

**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. 19/11

Date to Members: 20/05/11

Member's Deadline: 26/05/11 (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 **by email 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**

PLEASE NOTE: THE CIRCULATED SCHEDULE PROCESS IS ONLY OPEN TO THE ELECTED MEMBERS OF SOUTH GLOUCESTERSHIRE COUNCIL.

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Development Control Committee, please let the Director of Planning, Transportation and Strategic Environment know within 5 working days of the date of this Schedule (e.g, if the schedule is published on a Friday, comments have to be received by the end of Thursday) (see cover page for the date).

To refer an application(s) members are asked to email MemberReferral@southglos.gov.uk providing details of

- Application reference and site location
- Indicate whether you have discussed the application(s) with the case officer and/or area planning manager
- Indicate whether you have discussed the application(s) with ward member(s) if the site is outside of your ward
- The reason(s) for the referral

The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Development Control 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

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 Planning Manager 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. **Please do not leave it to the last minute**
- Always make your referral request by e-mail to MemberReferral@southglos.gov.uk, where referrals can be picked up quickly by the Development Services Support Team. If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863518, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- 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.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

**Dates and Deadlines for Circulated Schedule
Over the Easter and May Bank Holiday Period 2011**

Schedule Number	Date to Members 9am on	Members Deadline 5pm on
20/11	Fri 26 May 2011	Thurs 02 June 2011

Above are details of the schedules that will be affected by date changes due to Bank Holidays during April and May.

Please note there will be no Circulated Schedule published on Friday 06 May 2011

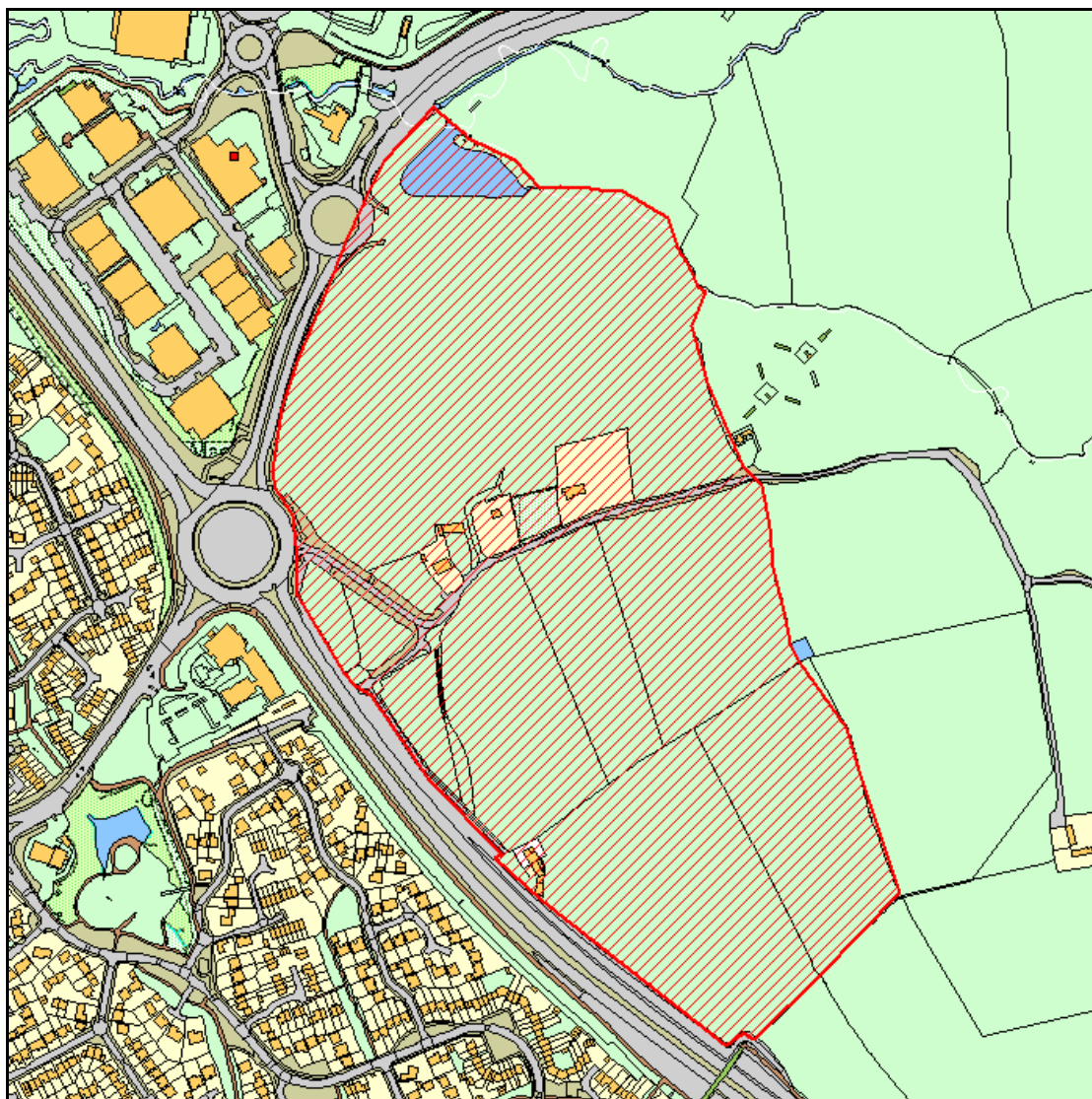
All other schedules during this period will be published as normal on Fridays

CIRCULATED SCHEDULE – 20 MAY 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/2909/FDI	No Objection	Bristol And Bath Science Park Emerson's Green East South Gloucestershire BS16 BS16 7FF	Emersons	Mangotsfield Rural Parish Council
2	PK11/0921/F	Approve with Conditions	51 Chipperfield Drive Kingswood South Gloucestershire BS15 4DS	Kings Chase	None
3	PK11/1057/F	Approve with Conditions	Wick Preschool The Cottage At Wick Village Hall Manor Road Wick South Gloucestershire	Boyd Valley	Wick And Abson Parish Council
4	PK11/1101/F	Approve with Conditions	5 Cleeve Avenue Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
5	PK11/1131/F	Approve with Conditions	14 Goldney Avenue Warmley South Gloucestershire	Siston	Siston Parish Council
6	PK11/1158/F	Approve	Indesit Company Uk Ltd Station Road Yate South Gloucestershire BS37 5HR	Yate North	Yate Town
7	PT11/0008/O	Approved Subject to	Hunts Ground Road Stoke Gifford South Gloucestershire BS34 8HP	Stoke Gifford	Stoke Gifford Parish Council
8	PT11/0961/F	Approve with Conditions	2 Underhill Road Charfield Wotton Under Edge South Gloucestershire GL12 8TQ	Charfield	Charfield Parish Council
9	PT11/1003/RVC	Approve with Conditions	Springfield 1 Townsend Almondsbury South Gloucestershire BS32 4EN	Almondsbury	Almondsbury Parish Council
10	PT11/1061/CLP	Approve with Conditions	Brookside Bristol Road Cromhall Wotton Under Edge South Gloucestershire GL12 8AT	Charfield	Cromhall Parish Council
11	PT11/1065/F	Approve with Conditions	12A Kings Field Rangeworthy South Gloucestershire BS37 7QP	Ladden Brook	Rangeworthy Parish Council
12	PT11/1077/F	Approve with Conditions	49 North Road Yate South Gloucestershire BS37 7PW	Westerleigh	Westerleigh Parish Council
13	PT11/1137/F	Approve with Conditions	Brookside Bristol Road Cromhall Wotton Under Edge South Gloucestershire GL12 8AT	Charfield	Cromhall Parish Council
14	PT11/1164/F	Approve with Conditions	34 Fern Grove Bradley Stoke South Gloucestershire	Bradley Stoke South	Bradley Stoke Town Council

CIRCULATED SCHEDULE NO. 18/11 – 20 MAY 2011

App No.:	PK10/2909/FDI	Applicant:	Quantum Property Partnership
Site:	Bristol And Bath Science Park Emerson's Green East South Gloucestershire BS16 BS16 7FF	Date Reg:	28th October 2010
Proposal:	Diversion of footpath PMR/7/10.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366758 178241	Ward:	Emersons Green
Application Category:	Minor	Target Date:	22nd December 2010



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PK10/2909/FDI

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Under the current scheme of delegation all footpath diversion orders are required to be determined by the circulated schedule process.

1. THE PROPOSAL

- 1.1 The application is made under Section 257 of the Town and Country Planning Act 1990 (as amended) for the realignment of 379m of footpath PMR/7/10.
- 1.2 The application is made under Section 257 of the Town and Country Planning Act 1990 (as amended) and would divert a section of footpath PMR/7/10 to facilitate the development of the Science Park. At present there is a temporary diversion order, avoiding the current construction site.

2. POLICY CONTEXT

- 2.1 National Guidance
Circular 01/2009
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
LC12 Recreational Routes
- 2.3 South Gloucestershire Core Strategy Submission Draft
Policy CS9 Environmental Resources and Built Heritage

3. RELEVANT PLANNING HISTORY

- 3.1 P95/4605 Science Research Park and associated works (Outline). Approved with conditions 14 December 1999
- 3.2 PK07/2755\VAR Modification of Section 106 agreement dated 22 March 2000 attached to planning permission P95/4605 to enable development of the site to take place in the context of a revised masterplan, which is supported by an Environmental Statement. Approved 15 May 2008
- 3.3 PK08/0737/RM Erection of Science Research Park buildings and associated works including erection of two wind turbines. (Approval of reserved matters to be read in conjunction with planning permission P95/4605). Approved with conditions 6 June 2008
- 3.4 PK08/0747/RM Details relating to design, siting, external appearance, landscaping and access for all Phase 1 strategic infrastructure, including roads, services and utilities (Approval of reserved matters to be read in conjunction with planning permission P95/4605). Approved with conditions 6 June 2008

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No objection
- 4.2 Pucklechurch Parish Council
No objection
- 4.3 Westerleigh Parish Council
No objection
- 4.4 Public Rights of Way Officer
No objection.

Other Representations

- 4.5 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle Matters
The diversion of a Public Right of Way is not development as defined in the Town and Country Planning Act. As such a diversion order can only be considered within planning legislation when the diversion of the footpath is required in order to implementation of a planning permission. The nature of the assessment should consider the proposed route and its suitability in terms of the amenity of the public right of way and whether or not the diversion is reasonably necessary in respect of the planning permission it relates to.
- 5.2 The Proposal
Footpath PMR/7/10 currently runs from the south west of Howsmoor Lane in a northerly direction to the Folly Roundabout. The application seeks permission to realign 379m of the footpath so that it runs along Howsmoor Lane (which is being retained in the Science Park as a footway/'eco-corridor'), turns to run north adjacent to the 'Creative Common', dog-legs around the Innovation Centre, crosses the main road into the Science Park at a pedestrian crossing and turns in an westerly direction to the Folly Roundabout.
- 5.3 The diversion is necessary to facilitate the development of the Science Park, especially the Innovation Centre, which is currently under construction. The proposed route avoids the main car park of the Innovation Centre, and runs parallel to the Creative Common- a large feature of the Science Park which consists of communal public open space, also currently under construction. The proposed route also crosses the main road into the Science Park at a point where traffic accessing and egressing the Folly Roundabout would be highly visible (as opposed to the existing route which crosses the main road at an angle and closer to the Folly roundabout junction).

It is also shown as a pedestrian crossing on the approved Science Park Masterplan at this point.

- 5.4 Given the above, it is considered that the diversion is suitable in terms of amenity and reasonably necessary in the light of the current planning permission.

6. CONCLUSION

- 6.1 The recommendation to raise no objection 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 material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That no objection be raised to the proposed diversion of footpath PMR/7/10

Contact Officer: Sarah Tucker
Tel. No. 01454 863780

CIRCULATED SCHEDULE NO. 18/11 – 20 MAY 2011

App No.:	PK11/0921/F	Applicant:	Mr D Isles
Site:	51 Chipperfield Drive Kingswood Bristol South Gloucestershire BS15 4DS	Date Reg:	5th April 2011
Proposal:	Erection of two storey side extension to provide additional living accommodation (Resubmission of PK11/0501/F)	Parish:	None
Map Ref:	365750 174256	Ward:	Kings Chase
Application Category:	Householder	Target Date:	26th May 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of objections from local residents', the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a semi-detached dwelling house located in an elevated position on the southern side of Chipperfield Drive, Kingswood. The location is entirely residential and suburban in character; the dwellings consisting of a mix of modest semi-detached and terraced two-storey houses. The application site is fronted by a green area of public open space. A large parking area, located to the side/rear of no.51 and to the side of no.50, is accessed via a sloping driveway off Chipperfield Drive. Nos 51 and 52 are mirror images of each-other; both currently have single-storey side extensions.
- 1.2 It is proposed to replace the existing single-storey side extension to no.51 with a larger two-storey extension to provide a family room and kitchen at ground floor level with an additional bedroom, en-suite and bathroom at first floor level. The existing parking area and access would remain unaltered.
- 1.3 A previous application PK08/0195/F for a similar proposal was refused for the reasons listed in para. 3.2 below; a subsequent appeal was dismissed. A later application PK08/1779/F for a smaller extension (width 5m and the projection to the rear 2.8m compared to 6.2m and 2.1m previously) was also refused for the reason listed at para. 3.3 below.
- 1.4 The current application seeks to overcome the previous refusal reasons and in doing so the scheme differs from those previously refused as follows:
- The extension is smaller still.
 - The extension now only provides additional living accommodation for the existing property as opposed to creating two additional flats.
 - There are no windows proposed for the side elevation.
 - The front elevation would be set back as opposed to flush.
 - The rear projection is reduced in depth.
 - The parking area would not be altered.
 - The garden would not be sub-divided.
 - There would be a bedroom window in the first floor rear elevation.

2. POLICY CONTEXT

- 2.1 National Guidance
- | | |
|-------|-------------------------------------|
| PPS1 | Delivering Sustainable Development |
| PPS3 | Housing |
| PPG13 | Transport: Guide to Better Practice |

2.2 Development Plans

Joint Replacement Structure Plan

Policy 1 - Sustainable development objectives.

Policy 2 - Location of development.

Policy 33 - Housing provision and distribution.

South Gloucestershire Local Plan (Adopted) 6th January 2006

D1 - Design

L1 - Landscape Protection and Enhancement

L5 - Open areas

L17 & L18 - The Water Environment

EP1 - Environmental Pollution

EP2 - Flood Risk and Development

EP7 - Unstable Land

H4 - Development within Existing Residential Curtilages

T7 - Cycle Parking Provision

T8 - Parking Standards

T12 - Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1 - High Quality Design

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List (SPD) Adopted 23rd August 2007

3. RELEVANT PLANNING HISTORY

3.1 P87/4297 - Erection of Garage

Approved 29 June 1987

3.2 PK08/0195/F - Erection of two-storey side extension to form 2no. self-contained flats with cycle/bin stores and associated works.

Refused 10th March 2008 for the following two reasons:

1. The erection of the two-storey extension as proposed, would adversely affect the present well balanced appearance of this pair of semi-detached houses and would protrude beyond the established building line on Chipperfield Drive, all to the detriment of the street scene and the visual amenities of the locality. Contrary to Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.
2. By reason of inter-visibility between facing habitable room windows in close proximity, the proposal would result in loss of privacy to the detriment of residential amenity for occupiers of neighbouring properties located on the opposite side of Chipperfield Drive. Contrary to Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

A subsequent Appeal Ref: APP/P0119/A/08/2073353 was dismissed 12th Sept 2008 (only the first refusal reason was upheld).

3.3 PK08/1779/F - Erection of two-storey side extension to form 2no. self-contained flats with cycle/bin stores and associated works.
Refused 19 Sept 2008 for the following reason:

1. The erection of the two-storey extension as proposed, would adversely affect the present well balanced appearance of this pair of semi-detached houses and due to its excessive scale and bulk would appear as an incongruous element within the street scene, all to the detriment of the visual amenities of the locality. The proposal is therefore considered contrary to Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

3.4 PK11/0501/F - Erection of two-storey side extension to provide additional living accommodation.
Withdrawn 21 March 2011.

4. CONSULTATION RESPONSES

4.1 Parish Council
Not a parished area.

4.2 Other Consultees
None

4.3 Local Residents
2no. letters/e-mails of objection have been received from local residents, the concerns raised are summarised as follows:

- Lack of parking provision would result in on-street parking in a narrow one-way street.
- Insufficient room in narrow one-way street for construction traffic.
- Overlooking would result in loss of privacy for neighbouring no.13.
- Previous intention to turn property into flats.
- Development would not look symmetrical.
- Loss of daylight for no.13.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The site lies within the residential curtilage of no.51 Chipperfield Drive and within the urban area where there is no in-principle objection to residential development.

5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 33 states that priority will be given to the re-use of previously developed sites *within the urban area*. Furthermore, Policy 2 of the JRSP, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub regional centres.

- 5.3 Government advice contained in PPS3 – ‘Housing’ supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes.
- 5.4 The proposal falls to be determined under Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits extensions subject to criteria that are discussed below. Policy D1 seeks good quality designs in new development.
- 5.5 A subsequent appeal against the refusal of a similar scheme PK08/0195/F was dismissed; the comments of the Inspector in his decision letter are considered to be a material consideration of significant weight in the determination of this current proposal. Whilst the Inspector did not uphold refusal reason 2 he did agree that the proposal would have an adverse impact on the character and appearance of the area. The key issue to assess in this instance therefore is whether or not the revised scheme has overcome this reason for refusal.
- 5.6 Scale and Design
Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 requires a good standard of design, in particular the siting, layout, form, scale, height, detailing, colour and materials should be informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality. These criteria are carried over into Policy CS1 of The South Gloucestershire Core Strategy Submission Draft Dec 2010.
- 5.7 In his decision letter relating to the appeal against the refusal of PK08/0195/F the Inspector noted that:
- “..the roofline of the proposed extension would be lower than the ridge of the existing property. However it would be a wide extension flush with the front elevation and it would also project beyond the existing rear wall of the house. In my opinion, rather than being subservient as suggested, it would be a bulky and disproportionately large addition to the property that would also imbalance the symmetrical appearance of the semi-detached pair of houses.”*
- 5.8 The proposed extension has been reduced in width from the previously refused 6.2m in PK08/0195/F and 5m in PK08/1779/F so that it now only measures 4m wide. The ridge and eaves height of the extension would be set down 0.5m but in this case the extension would be set back 0.7m from the front elevation of the existing dwelling where as previously it was to be flush. To the rear the extension would now project only 1m beyond the rear elevation of the existing house, which represents a significant reduction over that previously refused. Officers consider that an extension to this property, of the dimensions now proposed, would appear sufficiently subservient to the host dwelling and would adequately retain the symmetry of the pair of houses as viewed from the open green to the front. The extension would not project beyond the established building line on Chipperfield Road and would not in officer’s view create such a terracing affect to justify refusal of planning permission. In terms of roof slopes, materials to be used and fenestration etc. the proposal is also acceptable. For these reasons the proposed scale and design are now considered to be

acceptable and would accord with the requirements of Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

5.09 Impact Upon Residential Amenity

Adequate private amenity space would be retained to serve the extended dwelling and in this respect the scheme is not considered to be an overdevelopment of the site. Adequate boundary treatments would also be retained. A condition could control the hours of working on the site so as to lessen the disturbance to residential property during the construction phase.

