has submitted a FRA with their application. The EA have assessed this and have raised no objection to the development subject to conditions. It is therefore considered that the development would be reasonably safe in these circumstances and would not increase flood risk elsewhere.

5.17 In view of the above, it is considered that the proposed development accords with the national and local planning policy context laid out in PPS25 and Policy EP2 of the adopted local plan.

5.18 Visual Amenity

The proposed dwelling would be situated to the south-east of the existing farmstead. It is considered that this siting and layout would relate well with the existing collection of farm buildings. The matters of appearance, scale and landscaping have been reserved for subsequent consideration. Nevertheless, the applicant has indicated in the Design and Access Statement that the proposed dwelling would have a footprint of 8m x 10m, and the eaves would not exceed 5.5m above FFL (Finished Floor Level) with a ridge height not exceeding 7.5m FFL. It is considered that this indicative scale and massing would relate well with the adjacent building on the site, and thus is acceptable in principle.

5.19 Furthermore, the indicative landscape proposals show that the development would be surrounded by a new hedgerow to the east and south of the site, and a new orchard planting to the west of the site. The Council Landscape Architect concluded the indicative landscape proposal follows the established hedgerow pattern by introducing new hedgerows. Furthermore orchards are considered a significant landscape characteristic of the locality and the 1881 OS appears to show an orchard around the farm. This landscape design approach is therefore considered wholly appropriate for the locality.

5.20 Residential Amenity

The application site is situated in an isolated and detached location. As such there would be no harm to residential amenity.

5.21 Archaeology

The proposed development lies adjacent to an area of known archaeology and within an area of known archaeological potential. In addition it is also situated in the Severn Levels, an internationally important zone relating to Archaeology and the Historic Environment. Therefore, a pre-determination archaeological assessment was required in the form of a desk-based assessment and field evaluation. The Councils Archaeologist has assessed the submitted report on the trial trenching at this site. They concluded that the work was successful in indicating that there are no substantial archaeological structures or deposits which require mitigation measures. As such no further archaeological work are required in the case of this development.

5.22 Transportation

The proposed development would share the existing access onto Station Road and would provide car parking within its curtilage. The Council Transport Engineer has assessed these arrangements and has raised no objection.

5.23 Enforcement Issues

It was observed during the site visit that the applicant has been occupying a mobile home on the site for residential purposes without planning permission. This issue has been passed onto the Councils Enforcement Team for investigation.

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 Use of Energy and Sustainability

None.

5.26 Improvements Achieved to the Scheme

None.

5.27 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

1. Approval of the details of the scale and appearance of the building and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the scale and appearance of any building to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

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

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

5. Applications for the approval of the reserved matters shall be in accordance with the principles and parameters described and illustrated in the submitted Design and Access Statement (dated March 2009) and with the approved drawings (Location Plan) unless otherwise agreed in writing by the Local Planning Authority. A statement shall be submitted with each reserved matters application that demonstrates that the application proposals comply with the Design and Access Statement.

Reason

To ensure that the scale parameters of the reserved matters application accord to those approved at outline stage to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason

The site is not in an area intended for development and the development has been permitted solely because it is required to accommodate a person working in agriculture or forestry, to accord with Policy H3 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPS7 .

7. Finished floor levels should be set no lower than 7.0 metres above Ordnance Datum (N).

Reason

To protect the dwelling from flooding., and to accord with PPS25 and policies EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. No development shall be commenced until a scheme for the incorporation of flood proofing measures within the dwelling has been submitted and approved by the Local Planning Authority. Development shall be carried out in accordance with approved details.

Reason

To protect the dwelling from flooding., and to accord with PPS25 and policies EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal, and to accord with PPS25 and policy EP2 of the South Gloucestershire Local Plan (adopted) January 2006

10. No development shall be commenced until a specific flood warning and evacuation plan is produced for the dwellings occupants. This must be submitted to and agreed in writing by the Local Planning Authority.

Reason

To reduce the impact of flooding on the future occupiers of the proposed dwelling, and to accord with PPS25 and policy EP2 of the South Gloucestershire Local Plan (adopted) January 2006.

ITEM 7

CIRCULATED SCHEDULE NO. 34/09 – 27 AUGUST 2009

App No.:	PT09/1220/O	Applicant:	Irish Life Investment Managers
Site:	1700 Park Avenue Aztec West Almondsbury South Gloucestershire BS32 4UA	Date Reg:	2nd July 2009
Proposal:	Construction of 4 no. buildings for office use (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 with associated car parking and landscaping. Outline application with access and layout to be considered. All other matters reserved.	Parish:	Patchway
Map Ref:	3603230 1829750	Ward:	Patchway
Application Category:	Major	Target Date:	28th September 2009



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INTRODUCTION

This application appears on the Circulated Schedule as it is a major application and there is a letter of objection.

1. THE PROPOSAL

Outline planning permission is sought for the erection of 4 no. three storey buildings for B1 office use. Means of access and site layout are to be determined at this stage, and all other matters are reserved for future consideration. The proposal seeks to demolish the existing building on site and create 15,060 sq m of total new floorspace on the site.

