



**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. 30/08**

**Date to Members: 25/07/08**

**Member's Deadline: 31/07/08**

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](mailto: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](mailto: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: 25/07/08**

**SCHEDULE NO. 30/08**

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](mailto: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.

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### 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 25 July 2008

<b>ITEM NO.</b>	<b>APPLICATION NO</b>	<b>RECOMMENDATION</b>	<b>LOCATION</b>	<b>WARD</b>	<b>PARISH</b>
1	PK08/1570/F	Approve	133 Crispin Way, Kingswood, South Gloucestershire, BS15 4SQ	Rodway	
2	PK08/1712/R3F	Deemed consent	Yate Leisure Centre, Kennedy Way, Yate, South Gloucestershire, BS37 4DQ	Yate Central	Yate Town Council
3	PK08/1733/TRE	Approve with conditions	Marshfield Park, Cleeve Wood Road, Downend, South Gloucestershire, BS16 2TA	Downend	Downend and Bromley Heath
4	PK08/1797/F	Approve with conditions	21 Woodpecker Crescent, Pucklechurch, South Gloucestershire, BS16 9ST	Boyd Valley	Pucklechurch Parish Council
5	PT08/0577/F	Approve with conditions	Land at Hortham Hospital, Almondsbury, South Gloucestershire, BS32 4JL	Almondsbury	Almondsbury Parish Council
6	PT08/1223/F	Approve with conditions	Rose Cottage, Knapp Road, Thornbury, South Gloucestershire, BS35 2HJ	Thornbury North	Thornbury Town Council
7	PT08/1435/F	Approve with conditions	Plot 7, Church Road, Severn Beach, South Gloucestershire, BS35 4NL	Pilning and Severn Beach	Pilning and Severn Beach
8	PT08/1491/F	Approve	46 Down Road, Winterbourne Down, South Gloucestershire, BS36 1BZ	Winterbourne	Winterbourne Parish Council
9	PT08/1584/F	Approve with conditions	7 Hazelgrove, Winterbourne, South Gloucestershire, BS36 1SH	Winterbourne	Winterbourne Parish Council
10	PT08/1812/TRE	Approve with conditions	3 Old Aust Road, Almondsbury, South Gloucestershire, BS32 4HJ	Almondsbury	Almondsbury Parish Council
11	PT08/1835/CLP	Approve with conditions	6 Snowberry Close, Bradley Stoke, South Gloucestershire, BS32 8GB	Bradley Stoke South	Bradley Stoke Town Council

**CIRCULATED SCHEDULE NO. 30/08 – 25 JULY 2008**

**App No.:** PK08/1570/F  
**Site:** 133 Crispin Way, Kingswood,  
 South Gloucestershire, BS15 4SQ  
**Proposal:** Construction of new vehicular access  
 with 3 no. retaining walls.  
 (Retrospective).  
**Map Ref:** 65788 74835  
**Application Category:** Minor

**Applicant:** Mr A Barber  
**Date Reg:** 11th June 2008  
**Parish:**  
**Ward:** Rodway  
**Target Date:** 30th July 2008



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100023410, 2008.

**N.T.S**

**PK08/1570/F**

## **1. THE PROPOSAL**

- 1.1 This is a retrospective planning application for the creation of a parking bay at the front of the application site adjacent to the highway. Due to the steep gradient through the site rising from front to back, the parking bay has required excavation of front garden to bring the ground level in line with the highway.
- 1.2 The application site forms part of a modern residential development situated within Kingswood. The property is a semi-detached chalet style dwelling.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG13 (Transport)
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
H4 Development within Existing Residential Curtilages  
T8 Parking Standards
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist – August 2007

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None relevant.

## **4. CONSULTATION RESPONSES**

- 4.1 Parish Council  
  
Not applicable.
- 4.2 Other Consultees  
  
Sustainable transport – No objection

### **Other Representations**

- 4.3 Local Residents  
  
One letter received from a local resident raising the following concerns:  
Visually out of keeping with the original design and street; earthworks removed may cause subsidence or compromise foundations

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

### 5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The dwelling the subject of this application is a chalet style unit situated on a steep hill. The applicant has excavated the entire front garden level with the highway and is laid with coloured paving with retaining walls on three sides rendered to a smooth beige finish. There are no other examples of this type of excavation on the street. However, the resultant parking bay does not appear incongruous in relation to its suburban surroundings. The design and materials of the parking bay are of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

### 5.3 Residential Amenity

As the development is almost entirely below the original ground level, there is no significant impact on the amenity enjoyed by the neighbouring occupiers.

### 5.4 Highway safety

The development relates to the creation of an off-street parking area for 1-2 vehicles. The parking area does not provide a manoeuvring space within the site, however, Crispin Way is not a Classified road and as such there is no requirement for vehicles to access and egress in a forward gear. The applicant has satisfactorily demonstrated that the parking area the subject of this application is sufficiently sized. The proposal would result in the provision of additional off-street parking, which would result in less pressure for on-street parking in the street. Therefore considering all of the above matters, the proposal would result in no material highway safety implications.

### 5.5 Design and Access Statement

Not applicable.

### 5.6 Section 106 Requirements

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

## **6. CONCLUSION**

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

The 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.

**Background Papers**      **PK08/1570/F**

**Contact Officer:**    **Sean Herbert**  
**Tel No.**                **01454 863056**



## CIRCULATED SCHEDULE NO. 30/08 – 25 JULY 2008

App No.: PK08/1712/R3F

Applicant: South  
Gloucestershire  
CouncilSite: Yate Leisure Centre, Kennedy Way,  
Yate, South Gloucestershire,  
BS37 4DQ

Date Reg: 24th June 2008

Proposal: Relocation of main entrance.

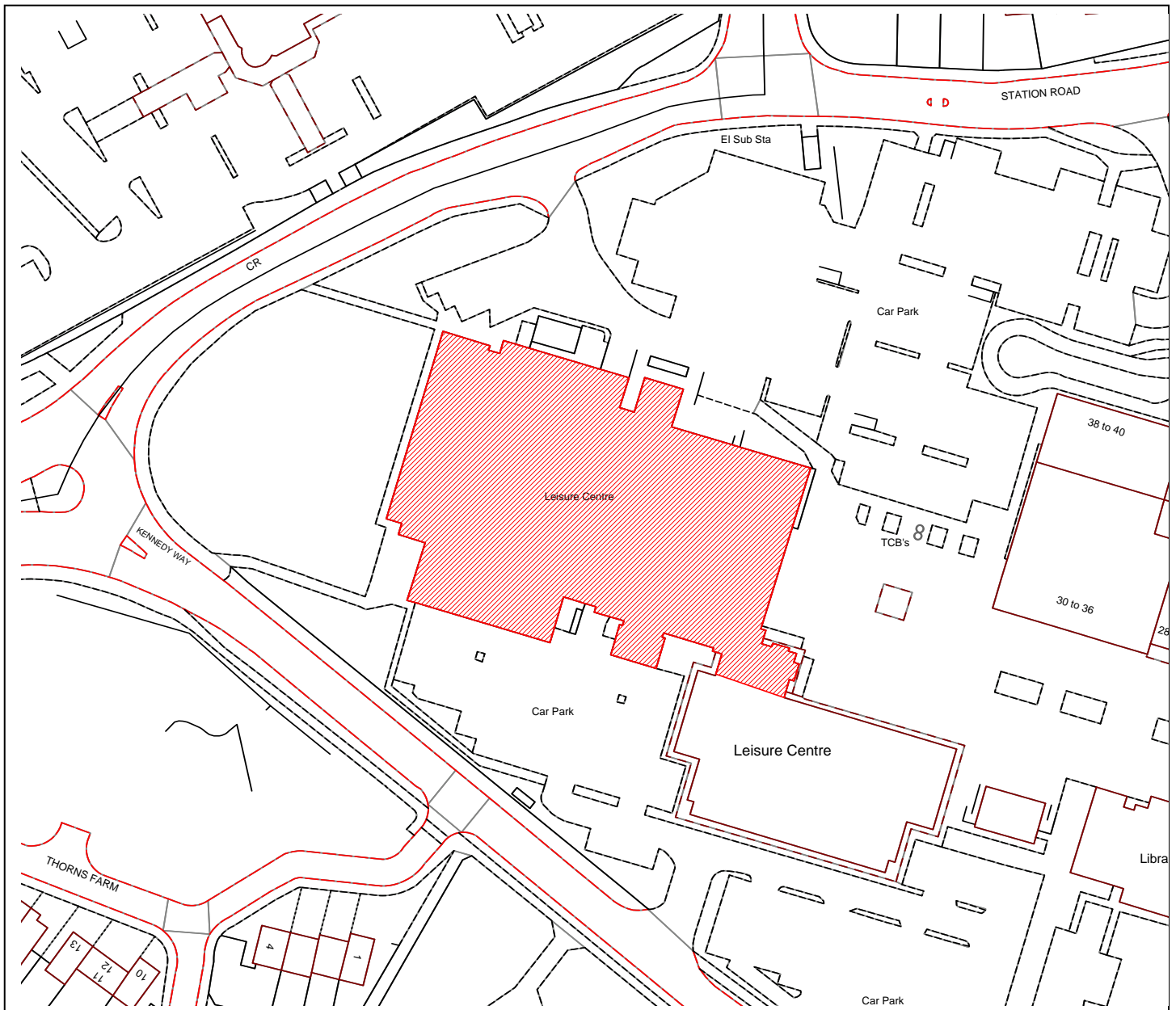
Parish: Yate Town Council

Map Ref: 71199 82514

Ward: Yate Central

Application Category: Minor

Target Date: 8th August 2008



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N.T.S

PK08/1712/R3F

## **INTRODUCTION**

This application is reported on the Circulated Schedule as it relates to land which is owned by the Council.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the relocation of the main entrance to Yate Leisure Centre, a large free-standing, two storey building at the western end of West Walk pedestrian area, at the western edge of Yate town centre. The entrance is for pedestrians and forms a single storey element to the building at the junction of the taller parts. The works involve blocking up the existing entrance on the eastern elevation and replacing it with another one on the northern elevation of the reception building. The works have already been commenced.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
LC3 Sports facilities
- 2.3 Supplementary Planning Guidance  
Design Checklist

