



**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. 29/09

Date to Members: 24/07/09

Member's Deadline: 30/07/09 (5pm)

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

Members will be aware that the Director of Planning, Transportation and Strategic Environment has a range of delegated powers designed to improve the efficiency and effectiveness of the Development Control service. The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Area Committees or under delegated powers including:

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development
- g) Applications for the following major development:
 - (a) Residential development the number of dwellings provided is 10 or more, or the development is to be carried out on a site having an area of 0.5 ha or more and the number of dwellings is not known.
 - (b) Other development(s) involving the provision of a building or buildings where the floor space to be created is 1000 sq. m or more or where the site has an area of 1 ha or more.

GUIDANCE FOR 'REFERRING' APPLICATIONS

Members are entitled to refer any application for consideration by the relevant DC Committee or Sites Inspection Committee, before a decision has been made. However as call-ins will delay the decision on an application in the interests of improving the effectiveness and efficiency of the Development Control service, this option should only be exercised after careful consideration. Members are therefore asked to take account of the following advice:

- Before referring an application always speak to the case officer or Area Team Leader first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. Do not leave it to the last minute
- Always make your referral request in writing, either by letter, e-mail or fax, preferably using the proforma provided. Make sure the request is sent to the Development Control Support Team (East or West as appropriate), not the case officer who may not be around to act on the request, or email PlanningApplications@southglos.gov.uk. Please do not phone your requests, as messages can be lost or misquoted.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised

CIRCULATED SCHEDULE

DATE: 24/07/09

SCHEDULE NO. 29/09

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

The Circulated Schedule is designed to improve the effectiveness and efficiency of the Development Control service. To minimise referrals to the Area Committees, Members are requested to discuss the case with the case officer or team leader to see if any issues can be resolved without using Committee procedures for determining the application.

COUNCILLOR REQUEST TO REFER A REPORT FROM THE CIRCULATED SCHEDULE TO THE APPROPRIATE COMMITTEE

NO. OF SCH	APP. NO.	SITE LOCATION	REASON FOR REFERRAL
Have you discussed the application(s) with the case officer and/or area team leader?			
Have you discussed the application with the ward members(s) if the site is outside your ward?			

Please note: - Reason for Referral

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

SIGNATURE

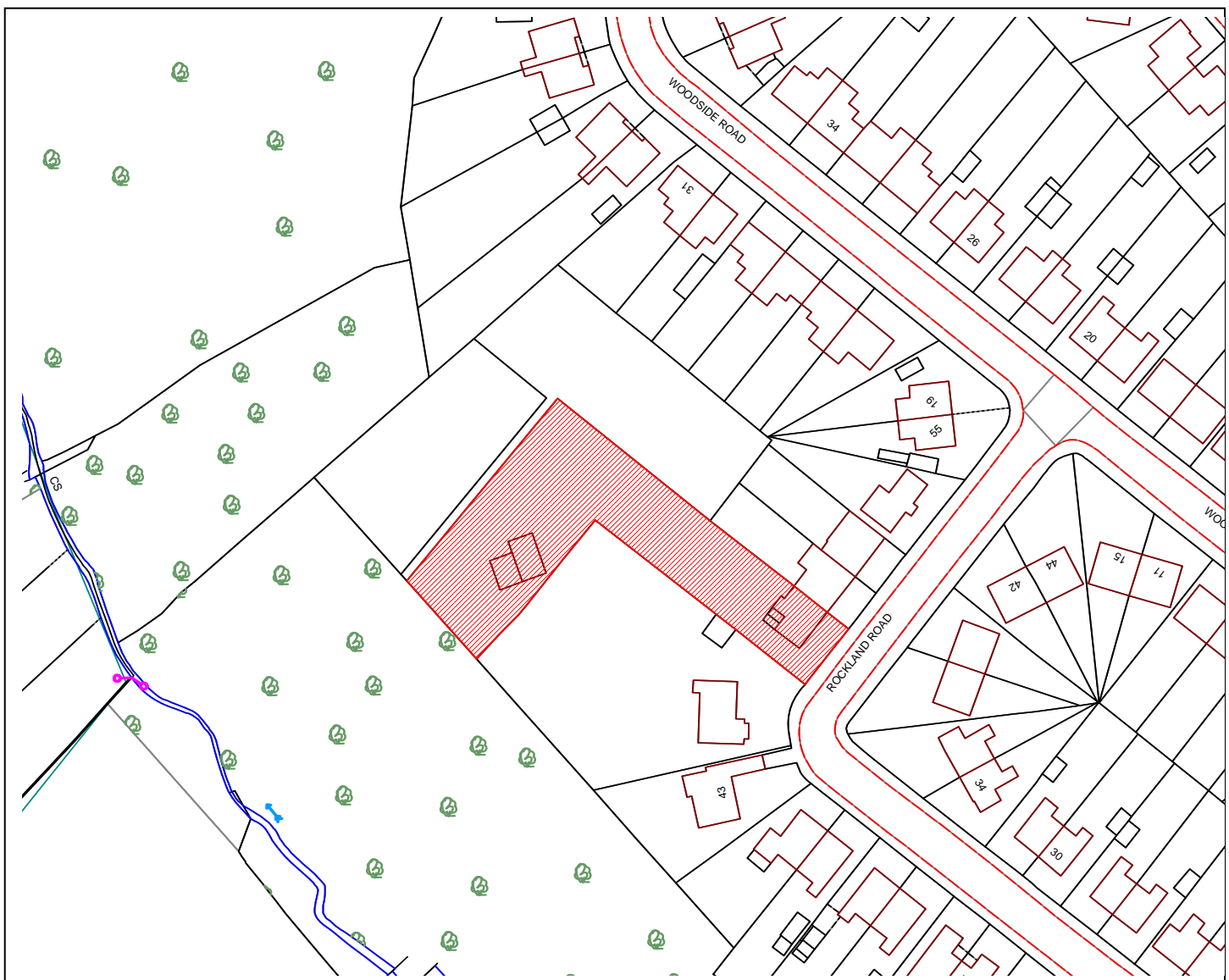
DATE

Circulated Schedule 24 July 2009

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1	PK09/0964/RM	Approve with conditions	47 Rockland Road, Downend, South Gloucestershire, BS16 2SW	Downend	Downend and Bromley Heath
2	PK09/1005/F	Approve with conditions	49 Kingsholme Road, Kingswood, South Gloucestershire, BS15 1RJ	Kings Chase	
3	PK09/1052/F	Approve with conditions	4 Kilnhurst Close, Longwell Green, South Gloucestershire, BS30 9AB	Longwell Green	Hanham Abbots Parish Council
4	PK09/1068/F	Approve with conditions	2 Woodyleaze Drive, Hanham, South Gloucestershire, BS15 3BY	Hanham	Hanham Parish Council
5	PK09/1123/TRE	Approve with conditions	Land adjacent to 213 Blaisdon, Yate, South Gloucestershire, BS37 8TS	Dodington	Dodington Parish Council
6	PK09/1140/RVC	Approve with conditions	Morrisons Supermarkets Plc, Station Road, Yate, South Gloucestershire, BS37 5PW	Yate North	Yate Town Council
7	PK09/1177/TRE	Approve with conditions	Land adjacent 181 Long Croft, Yate, Bristol, South Gloucestershire, BS37 7YU	Yate North	Yate Town Council
8	PT09/1074/F	Approve with conditions	26 Clyde Road, Frampton Cotterell, South Gloucestershire, BS36 2EE	Frampton Cotterell	Frampton Cotterell Parish Council
9	PT09/1082/R3F	Approve with conditions	Wheatfield Primary School, Wheatfield Drive, Bradley Stoke, South Gloucestershire, BS32 9DB	Bradley Stoke Central and Stoke Lodge	Bradley Stoke Town Council
10	PT09/1083/F	Approve with conditions	Site of Previous Falfield Garage, Road, Falfield, South Gloucestershire, GL12 8DF	Charfield	Falfield Parish Council
11	PT09/1105/F	Approve with conditions	1 Manor Lodge, Manor Lane, Winterbourne, South Gloucestershire, BS36 1QJ	Winterbourne	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 29/09 – 24 JULY 2009

App No.:	PK09/0964/RM	Applicant:	Mr T Smith
Site:	47 Rockland Road, Downend, South Gloucestershire, BS16 2SW	Date Reg:	27th May 2009
Proposal:	Erection of 3 no. dwellings with garages and detached garage for existing dwelling. (Approval of reserved matters to be read in conjunction with outline planning permission PK07/0970/O). (Resubmission of PK09/0164/RM).	Parish:	Downend and Bromley Heath
Map Ref:	64420 77279	Ward:	Downend
Application Category:	Minor	Target Date:	17th July 2009



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100023410, 2009.

N.T.S

PK09/0964/RM

INTRODUCTION

This application is reported on the Circulated Schedule due to the receipt of objections contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks approval of Reserved Matters, following the outline planning permission for three four bedroom houses which was allowed on appeal. Under that permission, all matters, namely access, appearance, landscaping, layout and scale, were reserved for consideration at this stage. Therefore the only issue resolved at the outline stage was the principle of development – that three four bedroom houses could be built on this site. These issues will be examined separately below.
- 1.2 The site is the rear garden of No. 47 Rockland Road. The rear garden is long 'L' shaped, with its last part forming a rectangular area where three dwellings could be accommodated. Access is proposed to be derived next to the existing house, which is a semi-detached property, close to a bend in a residential road with a regular design and pattern of development.
- 1.3 The location of the development is determined by the shape of the site. The access would run next to the side garden of the adjoining property, No. 45 and the application site wraps around the rear garden of this property, abutting it at the end of No. 45's garden. The proposed houses would form a group around the turning circle at the end of the access road. Also proposed is a garage to serve the host dwelling, with dimensions of 6 x 6 metres with a height of 2.2 metres to eaves and 4.2 metres to the apex.
- 1.4 There are a number of trees on the site at present, which comes close to backing onto the Frenchay Conservation Area, marked at this edge by a forest. Since the built form of the proposal would be separated from the Conservation Area, this is not taken to be a concern regarding the proposal.

2. POLICY CONTEXT

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006

H4	Development within residential curtilages
H2	Residential Development
L1	Landscape and trees
T7	Cycle Parking
T8	Car parking
T12	Transportation
- 2.3 Supplementary Planning Guidance
Design checklist

3. **RELEVANT PLANNING HISTORY**

- 3.1 SG8886/1 Erection of dwelling to rear of 47/51 Rockland Road (outline)
Refused due to backland development and inadequate access
- 3.2 PK07/0964/RM Erection of three dwellings with garages and detached
garage for existing dwelling Refused: Allowed on appeal

4. **CONSULTATION RESPONSES**

- 4.1 Downend & Bromley Heath Parish Council
No objection

- 4.2 Other Consultees
Environmental Protection
No objection in principle. Suggest informatives.

Technical Support

No objection in principle, subject to advice and informatives and a condition governing Sustainable Drainage

Sustainable Transportation

Outline planning permission has been granted on this site via an appeal decision (PK07/0970/O) to erect three dwellings on the site. A previous reserved matters application (PK09/0164/RM) was withdrawn prior to its determination. This current proposal provides adequate parking for the three new dwellings and the existing dwelling. There is also an acceptable turning area provided within the site boundary. On that basis, there is no transportation objection to this proposal.

Other Representations

- 4.3 Local Residents

2 letters of objection were submitted, citing the following concerns:

- Inadequately proportioned turning area at 16.5 metres
- Too much of the site will be covered with concrete or tarmac

- The plans fail to indicate that land beyond the site is a legal right of way to the woodland – boundary fences have been removed along the side of this path
- Trees within the site have been cut down
- Plans do not have dimensions marked on them
- The agents for this application have objected to a similar application at No. 45 Rockland Road and have offered to withdraw that objection if the access to No. 45 is refused.

NB The last four points are not relevant planning matters in the determination of this application. The applicants have no obligation to indicate what exists outside their site, any trees which have been cut down do not benefit from statutory protection. One of them had died. The plans are in scale and all dimensions can be measured on them and this site is to be considered separately from the adjoining one.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The following analysis has taken into account, as appropriate, the issues to be resolved regarding the reserved matters: access, appearance, landscaping, layout and scale.

5.2 Residential Amenity

The appeal decision made clear the impact of the proposal in terms of access on the existing dwelling and the neighbouring dwellings was not harmful. Since the access would necessarily lead from the road to the rear of the site, as demonstrated in this Reserved Matters application, it is considered that this issue needs to no further assessment.

The remaining issues related to the new dwellings themselves and the relationship between them and the adjoining properties. In this regard, the Inspector, in not objecting, decided that the site was of an adequate size to provide 3 four bedroom dwellings and amenity space to serve them. The reserved matters application is considered to have borne this out as the gardens for the new dwellings and the residual dwelling are considered to be adequate in size and location, leaving them relatively private. Overlooking of the surrounding gardens is considered to have been minimised and intervisibility between the proposed and existing houses eliminated through the use of inter alia, blank elevations and high level and glazed windows. A further condition has been appended below to ensure that no later windows would be inserted, which may affect existing levels of residential amenity. Subject to this it is considered that the proposal would accord with policies H2 and H4 in this regard.

