



**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. 42/09**

**Date to Members: 23/10/09**

**Member's Deadline: 29/10/09 (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](mailto:PlanningApplications@southglos.gov.uk)

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

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

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

## **GUIDANCE FOR 'REFERRING' APPLICATIONS**

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

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

## CIRCULATED SCHEDULE

**DATE: 23/10/09**

**SCHEDULE NO. 42/09**

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](mailto:PlanningApplications@southglos.gov.uk)

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

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

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

**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 – 23 OCTOBER 2009

<b>ITEM NO.</b>	<b>APPLICATION NO</b>	<b>RECOMMENDATION</b>	<b>LOCATION</b>	<b>WARD</b>	<b>PARISH</b>
1	<b>PK09/5227/F</b>	Approve with Conditions	101 High Street Hanham South Gloucestershire BS15 3QG	Hanham	Hanham Parish Council
2	<b>PK09/5281/F</b>	Approve with Conditions	22 Belfry Warmley Bristol South Gloucestershire BS30 8GG	Parkwall	Oldland Parish Council
3	<b>PK09/5292/TRE</b>	Approve with Conditions	Rear Of 5 Henry Williamson Court Barrs Court South Gloucestershire BS30 7BE	Parkwall	Oldland Parish Council
4	<b>PK09/5293/F</b>	Approve with Conditions	46 Poplar Road Warmley South Gloucestershire BS30 5JU	Oldland	Bitton Parish Council
5	<b>PT09/5237/R3F</b>	Approve with Conditions	Bradley Stoke Library Bradley Stoke Leisure Centre 1 Fiddlers Wood Lane Bradley Stoke South Gloucestershire BS32 9BS	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
6	<b>PT09/5238/R3F</b>	Approve with Conditions	Winterbourne Branch Library Flaxpits Lane Winterbourne South Gloucestershire	Winterbourne	Winterbourne Parish Council
7	<b>PT09/5300/TRE</b>	Approve with Conditions	Orchard House Frenchay Hill Frenchay South Gloucestershire BS16 1LU	Frenchay And Stoke Park	Winterbourne Parish Council
8	<b>PT09/5331/F</b>	Approve with Conditions	The Larches Bristol Road Thornbury South Gloucestershire BS35 3JA	Thornbury South And	Thornbury Town Council
9	<b>PT09/5366/F</b>	Approve with Conditions	18 Cooks Close Bradley Stoke South Gloucestershire BS32 0BA	Bradley Stoke North	Bradley Stoke Town Council

## CIRCULATED SCHEDULE NO. 42/09 – 23 OCTOBER 2009

<b>App No.:</b>	PK09/5227/F	<b>Applicant:</b>	Stepping Stones to Independence
<b>Site:</b>	101 High Street Hanham Bristol South Gloucestershire BS15 3QG	<b>Date Reg:</b>	15th September 2009
<b>Proposal:</b>	Change of use from Residential (Class C3) to Office use (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) .	<b>Parish:</b>	Hanham Parish Council
<b>Map Ref:</b>	364363 172302	<b>Ward:</b>	Hanham
<b>Application Category:</b>	Minor	<b>Target Date:</b>	3rd November 2009



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 100023410, 2008. **N.T.S.** **PK09/5227/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the change of use of an existing two-storey dwelling, which is currently for 5 no. self-contained units of accommodation, to Class B1 (Office). The application site comprises a two storey property located immediately to the north side of High Street, Hanham.
- 1.2 There is no proposal to change the external appearance of the building and there will be a number of internal alternations.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

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

#### 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

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

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

- 3.1 PK02/2604/F Conversion of 1 no. dwelling to 5 no. self-contained units of accommodation to be used as sheltered housing with associated wardens accommodation. (Retrospective) Approved 28.10.02
- 3.2 PK07/3530/F Conversion of storeroom to form 1 no. bedsit. Approved 09.05.08

### **4. CONSULTATION RESPONSES**

#### 4.1 Hanham Parish Council

No objection

#### 4.2 Other Consultees

Sustainable transport

No objection

## **Other Representations**

### 4.3 **Local Residents**

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

The local resident currently shares a driveway with No. 99, if the whole of 101 were to become office space then the driveway would be used by three properties, unless the access gate were blocked. The deeds of the properties are clear and do not include no. 101. The local resident already have problems with No. 99 parking on the shared driveway and requests to prevent any access of No. 101 via the driveway of No. 97 and 99.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 **Principle of Development**

The application site is situated within the existing urban area as defined in the adopted Local Plan, therefore the principle of development is accepted subject to the development meeting the requirements of the other relevant policies of the Local Plan. Policy E3 of the South Gloucestershire Local Plan is supportive in principle of proposals for employment development within urban areas subject to a number of criterias, which will be addressed below. Policies T8 and T12 are also supportive of new development subject to issues of accessibility, parking and manoeuvring and impact in terns of highway safety.

#### **A. Development would not have unacceptable environmental effects**

The site lies towards the end of a parade of mainly shops and services that form Hanham High Street. Given the nature of a B1 Office use there is not considered to be any material adverse environmental impact.

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

Concern has been raised locally with regard to the impact upon the shared driveway of No. 97 and No.99 as the applicant also occupies No. 99.

The site does not have the benefit of any off-street car parking provision, however is located on a good bus route and there is a large public car park on the opposite side of the road. In view of the location of the site and the authorised use of the building, officers therefore considered that there is no highway objection in this instance.

The question arises as to whether a planning condition is appropriate to prevent the occupiers of No. 101 parking from using the shared driveway of No. 97 and No. 99. However, officers consider that it would not be reasonable to impose such condition as the right of access to and from neighbouring building

would be a legal matter between those who have access rights and the users/owners of the building, and this is not an issue that is material to the determination of this application.

**C. Development would not prejudice existing residential amenity**

There are to be no external alterations to the building that would result in any possible overshadowing or overlooking for the neighbouring properties.

**D. The character of the area or settlement is not adversely affected**

No external alteration is proposed with the application, officers therefore consider that the proposal would not affect the character of the area.

**E. The maximum density compatible with the site location, its accessibility and its surrounding is achieve.**

This criterion of the policy is not considered to apply to this proposal, as there is no alteration in the footprint of the building.

**F. The location is well served by public transport**

The application site is in very close proximity to Hanham centre with associated shops and services. As a result, the site is on a good bus route and as such is considered to be sustainable.

5.4 Design and Access Statement

This is an application for change of use, therefore the Design and Access Statement is not required.

5.5 Use of Energy and Sustainability

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

5.6 Improvements achieved to the scheme

None.

**6. CONCLUSION**

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

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



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

## **7. RECOMMENDATION**

7.1 Planning permission be granted subject to the following conditions

**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).

## CIRCULATED SCHEDULE NO. 42/09 – 23 OCTOBER 2009

<b>App No.:</b>	PK09/5281/F	<b>Applicant:</b>	K Blake
<b>Site:</b>	22 Belfry Warmley Bristol South Gloucestershire BS30 8GG	<b>Date Reg:</b>	24th September 2009
<b>Proposal:</b>	Conversion of existing integral garage to form additional living accommodation.	<b>Parish:</b>	Oldland Parish Council
<b>Map Ref:</b>	366585 172982	<b>Ward:</b>	Parkwall
<b>Application Category:</b>	Householder	<b>Target Date:</b>	3rd November 2009



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 100023410, 2008. **N.T.S.** **PK09/5281/F**

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

## **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the conversion of the integral garage at 22 Belfry, Warmley, to form additional living accommodation.
- 1.2 The property is a two storey detached dwelling and is located within a residential area of Warmley.

## **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 None relevant.

## **4. CONSULTATION RESPONSES**

- 4.1 Oldland Parish Council  
Object to the proposal on the grounds of lack of off street parking should the development go ahead.

