



**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. 28/09

Date to Members: 17/07/09

Member's Deadline: 23/07/09 (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: 17/07/09

SCHEDULE NO. 28/09

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

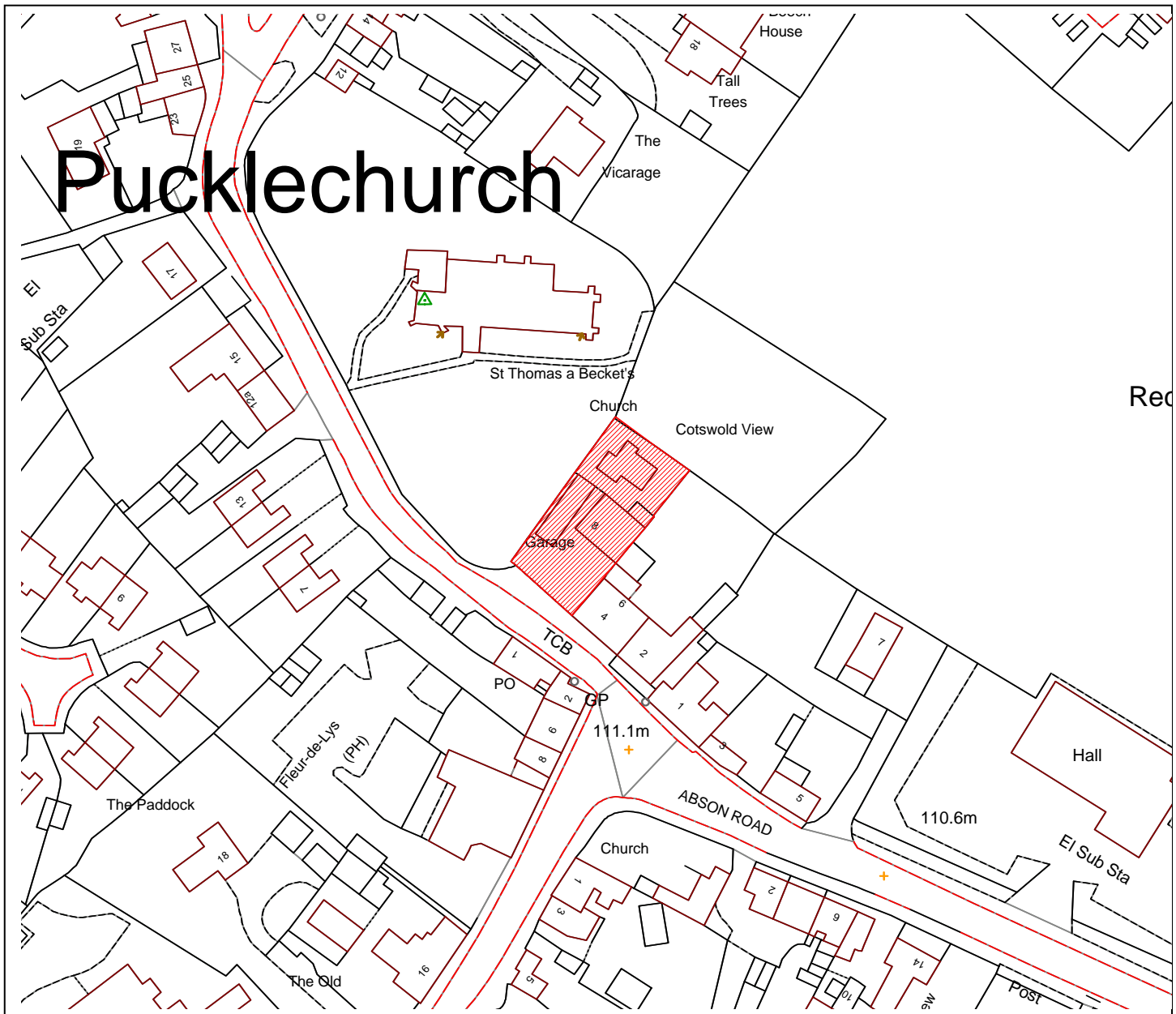
DATE

Circulated Schedule 17 July 2009

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1	PK09/0326/F	Approve with conditions	Pucklechurch Service Station, 8-10 Westerleigh Road, Pucklechurch, South Gloucestershire, BS16 9RB	Boyd Valley	Pucklechurch Parish Council
2	PK09/0330/CA	Approve with conditions	Pucklechurch Service Station, 8-10, Westerleigh Road, Pucklechurch, South Gloucestershire, BS16 9RB	Boyd Valley	Pucklechurch Parish Council
3	PK09/0927/F	Approve with conditions	Portland Street, Staple Hill, South Gloucestershire, BS16 4PT	Staple Hill	
4	PK09/1018/F	Approve with conditions	2 Wellington Road, Kingswood, South Gloucestershire, BS15 1PS	Kings Chase	
5	PK09/1118/F	Approve with conditions	Hanham Abbots Junior School, Abbots Avenue, Hanham, South Gloucestershire, BS15 3PN	Hanham	Hanham Abbots Parish Council
6	PK09/1154/R3F	Deemed consent	Mangotsfield Church of England Primary, Church Farm Road, Emersons Green, South Gloucestershire, BS16 7BF	Emersons Green	Mangotsfield Rural Parish Council
7	PK09/1157/R3F	Deemed consent	Mangotsfield Church of England Primary, Church Farm Road, Emersons Green, South Gloucestershire, BS16 7BF	Emersons Green	Mangotsfield Rural Parish Council
8	PT09/0959/CLE	Approve with conditions	47 Hortham Lane, Almondsbury, South Gloucestershire, BS32 4JJ	Almondsbury	Almondsbury Parish Council
9	PT09/1010/F	Approve with conditions	18 Rossall Avenue, Little Stoke, South Gloucestershire, BS34 6JT	Stoke Gifford	Stoke Gifford Parish Council
10	PT09/1040/F	Approve with conditions	101 Pursey Drive, Bradley Stoke, South Gloucestershire, BS32 8DN	Stoke Gifford	Bradley Stoke Town Council
11	PT09/1055/F	Approve with conditions	Land rear of 1 Harry Stoke Road, Stoke Gifford, South Gloucestershire, BS34 8QQ	Frenchay and Stoke Park	Stoke Gifford Parish Council
12	PT09/1071/F	Approve with conditions	105 Ratcliffe Drive, Stoke Gifford, South Gloucestershire, BS34 8TY	Stoke Gifford	Stoke Gifford Parish Council
13	PT09/1160/FDI	Approve	Land to the west of Merlin Road, Almondsbury, South Gloucestershire, BS10 7SR	Patchway	Almondsbury Parish Council

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.:	PK09/0326/F	Applicant:	Mr D Barnes
Site:	Pucklechurch Service Station, 8-10 Westerleigh Road, Pucklechurch, South Gloucestershire, BS16 9RB	Date Reg:	19th February 2009
Proposal:	Erection of 2no. terraced dwellings. Extension to existing dwelling to form 2no. dwellings. Construction of cart barn with access and associated works.	Parish:	Pucklechurch Parish Council
Map Ref:	69947 76487	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	13th April 2009



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100023410, 2009.

N.T.S

PK09/0326/F

INTRODUCTION

This application appears on the circulated schedule due to the receipt of one letter of objection from the Parish Council and ten letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The application seeks full planning consent for the demolition of an existing garage and the erection of two dwellings in its place. There is an existing dwelling on the site which is also to be extended, renovated and converted to form two dwellings. The application also includes the erection of large cart barn and other landscaping works to create parking area.
- 1.2 The application site relates to a moderately large site at the heart of Pucklechurch and within the conservation area. The site has been used as a garage for many years although recently the garage has ceased operation.
- 1.3 During the course of the application amended plans have been received to demonstrate how the proposal integrates within its sensitive setting.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG15	Planning and the Historic Environment

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
T7	Cycle Parking
T8	Parking Standards
H2	Residential Development
T12	Transportation Development Control
L12	Conservation Areas
L13	Listed Buildings
RT11	Retention of Local shops
EP1	Environmental Pollution

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist Adopted August 2007
Pucklechurch Conservation Area Advice Note

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

4.1 Pucklechurch Parish Council

Parish Councillors strongly object to this application for the following reasons;

- Adjoining 2 small modern cottages to an 18th century period building is totally inappropriate
- The loss of another amenity to the village
- This part of the village is prone to flooding and we are concerned that allowing more development could potentially add to the problem
- Over development in the conservation area

Other Representations

4.2 Local Residents

Ten letters of objection have been received from local residents. A summary of the points of concern are as follows:

- Owners and visitors will at times park on the street in an area that is already at capacity when it comes to parking
- This part of the village is very congested used by heavy volumes of traffic
- Detrimental impact on the Post Office and living accommodation by means of overshadowing and overlooking
- Flooding problems would be escalated
- Development is being 'shoe-horned' onto the small plot
- Concerns about the impact on the village caused by the loss of the long established business. No serious attempt has been made to sell the business as a going concern
- Detrimental impact on the integrity of the adjacent 1760's building
- Any house on this piece of land should match its immediate neighbours and must not look like they've squashed on as much as possible
- Whilst the demolition of the modern garage will not be a loss to the conservation area, the replacement two –storey terraced houses will detract from the sites historic character
- Will 'hem in' views of the church
- There is no other commercial garage facility in the area
- No's 4/6 have a right of way over the forecourt

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site is located within the existing built up area, as defined on the Local Plan Proposals Maps. In accordance with Policy H2, new residential development will normally be permitted subject to compliance with several criteria. The site also lies in the heart of Pucklechurch Conservation area where policy L12 allows for new development providing the character and appearance of the conservation area is not harmed. It is also noted that the site sits at a very busy and heavily trafficked junction and so the requirements of Policies T8 and T12 of the Adopted Local Plan are a strong material consideration

5.2 Design/Visual Amenity

The property is within the Pucklechurch Conservation Area and adjoins the grade 1 listed church and its graveyard. Due to the curve of the main road, the site is visible in views across the church grounds contributing towards its setting. At present, the site – with its wide open forecourt and collection of unsympathetic modern buildings generally detracts from the character and

appearance of the conservation area. A stone building along the boundary of the site with the churchyard helps to partially screen views of the site.

- 5.3 There are no objections to the principle of the redevelopment of the site which at present has a harmful visual impact on the character of the conservation area. Any development needs to be in a form which preserves or enhances the character and appearance of the conservation area and the setting of the adjoining listed building.
- 5.4 During the course of the application, amended plans were received to alter the landscaping of the site, alter the design of the two terraced cottages to the front of the site and also to improve the appearance of the existing dwelling to be retained and extended at the rear of the site. The design and visual impact of the proposal is now considered to be acceptable and suitable for its setting.
- 5.5 The two small terraced dwellings to the front of the site are welcomed by both the planning and conservation officers. The dwellings front right up to the edge of the highway and provide a traditional sense of enclosure to the road. There is a wide pavement in this location. During the course of the application, amendments have been made to the design of the two dwellings including a reduction on the gable width of the end terraced property to give it a more traditional form. A two storey rear gable was also added which helps to block views of the existing unattractive flat roofed extension on the neighbouring building.
- 5.6 It is noted that the submitted plans show the use of natural stone on the front and side walls of the proposed new dwellings at the front of the site and the use of render on the rear elevation. As a new building in the conservation area, ideally all elevations of the new dwellings would be finished with natural stone. However, given that the existing dwelling to the rear of the site is finished with render, the side elevation of the neighbouring building 4/6 Westerleigh Road is finished with render and the front elevation of the Post Officer buildings on the opposite side of the road are all finished with render, it would be unreasonable to insist on natural stone on all elevations of the proposed new dwellings. The detailed plans also show the use of concrete pantiles on the roof of the proposed new dwellings. Concrete tiles are not appropriate for the sensitive setting and thus a condition will be added to ensure that natural clay tiles are used.
- 5.7 The proposed cart barn was added at the request of the conservation officer to block views of the site from the church yard. The cart barn will help to screen the parking area from view. No details have been given of the materials to be used on the cart barn. Because of the very prominent position when viewed from the grade I listed church, conditions will be added to ensure that natural stone is used for the walls and natural clay pantiles are used for the roof.
- 5.8 The extension to the front of the existing dwelling is somewhat contentious. The extension will have a depth of 4 metres and project out from the main front wall of the existing dwelling. The extension along with a small part of the existing house will then be converted to form an additional 2 bedroomed property. The existing dwelling contributes little to the character of the conservation area. However, by allowing the extension to the dwelling, the applicants have agreed to replace all existing uPVC windows in the existing

house with timber framed windows. The applicants have also agreed to replace the existing render to a rough cast render more suitable for its setting. Therefore, the extended building as a whole will not have a detrimental impact on the character of the area sufficient to warrant the refusal of the planning application.

5.9 Subject to the attachment of conditions to ensure the approval of landscaping, hard surfacing and materials, the design of the proposed development is considered to be acceptable.

5.10 Residential Amenity

The attached shop and residential unit known as 4/6 Westerleigh Road has a right of access across the site. This has been retained as part of the proposal. There are no windows in the side elevation of No 4/6 that could adversely affected by the works as proposed.

5.11 The only other neighbouring building that could be affected by the proposed development is the Post Office on the opposite side of Westerleigh Road. It is accepted that the distance between the first floor windows of the new dwellings will be limited. The arrangement however will be the same as the existing situation between 4/6 Westerleigh Road and the Post Office. It is not therefore considered that the proposal would have any significant impact upon the amenities of neighbouring dwellings.

5.12 In addition to this, sufficient amenity is afforded to each of the proposed dwellings on the site. The two new terraced cottages will each have a modest area of private garden space sufficient to allow for sitting out and the outdoor drying of clothes. Similarly, adequate garden space will be provided for both dwellings to be created by extending and converting the existing dwelling. The proposed new dwelling will have only a very small garden but the space will be private and useable. Given that the dwelling is to have two bedrooms only, the small amount of garden space is considered to be acceptable.

5.13 Landscape

It is accepted that a large area of the site is to be finished with hard surfacing and car parking. It is important to note however that currently the site is finished entirely with impermeable hard surface. The plans include a soft landscape area to the front of the site to help soften views of the site from the road. It is considered that the proposed layout represents a visual improvement over and above the existing site layout and provides an enhancement to the Conservation Area.

5.14 The cart barn and the stone wall to be constructed between the outside parking spaces will help to break up views of the hard standing. A condition will be attached to any consent granted to ensure that full details of all hard surfacing are submitted to and agreed by the council. This will enable officers to ensure a range of suitable surfaces in a variety of textures and colours to avoid a 'sea of concrete' appearing.

5.15 There are two mature trees growing in the church yard that overhand the site slightly. The proposed cart barn would be erected partly under the canopy of one of these trees. An arboricultural report will therefore be requested to ensure that the trees do not suffer damage during construction.

5.16 Transportation

It is accepted that the site access is onto a busy junction in an area where congestion is high. For this reason officers have sought a parking scheme slightly higher than the maximum standards in Policy T8. The Policy advises that the site should have a maximum of 6.5 spaces whereas 8 are proposed.

5.17 Despite the high number of parking spaces being in excess of the maximum standards, in this particular location it is considered to be acceptable. At times, for example when weddings or funerals are taking place, the streets surrounding the site become heavily congested. The road is used extensively at peak times and there are two shops, a post office and a pub in the vicinity all of which generate on street parking. It is essential therefore that the proposed development does not exacerbate the existing problem. By providing two spaces for each of the four dwellings, sufficient parking space is proposed on site.

5.18 Adequate manoeuvring space will be provided within the site to ensure that vehicles can both enter and leave the site in a forward gear. Historically, the use of the site as a garage has generated traffic movement in itself. The vehicle movements associated with the garage were on an informal basis with vehicles being parked on the forecourt and edge of the highway. The informal parking arrangement at the garage meant that some vehicles needed to use the public highway to perform manoeuvres. The number of vehicular movements associated with the three additional small dwellings is not likely to be significantly greater than the movements associated with the garage. The proposed scheme includes measures to avoid the need to reverse onto the highway overcoming the concern with the previous garage use. It is considered that the proposed development would actually improve highway safety in the vicinity of the site and therefore impact upon highway safety is acceptable.

5.19 Flooding and Contamination

Evidence has been submitted with the application to identify that the soil is not contaminated and therefore the site is suitable for residential development.

5.20 The councils drainage engineers have been consulted regarding the proposal and the impact it may have on flooding in the area. Subject to the use of permeable hard surfacing, the proposal will not have any detrimental impact upon flooding in the area. In fact, whereas water from the garage site currently flows over the tarmac surface to the road, the water in the new development will be able to flow down between the pavements into the ground below. This should decrease the amount of water flooding onto the road.

5.21 Loss of Local Facility

Your officer understands that many local residents are concerned about the loss of the garage facility and feel that more attempts could have been made to keep the garage open. It is outside the remit of planning control however to seek to protect or retain the garage.

5.22 Policy RT11 of the South Gloucestershire Local Plan seeks to retain village shops and public houses – it does not relate to garages and MOT stations. The purpose of Policy RT11 is to protect local facilities particularly for the benefit of local residents who do not have a car. Whilst your officer is sure that the

garage was well used by Pucklechurch residents, clearly the garage is only of benefit to residents who do have a car. The garage is not therefore protected by Policy RT11 and there is no scope within the planning system to object to its closure.

5.23 Use of Energy and Sustainability

The site layout and design has been led by the fact that the site lies within the Conservation area and no additional measures are proposed over and above the Building Regulation requirements.

5.24 Improvements achieved to the scheme

During the course of the application several sets of amended plans have been received to improve the appearance and layout of the site and to overcome some concerns raised by the conservation officer. The necessary reconsultation has been carried out on the amended plans considered.

5.25 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK09/0326/F**

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

CONDITIONS

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

Reason:

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

2. Notwithstanding the submitted plans, the front and side walls of the two new terraced dwellings at the front of the site; and all external walls of the proposed cart barn; and all 1.8m stone boundary walls marked on the Site Plan must be constructed of natural stone. Sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. Details of coping for the stone walls must also be submitted. 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:

In the interests of visual amenity and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Notwithstanding the submitted plans, the roof tiles used on the proposed two new terraced dwellings and the cart barn shall be natural clay pantiles. A sample tile shall be submitted to the local planning authority and if acceptable, agreed in writing. All development must take place exactly in accordance with the details so agreed.

Reason:

In the interests of visual amenity and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The tiles to be used on the extension to the existing dwelling must match those on the existing dwelling in terms of colour and profile.

Reason:

In the interests of visual amenity and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. A sample panel of the render to be used on the existing dwelling and the rear elevation of the proposed new terraced dwellings indicating colour and texture, shall 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 development is complete. Development shall be carried out in accordance with the agreed sample.

