



**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. 31/09

Date to Members: 07/08/09

Member's Deadline: 13/08/09(5pm)

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

CIRCULATED SCHEDULE

DATE: 07/08/09

SCHEDULE NO. 31/09

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

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

**Dates and Deadlines for Circulated Schedule leading up to the
August Bank Holiday 2009**

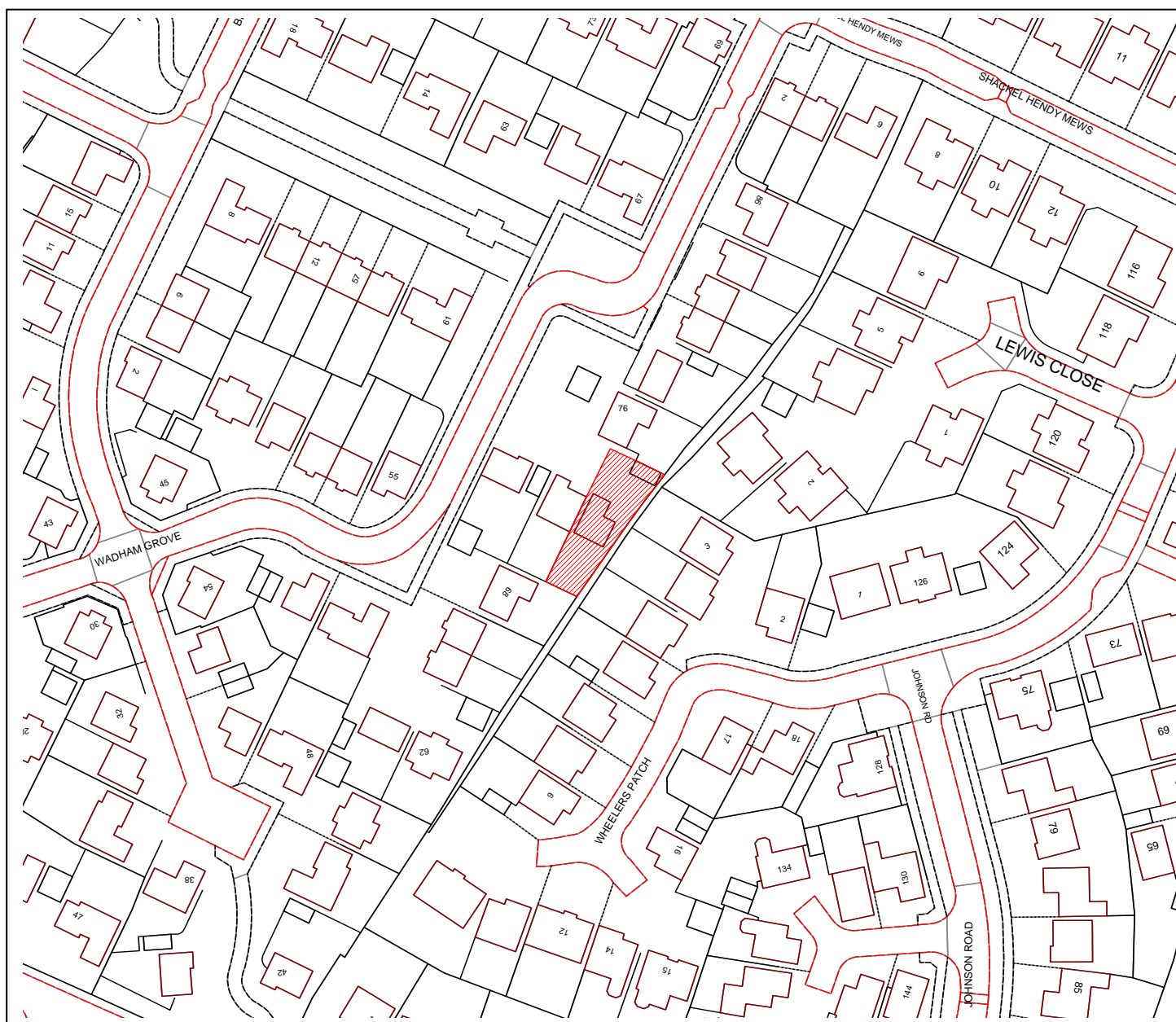
Schedule Number	Date to Members 9am on	Members Deadline 5pm on
34/09 Week commencing 24 August	Thursday 27 August 2009	Thursday 3 September 2009

Circulated Schedule 07 August 2009

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK09/1183/F	Approve with conditions	74 Wadham Grove, Emersons Green, South Gloucestershire, BS16 7DW	Emersons Green	Mangotsfield Rural Parish Council
2	PK09/1206/F	Approve with conditions	53 Mangotsfield Road, Mangotsfield, South Gloucestershire, BS16 5NA	Rodway	
3	PK09/1215/R3F	Deemed consent	Old Sodbury C of E Primary School, Church Lane, Old Sodbury, South Gloucestershire, BS37 6NB	Cotswold Edge	Sodbury Town Council
4	PK09/1218/F	Approve with Conditions	18 Homefield Road, Pucklechurch, South Gloucestershire, BS16 9QD	Boyd Valley	Pucklechurch Parish Council
5	PK09/1244/F	Approve with conditions	31 Hatters Lane, Chipping Sodbury, South Gloucestershire, BS37 6AA	Sodbury Town Council	Chipping Sodbury
6	PT09/1190/F	Approve with conditions	13 Crantock Drive, Almondsbury, South Gloucestershire, BS32 4HF	Almondsbury	Almondsbury Parish Council
7	PT09/1243/ADV	Approve with conditions	47 High Street, Thornbury, South Gloucestershire, BS35 2AR	Thornbury North	Thornbury Town Council
8	PT09/1279/CLP	Approve with conditions	12 Walnut Tree Close, Almondsbury, South Gloucestershire, BS32 4EE	Almondsbury	Almondsbury Parish Council

CIRCULATED SCHEDULE NO. 31/09 – 07 AUGUST 2009

App No.:	PK09/1183/F	Applicant:	Mr M Smith
Site:	74 Wadham Grove, Emersons Green, South Gloucestershire, BS16 7DW	Date Reg:	26th June 2009
Proposal:	Erection of extension to existing garage to form double garage with storage/playroom over, and felling of poplar tree.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	66928 76197	Ward:	Emersons Green
Application Category:	Householder	Target Date:	18th August 2009



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100023410, 2009.

N.T.S

PK09/1183/F

INTRODUCTION

This letter appears on the circulated schedule due to the receipt of two letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of an extension to the existing garage to change it from a single garage to a double garage with a room in the roof space above. The works include the complete removal of the existing roof before rotating it through 90 degrees and re-building a new roof in its place. The proposal includes the insertion of one dormer window into the side roof slope facing the main dwelling.
- 1.2 A protected tree sits just behind the existing garage. During the course of the application an arboricultural report was submitted to explain the proposed works to this tree. The Poplar tree covered by the TPO standing just behind the existing garage is to be removed as part of this application.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 Delivering Sustainable Development
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages
L1 Landscape Protection and Enhancement.
- 2.3 Supplementary Guidance.
Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 Whilst there is history to the site none is relevant to the determination of this planning application.

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No Objection

Other Representations

- 4.2 Local Residents
Two letters of objection have been received from local residents. The letters were received in response to the initial set of plans submitted - not the revised plans. A summary of the points of concern are as follows:
 - Increased width and height would be unsightly from the neighbours property and affect the amount of light entering the property.
 - May set a precedent for future residential use

- Request that the hawthorn hedge is not touched or removed as it offers a degree of privacy
- Requests that all planning conditions are adhered too
- Increased shadow will have a material impact on the use of the neighbours garden.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met. Policy L1 seeks to ensure that important features that contribute towards the landscape are protected, conserved and enhanced wherever possible.

5.2 Design/ Visual Amenity

The application seeks to remove the roof and partial external walls of the existing single garage and the re-erection of a double garage with room above in its place. At present the property is served by a single garage with the gable ends facing to the side. The proposal is to rotate the roof through 90 degrees so the gable ends will face to the front and rear with the hips to the side. The maximum ridge height of the extended garage will be 660mm taller than the existing garage. A single dormer window is to be inserted into the roof slope of the garage facing towards the main dwelling.

The application states that the materials to be used will match the existing materials. Other double garages are prominent in the immediate vicinity and the rotation of the roof is acceptable. The design of the proposed garage extension is therefore appropriate.

5.3 Residential Amenity

It is noted that the neighbouring dwelling at No. 76 is set approximately 50cm lower than the application site and that the existing garage is very prominent from the garden of No. 76. Officers were initially concerned that any increase in the height of the garage would have an overshadowing and overbearing impact upon this dwelling. However, in order to overcome this concern the agent submitted revised plans rotating the roof so that the neighbour now faces a hipped roof rather than a gable. At present, the existing garage has a maximum height on the boundary line of 4.65 metres. As a result of the proposal, the garage will have a maximum height on the boundary line of 2.8 metres. Whilst therefore the maximum height of the garage will be increase, the height adjacent to the boundary with No. 76 will be decreased so the impact upon overshadowing will be minimal.

During the course of the application amended plan were also received to remove the number of dormer windows proposed to reduce any possible issues of overlooking or overshadowing for neighbouring dwellings. A condition will be attached to any consent granted to ensure that no new windows or roof lights are inserted into the roof slope of the garage without the prior written consent of the local planning authority to protect the privacy of the neighbours.

