



**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. 39/09

Date to Members: 02/10/09

Member's Deadline: 08/10/09 (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: 02/10/09

SCHEDULE NO. 39/09

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

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

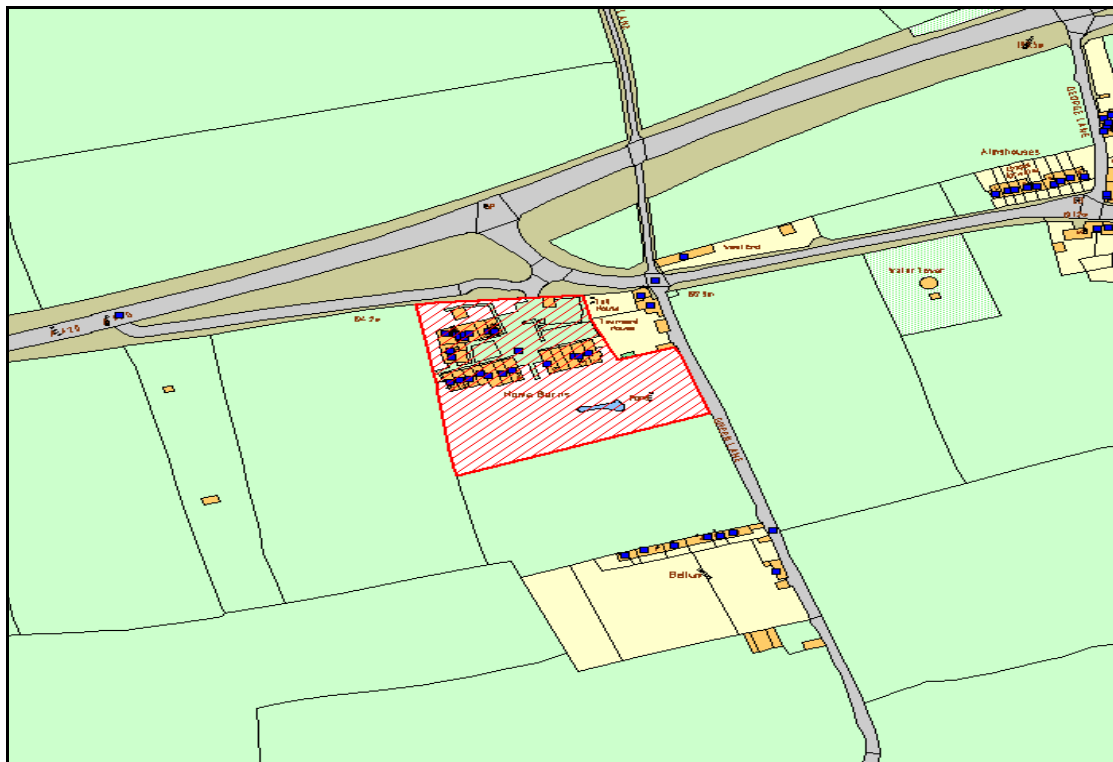
CIRCULATED SCHEDULE – 2 OCTOBER 2009

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK09/1409/F	Approved Subject to	West End Home Barns Marshfield South Gloucestershire	Boyd Valley	Marshfield Parish Council
2	PK09/5060/F	Approve with Conditions	15 School Walk Yate South Gloucestershire BS37 5PS	Yate Central	Yate Town
3	PK09/5095/F	Approve with Conditions	49 Cleeve Wood Road Downend South Gloucestershire BS16 2SH	Downend	Downend & Bromley Heath Parish Council
4	PK09/5148/F	Approve with Conditions	23 Royal Road Mangotsfield South Gloucestershire	Rodway	
5	PK09/5249/F	Approve with Conditions	61 High Street Hanham South Gloucestershire BS15 3DQ	Hanham	Hanham Parish Council
6	PT09/5119/F	Approve with Conditions	1 Braydon Avenue Little Stoke South Gloucestershire BS34 6EH	Stoke Gifford	Stoke Gifford Parish Council
7	PT09/5132/F	Approve with Conditions	Hill House Farm Station Road Charfield Wotton Under Edge South Gloucestershire GL12 8SY	Charfield	Charfield Parish Council
8	PT09/5163/F	Approve with Conditions	30 Dragon Road Winterbourne South Gloucestershire BS36 1BG	Winterbourne	Winterbourne Parish Council
9	PT09/5168/F	Approve with Conditions	22 Lavender Close Thornbury South Gloucestershire BS35 1UL	Thornbury North	Thornbury Town Council
10	PT09/5193/F	Approve with Conditions	Bourne End Down Road Winterbourne Down South Gloucestershire BS36 1AU	Westerleigh	Westerleigh Parish Council

ITEM 1

CIRCULATED SCHEDULE NO. 39/09 – 2 OCTOBER 2009

App No.:	PK09/1409/F	Applicant:	Bach Homes (Sunley) Ltd
Site:	West End Home Barns Marshfield South Gloucestershire SN14 8JH	Date Reg:	30th July 2009
Proposal:	Creation of 3 additional live-work units in Barn C. Conversion of existing bedroom into workspace in Unit A5, B7, B11, B12 and C13 and conversion of part of workspace into additional bedroom in Unit B10. Provision of additional 6 no. parking spaces. Demolition of existing cycle storage and relocation of cycle storage and relocation of cycle parking throughout the site. Installation of rooflights, replacement of enlarged window and formation of new doorway.	Parish:	Marshfield Parish Council
Map Ref:	376980 174165	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	18th September 2009



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100023410, 2008. **N.T.S.** **PK09/1409/F**

INTRODUCTION

The application has been referred to Circulated Schedule No. 20/06 as the Council received objections from Marshfield Parish Council and local residents.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the creation of 3 additional live-work units in Barn C. The proposal also includes the conversion of an existing bedroom into a workspace in Unit A5, B7, B11, B12 and C13 and conversion of part of a workspace into an additional bedroom in Unit B10. The proposal also includes the demolition of existing cycle storage and the relocation of smaller cycle storage throughout the site. It is also proposed to install rooflights, replace with enlarged window and form a new doorway on the elevations of Barn C. The original proposal is to provide additional 6 no. parking spaces. During the course of application, the applicant submitted a revised to reduce the number of parking spaces from 6 to 4 in order to the protect the health of an existing tree and to remove all proposed sheds from an informal open space, which is located to the south of Barn A and B.
- 1.2 The proposal would therefore provide 20 live works units in total and all units would have integral workspace. A small meeting room will be provided in Barn C and there would be total 38 parking spaces provided within the site.
- 1.3 The site is situated on the western end of the village of Marshfield, outside of the settlement boundary, but within the Marshfield Conservation Area. The site is within the Green Belt and the Cotswolds Area of Outstanding Natural Beauty.
- 1.4 As some units within the site have been sold, a Certificate B is therefore submitted.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS7	Sustainable Development in Rural Areas

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
L2	Cotswolds AONB
L12	Conservation Areas
GB1	Development within the Green Belt
T12	Transportation Development Control Policy for New Development
E3	Criteria for Assessing Proposals for Employment Development within the Urban Area and Defined Settlement Boundaries and/or Permitted by Policies E4/E5/E6

E6	Employment Development in the Countryside
E7	Conversion and Re-use of Rural Buildings
H10	Conversion and Re-use of Rural Buildings for Residential Purposes
LC2	Provision for Education Facilities (Site Allocations and Developer Contributions)
LC8	Open Space and Children's Play in Conjunction with New Residential Development

2.3 Supplementary Planning Guidance
Marshfield Conservation Area: Advice Note 2

3. RELEVANT PLANNING HISTORY

- 3.1 Planning permission was granted in the 1980's for the original units, extended in 1992, restricted to the storage of refrigeration equipment and supplies and personal to the applicant. In 2002 permission was granted for the removal of conditions on previous permissions restricting the use and permitted development rights (PK02/2114/RVC, PK02/2116/RVC), so that the site effectively had an open B8 (warehousing) use.
- 3.2 PK04/2406/F Change of use of ground floor from warehouse (Class B8) to 12 office/workshop units (Class B1) and creation of 12 no. live-work accommodation above and associated external alterations. Provision of 24 car parking spaces and landscaping. Approved with conditions 30 March 2005 following the signing of a S106 agreement to ensure the following: commuted sums relating to education and public transport provision, on-site provision of informal open space and that the occupiers of each residential unit are the occupiers of the respective business unit and that no unit shall be entirely occupied as residential use.
- 3.3 PK06/0169/F Change of use of ground floor from warehouse (Class B1) and creation of 12 no. live-work accommodation above and associated external alterations. Provisioning of 34 car parking spaces and landscaping. The application sought to amend the previously approved scheme to increase the number of units to 17 in total. Approved 04.08.06
- 3.4 PK07/0648/F Change of use of ground floor from warehouse (Class B1) to 17 no. office/workshop units (Class B1) and creation of 17 no. live-work accommodation and associated external alterations. Provisioning of 34 car parking spaces and landscaping. The application sought to amend the external and internal alterations of existing buildings and to change the existing facilities, boundary treatment, alignment of parking arrangements. The total number of live-work units is remain 17. Approved 26.06.07.
- 3.5 Pk08/3178/VAR Variation of Section 106 Agreement dated 24 March 2005 relating to Schedule 4: Contribution to Secondary School Education. Approved 11.05.09.

4. **CONSULTATION RESPONSES**

4.1 **Marshfield Parish Council**

The Parish Council objects to the application on the grounds that the proposed development would lead to: (i) an over-development of the site within an unacceptable increase in the density of the site. This in turn will lead to increased traffic problems, (ii) a significant loss of amenity space which will be detrimental to the occupiers of the site.

4.2 **Sustainable Transport**

No objection.

4.3 **Street Care – Drainage**

No objection provided that a sustainable drainage system will be in place.

Other Representations

4.4 **Local Residents**

Nine letters of objection have been received by local residents and four of them were subsequently withdrawn. The concerns are summarised as follows:

- overcrowding in the car park
- restricted access to all vehicles and emergency vehicles
- no visitor parking for business users or private visitors
- Lead to increased traffic movement
- Less space for maneuverability and parking
- Cause significant difficulties for larger vehicles
- the prospect of storage containers in a well-laid out park area within Green Belt should be refused.
- The proposal do not enhance the attractiveness of the site
- The external proposals are detrimental to the environmental provisions of the site.
- Some original planning are still outstanding from previous permission, for example, only 33 marked parking space, the dry stone wall to form the southern boundary has not been built
- Overpopulation of the site
- The desecration of this established, balanced and attractive courtyard are not addressed by the proposal.
- The conversion of workspaces in Barn C will significantly change and Barn C will become predominantly living accommodation
- The meeting room is too small
- Have a detrimental impact upon the character of the conservation area
- The proposed parking spaces would have an impact the existing landscaping & planting
- Loss of landscaping provision
- The new parking space will damage the root system of a silver birch
- The cycle storage containers are not appropriately located and designed, and would cause potential to residents.

- Lack of long-term maintenance of these cycle storages would create blight within the development
- The proposed individual sheds would be located in the open part of the Green Belt. The design of the sheds will be unfit for their propose, and the sheds are located a considerable distance. Some of the sheds will require the removal of existing planted trees and shrubs. Without a long term maintenance, it would create blight within the development
- The pricing of the properties cause the problem for unsold properties and little evidence of serious marketing of the site.
- The new development would distress to existing residents in terms of noise, damage and grime of the work, and an internal structural damage may also be a concern.
- Certificate B should be signed as some of residents have a freehold or leasehold interest in part of the estate.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The principle of the change of use from warehouse (Use Class B8) use to live work units, with office/workshop on the ground floor and residential accommodation above, (sui-generis use) was assessed as acceptable as part of approved application PK04/2409/F.

The proposals include internal and external alterations to buildings that are different to the approved scheme and a number of alterations to the existing landscaping area and parking area. As the proposal would not increase the overall footprint of the buildings. The principle of the development when assessed against Green Belt policy was considered acceptable as part of approved application PK04/2409/F. The proposal is therefore considered acceptable in Green Belt terms.