Reason:

In the interests of visual amenity and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

In the interests of visual amenity and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of development full details comprising plans at a scale of 1:20 of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.
 - (a) windows
 - (b) lintols and cills
 - (c) any vents, flues or meter boxes
 - (d) the doors on the car port

Reason:

In the interests of visual amenity and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Prior to the first occupation of any of the new dwellings on site, the existing PVC windows in the existing dwelling must be removed and replaced with timber frames, the details of which will already have been agreed with the Local Planning Authority.

Reason:

In the interests of visual amenity and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include hard surfacing materials and minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting). Soft landscape works shall include planting plans; schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate) and an implementation programme. If acceptable the Local Planning Authority will give written approval to the details.

Reason:

In the interests of visual amenity and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

In the interests of visual amenity and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. No development shall take place until a tree protection plan in accordance with BS:5837:2005 has been submitted to the Council and if acceptable, agreed in writing. The tree protection measures as agreed must be fully in place before development commences.

Reason:

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

12. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose. Two car parking spaces must be allocated to each of the proposed dwellings and this must be maintained as such at all times thereafter.

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 T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. 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, 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:

Because of the limited plot sizes and to allow the Council to consider the impact of any proposed alterations on the character of the conservation area. To accord with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. The proposed cart barn must be erected in accordance with the approved plans and conditions prior to the first occupation of any of the new dwellings hereby permitted.

Reason:

To protect the setting of the adjacent Grade I listed building and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies L13 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.: PK09/0330/CA
Site: Pucklechurch Service Station, 8-10, Westerleigh Road, Pucklechurch, South Gloucestershire, BS16 9RB

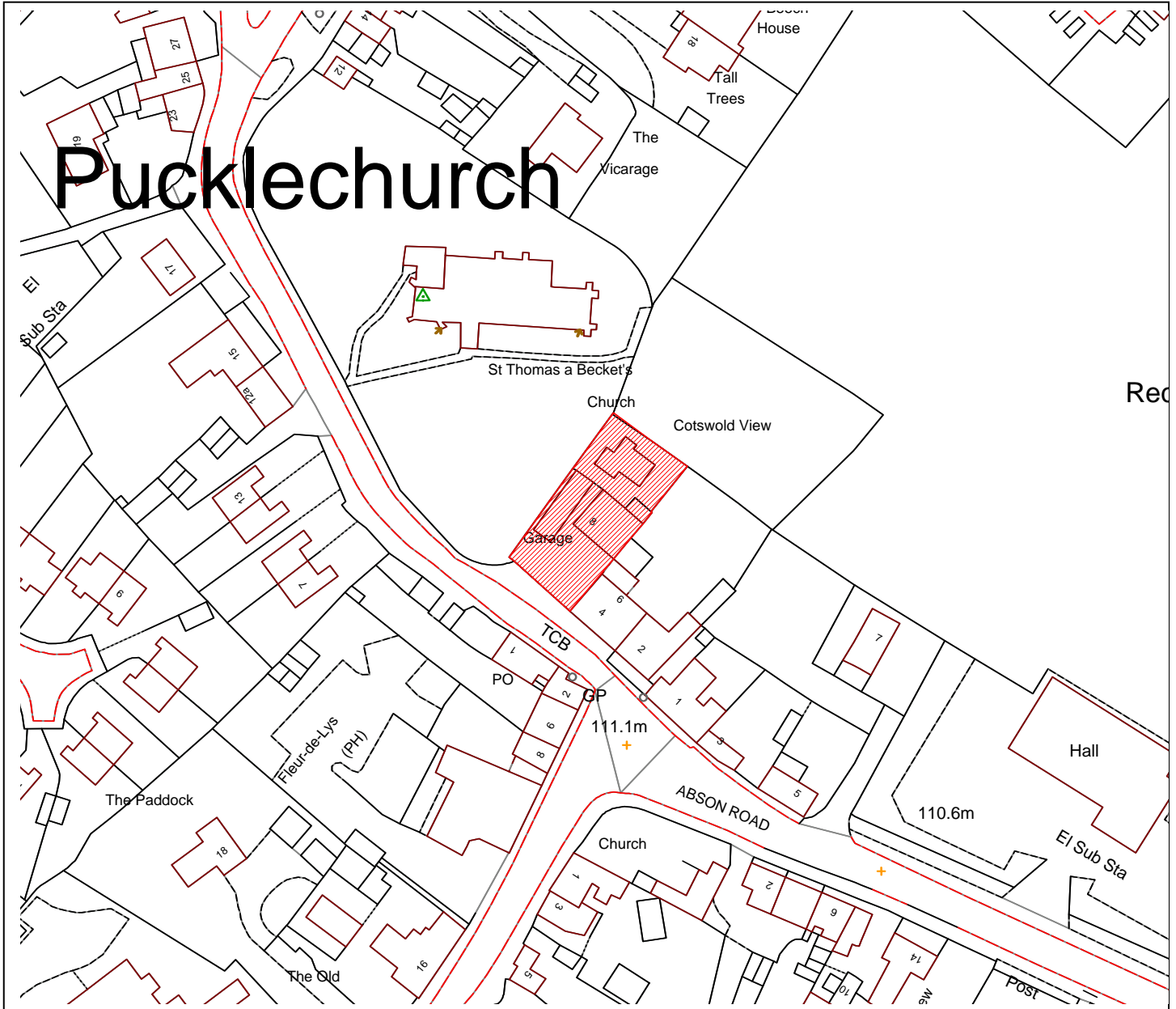
Applicant: Mr D Barnes
Date Reg: 19th February 2009

Proposal: Demolition of 2no. buildings in the Pucklechurch Conservation Area.

Parish: Pucklechurch Parish Council

Map Ref: 69947 76487
Application Category: Minor

Ward: Boyd Valley
Target Date: 13th April 2009



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100023410, 2009.

N.T.S

PK09/0330/CA

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application seeks conservation area consent to demolish two commercial buildings within Pucklechurch Conservation Area. One building is constructed of rendered brick and one is constructed from reconstituted stone – both buildings were previously used in conjunction with a garage and MOT testing station that has recently closed down.

2. POLICY CONTEXT

- 2.1 National Guidance
Planning (Listed Building and Conservation Areas) Act 1990
PPG15 Planning and the Historical Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
L12 Conservation Areas
D1 Achieving Good Quality Design in New Development

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/0326/F Erection of 2no. terraced dwellings. Extension to existing dwelling to form 2no. dwellings. Construction of cart barn with access and associated works.
Officer recommendation for approval July 2009

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
No response received

Other Representations

- 4.2 Local Residents
One letter of objection has been received from a local resident. A summary of the points of concern is as follows:
- The development is 'shoe-horned' in
 - This part of the village suffers heavy volumes of traffic
 - The lay by area is already used for customers, deliveries for the local store and post office – concerns that the owners of the new houses will use it for their personal use
 - Overlooking and loss of privacy for the Post Office and living accommodation
 - Escalate flooding problems in the area
 - Unsympathetic development in the Conservation Area

5. ANALYSIS OF PROPOSAL

5.1 Principle of the Proposal

The demolition of a building or buildings is not regarded as development for the purposes of the Town and Country Planning Act. As such, planning permission is not required for the demolition of a building or buildings. However, it is necessary to gain Conservation Area consent for the demolition of buildings within a designated conservation area. The subject buildings are located in the Pucklechurch Conservation Area hence the requirement for this application.

5.2 Essentially, the purpose of an application for Conservation Area Consent is to assess the merit and value of the subject buildings in terms of their contribution to a conservation area in terms of its visual character and historical context. These issues must be assessed upon their own merits independently of any application for the redevelopment of the site. These matters are addressed below.

5.3 Visual Amenity, Character and Historical Considerations

Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006 is intended to protect the character and visual amenity of conservation areas from development that would be harmful in that regard. The policy states that the demolition of buildings or structures which make a contribution to the character or appearance a conservation area will not be permitted without good reason. The issue for discussion is whether the buildings to be demolished make a contribution to the character of the conservation area.

5.4 At present, the site with its wide open forecourt and collection of unsympathetic modern buildings generally detracts from the character and appearance of the conservation area. Both buildings to be demolished are of modern construction – one being made of brick and the other of reconstituted stone. Whilst the two buildings have served their commercial purpose well, they do not contribute to the character of the conservation area. There are no objections to the principle of the redevelopment of the site or the demolition of the two buildings which at present has a harmful visual impact on the character of the conservation area.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Conservation Area consent is to be GRANTED subject to the following conditions.

Background Papers **PK09/0330/CA**

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

CONDITIONS

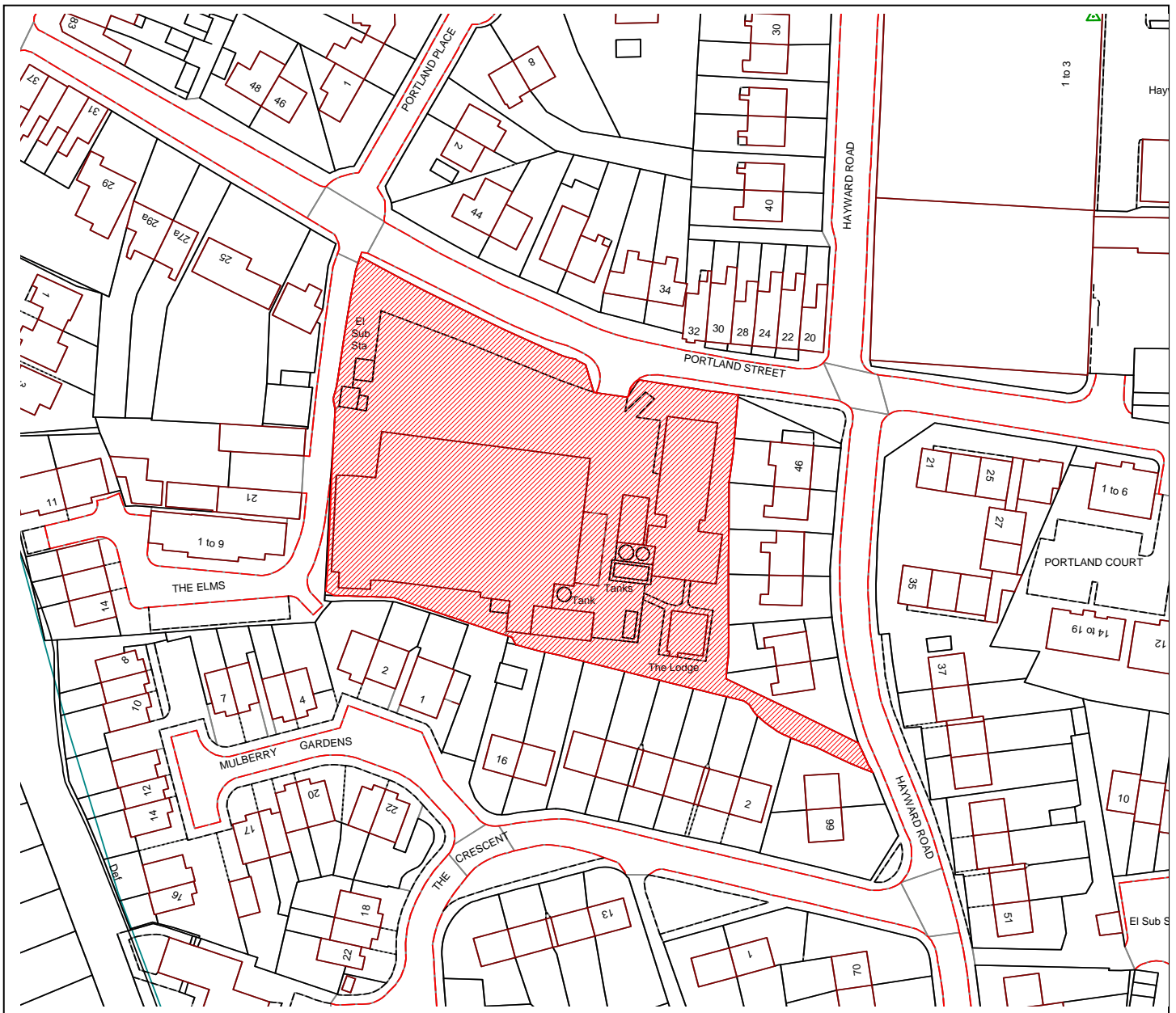
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

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

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.:	PK09/0927/F	Applicant:	Mr C Lovegrove City & Provincial Plc
Site:	Portland Street, Staple Hill, Bristol, South Gloucestershire, BS16 4PT	Date Reg:	20th May 2009
Proposal:	Demolition of existing factory and erection of 24no. houses and 6no. apartments with associated parking, amenity space, cycle and bin store. (Resubmission of PK07/1622/F).	Parish:	
Map Ref:	64641 75392	Ward:	Staple Hill
Application Category:	Major	Target Date:	21st August 2009



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 100023410, 2009.

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with procedure as representations have been received that are contrary to the officers recommendation.

1. PROPOSAL

- 1.1 The development would involve the demolition of the existing laundry building and associated offices and the erection of 30 residential units. The scheme will incorporate 42 no. parking spaces, cycle and bin storage as well as associated amenity space. The development would consist of 7 no. four bed houses, 7 no. three bed houses, 10 no. two bed houses, 3 no. one bed flats and 3 no. two bed flats.
- 1.2 The 42 no. parking spaces proposed would be allocated at a rate of 150% for the houses and 100% for the flats. Access to the development is from Portland Street, with the access road giving onto a central courtyard. In terms of layout, three two-storey terraces span the front of the site incorporating parking to the front with access onto Portland Street. These terraces are separated by the access road with the remaining buildings set within the site around a central courtyard arrangement. Two semi-detached houses lie towards the south-eastern corner and these are 2.5 storeys in height (two-storey with a room in the roof space), with the remaining houses being two-storey in height, all have parking spaces to the front. A 3-storey block of 6no. flats would be located at the south-eastern corner of the site. Parking spaces associated with the flats are situated around a small, three sided courtyard and a communal area lies to the rear of the block. All other units have private amenity space. Landscaping is proposed within the site, both within the courtyard but with particular emphasis to planting along the southern boundary. Cycle and bin storage is also to be provided. Walling materials are to be red brick with yellow/buff detailing to the windows, bath stone cills and red interlocking tiles. All properties are to be constructed to Code Level 3 of the Code for Sustainable Homes.
- 1.3 The application site is situated on 0.52 hectares of land previously occupied by a laundry. The site rises from the north (Portland Street) to the south. To the south of the site lie residential properties in The Crescent and Mulberry Gardens, the latter a modern development of detached, semi-detached and terrace properties. Given the difference in levels these properties overlook the site. To the east there are further residential properties in Hayward Road, these are semi-detached with varying levels of screening along the boundary with the application site. To the north, at a lower level than the application site there are further residential properties in Portland Street , a mix of terrace and semi-detached dwellings. To the west, a residential development to provide 14 no. dwellings has recently been completed on the site of No.21 Portland Street (Planning Application No.PK05/757/F). Within the wider context the site is situated within a predominantly residential area approximately 500m to the south of the local district centre of Staple Hill.
- 1.4 A previous application for the demolition of the existing factory and erection of 42 no. dwellings with associated parking, amenity space, cycle and bin store had a resolution for approval subject to the signing of a S106 Legal Agreement. The legal agreement was not signed and therefore the application was subsequently refused (January 2009) on the basis that the failure to secure the requirements set out in the agreement ensured that the impact of the proposal was not mitigated.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
L9	Protected Species
L17/18	The Water Environment
EP1	Environmental Pollution
EP6	Contaminated Land
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy
H2	Proposals for Residential Development within the Existing Urban Areas
H6	Affordable Housing
LC1	Provision for Built Sport , Leisure and Community Facilities (Site Allocations and Developer Contributions)
LC2	Provision for Education Facilities (Site Allocations and Developer Contributions)
LC8	Open Space and Children's Play in Conjunction with New Residential Development

2.3 Supplementary Guidance

The South Gloucestershire Design Checklist (Adopted August 2007)
Trees on Development Sites (November 2005)

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/1662/F Demolition of existing factory and erection of 42 no. dwellings with associated parking, amenity space, cycle and bin store (Refused as S106 Legal Agreement not signed)

4. CONSULTATION RESPONSES

4.1 Parish Council

This area is unparished

4.2 Other Consultees

Wessex Water have issued advice to be drawn to the attention of the developer.

4.3 Affordable Housing Requirements

33.3% affordable housing to be provided on site in line with Local Plan Policy H6 and the findings of the JHA Housing Needs Survey 2004. This planning application proposes the provision of a total of 30 dwellings and therefore we would seek 10 of those to be affordable homes. The JHA Housing Needs Survey 2004 applies to all applications over the threshold and identifies a high demand for affordable rented housing in SGC. Hence the 10 dwellings sought for affordable housing on the proposed scheme for this application will be required to be provided as affordable rented. The full requirements are set out in the section covering Affordable Housing later in this report (see para 5.14)

4.4 Sustainable Transport

The application site is the former commercial laundry firm and the proposal involves the demolishing of the existing laundry building and associated office in order to create 30 No. residential units (as opposed to the previous planning scheme, which included 42 no. residential units on the same site) together with associated parking. Given the planning history of the site, there are no highway objections to the principal of the residential development on the site. The highway issues relating to this proposal are considered under the following headings;

Access: It is proposed to upgrade the existing access off Portland Street and to serve the new development from this location. Visibility splays from the site access onto the public highway (Portland Street) is satisfactory.

Traffic: No traffic detail has been submitted with this planning application however, it is the officers' assessment that this proposal would increase traffic particularly pedestrian movements in the area.

The footway along the site frontage needs upgrading to the Council standards. The existing footway at this location needs to be widened to a minimum of 2m along the whole frontage. There would be a planning condition to secure this. The pedestrian facility along Portland Street is not complete over the entire length of this road. A section footway on the north side of Portland Street and on the approach to junction with Soundwell Road is missing. In view of the fact that traffic movements would increase on Portland Street and in consideration of increased pedestrian movements particularly children walking or cycling to school, mitigating measures are required to lessen the impact. There are currently some double yellow lines on Portland Street. The officer have been advised by colleagues in traffic management section that these yellow lines maybe have to be altered in light of the new development and hence financial contribution would be sought in this case.

Parking: A total of 42no. car parking spaces would be provided for 30 units on site and this complies with the South Gloucestershire Council maximum parking standards.

Internal road layout: The new access road serving the new development would be 5.5m wide. The new access road would be constructed to the Council's adoptable standards and there would be a suitable planning condition to secure this. The design also allows a sufficient turning area on the site to ensure that service vehicles can manoeuvre easily within the site boundary.

