



**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. 14/07

Date to Members: 05/04/07

Member's Deadline: 16/04/07

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 12 noon)**. 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 (by 12 noon) (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: 05/04/07

SCHEDULE NO. 14/07

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 12 noon), 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

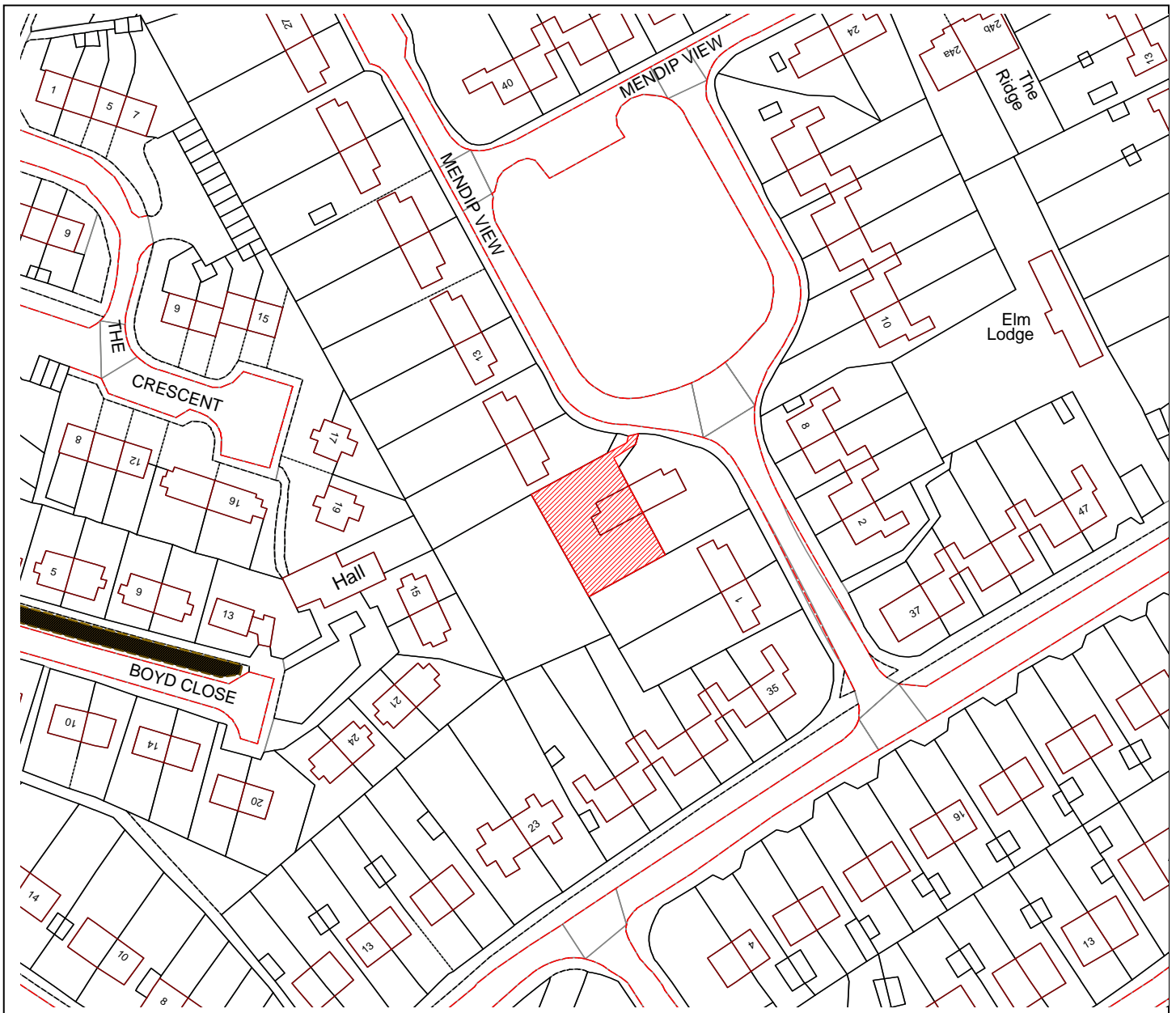
DATE

Circulated Schedule 05 April 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK06/3324/F	Approve with conditions	7 Mendip View Wick South Gloucestershire BS30 5PX	Boyd Valley	Wick and Abson Parish Council
2	PK07/0152/F	Approve with conditions	John Cabot City Technology College Woodside Road Kingswood South Gloucestershire BS15 8BD	Woodstock	
3	PK07/0160/F	Approve with conditions	15 Birkdale Yate South Gloucestershire BS37 4EX	Yate Central	Yate Town Council
4	PK07/0382/F	Approve with conditions	19 Stanley Park Road Kingswood South Gloucestershire BS16 4SR	Staple Hill	
5	PK07/0668/F	Approve with conditions	140 Downend Road Downend South Gloucestershire BS16 5EE	Downend	Downend and Bromley Heath
6	PK07/0700/TRE	Refusal	7 Haythorne Court Staple Hill South Gloucestershire BS16	Rodway	
7	PK07/0785/F	Approve with conditions	29a Forest Road Kingswood South Gloucestershire BS15 8EJ	Woodstock	
8	PT07/0340/F	Approve with conditions	13 Cherwell Close Thornbury South Gloucestershire BS35	Thornbury South	Thornbury Town Council
9	PT07/0621/F	Approve with conditions	32a Gloucester Road North Filton South Gloucestershire BS7 0SJ	Filton	Filton Town Council
10	PT07/0625/F	Approve with conditions	22 Squires Leaze Thornbury South Gloucestershire BS35 1TF	Thornbury North	Thornbury Town Council
11	PT07/0627/F	Approve with conditions	21 Bakers Ground Stoke Gifford South Gloucestershire BS34 8GD	Stoke Gifford	Stoke Gifford Parish Council
12	PT07/0703/TCA	No objection	1 Zion Cottages Church Hill Olveston South Gloucestershire BS35 4BY	Severn	Olveston Parish Council

CIRCULATED SCHEDULE NO. 14/07 – 5 APRIL 2007

App No.:	PK06/3324/F	Applicant:	Mr D Axford
Site:	7 Mendip View Wick BRISTOL South Gloucestershire BS30 5PX	Date Reg:	16th November 2006
Proposal:	Erection of detached dwelling with access and associated works.	Parish:	Wick and Abson Parish Council
Map Ref:	70105 73097	Ward:	Boyd Valley



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N.T.S

PK06/3324/F

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 This application seeks full planning consent for the erection of 1 no. detached dwelling within the existing residential curtilage of No. 7 Mendip View, Wick. The proposed new dwelling is to be erected to the side of the existing property and will share the existing unmade access.
- 1.2 The proposed new dwelling will be two storeys in height and will have three bedrooms. The new dwelling will be set back slight from the main front wall of the existing property and will have a single storey front protrusion to increase the amount of space on the ground floor.
- 1.3 During the course of the application, amendments were requested from the agent to slightly alter the position of the new dwelling on the site to prevent issues of overbearing. Amendments to the parking facilities were also requested. Amended plans have been received as required.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport: Guide to Better Practice

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
GB1	Development in the Green Belt
H2	Proposals for Residential Development
H4	Development with Existing Residential Curtilages, including Extensions and New Dwellings
T12	Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

(a) Statutory Consultees

- 4.1 Wick and Abson Parish Council
No response received

(b) 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 dwelling is unnecessary backland development and is out of keeping
- The development would overpower the allotments
- It will set a precedent
- Access is on a very narrow bend that means cars have to drive on ‘the green’.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) allows for development within existing residential curtilages, including new dwellings, subject to there being no adverse impact on the existing visual and residential amenities within the immediate area. Therefore subject to these constraints, the proposal is considered acceptable in principle. The site also lies within the designated Bristol/Bath Green Belt and thus must also comply with the requirements of Policy GB1 of the South Gloucestershire Local Plan (Adopted).

5.2 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 various criteria, including the design complying with the development control policies of the plan. Policy H4 allows for the erection of a new dwelling within existing residential curtilages providing that that following criteria are complied with;

5.3 **(a) Development would respect the massing, scale, proportions, materials and overall design and existing property and the character of the street scene and surrounding area;**

Generally it is considered that the new dwelling as proposed will integrate successfully with the street scene and character of the area. Whilst it is accepted that the street scene is dominated by semi-detached houses and the proposed dwelling is detached, it is not considered that the installation of one detached dwelling will have any negative impact on the amenity of the area. Indeed, there are two detached dwellings on the northeastern side of Mendip View that integrate successfully with the surrounding street scene. The dwelling is to be set well back from the highway and thus will not be visually prominent or intrusive. The dwelling will be of a slightly different scale and design from the existing dwellings however, generally, the eaves and ridge height along with the pitch of the roof will be similar. Given the design of the existing properties, it was not considered desirable in this instance to simply copy the design of the original dwelling – it was considered that a sympathetic design would be more acceptable. Despite the differences in design, the new dwelling is to be erected of materials to match the existing property and this will be ensured via the attachment of relevant conditions.

The dwelling does not represent backland development as the new dwelling is not to be erected behind an existing dwelling. The proposal matches the traditional pattern of development in the area and the design is thus considered to be acceptable.

5.4 (b) Would not prejudice the amenities of nearby occupiers;

The proposed new dwelling will be erected along the side of the existing dwelling No. 7 with its main front wall facing towards the side wall of No. 9 Mendip View. No. 9 is raised up slightly from the application site and there are no habitable room windows in the existing side elevation of the property. The proposed dwelling will not allow for any additional overlooking of the rear garden of No. 9. The rear of the new dwelling will face towards the allotments and rear garden of No. 3 Mendip View. It is not considered that the new dwelling will result in any significant additional levels of overlooking of the property to the rear. The existing dwelling on the site, No. 7 will not suffer any adverse effects in terms of overbearing or overshadowing and thus the application is considered to be acceptable in terms of residential amenity.

5.5 (c) Would not prejudice highway safety or the retention of an acceptable level of parking provision, and an acceptable level of parking provision is provided for any new separately occupied dwelling;

During the course of the application, amended plans were requested and received from the applicant in order to ensure that a satisfactory levels of off street parking is provided for both the existing and proposed dwellings. The plans clearly show how three off street parking spaces and separate turning spaces will be provided on site – two spaces to serve the new dwelling and one space to serve the existing. The existing dwelling currently only has one informal, unmade off street parking space and so it is considered acceptable to retain this level of parking at the existing dwelling.

It is accepted that the new access will be at a tight bend in Mendip View. However, this tight bend also means that vehicle movements in the area are very slow. In addition to this, the manoeuvring spaces ensure that vehicles are able to both enter and leave the site in a forward gear to avoid reversing out onto the highway. The Highway Officer and the Planning Officer are satisfied that the parking arrangement is satisfactory. Subject to the attachment of conditions to ensure that the parking and turning space is provided as per the approved plans, impact on highway safety is considered to be acceptable.

5.6 (d) Would not prejudice the retention of adequate private amenity space, and adequate private amenity space is provided for any new separately occupied dwelling;

The submitted plans show how sufficient private amenity space will be provided to serve both the existing and proposed dwellings. Ample space will be provided to allow children to play outside and for other outdoor household activities. There is no objection to the application in terms of amenity space provision.

5.7 Development in the Green Belt

PPG2 states that the most important attribute of Green Belts is their openness. Policy GB1 of the South Gloucestershire Local Plan sets out the type of development that may be acceptable in the green belt. The policy outlines that limited infilling within the defined settlement boundaries as defined on the proposals map may be acceptable. The policy goes on to explain that limited infilling is likely to consist of one or a small group of houses where it does not significantly impinge on the openness of the Green Belt. The site is surrounded

on all sides by existing residential units and at a central location within the settlement of Wick. It is not considered that the proposed dwelling by virtue of its scale and volume would have any detrimental impact upon the openness of the greenbelt and the development is acceptable.

5.8 Design and Access Statement

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

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 the application be approved subject to the following conditions;

Background Papers **PK06/3324/F**

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

CONDITIONS

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

Reason:

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

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

Reason:

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

3. The building shall not be occupied until the means of vehicular access has been constructed and surfaced with a fully bound material in accordance with the approved plans.