### **Other Representations**

- 4.2 Local Residents  
No response received.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers,

and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

5.2 Design / Visual Amenity

The application proposes to convert the integral garage to form additional living accommodation. The effect of this proposal in design terms would be the replacement of the existing garage door with a ground floor window. The materials used for the wall and window would match the existing, assisting the successful integration. Several neighbouring properties have carried out similar conversions. As such 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 conversion would occur entirely within the existing garage which is an integral part of this detached property. The addition of a window to the front of the property, in place of the existing garage door is not considered to have any impacts upon existing residential amenities in the vicinity. It is not considered that the proposal would result in any overshadowing or overbearing effect on the neighbouring dwellings. Further, there are no concerns relating to inter-visibility or loss of privacy. Therefore the impact on residential amenity is subsequently deemed acceptable.

5.4 Parking and Highway Safety Implications

The application proposes the conversion of the garage, leaving the driveway as the only off road parking for the dwelling. It is considered that there is space for one car to park on the driveway. Therefore the parking provision would remain in compliance and within the Councils required parking standards.

5.5 Use of Energy and Sustainability

No measures proposed.

5.6 Improvements achieved to the scheme

None required.

5.7 Section 106 Requirements

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

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposal would incorporate the use of materials to match the existing dwelling, as such it is considered that the proposal would respect the character and appearance of the principal dwelling and street scene in accordance with Policy D1. The proposal would not have any impact on neighbouring residential amenities and the resultant parking provision would remain in compliance with Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 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**

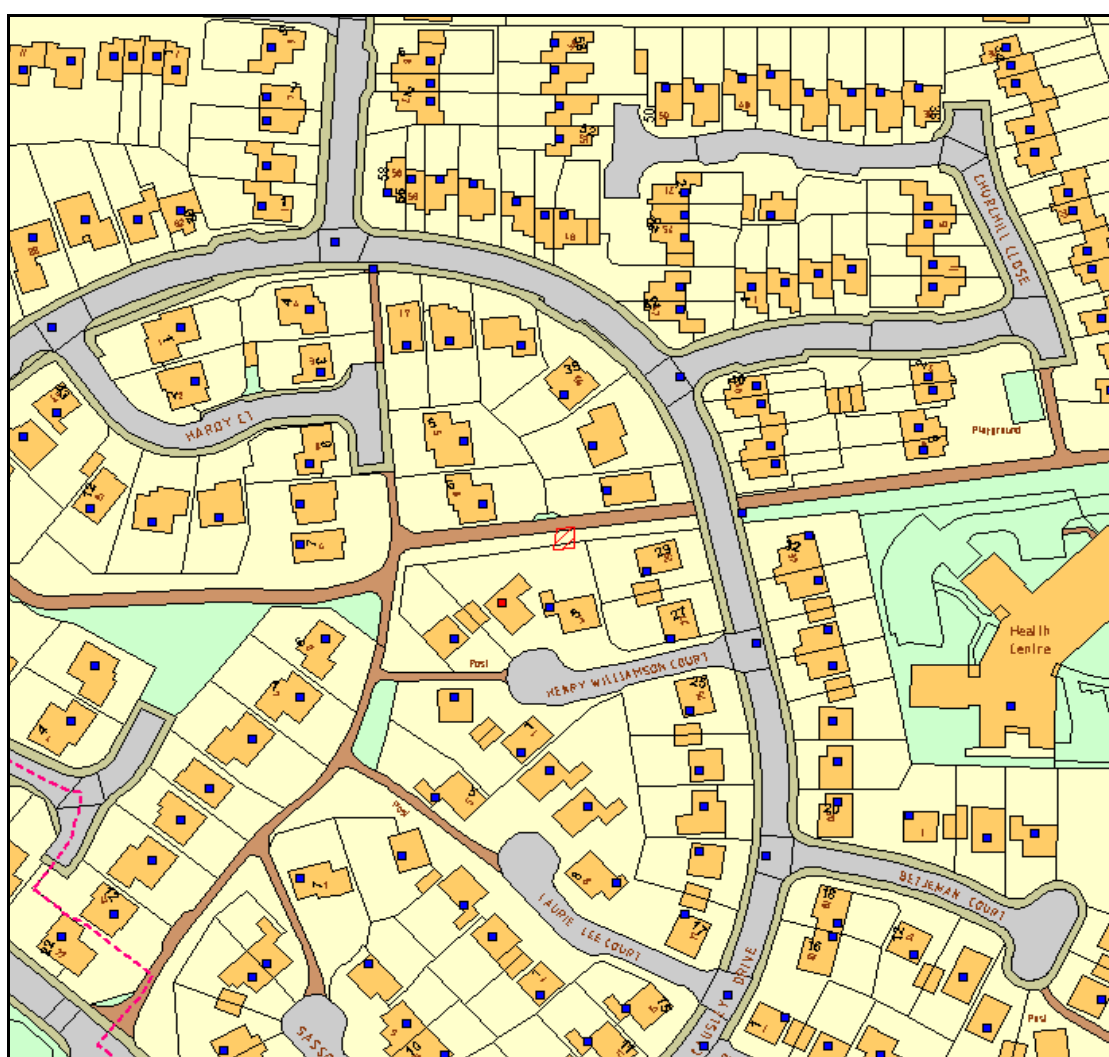
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

## CIRCULATED SCHEDULE NO. 42/09 – 23 OCTOBER 2009

<b>App No.:</b>	PK09/5292/TRE	<b>Applicant:</b>	Ms L Thomas
<b>Site:</b>	Rear Of 5 Henry Williamson Court Barrs Court Bristol South Gloucestershire BS30 7BE	<b>Date Reg:</b>	28th September 2009
<b>Proposal:</b>	Works to 1no. Oak tree to remove low limb over garden and low branch growing towards streetlight, and deadwood covered by Tree Preservation Order KTPO01/77 dated 19 September 1977	<b>Parish:</b>	Oldland Parish Council
<b>Map Ref:</b>	366024 172157	<b>Ward:</b>	Parkwall
<b>Application Category:</b>		<b>Target Date:</b>	5th November 2009



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 100023410, 2008. **N.T.S.** **PK09/5292/TRE**

## **INTRODUCTION**

This application has been referred to the circulated schedule due to the applicant being South Gloucestershire Council.

### **1. THE PROPOSAL**

- 1.1 The application seeks permission to carry out works to 1no. Oak tree, protected by a Tree Preservation Order. The tree is located on land to the rear of 5 Henry Williamson. The works proposed involve the removal of deadwood, the removal of a low limb over the garden and the removal of a low branch growing towards street lighting.

### **2. POLICY CONTEXT**

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

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

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Oldland Parish Council  
No objections

#### **Other Representations**

- 4.2 Local Residents  
One letter of support was received from a local resident.

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

- 5.1 Principle of Development  
Policy L1 of the South Gloucestershire Local Plan (Adopted) 2006 seeks to conserve and enhance the quality and amenity of the landscape and distinctiveness of the locality and to protect the features that contribute to the character or appearance of the area.
- 5.2 Analysis of the proposal  
The proposed works are to abate a nuisance caused by the low branches of the tree. The crown lifting to 3m will allow access under the tree and is in accordance with good arboricultural practice

The removal of deadwood is an exemption under the Tree Preservation Order legislation and therefore does not require planning consent. There are no objections to the proposed works, furthermore the proposed works are recommended by South Gloucestershire Council open spaces tree officers

- 5.3 Section 106 Requirements  
Not applicable

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed works are considered to be good arboricultural practice and will support the long term viability of the tree in its current position. As such the proposal complies with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 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 works hereby authorised shall be carried out within two years of the date on which consent is granted (or other appropriate timescale).

