



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY
THE DIRECTOR OF PLANNING, TRANSPORTATION AND STRATEGIC
ENVIRONMENT**

CIRCULATED SCHEDULE NO. 28/08

Date to Members: 11/07/08

Member's Deadline: 17/07/08

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

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: 11/07/08

SCHEDULE NO. 28/08

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 12 noon), to the appropriate Development Control Support Team. For the Kingswood area, extension 3544 (fax no. 3545), or the Development Control Support Team at the Thornbury office, on extension 3419 (fax no. 3440), or email Planningapplications@southglos.gov.uk.

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

IMPORTANT NOTE REGARDING RESPONSE DEADLINES

As a result of a review of the Circulated Schedule procedure, Legal Services have advised us that the wrong response deadlines are being set. The Constitution allows referrals to be made by any member within 5 working days of the issue of the Circulated Schedule. The first working day includes the date the schedule is issued. Therefore, since in most cases the schedule is published on a Friday, the deadline (assuming no bank holidays) would be the end of Thursday, not the end of that week. The deadline for responses has been changed to reflect this latest advice to ensure referrals are being made within the timeline allowed for by the Constitution.

IMPORTANT NOTE REGARDING POTENTIAL STRIKE

It is possible that the Council's services will be affected by planned strike action by Unison members on 16th and 17th July. As a result of Management action to limit the impact of this on customers, it is intended that the Circulated Schedule for that week will be prepared for issue on the Wednesday (two days earlier than normal) with the deadline for referrals being the end of Tuesday in the week following.

**Dates and Deadlines for Circulated Schedule
For Proposed Strike on 16th and 17th July 2008**

Schedule Number	Date to Members 12 noon on	Members Deadline 5 pm on
29/08	Wednesday 16 July 2008	Tuesday 22 July 2008

Circulated Schedule 11 July 2008

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1	PK08/1291/CLP	Approve	1 Fox Close, Hawkesbury Upton, South Gloucestershire, GL9 1EQ	Cotswold Edge	Hawkesbury Upton Parish Council
2	PK08/1463/F	Approve with conditions	The Old Chapel, Oxleaze Farm Road, Inglestone Common, South Gloucestershire, GL9 1BS	Cotswold Edge	Hawkesbury Upton Parish Council
3	PK08/1531/F	Approve with conditions	Old Brewery Store, Chapel Lane, Old Sodbury, South Gloucestershire, BS37 6SJ	Cotswold Edge	Sodbury Town Council
4	PK08/1547/F	Approve with conditions	Land rear of 17 High Street, Staple Hill, South Gloucestershire, BS16 5HA	Staple Hill	
5	PK08/1553/F	Approve with conditions	12 Kings Drive, Hanham, South Gloucestershire, BS15 3JH	Hanham	Hanham Abbots Parish Council
6	PK08/1591/F	Approve with conditions	4 Poplar Close, North Common, South Gloucestershire, BS30 5NW	Oldland Common	Bitton Parish Council
7	PT08/0207/F	Approve with conditions	Bristol Golf Club Blackhorse Hill, Easter Compton, South Gloucestershire, BS10 7TQ	Almondsbury	Almondsbury Parish Council
8	PT08/1366/F	Approve with conditions	37 Gloucester Road, Almondsbury, South Gloucestershire, BS32 4HH	Almondsbury	Almondsbury Parish Council
9	PT08/1611/F	Approve with conditions	Trevethan, Vattlingstone Lane, Alveston, South Gloucestershire, BS35 3JS	Thornbury South and Alveston	Alveston Parish Council

CIRCULATED SCHEDULE NO. 28/08 – 11 JULY 2008

App No.: PK08/1291/CLP
Site: 1 Fox Close, Hawkesbury Upton, South Gloucestershire, GL9 1EQ
Proposal: Application for Certificate of Lawfulness for proposed use of domestic garage as residential accommodation with the addition of 2no. windows.
Map Ref: 77946 87124
Application Category: Minor

Applicant: Mrs F Capehorn
Date Reg: 14th May 2008
Parish: Hawkesbury Upton Parish Council
Ward: Cotswold Edge
Target Date: 25th June 2008



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INTRODUCTION

This application appears on the Circulated Schedule in accordance with the standard procedure for the determination of such applications.

1. THE PROPOSAL

1.1 This application seeks clarification that the proposed change of use of a domestic garage to habitable accommodation, i.e. a study and play room, does not require planning permission. The application site relates to a two storey detached dwelling house within the village of Hawkesbury Upton. The works to the garage have already been completed. Although two flues on the main house are shown on the plans, these are no longer part of this application.

2. POLICY CONTEXT

2.1 The submission is not a planning application, thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

3.1 There have been a number of planning applications relating to the property, none of which are relevant to this current application.

4. CONSULTATION RESPONSES

4.1 Hawkesbury Parish Council
The Parish Council noted this is not just a CLF but is a full planning application – the plan includes, for example, extra windows and an extra flue.

Other Representations

4.2 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The purpose of this application for a Certificate of Lawful Development for a Proposed Use is to establish whether or not the proposal can be implemented lawfully without the need for Planning Consent. This is not a Planning Application but is an assessment of the relevant planning legislation, and as such the policies contained within the South Gloucestershire Local Plan (Adopted) January 2006 do not apply in this instance. The assessment must be made on the 'balance of probability'.

5.2 The proposed 'development' consists of the conversion of an attached double garage to living accommodation associated with the existing dwelling house, and comprise a play room and study area with cupboards. The conversion

involved the replacement of the two garage doors with the addition of two new windows and associated walling to match that of the existing house. Since these works do not materially affect the external appearance of the building, they do not represent development (Part III Section 55 (2) (a) of the Town and Country Planning Act 1990).

5.3 Conclusion

It is therefore considered that the proposal falls within the categories of development which are permitted development, for which planning permission is not required.

6. **RECOMMENDATION**

6.1 That a Certificate of Lawfulness for Proposed Development is granted.

Background Papers **PK08/1291/CLP**

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

CIRCULATED SCHEDULE NO. 28/08 – 11 JULY 2008

App No.:	PK08/1463/F	Applicant:	Mr & Mrs B Jones
Site:	The Old Chapel, Oxleaze Farm Road, Inglestone Common, South Gloucestershire, GL9 1BS	Date Reg:	29th May 2008
Proposal:	Conversion of detached garage to form ancillary residential accommodation.	Parish:	Hawkesbury Upton Parish Council
Map Ref:	75982 88417	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	11th July 2008



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N.T.S

PK08/1463/F

INTRODUCTION

This application is placed on the Circulated Schedule to members in accordance with procedure given that objections have been raised

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the conversion of an existing garage to form a residential annexe. The building concerned is situated within the residential curtilage of "The Old Chapel" and to the north-west of this building. The site is accessed from a narrow track and is situated at the northern edge of Inglestone Common but in itself is outside of the designated Area of Outstanding Natural Beauty (AONB).
- 1.2 The proposed development will not involve any increase in the footprint of the building or any increase in height. External alterations will involve the replacement of garage doors on the front (south-west) elevation with 3 no. windows, one of which will enable the creation of an upper floor. A single window is added to the side (north-west) elevation, alterations to the windows and door on the south-east elevation is also proposed. On the rear elevation a door and two windows are proposed one of which is at first floor level. Materials are to match those existing. All other works are to the inside of the building.
- 1.3 Consent is required in this case because as part of the original consent (P98/2589), a condition requiring the garage to be retained as a garage and not used for any other purpose was attached to the decision notice, thus removing the usual permitted development rights. Such a condition is attached to allow an assessment to be made of the impact of a change of use of the structure.

2. POLICY CONTEXT

2.1 Development Plan

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

T8 Car Parking Standards

T12 Transportation development control for new development

H4 Development within existing residential curtilages

L17 and L18 The Water Environment

EP1 Environmental Pollution

3. RELEVANT PLANNING HISTORY

- 3.1 P91/1510 Erection of domestic garage (Approved)
P94/1195 Conversion of redundant chapel to dwellinghouse (Approved)
P98/1464 Erection of detached double garage and garden store (Approval)
P98/2589 Erection of detached garage and store (Revised Siting – Approved)

4. **CONSULTATION RESPONSES**

4.1 Hawkesbury Upton Parish Council

PC expressed concern about: sewage (there have been problems here), car parking on the Common, & the use of the unadopted road.

4.2 Sustainable Transport

Planning permission is sought to convert an existing detached double garage with adjoining store to the rear into a three-bed ancillary residential dwelling.

Although vehicular parking will be lost with the conversion of the garage, adequate alternative vehicular parking can be provided within the site boundary. Subject to the following condition, there is no transportation objection to this proposal.

- This ancillary building to remain within the ownership of the existing dwelling and will not be sublet or subdivided at any time.

Other Representations

4.2 Local Residents

There have been 2 letters of objection received. The grounds of objection can be summarised as follows:

- The drainage in the area is poor and there have been significant problems previously in respect of sewerage and surface water drainage
- There has been an increase in the population of this group of cottages
- There is a risk of accidents given that grazing takes place on the common
- The proposal would be in the Green Belt and there is no reason to permit a further house to be built.
- The proposal will involve greater use of a private road causing damage
- The proposal will be detrimental to the Area of Outstanding Natural Beauty

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for development with existing residential curtilages subject to criteria relating to design and visual amenity, residential amenity and highway safety being satisfied.