Reason:

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

4. The off-street parking and turning facilities as shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose. All parking and turning areas shall be surfaced with a fully bound material.

Reason:

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

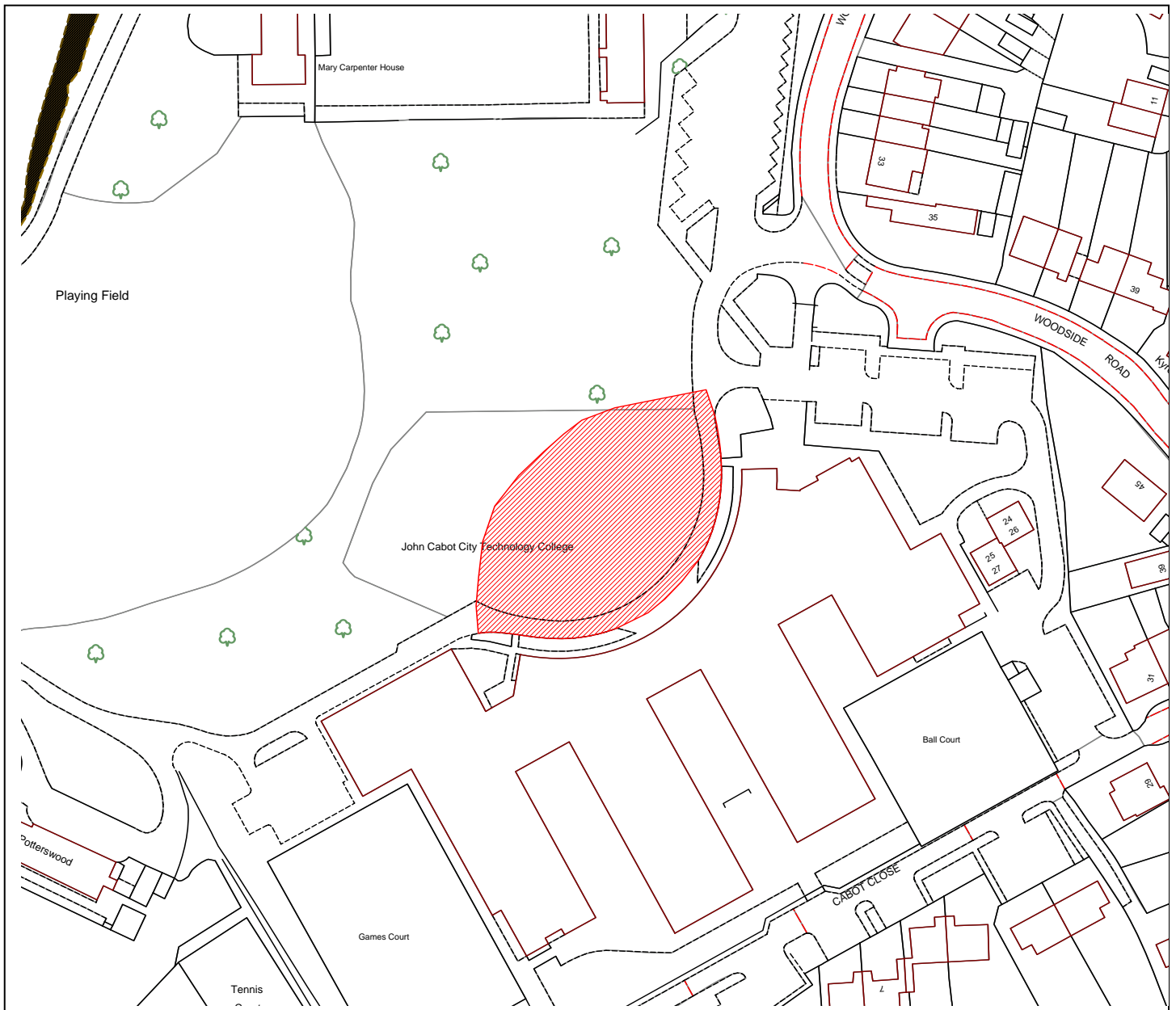
5. No windows other than those shown on the plans hereby approved shall be inserted at any time in the eastern elevation of the property.

Reason:

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

CIRCULATED SCHEDULE NO. 14/07 – 5 APRIL 2007

App No.:	PK07/0152/F	Applicant:	John Cabot City Technology College
Site:	John Cabot City Technology College Woodside Road Kingswood BRISTOL South Gloucestershire BS15 8BD	Date Reg:	22nd January 2007
Proposal:	Erection of two storey detached school block with associated landscaping.	Parish:	
Map Ref:	64279 73310	Ward:	Woodstock



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PK07/0152/F

INTRODUCTION

The application appears on the circulated schedule as there are letters that express a view contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two storey detached school block with associated landscaping.
- 1.2 The site is within the existing school grounds, within the urban area of Kingswood. The proposed school block is situated directly to the north of the main school buildings, in an area currently used as an 'amphitheatre' shaped grassed seating area for pupils, where the playing field drops away fairly steeply from the main school complex. The proposed school block is two storeys high, with the ground floor partially 'sunk' into the ground, in an elliptical shape, approx. 36.5m wide, 20.5m deep and a total of 9m high, with an atrium feature standing 2.3m above the flat roof. From the rear elevation, given the change in levels, the building is 4m high. The materials proposed are timber boarding, with powder coated aluminium glazing, with a grass roof covering. The proposed building is approximately 810 sq metres in area and is intended to accommodate facilities for the new specialism of Digital Arts and Media as well as dance, drama and fitness suites. The school states that the facilities proposed are those which are required to meet the curriculum needs of the new Academy.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
L5	Open Areas within the Existing Urban Areas
T12	Transportation Development Control Policy
LC4	Proposals for Educational and Community Facilities within the Existing Urban Area

3. RELEVANT PLANNING HISTORY

- 3.1 There is some history relating to the school site, the most relevant of which is: P91/4126 Construction of City Technology College, including new access to Woodside Road, car parking and landscaping, and off site highway improvements. Approved with conditions 1992

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Unparished area

4.2 Other Consultees

Sport England raised no objection to the proposal.

Other Representations

4.3 Local Residents

Five letters of support and a petition from 18 households in Pillinger Road, Counterpool Road and Woodside Road objecting to the scheme have been received. The reasons for objection are as follows:

- Local residents disturbed by musical events
- Building should be made soundproof and large enough to stage musical events
- Parents use unsuitable roads to access/egress the school
- Carpark of school needs to be larger
- Old mine workings on site previously caused subsidence to neighbouring properties

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy LC4 allows for the improvement of education facilities within existing urban areas, subject to certain criteria, including whether the proposals are located on site which are highly accessible on foot and by bike.

5.2 The site lies close to the Major Town Centre of Kingswood (as defined in the adopted Local Plan) and large areas of population (the site is close to the border with Bristol City Council). It is therefore considered to highly accessible on foot and by bike and conforms to this criterion of Policy LC4. The proposal is therefore acceptable in principle, subject to the following detailed assessment.

5.3 Visual Amenity

The school grounds are considered to be an important open area within the urban area, close to Magpie Bottom, and therefore the application falls to be assessed under Policy L5. The proposed building is closely related to the existing school buildings and is subservient in scale to them and is well related to existing landforms. Furthermore, the 'sunken' form of the development and the timber cladding and grass roof will reduce the visual impact of the building in the landscape and it is not considered that the proposed building will have an adverse effect upon the open area. A condition requiring detailed landscaping plans will be recommended, including tree protection measures for existing retained trees.

5.4 The proposal building is of a contemporary design using modern materials that, although different in design and form to the existing school buildings, will not look out of place within the school complex, and as such as not considered to harm the visual amenity of the area.

5.5 Residential Amenity

As stated above, the proposed building lies within the main body of the school site, and is some considerable distance from the nearest residential property on Woodside Road (approx. 60m). There are no proposed increase in pupil numbers as a result of this application; the application is an enhancement of facilities on site to enable the school to fulfil its 'academy' status. Whilst concerns have been raised by local residents regarding noise from events at the existing school, given that there are no increase in pupil numbers resulting from the proposal and the proposed building is well within the main body of the existing school, it is not considered that there is any harm to residential amenity as a result of the proposal.

5.6 Transportation

There are no increase in pupil numbers as a result of the proposal, and no change to existing access and parking arrangements. As such, the Highway Officer raises no transportation objections to the proposal. Whilst concerns have been raised by local residents regarding vehicular access to the school and parking, these are not issues that can be resolved as part of this application, and are management issues for the school itself, rather than material considerations that can be taken into account in the assessment of this application.

5.7 Other matters

Issues such as subsidence and old mine workings are outside the control of planning legislation, and cannot be taken into account in the assessment of this application. It is the school's responsibility to take any necessary action to ensure the stability of buildings and structures erected on site.

5.8 Design and Access Statement

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

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.

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

7. RECOMMENDATION

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

Background Papers PK07/0152/F

Contact Officer: Sarah Tucker
Tel. No. 01454 863780

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

Reason:

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

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details prior to the occupation of the building 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, L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 14/07 – 5 APRIL 2007

App No.:	PK07/0160/F	Applicant:	Mr T Morgan
Site:	15 Birkdale Yate BRISTOL South Gloucestershire BS37 4EX	Date Reg:	22nd January 2007
Proposal:	Conversion of existing dwelling to form 2no. self contained flats with new access and associated works.	Parish:	Yate Town Council
Map Ref:	71069 81920	Ward:	Yate Central



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N.T.S

PK07/0160/F

INTRODUCTION

This application appears on the Circulated Schedule due three letters of objection from local residents and one petition from local residents, with 21 signatures, also objecting to the proposal.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the conversion of an existing dwelling into 2 No. self contained flats with new access and associated works.
- 1.2 The application property consists of an end of terrace two storey dwelling, located on Birkdale cul-de-sac. The site is within the established residential area of Yate.
- 1.3 The original plans showed sliding doors leading onto Juliet balconies at first floor level. However, on the 23rd January 2007 the agent amended the design, of his own accord, omitting the sliding doors and balconies. In addition, following officer concern, a further amended plan was received on the 7th March 2007 which detailed the provision of suitable bin storage facilities.

2. POLICY CONTEXT

2.1 National Guidance

- PPS 1 - Delivering Sustainable Development
- PPG 3 - Housing
- PPS 3 - Housing

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 - Achieving Good Quality Design
- H4 - Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- H5 - Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential Purposes.
- T7 - Cycle Parking
- T8 - Parking Standards
- T12 - Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant history.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

No objection subject to adequate scheme to provide sound proofing not only up and down but side to side.

4.2 Other Consultees

Technical Support (Street Care) – Drainage Comments

No objection subject to informative.

Environmental Services

No adverse comments.

Other Representations

4.3 Local Residents

Three letters of objection received from local residents and one petition from local residents with 21 signatures expressing the following objections and concerns:

- development is in contravention with the original tenure plan of the area being for single occupancy not multi-occupancy,
- development is in contravention with dominant housing type being middle and end terraced dwellings
- detrimental effect on social cohesion of the area
- sets precedent for similar conversions across Yate
- potential parking problems
- adequate scheme of sound proofing
- sound levels of extraction for kitchen / bathroom controlled
- position of new soil vent pipe for bathroom
- energy rating of house
- insertion of sliding doors and balconies out of keeping with surrounding properties

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPS 1, paragraph 23 states that Local Planning Authorities should 'ensure an appropriate mix of housing...whether through new development or the conversion of existing buildings'. In line with this position, PPG 3, paragraph 41 states that 'conversions of housing...can provide an important source of additional housing, particularly in town centres'. PPS 3, paragraph 31, states 'conversions of existing housing can provide an important source of new housing'.

The guidance contained within National Planning Guidance is reaffirmed in the Local Plan through Policy H5, and the supporting text for this policy in paragraphs 8.179 & 8.180.

Paragraph 8.179 emphasises:

"The conversion, where appropriate, of larger residential properties and other buildings into smaller units of accommodation can make a valuable contribution to the supply and range of housing provision throughout South Gloucestershire, suitable for the growing numbers of single person and small households, many of which may not wish or cannot afford to live in larger properties."