### **3. RELEVANT PLANNING HISTORY**

- 3.1 N1559/5 Erection of entrance hall to main building Approved 1980

### **4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
No objection
- 4.2 Other Consultees  
Transportation  
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 the policies listed above, in the light of all material considerations. The relevant policy to such development is LC3, which forms the headings below, along with design considerations under policy D1. The first and last criteria of policy LC3 do not apply to this proposal, as it relates to new facilities and would not generate large amounts of on-street parking.

5.2 LC3: Residential Amenity

The site is considered to be too far from the nearest residential property (flats above the shops on West Walk) to have any impact upon residential amenity. Even if the nearest dwellings were close, the proposal in itself, by its nature is not likely to have any impact upon residential amenity.

5.3 LC3: Environmental or Transportation Effects

Transportation have not objected to the proposal. The only impact of it is considered to be on pedestrians and there would be a slight benefit to users of the leisure centre through this proposal for this user group. The scheme, as stated in the Design and Access Statement would reduce the 'wind tunnel' effect currently experienced in the existing entrance area.

5.4 D1: Design

The leisure centre is considered to potentially benefit from a modern, attractive focal point as its entrance. The potential benefit to users has been identified above. In visual terms, a condition recommended below requires the use of matching material where appropriate. The rest of the design shows little change from the current building and is considered to represent a slight visual benefit over the present situation.

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 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 condition shown below.

**Background Papers**      **PK08/1712/R3F**

**Contact Officer:**    **Chris Gosling**  
**Tel. No.**                **01454 863787**

**CONDITIONS**

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

Reason

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

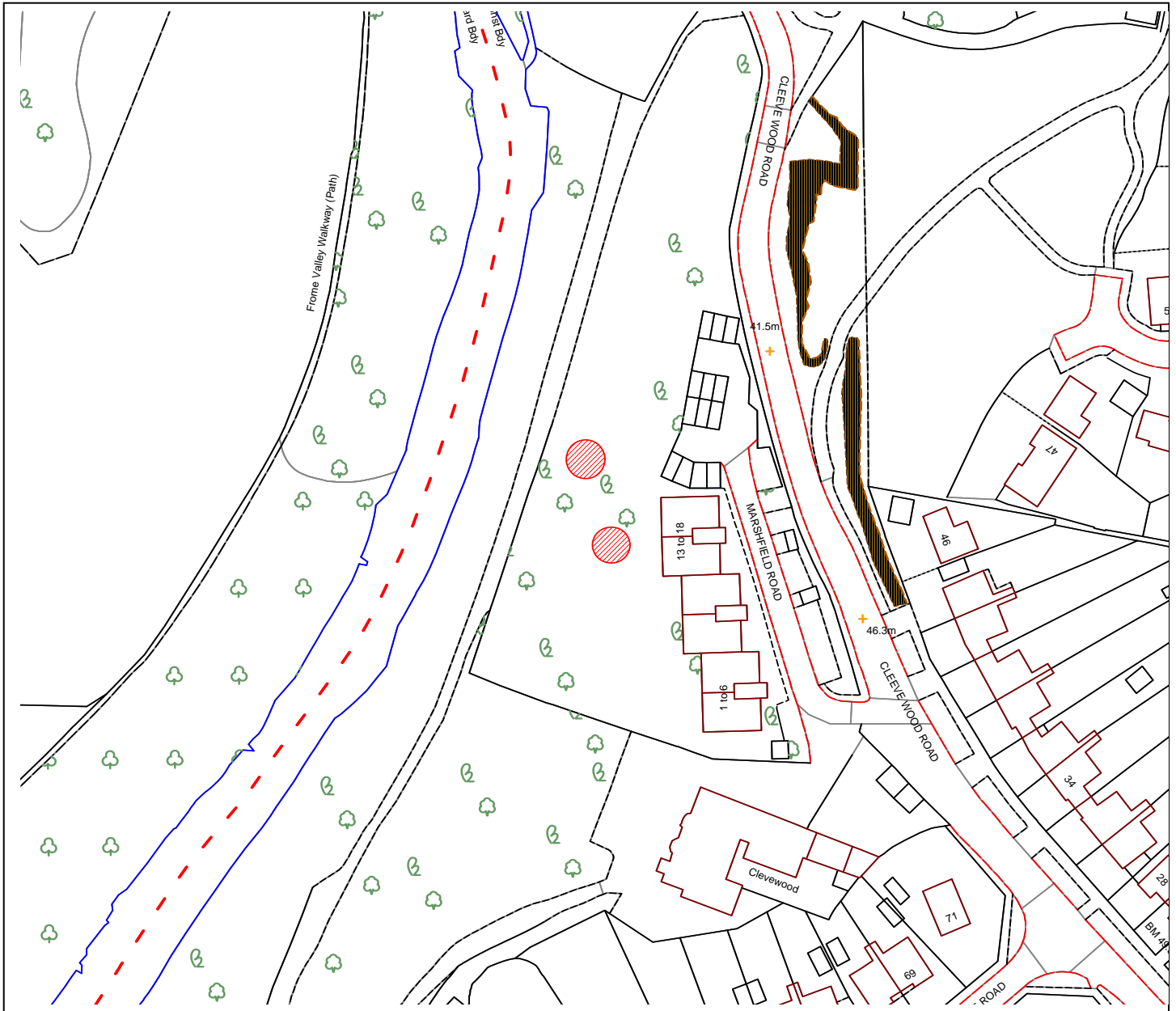
2.      The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

**CIRCULATED SCHEDULE NO. 30/08 – 25 JULY 2008**

<b>App No.:</b>	PK08/1733/TRE	<b>Applicant:</b>	Mrs J N Wookey
<b>Site:</b>	Marshfield Park, Cleeve Wood Road, Downend, South Gloucestershire, BS16 2TA	<b>Date Reg:</b>	25th June 2008
<b>Proposal:</b>	Works to reduce by 30% 2no. Yew trees and 1no. Sycamore tree covered by Tree Preservation Order SGTR99 dated 8 December 1965.	<b>Parish:</b>	Downend and Bromley Heath
<b>Map Ref:</b>	64447 77565	<b>Ward:</b>	Downend
<b>Application Category:</b>	Minor	<b>Target Date:</b>	18th August 2008



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PK08/1733/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 permission to carry out works to reduce 2 Yew trees and 1 Sycamore tree growing on land surrounding Marshfield Park. The application states that the works are to be carried out to retain the healthy attractive trees and retain the setting of Marshfield Park.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- L1 Landscape Protection and Enhancement  
L5 Forest of Avon

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK03/2020/TRE Removal and pruning of various trees.  
Approved August 2003

### **4. CONSULTATION RESPONSES**

#### **(a) Statutory Consultees**

- 4.1 Downend and Bromley Heath Parish Council  
No objection.

#### **(b) Other Representations**

4.2 Local Residents

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

- Tree trees present no hazard
- The Yew tree will look like a child's drawing of a 'lollipop' tree
- The yews are the remainder of an old line of Yews
- Yews are long lived forest trees that do not shed branches
- The existing trees form a wind break
- Marshfield Park is a conservation area
- The sycamore should be allowed to regenerate naturally

### **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

## 5.2 Analysis of the Health of the Trees

The trees are growing to the rear of 13-18 Marshfield Park, Cleeve Wood Road, Downend and they have been subject to past management. The Yew trees were reduced approximately 3 years ago and therefore the application to reduce them is acceptable as trees should be managed on a 3-5 years management cycle.

The Sycamore tree has been damaged by squirrels and appears to be in slow decline. The proposal to reduce this tree should help to prolong the life span of the tree and ensure the health and safety of those using the footpath below from falling debris.

As such, the works to the trees represent sound arboricultural practice and there are no objections to the works as proposed.

