



**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. 29/10

Date to Members: 30 JULY 2010

Member's Deadline: 05 AUGUST 2010 (5pm)

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

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

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

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 (eg, 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

- a) Application reference and site location
- b) Indicate whether you have discussed the application(s) with the case officer and/or area planning manager
- c) Indicate whether you have discussed the application(s) with ward member(s) if the site is outside of your ward
- d) 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:

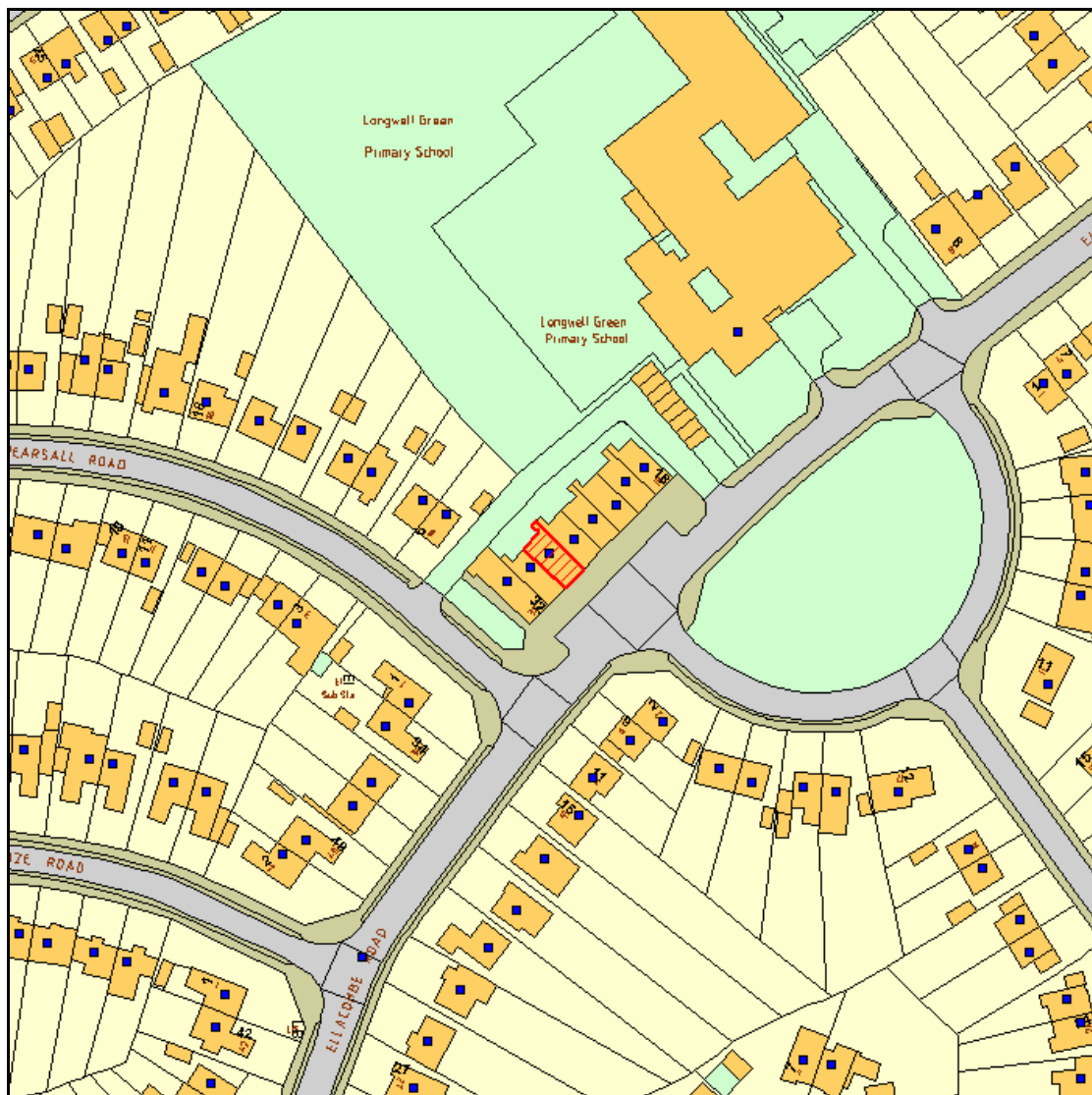
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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. **Do not leave it to the last minute**
- Always make your referral request by email 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 email your 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.