Therefore the conversion of existing residential properties into smaller units of self contained residential accommodation is acceptable in national and local planning policy terms subject to the following criteria in Policy H5:

5.2 A. WOULD THE DEVELOPMENT PREJUDICE THE CHARACTER OF THE SURROUNDING AREA?

Following the submission of amended plans, in which the sliding doors and Juliet balconies have been omitted, the external appearance of the building is considered to be in character with the surrounding properties and local area.

The subdivision of the garden using timber post and panel fencing is considered to be appropriate particularly as the surrounding occupiers of Birkdale could erect similar fencing in their garden without planning permission. In addition the creation of two parking spaces in the rear garden is also considered to be appropriate given that a number of properties in the street already have this arrangement (Nos. 12, 18 & 16).

Concern has been raised by local residents that the conversion would harm the social cohesion of the area and disrupt the current tenure and housing mix. Having regard to national guidance, paragraph 10 of PPG 3 states that the Government

Does not accept that different types of housing and tenures make bad neighbours.

It is therefore considered that the creation of two flats will not harm the social character of the area.

Further concern has been raised that the proposal would set a precedent for similar developments across Yate. The Council assesses each application on its own merits, on a case by case basis. Therefore, it is considered that the granting of permission for this development does not necessitate automatic approval to convert similar properties in Yate.

Consequently, the application complies with criterion A.

5.3 B. WOULD THE DEVELOPMENT PREJUDICE THE AMENITIES OF NEARBY OCCUPIERS?

Overbearing Analysis

The proposal does not involve any extensions. It will utilise the existing floor space within the building. Accordingly, surrounding occupiers will not experience an overbearing impact.

Privacy Analysis

The proposal does not involve the insertion of any new windows (other than a French Door on the ground floor rear elevation to replace an existing window). Consequently, surrounding occupiers will not experience a loss of privacy.

Noise & Disturbance

In line with the guidance contained within paragraph 8.181 of Policy H5 the proposed flats should be designed so as to minimise the impact of noise and disturbance on any directly adjoining occupiers.

Yate Town Council and a local resident have suggested that an adequate sound proofing scheme should be submitted. Whilst the plans do not provide sufficient detail to confirm the relationship between the proposed rooms and the rooms in the attached neighbouring terraced property (No. 16) a condition will be added to the Decision Notice to ensure that a scheme of noise protection and sound insulation is submitted and agreed in writing with the Local Planning Authority thus reducing any harm on neighbouring occupiers.

Consequently, subject to a condition regarding sound proofing, it is considered that the application is in accordance with this criterion.

5.4 C. WOULD THE DEVELOPMENT IDENTIFY AN ACCEPTABLE LEVEL OF OFF-STREET PARKING?

Concern has been raised that the development will lead to parking problems in the area particularly when parents are delivering and collecting children from the nearby primary schools of Kingscourt and St Paul's Primary School.

In respect of this concern it should be noted that the Council's Transportation Development Control officer has assessed the proposal and does not object. It is pointed out that two off street parking spaces are proposed, one for each flat. This proposed parking is within the Council's maximum residential parking standards set out in Policy T8 of the South Gloucestershire Local Plan and is considered acceptable.

Furthermore, the proposed development includes the provision of sufficient secure cycle parking within the site. This is to be located within small secure sheds between the new parking spaces and new amenity areas.

Accordingly, it is considered that the proposal complies with this criterion.

5.5 D. WOULD THE DEVELOPMENT PROVIDE ADEQUATE AMENITY SPACE?

The proposal is for one bedroom flats. As detailed in PPG 3, paragraph 41 (re-using buildings/conversions) Local Planning Authorities should adopt 'a more flexible approach to development plan standards with regard to...amenity space'. The ground floor flat has access to the rear garden measuring 24 square metres in area, whilst the 1st floor flat would have access to a front garden area measuring 49 square metres in area. It is considered that these amenity spaces are sufficient in size to serve the occupiers. Therefore the application is in accordance with this criterion.

5.6 E. (IN THE CASE OF BUILDINGS NOT PREVIOUSLY USED FOR RESIDENTIAL PURPOSES) IS THE PROPERTY IS LOCATED WITHIN THE EXISTING URBAN AREAS AND THE BOUNDARIES OF SETTLEMENTS, AS DEFINED ON THE PROPOSALS MAP?

The property was previously used for residential purposes. Accordingly, the proposal complies with this criterion.

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 (Consultation Draft).

5.8 Section 106 Requirements

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Background Papers **PK07/0160/F**

Contact Officer: **Edward Purnell**
Tel. No. **01454 863056**

CONDITIONS

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

Reason:

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

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

Reason:

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

3. No development shall take place until details of a scheme of noise protection and sound insulation has been submitted to and agreed in writing with the Local Planning Authority. The residential units hereby approved shall not be occupied until the noise protection and sound insulation measures have been provided in accordance with the agreed scheme.

Reason:

To ensure a satisfactory standard of noise protection for the residential units to accord with policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Both parking spaces to have a bound surface material and maintained satisfactorily thereafter.

Reason:

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

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

Reason:

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

CIRCULATED SCHEDULE NO. 14/07 – 5 APRIL 2007

App No.: PK07/0382/F
Site: 19 Stanley Park Road Kingswood
BRISTOL South Gloucestershire BS16
4SR

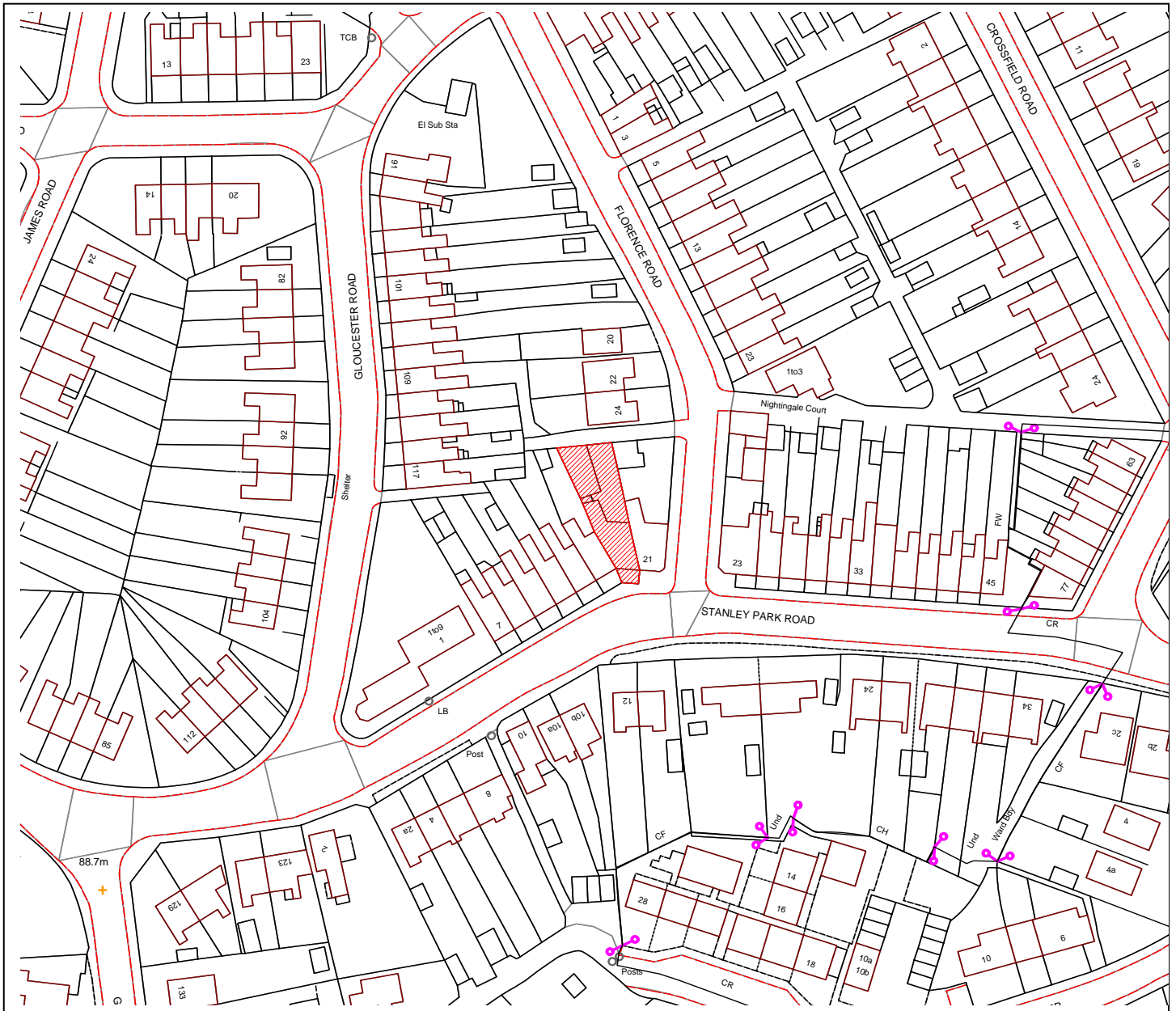
Applicant: Beltol Limited
Date Reg: 7th February 2007

Proposal: Subdivision of house into 3 No., self
contained flats with cycle & bin stores
and associated works.

Parish:

Map Ref: 65248 75337

Ward: Staple Hill



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N.T.S

PK07/0382/F

INTRODUCTION

This application appears on the Circulated Schedule due to the receipt of five letters of objection from Local Residents.

1. THE PROPOSAL

- 1.1 The application seeks full planning consent for the conversion of an existing dwelling into 3 no. self contained flats. The application also proposes to erect a cycle store and bin store to the rear of the property. There are to be no external alterations to the dwelling itself. The application also proposes to create three off street parking spaces in the rear curtilage. This will be facilitated by demolishing the existing large garage/outbuilding.
- 1.2 The application site relates to an unusual property within a residential area of Staple Hill. From the front, the dwelling looks like a standard two storey mid-terraced property. The dwelling however is on a slope and when viewed from the rear is three storeys in height. Further to this, the property is very narrow at the front and appears rather small. However, the dwelling opens up to the rear and is considerably wider when viewed from the rear.
- 1.3 During the course of the application, amended plans have been requested from the agent to show how three off street parking spaces can be provided – one to serve each of the proposed flats. Amended plans have been received to show the provision of three off street parking spaces by demolishing the existing large outbuilding.

2. POLICY CONTEXT

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
- 2.2 Development Plans

<u>South Gloucestershire Local Plan (Adopted) January 2006</u>	
D1	Design
H5	Conversion of Residential Properties
T7	Cycle Parking
T8	Parking Standards
- 2.3 Supplementary Planning Guidance

Advice Note 5	Conversion of houses into flats
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3. RELEVANT PLANNING HISTORY

- 3.1 No history

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
The area is unparished

Other Representations

4.2 Local Residents

Four letters of objection have been received from, or on behalf of Local Residents. A summary of the points of objection are as follows:

- Lack of off street parking provision
- Public Transport is not good in the area
- Existing congestion problems will be worsened
- It will be a safety hazard to children using the street
- The access land may get blocked
- The access lane is substandard
- Insufficient amenity space is provided

One letter of support has also been received from a local resident who feels there is sufficient provision for off street parking and the use of the rear access will not cause a problem.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal stands to be assessed against the policies listed above. Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 allows proposals for conversion of existing residential properties into smaller units of self contained residential accommodation subject to a number of criteria. These include satisfactory parking facilities and not prejudicing the character of the surrounding area and residential amenity.

5.2 Design/Visual Amenity

The Design and Access statement states that there are to be no external alterations to the main dwelling itself. When viewed from the highway therefore, the proposal will have no noticeable impact on the design of the property. To the rear, the existing large outbuilding is to be demolished, three parking spaces created and a bin and cycle store installed. The existing outbuilding has three walls, a corrugated roof and one open side facing towards the curtilage. The building is of no aesthetic quality or value and there is no objection to its removal. It is not considered that the creation of three vehicle parking spaces in the rear curtilage will have any detrimental impact on the visual amenity of the area as it will simply reflect the situation at the neighbouring properties.