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

7.1 Permission be granted subject to the following conditions:

**Background Papers**      **PK08/1733/TRE**

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

### 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(s), 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(s), and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 30/08 – 25 JULY 2008**

**App No.:** PK08/1797/F  
**Site:** 21 Woodpecker Crescent,  
 Pucklechurch, South Gloucestershire,  
 BS16 9ST

**Applicant:** Mr Lee  
**Date Reg:** 1st July 2008

**Proposal:** Erection of rear conservatory.

**Parish:** Pucklechurch Parish  
 Council

**Map Ref:** 70102 75872  
**Application Category:** Minor

**Ward:** Boyd Valley  
**Target Date:** 21st August 2008



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**N.T.S**

**PK08/1797/F**



This application has been referred to the Circulated Schedule due to the receipt of an objection from a local resident.

## **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a conservatory at the rear of 21 Woodpecker Crescent, Pucklechurch. The proposed conservatory would measure 3.45 metres wide by 2.25 metres in depth and would have an overall height to ridge of 2.9 metres.
- 1.2 The property is a two storey semi-detached 1970's dwelling and is located within a residential area of Pucklechurch.

## **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 Existing Residential Curtilages, Including Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Council Advice Note No 2: House Extensions

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PK06/2496/F Erection of first floor extension over existing porch to form additional living accommodation.  
Approved October 2006

## **4. CONSULTATION RESPONSES**

- 4.1 Pucklechurch Parish Council  
No objections.

### **Other Representations**

- 4.2 Local Residents  
One letter of objection has been received from a local resident. The objection raised relates to the white infill panels on the southern elevation of the proposed conservatory that would be adjacent to No. 22 Woodpecker Crescent.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

## 5.2 Design / Visual Amenity

The proposed conservatory is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. Furthermore, the bricks used in the low walls of the conservatory would match the main dwelling, assisting the successful integration of the structure with the host dwelling. The conservatory is of modest size in comparison to the bulk of the main dwelling and is suitably subservient to it.

The proposed conservatory would be to the rear of the existing dwelling and would be screened by the existing 1.8 metre high closed board fence and rear garage. It is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

## 5.3 Residential Amenity

The conservatory would be slightly set back from the boundary with the neighbouring property, No. 22 Woodpecker Crescent, which is defined by a 1.8 metre close board fence. The proposed conservatory would be 2.25 metres in depth and would have an overall height to ridge of 2.9 metres. Given the existing boundary treatments in place, combined with the depth and height of the proposal, it is not considered that the conservatory would have any overshadowing or overbearing effect on the neighbouring dwellings.

The side elevation of the proposed conservatory facing the neighbouring dwelling, No 22 Woodpecker Crescent would consist of white infill panels. It is therefore 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. Taking into account the objection raised regarding the white infill panels, given the moderate dimensions of the proposal, it is considered that the proposed conservatory would not harm the residential amenities of the neighbouring 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 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**      **PK08/1797/F**

**Contact Officer:**    **Kirstie Banks**

**Tel. No.**                **01454 862217**

### **CONDITIONS**

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

Reason

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

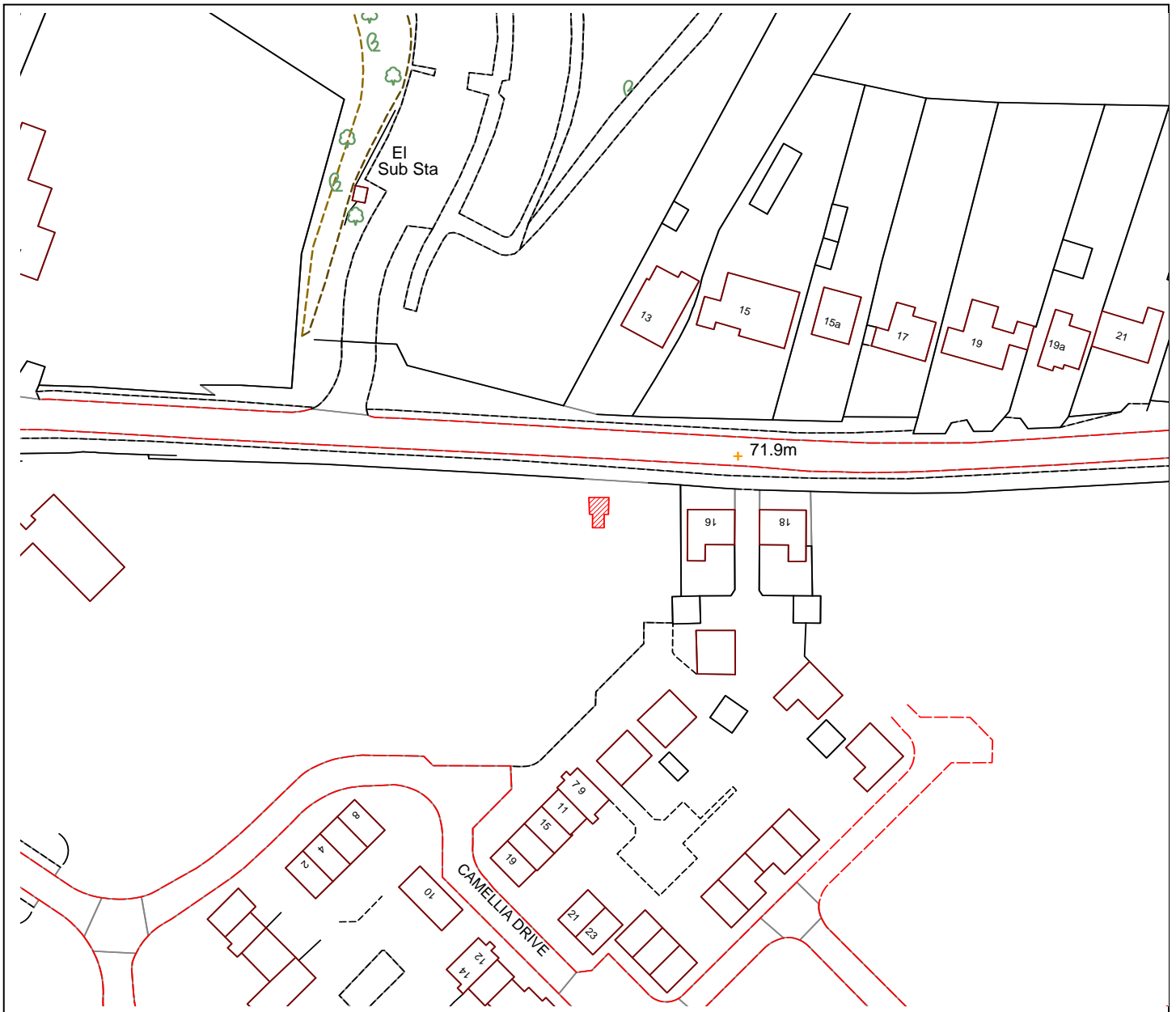
2. The bricks to be used externally in the development hereby permitted shall match those of the existing building in colour and texture.

Reason

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

**CIRCULATED SCHEDULE NO. 30/08 – 25 JULY 2008**

<b>App No.:</b>	PT08/0577/F	<b>Applicant:</b>	Taylor Wimpey & Barratt Homes
<b>Site:</b>	Land at Hortham Hospital, Almondsbury, South Gloucestershire, BS32 4JL	<b>Date Reg:</b>	28th February 2008
<b>Proposal:</b>	Retention of existing electrical sub-station and associated works.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	61849 84501	<b>Ward:</b>	Almondsbury
<b>Application Category:</b>	Minor	<b>Target Date:</b>	15th April 2008



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**N.T.S**

**PT08/0577/F**

**This report appears on the Circulated List as there has been public comment made which is contrary to the officer recommendation.**

## **1. THE PROPOSAL**

- 1.1 The site is located on the South side of Hortham Lane and within the new residential development associated with the former Hortham Hospital.
- 1.2 The development consists of an electricity substation which accommodate electrical transformer equipment providing electrical power to the surrounding residential development. The application is made retrospectively and the building is complete.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

PPS1 Delivering Sustainable Development  
PPG2 Green Belt

### 2.2 Development Plans

#### Adopted Joint Replacement Structure Plan

Policy 16 Green Belt

#### South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development

GB1 Development in the Green Belt

GB3 Redevelopment of the Major Developed Site in the Green Belt at Hortham Hospital

H1 Proposed Sites for new Residential Development and Mixed Use Schemes including Residential Development

T12 Transportation Development Control Policy for New Development

### 2.3 Supplementary Planning Guidance

Development within the Green Belt  
South Gloucestershire Design Checklist.

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PT06/0865/F Demolition of existing buildings. Erection of 270 dwellings on 34.17 hectares of land to include new access, landscaping bunds, public open space, landscaping details associated work to Hortham Lane and Hortham Lane/A38 junction.  
Approved

## **4. CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council  
No Objection

- 4.2 Sustainable Transport  
No Objection

## **Other Representations**

### 4.3 Local Residents

One letter has been received. The letter raises objection on the following grounds;

The sub-station is the size of a two storey house and is excessive in size for the equipment which it houses.

The building is too close to the road and too large for its locations.

The submitted plans do not show the existing situation

Operational parking at the substation can cause congestion problems

The building is located within an area covered by a Tree Protection Order

The old substation should have been upgraded

The landscaping of the development is not complete

## **5. ANALYSIS OF PROPOSAL**

5.1 The development consists of a brick built building for the housing of an electricity sub-station which provides electricity for the residential development on the former Hortham Hospital Site. The application is made retrospectively.