CIRCULATED SCHEDULE – 30 JULY 2010

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/1096/ADV	Approve with Conditions	28 Ellacombe Road, Longwell Green South Gloucestershire BS30 9BA	Longwell Green	Hanham Abbots Parish Council
2	PK10/1296/F	Approve with Conditions	20 Cesson Close Chipping Sodbury South Gloucestershire BS37 6NJ	Chipping Sodbury	Sodbury Parish Council
3	PK10/1362/F	Approve with Conditions	39 Westerleigh Road Pucklechurch South Gloucestershire BS16 9RD	Boyd Valley	Pucklechurch Parish Council
4	PK10/1478/F	Approve with Conditions	116 Bromley heath Road Downend South Gloucestershire BS16 6JN	Downend	Downend & Bromley Heath Parish Council
5	PT10/1268/F	Approve with Conditions	White Horse Inn Gloucester Road Buckover Wotton Under Edge South Gloucestershire	Thornbury North	Thornbury Town Council
6	PT10/1446/F	Approve with Conditions	128 Beesmoor Road Frampton Cotterell South Gloucestershire BS36 2JP	Frampton Cotterell	Frampton Cotterell Parish Council

CIRCULATED SCHEDULE NO. 29/10 – 30 JULY 2010

App No.:	PK10/1096/ADV	Applicant:	Miss Juliette Maytham Blue Sky Property Solutions
Site:	28 Ellacombe Road Longwell Green South Gloucestershire BS30 9BA	Date Reg:	28th May 2010
Proposal:	Display of 1 no. internally illuminated static fascia sign.	Parish:	Hanham Abbots Parish Council
Map Ref:	365689 170947	Ward:	Longwell Green
Application Category:	Minor	Target Date:	20th July 2010



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100023410, 2008.

N.T.S.

PK10/1096/ADV

INTRODUCTION

This application appears on the circulated schedule due to the receipt of two letters of concern from a local resident.

1. THE PROPOSAL

- 1.1 The applicant is seeking advertisement consent for the display of a new internally illuminated fascia sign across the front of the property. Planning permission has recently been granted to change the use of the building for use as an estate agent and this advert application seeks consent to display the sign associated with that use.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG19 Outdoor Advertisement Control

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/5776/F - Change of use from office (B1) to Estate Agent (A2).
Installation of new shop front.
Approved January 2010

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
No Objection.

Other Representations

4.2 Local Residents

Two letters have been received from one local resident – one of the letters was sent directly to the planning department and the second was sent to the parish council who then forwarded the letter to the planning department. A summary of the points of concern raised is as follows:

- Illumination should be restricted to opening hours of the unit
- Attempts should be made to lower the power consumption
- The neighbour objects to the sign being illuminated outside of the trading use hours – outside of these hours it would cause a distraction to passing drivers
- Welcomes the business to the area but its environmental impact should be kept to a minimum.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As outlined in PPG19, the display of outdoor advertisements can only be controlled in the interests of amenity and public safety. Accordingly the display of advertisements will be assessed with regard to its effect on the appearance of the building and visual amenity in the immediate neighbourhood. In addition consideration must be given to the cumulative impact of the advertisement. Furthermore the proposal should not prejudice public safety.

5.2 Visual Amenity

The application premises sits in a small rank of shops and services. On either side of the unit are other commercial ventures including a hairdresser, a pharmacy, a take away and an art centre. There is currently a fascia sign across the front of the shop – the proposed fascia sign subject of this application is the same size as the existing sign. Essentially therefore, the proposal is for a replacement sign and will not result in any increase in the number of signs in the rank. The other signs within the immediate vicinity are all of similar scale and size in comparison to the size of the shop and therefore it is considered that the proposed sign will integrate fully with the existing street scene and character of the area.