5.3 Design and Visual Amenity

The consultation process raised the issue of the length of the access and the attendant amount of the site which would be taken up with road surface. This is considered to be correct, but with the outline permission in place for three dwellings on this site it is considered that any other layout would cause problems with residential amenity and make the development more prominent. In addition to this, the Inspector, in allowing the appeal, considered that the development would not be harmful because of the screening of the front of the site provided by the residual house. This factor itself is considered to allow only for built development (detached garage apart) at the rear of the site and the factor of site coverage with the means of access is therefore considered to be unavoidable.

Scale

A cross section through the site has been submitted in order to demonstrate that the proposed dwellings would be of a smaller scale than those in Rockland Road. This is considered to be appropriate as there should be a hierarchy of scale which respects development along the major road, reflected in any supplementary development being subservient to it. To this end, the eaves height for the proposed dwellings is lower than that of those in Rockland Road and the overall height of the three proposed dwellings has been reduced as well, somewhat aided by the topography, as the cross section shows. This approach is also in line with the Inspector's Decision Letter which allowed the appeal on the basis that No. 47 would screen the dwellings in its rear garden.

The lesser scale of the proposed houses aids that relationship and complies with policy D1 in this respect.

Layout

As mentioned at 1.2 and 5.3 above, the site is L shaped and this presents problems in terms of siting the proposed dwellings. Since outline permission exists for 3 four bedroom dwellings, the floorplate of the buildings also plays some part in determining the possible layout of the proposal. It is considered that the positions now put forward represent virtually the only practical solution to this problem. The previous application proposed a different layout, but this left one of the dwellings in an isolated position. This application groups them around the turning space at the end of the access, which is considered to form a distinct group, set well back from the properties in Rockland Road. The proposed layout is therefore considered to be the appropriate layout for this site, taking into account the Inspector's Decision Letter, in terms of design, access opportunities and preserving residential amenity.

Appearance

The constraints explained above also dictate to a large extent the floorplates of the proposed dwellings and this in turn has a major impact upon their appearance, certainly in terms of bulk and form. The two more similar proposed dwellings at the western edge of the site, while being quite close to the site boundaries, have long plots and have been designed as a handed, matching pair. The revision of the double garages down to singles opens up their frontages and is considered to aid an appropriate residential appearance. The front door is not readily visible but overall, the buildings still 'read' as dwellings. Across the turning area from these two proposed houses, the long front of the single dwelling which completes the group would be visible. The dwelling would have more of a cottage-style appearance, with an informal window pattern which stems from its (necessary) single aspect. There are also three windows proposed to overlook the garden of the house and these would be visible from the access and serve to illustrate the residential nature of the development. The appearance of the proposal is therefore considered to accord with the relevant policies listed above.

Landscaping

The layout allows little space for additional landscaping, as it comprises three new dwellings, with discrete gardens and the rear garden of No. 47, the opportunities for landscaping are effectively limited to around the turning area and much of that space would provide access to the properties fronting it. A hedgerow is indicated to run along the site's end boundary in the metre gap between the house and 'footpath'. It is considered that some form of landscaping will be required, where practicable, around the turning area in order to soften a large area of hard surfacing and this is the reason for the landscaping condition shown below. With three new garden areas to be created, it is considered that trees and shrubs likely to be planted by the owners once they have moved in will help to soften the appearance of the site overall and there is no need for specific landscaping details for rear gardens which would then bind the subsequent householders.

Access

The plans indicate that the driveway will be paved with block paviors at the turning area, with bitmac (tarmac) used for the rest of the drive and presumably

for the areas in front of the garages and parking spaces. This is considered to provide an acceptable contrast of materials which should not lead to an unacceptable dominance of one material alone. Given that an adequate level of parking is proposed, off street, to serve the development and that this meets the Council's minimum parking standards, it is considered that the proposal complies with policy T8. The turning area is tight, but acceptable also, given the constraints mentioned in previous paragraphs and is considered to accord with policy T12 in this regard.

5.4 Effect on Conservation Area

The Council's Conservation Area Officer reported with the outline application that at present the tree cover is very good and hides the houses in Rockland Road from view. On that basis, no objection was raised at that stage and it is considered that the same analysis applies to the current proposal, particularly given that now the location of the houses is a factor for consideration, they would be sited away from sight from the Conservation Area.

5.6 Tree Issues

With the outline application it was found that the oak tree in the centre of the site had been struck by lightning and is therefore not in a state of health which would merit the service of a Tree Preservation Order, despite the amenity value which the tree offers the locality. Other trees on the site are closer to the edges and the proposed dwellings could be built within this site, without compromising the existing trees.

5.7 Other Issues

Detached garage

The proposed garage would be the first visible building on approach to the site beyond No. 47. Its proportions are considered to be appropriate for a double garage and its location would be approximately equidistant from the rear of No. 47 to the side elevation of the cottage style detached dwelling, which is considered to help link the proposed dwellings with the existing one successfully in visual terms. It is also considered to give enclosure and privacy to the side garden of the proposed house – effectively its only amenity space.

Drainage

A condition suggested below would require drainage details for the development along the lines of Sustainable Drainage (SUDS). This would have to be cleared before development could commence.

5.8 Design and Access Statement

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

5.9 Use of Energy and Sustainability

No measure for achieving sustainability have been specifically mentioned in the Design and Access Statement, although natural stone is proposed to face the two matching dwellings on their front elevation as head and quoins for the single house to mark the door. Barge and fascia boards are declared to be oak and therefore will be capable of weathering without maintenance. Therefore

some of the materials proposed are considered to be capable of being sourced sustainably. The scheme will meet the standards controlled through the Building Regulations and will incorporate Sustainable Drainage, as required by condition.

5.10 Improvements achieved to the scheme

Revised location of one of the dwellings, reduced garages from doubles to singles and detailed design changes were negotiated between the previously withdrawn application and this one.

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.

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

7. RECOMMENDATION

7.1 That planning permission is approved, subject to the conditions shown below.

Background Papers PK09/0964/RM

Contact Officer: Chris Gosling

Tel. No. 01454 863787

CONDITIONS

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

Reason:

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

2. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be

submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

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

Reason:

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

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

Reason:

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.

5. The glazing as indicated to be of obscured glass on the approved plans shall at all times be of obscured glass to a level 3 standard or above.

Reason:

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.

6. The walls and fences shown on the approved plans shall be erected in the positions indicated prior to the first occupation of the dwelling which they screen and thereafter retained.

Reason:

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

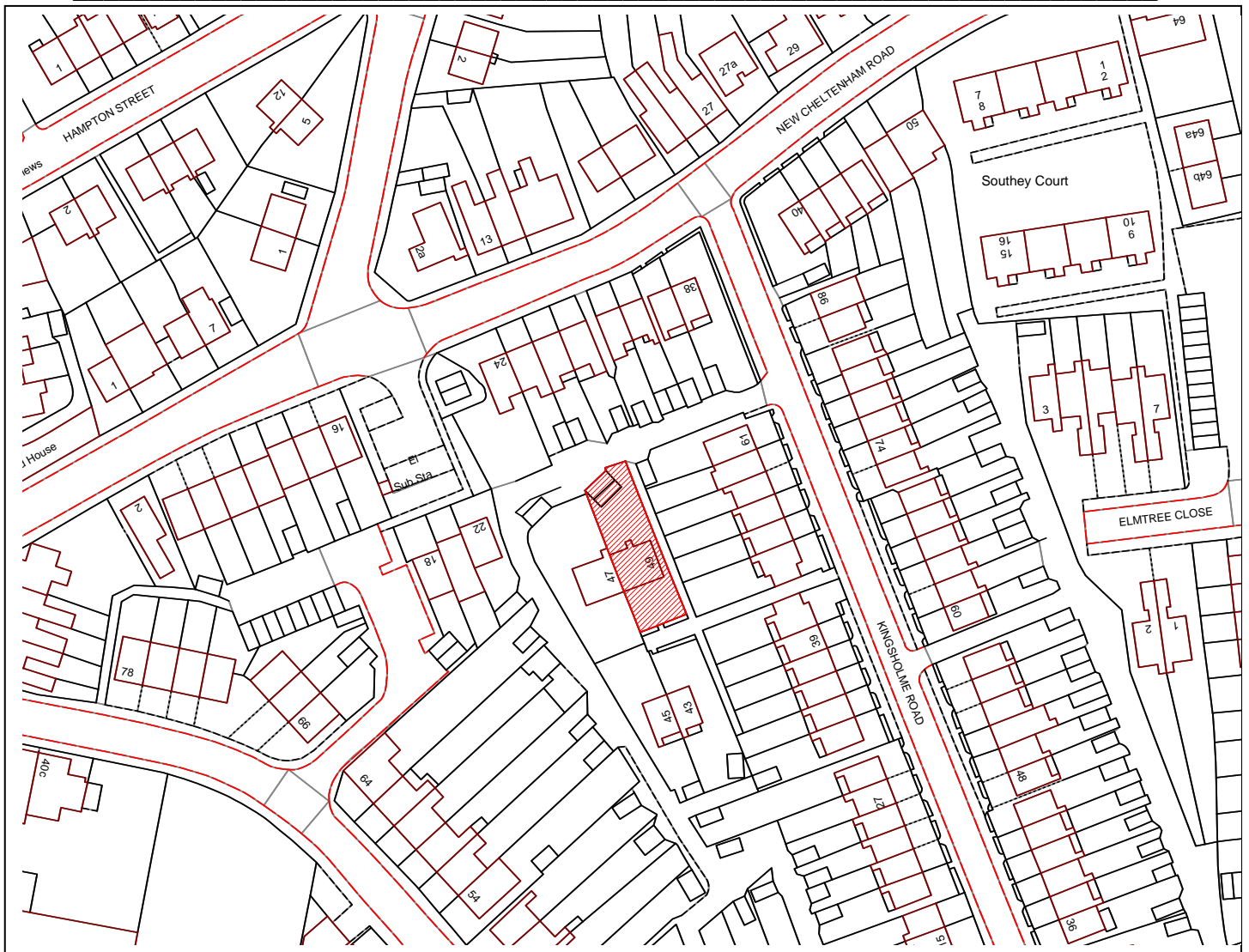
7. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting);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

Reason:

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

CIRCULATED SCHEDULE NO. 29/09 – 24 JULY 2009

App No.:	PK09/1005/F	Applicant:	Mr C Jones
Site:	49 Kingsholme Road, Kingswood, South Gloucestershire, BS15 1RJ	Date Reg:	1st June 2009
Proposal:	Erection of two storey side extension to facilitate the subdivision of existing dwelling into 2no. dwellings with parking and associated works. (Resubmission of PK09/0075/F).	Parish:	
Map Ref:	64775 74249	Ward:	Kings Chase
Application Category:	Minor	Target Date:	22nd July 2009



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PK09/1005/F

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of local residents' objections.

1. THE PROPOSAL

- 1.1 This is a resubmitted application seeking full planning permission for the erection of a two storey extension to the side of the existing dwelling, No. 49 Kingsholme Road. The existing dwelling is to be subdivided into two dwellings. The side extension would form part of new dwelling, No. 49A, and it provides an utility room, a toilet on the ground floor and 2 no. wardrobes on the first floor.
- 1.2 Previous planning application was refused for the following reason:
- 'The proposed development, by reason of its scale, design and wall materials, would be out of keeping with the character of the host dwelling and would also have a harmful impact upon the character of the area'.
- 1.3 The main difference of this proposal is the design and proposed materials of the side extension. During the course of the application, a revised drawing submitted to indicate the wall to the parking space would be cut back in order to respond the Council Highway Officer's concerns.
- 1.4 The application site relates to a two storey, semi-detached dwelling within a residential area of Kingswood.

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
L18	The Water Environment (SuDs)
T7	Cycle Parking Standards
T8	Car Parking Standards
T12	Transportation Development Control
H4	Development within existing residential curtilages
H5	Residential Conversions

2.3 Supplementary Planning Guidance

Design checklist.

3. RELEVANT PLANNING HISTORY

- 3.1 P80/4255 (Previous K3236) Erection of a single storey rear extension.
Approved 21.05.80
- 3.2 PK03/1729/F Erection of rear conservatory
Approved 14.07.03
- 3.3 PK09/0075/F Erection of two storey side extension to facilitate the subdivision of existing dwelling into 2 no. dwellings with parking and associated works.
Refused 24.02.09

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
The area is unparished
- 4.2 Sustainable Transport
No objection
- 4.3 Technical Support – Drainage
No objection

Other Representations

- 4.4 Local Residents
One letter of objection has been received raising the following concerns:
 - (i) The existing sewage system in Kingsholme is already under stress
 - (ii) Parking at no. 49 is limited and the proposal will cause more congestion in the area.
 - (iii) Any new building would be out of keeping and would have an overbearing impact on surrounding properties with the loss of open space.
 - (iv) The proposal would need a removal and resiting of overhead power lines to the lane, which is currently used for access, motor cycles and refuse bins. The erection of a pole would cause a safety and access hazard.
 - (v) The cavity wall and staircase within the boundary wall would not meet with building and safety requirement.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 allows for extensions, including new dwellings, within existing residential curtilages where the design and impact upon existing levels of amenity are considered to be acceptable. These include satisfactory parking facilities and not prejudicing the character of the surrounding area and residential amenity. Policy T8 advised of parking standards and Policy T12 of the South Gloucestershire Local Plan controls development which may affect highway safety. Policy H5 allows for conversion of residential properties into smaller units of self contained accommodation providing a set of criteria are satisfied.

