



**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. 22/07

Date to Members: 01/06/07

Member's Deadline: 08/06/07

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: 01/06/07

SCHEDULE NO. 22/07

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

SUBSCRIPTION SERVICE

Our **New FREE Subscription Services** allow you to subscribe to weekly e-mails that give you information about a specific ward.

At present the list of services includes details of new:

- Planning Applications
- Consultations
- Executive Decisions
- Scheduled Roadworks

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If you require any further assistance in subscribing to this service please feel free to contact the PT&SE Customer Call Centre on 01454 868004.

Circulated Schedule 01 June 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK06/2985/F	Approve with conditions	Fairview House 42 Hill Street Kingswood South Gloucestershire BS15 4ES	Woodstock	
2	PK07/0772/F	Approve with conditions	Holmelea House (South) Tanhouse Lane Yate South Gloucestershire BS37 7LP	Ladden Brook	Iron Acton Parish Council
3	PK07/0781/F	Approve with conditions	58 Station Road Yate South Gloucestershire BS37 4PW	Yate Central	Yate Town Council
4	PK07/0816/F	Approve with conditions	1 Wetherby Grove Downend South Gloucestershire BS16 6QB	Siston	Downend and Bromley Heath
5	PK07/0934/F	Approve with conditions	60 Johnson Drive Barrs Court South Gloucestershire BS30 7BS	Parkwall	Oldland Parish Council
6	PK07/1087/F	Approve with conditions	11 Long Road Mangotsfield South Gloucestershire BS16 9HG	Rodway	
7	PK07/1148/F	Approve with conditions	14 Birch Road Yate South Gloucestershire BS37 5ER	Yate North	Yate Town Council
8	PK07/1301/R3F	Approve	Emersons Green Primary School Guest Avenue Emersons Green South Gloucestershire BS16 7GA	Siston	Mangotsfield Rural Parish Council
9	PT07/0868/F	Approve with conditions	19 Malmaims Drive Frenchay South Gloucestershire BS16 1PQ	Winterbourne	Winterbourne Parish Council
10	PT07/1187/F	Approve with conditions	142 Great Meadow Road Bradley Stoke South Gloucestershire BS32 8DA	Bradley Stoke South	Bradley Stoke Town Council
11	PT07/1229/F	Approve with conditions	55 Laxton Close Olveston South Gloucestershire BS35 4ED	Severn	Olveston Parish Council
12	PT07/1309/F	Approve with conditions	Clanberris Redfield Road Patchway South Gloucestershire BS34 6PJ	Patchway	Patchway Town Council
13	PT07/1329/TRE	Approve with conditions	The Mount Hicks Common Road Winterbourne South Gloucestershire BS36 1LH	Winterbourne	Winterbourne Parish Council
14	PT07/1428/F	Approve with conditions	Clanberris Redfield Road Patchway South Gloucestershire BS34 6PJ	Patchway	Patchway Town Council

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.: PK06/2985/F
Site: Fairview House 42 Hill Street Kingswood
 BRISTOL South Gloucestershire BS15
 4ES

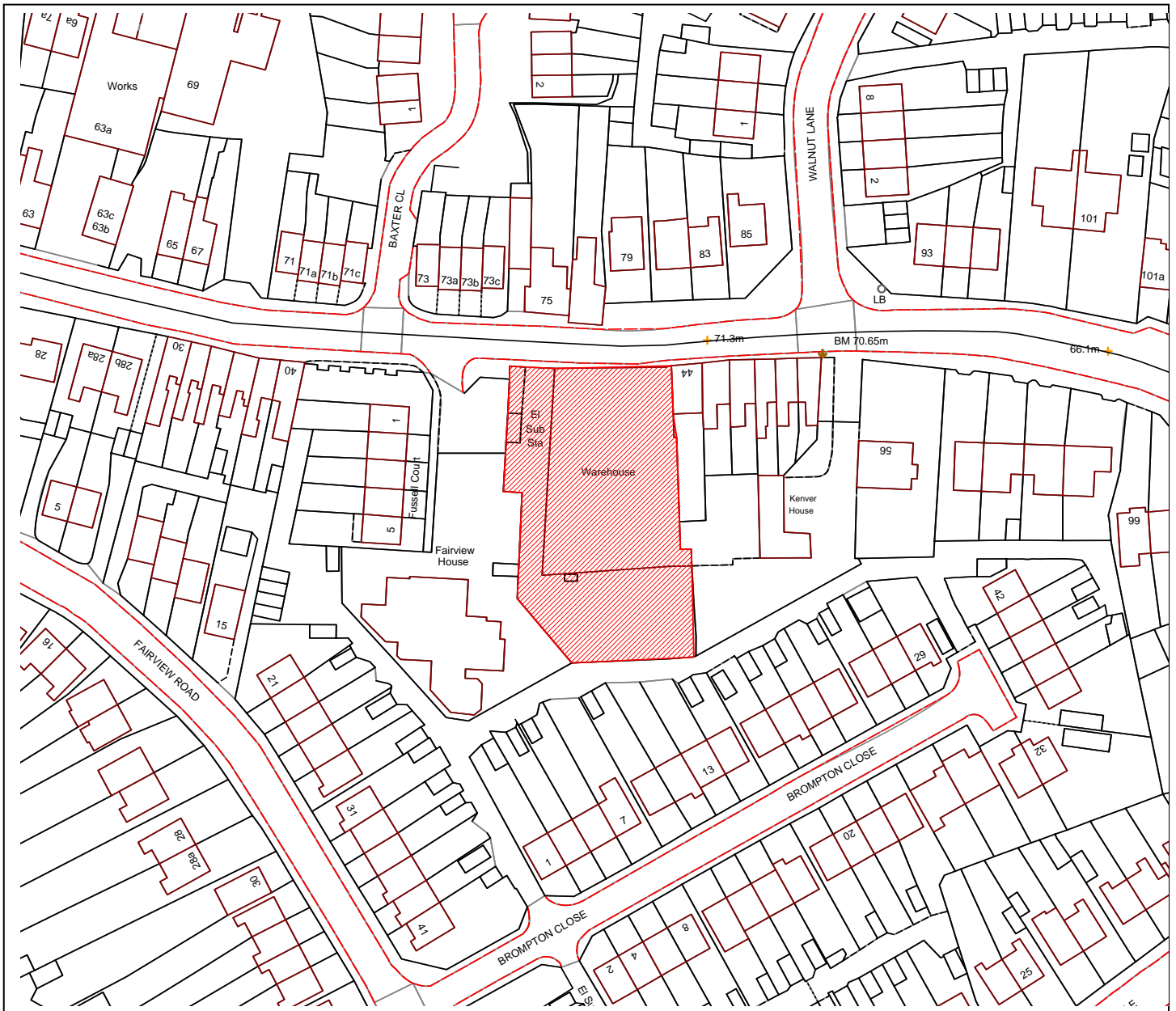
Applicant: Linksmax Limited
Date Reg: 12th October 2006

Proposal: Installation of roof mounted extraction
 units to existing nursing home.
 (Retrospective Application).

Parish:

Map Ref: 65986 73647

Ward: Woodstock



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N.T.S

PK06/2985/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 The application site concerns a newly erected, red brick, 3 storey nursing home situated off the main road into Kingswood. Internally, the kitchen area serving the nursing home is located close to the boundary with No. 44 Hill Street – a private domestic dwelling. As part of the initial application for the nursing home no extraction flues were shown on the approved plans. However, during construction small extraction flues were installed without the necessary planning permission. This is therefore a retrospective planning application to regularise the flues.
- 1.2 The application was submitted to regularise the three low level steel cowls that stand 700mm over the kitchen roof. Two of the steel cowls are fresh air inlet ducts and the central one is the outlet valve from the cooking extraction system.
- 1.3 During the course of the application, and in conjunction with advice from colleagues in the Environmental Protection department, amended plans were received to show the extraction flue to be raised up to eaves level of the residential home – with the top of the flue being some 7.7 metres above ground level.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- | | |
|-----|-------------------------|
| D1 | Design |
| EP1 | Environmental Pollution |

3. RELEVANT PLANNING HISTORY

- 3.1 PK01/1259/F Erection of 48-bed nursing home.
Approved – S106 Signed May 2004

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
The area is unparished

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 installation is only 20ft from the neighbouring patio and only 10ft above it
- The installation is only 20ft from the neighbour's bedroom
- Due to the proximity there will undoubtedly be smells
- The units are unsightly and very prominent in views from the neighbouring property and garden.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy D1 of the South Gloucestershire Local Plan (Adopted) identifies that development should only be permitted where good standards of design are achieved and the proposal is appropriate for its setting. Policy EP1 identifies that development which will harm the environment, health, safety or amenity as a result of pollution by noise, vibration, light, heat or radiation will not be permitted.

5.2 Design Issues

The existing flues are relatively small in scale and are made of galvanised steel. The bulk of the flues as currently exist are screened from the neighbouring property by the stone boundary walls - they are however still visible from the neighbouring house and garden. As part of this application, and to ensure that cooking smells etc are discharged into the air and do not accumulate by the neighbouring house, the central extraction flue is to be raised in height up to the eaves level of the three storey building. All three flues will be coloured matt black to reduce their visual impact from the surrounding area. Whilst the central flue will now be of considerable height, it will not be visible from the public highway as the raised flue will be completely screened from Hill Street by the nursing home itself. Whilst the flue will be visible from the surrounding neighbouring properties, providing it is coloured black, it is not considered that it would be so visually intrusive to warrant the refusal of the application.

5.3 Residential Amenity

It is not disputed by the Environmental Protection officers that as currently exists, there is potential for some disturbance and nuisance to neighbouring properties particularly by way of smells leaving the extraction flue. This is caused by the low level of the flue close to garden and habitable room windows not allowing any cooking smells to disperse suitably into the atmosphere. In order to overcome this concern, the application seeks to increase the height of the central flue (the extraction flue) to eaves level of the three storey nursing home. Consequently – the top of the extraction flue will be level with the ridge of the neighbour's two storey house. At this height, and given that the flue is to have an open top outlet, it is not considered that there are likely to be any adverse impact on the neighbouring properties by way of smells as any smells will disperse upwards away from the garden and windows. Environmental Health officers are satisfied that the system as proposed is suitable and will not have any adverse effect on the amenities of the neighbouring property. Information submitted by the agent states that the noise from the air inlet and extraction flues will not exceed 50Db. Subject to the attachment of conditions to ensure that the noise levels are maintained, there is no objection to the proposal.

As this revision is to amend a retrospective application, a condition would be attached to any consent granted to ensure that the works are carried out and the flues are coloured black and increased in height in accordance with the

approved plans within 2 months of the date of the decision. If the works are not carried out in accordance with the approved plans within the specified time frame, enforcement action could be taken to ensure the works are carried out.

5.4 Section 106 Requirements

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

6. CONCLUSION

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

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 the application be approved subject to the following conditions;

Background Papers **PK06/2985/F**

Contact Officer: Marie Worboys
Tel. No. 01454 864769

CONDITIONS

1. Within two months of the date of this decision, the extraction flue shall be increased in height exactly in accordance with the approved plans. Also within two months of the date of this decision, all three flues shall be coloured matt black and this shall be maintained satisfactorily at all times thereafter.

Reason:

In order to improve the amenity afforded to the neighbouring dwellings and to comply with the requirements of Polciy EP1 of the South Gloucestershire Local Plan (Adopted) within a reasonable and workable timeframe.

2. The rating level of noise emitted from the extraction units shall not exceed the existing background noise level, determined to be 50dB by day (7.00am to 11.00pm). The noise level shall be determined at the nearest noise-sensitive premises. The measurements and assessments shall be made in accordance with the provisions of BS4142:1997

Reason:

To minimise disturbance to occupiers of adjacent dwellings and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.: PK07/0772/F
Site: Holmelea House (South) Tanhouse Lane
 Yate BRISTOL South Gloucestershire
 BS37 7LP

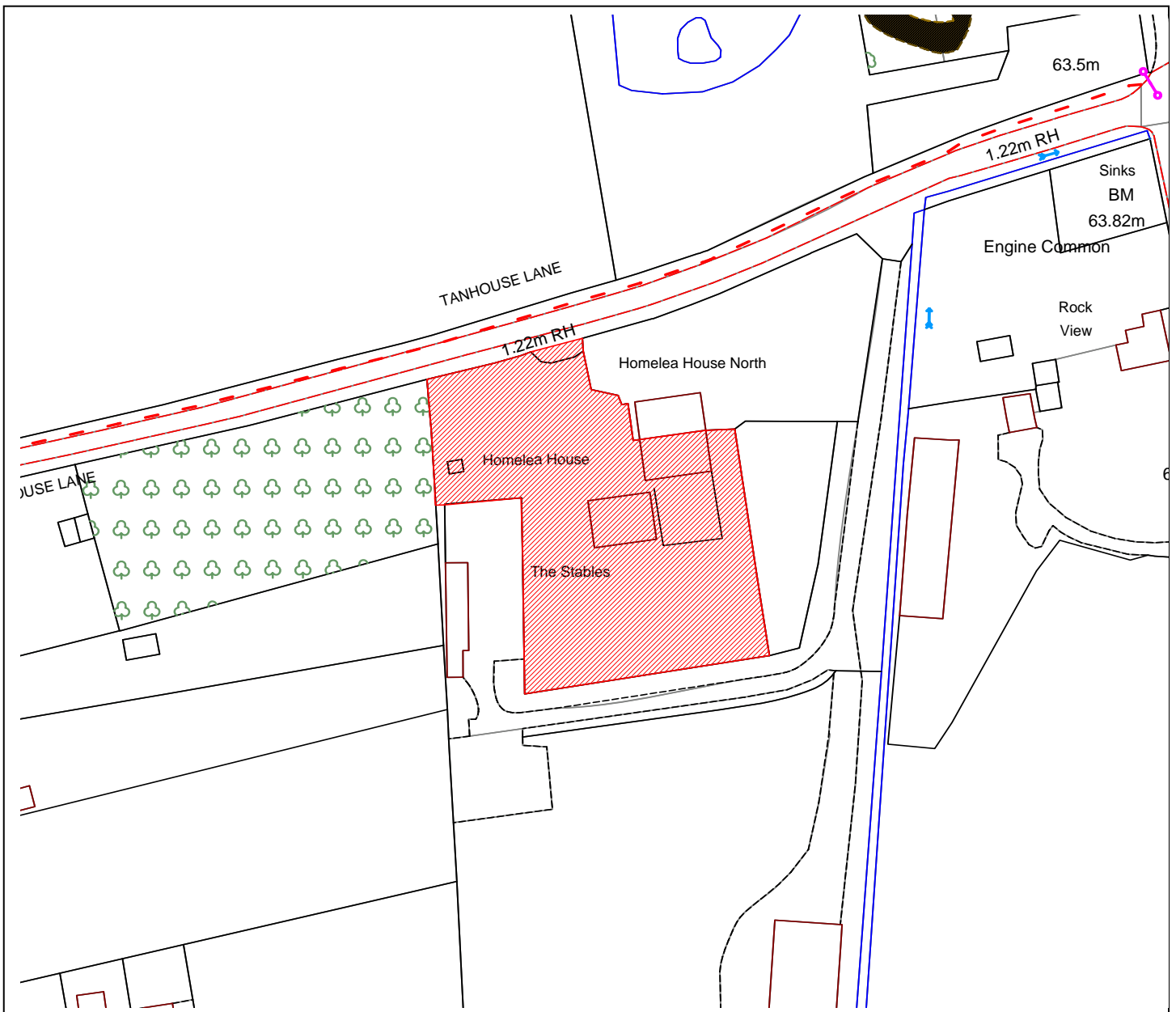
Applicant: Mr C Jones
Date Reg: 13th March 2007