The proposal involves an increase in three units, which the Parish Council considers to be over-development. This increase is considered acceptable in principle given the historical use of the site for B8 warehousing, with no restrictive planning conditions. The proposals are therefore considered acceptable in principle, subject to the following detailed assessment.

5.2 Impact upon Marshfield Conservation Area

The internal alterations and the minor modifications of the external elevations of the barns are unlikely to have any further detrimental impact on the character or appearance of the conservation area. The introduction of numerous containers for bike stores throughout the site, however, could result in a more cluttered environment around the buildings which could compromise the overall appearance and quality of the amenity areas and external spaces. Nevertheless, officers consider that the character and appearance of the wider conservation area is unlikely to be harmed as a result of these amendments to the approved scheme.

5.3 Landscape character

The proposed alterations to the existing buildings are not considered to have any landscape or AONB implications. The proposed containers in the open landscape area has been removed and a revised site layout plan is also submitted taking into consideration of the landscaping master plan, which was originally approved.

It is considered there is no overriding landscape objection to the proposal in terms of landscape character, visual amenity or the AONB in the context of Policies D1, L1, L2 and GB1.

5.4 Residential Amenity

The proposal would remove all remote workspace and all 20 units would have integral workspace. Cycle storage containers distributed throughout the site and the existing cycle store will be demolished.

The existing informal open space to the south of Barn A and B would not be affected by the proposal. As the existing cycle store building would be demolished and a number of cycle storage containers would be distributed throughout the site. A private amenity space would be able to provide for new units in Barn C. The existing informal space to the north of Barn C would not be significantly affected by the proposal

With regard to the noise nuisance and disturbance during the construction work, it is considered that a planning condition can be imposed to restrict the working hours of the construction work to provide the amenity of the existing occupiers.

5.5 Transportation

The principal of work-live units has been approved on this site with previous planning applications. The current proposal seeks to increase the number of work-live accommodation on the site by additional 3no. units and that would be achieved through internal alteration in the Barn C. The revised proposal involves the increase in 4 no. parking spaces. This number of parking spaces is considered appropriate, and there is no highway objection to this increase. Given the increase in spaces, it is highly unlikely that the proposal would lead to increased parking off-site within the village.

Associated with previous planning approval for the scheme of work-live units on the site, the Council sought financial contribution from development towards public transport improvement and that was achieved through completion of an S106 legal agreement.

In light of the above, there are no highway objections to the proposal provided that a pro-rata contribution will be made by the applicant.

5.6 Affordable Housing

The approved scheme did not include any affordable housing. Although Policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006 states that an element of subsidised affordable house will be sought to meet local needs on all new housing developments of 15 or more dwellings, it is considered

unreasonable to require the applicants to provide an element of affordable housing in this instance.

5.7 Community Services

The S106 agreement signed in 2006 which relates to 17 dwellings and noted that it secured no contributions for Community Services. Given that the proposal for 17 new dwellings was accepted without contributions it would be unreasonable to request any for 3 additional dwellings.

5.8 Education Services

There is projected surplus capacity at both primary and secondary schools within the area of the proposed development. For this reason we would not currently request an education contribution.

5.9 Other Issues

With regard to the size of meeting room, officers acknowledge that the meeting room is not large in scale. Nevertheless, it is considered that it would not cause a detrimental impact to warrant a refusal of this application.

Local residents raised concerns with regard to the existing landscaping scheme. During the course of the application, a revised drawing is submitted to remove two new parking spaces, which were located under the canopy of an existing tree. The revised scheme would therefore protect the health of the existing tree. In addition, a revised site layout scheme is also submitted to include the landscaping scheme in accordance with the approved landscape master plan. A planning condition is imposed to ensure that the landscaping scheme will be implemented accordingly.

The Council is currently investigating that issue raised by the local resident regarding the dry stone wall along the southern boundary of the informal open space.

Furthermore, in order to minimise nuisance and disturbance to the local residents during the construction works, a planning condition is imposed to restrict the working hours within the site.

5.10 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.

5.12 Use of Energy and Sustainability

The scheme will need to meet building regulation but would not achieve any standards.

5.13 Improvements Achieved to the Scheme

A revised scheme is submitted to remove the proposed storage containers from the main landscaping area in the south and remove 2 no. parking spaces in order to protect the long term health of an existing tree.

5.14 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, having regard to the above advice, the issues of transportation improvements are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

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

(1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set up below and the applicant first voluntarily entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- A financial contribution of £2709.82 towards transportation improvement.
- A contribution at a rate of 4% of the total requirement sum for monitoring purposes. This equates to £108.39.

The reasons for the agreement are:

- In the interest highway safety and amenity of the area to satisfy policy of the South Gloucestershire Local Plan (Adopted) January 2009.

(2) That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. The hours of construction work on site during the period of construction shall be restricted to 07.30 to 18.00 Mondays to Fridays, 08.00 to 13.00 Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies E3, E6 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Each live-work unit hereby approved shall be occupied as a single integrated unit and laid out as shown on the approved plans and shall not be subdivided without the approval, in writing, of the Local Planning Authority.

To ensure that the proposal does not result in an entirely residential use, that would not be acceptable in this location, to accord with Policies E3, E6, E7 and H10 of the South Gloucestershire Local Plan Adopted January 2006.

4. The work areas within the live-work units hereby approved shall be used for work purposes only and not as residential accommodation.

To ensure that the proposal does not result in an entirely residential use, that would not be acceptable in this location, and to accord with Policies E3, E6, E7 of the Adopted South Gloucestershire Local Plan January 2006

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the existing vacant unit is first occupied. All new trees shown on the submitted drawing, No. 951 100 rev C, shall be planted in the first planting season following the grant of this permission.

To protect the character and appearance of the area to accord with Policies D1, L1, E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. A dry stone wall shall be erected, details and samples of which are to be agreed by the Local Planning Authority in writing, at the southern boundary of the informal open space hereby approved. The dry stone wall shall erected in accordance with the approved details and samples before the any of the live-work are occupied.

To protect the character and appearance of the area to accord with Policies D1, GB1, L1 and L2 of the Adopted South Gloucestershire Local Plan January 2006

7. No fence, gate or any form of enclosure to the south (rear) of units 1-12 inclusive shall be higher than 1metre from ground level at any time.

To protect the character and appearance of the area to accord with Policies D1, GB1, L1 and L2 of the Adopted South Gloucestershire Local Plan January 2006

8. No temporary or permanent structures for accommodating sports or for any other purpose shall be erected on the land proposed for informal open space without prior written approval of the Local Planning Authority.

To protect the character and appearance of the area to accord with Policies D1, GB1, L1 and L2 of the Adopted South Gloucestershire Local Plan January 2006

9. Prior to the commencement of development, full details comprising plans at a scale of 1:20 of new windows, doors, and rooflights proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

To ensure a satisfactory standard of external appearance in the Marshfield Conservation Area, and to accord with and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. The proposed off-street parking facilities, including cycle storage containers, shown on the plan hereby approved shall be provided before the existing vacant unit is first occupied, and thereafter retained for that purpose.

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 T12 of the Adopted South Gloucestershire Local Plan January 2006

11. The refuse store shown on the approved plans shall be provided before the use hereby permitted commences and thereafter shall be for the storage of all refuse associated with the said use, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality, and to accord Policies E3 and E6 of the Adopted South Gloucestershire Local Plan January 2006

12. No outside storage shall take place at the premises without the prior consent, in writing of the Local Planning Authority.

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality, and to accord with Policies D1, E3 and E6 of the Adopted South Gloucestershire Local Plan January 2006

13. Notwithstanding the provisions of the Town and Country Planning General (General Permitted Development) Order 1995 (or any order revoking and re-enacting those Orders with or without modification) no buildings, walls, fences structures, plant, machinery or any means of enclosure other than those indicated on the plans hereby approved shall be erected or placed on the site without the prior written permission of the Local Planning Authority.

To protect the openness of the Green Belt and to accord with Policy GB1 of the Adopted South Gloucestershire Local Plan January 2006

14. The level of noise emission from the live-work units hereby approved, measured at the boundary of the site, shall not exceed 50 dB(A) between 0600 hours and 1800 hours (Monday to Friday inclusive) and between 0600 hours and 1300 hours on Saturday and shall not exceed 40 dB(A) at any other time.

To minimise disturbance to occupiers of nearby buildings, and to accord with Policies E3, E6, E7 of the Adopted South Gloucestershire Local Plan January 2006

15. The development hereby approved shall not commence until a scheme for the provision of foul and surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved drainage scheme.

To ensure that a satisfactory means of drainage is provided, and to accord with Policy L17 of the Adopted South Gloucestershire Local Plan January 2006

16. All surface water run-off from parking or vehicle washdown areas shall pass through a properly constructed oil/ petrol interceptor or such other alternative system as may be agreed with the Local Planning Authority, before discharge to the public sewer, or other drainage system

To ensure that a satisfactory means of drainage is provided, and to accord with Policy L17 of the Adopted South Gloucestershire Local Plan January 2006

17. No development shall commence until a detailed development layout plan and surface water drainage details including Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory) for the proposed parking spaces have been submitted to and approved by the Local Planning Authority.

For flood prevention, pollution control and environmental protection and to comply with South Gloucestershire Local Plan (Adopted) January 2006 Policies L17, L18, EP1, EP2 and PPS25 Planning Policy Guidance

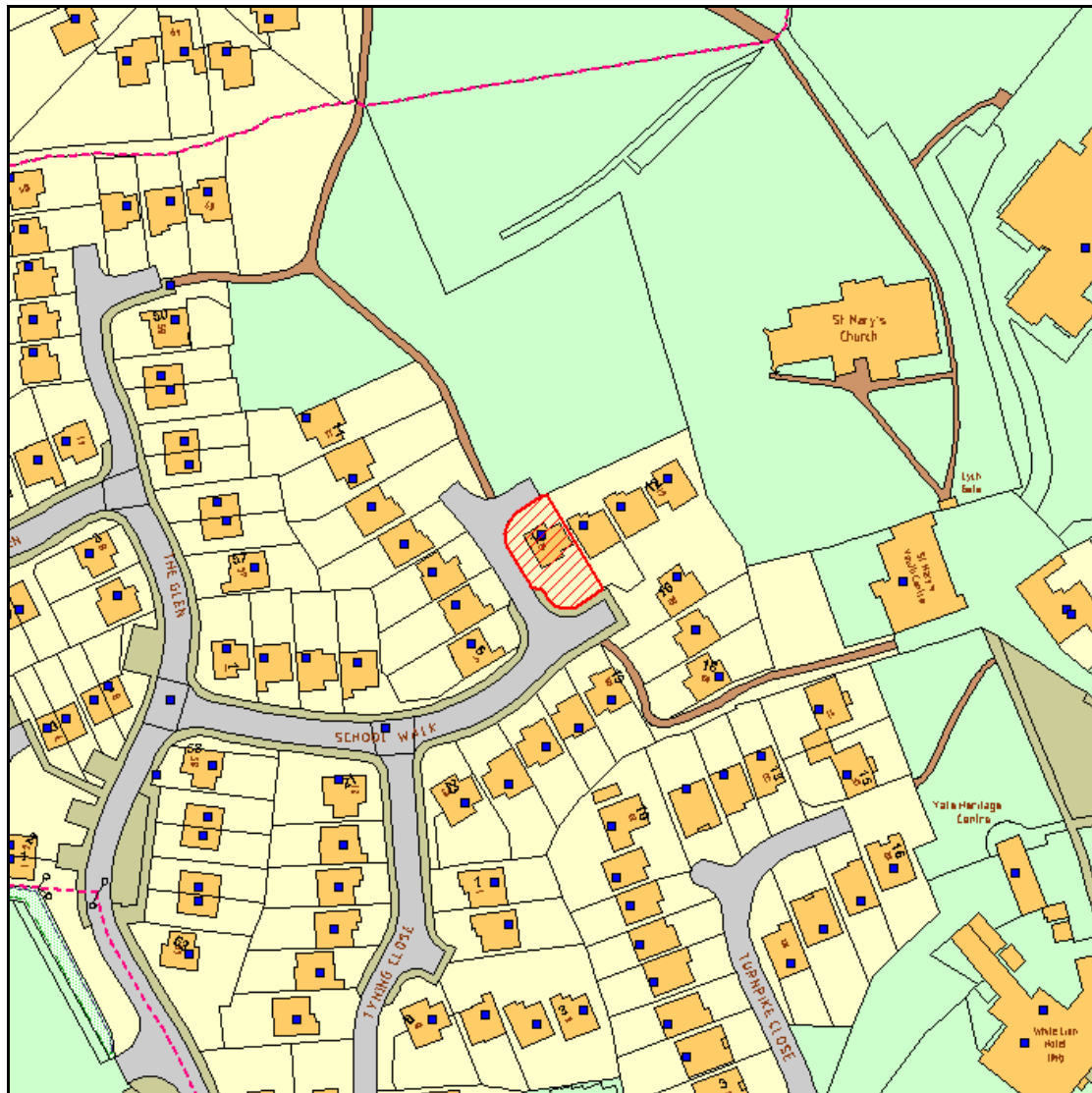
18. The hours of working at the premises shall be restricted to 08.00 hours to 19.00 hours Monday to Saturday inclusive, and no working shall take place on Sundays or Public Holidays.