Access to the site would be off Park Avenue to the south, as is currently the case, however it is proposed that this access is relocated further to the east, and a separate access and egress provided. The proposal seeks to provide 419 permanent car parking spaces on site and carry out significant new tree planting.

In support of the proposal, as well as the application drawings, the following documents have been submitted:

- Planning Supporting Statement
- Design and Access Statement
- Sustainability Statement
- Transport Statement
- Travel Plan Framework
- Flood Risk Assessment

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG4 Industrial and Commercial Development and Small Firms
PPG13 Transport
PPG25 Planning and Flood Risk

Draft RSS for the SW and SOS's report

SD1 Ecological Footprint
E High Quality Design
F Planning and Delivery of Major Development
G Sustainable Construction

2.2 Joint Replacement Structure Plan (Adopted)- Saved Policies

Policy 1 Sustainable Development
Policy 2 Locational Strategy
Policy 12 The North Fringe
Policy 30 Safeguarding Employment Sites

South Gloucestershire Local Plan (Adopted)

- D1 Achieving good Quality Design
- L1 Landscape Protection and Enhancement
- L9 Species Protection
- EP2 Flood Risk
- L17/L18 The Water Environment
- T7 Cycle Parking
- T8 Parking Standards
- T12 Transportation Development Control Policy
- T3 Public Transport Route
- E3 Criteria for Assessing Proposals for Employment Development within the Urban Area and Defined Settlement Boundaries
- E4 Safeguarded Employment Areas
- S1 Service Infrastructure in New Development

Supplementary Planning Guidance
 South Gloucestershire Design Checklist SDP (Adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 P85/0050/9 Erection of a warehouse with ancillary office accommodation totalling 10,068 sq.m. Planning permission granted June 1985
- 3.2 PT08/2971/O Erection of 4 no. buildings for office use. Outline application with access and layout to be considered. Withdrawn January 2009 due to officers concerns regarding layout, landscaping and Highway Agency issues.

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
 No comments received

- 4.2 Other Consultees

Highways Agency

We have reviewed the Transport Statement and Framework Travel Plan and have no objections.

Police Community Safety

Inadequate detail has been provided in the DAS regarding safety, security and crime prevention. Business Parks are vulnerable to out- of -hours crime, and ground floor windows at the rear of the buildings should be laminated to 6.8mm and BS7950 standard. Vehicular barrier control should be implemented and lighting needs to be BS 5489.

Environment Agency

No objections in principle subject to a condition requiring the submission and approval of a scheme for surface water drainage works. In addition an informative is recommended setting out the EA's criteria for surface water drainage schemes.

SGC PROW Team

The closest PROW is along the footpath on Park Avenue outside the site, therefore there is no objection.

SGC Drainage Engineer, Community Services

No objection in principle subject to the implementation of a surface water drainage scheme including SUDS, for flood protection, pollution control and environmental protection. As the site is greater than 1 Ha, a Flood Risk Assessment has been included and must be forwarded to the EA for their comment.

Wessex Water

The drainage within the site is owned operated and maintained by a private management company, therefore any connection to the private system needs to be with the management company, and not Wessex Water. The foul drainage goes to a private pumping station off Coniston Rd. Provided the pumping station is not uprated with increased pass forward flow we have no objection.

Other Representations

4.3 Local Business

One letter has been received, objecting to the proposal on the following summarised grounds:

- Volume of traffic means that journeys from Park Avenue to Aztec West A38 roundabout can take 45 minutes when all buildings were previously occupied.
- The proposal will significantly increase traffic by at least 900 vehicles when added to the proposed offices at Plot 1550.
- Public transport should be encouraged by limiting parking on site
- Highways Agency should assess the proposal
- What measures are there to ameliorate traffic?

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site is located within the Aztec West safeguarded employment area as defined in the South Gloucestershire Local Plan and the proposal is for a B1 office use, i.e. an employment generating use. Policy E4 states that within these employment areas planning permission will be granted for employment generating uses, subject to the satisfaction of criteria set out in Policy E3. These criteria, as well as any other relevant criteria are considered below.

A) Would the proposal have any unacceptable environmental effects?

The site is currently occupied by a building, most recently occupied by the Post Office under a temporary let and prior to this the site has been vacant

for two years. In terms of environmental effect, the proposal would be a replacement for an existing use on an employment site and therefore would be unlikely to have any significantly different effect on the environment, subject to the consideration of the more detailed environmental criteria, including ecology, landscape and traffic below.

B) Would the development give rise to unacceptable levels of vehicular traffic, especially heavy goods vehicles, or on-street parking to the detriment of the amenities of the surrounding area or highway safety?

The application includes a transport statement and travel plan framework. Prior to their submission the applicant attended scoping consultations with both the Highways Agency (HA) and SGC. The HA had previously raised concerns regarding the issue of the current congestion on the A38 in peak periods, and the queues from the Aztec West roundabout, (as noted by the letter of objection to the proposal), where traffic queues can extend back onto the slip roads at J16 of the M5. The lack of alternative measures to get out of the business park (other than walking or cycling) lead to congestion within the internal road network of the business park, particularly within the evening peak hours.