5.2 Design/Visual Amenity

The application property as currently stands is a two-storey semi-detached dwelling. The proposal is to erect a two-storey extension to the side of the existing dwelling. The side extension is of narrowed width in comparison to the size of the original dwelling. The extension would have a pitched roof to match the existing dwelling and would be finished with matching materials. Officers consider that the extension would not have any adverse impact upon the character and appearance of the host dwelling and area, and concerns previously expressed have been resolved.

5.3 Residential amenity

The plans show a small area of garden space to be provided to serve both dwellings. Given that both units are to have two bedrooms each, it is considered that the provision of amenity space is acceptable.

One landing window is proposed to the side elevation of the extension. As it would be looking over neighbours' garden, it is considered that a planning condition is imposed to ensure that the window would be non-opening obscure glazed window.

5.4 Transportation Implications

A previous planning application (PK09/0075/F) to extend and separate the dwelling into two two-bed houses was refused. However, no transportation objection was raised to this proposal.

This current proposal again seeks to erect a two storey side extension to facilitate its subdivision to form two two-bed dwellings.

Due to the location of an existing telegraph pole, the parking arrangements have been changed from the previous proposal. It is now proposed to leave the parking arrangements as they are currently and use the garage for the existing dwelling and provide a single parking space in the rear garden for the new dwelling.

As officers were concerned that the proposed parking arrangements would be difficult to use, the applicant submitted a revised proposal to remove part of the boundary wall adjoining the existing pathway up to the start of the proposed parking space. In this instance, officers therefore consider that the proposed parking arrangement is acceptable.

5.5 Drainage

Regarding the concerns of the existing drainage within the area, the proposal will need to meet the building regulations.

The Council Drainage Engineer raised no objection to the proposal and advised that the proposal would comply with Sustainable Drainage Systems requirement.

5.6 Other issues

There are a number of other issues raised by local residents and they are addressed as follow:

With regard to the issues over the lane, the applicant confirmed that the development would not affect the existing lane.

With regard to the relocation of the overhead power line and pole, it would be applicant's responsibility to resolve the issues with the utility providers.

The proposed extension will also need to meet the relevant building regulations.

5.7 Design and Access Statement

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

5.8 Use of Energy and Sustainability

A planning condition is imposed to ensure that a sustainable drainage system will be installed to protect watercourses and reduce the risk of localised flooding, pollution and other environmental damage.

There would be adequate space for the storage for non-recyclable waste and recyclable household waste with a Local Authority collection scheme.

5.9 Improvements achieved to the scheme

Not necessary.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK09/1005/F**

Contact Officer: **Olivia Tresise**
Tel. No. **01454 863761**

CONDITIONS

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

Reason:

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

2. 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.

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

Reason:

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

4. Prior to the use or occupation of the development permitted, and at all times thereafter, the proposed first floor window on the side elevation shall be glazed with obscure glass to level 3 standard or above and shall be permanently fixed in a closed position.

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.

5. Notwithstanding the submitted details, prior to the commencement of the development, surface water details incorporating Sustainable Drainage Systems for the parking area and access shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development.

Reason:

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

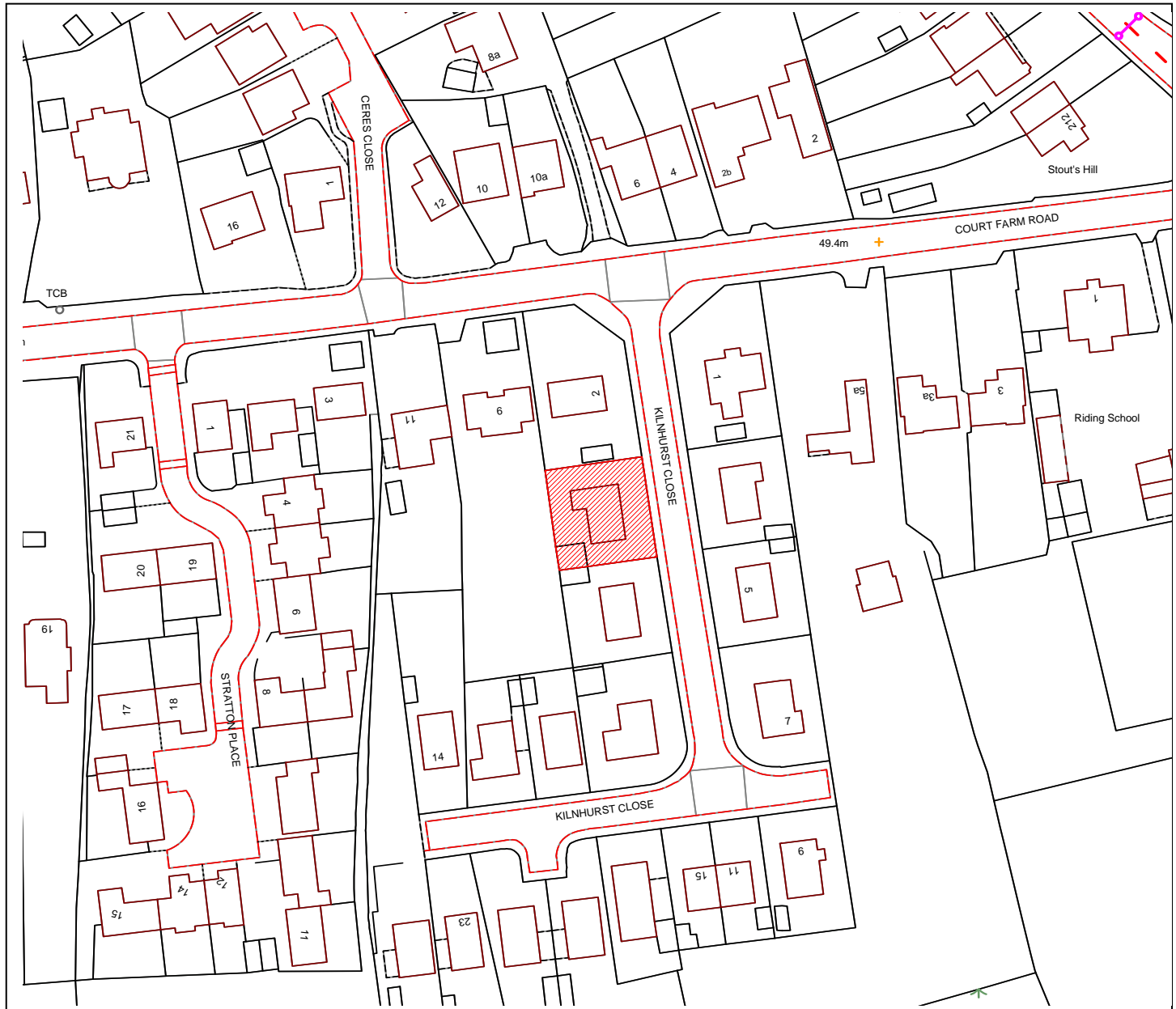
6. The off-street parking facilities including the proposed access shown on the plan hereby approved shall be provided before the building is first occupied, and the demolition of the part of the boundary wall shall be carried out and made good before the building is first occupied. The parking facilities shall be 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 T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 29/09 – 24 JULY 2009

App No.:	PK09/1052/F	Applicant:	Mr D Wallace
Site:	4 Kilnhurst Close, Longwell Green, South Gloucestershire, BS30 9AB	Date Reg:	9th June 2009
Proposal:	Erection of single storey rear extension to provide additional living accommodation.	Parish:	Hanham Abbots Parish Council
Map Ref:	65964 70612	Ward:	Longwell Green
Application Category:	Householder	Target Date:	3rd August 2009



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N.T.S

PK09/1052/F

INTRODUCTION

This application appears on the circulated schedule due to the receipt of one letter of objection from the parish council and 7 letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a single storey extension to the rear of the existing dwelling. The extension as proposed would have a depth of 4 metres and a width of 7.9 metres. There is an existing rear conservatory in place that would need to be demolished to make way for the extension as proposed. The application also includes other internal alterations such as the removal of one bedroom and the creation of an en-suite and walk in wardrobe in its place, which does not require planning permission.
- 1.2 During the course of the application the scheme has been altered quite significantly. As originally submitted, the plans included a front porch and the demolition and rebuilding of the existing garage attached to the dwellinghouse, in addition to the rear extension currently proposed. The alterations were offered voluntarily by the applicants in response to neighbour objections and were not requested by the case officer. Following the receipt of revised plans, the description was amended and the necessary reconsultation carried out.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development

H4 Development within Existing Residential Curtilages, Extensions and New Dwellings

3. RELEVANT PLANNING HISTORY

- 3.1 No history

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
Object to the application on the following grounds, 'This would constitute overdevelopment and have an overbearing effect on No. 6 Kilnhurst Close. The proposed extensions are out of character with the rest of the development in this area. The proposed pantiles to be used on the roof are at variance with the double roman tiles used on surrounding properties. The proposed garage to side elevation eliminates one parking space in the driveway resulting in a loss of off street parking. The proposed front porch appears to be beyond the building line.'

These comments were received in relation to the initial set of plans – no revised comments have been received on the resubmitted plans and thus the original concerns are still assumed to stand.

Other Representations

4.2 Local Residents

7 letters of objection have been received from local residents. 5 letters were received in relation to the original set of plans – only two letters have been received in relation to the revised plans. It is therefore assumed that the original letters of objection still stand. A summary of the points of concern are as follows:

- Bringing forward the garage will take away a parking space
- The proposed position of the garage will change the look of the immediate neighbourhood and detract from the appearance of the original dwelling.
- The proposed rear extension overlooks the neighbours garden
- The windows in the side of the extension will overlook the neighbours garden from only 3.5 metres which is accentuated by the fact that the neighbours garden is at least 1.2m lower
- The elevations show a hipped end but the plan shows a gable end
- Any tiles would be out of keeping unless they were identical both in type and colour
- The neighbour would like a condition to ensure no new windows in the north elevation of the extension
- The neighbours have recently removed a hedge and intend to move their garden shed
- The neighbour would not be willing to remove any trees from their garden
- The porch would be forward of the building line and out of keeping with the character of the area
- Pantiles are no suitable when the house has double roman tiles

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met.

5.2 Design/ Visual Amenity

The proposed extension meets an appropriate standard in design and reflects the modern character of the main dwelling house and surrounding properties. The extension is of modest size in comparison to the bulk of the main dwelling and is suitably subservient too it. The design of the extension is thus considered to be acceptable.

It is noted that the elevations show the extension to have a hipped roof whereas the block plan shows it to have a gable end. This is clearly a mistake. In order to be certain that the extension is built correctly a condition will be

attached to ensure that the extension is built with a hipped roof exactly in accordance with the elevations.

It is also noticed that a number of local residents are concerned about the use of inappropriate tiles on the extension. The application form does state that the proposed external finishes will match the existing tiles. Your officer is not therefore concerned about the external finish of the proposed extension.

5.3 Residential Amenity

The extension has a depth of 4 metres and is to be located centrally within the curtilage away from the boundary with the neighbouring properties. Given that the extension is single storey only and visibility from the proposed rear windows will be obstructed by existing boundary treatments there will be no impact upon the property to the rear. Because of the boundary treatments and changes in ground level however, it is accepted that any new windows in the north elevation of the extension facing towards No. 2 Kilnhurst Close would have an impact upon existing levels of amenity. A condition will therefore be attached to ensure that no new windows are added into the north elevation of the extension without written consent for the local planning authority.

It is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. The impact on residential amenity is subsequently deemed acceptable.

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

7. RECOMMENDATION

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

Background Papers **PK09/1052/F**

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

CONDITIONS

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

Reason:

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

2. Notwithstanding the proposed site block plan submitted, the extension must have a hipped roof in accordance with the details shown on plan AD(0)110 received by the Council on 22nd June 2009.