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

5.4 Protected Trees

There is a poplar growing very close to the back of the existing garage that is protected by a Tree Preservation Order. During the course of the application an arboricultural report was requested to define what would happen to the tree. The results of the arboricultural report were that the tree was of poor condition and should be removed. The Councils tree officer examined the tree and the report and notes that the tree is very close to the existing garage. Irrespective of the outcome of this planning application, it is possible that the tree would need to be regularly maintained in the future to prevent damage to the building. The tree is not of high quality and does not contribute significantly to the amenity of the area. Therefore there is no objection to its removal. A condition will be attached to any consent granted to ensure that a suitable replacement tree be planted to mitigate against the loss of the protected Poplar.

5.5 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 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.

5.6 Use of Energy and Sustainability

None above building regulations minima.

5.7 Improvements achieved to the scheme

Amended plans received to improve the impact of the proposal on the neighbouring residential units to prevent overshadowing, intervisibility of loss or privacy.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers PK09/1183/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. No windows, roof lights or dormer windows other than those shown on the plans hereby approved shall be inserted at any time in the roof or first floor of the garage.

Reason:

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

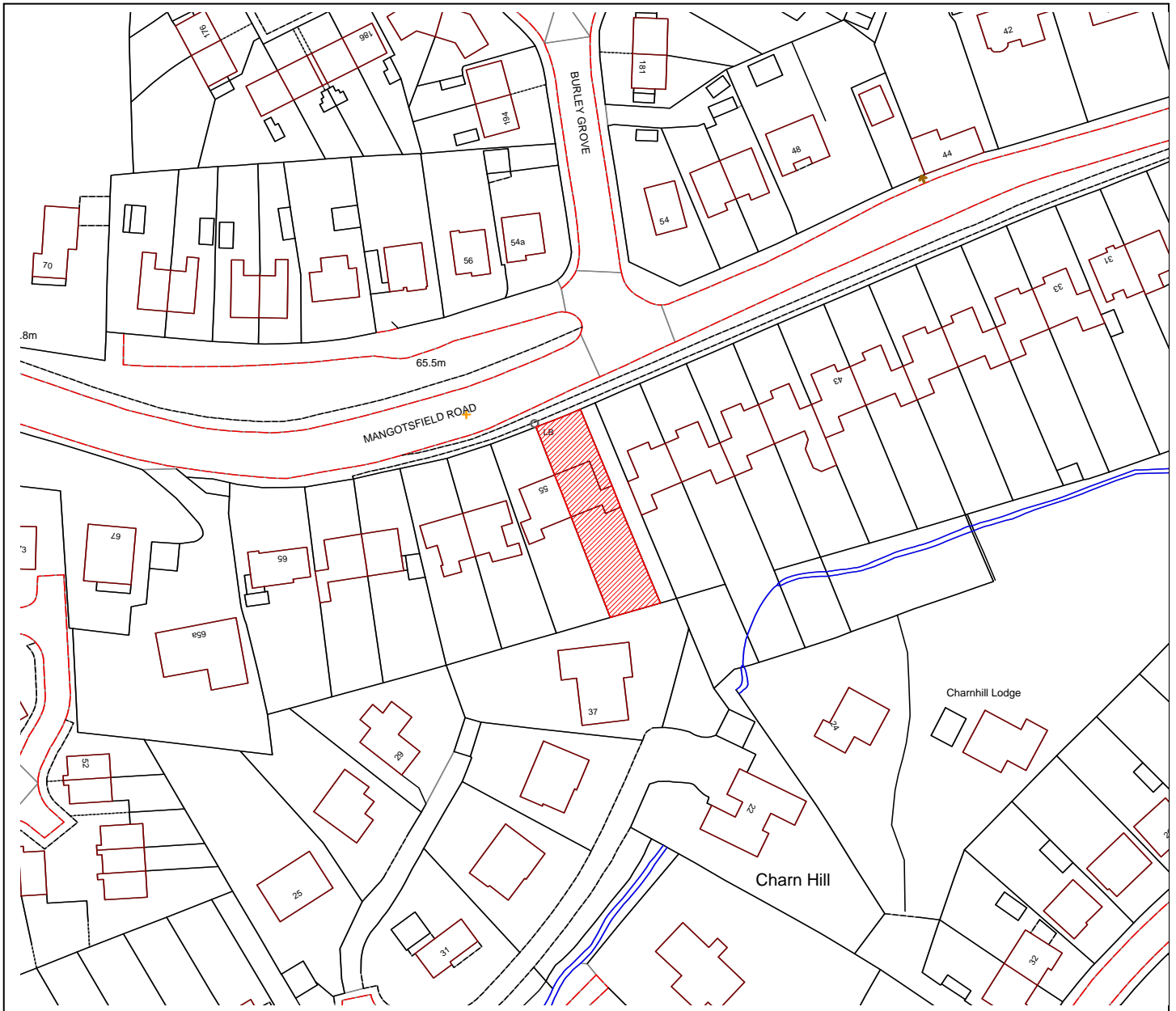
3. A replacement tree, the species, size and location of which is/are to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the felling of the Poplar hereby authorised.

Reason:

In the interests of the visual amenity of area and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 31/09 – 07 AUGUST 2009

App No.:	PK09/1206/F	Applicant:	Mr P Harrill
Site:	53 Mangotsfield Road, Mangotsfield, South Gloucestershire, BS16 5NA	Date Reg:	1st July 2009
Proposal:	Erection of single storey front extension to garage to form store. Erection of rear conservatory.	Parish:	
Map Ref:	65899 75888	Ward:	Rodway
Application Category:	Householder	Target Date:	21st August 2009



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N.T.S

PK09/1206/F

This application has been referred to 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 conservatory at the rear of 53 Mangotsfield Road and a single storey front extension to the garage. The proposed rear conservatory would measure 3.6 metres wide by 2 metres in depth, extending a maximum of 4 metres beyond the main rear wall of the dwelling and would have an overall height to ridge of 3 metres. The proposed front extension to the garage would measure 2.4 metres wide by 2.4 metres in depth and would have a maximum height of 3.5 metres.
- 1.2 The property is a two storey semi-detached dwelling and is located within a residential area of Mangotsfield.

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 Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Site falls outside a parish area.

Other Representations

- 4.2 Local Residents
One local resident has raised the following concerns:
- The proposed garage would be on the boundary line with their property
 - The new foundations and rainwater gutter and pipe would be overhanging their property

- Therefore request that the rainwater pipe and new foundations do not encroach on their property.

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 proposal includes the erection of a rear conservatory and the erection of a single storey front extension to the existing garage. The proposed extensions are of an appropriate standard in design and reflect the character of the main dwelling house and surrounding properties. The conservatory and front extension to the garage are of modest size in comparison to the bulk of the main dwelling and are suitably subservient to it. The proposed additions would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling. Furthermore it is considered that the alterations to the roofline would be an improvement on the existing. It is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

A footpath associated with No.37 Charnhill Vale separates the application site from the nearest neighbouring property, No. 51 Mangotsfield Road. Given the existing boundary treatments in place, combined with the depth and height of the proposal, it is not considered that the additions would have any overshadowing or overbearing effect on the neighbouring dwellings.

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

5.4 Use of Energy and Sustainability

No measures proposed

5.5 Improvements achieved to the scheme

Further to a letter of objection received from a local resident the applicant was advised that the plans should be amended so that the gutter no longer overhangs land under different ownership. Rather than amend the plans the applicant has negotiated with the land owner.

5.6 Other Issues

The concern raised in respect of encroachment is a civil matter which will be addressed under non planning legislation in the form of the Building Regulations, The Party Wall Act and other related legislation. However, for the avoidance of doubt, three informatives would be attached to the decision notice to ensure that the applicant / agent is aware that planning permission does not grant rights to carry out works on land outside of the control of the applicant; consent must be sought from the owner of the land; and, that the Building Regulations must be complied with. Further to this the applicant has negotiated with the owner of the land and has confirmed that the initial objections received by the Council have been verbally withdrawn.