5.2 Visual Amenity

The application does not propose to extend the existing garage building either in terms of the footprint or the height of the building. Alterations are limited to the windows and it is indicated that some resurfacing will take place using materials to match the existing building.

It is considered that the proposed development by reason of its scale, design and siting would not have an adverse impact on the character of the dwelling or the visual amenity of the surrounding area.

5.3 Residential Amenity

The building will be used in conjunction to the existing building and a condition is recommended to be attached to the decision to ensure that its use is ancillary to the main building. This condition is necessary because the building does not have its own amenity space, does not have separate parking arrangements and shares the same access. The independent use of the building would require consideration of these matters.

It is not considered given that the building would not increase in size over and above its existing height or floor area and given the location of windows at first floor level on the front and rear elevations, that the amenity of the original property would be affected. In addition given the juxtaposition of the two buildings it is not considered that the new ancillary residential unit would be significantly overlooked by the original property. Given distances to other neighbouring properties and the position of windows it is not considered that any detriment to neighbouring occupiers (including The Old Chapel) would result from this proposal.

5.4 Transportation Issues

Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006) states among other criteria that new development will be permitted provided that in terms of transportation the proposal would not unacceptably exacerbate traffic congestion or have an unacceptable effect on road, pedestrian and cyclist safety.

The proposed development will result in the loss of parking spaces currently being provided by the garage. The applicant has indicated that alternative spaces can be provided on the site and accessed on the road. On the basis of this information Transportation Officers raise no objection to the development, subject to a condition to ensure that the unit remains ancillary to the main dwelling. In addition a condition will be attached to the decision notice to require the parking spaces shown on the plan to be installed prior to the first occupation of the building.

Subject to these conditions the proposed development is considered to be in accord with Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006).

5.5 Drainage

Local Plan Policies L17/18 and EP1 indicate that development will not be permitted which would unacceptably harm the environment in particular the water environment.

Concerns have been raised from neighbouring occupiers with regard to drainage and sewerage problems at the site although it should be noted that there is no objection to the proposed development by the Council Drainage Engineers.

The Environmental Protection Team are aware of previous problems and have indicated that a package treatment system should be used given to ensure that the site can cope with the additional demands of the new unit. The applicant has indicated that a Klaigester Waste Water treatment unit is to be used and this is acceptable to the Environmental Protection Team who consider this can be installed in the same location as the existing septic tanks. A condition is recommended therefore to ensure that the unit is installed prior to the first occupation of the building. An informative will be attached to the decision notice reminding the applicant that consent to discharge is required from the Environment Agency.

Subject to the above condition the proposed development is considered in accord with Local Plan Policy.

5.6 Ecology

The Council Ecologist indicates that the building does not appear suitable for bats, however if acceptable in other respects an informative would be attached to the decision notice advising care when undertaking works to the roof.

5.7 Other Issues

Concern has been raised regarding the impact of the development upon the Green Belt and the Area of Outstanding Natural Beauty. It should be noted that the site is not located within either of these areas. The impact upon visual amenity is assessed above.

Concern has been raised regarding the impact of the development upon an un-adopted Road. Transportation Officers consider that the road access is acceptable.

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 be granted subject to the following conditions.

Background Papers **PK08/1463/F**

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

CONDITIONS

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

Reason:

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

2. The residential accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Old Chapel.

Reason:

The building concerned does not have an independent access or independent parking provision and to accord with Policy H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The means of drainage hereby agree (Klaigester Waste Treatment Unit) shall be installed prior to the first occupation of the ancillary dwelling.

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.

INTRODUCTION

This application appears on the Circulated Schedule in accordance with the standard procedure for the determination of such applications.

1. THE PROPOSAL

1.1 This application seeks clarification that the proposed change of use of a domestic garage to habitable accommodation, i.e. a study and play room, does not require planning permission. The application site relates to a two storey detached dwelling house within the village of Hawkesbury Upton. The works to the garage have already been completed. Although two flues on the main house are shown on the plans, these are no longer part of this application.

2. POLICY CONTEXT

2.1 The submission is not a planning application, thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

3.1 There have been a number of planning applications relating to the property, none of which are relevant to this current application.

4. CONSULTATION RESPONSES

4.1 Hawkesbury Parish Council
The Parish Council noted this is not just a CLF but is a full planning application – the plan includes, for example, extra windows and an extra flue.

Other Representations

4.2 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The purpose of this application for a Certificate of Lawful Development for a Proposed Use is to establish whether or not the proposal can be implemented lawfully without the need for Planning Consent. This is not a Planning Application but is an assessment of the relevant planning legislation, and as such the policies contained within the South Gloucestershire Local Plan (Adopted) January 2006 do not apply in this instance. The assessment must be made on the 'balance of probability'.

5.2 The proposed 'development' consists of the conversion of an attached double garage to living accommodation associated with the existing dwelling house, and comprise a play room and study area with cupboards. The conversion

involved the replacement of the two garage doors with the addition of two new windows and associated walling to match that of the existing house. Since these works do not materially affect the external appearance of the building, they do not represent development (Part III Section 55 (2) (a) of the Town and Country Planning Act 1990).

5.3 Conclusion

It is therefore considered that the proposal falls within the categories of development which are permitted development, for which planning permission is not required.

6. **RECOMMENDATION**

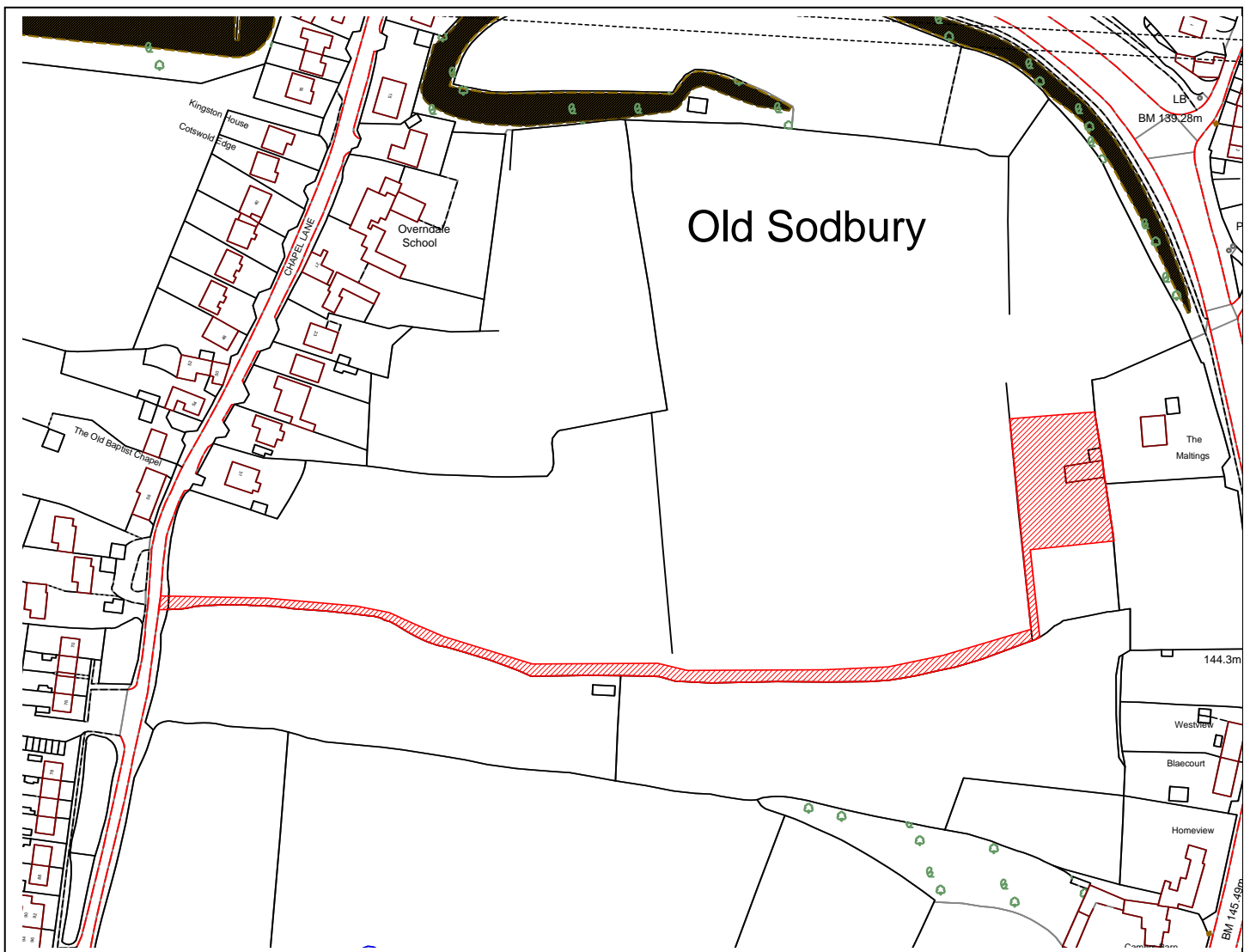
6.1 That a Certificate of Lawfulness for Proposed Development is granted.