5.3 Public Safety

Given the scale and location of the signs they will not have any impact upon highway safety in the area. The sign is to be backlit but additional information confirms that the illumination will be internal and it is only the writing that will be lit – the remainder of the fascia will not let light through. The Chinese takeaway has a similar sign already in place whereby the lettering on the sign is backlit via internal illumination. Highway officers have confirmed that they have no objections to the proposed sign in terms of highway safety.

5.4 Use of Energy and Sustainability

No measures proposed. The applicant has however confirmed that the sign will be on a timer that will switch off automatically at 9.30pm. This will avoid wasting un-necessary electricity.

5.5 Improvements achieved to the scheme

During the course of the application additional information was requested to support the illuminated nature of the sign and justify its acceptability. Additional information was received as requested.

5.6 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 220 of the Town and Country Planning Act 1990 and Regulation 4 of the Advertisement Regulations 1992, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

7. RECOMMENDATION

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

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

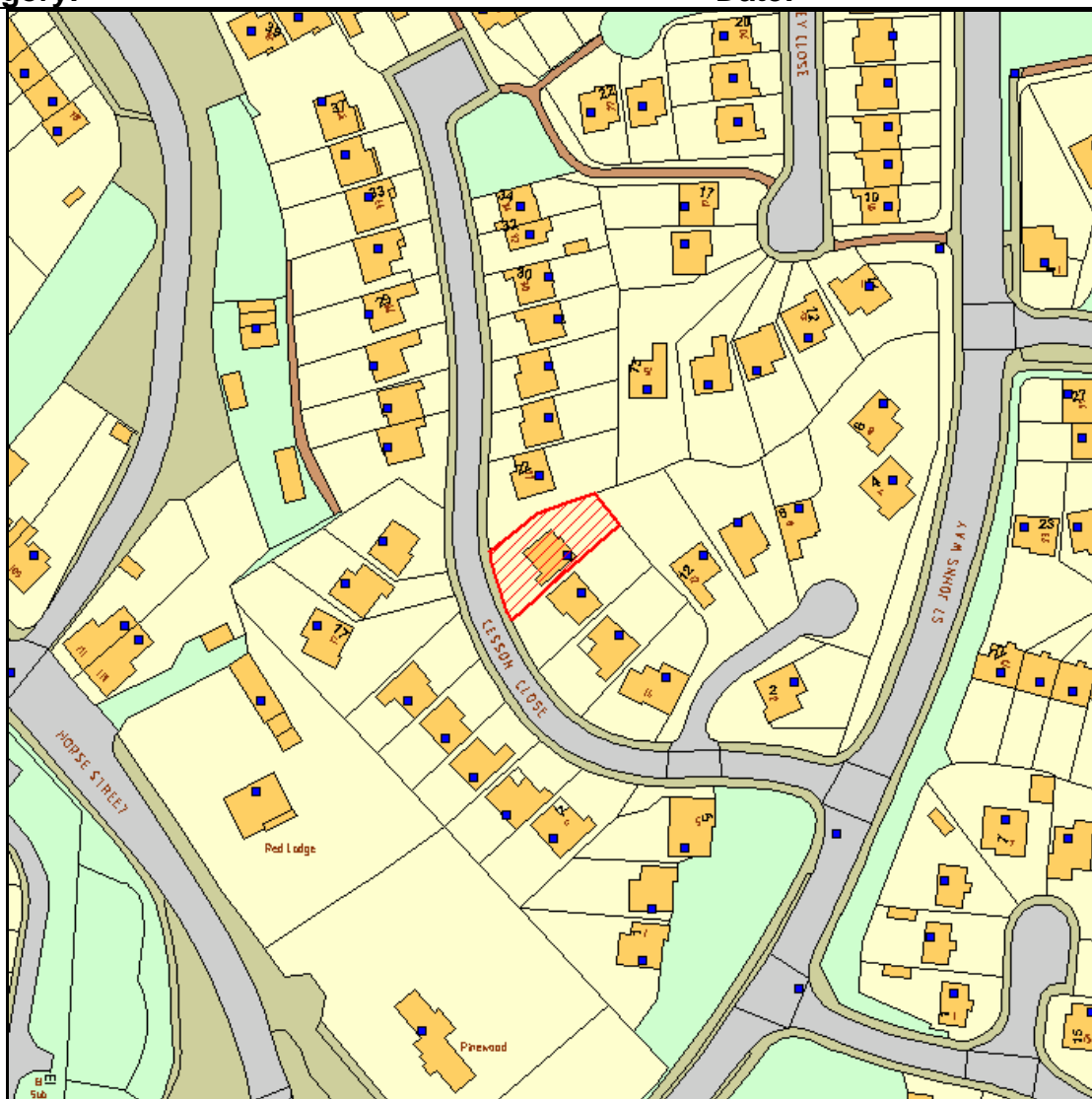
1. The illumination within the sign hereby approved must be switched off outside of the following hours - 7am to 10pm daily.