5.7 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK09/1206/F**

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

CONDITIONS

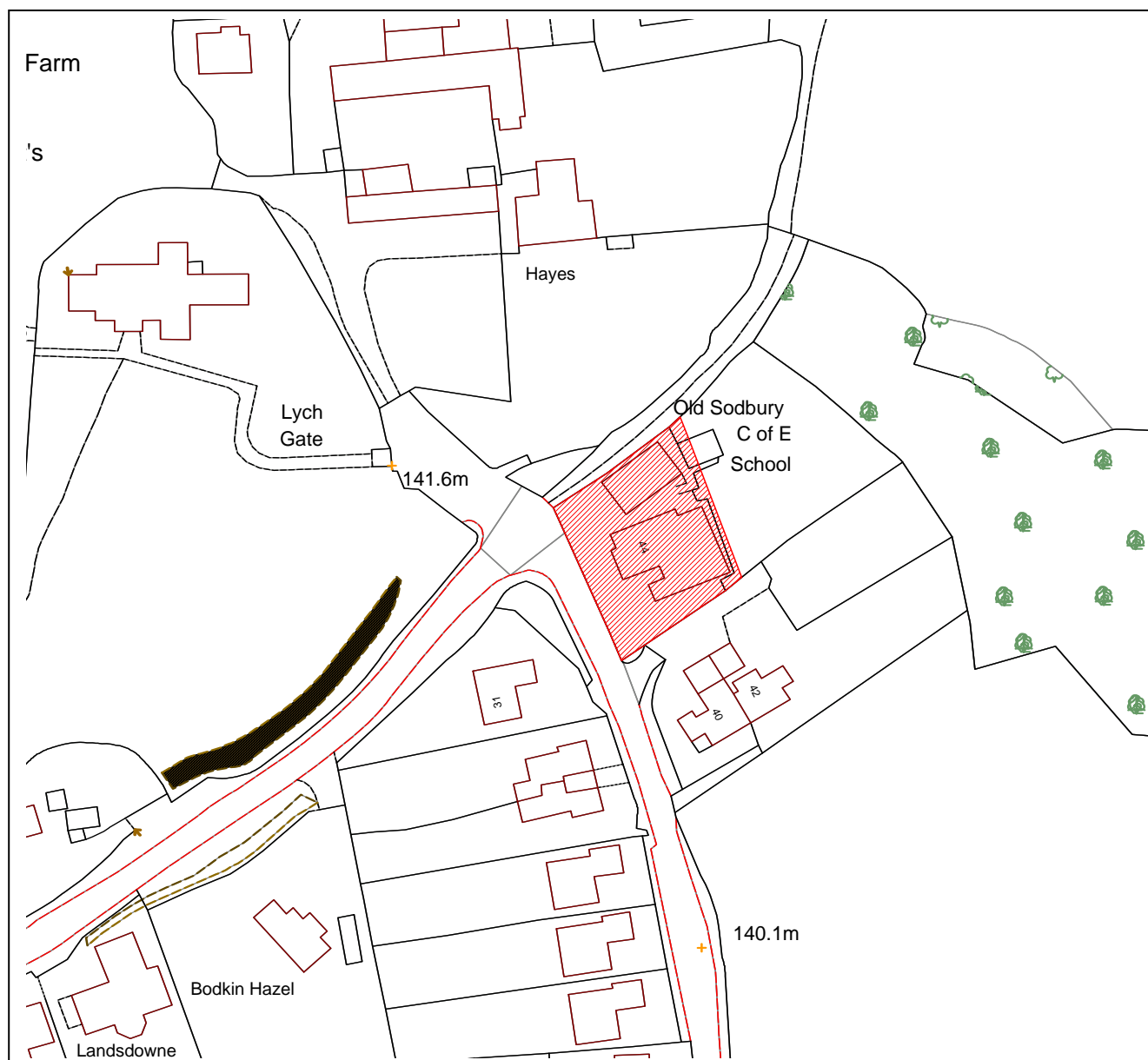
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

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

CIRCULATED SCHEDULE NO. 31/09 – 07 AUGUST 2009

App No.:	PK09/1215/R3F	Applicant:	Mrs B Webber Old Sodbury C Of E Primary School
Site:	Old Sodbury C of E Primary School, Church Lane, Old Sodbury, South Gloucestershire, BS37 6NB	Date Reg:	2nd July 2009
Proposal:	Erection of canopy between main school building and single storey classrooms. (Resubmission of PK08/2059/R3F).	Parish:	Sodbury Town Council
Map Ref:	75656 81755	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	24th August 2009



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INTRODUCTION

This is a Regulation 3 application submitted by Old Sodbury School and as such must be referred to the Circulated Schedule.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a canopy to cover an open area between the main school building and a nearby single storey classroom. The proposal would replace an old existing wooden canopy that has become unsafe. Planning permission PK08/2059/R3F was previously granted for a similar steel curved canopy but due to excessive cost, the scheme was never implemented.
- 1.2 The application site relates to a detached primary school which lies just outside the settlement boundary of Old Sodbury but is within the Cotswolds Area of Outstanding Natural Beauty.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
LC4 Proposals for Education facilities
L1 Landscape Protection
L2 AONB
- 2.3 Supplementary Planning Guidance
Supplementary Planning Document "Design Checklist"

3. RELEVANT PLANNING HISTORY

- 3.1 P88/2976 – Erection of 5 bay Elliot classroom, approved 1988
- 3.2 P92/1876 - Erection of Elliot building to provide staffroom, head teachers office, secretary's office and lobby.
Approved 12 Aug 1992
- 3.3 P97/2079 - Erection of rear extension for use as a storeroom and part removal and replacement of retaining wall.
Approved 12 Sept 1997
- 3.4 PK00/2837/R3F - Installation of first floor external fire door and staircase.
Approved 4th Dec 2000
- 3.5 PK08/2059/R3F - Erection of steel curved canopy between main school building and single storey classrooms.
Approved 5 Sept 2008

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council
No objection

Other Representations

- 4.2 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy LC4 of the South Gloucestershire Local Plan allows for the expansion or improvement of education facilities subject to the satisfaction of a number of criteria being stratified. Although this policy relates to sites within urban areas, it is considered that the principles of this policy are relevant. Regard must also be had to Policy L2 as this seeks to protect the AONB. The acceptance in principle of a similar scheme was previously established with the grant of PK08/2059/R3F.
- 5.2 Visual amenity
The application site relates to a stone faced detached school building with an adjacent Elliott building. This application proposes to replace an existing timber canopy which links the school and Elliott to provide a covered walkway and teaching/play area for the children. It is considered that the introduction of a new canopy will enhance the existing appearance and therefore no objection is raised.
- 5.3 Residential Amenity
The proposed works by reason of their siting would have no adverse impact on neighbouring properties.
- 5.4 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.
- 5.5 Use of Energy and Sustainability
Not applicable
- 5.6 Improvements achieved to the scheme
None required.

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 planning conditions:

Background Papers **PK09/1215/R3F**

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

CONDITIONS

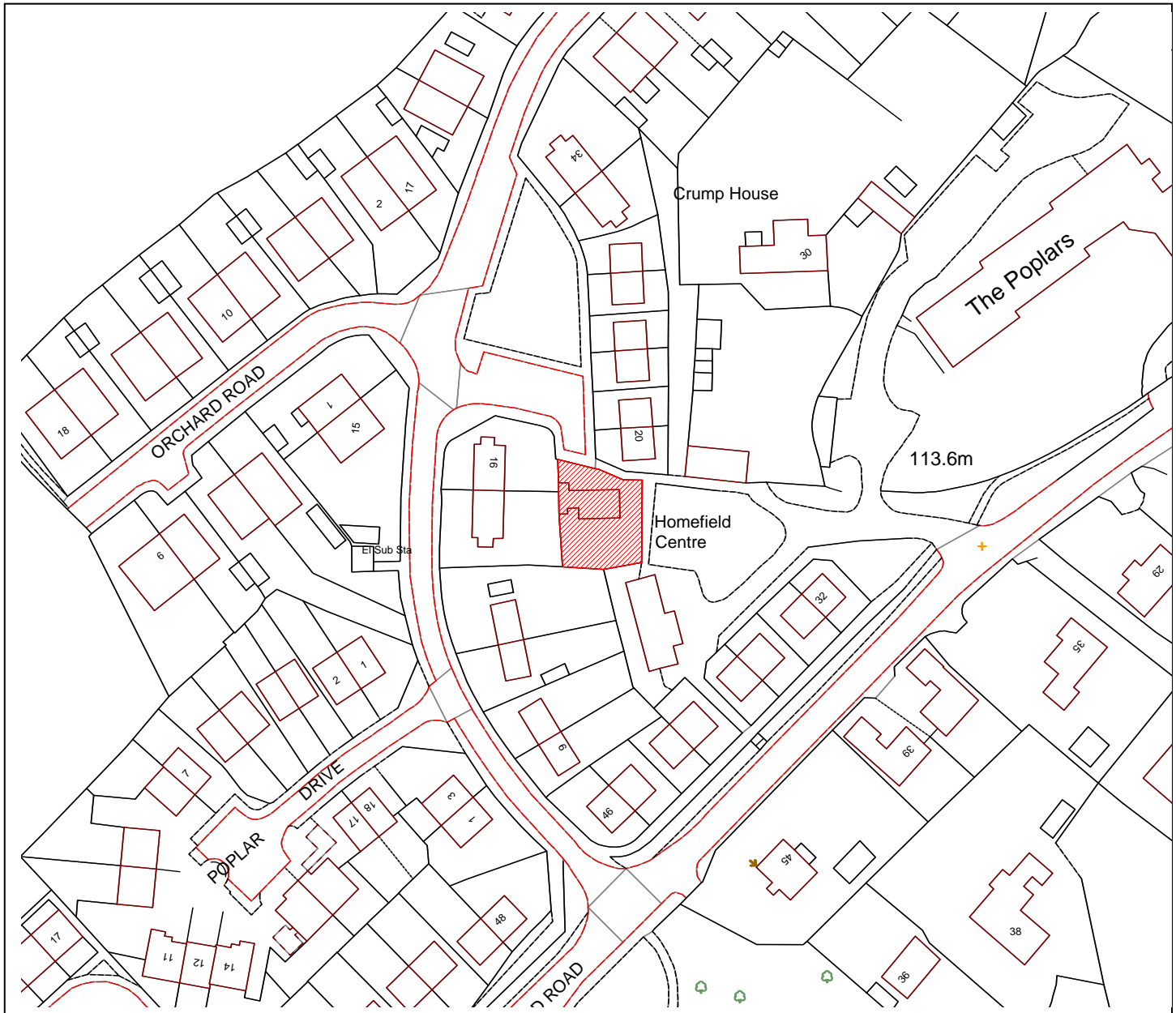
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

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

CIRCULATED SCHEDULE NO. 31/09 – 07 AUGUST 2009

App No.:	PK09/1218/F	Applicant:	Mr & Mrs D Stacey
Site:	18 Homefield Road, Pucklechurch, South Gloucestershire, BS16 9QD	Date Reg:	2nd July 2009
Proposal:	Erection of two storey side extension to provide additional living accommodation.	Parish:	Pucklechurch Parish Council
Map Ref:	69739 76320	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	25th August 2009



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N.T.S

PK09/1218/F

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

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a two storey side extension at 18 Homefield Road, Pucklechurch. The proposed extension would measure 3.3 metres wide by 5.3 metres in depth and would have an overall height to ridge of 6 metres.
- 1.2 The property is a two storey detached dwelling and is located within a residential area of Pucklechurch.
- 1.3 During the course of the application amended plans were requested to alter the proposed extension to allow for the installation of first floor windows and to amend the ground floor fenestration to be more in keeping with the existing. No amendments were received, and as such the application falls to be determined as submitted.