### 5.2 Principle of Development and Green Belt Considerations

The site is located within the Green Belt where there is a presumption against new development unless it falls within the very limited categories of development that is appropriate within the Green Belt. However, the site is located within the residential development land allocated under Policy GB3 and H1 of the South Gloucestershire Local Plan (Adopted) January 2006. The development is directly associated with the new residential development on the former Hortham Hospital site, and as such is appropriate; and as part of the residential development on the former Hortham Hospital, the development is acceptable in principle subject to the following considerations.

### 5.3 Design

The building is located on Hortham Lane to the North of the Hortham Hospital Residential development site. The footprint of the building is dictated by the operational and servicing requirements of the equipment to be housed within it. The concern raised by local residents over its size has been addressed and in this instance, officers are content that the building is the minimum size it can be in order to comply with accommodation limitations, maintenance and health and safety requirements for the electrical installations contained within it.

5.4 The building is approximately 1 to 2 metres off the back edge of the highway and consists of two sections measuring 5½ x 5½ metres and 3½ x 5½ metres. The two sections are joined with the largest part towards the highway (front of the site). The building has two ridge heights at approximately 5½ metres and approximately 4½ metres. Again the tallest part of the building is towards the front of the site. The building is constructed in brick (dark brindle) and natural slate, with the main door of the building in hardwood. The principal elevation

consists of a gable-end with the main door positioned centrally within the elevation.

5.5 The building takes a traditional form in terms of its design and scale using a steeply pitched roof and tall ridge. The scale and materials used in the building are consistent with the style and scale of the residential development to which it relates and are consistent with the closest of the new dwellings to this frontage; and is therefore considered acceptable in its own right. However, the position of the building is such that it is highly visible from Hortham Lane. At present there is very limited landscaping in place to reduce the visual impact of the building onto Hortham Lane and in order to construct it there has been some removal of the hedge to the Hortham Lane elevation of the site. Although this hedge is not worthy of protection in its own right, it does offer enclosure to the frontage of the site with Hortham Lane. The removal of part of the hedge has caused this enclosure to be opened up. Although it is considered that the design of the building is acceptable in its own right its position and relationship with the public realm is such that the development would benefit from additional landscaping and enclosure in order to reduce its overall impact in visual terms. This should include the reinstatement of the short length of hedge that has been removed to assist in the enclosure of the site; and should include measure for landscaping and enclosure to the front of the site which currently remains open.

5.6 Subject to the use of an appropriately worded condition relating to the above requirements, it is considered that the development is acceptable in design terms.

5.7 Residential Amenity

The development is located to the West of new dwellings associated with the new Hortham Hospital residential development and is opposite dwellings associated with hortham Lane itself. The nearest residential dwellings are located approximately 13 metres to the East and approximately 30 metres to the North (opposite side of Hortham Lane). Given the scale, use and relationship with the nearest dwellings, it is not considered that the development would have a material impact upon the privacy and residential amenity of the occupants of nearby dwellings.

5.8 Specific comments from local residents have raised concern over the potential for the development to cause congestion and inconvenience when accessing existing residential properties. It is acknowledged that there would be a concentration of construction and service vehicles at the site during the construction of the building and installation of the Electrical Transformer equipment. However, this has now ceased and in general the equipment will require only periodic visits as part of the essential routine maintenance of the equipment housed here. As such, the specific traffic generation from this development would be very low and is compatible with the residential character of the surrounding area and is very unlikely to cause congestion that would become detrimental to the amenity of the nearby residential dwellings.

5.9 Transportation

As referred to above, access to the site will be by service vehicles which will be managed and is likely to be infrequent. On this basis, officers consider that there will be no material impact in highway safety terms as a result of this development.

5.10 Design and Access Statement

The Design and Access Statement submitted with this application is considered to demonstrate that the applicant has adopted a design approach that is consistent with the Councils Design Checklist Supplementary Planning Document (Adopted)

5.11 Section 106 Requirements

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

**6. CONCLUSION**

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

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

**7. RECOMMENDATION**

7.1 That Planning Permission is granted subject to the following conditions.

**Background Papers      PT08/0577/F**

**Contact Officer:      Simon Penketh**

**Tel. No.                      01454 863433**

**CONDITIONS**

1. Within 6 months from the date of the decision a scheme of landscaping, which shall include details of new infill planting to the hedgerow at the West of the Electricity Sub-station building (and times of planting); boundary treatments to the enclosure of the Electricity Sub-station building and treatment to the associated areas of hardstanding and access to the Electricity Sub-station building shall be submitted to the Local Planning Authority for approval. Development shall be continued in accordance with the agreed details and shall be completed within 12 months of the date of this planning permission.

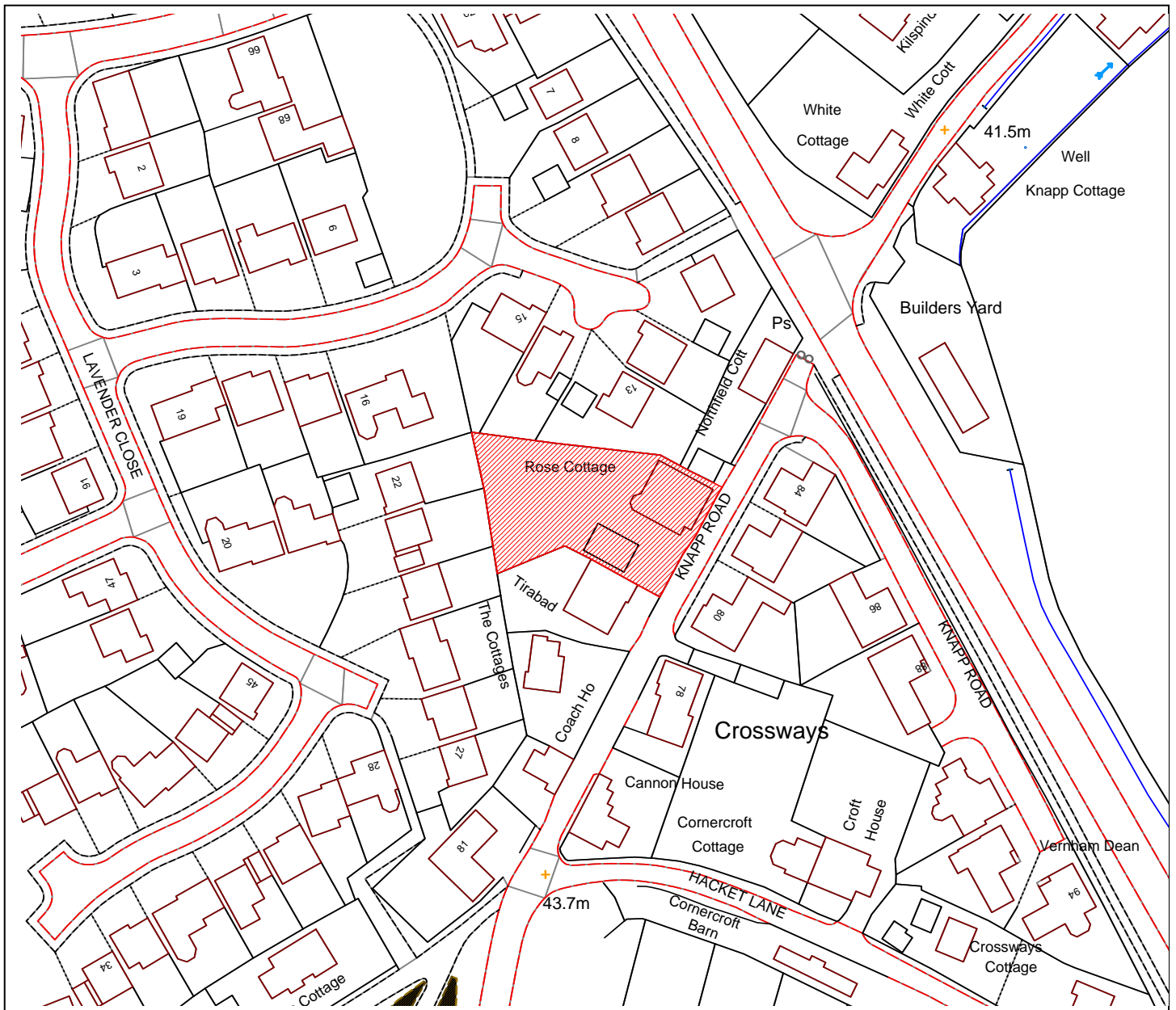
Reason(s):

To improve the setting of the Electricity Sub-station building and to protect the character and appearance of the area to accord with Policies D1, H2 and GB3 of the South Gloucestershire Local Plan (Adopted) January 2006.



## CIRCULATED SCHEDULE NO. 30/08 – 25 JULY 2008

<b>App No.:</b>	PT08/1223/F	<b>Applicant:</b>	Mr D Cockerell
<b>Site:</b>	Rose Cottage, Knapp Road, Thornbury, South Gloucestershire, BS35 2HJ	<b>Date Reg:</b>	7th May 2008
<b>Proposal:</b>	Erection of single storey detached granny annex (Resubmission of PT07/3484/F)	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	64939 90416	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	23rd June 2008



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N.T.S

PT08/1223/F

This application appears on the Circulated Schedule for a second time in view of an error on the original block plan.