At the time of the previous application on this site, the HA raised concerns regarding this issue and the potential traffic impact associated with the redevelopment proposals at Aztec West on plot 1700 and other potential redevelopment opportunities. On this basis the applicant's transport consultants produced a strategy note which has been agreed with the Highways Agency and South Gloucestershire Council.

The agreed package of measures in the short to medium term are to relieve pressure on the adjacent roundabouts. It was agreed with the HA that up to 300,000 sq ft GFA of B1 use could be developed, subject to the development contributing to a recognised highway scheme (local highway widening scheme on the A38 between M5 Jct 16 and the Aztec West Roundabout) as a means of mitigating the strategic impact on the operational performance of the highway network. *The current application uses up the last of this 300,000 sq ft, so any further development at Aztec West will have to be determined on its own merits.*

This scheme was costed at £212,218.80 for the 300,000 sq ft. which equates to approximately £7.61 per sq m of B1 GFA.

This development represents an equivalent increase overall of 9,909.5 sq m over the extant uses on the site and as such is expected to contribute $£9,909.5 \times 7.61 = £75,411.30$ towards the highway scheme which has already been completed.

In addition to the contribution all development is required to submit a travel plan (with meaningful targets and penalties) to further mitigate the impact of their development.

Policy T4 of the SGLP defines bus priority measures to provide a bus link between Coniston Road Patchway, and Waterside Road, Aztec West, (which is located in the south eastern corner of the business park) in order to improve public transport access to Aztec West. The authority is currently looking at proposals to provide this public transport link through the back of the Aztec

West development to enable better public transport provision which will be of direct benefit to all the occupiers of Aztec West.

The proposed 100 cycle parking spaces within the site is considered acceptable in terms of numbers and location. The amount of car parking has been reduced since the previous application to a total of 419 spaces, which complies with the Council's maximum parking standard of 1:35 sq m in the North Fringe safeguarded employment areas.

Subject to a Section 106 obligation to secure a contribution of £75,411.30 and the implementation of the travel plan framework, there is no transportation objection to this proposal.

C) Would the development prejudice existing residential amenities?

There are no residential properties in the vicinity of the site.

D) Would the character of the area be adversely affected?

Under this criterion, officers have also considered Policy D1 of the SGLP, the SGC Design checklist, PPS1, and draft RSS policy E: High Quality Design, and G: Sustainable construction.

The Design and Access Statement (DAS) identifies six potential options for the site layout and analyses each. The final option chosen is similar to the previous withdrawn proposal, but with the main difference in design terms being the building line of blocks A and D moving close to Park Ave and more detailed landscaping proposals. The DAS also provides a clearer rationale behind the proposed layout and relates it to the site constraints and opportunities.

The proposed layout comprises four individual buildings arranged across the site in two symmetrical T-shapes that wrap around a central parking courtyard. The main frontages of the two 'front' buildings are orientated perpendicular to Park Avenue and the site's only access point. Laid out in this way it was previously considered that the opportunity to enhance the visual presence of the site from Park Avenue had not been taken.

As currently proposed Buildings A and D have been moved closer to Park Avenue. This has a dual effect; firstly increasing the proximity and presence of the buildings when viewed from Park Avenue, and secondly relocating vehicular access to the rear of these buildings within the site so that less visual emphasis is given to roads and parking. This is considered to overcome previous concerns.

The buildings to the rear of the site (i.e. north-west) are orientated parallel with the M5, which the Design and Access Statement suggests will provide an acoustic barrier between the centre of the site and the M5. Combined with an appropriate sound insulation and method of construction (which could also contribute towards building sustainability) this will not harm the useability of the buildings, and will take advantage of views over the M5.

Overall the minor amendments made to the siting of buildings A and D, combined with the justification set out in the Design and Access Statement,

have had positive effects on the layout and positioning of the buildings, which are now considered to accord with Policy D1.

The scale parameters provided indicate the proposed buildings will comprise three storeys, around 12m in height, and will be based around a 9m x 9m structural grid. This will allow flexibility in terms of letting and future changes to tenure, layout, extension or consolidation within the floorplan. Given the surrounding context of two and three storey buildings the scale parameters proposed are considered acceptable.

It is considered overall therefore that the proposal will enhance the character of the area and comply with criterion D) and Policy D1 of the SGLP.

E) Does the scheme achieve the maximum density compatible with the site's location, it's accessibility and its surroundings?

The proposal achieves a higher density of development than the existing use of the site, and having regard to the assessments under the other criteria in this policy, this increased intensity of use is considered to be in compliance with the criterion as well as PPS1 which promotes the efficient use of land.

F) In the case of travel- intensive office development is the location well served by public transport?

The nearest bus stop is located on the A38, however this is the case for all of the development at Aztec West. This criterion is considered in full under (B) above.

Having regard to the assessment of the E3 criteria above therefore, the proposal is considered to comply with this policy and is acceptable in principle. Other relevant issues are considered below.

5.2 Landscaping

The DAS sets out the landscape principles that are proposed to overcome previous concerns. These comprise; a central plaza, primarily occupied by parking but also direct pedestrian access with Park Avenue and a detailed planting scheme to reduce the visual impact of hard landscaping; frontage landscaping that will retain existing vegetation of appropriate quality and provide new formal planting to Park Avenue, and; augmenting existing boundary planting.