Reason

In the interests of the visual amenity of the area and to satisfy PPG19.

CIRCULATED SCHEDULE NO. 29/10 – 30 JULY 2010

App No.:	PK10/1296/F	Applicant:	Mr Harvey
Site:	20 Cesson Close Chipping Sodbury Bristol South Gloucestershire BS37 6NJ	Date Reg:	17th June 2010
Proposal:	Erection of two storey and single storey side and single storey rear extensions to provide additional living accommodation and garage. Erection of porch. (Amendment to previously approved scheme PK07/2724/F).	Parish:	Sodbury Parish Council
Map Ref:	373444 181937	Ward:	Chipping Sodbury
Application Category:	Householder	Target Date:	10th August 2010



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 100023410, 2008. **N.T.S.** **PK10/1296/F**

INTRODUCTION

This planning application has been referred to the Circulated Schedule Procedure in light of objections received from the Parish Council regarding the proposed development.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for an amendment to a previously approved planning permission (PK07/2724/F) which relates to the erection of a two storey extension, single storey side and single storey rear extension to provide additional accommodation and garage and erection of a front porch.
- 1.2 The proposed amendment is as follows:
 - Revised roof design on rear elevation of two storey extension
- 1.3 The application site relates to a two storey detached dwelling within the residential area of Downend.

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 Extensions

- South Gloucestershire Core Strategy Pre-submission Draft March 2010
 - SC1 High Quality Design

- 2.3 Supplementary Planning Guidance
SPD Design

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/0547/NMA Non material amendment PK07/2724/F
Objection April 2010
- 3.2 PK07/2724/F Erection of two storey and single storey side and single storey rear extensions to provide additional accommodation and garage and porch
Approved November 2007
- 3.3 PK07/1407/F Erection of two storey side, first floor side extensions and single storey rear extension and integral garage
Refused June 2007

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
Objection, due to overdevelopment in a residential location

Other Representations

- 4.2 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Plan allows for extensions to existing dwellings, subject there being no adverse impact on existing visual and residential amenities. Policy CS1 of the Core Strategy seeks to achieve high quality design.
- 5.2 As discussed above planning permission has already been granted for a number of extensions which have been implemented. This application seeks permission to amend that permission by revising the roof over the first floor rear extension. Members are therefore advised to consider that as the extensions have already been granted permission and indeed implemented the principle of these extensions cannot be revisited. The key issue for consideration relates primarily to the proposed change in roof design and whether or not this is acceptable in planning policy terms.
- 5.3 Visual Amenity
An objection has been by the Parish Council on the grounds of overdevelopment. The original permission granted permission for a cat slide style roof over the first floor extension, this application seeks permission to amend this to a hipped roof. The proposed alteration is considered acceptable in design terms and it is considered that this revised change along with the previously approved extensions will not result in over development of the site.
- 5.4 Residential Amenity
It is considered that the proposed change would have no greater impact on the residential amenities of neighbouring occupiers in terms of overbearing impact, than the existing approval.
- 5.5 Design and Access Statement
Not required with this particular type of householder planning application.
- 5.6 Use of Energy and Sustainability
No specific measures proposed above current Building Regulations.
- 5.7 Improvements achieved to the scheme
None required.