Reason:

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

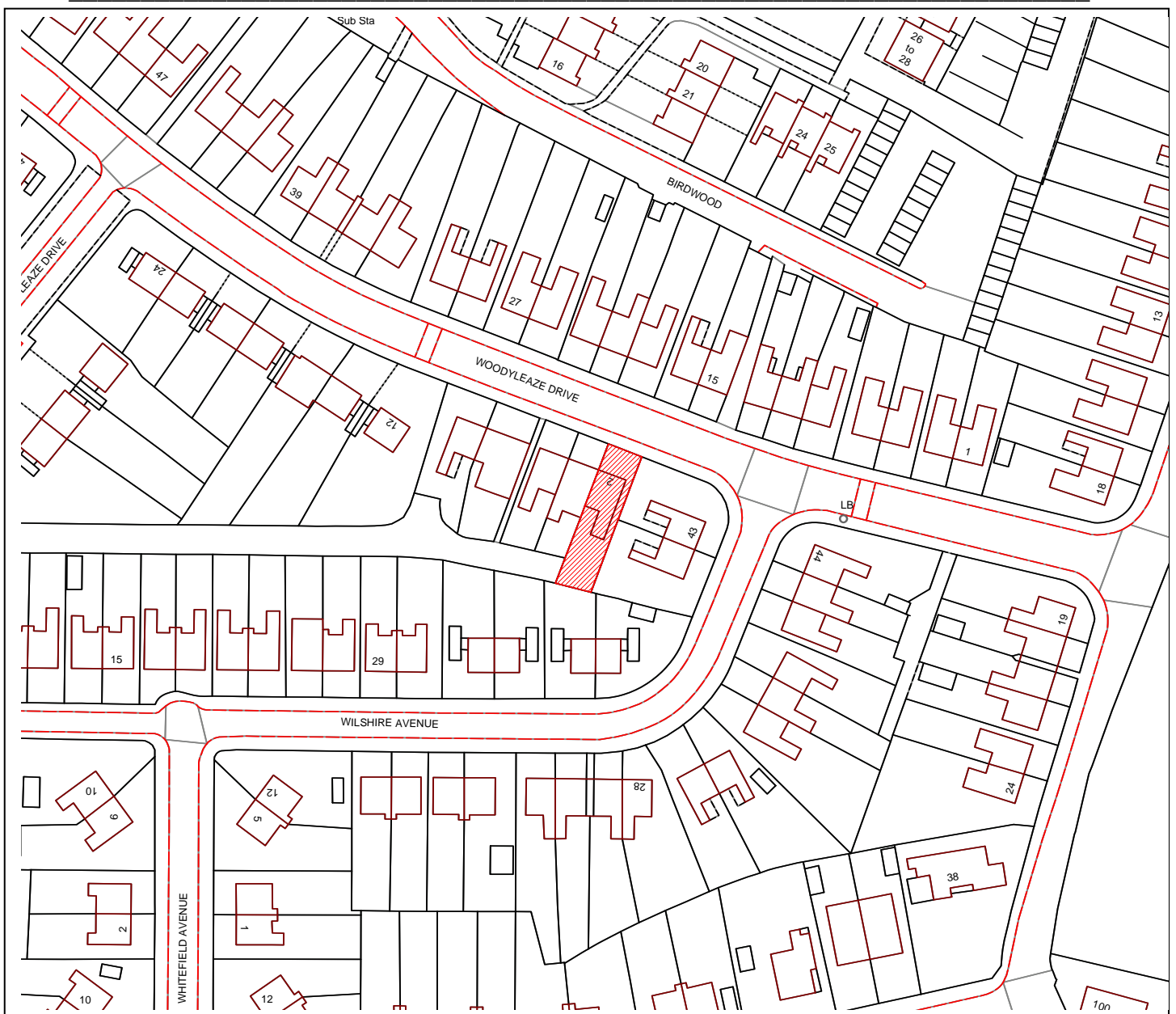
3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north elevation of the extension.

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. 29/09 – 24 JULY 2009

App No.:	PK09/1068/F	Applicant:	Mr C Franklin Avon Farm Estate
Site:	2 Woodyleaze Drive, Hanham, South Gloucestershire, BS15 3BY	Date Reg:	11th June 2009
Proposal:	Conversion of existing dwelling to form 2no. self contained flats with associated works. (Retrospective).	Parish:	Hanham Parish Council
Map Ref:	64766 72417	Ward:	Hanham
Application Category:	Minor	Target Date:	4th August 2009



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N.T.S

PK09/1068/F

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of an objection from the Hanham Parish Council.

THE PROPOSAL

- 1.1 This is a retrospective application seeking planning permission for the conversion of a two storey end-terraced dwelling to two flats. The site is within a residential area of Hanham.
- 1.2 The proposal is for a horizontal split of the property to form two flats, both flats would provide one bedroom.

2. POLICY CONTEXT

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H5	Residential conversions
T7	Cycle parking
T8	Parking standards
T12	Highway safety
L18	The Water Environment

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council

Parish Council regret that this application is retrospective and is a blatant disregard of the planning laws. It is therefore recommended that an enforcement action is taken.

- 4.2 Other Consultees

Sustainable Transport
No objection

Other Representations

- 4.3 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The following criteria for analysis are set by policy H5. It is noted that the proposal does not include any changes to the shell of the building and therefore design aspects are limited to the inside of the dwelling.

5.2 A. Would not prejudice the character of the surrounding area

There is no change in terms of the external appearance of the property. The only difference which would affect the character of the area is the actual conversion from one dwelling to two. A number of waste bins and a cycle store would be located at a corner area of the front garden and would be partly screened by existing low boundary wall and new shrub planting. It is therefore considered that this proposal would have no significant adverse impact on the character of the area.

5.3 B. Would not prejudice the amenities of nearby occupiers

The internal layouts of both flats are very similar, officers therefore do not consider that the proposal would cause significant noise nuisance between two flats.

Although the first floor flat would be overlooking the rear garden, officers consider that it is not unusual arrangement for this kind of development. It is therefore considered that there is no significant impact arising from this proposal upon existing levels of residential amenity.

5.4 C. Would identify an acceptable level of off-street parking

This retrospective planning application is sought to convert an existing two-bed dwelling into two one-bed flats.

Two vehicular parking spaces are provided to the rear of the site via a private access lane.

In light of the above, there is no basis for a transportation objection to this proposal.

Nevertheless, to ensure that a satisfactory means of drainage and pollution control within the parking area, a planning condition is imposed to ensure that this is the case.

5.5 D. Would provide adequate amenity space

The proposal is for two single bedroom flats, it is unlikely that these would be occupied by families. Nevertheless, the ground floor would have a direct access to the rear garden, it is therefore considered that the provision of

amenity space is considered to be adequate to meet the needs of future occupiers and therefore this criterion of the policy is considered to have been met.

5.6 E. Would be within the existing urban areas and the boundaries of settlements

This site is located within the urban area and therefore this criterion of the policy has been met.

5.7 Design and Access Statement/Other issues

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.

The Parish Council have raised a concern regarding the retrospective nature of the application and the need for the Council to enforce. For information no enforcement action would proceed pending the decision in relation to this planning application.

5.8 Use of Energy and Sustainability

A planning condition is imposed to ensure that a sustainable drainage system will be installed within the parking area.

Bin store area for recyclable waste and non-recyclable waste is allocated within the site with a local authority collection scheme.

A cycle store area is also allocated within the site.

5.9 Improvements achieved to the scheme

Not necessary.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK09/1068/F**

Contact Officer: **Olivia Tresise**
Tel. No. **01454 863761**

CONDITIONS

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

Reason:

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

2. Notwithstanding the submitted details, prior to the first occupation of the development, a surface water drainage scheme incorporating Sustainable Drainage Systems for the parking area and access shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development.

Reason:

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

CIRCULATED SCHEDULE NO. 29/09 – 24 JULY 2009

App No.:	PK09/1123/TRE	Applicant:	Mr P Dye South Gloucestershire Council
Site:	Land adjacent to 213 Blaisdon, Yate, South Gloucestershire, BS37 8TS	Date Reg:	17th June 2009
Proposal:	Works to 1no. Norway Maple tree to crown reduce by 25% and crown thin by 10% covered by Tree Preservation Order TPO5 dated 17 October 1961.	Parish:	Dodington Parish Council
Map Ref:	71246 81262	Ward:	Dodington
Application Category:	Minor	Target Date:	11th August 2009



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This application has been referred to the Circulated Schedule as the applicant is South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 The application seeks permission to carry out works to 1no. Norway Maple tree, protected by a Tree Preservation Order. The tree is located on land adjacent to 213 Blaisdon, Yate. The works proposed involve a crown reduce by 25% and thinning the crown by 10%

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Doddington Parish Council
No response received

Other Representations

- 4.2 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy L1 of the South Gloucestershire Local Plan (Adopted) 2006 seeks to conserve and enhance the quality and amenity of the landscape and distinctiveness of the locality and to protect the features that contribute to the character or appearance of the area.
- 5.2 Analysis of the proposal
The Norway maple is growing on an area of open space adjacent to 213 Blaisdon, Yate. There are signs that there are tension cracks within the stem of the tree. The proposal is to reduce the crown of the tree by 25%. This is acceptable as the sail area of the crown will be reduced and therefore any loading from the wind will be reduced as a result. This means that the long-term viability of the tree is protected in accordance with policy L1. As such, there are no objections to this application.

- 5.3 Section 106 Requirements
Not applicable

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK09/1123/TRE**

Contact Officer: **Kirstie Banks**
Tel. No. **01454 865207**

CONDITIONS

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

Reason:

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

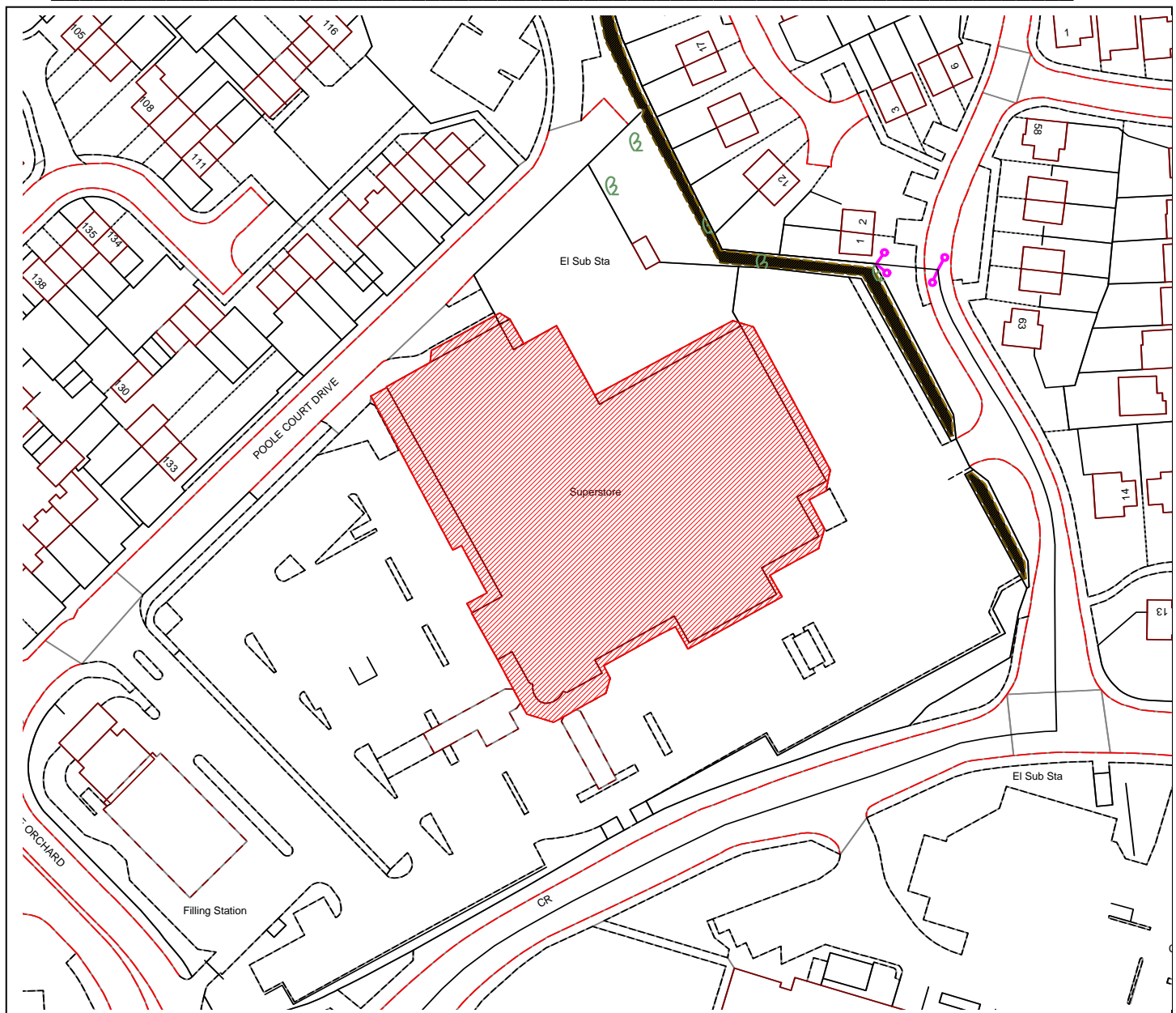
2. The works hereby authorised shall comply with British Standard 3998: 1989 - Recommendations for Tree Work.