Reason

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

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

Reason

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



## CIRCULATED SCHEDULE NO. 42/09 – 23 OCTOBER 2009

<b>App No.:</b>	PK09/5293/F	<b>Applicant:</b>	Mr Page
<b>Site:</b>	46 Poplar Road Warmley Bristol South Gloucestershire BS30 5JU	<b>Date Reg:</b>	29th September 2009
<b>Proposal:</b>	Erection of 1no. dwelling with access, parking and associated works. (Resubmission of PK09/1235/F)	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	367587 172596	<b>Ward:</b>	Oldland Common
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th November 2009



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 100023410, 2008. **N.T.S.** **PK09/5293/F**

## **INTRODUCTION**

This application has been forwarded to the Circulated Schedule to Members in accordance with procedure given that objection has been raised by the Parish Council that is contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

1.1 This is a re-submitted application seeking full planning permission for the demolition of the existing two-storey side extension and the erection of 1 no. detached dwelling within the residential curtilage of the existing dwelling No. 46 Poplar Road, Warmely. The proposed dwelling and the host dwelling will share an existing vehicular access. The proposed dwelling will have four bedrooms and will be two storeys in height with a rear dormers.

1.2 The difference of the current application are:

- The new dwelling would be closer to No. 46 and further away from No. 48.
- The new dwelling would only set forward from 3.8 metres instead of 5.8 metres and therefore the main rear elevation of the new dwelling would be set back by approximately 7 metres instead of 9 metres.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1	Delivering sustainable Development
PPS3	Housing
PPG13	Transport - Guide to Better Practice

#### 2.2 Development Plans

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

D1	Design
H2	Residential Development in Urban Areas
H4	Development within Existing Residential Curtilages
T8	Parking Standards
T12	Transportation Development Control Policy

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

3.1 P79/4213 Erection of garage. Approved 30.05.79

3.2 P80/4149 Erection of two storey side extension. Approved 23.04.80

3.3 P92/4712 Alterations and change of use from residential to nursing home for the elderly. Approved 18.01.93

3.4 PK09/1235/F Erection of 1 no. detached dwelling with access, parking and associated works. Withdrawn.

## 4. CONSULTATION RESPONSES

### 4.1 Bitton Parish Council

Councillors remained strongly opposed to the proposed development and would wish to reiterate the comments made in respect of application PK09/1235/F.

The previous comments stated:

Councillors objected to this application because of the increase in traffic movements onto Poplar Road, the potential overbearing of the new property on 48 Poplar Road and the over-intensification of use of the site. Concern was expressed at the external appearance of the new property: if materials match other houses nearby there is no problem but the house as depicted in the plans is out of keeping at this location. The plans show the front elevation of the new house as lower than the existing property but, as it would be sited much farther forward, this will not be as is would appear.

### Other Representations

### 4.2 Local Residents

No objection.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) allows for development within existing residential curtilages including new dwelling subject to there being no adverse impact on the existing visual and residential amenities within the immediate area. Therefore subject to these constraints, the proposal is considered acceptable in principle.

The South Gloucestershire Local Plan (Adopted) identifies the site as lying within the urban area. With the exception of design, Policy H2 of the South Gloucestershire Local Plan (Adopted) encompasses all the relevant issues of the above policies, for Policy H2 allows for new residential development providing that that following criteria are complied with:-

#### **(a) Development would be on previously developed land.**

The proposed site is considered previously developed land by virtue of its status as land being within the curtilage of the existing residential property. This complies with the definition outlined in PPG3 (Annex C).

The site is therefore considered an appropriate site for residential development subject to compliance with the following criteria.

#### **(b) Development would not have unacceptable environmental or transportation effects; and would not significantly prejudice residential amenity.**

It is not considered that the means of access as proposed would result in any issues of highway safety. The proposed access is retained and the plans clearly show how 6 no. off street parking spaces would be provided to serve both the existing and proposed dwellings. Sufficient off street parking has therefore been provided to serve both the existing and proposed dwellings. It is also considered that there would be adequate turning space within the site. Subject to the attachment of conditions to ensure the provision and retention of the parking and turning facilities as shown on the plans, there are no highway objections to the scheme as proposed.

With regard to the drainage issues, Council Drainage Engineer assessed the proposal and raised no objection to the proposal.

The only dwelling house to be affected by the proposal, is the existing dwelling and the adjacent bungalow, No. 48 Poplar Road. Adequate garden space will remain for existing and new dwelling and no habitable window on the side elevation. It is considered that there is no significant issues of overlooking or loss of privacy.

Although the new dwelling would be adjacent to a window of the adjacent bungalow, it is a secondary window. The new dwelling would project beyond the rear boundary of bungalow by approximately 3.8 metres, but it would be more than 3 metres from the bungalow. It is therefore considered that the proposal would not cause significant overbearing impact.

The main rear elevation of the new dwelling would be significantly set back from the rear building line of the existing dwelling No. 46 by 7 metres. Due to its orientation and siting with the neighbouring properties, officers do not consider that there is significant adverse impact upon the future occupiers.

**(c) The maximum density compatible with the sites location, its accessibility and its surroundings is achieved.**

A density calculation on the site provides a density of approximately 26 houses per hectare. Whilst it is accepted that this is a relatively low density given the location of the site, it is considered that the proposal would increase the efficiency of the land. It is considered that the density of the site is in keeping with that of the surrounding area

**(d) The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination.**

The site is located within a residential area of Warmley, therefore there is no unacceptable levels of noise disturbance, air pollution, smell, dust or contamination.

**(e) Provision for education, leisure, recreation etc. in the vicinity is adequate to meet the needs arising from the proposal**

The proposal is only for 1 dwelling and therefore would not have a significant impact on the area in terms of service provision.

## 5.2 Design/Visual Amenity

The traditional form of development in the locality is two storey – mainly in the form of semi-detached units. Given that the proposed dwelling is at the end of the street close to the large school building, it is not considered that it will appear out of keeping or incongruous. The front elevation of the dwelling has been designed to incorporate mock Georgian detailing in the gable, as is a feature on the existing dwelling and this will encourage its successful integration. Conditions will be attached to any consent granted to ensure that the materials to be used in the construction of the new dwelling match those of the existing building on the plot.

## 5.3 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.

## 5.4 Use of Energy and Sustainability

There is no information submitted with regard to the use of energy and sustainability. Nevertheless the proposal would provide some elements of Code for Sustainable Homes, for example, drying and private space.

## 5.5 Improvements Achieved to the Scheme

None required.

## 5.6 Section 106 Requirements

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

## 6. **CONCLUSION**

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

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 That planning permission be granted subject to the following conditions.

**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. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north east side elevation of the property.

Reason

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

3. The hours of working on site during the period of construction shall be restricted to 08.00 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 Policy D1/H2/H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. The approved details shall be implemented and completed prior to the occupation of the new dwelling.