## **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for the erection of a single-storey detached building that would provide annex accommodation.
- 1.2 The application site comprises a detached two-storey dwelling on the west side of Knapp Road, Thornbury.
- 1.3 A corrected block plan has been received clarifying the distance of the proposal from the neighbouring property and the host dwelling. This was in view of the incorrect distance between the boundary and neighbouring dwelling shown on the first block plan (affecting the distance of the build from this next door unit).

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development  
PPG13: Transport
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
H4: Development within Residential Curtilages  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)

## **3. RELEVANT PLANNING HISTORY**

- 3.1 P88/2424: Alterations and extension to existing cottage to form lounge, kitchen, utility room and WC with three bedrooms and two bathrooms over. Permitted: 8 September 1988
- 3.2 P88/3191: Erection of dwelling with integral garage on site of existing cottage. Permitted: 6 December 1988
- 3.3 P89/2863: Bay window in front elevation. Permitted: 25 October 1989
- 3.4 P92/1458: Change of use from public open space to private garden. Permitted: 20 May 1992
- 3.5 P98/1925: Erection of dwelling and garage. Permitted: 28 August 1998
- 3.6 PT02/1484/F: Side and rear single-storey extensions to form summer and utility room. Permitted: 10 June 2002
- 3.7 PT06/2818/F: Erection of first floor extension above existing detached double garage to facilitate part conversion to form ancillary accommodation. Refused: 9 November 2006

- 3.8 PT07/3484/F: Erection of two-storey rear extension to form ancillary granny annex. Withdrawn: 10 January 2008

#### 4. **CONSULTATION RESPONSES**

- 4.1 Thornbury Town Council  
No objection

- 4.2 Other Consultees  
Technical Services (Drainage): no objections in principle

#### **Other Representations**

##### 4.3 Summary of Local Residents Comments

One letter received expressing the following concerns:

- A strong objection was raised to PT07/3484/F and the writers are pleased to see that this new proposal answers many of their concerns;
- The proposal is broadly accepted but some issues remain unclear;
- It is not clear where the extension will be built- there are no dimensions on the plan and the boundary position is not considered completely accurate;
- The height of the extension is not clear;
- 13 Lavender Close will not be available for access during construction;
- A complete 1.8m high solid barrier must be in place during building works- this is to be repaired within 24hrs if necessary at the applicant's expense;
- Effort should be made to avoid damage to plants in the adjoining garden;
- The boundary fence was erected in 2004 to the considerable expense of the adjoining neighbours- it is anticipated that it will be damaged during building thus should be inspected by a competent fence builder upon completion;
- The architect should decide if the distance to the boundary is adequate;
- The cloakroom, kitchen and en-suite windows are acceptable if built to the dimensions shown and the glazing type remains unchanged;
- It is not expected that access to any services will be via 13 Lavender Close;
- Rainwater should be removed entirely by underground pipes;
- The plans should not be altered in any way;
- Clarification of these points would enable acceptance of the proposal.

##### 4.4 Further comments received in response to amended plan:

- The distance between the host dwelling and proposal is accepted;
- The neighbour was refused entry into the application site to measure the distance between the host dwelling and the boundary;
- The distance from the neighbours dwelling to the proposal is available on the plan but *'one has scale a drawing...Different people could scale a drawing and get different answers. It could take many meetings to reach an agreement'*;
- The neighbours gave the architect permission to enter their property and take measurements;
- The neighbour rejects 4.475m as 'significantly wrong';
- 6.12m would be accepted.

##### 4.5 The neighbour suggests a better way to resolve this issue:

- *'Deletion of 4475mm;*
- *The (compass) north side of the proposed extension is exactly in line with the (compass) north corner of Rose Cottage;*

- *The (compass) north side of the proposed extension to be exactly parallel with actual boundary (13 Lavender) fence location’.*

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for the principle of development within residential curtilages subject to considerations of design, residential amenity and highway safety. Further, it cites that where extensions are capable of separate occupation (e.g. residential annexes) but lack an acceptable level of separate parking provision or amenity space, the Council will impose a condition to ensure its use as ancillary to the host dwelling.

### 5.2 Design/ Visual Amenity

The application site forms a detached two-storey dwelling on the west side of Knapp Road, Thornbury. The dwelling benefits from a detached double garage to its southern side.

5.3 The application seeks approval for a detached single-storey ‘annex’ building that would stand within the rear garden within 2m of the host dwelling. It would provide all facilities necessary to cater for independent living accommodation including a kitchen/ diner, hall, cloakroom, lounge and ensuite bedroom. It would benefit from a small porch and patio doors overlooking the garden area whilst would be encompassed by a pitched roof.

5.4 In considering this proposal, it is noted that this application comprises the third submission seeking to provide annex accommodation. To this extent, the first scheme proposed a first floor extension above the garage allowing the creation of a two bedroom ‘dwelling’. This was refused for the following reason:

*‘The proposed annex accommodation, by reason of its size, design, external appearance and level of facilities proposed, would be tantamount to the erection of a new dwelling which would appear out of keeping with the locality by virtue of its cramped appearance and restricted plot width. As such, if allowed, the proposal would appear detrimental to the visual amenities of the locality contrary to Planning Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.’*

5.5 The subsequent application detailed a two-storey extension to the rear of the dwelling in the same position as the extension currently proposed. By reason of its design, this would have appeared a second dwelling whilst again included two bedrooms. In view of its combined size, design and positioning this was again considered to be unacceptable and thus was subsequently withdrawn.

5.6 In this instance, the proposal would now be single-storey and provide only one bedroom. Further, its design is considered more acceptable appearing less like a new dwelling; nevertheless, by reason of the facilities included, the proposal remains tantamount to the creation of a new dwelling. Planning policy H4 doesn’t prohibit such development but details that where the proposal lacks an acceptable level of parking/ amenity space, a condition will be attached.

5.7 Given the above, subject to this condition (requiring that the build be occupied only for purposes ancillary to the host dwelling) the proposal is considered to be acceptable on this basis. This condition would not be necessary if the proposal remained attached to the host dwelling given that planning permission

- would required for the subdivision of the property. Nevertheless, in view of the very close relationship between the host unit and proposal, it is considered very unlikely that the Council would ever be under pressure to remove this condition.
- 5.8 In the light of the above, and with the design of the proposal now considered to be acceptable, there is no objection the scheme on visual/ amenity grounds. In this regard, it is nevertheless noted that given the reduced size of the proposal, it would no longer be readily visible from the main public viewpoints.
- 5.9 Residential Amenity  
The proposal would adjoin the shared flank boundary with 13 Lavender Close. This unit forms a two-storey detached property that is inset from the boundary and which faces south west. Its flank elevation overlooks the site of the build with this wall limited to a kitchen door and first floor landing window. As such, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.10 In response to the concerns which have been raised, these plans are to a recognised scale and thus all dimensions can be calculated. Further, concerns regarding the boundary fence are a civil matter thus planning permission could not be withheld on this basis. Finally, conditions can be attached regarding the proposed/ any additional windows.
- 5.11 All other neighbouring dwellings stand at an appreciable distance from the site of the proposal. Therefore, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.12 Outstanding Issues  
The initial block plan was shown to be wrong with the distance of the boundary (behind the proposal) from the neighbouring property incorrect. The boundary is now known to be closer to 13 Lavender Close dictating that the build would also be closer.
- 5.13 In view of the above, the distance between this boundary and the neighbouring property has been measured (by the neighbour, architect and Officer albeit not altogether) with an amended block plan correcting this distance and citing the distance of the proposal from both the host unit and this neighbouring property.
- 5.14 It is considered that this revised block plan provides sufficient detail to pinpoint the position of the building thus it is not considered that planning approval could be reasonably withheld. In this regard, the exact boundary position remains a civil matter with the distance between buildings instead important; nevertheless certificate A accompanies this application thus confirming that development will not encroach into the adjoining garden. Finally, despite these concerns, it should be noted that the relationship between the proposal and neighbouring property is considered to remain acceptable.
- 5.15 Design and Access Statement  
A Design and Access Statement is not required as part of this application.
- 5.16 Section 106 Requirements

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

## 6. **CONCLUSION**

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

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**      **PT08/1223/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. The materials to be used in the construction of the external surfaces of the building hereby permitted shall match those used in the existing building.

Reason(s):

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

3. The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Rose Cottage.

Reason(s):

In view of the site size, the relationship between the proposal and the host dwelling and to protect the privacy and amenity of all occupiers (including neighbouring

occupiers), all to accord with Policy D1 and H4 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 building hereby approved.