5.10 The extension would project 1m beyond the rear elevation of no.51 but would not be overbearing, as it would still be an adequate distance from neighbouring property. In terms of overlooking and loss of privacy, officers consider that some overlooking of gardens from first floor windows is a ubiquitous situation in suburban areas. To the east there is a first floor bathroom window in the side elevation of no. 50 but this window is obscurely glazed. Any overlooking of the gardens to the rear of no.50 from the proposed first floor bedroom window, would be from a reasonable distance and would be a similar scenario to that existing.

5.11 Moving to the northern side elevation of the extension; there would now be no windows in this elevation. In the earlier proposal PK08/0195/F, where windows were proposed, the Inspector opined that as the windows were set at a slightly oblique angle and that there were already much closer views from the road into neighbouring windows, the proposal would not result in a significant prejudicial loss of privacy for the neighbours opposite. Having regard to the Inspector's comments and the absence of windows in the proposed side elevation, officers conclude that a refusal reason on the grounds of loss of privacy could not be justified. In reaching this conclusion officers have also considered the proposed front windows, which are considered to be at an oblique angle to those on the opposite side of Chipperfield Drive and do not therefore provide the opportunity for overlooking or inter-visibility.

5.12 Concerns have been raised about loss of daylight for no.13 but given that the Inspector for the previous appeal, which related to a much larger extension, did not raise an objection on these grounds, officers consider that it would not be justified to do so now. Furthermore officers noticed that a fairly large tree growing in the front garden of no. 13 already compromises light to this property.

5.13 Transportation Issues

The applicant's agent has confirmed that the proposed off-street parking area would not be altered in the proposal. The road is a Class IV residential road only and vehicle speeds are not high at this location and where the road is one-way only. Officers are satisfied that whilst reversing onto the highway is not a preferred option, the nature and level of use of this road does not raise concern. Officers are mindful of the fact that there is an existing access to the parking area. The existing parking area can easily accommodate 4 cars (5 present at time of site visit). Officers consider that an objection on highway grounds could not be substantiated and was not previously raised by the Inspector for the earlier appeal.

5.14 Landscape Issues

Policy L1 seeks to conserve and enhance the character, distinctiveness, quality and amenity of the landscape. There is no vegetation of note on the existing site. There are therefore no landscape objections to the proposal. Furthermore the extension would not result in the loss of important open space and therefore accords with Policy L5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.15 Drainage

PPG25 and Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 require that proposed development ensures that foul and surface water disposal arrangements are acceptable and incorporate sustainable drainage principles. In addition, development will not be permitted where it could increase the risk of flooding. The Council's Drainage Engineer has raised no objections to the principle of the development, which would also be the subject of Building Control. Any connection to the public sewer system would first have to be agreed with Wessex Water; connections to Private Sewers are civil matters.

5.16 Environmental Issues

Policy EP1 does not permit development that would unacceptably harm the environment, or the health, safety and amenity of users of the site or surrounding land, as a result of pollution to water, air or soil, or through noise, vibration, light, heat or radiation. Whilst there will inevitably be some disturbance for neighbouring occupiers during the demolition and construction phase, this can be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds.

5.17 Other Concerns Raised

Concern has been raised that, given the previous proposals for flats, the extension might at some time in the future be occupied as a separate flat. This however would require planning permission in its own right. The proposal is linked to the host dwelling by internal doors and has no independent pedestrian access.

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 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.

1. Consideration has been given to the proposal's scale and design and is considered to accord with Policies D1 and H4(A) of the South

Gloucestershire Local Plan (Adopted) 6 Jan 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2011.

2. The scheme is not considered to adversely affect residential amenity in terms of overlooking, loss of privacy, overbearing impact or loss of amenity space and therefore accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
3. The proposal would have no adverse highway implications in accordance with Policy H4(C), T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
4. Consideration has been given to the drainage implications of the scheme and its impact upon the environment in accordance with Policies EP1, L17 & L18 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
5. The proposal would not adversely affect any features of the landscape and accords with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
6. The proposal would not result in the loss of an open area of significant amenity value and is therefore in accordance with Policy L5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

7. RECOMMENDATION

7.1 That planning permission be GRANTED subject to the conditions listed on the Decision Notice.

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 hours of working on site during the period of construction shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat, 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.

CIRCULATED SCHEDULE NO. 19/11 – 20 MAY 2011

App No.:	PK11/1057/F	Applicant:	Mrs J Curry Wick Preschool
Site:	Wick Preschool The Cottage At Wick Village Hall Manor Road Wick Bristol	Date Reg:	5th April 2011
Proposal:	Erection of single storey flat roof extension to provide waiting area.	Parish:	Wick And Abson Parish Council
Map Ref:	370365 172718	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	26th May 2011



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PK11/1057/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This planning application has been referred to the Council's Circulated Schedule in light of objections received by a local resident regarding the proposed development.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey flat roof extension measuring 2.50m in depth x 4.5m in width x 2.50m in height to provide a waiting area.
- 1.2 The application site building is used as a pre-school. The building is locally listed and is located within the settlement boundary of Wick and is washed over by the Green belt.
- 1(b) Information in support of application
The agent has verbally confirmed that a flat roof is proposed for the following reasons:
- Existing first floor window serves a classroom window and this would be blocked by the introduction of a pitched roof. Window would have to be provided elsewhere and this would increase costs.
 - Additional costs associated with construction of a pitched roof and Pre School is a registered charity
 - Due to the success of the pre-school it is proposed to extend the existing single storey flat roof extension to the North Side to accommodate a parent waiting area for safe drop off and collection of pre-school children
 - This area will also be used to display the children's work, which parents can view as they wait.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS5 Planning for the Historic Environment
PPG2 Green Belt
- 2.2 Development Plans
- South Gloucestershire Local Plan (Adopted) January 2006
- D1 Design
 - LC4 Proposals for Educational and Community Facilities within existing the urban area and defined settlement boundaries
 - L15 Buildings and structures, which make a significant contribution to the character of the locality.
 - GB1 Green Belt
 - L1 Landscape Protection
 - T12 Transportation Development Control Policy for New Development
- South Gloucestershire Core Strategy -Submission Draft (December 2010)
CS1 High Quality Design

- 2.3 Supplementary Planning Guidance
Green Belts

3. **RELEVANT PLANNING HISTORY**

- 3.1 Pk04/2738/F Erection of single storey rear extension to form
Disabled toilets
Approved December 2004
- 3.2 PK08/3143/F Change of Use from dwelling house to village hall
Including pre-school
Approved January 2009

4. **CONSULTATION RESPONSES**

- 4.1 Wick and Abson Parish Council
Parish Council fully supports this application

- 4.2 Other Consultees [including internal consultees of the Council]

Listed Building Officer

Comments made. These are addressed in detail under paragraph 5.6 and 5.7 of this report.

Landscape Officer

No objection.

Tree Officer

No objection

Archaeology

No historic comments to make on this proposal

Other Representations

- 4.3 Local Residents
One letter has been received from a local resident raising the following objection regarding the proposed development:
-A flat roof is out of keeping
-Roof should be pitched to match existing roof style

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
Policy LC4 of the South Gloucestershire Local Plan allows for extensions to existing community facilities e.g. nursery provision and schools within the defined settlement boundaries, subject there being no adverse impact on transportation, environmental and residential amenities.

- 5.2 Regard must be had for Policy GB1 of the South Gloucestershire Local Plan that only permits appropriate development.
- 5.3 Regard must be had for Policy L15 of the South Gloucestershire Local that seeks to ensure that development proposals retain buildings and structures that make a significant contribution to the character and distinctiveness to the character and
- 5.4 Green Belt
Policy GB1 of the South Gloucestershire Local Plan defines the categories of development considered appropriate within the Green belt. The extension of or provision of pre-school facilities does not fall within any of the defined classes and therefore is inappropriate development by definition. Policy advice is that inappropriate development should not be permitted unless very special circumstances are demonstrated which are considered to outweigh the harm to the Green belt.
- 5.5 It is considered the proposed single storey extension by reason of its scale and siting would have a limited impact on the openness of the Green Belt. The extension will measure 2.50m in length x 4.30m in width x 2.50m in height and will act as an infill. It is also considered that on balance the factors advanced in support of the application i.e. need to provide additional facilities to accommodate a parent waiting area for safe drop off and collection of pre-school children do amount to very special circumstances.
- 5.6 Visual Amenity
The Council's listed Building Officer is of the following view. The proposal is to enlarge the existing modern flat roofed entrance to approximately double its size, in order to provide a waiting area. The building, which includes village hall and attached cottage, is locally listed, and therefore its heritage significance needs to be understood and protected. The buildings are of traditional construction and appearance, with solid stone walls and pitched tile roofs. They make a positive contribution to the character of the locality. The proposal is relatively minor, however due to the orientation of the building in relation to Wick High Street, the extension as existing is partially visible from public vantage points and the increase in its size will make it more visible. It also serves as the principal entry point to the pre-school and so is a prominent elevation of the building.
- 5.7 As an entire new roof is required (see Design and Access Statement), it would be preferable if this opportunity were taken to construct a new pitched roof, to match the historic building. It would be logical if the pitch ran front to back, parallel with the adjacent rear extension. This would be far more sympathetic than a flat roof.
- 5.8 A letter of objection has also been received from a local resident raising an objection to a flat roof. The Planning Officer acknowledges those comments raised by the local resident and Listed Building Officer and in particular the need to understand and protect this locally listed building's heritage

significance. Generally flat roof additions are not normally encouraged and in particular where there aren't any due to the lack of integration. The Planning officer is of the view however that regard must be had for the existing situation, scale and location of proposed development.

- 5.9 The existing single storey extension to be extended is flat roof and is considered only partially visible due to its current set back position and existing stone boundary wall along the site frontage. Although it is accepted the proposed extension will bring the resultant building forward, it will however be in line with the main two-storey building and it is considered views will only be marginally increased. The external appearance of the proposed front elevation will mirror the existing extension.
- 5.10 Notwithstanding the Listed Building Officer comments, the Planning Officer is of the opinion the proposed extension by reason of its flat roof design would have a limited impact on the character of this locally listed building and immediate surrounding area, and therefore would not warrant refusal of this planning application. It should be noted that Policy L15 of the South Gloucestershire Local Plan relates specifically to development being expected to retain buildings and structures which make a significant contribution to the character and distinctiveness of the locality. It is considered as this application relate to a small-scale extension, this policy does not apply.
- 5.11 Residential Amenity
It is considered the proposed development by reason of its scale and siting would not have an adverse impact on the existing residential amenities of neighbouring occupiers in terms of loss of privacy or overbearing impact.
- 5.12 Landscape Issues
There are no significant trees which will be affected by the proposed extension. Should the construction of the extension necessitate the removal of the existing mature apple tree (which is not worth of retention) which overhangs the site; a replacement tree should be planted within the garden area. This will be secured by way of a planning condition.
- 5.13 Transportation Issues
Due to the scale of the extension and given its proposed function i.e. waiting room, there is no requirement for additional parking provision. It is therefore considered the proposed extension would not give raise to unacceptable levels of on street parking to the detriment of highway safety.

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.

- a) The proposed extension by reason of its design, scale and siting will not have a harmful impact on the character and appearance of this locally listed building or the visual amenities of the surrounding area-Policy D1
- b) The proposed extension have been designed to have regard for the visual amenity and openness of the Green Belt-Policy GB1
- c) The proposed extension has fully taken account of neighbouring residential amenities and through careful design, the proposal will not materially harm the amenities of neighbouring properties by reason of loss of privacy or overbearing impact-Policy LC4

7. RECOMMENDATION

7.1 Planning permission be granted subject to the following planning conditions.

Contact Officer: Tracey Price
Tel. No. 01454 863424

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).

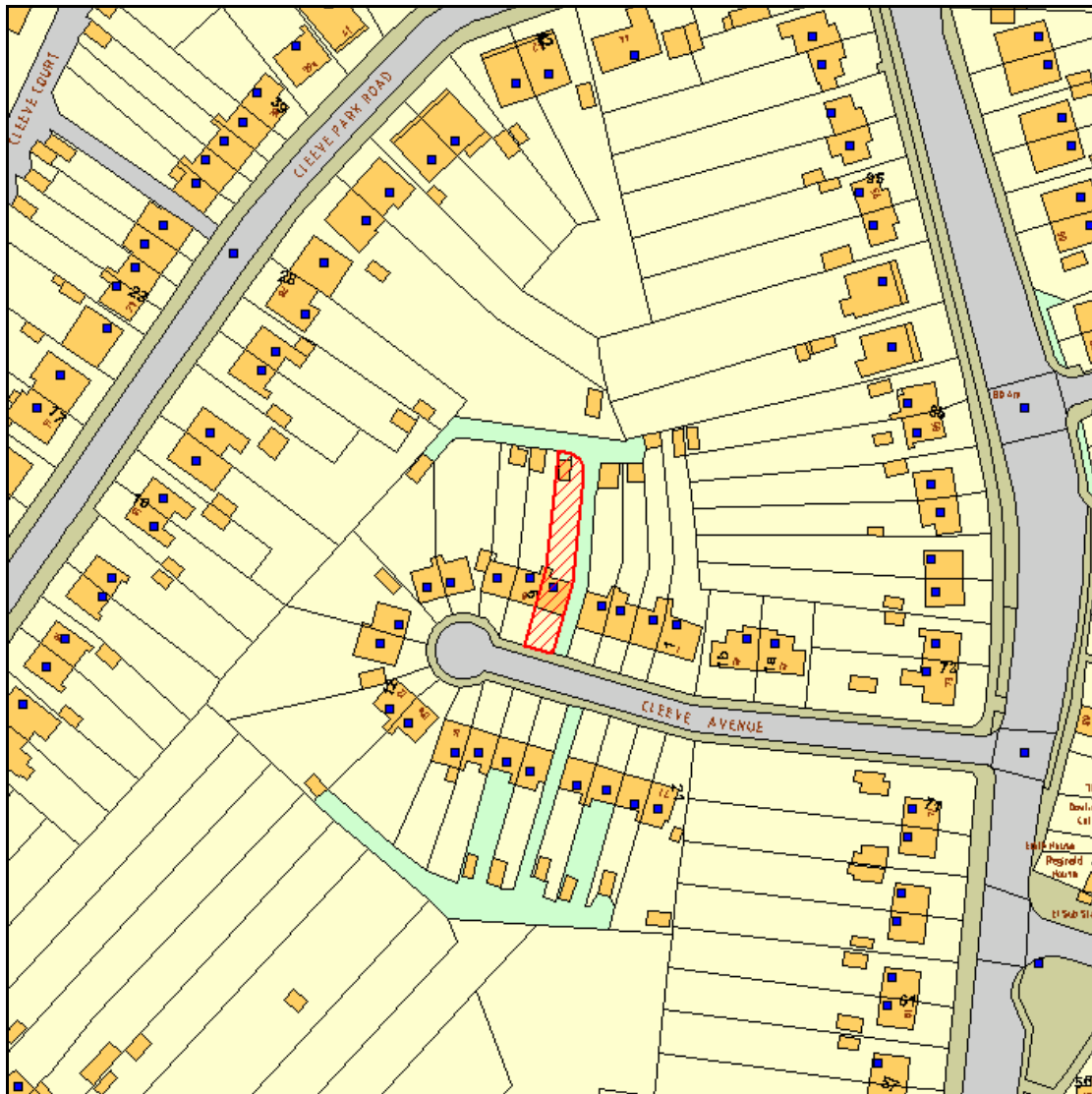
2. In the event the construction of the extension hereby approved requires the removal of the mature apple tree that overhangs the site, details of a replacement tree and its location shall be submitted to and agreed in writing by the Local Planning Authority. The replacement tree shall be planted in the first available planting season in accordance with those approved details.

Reason

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

CIRCULATED SCHEDULE NO. 19/11 – 20 MAY 2011

App No.:	PK11/1101/F	Applicant:	Ms Rogers
Site:	5 Cleeve Avenue Downend Bristol South Gloucestershire BS16 6BT	Date Reg:	6th April 2011
Proposal:	Alterations to roofline to include one rear dormer and one side dormer to form loft conversion.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365098 177103	Ward:	Downend
Application Category:	Householder	Target Date:	31st May 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule due to the receipt of an objection raised by the Parish Council.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a side and rear dormer to form a loft conversion at 5 Cleeve Avenue, Downend.
- 1.2 The property is a two storey end terrace dwelling and is located within a residential area of Downend.
- 1.3 During the course of the application amended plans were requested to omit the Juliette balcony and redesign the rear dormer so that it was not a flat roof design. Amended plans were received, omitting the Juliette balcony as requested and re-designing the alteration of the roof to include a side dormer and a rear dormer.

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

South Gloucestershire Core Strategy, submission Draft December 2010
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
Objection, alteration to the roof line is out of keeping with the other properties in the terrace and will have too great an impact.
- 4.2 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design / Visual Amenity

The proposed dormers are considered to be an improvement on the initial scheme proposed and are of an acceptable standard in design. The scale of the proposal has been reduced and the resultant rear dormer, whilst still quite large is considered to be suitably subservient to the main roof slope. It is accepted that the side dormer would be a dominant feature, however given the existing loft conversion in place at No. 12a Cleeve Avenue, it is not considered that the design of the proposal is of sufficient concern to warrant the refusal of the application. Furthermore, the proposed dormers would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling.

Overall, given the existing loft conversion within the immediate vicinity, it is considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

The application proposes two dormers, one to the rear of the dwelling which would serve a ensuite bathroom and would overlook the rear garden of the property and one to the side of the property which would face no. 4 Cleeve Avenue. The window in the side dormer would serve a staircase and would be obscurely glazed. As such it is not considered that the proposal would result in any inter-visibility or loss of privacy.

The proposed dormers given their location and scale are not considered to result in any overshadowing or overbearing effect on the neighbouring dwellings. Therefore the impact on residential amenity is subsequently deemed acceptable.