Reason

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

5. Prior to occupation of the new dwelling, the proposed parking spaces for the both the existing and new dwelling shall be provided and maintained satisfactorily thereafter

Reason

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

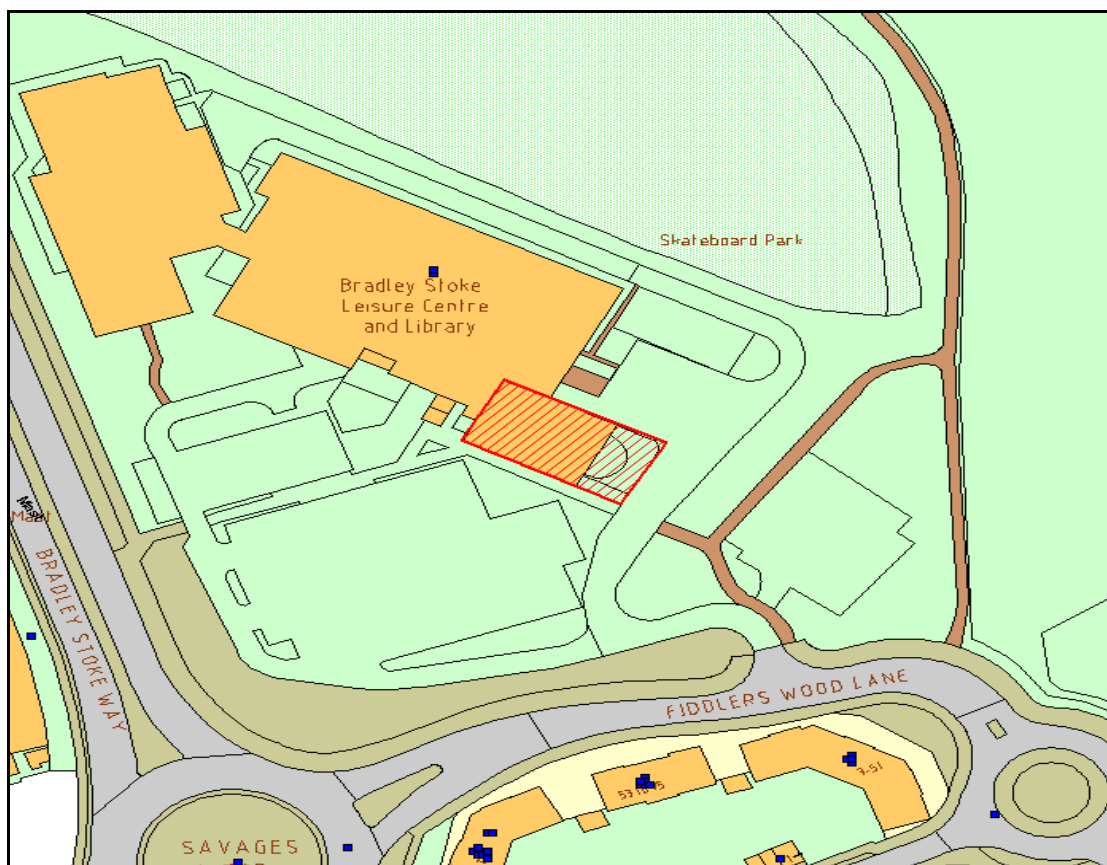
6. All turning areas and parking spaces shall be a permeable bound surface and be satisfactorily maintained as such thereafter. Details including a sample of materials for the construction of the hard surface and parking bays shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works and the approved details shall be implemented and completed prior to the occupation of new dwelling hereby approved.

Reason

To ensure that a satisfactory means of drainage is provided and to safeguard highway safety and to accord with policies T12 and L17/L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 42/09 – 23 OCTOBER 2009

<b>App No.:</b>	PT09/5237/R3F	<b>Applicant:</b>	South Gloucestershire Council
<b>Site:</b>	Bradley Stoke Library Bradley Stoke Leisure Centre 1 Fiddlers Wood Lane Bradley Stoke Bristol South Gloucestershire	<b>Date Reg:</b>	17th September 2009
<b>Proposal:</b>	Erection of single storey extension to south east end of library. Repositioning of railings	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	362247 182063	<b>Ward:</b>	Bradley Stoke Central And Stoke Lodge
<b>Application Category:</b>	Minor	<b>Target Date:</b>	5th November 2009



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 100023410, 2008.  
**PT09/5237/R3F**

**N.T.S.**

!



## **INTRODUCTION**

The application is submitted to Circulated Schedule as the Council is the applicant.

### **1. THE PROPOSAL**

- 1.1 The application is for a 3.6 by 18.5m depth extension to the library element of Bradley Stoke Leisure Centre/Library. The extension projects the single storey part of the building towards the east and would require five of the cycle parking stands and the existing railings to be relocated.
- 1.2 Material and design are a simple copy of the last 'bay' on the existing building.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
LC4 Proposal s for Education and Community facilities within the Urban Area and Defined Settlements  
T12 Transport
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Council Design Checklist SPD Adopted August 2007

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

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Bradley Stoke Town Council  
No objection
- 4.2 Other Consultees
- 4.3 Transportation  
No objection
- 4.4 Local Residents  
None

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

- 5.1 Principle of Development  
The application is a modest extension to the existing library within the urban area of Bradley Stoke. As such policy LC4 is the primary consideration in determining the application and this considers the accessibility of the proposal,

impact on residential amenities, environmental and transport matters. Policy D1 seeks good overall design to be achieved.

5.2 Accessibility

The principle of library use at this site is acceptable given its close location to the district centre and very close relationship to the leisure centre. The site is highly accessible by foot, cycle and bus. As such the principle of extending the library is considered to meet the requirements of policy LC4A

5.3 Residential Amenity

There are no immediate neighbours and those which face the site from the flats at Fiddlers Wood Lane would not be compromised by the extension.

5.4 Transportation

The car parking is unaffected by the proposal but five cycle parking stands are to be relocated. The revised Site plan indicates the revised location for these which is directly outside of the entrance and as such is more accessible and overlooked than the previous location.

5.5 Design

The proposal is in keeping with the existing building and continues the particular features of the library building into the extension. Overall the relocated cycle parking is better located to encourage cycle use. Whilst this requires the removal of an area of existing landscaping to be removed this is of limited value and there are sufficient areas of landscaping around the main access door remaining.

5.6 Design and Access Statement

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

5.7 Use of Energy and Sustainability

To be constructed to current Building Regulation standards.

5.8 Improvements Achieved to the Scheme

Bus lane now shown on the site plan and cycle parking shown on plan.

5.9 Section 106 Requirements

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

## 6. CONCLUSION

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

The proposal is a modest extension to an existing accessible public facility and is considered to have been designed to reflect the form of the host building – Policy LC4 and D1 of the South Gloucestershire Local Plan Adopted January 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 That planning permission is granted subject to the following conditions.