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 Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/2929/F Erection of single storey side extension to form additional living accommodation. Replacement flat roof with pitched roof over existing single storey extension and garage.
Approved October 2007
- 3.2 PK08/0928/F Erection of first floor side extension to form additional Bedroom
Approved May 2008

4. **CONSULTATION RESPONSES**

4.1 Pucklechurch Parish Council

Raised concerns that the proposal is over development of the site.

Other Representations

4.2 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 extension is of an appropriate standard in design and reflects the character of the main dwelling house. Whilst the extension would have an unusual appearance due to the lack of a first floor window on the front elevation, it is not considered that the addition would harm the visual amenity of the area. This is particularly the case given the location of the extension and its modest dimensions. Furthermore, the proposed addition would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling. It is therefore not considered that the design is of sufficient concern to warrant the refusal of the application.

Planning permission for a first floor side extension to the west of the property and single storey side extension to the east, was granted in May 2008. The applicant has indicated that should planning permission be granted for the two storey side extension subject to this application they would not carry out the extension to the western side of the property. This agreement could be formalised via a unilateral undertaking, however this is not considered to be necessary in this instance given the scale of the development, should both permissions be implemented.

5.3 Residential Amenity

The proposed extension would be located approximately 7 metres away from the side elevation of the neighbouring bungalow, No. 20 Homefield. Given the location and scale of the proposed extension, it is not considered that the proposal would result in any harmful overbearing impact to this neighbouring bungalow.

The side elevation of No. 20 Homefield has one window and one door, the proposed extension would be located opposite the front door but would not

extend across the existing window. As such 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 Use of Energy and Sustainability

No measures proposed in addition to meeting Building Regulations.

5.5 Improvements achieved to the scheme

A request was made for several changes. However these improvements were not forthcoming, but the scheme is still considered acceptable.

5.6 Public Rights of Way

One Public Right of Way reference LPU 43 runs adjacent to the north of the application site. The Council's Public Rights of Way Officer raise no objections to the proposal. A standard informative will be imposed to inform the applicant of the Public Right of Way and outlining limitations, should planning permission be granted.

5.7 Other Issues

With regard to the concern raised by Pucklechurch Parish Council, it should be noted that the current application proposes a smaller extension than what has previously been approved in the past, which does not constitute overdevelopment of the site.

5.8 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions

Background Papers PK09/1218/F

Contact Officer: Kirstie Banks

Tel. No. 01454 865207

CONDITIONS

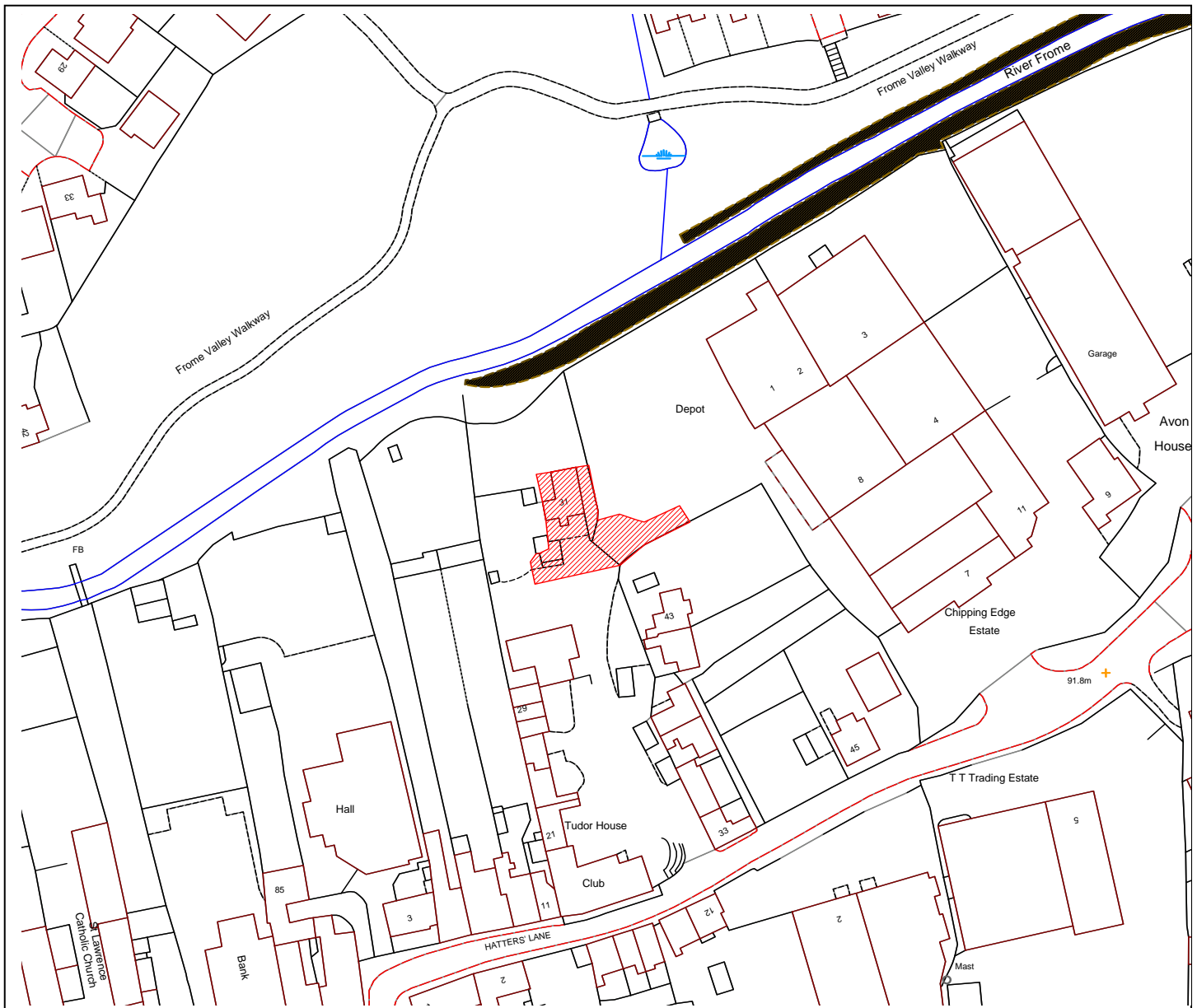
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

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

CIRCULATED SCHEDULE NO. 31/09 – 07 AUGUST 2009

App No.:	PK09/1244/F	Applicant:	GH Wintle & Son Ltd
Site:	31 Hatters Lane, Chipping Sodbury, South Gloucestershire, BS37 6AA	Date Reg:	7th July 2009
Proposal:	Change of use from Residential use (C3) to Office use (B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) . Construction of pedestrian walkway and ramp, additional car parking and associated works. Resubmission of PK09/0546/F.	Parish:	Sodbury Town Council
Map Ref:	72972 82355	Ward:	Chipping Sodbury
Application Category:	Minor	Target Date:	26th August 2009



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PK09/1244/F

INTRODUCTION

This application is referred to the Circulated Schedule to Members in accordance with procedure given that objections have been raised that are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the change of use of an existing two-storey dwelling to Class B1 (Office). Included in the (red line) site will be part of the existing commercial distribution centre however under the Planning Use Classes Order 2005 consent is not required for the change from this use to Offices as it falls under the same use class.
- 1.2 The proposal involves the creation of a pedestrian walkway from 4 no. vehicle parking spaces on the eastern side of the site to the office building. 4 cycle spaces and motorcycle spaces are to be provided to the side of this area. Refuse storage is also shown and given its location this will be collected from refuse lorries that enter from the commercial yard. A single disabled car parking space is to be located to the front of the office. With the exception of the latter space, vehicle access to the offices is shown from Hatters Lane via the depot entrance. An existing portacabin will be removed. The footprint and height of the main building will not be altered as part of this proposal with the only works proposed some minor alterations to the openings.
- 1.3 The application site comprises a two storey property located immediately to the west of the Chipping Edge Trading Estate and is with the same ownership. However as defined on the South Gloucestershire Local Plan (Adopted January 2006) proposals map, the building falls just outside of the safeguarded employment area. A small area at the north-east corner of the site is identified as being in Flood Zone 2. A Flood Risk Assessment has been submitted with the application. The site also lies within the Chipping Sodbury Conservation Area. A previous application PK09/0546/F was withdrawn by the applicant.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG4 Industrial, Commercial Development and Small Firms
PPG13 Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
L12 Conservation Areas
T8 Parking Standards
T12 Transportation for New Development
E3 Employment Development within the Urban Area

2.3 Supplementary Planning Guidance

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/0546/F Change of use from Residential Use Class (C3) to Office Use (B1) with construction of pedestrian walkway, ramp and associated works (withdrawn)

4. CONSULTATION RESPONSES

4.1 Sodbury Town Council

Object to the proposed development on the following grounds:

- We object to this application on the grounds of Highways. Although we acknowledge some changes have been made to the access we believe that there is still a serious issue with access through the car park to the Conservative club in that the land owner has not given permission for his land to be crossed. We believe this will make the car parking space included within the plans unuseable.
- We still believe there are more than enough vacant business units in Chipping Sodbury therefore we object to the change of use from residential use to business use.
- We continue to believe that as Hatters Lane is primarily a residential area it is not appropriate to extend the industrial section. This area is in need of residential properties and as mentioned above currently has a number of empty business units.
- Hatters Lane already suffers from overuse by large vehicles (which should not be using the Lane but still do) and we consider this to be a danger to the residents living on the Lane and the children who walk to the local school along the Lane. By adding another business unit this danger may be increased which we would not want to happen.