6. CONCLUSION

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

6.2 The proposed loft conversion is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. Furthermore the extension would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. As such the

proposal accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 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 Henshaw
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. 19/11 – 20 MAY 2011

App No.:	PK11/1131/F	Applicant:	Mr M Rich
Site:	14 Goldney Avenue Warmley Bristol South Gloucestershire BS30 5JG	Date Reg:	11th April 2011
Proposal:	Erection of attached side garage and front porch.	Parish:	Siston Parish Council
Map Ref:	367295 173346	Ward:	Siston
Application Category:	Householder	Target Date:	1st June 2011



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PK11/1131/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule due to the receipt of one letter of objection from a neighbouring resident.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of an attached side garage and front porch at 14 Goldney Avenue, Warmley. The proposed garage would measure a maximum of 2.8 metres wide by 6.3 metres in depth and would have an overall height to ridge of 4 metres. The proposed porch would measure 1 metre in depth and would link in with the proposed garage.
- 1.2 The property is a two storey semi-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
- South Gloucestershire Core Strategy, submission Draft December 2010
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 PK02/0117/F Erection of rear dormer to form additional bedroom
Approved February 2002

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No response received
- 4.2 Local Residents
One letter of objection has been received from a local resident raising the following concerns:

- Not opposed to the garage but it is set 1 metre in front of the building which is unacceptable.
- Neighbouring property is already set back and the garage would obscure the house from the road completely
- Overbearing
- Obscure view of the access road affecting security.
- Would affect current parking arrangement as a car would no longer fit on the drive
- Add to the existing parking problems
- Cars would block the footpath to the property and would have to park on the access only lane

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 and porch are of an appropriate standard in design and reflect the character of the main dwelling house and surrounding properties. The proposals are of modest size in comparison to the bulk of the main dwelling and are suitably subservient to it. Furthermore, the proposed additions would incorporate materials to match those of the main dwelling, assisting the successful integration of the extensions with the host dwelling.

The proposed extensions would be to the front and side of the dwelling and as such would be visible from Goldney Avenue. There are various porches and garages of different designs within the vicinity, as such, it is considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

The proposed garage would be situated adjacent to the front driveway area of the neighbouring dwelling, No. 12 Goldney Avenue. This neighbouring dwelling is significantly set back from the application site and orientated to angle away from No. 10 Goldney Avenue. At its closest point the proposed garage would be located 5 metres away from the front elevation of No. 12 Goldney Avenue, furthermore a standard 2 metre high boundary treatment, could be erected along the boundary between the two properties under householder 'permitted development rights' without the need for planning permission. As such given the location of the garage, combined with the depth and height of the proposal, it is not considered that the garage or porch would have any significant overshadowing or overbearing effect on this neighbouring dwelling. Whilst the neighbouring dwelling has raised concerns about the proposal, it is not considered that the proposed garage which would only extend 1 metre forward

of the existing dwelling, would result in such a significant impact over and above the existing situation to warrant the refusal of the application. This is especially the case given that the proposal is single storey and has a roof that hips away from the road.

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

5.4 Parking and Highway Safety

The application proposes the erection of the garage, reducing the area of driveway available for off street parking. It is considered that the proposed garage would be of a size too small to accommodate a standard sized vehicle. Whilst applications are assessed using the dimensions of a standard sized vehicle, it is considered that there is space for one car to park on the remaining driveway space and one small car could fit within the garage. The maximum parking standards as set out within policy T8 is 2 cars per three bedroom dwelling. Whilst it is accepted that two standard sized vehicles could not be easily accommodated on the site, the parking provision would remain in compliance and within the Councils required maximum parking standards, as such it is not considered that a refusal reason based on insufficient parking could be substantiated or justified at appeal.

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 extension is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. Furthermore the extension would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact and the parking provision would remain in compliance with Policy T8. As such the proposal accords with Policies D1, T8 and H4 of the South Gloucestershire Local Plan (Adopted) 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 Henshaw
Tel. No. 01454 865207

CONDITIONS

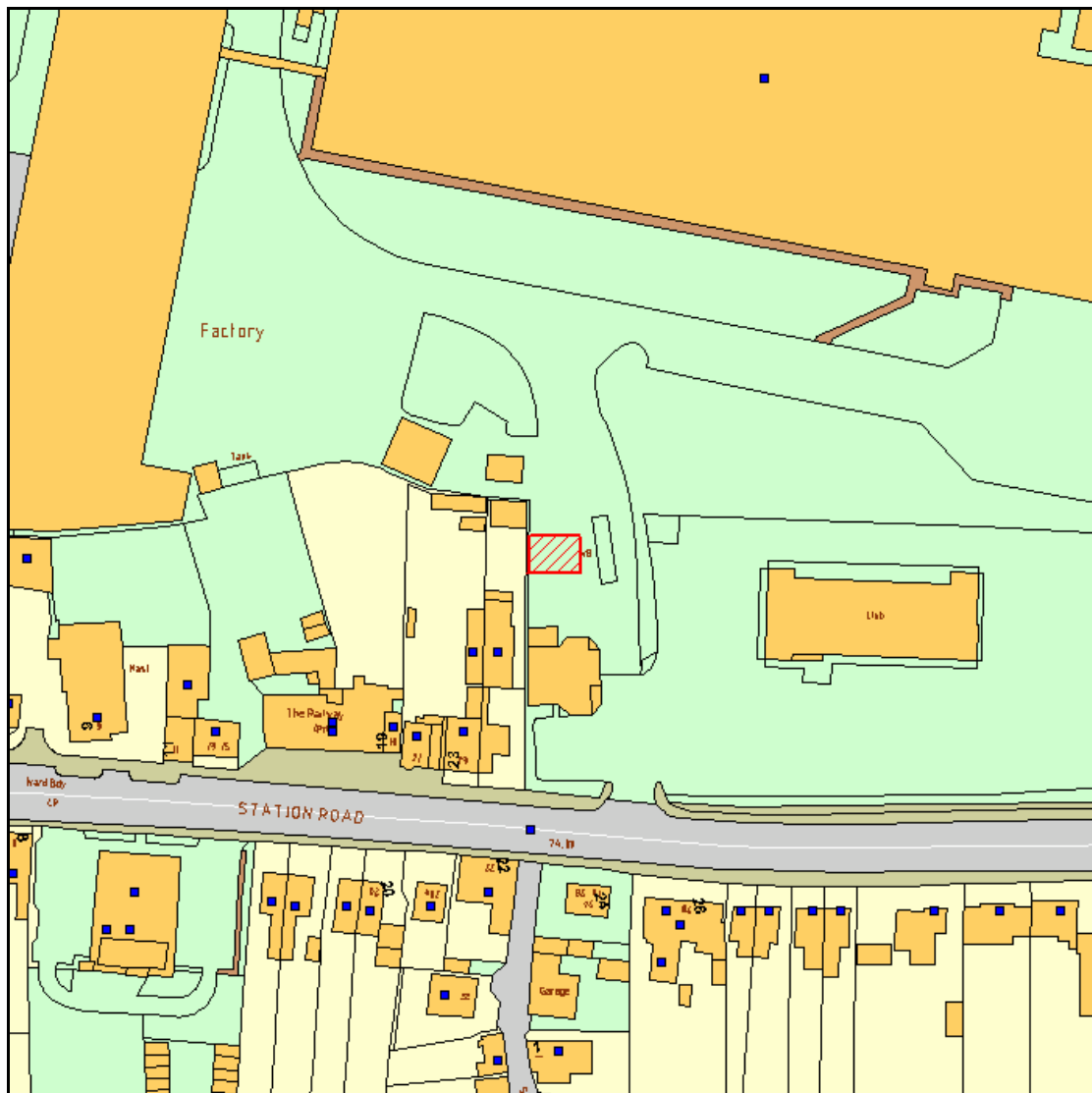
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 19/11 – 20 MAY 2011

App No.:	PK11/1158/F	Applicant:	Mr P Raquel Indesit Company Limited
Site:	Indesit Company Uk Ltd Station Road Yate Bristol South Gloucestershire	Date Reg:	14th April 2011
Proposal:	Erection of single storey extension to provide 1 no. additional bay to cycle shelter. (Retrospective)	Parish:	Yate Town Council
Map Ref:	370396 182678	Ward:	Yate North
Application Category:	Minor	Target Date:	7th June 2011



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PK11/1158/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

A consultation reply has been received, objecting to the proposal, and this is contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission for the erection of a one bay extension to the existing three bay cycle shelter which serves the Indesit factory, which is accessed off Station Road, Yate. The land used for the extension to the shelter was previously used for car parking, as explained in the Design and Access Statement. The shelter consists of a supporting wall at each end with a flat roof between them. The materials are corrugated metal.
- 1.2 The shelter is largely obscured from Station Road by a larger building in front. It is sited at the western edge of the site, next to a house, with the boundary treatment being a 2 metre high close-boarded fence. The height of the shelter is stated as 2.4metres above ground level.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
T7 Cycle Parking

South Gloucestershire Core Strategy -Submission Draft (December 2010)
CS1 High Quality Design

Supplementary Planning Documents
Cycle Strategy for South Gloucestershire, July 2000

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/3905/F Works to site including rearrangement of internal road layout and parking area Approved subject to Section 106 in 2006

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objection.
- 4.2 Other Consultees [including internal consultees of the Council]
Environmental Protection
No objection in principle, but due to the proximity of residential premises, the 24hour use of the site and previous complaints, I would recommend a condition that the shelter is to be used for bicycles only and not for motorbikes.

4.3 Local Residents

One letter of objection was received, citing the following concerns:

- The cycle shelter was only supposed to be temporary and was due to be moved to the other end of the site
- Revving of motorbikes after dark having an impact on the nearby dwelling – the site is in 24 hour use

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. These policies cover the design of the building which has now been extended as well as the provision of cycle parking. Unless design-related, they do not cover the effect on residential amenity caused by cycle (and other) parking. It should be noted that it is only the extension to the cycle shelter which has been applied for an given that this increases the under cover cycle parking capacity by 33.3%, the assessment can only appropriately concentrate on this increase.

5.2 T7: Cycle Parking

In the supporting text (at 6.106) to this policy, criteria are set for the siting of cycle parking facilities. These are: Position, accessibility, security, lighting, shelter and design. These factors are all sought by the policy to be positive to promote cycle use as explained at 6.101. No mention is made of likely impact on residential amenity and the proposal is considered to accord broadly with all the mains set out above. Of particular importance is that the cycle parking is under cover. Should this application be refused, the applicant could still provide cycle parking on the part of the car park used for the extension, but it would not be under cover. Therefore it is considered that the proposal meets the aims of policy T7.

5.3 D1: Design

The necessity of providing cycle parking which is under cover has been analysed above. The design of the extended building is essentially the same as when it was a three bay facility. It is not prominent from public view due to its location and it is considered that its extension functions well and has no detrimental impact on visual amenity. The proposal is therefore considered to accord with policy D1 of the adopted Local Plan.

5.4 Other Issues

The objection is based on the location of the cycle shelter, rather than its extension, and its use for vehicles other than cycles, giving rise to noise nuisance, particularly at night, which has an impact upon residential amenity. This application, as noted above, is for an extension to the building and even without the extension there is nothing within the planning system which can control which vehicles are parked on the land which has been extended over. This is a matter which can only be controlled (through noise complaints) by Environmental Protection, or dealt with at source by Indesit through managing the parking on site to take account of the concerns of neighbours. For instance, a notice could be displayed to prevent the use of the cycle shelter by motorbikes. This is not appropriate to be enforced by planning condition,

however and therefore no such condition is recommended. Instead, an informative will be included on the decision notice to this effect.

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 provides enlarged undercover cycle parking capacity for the site, which is likely to encourage further trips to work by bicycle, thereby contributing to a reduction in trips to work by the motor car. As such, it is considered that the proposal has a positive benefit in promoting sustainable travel patterns and accords with policy T7 of the adopted South Gloucestershire Local Plan.
- 6.3 The recommendation to approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

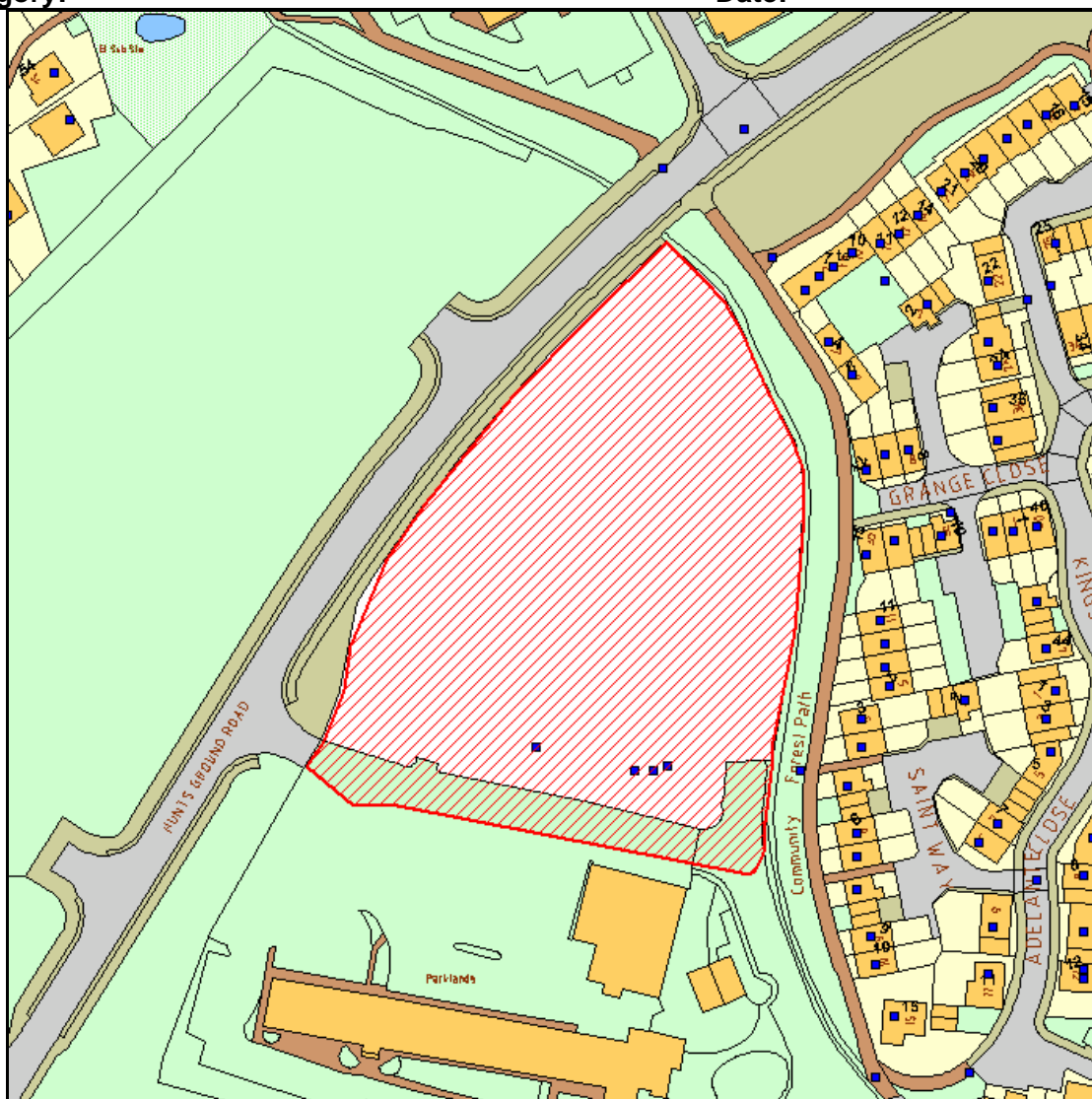
7. RECOMMENDATION

- 7.1 That retrospective planning permission is approved. No conditions are considered to be necessary.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CIRCULATED SCHEDULE NO. 19/11 – 20 MAY 2011

App No.:	PT11/0008/O	Applicant:	WCR Investments Ltd
Site:	Hunts Ground Road Stoke Gifford Bristol South Gloucestershire BS34 8HP	Date Reg:	5th January 2011
Proposal:	Erection of 4000 square metres of B1 Office buildings with associated works including landscaping and car parking. Temporary hard surface car parking on the remainder of the application site on land to be reserved for park and ride facilities. Outline application with all matters reserved.	Parish:	Stoke Gifford Parish Council
Map Ref:	363024 179872	Ward:	Stoke Gifford
Application Category:	Major	Target Date:	5th April 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to an objection to the proposed scheme being received from a local resident.

1. THE PROPOSAL

- 1.1 This application refers to land off Hunts Ground Road, which is situated within the urban area of Stoke Gifford.
- 1.2 The proposed scheme seeks outline planning permission for a development totalling a maximum of 4000 square metres of B1 floor space. All matters are reserved for detailed consideration although the Design and Access Statement and indicative layout plans show the intention to position 2no. office buildings to the front of the site adjacent to Hunts Ground Road and would utilise an existing access. The buildings will be no more than 3 storeys in height and in the interests of residential amenity, where closest to the existing neighbouring residential properties the buildings will step down to 2 storeys.
- 1.3 The application site is allocated under the Policy T3 'Public Transport Route and Park and Ride' which places two requirements on any development proposal. These are: (1) any proposal needs to provide an 11m public transport corridor to the front of the site, and (2) there needs to be provision for a car park as part of a 'park and ride facility'. To address these requirements, the proposed layout retains an 11m wide buffer to the front of the site and to the eastern side of the site there is an area of land reserved to accommodate up to 100no. parking spaces, that in conjunction with the site on the north side of Hunts Ground Road, will form a 'park and ride' facility.

1.1 BACKGROUND INFORMATION – THE APPEAL DECISION FOR PLANNING APPLICATION PT08/3224/F & PT09/0356/O

- 1.4 Following the refusal of the full and outline applications noted in paragraphs 3.4 and 3.5 of this report, the applicant appealed the Council's decision via public inquiry that was held in November 2009. The appeal was dismissed in February 2010 on residential amenity grounds. The appeal decision has considered weight in the determination of this application and so its findings are summarised below.
- 1.5 The three main issues identified by the Planning Inspector that were considered common to both appeals were:
 - (i) The effect of the proposed development on the provision of park and ride facilities (LP Policy T3);
 - (ii) The effect of the proposed development on the living conditions of local residents;
 - (iii) Whether the development makes appropriate provision for highway improvements and travel plans.

(i) Policy T3 – Effect of Proposals on Policy T3

1.7 In considering the Policy T3 reasons for refusal and the Council's case advanced at the public inquiry, the Planning Inspector made the following summarised points:

- During the Local Plan Inquiry, the Council maintained that the site is not intended to fulfil the role of a conventional park and ride and the aim of T3 was then, and still is, to provide an overflow car park for Parkway Station.
- The Council's case at the public inquiry was that, by 2026 there would be an estimated increase in demand for 370 parking spaces at Bristol Parkway. This estimate has to be brought into question in light of the Bristol Parkway North Travel Plan with its various initiatives which are intended to reduce car travel and so there is very little of substance to support a particular level of parking demand. If this demand was thought to materialise, it could be provided on the site to the north of Hunts Ground Road currently under construction.
- At the time of the Local Plan Inquiry, there was a Section 106 agreement in place containing an option enabling the Council to secure the appeal site for a nominal sum. As a result of a subsequent case in the High Court, this option is no longer available to the Council.
- It is accepted that the High Court judgement is concerned with contractual matters rather than planning merits. It is also accepted that the site's plan allocation was not predicated on its availability. Nevertheless, given that the Council would now have to acquire the site through a negotiated sale or compulsory purchase, it is considered that progression of the scheme would be at best considerably more costly and at worse unviable.
- The current commercial valuation of the southern site is likely to exceed £1.1m and even it were to be retained as a potential second car park there is no certainty, given the change in circumstances and ownership, that the site would ever come into fruition. Indeed the Officer's report to DC West considered that the cost of provision would be likely to outweigh the benefits.
- The same report also notes that the Council's inability to deliver the Park and Ride development in the 9+ years since the option to acquire was first secured under the s106 Agreement must be considered material to any balanced judgement on the current proposals. It is also noted that the demand for the car park will not be known until an appreciable time period has elapsed.