To protect the amenity of the occupiers of nearby dwelling houses and to accord with Policies E3, E6, E7 of the Adopted South Gloucestershire Local Plan January 2006.

ITEM 2

CIRCULATED SCHEDULE NO. 39/09 – 02 OCTOBER 2009

App No.:	PK09/5060/F	Applicant:	Mr P Rubery
Site:	15 School Walk, Yate, Bristol, South Gloucestershire, BS37 5PS	Date Reg:	20th August 2009
Proposal:	Erection of single storey side extension to form garage.	Parish:	Yate Town Council
Map Ref:	371304 182771	Ward:	Yate Central
Application Category:	Householder	Target Date:	14th October 2009



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100023410, 2008. **N.T.S.** **PK09/5060/F**

This application has been referred to the Circulated Schedule due to the receipt of 3 letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a single storey side extension to form a garage. The proposed garage would measure 2.6 metres wide by a maximum of 8 metres in depth and would have an overall height to ridge of 3.8 metres.
- 1.2 The property is a two storey extended detached dwelling and is located within a residential area of Yate.
- 1.3 During the course of the application amended plans were requested to amend the roofline of the proposed garage to include a hipped roof to the front elevation and to show the correct size of the properties curtilage. Amended plans were received as requested.

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
T8 Parking Standards
T12 Transportation Development Control
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/2968/F Erection of two storey side extension incorporating existing garage to provide additional living accommodation.
Approved November 2006
- 3.2 PK07/3218/F Erection of single storey side and front extension to form extension to existing garage and front porch.
Approved December 2007

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objections, subject to the garage being used as a garage and not for business storage or business use.

- 4.2 Sustainable Transport
No objections.

Other Representations

4.3 Local Residents

Three letters of objection have been received from local residents, raising the following concerns:

- Ruin the view of the green from a neighbouring house
- The garage would be too small to be used as a garage
- No dimensions shown on the plans
- A previous application to extend the original garage was approved but the garage was never completed as shown on the plans but was converted into living accommodation.
- The proposed garage could be used for business rather than domestic use.
- The garage would need to come out as far as the road if it is built large enough to garage a vehicle.
- The property is a corner plot with no pedestrian walk way on that part of the road and it is also the main pedestrian access route to St Mary's Park and St Mary's School.
- Hazard to mothers and children walking
- The road has already been made narrower by the building of the wood and chin link fence over land that was and should remain a public right of way
- The land that is shown on the plans to the side of the house may not belong to the applicants.
- The property has had three extensions in less than 4 years, making it significantly larger than its original size and larger than surrounding properties.
- Loss of light to lounge of neighbouring property
- Lots of delivery come and go to the house which is a hazard in the cul-de-sac.

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 garage is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. The garage is of modest size in comparison to the bulk of the main dwelling and is suitably subservient to it.

Whilst the dwelling has had several modest extensions in the past, it is considered that the addition of the proposed garage would not harm the visual amenity of the area, furthermore it is considered that the resultant building is well proportioned and would remain in keeping with the scale of the surrounding dwellings within School Walk. 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 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 proposed extension is located to the side of the property adjacent to the road. The garage would be located 15 metres away from the front elevations of the properties opposite the site, No's 6 and 7 School Walk. Consequently given the orientation of the application site and the location of the proposed garage in relation to the surrounding properties it is not considered that the proposal 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, given the distances between the proposed garage and the neighbouring properties, there are no concerns relating to loss of daylight/sunlight. In addition sufficient garden space would remain to serve the property, therefore the impact on residential amenity is subsequently deemed acceptable.

5.4 Parking and Highway Safety Implications.

Concern has been raised by local residents about position of the proposed garage and the resultant impact on visibility. It is acknowledged that new garage when constructed, would reduce the available visibility for drivers when exiting the adjoining cul-de-sac however; the officer's judgement is that impact would not be to the extent to justify refusal of this planning application. It is worth noting that the property is located at or near the end of road and therefore, vehicular speeds at this location are very low and as such, the requirement for long visibility splays are not essential.

Whilst the proposal is narrow, it is considered vehicles could be garaged within the addition, furthermore, space would remain on the hard standing for the off street parking of one vehicle. Therefore the parking provision would remain in compliance and within the Councils required parking standards. Further, with no objections from the Councils Transportation Officer the proposal is considered acceptable.

5.5 Use of Energy and Sustainability

No additional measures proposed.

5.6 Improvements Achieved to the Scheme

The plans have been amended so that the roofline of the proposed garage includes a hipped roof to the front elevation to match the main dwelling house. In addition the plans were corrected to accurately show the size of the curtilage of the property.

5.7 Other Issues

Concern has been raised regarding the ownership of the land. The Councils property services department have confirmed that the land to the side of No. 15 School Walk which bounds the road, is not council owned or adopted highway. The proposed ground floor plan has been amended to accurately show the curtilage of the property, furthermore the plans are all drawn to scale. In addition, 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.

With regard to the loss of views from neighbouring properties, there is no right to a view under planning legislation and as such this is not a material planning consideration. The application seek planning permission for the erection of an attached garage, should the applicant wish for the garage to be used for business purposes not considered ancillary to the residential use, this is a development that would require planning permission.

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.

6.2 It is considered that the resultant building would be well proportioned and would remain in keeping with the scale of the surrounding dwellings. The proposed garage would integrate well with the main dwelling as is considered to be an appropriate addition, in accordance with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

The proposal would not materially harm the amenities of neighbouring properties by reason of loss of privacy or overbearing impact in accordance with policy H4.

Parking provision would remain in compliance with the standards set out in Policy T8 and the Councils Transportation Officer considers the proposed works acceptable in terms of highway Safety.

6.3 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.

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 & 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.

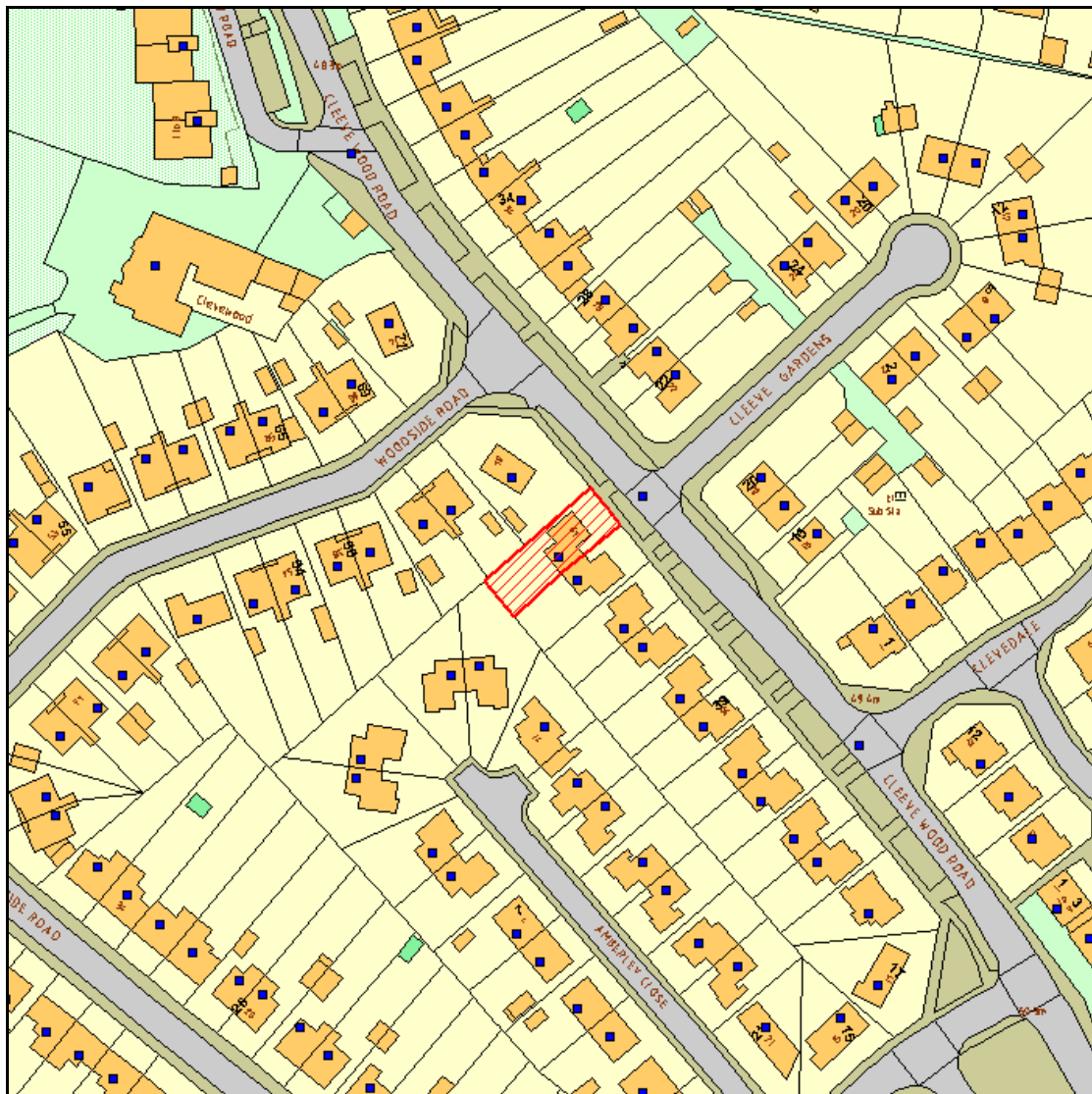
Reason

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

ITEM 3

CIRCULATED SCHEDULE NO. 39/09 – 02 OCTOBER 2009

App No.:	PK09/5095/F	Applicant:	Mr K Sheppard
Site:	49 Cleeve Wood Road, Downend, South Gloucestershire, BS16 2SH	Date Reg:	3rd September 2009
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Downend & Bromley Heath Parish Council
Map Ref:	364554 177434	Ward:	Downend
Application Category:	Householder	Target Date:	23rd October 2009



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100023410, 2008.

N.T.S.

PK09/5095/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey rear extension infilling the rear corner of a semi-detached house to the rear of an attached garage which projects slightly in front of the house. The extension would provide an extended kitchen. The garage, which would stand between the extension and Cleeve Wood Road, has a hipped roof and the roof proposed for the extension would match it in height and angle of slope, although it would be a lean-to roof.
- 1.2 The extension would infill the 4.2 metres from the rear of the garage to the existing rear building line of the property, using render and roof tiles to match the house. There is a garage in the curtilage of No. 64 Woodside Road which is the closest building to the location of the proposed development. The site at this side is bounded with a fence backed by plants which form a hedge in places.