5.3 Residential amenity

The majority of the works are internal and there is a notable amount of internal alteration. Consideration has clearly been given to the internal arrangements of the flats by locating the bedrooms above one another where possible. The internal arrangement should seek to limit noise transfer between the units as far as possible.

The application indicates how approximately 76 square metres of amenity space will be provided to serve the flats. Whilst this is not a huge amount of space, it is considered ample space to allow for sitting outside, hanging washing to dry etc. The site is within easy walking distance of Kingswood Leisure Centre and allotment gardens for additional recreational space.

As there is no extension work and no new windows are proposed, it is not considered that the proposed alterations will have any effects on the amenities of the surrounding properties.

5.4 Transportation Implications

The initially submitted application showed how only one off street parking space would be provided to serve all three flats. The Highway Officer was in full agreement with the concerned local residents that one parking space was not sufficient to meet the need of three flat. In order to overcome this, amended plans have now been received to show how three off street parking spaces will be provided – one for each of the flat. Subject to conditions ensuring the provision and retention of these spaces, it is now considered that sufficient parking has been provided. It is considered that the rear access lane is of a suitable standard to accommodate the three parking spaces as this will be very similar to the existing level of vehicular movements from the site. Subject to the attachment of conditions, both the Highways Officer and the Planning Officer are satisfied that the development will not have an adverse impact on highway safety in the vicinity of the site.

5.5 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 (Consultation Draft).

5.6 Section 106 Requirements

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

6. CONCLUSION

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

The recommendation to 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 **PK07/0382/F**

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

CONDITIONS

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

Reason:

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

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

Reason:

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

3. No development shall take place until details of provision of storage for refuse bins and boxes as been submitted to and agreed in writing by the Local Planning Authority. The residential units hereby approved shall not be occupied until the storage areas have been provided in accordance with the agreed 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.

4. Prior to the commencement of development, full details shall be submitted to the Council of the proposed boundary treatment along the western edge of the curtilage following the removal of the existing garage. If acceptable, the local planning authority will agree in writing and the boundary treatment must be implemented in accordance with the agreed details prior to the first occupation of the flats.

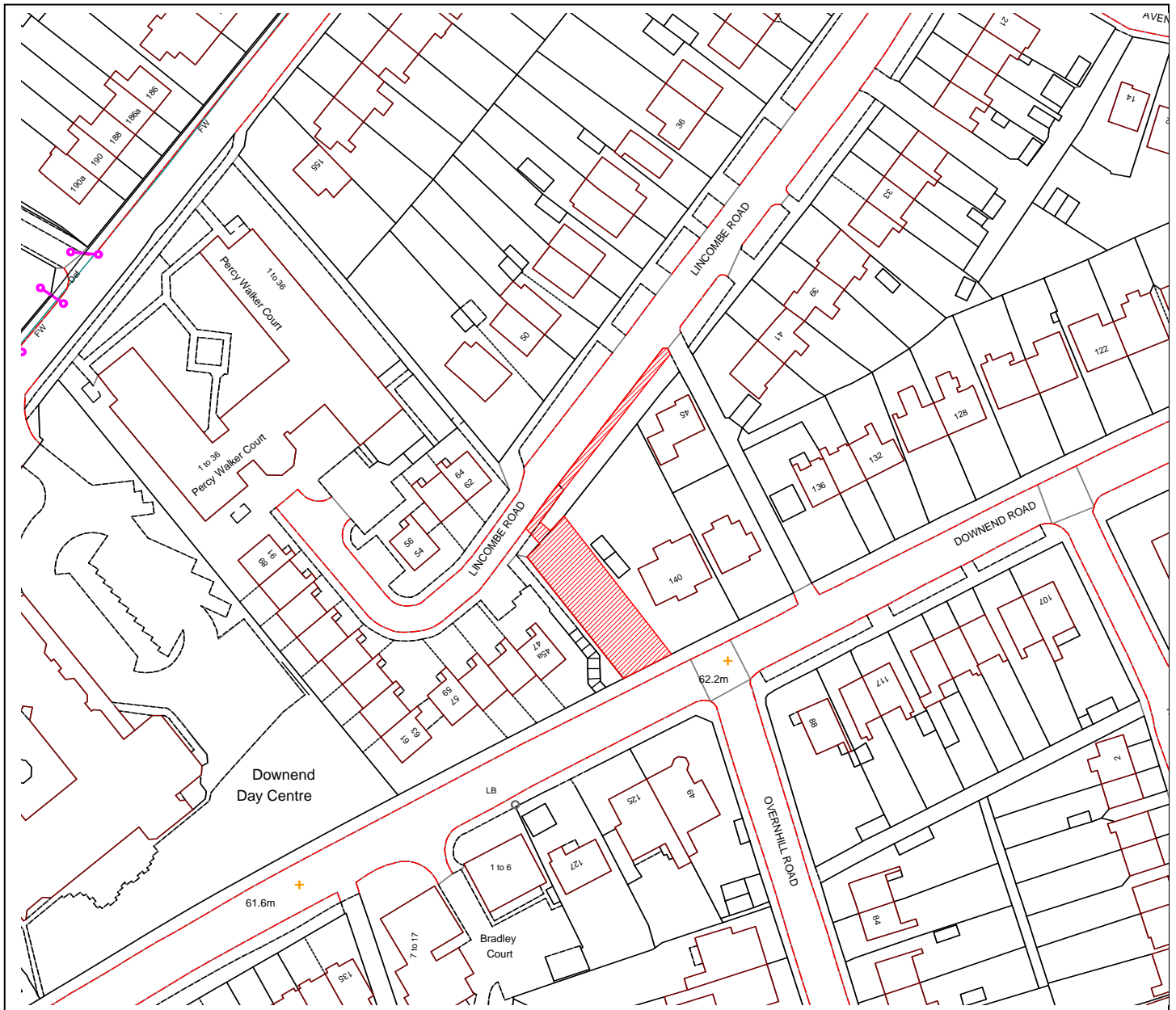
Reason:

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 14/07 – 5 APRIL 2007

App No.: PK07/0668/F
Site: 140 Downend Road Downend BRISTOL
 South Gloucestershire BS16 5EE
Proposal: Erection of 4no. flats with car parking
 and associated works. (Resubmission of
 PK06/3540/F)
Map Ref: 64448 76475

Applicant: JO-LO Bristol LTD
Date Reg: 27th February 2007
Parish: Downend and
 Bromley Heath
Ward: Downend



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N.T.S

PK07/0668/F

INTRODUCTION

The application appears on the Circulated Schedule as there is a representation that is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 4no. flats with car parking and associated works. The application is a resubmission of PK06/3540/F, which was withdrawn following officer's advice.
- 1.2 The site consists of the former side garden of no. 140 Downend Road, within the urban area of Downend. The site fronts Downend Road, which stands approx. 2m higher than the site, with the rear accessed off Lincombe Road. There is an existing access to Lincombe Road. There is a stepped footpath that runs from Downend Road to Lincombe Road. The proposal consists of a 2 storey block of 4 flats, with accommodation in the roof, in an 'L' shaped block, with hipped roofs, and a central gable feature on the front elevation. The scheme is 13m in depth and a max. of 8.9m wide. The max. height of the front section of the block is 10m high, with the rear section set down some way from the ridge height of the main block at 8.8m high. Materials proposed: walls- ground and part of first floor- Ibstock red brick, first floor- off-white through render, roof- brown concrete double roman tiles. Off-street parking for 4 cars is proposed, as well as bin and cycle storage. The scheme has been amended in terms of mass and bulk following withdrawal of the previous application.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy
H2 Proposals for Residential Development within the Existing Urban Area

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/2562/O Erection of 1 dwelling (outline) with siting and access to be determined. All other matters reserved. Approved with conditions Oct 2005

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection

Other Representations

4.2 Local Residents

One local resident has objected to the scheme. The objections are as follows:

- Condition of sale was it was for one house only
- Access onto narrow and congested part of Lincombe Road
- Lack of parking in Percy Walker's Court causes problems
- Proposal would result in further pedestrian and vehicular chaos in the area

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H2 allows for residential development within urban areas, subject to certain criteria, including whether the maximum density compatible with the site, its location, its accessibility and its surroundings is achieved.

5.2 The scheme is a high density one, but this is considered appropriate in this relatively sustainable location close to public transport routes and the Minor Town Centre of Downend (as defined in the retail section of the adopted Local Plan).

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

5.4 Residential Amenity

The front and rear of the proposed flats do not directly overlook any other property, as Downend Road is relatively wide here with properties on the opposite side of road elevated, and as the proposed block is set back within the site, there would no overlooking of properties to the rear in Lincombe Road.

5.5 No side windows are proposed facing no. 140 Downend Road, and the proposed block is set back some 5m from the side of this adjacent property, so would not be unduly overbearing. Four small kitchen windows face 45a and 47 Lincombe Road to the west, but since this is at a distance of approx. 7m, with some plant screening in-between, this is considered acceptable.

5.6 External amenity space is provided for the proposed flats, and also retained for no. 140 Downend Road. Suitable facilities for bin storage are also proposed.

5.7 The proposal would therefore not harm the residential amenity of the area.

5.8 Visual Amenity

The scale and massing of the proposed block of flats has been reduced substantially following the previously withdrawn scheme on officer's advice. The proposed block of flats is large, but is similar in overall mass and bulk to no. 140 itself, which is a substantial detached property. There are two other large detached properties adjacent to no. 140. Whilst the maisonettes to the west are smaller in scale than the proposed block of flats, given the relationship with no. 140 and the fact that the site is below the level of the road by approx. 2m, it is not considered that the proposed scheme would dominate the streetscene, or look out of place.

5.9 The design of the proposed scheme is one that mirrors some elements of no. 140, which has a strong inter-war theme, typical of the era. Materials are also proposed to mimic no. 140. The case officer requested that the half-hips were made into full hips, however, the applicant was unwilling to do this, as they require the head height to create bedroom space in the roof. Whilst the roof shape is different to no. 140, given that the overall mass and scale is not dissimilar to no. 140, the half-hips are not considered so unacceptable as to warrant refusal of the application on these grounds. On balance, therefore, the overall design is considered appropriate.

5.10 Landscaping

There are two trees at the front of the site, which are not of a particularly high visual value, and these are shown as retained and protected via a fence during building works on the plan, which is considered appropriate. Some landscaping is proposed, but a condition will be recommended requiring full landscaping details, as well as details of hard surfacing and boundary treatments.

5.11 Transportation

The scheme proposes 4 off-street parking spaces, which is within the maximum parking standards as set out in Policy T8. Cycle parking is also provided. A new 2m footway is proposed at the rear of site adjoining the access to Lincombe Road, which is a requirement of the Highway Officer. These works to the public highway will be secured by a recommended condition. Subject to the addition of conditions, there is no objection to the scheme on transportation grounds.

5.12 Whilst it is acknowledged that the local resident raised concerns regarding congested on-street parking in the area, the off-street parking proposed is within the maximum parking standards set out in Policy T8, and as such, there is no objection to the proposal in terms of parking provision.

5.13 Other matters

The condition of sale of this plot is a 'civil' issue and is not a material consideration that can be taken into account in the assessment of this application.

5.14 Design and Access Statement

The Design and Access Statement submitted with the application is not considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

5.15 Section 106 Requirements

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

6. **CONCLUSION**

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

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 **PK07/0668/F**

Contact Officer: **Sarah Tucker**
Tel. No. **01454 863780**

CONDITIONS

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

Reason:

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

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

Reason:

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

3. No development shall take place until a 2m wide footway has been provided along Lincombe Drive, as shown on plan no: 56/02A. This footway shall be constructed to full adoptable standards and to the satisfaction of the Council's Streetcare Manager.

Reason:

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

4. Prior to the first occupation of the flats hereby approved, the bin storage shown on plan nos: 56/02A and 56/09 shall be provided for the storage of refuse, and maintained thereafter as such, unless the Council agrees to any written variation.

Reason:

To protect the residential amenity of the area and to accord with Policy H2 of the adopted South Gloucestershire Local Plan.