Proposal: Erection of 1 no. detached 'bungalow' with 2 no. attached garages to facilitate the creation of a dependant relative annexe. (Amendment to previously approved scheme PK06/1218/F)

Parish: Iron Acton Parish Council

Map Ref: 69927 84981

Ward: Ladden Brook



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N.T.S

PK07/0772/F

INTRODUCTION

The application has been referred to Circulated Schedule due to the objection from Iron Acton Parish Council

1. THE PROPOSAL

- 1.1 The application relates to a large semi-detached house located in open countryside to the north of Engine Common. The site lies outside any defined settlement boundary and adjoins the southern edge of the Green Belt. Extensive garden areas lie to the side (west) and rear (south) of the property. Commercial offices with associated lorry parking lie immediately to the west of the site. Tanhouse Lane is a country lane bounded by hedgerows and identified in the Local Plan as a Major Recreation Route; development along the lane is sporadic.
- 1.2 This application is essentially the same as previously approved PK06/1218/F except that in this case proposed amendments fail to satisfy the Council's criteria to be handled as Minor Amendments, hence the requirement for submission of a fresh application. In application PK06/1218/F it was proposed to demolish an existing garage block and erect a detached 'bungalow' (*applicant's description*) in its place adjacent to the main house; it was intended to use the 'bungalow' as a dependent relative annexe for the applicant's disabled parents-in-law. It was also proposed to incorporate within the front half of the building, garages for four cars, which would be used for garaging the applicant's classic car collection, plus an additional single garage. It was also proposed to erect a 1.8m high front boundary wall to Tanhouse Lane. It was not proposed to sub-divide the existing garden area in any way. Vehicular access was to be via a gated access from Tanhouse Lane; the access being flanked by a pair of Beech Trees.
- 1.3 In the originally approved scheme the residential side of the building backed onto the garage, but due to concerns about possible noise and fire implications of this relationship between the residential and garage sections of the building, it is now proposed to amend the scheme as follows:
- The building layout has been re-arranged, separating the garage from the residential element by a central driveway, which allows access for motor mowers and doubles as a car-port.
 - The previously approved hip ends are now replaced by gable ends.
 - The length of the building is increased from 19.3m to 19.65m.
 - The height of the building to roof ridge is reduced from 5.2m to 5.0m.
 - General re-arrangement of doors and windows with introduction of 5 x Velux roof-lights to front elevation.

In all other respects the scheme remains as previously approved, except that the previously approved boundary wall, can be erected under the original approval and does not therefore need to be part of this amended scheme.

- 1.4 It should be noted that a detached garage/store, to house 4 no. cars, to be located at the far south-western corner of the rear garden was previously approved in August 1999 (see P99/2051) but this permission has now lapsed.

2. POLICY CONTEXT

2.1 National Guidance

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

DETR Circular 03/99

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

- D1 - Design in New Development
- T8 - Parking Standards
- T12 - Transportation Development Control Policy for New Development
- H3 - Residential Development in the Countryside
- H4 - Development within Residential Curtilages
- L1 - Landscape Protection and Enhancement
- L17 - The Water Environment
- EP1 - Environmental Pollution

2.3 Supplementary Planning Guidance

Advice Note 1 - "Altering Your Home" 1991

3. RELEVANT PLANNING HISTORY

3.1 P99/2051 - Replacement garage and garden store. Demolition of existing garage.
Approved 05th August 1999

3.2 PK05/3363/F - Erection of 1 no. detached bungalow with 4 no. attached garages to facilitate the creation of a dependant relative annexe. Erection of front porch to existing dwelling and 1.8m high boundary wall.

Refused 17th Feb 2006 for the following reasons:

- Harmful to the open character of the countryside.
- Proposed wall would adversely affect visibility splays at access.
- No indication of foul drainage. Insufficient details to demonstrate satisfactory means of pollution control.
- Proposed wall not in keeping with rural character of lane.

3.3 PK06/1218/F - Erection of 1no. detached 'bungalow' with 5no. attached garages to facilitate the creation of a dependant relative annexe. Erection of 1.8m high boundary wall.
Approved 5th June 2006

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council

The Parish Council objects to this amendment as the Council consider the amendment to be a major deviation from the previous plans.

4.2 Other Consultees

Other Representations

- 4.3 Local Residents
No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The acceptance in principle of a very similar scheme to that now proposed was established with the granting of application PK06/1218/F. The current application merely seeks approval for what is essentially the same scheme only with some amendments that cannot be dealt with as minor amendments. This is because :

- There is an increase in the overall size of the building.
- The change would require planning permission in its own right,
- There would be a material change to the appearance of the development.

All that really needs to be considered is whether or not the proposed amendments are acceptable, having regard to the original planning consent.

- 5.2 The application site lies in the open countryside well outside any Village Development Boundary. The proposed 'bungalow' and attached garage block would be erected within the curtilage of Homelea House South and would be adjacent to the house. The building itself would be large and would to some extent have the appearance of a detached bungalow and garage. Furthermore the 'bungalow' would be entirely self-contained, having entrance hall, kitchen/dining room, two bedrooms and an en-suite. Officers consider that the proposal is tantamount to the erection of a new dwelling in the countryside, nevertheless a recent appeal decision (3 Station Road, Badminton - APP/P0119/A/05/2005236) established that if it is intended to use such a building as a residential annexe then Policy H3 (for new residential development in the countryside) of the South Gloucestershire Local Plan (Adopted) 6th January 2006 does not apply. The application therefore falls to be determined under Policy H4, which relates to development within residential curtilages. The criteria attached to this Policy are discussed below.

- 5.3 The applicant has given a verbal indication that the accommodation is required for his disabled parents-in-law. Being an annexe only, it is not proposed to subdivide the existing residential curtilage and an appropriate condition could be applied to ensure that the building is not used as a separate residential unit in the future.

5.4 Scale and Design

The building now proposed would not be significantly larger than that approved under PK06/1218/F. The overall appearance of the building, with materials to match those of Homelea House South is considered to be superior to the existing garage block that it would replace. The combined 'bungalow'/garage is a large building but would be subservient to the main house. The extent of new build would to some extent be compensated for by the demolition of the existing garage, and being adjacent to the main house and being well screened by the existing vegetation and previously approved front boundary wall, would not represent a considerable encroachment of built development further into the countryside.

5.5 Impact Upon Residential Amenity

The site is well enclosed by high close-board fences and boundary vegetation. The nearest neighbouring residential properties are too distant to be affected in any way by the proposal. There would be more than enough shared garden space to serve the existing dwelling and proposed 'bungalow'. The impact on residential amenity would therefore be acceptable.

5.6 Highway Issues

The existing access would be utilised and adequate parking provision would be afforded in the new garage and upon the existing hard-standing areas. Dependant relative annexes generate little traffic; subject therefore to a condition to tie the use of the 'bungalow' to the existing house, there are no highway objections.

5.7 Landscape Issues

The existing dwellings are reasonably well integrated into the landscape. Having regard to the amended scale and design of the proposed 'bungalow'/garage and amount of screening afforded by the boundary fences/vegetation, it is considered unlikely that the buildings would have any significant adverse visual impact on the adjoining Green Belt. Only a small amount of garden vegetation is likely to be lost as a consequence of construction of the 'bungalow'/garage but this would not be visually significant. The applicant has confirmed that the Beech Trees to either side of the access would be retained. There are therefore no landscape objections.

5.8 The 'bungalow' is considered to be in-keeping with the existing rural character of the lane. The existing hedgerow and trees would be retained, as the proposed method of construction would not significantly affect root systems. The proposal would not adversely affect the visual amenity of the nearby Green Belt.

5.9 Environmental Issues

The Council's Environmental Health Officer has raised no objections to the proposal. Foul disposal would be to the existing septic tank.

5.10 Highway Issues

The visibility from the existing site access to Tanhouse Lane is restricted. The erection of the previously approved wall in the position proposed would not further restrict the visibility from the access to the detriment of highway safety, and there are therefore no objections. The garage facility replaces that already existing and is similar to that previously approved under P99/2051. Provision for the parking of 5 cars already exists on the site, within the existing garage and on the adjoining hard-standing areas.

5.11 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).

5.12 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) 6th 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 **PK07/0772/F**

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

CONDITIONS

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

Reason:

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

2. The occupation of the development hereby permitted shall be used wholly in conjunction with, and ancillary to, the use of the existing property as a single dwellinghouse and shall not be sub-divided, separated or altered in any way so as to create two or more separate units of accommodation.

Reason:

To ensure that the additional residential accommodation is not occupied as a separate residential unit having regard to its unsustainable location in the open countryside remote from services in accordance with Policy H3 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. All new stonework is to match that of the existing house. Prior to the commencement of the development hereby approved, a sample panel of the natural stone walling shall

be constructed on site to show its type, coursing and jointing. The sample panel will be inspected and, if satisfactory, approved in writing by the Local Planning Authority. The relevant elevations of the development hereby approved shall thereafter be constructed to exactly match the approved samples.

Reason:

To maintain and enhance the character and visual amenity of the location in accordance with Policies D1, H4, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

4. Before the development hereby authorised is commenced, a sample panel of the render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the development is complete.

Reason:

To maintain and enhance the character and visual amenity of the location in accordance with Policies D1, H4, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5. Detailed drawings showing the method by which all the retained trees and hedgerows on the site and overhanging the site, are to be protected during construction works shall be submitted to and approved by the Local Planning Authority before works commence on site. Such protection shall be provided prior to the clearance of the site and shall be maintained for the duration of the works.

Reason:

To maintain and enhance the character and visual amenity of the location in accordance with Policies D1, H4, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. The existing trees and hedgerows within the site shall be retained and shall not be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998: 1989 (Tree Works). Any trees and hedgerows removed without such consent or dying, or becoming damaged or becoming diseased shall be replaced in the next planting season with trees and hedgerows of such size and species as may be specified by the Local Planning Authority

Reason:

To maintain and enhance the character and visual amenity of the location in accordance with Policies D1, H4, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.: PK07/0781/F	Applicant: Mr & Mrs Bartlett
Site: 58 Station Road Yate BRISTOL South Gloucestershire BS37 4PW	Date Reg: 13th March 2007
Proposal: Change of use of garage (C3) to Rehabilitation Clinic (D1) as defined in the Town & Country Planning (Use Classes) Order 1987 (as amended).	Parish: Yate Town Council
Map Ref: 70532 82471	Ward: Yate Central



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 100023410, 2007.

N.T.S

PK07/0781/F

INTRODUCTION

This application appears on the Circulated Schedule following receipt of objections from Yate Town Council and a local resident, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks to change the use of a single-storey detached garage/store/workshop (C3), located to the rear of no. 58 Station Road, to a Rehabilitation Clinic (D1). No.58 is a large two-storey property known as The Albion Guest House, which was granted planning permission to operate as a Bed & Breakfast in Sept. 2002. Vehicular access is via a shared driveway (with neighbouring no.56), which affords access to a parking and turning area to the rear of the Guest House, beyond which is a garden area; there is also hard-standing for two vehicles to the front of the property.
- 1.2 The site lies within the urban area close to the Town Centre. There is a rich mix of residential, retail and commercial properties along Station Road, which is one of the main routes into the Town Centre.
- 1.3 It is proposed to convert the existing garage/store/workshop to a small Injury Rehabilitation Clinic which would comprise of a small reception with toilet facilities, treatment room and rehabilitation gym for the use of the client under treatment. The proposal would be a small scale operation with clients being treated on a one to one basis.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPG4 - Industrial and Commercial Development and Small Firms.
- PPG21 - Transport

2.2 Development Plans

Joint Replacement Structure Plan

- Policy 1 - Sustainable development objectives.
- Policy 2 - Location of Development
- Policy 54 - Car Parking Provision (non-residential)
- Policy 59 - New Development – transport issues

South Gloucestershire Local Plan (Adopted) January 2006

- D1 - Design in New Development
- E3 - Criteria for Assessing Proposals for Employment Development within the Urban Area.
- EP1 - Environmental Pollution
- T7 - Cycle Parking
- T8 - Parking Standards
- T12 - Transportation Development Control Policy for New Development
- LC4 - Proposals for Educational and Community Facilities Within the Existing Urban Area and Defined Settlement Boundaries.

3. RELEVANT PLANNING HISTORY

- 3.1 PK02/2004/F - Change of Use from residential dwelling (C3) to bed and breakfast accommodation (C1). Erection of two-storey rear extension. Approved 23rd Sept. 2002
- 3.2 PK04/0212/ADV - Display of 1 no. free-standing double sided illuminated static Guest House sign. Approved 1st March 2004

4. CONSULTATION RESPONSES

4.1 Yate Town Council
Objection subject to a condition that there will be no staff or client parking on the site. Instead, motorists should be encouraged to park in the municipal car park opposite the site.