4.2 Other Consultees

Environment Agency

The Environment Agency has no objections to the proposed development as this will be a change of use to a less vulnerable use. There are no proposals to increase the areas of hardstanding. The site is located at the edge of the high risk area.

Sustainable transport

The amount of additional development traffic is not considered significant given the existing level of traffic associated with the trading estate. An office of this size would not be dependent on frequent visits from larger service vehicles and so the impact on the highway would be negligible.

The proposed parking provision for both vehicles and cycles is considered acceptable. A total of 4 parking spaces would be accessed via the trading estate with a walkway providing a pedestrian link that would also prevent vehicles from circulating between neighbouring sites. An additional disabled space (intended for a store) is shown

accessed via the Tudor House car park. Although this car park falls outside the ownership of the applicant a historical “right of way” would have been established through continued access over the land to the existing dwelling. A change in use of a building does affect existing access rights.

Other Representations

4.3 Local Residents

There has been 3 letters of objection received. The objections can be summarised as follows:-

- The proposal will lead to increase traffic in Hatters Lane. Access to the building will still be possible by car from Tudor House Car Park.
- The existing industrial site detracts from visual amenity and the extent of the permission for industrial use is questioned.
- It is essential that if permission is given that the opening hours of the office are restricted
- It is unclear how many people will be visiting the building or will be employed at the building
- It is unclear whether the building will be affected by flooding
- There are other offices available and it is unclear why a family home needs to be converted
- The South Gloucestershire Council Draft SPD (Chipping Sodbury Conservation Area) indicates that the modern industrial area detracts from the historic setting and therefore further industrial development should be discouraged.

There has been 1 letter received, that does not object to the proposal but raises issues relating to access to the building.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site is situated within the existing urban area as defined in the adopted Local Plan, therefore the principle of development is accepted subject to the development meeting the requirements of the other relevant policies of the Local Plan. Policy E3 of the South Gloucestershire Local Plan is supportive in principle of proposals for employment development within urban areas subject to a number of criteria which will be addressed below. Policies T8 and T12 are also supportive of new development subject to issues of accessibility, parking and manoeuvring and impact in terms of highway safety. The site also lies within the Chipping Sodbury Conservation Area and therefore in accordance with PPG15 and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006 the development must not harm the character and appearance of the area.

5.2 Traffic, parking and highway safety

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that all new development makes adequate, safe and appropriate provision for the transportation demands which it will create and minimises the adverse impact of motorised traffic. Concern has been raised locally that vehicles will access the site via

the car park area of Tudor House to the detriment of the amenity of neighbouring residents.

It should be noted that access to the site at present vehicular access can only be made via the access to the side of Tudor House. The current application, (with the exception of a single parking space for disabled use), through the provision of a clearly marked parking area for four vehicles as well as 1 motorcycle and 4 bicycles and through the provision of steps preventing a through route for vehicles to and from the commercial area for the first time can ensure that the route to the side of Tudor House need not be the primary access to the building.

Transportation Officers consider that the amount of additional development traffic and subsequent impact upon Hatters Lane would not be significant given existing level of traffic associated with the trading estate. An office of this size would not be dependent on frequent visits from larger service vehicles and so the impact on the highway is not material in the determination of this application.

The question arises as to whether a planning condition is appropriate to prevent the building being accessed from the current access and require all access to take place via the commercial area. It should be noted that to the present time, access has been via the Tudor House Car Park and thus a historical "right of way" would have been established through continued access over the land. It is not possible to impose a condition that would override a legal right held under other legislation, as the condition would be unreasonable.

In summary therefore it is considered that taking into account the size of the site and likely traffic movements associated with a small office and the acceptable level of provision of parking facilities that the proposal is acceptable in highway terms.

5.3 Environmental Effects/Residential Amenity

The application site is situated in a location which incorporates a mix of uses including a large proportion of commercial development being situated immediately next to a safeguarded employment site known as Chipping Edge Trading Estate. Given the nature of a B1 Office use there is not considered to be any material adverse environmental impact. B1 uses by definition are considered appropriate where there are nearby residential properties and there is in any case a degree of separation between the building itself and neighbouring residential properties. It should also be noted that the walkway prevents any vehicular access to the commercial units to the east of the site. A condition is recommended to require the walkway to be in place prior to the first occupation of the offices. It is not considered that the proposal would result in any loss of residential amenity.

Although it is not considered that the development would result in any significant detriment to residential amenity, for the avoidance of any doubt a condition is recommended to restrict the office use to 0700 hours to 1900 hours in accordance with the times indicated by the applicant.

5.4 Conservation Area/Listed Building Issues

The application site lies within the Chipping Sodbury Conservation Area close to its northern boundary and 75 metres to the north of Tudor House which is a Grade II* Listed Building. Policy L12 of the South Gloucestershire Local Plan (Adopted) January

2006 states that development within or affecting a conservation area should preserve and/or enhance the character of the area. Policy L13 requires that any development should not harm the character, appearance or historic features of a Listed Building or its setting. Concern has been raised that the proposal would detract from the Conservation Area in particular given that the supplementary planning document acknowledges that the industrial area does not contribute to the area in visual terms.

The proposed change of use would result in only minimal visual change to the appearance of the building, with alterations to some openings. The car parking area proposed is quite small and set back from the road, it should be noted that the scheme would involve the removal of a temporary portakabin of poor visual appearance. The building will therefore appear as it does at the moment ie with a residential character rather than as the adjacent commercial properties. A residential area currently associated with the building is not included in the proposal.

It is considered by officers that the visual impact of the proposal will be negligible (the removal of the portakabin would be an enhancement), and will not harm the character or appearance of the conservation area or the setting of the listed building. The proposals are, therefore, in accordance with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.5 Flood Risk

A small section of the site lies within Flood Zone 2. Policy EP2 indicates that development will not be permitted where development will be at risk from flooding or increase the risk of flooding. No objection to the proposal has been raised by the Environment Agency, who state that the proposal involves a move from a vulnerable use (Residential) to a less vulnerable use (Offices) in terms of the impact of flooding and the risks associated with it.

5.6 Design and Access Statement

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

5.7 Use of Energy and Sustainability

Given the scale of the proposal this is not considered relevant above normal Building Regulations.

5.8 Improvements achieved to the scheme

A walkway rather than motor vehicle through route is proposed, in contrast to a previous proposal that would have allowed a link between the commercial area and the site.

5.9 Other Issues

Concern has been expressed that there are other available offices within the area and it would be preferable to use one of those rather than to occupy the building that is the subject of this application. It should be noted that there is no policy support for this

approach, there is no objection in principle for the conversion of a building from residential to office use within a settlement boundary/urban centre and each application must be assessed on its own merits as has been done in the above analysis.

A number of further issues relating to the access have been raised. It has been questioned as to whether the collection of vintage cars from a storage building near the application site will continue if the application is approved. It should be noted that this building does not form part of the development site. The right of access to and from this building would be a legal matter between those who have access rights and the user/owner of this building, but is not an issue that is material to the determination of this application.

The issue of whether the gate to the front of the site will be only for the entry/egress of the person using the disabled parking space shown on the submitted plan as been raised and what guarantee there is that others will not access the site by this means. As has been stated in paragraph 5.2 above, there can be no guarantee that the site will not be accessed through the car park of Tudor House by more than the user of the disabled parking space. The right of access or prevention of access to the building from the Tudor House access is a legal matter, a planning condition cannot be applied that overrules any existing legal right of access. In terms of this application the applicant has shown parking provision on the submitted plans which can only be assessed from the Industrial Estate.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the following conditions

Background Papers **PK09/1244/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 off-street parking facilities (for all vehicles, including cycles) shown on Drawing No.50925-1-001 rev D hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose. The vehicle spaces shall be clearly marked on the ground for use by the office.

Reason:

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

3. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times 0700 hours to 1900 hours Monday to Saturday nor at any time on Sunday or Bank Holidays.

Reason:

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

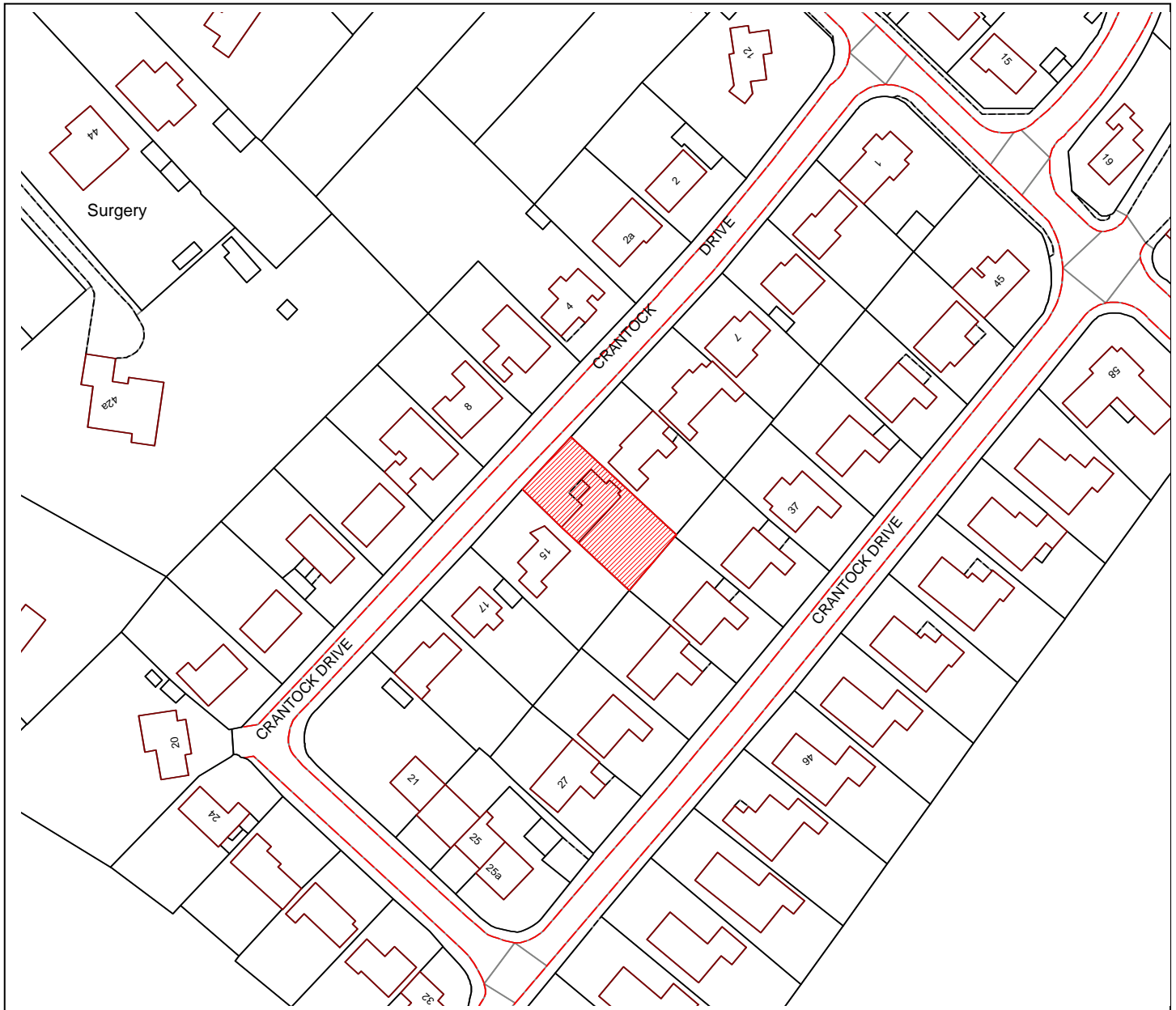
4. The building shall not be occupied until the pedestrian access shown on Drawing No.50925-1 001 Rev D and 50925-1-002 hereby approved has been constructed in accordance with the approved plans.

Reason:

In the interests of the amenities of nearby occupiers, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 30/09 – 07 AUGUST 2009

App No.:	PT09/1190/F	Applicant:	Mr F Ehrenguber
Site:	13 Crantock Drive, Almondsbury, South Gloucestershire, BS32 4HF	Date Reg:	29th June 2009
Proposal:	Erection of two storey side extension to provide additional living accommodation.	Parish:	Almondsbury Parish Council
Map Ref:	61017 84150	Ward:	Almondsbury
Application Category:	Householder	Target Date:	20th August 2009



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N.T.S

PT09/1190/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a two storey side extension to provide store, dressing room, and ensuite. The extension would be situated on the dwellings south-west side elevation, and would be 2.3m in width, 6.8m in depth, and 6.7m in height.
- 1.2 The application site relates to a detached dwelling which is situated in a well established residential with the Almondsbury settlement boundary. The site is "washed over" by the Bristol & Bath Green Belt.
- 1.3 The applicant has submitted amended drawings which reduced the depth of the proposed extension, and removed the basement from the proposals.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1: Delivering Sustainable Development
PPG2: Green Belt

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
GB1: Development within the Green Belt

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist SPD (Adopted) 2007
South Gloucestershire Development in the Green Belt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

The Parish Council has no objection to the proposed extension, but there are concerns over the amount of extensions taking place to properties in this road having an effect on the highway, there seems to be a lot more vehicles parking on the road causing congestion.

4.2 Local Residents

Five letters of objection have been received in response to this application. The main issues have been summarised below: -

- a) The solar panel on the roof and back walls are not shown on the application.
- b) Solar panel gives impression of an industrial site.
- c) Digging a basement could provoke subsidence.
- d) The separate front door would enable the extension to be easily turned into a separate dwelling or 'granny annexe'.
- e) Infill building will make the estate look more enclosed and less desirable.
- f) The unique selection of building styles in Crantock Drive may at a later date qualify it for grade II listing. It would be a shame to degrade it.
- g) Pressure on drainage & sewerage system.
- h) The extension would look aesthetically displeasing and would cause a loss of nature light to lounge and bedroom.
- i) The extension would set a precedent of building extensions to the boundaries.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

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

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

5.3 Residential Amenity

The application site is adjoined by two dwellings to the side (Nos. 11 and 15 Crantock Drive) and one dwelling to the rear (No. 33 Crantock Drive). The proposed extension would be situated on the host dwellings side elevation, which is immediately adjacent to No. 15. Representations have been received from this property, these raised concerns to the extension on the grounds of a loss of nature light to lounge and bedroom.

5.4 Overbearing Effect/Loss of Light

The proposed two storey side extension would be situated approximately 2m from the adjacent dwelling (No. 15) above the existing garage. The extension originally extended past the rear extension by approximately 3m. However the applicant decided to reduce the extension to 1.5m following the objections from local residents. Notwithstanding the objections from local residents, it is considered that the scale and massing of a two storey rear extension with a depth of 1.5m would not result in a material overbearing effect, or a loss of light.

It was noted on a site visit of the site that the No. 15 has an existing ground floor window which would be within 2m of the two storey extension. It is considered that there would be some loss of light to this window. However a

hall is considered to be a non-habitable room. Therefore, on balance, it is considered that the loss of light to this room would not material harm residential amenity through an overbearing effect. Furthermore, the extension is significantly detached from other neighbouring properties as such there would be no overbearing effect, or loss of light to these properties.

5.5 Loss of Privacy

The proposed extension would include new ground and first floor windows on the front and rear elevations. There would be no windows on the side elevation. It is considered that this arrangement ensures that there would be no “direct” inter-visibility into the habitable rooms, or private amenity of nearby dwellings. Therefore for this reason, it is considered that the proposed development would not result in material loss privacy to the detriment of residential amenity of nearby occupiers.

5.6 In view of the above, it is considered that the proposed development would not materially harm residential amenity.

5.7 Visual Amenity

Representations have been received from local residents which have commented that; the development would be aesthetically displeasing; infill building would make the estate look more enclosed and less desirable; and the unique selection of building styles in Crantock Drive may at a later date qualify it for grade II listing.

5.8 Crantock Drive is a well established residential development. The street scene is characterised by large detached dwellings of various styles, which are sited within equal plot widths. It was also observed during the site visit that a number of these dwellings have been altered through large extensions.

5.9 The proposed side extension would be situated on the dwelling side elevation above the existing single storey garage. The applicant has adopted a subservient design approach whereby the ridge height and front elevation would be set down and back in relation to the original building. It is not considered that the extension would have an “enclosing effect” because it would be situated roughly above the existing single storey garage. Furthermore, the extension itself would be finished in render, brick tiles to match the existing dwelling. Therefore, notwithstanding the representations from local residents, it is considered that the proposed extension would respect the massing, scale, proportions, materials and overall design and character of the existing property, street scene, and surrounding residential area.

5.10 Green Belt

The cumulative volume of the proposed two storey extension would result in a proportionate volume increase of approximately 25% over and above the volume of the original dwelling. In view of this, it is considered that the proposed extension would not result in a disproportionate addition to the original dwelling. Furthermore, the site is situated within a well established residential area where infill development would be permitted. The proposal is therefore not considered to harm the openness of the Green Belt in this instance.

- 5.11 Drainage
Representations have been received from local residents with regard to the increased pressure the development would cause to the existing drainage and sewerage system. The Councils Drainage Engineer has assessed the proposed development and has raised no objection to the proposed drainage arrangements. Therefore, notwithstanding the representations from local residents, it is considered that the proposed extension would not material harm existing drainage and sewerage arrangements.
- 5.12 Other Matters
Local residents have raised number of additional within the representations:
- 5.13 Subsidence from basement
Some comments were received regarding possible subsidence from the proposed basement. However this aspect of the scheme was omitted from application by the applicant. As such, no consideration has been given to this part of the scheme.
- 5.14 Inaccuracies on plans and solar panels
Some comments were received regarding the inaccuracies on the submitted plans because the solar panels were not shown. The positions of the solar panels were noted on site visit of the application site. It is considered that the submitted plans clearly show the existing dwelling and the proposed dwelling. It is considered that this sufficient information to determine the planning application.
- 5.15 Some representations have commented that the solar panel gives impression of an industrial site. However, the solar panels did not require planning permission because they fell within permitted development criteria set out under Part 40 (Installation of Domestic Micro generation Equipment), Class A of the Town and Country Planning (General Permitted Development) (Order) 1998. Therefore, no consideration can be given to the merits of there external appearance.
- 5.16 'Granny annexe'/Separate dwelling
Some representations have commented that the proposed additional front door could result in the conversion of the extension into a 'granny annex' or separate dwelling. It should be noted that the extension can be used for residential uses which are ancillary to the main dwelling. However if at any time the property were converted into two separate units then further planning permission would be required.
- 5.13 Use of Energy and Sustainability
None.
- 5.14 Improvements achieved to the scheme
None.
- 5.15 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Background Papers **PT09/1190/F**