5.8 Section 106 Requirements

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

6. CONCLUSION

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

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

- a) The proposed extensions have been designed to have regard for the character and appearance of the dwelling and area taking account of materials, height and scale of the development-Policies D1 and H4.
- b) The proposed extensions have 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 H4

7. RECOMMENDATION

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

Contact Officer:

Tel. No. 01454 86

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. 29/10 – 30 JULY 2010

App No.:	PK10/1362/F	Applicant:	Mr D Clements
Site:	39 Westerleigh Road Pucklechurch Bristol South Gloucestershire BS16 9RD	Date Reg:	15th June 2010
Proposal:	Erection of 1 no. 6 metre (1kw) wind turbine in rear garden. (Retrospective). Resubmission of PK09/5892/F.	Parish:	Pucklechurch Parish Council
Map Ref:	369888 176637	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	10th August 2010



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 100023410, 2008. N.T.S. PK10/1362/F

INTRODUCTION

This application has been referred to the circulated schedule due to the receipt of four letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a free standing wind turbine in the rear garden of No. 39 Westerleigh Road, Pucklechurch. The proposed turbine would measure 6 metres in height and would be located approximately 400mm away from the rear elevation of the dwellinghouse. The proposed turbine was erected to enable the applicant to generate noise readings, as such the application is retrospective.
- 1.2 The application site relates to a detached two storey dwelling, located within the Pucklechurch Conservation Area, adjacent to the Grade II listed Pucklechurch House.
- 1.3 The applicant also shows the installation of solar panels on a south west facing roof slope, these fall under the provisions of Part 40 Class A of the Town and Country Planning General Permitted Development (Amendment) (No.2) Order 2008, and as such do not require planning permission.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS22 Renewable energy
- 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
L9 Species Protection
L12 Conservation Area
EP5 Renewable Energy Installations

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
No objections

Other Representations

4.2 Local Residents

Four letters of objection has been received from local residents raising the following concerns:

- It is inappropriate to have a 6m turbine in a residential area especially in Pucklechurch Conservation Area.
- The turbine has been erected without planning permission
- The site is a conservation area and three important listed buildings are located close by
- A 20ft turbine is high when stood next it.
- The applicants neighbours are located closer to the turbine when in their garden than the applicant is.
- Views from neighbouring properties are ruined by an ugly turbine.
- Neighbours can't sit near the turbine because of the noise.
- Not enough research has been done into the noise nuisance that turbines cause when winds exceed 16 mph and the difference caused by wind direction.
- Wind turbine should be located away from where people are.
- Visible from dining room bedroom and most of garden.
- It could be affecting the presence of birds and bats.
- Noise disturbance 24 hours a day 7 days a week.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that proposals within the curtilage of a dwelling house, 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.

Policy EP5 allows for proposals for renewable energy installations provided that the development would not have unacceptable environmental or transportation effects, and would not prejudice residential amenity. Policy EP5 of the adopted local plan states that 'The Council recognises the environmental and economic benefits of promoting renewable energy installations and in principal welcomes proposals for renewable energy installation.'

5.2 Visual Amenity / Impact upon Conservation Area and Setting of the Listed Building

The property is a modern house located in what was the former kitchen garden to Pucklechurch House. It is set back from the road and partially screened by nearby trees and thus views of the modern property from the main road are limited. It will be important however to ensure that any development respects the conservation area character and does not detract from views or the setting of the adjoining listed and traditional buildings. Whilst there is support generally for micro-generation equipment such equipment needs to be carefully designed and located so it is appropriate for the sensitive historic context.