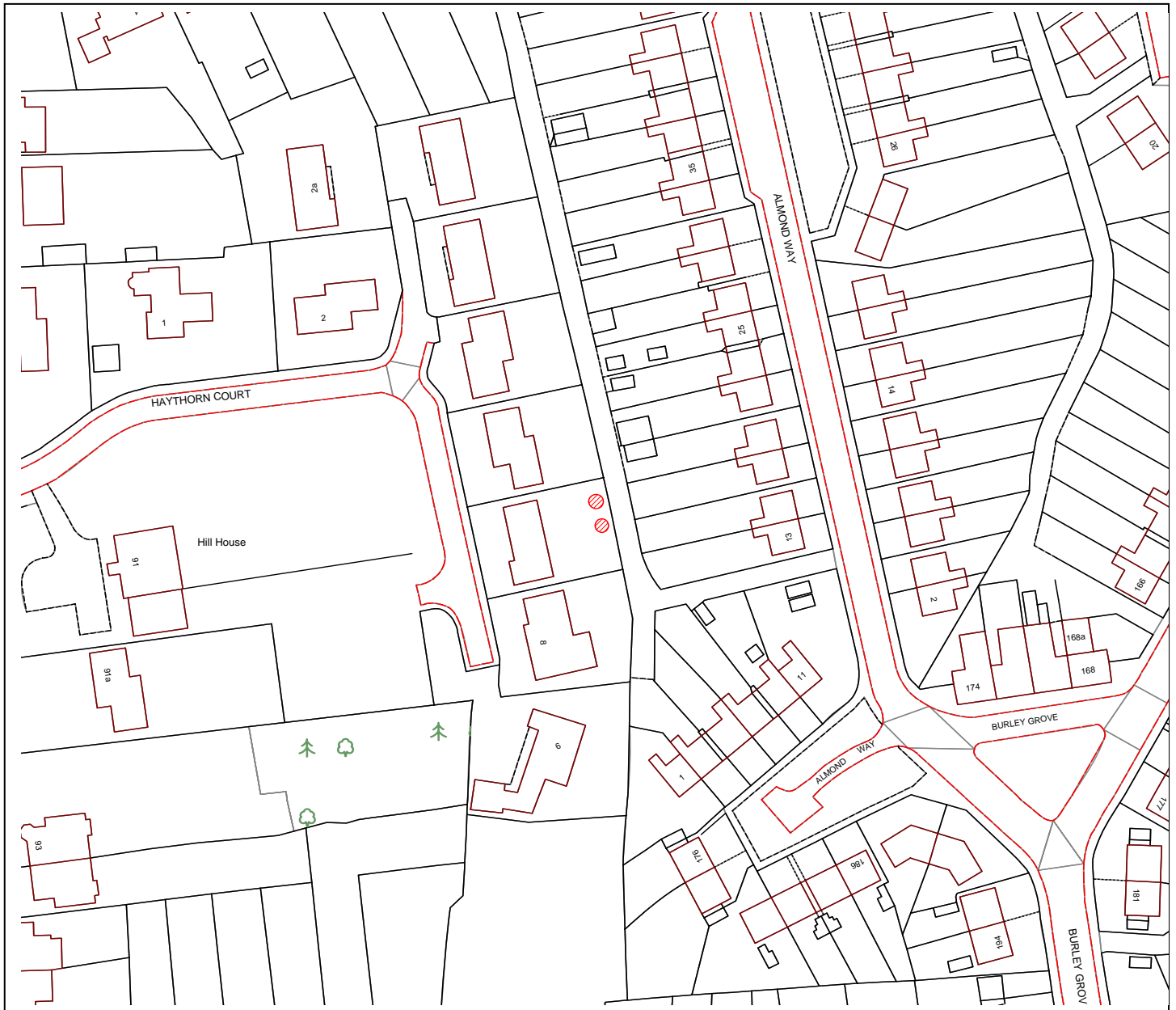
5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection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

Reason:

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

CIRCULATED SCHEDULE NO. 14/07 – 5 APRIL 2007

App No.: PK07/0700/TRE	Applicant: Mr M G Rogers
Site: 7 Haythorne Court Staple Hill BRISTOL South Gloucestershire BS16 5QS	Date Reg: 1st March 2007
Proposal: Works to fell 2no. Pine trees covered by Tree Preservation Order KTPO3/80 dated 14th July 1980.	Parish:
Map Ref: 65798 76059	Ward: Rodway



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N.T.S

PK07/0700/TRE

INTRODUCTION

This application appears on the circulated Schedule due to the receipt of one letter of support from a Local Resident.

1. THE PROPOSAL

- 1.1 The application seeks permission to fell two Pine trees growing within the rear garden of No. 7 Haythorne Court, Staple Hill.
- 1.2 The application states that the works are to be carried out as the trees have damaged the retaining wall at the rear of the property making it hazardous. The trees also result in mess as birds perch in the trees.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- L1 Landscape Protection and Enhancement
- L5 Forest of Avon

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/2053/TRE Works to remove deadwood from 2 no. Pine, reduce and reshape by 30% 1 No. sycamore.
Approved August 2005

4. CONSULTATION RESPONSES

(a) Statutory Consultees

- 4.1 Town/Parish Council
The area is unparished

(b) Other Representations

- 4.2 Local Residents
One letter has been received from a local resident. The resident states that the trees have outgrown their location in height and have become unsightly. The neighbour is also concerned that the spread of their roots means there is a danger of damaging the dividing garden wall due to dry spells.

5. ANALYSIS OF PROPOSAL

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

5.2 Analysis of the Health of the Trees

The trees are large trees and are indeed growing along the boundary. The trees appear to be in good health and do not appear to have structural defects or cavities.

It is appreciated that the applicant has submitted photo's showing cracks in the garden wall. There is no evidence submitted however to show that this structural damage is caused by the trees. As such, there is no justification for the removal of two healthy trees that contribute positively towards the character and amenity of the area.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Permission be refused for the following reason;

Background Papers **PK07/0700/TRE**

Contact Officer: **Marie Worboys**

Tel. No. **01454 864769**

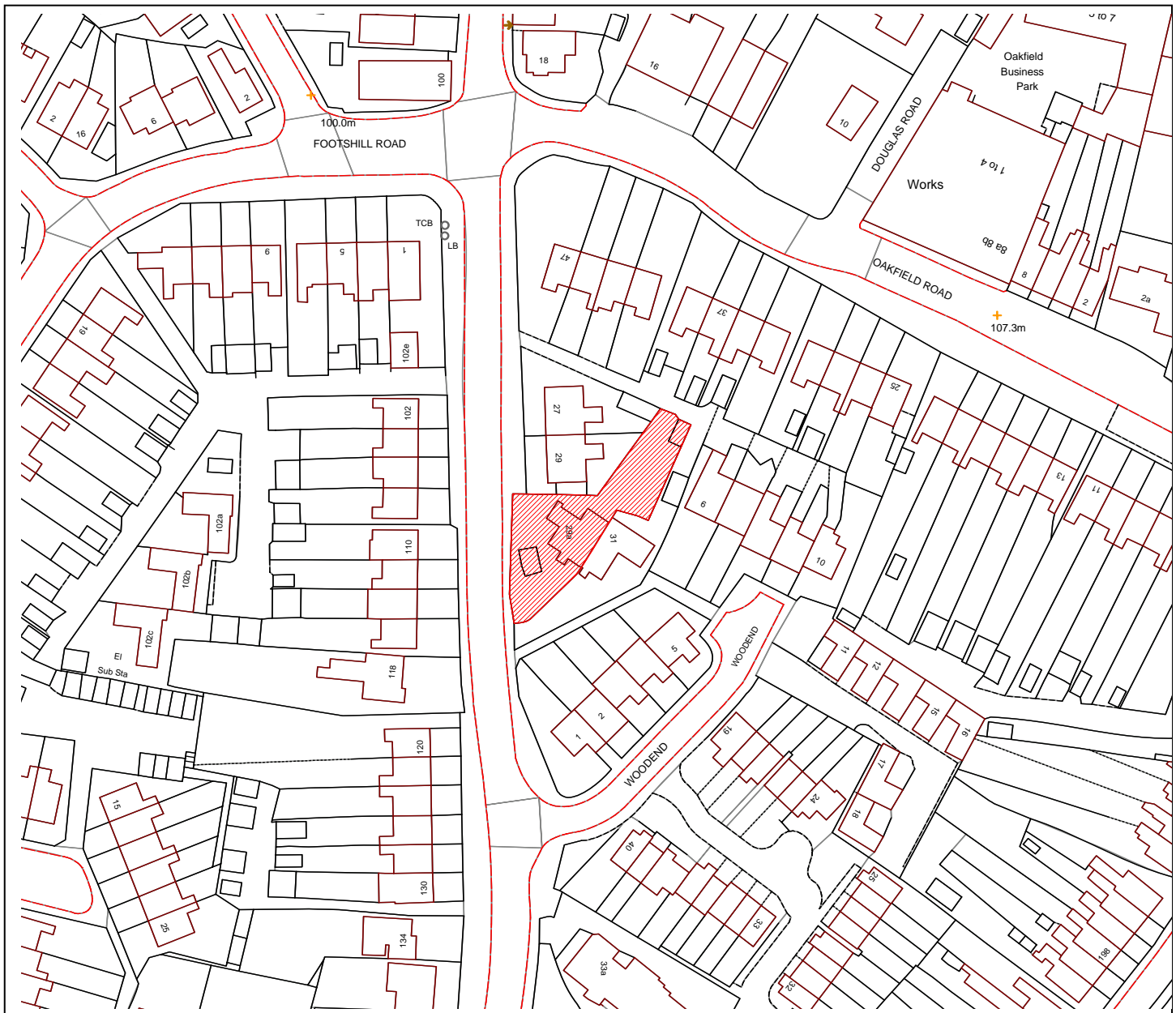
REFUSAL REASONS

1. The two trees contribute positively to the character and visual amenity of the area and no robust justification has been submitted to support the application for their removal. The application is thus considered to be contrary to Policy L1 of the South Gloucestershire Local Plan (Adopted).

CIRCULATED SCHEDULE NO. 14/07 – 5 APRIL 2007

App No.: PK07/0785/F
Site: 29a Forest Road Kingswood BRISTOL
 South Gloucestershire BS15 8EJ
Proposal: Erection of first floor and single storey
 side extensions to provide additional
 living accommodation. (Resubmission of
 PK06/1707/F).
Map Ref: 64561 73035

Applicant: Miss S Loughlin
Date Reg: 13th March 2007
Parish:
Ward: Woodstock



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N.T.S

PK07/0785/F

INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule as a result of objections received from a local resident regarding the proposed development.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a 2 storey side and single storey side extension.
- 1.2 The application site relates to a two-storey semi detached cottage within the established residential area of Kingswood.

2. POLICY CONTEXT

2.1 National Guidance
PPS1

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Extensions

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

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates to the application site:
- 3.2 PK06/1707/F Erection of first floor and single storey side Extension and rear accommodation. Refused July 2006 on the grounds of design and Overbearing impact.

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
The application site does not come under a Town/parish Council

Other Representations

4.2 Local Residents
A telephone message has been lodged with the Council from a local resident raising the following comments regarding the proposed development:
-No objection is raised with regard the extension but an objection is raised to the proposed windows and the loss of privacy to a neighbour's property.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to existing dwellings subject there being no adverse impact on existing visual and residential amenities.

5.2 Visual Amenity

The application site relates to a simple two-storey semi detached cottage sited along Forest Road. The site is screened from the roadside by a 1.50m high stonewall with high hedge, although views into the site are visible from the rear, with glimpsed views along the front and views from the adjacent footpath which runs along the rear of Woodend. The property has an existing single storey side extension and a single storey rear extension.

5.3 Members are advised to consider that a recent planning application PK06/1707/F relating to this site sought planning permission for the erection of 2 no. 2 storey side extensions and a single storey rear extension. That application was refused on design grounds and at that time the Planning Officer reported the following:

5.4

“A planning objection is raised on the grounds that the proposed extensions by reason of their overall scale (in terms of increased width), design and external appearance i.e. front canopy if allowed would visually detract from the character of the existing dwelling. It is also considered that the proposed two-storey side extension would upset the balance of this pair of cottages, despite the adjoining property having carried out single storey rear extensions”

5.5 The Planning Officer is of the opinion that this revised scheme has addressed the above planning objection by reason of the reduced scale of the proposed two storey side extension and single storey side extension along with the omission of the second two storey side extension. It is now considered that the proposed works are of a scale and design more in keeping with the character of the existing and adjoining dwelling.