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

CONDITIONS

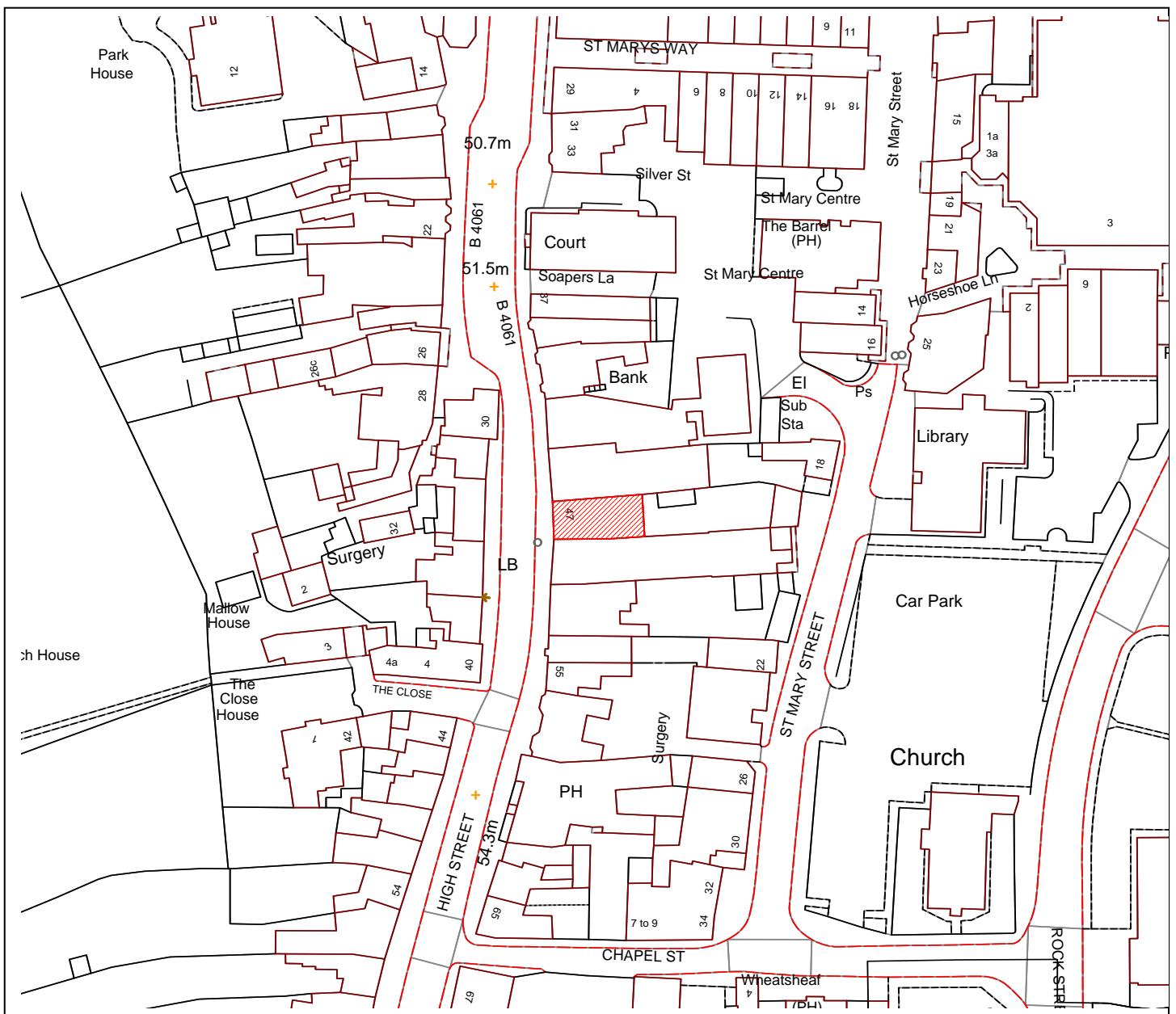
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

CIRCULATED SCHEDULE NO. 31/09 – 7 AUGUST 2009

App No.:	PT09/1243/ADV	Applicant:	AAH Plc
Site:	47 High Street, Thornbury, South Gloucestershire, BS35 2AR	Date Reg:	7th July 2009
Proposal:	Display of 2no. non illuminated fascia signs, 1no. externally illuminated hanging sign and 2no. internally illuminated wall signs.	Parish:	Thornbury Town Council
Map Ref:	63685 89948	Ward:	Thornbury North
Application Category:	Minor	Target Date:	28th August 2009



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INTRODUCTION

The application appears on the Circulated Schedule as a result of the comments of the town Council.

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for the display of 2 no. non-illuminated fascia signs, 1no. externally illuminated hanging sign and 2no. internally illuminated wall signs. The 2 fascia signs would both measure 2.5 metres in width, 0.8 metres in height, 0.01 metres in depth and project 0.01 metres from the front elevation of the building. The externally illuminated hanging sign would measure 0.5 metres in width, 0.6 metres in height, 0.03 metres in depth and project 0.6 metres from the front elevation of the building. The 2 internally illuminated wall signs would measure 0.9 metres in width, 0.6 metres in height, 0.1 metres in depth and project 0.1 metres from the rear elevations.
- 1.2 The application site comprises the Lloyds Pharmacy retail store in the Thornbury High Street. The store is located on the eastern side of the High Street and forms a primary shopping frontage within the street. The site is located within the settlement boundary and within the Thornbury Conservation Area.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS15 Planning and the Historic Environment
PPG19 Outdoor Advertisement Control
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Design in New Development
L12 Conservation Areas
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (Adopted) January 2006
Thornbury Conservation Area Supplementary Planning Document

3. RELEVANT PLANNING HISTORY

- 3.1 P96/1461/A Continued display of illuminated signs at front and rear of shop.
Refused. 17 June 1996.
- 3.2 P96/2792/A Continued display of two illuminated signs at the rear of the premises and one non-illuminated fascia sign. Display of one externally illuminated hanging sign.
Approved. 24 October 1997.
- 3.3 P98/1829 Change of use of first floor to B1 Offices and A2 Financial Professional Services.

Refused. 2 October 1998.

3.4 Further history is over 20 years old.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

An objection has been received to the rear elevation wall signs (Signs D and E as shown on superseded plan 85363/B) on the grounds that internal illumination of the signs is contrary to the established policy for signage within the Conservation Area. There is no objection to the non-illuminated fascia signs (Signs A and B) and the externally illuminated hanging sign (Sign C).

4.2 Conservation

No objection in principle but the cramped appearance of the text size and logo on the front elevation fascias together as well as the use of an internally illuminated wall signs on the rear elevation could be detrimental to the character of the Conservation Area.

4.3 Transportation

No objection.

4.4 Local Residents

None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The display of outdoor advertisements is controlled through the Town and Country Planning (Control of Advertisements) Regulations 1992. Advertisements can only be controlled in the interests of visual amenity and public safety.

5.2 Design/Visual Amenity and Impact on the Conservation Area

This application seeks advertisement consent for the display of 2 no. non-illuminated fascia signs, 1no. externally illuminated hanging sign and 2no. internally illuminated wall signs. The 2 fascia signs would both measure 2.5 metres in width, 0.8 metres in height, 0.01 metres in depth and project 0.01 metres from the front elevation of the building. The externally illuminated hanging sign would measure 0.5 metres in width, 0.6 metres in height, 0.03 metres in depth and project 0.6metres from the front elevation of the building. It would be situated above the front door to the store.

The 2 internally illuminated wall signs would measure 0.9 metres in width, 0.6 metres in height, 0.1 metres in depth and project 0.1 metres from the rear elevations. Sign D as shown on superseded plan 85363/B would be situated above the rear door of the premises leading to a courtyard. Sign E, as shown on superseded plan 85363/B, would be situated above the rear entrance to the courtyard opposite the car park. The application site comprises the Lloyds Pharmacy retail store in the Thornbury High Street. The store is located on the eastern side of the High Street and forms a Primary Shopping Frontage within the street. The frontage is a rendered traditional bow fronted shop front with a

retractable canopy incorporated into the cornice of the fascia. It has painted timber joinery on the windows with a recessed doorway, all of which contribute to the character of the street scene.

- 5.3 The proposal is to replace the lettering to the fascia with new individually fixed lettering and would be constructed of acrylic and vinyl. It is also proposed to replace the hanging sign with a similar one constructed of timber and vinyl and introduce two new internally illuminated box signs, constructed of aluminium with a vinyl finish, to the rear of the shop and to the courtyard entrance facing the rear car park.

It has been considered by both the Conservation Officer and the Planning Officer that the initial proposed fascias would appear cramped in appearance and the applicant was advised to alter the positioning of the logo or reduce the text size. The applicant has since reduced the size of the text and an amended plan have been received to this effect (See Amended Plan 85363/C received on 17 July 2009). As such it is considered that these fascia signs (Signs A and B on the amended plan 85363/C), together with the replacement hanging sign to be externally illuminated (Sign C on the amended plan 85363/C) is unlikely to cause a detriment to the existing street scene and it is considered not to adversely impact on the character of the Conservation Area. The use of vinyl in such street signs is not advocated by the Council, however there are other such signs constructed of vinyl in the area and would therefore not be out of character with the area.

- 5.4 The proposed illuminated wall sign (Sign D) on the rear of the premises is concealed within a courtyard and cannot be viewed from the public main street as such it is considered that this sign would not be detrimental to character of the area and as such, is acceptable due to its location. Notwithstanding this however, the proposed illuminated wall sign (Sign E) on the rear of the premises opposite the car park has given rise to concern as the use of such signs are not advocated in Conservation Areas and, as noted by Thornbury Town Council, is contrary to the established policy for signage within the Conservation Area. As such, the internal illumination of Sign E is considered inappropriate given it is on a public thoroughfare and would be unduly prominent in an area where the use of traditional materials and signage is promoted. The applicant has, on the basis of the officer's recommendation, removed this internal illumination from Sign E and submitted an amended plan to this effect (See Amended Plan 85363/C, received on 17 July 2009). As such, with the current changes, the proposed signage appears acceptable and it is considered that it would not cause undue harm to the visual amenity of the area and would not have a negative impact on the character or appearance of the host building or Conservation Area.