The proposed turbine is located to the rear of the dwelling, set away from the north eastern side boundary of the property by approximately 5 metres and set approximately 400mm away from the rear elevation of the attached garage. The rear garden of No. 39 Westerleigh Road is enclosed by a 1.8 metre high stone wall furthermore the trees located within the surrounding properties would partially screen views of the turbine from neighbouring properties. Given the topography of the land and the surrounding residential properties in combination with the relatively small scale of the turbine, measuring only 6 metres in height, it is not considered that proposal would be highly visible from the surrounding area, furthermore if viewed from the open countryside to the north, the proposal would be seen against the backdrop of the main dwelling. In addition, it is considered that the wind turbine is of a scale in keeping with the mass and height of the dwelling, No. 39 Westerleigh Road.

Given the location of the turbine behind the main dwelling the proposal would not be visible from Westerleigh Road, it is also set away from the adjoining listed building, Pucklechurch House. It is therefore not considered that the proposal would have a detrimental impact on the character and appearance of the Pucklechurch Conservation Area or affect the setting of adjoining historic buildings.

Whilst neighbouring residents have raised concerns regarding the impact of the proposal on the visual amenity of the Conservation Area it is considered that the associated environmental benefits would outweigh any minimal impacts upon the Conservation Area, caused by the modest sized turbine.

5.4 Noise Assessment

To the south west of the application site, Fig Tree Cottage and No. 16 Parkfeild Road are located approximately 25 metres away. The neighbouring property to the north east, Russett House No.41 Westerleigh Road, is located approximately 5 metres away however the main house is set back from the rear elevation of No. 39 Westerleigh Road and as such the turbine would be adjacent to the rear garden of this property and mostly screened from the main dwelling house by No. 39 Westerleigh Road.

The rear elevation of No. 5 Edmund Court is located approximately 50 metres away from the proposed turbine, however the rear garden of this property is located approximately 4 metres from the proposed turbine. Whilst the dwelling house is located some distance from the proposed turbine due to the depth of the garden, this property benefits from a swimming pool which is located close to the boundary with No. 39 Westerleigh Road.

The proposed wind turbine is of a small domestic scale. The technical specification submitted in support of the application states that the turbine will not operate when the wind direction is from the east as it is sheltered by the main property. The noise reading data collected demonstrates that the noise levels generated by the turbine are very similar to typical background noise levels. Furthermore the Councils Environmental Protection Officer has visited the site on two occasions to monitor the noise generated from the turbine and is of the opinion that the noise generated is almost inaudible. As such, given

the low noise levels generated by the turbine, it is considered that the proposal would not cause a detrimental impact upon the residential amenity of the area in terms of noise. Furthermore the Councils Environmental Protection Officer has raised no objections to the proposal. Therefore whilst concern has been raised by local residents regarding the noise generated by the turbine, given the data submitted and the observations from the Councils Environmental Protection Officer it is not considered that the noise generated by the turbine is of sufficient concern to warrant the refusal of the application.

5.5 Residential Amenity

The impact of the proposed turbine on the residential amenity of the neighbouring properties in terms of noise has been assessed in paragraph 5.4 above. Given the location and scale of the proposed turbine it is not considered that the proposal would have any overshadowing or overbearing effect on the neighbouring dwellings.

With regard to the concern raised regarding loss of views and the fact the turbine would be visible from neighbouring dwellings, it should be noted that there is no right to a view under planning legislation and as such this is not a material planning consideration. Further, there are no concerns relating to loss of daylight/sunlight, taking into consideration the noise assessment above, it is considered that the impact on residential amenity is subsequently deemed acceptable.

5.6 Impacts on the existing trees

Given that the proposed turbine is free standing, whilst it is located in close proximity to a mature tree, the proposal would not have any detrimental impact on the health and longevity of the tree as the roots would not be effected. Furthermore the proposed turbine is located away from the existing canopy. The Councils Tree Officer has raised no objections to the proposal as such it is considered acceptable in terms of the impact on the nearby tree.

5.7 Ecological Impacts

The turbine is situated in well-tended garden of a domestic property, close to several mature specimen trees. Concerns regarding the blades of wind turbines being linked to bat fatalities during night-feeding. Natural England has issued guidance on the relative risks inherent to birds/bats from wind turbines and the factors to be considered in determining their siting.