Background Papers **PK08/1291/CLP**

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

CIRCULATED SCHEDULE NO. 28/08 – 11 JULY 2008

App No.:	PK08/1531/F	Applicant:	Mr R Kingscott Richard Kingscott Architect
Site:	Old Brewery Store, Chapel Lane, Old Sodbury, South Gloucestershire, BS37 6SJ	Date Reg:	5th June 2008
Proposal:	Conversion of former brewery store to provide dwelling. Change of use of agricultural land to domestic curtilage. Construction of new access track (Scheme A). (Amendment to previously approved scheme PK06/3573/F).	Parish:	Sodbury Town Council
Map Ref:	75395 81256	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	18th July 2008



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100023410, 2008.

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of objections from local residents, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to 'The Old Brewery Store' Circa 1869 situated to the west of 'The Maltings', an existing dwelling set back from and west of the main Badminton Road (A432), Old Sodbury. Further dwellings lie to the south along Badminton Road, otherwise the site lies within open countryside and Green Belt land on the western slopes of the Cotswold Escarpment, which lies within the Cotswolds AONB. The village of Old Sodbury lies more to the north and west along Chapel Lane.
- 1.2 The building, which is a traditional construction of natural Cotswold stone with a tiled roof and red brick inner wall, may well have been formerly part of an extensive group of 19thC Brewery Buildings, most of which were demolished in 1960. The Old Brewery Store appears to be the only remaining remnant of the former Brewery. The building has more recently been used for agricultural purposes but this use has now ceased, since when the building has fallen into disrepair.
- 1.3 Planning permission PK06/3573/F was recently granted to convert the building into a single dwelling house for occupation by the applicant, who is an architect. The inclusion of an office/workshop would also allow the applicant to operate his architectural consultancy business from the building. Vehicular access for this scheme was originally proposed via an existing field access off the A432, but the scheme was revised and access will now be from Chapel Lane via a new wooden field gate, leading to a proposed new track running across two fields to the west of the site; this track is currently under construction.
- 1.4 In response to the requirements of building control, some small amendments to the originally approved scheme are required, hence this latest application. The amendments proposed are as follows:
- Insertion of 2no. small velux roof-lights in the northern elevation.
 - Main entrance door moved to southern elevation. Replace French door with entrance door and glazed screen. The west elevation to the office to be handed.
 - Addition of porch to main entrance on southern elevation.
 - Extension to be built alongside retaining wall.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 - Delivering Sustainable Development
PPG2 - Green Belts
PPS7 - The Countryside : Environmental Quality and Economic and Social Development.
PPG13 - Transport
PPG15 - Planning and the Historic Environment

2.2 Development Plans

Joint Replacement Structure Plan

Policy 2 - Location of Development

Policy 3 - Landscape Protection

Policy 16 - Green Belt

Policy 17 - Landscape Areas AONB

Policy 59 - New Development – transport issues.

South Gloucestershire Local Plan (Adopted) January 2006

D1 - Design

L1 - Landscape Protection and Enhancement

L2 - Cotswolds AONB

L9 - Species Protection

LC12 - Recreational Routes

GB1 - Development within the Green Belt

T8 - Parking Standards

T12 - Transportation Development Control Policy for New Development

EP1 - Environmental Pollution

EP9 - Contaminated Land

H10 - Conversion and Re-Use of Rural Buildings for Residential Purposes.

2.3 Supplementary Planning Guidance

Development in the Green Belt - April 2007

Re-Use and Conversion of Farm Buildings (Consultation Draft)

South Gloucestershire Design Checklist (SPD) – Adopted 23rd August 2007.

3. RELEVANT PLANNING HISTORY

3.1 PK06/3543/F - Conversion of former brewery store to provide dwelling. (Scheme B).

Refused 10th July 2007 for the following two reasons:

1. The proposal would lead to an increase in vehicular turning movements to and from the A432 Badminton Road (i.e. a busy and fast classified road), at a location where forward visibility is restricted, thereby interfering with the safe and free flow of traffic on the public highway, all to the detriment of highway safety and contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

2. The proposed car parking spaces would be located immediately adjacent to the rear garden of 'The Maltings' and by reason of disturbance due to noise, fumes and smell from the associated traffic, the proposal would have an adverse impact on the residential amenity of adjoining occupiers, which would be contrary to Policies D1 (A) and H10 (D) of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3.2 PK06/3573/F - Conversion of former brewery store to provide dwelling. Change of use of agricultural land to domestic curtilage. Construction of new access track (Scheme A).

Approved 31st Oct 2007

4. CONSULTATION RESPONSES

4.1 Sodbury Town Council
No objections

4.2 Other Consultees
None

Other Representations

4.3 Local Residents
Only 2no. letters of objection were received, The concerns raised are summarised as follows:

- Dormers not properly shown on the plans.
- Loss of view.
- Adverse impact on residential amenity for occupiers of 'The Maltings'.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The acceptance in principle of this development has already been established with the granting of planning permission PK06/3573/F. The proposed amendments relate only to the building itself and in every other aspect the proposal is identical to that previously approved. Officers therefore consider that the only matters that need to be assessed are as set out below.

5.2 Green Belt Issues
The amendments include the erection of a porch to the southern elevation. This small addition is not considered to be a disproportionate addition and will not therefore constitute inappropriate development within the Green Belt and by definition will not adversely affect the openness of the Green Belt.

5.3 Design Issues
The amended scheme retains the rustic appearance of the building and would not be contrary to the requirements of Policy H10. The various amendments are relatively minor and would not significantly alter the overall approved scheme. The velux windows are required to allow natural light into the first floor corridor/landing. The porch is required as the relocated main entrance door is now exposed to the prevailing south-westerly wind. The slight re-alignment of the extension will mean no disturbance of the 'Maltings' garden. The revised design is therefore acceptable.

5.4 Impact upon Residential Amenity
The additional velux windows on the northern elevation would be very small and would not face the neighbouring property. There would therefore be no additional impact upon residential amenity over and above that which was previously approved. Concerns have been raised about loss of view but there is in fact no right to a view so the matter is not a material consideration.

5.5 Transportation Issues
Condition 16 attached to the original planning permission, required the erection of 'SLOW' signs on Chapel Road adjacent to the access. It has since transpired that the Traffic Signs Regulations and General Directions do not allow for the erection of such signs. The condition is not therefore enforceable and as a result does not meet the tests of Circular 11/95. Officers are therefore satisfied

that the condition can be deleted should planning permission be granted for this amended proposal. The required 'SLOW' markings have already been painted on the road surface.

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.

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

7. RECOMMENDATION

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

Background Papers **PK08/1531/F**

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

CONDITIONS

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

Reason:

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

2. 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) no development as specified in Part 1 (Classes A, B, C, D, E, F, G and H), or any minor operations as specified in Part 2 (Class A and B), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason:

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1, and H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

To control future development in the interests of the visual amenity and openness of the Green Belt, and visual amenity of the Cotswolds AONB and landscape in general in accordance with Policies GB1, L1 and L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. The property hereby approved shall at no time become a solely residential unit and the use of the single storey extension shall at all times remain as an office/workshop use ancillary to the residential use of the building and within the same ownership and occupation.

Reason:

To retain an element of business use and to accord with Policy H10 (A) of the South Gloucestershire Local Plan (Adopted) 6th June 2006.

4. No windows, rooflights or doors other than those shown on the plans hereby approved shall be inserted at any time in the dwelling hereby approved, unless the Local Planning Authority gives consent in writing to any variation.

Reason:

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

5. The off-street parking facilities shown on the plans hereby approved shall be provided before the building is first occupied, and thereafter the parking facilities shall be retained and used only in conjunction with the occupation of the buildings purpose.

Reason:

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. Before the commencement of the development hereby permitted, a study to ascertain the previous uses of the buildings and level of contamination (if any) of the buildings walls and floors, shall be undertaken and the results submitted to the Local Planning Authority. Development shall not begin until a scheme to deal with any contamination of the buildings has been submitted to and approved in writing by the Local Planning Authority. Development shall not commence until measures approved in the scheme have been implemented.

Reason:

To ensure that the use hereby approved can proceed having regard to the conditions of the building, and to accord with Policy EP6 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

Reason:

To protect the character and appearance of the area to accord with Policies H10/D1/L1/L2/GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

8. 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 a programme agreed with the Local Planning Authority.

Reason:

To protect the character and appearance of the area to accord with Policies H10/D1/L1/L2/GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. A sample area of stonework and lime mortar pointing, minimum size 1 square metre, shall be made on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete.

Reason:

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

10. Samples of the proposed roof tiles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the works hereby approved.

Reason:

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

11. The dwellinghouse hereby approved shall not be occupied until the vehicular access at its entrance from Chapel Lane has been surfaced with bound material for a distance of 8m from the carriageway edge and to the full written satisfaction of The Street Care Manager.

Reason:

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

12. Prior to the commencement of development relating to the dwellinghouse hereby approved the means of vehicular access shall be constructed in full accordance with the approved plans and to the full written satisfaction of The Street Care Manager.

Reason:

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

13. Vehicular access to the dwellinghouse hereby approved shall be solely from the Chapel Lane access as shown on the plans hereby approved, with no access from the A432.

Reason:

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

14. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority measures in respect of:

- (i) The identification, through site survey, of protected wildlife species and/or their habitat at present (as designated under the Wildlife and Countryside Act 1981 (as amended) and the Badger Act 1992).
- (ii) The protection, as required, of wildlife species, and/or their habitat referred to under (i) above and as identified through the site survey. The approved measures shall be implemented in full unless the Local Planning Authority gives written consent to any variation.