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 House extensions

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Downend & Bromley Heath Parish Council
No objection
- 4.2 Other Consultees
None

Other Representations

- 4.3 Local Residents
One letter of objection was received, citing the following concerns:

1. Item 8 is inaccurate there has been no consultation with No 64 Woodside Road who are immediate neighbours.

2. The Proposed plans and elevations do not appear to be in scale or proportional please can this be reviewed, to ensure there are no further or unknown inaccuracies.
3. That said there is no objection in principle to the proposed change so long as item 2 can be satisfied.
4. We would ask that particular attention is given to the roof pitch the angle of which might have an impact on daylight in the previously stated adjoining property.
5. Any concern might have been avoided if indeed the applicant had this immediate neighbour as stated.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The issues to be resolved in the determination of this application are the effect of the proposal on visual amenity and on the existing levels of residential amenity enjoyed by adjoining occupiers. Further concerns, raised through the consultation process, are the accuracy of the plans and the angle of the roofslope on the proposed extension.

5.2 Residential Amenity

As noted at 1.2 above, the proposed kitchen extension would be closest to a garage with the curtilage of No. 64 Woodside Road, which is considered to block the extension from short ranges view from this direction. The extension, because of its dimensions and height is considered to have no greater impact than the existing garage on site, which it would extend. It is considered that the proposed extension would be well separated from habitable rooms outside the site and its single storey height, given the boundary treatment, would not result in any impact on the residential amenity of surrounding occupiers. The proposal is considered to accord with policy H4 in this regard.

5.3 Design/ Visual Amenity

The materials to be used are indicated to match the host dwelling, which is considered to be appropriate in this case. The form and proportions of the extension would be infill, according with the dimensions of the garage. It is considered that the design is both appropriate and acceptable for an infill single storey extension. The proposal is therefore considered to accord with policy H4 and D1 in this regard.

5.4 Accuracy of the plans and other issues

This issue was raised through the consultation process. All of the submitted plans are indicated to be at 1:100 scale, with the exception of the Site plan at 1:200 and the Site location plan at 1:1250. The plans appear to accord with the existing dwelling. They make clear that the proposed extension would extend no further than the existing side garage wall or the existing rear building line. Some proportions have been annotated, but as long as the plans are in scale, then all dimensions can be determined. The assessment has been made on this basis.

With regard to the issue raised about consultation with neighbours. There is no compulsion for the applicant to do this. In the processing of this application, consultation has been carried out in accordance with the Council's consultation policy and this has allowed responses received to be reported here.

5.5 Use of Energy and Sustainability

No issues have been raised by the applicant. There will be some solar gain achieved through siting the window to serve the kitchen extension in the rear (southern) elevation.

5.6 Improvements Achieved to the Scheme

None sought.

5.7 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The recommendation to grant/refuse 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.

6.3 The proposed extension is considered to be well designed to form a modest infill of the rear corner of the building, having no impact on residential amenity for surrounding occupiers and according with policies D1 and H4 of the adopted South Gloucestershire Local Plan.

7. RECOMMENDATION

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

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

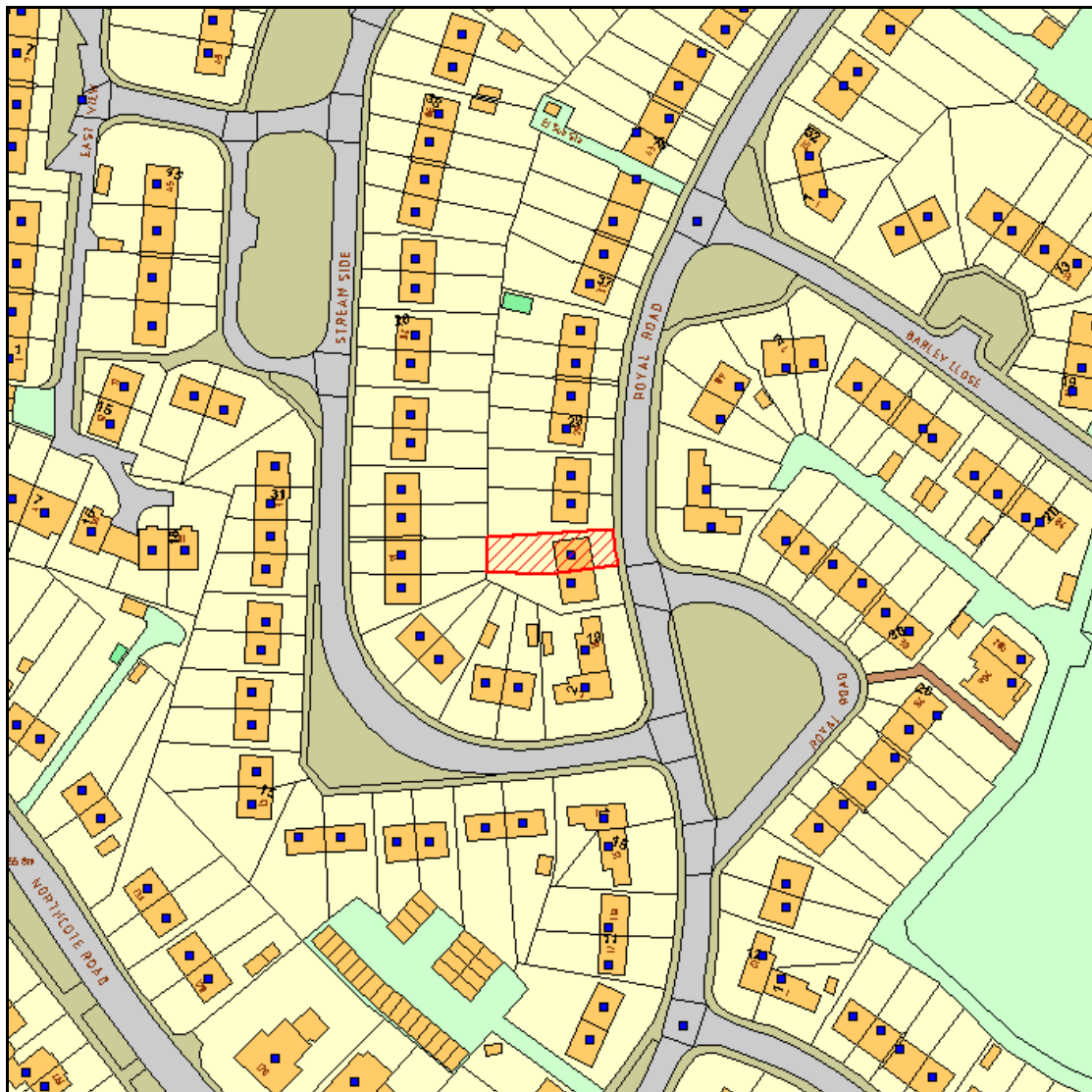
Reason

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

ITEM 4

CIRCULATED SCHEDULE NO. 39/09 – 02 OCTOBER 2009

App No.:	PK09/5148/F	Applicant:	Mr Virdee
Site:	23 Royal Road, Mangotsfield, South Gloucestershire, BS16 9DH	Date Reg:	20th August 2009
Proposal:	Erection of two storey and single storey rear and single storey side extension to provide additional living accommodation. Insertion of window in side elevation.	Parish:	
Map Ref:	365989 176707	Ward:	Rodway
Application Category:	Householder	Target Date:	12th October 2009



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100023410, 2008. **N.T.S.** **PK09/5148/F**

INTRODUCTION

This application has been referred to the Circulated Schedule following the receipt of objections from local residents.

1. THE PROPOSAL

- 1.1 The application relates to a 3 bedrooomed, two-storey, gable-ended, semi-detached dwelling house, constructed of red brick and rendered block-work with a double-roman tiled roof. There is a bay window to the front at both ground and first floor; the area between the ground floor and first floor bay windows is tiled. The adjoining house, as well as neighbouring no.25, have identical designs to that of no.23. The entire front garden area to no.23 is laid to hard-standing to provide off-street parking. There is a large single-storey extension to the rear of no.25. The property is located on the western side of Royal Road, Mangotsfield. The location is entirely residential and suburban in character with most of the houses being two-storey semi-detached or terraced.
- 1.2 It is proposed to erect a two-storey, 4m deep, extension to the rear of the property, flanked on either side by single-storey extensions also 4m in depth. To the north the single-storey element would also extend to the side of the house by 1.5m to an additional length of 3.5m. At ground floor level the extensions would create a larger dining room/kitchen area, whilst at first floor level an additional bedroom would be created. An existing outhouse located adjacent to the boundary with no.21, would be demolished to make way for the extension.

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 - Proposals for Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Check List SPD (Adopted) 23rd August 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Parish Council
Not a parished area.

4.2 Other Consultees

None.

Other Representations

4.3 Local Residents

2no letters of objection were received from local residents. The concerns raised are summarised as follows:

- The two-storey extension will cause loss of light to living room window, side of no.25 Royal Road.
- Loss of privacy from proposed side window facing lounge window in side of no.25 Royal Road.
- The two-storey extension would overshadow the garden of no.25 to the detriment of plants growing there.
- Two-storey extension will result in loss of light to the kitchen of no.21 Royal Road.
- Overbearing impact on garden of no.21 Royal Road.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 seeks to secure good standards of design in new development. Policy H4 permits extensions to new dwellings subject to criteria that are discussed below.

5.2 Scale and Design

The proposed extensions would have hipped roofs with low angled roof pitches, thus reducing the overall massing of the development. The proposed eaves of the two-storey element would be set at the same height as those of the existing house. Despite extending 4m to the rear, the proposal would integrate adequately within the existing built form and would be sufficiently subservient to the main body of the house; there is already a large single-storey extension to the rear of no. 25. Being predominantly to the rear, the proposed extensions would not be prominent within the street scene. It is proposed to render the external walls and to use double roman tiles to match those of the existing property. The scale and design are therefore acceptable.

5.3 Impact Upon Residential Amenity

Concerns have been raised about the scale of the two-storey extension and the impact on neighbouring property from overshadowing and overbearing impact. Officers have noted however that the two-storey element would only be 3m wide with the eaves at 4.7m. Furthermore the side elevations would be set back 2m from the boundary with no.25 and 3.4m from the boundary with no.21. Given this amount of set back from respective neighbouring boundaries and the presence of a large single storey extension to the rear of no.25, officers do not consider that there would be a significant overbearing impact for neighbouring property from the proposed two-storey element.

- 5.4 The proposed single-storey elements, although close to the boundaries with nos. 21 and 25, would only have eaves set at 2.5m and given the proposed 1.8m high boundary treatments that can be erected under permitted development rights, the extensions would not have an overbearing impact or result in significant overshadowing of neighbouring property. Whilst the two-storey element may result in some overshadowing of neighbouring property, this would only be at limited times of the day. Furthermore no.21 lies to the south and is therefore less likely to be affected whereas any additional overshadowing of no.25 to the north is most likely to be over the large extension to the rear of that property.
- 5.5 It is acknowledged that there are ground floor windows in the southern side elevation of no.25, one of which is obscurely glazed. These windows are not however considered to be principle habitable room windows.
- 5.6 In terms of overlooking, there would be adequate distance (25m) to the nearest windows of the properties to the rear. Only one window is proposed to the side and that is a first floor bathroom window in the northern gable end of the existing house. Given that this window would be obscurely glazed with only a top opening section, then officers are satisfied that there would be no significant loss of privacy from overlooking.
- 5.7 On balance therefore officers are satisfied that with appropriate conditions to prevent the insertion of additional side windows and to ensure that the new window remains obscurely glazed in the future with the top opening section 1.7m above floor level, the scheme would on balance, would not adversely affect residential amenity.
- 5.8 Transportation Issues
As the proposed extension would have no impact upon the existing access and parking arrangements, there are no transportation objections.
- 5.9 Use of Energy and Sustainability
Energy efficient lighting.
- 5.10 Improvements Achieved to the Scheme
None.
- 5.11 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The scheme is considered to demonstrate that the siting, overall layout, form, scale, height, massing, detailing and materials are informed by and respect the character of the property and locality in general. Furthermore the scheme would not prejudice the amenities of neighbouring occupiers or prejudice highway safety.
- 6.3 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:

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 & Country Planning Act 1990 (as amended).