1.8 Therefore in light of what was considered to be lack of demand and inability to demonstrate a delivery mechanism for the site, in relation to the Policy T3 issue, the Planning Inspector concluded

'Tying up what is a sustainable brownfield site for an extended period of time when it is unlikely that it will be required for its envisaged purpose, when it may in any event be unviable for that purpose and when it is probable that provision could be made on the northern site must weigh heavily against the site's continued protection under Policy T3. In these circumstances it is concluded

that the conflict within the Policy T3 inherent in the proposed developments would not compel me to dismiss the appeals...’ (para 44).

1.9 The applicant’s appeal in relation to the Policy T3 refusal reason was therefore upheld.

(ii) Effect of Proposals on levels of residential amenity

1.10 With regard to the impact of the development upon the amenities of the neighbouring residential properties, the Planning Inspector concluded that the *‘given the proximity of the buildings to the closest residential properties and their height and width it seems to me that they would appear dominant and overbearing to the residents of those properties....contrary to Policy E3 of the South Gloucestershire Local Plan (2006)’*. Moreover, *‘have found that both of the proposed developments would cause material harm to the living conditions of local residents contrary to LP Policy E3’*.

1.11 The Planning Inspector therefore upheld the Council’s E3 refusal reason and so the appeal was dismissed on this basis.

(iii) Section 106 issues

1.12 The third reason of refusal that related to lack of s106 to secure highway improvements was addressed during the public inquiry through the preparation and agreement of a draft s106 agreement.

1.2 BACKGROUND INFORMATION - THE NORTH FRINGE TO HENGROVE RAPID TRANSPORT ROUTE

1.13 In the time between the public inquiry and the publication of the decision notice, the application site was included in the North Fringe to Hengrove package bid to the Department of Transport (DfT). This now provides the necessary mechanism for delivery missing at the time of the appeal.

1.14 The North Fringe to Hengrove package bid would however not be sufficient to secure the whole site. However, the current scheme delivers the objective of Policy T3 whilst allowing the Council to overcome the Inspectors previous concern.

1.15 Therefore through significant negotiations with the landowner, a mixed use scheme has been agreed that see the site developed for commercial offices but will also include provision for a parking facility that would be acquired and delivered as part of the Hengrove to North Fringe package.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Development
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
T3	Public Transport Route and Park and Ride
T7	Cycle Parking
T12	Transportation Development Control Policy for New Development
E3	Criteria for Assessing Proposals for Employment Development within the Urban Area
EP6	Contaminated Land

South Gloucestershire Core Strategy Submission Draft (December 2010)

CS1	High Quality Design
CS5	Location of Development
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS11	Distribution of Economic Development Land
CS12	Safeguarded Areas for Economic Development

Joint Local Transport Plan 3 (Adopted April 2011)

Chapter 11 'Major Transport Schemes: North Fringe to Hengrove Package', where a park and ride facility is identified at Stoke Gifford on figure 11.8.

3. RELEVANT PLANNING HISTORY

- 3.1 N443/10 Use of land as transit depot and retention of existing structures in connection therewith. Approved 1981
- 3.2 P87/1948 Use of land for storage of motor vehicles. Approved 1987
- 3.3 PT08/1991/F Erection of 3 storey office block and structure containing Biomass boiler and fuel store and associated works. Withdrawn on officer advice due to requirement for future rapid transit route buffer zone.
- 3.4 PT08/3224/F Erection of 3 storey office block and structure containing Biomass boiler and fuel store and associated works. (Resubmission of PT08/1991/F). Refused planning permission 12 June 2009 for the following reasons:.
1. The proposed development would result in the loss of a park and ride site allocated in the adopted South Gloucestershire Local Plan and is therefore contrary to Policy T3 of the adopted South Gloucestershire Local Plan.
 2. The proposed office block due to its height and proximity to the eastern boundary of the site would result in an overbearing impact on the residents of Saint Way, harming their reasonable residential amenities. The proposal is therefore contrary to Policy E3 of the adopted South Gloucestershire Local Plan.

3. The application is not supported by an agreed S106 planning obligation to provide off-site highway improvements and a travel plan with associated target performance bond and in this regard the proposal is contrary to Policy T12 of the adopted South Gloucestershire Local Plan.
- 3.5 PT09/0356/O Erection of 6210sqm of B1 office buildings plus car parking, erection of biomass boiler, fuel store and associated works. Outline with all matters reserved. Refused planning permission 12/06/2009 for the following reasons:
1. The proposed development would result in the loss of a park and ride site allocated in the adopted South Gloucestershire Local Plan and is therefore contrary to Policy T3 of the adopted South Gloucestershire Local Plan.
 2. The proposed office blocks due to its height and proximity to the eastern boundary of the site would result in an overbearing impact on the residents of Saint Way, harming their reasonable residential amenities. The proposal is therefore contrary to Policy E3 of the adopted South Gloucestershire Local Plan.
 3. The outline application is not supported by an agreed S106 planning obligation to provide off-site highway improvements and a travel plan with associated target performance bond and in this regard the proposal is contrary to Policy T12 of the adopted South Gloucestershire Local Plan.

4. **CONSULTATION RESPONSES**

4.1 Stoke Gifford Parish Council
No comment

4.2 Other Consultees

Environment Agency

No objections subject the inclusion of a number of recommended conditions related to drainage matters (which have been attached).

Public Rights of Way

No objections subject to standing advice in the form of attached informative

Ecology

No objections subject to a attaching a condition requiring a hedgerow working methodology and management plan be submitted for written approval to the Council to both safeguard and maximise the existing hedges.

Archaeology

Whilst it is unlikely that any surviving remains of the demolished brickworks or later structures are of national importance, it is considered necessary to

undertake a limited archaeological evaluation of the site to clarify the nature and significant of any surviving remains.

A condition requiring an appropriate archaeological evaluation is therefore to be attached to any consent.

Environmental Protection

No objections subject to a ground contamination report being prepared and submitted for written approval prior to commencement. A scheme of remediation must also be submitted for written approval by the Council. Other standing advice in the form of conditions and informatives to be attached to any consent is also recommended.

Wessex Water

No comment

Tree Officer

No comment

4.3 Local Residents

2no. consultation responses were received from local residents.

1no. consultation response made the following summarised comments:

- It is pleasing to see the developers has listened to the concerns of local residents and have sought to relocate the office buildings away from the forest community footpath and the residential housing of Saint Way;
- The proposed thickening of the hedge (through a landscaping scheme to be agreed at detailed stage) is welcomed but the proposed planting need not exceed 2 metres as they did previously (to screen the office buildings) and so the impact on natural light levels need not be significantly effected.

4.4 1no. consultation response objected to the proposed scheme on the following summarised grounds;

- From the their windows they look over and through the deciduous trees for much of the year giving much needed light to habitable rooms and there is a concern that the proposed end of the building is will facing these windows;
- The concern is exacerbated by the fact that the building is to be 3-storeys high;
- The potential reinforcement of the landscaping adjacent to the footpath could further restrict incoming light.

5. ANALYSIS OF PROPOSAL

Principle of Development

5.1 The principle of the change of use of the land from B2 to office use (B1) that would entail if this planning permission were granted for this scheme was established through the previous applications and was not contested

during the appeal. Therefore in terms of policy, the acceptability of the change of use of this site has already been established.

- 5.2 With regard to Policy T3 and the objectives of the Joint Replacement Transport Plan 3 (JLTP3), the proposed scheme makes provision for the safeguarding of an 11m wide corridor to the front of the site. The layout also includes a car park that in addition to the car park to the north of Hunts Ground Road will provide the car parking facility required by Policy T3 and the JLTP3. Consequently it is considered that the proposed scheme is compliant with Policy T3 and thus, the principle of the development is considered acceptable.
- 5.3 Finally for the proposed scheme to be considered acceptable, the residential amenity concerns raised by the Planning Inspector will need to be addressed.

Residential Amenity

- 5.4 The previous applications saw the proposed office buildings positioned to the rear of the site adjacent to the eastern boundary and in very close proximity to a public footpath and a number of residential properties. At the closest point, the separation distance between a proposed 3-storey office building and a neighbouring residential property (No.4 Saint Way) would have been only 16.5 metres). This was considered unacceptable by the Planning Inspector on the grounds that it would lead to unacceptable overbearing/ overshadowing effects on these closest residential units affected.
- 5.5 To address the Inspector's decision, the proposed office buildings have been repositioned to the west of the site adjacent to Hunts Grounds Road. The result of this is that the separation distance between the previous nearest residential property (No.4 Saint Way) and the proposed office buildings would increase from 16.5 metres to approximately 75 metres. The closest point now between a 3-storey office building and a neighbouring residential property is 35 metres. Where the building steps down to 2-storeys the separation distance reduces to 32.5 metres. These separation distances are considered to be sufficient to avoid any negative impact on residential levels and thus fully address the amenity concerns raised by the Planning Inspector and the concerns expressed as part of the consultation process. This fact is further demonstrated by submitted cross sections that clearly shows the site lines from the second floor habitable room windows of the closest residential properties passing over the office buildings thereby ensuring that there would be no significant loss of skyline and subsequent enclosure of view.
- 5.6 It is therefore considered that the separation distances now proposed are sufficient to safeguard the residential amenities of the neighbouring residents. Whilst views of the office buildings will undoubtedly be obtainable from the habitable room windows to the neighbouring residential properties, the separation distances will ensure that the building will not result in any enclosure of views that would be oppressive or cause overshadowing to the detriment of residential amenity levels.

Transportation

- 5.7 As referred to previously, Policy T3 places two distinct requirements for any development on the site to accord with. These are: (1) provision of parking

facility and; (2) an 11m wide corridor at the front of the site which is to be reserved for a future rapid transit system.

- 5.8 The proposed scheme accommodates a parking facility in conjunction with the car park on the northern side of Hunts Ground Road that is nearing completion. It is considered that together this will provide the required 'park and ride' facility which although set at a reduced in scale to meet the delivery objective secured by the DfT bid, accords with the objective of Policy T3. Therefore subject to a suggested head of terms of secure the parking facility, it is considered that in light of the recent appeal decision and the status of the North Fringe to Hengrove Package, the proposed scheme represents an acceptable position in relation to achieving compliance with Policy T3
- 5.9 The proposed scheme and its layout satisfactorily addresses the issue of safeguarding an 11m wide but a condition is suggested to ensure that this reservation becomes available for any rapid transit system should the need come forward.
- 5.10 With regard to direct impact on the surrounding highway network, the view of the authority and the applicant is that the site currently has an authorised B2 use and so the change of use to a B1 office use would generate an increase in vehicle movements within the peak hours and on a local highway network, which already suffers from congestion. The previous application on this site proposed to mitigate the increase in traffic by a contribution towards the North Fringe Transport Matters scheme identified within the SGLP based upon the number of vehicle movements within the morning peak hour. From analysis of the national TRICS database this would equate to 13 movements in the peak hour and as a consequence this traffic generation needs to be offset against the agreed traffic generation that was established at the recent appeal.
- 5.11 The original £257,000 contribution was based on a large office development. In light of the reduced floor area, on a pro-rata basis the contribution required to mitigate the traffic generation would be £133,040. Officers are of the opinion that the same principle in relation to the 70/30 split should still apply as it gives an incentive to ensure the travel plan is implemented effectively. This leads to an upfront contribution of £93,128 with an additional contribution of £39,912 should the travel plan aspirations not be met.
- 5.12 Finally as with the previous applications, there is a need to improve pedestrian and cycle parking facilities and this obligation will also need to be picked up under the S106 as the crossing is within the public highway.

Design/ Layout

- 5.13 The application is outline with all matters reserved and so Design & Access Statements is critical in terms of 'fixing' principles of amount, layout, scale, and sustainability, all by which subsequent reserved matters can be considered. These issues will be discussed in detail below.

Layout & Amount

- 5.14 The layout of the proposed scheme is considered to be driven by the constraints on the site - the proposal reserves the LRT 11m corridor, pulls buildings away from the nearby dwellings and contains parking to the rear of the dwellings. The consequence of this is that the buildings are now presented to the Hunts Ground Road frontage, as opposed to the previously scheme which had them set to the rear. There are no in-principle objections to this and it is considered a preferable solution to achieve a landmark development of some architectural prominence.

Scale

- 5.15 The 2-3 storey commercial office development is proposed is considered to be appropriate in this context.

Sustainability

- 5.16 SGLP Policy D1 (G) and the Policy CS1 (8) from the emerging Core Strategy require developers to demonstrate how they intend to help achieve energy conservation objectives and the protection of natural resources. In response to this the proposed offices are to be designed and constructed to achieve a BREEAM 'very good' standard.

Section 106 Requirements

- 5.17 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 transportation improvements and contributions can appropriately be the subject of a Section 106 Agreement that 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 proposal would contribute to the provision of a parking facility and would protect the 11m LRT corridor and so is considered compliant with Policy T3. Sufficient mitigation is proposed to help offset the impact of vehicle generation and would make provision to improve pedestrian and cycle access and so is considered compliant with Policy T12. The revised position of the office buildings would also help existing levels of residential amenity are safeguarded and so the proposal can be considered compliant with Policy E3.
- 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 authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out 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:

- (1) The developer/ owner enters into a legal agreement to allow the local authority to exercise an option to purchase the area reserved for park and ride facility (as shown on drg no.0100 Rev. B) within 3 years from the date of planning permission.
- (2) The developer/owner makes a financial contribution of £133,040 to help mitigate the additional impact of the proposed development traffic through contributions towards the North Fringe Major Scheme.
- (3) The submission of details for approval and subsequent construction prior to the first use of any office accommodation of the pedestrian/cycle crossover as shown in principle of drawing number 2547/0100/B.

7.2 The reason for this agreement is

- (1) To comply of Policy T3 of the South Gloucestershire Local Plan (Adopted January 2006);
- (2) To mitigate traffic generation and congestion;
- (3) To provide suitable pedestrian/ cycle crossing facility.

7.3 If the S106 Agreement is not signed and sealed within 12 months of this determination then, in view of the length of time, the application should either:

- (a) Return to the Development Control Area Committee for reconsiderations;
or
- (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a Section 106 Agreement, for the reasons listed in section 7.1.

Contact Officer: Robert Nicholson
Tel. No. 01454 863536

CONDITIONS

1. Approval of the details of the layout, scale and appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the layout, scale and appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Plans and particulars of the reserved matters referred to in the condition above, relating to the layout, scale and appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

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

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

5. Application for the approval of the reserved matters shall be in accordance with the parameters described in the design and access statement hereby approved and plan numbers 0101 Rev.B, 0102 Rev.A and 0100 Rev.B.

Reason

To prevent an unsatisfactory mix of development and over- development of the site.

6. The 11 metre buffer zone, as shown on approved plan no. 0100 Rev. B and received on 28th Feb 2011 shall be retained for the purposes of a future rapid transit route and shall not be developed in any way apart from as shown on the aforementioned plan.

Reason

To protect the future route of a potential rapid transit route and to accord with Policy T3 of the South Gloucestershire Local Plan (Adopted January 2006).

7. The hours of working on site during the period of construction shall be restricted to 0800 hours to 1800 hours 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 minimise disturbance to occupiers of Saint Way and Grange Close and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. A tree survey and details of tree protection and retention, together with the measures for their protection during the course of the development shall be submitted to and agreed in writing to the local planning authority. Development shall be carried out in accordance with the submitted details.

Reason

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

9. Prior to the commencement of development, detailed drainage 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 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. The development hereby approved shall be constructed to a Building Research Establishment Environmental Assessment Method (BREEAM) standard of 'Very good.' A formal assessment shall be undertaken by a licensed BREEAM assessor and a copy of the assessors report and the Post Construction Certificate shall be submitted to the Local Planning Authority prior to occupation of the building.

Reason

To ensure the development minimises green house gas emissions as well as the use of energy and natural resources in accordance with PPS1 and its supplement Planning and Climate Change, SGLP Policy D1, The South Gloucestershire Design Checklist SPD and Policy CS1 of the emerging South Gloucestershire Core Strategy (Submission Draft December 2010).

11. Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

In order to ensure the adequate protection of archaeological remains, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. Prior to the commencement of development a ground contamination report shall be prepared and submitted to the Local Planning Authority for written approval. If

subsequently necessary, a scheme for remediation shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any unit hereby permitted is first occupied.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policies EP6 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason

To prevent non-point source pollution and flooding, and to accord with Policies (L17/L18/EP1/EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

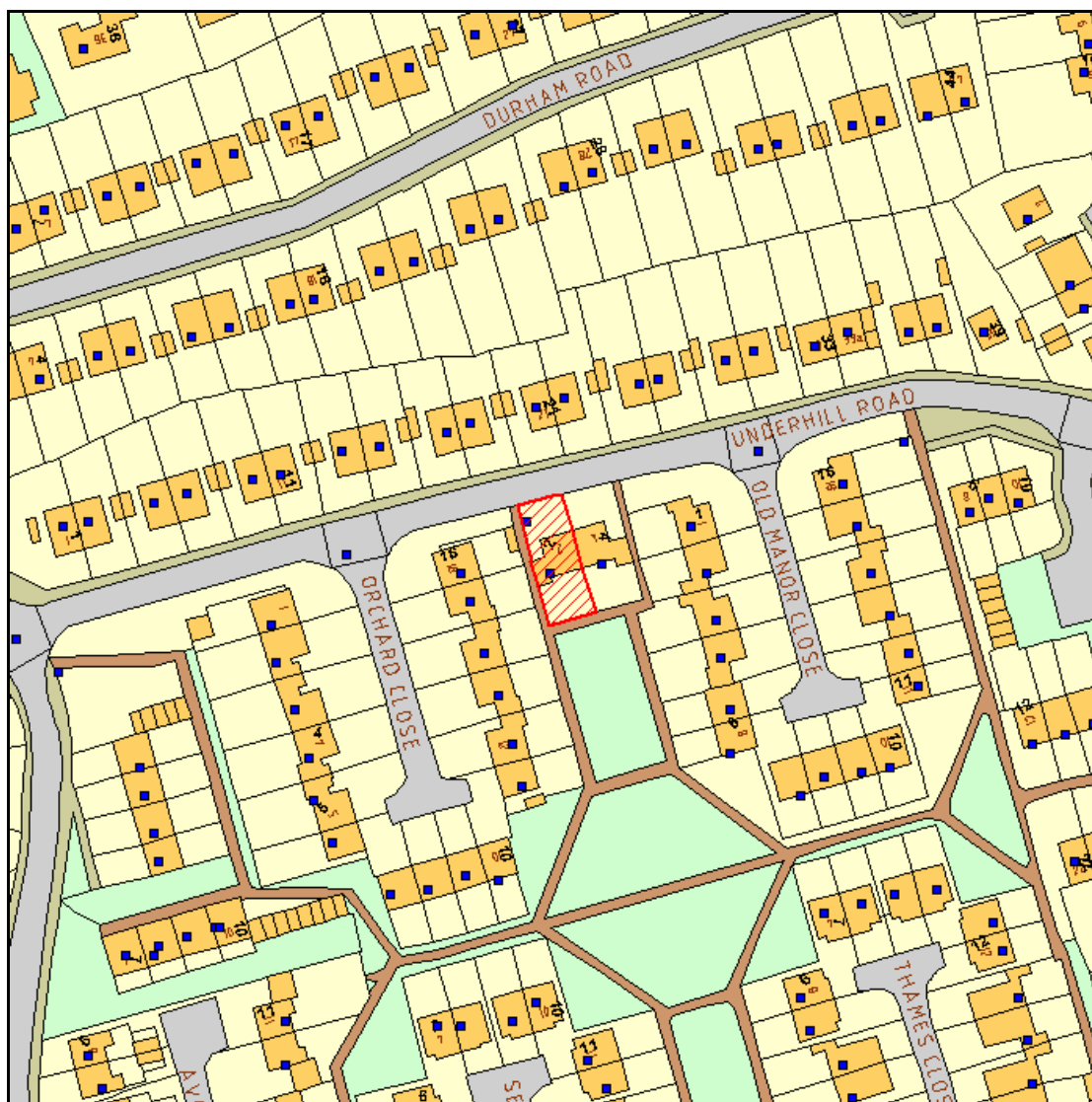
14. A travel plan framework shall be submitted to the local planning authority prior to the occupation of any of the office buildings hereby approved. The agreed scheme shall be implemented as approved before relevant development hereby permitted is brought into use; or otherwise agreed in the travel plan.