Reason(s):

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

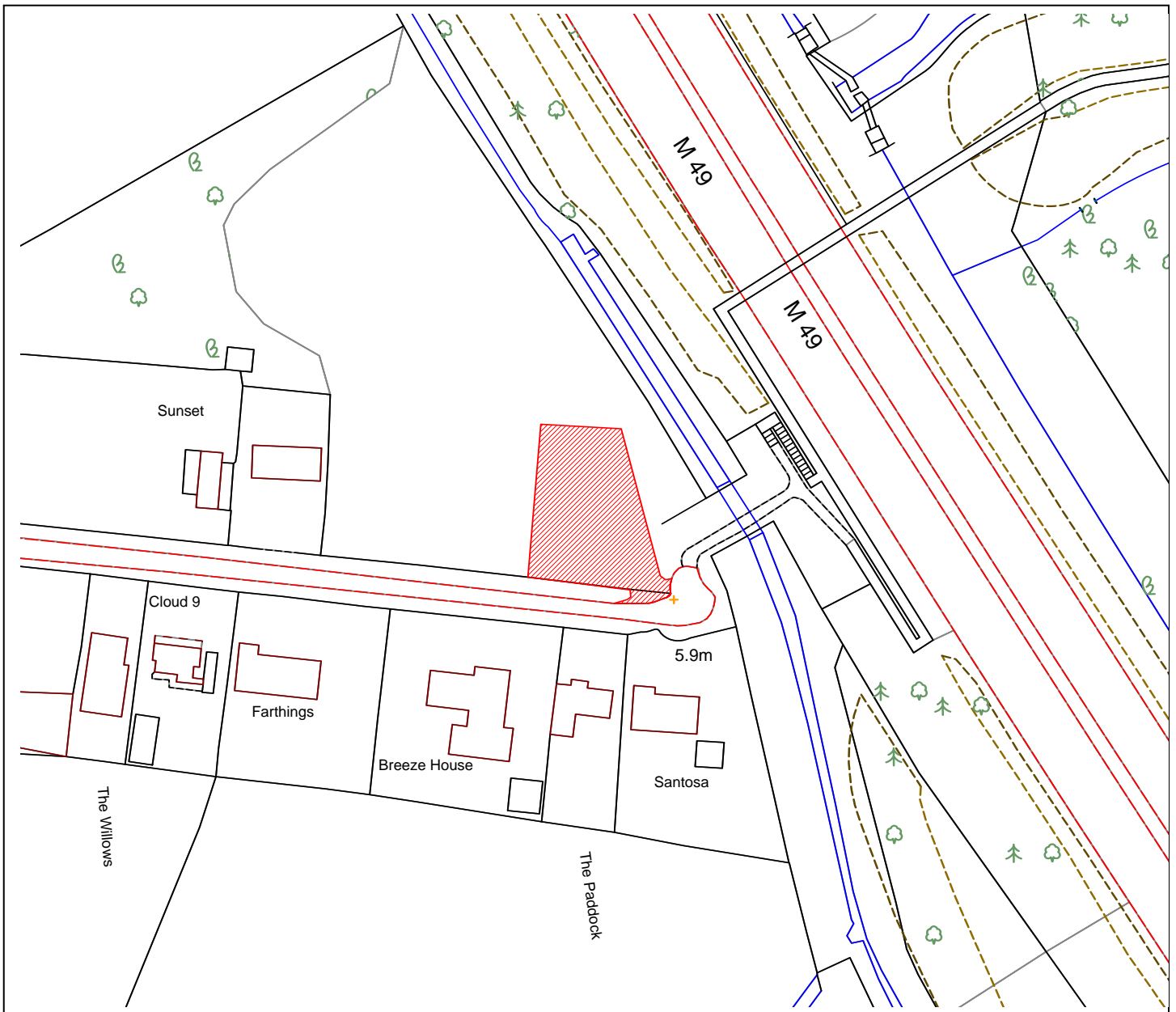
5. Prior to the occupation of the building hereby permitted, and at all times thereafter, the proposed ensuite and cloakroom windows on the rear elevation shall be glazed with obscure glass (level 3) only.

Reason(s):

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

**CIRCULATED SCHEDULE NO. 30/08 – 25 JULY 2008**

<b>App No.:</b>	PT08/1435/F	<b>Applicant:</b>	Mr & Mrs A Collier
<b>Site:</b>	Plot 7, Church Road, Severn Beach, South Gloucestershire, BS35 4NL	<b>Date Reg:</b>	27th May 2008
<b>Proposal:</b>	Proposed sunroom and change of style to front entrance porch amendment to previously approved planning permission P97/2711.	<b>Parish:</b>	Pilning and Severn Beach
<b>Map Ref:</b>	54598 84941	<b>Ward:</b>	Pilning and Severn Beach
<b>Application Category:</b>	Minor	<b>Target Date:</b>	15th July 2008



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**This application appears on the Circulated Schedule following the receipt of an objection from the Pilning and Severn Beach Parish Council.**

## **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission to amend the previously approved planning permission P97/2711 to alter the style of the front porch and provide a sun room.
- 1.2 The application site relates to a construction site beside a cul-de-sac (Church Road). The site is within the settlement boundary and is situated within the Environment Agency Flood Zone 3.

## **2. POLICY CONTEXT**

- 2.1 National Guidance
  - PPS1: Delivering Sustainable Development
  - PPS25: Development and Flood Risk
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
  - D1: Achieving Good Quality Design in New Development
  - H4: Development within Existing Residential Curtilages
  - EP1: Flood Risk and Development
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist SPD (Adopted) August 2008

## **3. RELEVANT PLANNING HISTORY**

- 3.1 P97/2711                      Erection of 7 dwellings. Construction of vehicular access.  
**Approved 7<sup>th</sup> May 1998**
- 3.2 PT08/0163/RVC           Variation of condition 12 attached to plan permission  
P97/2711 to allow approved garage to be utilised as  
residential living space and addition of external decking for  
dwelling access and reposition of access to highway.  
**Approved 10<sup>th</sup> March 2008**

## **4. CONSULTATION RESPONSES**

- 4.1 Pilning and Severn Beach Parish Council  
The parish council has no problem with the change to the style of the front entrance porch (located to the side in relation to the road) if the planning authority sees no problem with this.

With regard to the added sunroom, councillors are convened with regard to the visual amenity of neighbours. However, with boundary walls and fences 1.8 metres in height it seems unlikely the visual amenity could be contaminated to a greater extent than that influenced by a blank wall.

The biggest concern of the council is that the adjacent drainage ditch has been filled in by the developer. This is surely unacceptable in a flood plain area: an area in which there is a presumption against development (other than where

long-standing permissions remain in force). Accordingly, this matter needs to be investigated.

4.2 Transportation Officer

No objection

4.3 Drainage Officer

No objection

4.4 Environment Agency

Standard advice recommended

4.5 Local Residents

None

## 5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extension to residential dwelling. This is subject to the proposal:

- respecting the character and appearance of the existing dwelling and the surrounding area;
- not prejudicing the amenities of nearby occupiers,
- maintaining highway safety; and
- providing adequate amenity space.

5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.

5.3 Residential Amenity

The application site relates to a construction site which has an extant consent (P97/2711) for the erection of 7no. new dwellings which has been implemented through the laying of foundations. The site would face onto Church Road and would be adjoined by one new dwelling to the side (yet to be built).

5.4 This application seeks two amendments to alter the style of the front porch and provide a sun room. The proposed development would be position well within the confines of the application site. Furthermore, the site would be well screened from nearby properties by the proposed 1.8 metre boundary fence. In view of these features, it is considered that the proposal would not material harm residential amenity of nearby occupiers.

5.5 Design and Visual Amenity

The proposed porch and sun room would adopt a simple design approach. The proposal would respect the proportions of the proposed dwelling and would using matching materials. In view of these feature, it is considered that the development would not materially harm visual amenity.

5.6 Flood Risk

Some concerns have been raised by the Parish Council with regard to flooding. The application site is situated within Flood Zone 3. To address this issue the applicant has submitted a Flood Risk Assessment (FRA) which demonstrates

the proposed mitigation measures. The Environment Agency and the Council's Drainage Engineer have been consulted on this and have raised no objection to this. As such, it is considered that the proposal would not intensify the risk of flooding in this location in accordance with PPS 25 and Policy EP2 of the Local Plan. Only drainage matters that are directly related to this development can be considered as material to this decision.

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

### 7. RECOMMENDATION

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

Background Papers      **PT08/1435/F**

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

### CONDITIONS

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

Reason(s):

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

## CIRCULATED SCHEDULE NO. 30/08 – 25 JULY 2008

<b>App No.:</b>	PT08/1491/F	<b>Applicant:</b>	Mr P Reynolds
<b>Site:</b>	46 Down Road, Winterbourne Down, South Gloucestershire, BS36 1BZ	<b>Date Reg:</b>	3rd June 2008
<b>Proposal:</b>	Erection of front boundary wall	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	65161 79633	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	25th July 2008



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**N.T.S**

**PT08/1491/F**

## **INTRODUCTION**

**This application was placed on the Circulated Schedule due to an objection to the proposal received from the Parish Council on highway grounds.**

### **1. THE PROPOSAL**

- 1.1 The applicant seeks retrospective planning permission for the erection of a boundary wall.
- 1.2 The proposal involved the construction of a boundary wall to the north of the property. The wall will be a maximum of 1.6 metres high, there is difference of levels between the road and the garden, thus the wall appears higher on one side than the other.
- 1.3 The site lies within the settlement boundary of Winterbourne, with the property on the junction between Camp Road and Down Road.