These measures are considered to overcome previous concerns regarding the large expanse of hard surfacing previously proposed. The proposed measures provide suitable principles that can guide future applications for reserved matters.

The amount of parking proposed has been reduced from the previous application and now includes car club spaces as part of a Green Travel Plan. The layout of the parking has also been re-arranged to accommodate the amended siting of buildings A and D. Importantly this relocates vehicular access routes towards the rear of the site to reduce its prominence in views

from Park Avenue, and relocates the proposed reinforced grass system towards Park Avenue where it will enhance the proposed landscape structure.

In order to provide a Park Avenue frontage and due to site levels, the proposed layout requires the removal of some of the existing roadside vegetation, however this would be replaced by a new row of tree planting that would provide a formal entrance and allow views into the site. Generally the proposed layout and level of planting is acceptable and consistent with Policies L1 and D1 of the SGLP. However the applicant has agreed to amend the double row of new lime trees to a single row, due to the proximity of the adjacent proposed elevation. Likewise, a tree constraints plan to BS5837 (2005) needs to be submitted along with the landscaping reserved matters in order to ensure the protection of the existing tree planting to be retained.

5.3 Safety and Security

The comment so of the Police Community Safety Officer have been noted in terms of Policy D1 of the SGLP. It is considered that these detailed matters raised can be more appropriately dealt with at Reserved Matters stage.

5.4 Ecology

The Council's Ecologist has commented that the northern boundary adjoins the scrub and grassland habitat of the M5 motorway embankment, where populations of slow-worms have been recorded in the past. Slow-worms are protected under the Wildlife & Countryside Act 1981 (as amended) and the CROW Act 2000. They are also listed on the South Gloucestershire Biodiversity Action Plan as a species for which the Council will require specific measures to conserve and enhance populations.

The proposed development will impact on habitat contiguous with the motorway and thus, if suitable, habitat potentially being used by the slow-worms found on the motorway embankment. As such, a survey/mitigation strategy for slow-worms should be drawn up to prevent development impacting on the species, to be secured by condition in order to comply with Policy L9 of the SGLP.

Great crested newts have historically been associated with a site to the south but, as this is 8-900m away, this is not considered an issue.

5.5 Drainage

The Environment Agency have confirmed acceptance of the Flood Risk Assessment and drainage details will need to be submitted at reserved matters stage.

5.6 Design and Access Statement

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

5.7 Use of Energy and Sustainability

The DAS indicates the proposed buildings will achieve a minimum BREEAM rating of 'very good', and provide at least 10% of the site's energy requirements

from renewable energy sources. A number of potential sources of renewable energy have been identified, with Solar Hot Water heating and Biomass heating the most feasible at this stage. Further energy efficiency measures and sustainable drainage measures have also been identified in order to achieve a 'Very Good' BREEAM rating. These measures are welcomed but need to be secured through an appropriate condition.

5.8 Improvements Achieved to the Scheme

- Improved site layout including creation of street frontage
- Improved direct pedestrian access to the site
- Reduced car parking
- Resolution of highway issues
- Improved landscape strategy and site sections

5.9 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the contribution towards transportation 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 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That 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 in an appropriate agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

(i) The sum of £75,411.30 towards a scheme of highway infrastructure improvements

The reason for this Agreement is:

(i) To mitigate for congestion on the surrounding highway network

7.2 That the Head of Legal and Democratic Services be authorised to check the agreement.

7.3 If within six months of the date of the resolution the Section 106 agreement has not been signed then the application be refused on transportation grounds, due to inadequate mitigation measures.

Contact Officer: Helen Ainsley
Tel. No. 01454 863788

CONDITIONS

1. Approval of the details of the scale and appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Plans and particulars of the reserved matters referred to in the condition above, relating to the appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

4. Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority in respect of measures to:
 - (i) Identify, through site survey of the area in the vicinity of the northern western boundary of the site adjacent to the M5, of slow worms or their habitat at present (as designated under the Wildlife and Countryside Act 1981 (as amended) .
 - (ii) Protection, as required, of wildlife species, and/or their habitat referred to under (i) above and as identified through the site survey. The approved measures shall be implemented in full unless the Local Planning Authority gives written consent to any variation.
 - (iii) If slow-worms are found to be present, the landscaping of the development should include areas of mixed native species shrubs and rough grassland habitat for slow-worm .

Reason

To protect the wildlife and ecological interests of this site, in accordance with Policy L9 of the South Gloucestershire local Plan.

5. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

6. The reserved matters details submitted in respect of condition 2 above shall include a surface water drainage scheme incorporating SUDS.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies 17, L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The development hereby approved shall adhere to the principles set out in the Travel Plan Framework (by PBA dated June 2009) and in particular Table 4.1: Outline Action Plan hereby approved, details of which shall be provided to the Local Planning Authority for their written approval prior to the first occupation of any part of the development.

Reason

To encourage means of transportation other than the private car, to accord with Policies T10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The details submitted in respect of condition 2 above shall include landscaping details in accordance with the landscaping principles shown in the Design and Access Statement and landscape drawings hereby approved.