**Contact Officer: Karen Hayes**  
**Tel. No. 01454 863472**

### **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).

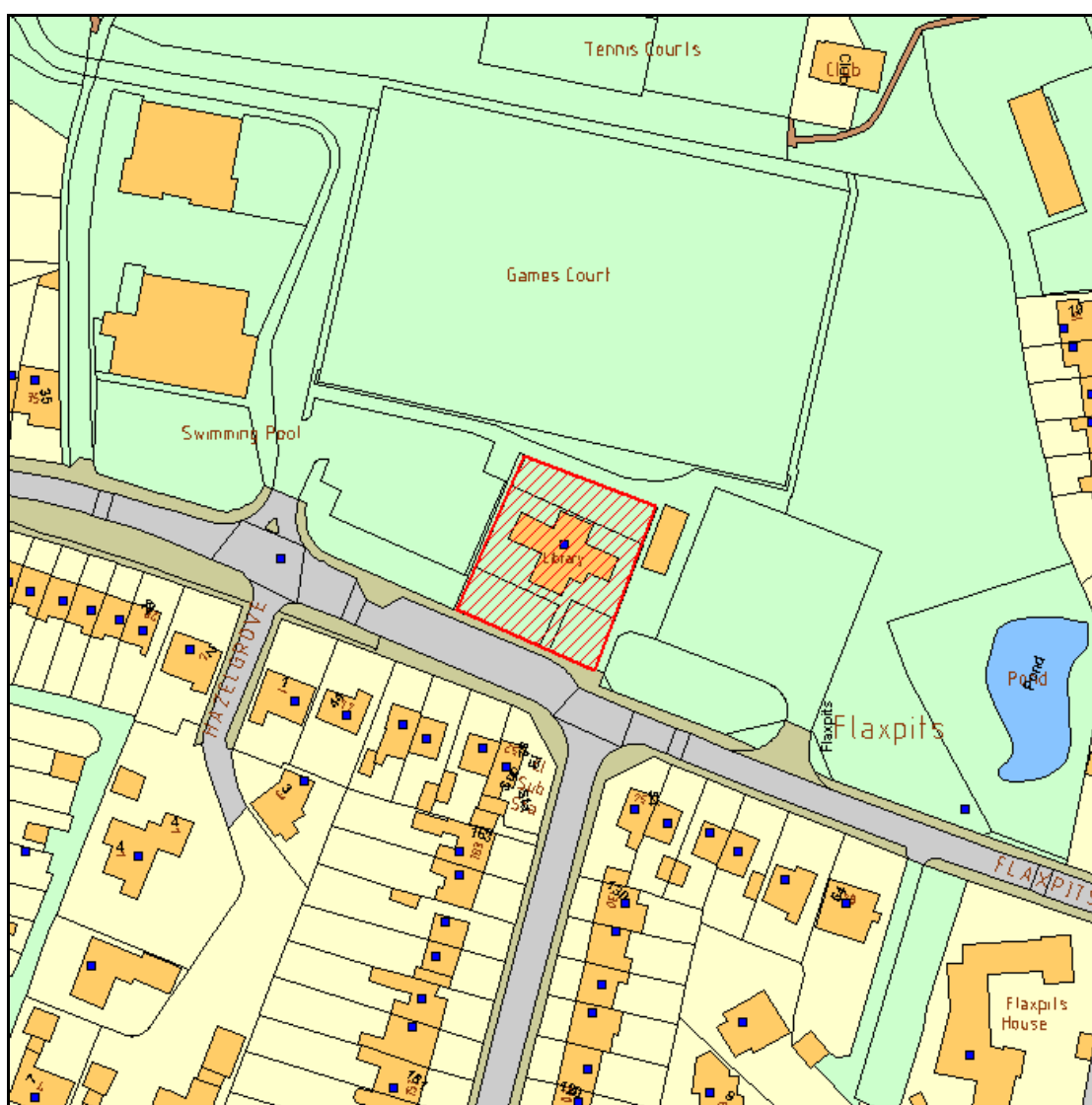
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

**CIRCULATED SCHEDULE NO. 42/09 – 23 OCTOBER 2009**

<b>App No.:</b>	PT09/5238/R3F	<b>Applicant:</b>	South Gloucestershire Council
<b>Site:</b>	Winterbourne Branch Library Flaxpits Lane Winterbourne Bristol South Gloucestershire	<b>Date Reg:</b>	17th September 2009
<b>Proposal:</b>	Erection of 2 no. single storey extensions	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365084 180513	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	5th November 2009



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**N.T.S.**

**PT09/5238/R3F**

## **INTRODUCTION**

This application appears on the Circulated Schedule given that it has been submitted by the Council.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of two single-storey extensions to an existing library building.
- 1.2 The application relates to Winterbourne Library that stands on the North side of Flaxpits Lane, Winterbourne.
- 1.3 The Design and Access Statement explains that in 2008, the Museum, Libraries & Archives Council recommended that public library authorities should provide 30sqm per 1,000 population; the average in South Gloucestershire is 13sqm. Anticipated future development could also increase the pressure on floor space and facilities.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development  
PPG13: Transport
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
LC4: Proposals for Education and Community Facilities  
T12: Transportation Development Control Policy for New Development  
  
Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)

### **3. RECENT PLANNING HISTORY**

- 3.1 None

### **4. CONSULTATION RESPONSES**

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

#### **Other Representations**

- 4.3 Local Residents  
No comments received

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy LC4 cites that proposals for the development, expansion or improvement of education and community facilities within the existing urban areas and the defined settlement boundaries will be permitted provided that:

- o Proposals are located on sites that are highly accessible on foot and bike; and
- o Development would not unacceptably prejudice residential amenities; and
- o It would not unacceptably prejudice residential amenities; and
- o It would not have an unacceptable environmental or transportation effect; and
- o Development would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area & highway safety.

### 5.2 Design/ Visual Amenity

The application relates to Winterbourne library, a single-storey building on the north side of Flaxpits Lane. The building sits in relative isolation with the games court/ car parking associated with The Ridings High School/ St. Michael's Primary School surrounding the site on this side of the highway.

5.3 The application seeks approval for two-single storey extensions with these at the front South West and rear North East corners of the building. The former would be the smaller of the two located in front of the subservient staff wing. This wing is set well back from the front wall of the main library thus the proposal, which would be small in size and provide a store and workshop, would remain well behind the front building line drawing slightly forward of the entrance lobby to the far side of the building. A flat roof would cover the proposal (albeit with a marginal pitch behind a parapet for drainage) with the new flank wall to align with the existing side elevation.

5.4 The rear extension would build to the opposite side of the library infilling the North Eastern corner of the building. It would align with the flank and rear walls of the building and be encompassed by a lean-to roof albeit with this sloping down towards the existing building creating a valley where the proposal would adjoin the existing structure. This addition would provide a children's library.

5.5 In response, the small-scale extensions are considered acceptable with the flat roofed design of the library considered to provide an architectural style typical of its time (late 1960's/ 1970's) and not necessitating an exact match in any new addition. It is noted that the roof design of the rear extension would retain the clerestory windows that light the building whilst would allow full height glazing to allow additional light into the proposal.

5.6 In view of the above, there is no objection to the proposal on design/ visual amenity grounds with permission recommended on this basis.

5.7 Residential Amenity

The library sits at an appreciable distance from all neighbouring dwellings with these located on the opposite side of Flaxpits Lane facing the library building. On this basis, and in view of the small scale and nature of the proposals, it is not considered that any significant adverse impact in residential amenity would be caused.

5.8 Highway Safety

There is no transportation objection to the current proposal given that existing access/ parking arrangements remain unaffected.

5.9 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.

5.10 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 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

The 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.

- 6.2 The recommendation to grant planning permission is for the following reasons:

1. The form, scale, height, massing, detailing and materials of the extensions proposed would respect the character, distinctiveness and amenity of both the site and its locality in accordance with Planning Policy D1 (Achieving Good Quality Design in New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The development proposed would not have any significant unacceptable impact on residential amenity. The proposal is therefore considered to accord with Planning Policy LC4 (Proposals for Education and Community Facilities within the Existing Urban Areas and the Defined Settlement

Boundaries) of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Given the small scale nature of the extensions, the proposals would not have any significant adverse impact on highway safety in accordance with Planning Policies LC4 (Proposals for Education and Community Facilities within the Existing Urban Areas and the Defined Settlement Boundaries) & T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