Reason

To encourage means of transportation other than the private car, to accord with Policies T10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 19/11 – 20 MAY 2011

App No.:	PT11/0961/F	Applicant:	Mr Shaun Vizard
Site:	2 Underhill Road Charfield Wotton Under Edge South Gloucestershire GL12 8TQ	Date Reg:	15th April 2011
Proposal:	Erection of single storey side and rear extension to form garage and additional living accommodation.	Parish:	Charfield Parish Council
Map Ref:	372115 192045	Ward:	Charfield
Application Category:	Householder	Target Date:	7th June 2011



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PT11/0961/F

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

This application is being circulated to Members because the Officer's recommendation is contrary to a written representation received from a local resident.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey wrap around side and rear extension. It would run the length of the rear elevation and the depth of the existing house to create a garage at the side facing to the front.
The side extension would extend approximately 10.6 metres in depth, effectively extending an existing garage and the rear elevation would measure approximately 10.4 metres in length. It would be approximately 3.4 metres wide with a ridge height at approximately 4.2 metres falling to circa 2.9 metres at the eaves at the front and 2.3 metres to the eaves at the rear. The materials would match the existing.
- 1.2 The application site relates to a two storey semi-detached dwelling of brown brick and grey tiles with cladding at first floor level. It is located in a well-established residential area in Charfield within an existing Settlement Boundary.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Design
H4: Development within Existing Residential Curtilages
- 2.3 Emerging Policy
South Gloucestershire Council Core Strategy Proposed Changes Version December 2010:
CS1: High Quality Design
- 2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist Supplementary Planning Document 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
No objection.

4.2 Local Residents

1 letter received from a local resident objecting to the proposal on the following grounds:

- a) will spoil the views from lounge and bedroom window;
- b) not in keeping with surrounding houses.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposed development consists of an extension to a dwelling within an existing residential curtilage. Policy H4 of the Local Plan permits this type of development in principle subject to the following considerations.

5.2 Residential Amenity

The proposed development would have windowless side elevations and whilst the garage is extended forwarded, the front elevation would not alter in terms of design with the garage door and a side door remaining as existing albeit with a shallow pitched roof replacing the existing flat roof. As such it is considered that whilst the view from the rear of No. 14 Orchard Close will alter slightly, the proposed development would not represent such an alteration or such an obstruction as to result in material harm to the residential amenity of the occupiers of this neighbouring dwelling. Furthermore a footpath approximately 2 metres wide separates the back garden boundary of No.14 Orchard Close with the western side boundary of the application site. Two approximately 1.8 metre tall walls flank this footpath and given the distance between the application site and the neighbouring occupier, it is considered that there will be little if any detrimental impact on the residential amenity of the neighbouring occupiers.

The proposed rear extension would abut the boundary shared with No.4 Underhill, however with a windowless side elevation and at single storey level it is not considered to result in loss of privacy or an overbearing impact on the neighbouring occupiers of this property.

The rear elevation would have French doors and some glazing however there is already significant glazing on the existing rear elevation. The rear garden backs onto a footpath and open space to the rear of the property. Accordingly it is considered that the proposal would not give rise to material overlooking, intervisibility between principal rooms or loss of privacy. Sufficient space would be retained to serve the host dwelling and the proposal raise no issues in terms of highway safety.

As such the proposed development is not considered to result in material harm to the existing level of residential amenity afforded to neighbouring and future occupiers and the proposed development meets criteria contained in Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.3 Design/Visual Amenity

The proposed development would replace the existing flat roof garage with a larger garage including a pitched roof. This side extension would extend back to meet the rear extension. The rear extension would run the length of the rear elevation.

Whilst concerns have been raised about the proposal appearing out of keeping with the surrounding houses, from the Officer's site visit, other such extensions

are evident on neighbouring houses in the locality with similar design approaches. Notwithstanding that the front of the garage would be brought closer to the existing building line, this front elevation would remain very similar to that existing already and as such would remain in keeping with the street scene. The pitched roof is preferable in terms of maintenance and visual amenity than the flat roof and at single storey, the proposal would appear subservient to the main dwelling.

Materials would match the existing and hence would not compromise the existing character of the dwelling or the established character of the street scene. As such it is considered that the proposal would meet criteria contained in Design policy D1 of the South Gloucestershire Local Plan (Adopted) 2006 and the South Gloucestershire Design Checklist.

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 At single storey level with part of the proposal effectively extending an existing side structure when combined with existing boundary treatments, it is considered that the proposal would maintain existing levels of residential amenity afforded to neighbouring and future occupiers. Other similar extensions are evident in the locality and the street scene would remain relatively unaffected. As such it is considered that the proposal meets criteria in policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) 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 planning permission be **GRANTED** subject to the following conditions.

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

CONDITIONS

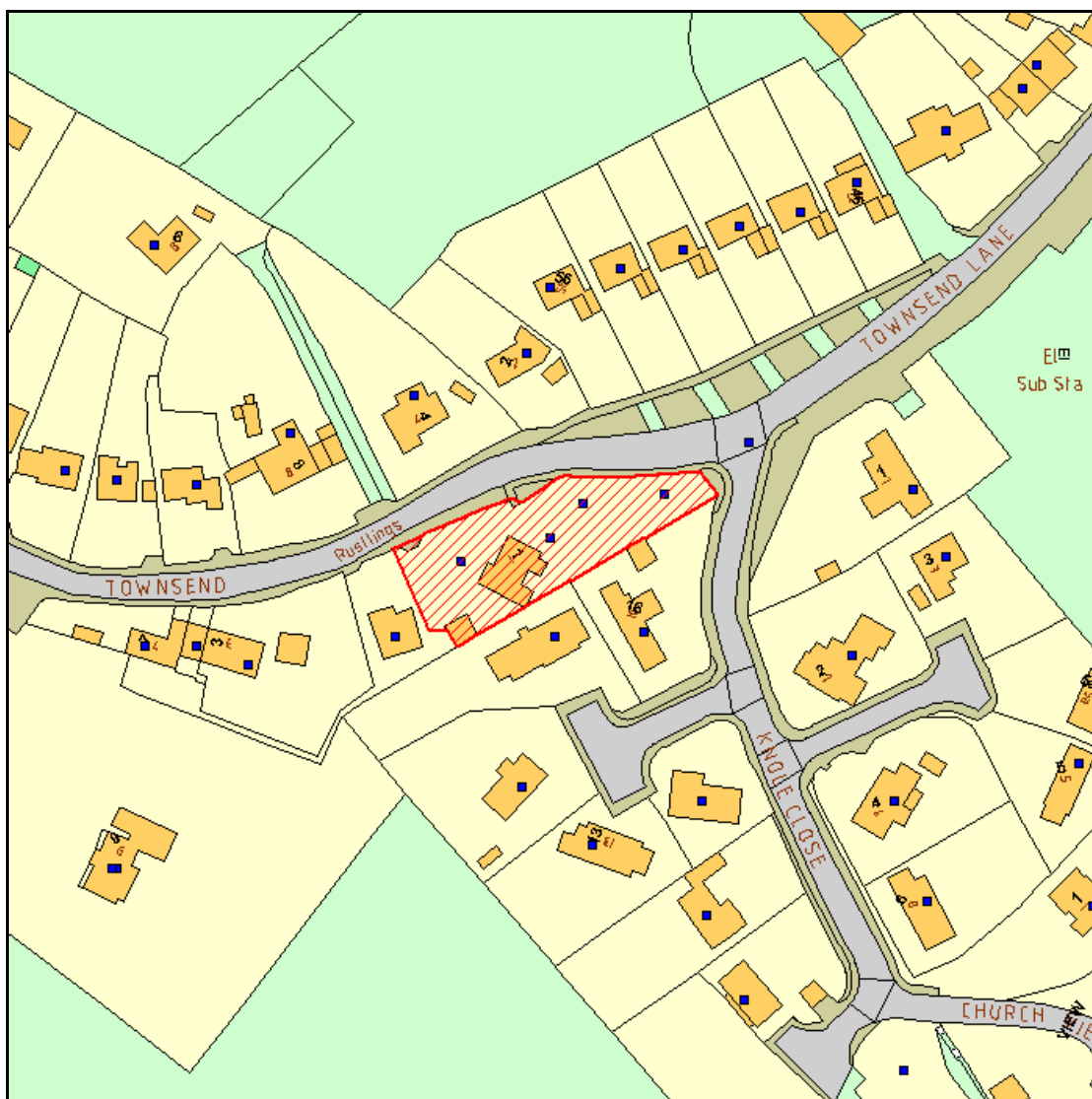
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 19/11 – 20 MAY 2011

App No.:	PT11/1003/RVC	Applicant:	Firmstone Developments Ltd
Site:	Springfield 1 Townsend Almondsbury South Gloucestershire BS32 4EN	Date Reg:	5th April 2011
Proposal:	Variation of conditions 9 and 14 and removal of condition 12 attached to appeal decision for PT07/2200/F to allow repositioning of plot 1, 3no. single garages and a contained area of hardstanding, a single storey rear extension to plot 1 and alterations to approved elevations (Part Retrospective).	Parish:	Almondsbury Parish Council
Map Ref:	359762 183862	Ward:	Almondsbury
Application Category:	Minor	Target Date:	26th May 2011



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 100023410, 2008. **N.T.S.** **PT11/1003/RVC**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule for a second week owing to further letters of objection received during the extended consultation period (owing to an amended description, there has been no change to the proposal).

1. THE PROPOSAL

- 1.1 As submitted, the application sought a variation to condition 14 attached to planning permission PT07/2200/RVC to allow three single garages and a carport, a single-storey rear extension, the repositioning of plot 1 and alterations to the approved elevations. Planning permission PT07/2200/F was allowed on appeal.
- 1.2 The application relates to four new dwellings that are almost complete on the south side of Townsend, Almondsbury. The application site lies within the Almondsbury settlement boundary that is washed over by the Green Belt.
- 1.3 Condition 14 of PT07/2200/F details the approved drawings. As such, this application would allow changes to the approved scheme through the submission of revised drawings. Condition 14 was added to the planning permission by way of a non-material amendment (PT11/0322/NMA).
- 1.4 Consideration of the submitted details has highlighted that the changes would also require the variation of condition 9. This stipulates that *'The driveways and off street parking facilities shown on the plans hereby approved shall be provided before the dwellings are first occupied and thereafter retained (the driveways with a bound surface) for that purpose'*. The description of the proposal has been amended to reflect this.
- 1.5 The repositioning of plot 1 has been added to the description of development given that this is not referred to by the application although has become apparent during Officer consideration of this scheme.
- 1.6 Consideration of the application also highlights that the proposal would require removal of condition 12; *'No structure, erection or planting exceeding 0.6m in height shall be placed along the site frontage within 2m of the carriageway'*. The description of development has been amended to reflect this.
- 1.7 It is noted that a number of the conditions attached to PT07/2200/F have not yet been discharged. In the event that planning permission is granted, these would need to form conditions of this permission.
- 1.8 Condition 5 of planning permission PT07/2200/F removes permitted development rights.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development

PPG2: Green Belts
PPS3: Housing
PPG13: Transportation
PPS25: Planning and Flooding

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
GB1: Development in the Green Belt
H2: Proposals for Residential Development
H4: Development within Residential Curtilages
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
L1: Landscape Enhancement and Protection
L17: The Water Environment
L18: The Water Environment
LC12: Recreational Routes

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1: High Quality Design
CS17: Housing Diversity

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/1181/F: Demolition of 'Springfield' and associated outbuildings; erection of four dwellings and associated infrastructure. Withdrawn: 25th May 2007
- 3.2 PT07/2200/F: Demolition of existing dwelling 'Springfield' and associated outbuildings; erection of four dwellings; construction of new access and associated infrastructure (resubmission of PT07/1181/F). Refused: 19th October 2007- Appeal Allowed
- 3.3 PT11/0322/NMA: Non-material amendment to PT07/2200/F to allows approved plans to be listed as additional planning condition. No objection: 18th March 2011

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
Objection: 'Almondsbury Parish Council object strongly to over development on a small plot and the garages and carport would make this worse'.
- 4.2 Almondsbury Parish Council has reiterated their objection during the extended consultation period.
- 4.3 Other Consultees

Other Representations

4.4 Summary of Local Residents Comments

Three letters received expressing the following concerns:

- This is a retrospective application- nearly all elements of the proposal are complete;
- This application appears a case of 'going through the motions' and is a further example of the disdain endured at past consultation stages;
- Two of the oil tanks (plots 3 and 4) breach fire safety regulations and are sited too close to drains (Building Control Officer advice should be sought);
- The boiler flue from plot 3 exhausts at body height and close to the public footway (Building Control Officer advice should be sought);
- The 'garden room' to plot 1 comprises a solid extension that is built;
- In moving plot 1 to the left, the upstairs windows now face almost directly into that property behind- as approved the offset nature of these windows was considered to be acceptable;
- The appeal decision stipulated that no structure more than 600mm in height should be erected within 2m of the carriageway, this rule is breached by the current structure and the railings;
- Does the drainage solution have the Councils support? It was understood that water would be diverted to the east of plot 1 into established drains but it seems that water is diverted to the north. This might have safety implications due to collapsed drains;
- One letter cites that the changes proposed have a less damaging impact on near neighbours than some of the other major changes that have not been sanctioned- the conditions attached to the approval appear to have been completely ignored;
- The finished houses are not in keeping with the character of the area;
- Concerns in respect of the original scheme remain; i.e. height, loss of privacy at rear, exacerbation of flooding problems and poor design;
- The height and position of the dwellings should be investigated prior to any changes being allowed.

4.5 The following additional concerns (3 letters) have been raised during the extended consultation period (some concerns above are repeated);

- The flow of surface water from the steep drives recently completed will not be caught in the street drainage system but flow across the road possibly flooding those properties opposite;
- The curved arches above the ground floor openings are omitted;
- The chimneys are larger than those shown;
- There is no 'carport' but instead the tall gates will discourage parking and this change is an attempt to increase the small courtyard behind;
- The steepness of the drive to plot 1 will discourage parking.

4.6 In response, comments from the Councils drainage engineer advise that within the drainage design, there is a requirement for a drainage channel across the drives to collect runoff from the paved areas and this approach is considered acceptable. Further, the curved arches are the subject of a suggested condition and whilst it is noted that the chimneys differ slightly from those

shown on the plans, it is not considered that permission could be reasonably withheld on this basis. Finally, given that the appropriate level of car parking space has been provided, it is also not considered that planning permission could be withheld on this basis with a suggested condition requiring the retention of these parking facilities.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The principle of development has already been established by the grant of planning permission PT07/2200/F. This application seeks a number of alterations to the permitted scheme. In this regard, planning policies H2 and H4 are permissive of proposals for residential development subject to considerations of design, residential amenity and highway safety.

5.2 The Proposal

The application seeks a number of amendments to the approved scheme; these can be summarised as the following:

Plot 1:

- Repositioning of dwelling;
- Single garage structure in lieu of shared double garage;
- Single-storey extension to the rear of the property;
- Repositioning of kitchen door and new utility room window;
- Removal of brick heads above windows;
- Railings in front of plot.

Plot 2:

- Single garage in lieu of shared double garage;
- Kitchen door in lieu of window;
- Removal of brick heads above ground floor openings.

Plot 3:

- Single garage in lieu of shared double garage;
- Living room/ dining room window/ French doors swapped;
- Brick heads above ground floor openings removed.

Plot 4:

- Shared double garage replaced by open car parking space;
- Repositioning of garden wall;
- Position of living/ dining area and kitchen swapped;
- French doors in lieu of single doorway to former kitchen area;
- 1.1m high railings to front of plot;
- Brick heads above ground floor openings removed.

Each plot will be considered in turn in respect of design, residential amenity and highway safety issues.

6.0 **Plot 1**

6.1 **Design/ Visual Amenity**

The new dwelling has been moved eastwards (closer to plot 2) by 1.6m to allow a single garage adjacent to the west flank site boundary; at the time of the Officer site visit both dwelling and garage were almost complete with the garage measuring 3m in width and 6.4m in length and covered by a pitched roof. Materials match those of the main dwelling. The garage is set well back from the front of the plot close to the rear site boundary and in design terms, these changes are considered to be acceptable.

6.2 The single-storey extension comprises an infill addition squaring the floor plan of the dwelling aligning with the side and rear walls of the property. It is considered that the original design of the dwelling lends itself to an extension in this position (albeit permitted development rights were removed) which, given its rear location, would not appear readily visible from public viewpoints. On this basis, there is no objection to this element of the proposal on visual amenity/ design grounds.

6.3 Repositioning of the kitchen door and utility room window has provided a larger window on the rear elevation with a door to the side; these changes are considered to be acceptable in design terms.

6.4 Removal of the brickheads above the ground floor windows is considered to be unfortunate and results in a bland appearance to the development; this element of the proposal is not considered to be acceptable thus in the event that planning permission is granted, a condition should be attached to require the submission of an amended plan (the brickheads are still shown on the site elevation but not the house elevations) showing these details. (These comments are applicable to each plot.)