5.5 Public Safety

The proposed sign would not include any complicated text or logos which could prove distracting for pedestrians or motorists. On this basis, and since no transportation objections have been received, the proposed signage is considered acceptable in terms of public safety.

5.6 Improvements achieved to the scheme

On officer's recommendation, there has been the removal of the internal illumination of wall sign 'Sign E' at the rear of the premises and the reduction in size of the text to avoid the two fascia signs (Signs A and B) appearing cramped.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

7.1 Advertisement Consent is GRANTED subject to the following conditions

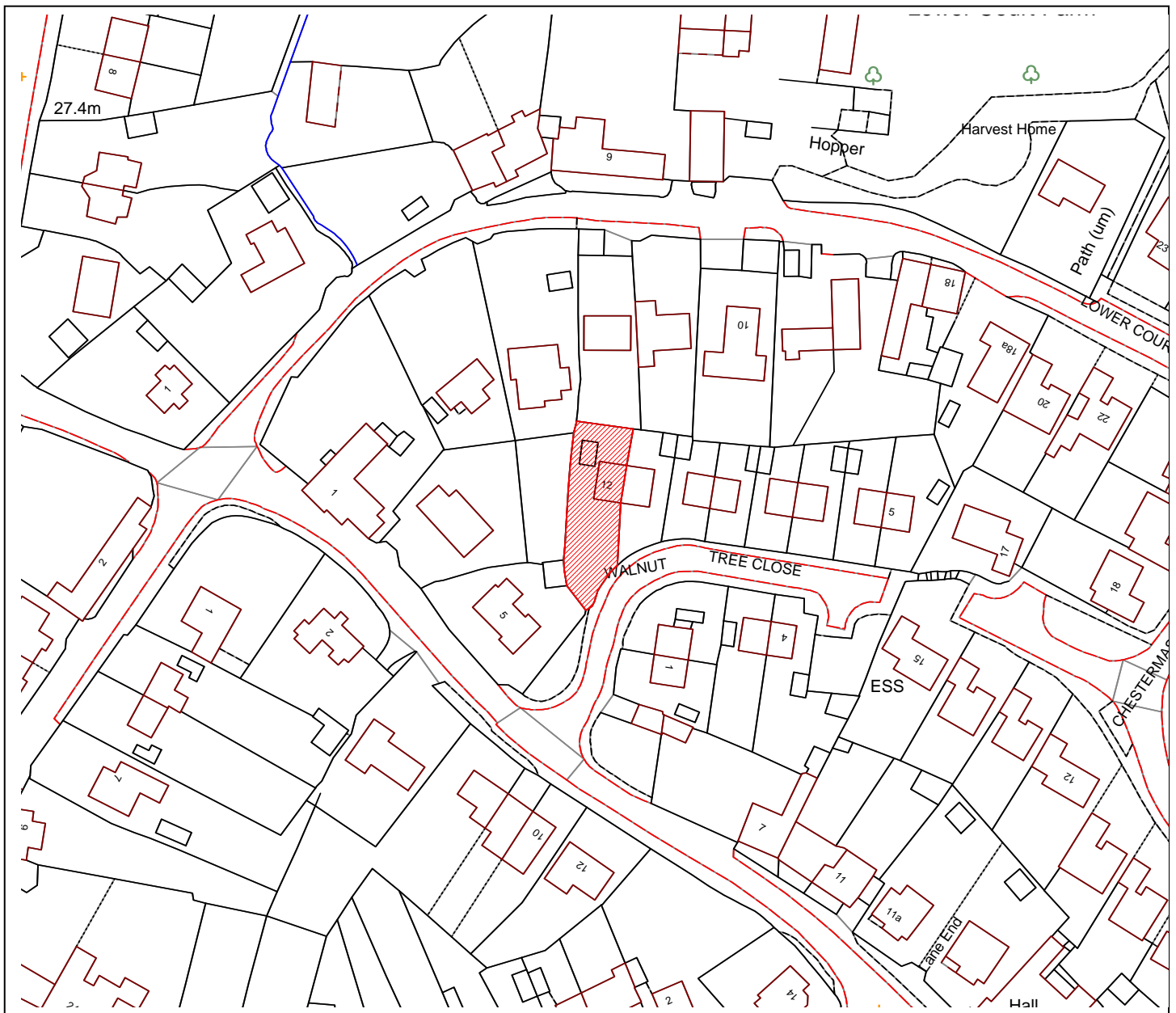
Background Papers **PT09/1243/ADV**

Contact Officer: **Genevieve Tuffnell**
Tel. No. **01454 863438**

ITEM 8

CIRCULATED SCHEDULE NO. 31/09 – 07 AUGUST 2009

App No.:	PT09/1279/CLP	Applicant:	Mr S Forss
Site:	12 Walnut Tree Close, Almondsbury, South Gloucestershire, BS32 4EE	Date Reg:	13th July 2009
Proposal:	Application for Certificate of Lawfulness for the proposed erection of single storey rear extension to form additional living accommodation.	Parish:	Almondsbury Parish Council
Map Ref:	60215 84260	Ward:	Almondsbury
Application Category:	Householder	Target Date:	2nd September 2009



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PT09/1279/CLP

DC0901MW

INTRODUCTION

This application appears on the Circulated Schedule List because it comprises a Certificate of Lawfulness submission.

1. THE PROPOSAL

- 1.1 This application forms a Certificate of Lawfulness for the proposed erection of a single storey rear extension to form additional living accommodation.
- 1.2 The application site comprises a two storey semidetached dwellinghouse located within the Green Belt and within the established residential area of Almondsbury. The property is situated on the northern side of the cul-de-sac Walnut Tree Crescent. The western boundary of the site forms the extent of the Lower Almondsbury Conservation Area.

2. POLICY CONTEXT

- 2.1 The Town and Country Planning (General Permitted Development) Order 2008

3. RELEVANT PLANNING HISTORY

- 3.1 P94/2685, Erection of two storey side extension to form garage and dining room with bedroom over (in accordance with amended plans received by the Council on 26th January 1995), 09/02/95, Approval.
- 3.2 P98/1192, Erection of two storey side extension, 03/04/98, Approval.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No objection
- 4.3 Local Residents
No objections received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
This application is seeking a Certificate to state that the proposed development is lawful. It is not a planning application where the relative merits of the scheme are assessed against policy, it is an evidential test of whether it would be lawful to proceed with the proposal. The key evidential test in this case is whether proposals fall within the recently amended permitted development rights afforded to householders. It must be ascertained whether the proposed single storey rear extension falls within the criteria of Schedule 2, Part 1, Class A of the General Permitted Development Order by means of size and positioning.
- 5.4 The application site relates to a two storey semidetached dwellinghouse which has its permitted development rights in tact.

5.2 Part 1, Class A allows for the enlargement, improvement or other alteration of a dwellinghouse. Development is not permitted if:

As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The block plan submitted (plan no. 001) illustrates that the proposed extension would cover less than 50% of the total area of the curtilage.

The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

The elevation plan submitted (plan no. 004) illustrates that the proposed extension would not exceed the height of the highest part of the roof of the existing dwellinghouse.

The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

The elevation plan submitted (plan no. 004) illustrates that the proposed extension would not exceed the height of the eaves of the existing dwellinghouse.

The enlarged part of the dwellinghouse would extend beyond a wall which—

(i) fronts a highway, and

(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;

Plan 001 illustrates that the extension would be located on the rear elevation of the property. This elevation does not front a highway and does not form the principle elevation or a side elevation of the dwellinghouse.

The enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

According to plan no. 004, the height of the extension would be approximately 3.2 metres at the highest point. Plan no. 003 shows that the extension would have a depth of approximately 2.55 metres. The property has benefited from a two-storey side extension (P98/1192), the proposed extension would however, extend from the rear wall of the original dwellinghouse.

The enlarged part of the dwellinghouse would have more than one storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

The plans show that the extension would comprise a single storey.

The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

Plan no. 004 shows that the height of the eaves of the proposed extension would be less than 3 metres.

The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

- (i) exceed 4 metres in height,**
- (ii) have more than one storey, or**
- (ii) have a width greater than half the width of the original dwellinghouse; or**

The proposed extension would extend beyond a wall forming the rear elevation not the side elevation.

It would consist of or include—

- (i) the construction or provision of a veranda, balcony or raised platform,**
- (ii) the installation, alteration or replacement of a microwave antenna,**
- (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or**
- (iv) an alteration to any part of the roof of the dwellinghouse.**

The plans and description do not demonstrate that the addition would comprise any of the above.

A.2 In the case of a dwellinghouse on article 1(5) land, development is not permitted by Class A if—

it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

The criteria above are not applicable since the application site is situated outside the Lower Almondsbury Conservation Area.

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

It is stated on plan no. 004 that the materials for the walls, roof and fenestration would match the existing dwelling.

any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed;

The proposed extension would be single storey.

where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

The proposed extension would be single storey.

7. RECOMMENDATION

7.1 That a Certificate of Proposed Lawful Development is GRANTED for the following reason:

Evidence has been submitted to demonstrate that the development falls within permitted development within the curtilage of a dwellinghouse under Part 1 of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

Background Papers PT09/1279/CLP

Contact Officer: Jonathan Ryan
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