Reason:

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

CIRCULATED SCHEDULE NO. 29/09 – 24 JULY 2009

App No.:	PK09/1140/RVC	Applicant:	WM Morrison Supermarkets Plc
Site:	Morrisons Supermarkets Plc, Station Road, Yate, South Gloucestershire, BS37 5PW	Date Reg:	19th June 2009
Proposal:	Variation of condition 13 attached to planning permission P87/2097 to increase deliveries on Sundays to 4 within the hours of 9am to 11am.	Parish:	Yate Town Council
Map Ref:	71140 82645	Ward:	Yate North
Application Category:	Minor	Target Date:	13th August 2009



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INTRODUCTION

This application is reported on the Circulated Schedule due to the receipt of an objection from the Town Council, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks the variation of a condition limiting vehicular deliveries to the service yard area of the Morrisons store in Yate, next to the town centre. At present, the condition prevents any Sunday deliveries and the proposal is that 4 should be allowed on Sundays between the hours of 0900 and 1100. The condition currently also prevents deliveries outside the hours of 0730 to 2000 from Mondays to Saturdays, but this has since been modified on appeal to allow one delivery on Sundays between the hours of 0900 and 1100. The reason given for the condition is in the interests of residential amenity.
- 1.2 The delivery area for the superstore is a walled off (2 metres high) yard at the northeast of the site. It is accessed along Poole Court, off the main customer access and passes along the rear of a row of residential properties which back onto this road.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS24 Planning and Noise
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
EP1 Environmental Pollution

3. RELEVANT PLANNING HISTORY

- 3.1 P87/2097 Erection of supermarket, delivery area and car parking
Approved subject to Section 52 Agreement 1988
- 3.2 PK00/1592/RVC Variation of condition 13 of P87/2097 to allow one delivery to service yard on Sundays Refused – allowed on appeal

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Objection. There should be no change to the present standing arrangement in the interest of residential amenity.
- 4.2 Other Consultees
Sustainable Transportation
No objection.
- Environmental Protection
No objection.

Other Representations

- 4.3 Local Residents/ Businesses
No replies received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against policy EP1, which is concerned with protection against pollution (such as noise pollution) and all material considerations. In this case, the Inspector's decision letter from 2001 following the refusal of planning permission to allow one delivery on Sundays would be the main material consideration.

5.2 Inspector's findings

The application has been submitted with the Inspector's decision letter borne in mind. The Inspector at the previous appeal allowed the variation of the condition, but limited such a delivery to the hours 0900 to 1100. This proposal would keep within those hours, while increasing the number of permitted deliveries from one to four. The store is open between the hours of 1000 and 1600 on Sundays. The critical time was seen as being between 0900 and 1000, as for the hours after that the customers car park would be in use from part of the same access. The Inspector found that by limiting the delivery to those made by Safeway Stores plc (since taken over by Morrisons) that there would be adequate control in operational terms to keep noise and disturbance in the delivery yard area to a reasonable level. The Inspector noted that the Sunday delivery would be of benefit to customers as it allowed for the delivery of fresh goods. This was considered to be an acceptable trade off for the limited effects of a delivery in terms of noise and disturbance.

It is considered that the current proposal would only have an impact on noise and disturbance if the deliveries were to take place between the hours of 0900 and 1000, using the reasoning that the Inspector applied to the appeal. The hours of opening on the site for trading purposes have not changed, however the store has introduced opening to the public from 0930 on Sunday mornings for browsing purposes only and this is considered to lead to earlier use of the car park for customers visiting the store. Staff would have to arrive at the store prior to opening to the public. Therefore, following the inspector's conclusion that lorry movement noise would be lost among the general use of the car park, it is considered that the only time when there could be a proven increase in noise along the access road from the lorry movements would be between 0900 and 0930 on Sunday mornings. Further, this would only be the case if the deliveries took place in this 30 minute window.

5.3 Transportation

Sustainable Transportation have not raised an objection to this proposal. There are not considered to be any physical implications with amending the condition as applied for as the access arrangements are already in place.

5.4 Noise and other pollution issues

No objection to the proposal has been received from Environmental Protection. The proposed amendment to the condition is not considered to pose any significant problems in terms of noise or pollution and therefore accords with policy EP1.

5.5 Use of Energy and Sustainability

Not applicable.

5.6 Improvements achieved to the scheme

None sought.

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

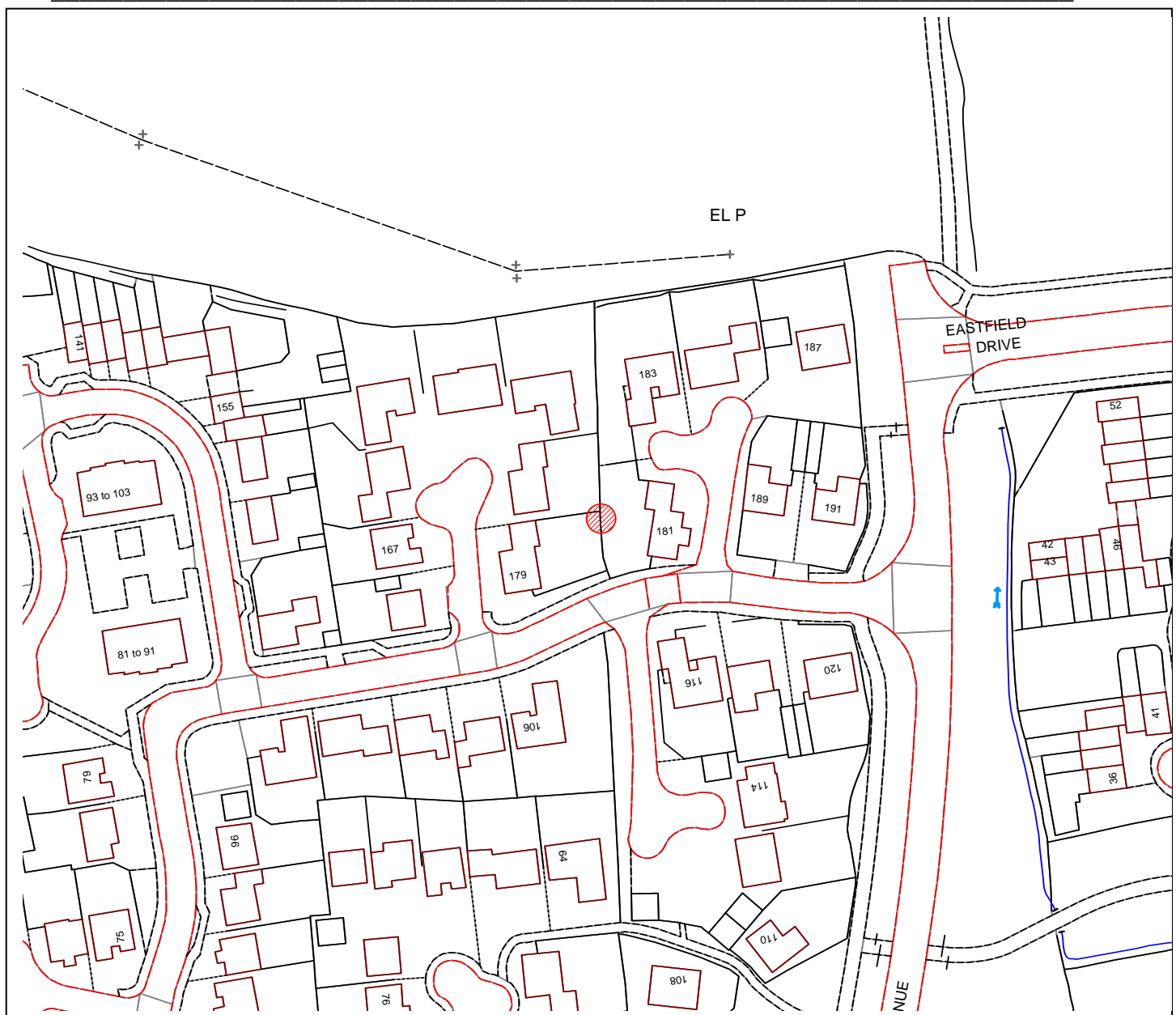
7. RECOMMENDATION

7.1 That planning permission is approved for the amendment to the condition as applied for.

Background Papers **PK09/1140/RVC**
Contact Officer: **Chris Gosling**
Tel. No. **01454 863787**

CIRCULATED SCHEDULE NO. 29/09 – 24 JULY 2009

App No.:	PK09/1177/TRE	Applicant:	Miss S Jones
Site:	Land adjacent 181 Long Croft, Yate, Bristol, South Gloucestershire, BS37 7YU	Date Reg:	26th June 2009
Proposal:	Works to 1no. Ash tree to thin by 30% covered by Tree Preservation Order TPO383 dated 16 September 1987.	Parish:	Yate Town Council
Map Ref:	70902 84158	Ward:	Yate North
Application Category:	Minor	Target Date:	19th August 2009



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N.T.S

PK09/1177/TRE

INTRODUCTION

This application appears on the Circulated Schedule due to the receipt of a letter of objection from a local resident.

1. THE PROPOSAL

- 1.1 The application seeks consent to remove one Horse Chestnut Tree growing on the field boundary adjacent to residential property known as The Close. The application states that the tree is to be felled as it is in decline.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- L1 Landscape Protection and Enhancement
L13 Conservation Areas

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objection

Other Representations

4.2 Local Residents

One letter of objection has been received and the local resident raised the following concerns:

- The proposal would not result in total removal of shadow
- Loss of privacy
- There is a bat box in the tree, and the proposal would adversely affect bat habitat
- There is a nesting box on the tree and Blue Tits are living inside. The proposal may disturb nesting birds.
- The applicant did not carry the works in accordance with the approved drawings in the past, reference PK06/2130/TRE.
- The thinning that took place has not grown back, so there is no need to thin it again.
- The tree is located jointly in the rear gardens of 179 and 181 Long Croft, not land adjacent to 181 Long Croft. Therefore the tree is jointly owned by the applicant and the household of No. 179, who does not wish to remove the foliage.

- A pre-application visit was carried out inappropriately as no contact was made to the household of No. 179 and the visit could have been carried by anyone with or without qualifications.
- Protected hedgerow has not been replaced after its removal in 2005.

5. ANALYSIS OF PROPOSAL

- 5.1 The Council Tree Officer visited the site and made the following assessment on the proposed works.

The tree is growing along the rear boundary of 181 Longcroft, Yate. It appears to be in good health and has a dense canopy which is shading the garden considerably. The proposal is to thin the canopy by 30%. These works should not be detrimental to the Health of the tree as only minor branches will be removed in order to reduce the foliage of the tree canopy. Ash respond well to pruning works and the tree should provide amenity for years to come in accordance with L1.

The local resident raised a number of concerns with regard to the proposal, and they are addressed as follows:

Council Tree Officers consider that the tree lost a significant limb on the applicants' side more recently to an infection by *Innonotus hispidus* which is a serious decay fungi, hence the lack of limbs on the applicants side. Although there is no right to light under Tree Preservation Order the works are not seen to be detrimental to the health of the tree and therefore officers do not have an objection to this. The resident is also concerned that his garden privacy would be compromised however privacy is also not a material consideration under an assessment of Tree Preservation Order.

The Council Enforcement Team will carry out an investigation regarding the replacement of the hedgerow after its removal in 2005 and the resident will be updated in due course.

The applicant will need to comply with the Wildlife and Countryside Act 1981 to ensure that the proposed works will not adversely affect the habitat of the protected species.

If the tree is not wholly owned by the applicant, the applicant will need to obtain the prior consent of other owners of the tree.

- 5.2 Design and Access Statement
This is an application for tree works, therefore the Design and Access Statement is not required.
- 5.3 Use of Energy and Sustainability
Not applicable.
- 5.4 Improvements achieved to the scheme
Not necessary.

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 No objection.