6.5 Further alterations to plot 1 would also allow the erection of railings to the front of the property; the agent considers these to be necessary given the difference in levels at the front of the site; these railings are not yet in situ. The railings would necessitate removal of condition 12 of PT07/2200/F and in design terms are considered to be acceptable

6.6 Further alterations to the proposal are also noted to comprise the addition of a chimneybreast to the side of the dwelling; this alteration is considered to be acceptable given that it enhances the detailing of the property.

6.7 **Residential Amenity**

The repositioning of the dwelling increases the separation distance to 1A Townsend thus it is considered that there can be no reasonable objection on this basis; the agent has confirmed that the house has not been moved forwards/ backwards. However, the garage is closer to this neighbouring property but given that it is the side elevation of this dwelling that faces the garage, which appears devoid of primary windows (albeit containing the front door), it is not considered that any significant adverse impact in residential amenity is caused. This is having regard also to the size of the garage and the level of spacing retained.

- 6.8 Concerning that property immediately behind, the officer report in respect of PT07/2200/F advised:

'Given the constraints imposed by the proximity of these adjoining dwellings (behind), the number of rear facing first floor windows has been kept to a minimum although one bedroom window within the rear of units 1, 2 and 3 is proposed. In this regard, that serving unit 1 would be within the recessed wall allowing a distance of 19m to the rear of 15 Knole Close. This would serve the smallest bedroom and would align with the far end of the bungalow behind: thus at the opposite end to its existing bedroom window.'

With the property moved eastwards, this window no longer aligns with the end of this property but is inset. However, given that the property has not been moved backwards, it is considered that any associated refusal reason would be very unlikely to prove sustainable given the separation distance retained between these windows.

- 6.9 It is not considered that there would be any other residential amenity issues as a result of the further changes with the new rear window/ door at ground floor primarily overlooking the host rear garden.

6.10 Highway Safety

Comments from the Councils Highways Engineer advise that the level of parking provided for this dwelling is acceptable thus there is no objection to this element of the proposal on highway safety grounds. The railings would also not interfere with driver visibility when leaving the property.

6.11 Impact on the Openness of the Green Belt

The application site lies within the Almondsbury settlement boundary that is washed over by the Green Belt. Given that the principle of infill development is acceptable, it is not considered that the changes made would have any significant adverse impact on the openness of the Green Belt over and above that of the permitted scheme. (This is considered to be the case for the changes in respect of each plot.)

7.0 **Plot 2**

7.1 Design/ Visual Amenity

Alterations to plot 2 are less extensive with a single-garage having been built to serve this property in lieu of the approved shared double garage; the agent has confirmed that the position of the dwelling has not altered. There is no objection to this alteration (true also for the kitchen door) with the single garage lower than the approved double garage.

7.2 Residential Amenity

It is not considered that the changes made to plot 2 have resulted in any significant adverse impact in residential amenity with the reduced height of the garage helping to reduce its impact on those dwellings behind and with changes to fenestration at ground floor level (properties behind are at a higher level). .

- 7.3 Highway Safety
Comments from the Councils Highway Officer advise that the level of parking remains acceptable thus there is no related highways objection.
- 8.0 **Plot 3**
- 8.1 Design/ Visual Amenity
Changes to plot 3 are similar to those in respect of plot 2 with a single garage provided in place of shared double garage and with changes to the living/ dining room fenestration at ground floor level. As such, there is again no objection to these alterations on design/ visual amenity grounds.
- 8.2 Residential Amenity
Again, as per plot 2, the reduced height of the garage helps reduce its impact on those residents behind whilst the fenestration changes are at ground floor level. Accordingly, it is not considered that any significant adverse impact in residential amenity would be caused.
- 8.3 Highway Safety
Comments from the Councils Highway Officer cite that the level of parking remains acceptable thus there is no highway objection to this element of the scheme.
- 9.0 **Plot 4**
- 9.1 Plot 4 has the smallest private garden thus the developer decided to omit any form of garaging with an area of hardstanding instead provided (for vehicle parking) in an attempt to open up the garden space; this is in conjunction with the repositioning of the rear garden wall which has been set back. These alterations are considered acceptable with the omission of the garage helping to increase the area of spacing around the dwelling when viewed from the highway.
- 9.2 There are also a number of alterations to the ground floor fenestration as detailed above. These changes are considered to be acceptable with no significant changes when viewed from the front. Repositioning of the down pipe also has raised some local concern but as with all units, it is understood that this now covers the render expansion joint. On this basis, this further amendment is also considered to be acceptable.
- 9.3 Residential Amenity
The omission of the garage reduces the impact of the proposal on those properties behind whilst alterations to the fenestration are at ground floor. Accordingly, again it is not considered that any significant adverse impact in residential amenity has been caused.
- 9.4 Highway Safety
There is no highway objection to the omission of the garage given that the car parking space is still available. There is also no objection to the new railings

(and the associated removal of condition 12) given that driver visibility would remain acceptable.

10. OUTSTANDING CONDITIONS

- 10.1 Third party comments received in respect of the oil tanks and boiler flues request Building Control Officer comments with these considered to be in breach of safety regulations. In response, Building Control Officer advice has indicated this issue would be dependent upon the specification of the apparatus fitted. Consequently, the agent has confirmed his satisfaction with this element of the scheme. Notwithstanding this, it is not considered that planning permission could be reasonably refused on this basis with the proposal subject to the checks under Building Control Regulations.
- 10.2 As part of the process to discharge conditions attached to PT07/2200/F, the Councils Drainage Engineer has visited the site and confirmed acceptance of the drainage scheme.
- 10.3 The site has been the subject of ongoing monitoring by the Councils Enforcement Team with the height of the dwellings and their proximity to the highway one of the many issues that has been considered.

11. CONCLUSION

- 11.1 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.
- 11.2 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.
- 11.3 The recommendation to grant permission is for the following reasons:
1. The repositioning of plot 1, the new single-storey rear addition serving this dwelling, and the amended parking provision and fenestration layout for plots 1, 2, 3 and 4 respects the character and appearance of the original scheme and that of the local area thus would accord with Planning Policies D1 (Achieving Good Quality Design in New Development), H2 (Proposals for Residential Development) and H4 (Development in Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. The repositioning of plot 1, the new single-storey rear addition serving this dwelling, and the amended parking provision and fenestration layout for plots 1, 2, 3 and 4 are acceptable having regard to issues of residential amenity and thus accords with Planning Policies H2 (Proposals for Residential Development) and H4 (Development in Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The repositioning of plot 1, the new single-storey rear addition serving this dwelling, and the amended parking provision and fenestration layout for plots 1, 2, 3 and 4 does not cause any significant adverse impact to the openness of the Green Belt over and above that of the permitted scheme. The proposal therefore accords with Planning Policy GB1 (Development in the Green Belt) of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The amended parking provision in respect of plots 1, 2, 3 and 4 is acceptable having regard to issues of highway safety and accords with Planning Policies T8 (Parking Standards) and T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

12. **RECOMMENDATION**

12.1 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).

2. Within three months of the date of this decision, full details on plans at a scale of 1:20 of roof details (including eaves, verges and chimneys) and reveals to windows/ door openings shall be submitted to and agreed in writing by the Local Planning Authority. Development shall accord with these agreed details.

Reason

To ensure a satisfactory standard of design and in the interests of visual amenity; all to accord with Planning Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The dwellings shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes; Technical Guide. No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code 3 has been achieved.

Reason

To help ensure a sustainable form of development and to accord with Planning Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E and G), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

In view of the restricted nature of the application site and in the interests of visual and residential amenity, all to accord with Planning Policies D1, H2, H4 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No windows other than those shown on the plans hereby approved shall be inserted at any time in the dwellings or garages hereby approved.

Reason

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

6. Notwithstanding the submitted details, within three months of the date of this decision, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details. For the avoidance of doubt, these details shall include amended details in respect of the 900mm fence enclosing plot 1 which is not approved and corrected details in respect of land at the eastern end of the site forming the corner of Townsend and Knole Close.

Reason

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

7. Notwithstanding the submitted details, within two months of the date of this decision, 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 planning policies L17 and L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The driveways and off street parking facilities shown on the plans hereby approved shall be permanently retained (the driveways with a bound surface) for that purpose.

Reason

In the interests of highway safety and to provide an acceptable level of car parking, all to accord with Planning Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. No vehicle entrance gates shall be fitted at any time.

Reason

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

10. Within two months of the completion of the dwellings hereby approved, the results of the dilapidation survey of the highway shall be submitted to and agreed in writing with the Local Planning Authority. Any damage to the highway shall be made good by the developer prior to the occupation of any of the dwellings hereby approved.

Reason

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

11. Within in two months of the date of this decision, amended plans detailing the provision of the frontage footway at a minimum width of 1.6m shall be submitted to and agreed in writing by the Local Planning Authority. Development shall accord with these agreed details and the frontage footway shall be built to an adoptable standard prior to the occupation of any of the dwellings hereby approved.

Reason

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

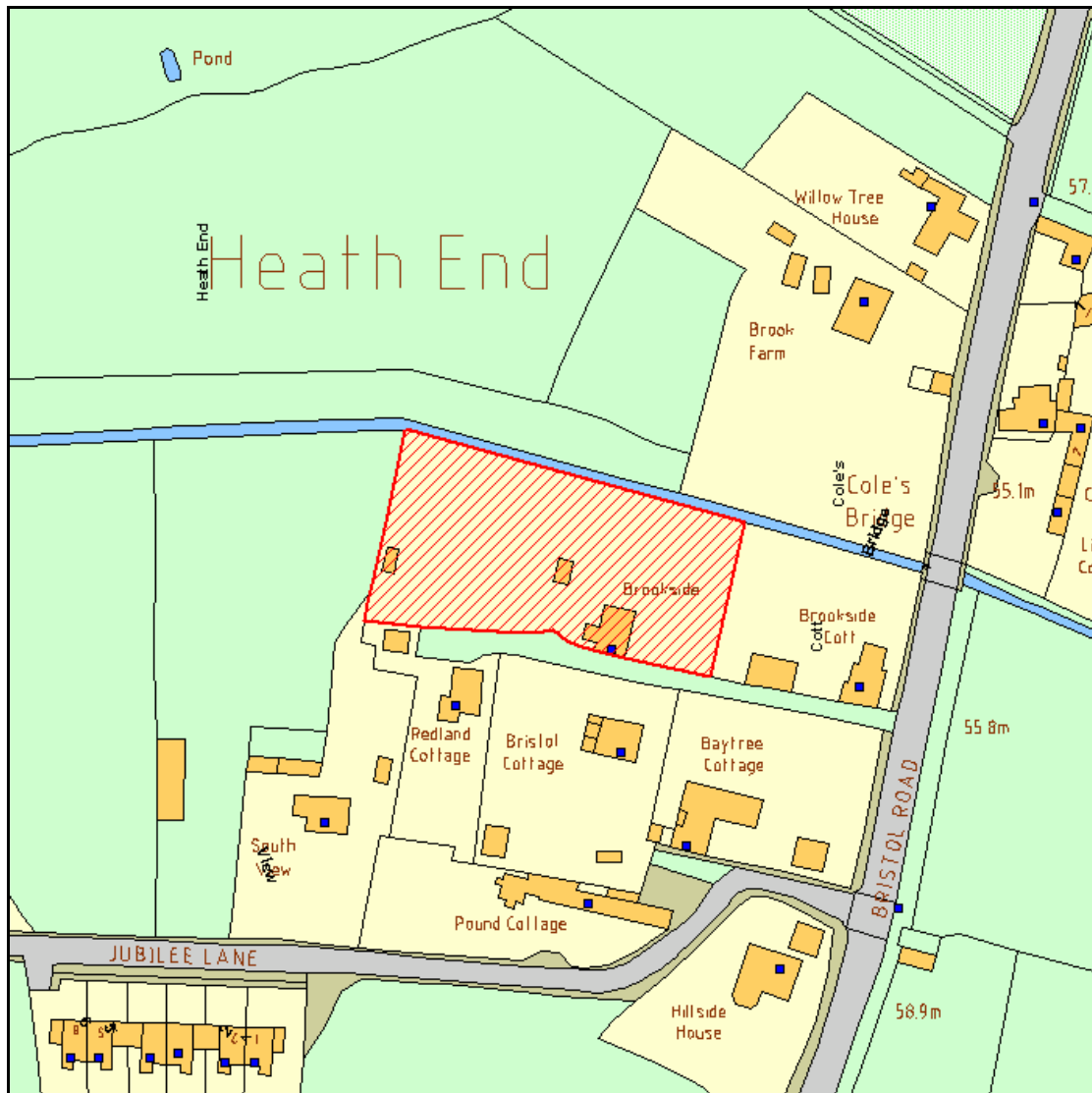
12. Notwithstanding the submitted details, within one month of the date of this decision, amended details in respect of the provision of brickheads above the ground floor windows of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Development shall accord with these approved details.

Reason

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

CIRCULATED SCHEDULE NO. 19/11 – 20 MAY 2011

App No.:	PT11/1061/CLP	Applicant:	Ms S Steel
Site:	Brookside Bristol Road Cromhall Wotton Under Edge South Gloucestershire	Date Reg:	6th April 2011
Proposal:	Application for Certificate of Lawfulness for the proposed erection of a detached triple garage.	Parish:	Cromhall Parish Council
Map Ref:	369662 189506	Ward:	Charfield
Application Category:	Minor	Target Date:	27th May 2011



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N.T.S.

PT11/1061/CLP

INTRODUCTION

This application for a Certificate of Lawfulness appears on the Circulated Schedule in line with the arrangements for delegated powers. In addition objections have been received in relation to the proposal.

1 DESCRIPTION OF DEVELOPMENT

- 1.1 The application seeks a Certificate of Lawfulness of Proposed Use (CLOPUD) to establish the lawfulness of a detached garage at the dwelling known as Brookside. The property comprises a detached dwelling on the north side of a private track leading to three houses. The curtilage of Brookside covers some 2500 square metres. The property is outside of any conservation area.
- 1.2 The proposed garage measures 8 metres by 6 metres in footprint. The proposal drawings are shown and annotated as being less than 4 metres high and having eaves heights being a maximum of 2.5m above ground level. The garage would be located approximately 11 metres from the existing dwelling and the existing garage would need to be removed in order to facilitate the garage.
- 1.3 The evidence submitted attempts to demonstrate that the proposal constitutes permitted development by virtue of Class E, Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2008 and as such would be lawful. Accordingly the test is one of evidence rather than a balancing of planning merits against the Development Plan policy. The evidence test is on balance of probability.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
Town and Country Planning (General Procedures Order 1995 Article 24

3. RELEVANT PLANNING HISTORY

N1725/1 Renovation of existing dwelling and erection of extension to form bedroom and bathroom at first floor level; erection of front porch, (in accordance with the revised plans received by the Council on 24th August, 1976). Approved

N5619 Erection of single storey side extension to provide bathroom and bedroom. Approved

PT10/1908/F Erection of two storey side and rear and single storey rear extensions to provide additional living accommodation. Erection of side conservatory. Installation of 2no. rear dormers. Erection of detached double garage with self contained office space above ancillary to main dwelling. Refusal and dismissed at appeal.

PT10/1911/F Erection of 2no. holiday let units. Refusal and dismissed at appeal.

PT11/1059/CLP Application for Certificate of Lawfulness for the proposed erection of a detached single storey office and guest bedroom and construction of paved driveway. Pending Consideration

PT11/1137/F Erection of two storey side and rear and single storey rear extension to form additional living accommodation (Re-Submission of PT10/1908/F) Pending Consideration

4. CONSULTATION RESPONSES

4.1 Cromhall Parish Council

Council is concerned that this proposal is excessive for what it is replacing and wonders whether this falls within permitted development.

4.2 Streetcare Drainage

Objection due to the site being located in a flood risk 2/3 zone.

4.3 Local Residents

Three letters of objection have been received from local residents who makes the following points;

- ◆ Triple garage seems excessive and out of proportion
- ◆ The residents only own one car each
- ◆ More cars indicates more risks at the junction with the B4508.
- ◆ Concern that the build standard is too good for a garage and could be converted to accommodation.
- ◆ Another building is being erected at the site and this may be at the same location of the proposed garage.
- ◆ Lack of need to triple garage as applicants have already built a large shed.
- ◆ Should a change of use be envisaged in future then full planning procedures should be adhered to.
- ◆ Concern about flooding.

5 SUMMARY OF EVIDENCE IN SUPPORT

5.1 The submission has plans drawn to scale and annotation covering planning assessment detailing how it is considered the proposal falls within the terms of Class E, Part 1 of the GPDO 2008.

5.2 The planning history does not indicate that permitted development rights have been removed by condition.

5.3 The applicants have written in to advise that there was a very large puddle in the garden over the winter but this was for one day only. They feel that concerns about flooding by neighbours is inappropriate and misleading. The applicants claim to have only 'normal use' of the track to the house as opposed to the previous occupiers very little use of the track as the previous residents did not have a car.

6. SUMMARY OF CONTRARY EVIDENCE

Aerial photographs from 1991, 1999, 2005 and 2006 indicate that the extent of the domestic curtilage as being that shown in the application form and that as such the site can be considered domestic curtilage for the purposes of this application.

There is no contrary evidence.

7. EVALUATION of EVIDENCE

7.1 The application for a Certificate of Lawfulness is purely an evidential test. The test of evidence to be applied is whether the case has been shown on the balance of probability. As such the applicant needs to provide precise and unambiguous evidence in relation to demonstrating the lawfulness of what is proposed. The evidence put forward here is that the proposed garage building constitutes an outbuilding within a residential curtilage and falls within the allowances of Class E, Part 1 of The Town and Country Planning (General Permitted Development) (Amendment) Order 2008.

7.2 Objections to the scale, use of access, potential use and flooding have been raised by nearby residents and the Parish Council. However most of these are not relevant to this type of application which is entirely evidence based. Accordingly only the comments regarding the number of garages are relevant as this element of scale and the reasonableness of such scale is found in case law. The test is an application of the General Permitted Development Order 2008 (GPDO), in particular Part 1 which only confers such allowances for development within the curtilage of a dwellinghouse. The first question to ask then is whether the property benefits from permitted development rights. The evidence would indicate that generally the residential property does (as the planning history does not show that the rights have been removed). The second question to ask is whether the building would be located within the residential curtilage of the house and this would appear to be the case given the aerial photography and lack of contrary evidence. Lastly is the question as to whether the proposed development is of a scale which is permitted within the criteria set out in Class E, Part 1 of The Town and Country Planning (General Permitted Development) (Amendment) Order 2008. This Class allows 'the provision within the curtilage of the dwelling house of any building.....required for a purpose incidental to the enjoyment of the dwelling house as such'. This allows for a number of buildings to be erected and as such the recently erected shed and existing summer house do not prevent the proposal from being permitted development unless they, in addition to any proposed development being considered, covers over half of the curtilage of the garden. It is considered that the assessment of the proposal would fall within the terms of Class E – outbuildings. In addition given case law a test of reasonableness is appropriate and in this case it is not considered that a three vehicle garage to be used for purposes incidental to the house is unreasonable.