Reason:

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

15. Prior to the construction of the access track hereby approved, the applicant shall provide visibility splay of 2m by 22m by trimming the boundary hedge to Chapel Lane on both sides of the access. Thereafter the visibility splay shall be retained as such.

Reason:

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

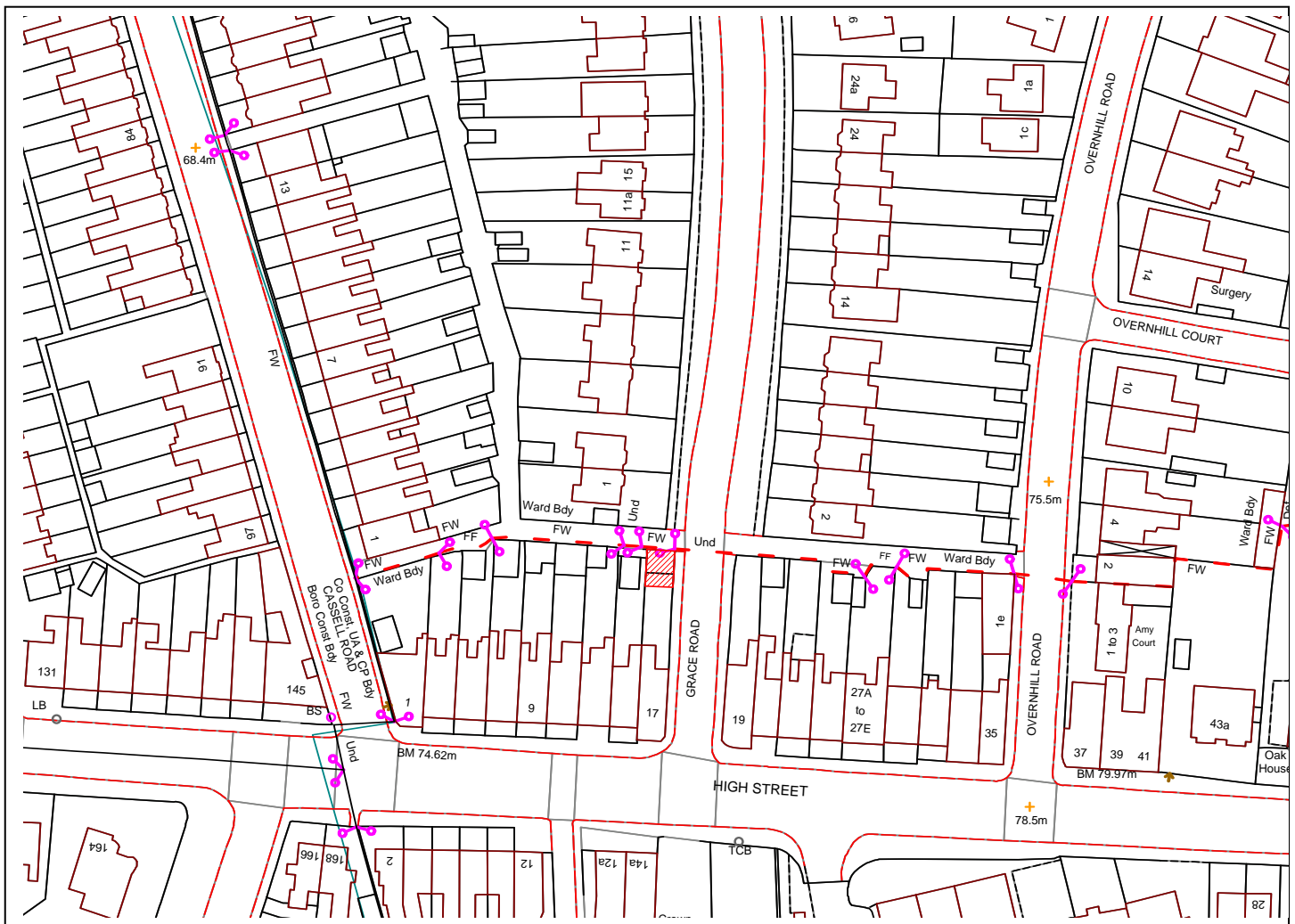
16. Prior to the commencement of the development hereby permitted, a scheme of works to the trees affected by the access track hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be implemented in full accordance with the details so approved and before the first occupation of the dwelling house hereby approved. (For the avoidance of doubt the scheme shall include details of branch removal and crown lift to be carried out by a suitably qualified Tree Surgeon, and details of track construction beneath any trees affected.)

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. 28/08 – 11 JULY 2008

App No.:	PK08/1547/F	Applicant:	Mr I Hardy Bristol Building Services
Site:	Land rear of 17 High Street, Staple Hill, South Gloucestershire, BS16 5HA	Date Reg:	6th June 2008
Proposal:	Erection of garage/store with office above (Class B1) as defined in Town and Country Planning (Use Classes Order) 1987 (as amended). (Amendment to previously approved scheme PK07/3620/F).	Parish:	
Map Ref:	64381 75998	Ward:	Staple Hill
Application Category:	Minor	Target Date:	28th July 2008



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N.T.S

PK08/1547/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a new building to form parking/storage at ground floor with ancillary B1 business space above. There is an existing detached garage on the site that would need to be demolished to make way for the new building as proposed. The proposed new building would be single storey although would have an extended roof height to allow for the insertion of two front dormer windows and conversion of the attic space in the building to a B1 use.
- 1.2 Planning permission has already been granted for an almost identical scheme approved under reference number PK07/3620/F. The previous permission has been implemented but during construction it was found that it was not possible to erect the building exactly in accordance with the approved plans. This is therefore a retrospective application to regularise the building as actually constructed. The building differs from that previously approved in the following ways;
- The Southern end of the building is finished with render rather than stone
 - The omission of the feature window from the northern end of the building
 - Movement of the garage door and addition of a window to the front elevation

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
T8 Parking Standards
T7 Cycle Parking Standards
T12 Highways Development Control
E3 Employment Development within the Urban Area

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/3620/F Erection of office/store with (B1) class use.
Approved February 2008
- 3.2 PK02/0652/F Change of use of ground floor from residential (A1) to office (A2) and first floor from residential (C3) to office (A2).
Approved April 2002.

As part of this previous application, the use of the existing garage (now to be demolished) was also changed to an A2 use ancillary to the use of the main building.

4. **CONSULTATION RESPONSES**

- 4.1 Town/Parish Council
The area is unparished

Other Representations

- 4.2 Local Residents
One letter of objection have been received from local residents who raises the following points;
- Would devalue neighbours properties
 - Parking problems – additional vehicles block neighbours driveways
 - The dormer windows allow for overlooking of neighbouring properties to the side.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
Policy E3 of the South Gloucestershire Local Plan supports the principle of Employment Development such as this within the existing urban area providing five different criteria are complied with. The five criteria seek to ensure that any development has no detrimental impact on residential or visual amenity and no adverse impact on highway safety. Policy T12 seeks to ensure that any new development will have no detrimental impact on highway safety in the vicinity of the site. Policy E3 allows for employment development provided that;

- 5.2 **Development would not have unacceptable environmental effects; and**
It is noted that neighbours are concerned that the proposed use of the building could have a detrimental impact on their existing levels of residential amenity by way of daytime noise pollution. It is important to note here that the existing building on site can be used ancillary to the existing A2 use of the main building on the site and thus there is potential for some noise to arise from the existing authorised use of the building.

The Use Classes Order (as amended) states that a B1 use covers all business uses that can be '*carried out in a residential area without having any detrimental effect on the amenity of the area (e.g. through creation of noise, vibration, fumes, smell)*'. Whilst no specific end user has been given in the application, the design and access statement suggests that the resultant building may be suitable for use by a plumber or other similar workman operating a small business.

By virtue of the definition of business uses that fall within the B1 category, they are by their very nature appropriate for residential areas. Any use that creates levels of disturbance for residential properties probably does not fall with the authorised B1 category and thus could not occupy the building. Due to the limited nature of the B1 use, it is not felt that the future use of the building would have any detrimental environmental impact on the surrounding residential area.

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

Given the small size of the building, and the limited storage space available, there is no reason to believe that heavy goods vehicles may frequently visit the site. Whilst certain deliveries may come in large vans, it is not expected that these would be frequent or indeed any more problematic than the standard household deliveries one would reasonably expect.

As discussed above, the end user of the building is not currently known although it is anticipated that it will be occupied by a plumber, electrician or other similar tradesman. Because of the modest size of the building it is considered by the highway officers that the transport implication is also likely to be small. It is highly unlikely that there will be a large number of vehicles coming to and from the building.

Sufficient off street parking will be provided to meet the needs of the development in the proposed ground floor store/garage. A condition will be attached to any consent granted to ensure the provision of one off street parking space inside the building. The remainder of the ground floor of the building can then be used for ancillary storage associated with the B1 use and also provide a bin store.

The proposal will not result in the loss of any off street parking currently provided for the existing business use in the main building. There is insufficient concern to warrant a highway refusal reason. The site is in a sustainable location, on a residential street where on street parking is not restricted and the likely traffic generation by the development is likely to be low. The impact on highway safety is therefore considered to be acceptable.