4.2 Other Consultees

None

Other Representations

4.3 Local Residents

1no. letter of objection was received from the occupant of no. 56 Station Road. The concerns raised are summarised as follows:

- Proximity of front door to shared access.
- Introduction of parking spaces to rear of garage, without planning permission.
- Narrow access.
- Increased traffic on shared access.
- Increased traffic from access onto Station Road, to detriment of highway safety.
- Vans currently use the existing parking.
- There should be no parking on the site as there is a municipal car park on the opposite side of the road.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy E3 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 permits proposals for employment uses within the existing urban areas, including the conversion of existing buildings, subject to the following criteria:

- A. Development would not have unacceptable environmental affects; and
- B. Adequate provision is made for servicing and delivery requirements and development would not give rise to unacceptable levels of vehicular traffic, especially heavy goods vehicles, or on-street parking, to the detriment of the amenities of the surrounding areas and highway safety; and

- C. Development would not prejudice existing residential amenities; and
 - D. The character of the area or settlement is not adversely affected; and
 - E. The maximum density compatible with the sites location, its accessibility and its surroundings is achieved; and
 - F. (In the case of travel intensive B1(office) development) the location is well served by public transport.
- 5.2 The supporting text (para. 7.40) to this policy states that, "Throughout the urban area, and particularly within the vicinity of town centres, mixed-uses including employment activities, can help create vitality and diversity and reduce the need to travel." Both PPG4 and Policy E3 generally support small scale businesses within sustainable locations.
- 5.3 Also of relevance is Policy LC4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 which permits the development of Community Facilities such as surgeries subject to criteria that are similar to those listed in Policy E3. The criteria aim to minimise the impact on residential amenities and the environment, and direct facilities to locations that are accessible on foot and by bicycle and closely related to areas of demand.
- 5.4 The proposal would utilise an existing building situated in a highly sustainable location, close to the Town Centre, on a main bus route and close to the Railway Station; in principle therefore the scheme is acceptable subject to the criteria listed in Policies E3 and LC4, these will be discussed in the following paragraphs.
- 5.5 Scale and Design
The proposal would convert an existing garage/store/workshop of relatively modest scale. The external works required to the building would be minimal, with the roof being raised only 225mm to accommodate a revised floor level to comply with Building Regulations. The existing garage door would be removed and other than the introduction of two velux roof-lights and a rearrangement of the doors and windows on the side elevation, the appearance of the building would not significantly alter. The location already has a mixed use character into which the proposed use would more than adequately integrate. The scale and design are therefore acceptable.
- 5.6 Impact Upon Residential Amenity
The existing Guest House facilities comprise 2 no. double/twin rooms and 2 no. singles i.e. capacity for 6 guests; with additional accommodation for the existing proprietors. The two car parking spaces to the front of the building are utilised by the proprietor with 5 no. spaces and a turning area to the rear for B & B customers. The parking spaces to the rear are hard on the boundary with the garden of no. 56 and this boundary is currently quite open.
- 5.7 The applicant has confirmed that the Guest House clientele tend to be mostly tradesmen or artisans working temporarily in the location. Such clientele tend to check in after 5.30 p.m. and leave by 8.00 a.m. in the morning. It is acknowledged that some of the clientele drive small vans. The conditions attached to the planning permission PK02/2004/F do not however prevent the parking of these vans to the rear of the Guest House.

- 5.8 The proposed Clinic is to be operated by the Guest House proprietor's son who has recently qualified as a Sports Injury Rehabilitator. It is proposed to operate the clinic between the hours of 9.00a.m. to 5.30 p.m. Mon – Sat inclusive. These hours of operation could be secured by way of a condition attached to any planning permission. It is envisaged that appointments at the clinic would generally be of 1 hour duration i.e. 8 per day and carried out on a one to one basis. Such a use would therefore be relatively low key and would not coincide with the comings and goings of the Guest House clientele. Furthermore the level of traffic attending the Clinic is also likely to be very low and spread throughout the day. Any disturbance for neighbouring occupiers is not therefore likely to have a significant adverse impact. Given however that additional traffic would use the car parking spaces to the rear of the clinic, a condition to secure the erection of a 2m high solid fence on the boundary with no.56 for the full length of the car parking spaces is considered to be justified in this case. This would screen the parking area from the most useable areas of the neighbouring garden. No windows are proposed for the western side elevation of the building overlooking no.56 and a condition could prevent the insertion of windows in the future.
- 5.9 The existing site access is narrow and the door to neighbouring no.56 opens onto this access. The occupier of no.56 has expressed concerns over the increase in traffic using the access. Highway safety issues will be discussed under the appropriate heading below but in terms of impact on residential amenity, officers consider that the proposed use of the driveway would not be as intense as that associated with the Guest House. Traffic would not pass directly in front of any principal habitable room windows and use of the neighbour's doorway would only be sporadic. Any conflict with a car using the access would be no different than already exists. Since the access is considered to be safe for the existing Guest House use then it follows that it (the access) would be safe enough for a less intense use operating at different hours to the Guest House. Furthermore the use of the building as a clinic would have less potential to generate noise than the existing garage/store/workshop use. On balance therefore and subject to conditions to control the hours of use, prevent insertion of windows and secure the erection of a 2m high fence adjacent to the parking area, officers are satisfied that there would be no significant loss of residential amenity.
- 5.10 Highway Issues
- In the determination of PK02/2004/F officers considered that the shared access was an enhancement to the previous access arrangement and the introduction of a turning facility thus allowing traffic to exit the site in forward gear was an improvement to highway safety at a point close to the traffic signals on Station Road. The access and turning arrangements would remain as previously approved and the highway officer raises no objection to this. The scheme as currently proposed would formalise the parking arrangements i.e. 5 spaces to the rear of the existing garage/store/workshop.
- 5.11 The Town Council consider that there should be no staff or client parking on the site for the proposed Clinic. Officers consider that the site is in a very sustainable location, being close to the Town Centre, on a main bus route with a bus stop right outside the Guest House, close to the Railway Station, and with a small Municipal Car Park directly opposite the site; with this in mind, not all patients are likely to visit the clinic by car. The proposed Clinic would however operate at hours that would not coincide with the movements of the

Guest House clientele. Patients and staff using the clinic could therefore utilise the existing access and parking facilities and this use is likely to be less intense than the Guest House use. Officers note that parking in the Municipal Car Park is restricted to 2 hours only between 8.00 a.m. and 6.00 p.m. which would be unsuitable for the Clinic's staff. Furthermore patients using the clinic are likely to be immobilised with sports injuries and would be best served by car parking immediately adjacent to the clinic.

5.12 Given the extant use of the site, the lack of conflict between the proposed Clinic use and the existing Guest House use, the acceptability of the access and parking arrangements, the sustainable location, the existing on-street parking restrictions (yellow lines either side of Station Road) and the small scale of the development proposed, officers consider that it would be unreasonable to impose a condition to prevent car parking on the site for The Clinic. Officers consider that such a condition would not meet the tests of Circular 11/95 and could not be reasonably defended in an appeal situation.

5.13 Subject therefore to a condition to secure the maintenance of the car parking and turning facilities there are no highway objections.

5.14 Environmental Issues

The Council's Environmental Health Officer raises no objection to the proposal.

5.15 Design and Access Statement

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

5.16 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers PK07/0781/F

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason:

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

2. No windows shall be inserted at any time in the western side elevation or roof space of the building the subject of the development hereby approved.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies E3 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The use hereby permitted shall not be open to customers/clients outside the following times 09.00 hrs to 17.30 hrs Monday - Saturday inclusive with no opening on Sundays or Bank Holidays.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies E3 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the first use of the development hereby approved, a 2m high close board fence shall be erected on the boundary of the site with neighbouring no. 56 Station Road for the full length of the car parking area shown on the approved Block Plan no. 07:002:03.

Reason:

To screen the car parking area and protect the amenities of the occupier of neighbouring no. 56 Station Road, and to accord with Policies E3 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

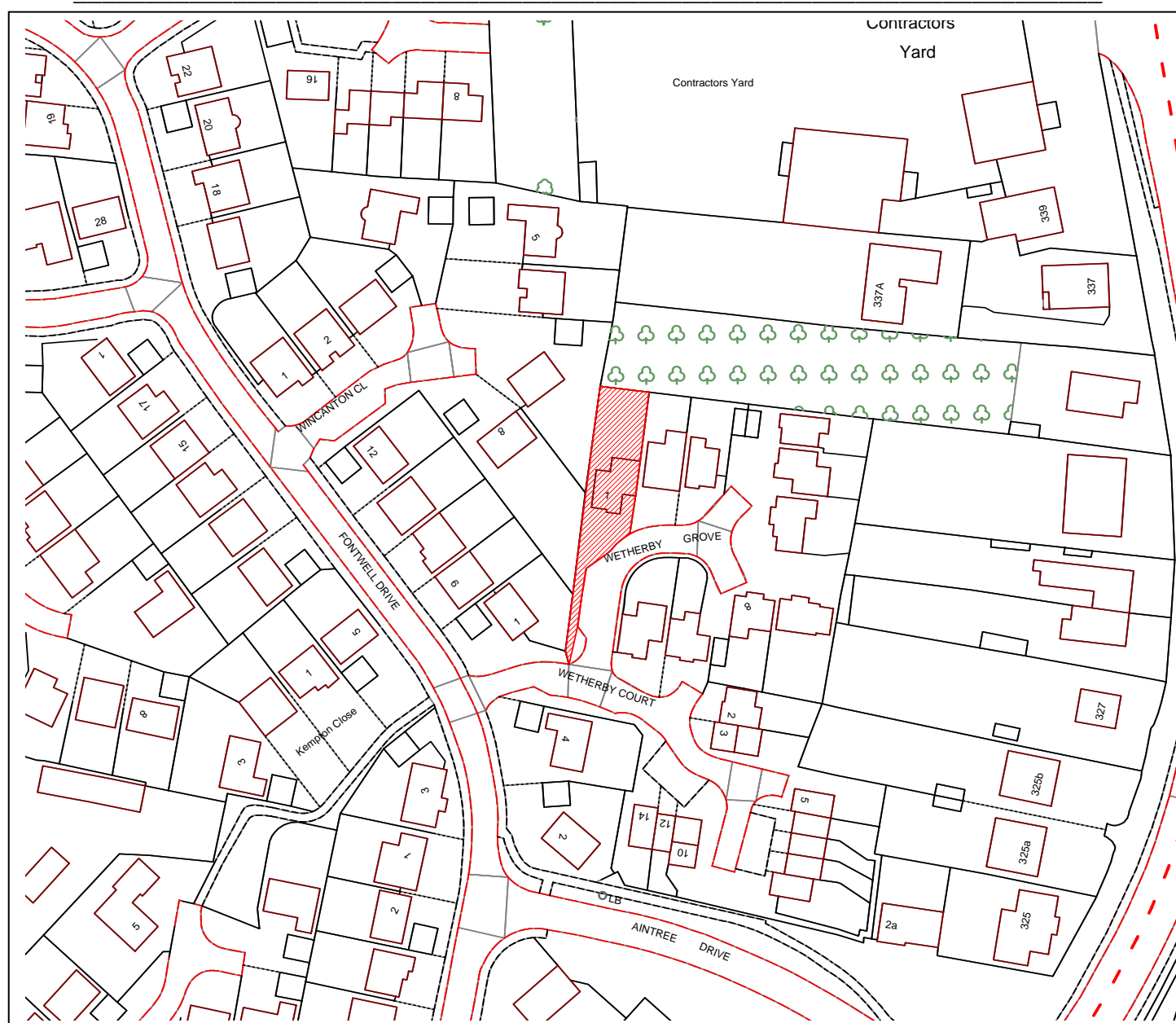
5. The off-street parking facilities (for all vehicles) and turning area shown on the approved Block Plan no. 07:002:03 shall be provided before the building is first occupied for the use hereby approved, and thereafter the parking and turning areas shall be kept free of obstructions and retained and used only in conjunction with their intended purpose.

Reason:

To ensure the satisfactory provision of parking and turning facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy E3, LC4, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.:	PK07/0816/F	Applicant:	Mrs H Greenwell
Site:	1 Wetherby Grove Downend BRISTOL South Gloucestershire BS16 6QB	Date Reg:	15th March 2007
Proposal:	Erection of two storey side and single storey rear extensions to form additional living accommodation. (Resubmission of PK06/3495/F).	Parish:	Downend and Bromley Heath
Map Ref:	65954 78357	Ward:	Siston



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N.T.S

PK07/0816/F

INTRODUCTION

This application is referred to the Circulated Schedule following objections to the proposed scheme being received from a local resident.

1. THE PROPOSAL

- 1.1 This application concerns a modern detached two-storey dwellinghouse. The dwelling has an attached side garage that is set to the rear of the house. One of the main characteristics of this and with adjacent properties is that the houses are set on a staggered arrangement with the adjacent neighbour (No.2 Wetherby Grove) set back from the front of the subject building by approximately 6 metres.
- 1.2 The proposed scheme follows a previous proposal for a two-storey side extension that was set to the front of the property. Following concern over the effect upon the levels of residential amenity currently enjoyed by the neighbouring resident, this application was withdrawn.
- 1.3 To address these concerns, the two-storey side extension has been pulled back from the front elevation and although there would be a projecting integral garage, the two-storey extension would be set 2.8 metres from the front elevation. The two-storey extension would then extend some 3 metres beyond the rear elevation of the existing house terminating in a gable. The extension however continues at ground floor level for a further 2 metres. From the front elevation the two-storey side extension appears set back from the front elevation and has a ridge set below the main roof.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages including Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/3495/F – Erection of first floor and two-storey side extension. Withdrawn 15/01/07.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection.

Other Representations

- 4.2 Local Residents

1no. consultation response was received from a neighbouring property which expressed the following summarised objections to the proposed scheme:

- Loss of outlook – the proposed three storey extension (two-storey with bedroom(s) in the roof) is an excessive increase in height, width and mass and would have an overbearing effect and result in a considerable loss of outlook from a bedroom and kitchen window; and
- The proposal would result in a loss of natural light to the front, side and rear; and
- The window at first floor level would result in a loss of privacy.
- The car parking space to the front would be out of character to the area and the level of parking would not be sufficient for a 6 bedroom house.

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 to criteria relating to scale and design, highways, and impact upon visual and residential amenity.

5.2 Design/ Visual Amenity

From the front, the proposed extension would read as a subservient addition, in accordance with the design guidance set out within adopted Supplementary Planning Guidance and would also leave the stagger in layout visible. The side and rear would not be visible within the wider public realm, but overall it is considered that the scale and form of the extensions are in keeping with the character and scale of the property. Therefore there are no design objections to the proposed scheme and it is considered that there would be no significant loss of visual amenity if approved.

5.3 Residential Amenity

With the extension pulled back from the front, it is considered that the level of projection of extension that would stand proud of the neighbour's house would not enclose the outlook to such an extent that it would form an oppressive feature that would warrant refusal. Although the extension would significantly enclose the neighbouring property side curtilage, from officer's observations on site the windows affected in the neighbouring house serving the kitchen are considered secondary windows with the kitchen also being served by natural light from a window in the front elevation. At first floor level there is also a landing window not serving a habitable room.