The application site is located amid a managed domestic garden in a suburban environment which offers a degree of feeding habitat for bats. Whilst in a village, the site is somewhat removed from the open countryside (semi-natural habitat) beyond. Accordingly, based on the Natural England guidance and assessment of risk to bats, it is considered that the turbine location is likely to present a low risk of fatalities or of having any significant impact on local bat species or populations.

Nonetheless, being consistent with other turbine applications, a Condition should be attached requiring the monitoring of the turbines during bats' active summer months (May – September inclusive) in its first year of use, presented in the form of a brief report to the Council. The Condition would also require a

commitment to reviewing the turbines operational hours/seasons in the unlikely event of bat fatalities being significant, even if unlikely.

With regard to the impact on birds, the garden is likely to be used by a range of common garden birds for nesting and foraging. As such it is considered that the monitoring of the turbines for bat fatalities should be extended to birds as well. Therefore subject to the attachment of conditions as outlined above, the proposal is deemed acceptable.

5.8 Design and Access Statement

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

5.9 Use of Energy and Sustainability

The proposal is for a free standing wind turbine which would contribute to the energy consumed in the dwelling. In addition the applicant is installing solar panels which would provide hot water for 60-70% of the year.

5.10 Improvements Achieved to the Scheme

None required

5.11 Section 106 Requirements

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

6. CONCLUSION

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

6.2 Due to the siting of the turbine, the potential for visual intrusion in the wider landscape and the impact on the surrounding conservation area is very limited. The noise information submitted with the application demonstrates that the proposal would not cause detrimental impact upon residential amenity of the neighbouring property. Therefore the proposal is considered to be in accordance with policies D1, H4, L12 and EP5 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

2. For the first year of use of the wind turbine hereby permitted, a monitoring report of the operational phase of the wind turbine for fatalities of birds and bats particularly during bats's active summer months from May to September inclusive, shall be submitted to the Local Planning Authority.

Reason

To ensure the works are carried out in an appropriate manner and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 29/10 – 30 JULY 2010

App No.:	PK10/1478/F	Applicant:	Mr C Baker
Site:	116 Bromley Heath Road Downend Bristol South Gloucestershire BS16 6JN	Date Reg:	21st June 2010
Proposal:	Erection of two storey extension and single storey rear extension to form residential annexe ancillary to main dwelling. (Re- Submission of PK10/0271/F)	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364801 177830	Ward:	Downend
Application Category:	Householder	Target Date:	11th August 2010



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 100023410, 2008. **N.T.S.** **PK10/1478/F**

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey side and a single storey rear extension to provide an ancillary annexe to the main dwelling.
- 1.2 The application site relates to a two storey semi detached 1930's dwelling within the residential area of Downend.

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 Extensions

South Gloucestershire Core Strategy Pre-submission Draft March 2010
SC1 High Quality Design

- 2.3 Supplementary Planning Guidance
SPD Design

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/0271/F Erection of two storey side extension and single
Storey side extension
Withdrawn April 2010
- 3.2 PK08/0238/F Erection of 1 no. dwelling
Refused Feb 2008 on design grounds

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection

- 4.2 Transportation
The proposed development involves a two storey extension to provide a residential annexe which is ancillary to the existing dwelling. The site has an existing vehicular access to the rear of the site off Bromley Drive. It is proposed to create a new vehicular crossover onto Bromley Heath Road.

Provided there is a condition that restricts that the extension is not sublet or subdivided from the existing dwelling, there is no transportation objection to this proposal.

Other Representations

4.3 Local Residents

One letter has been received from a local resident raising the following planning objections regarding the proposed development which have been summarised by the Planning Officer as follows:

- Previous application relating to this site refused on grounds of development extending outside building line and not in keeping
- Little changed with this revised application
- Effect light to property particularly in evening
- Extension will allow for overlooking
- Works out of keeping

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Plan allows for extensions to existing dwellings, subject there being no adverse impact on existing visual and residential amenities. Policy CS1 of the Core Strategy seeks to achieve high quality design.