Planning obligation: In line with the Council's aspirations to promote use of public

transport in order to reduce reliance on use of private cars and further to improve pedestrian and cycle facilities in the area then, financial contribution is sought from the developer.

In view of all the above therefore, there are no highway objections subject to the following conditions,

- 1) Securing financial contribution of £30,000 to be used towards pedestrian and cycle facilities, traffic management (including review of waiting restrictions in the area) and improve access for disable at bus stop in the area. The scheme of highway works would be subject to the public consultations and the final scheme will be dependent on those matters arising from those consultations. (This contribution would need to be secured under an appropriate legal agreement).
- 2) Prior to occupation of any dwelling on site the applicant should widen the footway along Portland Street fronting the development site to minimum of 2m.
- 3) All works associated with the new access and widening of the footway on Portland Street shall be completed to the Council's adoptable standards.

Further comments have been received from the transportation officer as follows: Following discussion and in the light of the applicants willingness to make a voluntary financial contribution of £25,000 towards highway/transportation improvements in the area. The suggested sum is considered to be the pro-rata sum to that contribution which was requested before (association with the previous scheme of 42 dwellings) and it equates to £833 per dwelling on the site. Given the current economical situation and downward pressure on prices in some areas of construction industry, I am prepared to accept this offer subject to securing this contribution through an appropriate legal agreement.

4.5 Community Services (summary)

It is calculated that this development of 30 dwellings would generate an increase in population increase of 67.8 people. This is based on an average of 2.45 residents per house and 1.5 residents per 1 bed or 2 bed flat derived from the Census 2001. If this development is implemented it would create a need for extra community facilities. In order to offset this increased demand on community facilities we would request contributions towards the following:

Public Open Space: Guidelines from the National Playing Field Association recommends a minimum of 24m² of public open space per person and Policy LC8 of South Gloucestershire Local Plan (Adopted) January 2006 requires provision for informal open space, we consider 5m² per person to be reasonable to improve the quality of the environment in this area. Therefore the total public open space required from this development equates to: 1934.7sq.m where no open space is provided within the scheme thus leaving a shortfall of 1934.7sq.m.

The total contribution towards off-site enhancements of public open space would be £50,800.04. The developer would be required to contribute towards future maintenance of the enhancements, which equates to £45,420.98 thus giving a total requirement of £96,221.02.

Library Service: In accord with Policy LC1 of the South Gloucestershire Local Plan (Adopted) January 2006, a contribution of £2,634.03 towards additional new stock and towards IT equipment. The contributions will be spent at Staple Hill Library.

Other Matters: Policy D1 requires that all new development demonstrates that adequate provision is made for the storage and collection of waste. Policy LC13 seeks a contribution of 1% of the development costs towards the provision of publically accessible art, craft and design works for major developments. Policy LC8 requires arrangements to be put in place to secure the future maintenance of any open space and in this respect the Council seeks the provision £1,817.75 of litter bins at a ratio of 1 litter bin per 50 dwellings. On this basis the sum of £1,817.75 is required to provide the facilities.

4.6 Education Services

The Children's and Young People's Department have indicated that no request for S106 contributions is made at the current time, however the right is to amend this should the number of planned units increase or if the development does not proceed in the near future.

Other Representations

4.7 Local Residents

There have been 5 letters of objection received. The grounds of objection can be summarised as follows:

- The proposed development would appear overbearing (the 3 storey elements) and would result in loss of privacy to neighbouring occupiers
- The proposed development would result in a significant increase in traffic levels and result in parking problems
- The proposed development would be detrimental to highway safety
- The site would create noise and disturbance for local people
- The design and appearance of the buildings would be out of character with the area.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H2 allows for residential development within existing urban areas, subject to certain criteria, including environmental and transportation effects, effects on residential amenity, the maximum density is achieved for the site's location, with a minimum density of 30 dwellings per hectare, and provision for education, leisure, recreation and other community facilities is adequate to meet the needs arising from the proposals.

The proposed density on site is approximately 57 dwellings per hectare and is thus greater than the minimum density level set out in Policy H2 and PPS3, this is nevertheless considered appropriate given the sustainable nature of the location which is close to local services and public transport routes (this is discussed in greater detail in the design section – para 5.3 below).

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

5.2 Residential Amenity

Policy H2 of the South Gloucestershire Local Plan (Adopted January 2006) considers the impact of development upon the residential amenity of adjoining occupiers. Amenity is assessed in terms of the physical impact of the development ie whether the built form would appear oppressive or overbearing and also the impact in terms of any loss of privacy from overlooking. Some concern has been raised by local residents that the proposal would result in loss of residential amenity.

With respect to the impact of the development upon properties in Hayward Road, it will be at this point where the development would be closest to the nearest adjoining properties. To the front of the site Plot 1 consists of a two storey dwelling, the side elevation of which would be located approximately 11.5 metres from the No.46 Hayward Road. It should be noted that the existing building associated with the laundry has a width of approximately 35 metres and the new dwelling would have a width of 8 metres albeit with a greater height. It is considered on balance that this relationship is acceptable. With respect to privacy issues, no windows are proposed in the side elevation and a condition will be attached to the decision notice requiring consent for any future windows in this elevation to protect the residential amenity of the adjoining occupiers.

At the south-east corner of the site where a three-storey block of apartments, (identified as Plots 4 to 9) is proposed, the side elevation would be located 10.5 metres and 12 metres from No.56 and No.54 Hayward Road respectively. It should be noted that an existing building known as "The Lodge" would be demolished and while this property is lower than the proposed new block it is situated closer to the rear boundary of properties in Hayward Road. It is considered that on balance the impact of the development in terms of its aspect would not be so significant such as would justify the refusal of the application. In terms of privacy, there are no windows proposed in the side elevation of the flats (as apartments there are no permitted development rights that would allow future windows to be installed without the need for a planning consent).

On the southern boundary, separation distances from the rear elevations of properties in The Crescent range from 19 metres to 24 metres. It should be noted that properties to the rear are at a slightly higher level given the topography of the site. In addition it should be noted that the existing laundry building with a height ranging from 6 to 7 metres itself, lies closer to the boundary (3.5 metres approximately in places), while the proposed buildings are largely further away. The existing landscape screening along this boundary is to be retained as part of the scheme of submitted landscaping (see landscape section below). It is acknowledged that the new development would have some impact on this southern boundary however it is not considered, given the separation distances, landscape treatment along the boundary and impact from the existing laundry building that any impact would be so significant as would justify the refusal of the application.

Separation distances to properties in Mulberry Gardens, The Elms and those properties on the opposite side of Portland Street are considered to ensure along with the scale of the development and landscape screening that any impact in terms of the

physical impact of the development or any overlooking would not be so significant as would justify the refusal of the application.

In summary it is considered that the proposed development, subject to the condition set out above, will ensure that the development does not have a significant impact upon the amenity neighbouring occupiers.

5.3 Design

Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted January 2006) supported by the South Gloucestershire Design Checklist (Adopted August 2007) are relevant in considering the design merits of the scheme. Policy D1 makes it clear that development will only be permitted if it can demonstrate that it will enhance the character, distinctiveness and amenity of the site and the locality.

With respect to the density/amount of development, a development of 30 dwellings, (24 no. houses and 6 no. apartments), equates to approximately 57 dwellings per hectare. It is considered that this density is compatible with the character of the surrounding area. PPS3 indicates that the efficient use of land is to be welcomed subject to good design. It is considered that the density of the development is acceptable within this sustainable urban location, close to local facilities and Public Transport routes.

With respect to the layout, the development is formed around a central court and while there is on-street parking within the court this is broken up through the use of both hard and soft landscaping. The parking provision is quite self-contained within separate blocks, including an area for the flats. The essentially central parking location ensures that there is no significant loss of amenity to neighbouring occupiers. As indicated the parking area is split up by areas of landscaping and the Council Landscape Officer is satisfied with the paving/hard landscaping to be used along with planting. It is considered that the site achieves an acceptable perimeter landscaping arrangement and ensures that there is an acceptable, attractive mix of private, semi-private and public space and ensures that the most significant landscaping features on the site have been successfully integrated into the proposed development.

To the front of the site, Portland Street is characterised by semi-detached and terrace properties that are modest in scale. The positioning of two storey terrace properties along this frontage is considered to be in keeping with the character of the remainder of the street (and would be a significant visual improvement upon the current buildings situated on the site, re-creating a street frontage). The use of parking to the front of the dwellings along Portland Street is also considered in keeping with properties nearby and ensures that the development rather than “turning its back on the street” forms part of the street scene visually and in terms of activity, adding to security and surveillance on the street. The variation in heights through the inclusion of 3 and 2.5 storey properties also creates visual interest. The development as a whole includes good surveillance with properties facing on to the central area such that it is overlooked. It should be noted that “Secured by Design status” will be sought by the developer.

With respect to materials, the Design and Access statement indicates that materials types have been taken from the older properties within the vicinity, (the more modern properties do not have a distinctive style and are varied), and shows how the detailing,

colour and materials have been informed by the locality. Two styles of brick and tiles, small amounts of render and sandstone window surrounds are to be used. The result will be buildings that are simple in design and appearance but with some variety. It is considered that the development is of a scale that will have its own visual identity. A condition is recommended to require the submission of roof tiles and facing materials prior to the commencement of work.

With respect to Environmental Responsiveness, Policy D1 (G) supported by PPS 3 and The South Gloucestershire Design Checklist (Adopted August 2007) indicate that the design, density, orientation and location of buildings and associated landscape proposals should seek to achieve energy conservation and the protection of environmental resources. This is considered in detail in section 5.4 below.

Policy D1(H) indicates that adequate provision should be made for the storage and collection of waste and recyclable materials. The submitted details indicate acceptable refuse storage provision for the flats. All but two of the dwellings have the ability to store the main wheelie bin such that they would not be on street (to the detriment of visual amenity) and can be collected. Two properties may have to store the bin to the front of the property but on balance this is considered acceptable. A condition will be attached to the decision notice to require all storage facilities as shown on the submitted plans to be provided requiring full details of bin storage to be associated with the houses to the front prior to first occupation.

Subject to the above conditions the proposed development is considered in accord with Policy D1 of the South Gloucestershire Local Plan (Adopted January 2006).

5.4 Use of Energy, Sustainability and Environmental Issues

The proposed development will comprise a minimum of 33% Affordable Housing although it is to be expected the scheme will comprise 100% Affordable Housing given the funding of the scheme. As such the units will have to meet or exceed the latest Homes and Community Agency standards to achieve the funding that is required. In addition and this is secured through the S106 agreement, the entire development will achieve a standard of at least Level 3 of the Code for Sustainable Homes, JRF Lifetime Homes standard, Secure by Design with full compliance with the Registered Social Landlord Design brief. It should be noted that the orientation of the site with mainly south facing rear elevations also allows for an unusually high level of passive solar gain.

The site is situated in a highly sustainable location within easy reach of community facilities and public transport and scores highly against the criteria set out within the Environment and Community Section of the Building for Life Criteria (CABE).

The applicant has submitted a detailed Environmental and Waste Management Plan, including details relating to pollution prevention, water and effluent control and a plan to effectively manage waste from the site. The details submitted also include information on the movement of any spoils on the site, the reduction of any nuisance to neighbouring occupiers during the construction phase (acceptance of any conditions applied to restrict site working times) as well as a commitment to the use of sustainable materials. A condition is recommended to ensure that all works are carried out in accordance with the submitted plan.

5.5 Trees

Policy L1 indicates development will only be permitted where those features that conserve and enhance the character, distinctiveness, quality and amenity of the landscape is conserved and enhanced.

At the south eastern corner of the site there is a fine oak tree. The eastern boundary to the rear of properties in Hayward Road largely comprise a Cypress hedge that in places has become a double row. The southern boundary to the rear of The Crescent/Mulberry Gardens comprises a natural hedgerow with some mature trees.

The Council Tree Officer considers that the mature trees and vegetation along the southern boundary of the site are in good health. Given that this boundary is an important feature on the site both in terms of visual and residential amenity it is considered essential that it is protected during the demolition and construction phases. It is for this reason that a detailed method statement for works within the Root Protection Areas of trees of all trees on site, (and a Tree Protection) has been requested and assessed prior to the determination of the application (all these documents are fully in accordance with BS:5837:2005). This is considered acceptable and a condition will be attached to the decision notice to ensure that all works are undertaken in accordance with the approved details.

Subject to the above condition the proposed development is considered acceptable in terms of the impact upon trees on the site.

5.6 Landscaping

Policies D1 and L1 seek to conserve those aspects of the landscape that make a significant contribution to the character of the landscape.

The area of landscaping along the southern boundary, (to include the narrow strip within the south-eastern corner), has been identified as a significant landscape feature, also serving as a partial barrier between the site and the residential properties beyond. To the south of No.56 Hayward Road is a narrow strip of land containing a significant quantity of young Ash and at the junction of this strip with the south-western corner of the site is a mature Oak.

The applicant has submitted a detailed planting scheme, to cover communal areas in particular to soften the parking areas within the courtyard and along the frontage with Portland Street. This is considered acceptable by the Council Landscape Officer following some amendments to indicate the method by which existing landscaping will be protected during the demolition of the existing buildings and construction of the new build. This landscaping is not within the public highway. As indicated above (section 5.7), a condition is recommended to be attached to ensure that existing landscaping and trees are protected in accordance with the submitted and approved details.

It is considered that the proposed development is fully in accord with Policy D1 and L1 of the South Gloucestershire Local Plan (Adopted January 2006).

5.7 Ecology

Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 considers the impact of development upon protected species. Development that would directly or indirectly have an adverse impact on nationally or internationally protected species of flora or fauna will not be permitted unless any damaging effects are capable of being avoided, overcome or offset by mitigation measures. No ecological information has been submitted with the application.

The Council Ecologist raises no objection to the proposed development subject to informatives being attached to the final decision notice to advise the applicant of their duties under Wildlife Protection Legislation in respect of birds and bats. A condition is recommended requiring a Badger survey to be submitted and approved by the Council prior to any development starting at the site in particular the area along the southern boundary. Subject to the above informatives and condition to the proposed development is considered acceptable in ecological terms and thus is in accord with the aims and objectives of Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.8 Transportation

Policies T7 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006 consider standards for both cycle and car parking respectively. Policy T12 indicates that new development will be permitted provided that the new development makes adequate, safe and appropriate provision for the transportation demands that it will create with the paramount aim of preserving highway safety and minimising the impact of motorised traffic.

With respect to the access, this will be located in the current location and will be upgraded. Visibility splays onto the public highway are considered to be acceptable. With respect to traffic generation from the proposed development it is considered that the proposed development would increase traffic movements both in terms of vehicles and pedestrians over and above the extant use of the site. It is considered that the footway along the site frontage needs upgrading to the Council standards with the existing footway at this location needing to be widened to minimum of 2 metres along the whole frontage. A condition is recommended to secure the works ensuring that it is completed to the correct standards.

It should also be noted that the pavement along Portland Street is not complete over the entire length of the street, with a section of the footway on the north side of Portland Street and on the approach to the junction with Soundwell Road being missing. In view of the fact that traffic movements would increase on Portland Street and in consideration of increased pedestrian movements particularly children walking or cycling to school, it is considered in this case that mitigating measures are required to lessen the impact. Officers consider that some double yellow lines on Portland Street may have to be amended in light of the new development and thus a financial contribution would be sought.

The new access road serving the development would be 5.5m in width and as per the pedestrian facilities should be constructed to the Council's adoptable standards, a condition is recommended to secure this. It is considered that the layout design allows sufficient turning area on the site to ensure that service vehicles can manoeuvre easily within the site boundary.

It is also considered that in order to meet the Council's stated aspirations to promote the use of public transport and therefore reduce reliance on the use of private cars and further to improve pedestrian and cycle facilities in the area that a financial contribution should be sought from the developer. It is considered that the sum of £25,000 (secured through an appropriate legal agreement) be used towards pedestrian and cycle facilities, traffic management (including the review of waiting restrictions in the area) and improvements to access for the disabled at a bus stop in the area. This scheme of highway works would be subject to public consultation and the final scheme will be dependent on those matters arising from those consultations.

In summary, subject to the above conditions and signing of an agreement, the proposed development is considered to be in accord with the aims and objectives of Policy T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.9 Drainage

There is no objection to the proposed development subject to the use of best drainage practice. A condition is recommended to secure this. In addition given the location of the site within a former mining area a condition will be attached to the decision notice to require a mining report to be submitted to and approved in writing by the Council prior to the commencement of works on site.

5.10 Contaminated Land

Given that the proposed site has been used historically as a laundry/drycleaners, potentially land contamination may have occurred as a result of this use. A condition is recommended to require an investigation and mitigation (if required) prior to the commencement of any development on the site.

5.11 Improvements achieved to the Scheme

It is not been considered necessary to achieve improvements to the current scheme. The important issues such as the preservation of the landscape along the southern boundary, the provision of a footway either side of the adopted entrance to the site, adequate bin storage and the basic layout were all negotiated as part of the previous scheme.

5.12 Community Services

Policy LC8 of the South Gloucestershire Local Plan (Adopted January 2006) considers provision towards open space and Children's Play Space in relation to new residential development. The Policy indicates that where local provision is inadequate to meet the projected needs arising from the future occupiers of proposals for new residential development, the Council will negotiate with developers to secure provision to meet these needs. In addition Policy LC1 indicates that where local provision for leisure, recreation and other community facilities is inadequate to meet the projected needs arising from the future occupiers of proposals for new residential development, the Council will negotiate with developers to secure provision in scale and kind, (to accord with the tests set out in Circular 05/05), to meet these needs. This may include contributions towards the enhancement of existing provision within the vicinity where on-site provision is not possible.

It is calculated that this development of 30 dwellings would generate an average population increase of 67.8 people (based upon an average of 2.45 residents per house and 1.5 residents per 1 bed or 2 bed flat derived from the Census 2001). If this development is implemented it would create a need for extra community facilities. Guidelines from the National Playing Field Association recommends a minimum of 24m² of public open space per person and Policy LC8 of South Gloucestershire Local Plan (Adopted) January 2006 requires provision for informal open space, we consider 5m² per person to be reasonable to improve the quality of the environment in this area. Therefore the total public open space required from this development equates to: 1934.7 sq.m. No space is being provided within the development to reduce this requirement.

The total contribution towards off-site enhancements of public open space would be £50,800.04. The developer would be required to contribute towards future maintenance of the enhancements, which equates to £45,420.98 giving a total requirement of £96,221.02

The four sites identified for potential contributions are Soundwell playing field and play area, Lees Hill Playing field, Page Park and Southey Park. All these sites are within 2 kms of the site. The National Playing Fields Association Audit 2007 indicates that local provision of publicly accessible formal open space, children's play space is already inadequate to meet the needs of the present population. While it would not be reasonable to expect the applicant to rectify this shortfall, the projected needs of the occupiers of the site must be adequately met and this is the fundamental objective of Policy LC8.