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

Reason

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

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevations of the property.

Reason

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

4. Notwithstanding the details submitted, prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the northern side elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

5. The hours of working on site during the period of construction shall be restricted to Mon - Fri 07.30 - 18.00, Sat 08.00 - 13.00; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

ITEM 5

CIRCULATED SCHEDULE NO. 39/09 – 02 OCTOBER 2009

App No.: PK09/5249/F
Site: 61 High Street, Hanham,
South Gloucestershire, BS15 3DQ
Proposal: Installation of replacement shopfront.
Erection of single storey rear extension
to form toilets. Installation of door to
first floor rear elevation with erection of
associated external staircase.
(Resubmission of PK09/1101/F)

Applicant: Mr M Abdul
Date Reg: 2nd September
2009
Parish: Hanham Parish
Council

Map Ref: 364202 172349
Application Category: Minor

Ward: Hanham
Target Date: 14th October 2009



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100023410, 2008.

N.T.S.

PK09/5249/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission to install a shopfront to replace this existing one on this Indian Takeaway on Hanham High Street, as well as the erection of a single storey extension to form a toilet block to serve the premises. At first floor level, a doorway is proposed for the flat above the premises and it is also proposed to construct an external staircase to lead from the flat to the footpath which bounds the site along its eastern side.
- 1.2 The rear yard of the premises is effectively shared between the hot food takeaway and the flat above. It is bounded by outbuildings and a 1.8 metre high rendered boundary wall. Immediately behind the site is a private path which leads to other properties fronting the High Street, mostly shops with flats above them. The outbuildings in the rear yard almost fill this area at present. The toilet block proposed would infill an area to the rear, partially enclosed by a tall one storey rear extension.
- 1.3 The Design and Access Statement submitted to accompany the application makes clear that the intention, as evidenced by the proposed toilet block, is to change the use of the premises from an A5 hot food takeaway to an A3 restaurant. Such a change of use does not require planning permission under the Use Classes (Amendment) Order 2005. As such it does not fall to be considered as part of this application.

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 House extensions

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/1101/F Installation of replacement shopfront - Withdrawn
This application was withdrawn on officer advice as the description of development was missing the elements to the rear of the building now included with this application.

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
Object to the proposal on the basis that on comparing the plans to the design statement there appears to be conflicting information.

- Parking, this business is situated on a busy High Street and there is no available parking to the front of the premises. It is also unclear where the parking provision is to the rear of the premises and how this is accessed.
- The provision of a take away service as detailed in the design principles on page one seem to conflict with a statement in the design development, page two i.e. there is no fast food function removing the risk that customers will collect in groups outside the premises creating disturbance and nuisance through noise and litter?
- The access statement on page three makes reference to premises on Hollway Road (?) and access from the car park to the front door which has no resemblance to this application.

4.2 Other Consultees Public Rights of Way

We have no objection in principle to this application subject to limitations which should be copied to the applicant as informatives.

Other Representations

4.3 Local Residents

One letter was received, citing the following concerns:

- do they intend to do any extensions on the top floor - i.e extend the section nearest the lane so it is in line with the flat section connecting to the neighbours - the reason I ask is that I am in a studio flat above the bakery and should they extend on the 1st floor it will look directly into my bedroom and also block the natural light.
- Also what are the opening times - as currently as a take away only 1 or 2 people tend to pick up the food but when it is a restaurant then more people will be leaving their premises at the same time and therefore the noise will increase.
- As a restaurant will they be having more delivery's - currently the have sometimes had deliveries late at night - I would not like to see this increased.
- Also they have an extractor fan directly outside my bedroom window and this can be on at least 3 or 4 time overnight causing a noise which means I cannot leave my bedroom window open - do they intend to have this on for more nights?

NB with regard to the final three points, these do not relate to this proposal and are therefore not planning matters which can be considered in the determination of this application. The first point is a question regarding a first floor extension which is not part of this proposal and therefore it can also not be taken into account when assessing the application.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The analysis below will examine the four parts of the proposal as outlined at 1.1 above. This application stands to be assessed against the policies listed above in the light of all material considerations.

5.2 Shopfront

The proposed shopfront would feature a show window on either side of centrally located double entrance doors. It would replace the existing shopfront which is considered to be a jumble of individual elements including two separate doors and two windows of markedly different sizes. The proposed new shopfront is considered to possess a symmetry which is appropriate to the location, attractive in itself and responds to the symmetry of the front elevation of the upper floor. It is considered that this part of the proposal accords with policy D1 of the adopted Local Plan.

5.3 Toilet block

The proposed toilet block would be 2.8 metres deep and 2.7 metres wide and stand between four walls formed by the rear of the property, an existing rear extension, an outbuilding and the party boundary wall. It would have a lean to roof with a low roof slope, matching the height of the existing flat roofed extension at its highest point. From outside the site, due to the screening from the surrounding built form, it would hardly be visible. No windows are proposed for this extension and it would only be accessed from within the premises. This part of the proposal is considered to accord with policies H4 and D1.

5.4 Installation of door at first floor level

The installation of the door would require part of an existing rear-facing first floor window to be removed. The impact of this is considered to be minor in visual terms and not considered in itself to have any impact upon residential or visual amenity, according with policy D1.

5.5 External Staircase

The door referred to above would give out onto a short walkway across the top of the proposed toilet block and from there onto the steps down to the rear yard. At 1 metre wide, it is considered that the level part over the toilet block would not provide the necessary room for sitting out and therefore the whole structure would only allow users to pass along it. Part of the structure would be a handrail and posts to support that. Apart from these features, the staircase/walkway would not be appreciably higher than the toilet block and as such is not considered to have any impact upon residential amenity, according with policies H4 and D1.

5.6 Other Issues

The Parish Council has raised points from the Design and Access Statement, which have not been borne out in the plans. The first point raised was in regard to parking provision. The site does not provide parking provision at present and could not physically do so. However the intended change of use does not require planning permission and the extension to the premises is moderate, being no more than a small toilet block.

This in itself would not require any additional parking provision. Notwithstanding this point it is considered that customers visiting a restaurant have a longer dwell time than those visiting a hot food takeaway. It is considered that this demand can be met by the local car parks serving the High Street. The second point was in regard to the change of use. While it would be possible for some takeaway food to still be sold from the premises, as long as that use is ancillary to the use of the ground floor as a restaurant, this would be to a degree much lower than at present, when the whole of the ground floor is used for takeaway purposes. The third point raised is due to the Statement mentioning Hollway Road. Clearly this is a mistake, but the overall proposal, the Design and Access Statement aside, is considered to be acceptable in terms of the policies it is assessed against. The Design and Access Statement is meant to be a justification of those two aspects of the development and an application for full planning permission cannot be refused simply because the Design and Access Statement is deficient.

5.7 Design and Access Statement

The Design and Access Statement submitted with the application is not considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.

5.8 Use of Energy and Sustainability

No particular implications.

5.9 Improvements Achieved to the Scheme

None sought.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The recommendation to 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.

6.3 The four elements of the proposal have been analysed individually above. Together, it is considered that they would enhance the appearance of the building overall, in accordance with policy D1 and PPS1, while having no detrimental impact on the existing levels of residential amenity enjoyed by neighbouring properties, in accordance with policy H4.

7. RECOMMENDATION

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

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

ITEM 6

CIRCULATED SCHEDULE NO. 39/09 – 2 OCTOBER 2009

App No.:	PT09/5119/F	Applicant:	Mr A Dennis
Site:	1 Braydon Avenue Little Stoke Bristol South Gloucestershire BS34 6EH	Date Reg:	26th August 2009
Proposal:	Erection of 2 storey side, single storey side and single storey rear extension to provide additional living accommodation. Erection of front porch.	Parish:	Stoke Gifford Parish Council
Map Ref:	361179 181640	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	19th October 2009



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PT09/5119/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of representation from Stoke Gifford Parish Council and a local resident which were contrary to the Case Officers recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a two storey side extension; single storey side and rear extension; a front porch.
- 1.2 The application site relates to a semi-detached dwelling which is situated on the end plot on the corner of Little Stoke Lane and Braydon Avenue. The site is within the well established residential area of Little Stoke and is located within the Bristol North Fringe Urban Area.

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
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
OBJECT on the grounds of over development and over massing
- 4.2 Local Residents
One letter of objection received from a local resident. The main points are summarised below: -
 - a) Loss of light to dining room.
 - b) Block view.
 - c) Concerned with regard to possible future occupation of the dwelling by students – noise, disturbance and parking problems.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

- 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 residential properties No. 93 Little Stoke Lane (approximately 32m to the north of the site) and No.2 Braydon Avenue (immediately adjacent to the site). Given the siting of these properties in relation to the proposed development, it is considered that the main impact would only be upon No. 2. The impact of the development on this property is assessed below:

5.4 The occupier of No. 2 has objected to the proposed development on the grounds of a loss of light within their dining room. Notwithstanding these representations, the proposed single storey rear extension immediately adjacent to the boundary would be approximately 2m in depth from the neighbours rear elevation. It is considered that the scale and depth of this extension would not amount to a material overbearing effect or loss of light on the neighbour. With regard to the longer rear extension, it is considered that its siting away from the boundary with the neighbour would mitigate any harm to the amenities of the adjacent property. In terms of the privacy, the proposed development would not include any windows which would afford direct inter-visibility into habitable rooms of the adjacent property.

5.5 Visual Amenity

The proposed development comprises of four main elements: 1) a two-storey side extension; 2) a single storey rear extension; 3) a single storey side extension; and 4) a front porch. The existing building comprises of a semi-detached property which is located on a corner plot. The street scene in this location is characterised by a mix of housing types and designs. It is acknowledged that the Parish Council has objected to the development on the grounds of an over development and over massing.

5.6 The two-storey element and the porch would be clearly subservient in scale, massing and proportions, to the host dwelling. Moreover, the design of the porch would be very similar to existing extensions within the street scene. It is noted that that the single storey rear elevation would have a significant depth and would be prominent from Little Stoke Lane. Nevertheless, it is considered that the design of the extension would be simple and unassuming, and would

not be significantly different than the existing brick wall which is currently situated along the boundary of the property. On this basis and notwithstanding the comments of the Parish Council, it is considered that the development would not materially harm the character and appearance of the existing dwelling and street scene in this location.

5.7 Outstanding Matters

It is acknowledged that the local resident has objected to the proposal on the grounds of a loss of view from their property and the potential future occupation of the dwelling by students. These are not considered to be material planning considerations in this instance and therefore have not been given any weight in the consideration of this planning application.

5.8 Use of Energy and Sustainability

The structures would be built to current Building Regulation standards.

5.9 Improvements Achieved to the Scheme

None.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.

a) The principle of extending the property is supported by policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

b) The concerns of the local resident with regard the impact of the development on residential amenity has been considered. Notwithstanding the representations received it has been assessed that the proposed development has been designed so as not to give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

- c) The concerns of Stoke Gifford Parish Council with regard to the over development and over massing of the proposed development has been considered. Notwithstanding these representations it has been assessed that the proposed extensions have been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

7. RECOMMENDATION

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

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.