Reason

To protect the character and appearance of the area to accord with Policies H4/D1/L1/E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. The details submitted pursuant to condition 2 above shall adhere to the principles of the Design and Access Statement hereby approved.

Reason

To protect the character and appearance of the area to accord with Policies H4/D1/L1/E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Applications for the approval of reserved matters shall be in accordance with the principles and parameters described and illustrated in the submitted Design and Access Statement (June 2009) and with the approved Ground Floor Plan (9875-T-00-0104-ZXX rev.01) unless otherwise agreed in writing by the local planning authority. A statement shall be submitted with each reserved matters application, which demonstrates that the application proposals comply with the Design and Access Statement, or (where relevant) explaining why they do not.

Reason

To ensure that high standards of design are achieved to accord with Policy D1 of the adopted South Gloucestershire Local Plan (adopted January 2006) and the South Gloucestershire Design Checklist SPD (adopted August 2007).

11. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December

2007)), and the development shall achieve a BREEAM rating of at least 'Very Good', in accordance with the Sustainability Statement prepared by Hoare Lea (22nd September 2008). Details of how this is to be achieved shall be submitted to and approved in writing by the Local Planning Authority as part of the reserved matters submissions required by condition 1. The approved details shall be implemented and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that high standards of design are achieved to accord with Policy D1 of the adopted South Gloucestershire Local Plan (adopted January 2006) and the South Gloucestershire Design Checklist SPD (adopted August 2007).

12. The reserved matters submitted pursuant to condition 2 above shall include a tree constraints plan in accordance with BS5837 (2005), plotting the location of protective fencing and a method statement to cover works within the root protection zone and details of how the foundation design takes account of trees along the site frontage.