Background Papers **PK09/1177/TRE**

Contact Officer: **Olivia Tresise**
Tel. No. **01454 863761**

CONDITIONS

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

Reason:

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

2. The works hereby authorised shall comply with British Standard 3998: 1989 - Recommendations for Tree Work.

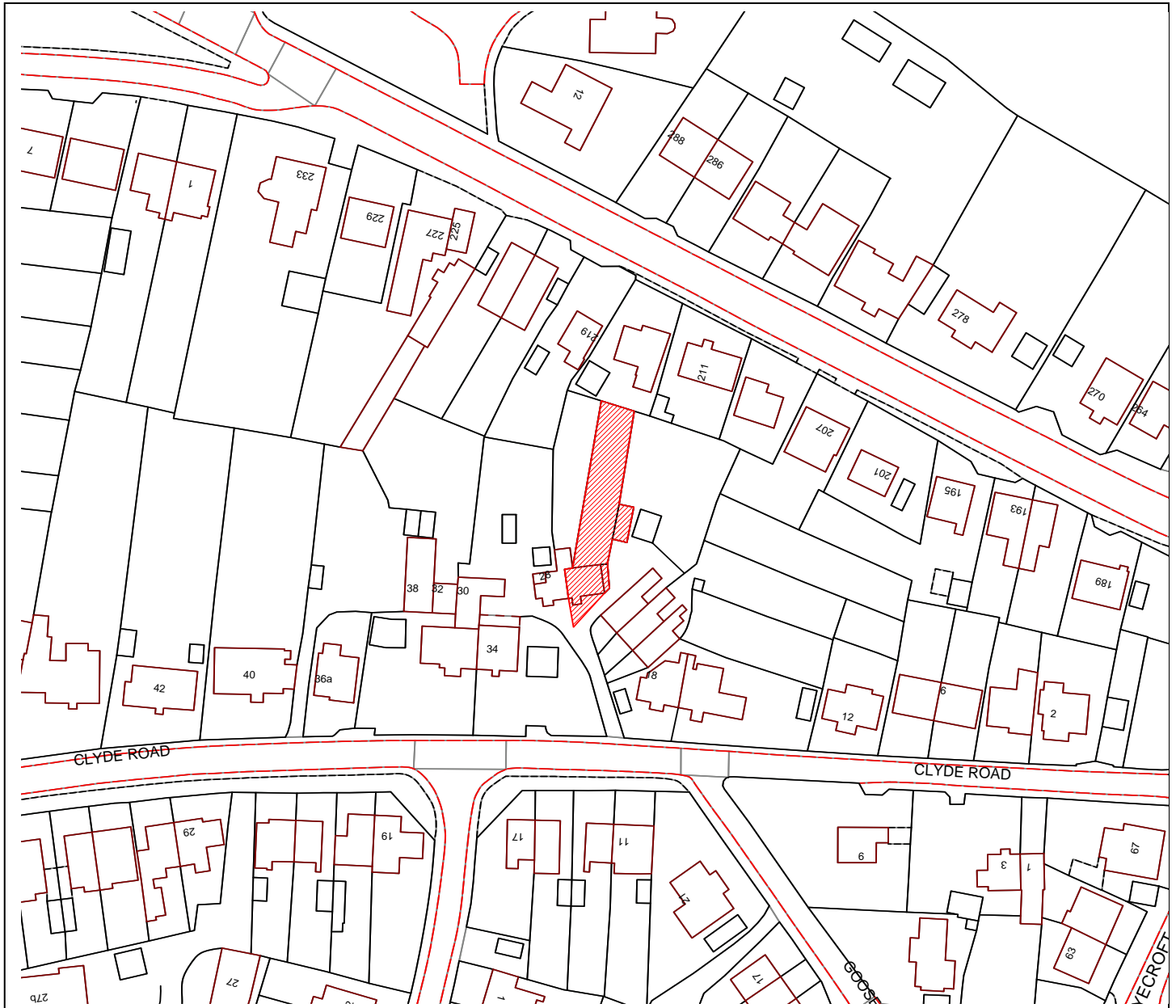
Reason:

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

CIRCULATED SCHEDULE NO. 29/09 – 24 JULY 2009

App No.: PT09/1074/F
Site: 26 Clyde Road, Frampton Cotterell,
 South Gloucestershire, BS36 2EE
Proposal: Erection of single storey side and rear
 extension to provide additional living
 accommodation.
Map Ref: 66980 81741
Application Category: Householder

Applicant: Mr L Randall
Date Reg: 11th June 2009
Parish: Frampton Cotterell
 Parish Council
Ward: Frampton Cotterell
Target Date: 4th August 2009



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N.T.S

PT09/1074/F

The application appears on the Circulated Schedule in view of the comments which have been received from a neighbouring resident.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for a single-storey rear extension.
- 1.2 The application relates to a two-storey cottage style dwelling on the north side of Clyde Road, Frampton Cotterell. The property is set back from the road accessed via a short cul-de-sac which serves only a handful of dwellings.
- 1.3 Amended plans form part of this application which allow for a slight alteration to the proposed roof shape and which correct the proposed block plan.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: Development within Residential Curtilages
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P84/1348: Erection of detached domestic garage, shed and WC. Permitted: 18 April 1984
- 3.2 P84/2680: Erection of front entrance porch and detached garage. Permitted: 10 March 1985

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection
- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Summary of Local Residents Comments
One letter received expressing the following concerns:

- The neighbouring kitchen is shown inaccurately and thus does not provide a fair representation of the proposed relationship with the proposal;
- The neighbouring kitchen will only project about 0.4m beyond the proposal;
- The neighbour has a kitchen door facing the proposal;
- The boundary wall is a retaining wall;
- The neighbouring property is approximately 1m lower than the neighbouring garden and proposed extension (thus the proposal appears 1.5 storeys);
- It would be preferred if the proposed roof line could be lowered;
- Its scale and appearance will not be in keeping with the cottage character of the original dwellings;
- The small gap between the proposal and boundary wall will not allow future maintenance;
- Damage might be caused to the boundary (retaining) wall during building;
- An additional storey might be added in the future;
- A condition should be added preventing any window in the facing elevation.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety.

5.2 Design/ Visual Amenity

The application relates to a two-storey semi-detached cottage style dwelling on the north side of Clyde Road, Frampton Cotterell. The property is accessed via a short cul-de-sac which provides access to five other dwellings. These properties appear of similar age and adopt an unconventional layout with rear gardens offset and in the case of the application site, with the attached property wrapped around the rear corner of the host dwelling.

5.3 The application seeks permission for a single-storey rear extension that would provide a family/dining room. It would project 4m into the garden and 1.3m beyond the east flank wall of the property. It would require a tapered wall to its west side which would run parallel to the side boundary with the rear gardens to these dwellings orientated slightly eastwards. It would be encompassed by a pitched roof albeit with a small area of flat roof to the east side of the proposal in order to avoid an existing (but repositioned) first floor window.

5.4 In response, it is noted that the proposal would not appear readily visible from the public viewpoints given the siting of the both the dwelling and proposal; it would though be seen from its east side with an area of hardstanding adjacent to the application site. In this regard, the roof shape has been slightly amended with a catslide roof aside the bedroom window abutting the dwelling removed.

5.5 For the above reasons, and with materials to match those of the host dwelling, there is no objection to this current proposal.

5.6 Residential Amenity

The attached property to the western side of the application site benefits from a two-storey rear addition that measures 4.6m (approx.) in depth. This provides

- a ground floor kitchen which benefits from a side door and a smaller bathroom above that is stepped back from the boundary; this has a high level facing window although both rooms benefit from their principal openings on the rear.
- 5.7 The applicants' rear garden is approximately 1m higher than the neighbour's with the latter the same level as the ground floor to these dwellings. For this reason, the proposal would be elevated when viewed from this neighbouring property with the extension in relatively close proximity of the shared boundary.
- 5.8 In view of the above, it is considered that the revision to the roof shape which would slightly reduce the height of the proposal would help to reduce its impact on this neighbouring property. Further, it is noted that the flat roofed element of the extension would stand closest to the boundary helping to further reduce the impact on this property. As such, and in view of the neighbours existing two-storey rear extension which extends slightly further, it is not considered that planning permission could be reasonably withheld having regard to any impact on this neighbouring dwelling.
- 5.9 The above accounts also for the side facing windows within this neighbouring extension with these comprising secondary openings serving the kitchen and bathroom (non habitable rooms). Further, it is noted that the rear gardens are north facing thus the build should not have a significant impact upon sunlight.
- 5.10 In response to the further concerns that have been raised by this neighbouring resident, it is considered that an appropriately worded condition could be added to any favourable decision notice to prevent any facing windows. Further, the proposal is inset from the shared boundary with certificate A accompanying the application (thus confirming that there would be no encroachment). Finally, boundary issues would comprise a civil matter whilst any future enlargement of the current proposal to provide first floor accommodation is likely to warrant a further planning application; this application relates to a single-storey extension.
- 5.11 All other neighbouring properties stand at an appreciable distance from the site of the proposal with the applicants' detached garage to the east side of the application site. On this basis, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.12 Design and Access Statement
A Design and Access Statement is not required as part of this application.
- 5.13 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

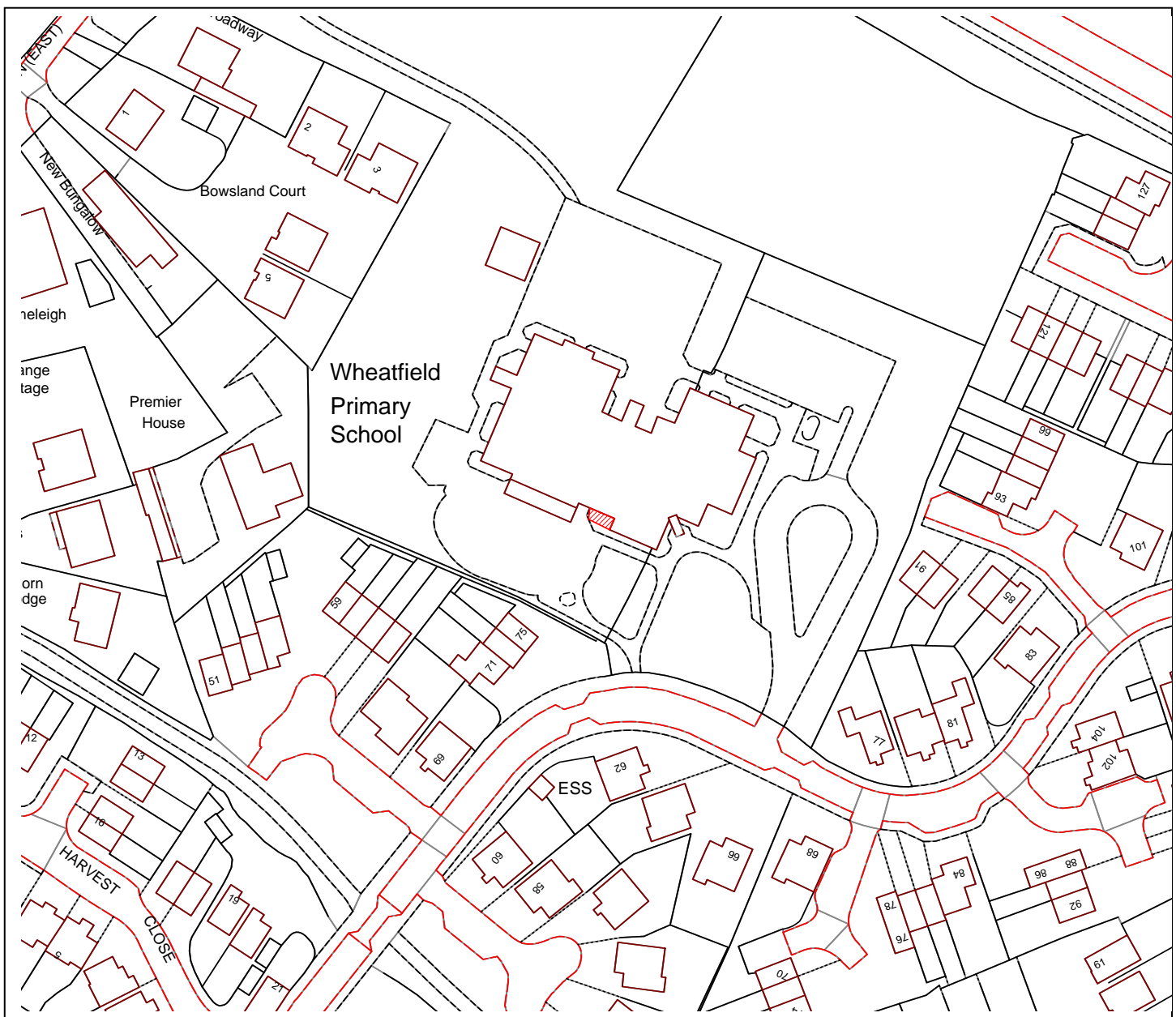
- 7.1 Planning Permission is **GRANTED** subject to the following conditions:

Background Papers **PT09/1074/F**

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

CIRCULATED SCHEDULE NO. 29/09 – 24 JULY 2009

App No.:	PT09/1082/R3F	Applicant:	Mr J Seymour South Gloucestershire Council
Site:	Wheatfield Primary School, Wheatfield Drive, Bradley Stoke, South Gloucestershire, BS32 9DB	Date Reg:	12th June 2009
Proposal:	Erection of single storey extension	Parish:	Bradley Stoke Town Council
Map Ref:	61651 82386	Ward:	Bradley Stoke Central and Stoke Lodge
Application Category:	Minor	Target Date:	4th August 2009



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INTRODUCTION

This application appears on the Circulated Schedule because the application has been made by South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a modest single storey extension. The proposal would be approximately 5.3 metres in width, 2.6 metres in depth, and 3.9 metres in height.
- 1.2 The application site relates to a primary school which is situated within a well established residential area in Bradley Stoke.

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 Educational and Community Facilities
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection.
- 4.2 Local Residents
None.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy LC4 of the adopted South Gloucestershire Local Plan allows the development, expansion or improvement of education and community facilities within existing urban areas, provided that: -
 - a) proposals are located on sites which are, or will be, highly accessible on foot and by bicycle; and

- b) development would not unacceptably prejudice residential amenities; and
- c) development would not have unacceptable environmental or transportation effects; and
- d) development would not give rise to unacceptable levels of on street parking to the detriment.

5.2 Transportation

The proposed development relates to a small side extension and would not give rise to any additional members of staff. As such, there is no requirement for alterations to parking or access arrangements.