5.4 The consultation response from a neighbour also makes reference to the proximity of a side bedroom window and the potential for inter-visibility between the two windows. The proposed side window at first floor was however supposed to serve the en-suite bathroom that is located to the front of the extension. The position of the window was not amended following the revisions to the scheme after it was withdrawn, so therefore it will be have to repositioned towards to the front of the house, but regardless of this, this window will be conditioned for obscure glass to safeguard privacy levels.

5.5 There is also proposed to be one other side window facing in a westerly direction, but again to safeguard privacy levels, this window will be conditioned for only obscure glass. Finally, with the proposed extension terminating behind the rear elevation of the neighbour's house, it is not considered that the north facing windows would result in any significant loss of privacy through inter-visibility.

5.6 In light of the above, it is considered that the remaining issue is whether the proposed side extension would have such an overbearing and overshadowing affect upon the neighbouring property that it warrants a refusal.

5.7 The extension would enclose the side curtilage to a significant degree, but the side curtilage is just a narrow footpath that provides external rear access along with access to the dwelling via the side kitchen door. It is considered that although the scale and position of the proposed two-storey flank wall in such close proximity would dominate the side curtilage, it is only a footpath and with the extension not interfering with the main rear garden area, it is not considered that an objection could be sustained on the basis of a considered harm to amenity levels. Furthermore, the extension would undoubtedly reduce lighting levels to the windows within the side elevation of the neighbour's house, but these windows are either secondary or do not serve habitable room windows and so again it is not considered that the demonstrable harm caused by the extension would justify a refusal decision.

5.8 Overall it is considered that the extension would alter the character of the side curtilage through high levels of enclosure down the neighbour's side curtilage and would reduce levels of natural light. However with no significant loss of amenity to either the rear garden or any habitable room window, whilst the proposal would have an impact upon the neighbouring property, the impact would not be to the degree that justifies a refusal. Therefore on balance, no objection to the proposed scheme is raised on the basis of residential amenity.

5.9 Transportation

No objections are raised as the level of parking proposed meets the maximum standard laid out within the local plan. Furthermore, although the space to the front garden is not in keeping with the character of the property, such works are permitted development and thus are not subject to this application.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission is to be APPROVED subject to the following conditions.

Background Papers **PK07/0816/F**

Contact Officer: **Robert Nicholson**
Tel. No. **01454 863536**

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 windows (including rooflights) other than those shown on the plans shall be inserted at any time in the elevations of the extension hereby approved.

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.

3. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor windows on the east and west elevations shall be glazed with obscure glass only.

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.

4. The off-street parking facilities (for all vehicles, including cycles and including the integral garage) 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.

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.: PK07/0934/F
Site: 60 Johnson Drive Barrs Court BRISTOL
 South Gloucestershire BS30 7BS

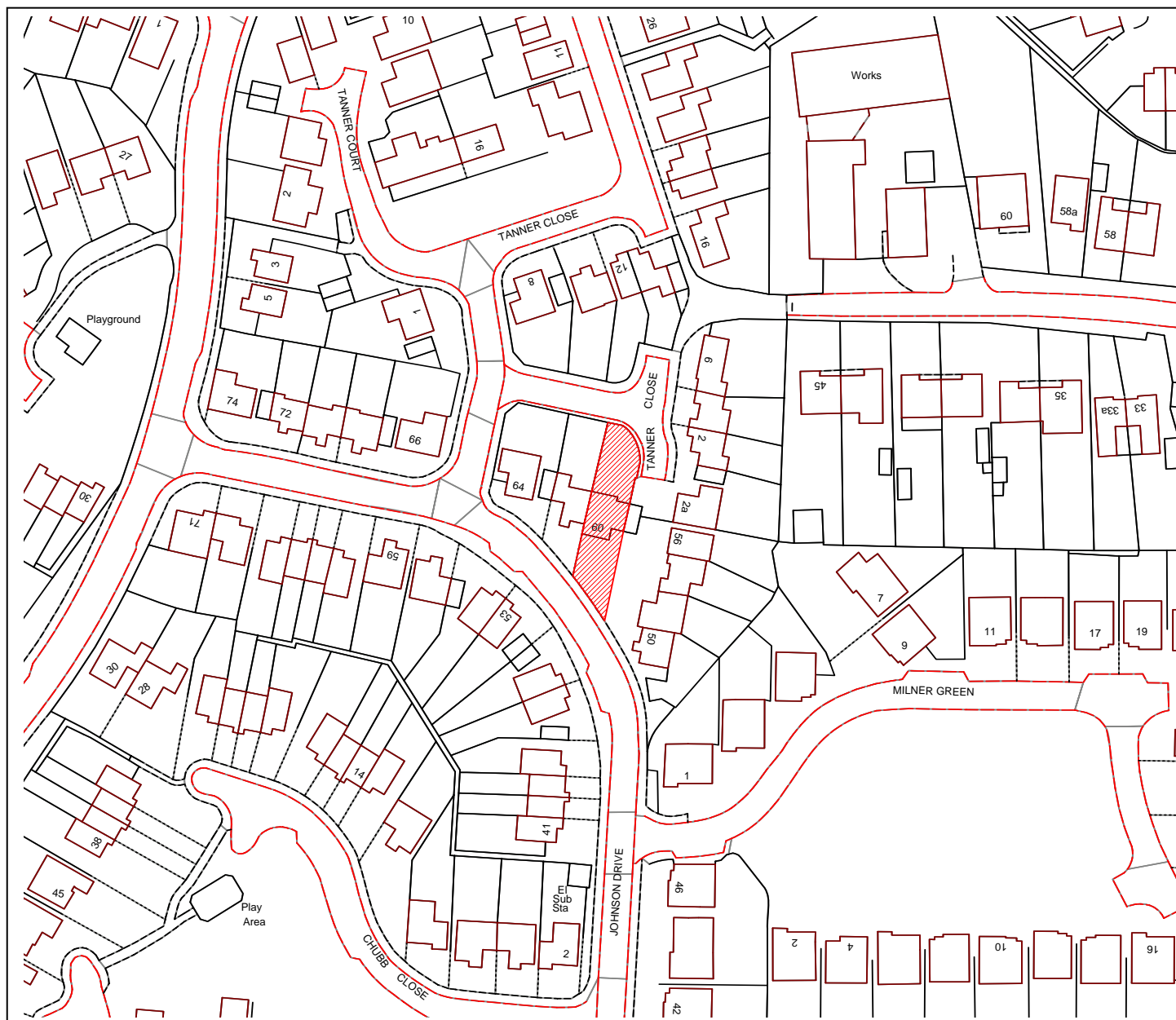
Applicant: Mr & Mrs J&V Iles
Date Reg: 22nd March 2007

Proposal: Erection of two storey side and single storey rear extensions to provide integral garage and additional living accommodation. Erection of front porch.

Parish: Oldland Parish
 Council

Map Ref: 65993 72390

Ward: Parkwall



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N.T.S

PK07/0934/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application concerns a two-storey semi-detached dwellinghouse that features an attached side garage that is linked to another single garage that is within the ownership of a neighbouring property. To the east of the site lies a private drive that serves a small number of neighbouring properties that are sited on an axis perpendicular to the application site.
- 1.2 As submitted the proposed scheme sought consent for a first floor extension over the existing garage and then a two-storey extension to the rear of the garage and then projecting out some 3.3 metres beyond the rear of the existing rear elevation. The proposed scheme also included a single storey rear extension that would have a lean-to roof that would also project 3.3 metres out to the rear. A front porch is also proposed with a simple dual pitched roof.
- 1.3 On the grounds of design and concerns over the effect on existing levels of residential amenity, the proposed side extension has been revised so the side extension has been maintained within the existing building lines – i.e. – there is no longer a two-storey projection to the rear with the extension now set flush with the rear elevation. The single storey extension has also been pulled back to 3 metres and now spans the width of the rear elevation.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages including Extensions
- 2.3 Supplementary Planning Guidance
South Gloucestershire Council Advice Note 2 – “House Extensions”

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
No objection

Other Representations

4.2 Local Residents

1no. consultation response was received from a local resident which expressed the following summarised objections to the proposed scheme:

- The proposed porch and side extension would severely affect the amount of natural light (which is already limited) and the outlook from the front of neighbouring houses that face onto the site;
- The proximity of the two-storey side extension in relation to neighbouring properties is too close and would dominate and diminish the appearance of the 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 to criteria relating to scale and design, highways, and impact upon visual and residential amenity.

5.2 Design/ Visual Amenity

Following the omission of the rear two-storey extension, the proposed two-storey element of the scheme now appears more in keeping with the scale of the dwellinghouse. Although the roof ridge is set flush with the main roof, the pitch of the extension does accord with the pitch of the gabled front elevation. Moreover, due to its limited width and set back position, it does retain a subservient role leaving the original dominant.

5.3 Residential Amenity

There are no concerns regarding the rear single storey extension, as at 3 metres depth it complies with the provisions of adopted supplementary guidance which states that extensions of such scale provide a reasonable addition whilst safeguarding the amenities of neighbouring residents.

5.4 With regard to the proposed porch, by reason of its scale and siting, it is not considered that its erection would lead to any adverse effects upon the amenities of neighbouring properties.

5.5 The main concern is with the proposed two-storey side extension, however as there is already a block of two garages which are set approximately 7 metres from the front of the nearest dwelling (No.56 Johnson Drive), it is considered that it is only the first floor extension that would will effect the existing site character.

5.6 Currently the distance between the flank wall of the subject building and the closest part of No.56 is approximately 12 metres. This distance is in line with the guidance set out by the Council for distances between habitable room windows and blank flank walls, however it is important to stress that this is only guidance and other matters need to be considered such as the relationship of the respective buildings in question and the tolerance levels to be expected which is dictated by the character of an area.

5.7 With the width of the extension being 2.5 metres (externally), the separation distance between the flank wall of the subject building and the front of the nearest residential property will be reduced from 12 metres to approximately 9.5 metres. Although this distance falls below the 12 metre guide, although the building will be brought forward, the existing outline of the building will not be increased.

5.8 The character of the area to the side of the application site is one that already has a sense of an enclosed nature. The key issue is therefore is whether the proposal would increase the sense of enclosure to a level that would be harmful to existing residential amenity levels.

5.9 It is considered that currently the outlook from the windows of No.56 is largely dominated by the garages and first floor flank wall of the subject building. Limited Views however do exist to either side of the house – to the south-west (towards Johnson Drive) and to the north-west (towards Tanner Close). It is considered that in the main, these views would remain following the reduction in scale, which was requested by officers to avoid any loss of existing outlook. However whilst the flank wall would move 2.5 metres closer to the property of No.56, it is considered that in light of the above, the relationship between the existing and proposed resultant building would not be so significant as to warrant a refusal on amenity grounds.

5.10 Transportation

The proposal includes a garage and leaves enough space for an additional casual off-street parking space. The level of off-street parking is therefore considered compliant with the standards set out within the Local Plan.

5.11 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission is to be APPROVED subject to the following conditions.

Background Papers PK07/0934/F

**Contact Officer: Robert Nicholson
Tel. No. 01454 863536**

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 windows other than those shown on the plans shall be inserted at any time in the elevations of the extension hereby approved.

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. 22/07 – 01 JUNE 2007

App No.: PK07/1087/F
Site: 11 Long Road Mangotsfield BRISTOL
 South Gloucestershire BS16 9HG
Proposal: Conversion of existing dwelling and
 erection of single storey rear extension
 to form 2no. self contained dwellings
 with associated works.
Map Ref: 66014 76403

Applicant: Mr N Fordham
Date Reg: 5th April 2007
Parish:
Ward: Rodway



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PK07/1087/F

INTRODUCTION

This application appears on the Circulated Schedule due to the receipt of two 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 2 no. self contained dwellings. The application also proposes to erect a single storey rear extension to the property which will form the living rooms of both new dwellings. The majority of the works will be internal and there will be no physical alteration to the front elevation of the dwelling.
- 1.2 The application site relates to a two-storey end-terrace dwelling located on a residential estate within Mangotsfield. The property is surrounded by dwellings of similar design and scale. The existing property has vehicular access to the rear off of a communal parking area. The surrounding area is quite 'green' having good public open space and semi-mature trees.
- 1.3 During the course of the application, additional information was requested from the agent to clarify the proposed boundary treatments. The information was received as requested.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H5	Conversion of Residential Properties
T8	Parking Standards
T12	Transportation Development Control
H4	Development within existing residential curtilages.

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/0174/F Erection of front porch and single storey rear extension to provide additional living accommodation.
Approved March 2005

4. CONSULTATION RESPONSES

- 4.1 **Town/Parish Council**
The area is unparished

Other Representations

- 4.2 **Local Residents**
Two letters of objection have been received from local residents. A summary of the points of concern is as follows:

- Parking issues – why isn't there parking to the rear. Existing parking at the rear could be reused
- Internally the properties will have the lounges at the rear – not in keeping with the neighbours
- Rubbish bins will need to be stored at the front of the property
- Cars will be parked under bedroom windows so exhaust fumes can enter bedrooms
- Cars parked will obscure visibility for neighbours (particularly children)
- The occupiers may own vans not just cars
- It will make it difficult for babies to sleep if cars are parked beneath their bedroom windows
- Issues of how the rear extension will be erected in relation to existing cavity walls
- Noise – both during construction and from people living in the proposed units.

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. Policy H4 of the South Gloucestershire Local Plan allows for extensions to existing dwellings providing a number of criteria are adhered to.

5.2 Design/Visual Amenity

When viewed from the front elevation, there are to be no external alterations to the exterior of the existing dwelling. From the highway therefore, the proposal will have no impact whatsoever upon the character of the area or street scene. There is to be a single storey extension to the rear of the dwelling and a new door is to be inserted into the side of the dwelling.

The single storey rear extension is to have a simple lean to type roof and is to be erected of materials to integrate fully with the original building. There is an existing flat roofed single storey protrusion that will be removed to make way for the extension as proposed and it is considered that the removal of this flat roofed structure would be beneficial. The new door to be added to the side elevation is to be flush with the existing wall and will not have any canopy detailing. The new door will not therefore be visually obvious from the highway and will not have any significant visual effect. The impact of the development on the design/visual amenity of the area is thus considered to be acceptable.