In accord with Policy LC1 of the South Gloucestershire Local Plan (Adopted) January 2006, a contribution of £2,634.03 towards additional new stock and towards IT equipment. The contributions will be spent at Staple Hill Library.

Policy D1 requires that all new development demonstrates that adequate provision is made for the storage and collection of waste. Policy LC8 requires arrangements to be put in place to secure the future maintenance of any open space and in this respect the Council seeks the provision £1,817.75 of litter bins at a ratio of 1 litter bin per 50 dwellings. On this basis the sum of £1,817.75 is required to provide the facilities.

Policy LC13 seeks a contribution of 1% of the development costs towards the provision of publically accessible art, craft and design works for major developments. This has been requested without success. It should be noted however and this is set out in paragraph 10.98 of the South Gloucestershire Local Plan (Adopted) January 2006 that participation in the per cent for art scheme is voluntary and planning permission will not be refused if the applicant is unwilling to make a contribution. The applicant has declined to make an offer.

The applicant has agreed to make these contributions which shall therefore be secured through a Section 106 Agreement.

5.13 Education Services

Policy LC2 indicates that where local education provision is inadequate to meet the projected need for places arising from the future occupiers of proposals for new residential development, the Council will negotiate with developers to secure provision

in scale and kind, (to accord with the tests set out in Circular 05/05), to meet these needs via an appropriate agreement.

The Children and Young People's have stated that there is no requirement for contributions towards local education provision at the current time.

5.14 Affordable Housing Requirements

Policy H6 of the South Gloucestershire Local Plan (Adopted January 2006) in line with guidance given in PPS3 states that the Council will seek an element of subsidised affordable housing without any public subsidy to meet local needs on all new housing development within the Urban Area of 15 dwellings or more (or where the site is 0.5 hectares or more). This proposal therefore falls within this category. The applicant has agreed to the following terms, which are thus included in the heads of terms set out in the recommendation as set out in Section 7 below.

It is understood that the proposal could provide 100% Affordable Housing, however in line with the policy for the Section 106 legal agreement, Officers have negotiated with the applicant on the basis that the development should achieve 33.3% affordable housing to provide for those who cannot afford to rent or buy houses available on the open market. The requirement on this basis is for 10 units to be "affordable". The 10 units are to be social rented.

The affordable housing units must be distributed across the site in clusters of no more than 6 units. The affordable housing is to be delivered without any public subsidy. The proposed development is to have regard to the minimum sizes set out within the South Gloucestershire SPD "Affordable Housing Supplementary Planning Document".

The unit mix and plot numbers will be as follows:

- 3no. 1 bed (2 person flats) Plots 4 to 9
- 4 no. 2 bed (4 person houses) Plots 14,15, 23 and 24
- 1 no. 3 bed (5 person house) Plot 16
- 2 no. 4 bed (6 person houses) Plot 20 and 21

Delivery is preferred through a Registered Social Landlord – the Council encourages the developer to work with Homes West RSL. In the event of the developer choosing an Affordable Housing Provider from outside of these partnerships then the Council will set the detailed management standards that will be required. 100% of the initial occupants and 75% of subsequent occupants are to be nominated by South Gloucestershire Council.

All the units as a minimum are to be built in line with the same standards as the open market units and to also meet or exceed the latest Homes and Community Agency standards applicable at the time the S.106 will be signed or 6 months prior to start on site whichever date is the latter, and in force at the time of commencement of the Development, and supplemented by the achievement of at least Level 3 of the Code for Sustainable Homes, JRF Lifetime Homes standard, Secure by Design with full compliance with the RSL design brief.

The affordable housing will be built at the same time as the rest of the housing on site in line with agreed triggers as per S.106 agreement. The Council will define

affordability outputs in the S.106 agreement and as we have requested only affordable rented units on this site, currently that would be affordable rents to be set at target rents. The social rented accommodation is to be retained as affordable housing in perpetuity. The right to acquire does not apply where no public subsidy is provided. Subject to the signing of an appropriate agreement (Section 106) to cover the above requirements, the proposed development is considered in accord with Policy H6 of the South Gloucestershire Local Plan (Adopted January 2006) and PPS6.

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 South Gloucestershire Design Checklist (Adopted August 2007).

5.16 Section 106 Requirements

In this instance, having regard to the above advice, the transportation improvements, provision of affordable housing and public open space/community services 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.

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 into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- £50,800.08 towards enhancement of existing open space in the vicinity of the site and £45,420.98 towards maintenance of these enhancements to accord with the requirements of Policy LC8 of the South Gloucestershire Local Plan (Adopted) January 2006.
- £2,634.03 towards the provision of book/IT/audio equipment to the nearest library to the site to accord with Policy LC1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- £1,817.75 towards the provision of litter bins to accord with Policy LC8 of the South Gloucestershire Local Plan (Adopted) January 2006.
- £25,000 towards highway improvements to accord with the requirements of Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 10 units of Affordable Housing to be provided, the units to be social rented housing. The proposal to be fully in accord with the details agreed with the

applicant (see Paragraph 5.16) and all to accord with the requirements of Policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006.

2) That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

7.2 Should the agreement not be completed within 6 months of the date of the decision that planning permission be refused.

Background Papers **PK09/0927/F**

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

CONDITIONS

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

Reason:

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

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

Reason:

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

3. Prior to the commencement of the development, a Badger Survey as designated under the Wildlife and Countryside Act 1981 (as amended) and the Badger Act 1992, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To protect the wildlife and the ecological interests of the site, in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to occupation of any dwelling hereby approved, the existing footway along the whole frontage of the site shall be widened to a minimum width of 2 metres.

Reason:

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

5. The parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided prior to the first occupation of the dwellings and thereafter retained for that purpose.

Reason:

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

6. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) unless otherwise agreed in writing 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 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of any works on the site a mining report must be submitted and approved in writing by the Local Planning Authority. Works shall proceed in accordance with the approved details.

Reason:

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

8. The hours of working on site during the period of construction shall be restricted to 0730 to 1800 hours Monday to Friday and 0800 to 1300 hours Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason:

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. The development hereby permitted shall not commence until the developer has submitted to and had approved in writing the following information detailing any potential land contamination and if necessary a proposed scheme of works:

1. A preliminary investigation including a desk study report detailing the history of the site and identifying risks to human health and the environment.

2. If the above investigation identifies it as being required a main investigation including a site investigation report documenting the types, nature and extent of contamination present, risks to receptors and potential for mitigation within and beyond the site boundary as identified in the preliminary investigation. The investigations and assessments shall be in accordance with current Government and Environment Agency guidance.

3. If required, a detailed remediation scheme including a method statement and measures to be taken to avoid risk to human health and the environment, as identified by the desk study and site investigation from contaminants or gases. In this case the construction of buildings shall not commence until the investigator has provided a validation report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall be detailed in the report. Persons undertaking validation of remedial works shall also provide a validation certificate.

Reason:

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policies EP1 and EP6 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. All works, (demolition and construction), associated with the development hereby approved shall be undertaken in accordance with the submitted Detailed Method for works within the Root Protection Areas of trees received 15th July 2009 and in accordance with BS:5837:2005.

Reason:

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

11. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side (east) elevation of Plot 1 Portland Street as identified on Drawing No.09003/013 and 09003/011 hereby approved.

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.

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

Reason:

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

13. The refuse storage facilities shown on the drawings hereby approved shall be in place prior to the first occupation of the units and retained for that purpose thereafter.

Reason:

To ensure the adequate provision of refuse storage and to accord with Policy D1(H) of the South Gloucestershire Local Plan (Adopted).

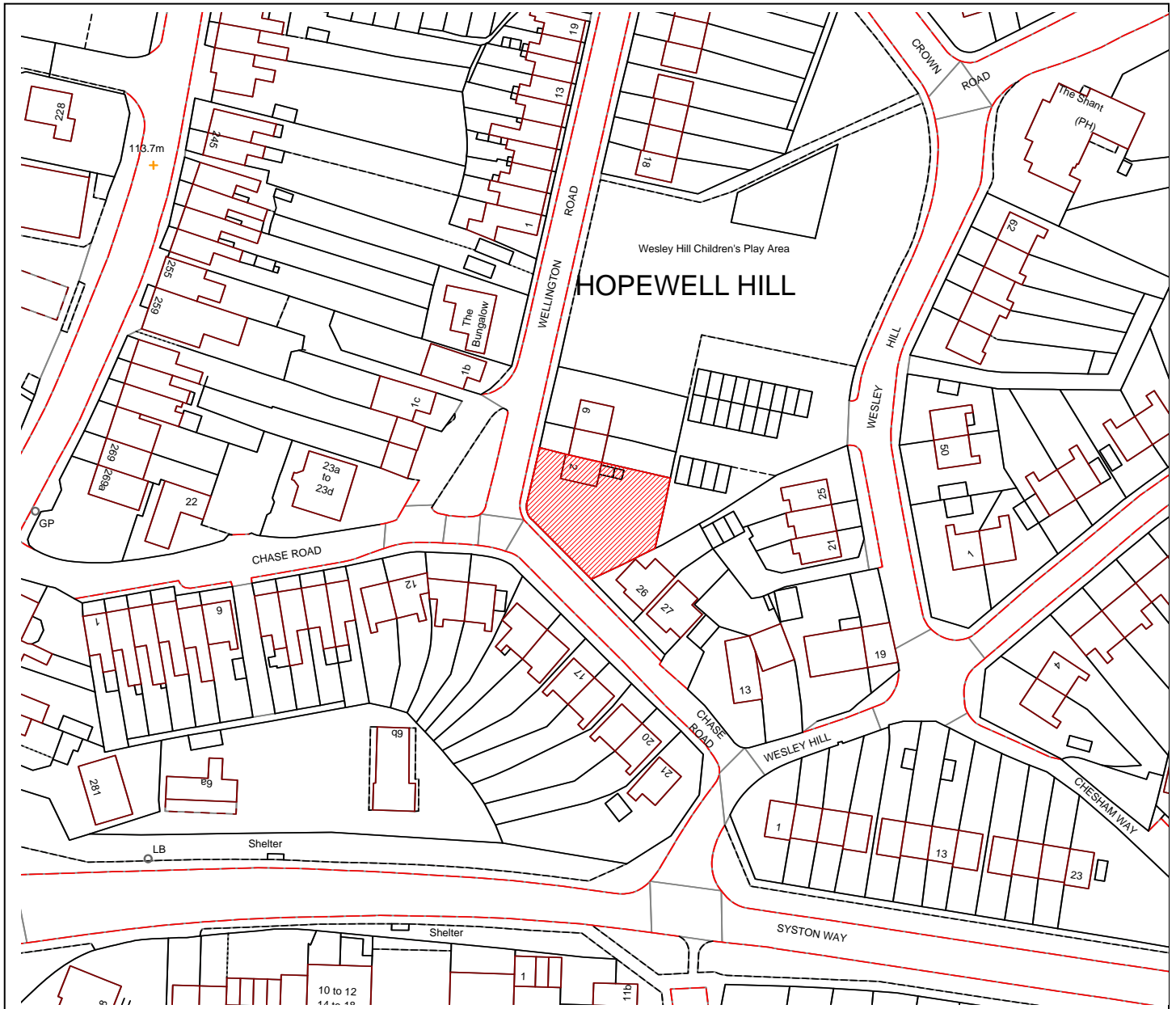
14. All works shall proceed in accordance with the Environmental and Waste Management Plan (St James Parade) dated 27th May 2009.

Reason:

To safeguard the amenity of neighbouring occupiers and to accord with Policies EP1 and EP4 of the South Gloucestershire Local Plan (Adopted January 2006)

CIRCULATED SCHEDULE NO. 28/09 – 17 July 2009

App No.:	PK09/1018/F	Applicant:	Willowdeen Development
Site:	2 Wellington Road, Kingswood, South Gloucestershire, BS15 1PS	Date Reg:	3rd June 2009
Proposal:	Erection of 3no. terraced dwellings with access and associated works.	Parish:	
Map Ref:	64737 74540	Ward:	Kings Chase
Application Category:	Minor	Target Date:	23rd July 2009



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 100023410, 2009.

N.T.S

PK09/1018/F

INTRODUCTION

This application has been referred to the Circulated Schedule following objections received from local residents.

1. THE PROPOSAL

- 1.1 The application relates to an existing 2 bedroom, end of terrace dwelling house i.e. 2 Wellington Road, situated on a corner plot, 0.053ha in area, at the junction of Chase Road and Wellington Road, Kingswood. The property has a relatively large garden to the side and rear. The location is suburban in character, consisting of a mix of predominantly two-storey dwellings of varying age and design, located along either side of narrow roads. The centre of Kingswood lies a short distance away to the south. Planning permission PK08/1000/F was recently granted for the conversion of no.2 to form 2 flats with the erection of a 2-storey side extension to create an additional 2 flats, plus associated car parking for 4no cars. A subsequent application PK08/2174/F was also approved for the conversion of no.2 to form 2 flats with the erection of a two-storey side extension to form 4no flats plus associated car parking for 5no. cars.
- 1.2 It is now proposed to retain no.2 as a house and erect 3no. two-storey two-bedroom dwellings as a terrace adjoining no.2. Four new off-street car parking spaces would be introduced to the Wellington Road frontage, thus providing 1no. space for no.2 and 1no. space for each of the three new houses.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPG13 - Transport

2.2 Development Plans

Joint Replacement Structure Plan

- Policy 1 - Principles
- Policy 2 - Location of Development
- Policy 17 - Landscape
- Policy 33 - Housing Provision and Distribution
- Policy 54 - Car Parking Provision

South Gloucestershire Local Plan (Adopted) 6th January 2006

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

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

Supplementary Planning Guidance
South Gloucestershire Design Checklist (SPD) adopted 23rd August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P81/4407 - One house.
Withdrawn 13th Nov 1981
- 3.2 PK08/1000/F - Conversion of 1 no. dwelling to form 2 no. flats. Erection of 2 storey side extension to form 2 no. flats with associated works.
Approved 23rd May 2008
- 3.3 PK08/2174/F - Conversion of existing dwelling to form 2no. flats. Erection of 2 storey side extension to form 4no. flats with associated works.
Approved 31st Oct 2008

4. CONSULTATION RESPONSES

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

Other Representations

- 4.3 Local Residents
2no. letters/e-mails of objection have been received from local residents. The concerns raised are summarised as follows:
- Insufficient parking provision will result in increased on-street parking.
 - Loss of trees.
 - Overbearing impact on 26 Chase Road – difference in ground levels.
 - Loss of light already from new flats (PK06/1363/F)
 - Overdevelopment – too high density.
 - Increased surface water run-off in Chase Road.
 - Not in-keeping with street scene.
 - Would be closer to 26 Chase Road than previously approved scheme.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The site lies within the Urban Area and being residential curtilage, is previously developed land and can therefore be assessed as a brownfield windfall site.

There is therefore no in-principle objection to the development of the site for residential use.

- 5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 33 states that priority will be given to the re-use of previously developed sites *within the urban area*. Furthermore, Policy 2 of the JRSP, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub-regional centres. JRSP Policy 19 requires development to be managed in a manner that respects local character and distinctiveness through good design.
- 5.3 Government advice contained in PPS3 – ‘Housing’ supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes. The South Gloucestershire Local Plan (Adopted) 6th January 2006 (para.8.26) seeks to “*..increase the proportion of smaller dwellings, reflecting the projected growth in one-person households and the existing disproportionate provision of smaller dwellings in South Gloucestershire.*”
- 5.4 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the residential development proposed, subject to the following criteria:
- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity; and
 - B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit. Not least, in and around existing town centres and locations well served by public transport, where densities of upwards of 50 dwellings per hectare should be achieved.
 - C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
 - D. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals.
- 5.5 Density
Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land. PPS3 (para.47) indicates that a national indicative minimum density of 30 dwellings per hectare should be used and whilst not prescribing any maximum figure the PPS encourages the highest density that can be achieved within the various local considerations that need to be taken into account. The development site is .053ha in area and includes the existing end of terrace property no.2 Wellington Road. It is proposed to erect 3no. additional dwellings on the site, which equates to a density of 75 units per hectare. The figure reflects the fact that the development would comprise of 4 small terraced houses in total.

- 5.6 PPS3 (para.50) states that *“The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.”*
- 5.7 Having re-appraised the position of the site in its spatial context, officers consider that the site is acceptable for higher density development. Densities of over 50 dwellings per hectare are not unusual in and around Town Centres. The location is close to the centre of Kingswood and the proposal would merely replicate the high density of development to be found within the existing terraces along the rest of Wellington Road. The scheme is an innovative design that seeks to make the most efficient use of land within the urban area and the site can accommodate the density of development proposed.
- 5.8 Officers are therefore satisfied that having regard to the site’s constraints relating to its location, pattern of development, landscape characteristics, access, and impact on residential amenity, the proposal represents the most efficient use of the land in what is a sustainable location, close to the centre of Kingswood, within walking distance of the shopping and community facilities and main bus routes. The proposal therefore accords with government guidelines and in terms of its density the development is not considered to be an overdevelopment of the site.
- 5.9 Scale and Design
Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 requires a good standard of design. Officers acknowledge that local residents have concerns about the design of the proposed building, stating that it would not be in-keeping with the existing street-scene. PPS1 (para. 38) in addressing design issues states that:-

“Local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness particularly where this is supported by clear plan policies or supplementary planning documents on design.”
- 5.10 Officers have considered the proposal in the context of the local architectural vernacular. This area of Kingswood is not noted for its aesthetic quality, being suburban in character and although some older properties are in evidence, there is no strong local distinctiveness supported by any supplementary planning documents. Most of the buildings are two-storey brick and render with tiled pitched roofs.
- 5.11 The proposed terrace is designed as a continuation of the Wellington Road terrace and in terms of its form and appearance would satisfactorily integrate within the existing built form. The development turns the corner at the junction of Wellington Road and Chase Road and successively steps down to take account of the level changes within the plot. Sizeable garden areas would be retained to the rear of the buildings. The proposal does not therefore represent an overdevelopment of the site.