5.3 Residential Amenity

The proposed extension is set well within the curtilage of the primary school and is detached from nearby residential properties. As such, the development would not material harm residential amenity.

5.4 Visual Amenity/Design

The proposed extension would be situated on the buildings south elevation. The extension would essentially extend the existing single storey lean-to across the elevation, thus maintaining the existing style of the building. The proposal would be modest in scale, form, bulk and mass. In view of these characteristics, it is considered that the proposal would respect the character and appearance of the existing building.

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.

5.6 Use of Energy and Sustainability

The proposal would be compliant with current Building regulations.

5.7 Improvements achieved to the scheme

None deemed necessary.

5.8 Section 106 Requirements

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

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

Background Papers **PT09/1082/R3F**

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

CONDITIONS

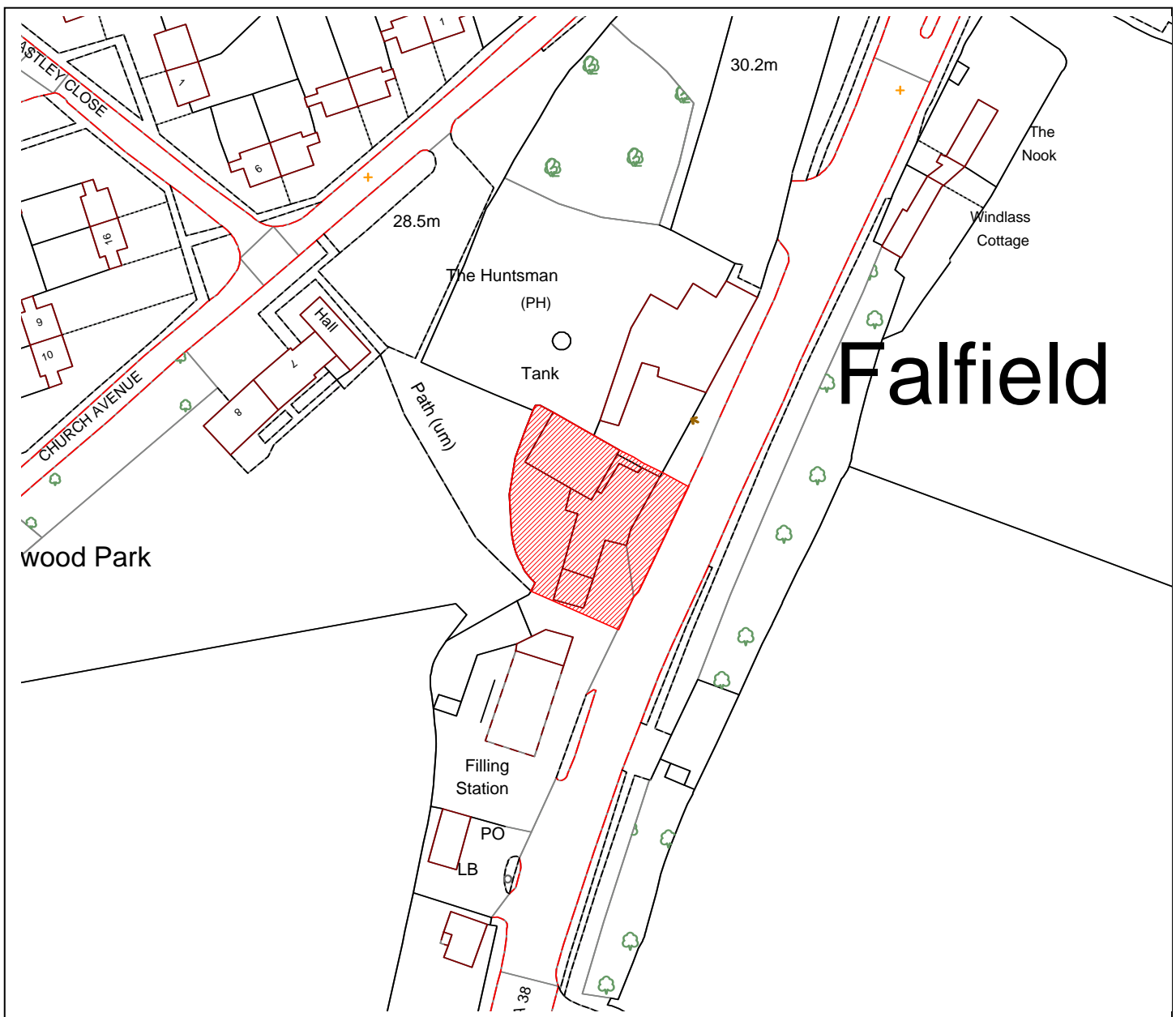
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

CIRCULATED SCHEDULE NO. 29/09 – 24 JULY 2009

App No.:	PT09/1083/F	Applicant:	Mr P King King Properties
Site:	Site of Previous Falfield Garage, Bristol Road, Falfield, South Gloucestershire, GL12 8DF	Date Reg:	12th June 2009
Proposal:	Conversion of existing building including partial demolition to form 3 no. terraced houses and erection of 1 no. detached dwelling with associated works.	Parish:	Falfield Parish Council
Map Ref:	68251 93114	Ward:	Charfield
Application Category:	Minor	Target Date:	4th August 2009



This application appears on the Circulated Schedule in view of the concerns raised by the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks permission for the conversion of existing single-storey and two-storey buildings to facilitate the creation of three new dwellings. The proposal would also allow the erection of one detached dwelling in place of an existing building.
- 1.2 The application site comprises the former Falfield garage site on the western side of the A38, Falfield. The buildings stand within the settlement boundary and outside of the green belt.
- 1.3 The application follows a previous application last year (PT08/0660/F) which allowed the conversion of these buildings to provide Class B8 (storage and distribution) and B1a (office) accommodation. This planning permission has been implemented with building works having commenced but with works having since been abandoned and with the site enclosed by hoardings.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG3: Housing
PPG13: Transport
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H2: Residential Development in the Built Up Area/ Settlement Boundaries
H4: Development within Residential Curtilages
T7: Cycle Parking
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
EP4: Noise Sensitive Development
EP6: Contaminated Land
L1: Landscape Protection and Enhancement
L18: The Water Environment
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 N6570: Erection of M.O.T testing bay. Refused: 11 September 1980
- 3.2 N6570/1: Use of building for showroom, stock room and shop for the sale of motor vehicle parts and accessories. Permitted: 1 July 1982

- 3.3 N6570/2: New canopy to petrol filling station over existing pump islands. Permitted: 21 October 1982
- 3.4 P88/1228: Single-storey addition to provide store, laundry & food preparation area; internal alterations; external fire escape. Permitted: 8 September 1988
- 3.5 P89/1115: Redevelopment of existing petrol filling station forecourt. Permitted: 19 November 1989
- 3.6 PT00/1226/F: Rebuild boundary wall, re-roof & extend workshop (retrospective) Refused: 4 July 2000
- 3.7 PT01/0669/F: Single-storey rear extension. Permitted: 17 April 2001
- 3.8 PT01/1186/ADV: Display of illuminated double sided freestanding advertising display unit. Permitted: 8 June 2001
- 3.9 PT00/2372/F: Extension to workshop and re-roofing; erection of boundary wall. Withdrawn: 14 October 2005
- 3.10 PT07/3591/F: Partial demolition of existing buildings, erection of commercial units & conversion of existing dwelling to form three units to include B8 (storage and distribution) and B1a (offices). Withdrawn: 15 January 2008
- 3.11 PT08/0660/F: Conversion of existing building including demolition & rebuilding to form three units to include Class B8 (Storage and Distribution) and B1a (Offices). Permitted: 28 April 2008

4. CONSULTATION RESPONSES

- 4.1 Falfield Parish Council
‘With parking directly in front of these houses vehicles would potentially be reversing from their car park space onto the A38’.
- 4.2 Other Consultees
Highways DC: no objection
Environmental Services: land contamination condition/ acoustic report required
Technical Services (Drainage): no objection
PROW Officer: no objection in principle

Other Representations

- 4.3 Summary of Local Residents Comments
One letter received largely in support of the proposal:
 - The writer objected to the previous application;
 - The application for a residential reuse is fully supported;
 - If approved, the proposal will provide much needed housing in the area and help to restore the A38 back to what it looked like before much of the village was demolished to make way for the A38;

- There is still a problem with speeding vehicles; some form of traffic calming might be necessary for safety purposes and to reduce the amount of noise and dust entering the new houses;
- The proposal will provide extra custom for the local shop/ post office/ pub;
- It is hoped that the application is approved.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H2 allows for the principle of new residential development within the built up area and the settlement boundaries subject to considerations of design, residential amenity and highway safety. The maximum density compatible with the site, location, accessibility and surroundings should also be achieved. In this regard, it is anticipated that development proposals will achieve a minimum density of 30 dwellings per hectare with upwards of 50 dwellings per hectare where local circumstances permit.

5.2 Policy T12 cites that development (in terms of transportation) will be permitted provided that it (here considered relevant):

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

5.3 Design/ Visual Amenity

The application site forms some 0.11Ha comprising a mix of single-storey and two-storey rendered buildings fronting the main road (A38) with a steel framed workshop behind. The site has previously formed a garage providing exhaust and motor services, offices, light industrial uses and a residential unit with the owner of the garage living within the property contained on the site; the Design and Access Statement received cites that the site originally comprised a rank of domestic cottages approximately 150 years old.

5.4 The proposal would allow various building works to facilitate the change of use of the main two-storey building to provide a terrace of three dwellings. The proposal would also allow the demolition of the existing steel framed building to facilitate the erection of one detached property.

5.5 The terraced properties would form three bedroom dwellings with dining room, living room, lounge and kitchen facilities on the ground floor and with three bedrooms and a bathroom above. These properties would generally adopt the form of the existing building but with significant changes to the elevations given the formation of new windows/ openings. The existing forward projecting two-storey front gable would be retained with this to form part of one of the new dwellings allowing a larger property that would also benefit from a downstairs cloakroom and upstairs ensuite bedroom.

- 5.6 In view of the above, the footprint of the existing building would largely remain the same with the ridge height to the proposals also appearing unaltered. It is however noted that part of the existing building (which would form a bedroom within the largest terraced dwelling) has already been partly taken down and thus would be rebuilt as part of this scheme.
- 5.7 The proposed four bedroom detached dwelling would stand to the north side of these terraced properties and would occupy the site of the existing steel framed structure. In so doing, this property would be slightly stepped back and benefit from a deeper footprint extending some 9m beyond the rear wall of the terraced dwellings. This property would benefit from an integral garage with a kitchen, diner/ lounge, cloakroom and study at ground level with four bedrooms above; one of these would be ensuite. The ridgeline of this dwelling would be higher than that of the terrace (the ridgeline of which would be stepped and highest and that point where it encompasses the front gable).
- 5.8 In response, it is considered that the proposals would appear to be acceptable adopting a cottage style appearance which would help to reflect the more rural location of the application site. The stepped ridgeline and differing treatment to the front elevations of each property would help to erode the building mass of the existing structure and differentiate each unit. Further, with the detached dwelling set back, the larger size of this property would not be readily apparent within a street scene which is nevertheless, characterised by a mix of building type which in this instance, provides the two-storey Huntsman Inn public house immediately north of the site and the Falfield Cars car dealership to the south.
- 5.9 For the above reasons, this current proposal is considered to be acceptable in design/ visual amenity terms with no objection to the proposal on this basis.
- 5.10 Density
Planning policy H2 cites that the maximum density compatible with the site, its location, its accessibility and its surroundings should be achieved; accordingly a minimum density of 30 dwellings per hectare is anticipated with upwards of 50 dwellings per hectare where local circumstances permit.
- 5.11 In this instance, the proposal would equate to 36 dwellings per hectare and thus it would accord with this policy requirement. As such, there is no objection to the current proposal on this basis.
- 5.12 Residential Amenity
The application site forms a line of ribbon development along this side of the A38 and sits between Falfield Cars to the south and The Huntsman Inn public house to the north. Falfield Cars (former Falfield filling station) sits to the opposite side of a vehicular access with the office accommodation contained within the former kiosk closest to the site boundary. There are no facing windows within this building; for these reasons it is considered that the relationship between this garage and the proposals would be acceptable.
- 5.13 The Huntsman Inn public house sits to the north of the application site to the far side of its associated service/ delivery yard. These premises comprise a two-storey building with one first floor window visible facing towards the application site. It is noted that it would be the new two-storey detached dwelling that

would adjoin this shared boundary with one facing first floor bathroom window proposed; an appropriately worded condition could be attached to a favourable decision requiring obscured glazing to this window with a further condition preventing additional windows. On this basis, and in view of the separation distance between The Huntsman Inn and the proposal (17m approx. to the main two-storey building), it is not considered that any significant adverse impact in residential amenity would be caused.