### **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

L1 Landscape Protection and Enhancement

T12 Transportation development Control

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

### **3. RELEVANT PLANNING HISTORY**

None relevant

### **4. CONSULTATION RESPONSES**

#### 4.1 Winterbourne Parish Council

Object to the proposal as it will cause a highway safety issue as it will block the visibility splay at the junction of Camp View, and Down Road.

#### 4.2 Local Residents

One letter has been received from a resident on Camp View raising an objection to the proposal on the grounds that the development will result in the visibility splay for the the junction of Camp view, and Down Road being interrupted by the wall causing a highway safety issue.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The proposal for the erection of a boundary wall at this location is considered acceptable in principle and in accordance with the relevant policies of the Development Plan, as referred to in the Policy section above.

### 5.2 Residential Amenity

Due to the overall scale and size of the proposed development, there would be no adverse impact on the residential amenity of neighbouring occupiers in terms of overbearing or loss of privacy.

### 5.3 Highway Safety Analysis

Policy T12 of the South Gloucestershire Council Local Plan (Adopted) relates to the Transportation implications of new development. The policy seeks to ensure that any new development does not result in highway safety nor would it impact upon residential amenity.

In terms of the highway implications of the new development the Council's Highway Officers have assessed the proposal and consider that it will not cause a highway safety issue nor will it interrupt the free flow of traffic in the area. To this extent the Council's Highway Officer raise no objection to the proposal.

### 5.4 Design / Visual Amenity

The design and scale of the proposed wall is considered to be an acceptable form of development at this location and would be in keeping with the existing area and the boundary treatments of the neighbouring properties along this frontage. Consequently the design is in keeping with the house and the locality and complies with Policies H4 and D1 of the South Gloucestershire Council Local Plan (Adopted).

### 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 Section 106 Requirements

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

## 6. **CONCLUSION**

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

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

## **7. RECOMMENDATION**

7.1 That planning permission is **granted**.

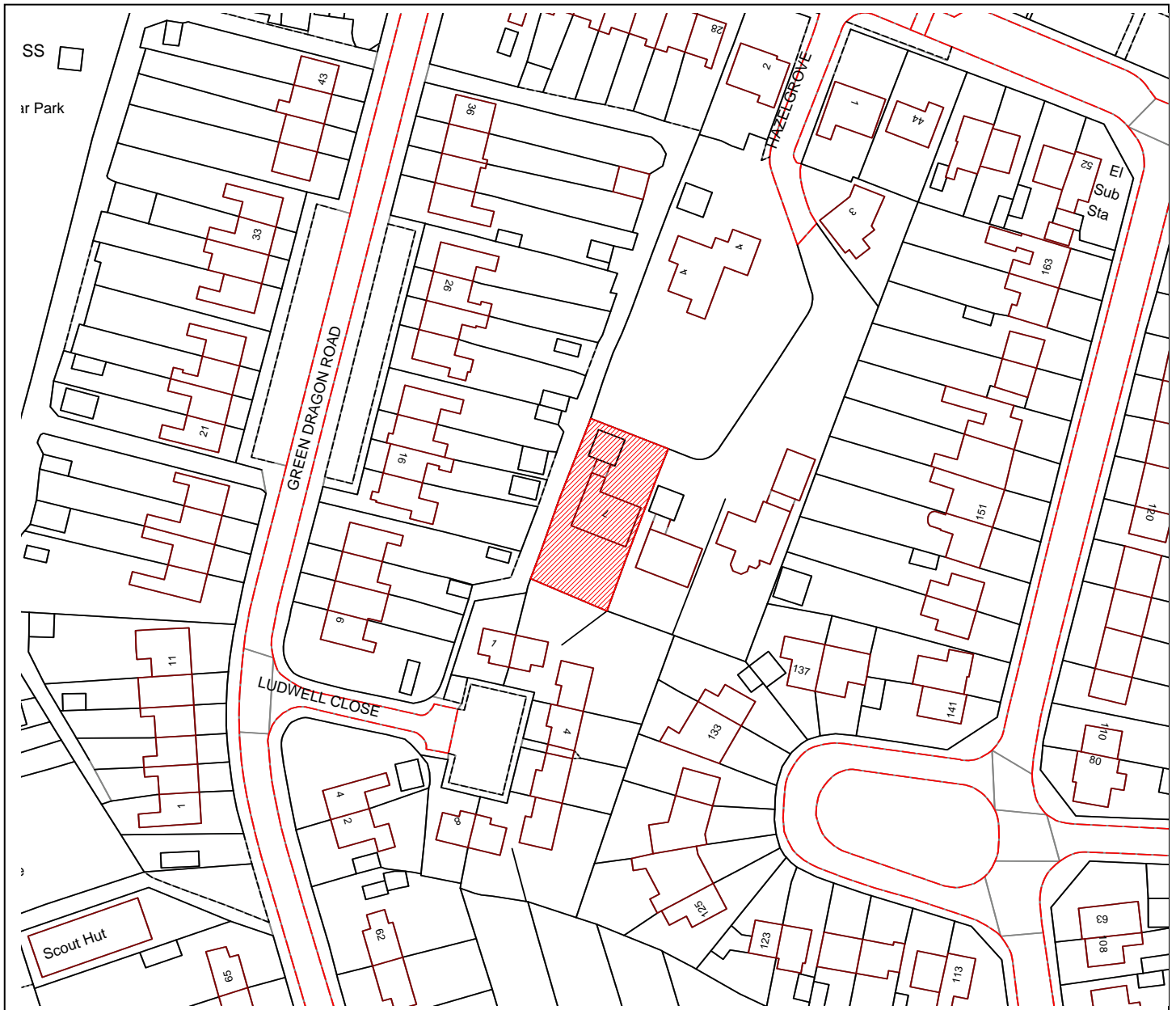
**Background Papers**      **PT08/1491/F**

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

**CIRCULATED SCHEDULE NO. 30/08 – 25 JULY 2008**

**App No.:** PT08/1584/F  
**Site:** 7 Hazelgrove, Winterbourne, South Gloucestershire, BS36 1SH  
**Proposal:** Erection of two storey side extension and single storey front side extension to form additional living accomodation.  
**Map Ref:** 64972 80398  
**Application Category:** Minor

**Applicant:** Mr Houghtman  
**Date Reg:** 11th June 2008  
**Parish:** Winterbourne Parish Council  
**Ward:** Winterbourne  
**Target Date:** 25th July 2008



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**N.T.S**

**PT08/1584/F**



## 1. **THE PROPOSAL**

This application seeks planning permission for the erection of a two storey side and a single storey front extension. The property subject to the application is a detached dwelling within the established residential area of Winterbourne.

## 2. **POLICY CONTEXT**

### National Guidance:

PPS1 Delivering Sustainable Communities

### Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Residential curtilage

### Supplementary Planning Document

South Gloucestershire Council Design Checklist (Adopted)

## 3. **RELEVANT PLANNING HISTORY**

None

## 4. **CONSULTATION RESPONSES**

### Winterbourne Parish Council:

No objection

### Local Residents:

Four letters have been received stating that they object to the proposal, they raise the following issues...

- Loss of light
- Overlooking
- Incursion on the enjoyment of the night sky
- The original development should have only been single storey

## 5. **ANALYSIS OF PROPOSAL**

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

### 5.2 **DESIGN**

It is considered that this proposal in terms of its overall size, design and external appearance is in keeping with the existing property and those that surround it. The proposal will be constructed using materials that occur in the area with render and stone brick to match the main house.

### 5.3 **RESIDENTIAL AMENITY**

It is considered that this proposal does not have an unreasonable impact upon the amenity of the adjoining properties. Its size and design ensure that the proposal does not have an overbearing impact on the surrounding properties nor is it harmful to

privacy. No windows are proposed which directly over look adjacent properties. Light enjoyed by nearby properties will not be materially harmed as a result of this proposal.

5.4 In response to the neighbours concerns no new side windows are proposed; a condition is suggested to prohibit any new windows in the future in this elevation. In terms of the current development being two storey rather than single storey is not material as that development was granted planning permission, and the merit of the existing development is now under consideration. The comments regarding the view of the night sky to a keen amateur astrologer are noted but a balanced assessment must be taken in relation to a householder wishing to extend his property and the public interest being harmed. It is not considered that it would be reasonable to refuse this scheme on this basis, and the residential amenity of nearby property has not been materially harmed.