The application does propose to add three parking spaces to the front of the property and this will necessitate the removal of the scrub and grass currently covering the front garden. It is accepted that this will inevitably have some effect on the character of the area. However, consideration must be given to the fact that the neighbouring properties No. 13 and 17 already have their front gardens covered in hard landscaping with very little vegetation. A further material consideration is that as part of the previous application (PK05/0174/F) consent was granted to create vehicle access to the front of the property and to pave a large area of the front garden. It is not considered that the creation of three parking spaces to the front of the dwelling will be problematic or result in

any visual intrusion into the character of the area or surrounding street scene. A condition will be attached to ensure that a landscaping plan is submitted for the front area to show materials to be used in both hard and soft landscaping.

The design and visual impact of the conversion is thus considered to be acceptable.

5.3 Residential amenity

The majority of the works are internal and there is to be significant internal alteration via the installation of new stud walls. It is noted that a neighbour is concerned that the proposal could have detrimental impact on existing levels of amenity by means of noise transfer. However, it is apparent that consideration has been given to the internal layout of the buildings. Bedrooms are all at first floor where they will be adjacent to other bedrooms with the presumption that noise levels will be lower. At ground floor primary living accommodation (kitchens and living rooms) are to be adjacent to one another again reducing the possibility for noise transfer. In addition to the considered layout, the conversion works will also need to conform to the recent changes in Building Regulations, which require high standards for the reduction of transmitted noise.

The application clearly demonstrates how sufficient garden space will be provided to serve each of the new dwellings. The garden is to be divided equally into two parts and the resultant gardens will be separated by 1.8 metre high close boarded fence. Whilst the gardens will indeed be narrow, they will have sufficient length to be useable and are adequately sized to serve a two bedroomed dwelling.

There are to be no new or additional windows at first floor in the rear of the property and thus it is not considered that there will be any additional levels of overlooking or loss of privacy of neighbour's gardens.

The single storey rear extension as proposed is to have a depth of 3.3 metres – the same as the existing flat roofed protrusion. The attached property has a rear extension of the same depth already in place and thus the single storey extension will have no overbearing or overshadowing effect on the neighbouring property. The neighbour's concerns relating to the cavity wall will be addressed at building control stage and are not to be considered as part of this planning application.

Whilst no bin stores have been shown on the plans, there is ample space to the rear and side of the dwellings to provide adequate bin storage facilities. Discussions with the applicant have identified that they are willing to provide a right of access for the central property round the side of the end property to the rear – this would be subject to separate legal agreements and is not for discussion directly as part of this application. A condition will be attached to any consent granted stating that notwithstanding the submitted plans, the bin stores for both new dwellings shall be to the rear and details shall be submitted and agreed in writing prior to the first occupation of either house. The applicant has expressed full verbal agreement to such a condition. On balance therefore, it is not considered that the proposed conversions work would have any detrimental impact upon levels of residential amenity.

In order to alleviate the neighbours concerns about possible disruption from noise during the conversion itself, a condition will be attached to any consent granted to restrict the hours of construction.

Subject to the attachment of relevant conditions, it is not considered that the proposal would have any detrimental effect on existing levels of residential amenity.

5.4 Transportation Implications

In accordance with policy T8 of the South Gloucestershire Local Plan, three parking spaces have been provided to serve the new dwellings – one to serve one property and two spaces to serve the second dwelling. To provide more spaces than this would be over the maximum parking standards outlined in Policy T8.

Your officer agrees to a certain extent with the neighbours that ideally, parking would be to the rear of the dwellings off of the communal parking area as currently exists. However, the rear of the existing garden is not included in the application site but is to be retained by the owner of the dwelling. As a result, there is no access from the curtilages of the proposed two dwellings to the rear access lane. It is not therefore possible to insist on any other parking arrangement than that proposed and no other options exist. Despite the above, it is not considered that the access as proposed would result in any issues of highway safety.

Long Road is an unclassified highway and thus private vehicular access can be created without the need for planning consent. Visibility in either direction from the site is adequate given the location of the site in a 30mph zone. The distance between the front of the dwellings and the edge of the carriageway is 10 metres – ample to allow for the parking of a car or van. There is no reason therefore to believe that vehicles parking in the proposed spaces will block views for pedestrians.

It is common for vehicles to park on front gardens as can be seen at other properties in very close proximity to the site. There is no reason to believe that parking of vehicles in this instance will allow excessive exhaust fumes to enter bedrooms or cause disturbance to occupants of the properties.

It is considered that sufficient off street parking space has been provided and the development will have no adverse impact on existing levels of highway safety. The highway implications of the proposal are thus considered to be acceptable.

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 PK07/1087/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 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 provision of storage for refuse bins and boxes as been submitted to and agreed in writing by the Local Planning Authority. Notwithstanding the submitted plans, the bin storage for both properties shall be to the rear and steps will have to be put into place independant of this application to ensure the central property has full external right of access to the rear of their property. 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. The rear amenity space shall be divided as shown on the approved plans. 1.8 metre high close boarded fence shall be erected in the positions as shown prior to the first occupation of the units.

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.

5. The off-street parking facilities shown on the plan hereby approved shall be provided before the dwellings 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 Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No development shall take place until a scheme showing all hard and soft landscaping in front of the proposed dwellings has been submitted to, and agreed in writing by the Local Planning Authority.

Reason:

To protect the character and appearance of the area to accord with Policies D1 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

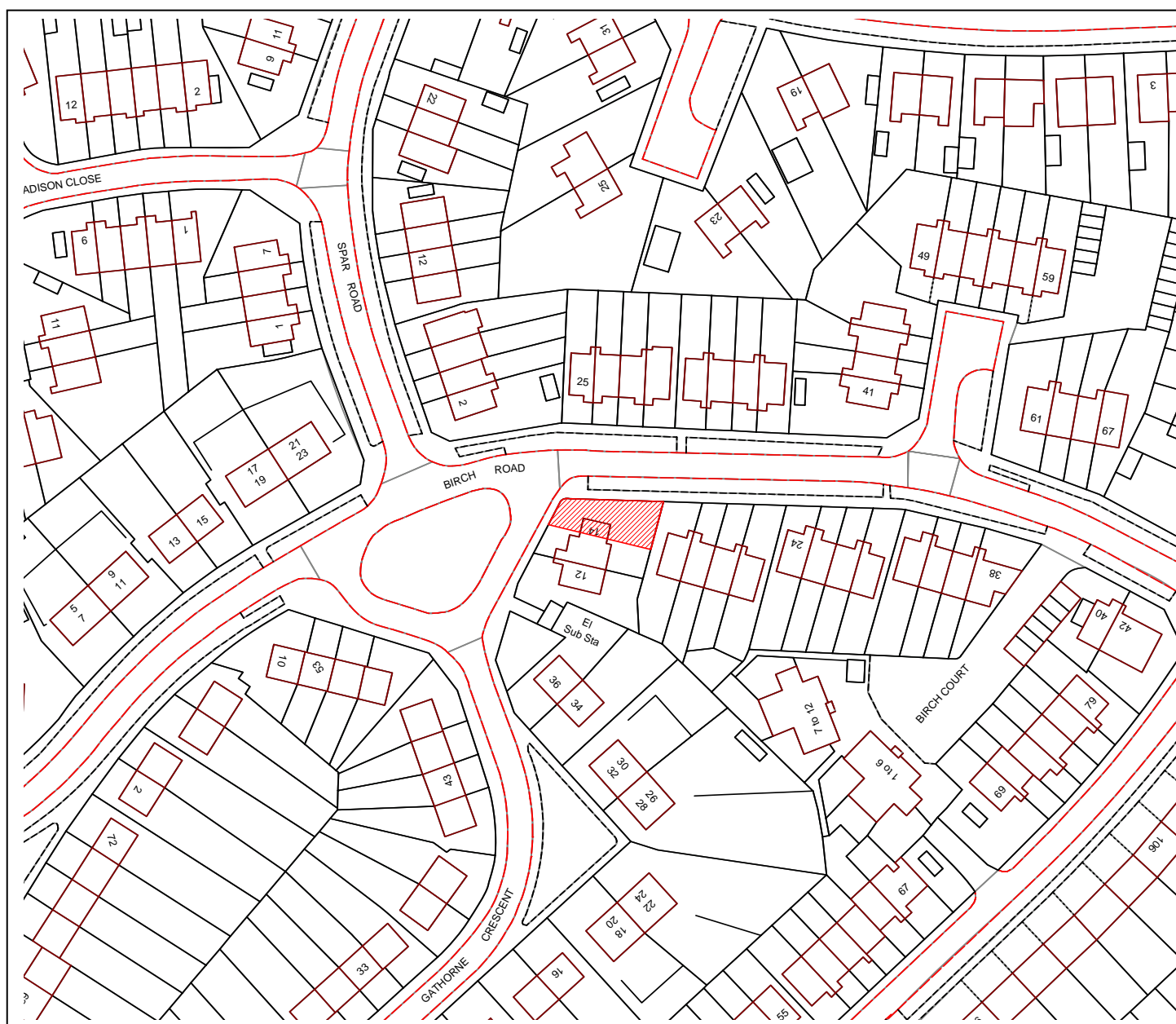
7. The hours of working on site during the period of construction shall be restricted to 8.00 to 18.00 Monday to Friday, 8.30 to 14.00 on Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason:

To minimise disturbance to occupiers of adjacent dwellings and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.: PK07/1148/F	Applicant: Mr S Baker
Site: 14 Birch Road Yate BRISTOL South Gloucestershire BS37 5ER	Date Reg: 13th April 2007
Proposal: Erection of two storey detached building to form 2 no. flats with parking, cycle store and associated works.	Parish: Yate Town Council
Map Ref: 70878 82887	Ward: Yate North



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N.T.S

PK07/1148/F

This application appears on the Circulated Schedule due to the submission of several neighbour objections and an objection from Yate Town Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two storey detached building to form 2no. flats with parking, cycle store and associated works. The building would have a maximum height of 7.8m, a maximum width of 6.2m and a maximum depth of 9.4m. To achieve the proposed development the garage and car port serving the existing dwelling would be demolished.
- 1.2 The application site is located within an entirely residential area of Yate. The area is characterised by semi-detached and terraced two-storey dwellings dating from the 1950's. The plot currently forms the parking area and side garden to the semi-detached dwelling at 14 Birch Road. This is a corner plot facing an open space at the centre of the junction of Birch Road and Gathorne Crescent. The proposal would involve the creation of a new vehicular access to Birch Road at the side of the plot to provide parking spaces for the two proposed flats.

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
L1 Landscape Protection and Enhancement
H4 Development within Existing Residential Curtilages
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control
- 2.3 Supplementary Planning Guidance
Advice Not 2 – House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Objection – Concern about parking. The loss of parking for No.14 will exacerbate an already serious parking problem on the roundabout. Access to parking for new dwellings will result in the loss of on-street parking spaces on Birch Road.

Other Representations

4.2 Local Residents

Six letters of objection have been received from local residents and the concerns raised can be summarised as follows:-

- The development will result in overlooking of adjacent properties.
- The proposal would result in the exacerbation of existing on-street parking problems.
- The new owner of No.14 will probably seek planning permission to turn the house into flats.
- Birch Road is narrow where the off-street parking for the flats will be located and this will be problematic due to the existing on-street parking in this location.
- Young children play in this area and the increase in vehicle movements is a cause for concern.
- The creation of a parking bay opposite the off-street parking for the flats should be a requirement.
- Building would be out of character with the local area.
- One bed homes are not needed in Birch Road as there are many in Yate already.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for development including new dwellings within existing residential curtilages subject to satisfying criteria relating to design and visual amenity, residential amenity, and highway safety. The application stands to be assessed against these criteria, other relevant policies and all material considerations.

5.2 Design/Visual Amenity

The proposed two storey building would have similar proportions to the existing semi-detached dwelling at No.14. The building would have gable ends to mirror the existing dwelling. The building would be rendered to match the other nearby properties and would have roof tiles to match. Although the other properties in the area are semi-detached or terraced, the proportions and materials to be used in the proposed development are not considered to be out of keeping with the area. The new building would be within 1m of the side boundary to the property and although this is closer than other corner plots in the vicinity the site is already developed at single storey to the boundary by the attached garage and car port to No.14. On balance, the proposal is not considered to be unduly prominent within the street scene or to detract from the character of the area.

5.3 From the submitted details and block plan it is unclear as to whether the existing side boundary wall and mature hedge screen planting will be retained or what the front boundary treatment to the flats will be, it is therefore suggested that a condition is attached to any permission requiring details of acceptable boundary treatments prior to the commencement of development.

5.4 Residential Amenity

The new building will have a blank gable facing the blank flank wall of No.14 at a distance of 0.8m and in line with the front and rear of No.14. As such the proposal will not have any overbearing impact on No.14 or result in any loss of privacy, whilst retaining a useable side access to No.14 for bin storage. The rear facing windows of the flats serve the open plan kitchen/lounge areas of both flats and at first floor would look over the front garden and drive to No.16

Birch Road, though there would be no inter-visibility and the windows would be 10m from the boundary in the same context as the rear windows of No.12 which overlook the private rear garden of No.16 at the same distance. The side facing elevation of No.16 has a blank elevation. In this context therefore, it is not considered that the proposal will result in any overbearing impact or result in any loss of privacy. Furthermore, the proposal retains sufficient private amenity space for No.14 and provides bin storage facilities for the flats and a private garden area for the ground floor flat. As such the impact upon residential amenity is deemed acceptable.

5.5 Sustainable Transport

It is acknowledged that there is a lot of on-street parking in the area. It is also noted that the application site is in a relatively sustainable location within Yate with shops and services nearby and reasonably close to the town centre. The proposal provides one off-street parking space for each of the two 1 bedroom flats and one space in front of No.14 for this existing dwelling. On a site visit this space was measured at 5m deep at the narrowest point between the house and the footway. A request has been for the application to change the red line to include the parking area for the existing house so that the provision of this space can be controlled by planning condition. Maximum parking standards in Policy T8 allow for 1 space per dwelling for one bedroom flats and two spaces for three bedroom houses. The provision of one space for the existing house is considered acceptable by the Council Highway Officer. Additionally cycle storage facilities are proposed for the flats though due to the proposed location of the cycle store for the first floor flat in the front garden, and the undesirability of this location, it is suggested that a condition requiring acceptably located cycle parking facilities is attached to any condition. In officers opinion the cycle parking facilities could be provided to the side of the building with the bin storage facilities.

5.6 Design and Access Statement

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

5.7 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted subject to conditions.

Background Papers PK07/1148/F

Contact Officer: Jan Saward
Tel. No. 01454 864969

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 colour, type and texture of the rendered finish to the external walls of the proposed building shall match that of the adjacent dwelling at No.14 Birch Road.