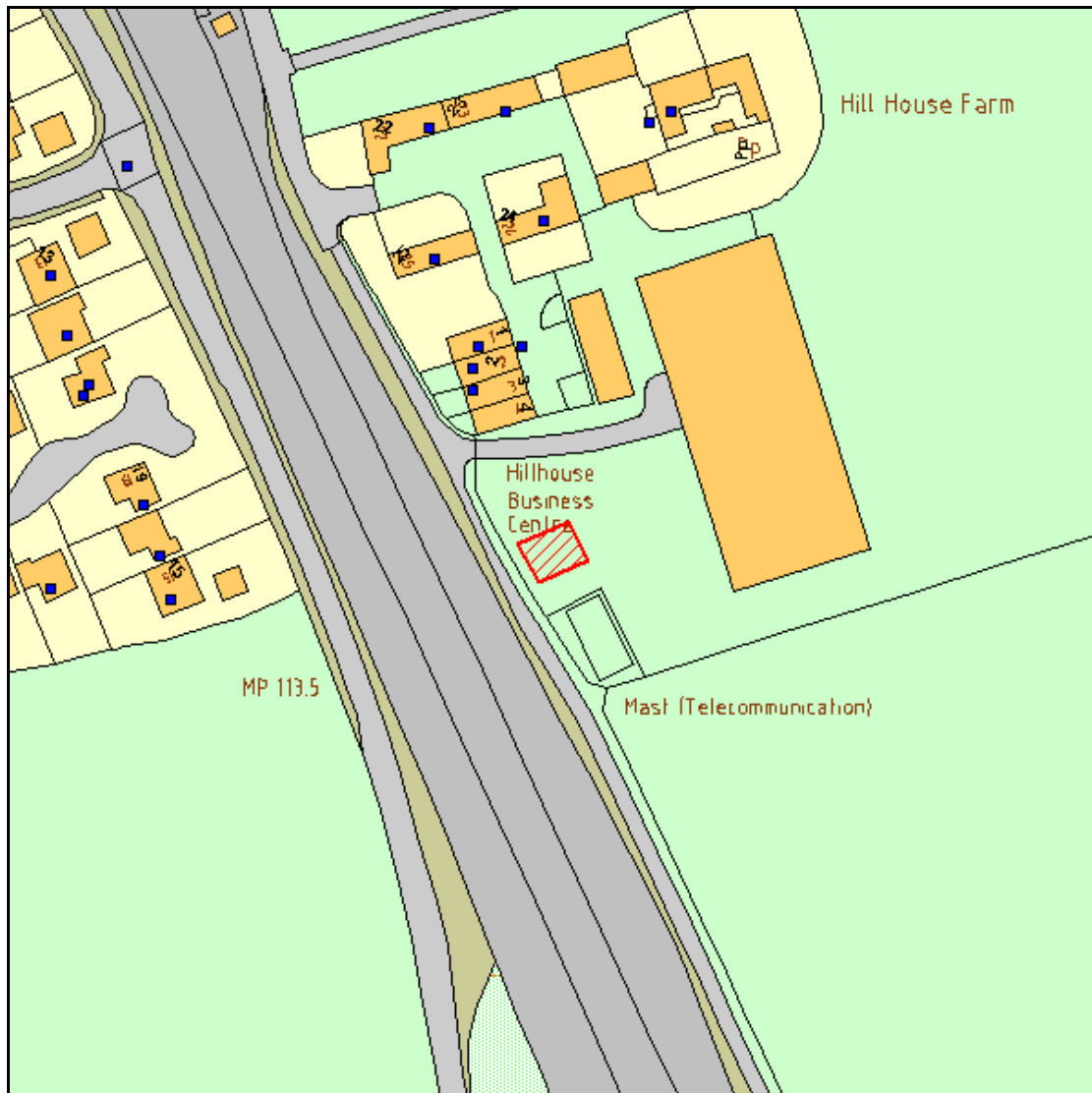
Reason

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

ITEM 7

CIRCULATED SCHEDULE NO. 39/09 – 2 OCTOBER 2009

App No.:	PT09/5132/F	Applicant:	Ms Kathryn Thorpe
Site:	Hill House Farm Station Road Charfield Wotton Under Edge South Gloucestershire	Date Reg:	18th August 2009
Proposal:	Erection of horse walker structure (retrospective).	Parish:	Charfield Parish Council
Map Ref:	372717 191860	Ward:	Charfield
Application Category:	Minor	Target Date:	5th October 2009



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100023410, 2008. N.T.S. PT09/5132/F

INTRODUCTION

This application appears on the Circulated Schedule in view of the comments received from the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks retrospective permission for the retention of a horse walker.
- 1.2 The application relates to land at Hill House Farm, Charfield. The site is just beyond the Charfield settlement boundary within the countryside.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPS7: Planning and Sustainable Development
PPG13: Transport

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

L1: Landscape Protection and Enhancement

E10: Horse Related Development

T12: Transportation Development Control Policy for New Development

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 N5647: Erection of general-purpose agricultural building measuring 1,300sq.m.
Permitted: 2 August 1979
- 3.2 P97/2675/PT: Erection of telecommunications tower and associated antenna.
Prior Notification Permit: 7 January 1998
- 3.3 PT01/0960/PN1: Erection of 6 dual polar antenna to replace 6 existing antenna on existing lattice tower; replacement equipment cabin. No objection: 26 April 2001
- 3.4 PT03/2054/F: Erection of 5m extension to existing 15m lattice tower to include 6 antenna, 1 transmission dish, 2 equipment cabinets and associated works.
Permitted: 15 August 2003
- 3.5 PT04/1026/F: Conversion of outbuildings to form 4 dwellings with workspace.
Permitted: 15 August 2003

- 3.6 PT07/2546/F: Conversion of existing barn to provide indoor riding arena and construction of stables and ménage to facilitate change of use of land from agriculture to the keeping of horses. Withdrawn: 2 October
- 3.7 PT07/3422/F: Conversion of barn to form indoor riding arena; construction of stables to facilitate change of use of land from agriculture to the keeping of horses. Permitted: 27 March 2008
- 3.8 PT08/2844/F: Restoration of outbuilding and creation of access through it. Withdrawn: 12 December 2008
- 3.9 PT08/2946/F: Demolition of existing garage and erection of new building to provide home gym and storage. Refused: 30 December 2008
- 3.10 PT09/0848/F: Demolition of existing garage and erection of new building to provide home gym. Permitted: 1 July 2009

4. CONSULTATION RESPONSES

4.1 Charfield Parish Council

'After due consideration it was resolved to object to this application on the grounds of continued concerns that a commercial venture is being installed by stealth. The Council is suspicious of the applicant's motives as yet again another application is made for development here; furthermore it would have been obvious to the owner that permission was needed for this, yet the applicant decided to go ahead and install it without the Parish Council's knowledge, hoping to gain approval later.'

4.2 The applicant has responded to these comments stating amazement at the unpleasantness of the Parish Council. Further, it is confirmed that the applicant has no intention of using this facility for commercial purposes and was not aware that it required the benefit of permission. An apology has been made and the application submitted.

4.3 Other Consultees

Highways DC: no objection

Other Representations

4.4 Summary of Local Residents Comments

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy E10 cites that proposals for horse related development will be permitted outside of the urban areas and settlement boundaries provided that:

- o Development would not have an unacceptable environmental effect; and
- o It would not prejudice the residential amenities of neighbouring residential occupiers; and

- Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and
- Safe and convenient access to bridleways and riding ways is available to riders; and
- There are no existing suitable underused buildings that are available and suitable for conversion; and
- The design of the buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

5.2 Design/ Visual Amenity

The application relates to Hill House Farm; located at the far end of Station Road beyond the Charfield settlement boundary. Retrospective permission is sought for the retention of a horse walker.

5.5 The proposal forms a circular caged building within which the horses walk round and round. It measures some 11m in width and 3.23m in height with the horse enclosure covered by a lean-to roof. The lower half of the building is infilled with black panelling with the top half open (albeit with metal meshing) allowing views through the structure.

5.6 The horse walker stands within an existing complex of farm buildings to the rear of a new stable and covered exercise arena adjacent to the site boundary. Accordingly, the proposal is not readily visible within the wider landscape with views limited to those gained from the public footpath immediately behind. As such, there is no objection to the current proposal in visual amenity terms with the horse walker relatively small when viewed against the backdrop of these buildings.

5.7 Residential Amenity

Hill House Farm stands at the far end of Station Road and thus is isolated from the majority of dwellings accessed via this highway. However, there are a number of converted outbuildings within the former farmyard that stand forward of the host dwelling; nonetheless, these also stand at an appreciable distance from the proposal with four converted business units between. On this basis, and having regard to the nature of the application site and the small scale of the horse walker, it is not considered that any significant adverse impact in residential amenity would be caused.

5.8 Highway Safety

Station road would be sensitive to an increase in HGV movements but it is considered that the horse walker consolidates existing on site activities. In this regard, planning permission was granted in 2007 for the conversion of a barn to provide an indoor riding arena and for the construction of stables to facilitate the change of use of land from agriculture to the keeping of horses (PT07/3422/F). A condition attached to this permission prevents wider commercial use and so an intensification of the site (from a highways perspective) is not anticipated. As such, there is no highway objection this current proposal.

5.9 Outstanding Issues

Having regard to the further requirements of planning policy E10, there are no further underused buildings that would provide this type of facility whilst the comfort and welfare of horses has been previously assessed as part of the aforementioned planning application.

- 5.10 In response to the concerns expressed by the Parish Council, as cited, this previous planning permission included the following condition:

‘At no time shall the stables and the associated land be used for livery, riding school or other business purposes whatsoever.’

Reason: ‘To protect the amenities of the occupiers of the nearby dwellings, and in the interests of highway safety, to accord with Policies E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.’

This condition prevents use of the site for commercial purposes (unless a further application is received which concludes otherwise). Accordingly, it is not considered that planning permission could be reasonably withheld on this basis.

It is suggested that a similar condition be attached to this application if granted.

- 5.11 Design and Access Statement

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

- 5.12 Section 106 Requirements

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

6. CONCLUSION

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

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

1. The horse walker hereby approved shall be used in conjunction with the existing equestrian use at Hill House Farm and shall at no time be used for any other business purposes whatsoever.

Reason

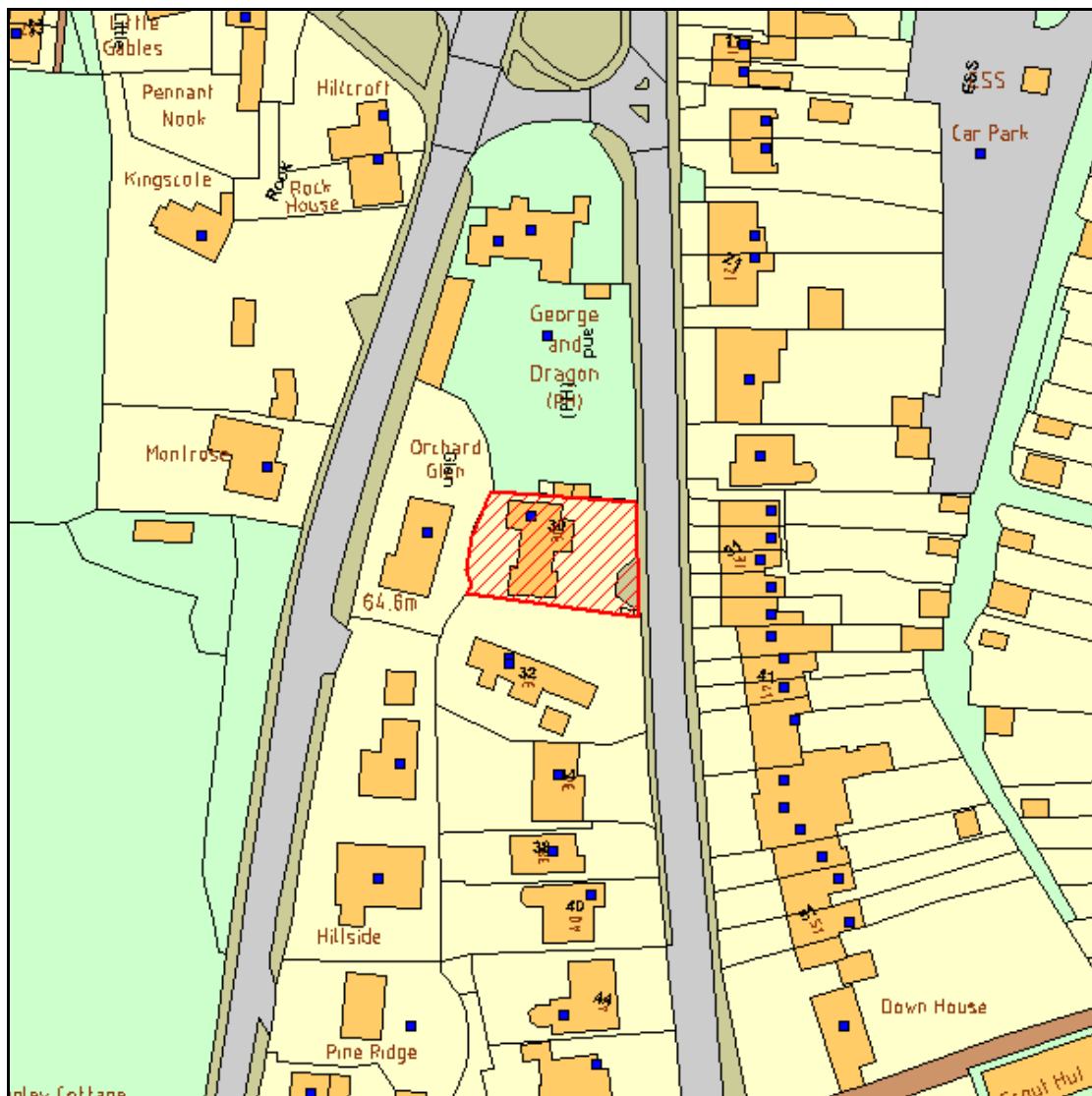
To protect the amenities of the occupiers of the nearby dwellings and in the interests of highway safety, to accord with Planning Policies E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 8