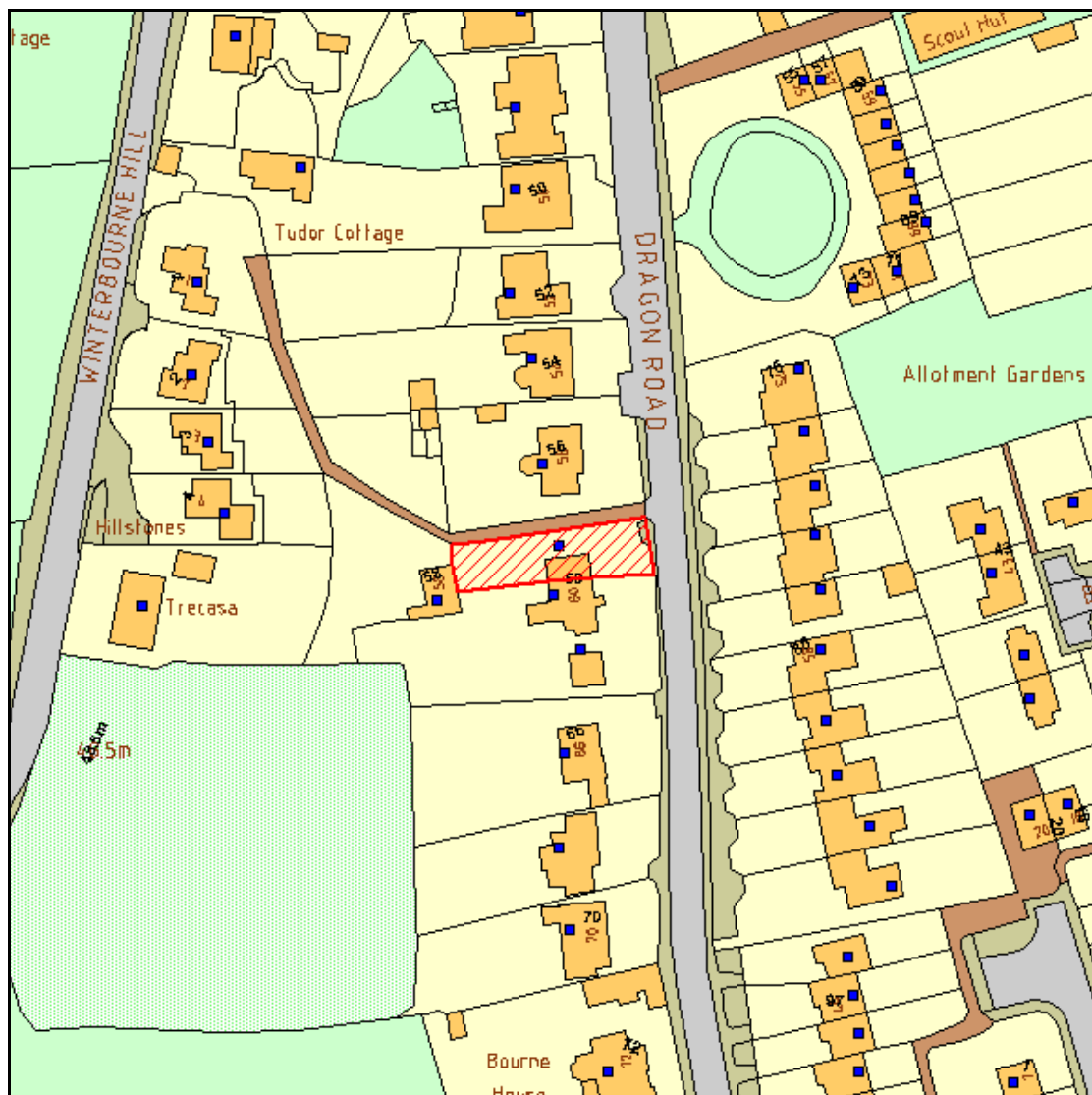
Reason

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

ITEM 8

CIRCULATED SCHEDULE NO. 34/09 – 27 AUGUST 2009

App No.:	PT09/1304/F	Applicant:	M Marley
Site:	60 Bourne Villa Dragon Road Winterbourne South Gloucestershire BS36 1BJ	Date Reg:	15th July 2009
Proposal:	Erection of 1no. detached dwelling with associated works.	Parish:	Winterbourne
Map Ref:	3647890 1802140	Ward:	Winterbourne
Application Category:	Minor	Target Date:	9th September 2009



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N.T.S.

PT09/1304/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of representations from Winterbourne Parish Council and local residents which were contrary to the case officers recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of one detached dwelling. This application seeks amendments to previously approved planning application: PT07/3706/F, these include the installation of a front dormer window and a rear first floor balcony. Apart from these changes the application is identical to the previously approved scheme.
- 1.2 The application site forms part of the side garden associated with 60 Dragon Road, located to the north of this existing property. The site has an area of some 0.032 hectares. It is rectangular in shape and has a depth of approximately 35m and a width ranging from 7m to 12m. A public footpath runs along the northern boundary to the site, linking Dragon Road with Winterbourne Hill. Part of the rear elevation of the property of 58 Dragon Road directly abuts the rear site boundary but is below the ground level of the application site and set into the hill side. This property also has no vehicular access.
- 1.3 Vehicular access to the application site is to the front and off Dragon Road. The site lies within the settlement boundary of Winterbourne.

2. POLICY CONTEXT

- 2.1 National Guidance
- | | |
|-------|------------------------------------|
| PPS1 | Delivering Sustainable Development |
| PPS3 | Housing |
| PPG13 | Transport |

2.2 Development Plan

Adopted Joint Replacement Structure Plan (Adopted) September 2002: Saved Policies

- | | |
|-----------|------------------------------------|
| Policy 1 | Sustainable development objectives |
| Policy 2 | Location of development |
| Policy 33 | Housing provision and distribution |

South Gloucestershire Local Plan (Adopted) January 2006

- | | |
|------|--|
| D1: | Achieving Good Quality Design in New Development |
| H2: | Proposals for Residential Development within Defined Settlement Boundaries |
| H4 | Development within Existing Residential Curtilages |
| T8 | Parking Standards |
| T12: | Transportation Development Control Policy for New Development |

2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007

3. **RELEVANT PLANNING HISTORY**

- 3.1 N668 Conversion of existing garage to lounge and erection of detached double garage.
Approved 13 February 1975.
- 3.2 N668/1 Erection of first floor extension.
Approved 13 November 1975.
- 3.3 P95/2619 Erection of rear conservatory.
Approved 11 December 1995.
- 3.4 P96/1253 Erection of detached double garage.
Approved 1 April 1996.
- 3.5 PT04/2120/F Conversion and extension of existing detached double garage to form self-contained granny annex.
Approved 14 July 2004.
- 3.6 PT05/2649/O Erection of dwelling (outline).
Approved 2 November 2005.
- 3.7 PT06/1082/RM Erection of dwelling (Approval of Reserved Matters).
Approved 26 May 2006.
- 3.8 PT07/2085/F Partial demolition of existing house to facilitate erection of 2 detached dwellings, creation of new access and associated works. Alterations to roofline of existing house to create 2nd storey extension, installation of 2 no. front dormers and single storey rear extension.
Refused 7 August 2007.
- 3.9 PT07/2899/RM Erection of 1 no. detached dwelling with associated works (Approval of reserved matters associated with PT05/2649/O) (Amendment to PT06/1082/RM).
Approved 26 October 2007.
- 3.10 PT07/3001/F Demolition of part of existing dwelling to facilitate erection of single storey rear extension. Installation of two dormer windows to facilitate loft conversion and alterations to roof line.
Approved 6 November 2007.
- 3.11 PT07/3706/F Erection of detached dwelling and creation of new vehicular access. Creation of footpath to front of site (in

accordance with amended plans received by the Council on 23 January 2008).

Approved 8 February 2008.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Objection. Very small site. Over development. Inadequate parking. The Parish Council feels that this is extreme infill.

4.2 Sustainable Transport

No objection.

4.3 Local Residents

Two letters of objection were received from local residents. The main points are summarised below: -

- a) Over development.
- b) Not in keeping within local area.
- c) Does not support need for affordable housing.
- d) The roof terrace will impact our privacy.
- e) The roof terrace is an unnecessary addition that should not be allowed.
- f) The application that no trees will be moved however, a full row of mature trees have already been destroyed to make way for the work.
- g) The application mentions that neighbours have been consulted and views included on these new plans, this was not the case.
- h) Any side windows should be obscured glass.
- i) Highway safety during construction.
- j) Concern with regard to the proximity of the soakaway and possible damage to property.