5.6 Residential Amenity

Members are advised to consider that the previous application as discussed above was refused on the grounds that the proposed single storey rear extension by reason of its close proximity with the adjoining boundary of no.29 Forest Road would have an overbearing impact and result in a loss of privacy. This revised scheme has now omitted this element and plans to utilise the existing single storey rear extension.

5.7 The proposed two-storey and single storey side extensions will be sited on the western elevation of the dwelling. It is considered that given the angled position of the proposed extensions in relation with no.29, and the fact that no.29 has an attached garage along the adjoining boundary it is considered that the proposed extensions by reason of their scale and siting will not have an overbearing impact on the existing amenities of no.29.

5.8 An objection has been raised by the occupier of no.29 with regards the proposed first floor window on the rear elevation of the proposed two storey side extension. The Planning Officer is of the opinion that as there is already an existing first floor rear bedroom window in place which allows for overlooking onto the adjacent garden of no.29, that the installation of a bedroom window further along the building would not have a significantly greater than the existing situation, so as to warrant refusal of the application.

5.9 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the following planning conditions.

Background Papers **PK07/0785/F/F**

Contact Officer: **Tracey Price**
Tel. No. **01454 863424**

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. 14/07 – 5 APRIL 2007

App No.: PT07/0340/F
Site: 13 Cherwell Close Thornbury BRISTOL
 South Gloucestershire BS35 2DN

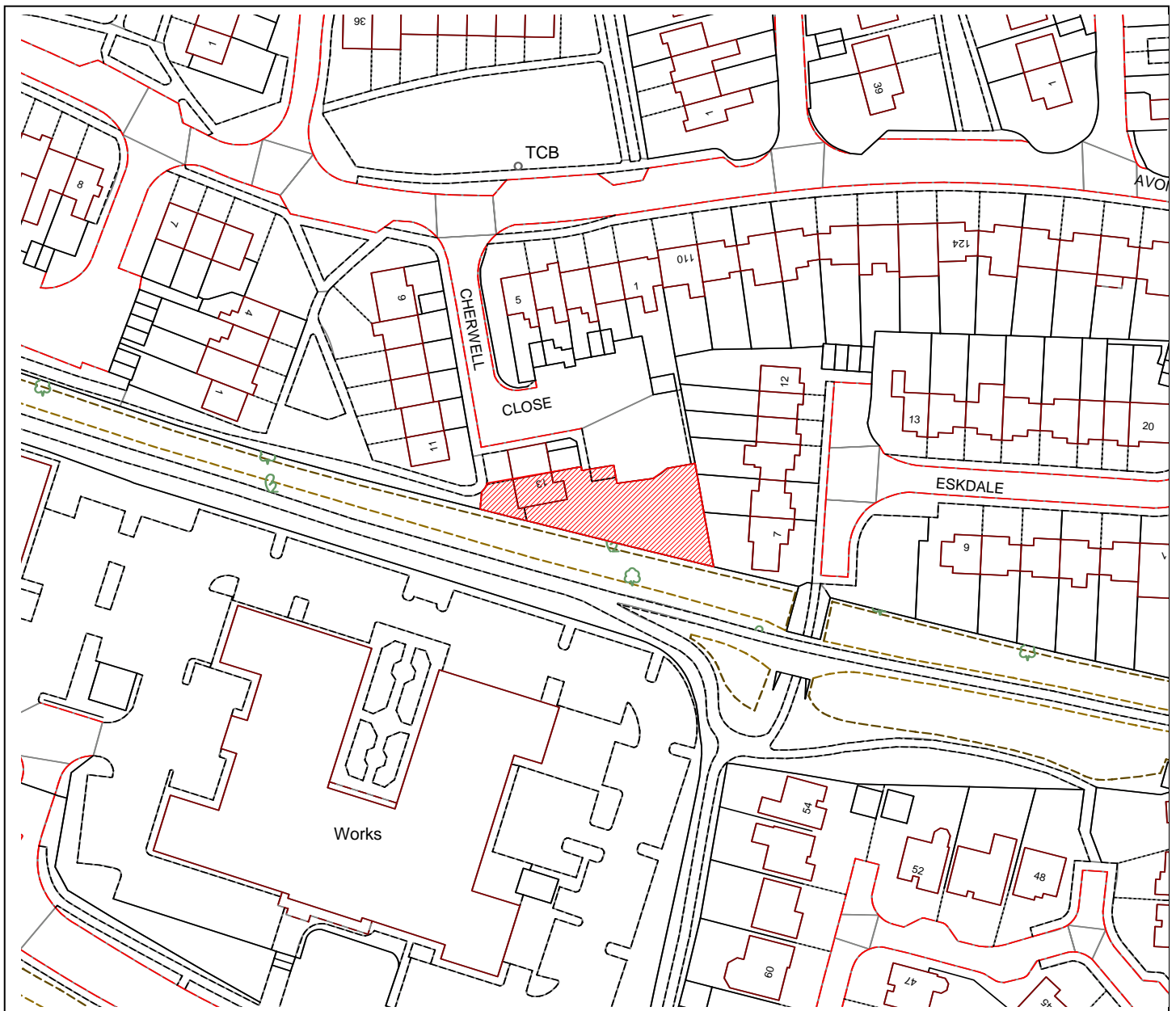
Applicant: Mr G York
Date Reg: 6th February 2007

Proposal: Erection of two storey side and rear extension and single storey side and rear extension; to form kitchen diner, sunroom and utility with two bedrooms above. Erection of front porch.

Parish: Thornbury Town Council

Map Ref: 64468 89412

Ward: Thornbury South



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N.T.S

PT07/0340/F

The application appears on the Circulated Schedule following two letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two storey side and rear extension, and single storey side extension to form a kitchen diner, sunroom and utility with two bedrooms above, and the erection of a front porch.
- 1.2 The application site relates to a semi-detached dwelling set within a small Radburn layout cul-de-sac. The site is located within the settlement of Thornbury, next to an embankment.

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
 - H4 Development within the Residential Curtilage
 - T12 Transportation Development Control Policy
 - L1 Landscape Protection and Enhancement

3. RELEVANT PLANNING HISTORY

- 3.1 P87/2946 Erection of detached dwelling and garage and alterations to existing vehicular and pedestrian access (outline). Refusal

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection
- 4.2 Tree Officer
No objection
- 4.3 Local Residents
Two letters of objection received, in summary:
 - a) Extension is on the boundary and will require felling of trees
 - b) Removal of trees will threaten wildlife, and there is a resident woodpecker
 - c) Undermine stability of other trees which may be a hazard
 - d) Concern over impact on stability of embankment

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to residential dwellings subject to there being no adverse impact on the existing residential and visual amenities, and the maintenance of highway safety.

5.2 Residential Amenity

The dwelling is semi-detached. The two storey rear extension would be constructed south of the dwelling, away from the adjoining house. To the rear would be a single storey extension which would have a depth of 3 metres and set off from the boundary between the dwellings by 1 metre. Considering the depth and position of the proposed extension the extension would not adversely impact neighbours. Additionally there are no windows which would overlook adjoining dwellings. However, a condition would be added to ensure that no windows are placed on the northern elevation without permission, to prevent overlooking.

5.3 Design/ Visual Amenity

The proposed site relates to a semi-detached dwelling set within a residential cul-de-sac. The dwelling is finished in pebbledash and brick

The two storey side extension would appear subservient to the main dwelling and stepped back, and would allow the semi-detached dwelling to remain in balance with the adjoining dwelling. The single storey additions feature lean-to roof. The front porch would be pitched and with a depth of 1.2 metres would appear in scale with the dwelling. It is proposed to match materials with the existing dwelling. It is considered that the addition is suitable to the design of the dwelling, and character of the street-scene.

5.4 Transportation

Off-street parking would be unaffected by the proposal, to the rear is a garage. It is considered that the proposal would not threaten highway safety.

5.5 Trees/ Impact on Environment

The proposal would be constructed near the boundary of the site, where there are a number of trees growing on the embankment, the works could potentially harm or require the removal of some of these trees, as such the Councils tree Officer was consulted. The Councils Tree Officer raised no objections to the proposed works, or removal of trees affected in the proposal.

With regards to concern over potential impact on wildlife, all native species of birds are protected under Section 1 of the Wildlife & Countryside Act 1981 (as amended) and the CROW Act 2000 while on a nest or building a nest. This is generally acknowledged to be between March and August (inclusive), however this may start earlier/ later. To avoid offences under the Acts, the onus is on the developer to ensure that felling does not impact on nesting birds. As such an informative would be added to a decision notice advising of the above.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Planning permission be approved subject to the following conditions:

Background Papers PT07/0340/F

Contact Officer: Charlene Baker
Tel. No. 01454 863819

CONDITIONS

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

Reason(s):

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

2. No windows other than those shown on the plans hereby approved shall be inserted at any time in the northern elevation of the property.

Reason(s):

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

CIRCULATED SCHEDULE NO. 14/07 – 5 APRIL 2007

App No.: PT07/0621/F

Applicant: Mr P O'Brien Jupiter Ventures Ltd

Site: 32a Gloucester Road North
Filton BRISTOL
South Gloucestershire BS7 0SJ

Date Reg: 26th February 2007

Proposal: Conversion of existing dwelling to provide 2 no. self contained flats with associated works.

Parish: Filton Town Council

Map Ref: 59907 78270

Ward: Filton



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N.T.S

PT07/0621/F

This application appears on the Circulated Schedule in view of the concerns expressed by Filton Town Council.

1. **THE PROPOSAL**

- 1.1 The application seeks full planning permission for the conversion of an existing first floor flat to provide two separately occupied units.
- 1.2 The application focus on an existing residential unit above 34 Gloucester Road North, Filton. Ground floor accommodation provides retail facilities with the building as a whole forming a short parade of A1/ A2 services at ground level with residential accommodation above.

2. **POLICY CONTEXT**

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing
PPG24	Planning and Noise

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H4	Development within Residential Curtilages
H5	Residential Conversions
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

3. **RELEVANT PLANNING HISTORY**

- 3.1 None

4. **CONSULTATION RESPONSES**

4.1 Filton Town Council

Objection: concerns over parking, and no allocated bin storage. Further, the rear yard is currently used for business purposes (occupying the ground floor).

4.2 Other Consultees

No comments received

4.3 Sustainable Transport

No objection: given that there is no change in footprint or bed spaces there is no basis for a transportation objection

4.4 Local Residents

No comments received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H5 of the South Gloucestershire Local Plan allows for the conversion of residential properties into smaller units provided that the proposal:

- a) Would not prejudice the character of the surrounding area;
- b) Would not prejudice the residential amenities of neighbouring occupiers;

- c) Allows an acceptable level of off street parking provision;
- d) Would provide adequate amenity space.

5.2 Design/ Visual Amenity

The application focuses on a short parade of retail units fronting Gloucester Road North. More specifically, the application relates to accommodation above no. 34 (located at the north end of the parade) and seeks consent to allow the subdivision of this unit. This would be achieved by splitting the unit lengthways with the central corridor widened and subdivided. This would result in two two-bedroom flats (replacing the existing four bed unit) without the need for external alterations.

- 5.3 In the light of the above, and having regard to the existing use of the premises, the proposal is considered to be acceptable and in keeping with the general character of the area.

5.4 Amenity Space

Planning policy H5 cites adequate amenity space should be provided for each separately occupied unit. Presently, it is noted that the existing unit is devoid of any amenity space although benefits from rear patio doors opening out onto a flat roofed area behind. This lacks any safety railing around its perimeter and allows direct views into the bedroom windows of both neighbouring properties.

- 5.5 Having regard to the above, it is considered more likely that occupiers of a four bedroom unit would require some form of amenity space (i.e. are more likely to have children). Therefore, the proposal is likely to reduce this requirement and would also provide an element of control over this flat roofed area allowing the imposition of a condition preventing its use. Such would be beneficial to the residential amenity of both neighbouring occupiers.