CIRCULATED SCHEDULE NO. 39/09 – 2 OCTOBER 2009

App No.: PT09/5163/F
Site: 30 Dragon Road Winterbourne Bristol
South Gloucestershire BS36 1BG
Proposal: Erection of detached dwelling with
associated works. Creation of new
gated access to existing dwelling.
(Resubmission of PT09/0822/F)
Map Ref: 364771 180413
Application Minor
Category:

Applicant: Mrs A Elsmore
Date Reg: 27th August 2009
Parish: Winterbourne
Parish Council
Ward: Winterbourne
Target 15th October 2009
Date:



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INTRODUCTION

This application appears on the Circulated Schedule List because objections have been received from local residents and the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a detached dwelling with associated works and the creation of a new gated access to the existing dwelling. The application is a resubmission of application no. PT09/0822/F, which was withdrawn.
- 1.2 The application site comprises a large 2-storey detached dwellinghouse located within the established residential area of Winterbourne. The property is located on the western side of Dragon Road.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H2 Proposals for Residential Development within Existing Urban Areas
H4 Residential Development within Existing Residential Curtilages
T12 Transportation Development Control Policy for New Development
L17 The Water Environment
L18 The Water Environment
EP1 Environmental Pollution
EP2 Flood Risk and development
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P89/1750. Erection of first floor rear extension to facilitate the conversion of the existing balcony to facilitate additional bedroom space, 24/05/89, Approval.
- 3.2 PT09/0822/F, Erection of detached dwelling with associated works and creation of new gated access to existing dwelling, 18/06/09, Withdrawn.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection - Overdevelopment of the site, which would be very cramped.

4.2 Transportation
No objection

4.3 Drainage
No objection

Other Representations

4.3 Local Residents

Five letters of objection have been received from local residents. The following concerns have been raised in the correspondence:

- Over development of the site;
- No garage provision for the proposed or existing dwelling;
- Would add to existing parking and traffic problems in the area;
- No turning area provided;
- Inconsistent planning policy at the Council if approved;
- Loss of light;
- Loss of Privacy;
- Overbearing impact;
- Out of keeping with the character of the area;
- The existing property is an infill construction in a neighbouring garden;
- Condition that garage be kept between house and neighbouring property;

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning Policy D1 applies to all types of development and ensures that a good standard of design is achieved. Planning Policy H4 allows for the principle of residential development subject to design, residential amenity and transportation considerations. Planning Policy H2 allows for residential development within existing urban areas subject to environmental, residential amenity, transportation, density considerations.

5.2 Design/Visual Amenity

This application seeks planning permission for the erection of a detached dwelling with associated works and the creation of a new gated access to the existing dwelling. The application site comprises a detached two-storey dwellinghouse located within the established residential area of Winterbourne. The property is located on the western side of Dragon Road. The surrounding area is characterised by traditional terrace and semi detached properties primarily located on the eastern side of Dragon Road opposite the application site. There is less uniformity on the western side of Dragon Road, which comprises a mix of modern and old detached properties with some single storey development.

5.3 An existing flat roof garage, which is attached to the southern elevation of the host dwellinghouse would be demolished to facilitate the build. The proposal would be set back approximately 2.8 metres behind the front building line of the existing dwellinghouse. The rear elevation of the proposed build would extend

slightly further back than a rear gable projection in the existing dwellinghouse. A distance of approximately 0.9 metres would separate the two dwellings. The ridge height of the proposed dwelling would match the existing property, whilst the front eaves would be slightly lower than the existing dwelling and lower still on the rear elevation given the asymmetric pitch of the roof. The proposal would be of two storeys. A canopy would extend across the front elevation, whilst the fenestration would comprise a central window at first floor level, 2no. windows at ground floor level with a pedestrian door in-between. The rear elevation would comprise a central gable with a full-length door with Juliet Balcony at first floor level and 2no. windows flanking a pedestrian door at ground floor level.

5.4 An existing grassed garden area to the front of the property would be covered with hard standing to allow for parking for 3no. vehicles and the existing vehicular access would be widened to serve both the existing and proposed dwellings. The existing site is well screened from the public realm by mature hedging along the eastern flank boundary and the majority of this screen would be retained in the proposal. A 1.7 metre high timber boundary fence would be introduced between the two dwellings.

5.5 The proposed dwelling would be read in conjunction with the existing properties on the western side of Dragon Road. The proposed detached two-storey dwellinghouse would therefore, be in keeping with the majority of the existing built form. The proposed dwellinghouse would be located close to the host dwelling and flank boundary. The constraints of the site dictate the narrow form of the proposed dwellinghouse and vertical proportions, which, differs from the horizontally proportioned host dwellinghouse. Nevertheless, its position, set further back than host property, would ensure that it would appear subservient. The local character and distinctiveness of the surrounding area comprises buildings, which sit tightly to neighbouring property boundaries and therefore, it is considered that the proposed close relationship between the host dwelling and flank boundary would not be adversely harmful to the character of the area. In addition, the general form, scale, layout and massing would also respect the local character. Given the above, it is considered that a refusal on the basis of design and visual amenity would be unlikely to be upheld at appeal. On balance, the proposal is considered to be acceptable in terms of design and visual amenity. Conditions will be applied to the consent to ensure that further information is submitted in respect of detailing for the fenestration, walls and roof tiles.

5.6 Density

Planning Policy H2 advises that the maximum density compatible with the site, its location, its accessibility and its surroundings be achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit. The area of the application site is approximately 483.22 square metres and this equates to a density of approximately 41.6 dwellings per hectare. This meets the minimum standard recommended by policy H2.

5.7 Residential Amenity

The proposed dwellinghouse would be flanked by the host dwelling to the north, terrace properties to the east and neighbouring detached dwellings to the south and west. The neighbouring property to the west is set at a lower level than the host dwelling given the topography of the land. It is considered that the proposed dwelling, which would be 3 metres closer to the western flank boundary, would not be adversely more overbearing than the existing host dwelling or introduce any new privacy issues.

The dwelling to the south would be located approximately 8 metres and 10 metres from the proposed dwelling at the closest and furthest points respectively. No windows are proposed in the southern elevation of the proposed dwelling, therefore, no significant privacy issues would be introduced. This neighbouring dwelling already fronts the side elevation of the host dwelling. Whilst the sidewall would be moving 6 metres closer to the neighbouring dwelling, it is considered that there would be enough separation between the two dwellings to ensure that the proposal would not be adversely more overbearing than existing. There should be no significant loss of sunlight to the neighbouring dwelling, given the orientation of the properties.

It is considered that the terrace properties to the east of the application site would not be adversely impacted in terms of residential amenity. Existing windows face these properties already; therefore, no new privacy issues would be introduced. The proposed dwelling would not be significantly more overbearing than the existing host dwelling.

Sufficient private amenity space has been allocated to the proposed dwelling and a sufficient amount would remain for the host dwelling. Adequate boundary treatment has been specified to ensure no adverse residential amenity issues would be created between the host and proposed dwelling as a result of the development.

5.8 Transportation

Visibility from the proposed access would be slightly constrained by the boundary wall given the narrow footway, though not to a level that would compromise highway safety. Although a turning area would be preferable for both the existing (3 cars) and proposed (2 cars) dwelling, this is no longer a statutory requirement on a class 3 road. An acceptable level of parking has been included for both the existing and proposed dwelling. The gates have been set back so as to allow vehicles to stop clear of the highway as they are opened. There are no transportation objections on this basis.

5.9 Further Matters

The outstanding comments from local residents will now be addressed:

It is considered that the proposal is not an over development of the site. The site calculates to a fairly modest density of approximately 41.6 dwellings per hectare. The close relationship between the proposed dwelling and the host dwelling and flank boundary would not be harmful to the character of the area given the layout of existing built form.

In terms of the transportation issues identified by local residents, the Council Transportation Officer has been consulted and is satisfied that the proposal would not be adversely detrimental to highway safety, local congestion or parking in the area.

In terms of inconsistent Planning Policy, each case must be determined individually based on its own merits, and against planning policy that prevails at the time of the decision. It is true that planning policy has changed over time.

Issues relating to design and residential amenity have been discussed separately above.

In terms of the condition to keep the garage between the host and neighbouring property, this is a civil matter and is not a planning consideration. There is no evidence of a planning condition in force.

5.10 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.

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.

a) The proposed development has been designed to be in-keeping with the character of the area taking into account the design, siting, height and materials of the existing house and surrounding area- Policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) 2006.

b) The proposal has been designed having regard to the residential amenity of neighbouring occupiers. Neighbouring properties would not be adversely overlooked or suffer any significant loss of light - Policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) 2006.

c) The proposed development calculates to a density of approximately 41.6 dwellings per hectare. This is considered to be the maximum density possible for the site and complies with the Council's minimum recommended standards - Policies D1 and H2 of the South Gloucestershire Local Plan (adopted) 2006.

d) The proposed development has been designed with careful regard to Transportation. Parking, congestion and access issues have been considered and addressed sufficiently in the design - Policies D1, H2, H4 and T12 of the South Gloucestershire Local Plan (adopted) 2006.

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted)

January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

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 & Country Planning Act 1990 (as amended).

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) 2006.

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

Reason

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

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

Reason

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

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

Reason

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

ITEM 9

CIRCULATED SCHEDULE NO. 39/09 – 2 OCTOBER 2009

App No.:	PT09/5168/F	Applicant:	Mr S Thomas
Site:	22 Lavender Close Thornbury Bristol South Gloucestershire BS35 1UL	Date Reg:	24th August 2009
Proposal:	Erection of two storey rear extension to provide additional living accommodation. Relocation of existing conservatory.	Parish:	Thornbury Town Council
Map Ref:	364901 190423	Ward:	Thornbury North
Application Category:	Householder	Target Date:	13th October 2009



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100023410, 2008. N.T.S. PT09/5168/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of representations from a local resident 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 (3m depth, 4.3m width & 7.2m height) and a rear conservatory (3m depth, 3.7m width & 3.9m height).
- 1.2 The application site relates to a detached dwelling and its associated residential curtilage. The site is within a well-established residential area and is situated in the Thornbury settlement boundary.

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
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/2843/F Erection of rear conservatory.
Approved on 21st October 2003

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection.
- 4.2 Local Residents
One letter of objection has been received from a local resident. The main points are summarised below: -
 - a) The proposal is restrained.
 - b) Loss of light in winter months.
 - c) Suggests that the roofline of the two-storey extension should be lower than the main roofline and hipped rather than gabled.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

- 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 proposed two-storey extension would be situated on the dwellings rear elevation and would project alongside the elevation shared with No. 23 Lavender Close, replacing the existing conservatory. The development includes a new conservatory which would be located beside the proposed two storey extension and would be sited approximately 2.1m away from the boundary shared with No. 16 Lavender Close.