5.4 Development would not prejudice existing residential amenities; and

It is noted that local residents are concerned that the proposal would have a detrimental impact on their existing levels of residential amenity because of loss of privacy, overbearing, overshadowing and loss of privacy. When assessing the application, it is important to remember that the proposed building is to be a replacement for an existing detached garage.

The new building on site will indeed be larger than the existing garage. It will be some 1.8 metres taller than the existing garage and will be 2.4 metres longer than the existing garage. In addition to the increase in size, the application also proposes to add two dormers to the front elevation, to roof lights to the rear and to change the whole roof so the gable ends are now at the sides rather than at the front and rear.

In assessing the impact on the neighbouring property, consideration must be given to the fact that the building would be erected right at the end of the garden of the attached property at No. 15 High Street. It would be erected next to the neighbours detached garage. Whilst the building will be undeniably more visually prominent, because of the distance from the actual main rear wall of the dwelling No. 15 at over 15 metres, it is not considered it would have any overbearing impact on any habitable room windows.

The new building will be 1.8 metres taller than the existing garage and therefore there is scope some additional overshadowing of neighbours gardens. However, the building is at the northern end of the garden of No. 15 and thus, because of the orientation of the sun, will not actually cause any overshadowing of this garden. Also, because the roof has been rotated so the gable ends are now at the ends rather than the front and rear, the height of the building on the boundary line is actually reduced slightly.

It is accepted that the proposed roof lights in the rear elevation could potentially allow for some overlooking of the neighbours rear gardens from an elevated angle. Therefore, a condition will be attached to ensure that the roof lights are fitted with obscure glazing and fitted with a restrictor so the roof lights open a maximum of 10 centimetres. This would allow sufficient ventilation in the office but would restrict views of the neighbouring gardens.

The neighbours of detached garage will block the bulk of the proposed new building from view – only the roof will be visible. Having analysed the application, officers are confident that the new building will have no significant or detrimental impact on the amenities of the neighbouring dwellings.

5.5 The character of the area or settlement is not adversely affected; and

It is not considered that the new building will have any detrimental impact on the character of the area. There is already a building on the site and whilst the new building will be noticeably larger, it will not be an entirely new addition.

The new building will be erected of sympathetic materials and the northern gable end will be constructed using the natural stone from the demolished garage. Whilst dormer windows are not a key feature of the street scene, a large number of dwellings along Grace Road have front gables. These front gables will enable to proposed front dormers to blend more successfully with the street scene. Similarly, the majority of the dwellings facing on High Street in the immediate vicinity have flat roofed dormers and on this basis, it is not considered that the introduction of dormers onto the front of this building would be visually incongruous. The impact on the character of the area will therefore be acceptable.

5.6 The maximum density compatible with the site's location, its accessibility and its surroundings is achieved.

The proposed new building will simply replace an existing building and thus the density will not be altered. It is not considered possible to increase the density of the buildings on the site further and thus the maximum density compatible with the sites characteristics is achieved.

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 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 **PK08/1547/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. Prior to the first occupation of the building hereby approved, a parking space should be marked out using white paint on the ground floor inside the building. The parking space should have a minimum width of 2.8 metres and should span the entire depth of the building. This parking space should remain clearly marked out at all times thereafter. No storage or other use should occur within this marked out space and it should be free from obstruction and available for its primary purpose of vehicle parking at all times thereafter.

Reason:

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

3. The roof lights on the rear elevation of the building shall at all times be of obscured glass and fitted with a restrictor so the roof lights can be opened by a maximum of 10cm. The obscure glazing to be used shall be at least level 3 obscure glazing.

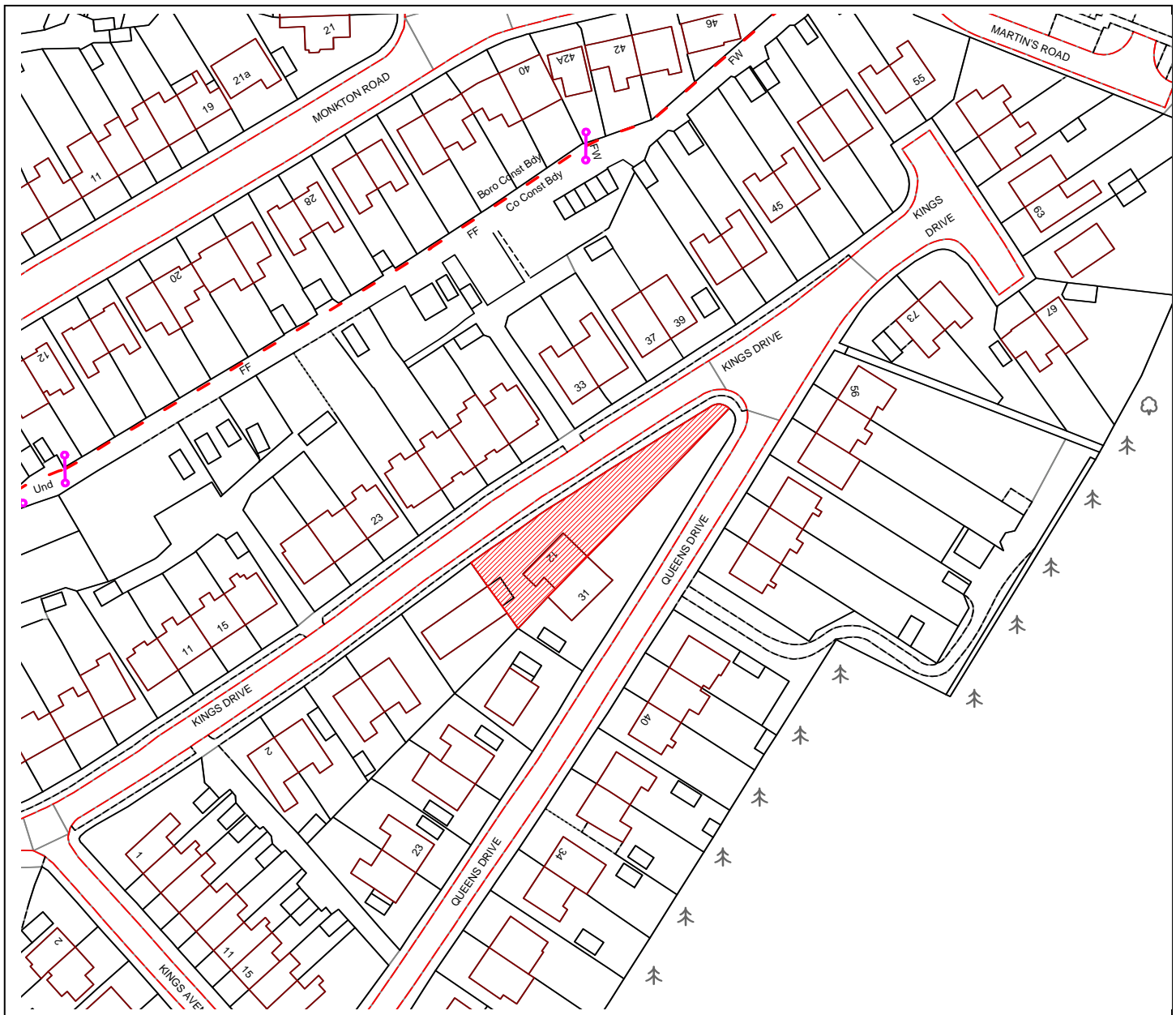
Reason:

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 5

CIRCULATED SCHEDULE NO. 28/08 – 11 JULY 2008

App No.: PK08/1553/F	Applicant: Mr & Mrs P Slade
Site: 12 Kings Drive, Hanham, South Gloucestershire, BS15 3JH	Date Reg: 7th June 2008
Proposal: Erection of single storey rear extension with loft space above to form additional living accommodation. Erection of detached garage.	Parish: Hanham Abbots Parish Council
Map Ref: 63999 71945	Ward: Hanham
Application Category: Minor	Target Date: 23rd July 2008



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PK08/1553/F

INTRODUCTION

This application has been included on the circulated schedule due to the receipt of one objection from the Parish Council.

1. THE PROPOSAL

1.1 This planning application proposes the erection of a first floor rear extension to the dwelling and provision of replacement single garage. The extension would provide an additional first floor bedroom.

1.2 The application property is a chalet style semi detached bungalow situated in Hanham.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council

Objections. The close proximity and increased roof height of the proposed extension would have an overbearing effect on the neighbouring property (31 Queens Drive).

4.2 Other Consultees

None

Other Representations

4.3 Local Residents

None

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 proposed extension and garage would be visible from both Kings Drive and Queens Drive. The proposed garage would replace a relatively poor quality pre-fabricated garage. The design and materials for both the replacement garage and extension would be 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

Concern was raised from the Parish Council to the overbearing impact of the proposed extension on the adjoining dwelling 31 Queens Drive.

The proposed extension would project by 3.2m to the rear at a height of 2.9m on the boundary with 31 Queens Drive. This would result in a rear projection no greater than the existing kitchen and the adjacent rear conservatory of 31 Queens Drive. The proposal would result in an increase in the ridge height of the rear projection from 4.3m to 6m with a 42 degree pitch. As the proposal would not project forward of the existing rear conservatory of 31 Queens Drive and considering the relatively modest scale of the extension and roof pitch, it is considered that the proposal would have no significantly overbearing impact on 31 Queens Drive.