7.3 The interpretation of the term "Principal elevation" has been considered, and in this case it is considered a reasonable interpretation that the elevation that faces the main road with its front door is considered to be the Principal elevation and the existing parking area is to the rear, and as such the garage would not be located forward of it. In coming to this conclusion weight has been given to the objectives and principles that lay behind the wording of the GPDO – which was generally to be more permissive of domestic development that was less visible in the streetscene, but to ensure that

development that would have an impact in the more public streetscene would still need consent. In this instance the garage would be located at the rear of the site and have little to no impact on the streetscene.

- 7.4** Therefore on the balance of probability the evidence indicates that the garage proposed does fall within the remit of permitted development rights that apply within the curtilage of a dwellinghouse under Class E

8. RECOMMENDATION

- 8.1** That the Certificate of Lawfulness for Proposed Development is granted because it appears that the proposed garage is located in its entirety on land that lawfully forms part of the curtilage of the dwelling house. Therefore on the balance of probability the permitted development rights under Class E, Part 1 of the Town and Country Planning (General Permitted development)(Amendment) Order 2008 permit the garage proposed at the location shown on drawing PLN-01.

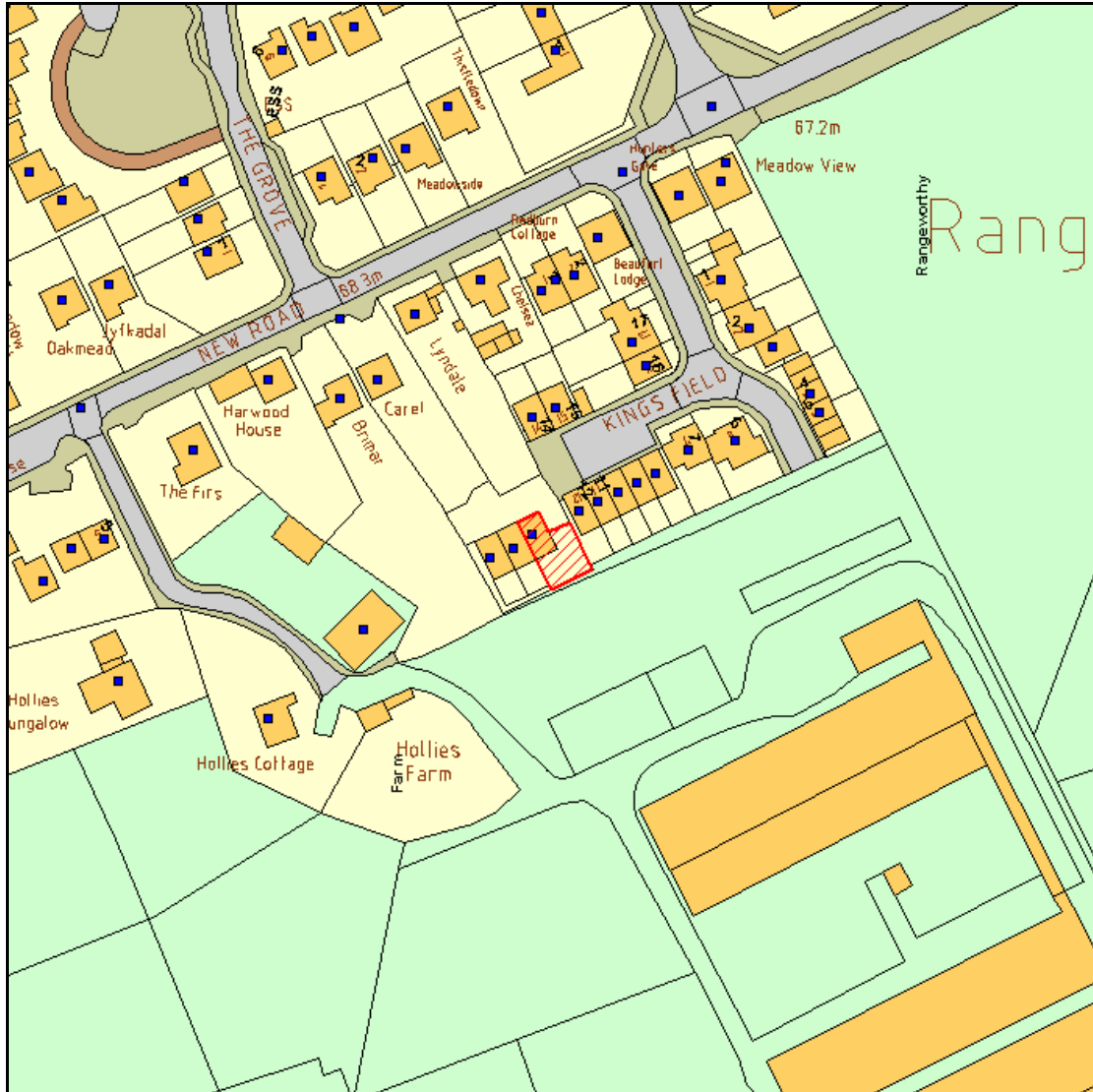
Contact Officer: Karen Hayes

Tel. No. 01454 863472

Evidence has been submitted to demonstrate that the proposed garage is located in its entirety on land that lawfully forms part of the curtilage of the dwelling house. Therefore on the balance of probability the permitted development rights under Class E, Part 1 of the Town and Country Planning (General Permitted development)(Amendment) Order 2008 permit the garage proposed at the location shown on drawing PLN-01.

CIRCULATED SCHEDULE NO. 19/11 – 20 MAY 2011

App No.:	PT11/1065/F	Applicant:	Mrs H Williams
Site:	12A Kings Field Rangeworthy South Gloucestershire BS37 7QP	Date Reg:	19th April 2011
Proposal:	Conversion of integral garage to form additional living accommodation	Parish:	Rangeworthy Parish Council
Map Ref:	369371 185803	Ward:	Ladden Brook
Application Category:	Householder	Target Date:	14th June 2011



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PT11/1065/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule List because objections have been received from the Parish Council and a neighbouring occupier contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the conversion of an integral garage to form additional living accommodation.
- 1.2 The application site comprises an end of terrace property situated within the relatively new residential cul-de-sac Kings Field, which is situated on the southern side of New Road and within the established residential area of Rangeworthy.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG13 Transportation
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
H4 Residential Development within Existing Residential Curtilages
T12 Transportation Development Control Policy for New Development
T8 Parking Standards

South Gloucestershire Core Strategy -Submission Draft Proposed Changes (December 2010)
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0760/F, erection of detached double garage, for Carel, New Road Rangeworthy. Erection of 3no. dwellings with car spaces and associated works, approval, 25/05/11.
- 3.2 PT08/1964/F, Erection of 3no. dwellings with car spaces and associated works (amendments to previously approved scheme PT07/0760.F), approval, 15/08/08.

4. CONSULTATION RESPONSES

- 4.1 Rangeworthy Parish Council
The Parish Council wishes to raise the following objections:-

- a) The proposal will add to the already congested parking facilities in Kings Field.
- b) The conversion will have an adverse effect on the overall appearance of the building.
- 4.2 Archaeology
No comment
- 4.3 Transportation
No objection to revised site plan showing allocated parking space
- 4.4 Local Residents
One letter of objection has been received from a neighbouring occupier on the basis that the proposal would exacerbate existing parking problems.
- 4.5 The applicant has responded to the concerns raised by making the following points:
- The internal width of the garage is 2.25m wide and has been indicated as sub-standard by the Council's Transportation Officer, making it difficult to practically use;
 - The applicant has an allocated parking space at the far fence at the end of the terrace, which can be used instead.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning policy H4 of the South Gloucestershire Local Plan allows for the principle of the proposed development. A material consideration is the fact that condition 9 of the original consent of the property sought the retention of the garage for parking purposes in the interests of highway safety and the amenity of the area. The main issues to consider here are therefore, the impact of the proposal on the local highway conditions including highway safety and congestion (policies T12, T8 and H4 of the Local Plan) and the impact on the appearance and form of the dwelling (policies D1 and H4 of the Local Plan).
- 5.2 Highway Impacts
The objections received from the neighbouring occupier and Parish Council on the basis of parking issues are noted, and the Council's Transportation Officer initially had concerns that the dwelling would not have an allocated parking space following the conversion of the garage. However, the applicant has submitted a revised site plan indicating that the dwelling will be served by an allocated parking space to the northwest of the dwelling following the conversion of the garage. The Council's Transportation Officer considers that the existing parking space is substandard due to its narrow width and given that the dwelling would be served by another allocated space, on balance, it is considered that the proposal would not have a significant adverse impact in terms of highway safety or the amenities of the area through local congestion. A condition can be applied to ensure that the parking space is retained for use

with the host dwelling at all times following the conversion if permission is granted.

5.3 Appearance/Form

The Parish Council has objected to the proposal on the basis that it would adversely affect the overall appearance of the terrace. However, the scale and form of the dwelling would not materially change. The only alteration proposed is the replacement of an existing vehicular door with a window. The scale, siting and appearance of the window would be acceptably in-keeping with the existing dwelling, and the vehicular door would be filled by breezeblock and rendered to match the existing building. A condition on this basis is not therefore, required if permission is granted. As such, it is considered that the proposal would not adversely affect the appearance of the dwelling or surrounding area. Further, in this instance planning permission is only required because condition 9 in the original consent of the property sought the retention of the parking facilities, alterations such as the replacement of fenestration and doors is normally permitted development.

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 for the following reasons:

A revised plan has been submitted, which demonstrates that the dwelling has one allocated parking space following the conversion of the garage and on balance, would not adversely affect the local highway conditions in terms of congestion or highway safety – policies T12, T8 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal would not be adversely out of keeping with the character of the existing dwelling and would not adversely affect the character of the area – policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following condition.

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).

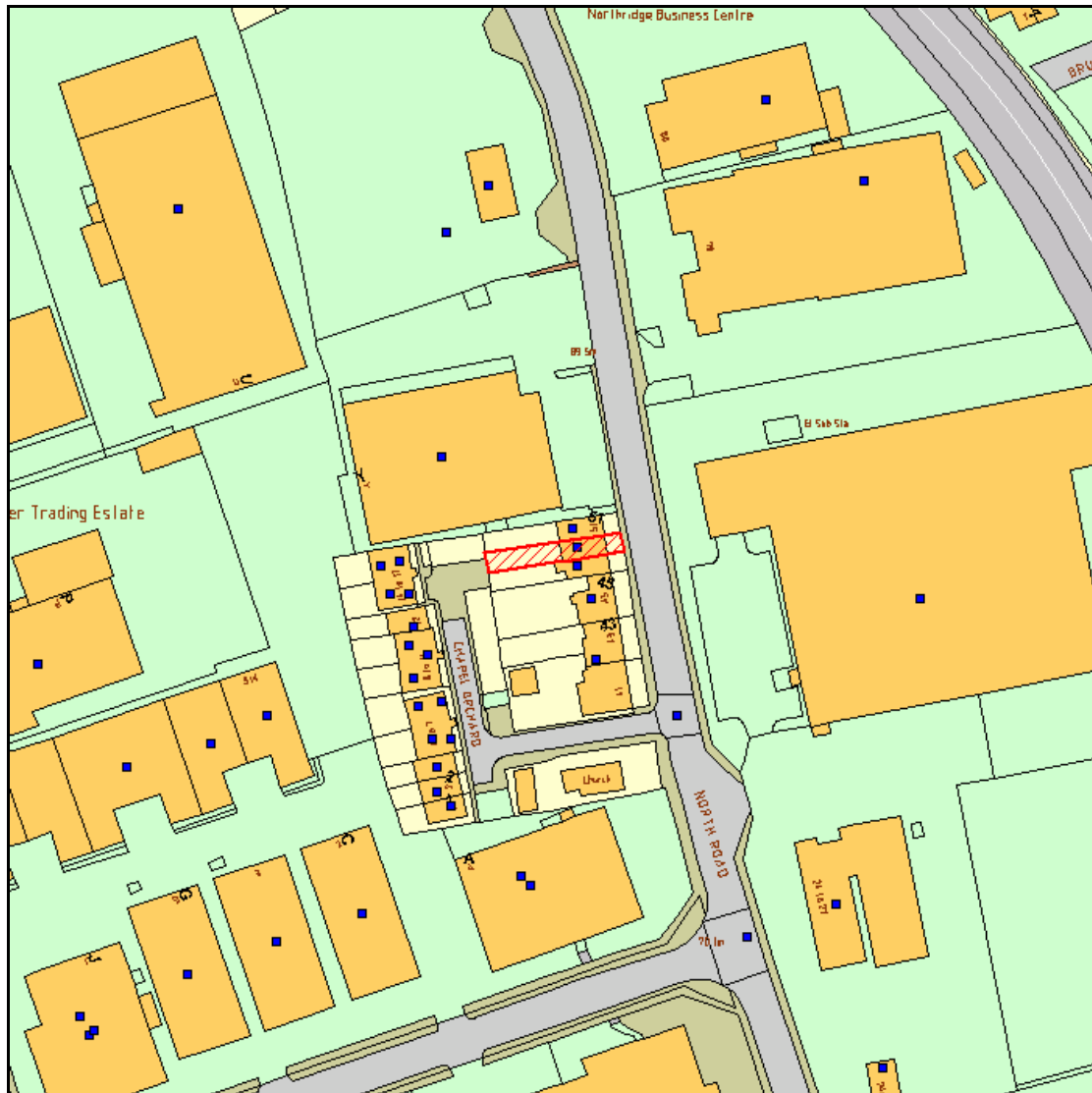
2. The allocated parking space shown on the site plan received by the Local Planning Authority on 11th May 2011 shall be retained at all times for use of the dwelling known as no. 12a Kings Field.

Reason

To ensure an acceptable standard of parking provision for the existing dwelling is provided in the interests of highway safety and the amenities of the area and to accord with policies T12, T8 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 19/11 – 20 MAY 2011

App No.:	PT11/1077/F	Applicant:	Miss R Mappledoram
Site:	49 North Road Yate Bristol South Gloucestershire BS37 7PW	Date Reg:	12th April 2011
Proposal:	Erection of shed. (Retrospective).	Parish:	Westerleigh Parish Council
Map Ref:	370006 182836	Ward:	Westerleigh
Application Category:	Householder	Target Date:	3rd June 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is being circulated to Members because the Officer's recommendation is contrary to a written representation received from a local resident.

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission for a domestic shed. The shed measures approximately 4 metres in depth, 3.1 metres in width with a ridge height of approximately 3.1 metres falling to 2.1 metres at the eaves. It is located at the end of a rear domestic garden within the residential curtilage associated with the dwelling.
- 1.2 The application site relates to a two storey terrace located in a well-established residential area within the Yate Settlement Boundary.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Design
H4: Development within Existing Residential Curtilages
- 2.3 Emerging Policy
South Gloucestershire Council Core Strategy Proposed Changes Version December 2010:
CS1: High Quality Design
- 2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist Supplementary Planning Document 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No objection.
- 4.2 Historic Environment Records Officer
No comment.
- 4.3 Local Residents
1 letter received objecting to the proposal on the following grounds:
 - a) Layout and density of buildings;
 - b) Design (the inclusion of a pitched roof on an already high outbuilding);
 - c) Loss of daylight or sunlight;

- d) Overbearing or loss of outlook;
- e) Overlooking or loss of privacy;
- f) Noise and disturbance resulting from use.

These concerns will be addressed in the relevant sections of the report. Should any of the concerns fall outside the relevant sections they will be addressed in a section entitled 'Other matters' to be found towards the end of this report.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposed development consists of a standard ancillary residential structure within an existing residential curtilage. Policy H4 of the Local Plan permits this type of development in principle subject to the following considerations.

5.2 Residential Amenity

The proposed development is located to the rear of the domestic curtilage of the application site. Concerns have been raised by the neighbouring occupier of No.51 North Road that the shed results in a loss of light to this neighbouring property. By virtue of the fact that the application site is West facing with No.51 located to the South of the application site and given that the Sun's course from East to West, it is considered that no undue loss of light would result from the shed and would not result in material harm to the neighbouring occupier.

The shed is a traditional, windowless garden shed and located approximately 10 metres from the neighbouring dwellinghouse. As such there would be no material intervisibility, overlooking or loss of privacy.

Concerns have been raised that the shed would result in a loss of outlook from No.51 North Road. The shed is a traditional feature of a domestic garden. This shed measures approximately 3 metres in width. Given that the shed is located at the very rear of the application site which backs onto a car park serving a modern block of flats behind in conjunction with the minimal width, it is considered that whilst the view to the rear would be marginally obstructed it is not of such material harm to the residential amenity of this neighbouring occupier so as to warrant a refusal of the application.

There is no boundary treatment currently separating the application site from the neighbours at No.47 North Road as a new hedge is proposed, although no comments have been received from these neighbouring occupiers. An approximately 1.8 metres tall hedge acts as a boundary treatment separating the application site shared with No.51 North Road. The proposed shed would be set back at least 0.5 metres from this boundary and some 10 metres away from the neighbouring dwelling. Accordingly it is considered that the proposal would not result in an overbearing impact on the neighbouring occupiers. The proposal does not raise any issues in terms of highway safety and sufficient amenity space is retained to serve the host dwelling. As such the proposal meets criteria contained in policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.3 Design/Visual Amenity

The shed is a standard timber shed set at the bottom of the rear garden. This is a traditional feature with no windows and a pitched roof. The shed will be used

for domestic storage. Given that the shed is circa 12 metres squared, set at the bottom of the garden and there are no other outbuildings it is considered that no material harm results in terms of the layout and density of the site.

The design and style of the shed is a traditional shed design and in general in terms of visual amenity and maintenance pitched roofs are preferred. In this instance it is considered that the shed is an acceptable design in relation to the existing dwelling. It does not impact on the street scene and is not out of character with the locality and dwelling.

As such the proposal meets criteria contained in policy D1 of the South Gloucestershire Local Plan (Adopted) 2006 and the South Gloucestershire Design Checklist Supplementary Planning Document 2007.

5.4 Noise and Disturbance

Whilst noise can be an issue in large developments, development of this size and scale is unlikely to cause material harm in these terms. Moreover should the development give rise to such noise and disturbance other legislation is in place to deal with such matters and the Environmental Health Section should be contacted.

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 is a traditional garden shed with no windows; set away from the boundary and 10 metres from the neighbouring dwelling. The design and location is conventional and cannot be seen from the public realm. As such the proposal meets criteria contained in policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 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 planning permission be **GRANTED** subject to the following condition.