- 5.14 Notwithstanding the above, it is noted that single-storey bed and breakfast accommodation (associated with The Huntsman Inn) stands between provided within converted stable buildings. Nevertheless, with only the aforementioned bathroom window facing this direction, and with the application site to the south of these premises (thus having no significant impact on sunlight), it is not considered that planning permission could be reasonably withheld on this basis.
- 5.15 Further to the above, despite the added height of the proposal (when compared with the existing steel framed structure), the provision of a rear garden behind this new dwelling would dictate that the new rear building line would fall short of the existing whilst the build would also be inset from the boundary in contrast the existing structure which adjoins this boundary line. As such, this would help to offset the impact of the proposal on this adjoining land use.
- 5.16 An area of open space (Eastwood Park) adjoins the rear site boundary with this contained behind an existing 2m (approx.) wall.
- 5.17 All other neighbouring properties stand at an appreciable distance from the site of the proposals; on this basis it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.18 With regards to the proposed relationship between the new dwellings, the row of terraces would stand in alignment with rear windows affording oblique views into the neighbouring gardens; this is not uncommon between neighbouring properties. Further, there would be no south (side) facing windows within the two-storey front gable and any additional windows could be restricted by an appropriately worded condition.
- 5.19 The proposed new dwelling sits back on its plot and extends some 9m beyond the rear of the terraced dwellings. This unit aligns with the side boundary and is offset from the terrace whilst the proposed two-storey rear gable stands to the far side of the dwelling. On this basis, and with the terrace positioned to the south of this detached dwelling, this proposed relationship is also considered to be acceptable; further side windows could again be restricted by condition.
- 5.20 Finally, the north facing windows (within the front gable serving the lounge and bedroom) of the end terraced dwelling would primarily overlook the combined parking area and would not directly face the front of the new detached dwelling. Accordingly, on balance this relationship is also considered to be acceptable.
- 5.21 Highway Safety
It is anticipated that the proposal would result in an overall reduction in vehicle movements from the site given the extant use. In this regard, the application site is located within the Falfield settlement boundary and the level of parking

- proposed (two spaces per dwelling) would accord with the Council's parking standards. On this basis, there is no transportation objection to the proposal.
- 5.22 In response to the concerns raised by the Parish Council, the Councils highway officer has confirmed that vehicles would have sufficient space to reverse without encroaching onto the highway. Accordingly, it is not considered that planning permission could be reasonably withheld on this basis.
- 5.23 Provision of Private Amenity Space
Planning policy H4 requires that development proposals should not prejudice the retention of adequate private amenity space with adequate private amenity space provided for any new separately occupied dwelling. (Planning policy H4 is considered to be relevant given that an element of this site is understood to have previously provided for a residential use.)
- 5.24 In this instance, all three dwellings would benefit from a rear garden with space also provided to the front of the dwellings for bin storage. Further, the rear site boundary adjoins Eastwood Park which provides further amenity space. As such, there is no objection to the current proposal on this basis.
- 5.25 Affordable Housing Requirement
Planning policy H6 (Affordable Housing) dictates that an element of affordable housing to meet local needs will be required where in the case of settlements in the rural areas, the proposal will provide five or more dwellings or the site area measures 0.2Ha or more. This current proposal does not meet this threshold thus there is no requirement for affordable housing in this instance.
- 5.26 Outstanding Issues
The Councils Drainage Engineer has not raised any objection to the proposal with the application form indicating individual treatment plants as the method of foul drainage disposal; there is no mains drainage available locally. However, it is recommended that the Councils standard drainage condition be attached to any favourable decision in order to ensure the implementation of a sustainable drainage system.
- 5.27 The former use of this site as a garage/ workshop and the neighbouring site as a petrol garage dictates that ground contamination can not be ruled out; on this basis the Councils Environmental Services officer has requested a planning condition (in the event that permission is granted) in respect of contaminated land. This is considered to be appropriate given that the previous permission was also the subject of a similar condition.
- 5.28 The site is adjacent to the A38 and thus the proposals would be subject to the noise generated by this main road. In this regard, the Councils Environmental Services Officer has requested the submission of an acoustic report. However, it is considered that this can be the subject of an appropriately worded condition given that other residential development has been permitted in similar proximity to the A38 with similar applications also not supported on this basis.

5.29 Design and Access Statement

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

5.30 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT09/1083/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

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

Reason(s):

To accord with Planning Policies D1, H2, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side (north and south) elevations of the dwellings hereby approved.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to accord with Planning Policies H2 and H4 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 bathroom window on the north (side) elevation of the detached dwelling hereby approved shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason(s):

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

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

Reason(s):

To protect the character and appearance of the area to accord with Planning Policies H2, H4, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

To protect the character and appearance of the area to accord with Planning Policies H2, H4, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatment(s) to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

To protect the character and appearance of the area to accord with Planning Policies H2, H4, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

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

10. Prior to the commencement of development a soil survey of the site shall be undertaken and the results submitted to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any [residential] unit hereby permitted is first occupied.

Reason(s):

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

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

Reason(s):

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

12. Prior to the commencement of the construction works a scheme for protecting the proposals from noise from the A38 shall be submitted and approved in writing by the Local Planning Authority; all works which form part of the scheme shall be completed before any part of the development is occupied.

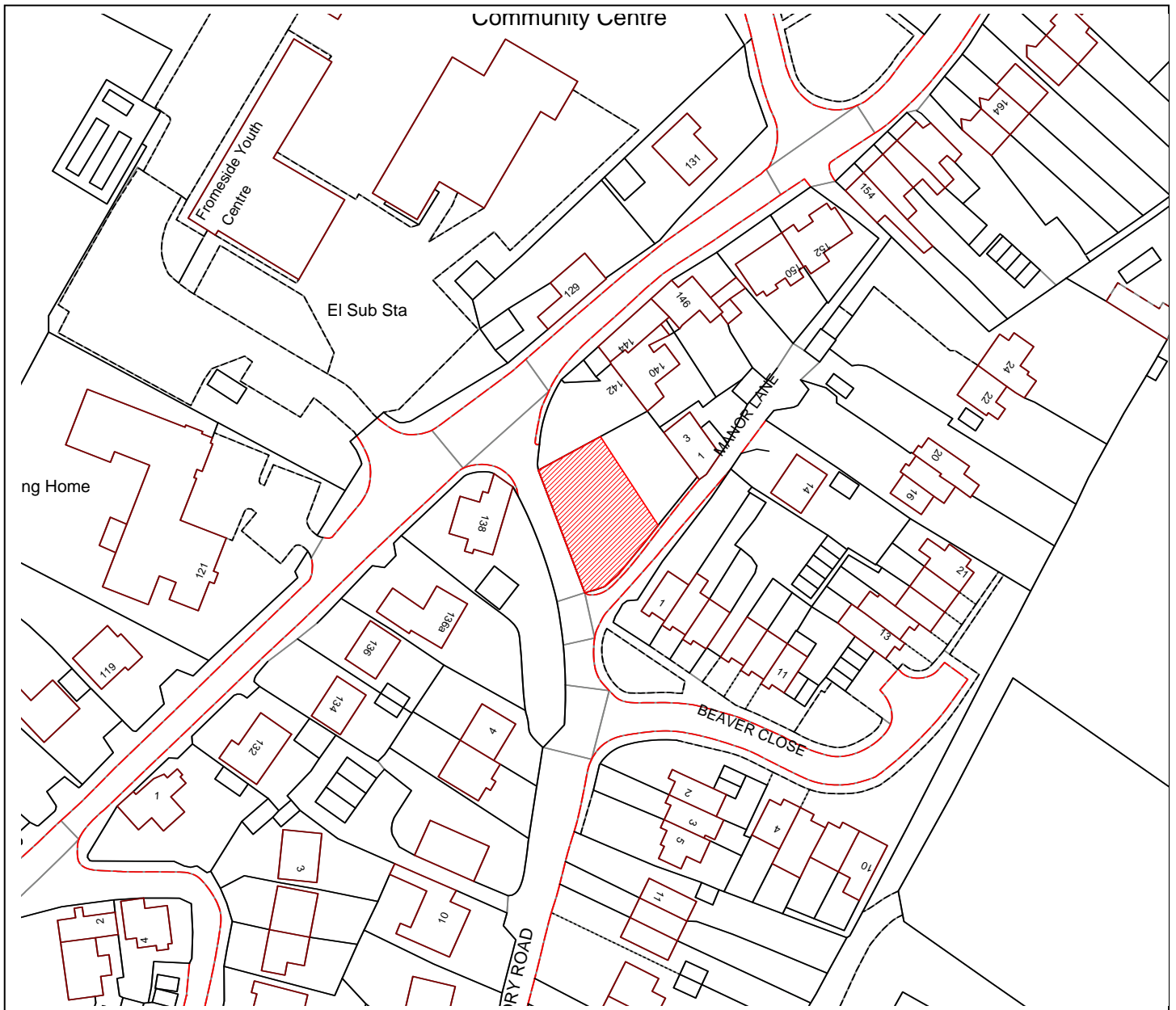
Reason(s):

To minimise disturbance to occupiers of the development and to accord with Planning Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 29/09 – 24 JULY 2009

App No.: PT09/1105/F
Site: 1 Manor Lodge, Manor Lane, Winterbourne, South Gloucestershire, BS36 1QJ
Proposal: Erection of 1 no. detached dwelling with associated works (Amendment to previously approved scheme PT07/3460/F).
Map Ref: 65876 81329
Application Category: Minor

Applicant: Mr M White
Date Reg: 16th June 2009
Parish: Winterbourne Parish Council
Ward: Winterbourne
Target Date: 10th August 2009



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 100023410, 2009.

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of representations from Winterbourne Parish Council which are contrary to the case officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for amendment to a previously approved scheme (PT07/3460/F & PT08/1818/F) for the erection of a rear conservatory. The proposal would be approximately 4.3m in width, 4m in depth and 3.3m in height.
- 1.2 The application site relates to land within the curtilage of 1 Manor Lane. The application site is located within a well established residential area within the Winterbourne settlement boundary.
- 1.3 It was noted from the site visit that works on site have begun to implement the previous approved application.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plan

Joint Replacement Structure Plan (Adopted) September 2002

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

South Gloucestershire Local Plan (Adopted) January 2006

- D1: Delivering Good Quality Design in New Development
H2: Residential Development within Existing Urban Areas
H4: Development within Existing Residential Curtilages
T8: Parking Standards
T12: Transportation Development Control Policy for New Development

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P93/1480 Erection of double detached garage
Refused 16 June 1993
- 3.2 PT05/2165/F Erection of two storey rear extension to form extended kitchen with bedroom and en-suite.

Approved 5 September 2005

- 3.3 PT05/2622/F Erection of two metre high boundary fence with gates
Approved 31 October 2005
- 3.4 PT07/3460/F Erection of 1 no. detached dwelling with associated works
Approved 29th February 2008
- 3.5 PT08/1818/F Erection of 1 no. detached dwelling with associated works.
Construction of new access. (Amendment to previously approved scheme PT07/3460/F)
Approved 8th August 2008

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection. The overall size of the development, which is very large, will be increased by the addition of the conservatory. The Parish Council is concerned at the lack of parking provision.
- 4.2 Sustainable Transportation
No objection.
- 4.3 Local Residents
None.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning application PT07/3460/F and the subsequent amended application PT08/1818/F granted planning permission for the erection for the erection of a new dwelling with associated works. This application seeks consent for the erection of a rear conservatory. The application also sought to amended the roof finish from clay double roman tiles to Brazilian slate. However, the applicant has subsequently decided to omit this amendment and continue with the previously approved clay double roman tiles.
- 5.2 Since the determination the previous applications there have been no material changes to national or local planning policy. As such, this application will only assess the material planning issues which would arise from the new conservatory. The other planning issues arising from this application were dealt with within PT07/3460/F & PT08/1818/F and are discussed in detail in the officer's reports. To maintain consistency the conditions attached to the previous consents will be attached to this application.
- 5.3 The main issues resulting from this amendment would be residential amenity and visual amenity. These issues will be assessed with regard to policies D1, H2, and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.4 Visual Amenity
The proposed conservatory would be situated on the dwellings rear elevation (west). The proposal would be situated beside the rear gable end projection.

Representations have been received from the Parish Council which has argued that the development would be very large, and the conservatory would increase this further. Notwithstanding these comments, it is considered that the proposal would have a modest scale, form, bulk and mass, and would therefore integrate well with the main dwelling. In view of this, it is considered that the proposed development would respect the character and appearance of the host dwelling, and the surrounding area.

5.5 Residential Amenity

The proposed conservatory would be situated at least 12 metres (as measured on the location plan) from the nearest residential dwellings (Nos. 1 & 3 Manor Lane). Moreover, the proposal would be single storey and would include no window which would afford direct visibility into these adjacent properties. On this basis, it is considered that the proposed development would not give rise to an overbearing effect, or a loss of privacy, and therefore would not harm residential amenity

5.6 Design and Access Statement

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

5.7 Use of Energy and Sustainability

No further issues raised.

5.8 Improvements achieved to the scheme

None deemed necessary.

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT09/1105/F**

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

CONDITIONS

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

Reason(s):

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

2. 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 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason(s):

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

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

Reason(s):

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

4. The dry stone wall hereby permitted shall match the existing dry stone wall in type, colour, texture, size and coursing.

Reason(s):

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