The proposed first floor rear window would result in the ability to overlook the rear gardens to the south-west, specifically 10 Kings Drive and 29 Queens Drive. However, both dwellings have first floor rear windows which already overlook the rear gardens of each dwelling. Therefore as the proposed first floor dormer would not overlook any private gardens or windows which are not currently already overlooked it would be difficult to justify the proposal as materially harmful in terms of loss of privacy. The proposed extension and garage would create no other amenity issues and as such is considered to be acceptable in this respect.

5.4 Highway considerations

The proposed garage would replace a garage with smaller footprint but would project no nearer to the highway than existing. Therefore as the proposed garage would result in no reduction to the existing off street parking and manoeuvring provision, the proposed garage would result in no additional harm in terms of highway safety.

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 Consent is GRANTED subject to the following conditions:

Background Papers **PK08/1553/F**

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason:

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

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

Reason:

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

ITEM 6

CIRCULATED SCHEDULE NO. 28/08 – 11 JULY 2008

App No.: PK08/1591/F
Site: 4 Poplar Close, North Common, South Gloucestershire, BS30 5NW
Proposal: Erection of rear conservatory.
Map Ref: 67419 72511
Application Category: Minor

Applicant: Mrs Wheeler
Date Reg: 13th June 2008
Parish: Bitton Parish Council
Ward: Oldland Common
Target Date: 28th July 2008



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N.T.S

PK08/1591/F

This application has been referred to the Circulated Schedule due to the objection raised by Bitton Parish Council.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a conservatory at the rear of 4 Poplar Close, North Common. The proposed conservatory would measure 3 metres wide by 3 metres in depth and would have an overall height to ridge of 3.2 metres.
- 1.2 The property is a two storey semi-detached dwelling and is located within a residential area of North Common.

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 P87/4184 Two storey rear extension Previous ID K5405
Approved April 1987
- 3.2 P91/4259 Two Storey side extension, Previous ID K5405/1
Approved May 1991

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Concern was raised that the proposed conservatory would have an adverse effect on the neighbouring property.
- 4.2 Public Rights of Way
No Objection.

Other Representations

- 4.3 Local Residents
No response received

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.

Whilst the property does benefit from both a two storey rear extension and side extension it is considered that the addition of the proposed conservatory would not harm the visual amenity of the area. This is particularly the case given its location at the rear of the building, its simple design and its moderate dimensions. Consequently, it is 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 rear of the property is bound on both sides by neighbouring residential properties and is enclosed and screened by a combination of closed board fencing and trees/hedges. The proposed conservatory would be slightly set back from the boundary with the neighbouring property, No. 3 Poplar Close. Given the width, depth and height of the proposal, in combination with a standard 2 metre high boundary treatment, which could be erected under householder 'permitted development rights' without the need for planning permission, it is not considered that the conservatory would have any overshadowing or overbearing effect on No. 3 Poplar Close.

The high windows on the east elevation which faces the neighbouring property, No. 3 Poplar Close, would be obscurely glazed and permanently fixed in a closed position. 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. Therefore 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 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 the application be approved subject to the following conditions.

Background Papers PK08/1591/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.

3. The glazing on the east elevation shall at all times be of obscured glass and 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.

ITEM 7

CIRCULATED SCHEDULE NO. 28/08 – 11 JULY 2008

App No.: PT08/0207/F
Site: Bristol Golf Club Blackhorse Hill, Easter Compton, South Gloucestershire, BS10 7TQ

Applicant: Bristol Golf Club
Date Reg: 22nd January 2008

Proposal: Installation of 4 no. floodlights to roof of driving range and installation of three ground mounted floodlights.(Re-Submission of PT07/0446/F)

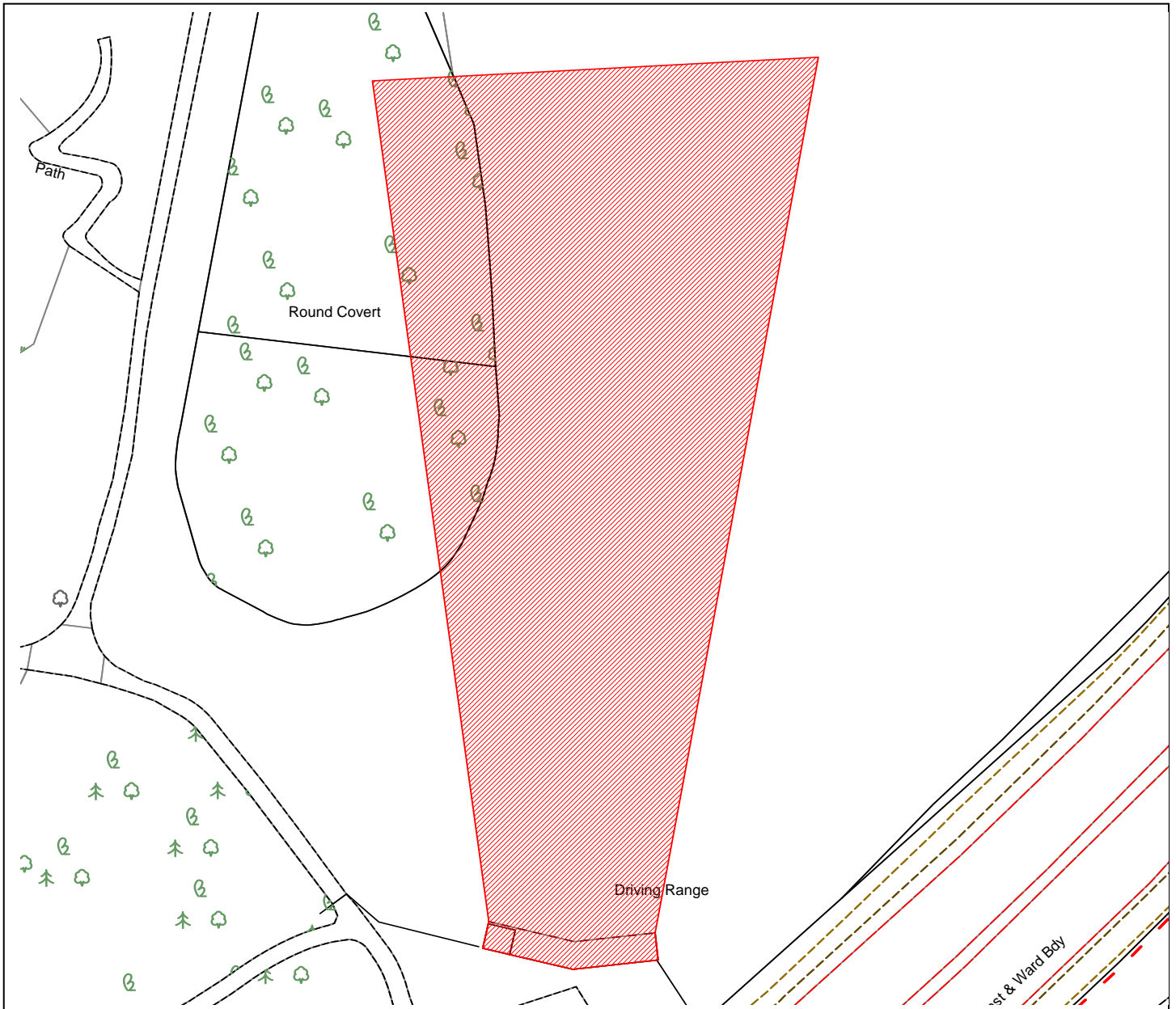
Parish: Almondsbury Parish Council

Map Ref: 58821 81875

Ward: Almondsbury

Application Category: Minor

Target Date: 18th March 2008



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100023410, 2008.

INTRODUCTION

This report appears on the Circulated Schedule as there are objections to the proposed development.

1. THE PROPOSAL

- 1.1 The site consists of the golf driving range associated with Bristol Golf Course. The site is located adjacent to the north bound carriageway of the M5 motorway and is access from Blackhorse Hill (close to J17 of the M5 Motorway).
- 1.2 The proposed development involves the installation of 4 lights to the top of the driving range building, with a further 3 lights set in the ground. The lights would light up the driving range area to facilitate late afternoon and evening playing during the winter months.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belt
PPG17	Sport and Recreation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L1	Landscape Protection and Enhancement
EP1	Environmental Pollution
LC5	Outdoor Sport and Recreation Outside the Existing Urban Area and Defined Settlement Boundaries

2.3 Supplementary Planning Guidance

Development within the Green Belt (Adopted)
South Gloucestershire Landscape Assessment (Adopted)
Area 18 – Severn Ridges

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0446/F Installation of 4 no. floodlights to roof of driving range. Withdrawn
- 3.2 PT02/3573/F Erection of building to form golf practice facility and associated works.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

Express concern about light pollution and distracting motorists. The Parish Council also question the possibility of time limits for the use of the lighting equipment.

4.2 Sustainable Transport
No Objection

4.3 Highways Agency
No Objection

4.4 BAE Systems
BAE Systems are satisfied that the proposed development would have a minimal effect on the aircraft at Filton and raise no objection.