## **7. RECOMMENDATION**

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

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

### **CONDITIONS**

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

Reason

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



CIRCULATED SCHEDULE NO. 42/09 – 23 OCTOBER 2009

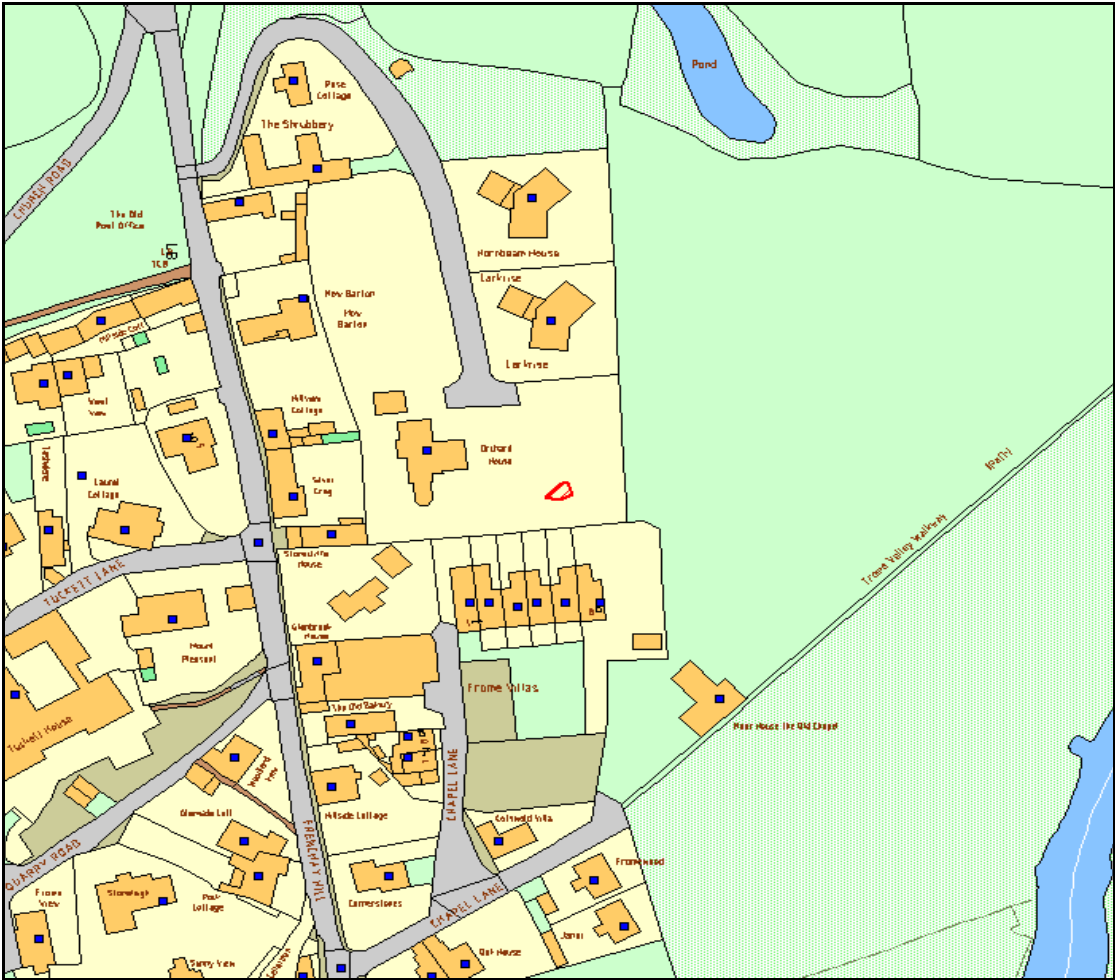
**App No.:** PT09/5300/TRE  
**Site:** Orchard House Frenchay Hill Frenchay  
 Bristol South Gloucestershire  
**Proposal:** Works to thin crown by 20% and raise  
 crown by 3 metres to 1 no. Atlantic  
 Blue Cedar covered by Tree  
 Preservation Order no. 7 (Frenchay  
 Common, Frenchay) dayed 11th  
 August 1965.

**Applicant:** Mr C A Halton  
**Date Reg:** 21st September  
 2009  
**Parish:** Winterbourne  
 Parish Council

**Map Ref:** 364152 177464

**Ward:** Frenchay And  
 Stoke Park  
**Target  
 Date:** 4th November 2009

**Application  
 Category:**



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 100023410, 2008. **N.T.S.** **PT09/5300/TRE**

## INTRODUCTION

This application is being circulated to Members because the Officer's recommendation is contrary to consultation responses.

### 1. THE PROPOSAL

- 1.1 The applicant seeks consent to works to crown thin by 20% and crown lift by 3 metres 1 no. Atlantic Blue Cedar Tree covered by Tree Preservation Order No. 7 - Frenchay Common in order to increase the light into the garden.
- 1.2 The tree is situated in the garden of Orchard House within the domestic curtilage. The application site relates to a large detached dwelling sited within a well-established rural-residential area of Frenchay.

### 2. POLICY CONTEXT

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

### 3. RELEVANT PLANNING HISTORY

- 3.1 PT09/5136/TRE Works to fell 1 no. Robina tree, 1 no. Cedar Tree and 1 no. Holly tree and reduce 1 no. Pear tree, 1 no. Hornbeam tree and 1 no. Apple tree and 1 no. smoke bush covered by Tree Preservation Order No. 13 - Frenchay Common.  
**Split Decision: Approved all works other than works to fell the Cedar, which was refused.**  
14<sup>th</sup> August 2009.

### 4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council  
No objection.
- 4.2 Tree Officer  
No objection.

#### Other Representations

- 4.3 Local Residents  
2 letters were received containing requests to remove the Cedar and objecting to the pruning of the tree rather than felling for it is argued that pruning would

encourage root growth which would destabilise the dry stone wall next to which the Atlantic Blue Cedar has been planted and is currently situated.

1 resident wants the tree removed because it is a dominant feature filling the sky and reduces light into the garden.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to conserve and enhance the character, quality and amenity of the landscape and to retain and protect trees which contribute to the overall character or distinctiveness of the area.

### **5.2 Consideration of Proposal**

The South Gloucestershire Council arboriculturalist has been to inspect the tree a second time and advises that the proposed works to the Blue Cedar are arboriculturally acceptable and will not diminish the visual amenity currently afforded by this maturing specimen

The residents in support of felling the Cedar have stated that the tree is damaging the wall. Nevertheless it is understood that the owners of the tree are currently undertaking works to make the wall safe.

With regards to the stability of the tree, the South Gloucestershire Council arboriculturalist has inspected it and it gives no cause for concern in terms of structural integrity at this time. Moreover, no professional arboricultural evidence has been received showing instability of the tree or that the tree is a health and safety hazard.

With regards to concerns about the tree being a dominant feature of the skyline, this is one of the reasons that the tree should remain for it offers high visual amenity. In relation to concerns that the tree reduces the light into the garden, these proposed works to crown thin the tree by 20% and crown lift the tree by 3 metres would allow an increase of light through the tree into the neighbouring garden.

It is noted that all three letters require the tree to be removed. This has already been assessed at a previous application and refused on the grounds of the tree being an excellent specimen offering high visual amenity to the whole conservation area. This application is for a crown thin and a crown lift and as such removal of the tree will not be assessed for it is not what the application is for.

## **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 consent has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted)