- 5.6 Accordingly, it is considered that the proposal would be more acceptable than the current arrangement and thus no objection is raised on this basis.

5.7 Residential Amenity

The supporting text to policy H5 advises that any internal alterations should be designed so as to minimise the impact of noise and disturbance on any directly adjoining residential property. In this regard, the scope for Building Regulation considerations was extended in 1991 to cover detailed requirements for sound insulation between converted flats and adjoining properties.

- 5.8 There is one attached unit at first floor providing residential facilities to the premises below. Therefore, in view of the residential nature of both, it is not considered that the works would result in any significant adverse impact in residential amenity. Conversely, it might aid the amenity of these neighbouring occupiers by means of the more stringent building regulations process. These neighbours would also benefit from the control gained over the rear flat roof area behind. Consequently, having regard to the impact of the proposal on this neighbouring unit, the proposal is considered to be acceptable.

- 5.9 36 Gloucester Road North to the north of the site forms a detached bungalow (albeit on higher ground). It is not considered that any significant adverse impact in residential amenity would be caused whilst the restrictions placed on the flat roofed area would prevent direct views into the side facing bedroom window of this neighbouring property.

5.10 The retail premises below provides for a double glazing showroom with this business also befitting from the single-storey building and yard behind. In this regard, it is not considered that any significant adverse impact in residential amenity would be caused.

5.11 Highway Safety

The application site is located on a main bus route and is within very close proximity of local shops and services. In this regard, it is noted that policy T8 advises that car free development will be permitted at locations which have good accessibility by non car modes.

5.12 As per the existing flat, the new units would also be devoid of any car parking. However, in view of the above policy advice, and having regard to highway officer comments, which raise no transportation objection to the proposal, it is considered that a refusal on this basis would be unsustainable in this instance.

5.13 Finally, it is however considered that bin storage details should be agreed by means of a condition. Cycle storage provision would though be unworkable in this instance. However, given the sustainable location of the application site, and the other benefits achieved through the scheme, the lack of cycle storage provision is on balance, considered to be acceptable.

5.14 Design and Access Statement

The Design and Access Statement submitted with the application is [not] considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

5.15 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT07/0621/F**

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

CONDITIONS:

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

Reason(s)

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

2. No development shall take place until details of provision of storage for refuse bins and boxes as been submitted to and agreed in writing by the Local Planning Authority. The residential units hereby approved shall not be occupied until the storage areas have been provided in accordance with the agreed details.

Reason(s)

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

3. The roof area behind the the rear unit hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

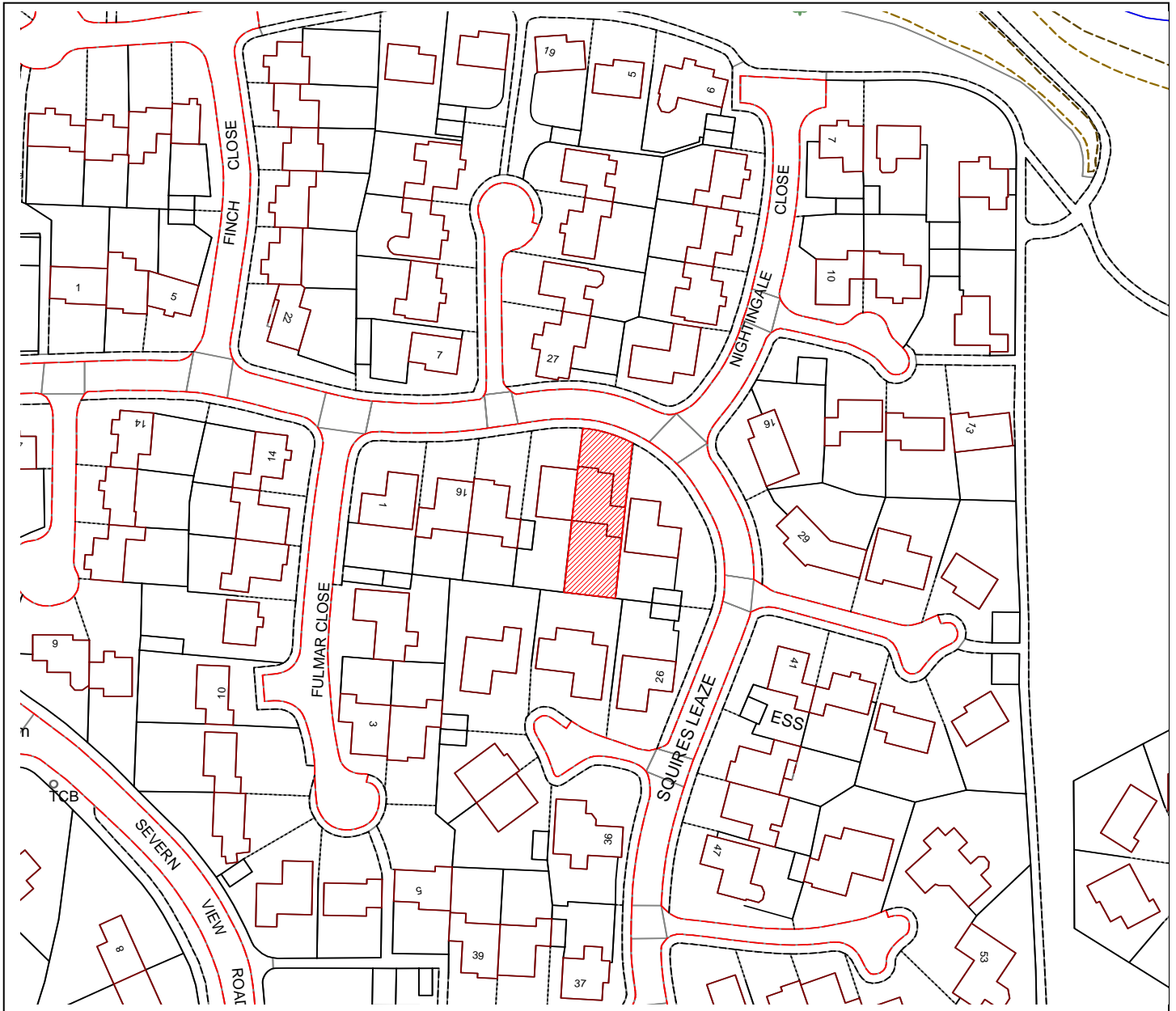
Reason(s)

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 14/07 – 5 APRIL 2007

App No.: PT07/0625/F
Site: 22 Squires Leaze Thornbury BRISTOL
 South Gloucestershire BS35 1TF
Proposal: Erection of rear conservatory
Map Ref: 64572 90878

Applicant: Mr B Penrose
Date Reg: 26th February 2007
Parish: Thornbury Town Council
Ward: Thornbury North



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N.T.S

PT07/0625/F

This application appears on the Circulated Schedule after the receipt of one letter of objection from a neighbour.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a rear lean-to conservatory that would be approximately 4.6m in width and 3.6m in length. The proposal roof would be approximately 2.6m high at the ridge and 2.2m at the eaves.
- 1.2 The application site relates to a modern semi-detached bungalow located within a well-established residential area of Thornbury.

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 Developments
H4 Development within the Curtilage of Existing Residential Curtilages

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection
- 4.2 Local Residents
One letter of objection received from a local resident raising the following points
- a) The external end wall is too close to the boundary fence.
 - b) The height of the wall would appear to be over 2.5m thus being a completely overbearing structure.
 - c) Roof water guttering is shared by both properties, therefore what will happen to the roof surface water when the conservatory is built.
 - d) Soffits and barge boards are constructed in a long box section, when the conservatory is built what precautions will be taken to avoid damage to my property i.e. water ingress
 - e) What materials and colour will the end wall be?
 - f) No application has been made to the developer of the estate for permission to build a conservatory (as in the terms of the deeds)

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extension to residential dwellings subject to there being no adverse impact on the residential amenity.

Policy D1 of the Local Plan considers general design principles and ensures good quality design.

5.2 Residential Amenity

The proposal would be sited approximately 0.2 metres from the close boarded fence that bounds the application site with No. 20 Squires Leaze. It is proposed that the wall facing onto the adjacent dwelling would be masonry and would have no windows. It is therefore considered that the proposal would not present any views into the adjacent dwelling that would prejudice the neighbouring occupier's privacy.

The neighbour occupier at No. 20 Squires Leaze has objected to the proposal on the grounds that it would be completely overbearing. However, notwithstanding these comments, the proposal would be single storey, its height would not significantly exceed the top of existing close boarded boundary fence and the conservatory would extend approximately 3.5 metres from the rear of dwelling which is not considered to be an disproportionate or over-large extension. After considering these points, it is deemed that the proposal would not present an overbearing effect or be detrimental to the amenities of the neighbouring occupier.

5.3 Design and Visual Amenity

The design of the conservatory is deemed to be in character with the modern dwelling and the surrounding area. The neighbour occupier at No. 20 Squires Leaze has questioned what materials and colour would be used for the proposal. Details of these have been provided by the applicant in the application form, where it is stated that the brick to match the existing dwelling and UPVC frames would be used.

5.4 Other Issues

The objector's comment regarding the shared guttering and the alterations to the soffits and barge boards are not considered to be a material planning considerations that would be contrary to either Policy D1 or H1. However, in response to the issue about the guttering the applicant has provided solutions that outline how the water from the guttering would be dealt with within the application site at no inconvenience to the neighbouring occupier.

The objector has also commented that terms of deeds for the property states permission should be sought from the estates developer to build the conservatory. This is not a planning consideration and is an issue between the developer and the applicant.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT07/0625/F**

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

CONDITIONS

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

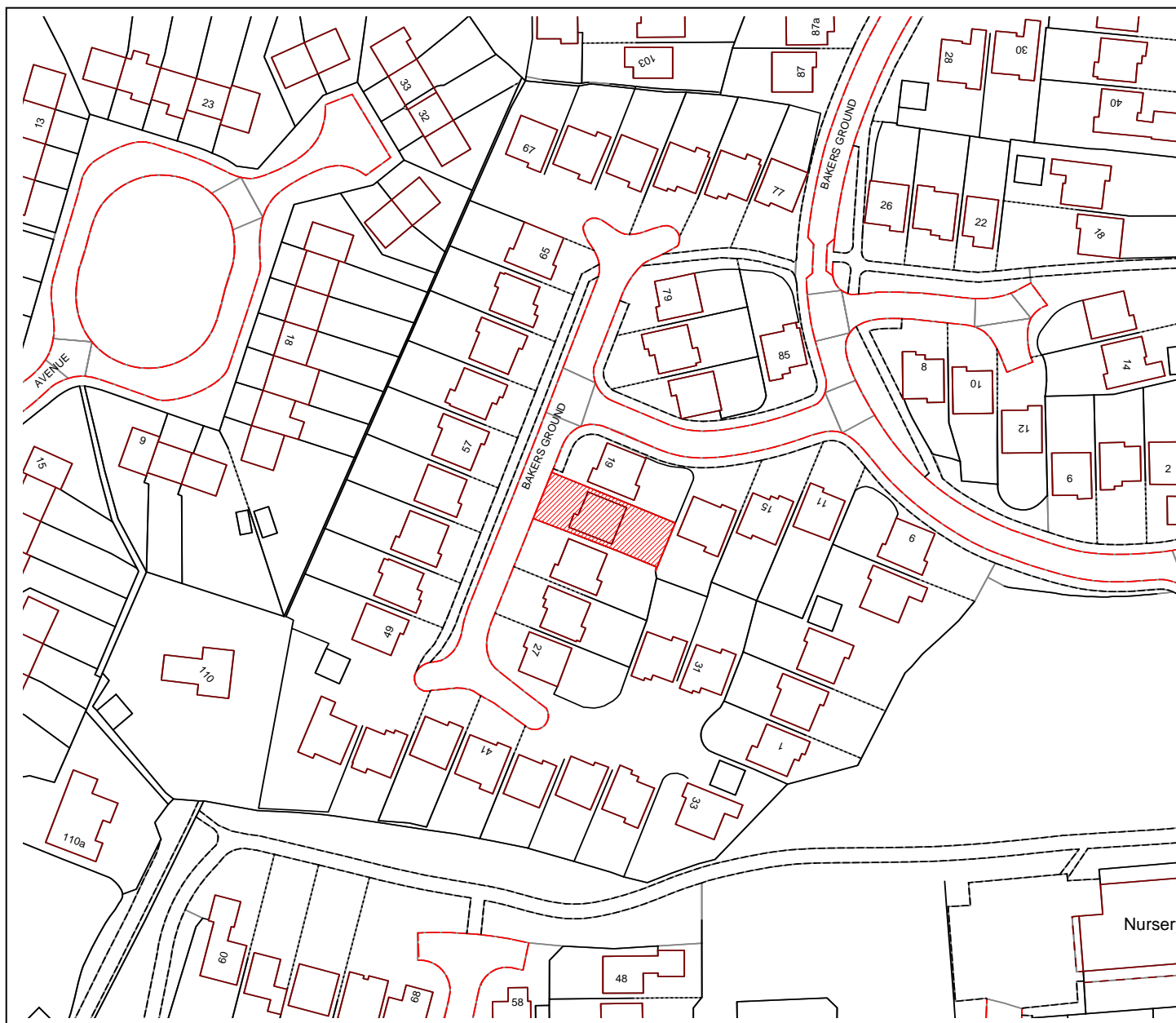
Reason(s):