Reason:

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

3. The tiles to be used in the development hereby permitted shall match those of the adjacent dwelling at No.14 Birch Road in colour, texture and profile.

Reason:

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

4. No development shall take place until details of provision of storage for refuse bins and boxes and screen planting has 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 the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy D1 and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No dwelling shall be occupied until space has been laid out within the site for 2no.bicycles to be parked in accordance with a revised scheme that has been submitted to and approved in writing by the Local Planning Authority.

Reason:

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

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

Reason:

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

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.: PK07/1301/R3F

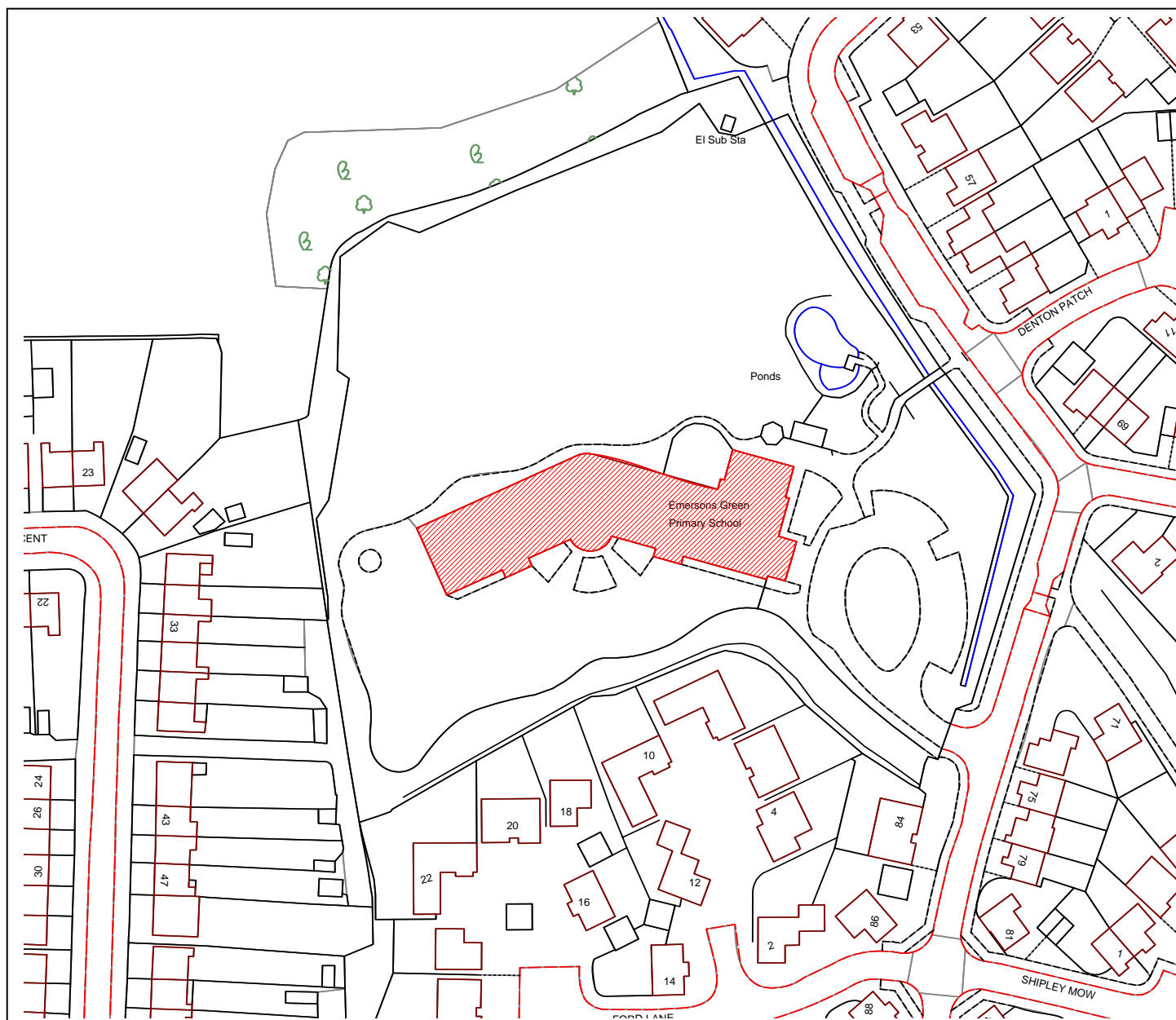
Applicant: Emerson's Green
Primary SchoolSite: Emersons Green Primary School Guest
Avenue Emersons Green BRISTOL
South Gloucestershire BS16 7GA

Date Reg: 25th April 2007

Proposal: Erection of single storey extension to
south west elevation to form new
classroom.Parish: Mangotsfield Rural
Parish Council

Map Ref: 66583 77067

Ward: Siston



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PK07/1301/R3F

INTRODUCTION

This application has been submitted on behalf of South Gloucestershire Council's Education Service and must therefore appear on the Circulated Schedule as a Regulation 3 submission.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a single storey extension on the south west elevation of the existing school to form a new classroom area with associated storerooms. The extension would be at single storey level only, in keeping with the remainder of the school and would add approximately 8 metres in length to the South Western end of the building. The extension would be to the full width of the existing building, at approximately 15 metres, and would retain its existing shape in the form of a gabled end.
- 1.2 The property itself is an existing primary school located within the residential area of Emersons Green. The school buildings are buffered from the surrounding residential area by grounds and mature boundary vegetation.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 – Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 – Achieving Good Quality Design in New Development

LC4 – Proposals for Education and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries

3. RELEVANT PLANNING HISTORY

- 3.1 P99/4086 – Erection of Primary School. Approved 19 October 1999

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No comments received

- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Local Residents
1 letter of objection has been received. The objection is on the grounds that the parking provision for parents dropping off children to the school is not sufficient and causes problems on surrounding roads, such extensions to the school will exacerbate the problem.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal for the development of an extension to the school at this location is considered acceptable in principle and in accordance with the relevant policies of the Development Plan, as referred to in the Policy section above, subject to acceptable detailed development control criteria. The use of the land would be within the existing school boundaries and would remain for the purposes of the school.

5.2 Residential Amenity

The extension would be of an acceptable scale for this location. There are not considered to be any overbearing impact or issues of overlooking associated with any other neighbouring properties. The single storey extension would be set within the existing school grounds sufficiently far from any surrounding properties and screened by mature hedgerow and trees on the boundaries.

5.3 Design

The design, scale and materials to be used are considered to be an acceptable form of development at this location and would be in keeping with the existing property. The proposed materials used would be matching the existing building.

5.4 Highways

The proposed extension is intended to improve facilities to the existing school and offer better facilities to existing pupils. It is not proposed that the facilities would be to increase the numbers of children attending the school. The proposed extension would not therefore have any effect on the issue of existing parking problems that are referred to by the local resident. There are no highways objections to the proposals.

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 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be granted.

Background Papers **PK07/1301/R3F**

Contact Officer: **Simon Ford**
Tel. No. **01454 863714**

CONDITIONS

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

Reason:

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

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

Reason:

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

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

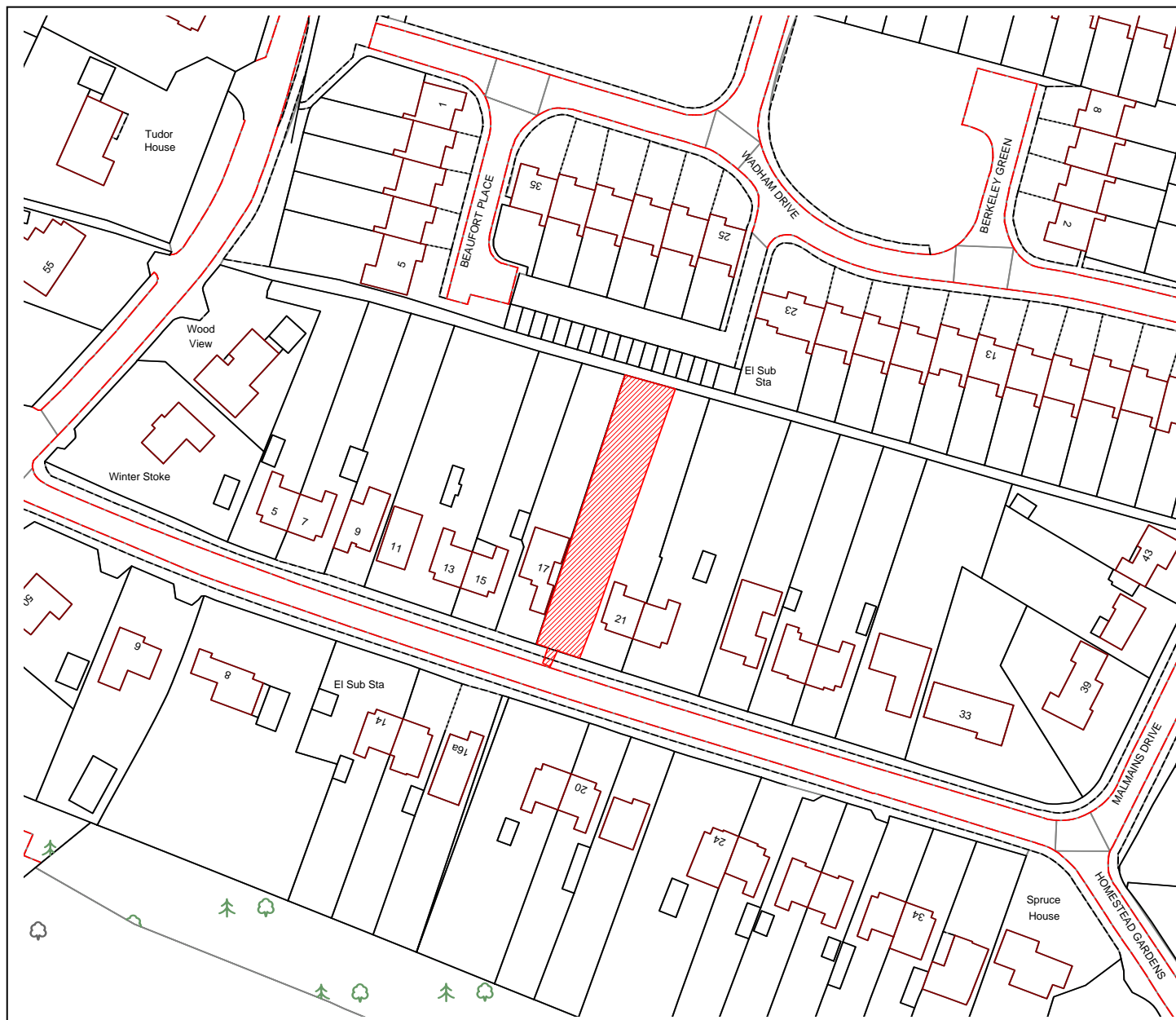
Reason:

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

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.: PT07/0868/F
Site: 19 Malmins Drive Frenchay BRISTOL
 South Gloucestershire BS16 1PQ
Proposal: Erection of dwelling with integral garage
 on 0.06 hectares of land.
Map Ref: 63830 78098

Applicant: Mr L Davison
Date Reg: 19th March 2007
Parish: Winterbourne Parish
 Council
Ward: Winterbourne



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N.T.S

PT07/0868/F

INTRODUCTION

The application appears on the Circulated Schedule as the transportation section has requested a financial contribution for the North Fringe Development Scheme.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of one dwelling, with an integral garage on 0.06 hectares of land. The proposed dwelling would provide three bedrooms, and an integral garage.
- 1.2 The application site relates to side garden land of 21 Malmain Drive. The street-scene is typified by semi-detached dwelling with spacious side gardens, which have been infilled with development.
- 1.3 During the course of the application amended plans were received that showed the position of the building line moved forward by 3 metres.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Adopted Joint Replacement Structure Plan

Policy 1	Sustainable development objectives
Policy 2	Location of development
Policy 33	Housing provision and distribution
Policy 34	Re-use of previously developed land
Policy 35	Housing density (20-25 per ha)

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
H2	Proposals for Residential Development, including Residential Institutions and Special Needs Accommodation, and Applications to Renew Permission for Residential Development, within the Existing Urban Areas and Defined Settlement Boundaries
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T7	Parking Standards
T12	Transportation Development Control Policy for New Development

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Consultation Draft)

3. RELEVANT PLANNING HISTORY

- 3.1 P90/2994 Erection of detached dwelling and car port. Construction of vehicular access. Approval
- 3.2 P89/1856 Erection of detached dwelling. Construction of vehicular and pedestrian access (outline). Refusal of outline planning permission. Approved at appeal

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

No objection

4.2 Transportation

No objection, subject to a contribution of £1,800 towards the North Fringe Development Scheme (Transport Measures).

4.3 Local Residents

Two initial letters of objection, which has since been removed in writing following receipt and consultation of amended plans.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Advice contained within PPS3 encourages the provision of additional housing on previously developed land within existing towns and cities to promote more sustainable patterns of development. This policy stance is reflected in policies contained with the Adopted Joint Replacement Structure Plan and South Gloucestershire Local Plan.

5.2 Policy H2 of the South Gloucestershire Local Plan March 2006 incorporates current planning advice contained within PPS3 and the JRSP and allows for new residential development within the boundaries of settlements provided the following criteria are complied with:-

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

With regard to residential amenity, following amended plans, the proposal is considered acceptable. The proposed dwelling would be sited three metres to the rear of 17 Malmain Drive, in line with the rear conservatory of this dwelling. Due to the proposed design of the dwelling the roofline slopes down from the ridge height of approximately 8.5 metres to 3.3 metres therefore any impact is lessened due the proposal not being an entire two-storey rear projection.

The position also allows the proposed stairwell to be stepped back from the neighbouring secondary windows, to prevent direct window relationships. On the east elevation there are two first floor windows both serving bathrooms, these would be conditioned as obscured glaze to prevent any loss of privacy, and a condition requiring planning permission should any further windows be added to this elevation.

In terms of impact on 21 Malmain Drive, in ownership of the applicant, there is a garage between the dwellings, and 21 Malmain Drive has constructed a single storey rear extension. It is not considered that the proposed dwelling would be overbearing for the occupiers of this dwelling, and would not result in a significant loss of privacy. Additionally, the position of the dwelling allows for light to enter the kitchen side window.

The proposed dwelling is considered acceptable in residential amenity terms, however should in the future there be any further development, this would need further assessment, as such a condition removing permitted development rights in this instance is considered appropriate.