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

## **7. RECOMMENDATION**

7.1 Planning permission be **GRANTED**

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

## **CONDITIONS**

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

Reason

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

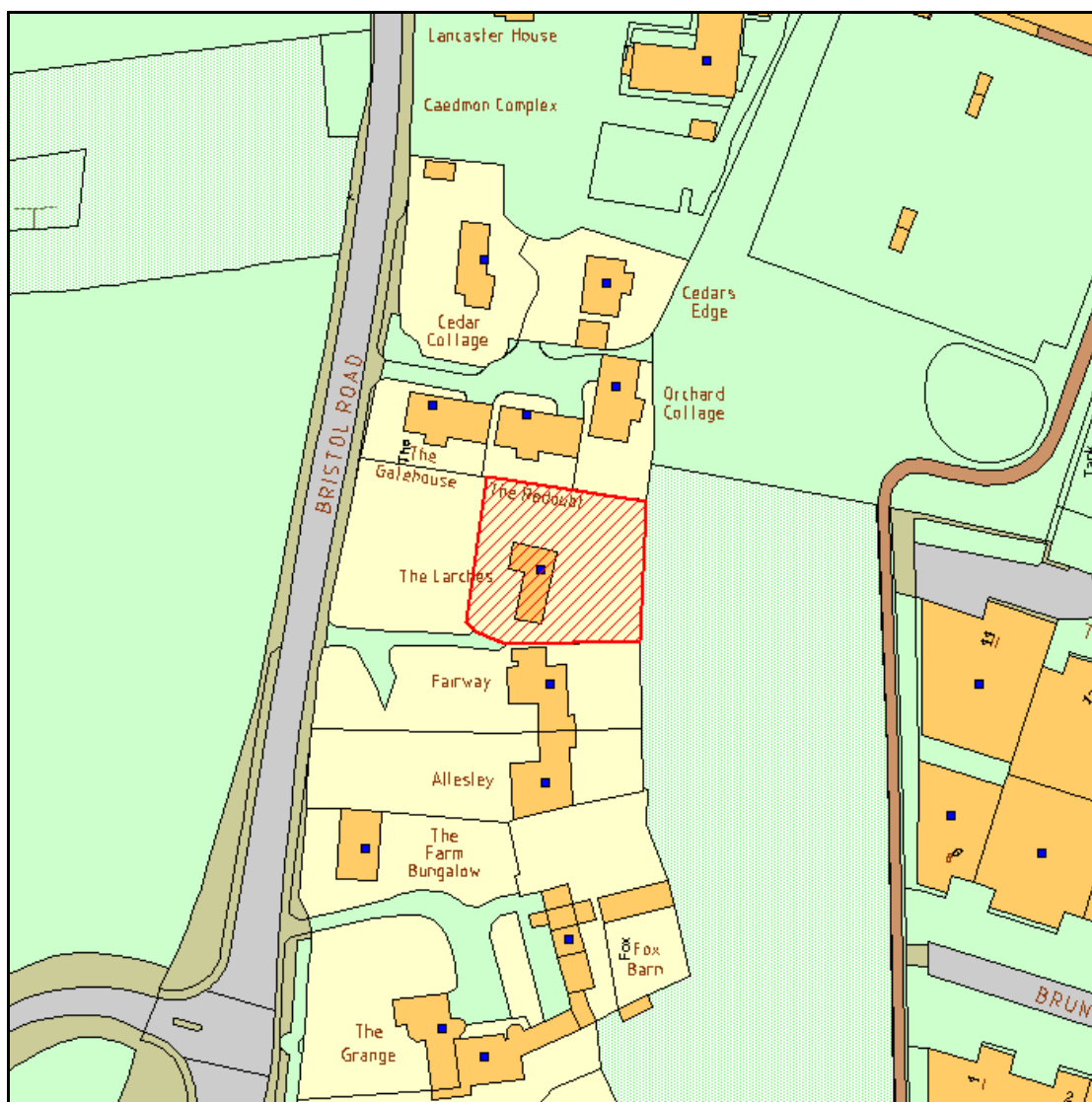
2. The works hereby authorised shall comply with British Standard 3998: 1989 – Recommendations for Tree Work.

Reason

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

## CIRCULATED SCHEDULE NO. 42/09 – 23 OCTOBER 2009

<b>App No.:</b>	PT09/5331/F	<b>Applicant:</b>	Dr R Steele
<b>Site:</b>	The Larches Bristol Road Thornbury Bristol South Gloucestershire	<b>Date Reg:</b>	22nd September 2009
<b>Proposal:</b>	Erection of detached garage. Erection of two storey and single storey front extension to provide additional living accommodation.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	363649 189450	<b>Ward:</b>	Thornbury South And Alveston
<b>Application Category:</b>	Householder	<b>Target Date:</b>	9th November 2009



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 100023410, 2008. N.T.S. PT09/5331/F

## INTRODUCTION

This application appears on the Circulated Schedule following comments from a local resident which were contrary to the Case Officer's recommendation.

### 1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a detached garage and the erection of a two storey and single front extension. The plans also include a single storey rear extension, however this does not require planning permission and therefore does not form part of the description of development.
- 1.2 The application site relates to large detached dwelling and its associated curtilage. The site is situated within a residential area and is located within 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 Curtilage
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist SPD (Adopted) 2007

### 3. RELEVANT PLANNING HISTORY

- 3.1 N4483 Erection of a two storey extension to form domestic garage and utility room with two bedrooms and a bathroom over.  
**Approved** on 25<sup>th</sup> May 1978
- 3.2 PT08/1811/O Erection of 2 no. dwellings (Outline) with scale, layout and means of access to be determined. All other matters reserved. (Resubmission of PT08/0871/O)  
**Approved** on 5<sup>th</sup> September 2008
- 3.3 PT08/0871/O Erection of 2 no. dwellings (Outline) with scale, layout and means of access to be determined. All other matters reserved.  
**Refused** on 21<sup>st</sup> May 2009

### 4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council

No objection.

4.2 Sustainable Transport  
No objection.

4.3 Local Residents

One response has been received from a local resident. They have requested that the existing line of mature trees be retained, and some replanting as several trees appear to be diseased and dying. They also requested that during the building work every reasonable effort be made to minimise noise and dust.

## 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 development involves the erection of a single storey detached garage. This would be sited to the north of the existing dwelling and would be situated approximately 8.5m from the rear elevation of the neighbouring dwelling known as 'The Redoubt'. It is considered that the stone boundary wall and the distance separating the proposed single storey garage from this nearby dwelling would prevent a material overbearing effect. On this basis it is concluded that the development would not harm the residential amenity of this nearby neighbouring occupier.

5.4 It is acknowledged that the occupiers of 'The Redoubt' have requested that the existing line of mature trees be retained, and some replanting as several trees appear to be diseased and dying. Notwithstanding these comments, it is considered that the development would be acceptable without these mitigation measures. Therefore it is considered unreasonable to attach a landscaping condition to secure these works in this instance. Nevertheless, the applicant has submitted a letter confirming that they plan to introduce planting along this boundary in any case.

5.5 The proposed two storey and single storey front extension would be isolated from the existing surrounding properties and therefore would have no effect on the residential amenity of these occupiers. Nevertheless, it is acknowledged that the site to the front of the dwelling has outline planning permission

- (PT08/1811/O) for two dwellings. Nevertheless the approved layout shows that these new dwellings would be sited away from the proposed extension, and therefore it is considered that the proposed extension would not harm the amenities of the future occupiers of these dwellings.
- 5.6 In view of the above, it is concluded that the proposed development would maintain residential amenities in accordance with policy H4 of the adopted Local Plan.
- 5.7 Visual Amenity  
The proposed dwelling is a detached property situated with extensive gardens. The proposed extensions would be simple and unassuming in terms of their design, massing, and scale. Moreover they would be finished in materials to match the existing dwelling. In terms of the proposed garage, the design would be simple and the scale and massing would be clearly subservient to the host dwelling. On this basis it is concluded that the proposed extension appears proportionate to the host dwelling and would maintain the character and appearance of the existing dwelling and the surrounding residential area. The development therefore accords to policies D1 and H4 of the adopted local plan.
- 5.8 Transportation  
The proposed development includes a new domestic garage. The existing access arrangements would remain unchanged and the garage would consolidate parking arrangements. On this basis it is considered that the development would not result in a significant increase in traffic generation, or would prejudice highway safety. The development therefore accords to policy H4 of the adopted local plan.
- 5.9 Other Matters  
A local resident has requested that during the building work every reasonable effort be made to minimise noise and dust. It is reasonable to expect some short-term disturbances resulting from householder development. It is therefore considered unreasonable and unenforceable to attach conditions restricting construction times. Nevertheless, the applicant has confirmed that they will encourage their builder to try and keep noise and dust to a minimum.
- 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 local residents with regard to boundary treatments have been considered fully. The proposed development would not 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.
  - b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the 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.
  - c) The proposed development would not result in a significant increase in traffic generation or would prejudice highway safety. The development therefore accords to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 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 Planning permission to be **GRANTED** subject to the following condition(s): -