Other Representations

4.5 Local Residents
One letter of objection has been received which makes the following comments:

The development would introduce an alien feature in an open country setting

The development would impose light pollution on a substantial stretch of fields and towards Over Village

The development have a detrimental impact upon residential amenity and local residents have already experienced severe lighting effects over previous winters.

The lights would have an adverse impact upon wildlife.

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the introduction of new lighting equipment for the purpose of lighting the existing golf driving range located on this site.

5.2 Principle of Development
The use of the land as a driving range is established through the approval of planning application PT02/3573/F as detailed above. That application included a flood lighting and was conditionally approved. The conditions included the following;

The use of the floodlighting hereby approved shall be discontinued on or before 17th March 2004.

Reason

There is insufficient evidence available at this stage to assess the impact of the development and permission for a limited period will allow the Local Planning Authority to re-assess the development in the light of experience of the use, the provisions of the Local Plan, and any other material considerations.

5.3 The effect of the condition is such that the use of the lights previously approved was temporary and a further planning application is required after the 17th March 2004 to allow the Local Planning Authority to re-assess the impact of the lights (having regard to the use of them up to the 17th March) or to consider an alternative development.

- 5.4 In this instance, the use of the previously approved lights has now ceased. This application details an alternative lighting arrangement. The merits of this application are considered below.
- 5.5 Green Belt and Landscape Considerations
PPG2 and Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 provide the very limited categories of development that is appropriate within the Green Belt. These categories include the essential facilities for outdoor sport and recreation provided that such uses would not conflict with the purpose of including land within the Green Belt.
- 5.6 Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon the character and visual amenity of the South Gloucestershire Landscape. Policy LC5 of the South Gloucestershire Local Plan (Adopted) January 2006 is supportive of this principle whilst policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that there is no detrimental impact as a result of polluting development (including light pollution).
- 5.7 The use of the land as a golf driving range is established. The proposed lighting would be installed to the front of the existing driving range building and at ground level at key points within the driving range itself. The ground mounted lights are to be set within discrete mounds and would not be visible from the public realm. Given the relatively modest scale and discrete position of the lighting equipment, it is not considered that this equipment would itself have a material impact in terms of the openness of the Green Belt. Officers have been involved in pre-application discussion with the applicant in order to ensure that lighting equipment does not have a detrimental impact in landscape terms. This application is the result of this discussion and the equipment has been tested in order to enable the officers to assess the impact of the lighting in landscape terms. In this instance the power of the lighting equipment has been significantly reduced in comparison with the original installation (as permitted on a temporary basis under PT02/3573/F). This is offset by the use of specialist lighting that can be positioned at ground level in order to support the lights mounted on the front of the building. The colour of the lighting is orange in colour which enables the long views of the lights (from the North) to blend effectively with the existing M5 Motorway lighting, whilst the reduced power has minimised any upward light spill above the level of the M5 lighting. Officers are now satisfied that the impact of the proposed lighting equipment is minimal and that there would be no material impact in terms of the character and visual amenity of the landscape.
- 5.8 Having regards to the above, it is considered that the proposed development is acceptable in Green Belt and Landscape terms.
- 5.9 Residential Amenity
The nearest residential dwellings are located to the North and West of the site along Over Lane. Over Lane itself runs parallel to the M5 Motorway and is at the bottom of the steeply rising slope leading up to the application site. As referred to above, test rigs of the proposed lighting have been carried out in order to allow officers to fully assess the impact of the lighting in respect of residential amenity for the occupants of Over Lane. In this instance, the test rig demonstrated that very minimal light would be cast onto dwellings along Over Lane. In this instance, it is not considered that the lighting would have a

material impact in terms of the privacy and residential amenity of the occupants of nearby dwellings. In order to ensure that there is no impact beyond a reasonable time, it is considered appropriate to limit the operation of the lights to between 08:00 and 22:00. This can be achieved by way of an appropriately worded condition.

5.10 Transportation

The existing access arrangements in relation to the driving range have been established through Planning Consent PT02/3573/F. There is no changes proposed to this. The Highways Agency have taken an interest in this application with a view to protecting the safety of motorists using the M5 Motorway. The agency were able to view the test rigs referred to above and as a result of this have indicated that there is no objection on safety grounds. Having regards to this assessment, it is considered that the proposed development would not have a detrimental impact in highway safety terms.

5.11 Design and Access Statement

The Design and Access Statement (Technical Specification Report) 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)

5.12 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The 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 **PT08/0207/F**

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

CONDITIONS

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

Reason 1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The lighting equipment hereby approved shall not be used between the hours of 22:00 and 08:00 in any 24hour period unless the Local Planning Authority agree to any variation in writing.

Reason 1. To protect the privacy and residential amenity of the occupants of nearby dwellings and to accord with policy EP1 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006.

Reason 2. To minimise the impact upon the character and visual amenity of the site and the surrounding landscape; and to accord with policy D1, L1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 28/08 – 11 JULY 2008

App No.:	PT08/1366/F	Applicant:	Mr C Mitchell
Site:	37 Gloucester Road, Almondsbury, South Gloucestershire, BS32 4HH	Date Reg:	19th May 2008
Proposal:	Retrospective conversion of garage to form residential annexe. Erection of front boundary wall with new pedestrian access.	Parish:	Almondsbury Parish Council
Map Ref:	61098 84517	Ward:	Almondsbury
Application Category:	Minor	Target Date:	7th August 2008



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INTRODUCTION

This application appears on the Circulated Schedule due to the comments of the Parish Council.

1. THE PROPOSAL

- 1.1 The site consists of a modern dwelling and ancillary building (garage). The site is located within the Almondsbury Village Development Boundary which is washed over by the Green Belt.
- 1.2 The proposed development consists of the conversion of the ancillary building (garage) to provide a residential annex (retrospective) and the construction of a new fence and railings along the South Eastern elevation of the site (adjacent to Gloucester 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 in New Development

H4 Development within Residential curtilages

GB1 Development in the Green Belt

T12 Transportation Development Control Policy for New Development

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)
Development in the Green Belt (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0890/F Erection of single storey rear sun room
Approved
- 3.2 PT04/1811/F Erection of 1.8 metre high boundary wall/fence.
Approved
- 3.3 PT03/3054/F Erection of two storey front and side extension to provide additional kitchen area with additional bedrooms including en-suite facilities and balcony above. Erection of detached double garage. Construction of timber platform and decking over rear garden embankment.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
The Parish Council objects to this retrospective application as they feel that it contravenes development allowed within the Greenbelt. Residents should not take it upon themselves to convert garages without planning consent. The "dwelling/garage" is out of line with existing dwellings.

4.2 Sustainable Transport

Sufficient space to keep and manoeuvre two private cars would remain and as such there is no objection to this development.

4.3 Local Residents

No Comments received

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the conversion of an existing garage building to provide a residential annex. In respect of the conversion, the planning application is made retrospectively. The application also details the construction of a 1.8 metre high fence along the boundary of the property with Gloucester Road (A38)

5.2 Principle of Development

The existing garage was approved under PT03/3054/F and was constructed in compliance with that approval. Works to convert the building to provide a residential annex have occurred following its completion. There is no planning condition relating to the approval under PT03/3054/F that actively restricts the use of the garage for that use only. However, the nature of the proposed use is such that it would provide an additional dwelling within the curtilage of the existing dwelling house. As such planning consent is required. Planning consent is also required in respect of the proposed new fence as it is located against the public highway.

5.3 Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 are relevant to this planning application. The policies indicate that the proposed development is acceptable in principle subject to the following considerations.

5.4 Green Belt

In this instance, the subject garage building would not change in respect of its size or volume as a result of this development. The introduction of a new fence along the boundary of the site has been approved previously under PT04/1811/F. That planning permission remains valid until August 2009. This proposal details a very similar arrangement to that which is approved. On this basis, it is considered that there is no material impact in terms of the openness of the Green Belt and the development is acceptable in Green Belt terms.

5.5 Almondsbury Parish Council have commented that they feel that the proposed development contravenes development which is normally allowed within the Green Belt. In fact, Green Belt makes allowance for the re-use of existing buildings within the green belt and also makes allowance for the development of new dwellings provided that they would represent infilling within the Green Belt. This development would, in principle, fall within these limitations and as such it is not considered that the development is contrary to Green Belt Policy.

5.6 Design

The proposed development makes use of the garage building as approved under PT03/3054/F. The conversion has resulted in the removal of the garage door and its replacement with a new window. Similarly, the development has resulted in the introduction of roof lights within the building. There is no addition to the building and none is proposed. It is considered that these elements do not materially alter the building in visual terms. Almondsbury Parish Council have commented that the building is 'out of line with existing dwellings.

However, the building itself has planning consent and as such it is not appropriate to consider its position in relation to the 'building line' in this locality.

5.7 As referred to above, planning consent remains valid (PT04/1811/F) for the construction of a wall/fence along the front boundary of the site. This application proposes to replace the existing hedge with a timber fence and masonry columns (to the garden and alongside the garage building) and a steel rail fence and wall (to the front of the drive/entrance area). Again, in this instance it is considered that the proposal is not materially different from that which is approved. Indeed, this stretch of Gloucester Road is characterised by a wide range of boundary treatments that includes timber fences, steel railings/gates and walls. The proposed development is therefore considered acceptable in visual terms.

5.8 Residential Amenity

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new residential development would not have a detrimental impact upon the privacy and residential amenity of the occupants of nearby dwellings.