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

CIRCULATED SCHEDULE NO. 14/07 – 5 APRIL 2007

App No.: PT07/0627/F
Site: 21 Bakers Ground
 Stoke Gifford BRISTOL
 South Gloucestershire BS34 8GD
Proposal: Erection of 0.6m high boundary fence
 (Resubmission of PT07/0003/F)
Map Ref: 62918 80195

Applicant: Mr R Pearce
Date Reg: 26th February 2007
Parish: Stoke Gifford Parish Council
Ward: Stoke Gifford



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N.T.S

PT07/0627/F

The application appears on the Circulated Schedule following a letter of objection from a neighbour and the Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a 0.6 metre high trellis fencing to the front of the property. The application site relates to a detached dwelling in a modern housing estate in Stoke Gifford. All permitted development rights were revoked on the original approval of the housing estate.

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
H4 Development within the Residential Curtilage
T12 Transportation Development Control Policy

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0003/F Erection of 0.9m high boundary fence. Withdrawn

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
Objection to fencing in open plan estate
- 4.2 Transportation
No objection recommends that height is no higher than 0.6 metres, and that the fence is set back two metres from the highway.
- 4.3 Local Residents
One letter of objection received in summary:
a) Open plan estate with no fences, fence would alter the visual character of the street, and would be out of keeping
b) There is an inspection chamber straddling the proposed fence line
c) The fence line as indicated by dimensions would extend over adopted highway
d) The fence line by dimension would lie outside of ownership

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for development within the residential curtilage, subject to there being no adverse impact on the existing residential and visual amenities, and the maintenance of highway safety.
- 5.2 Design/ Visual Amenity
The application follows the withdrawal of a previous application which sought permission for a 0.9 metre close boarded fence. In this application it is proposed to erect a 0.6 metre high trellis style fencing.

The street is open planned modern housing estate. The proposed fencing would allow visibility permeability being open latticed. The fencing is proposed at a height of 0.6 metres and finished as natural wood. It is considered due to the restricted height and open lattice that the fencing would not adversely impact upon the street-scene, and as such is considered a suitable addition.

5.3 Transportation

The Councils Transportation Officer has raised no objection to the application. It is recommended that the height is restricted to 0.6 metres, and is set back 2 metres from the highway, which would be conditioned as such. There is a pavement that runs from 19 Bakers Ground and stops at this property, technically the width of the pavement should run along the front of the application site but has not been completed, moving the fence back could allow a pavement to be completed. It should also be noted that requiring the fence to be placed two metres back from the highway would further reduce the visibility of the fence.

5.4 Residential Amenity

The proposed fencing, with a height of 0.6 metres would not impinge on the enjoyment of neighbours in terms of overbearing or loss of privacy.

5.5 Other Matters

Of the concerns raised from third parties the following have not be considered above

- a) Drainage- There is a manhole in the front garden where the fence would go. The covering of this manhole would not make it unacceptable in planning terms, and a refusal to that affect would be unsubstantiated.
- b) Encroachment- planning permission does not give permission to encroach onto land not within their ownership. Additionally the applicant has signed certificate A which certifies that they are the sole owners of the land where the fence is to be erected. If there is a disagreement over this, it would become a matter between the neighbours to agree on. An informative explaining to the applicant to this affect would be added to a decision notice.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

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

7. RECOMMENDATION

7.1 Planning permission be approved subject to the following condition:

Background Papers **PT07/0627/F**

Contact Officer: **Charlene Baker**
Tel. No. **01454 863819**

CONDITIONS

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

Reason(s):

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

2. The proposed fencing shall be set back from the highway by 2 metres.

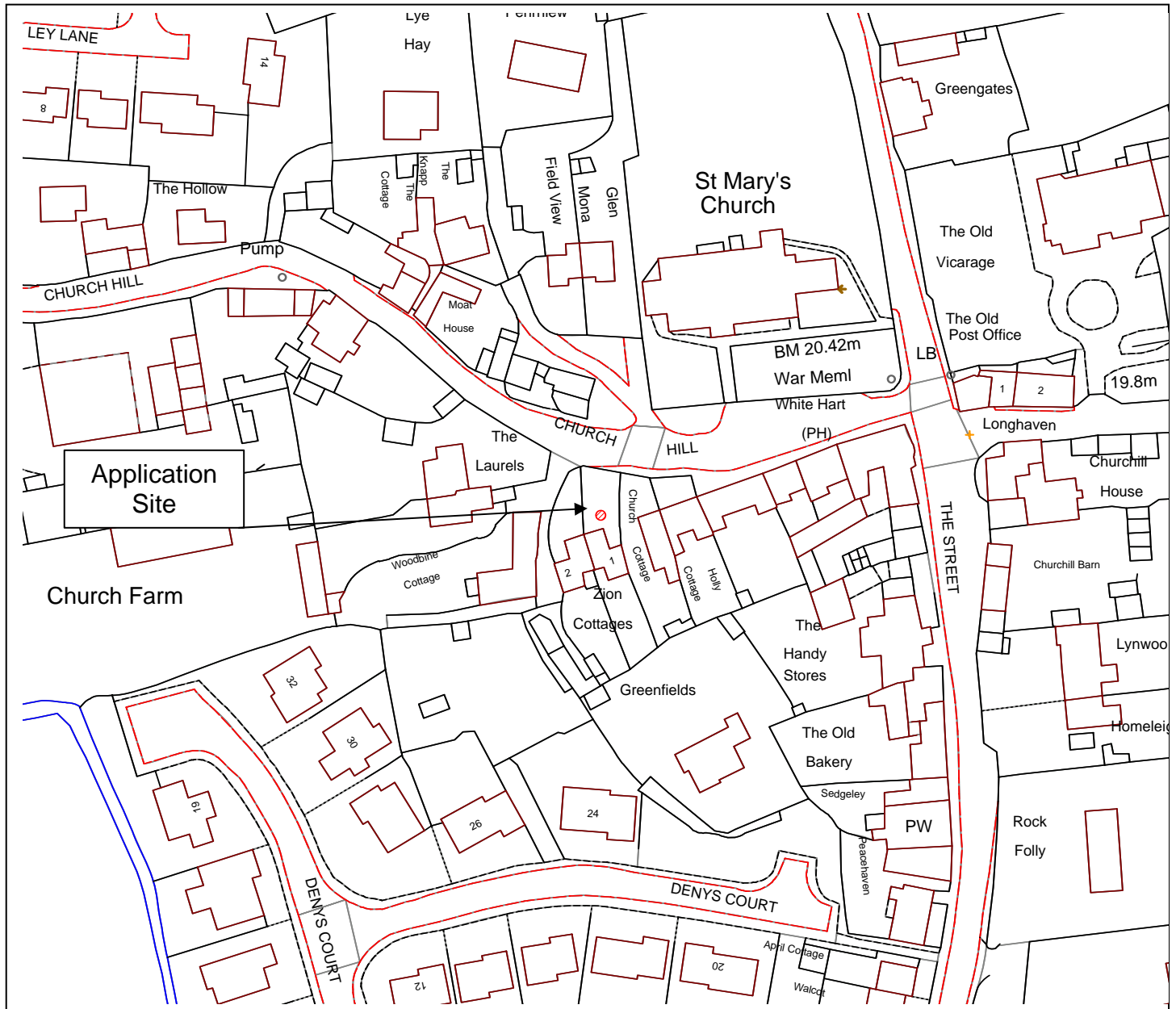
Reason(s):

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

CIRCULATED SCHEDULE NO. 14/07 – 5 APRIL 2007

App No.: PT07/0703/TCA
Site: 1 Zion Cottages Church Hill
 Olveston BRISTOL
 South Gloucestershire BS35 4BY
Proposal: Removal of lilac tree situated within
 Olveston conservation area.
Map Ref: 60046 87241

Applicant: Mr S Edmonds
Date Reg: 7th March 2007
Parish: Olveston Parish
 Council
Ward: Severn



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 100023410, 2007.

N.T.S

PT07/0703/TCA

The application appears on the Circulated Scheduled following a letter of objection received from the neighbouring residents.

1. THE PROPOSAL

- 1.1 The application seeks consent for the removal of one lilac tree situated within the Olveston conservation area.
- 1.2 The application site comprises 1 Zion Cottage on the southern side of Church Hill, Olveston. The site is positioned within the Olveston settlement boundary that is washed over by the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1 Delivering Sustainable Development
 - PPG2 Green Belts
 - PPG15 Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
 - L1 Landscape Protection and Enhancement
 - L12 Conservation Areas
 - GB1 Development in the Green Belt
- 2.3 Supplementary Planning Guidance
South Gloucestershire Advice Note: Trees on Development Sites

3. RECENT PLANNING HISTORY

- 3.1 P92/2185/C Removal and replacement of roof slates. Conservation Area Consent: 27 September 1992
- 3.2 P95/1150/C Demolition of existing outbuilding to facilitate rear conservatory. Conservation Area Consent: 14 March 1995
- 3.3 PT04/0492/F Erection of first-floor rear extension over existing dining room to form bedroom. Permitted: 26 March 2004
- 3.4 PT04/1732/F Amendment to above. Permitted: 16 June 2004
- 3.5 PT06/2716/F First-floor front extension to form dressing room and single-storey front porch. Permitted: 26 October 2006
- 3.6 PT06/2366/CLP Certificate of lawfulness for proposed construction of vehicular access and hard standing. Refused: 13 November 2006
- 3.7 PT07/0678/F Construction of new vehicular access. Decision Pending

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
No objection

4.2 Tree Officer
No objections

4.3 Summary of Local Residents Comments:

One letter received expressing the following concerns:

- a) Application PT06/2716/F stated that no trees would need to be felled;
- b) No objection was made to the above application on this basis given that privacy and the character of the area would not be affected;
- c) If the removal of this tree is necessary for the porch addition, this should have been clearly stated and included on the plans.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policies L1 and L12 of the South Gloucestershire Local Plan seek to conserve and enhance features that make a significant contribution to the landscape and the character of the Conservation Area.

5.2 Consideration of Proposal

The application site is located on the south side of Church Hill almost opposite St. Mary's Church. The tree (subject to this application) is positioned within the front garden area occupying a relatively central position and set well back from the highway. The tree is offered limited protection by virtue of its positioning within the Conservation Area.

5.3 In response to the proposal, the tree is not considered to be worthy of a tree preservation order and thus there is no objection to the application.

5.4 With regard to the concerns expressed by the neighbouring residents, it would not appear that the position of the approved porch would directly impact upon the tree. Nonetheless, the tree is not considered to contribute significantly to the character of the conservation area. Further, the impact of the past proposal on neighbouring residential amenity would have been assessed at the time of this previous submission.

6. CONCLUSION

6.1 The decision to grant consent 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 No objection to the proposed works.

Background Papers PT07/0703/TCA

Contact Officer: Peter Burridge
Tel. No. 01454 865262