5. ANALYSIS OF PROPOSAL

5.1 Background

The applicant has planning permission for the erection of one detached dwelling on the application site, and they have until February 8th 2011 to implement this consent. The applicant has submitted this application to make amendments to this planning permission, which includes the installation of a front dormer window and a rear first floor balcony. These are the only material changes to the previously approved scheme.

5.2 Since the determination the previous application there have been no material changes to national or local planning policy. As such, this application will only assess the material planning issues which would arise from the new dormer window and the rear balcony. The other planning issues arising from this application were dealt with within PT07/3706/F and are discussed in detail in the officer's reports. To maintain consistency the conditions attached to the previous consents will be attached to this application.

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

5.4 Residential Amenity

The proposed balcony would be situated on the dwellings rear elevation above the single storey lean to. Representations have been received from a local resident which have objected to the proposal on the grounds that it would adversely impact privacy, and the proposed screen are inadequate.

5.5 It is considered that given the height of the balcony and the lack of any suitable screening there would be some direct inter visibility into the neighbouring gardens of No.56 and 60 Dragon Road. However it is considered that this loss of privacy could be reasonably mitigated through the erection of appropriately designed opaque screens to the sides of the balcony. It is suggested that a screen of at least 1.6m high would prevent overlooking of the adjacent properties. On this basis, it is recommended that a condition be attached to ensure that appropriate opaque screens are agreed with the Local Planning Authority prior to the commencement of development. This would ensure privacy is protected.

5.6 The proposed dormer window would be situated on the front elevation and would not adversely harm residential amenity.

5.7 Visual Amenity

It is considered that the proposed dormer window and the proposed balcony would have an acceptable external appearance which would not harm the appearance of the new dwelling or the street scene.

5.8 Drainage

Representations have been received from a local resident which have objected to the proposal on the grounds of drainage. They were concerned that the proposed soakaway would cause damage to there property. Notwithstanding these comments the Council Drainage Engineer has concluded that there is no objection to the drainage arrangement. However it was recommended that the condition is attached to secure sustainable drainage systems (SUDS) on the site.

5.9 Affordable Housing

Representations have been received from a local resident which objected to the proposal on the grounds that it did not support the need for affordable housing. Housing mix is a material planning consideration, however in this case the development falls under the threshold for affordable housing which is set under Policy H6 of the adopted local plan. As such the applicant has no obligation to provide affordable units.

5.10 Highway Safety During Construction

Representations have been received from a local resident which objected to the proposal on the grounds of construction traffic parking in the highway. This issue is outside of the remit of the Local Planning Authority to enforce and is dealt with by other legislation.

5.11 Schedule of Conditions

The previous application included seven conditions, for consistency these shall be re-attached to this consent. It is noted that the Local Planning Authority discharged condition 3 of PT07/3706/F by letter. However the applicant has not submitted these details with this application for consideration. As such this condition has to be reattached for discharge.

5.12 Design and Access Statement

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

5.13 Use of Energy and Sustainability

None.

5.14 Improvements Achieved to the Scheme

None.

5.15 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. Notwithstanding Drg. Nos. 1370-34 & 1370-38, no development shall commence until details and a plan showing two 1.6 metre high side privacy screens for the first floor balcony have been submitted to and agreed in writing by the Local Planning Authority. The residential unit hereby approved shall not be occupied until these privacy screens have been installed in accordance with the approved details and they shall thereafter be retained. For the avoidance of doubt, the screens should be constructed from an opaque material (e.g. obscured glass).

Reason

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

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

Reason

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

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling hereby permitted is occupied and the development shall be carried out in accordance with the approved details.

Reason

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

5. The proposed parking and turning areas shall be constructed of a bound material.

Reason

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

6. No doors or gates shall be hung so as to open over or across the public highway/footway.

Reason

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

7. The glazing on the side [north] elevation at first floor level serving the bathroom shall at all times be of obscured glass. The obscure glazing to be used shall be at least level 3 obscure glazing.

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

8. Prior to the first occupation of the approved dwelling, full details demonstrating the adoptable standard of the 1 metre wide footway, as shown on approved drawing 1370-31C shall be submitted to and approved in writing by the Local Planning Authority. The footway shall be constructed to adoptable standards in accordance with the agreed details before the first occupation of the dwelling and thereafter retained as such.

Reason

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

9. The relocated stone boundary wall shall not exceed 0.9 metres in height and shall match the appearance of the original wall. The wall shall be constructed prior to the first occupation of the dwelling hereby permitted.

In the interests of highway safety and to ensure a satisfactory standard of external appearance and to accord with Policies D1 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

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

ITEM 9

CIRCULATED SCHEDULE NO. 34/09 – 27 AUGUST 2009

App No.:	PT09/1333/F	Applicant:	Mr A Massey
Site:	1 Brynland Tockington Lane Almondsbury Bristol South Gloucestershire	Date Reg:	20th July 2009
Proposal:	Erection of 2 storey side extension to provide additional living accommodation. Erection of front porch. Alterations to roofline	Parish:	Almondsbury
Map Ref:	360081 184264	Ward:	Almondsbury
Application Category:	Householder	Target Date:	10th September 2009



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100023410, 2008.