- 5.12 The existing dwelling is a mid C20th building with rendered walls and a tiled roof. The proposed materials to be used to construct the additional dwellings would match those of the existing building. The scale and design are therefore acceptable.
- 5.13 Landscape
The existing garden areas to the side and rear of the property are quite spacious. The land falls away to the rear and side, so that the garden is elevated above Chase Road and the neighbouring property to the rear i.e. no.26 Chase Road. A low level brick retaining wall forms the boundary to Chase Road and Wellington Road. A levels diagram has been submitted, which shows a levels difference of approximately 1.4m from north to south where the terrace is proposed to be built. This will undoubtedly require some ground-works to facilitate the erection of the dwellings. Whilst these works are not likely to be excessive, further sectional details are required, which could be adequately secured by a condition.
- 5.14 It is proposed to sub-divide the garden area to provide private rear gardens for the individual dwellings with parking spaces and communal gardens areas to the front. In mitigation for the loss of vegetation that until recently grew on the site, a comprehensive scheme of landscaping is required, the prior submission and approval of which can be adequately secured by condition. As in the previously approved application, ample garden space has been retained to implement such a scheme of planting. Subject to the aforementioned conditions, there are no landscape objections.
- 5.15 Transportation
There is currently no off-street car parking provision to serve the existing property. Four off-street parking spaces have been proposed for this development. Under the Council's adopted maximum parking standards, 6no. parking spaces would be the most permissible for the scheme. The Council's Highway Officer is satisfied that the level of parking provision proposed is appropriate for four small dwellings in this sustainable location. Car ownership cannot be assumed in sustainable locations where alternative modes of transport are available i.e. foot, bicycle or public transport. The proposal therefore satisfies the maximum parking standards set out in Policy T8 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. The Policy does not require the provision of visitor parking spaces. Officers do however consider it appropriate to allocate the parking spaces on the basis of one per 2-bed house. Furthermore cycle storage facilities are proposed, the full details of which would need to be secured by condition.
- 5.16 A further condition is required to secure covered bin storage facilities. Subject to the aforementioned conditions, there are no highway objections.
- 5.17 Impact upon Residential Amenity
The proposed terrace would be located on a corner plot but any overlooking of neighbouring gardens from the windows proposed, would be from a reasonable distance, angle and height. Some overlooking of gardens to the front and rear is considered to be inevitable in a densely populated suburban area such as this. The garden most affected would be that of no.26 Chase Road, but this garden is already overlooked from properties in Wesley Hill and Chase Road

itself. There is a substantial close-boarded boundary fence and some high vegetation already on the boundary of the application site and this garden. There are no windows in the north-western side elevation of no.26 and the windows in the rear elevation of the terrace proposed would not directly face those in the rear of no.26. In many respects the proposed terrace is similar to the development previously approved under PK08/2174/F. The terrace turns the corner, so that the side elevation would now be located some 3m to 6m from the boundary with no.26 whereas previously in PK08/2174/F it was between 4 to 7 metres from the boundary with no.26. Given that there would be no windows in the flank elevation of the proposed building, there would be no overlooking of no.26 from this direction. Any loss of privacy from overlooking that might occur would be minimal and certainly not considered to be significant enough to justify refusal of planning permission.

5.18 In terms of overbearing impact, concerns have been raised by the occupant of no.26, especially given the levels differences between the application site and the garden area of no.26, which steps up to the rear, and the proximity of the proposed side elevation. The proposed terrace would however still be set back a reasonable distance from the boundary with no.26 and would not protrude beyond the established building lines in Chase Road. This sort of relationship between neighbouring properties is not considered to be uncommon in built up areas such as this. Given that the proposed flank elevation would be approximately 11m from the main side elevation of no.26 and that there are no windows in the side of no.26 the proposal is not considered to have a significant overbearing impact. Any overshadowing of the garden of no.26 is only likely to be in the late evening, when the sun sets in the west. The proposed dwellings would be modest in scale and are not considered to be excessive in either height or massing. Officers consider that no.26 would still be served by an adequate amount of daylight.

5.19 Adequate private amenity space would be provided for the existing and proposed dwellings. Separate bike and bin storage areas would be provided. Officers therefore conclude that the proposal would not have a significant adverse impact upon residential amenity.

5.20 Environmental and Drainage Issues

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

5.21 Affordable Housing

The proposal is for 3no. new dwellings only, which is below the Council's threshold (15) for affordable housing provision.

5.22 Education Service

The proposal is for 3no. new dwellings only, which is below the Council's threshold (5) for contributions towards Education facilities.

5.23 Community Services

The proposal is for 3no. dwellings only, which is below the Council's threshold (10) for contributions to Community Services.

5.24 Design and Access Statement

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

5.25 Use of Energy and Sustainability

A drainage condition would secure a SUDS drainage system.

5.26 Improvements achieved to the scheme

Covered cycle and bin storage.

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

7. RECOMMENDATION

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

Background Papers **PK08/2174/F**

Contact Officer: **Roger Hemming**

Tel. No. **01454 863537**

CONDITIONS

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

5. Prior to the commencement of 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 EP1, EP2, L17 & L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

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

7. The off-street car parking facilities, shown on the Proposed Site Plan No. 1944/104 hereby approved shall be provided before the first occupation of the dwellings hereby approved, and thereafter retained as such and used only in conjunction with the occupation of the buildings' purpose.

Reason:

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

8. Prior to the first occupation of the dwellings hereby approved, the cycle parking as shown on the plans hereby approved, shall be provided in the form of a secure and undercover store, the details of which shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

9. Prior to the first occupation of the dwellings hereby approved, bin storage shall be provided in the form of an undercover store, the details of which shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

10. The 4no car parking spaces shown on the approved Proposed Site Plan No. 1944/104 shall be allocated on the basis of one space for the existing no.2 Wellington Road and one space per each of the 3no. new dwellings hereby approved.

Reason:

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

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

Reason:

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

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

Reason:

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

13. Notwithstanding the details shown on the plans hereby approved, the tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

Reason:

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

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

Reason:

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

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

Reason:

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

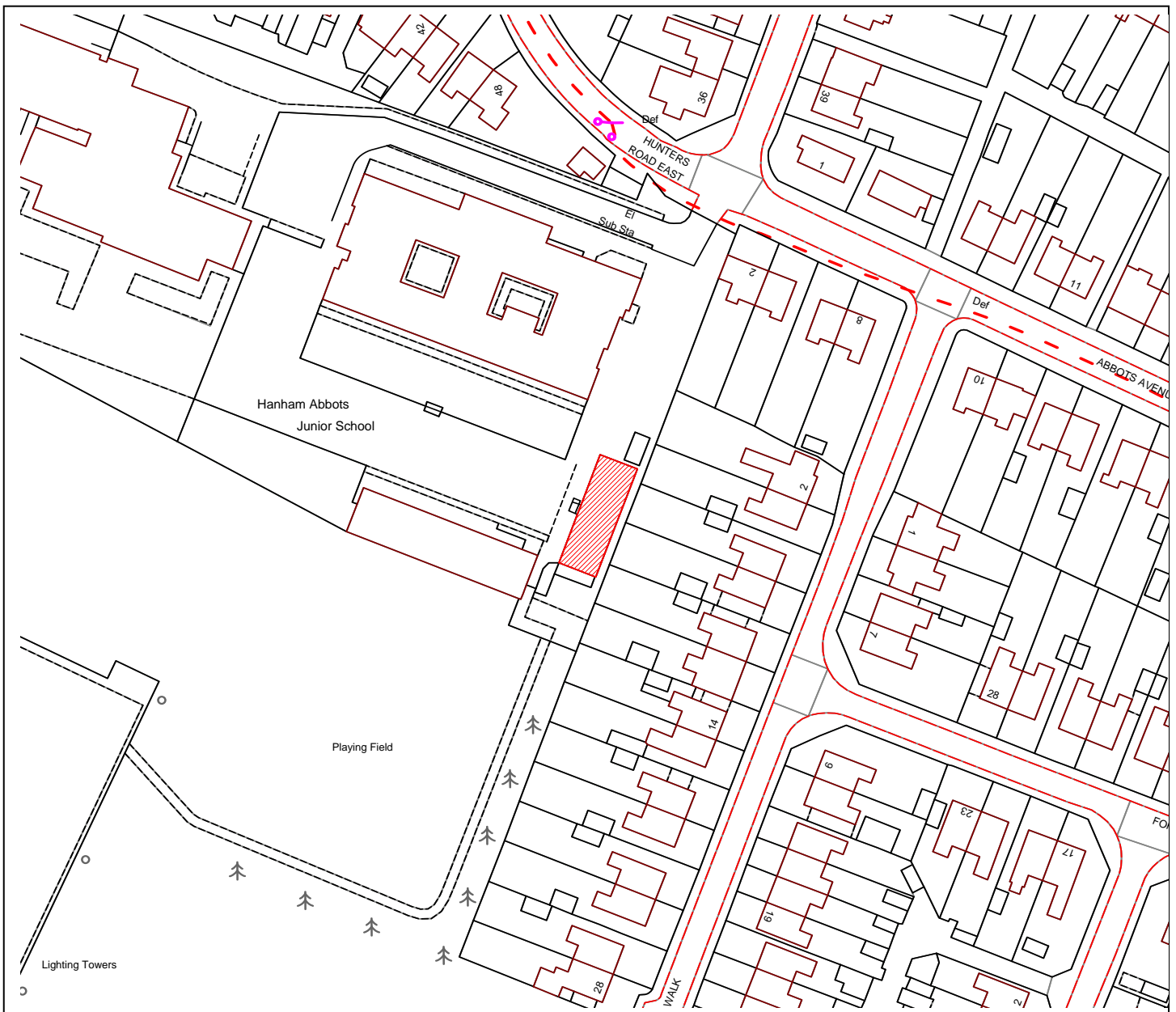
16. Prior to the commencement of any works, an Ecological Survey shall be submitted to and approved in writing by the Local Planning Authority. All works shall proceed in accordance with the findings.

Reason:

To accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.:	PK09/1118/F	Applicant:	Mr M Emberton Built-Offsite Ltd
Site:	Hanham Abbots Junior School, Abbots Avenue, Hanham, South Gloucestershire, BS15 3PN	Date Reg:	17th June 2009
Proposal:	Erection of replacement modular classroom building	Parish:	Hanham Abbots Parish Council
Map Ref:	64299 71922	Ward:	Hanham
Application Category:	Minor	Target Date:	10th August 2009



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N.T.S

PK09/1118/F

INTRODUCTION

This application has been referred to the Council's Circulated Schedule Procedure as a local resident objects the proposal.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a replacement modular classroom building. The application site relates to Hanham Abbots Junior School, which is sited within the built up area of Hanham.
- 1.2 The applicant submitted a supporting statement for the proposal and explained why the School urgently need the new building.
- The school has an urgent basic need issue in that it does not have enough classrooms on site. Hanham Abbots is a 12 class school but only has 11 classrooms on site at present. This means that one of our Y4 classes has been educated on the site of a neighbouring school since Feb 09. This is an unsatisfactory situation and needs to be resolved as soon as possible.
 - The school has also lost its' music room and food technology area since the current building was closed. This is inhibiting the curriculum.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

T7 Parking Standards

T12 Transportation Development Control Policy for New Development

LC9 Protection of Open Space and Playing Fields

LC4 Proposal for Educational Facilities

3. RELEVANT PLANNING HISTORY

3.1 The following planning history relates to the application site:

3.2 P75/4600 Erection of secondary school
September 1975

3.3 P86/4845 Erection of pre-fabricated multi purpose building
Observations Jan 1987

3.4 P90/4754 Erection of single storey teaching block
Observations Jan 1991

- 3.5 P92/4327 Construction of new library
Observations June 1992
- 3.6 P97/4201 Erection of 4no.classroom block
Approval June 1997
- 3.7 P984154 Erection of extension to science to block and erection
of 5 classroom block
Approval May 1998
- 3.8 PK06/0355/R3F Erection of single storey extension to form store.
Approved 17.03.06

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Town Council
No objection
- 4.2 Sustainable Transport
No objection

Other Representations

- 4.3 Local Residents
One letter has been received and the local resident is concerned that there are insufficient safety measures in place along the boundary between her property and the new building, particularly during the construction works.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for expansion of existing education facilities provided there is no impact on existing residential amenities and highway safety.

- 5.2 Visual Amenity
The proposed building would measure 7.2 metres deep by 21 metres long and 3.3 metres high and it would replace the existing building.

The proposed building would be constructed of 'stoneflex' offwhite external elevations with white UPVc sealed double glazed windows. The colour of the elevations would match that of other existing buildings within the site.

Whilst officers are concerned that the roof design of the building, the building would be significantly set back from public highway. In addition, the School urgently need this building to accommodate their pupils. In this instance, it is therefore considered that the proposal would not cause significant harm to the character and appearance of the area.

5.4 Residential Amenity

The proposed extension by reason of its siting and scale would not have an adverse impact on the existing amenities of nearby neighbouring occupiers in terms of overbearing impact.

With regard to the local resident's safety concerns, the applicant confirmed that suitable perimeter fencing would be constructed along the eastern boundary until the development is completed. A planning condition is therefore imposed to ensure that this will be the case.

5.5 Transportation

No highway objection.

5.6 Design and Access Statement

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

5.7 Use of Energy and Sustainability

The new building would have better energy efficiency, thermal insulation than the existing building and would also provide disabled access.

5.8 Improvements achieved to the scheme

Not necessary.

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers PK09/1118/F

Contact Officer: Olivia Tresise

Tel. No. 01454 863761

CONDITIONS

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

Reason:

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

2. Prior to the commencement of development details of the location of any construction compound and perimeter fencing to be provided on the site shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason:

To safeguard the safety and the amenities of the occupiers of nearby dwelling houses, and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.: PK09/1154/R3F

Applicant: South Gloucestershire Council

Site: Mangotsfield Church of England Primary, Church Farm Road, Emersons Green, South Gloucestershire, BS16 7BF

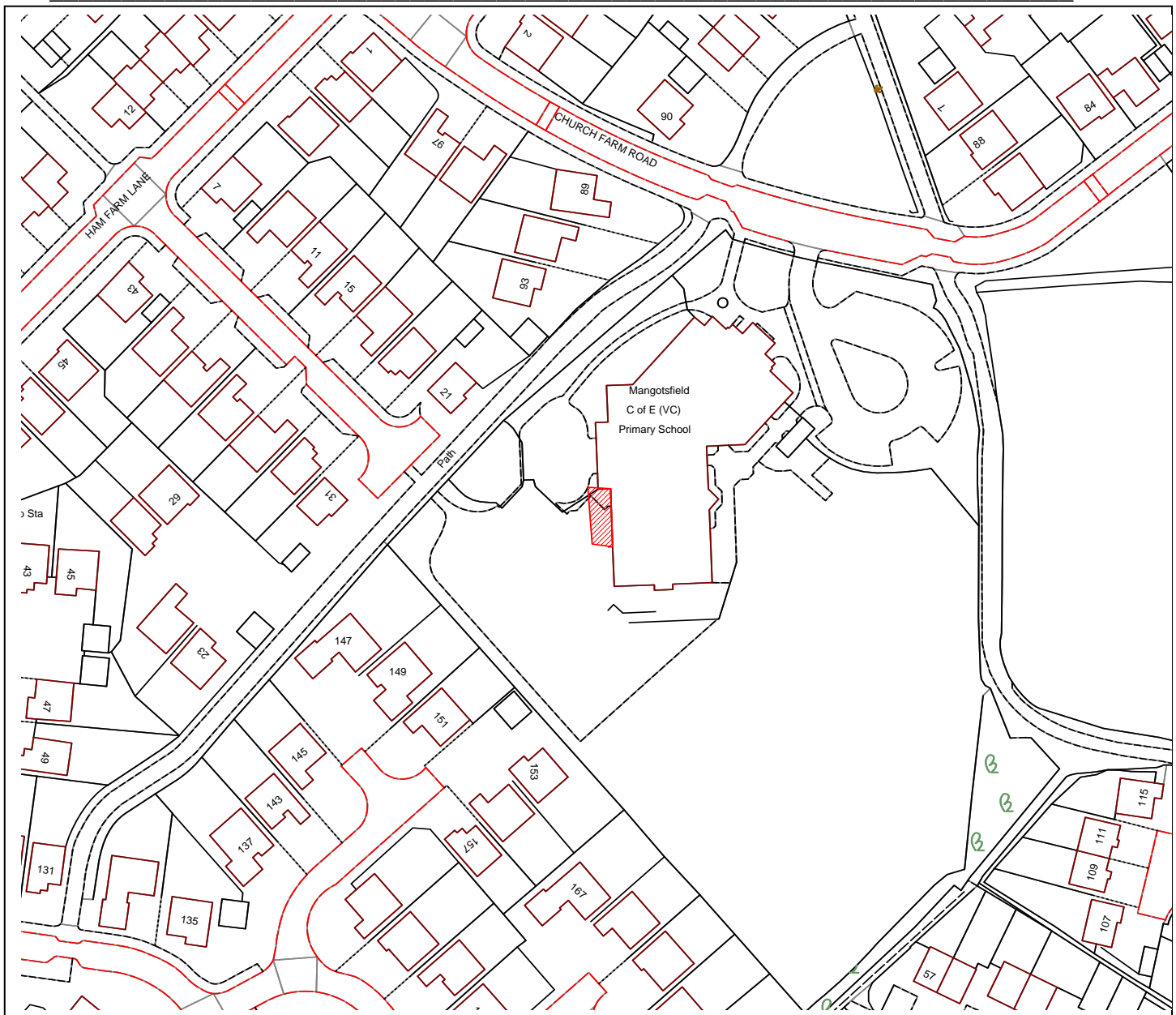
Date Reg: 23rd June 2009

Proposal: Erection of single storey extension to west elevation to form additional classroom space.
(Option C)

Parish: Mangotsfield Rural Parish Council

Map Ref: 66885 76536
Application Category: Minor

Ward: Emersons Green
Target Date: 14th August 2009



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INTRODUCTION

This application is reported on the Circulated Schedule as it has been submitted by the Council itself. Members will note that two options are proposed (only one of which can be implemented). Reports for both are on this schedule.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey lean-to extension to the western elevation of the school building, to form additional classroom space to an existing classroom. The school is two storey at this elevation, with render at first floor over brick at ground floor, under a tiled roof. The green windows form a prominent feature. The extension would be approximately 4 metres deep and 12.6 metres wide, built over existing hardstanding.
- 1.2 The western elevation is screened by the school's own mature boundary planting, which forms a hedge at this point. Beyond this is a footpath and that is separated from the nearest dwellings by similarly mature landscaping.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
LC4 School extensions

3. RELEVANT PLANNING HISTORY

- 3.1 P98/4510 Erection of new primary school Approved
- 3.2 Since the school was built, there have been 3 small scale extensions to it approved.
- 3.3 PK09/1157/R3F Of particular importance is this application, also for an extension in the same location, which forms a different design option. This application appears on the same Circulated Schedule.

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No objection
- 4.2 Other Consultees
Sport England
No objection

Sustainable Transportation

The proposed extension does not affect any of the existing access and parking for the site. On that basis, there is no transportation objection to this proposal.

Other Representations

- 4.3 Local Residents
No replies received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The main issues to be resolved are the impact of the extension on the nearby houses and the design implications. Further to this, the other headings come from policy LC4.