In terms of transport the proposal provides an integral garage space, and sufficient driveway space for an additional off-street parking space. Given this the levels of provision are considered acceptable for a three bedroom dwelling.

The site is located within the North Fringe Development Scheme (Transport Measures) where a contribution of £1,800 is required to mitigate against increasing growth on the network. This will be attained under Section 278 of the Highways Act 1980.

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

Given its position within an established building line one dwelling is considered the most appropriate to the existing pattern of development and as such is an acceptable density level.

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

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

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

The proposal is for 1 dwelling and as such will not impinge upon the levels of service provision within the locality to a significant degree. The application therefore complies with this criterion and policy H2 as a whole.

5.3 Policy H4 of the South Gloucestershire Local Plan is also relevant as it relates to residential development within existing residential curtilages and is concerned with more detailed issues. This policy allows for new development provided the massing, scale, proportions, materials and overall design and character of the existing property and street scene are respected; the amenities of nearby occupiers are not adversely affected; highway safety/parking is acceptable and adequate private amenity space is available for the existing and proposed dwelling. Of the above, design and garden area have not been covered in any depth under the preceding paragraphs.

5.4 Design

The street-scene features an assortment of sized and designed dwellings. The neighbouring detached dwelling features a front sloped roof to serve an integral garage, and the proposal has used this theme in creating the design of the dwelling. There are examples of chalet style, two-storey semi-detached all within close proximity to the site.

The dwelling has been designed to best use the south orientation of the front elevation of the dwelling. The front features a long sloping roof which would be fitted with solar panels. The roof slope is to match the existing height of neighbouring dwellings. A light well has been introduced onto the west elevation. The proposed materials are render and brick which are mainly used along the street. Overall it is considered that the infill would be a suitable addition within the street-scene.

5.5 Garden Area

It is considered that there is sufficient garden space for both dwellings with long rear gardens and additionally front garden space, as such meets policy criteria.

5.6 Design and Access Statement

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

5.7 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. As mentioned above the application necessitates a contribution under the Highways 1980 Act for transportation mitigation; which is separate to the Town and Country Planning Act (as amended).

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers PT07/0868/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 east elevation of the property.

Reason(s):

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

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

Reason(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity [and to protect the residential amenity of the neighbouring occupiers] and to accord with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The hours of working on site during the period of construction shall be restricted to 07.30 to 18.00 hours Monday to Friday and 0800 to 13.00 hours on Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carry out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of the site.

Reason(s):

To minimise disturbance to occupiers of neighbouring dwellings and to accord with Policies H2 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor windows on the east elevation serving a bathroom and ensuite, shall be glazed with obscure glass only.

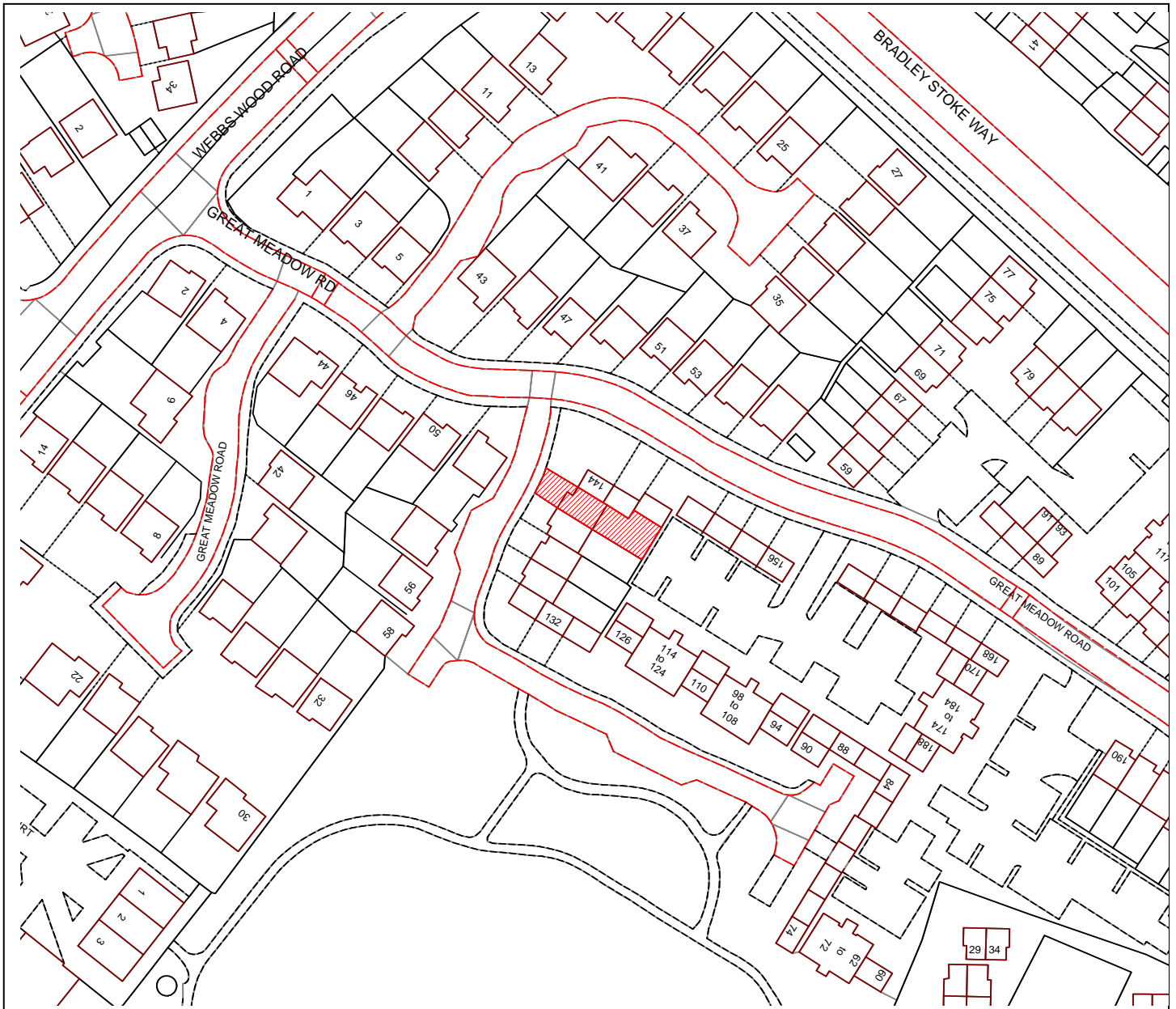
Reason(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.: PT07/1187/F
Site: 142 Great Meadow Road Bradley Stoke
 BRISTOL South Gloucestershire BS32
 8DA
Proposal: Erection of single storey rear extension
 to provide enlarged kitchen. Conversion
 of garage to provide playroom.
Map Ref: 62777 80965

Applicant: Mr & Mrs Anderson
Date Reg: 17th April 2007
Parish: Bradley Stoke Town
 Council
Ward: Bradley Stoke South



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 100023410, 2007.

N.T.S

PT07/1187/F

1. **THE PROPOSAL**

This application seeks planning permission for the erection of a single storey rear extension and the conversion of the garage into a play room. The property in question is a modern link detached house located within the established residential area of Bradley Stoke.

2. **POLICY CONTEXT**

National Guidance:

PPS1 Delivering Sustainable Communities

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Residential curtilage

Supplementary Planning Document

Design Checklist (Draft)

3. **RELEVANT PLANNING HISTORY**

None

4. **CONSULTATION RESPONSES**

Bradley Stoke Town Council:

No objection subject to there being sufficient off street parking provision

Local Residents:

Three letters of objection have been received to the proposal and they raise the following issues:

- Noise to neighbouring properties
- The extension will tie into the neighbouring property (Party wall act)
- Lack of access to 144 and 146 Great Meadow Road

5. **ANALYSIS OF PROPOSAL**

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to residential development including extensions to dwellings. It states that any development should be in keeping with the character of the property and the area generally in terms of size, design and materials and that residential amenity should not be adversely affected by the proposal.

Design

It is considered that this proposal in terms of its overall size, design and external appearance is in keeping with the existing property and those that surround it. The proposal will be constructed using materials that match those used in the construction of the main house. Thus ensuring that the proposed development blends in well with the original property.

Residential Amenity

It is considered that this proposal does not impact upon the amenities of any of the adjoining properties. Its size and design ensure that the proposal does not have an

overbearing impact on the surrounding properties nor does it result in a impact on their privacy. This is in the main due to the location of the extension to the rear of the property. No windows overlook this space so there is in impact upon privacy. There is also not considered to be an issue over noise. The proposed relationship between the neighbouring properties is one that exists in a number of other developments. A objection raises the issue of access to the rear walls of 144 and 146 Great Stoke Road, but the owner of these properties have never had access as it would have required them to enter 142 property. Thus there is no change from the existing position.

Transportation

As a result of the development the garage will be converted into a play room. Thus the property will be left with only one off street parking space. This will be a reduction on the present position however given that the Council has maximum parking standards as well as encouraging other methods of transport this is considered to be acceptable, given the location of development with a built up area with plenty of essential services. Consequently there is no objection.

Other Issues

The issue of the Part Wall Act has been raised, this is not a planning consideration but is covered by Building Control legislation.

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 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 **PT07/1187/F**

Contact Officer: **Gareth John**
Tel. No. **01454 863438**

CONDITIONS

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

Reason(s):

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

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.:	PT07/1229/F	Applicant:	Ms L Massey
Site:	55 Laxton Close Olveston BRISTOL South Gloucestershire BS35 4ED	Date Reg:	18th April 2007
Proposal:	Erection of single storey side extension and alterations to roofline of existing rear extension	Parish:	Olveston Parish Council
Map Ref:	60366 87091	Ward:	Severn



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N.T.S

PT07/1229/F

INTRODUCTION

This application has been placed on the Circulated schedule due to an objection to the proposal from a neighbour

1. THE PROPOSAL

This application seeks planning permission for the erection of a single storey side extension and alterations to the flat roof on the existing single storey rear extension. The application site is an end of terrace property within the established settlement of Olveston, and is within the Bristol and Bath Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Communities
PPG2	Green Belts
PPS3	Housing

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings.
GB1	Development within the Green Belt

Supplementary Planning Document

Design Checklist (Draft)
Green Belt

3. RELEVANT PLANNING HISTORY

3.1 N861...Erection of single storey rear extension, and front porch...Approved

3.2 P92/2330 Extension to existing garageApproved

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council
No objection

4.2 Local residents

One letter of objection has been received and it raises the following issues:

- Loss of light
- The neighbour is not allowing any scaffolding on their land as they have small children and they think it will be dangerous.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Green Belt

Planning Policy Guidance Note 2 Green Belts indicates that extensions to existing houses within the Green Belt may be appropriate development as long

as they are not disproportionate to the existing dwelling. This policy background is evident in the development plan.

This proposal would represent approximately a 23% increase in the overall size of the dwelling. The development is seen as not being disproportionate when compared to the size of the original property. The development does not have an impact upon the character of openness of the Green Belt in this location given its location amongst the surrounding built form. Therefore it does not represent a form of development that would conflict with the five criteria for including land within the green belt as specified in PPG2 Green Belts.

5.2 Design and Residential Amenity

In assessing applications for residential extensions, policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant. Extensions are normally permitted provided they are in keeping in design, size and scale to the existing property and area generally; do not adversely affect the amenities of nearby occupiers; allows for the retention of adequate, private amenity space and do not prejudice highway safety.

- 5.3 It is considered that this proposal does not have an unreasonable impact upon the amenities of any of the adjoining properties. Its size and design ensure that the extension does not have an overbearing impact on the surrounding properties nor does it result in an impact on their privacy. No windows look directly into the neighbour's property, however, in order to ensure this situation remains the same, a condition will be added to the consent restricting any new windows in the north east side elevation of the development.

The extensions design and size are in keeping with the house itself. The materials being used will match those of the existing property. Therefore it is considered that the proposal is in line with both Local and National policy for development of this type, in this location.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be granted

Background Papers **PT07/1229/F**

Contact Officer: **Gareth John**
Tel. No. **01454 863438**

CONDITIONS

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

Reason(s):

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

2. No windows 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. 22/07 – 01 JUNE 2007

App No.: PT07/1309/F
Site: Clanberris Redfield Road Patchway
 BRISTOL South Gloucestershire BS34
 6PJ
Proposal: Erection of single storey triple garage to
 serve the 3no. dwellings permitted under
 PT06/2797/F
Map Ref: 60681 81395

Applicant: Mr N Turpin
Date Reg: 25th April 2007
Parish: Patchway Town
 Council
Ward: Patchway



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N.T.S

PT07/1309/F

1. THE PROPOSAL

- 1.1 This full application relates to the construction of triple garage at Clanberris, Redfield Road, Patchway. The application is an amendment to previously approved application PT06/2797/F which related to the demolishing of bungalow and the erection of 3 detached dwellings. The site has been cleared and the buildings are currently under construction.
- 1.2 The application site is located within the urban area of Patchway and has no road frontage, located behind Redfield Road to the south. Vacant garden land exists to the north and east and to the west lies a two storey office building and twelve flats currently being erected.
- 1.3 The proposed building measures approximately 9.8m in width, 6m in depth and has a ridge height of 4.4m. The proposal has been amended to that originally submitted in that first floor office accommodation to be used in association with House 3 has now been omitted. All materials are to match the dwellings currently under construction. The building is located to the end of the access to the north-western corner of the site.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Adopted Joint Replacement Structure Plan

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 33	Housing Provision and Distribution
Policy 34	Re-use of Previously Developed Land
Policy 35	Housing Density
Policy 59	New Development – Transport Issues

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L1	Landscape Protection and Enhancement
L4	Forest of Avon
T8	Parking Standards
T10	Travel Plans
T12	Transportation Development Control Policy for New Development
H2	Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings

2.4 Supplementary Planning Guidance Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2797/F Demolition of existing bungalow and outbuildings to facilitate erection of 3 no. detached dwellings with car

parking and associated works.
Approved 11 January 2007.

4. CONSULTATION RESPONSES

4.1 Patchway Town Council
No response received.

4.2 Sustainable Transport
No objection.

4.3 Local Residents
5 letters have been received objecting to the proposal on the following grounds:-
a) office could be let;
b) office would increase traffic/more employees;
c) increase in parking;
d) overdevelopment;
e) access.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The principle of residential development has already been accepted by virtue of planning permission PT06/2797/F and the three dwellings are currently under construction. Policy H4 of the adopted Local Plan is particularly relevant as it relates to development within existing curtilages. Such development is permitted provided it is acceptable in design terms in relation to its size, scale, massing; would not prejudice residential amenities; is acceptable in transportation terms and allows for adequate private amenity space. It is considered that the application fails the above policy criteria on terms of design and residential amenity issues.