5.9 In this instance the building already exists. Given its location in respect of neighbouring properties it is considered that there would be no material impact upon the privacy and residential amenity of the occupants of the neighbouring properties as a result of the proposed use.

5.10 Notwithstanding the above, the relationship of the garage with the main dwelling is such that there would be no real prospect of providing sufficient privacy and amenity for the occupants of the proposed dwelling and without compromising the privacy and residential amenity of the existing dwelling. The applicant has indicated that the dwelling is to be used as an annex to the main dwelling. As such it would be occupied by persons directly associated with the main dwelling which would overcome this privacy issue. However, in order to ensure that this remains the case it is necessary to impose a condition restricting the use of the dwelling to such occupancy. Subject to the use of this condition, the proposed development is acceptable in residential amenity terms.

5.11 Transportation.

Having regard to the existing access arrangements, it is not considered that the development would be capable of providing sufficiently for an independent dwelling. However, as the proposal details that the building is to be a residential annex associated with the existing dwelling the existing level of parking and manoeuvring space is considered to be adequate; provided that the use as an annex is retained. Again this can be secured by way of appropriately worded condition.

5.12 Design and Access Statement

A Design and Access Statement is not required with this planning 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.
- 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 be granted subject to the following conditions.

Background Papers **PT08/1366/F**

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

CONDITIONS

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

Reason 1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

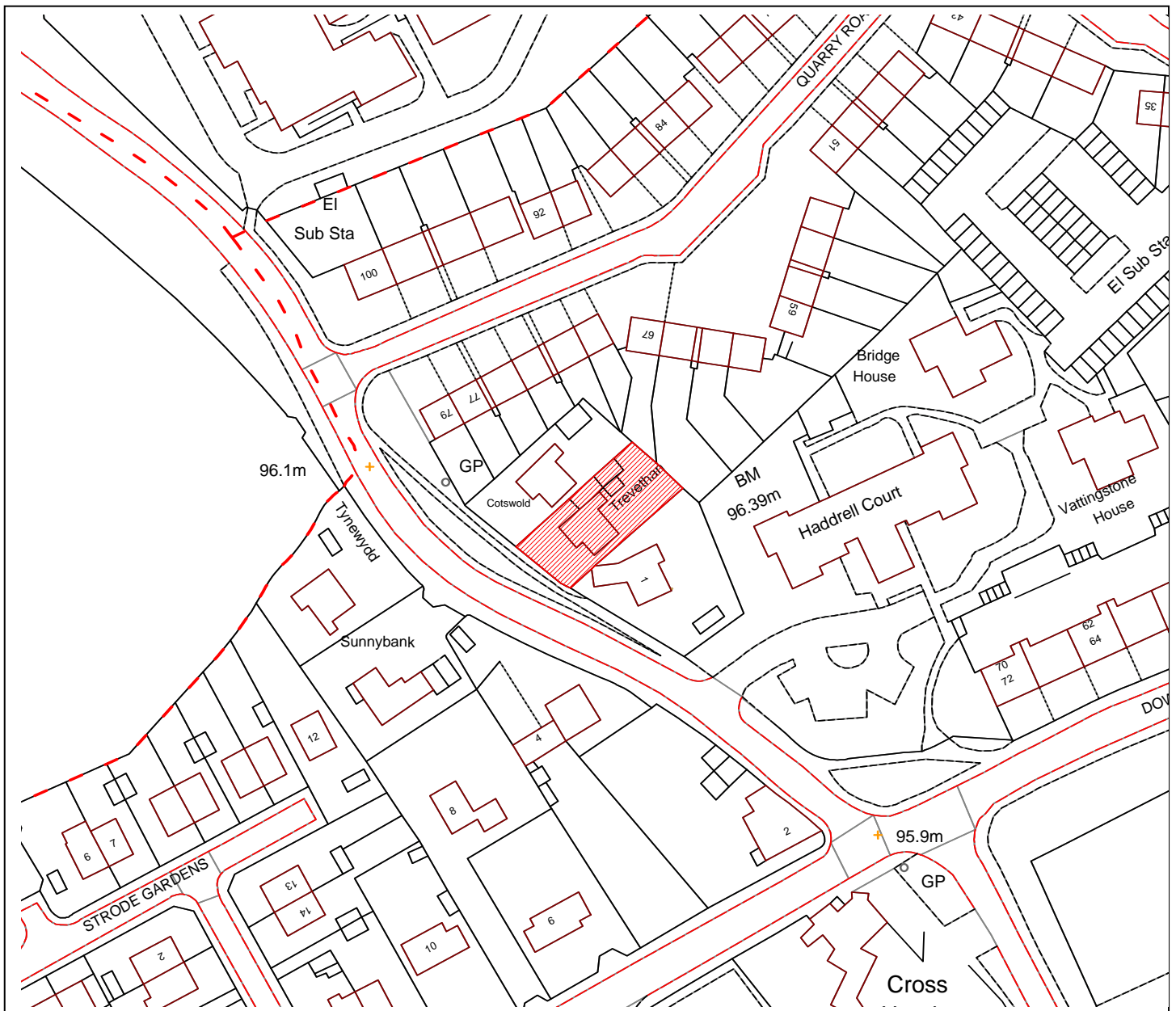
2. The conversion of the garage building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 37 Gloucester Road, Almondsbury.

Reason 1. The relationship of the subject building with the main dwelling on this site is such that the occupancy of the subject building as an independent dwelling would not satisfy the tests in respect of residential amenity as set out in Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 28/08 – 11 JULY 2008

App No.: PT08/1611/F
Site: Trevethan, Vattingstone Lane, Alveston, South Gloucestershire, BS35 3JS
Proposal: Erection of two storey side extension to facilitate ancillary residential annexe.
Map Ref: 62821 88259
Application Category: Minor

Applicant: Mr S M Williams
Date Reg: 16th June 2008
Parish: Alveston Parish Council
Ward: Thornbury South and Alveston
Target Date: 25th July 2008



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

1. THE PROPOSAL

- 1.1 The application seeks planning permission for a two-storey side extension to provide annexe accommodation.
- 1.2 The application site forms a detached two-storey dwelling on the east side of Vattlingstone Lane, Alveston. The application site lies within the Alveston settlement boundary which is washed over by the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG2: Green Belts
PPG13: Transport
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: House Extensions
GB1: Development within the Green Belt
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)
Development within the Green Belt (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
No objection
- 4.2 Other Consultees
Highways DC: no objection

Other Representations

- 4.3 Summary of Local Residents Comments:
One letter received expressing the following concerns:
 - o The proposal will increase traffic at the busy road junction;
 - o The additional family members provided for will no doubt have cars;
 - o The applicant complained about the same issue in respect of a neighbours application with these concerns upheld- it would be unreasonable to permit this proposal.

- 4.4 The applicant has responded by stating that there will be no extra traffic if the proposal is permitted with the extension required for the applicant's daughter. It is also noted that traffic issues were not the only refusal reason in respect of their application whilst the applicant regularly looks out onto seven vehicles of all description parked on and off the pavement.

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. Further, where in the Green Belt, policies GB1 and H4 advise that works should not form a disproportionate addition over and above the size of the original dwelling.

5.2 Design / Visual Amenity

The application site forms a two-storey detached dwelling with small flat roofed front and rear projections. The application seeks approval for a two-storey side addition that would build to the north side of the dwelling providing a living room at ground level with an ensuite bedroom above. An additional staircase would be formed with the build to provide annexe accommodation.

- 5.3 The proposal would measure 5.5m in width and be set back from the front wall of the property with a lower ridge to help ensure a subservient appearance; the rear wall would align with the existing. Materials would match those of the host dwelling whilst the proposal would retain a limited amount of space to the flank boundary. As such, the proposal is considered to be acceptable and in keeping with the general character of the area.

- 5.4 It is worth noting that a condition requiring the occupation of this extension as ancillary accommodation is not necessary given that this change would require a further planning application for the subdivision of this dwelling.

5.5 Impact upon the Openness of the Green Belt

The property sits within the Alveston settlement boundary where the principle of infill development is considered to be acceptable; therefore, any associated objection to the proposal would be difficult to substantiate. Nonetheless, the proposal is considered proportionate in scale and appearance thus there is no objection on this basis.

5.6 Residential Amenity

The neighbouring dwelling to this north side comprises a detached dwelling of similar design with its main outlook to the front and rear; i.e. away from the application site. As such, and with the proposal devoid of side facing windows and in alignment with the front and rear walls of the host dwelling (i.e. no forward or rear projection), it is not considered that any significant adverse impact in residential amenity would be caused.

- 5.7 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.

5.8 Highway Safety

The proposal would extend across part of the existing drive that runs to the side of the property restricting access the rear garage. Nevertheless, the property also benefits from a large area of hardstanding to the front that can comfortably

accommodate two or three vehicles. Accordingly, it is considered that sufficient car parking would be retained whilst it is further noted that policy T8 provides maximum car parking standards only (three spaces for a four bedroom unit).

5.9 Further, having regard to those concerns in respect of the intensified use of the nearby road junction, highway officer comments state that any associated impact would be negligible thus there is also no objection on this basis.

5.10 Design and Access Statement

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

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 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 **PT08/1611/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 1. 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 1. 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 shall be inserted at any time in the north elevation of the property as extended.

Reason 1. To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.