#### 5.5 Section 106 Requirements

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

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

7.1 Planning permission be granted subject to the following conditions

**Background Papers**      **PT08/1584/F**

**Contact Officer:**    **GARETH JOHN 01454 863438**

### CONDITIONS

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

Reason(s):

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

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

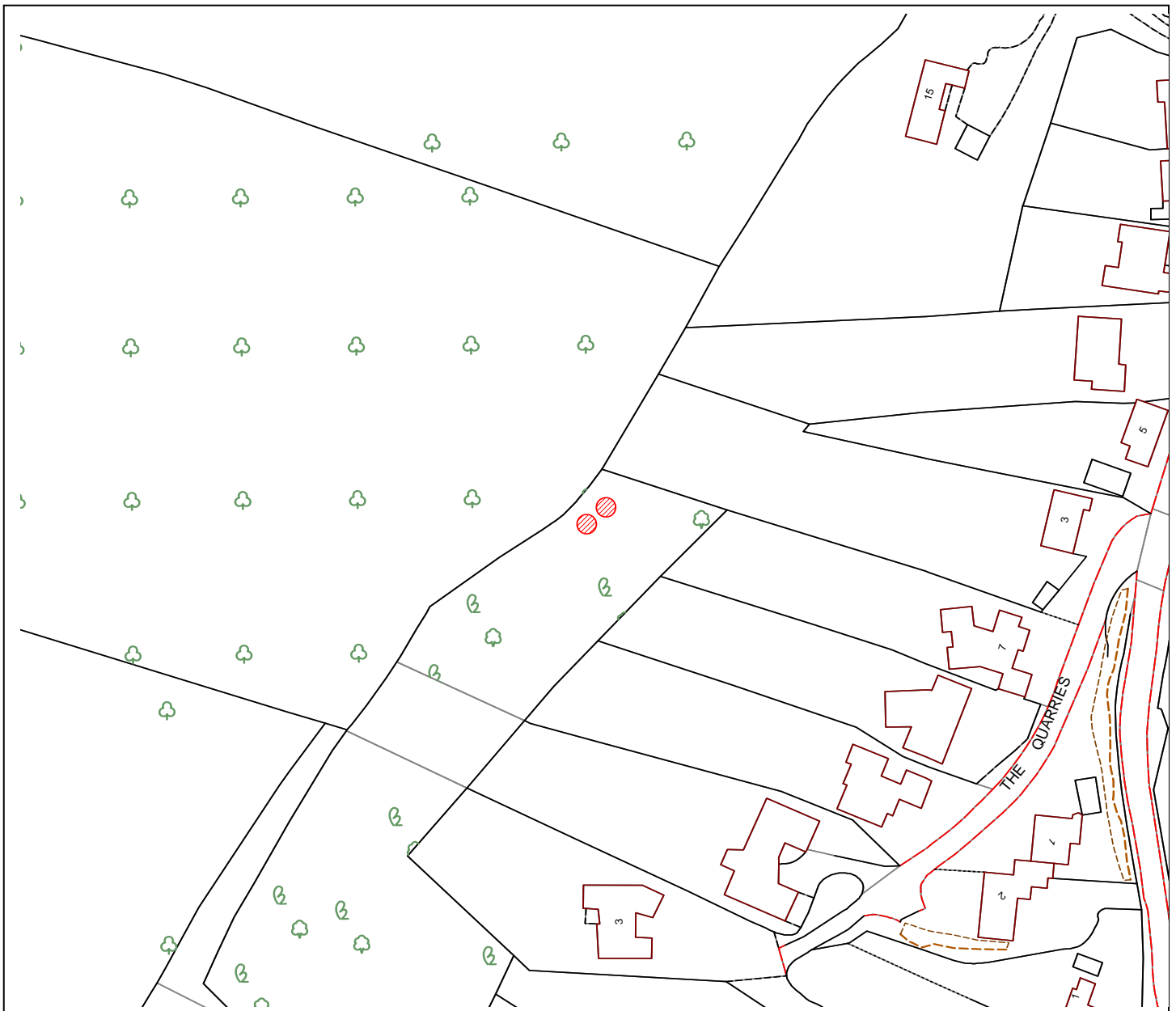
Reason(s):

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

**CIRCULATED SCHEDULE NO. 30/08 – 25 JULY 2008**

**App No.:** PT08/1812/TRE  
**Site:** 3 Old Aust Road, Almondsbury, South Gloucestershire, BS32 4HJ  
**Proposal:** Works to reduce crowns of 2 no. Oak trees (01 & 02) all covered by South Gloucestershire Tree Preservation Order no 31 dated 1971.  
**Map Ref:** 60932 84568  
**Application Category:** Minor

**Applicant:** C/o Agent  
**Date Reg:** 2nd July 2008  
**Parish:** Almondsbury Parish Council  
**Ward:** Almondsbury  
**Target Date:** 12th August 2008



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**N.T.S**

**PT08/1812/TRE**

**This application appears on the Circulated Schedule as a representation was received contrary to the Officer's recommendation.**

**1. THE PROPOSAL**

- 1.1 The applicant seeks consent for works to reduce crowns of 2 no. Oak trees (01 & 02) all covered by South Gloucestershire Tree Preservation Order no 31 dated 1971.
- 1.2 The two Oak trees are located at the very rear of a strip of land to the rear of 7 The Quarries.

**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**

PT00/3347/TRE – Works to trees covered by TPO. Approve 12/01/2001.

**4. CONSULTATION RESPONSES**

4.1 Almondsbury Parish Council

Objection raised – there are no problems with the trees and the trees themselves are positioned a long way from the property.

**Other Representations**

4.2 Local Residents

No response

**5. ANALYSIS OF PROPOSAL**

The Oak trees are mature specimens, last reduced in size approximately 7 years ago. The trees have now regrown to form a large canopy.

The Council's Tree Officer was consulted as a part of this application. Once a tree is reduced it is good arboricultural practice to re-reduce on a regular basis. This ensures that the re-growth, which has a weaker union with the main branch structure of the tree, does not become too large / heavy and snap out.

It is considered that the works are ongoing management and should not have a detrimental effect on the health of the trees and would contribute to the longevity of the trees, and thereby visual amenity.

## 6. **CONCLUSION**

The decision to grant consent 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 consent be granted subject to the following conditions.

**Background Papers**      **PT08/1812/TRE**

**Contact Officer:**    **Will Collins**  
**Tel. No.**                **01454 863819**

## **CONDITIONS**

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

Reason(s):

In the interests of the long term health of the tree(s), 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(s):

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

**CIRCULATED SCHEDULE NO. 30/08 – 25 JULY 2008**

<b>App No.:</b>	PT08/1835/CLP	<b>Applicant:</b>	Mr Everett
<b>Site:</b>	6 Snowberry Close, Bradley Stoke, South Gloucestershire, BS32 8GB	<b>Date Reg:</b>	3rd July 2008
<b>Proposal:</b>	Certificate of Lawfulness for the proposed installation of velux rooflights to facilitate loft conversion.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	62179 81797	<b>Ward:</b>	Bradley Stoke South
<b>Application Category:</b>	Minor	<b>Target Date:</b>	15th August 2008



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**N.T.S**

**PT08/1835/CLP**

**This application appears on the Circulated Schedule as it is Certificate of lawfulness proposal.**

**1. THE PROPOSAL**

- 1.1 A certificate of Lawfulness for a Proposed development has been applied for in relation to the insertion of 5 flush roof light windows at this modern detached property on the south west side of Snowberry Close. This is an established residential property within the urban area.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

**2. POLICY CONTEXT**

- 2.1 Town and Country Planning (General Procedures) Order 1995 Article 24
- 2.2 Town and Country Planning (General Permitted Development) Order 1995

**3. RELEVANT PLANNING HISTORY**

- 3.1 PT00/2309/RM – Residential development comprising 121 dwellings. Conditional planning consent granted 9.2.2001. The permitted development rights normally afforded to householders were removed by way of a planning condition.
- 3.2 PT08/0280/CLP – Certificate of Lawfulness for a Proposed development for a box roof dormer. Refused, as the box roof dormer fell outside of the permitted development rights afforded to householders; and in any event the permitted development rights had been removed by virtue of a condition on PT00/2309/RM.

**4. REPRESENTATIONS RECEIVED**

- 4.1 Bradley Stoke Town Council

**5. SUMMARY OF EVIDENCE IN SUPPORT OF THE APPLICATION**

- 5.1 Proposed plans to indicate the position, size and nature of the rooflights.

**6. SUMMARY OF CONTRARY EVIDENCE**

None received

**7. EVALUATION**

- 7.1 The application for a Certificate of Lawfulness is purely an evidential test. The test of evidence to be applied is whether the case has been shown on the balance of probability. As such the applicant needs to provide precise and unambiguous evidence.



- 7.2 The crucial issue to determine is whether the insertion of thee 5 rooflights shown on the plans submitted constitute “development” within the meaning of Section 55 of the Town and Country Planning Act 1990. If they do, then because the permitted development rights normally allowed under the Town and Country Planning (General Permitted Development) Order 1995 have been removed by planning condition, then a planning application would be required. Section 55 (2)(a) states that the carrying out of for the maintenance, improvements or other alteration of any building of works which do not materially affect the external appearance of the building does not constitute development within the meaning of the 1990 Act. In this instance as the roof lights are flush with the existing roof plane, it is considered that these would not materially affect the external appearance of the building.
- 7.3 Accordingly, based on the specific plans submitted it is concluded that the insertion of the rooflights would not constitute development within the meaning of section 55. Accordingly, planning permission is not required and the proposal would be lawful.

## **8. RECOMMENDATION**

- 8.1 A Certificate of Lawful Development be granted for the following reasons:  
The proposal is not considered to constitute development within the meaning of section 55(2)(a) of the Town and Country Planning Act 1990.

**Background Papers**      **PT08/1835/CLP**

**Contact Officer:**    **H O’Connor**  
**Tel. No.**                **01454 863819**