5.2 The existing site is large enough to accommodate a single storey development as proposed. Due to its location within the site and its single storey nature the proposal will not be overtly visible from Redfield Road and will not compromise the residential amenities of future or existing surrounding occupiers. No objection has been raised in terms of transportation issues and the development is to be constructed of materials to match the existing dwellings currently under construction. As such the proposal is in accordance with the development plan and is acceptable.

5.3 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.

5.4 Design and Access Statement

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be granted.

Background Papers **PT07/1309/F**

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

CONDITIONS

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

Reason(s):

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

2. This application shall be read in conjunction with planning permission PT06/2797/F and the conditions attached to that planning permission shall still apply.

Reason(s):

In the interests of the amenities of nearby occupiers, to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.: PT07/1329/TRE
Site: The Mount Hicks Common Road
 Winterbourne BRISTOL South
 Gloucestershire BS36 1LH

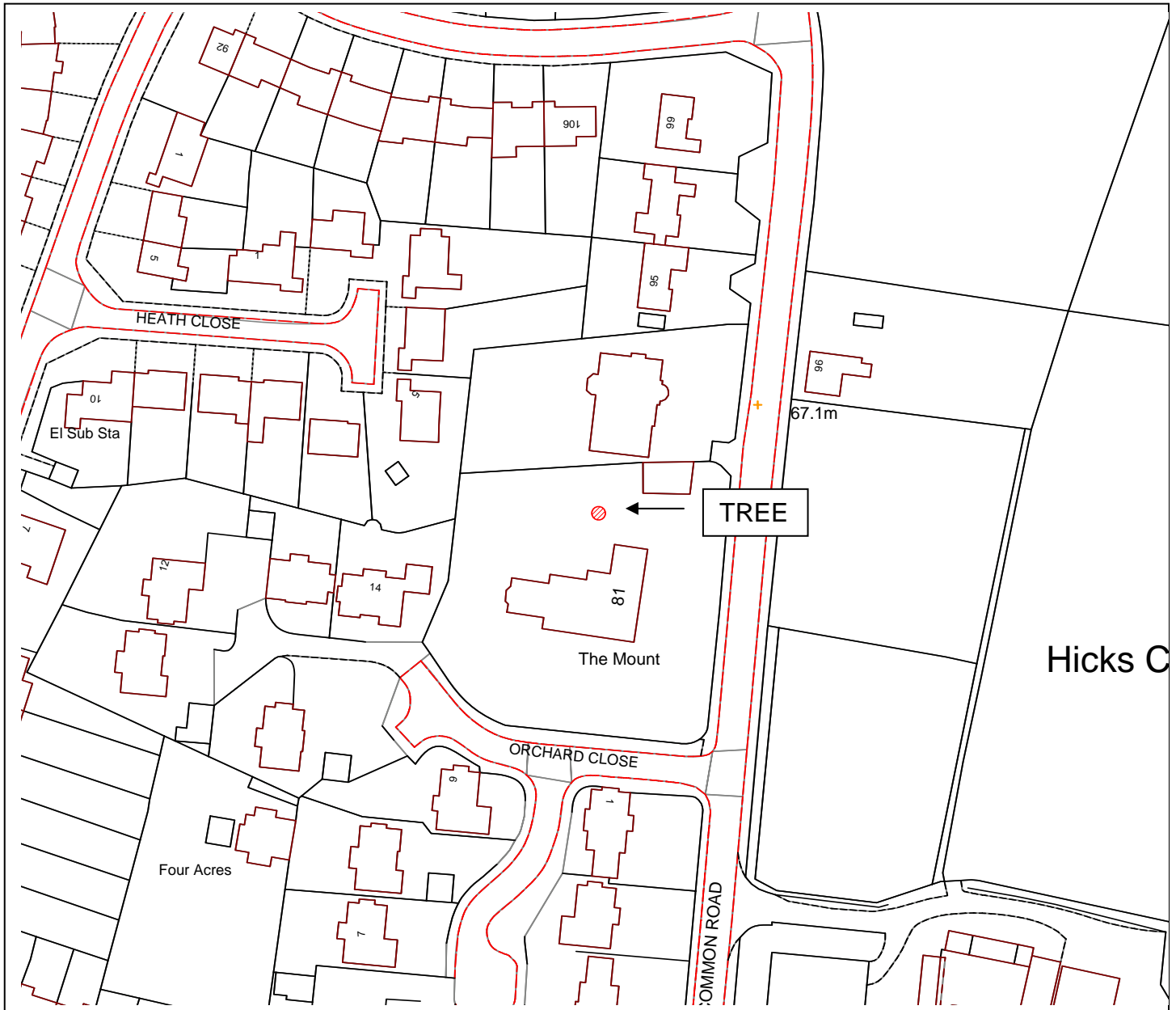
Applicant: Mr Handy
Date Reg: 26th April 2007

Proposal: Fell 1 no. Robinia tree (A1) covered by
 Tree Preservation Order no.291 dated
 12th July 1989.

Parish: Winterbourne Parish
 Council

Map Ref: 65410 80537

Ward: Winterbourne



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N.T.S

PT07/1329/TRE

INTRODUCTION

This application is circulated as a result of the Parish Councils objection.

1. THE PROPOSAL

- 1.1 The application seeks permission to remove the Robinia from the side garden of The Mount. The Mount is a detached house in walled gardens.
- 1.2 The site is located on the edge of the settlement boundary of Winterbourne and as such is not within the nearby greenbelt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
L1 Landscape Protection and Enhancement

3. RELEVANT PLANNING HISTORY

- 3.1 No tree applications in the last ten years

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
Object does not agree with felling the tree due to ivy, the ivy should be removed. The Parish Council requires a report from a South Gloucestershire Arboroculturalist.
- 4.3 Tree Officer
The tree is situated in the rear garden of The Mount, Hicks Common Road and is leaning heavily to the east and is overrun with ivy. The tree appears to be in decline. The foliage present is sparse and there is a large amount of deadwood throughout. A replacement will be established within the grounds but not in the same location as there are several other trees in close proximity which will need the space to fulfil their growth potential.
- 4.6 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to conserve and enhance the character, quality and amenity of the landscape and to retain and protect trees which contribute to the overall character or distinctiveness of the area.
- 5.2 Consideration of Proposal
The Robinia is one of many trees located in the garden and as this tree is in decline it is appropriate to have it removed in order to allow others to flourish. It is normal for a tree to be replaced by another of the same variety and in the same place but in this case it would not benefit the new tree due to the conflict

with other large trees nearby. As the grounds are large it is more appropriate to establish a new tree elsewhere and as such a condition is recommended to agree a new planting location.

The Council's Tree Officer has visited the site and does not object to the proposal.

6. CONCLUSION

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

6.2. The 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 permission be granted subject to the following conditions.

Background Papers PT07/1329/TRE

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

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason(s):

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

2. (A) replacement tree(s), the species, size and location of which is/are to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the felling hereby authorised.

Reason(s):

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the trees, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 22/07 – 01 JUNE 2007

App No.: PT07/1428/F
Site: Clanberris Redfield Road Patchway
 BRISTOL South Gloucestershire BS34
 6PJ

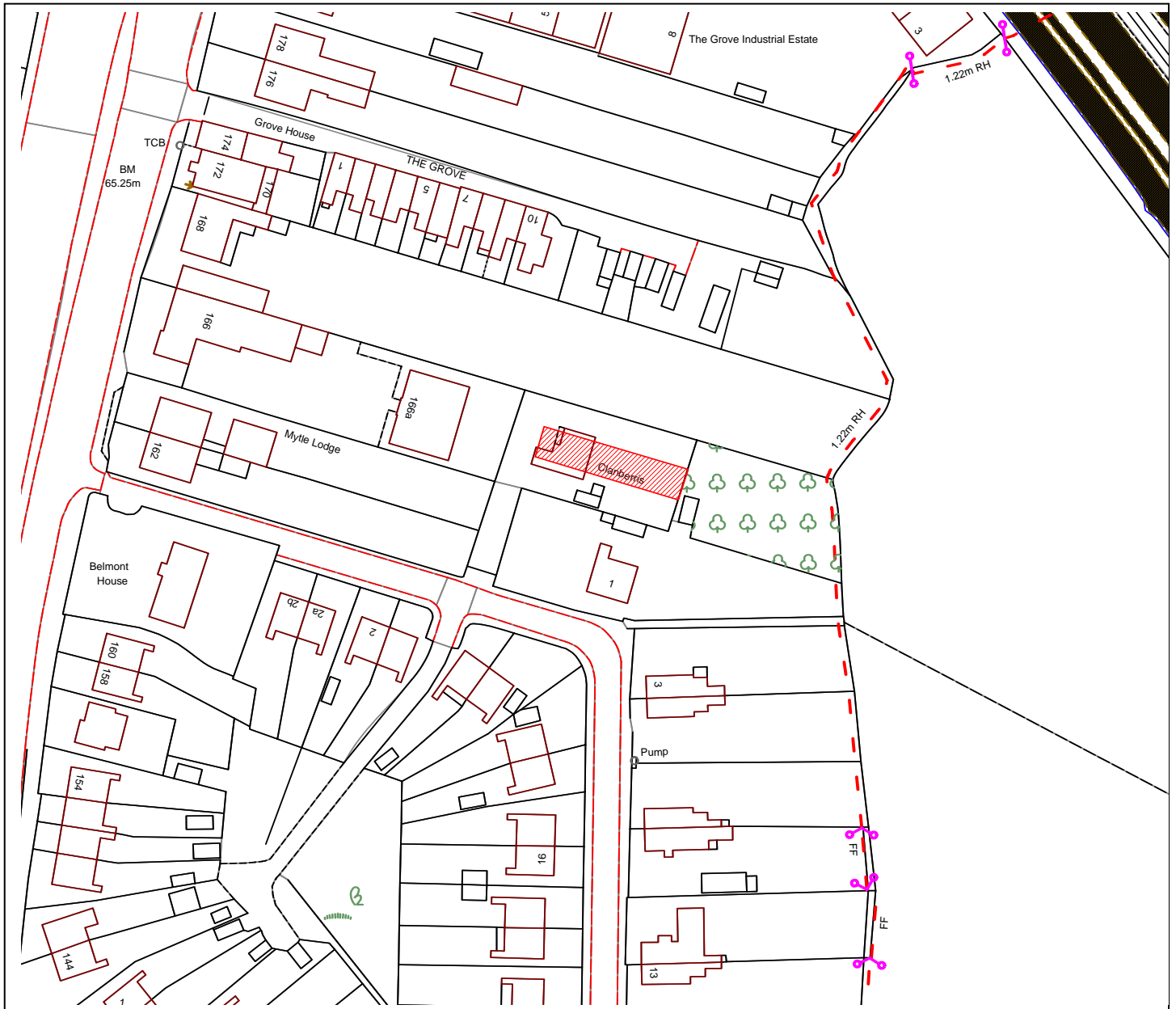
Applicant: Mr N Turpin
Date Reg: 8th May 2007

Proposal: Construction of first floor rear extension to form balcony to rear elevation of House 2 (amendment to planning permission PT06/2797/F).

Parish: Patchway Town Council

Map Ref: 60687 81400

Ward: Patchway



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N.T.S

PT07/1428/F

1. THE PROPOSAL

- 1.1 This full application relates to the construction of rear balcony involving the erection of a first floor rear extension at House 2, Clanberris, Redfield Road, Patchway. The application is an amendment to previously approved application PT06/2797/F which related to the demolishing of bungalow and the erection of 3 detached dwellings. The site has been cleared and the buildings are currently under construction.
- 1.2 The application site is located within the urban area of Patchway and has no road frontage, located behind Redfield Road to the south. Vacant garden land exists to the north and east and to the west lies a two storey office building and twelve flats currently being erected.
- 1.3 The proposed first floor extension replicates the design of houses 1 and 3 either side of the application site.

2. POLICY CONTEXT

- 2.1 National Guidance
- | | |
|-------|------------------------------------|
| PPS1 | Delivering Sustainable Development |
| PPS3 | Housing |
| PPG13 | Transport |
- 2.2 Adopted Joint Replacement Structure Plan
- | | |
|-----------|-------------------------------------|
| Policy 1 | Sustainable Development Objectives |
| Policy 2 | Location of Development |
| Policy 33 | Housing Provision and Distribution |
| Policy 34 | Re-use of Previously Developed Land |
| Policy 35 | Housing Density |
| Policy 59 | New Development – Transport Issues |
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
- | | |
|-----|--|
| D1 | Achieving Good Quality Design in New Development |
| L1 | Landscape Protection and Enhancement |
| L4 | Forest of Avon |
| T8 | Parking Standards |
| T10 | Travel Plans |
| T12 | Transportation Development Control Policy for New Development |
| H2 | Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries |
| H4 | Development within Existing Residential Curtilages, Including Extensions and New Dwellings |
- 2.4 Supplementary Planning Guidance
Design Checklist (Consultation Draft)

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2797/F Demolition of existing bungalow and outbuildings to facilitate erection of 3 no. detached dwellings with car parking and associated works. Approved 11 January 2007.
- 3.2 PT07/1309/F Erection of triple garage to serve all three dwellings

(amendments to planning permission PT06/2797/F)
As yet undetermined but with a recommendation for consent.

4. CONSULTATION RESPONSES

4.1 Patchway Town Council

No response received.

4.2 Sustainable Transport

No objection.

4.3 Local Residents

1 letter has been received objecting to the proposal on the grounds of loss of privacy.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of residential development has already been accepted by virtue of planning permission PT06/2797/F and the three dwellings are currently under construction. Policy H4 of the adopted Local Plan is particularly relevant as it relates to extensions to existing residential dwellings. In this particular instance such development is permitted provided it is acceptable in design terms and would not prejudice residential amenities.

5.2 The proposed extension replicates the design of house 1 and 3 either side of the application site and is therefore in keeping with the character of the area and the development as a whole. Residential amenity will be unaffected by the proposal as the balcony is Juliette in style and flush with the rear elevation, thus ensuring that no overlooking or loss of privacy will occur. As such the application accords with the above policy criteria and the adopted development plan and is acceptable.

5.3 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).

5.4 Section 106 Requirements

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Planning permission be granted.

Background Papers **PT07/1428/F**

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

CONDITIONS

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

Reason(s):

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

2. The application shall be read in conjunction with planning permission PT06/2797/F and the planning conditions attached to that permission still apply.

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.