5.2 LC4A: Proposals should be sited on sites which are highly accessible by foot and bicycle:

In the case of this proposal, the school is already built. In any event its siting would meet this criterion.

5.3 LC4B: Effect on Residential Amenity

The location of the proposed extension is described in the introduction. There are two mature belts of landscaping, one on either side of the footpath/cyclepath which bounds the school site. This buffer is considered to be comfortably adequate to screen the site from the proposed extension which, in any case would only be 4 metres nearer than the closest part of the school building at present. It is therefore considered that the proposal accords with this criterion of policy LC4.

5.4 LC4C: Would the proposal have unacceptable Environmental or Transportation effects?

None of these effects have been identified by either Environmental Protection or Sustainable Transportation. It is considered that this criterion of the policy has been complied with.

5.5 LC4D: Would the development give rise to unacceptable levels of on-street parking?

The proposal would merely enlarge the size of one existing classroom and therefore is not considered to have any significant effect on traffic generation from the site as a whole. It is therefore considered that this criterion of policy LC4 has been met.

5.6 D1: Design

The design would compare to a previously approved extension to the school, which is considered the appropriate manner to achieve a classroom extension, as this design becomes a regular feature, rather than taking a more random approach to extensions. The extension is proposed to fit into a recessed area on the western frontage of the building, giving it an infill appearance for most of its depth. It would stand proud of the existing frontage by less than two metres along its 12 metre width. The design is relatively discreet and it is considered that the design of the proposal is acceptable and accords with policy D1.

5.7 Use of Energy and Sustainability

No particular implications for such a small development.

5.8 Improvements achieved to the scheme

None requested.

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is approved subject to conditions.

Background Papers **PK09/1154/R3F**

Contact Officer: Chris Gosling

Tel. No. 01454 863787

CONDITIONS

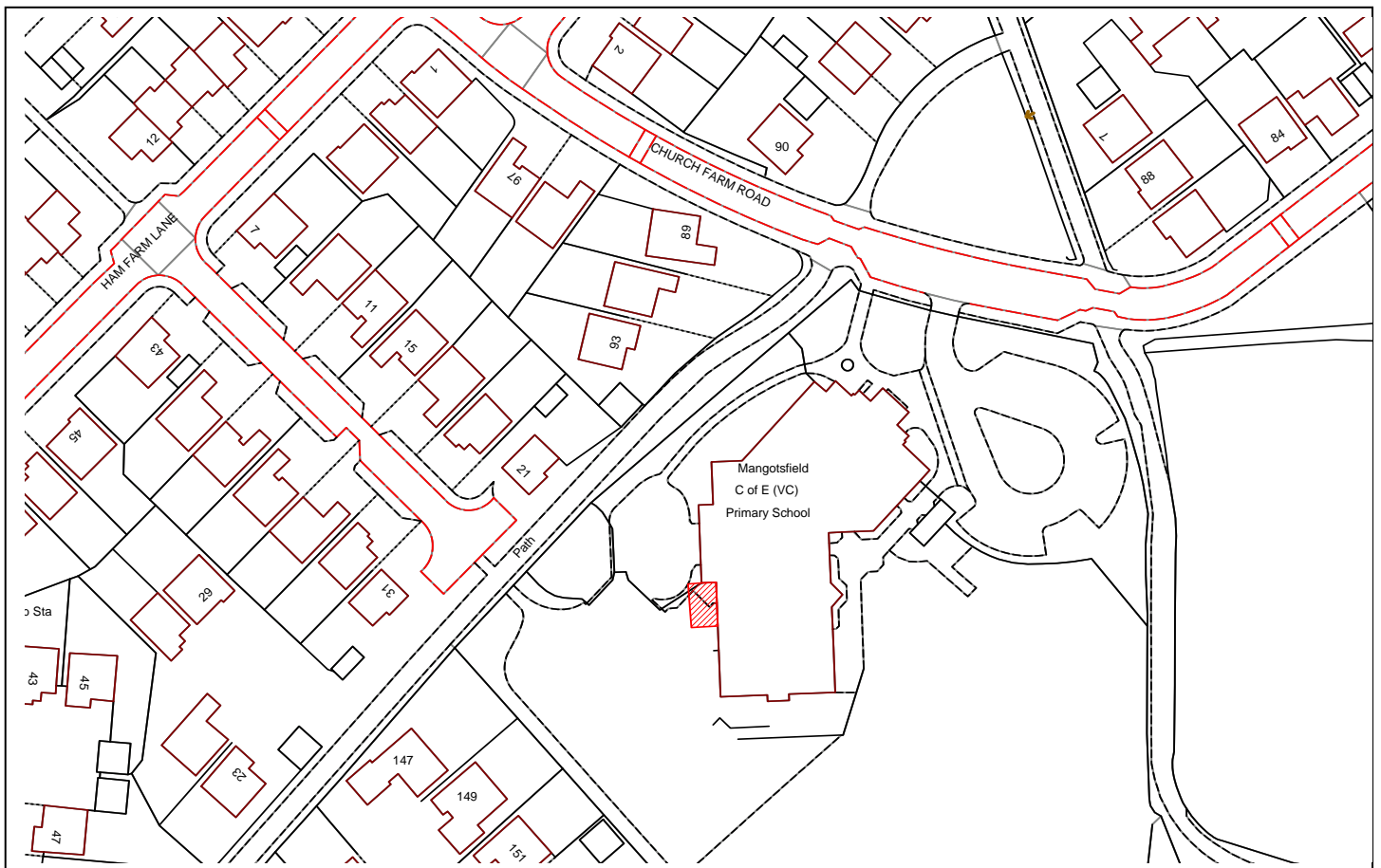
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

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

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.:	PK09/1157/R3F	Applicant:	South Gloucestershire Council
Site:	Mangotsfield Church of England Primary, Church Farm Road, Emersons Green, South Gloucestershire, BS16 7BF	Date Reg:	23rd June 2009
Proposal:	Erection of single storey extension to west elevation to form additional classroom space. (Option B).	Parish:	Mangotsfield Rural Parish Council
Map Ref:	66885 76538	Ward:	Emersons Green
Application Category:	Minor	Target Date:	14th August 2009



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PK09/1157/R3F

INTRODUCTION

This application is reported on the Circulated Schedule as it has been submitted by the Council itself. Members will note that two options are proposed (only one of which can be implemented). Reports for both are on this schedule.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey lean-to extension to the western elevation of the school building, to form additional classroom space to an existing classroom. The school is two storey at this elevation, with render at first floor over brick at ground floor, under a tiled roof. The green windows form a prominent feature. The extension would be approximately 4 metres deep and 10 metres wide, over existing hardstanding.
- 1.2 The western elevation is screened by the school's own mature boundary planting, which forms a hedge at this point. Beyond this is a footpath and that is separated from the nearest dwellings by similarly mature landscaping.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
LC4 School extensions

3. RELEVANT PLANNING HISTORY

- 3.1 P98/4510 Erection of new primary school Approved
- 3.2 Since the school was built, there have been 3 small scale extensions to it approved.
- 3.3 PK09/1154/R3F Of particular importance is this application, also for an extension in the same location, which forms a different design option. This application appears on the same Circulated Schedule.

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No objection
- 4.2 Other Consultees
Sustainable Transportation
The proposed extension does not affect any of the existing access and parking for the site. On that basis, there is no transportation objection to this proposal.
- Sport England
No objection

Other Representations

- 4.3 Local Residents
No replies received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The main issues to be resolved are the impact of the extension on the nearby houses and the design implications. Further to this, the other headings come from policy LC4.

5.2 LC4A: Proposals should be sited on sites which are highly accessible by foot and bicycle:

In the case of this proposal, the school is already built. In any event its siting would meet this criterion.

5.3 LC4B: Effect on Residential Amenity

The location of the proposed extension is described in the introduction. There are two mature belts of landscaping, one on either side of the footpath/cyclepath which bounds the school site. This buffer is considered to be comfortably adequate to screen the site from the proposed extension which, in any case would only be 4 metres nearer than the closest part of the school building at present. It is therefore considered that the proposal accords with this criterion of policy LC4.

5.4 LC4C: Would the proposal have unacceptable Environmental or Transportation effects?

No such effects have been identified through the consultation process by either Sustainable Transportation or Environmental Protection. It is considered that this criterion of the policy has been satisfied.

5.5 LC4D: Would the development give rise to unacceptable levels of on-street parking?

The proposal would merely enlarge the size of one existing classroom and therefore is not considered to have any significant effect on traffic generation from the site as a whole. It is therefore considered that this criterion of policy LC4 has been met.

5.6 D1: Design

The design would compare to a previously approved extension to the school, which is considered the appropriate manner to achieve a classroom extension, as this design becomes a regular feature, rather than taking a more random approach to extensions. Wherever possible, the windows on the existing elevation will be re-used for the extension. Materials are shown to match. It is considered that the design of the proposal is acceptable and accords with policy D1.

5.7 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.

5.8 Use of Energy and Sustainability

No particular implications for such a small development. However, it has been noted above that re-cycling of original windows in the extension will be achieved, where possible.

5.9 Improvements achieved to the scheme

None requested.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is approved, subject to conditions.

Background Papers PK09/1157/R3F

Contact Officer: Chris Gosling

Tel. No. 01454 863787

CONDITIONS

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

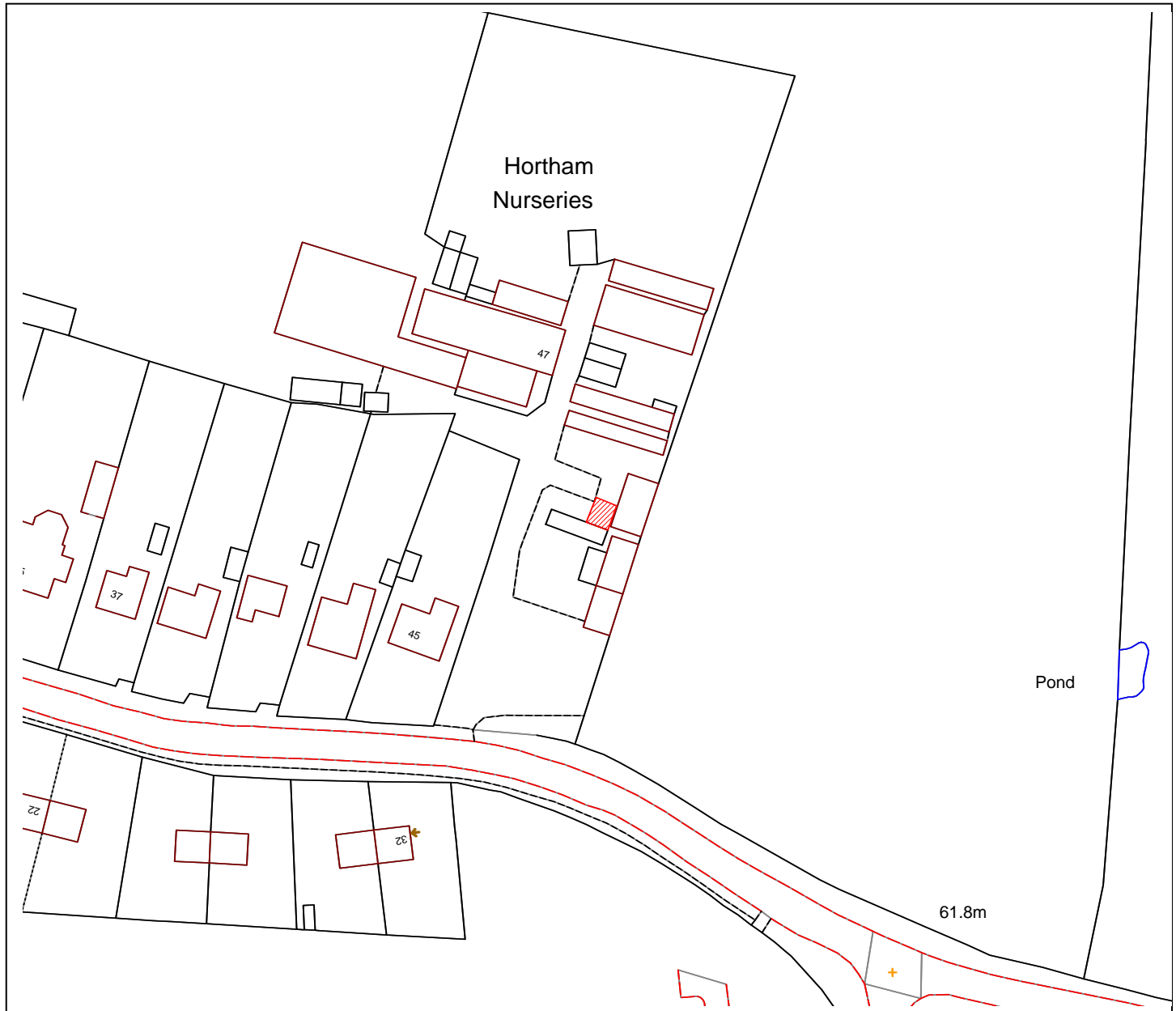
Reason:

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

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.: PT09/0959/CLE
Site: 47 Hortham Lane, Almondsbury, South Gloucestershire, BS32 4JJ
Proposal: Application for Certificate of Lawfulness for existing use of stationing of mobile home.
Map Ref: 62188 84531
Application Category: Minor

Applicant: Mr P Hayward
Date Reg: 26th May 2009
Parish: Almondsbury Parish Council
Ward: Almondsbury
Target Date: 21st July 2009



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PT09/0959/CLE

Members will recall that this application has appeared on the Circulated Schedule previously because it comprises a Certificate of Lawfulness and in view of the concerns which have been raised by the Parish Council. It has been referred to the Circulated Schedule for a second time because a letter of objection has been received from a neighbouring resident.

1. THE PROPOSAL

- 1.1 The application submitted comprises a Certificate of Lawfulness in respect of the existing use of land for the siting of a mobile home.
- 1.2 The application relates to land at Hortham Lane Nurseries. The application site is positioned on the north side of Hortham Lane within the open Green Belt.

2. POLICY CONTEXT

- 2.1 Because the application is a Certificate of Lawfulness the policy context is not directly relevant and therefore the planning merits are not under consideration. The applicant need only prove that on the balance of probabilities the use has taken place for a continuous period of 10 years up to the date of this application.

3. RELEVANT PLANNING HISTORY

- 3.1 P85/2039: Residential development on approximately 2.8Ha. Refused: 19 September 1985

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
'The Parish Council objects t(o) this application as it lies within the green belt'.
- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Summary of Local Residents Comments:
One letter received expressing the following concerns:
 - It was understood that this mobile home was sited as a temporary structure for use by the business owner for the day to day running of the nursery thus functioning as an office and on-site residence;
 - Given that the nursery has closed and clearance of the business fixtures is underway, there is no need for on-site accommodation;
 - In view of the above, the Certificate of Lawfulness should be rejected;
 - Allowing the Certificate would permit a dwelling which would have no other purpose than a residential abode;
 - The land is designated as agricultural land and within the Green Belt thus the Certificate should be refused.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks a Certificate of Lawfulness in respect of the use of land for the siting of a mobile home. The application site is located on the north side of Hortham Lane and is located within the Hortham Nurseries site.

5.2 In this instance, the issue for consideration is whether the evidence submitted proves that on the balance of probability, this land has been utilised for the siting of this mobile home for a continuous period of 10 years immediately prior to the date of this application. The application is purely an evidential test that is irrespective of planning merit. Accordingly green belt policy is not relevant to this decision.

5.3 Evidence in Support of Application

The application is accompanied by a sworn statement on behalf of the existing occupant of the mobile home. This states that she has lived at the premises for 34 years and was the partner of Mr Vowles who for the 40 years up to his death in December 2008 operated the nursery from these premises producing potting plants, compost, fertiliser and other associated products. The writer cites that she has not been involved in running the business but has assisted in the day to day activities, i.e. potting and watering.

5.4 It is detailed that Mr Vowles and the applicant have lived together in the mobile home with this being their sole residence during this time. The occupiers have paid Council tax over the last 18 years (details provided). The original delivery note in respect of the current mobile home is also provided (dated 12th February 1980).

5.5 Conflicting Evidence

The evidence submitted is accepted as true unless any contrary evidence is received. In this instance, one letter has now been received.

5.6 This states that it was the writers understanding that the mobile home had been used in connection with the business providing both an office and residential accommodation; with the business now closed, it is considered that the mobile home should be removed.

5.7 In response, this Certificate of Lawfulness seeks to demonstrate that the mobile home has been in situ for ten years up to and including the date of this application; this letter does not appear to suggest that it has not. It might also be reasonably anticipated that office accommodation might be provided as is the case in many residential dwellings. On this basis, it is not considered that a Certificate of Lawfulness could be reasonably withheld on this basis.

6. RECOMMENDATION

6.1 A Certificate of existing Lawful use is **GRANTED**.

Background Papers **PT09/0959/CLE**

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

REASON

The applicant has demonstrated that on the balance of probability the land edged in red on the site plan submitted has been used for the siting of one single-storey mobile home.

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.: PT09/1010/F
Site: 18 Rossall Avenue, Little Stoke, South Gloucestershire, BS34 6JT
Proposal: Erection of single storey and two storey rear extension to provide additional living accommodation.
Map Ref: 61144 80900
Application Category: Householder

Applicant: Mr R Hoggans
Date Reg: 2nd June 2009
Parish: Stoke Gifford Parish Council
Ward: Stoke Gifford
Target Date: 27th July 2009



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N.T.S

PT09/1010/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of an objection from a local resident which is contrary to the Case Officers recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a single storey rear extension (5.4m in depth and 6.2m in width) and a two storey rear extension (3.3m in depth and 4m in width).
- 1.2 The application relates to a semi-detached dwelling which is situated within a well established residential area within Little Stoke. The site is within the Bristol North Fringe Urban Area.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No comment.
- 4.2 Local Residents
One letter of objection has been received from a local resident. The main points have been summarised below: -
 - Loss of privacy.
 - Loss of light.
 - Demolish of attached outbuildings and concerned how this work would be carried out.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

- Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extensions to residential dwellings. This is subject to the proposal:
- respecting the character and appearance of the existing dwelling and the surrounding area;
 - not prejudicing the amenities of nearby occupiers,
 - maintaining highway safety; and
 - providing adequate amenity space.
- 5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.
- 5.3 Residential Amenity
The proposed development seeks to replace the existing array rear extensions with a new single storey rear extension, with a two storey extension above. Representations have been received from the adjacent neighbour who has objected to the proposal on the grounds of a loss privacy and light. Notwithstanding these comments, it is considered that the development would not materially harm the residential amenity of this adjacent property (No. 20 Rossall Avenue).
- 5.4 This is because, the depth of the single storey extension would be 5.4m which would be identical to the existing rear extensions of the host dwelling and No. 20. Accordingly, there would be no material change between the existing and proposed single storey extensions. The proposed two storey extension would be set in from the boundary by 1.8 metres, it would have a depth of 3.3 metres and its roof would be hipped. In view of these characteristics, it is considered that this aspect of the development would not result in a material loss of light or an overbearing impact.
- 5.5 With regard to privacy, the proposed extension would include new windows at the ground and first floor levels. However, these windows are positioned in a similar location to existing windows, and any views into the adjacent property would be from an oblique angle. This type of relationship is typical of well established residential area. As such it is considered that the proposed development would not material harm privacy.
- 5.6 Visual Amenity
The proposed extension would be situated on the rear elevation. The proposed development has adopted a simple design approach of a lean-to single storey extension, with a hipped two storey extension above. It is considered that the overall massing, scale, proportions, materials and design would be respect the existing dwelling, and the character of the surrounding residential area.
- 5.7 Other Matters
Representations have been received from the adjacent neighbour who has questioned the demolition of the attached outbuildings and how these works would be carried out. Notwithstanding these comment, works of demolition are not development and therefore do not form part of this planning application. However, works to, or alongside a party wall are covered by the Party Wall Act.