N.T.S.

PT09/1333/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of representations from a local resident which are contrary to the case officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for a two-storey side extension on the dwellings south-east elevation, a front porch, and alterations to the roofline.
- 1.2 The application site relates to a detached chalet bungalow. The site is situated within the Almondsbury settlement boundary which is “washed-over” by Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development
PPG2: Green Belts

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
H4: Development 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

No comments received.

4.2 Local Residents

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

- a) Loss of privacy.
- b) Overbearing effect.
- c) Not in keeping with surrounding area.
- d) The extension should be kept at a low level to respect surrounding properties.

- e) The extension should be above existing garage to limit overbearing effect.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

- 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.

5.3 Residential Amenity

The application site is surrounded by residential development. To the east of the site is No. 2 Townsend Lane, to the south-east of the site is No. 4 Townsend Lane and to the west is No. 3 Marshwall Lane. One representation has been received from the occupier of No. 2 Townsend Lane which states that the extension would give rise to a loss of privacy and a overbearing effect. These issues are assessed in further detail below: -

5.4 *Loss of Privacy*

The proposed extension would result in the addition of new first floor windows on the front (north), side (east), and rear (south) elevations. The window on the east elevation would afford some views into the rear garden of No. 2 Townsend Lane. However the window would serve a non-habitable room (Dressing Room) and would be glazed with obscured glazing. It is recommended that a condition is attached to ensure this window remain obscured.

5.5 The proposed rear windows would afford some views into the extensive rear garden of No.4 Townsend. It is noted that the existing dwelling features a rear dormer which already provides some overlooking of this garden. Furthermore any overlooking would be away from the main dwellinghouse which is located approximately 20m to the south-east of the proposed windows (As measured on OS location map). On this basis it is considered that there would be no direct inter visibility into habitable rooms and the overlooking of the garden would not be materially different to the existing dormer windows.

5.6 *Overbearing Effect*

The proposed extension would be situated on the east elevation, this is closest to No. 2 and 4 Townsend Lane. These properties are separated from the

- proposal by approximately 20m (As measured on OS location map). It is considered that this distance is sufficient to mitigate against a material overbearing effect.
- 5.7 On the basis of the above assessment and notwithstanding the representation of the local resident, it is considered that the proposal would not materially harm residential amenity through a loss of privacy or an overbearing effect. It is therefore considered that the proposed development accords to policy H4 of the adopted local plan.
- 5.8 Visual Amenity
The application site is situated in a transitional area in terms of character. To the south of site is the Almondsbury Conservation Area which comprises mainly of traditional cottages constructed from local stone. However to the north of the site there is a mixture of modern residential development which utilises differing styles and materials. Furthermore the existing dwelling is a standard chalet bungalow house type and is the only one within the street scene. On this basis it is considered that the immediate surrounding area lacks a definite character and appearance, but rather reflects a range of styles.
- 5.9 The proposed development involves significant remodelling of the existing chalet bungalow. These works include: 1) the erection of two storey side extension; 2) alterations to the roofline of the existing dwelling and garage; and 3) the erection of a front porch. These alterations would alter the appearance and character from a modern chalet bungalow to a more traditional dual-gable cottage. Representations have been received from a local resident which have stated that the extension is not in keeping with surrounding area, and if allowed should be kept at a lower level.
- 5.10 The proposed remodelling would materially alter the appearance of existing chalet bungalow. It is noted that Policy H4 of the local plan advises that residential extensions should respect the character and appearance of the existing dwelling. However, Policy D1 of the local plan states that development should also enhance the character and distinctiveness of the site and locality. The existing dwelling is a common house type with concrete tiled roof and has does not have significant architectural merit. The remodelled dwelling would introduce a new house type, which would be finished in reclaimed pan tiles and a 'hand thrown' painted render. This approach would not retain the architectural style of the existing dwelling, however it is considered that the introduction of this cottage style and improved materials would enhance the character and appearance of the street scene in this location. For this reason it is considered that the proposed development accords to Policy D1 and H4 of the adopted local plan.
- 5.11 Green Belt
The application site is situated within the Almondsbury settlement boundary, but is "washed over" by Green Belt. Policy GB1 of the local plan allows for limited extension of existing dwellings providing that it does not result in a disproportionate addition over and above the size of the original dwelling. Moreover, the same policy also allows for limited infilling within the boundaries of settlements providing it does not harm the openness of the Green Belt.

- 5.12 The application site is closely surrounded by residential development. As such it is considered that the proposed extension would not materially harm the openness of the Green Belt in this location. Furthermore, the proposed remodelling is not considered to be a disproportionate addition over and above the size of the original dwelling.
- 5.13 Use of Energy and Sustainability
None.
- 5.14 Improvements Achieved to the Scheme
None.
- 5.15 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

Reason

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

2. The glazing on the east side elevation shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.