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

CONDITION

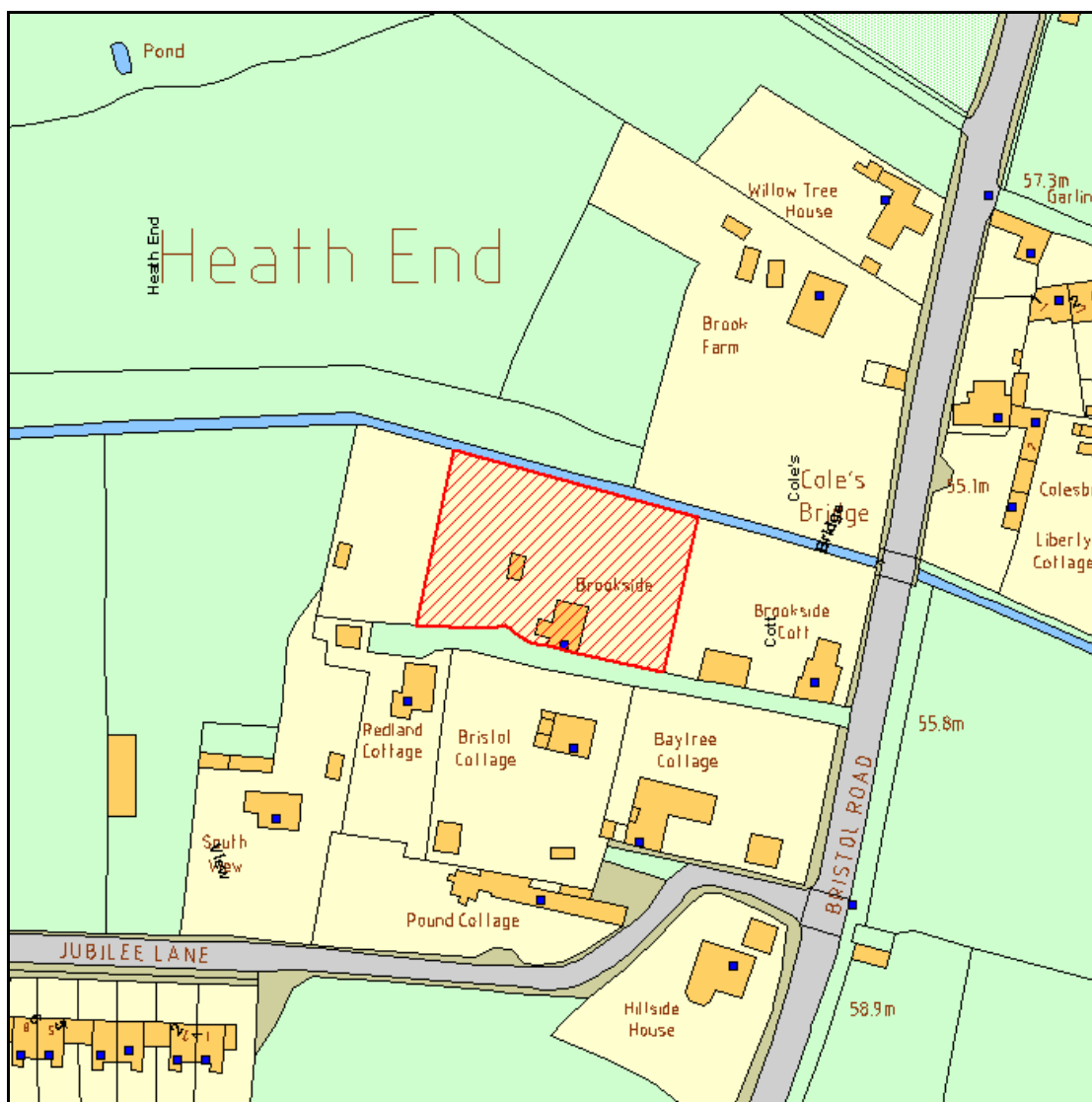
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 19/11 – 20 MAY 2011

App No.:	PT11/1137/F	Applicant:	Ms S Steel
Site:	Brookside Bristol Road Cromhall Wotton Under Edge South Gloucestershire	Date Reg:	11th April 2011
Proposal:	Erection of two storey side and rear and single storey rear extension to form additional living accommodation (Re- Submission of PT10/1908/F)	Parish:	Cromhall Parish Council
Map Ref:	369662 189506	Ward:	Charfield
Application Category:	Householder	Target Date:	2nd June 2011



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PT11/1137/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as the officer recommendation conflicts with the correspondence from neighbours.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey side and rear extension to the house. The site is located in the open countryside albeit amongst a small gathering of houses. The nearest village settlement boundary is that of Cromhall to the north of the site. Recreational Route designated in the Local plan passes close to the site.
- 1.2 The proposals would be finished in a mixture of natural stone to match the existing house and render.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development with in residential curtilages

LC12 Recreational Route

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1 High Quality design

2.3 Supplementary Planning Guidance
South Gloucestershire Council Design Checklist SPD Adopted August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 N5619 Erection of single storey side extension to provide bathroom and bedroom. Approved 14/6/1979.
- 3.2 N5619/1 Erection of dwelling and formation of vehicular access (Outline) Refused 22/10/1981
- 3.3 PT10/1911/F Erection of 2no. holiday let units. Refused 23/9/2010 due to increased use of the access prejudicing the free flow of traffic and general safety along Bristol Road and poor design and harmful effect on the character of the area. Later dismissed at appeal
- 3.4 PT10/1908/F Erection of two storey side and rear and single storey rear extensions to provide additional living accommodation. Erection of side conservatory. Installation of 2no. rear dormers. Erection of detached double garage with self contained office space above ancillary to main dwelling.

Refused and later dismissed at appeal. Refusal reasons related to size, design and appearance.

3.5 PT11/1061/CLP Application for Certificate of Lawfulness for the proposed erection of a detached triple garage. Under consideration in this Circulated Schedule.

3.6 PT11/1059/CLP Application for Certificate of Lawfulness for the proposed erection of a detached single storey office and guest bedroom and construction of paved driveway. Pending consideration at the time of writing this report.

4. CONSULTATION RESPONSES

4.1 Cromhall Parish Council

Cromhall Parish Council objects to this planning application it is a proposed extension to an already extensively extended cottage.

If approved the resultant property would be out of keeping with the surrounding dwellings and bear no resemblance to the original cottage.

Access on to the main road at the end of Brookside Lane is hazardous and additional vehicle use of the lane should be discouraged.

(It should be noted that gardens flood in the area in very wet weather.)

4.2 Streetcare Drainage

No objection but it is highlighted that Floor Risk Mitigation measures should be carried out in the build process.

4.3 Local Residents

Concerns have been raised from two households in relation to the following issues;

- Extension should remain on existing footprint
- That reservations about the access are held
- Risk of flooding.

One letter from another neighbour expresses no objection to the proposed extension provided that it remains one dwelling.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site is located in a small group of houses in Heathend, outside of any settlement boundary and where the above policies are relevant to the proposal. Policy D1 seeks to ensure that a high standard of design is achieved and policies H4 seek to control visual and residential amenity. Policy CS1 is at an early state in its formation but seeks to achieve high quality design. As such the proposal is considered below under the following headings.

5.2 Design and visual amenity

The design of the existing house is that of a cottage style house with a ground floor extension in situ. The house is largely constructed in stone which would

- be carried on on the side elevation facing the private track and on the front elevation. Render would be used on the rest of the extension. A sample of render would need to be agreed. The nature of the materials are considered acceptable.
- 5.3 The original house has a narrow plan form with a cat slide rear roof which appears to have been in situ prior to the 1947 Planning Act. Later extensions to the north which created a further bedroom and bathroom and eastwards to create a conservatory structure on the rear of the house would have to be removed to construct the proposed development. The roof has a steeply pitched roof and the chimneys add interest to the roofline as they emerge from the gable ends of the roof.
- 5.4 The proposal seeks to the extend the house by demolishing the more recent side extension and erecting a two storey side extension approximately two thirds of the width of the original cottage. The proposal would also be extended by erecting two gable wings at the rear of the property. The first gable would be constructed over the existing single storey rear range, leaving the cat slide roof over visible and the second gable, located at the rear of the side extension would project a metre further into the rear garden/parking area. A modest rear single storey element then links the gables.
- 5.5 The proposal represents a well designed and proportioned extension to a relatively small house. The form and materials reflect and respect the original building and the previous cottage remains readable in the design. As such the refusal reason attached to the previous planning application to extend this property has been addressed as the size, design and appearance of the proposed extension are now considered good design and are acceptable under policies D1 and H4 of the Local Plan and the proposed Core Strategy policy CS1.
- 5.6 Residential amenity
The extension would be located approximately twelve metres from the nearest dwelling, known as Bristol Cottage and around 24 metres from the next nearest house. Given the distances involved the proposal is too remote from neighbours to cause harm to residential amenity by reason of its mass. No windows are to be located on the side elevation of the house, facing across the lane towards Bristol Cottage . The windows facing west, face towards Redland Cottage but at around 23m distant the relationship between windows is considered to be acceptable. The window to window distance between the proposal and Brookside Cottage to the east of the site is over 40 metres and as such no loss of privacy is perceived. As such the proposal will not affect the residential amenity of the neighbouring houses.
- 5.7 Flooding
The neighbour refers to the garden at Brookside Cottage flooding and it is acknowledged that the proposal is located in Flood Zone 3. However the extension of a house in this zone, which is a high risk area, need not prevent development. Instead the proposal would need to be built in accordance with Environment Agency standard guidance to withstand flooding by such means as not lowering floor levels, raising electrical supply routes beyond the

perceived reach of water for example. As such acknowledgment of the requirement for such works is anticipated prior to the determination of this application by the signing and returning of a Flood Risk Mitigation Form. Should this not be signed then a suitably worded condition can be added such that details of Flood Risk Mitigation are supplied prior to works commencing on site.

5.8 Transportation

The recreational route is not likely to be affected by the proposal. The extension to a single dwelling is not considered to have a material impact on the existing access notwithstanding the reservations expressed in the consultation responses.

5.9 Improvements Achieved to the Scheme

A meeting was held with the applicants to discuss amendments to the house and the current scheme is the result of those negotiations.

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 has been designed to be in keeping with the character of the dwelling taking into account the design, siting, height and materials of the existing dwellinghouse and surrounding area – Policies H4 and D1 South Gloucestershire Local Plan (adopted) January 2006; South Gloucestershire Design Checklist SPD.

The proposals will not harm the amenities of neighbouring properties by reason of loss of privacy or overbearing impact - Policies H4 and D1 South Gloucestershire Local Plan (adopted) January 2006.

The proposal is an extension to an existing house and as such there is no material increase in dwelling numbers, such as would create a material risk to highway safety. As such the proposal complies with - Policies T7, T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.

The risk of damage to the extension due to flooding can be adequately mitigated against, to the satisfaction of the Environment Agency.

- 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 Subject to first receiving a signed Flood Risk Mitigation Form 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).

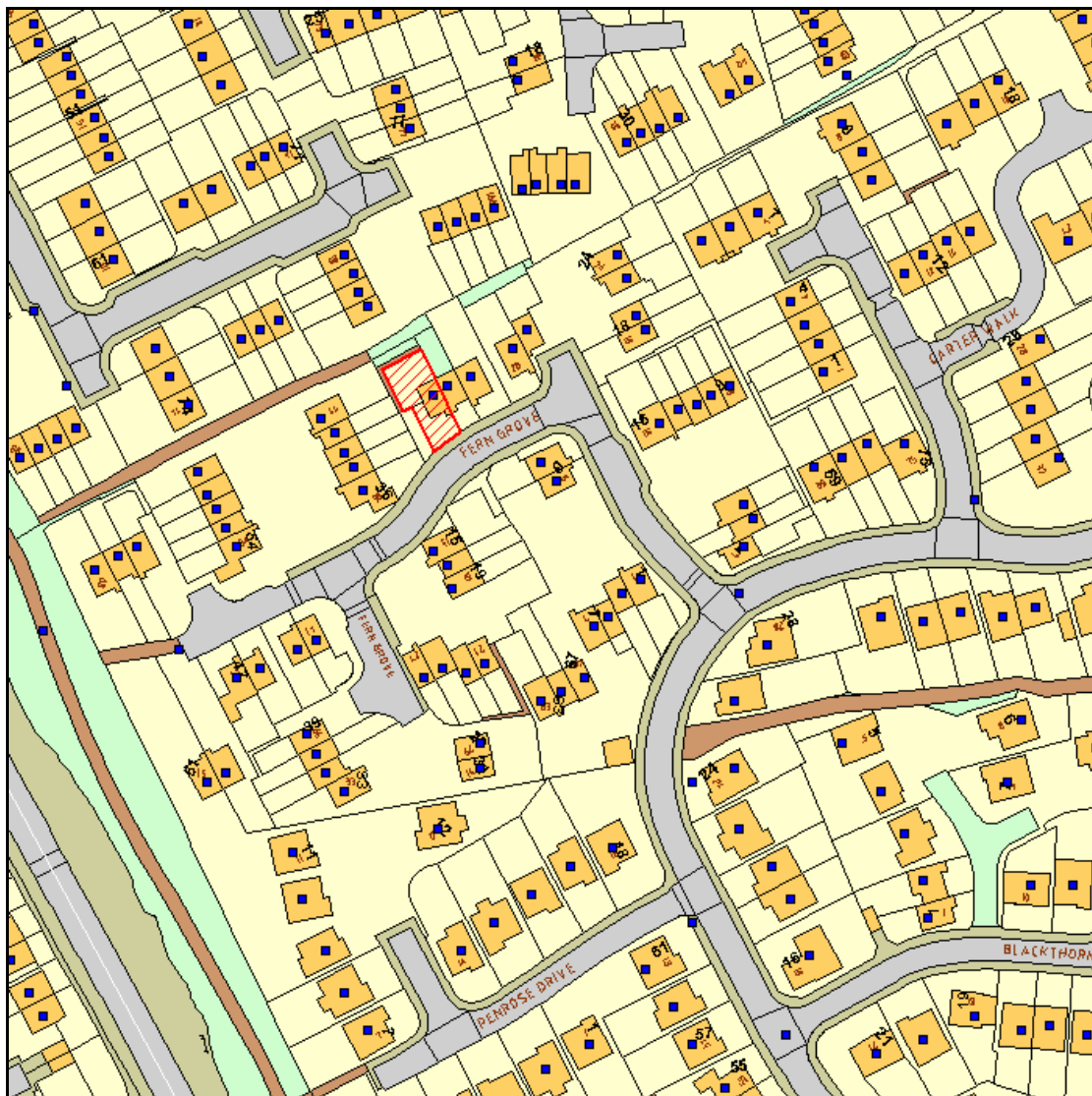
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building unless submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 19/11 – 20 MAY 2011

App No.:	PT11/1164/F	Applicant:	Mr And Mrs J Mainstone
Site:	34 Fern Grove Bradley Stoke Bristol South Gloucestershire BS32 8DS	Date Reg:	12th April 2011
Proposal:	Erection of two storey side extension and infill of front porch to provide additional living accommodation.	Parish:	Bradley Stoke Town Council
Map Ref:	361645 181562	Ward:	Bradley Stoke South
Application Category:	Householder	Target Date:	3rd June 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule List because concerns have been raised by a neighbouring occupier.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two-storey side extension and the infill of the front porch to provide additional living accommodation.
- 1.2 The application site comprises a two-storey terrace property situated on the northern side of Fern Grove within the established residential area of Bradley Stoke.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
H4 Residential Development within Existing Residential Curtilages
T12 Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy -Submission Draft Proposed Changes (December 2010)
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection
- 4.2 Transportation
No objection
- 4.3 Local Residents
A single response has been received from a neighbouring occupier, which raises the following concerns:

Potential loss of parking;
Clarification regarding the 1 metre distance rule;
Potential decrease in house value.

With regards to the clarification of the one metre distance rule, the Local Plan (policies D1 and H4) does not specify limits or distances relating to the proximity of developments to neighbouring boundaries or properties. The proposal can only be assessed on its own merits with regards to the appearance and form and the impact on the amenity of neighbouring occupiers. The concerns regarding the impact on the valuation of the property is not a material planning consideration and is beyond the scope of this planning application.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy H4 of the South Gloucestershire Local Plan (adopted) January 2006 allows for the principle of the proposal. The main issues to consider are the appearance and form of the extension, the impact on the amenity of the neighbouring occupiers and transportation effects.

5.2 Appearance/Form

The proposed two-storey extension would be flush with the existing rear elevation of the dwelling and be set back approximately 0.25 metres from the existing front elevation. The ridge height would be set down slightly from the existing roof ridge and the roof pitch and eaves height would be consistent with the existing dwelling. The extension, which would have a width of approximately 2.3 metres, would extend onto a hard standing parking area and also part of the garden area. The applicant has specified the materials facing brick for the walls, double roman tiles and uPVC fenestration to match the existing dwelling, which is considered acceptable and help to integrate the extension, as would the concrete detailing and lintels. The host dwelling benefits from its corner location and there would be a gap of approximately 4 metres to the boundaries of the properties to the west and approximately 14 metres to the properties themselves. Therefore, it is considered that the proposal would not appear adversely cramped within the streetscene. The existing scale and form of the porch would remain as existing and the only change will be to close the porch with brick to match the existing dwelling, therefore, it is considered there would not be a significant adverse alteration to the appearance of the dwelling.

Given the above, it is considered that the proposal would be in keeping with the character of the host dwelling in terms of scale, form, siting and materials and would not have a significant adverse impact on the visual amenity of the area. The applicant has specified that the materials would match the existing dwelling, therefore, a condition on this basis is not required.

5.3 Residential Amenity

The proposal would be contained by the existing front and rear elevations of the property; therefore, it is not considered that there would be a significant adverse impact on the adjoining property in terms of loss of outlook or natural light. No windows are proposed in the western side elevation facing the neighbouring properties; therefore, it is considered that the proposal would not adversely affect the privacy of the occupiers of the properties to the west. In addition, the existing building line would only move approximately 2.3 metres

closer to these properties and with an approximate 4 metre gap to the boundary being retained, it is considered that there would not be a significant adverse change to the existing situation in terms of loss of outlook or natural light. The windows proposed in the front and rear elevations would not introduce any significant new privacy issues.

5.4 Transportation

The concerns received regarding the impact on parking are noted, however, it is considered that adequate parking provision would remain to the front of the dwelling. Therefore, it is considered that the proposal would not have a significant adverse impact on the local highway conditions in terms of highway safety or congestion. It is not envisaged that there would be a significant increase in vehicular traffic resulting from the extension. The plans submitted show that the extension would be contained within land within the ownership of the host dwelling and would not encroach onto private land.

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 for the following reasons:

The proposal is acceptably in-keeping with the host dwelling and surrounding built form in terms of scale, form, siting and materials and would not adversely affect the visual amenity of the area – policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal would not adversely affect the amenities of the neighbouring occupiers through loss of natural light or privacy – policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The concerns received regarding loss of parking are noted, however, adequate parking provision would remain following the proposal. The proposal would not material affect local highway conditions – policies T12 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following condition.

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).