This is not within the remit of the Local Planning Authority, and is a civil matter between the applicant and the adjacent landowner.

5.8 Use of Energy and Sustainability

This extension would meet current Building Regulation standards.

5.9 Improvements achieved to the scheme

None considered necessary.

5.10 Section 106 Requirements

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

Background Papers **PT09/1010/F**

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

CONDITIONS

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

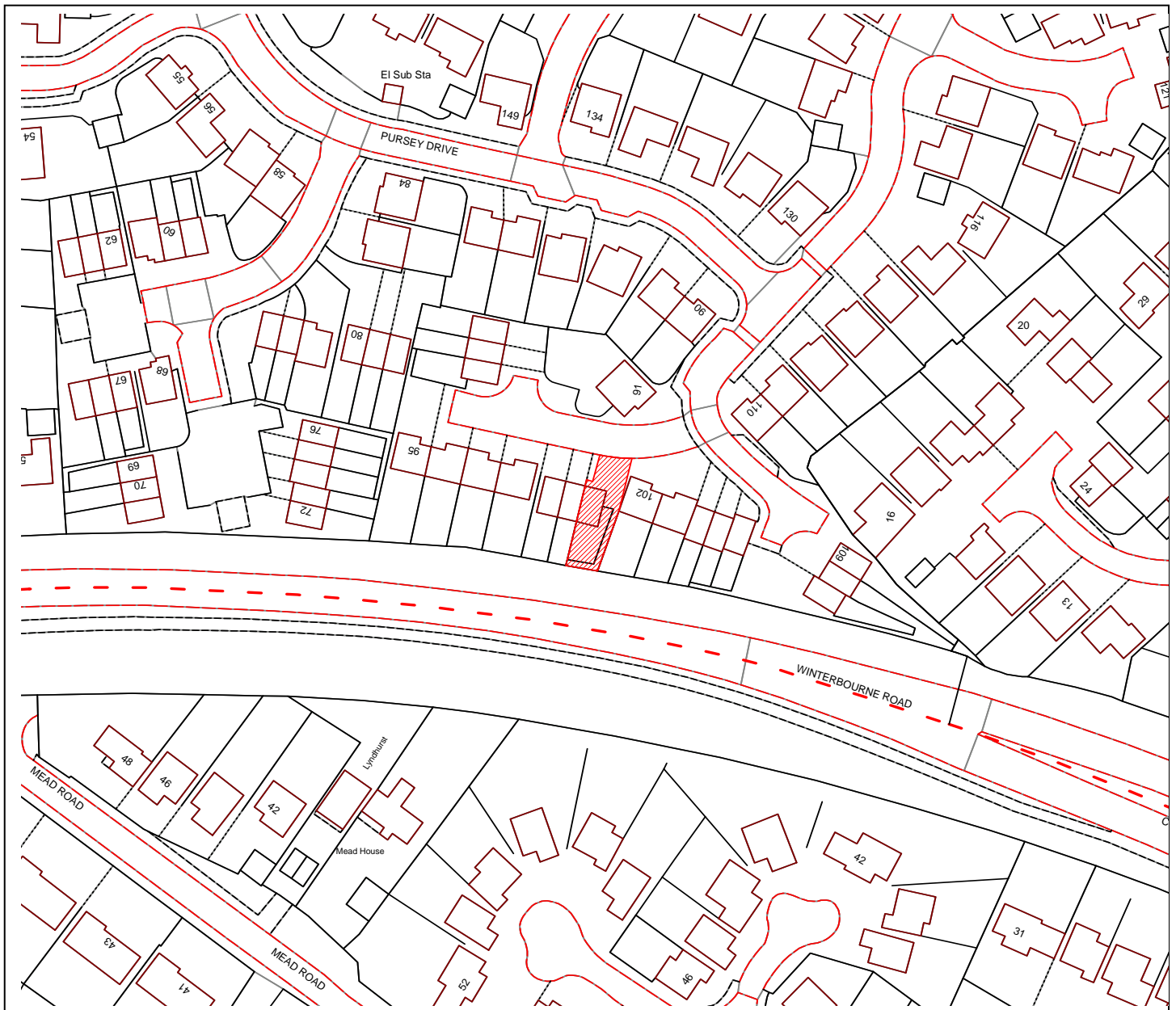
Reason(s):

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

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.: PT09/1040/F
Site: 101 Pursey Drive, Bradley Stoke, South Gloucestershire, BS32 8DN
Proposal: Erection of single storey side extension to provide garage (Resubmission of PT09/0623/F).
Map Ref: 62593 80621
Application Category: Householder

Applicant: Mr G Mapstone
Date Reg: 8th June 2009
Parish: Bradley Stoke Town Council
Ward: Stoke Gifford
Target Date: 30th July 2009



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N.T.S

PT09/1040/F

The application appears on the Circulated schedule as a result of the neighbours objection to the scheme. The two storey element of the proposal has now been removed and the neighbours and Bradley Stoke Town Council reconsulted. This reconsultation expires on 27 July 2009. If further issues are raised as a result of the reconsultation the new points will be recirculated.

1. THE PROPOSAL

- 1.1 The site consists of an end of terrace house in a cul-de-sac location in Bradley Stoke.
- 1.2 The proposed development consists of the erection of a ground floor side extension to provide a garage and porch. The materials will be brick and tiles to match the existing house. One parking space will be maintained on the frontage of the property in addition to the garage.
- 1.3 This application has been changed during the course of this application and no longer involves a first floor element.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Residential curtilages
T7 Cycle parking
T8 Parking standards
T12 Transportation development control policy for new development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist Adopted August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/1040/F Erection of two storey side extension to provide additional living accommodation Withdrawn

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
Support. No objection

Other Representations

- 4.3 Local Residents
One objection has been received in relation to the original two storey submission, from the non adjoined neighbour in relation to the following matters:

- a) the proposal is too close and would be overbearing
- b) right to light to kitchen and third bedroom
- c) loss of easy maintenance to the side of the writers property nad access to the back garden.
- d) Effect on foundations and the 'bulb of pressure' in the ground whilst work is taking place.

5. **ANALYSIS OF PROPOSAL**

5.1 The development consists of the extension of an existing dwelling with a ground floor side extension.

5.2 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is relevant to this planning application. The policy indicates that the proposed extension is acceptable subject to the following considerations.

5.3 Design and Residential Amenity

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design. Policy H4 supports this principle and also seeks to ensure that new development would not have a detrimental impact upon the privacy and residential amenity of the occupants of nearby dwellings.

5.4 In this instance the development consists of a single storey extension located at the side of the property and which projects one metre forward of the front elevation of the house to incorporate a porch. The non adjoined neighbouring house sits forward of the subject house and as a result the proposed side extension projects four metres rearwards of the neighbours rear building line and has an eaves line 2.4m high. Given that there is a pedestrian access path between the proposal and the neighbouring house, which is shown to be maintained at its present width, the proposal is not considered to be detrimental, by being overbearing or by causing loss of light to the neighbouring house, nor would it prevent the use of the access path for accessing the rear gardens or prevent maintenance to the neighbours property. Other matters raised by the neighbour relating to construction are not planning but civil matters and may be subject to the Party Wall act 1996.

5.5 The design of the proposal is consistent with the design of the property and is considered acceptable subject to matching materials.

5.6 Transportation

The maximum parking standards of the Local Plan are achieved in this scheme which retains a parking space in the frontage in addition to the 2.4m wide garage space created. There is also ample space for the storage of bicycles within the garage.

5.7 Design and Access Statement

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

5.8 Use of Energy and Sustainability

Not required to be considered.

5.9 Improvements achieved to the scheme

Negotiations to reduce the rearward projection of the two storey element resulted in the change of the scheme to a single storey extension.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers PT09/1040/F

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason(s):

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

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

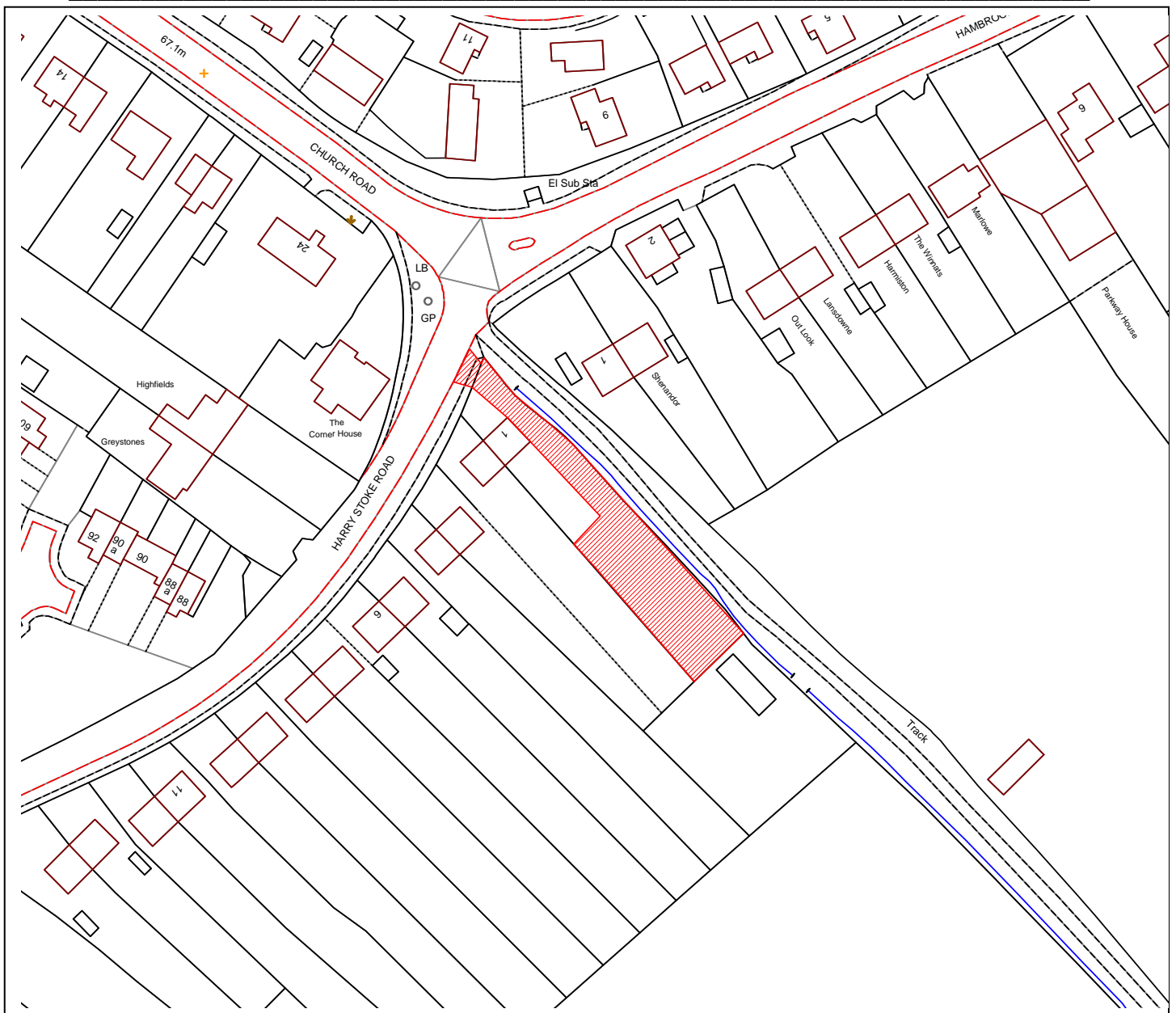
Reason(s):

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

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.: PT09/1055/F
Site: Land rear of 1 Harry Stoke Road, Stoke Gifford, South Gloucestershire, BS34 8QQ
Proposal: Erection of 2 no. three bedroom dwellings and 1 no. two bedroom Coach House and associated works. (Re-Submission of PT08/2247/F)
Map Ref: 62575 79316
Application Category: Minor

Applicant: Mr V Hargreaves
Date Reg: 9th June 2009
Parish: Stoke Gifford Parish Council
Ward: Frenchay and Stoke Park
Target Date: 29th July 2009



1. THE PROPOSAL

- 1.1 The site consists of a semi detached dwelling with garage positioned close to the junction of Harry Stoke road, Church road and Hambrook Lane. A footpath runs along the eastern boundary of the site. The site is within the Bristol North Fringe Urban Area and is within land allocated under Policy H1 of the South Gloucestershire Local Plan.
- 1.2 This application seeks consent for the development of a total of three dwellings on the site, with associated access and parking. This is a resubmission of planning application PT08/2247/F. That application was refused on the following grounds;

The proposed development, by virtue of its poor design and layout would fail to provide a distinctive development and as such would not act to enhance the site or the surrounding locality. As such the proposed development does not comply with the objectives of the South Gloucestershire Design Checklist and is contrary to policy D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006; PPS1 and PPS3.

and;

No financial contribution is made towards the provision of the North Fringe Development Major Scheme (Transport Matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 as part of this development proposal. As such the proposed development is contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H1	Proposed Sites for New Residential Development and Mixed Use Schemes (Site 13)
H2	Residential Development in the Urban Area
H4	Residential Development within existing residential curtilages
T12	Transportation

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT05/2023/F Erection of 2 storey rear extension and single storey front extension
Approved 14 September 2005
- 3.2 PT06/1001/O Residential development with infrastructure, public open space and ancillary facilities (Outline)
Secretary of State Approval. This approval is currently subject to Legal Challenge and the result of this challenge is awaited.
- 3.3 PT07/2847/O Erection of 2 no. semi detached dwellings and garages (Outline) with access to be determined. All other matters reserved.
Refused
- 3.4 PT08/2247/F Erection of 2 no. three bed dwellings, 1 no. 2 bed coach house and 1 no. one bedroom flat with associated works.
Refused

4. **CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council
Proposed to ask Councillor Cranney to refer this application to the Sites Inspection Sub-Committee. However the reason for this has not been given and no specific comment has been made in respect of this application.
- 4.2 Sustainable Transport
No objection subject to the provision of £4500 towards the North Fringe Major Scheme for off site highway improvements in respect of the North Fringe Area.
- 4.3 Public Rights of Way Team
No Objection

Other Representations

- 4.4 Local Residents
Three letters have been received and these raise objections on the following grounds;

The development is out of keeping with the character of the surrounding locality and is of little architectural merit.

The development will cause a loss of view.

The development will encroach into the PROW giving access to third party land.

The development is excessive and in height and closeness to the boundary of the site with the neighbouring property and will have a detrimental impact on the enjoyment of the garden of the adjoining property.

The proposed development will result in excessive noise affecting the adjoining occupiers.

5. **ANALYSIS OF PROPOSAL**

- 5.1 The site is located within the urban area associated with the Bristol North Fringe. The site is also located within land allocated for housing/mixed use development under the South Gloucestershire Local Plan (Policy H1).
- 5.2 **Principle of Development**
Policy H2 of the South Gloucestershire Local Plan is relevant to this application. The policy indicates that the development of this site for housing is acceptable in principle subject to further considerations as addressed below.
- 5.3 The site is also within land allocated under Policy H1 (Site 13) of the South Gloucestershire Local Plan. Ideally, this site should come forward as part of the whole of this land allocation. However, the site forms the rear garden of 1 Harry Stoke Road and is not under the control of the developer intending to develop site 13 for mixed use development. In this instance it is very unlikely that the site would be included within the development currently proposed for site 13 as a whole. Nonetheless this does not alter the point made above.
- 5.4 **Density**
The density of the proposed development is approximately 33 dwellings per hectare. This is consistent with the requirements of Policy H2 of the South Gloucestershire Local Plan and meets the objectives of PPS3.
- 5.5 **Design**
The proposed development details the introduction of a pair of semi-detached houses, and a 'flat over garages (FOG)'. The FOG is over three individual garages serving each of the proposed dwellings.
- 5.6 The previous application (PT08/2247/F) was considered poorly designed. In particular, it included an extension to the existing dwelling which would have provided an additional flat over the existing access. This was considered to be particularly poor in visual terms. This has now been omitted through this application. In addition, officers were concerned that the design of the proposed dwellings at that time did not address the opportunities offered by the site and would not have been consistent with the requirements of the South Gloucestershire Design Checklist.
- 5.7 This proposal retains the FOG and pair of semi-detached dwellings previously considered. However, the design of the buildings is such that the appearance of them would be more contemporary and individual appearance that would be sympathetic to both existing surroundings and the design approach to the forthcoming Harry Stoke development to the rear of the site (taking the majority of the H1 housing land allocation referred to earlier in this report).
- 5.8 On this basis, it is considered that the design submitted with this application is sufficient to overcome the previous refusal reasons, and would enable

development that is in accordance with Policy D1 and the South Gloucestershire Design Checklist

5.9 Residential Amenity

Objections have been received in relation to the impact of the proposed development upon the residential amenity of the occupants of nearby dwellings. In particular, concern is raised as to the over looking of adjacent properties and the proximity of the development to the boundary of the adjacent dwelling.