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

### CONDITIONS

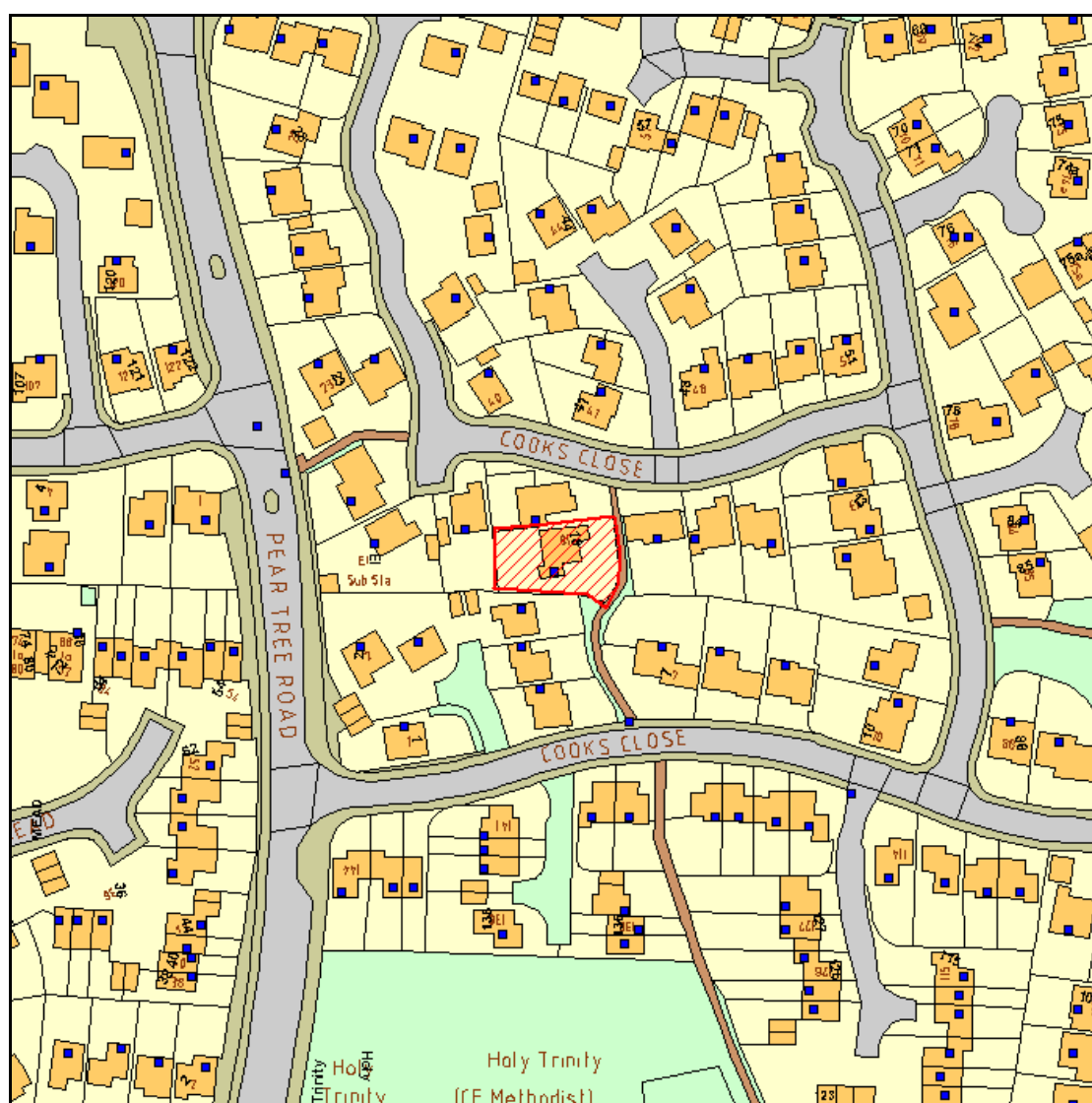
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

## CIRCULATED SCHEDULE NO. 42/09 – 23 OCTOBER 2009

<b>App No.:</b>	PT09/5366/F	<b>Applicant:</b>	Mr J Warner
<b>Site:</b>	18 Cooks Close Bradley Stoke Bristol South Gloucestershire BS32 0BA	<b>Date Reg:</b>	25th September 2009
<b>Proposal:</b>	Erection of two storey side extension to provide additional living accommodation and erection of side attached garage.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	361487 183078	<b>Ward:</b>	Bradley Stoke North
<b>Application Category:</b>	Householder	<b>Target Date:</b>	11th November 2009



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 100023410, 2008. N.T.S. PT09/5366/F

## **INTRODUCTION**

This application appears on the Circulated Schedule following the receipt of objections from a local residents which are contrary to the Case Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the erection of a two-storey side extension and a single storey attached garage on the dwellings southern side elevation.
- 1.2 The application site relates to a detached dwelling and its associated curtilage. The site is situated within a well-established residential area and is 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 Bradley Stoke Town Council

None received.

#### 4.2 Local Residents

Two letters has been received from local residents. Their main concerns are summarised below: -

the proposed bedroom window would directly overlook their garden.

The overlooking of garden due to the breach of rear hedge line.

### **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 and single extension would be situated on the host dwellings southern side elevation. This would be immediately adjacent to the rear garden of No. 4 Cooks Close. To the east of the proposed extension, across the driveway, is No. 17 Cooks Close. Representations have been received from the occupiers of this dwelling who have objected to the development on the grounds of a loss of privacy in their rear garden.

5.4 The proposed development would be situated adjacent to the boundary with No. 4. The single storey element would be immediately adjacent to the boundary, whilst the two-storey element would be set in from the boundary by approximately 2.6m. In view of this siting, and that the development would be situated to the north of No.4, it is considered that the extensions would not result in adverse overbearing effect. With regard to No. 17, this property would be separated from the development by approximately 8-10m (as measured on the Location Plan). It is considered that this distance would be sufficient to mitigate any overbearing effect.

5.5 The proposed extension would include new windows at the first floor level. These would serve bedrooms and an en-suite bathroom. The bathroom window would overlook the garden of No. 4, however the plans show that this window would be glazed with obscured glass, nevertheless it is recommended that this be secured via condition for the avoidance of doubt. The bedroom window in the eastern elevation would face onto the garden No. 17, and the occupiers of this dwelling have objected to this arrangement. However, the window would be approximately 8m from this boundary, and the existing dwelling already includes a bedroom window that overlooks the garden. Moreover any views into habitable rooms would be from an oblique angle and therefore cannot be considered to be direct inter-visibility. It is also acknowledged that the occupiers of No. 7 Cooks Close have raised concerns with regard to a loss of privacy. This property is situated over 10m to the south-east of the proposed development. Furthermore, any views into this property would be from an oblique angle and over a significant distance and therefore cannot be considered to be direct inter-visibility. Therefore, notwithstanding the comments from local residents, it is concluded that the proposed development would not result in a loss of privacy, and any views into and out of properties would be at which is expected within a well established residential area. The proposed

development would therefore maintain residential amenity, in accordance with policy H4 of the adopted local plan.

5.6 Visual Amenity

The proposed extension would result in a two storey and single storey side extension. The extension would echo the gable feature of the host dwelling, and its massing and scale would appear proportionate. 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.

5.7 Design and Access Statement

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

5.8 Use of Energy and Sustainability

To be built to current Building Regulations

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 concerns of local residents with regard to the overlooking of their rear gardens have been fully considered. The proposed development would not 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.

- b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the 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.

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 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).

2. The glazing on the southern elevation (Facing No. 4 Cooks Close) shall at all times be of obscured glass to a level 3 standard or above. The window shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason

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