5.4 With regard to the proposed two-storey extension, this would be situated approximately 1.2m away from the boundary shared with No. 23 and would project from the adjacent dwellings rear elevation by approximately 3.5 metres. No. 23 has an existing rear conservatory that extends to approximately the same depth as the proposed two-storey extension. Therefore given the modest depth of the extension, the distance separating the extension from this adjacent property, and the positioning of the neighbours existing conservatory along the boundary, it is concluded that the development would not have a material overbearing effect on the occupiers of No. 23.

5.5 It is acknowledged that the occupiers of No. 16 Lavender Close have objected to the development on the grounds of a loss of light in winter months, and have suggested that the roof be hipped. Notwithstanding these comments, the proposed two-storey extension would be situated approximately 12 metres to the south of this property (as measured on OS site plan). In view of this distance and the modest scale and massing of the proposed extension itself, it is concluded that the development would not result in a material overbearing effect/loss of light on the occupiers of this property. Consideration has been given to potential use of a hipped roof on the extension, however it is concluded that any this would provide a negligible improvement to the amenities of nearby occupiers, whilst detracting from the overall design of the extension itself. On this basis it was not considered necessary to seek such an amendment in this instance.

5.6 With regard to privacy, the proposed two-storey extension would provide a rear window and a high-level window on the side elevation facing the side elevation of No. 23. These would not afford direct visibility into habitable rooms or private

amenity spaces of nearby occupiers. It is therefore concluded that the proposed development would not material harm privacy.

5.7 With regard to the proposed conservatory, this would be modest unassuming in scale and depth, and it sited away from nearby properties. Moreover it would not include windows that would afford direct views in to adjacent properties. It is therefore concluded that this proposal would not result in an overbearing effect or a loss in privacy to nearby occupiers.

5.8 In view of the above it is considered that the proposed development would maintain the residential amenities of nearby occupiers, and therefore accord to Policy H4 of the adopted local plan.

5.9 Visual Amenity

The proposed dwelling comprises of a detached two-storey building. The proposed development would be situated to the rear and is not widely visible from the public realm. The proposed two-storey extension would comprise of a gable projection, the scale and massing of which would appear proportionate to the host dwelling. Moreover the design of the proposal itself would respect similar gable features seen on surrounding properties. The proposed conservatory would be simple and unassuming in proportion and appearance. On this basis it is concluded that the proposed extensions would maintain the character and appearance of the existing dwelling and the surrounding residential area. The development therefore accord to policies D1 and H4 of the adopted local plan.

5.10 Use of Energy and Sustainability

To be built to current Building Regulations.

5.11 Improvements Achieved to the Scheme

None.

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 proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not

in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.

- a) The concerns of the local resident with regard the impact of the development on residential amenity has been considered. Notwithstanding the representations received it has been assessed that the proposed development would not give rise to an adverse overbearing effect/loss of light or a material loss of privacy to nearby occupiers. The development therefore accords with Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) It has been assessed that the proposed extensions have been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

7. RECOMMENDATION

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

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.

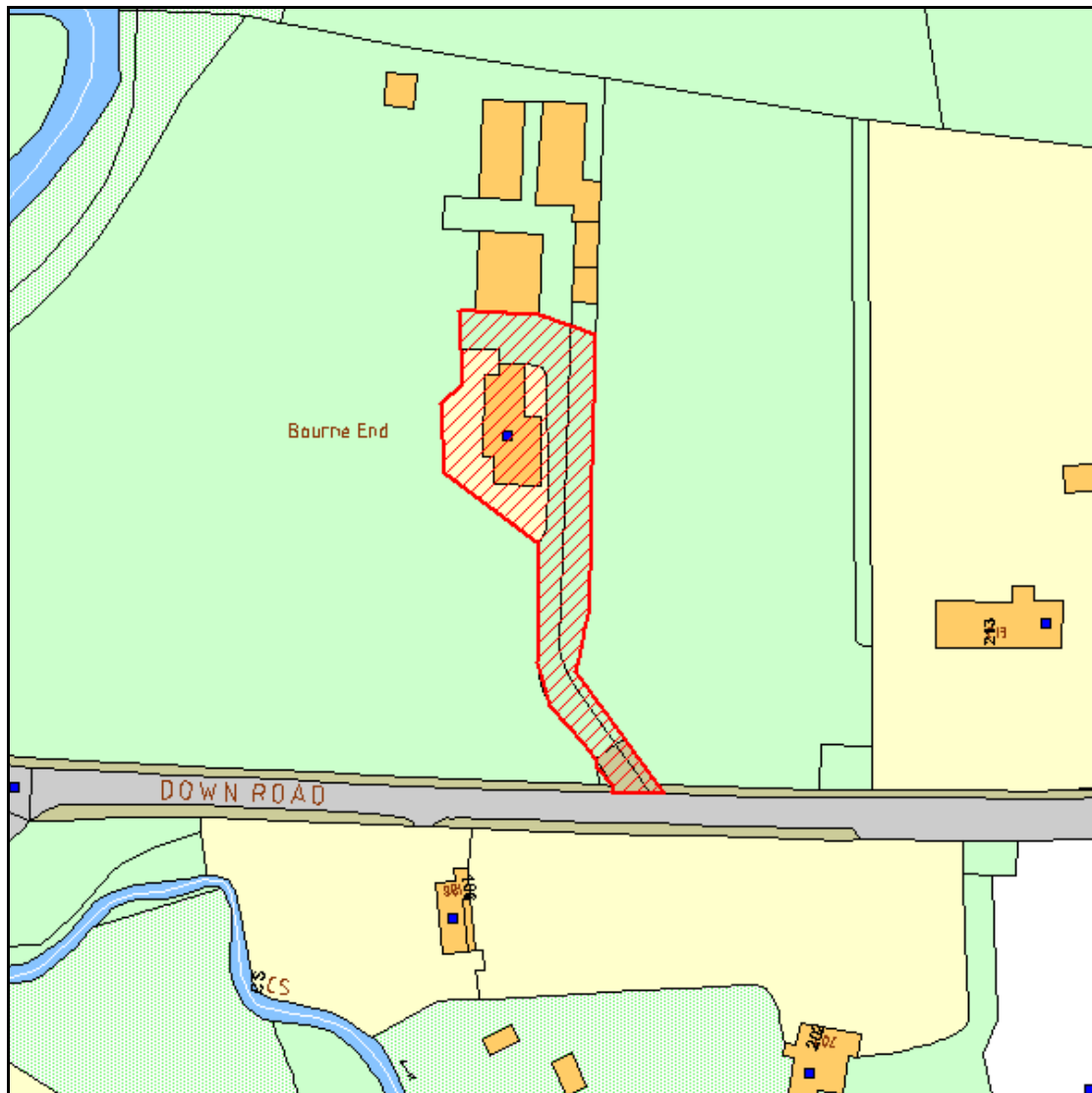
Reason

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

ITEM 10

CIRCULATED SCHEDULE NO. 39/09 – 2 OCTOBER 2009

App No.:	PT09/5193/F	Applicant:	Mrs G Brown
Site:	Bourne End Down Road Winterbourne Down Bristol South Gloucestershire	Date Reg:	25th August 2009
Proposal:	Erection of two storey side and single and two storey rear extensions to form annex ancillary to the main dwelling.	Parish:	Westerleigh Parish Council
Map Ref:	365935 179491	Ward:	Westerleigh
Application Category:	Householder	Target Date:	13th October 2009



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100023410, 2008.

N.T.S.

PT09/5193/F

INTRODUCTION

This application appears on the Circulated Schedule List because an objection has been received from the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey side and single and two storey rear extensions to form an annex ancillary to the main dwelling.
- 1.2 The application site comprises a two storey detached dwellinghouse located within the open Green Belt outside the designated settlement boundary. The property is set back on the northern side of Down Road.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Residential Extensions within Existing Residential Curtilages
GB1 Development within the Green Belt
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Development Within the Green Belt SPD (adopted)
The South Gloucestershire Design Checklist (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
Objection - the size of the development is not consistent with the reasoning for the application.

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

Planning Policy D1 applies to all types of development and ensures that a good standard of design is achieved. Planning Policy H4 allows for residential extensions subject to design, residential amenity and transportation considerations. Planning Policy GB1 allows for limited extensions to properties located within the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building.

5.2 Design/Visual Amenity

This application seeks planning permission for the erection of a two storey side and single and two storey rear extensions to form an annex ancillary to the main dwelling. The application site comprises a detached two-storey dwellinghouse located within the open Green Belt outside the defined settlement boundary. The property is situated off Down Road and is accessed via a pathway. The property benefits from a large ownership of land to the west of the property and the location is fairly isolated, being almost entirely screened from the public realm by mature hedging. Various agricultural buildings are located to the north of the host dwelling.

5.3 The existing dwelling comprises a double garage attached to the northern elevation, set back from the existing front elevation. A first floor extension is proposed across the existing garage, whilst single and two-storey extensions would be located to the rear. A pitched roof would encompass the rear two-storey extension with a rear-facing gable, whilst a lean-to roof would encompass the single storey rear extension. Pedestrian access would be located through the north and west elevations of the extension.

5.4 Amended plans have been received following Officer concerns. The proposed extension is large in scale and the Officer considered that changes were required to the design to ensure that the extension would appear subservient to the host dwelling. The amended design, which comprises a lower ridge height, a reduced width of the first floor extension and the removal of a front half gable, has reduced the scale and massing of the extension to a point where the extension would be more sympathetic to the proportions and character of the host dwelling. On this basis and given that the materials proposed would match the existing dwellinghouse, it is considered that the proposal would not have a negative impact on the character of the host dwelling. Existing built form, vegetation around the boundary of the site, as well as the location of the site set well back from the highway would ensure that the proposal would not be conspicuous from the public realm.

5.5 Green Belt

The proposal would result in a floor area increase of approximately 40% over the original dwelling. The South Gloucestershire Development within the Green Belt SPD states that additions that exceed 30% of the volume of the original dwelling will be carefully assessed with particular regard to the appearance of the proposal and whether it appears out of proportion with the scale and character of the original dwelling. The amendments to the design of the extension would ensure that it would appear proportionate and subservient to the host dwelling. Quality materials would also help integrate the extension with the existing dwelling and ensure that it would not be harmful to the visual amenities of the Green Belt.

Given the above, it is considered that the proposal adheres to Policy GB1 of the South Gloucestershire Local Plan (adopted) 2006 and the Development within the Green Belt SPD (adopted).

5.6 Residential Amenity

The host property forms an isolated location and benefits by not having any neighbouring occupiers within close proximity. Dwellings to the east and south are situated at a distance of approximately 80 metres and 70 metres respectively from the host property and would therefore, not be significantly impacted by the proposal.

5.7 Transportation

Existing access and parking arrangements would not be changed. There are no transportation objections to the proposal.

5.8 Use of Energy and Sustainability

To be built to current building regulations specifications.

5.9 Improvements Achieved to the Scheme

Reduction in ridge height, removal of front gable end and reduction in the width of the first floor side extension.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

a) The proposal has been designed to be in keeping with the character of the area taking into account the design, height and materials of the existing dwelling and surrounding area - Policies D1, H4 and GB1 of the South Gloucestershire Local Plan (adopted) 2006.

b) The proposal is situated in an isolated location and has no residential dwellings within close proximity. The proposed development would not therefore, harm the amenities of neighbouring occupiers through loss of privacy or natural light - Policies D1 and H4 of the South Gloucestershire Local Plan (adopted) 2006.

c) The proposal represents a proportionate extension that constitutes appropriate development in the Green Belt - Policy GB1 of the South Gloucestershire Local Plan (adopted) 2006 and the Development in the Green Belt Adopted SPD.

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

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan

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 & 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 Policies D1, H4 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

To accord with Policies GB1 and H3 of the South Gloucestershire Local Plan (adopted) 2006.