5.10 In terms of the layout of the pair of semi-detached dwellings and the FOG, this proposal is not materially different from the previous proposal. As with the previous proposal, it is considered that, given the position of the proposed buildings, there would be no material impact upon residential amenity as a result of this proposal. The application site currently forms part of the existing residential curtilage, which in this instance extends by approximately 60 metres to the South East of the rear elevation of the existing dwelling. The curtilage associated with the adjacent dwelling at 2 Harry Stoke Road extends to the same length. The proposed FOG and the South West gable of the proposed semi-detached dwellings are approximately 1 metre from the boundary with the adjacent property. However, given that the FOG is located approximately 18 metres, and the semi-detached dwellings approximately 37 metres to the South East of the dwelling a 2 Harry Stoke Road it is not considered that the position of the buildings would unduly impact upon the amenity of the occupants of the adjacent dwelling. In this proposal, the FOG has been lowered slightly by introducing dormers allowing the ridge and eaves to be lowered. Similarly, given the orientation of the plots it is not considered that there would be an overbearing impact. The design of the proposed buildings is such that there would be no direct overlooking into adjacent dwellings, and the outlook which would be available from the development is consistent with normal sub-urban relationships between residential properties.

5.11 In respect of the impact of noise from the occupants of the development, it is not considered that normal domestic occupation would generate a material increase in the level of noise. The development is located such that the sound from manoeuvring domestic vehicles would also be minimal. Indeed it is considered that the level of noise generated from this development would not exceed that which would normally be expected in a sub-urban environment such as this. In the event that anti-social levels of noise occurs then this will be a matter for the Environmental Health Issue and as such this cannot be considered as part of this planning application.

5.12 Notwithstanding the above, it is appropriate to restrict the construction times so as to restrict construction noise to normal daytime hours. This can be secured by way of appropriately worded condition.

5.13 Public Right of Way (PROW)

A Public Right of follows a route adjacent to the North Eastern Boundary of the site. This route would not itself be affected by the proposed development, and the proposed development would not encroach into it. Notwithstanding this, the route is characterised (in this location) by a sense of enclosure as a result of its high hedge and bank along the boundary of the site. This hedgerow is relatively

wide and offers significant amenity value to the route of the PROW. The boundary of the site runs centrally within the hedgerow and the development would itself be between 1 and two metres from the hedgerow itself. Whilst there may be limited impact upon the hedge as a result of the development it is considered that suitably worded planning conditions would be sufficient to ensure that the hedge can be protected and/or reinstated by way of planning condition. In this instance it is not considered that a refusal reason could be substantiated on this grounds.

5.14 Transportation.

It is considered that the proposed parking and access within the site is acceptable and that the access from the site onto Harry Stoke Road is sufficient to cater for the scale of this development.

5.15 Notwithstanding the above, the application would be subject to a contribution towards the North Fringe Major Scheme (Transport Measures). The total required sum is £4500. This should be secured by way of appropriate legal agreement. Subject to this contribution the proposed development is acceptable in transportation terms.

5.16 Other Matters

An objection is received drawing attention to the loss of a view from nearby existing dwellings. There is no specific right to a view and this cannot form part of the assessment in planning terms. Nonetheless, in this particular case, the land falls away to the rear of the dwellings associated with the immediate context of this site. The proposed development will be set down to the effect that the impact upon views across the surrounding areas will be minimal.

5.17 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.

5.18 Use of Energy and Sustainability

The proposed development is small in scale and would not provide the level of development requiring specific energy saving and renewable energy solutions. However, the Building Control Legislation will ensure that the appropriate level of insulation and low energy installations is achieved as part of this development.

5.19 Improvements achieved to the scheme

The proposed development is the result of pre-application discussions with officers following the previous refusal in respect of development on this site. The discussions have resulted in an improved design that is now satisfactory.

5.20 Section 106 Requirements

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

preferable. In this instance, having regard to the above advice, the transportation improvements are appropriately the subject of a legal agreement under Section 278 of the Highways Act 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 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering an agreement under Section 278 of the Highway Act 1980 to secure the following:
- a) A financial contribution of £4,500 towards the North Fringe Development Major Scheme (Transport Matters).
- Reason: To provide a contribution commensurate with the scale of development towards the North Fringe Development Major Scheme (Transport matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with Policies T12, H4 and H5 of this plan.
- (2) If the Section 278 Agreement is not signed within 6 months of this determination then, in view of the length of time the application should either:
- (a) Return to the Circulated Schedule for reconsideration or alternatively;
- (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a legal agreement, for the reasons listed in section (1) a above.

Background Papers **PT09/1055/F**

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

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. For the avoidance of doubt, the existing hedge row enclosing the Northeast boundary of the site shall be retained in accordance with the details so agreed in the landscaping scheme as required by Condition 3 of this decision.

Reason(s):

To protect the character and appearance of the area to accord with Policies H4, H2 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

To protect the character and appearance of the area to accord with Policies H4, H2 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. 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, G and H), ~~*~~(*delete/add substitute as necessary), 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(s):

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, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. 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(s):

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

6. The hours of working on site during the period of construction shall be restricted to 08:00 until 18:00 Monday to Friday, 08:00 until 13:00 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.

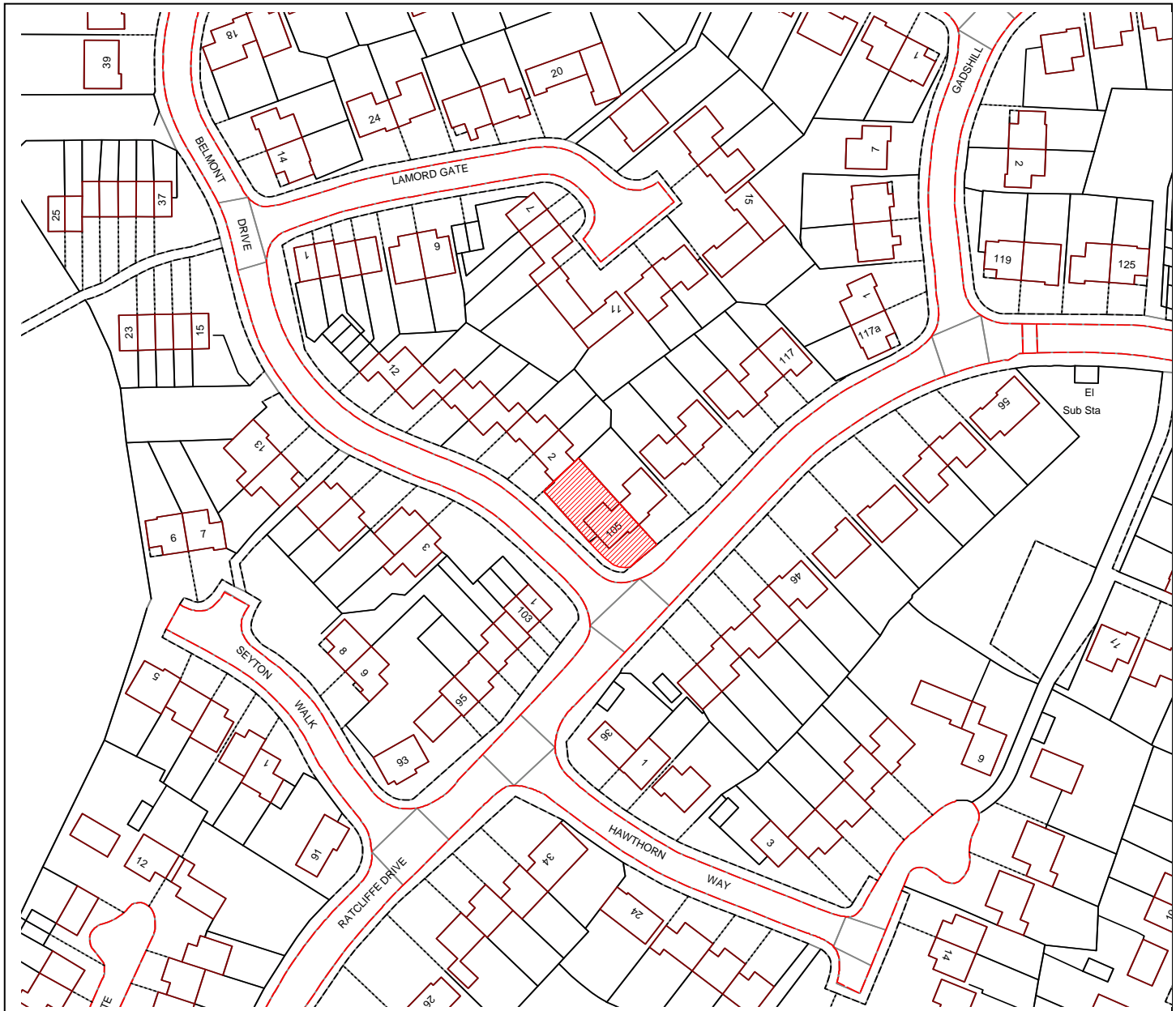
Reason(s):

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

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.: PT09/1071/F
Site: 105 Ratcliffe Drive, Stoke Gifford,
 South Gloucestershire, BS34 8TY
Proposal: Erection of single storey rear extension
 to provide additional living
 accommodation.
Map Ref: 62258 80361
Application Category: Householder

Applicant: Mr I McCleod
Date Reg: 11th June 2009
Parish: Stoke Gifford Parish
 Council
Ward: Stoke Gifford
Target Date: 5th August 2009



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N.T.S

PT09/1071/F

This application appears on the Circulated Schedule List because concerns regarding the impact on residential amenity were raised by a neighbouring occupier.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey rear extension to provide additional living accommodation.
- 1.2 The application site comprises a two storey detached dwellinghouse with a linked garage located within the established residential area of Stoke Gifford. The property is situated on the north western side of Ratcliffe Drive.
- 1.3 The location of the extension has been amended following concerns expressed by a neighbouring occupier.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No objection

Other Representations

- 4.3 Local Residents
One correspondence received from a neighbouring property raises concerns regarding:

How the extension will appear from the property;
How it will negatively affect both garden and living room light levels.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning Policy D1 applies to all types of development and ensures that a good

standard of design is achieved. Planning Policy H4 allows for residential extensions subject to design, residential amenity and transportation considerations.

5.2 Design/Visual Amenity

This application seeks planning permission for the erection of a single storey rear extension to provide additional living accommodation. The application site comprises a 2-storey detached property with a linked garage, located within the established residential area of Stoke Gifford. An existing conservatory would be removed to facilitate the build.

5.3 A revised plan has been received which has amended the position of the extension on the rear elevation. The extension would now be located approximately 2.7 metres from the flank boundary and would extend across the rear elevation flush with the south western side elevation of the property. 2no. roof lights would be located in the proposed roof, a window and door would be located in the western elevation and a window would be located in the south western elevation. The extension would comprise facing brick for the walls, a lean-to roof covered by concrete tiles and uPVC windows and door. These materials are considered acceptable and would match the existing dwelling. The design, form and scale of the proposed extension are also considered to be in-keeping with the existing dwelling.

5.4 Given the above, it is considered that the proposal would not have a negative impact on the character of the host dwelling or the character of the surrounding area.

5.5 Residential Amenity

A neighbouring occupier expressed concerns with the initial scheme including the overbearing and sunlight impacts since it would have resulted in an approximate 5.7 metre solid wall lining the shared flank boundary. Revised plans have been received which locate the extension further away from the neighbouring boundary so that a distance of 2.7 metres would separate the proposed extension and the neighbouring boundary. This is considered to be an acceptable level of separation to ensure that no adverse overbearing or overshadowing impacts would occur from the development. A 1.8 metre closed wooden fence would remain along the flank boundary and this would obscure the majority of the extension from view. The property to the north west of the application site is orientated so that its side elevation flanks the extent of the host curtilage. No windows are located in the side elevation of this property; therefore, there will be no significant adverse overbearing or privacy impacts on the occupants of the property. All other properties are located a sufficient distance from the site such that the proposal will not have a material impact on them.

5.6 Improvements achieved to the scheme

The proposal has been positioned further away from the neighbouring boundary.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Planning Permission is GRANTED subject to the following conditions.

Background Papers PT09/1071/F

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

CIRCULATED SCHEDULE NO. 28/09 – 17 JULY 2009

App No.: PT09/1160/FDI

Applicant: J T Baylis Land
Development
PartnershipSite: Land to the west of Merlin Road,
Almondsbury, South Gloucestershire,
BS10 7SR

Date Reg: 23rd June 2009

Proposal: Diversion of Footpath OAY85

Parish: Almondsbury Parish
Council

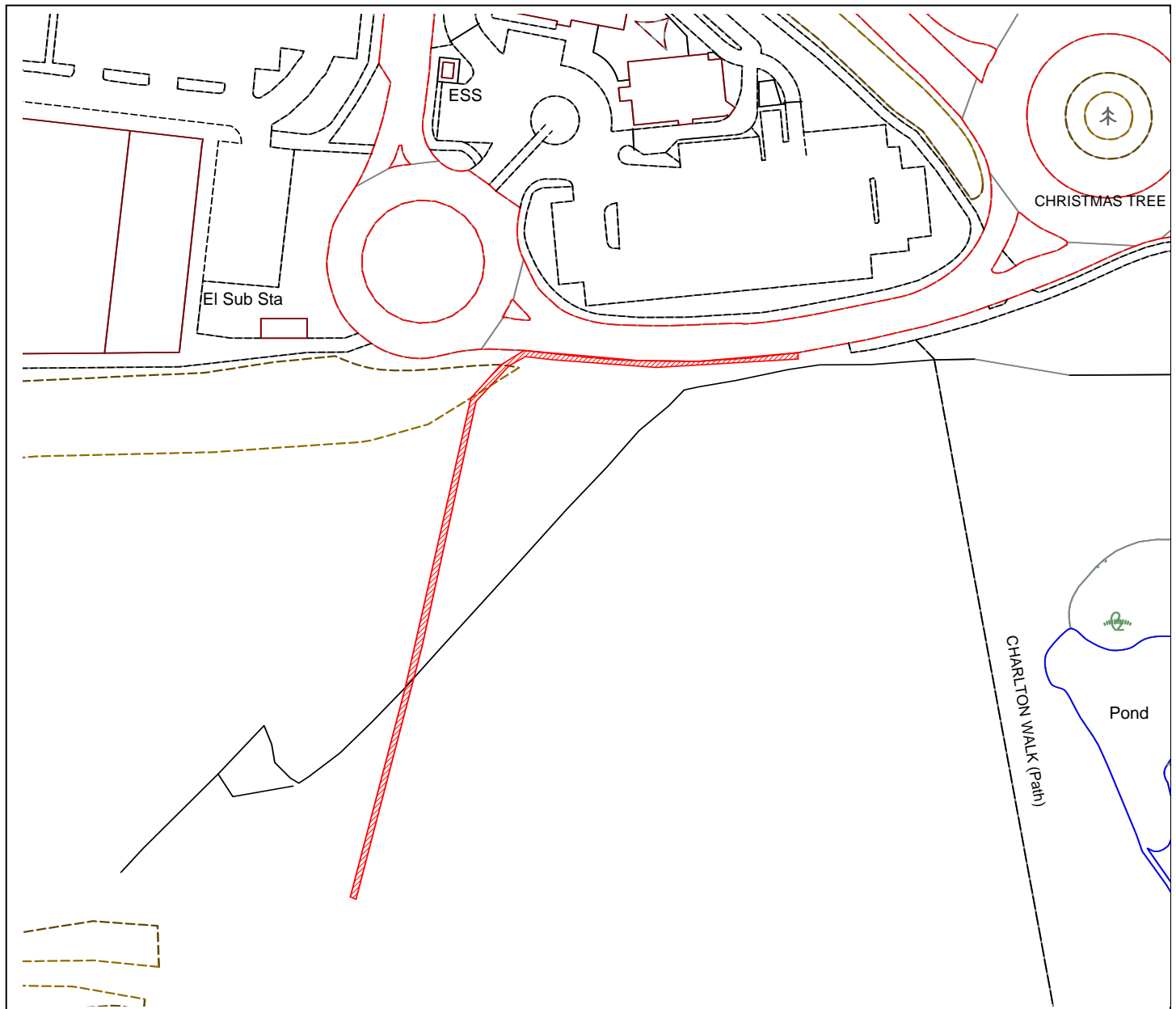
Map Ref: 58400 80546

Ward: Patchway

Application Category: Minor

Target Date: 14th August 2009

Date:



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100023410, 2009.

N.T.S

PT09/1160/FDI

1. THE PROPOSAL

- 1.1 Application is made under Section 257 of the Town and Country Planning Act 1990 for the realignment of 199 metres of public footpath OAY 85.
- 1.2 The application is submitted in accordance with Section 257 of the Town and Country Planning Act 1990 and forms part of a scheme which would divert this footpath so as to allow the implementation of development approved under PT07/3015/F.

2. POLICY CONTEXT

- 2.1 National Guidance
Circular 04/2001: Public Rights of Way
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
LC12 Recreational Routes

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/3015/O Erection of aviation museum and Class B1 office accommodation with associated works (Outline) with Layout, Scale and Access to be considered. All other matters reserved.
Approved with Conditions

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No comments received
- 4.2 Other Consultees
PROW Officer: No Objection

5. ANALYSIS OF PROPOSAL

- 5.1 Principle matters
The diversion of a Public Right of Way is not development as defined in the Town and Country Planning Act. As such a diversion order can only be considered within planning legislation when the diversion of the footpath is required in order to allow the implementation of a planning permission. The nature of the assessment should consider the proposed route and its suitability in terms of the amenity if the public right of way and whether or not the diversion is reasonably necessary in respect of the planning permission it relates to.

5.2 The Proposal

The application seeks permission for the realignment of footpath OAY 85 that takes a route in a Southerly direction from Merlin Road to the Fishpool Hill Area staying close to the perimeter of Filton Airfield. It is noted that this diversion is necessary to facilitate the development of the Concorde Aviation Museum and associated office development approved under PT07/3015/O.

5.3 The proposed route would divert approximately 100 metres of public right of way OAY 85. The new route would follow new contours formed as part of the development approved under PT07/3015/O and would link into the existing route to the South and North of the approved development. The assessment of the approved application addressed the issue and need for the diversion of the existing route in order to implement the development. Whilst acknowledging that the diversion would require this application the assessment of the previous planning application concluded that the required diversion of the route would not materially impact upon its amenity value and is necessary. The previous approval (PT07/3015/O) also carries appropriate planning conditions in respect of the way marking of the new route. The proposed route is consistent with that considered at the planning application stage.

5.4 It should be noted that the route cannot be diverted until the appropriate regarding works have been completed. There may be a temporary closure required at such time is necessary to implement the regarding. This will need to be applied for under appropriate traffic regulation order and cannot be considered as part of this application.

5.5 In view of the above, it is considered that the diversion is acceptable and reasonably necessary in the light of the current planning permission.

6. **CONCLUSION**

6.1 The recommendation to raise no objection 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 no objection be raised to the proposed diversion of OAY 85

7.2 That the Head of Legal and Democratic Services be authorised to make an Order under Section 257 of the Town and Country Planning Act 1990.

Background Papers **PT09/1160/FDI**

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