5.2 Visual Amenity

The application site relates to a two storey semi detached dwelling within the established residential area Downend. The dwelling is on the junction of Bromley Heath Road and Bromley Drive. This application seeks planning permission for a 3.70m wide two storey side extension with a single storey rear extension.

5.3 Objections have been raised by the neighbour on the grounds that a previous application was refused on the grounds of its visual impact and projection beyond established building line. That application (PK08/0238/F) sought planning permission for a two storey attached dwelling and was refused on the following grounds:

The proposed dwelling would be close to the edge of the site, being, cramped and visually incongruous in the street scene, which is characterised by wide side gardens at junctions. The proposal would close this gap to the detriment of the regular street pattern, local distinctiveness and visual amenity, contrary to policy D1 of the adopted South Gloucestershire Local Plan and the adopted Design Checklist.

The proposed dwelling, being narrower than the predominant house type in the streetscene, would form an alien element, harmful to the regular street pattern, good design and visual amenity, by virtue of its lack of width, contrary to policy D1 of the adopted South Gloucestershire Local Plan and the adopted Design Checklist.

- 5.4 This application has sought to address the above objections by re-designing the additional accommodation so that it reads as a subservient extension to the main dwelling by stepping back the front building line and by introducing a lower ridge height. The overall width of the development has been reduced in width from 5.0m to 3.70m.
- 5.5 The main objection last time round related to the fact that the proposed dwelling would be sited close to the boundary of Bromley Drive and in turn fill in this balanced gap left by the dwellings on either side of the junction with Bromley Drive and would also project forward of the existing building line along Bromley Drive. It was considered that this would harm the traditional layout which informs the character of the area and sets its local distinctiveness.
- 5.6 Whilst it is accepted this extension will close in the gap, it is considered however as it will be set back from the boundary by 1.0m at the nearest point and will be set back 1.80m at the rear, that an extension of this scale and in this location would not have a harmful impact on the character of the immediate area and street scene, especially as the extension will now read as a subservient addition to the main dwelling. Members are advised to consider that no. 152 Bromley Heath Road further along the road which is also sited on a corner plot has carried out a two storey side extension in a similar location.
- 5.7 Residential Amenity
Objections have been raised by the adjacent neighbour of no.2 Bromley Drive sited rear of the application site on the grounds of loss of light and overlooking. Members are advised to consider that no objection was raised by the Planning Officer regarding residential impact with regards the previous scheme (PK08/0238/F), despite the proposed dwelling being wider by 1.30m.
- 5.8 The proposed two storey side extension will be set back 15.0m from the side elevation of no.2 and although stepped forward of the front building line of no.2 it is considered that an extension in this location and by reason of its orientation in relation to no.2 would not have a unacceptable impact in terms of loss of light. Concerns of overlooking have been raised, however as the proposed first floor windows on the rear elevation relate to non-habital rooms i.e. bathroom and landing, it is considered that there are no issue of direct overlooking or loss of privacy.
- 5.9 Transportation Issues
There is existing on site car parking provision within the application site by way of a detached garage and car parking space. As this application relates to ancillary residential accommodation, no additional car parking is required. The applicant however proposes an additional car parking space at the front of the site. No objection has been raised by the Highway Officer.
- 5.10 The Highway Officer has requested that a planning condition be imposed restricting the extension from being sublet or subdivided from the main dwelling. Members are advised to consider that it is not considered necessary as planning permission would be required in its own right to separate or

subdivided from extension the main house. An informative will be attached to the planning permission advising the applicant of this.

5.11 Design and Access Statement

Not required with this particular type of householder planning application.

5.12 Use of Energy and Sustainability

No specific measures proposed above current Building Regulations.

5.13 Improvements achieved to the scheme

None required.

5.14 Section 106 Requirements

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

6. CONCLUSION

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

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

- a) The proposed extensions have been designed to have regard for the character and appearance of the dwelling and area taking account of materials, height and scale of the development-Policies D1 and H4.
- b) The proposed extensions have 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 H4

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

Reason

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

CIRCULATED SCHEDULE NO. 29/10 – 30 JULY 2010

App No.:	PT10/1268/F	Applicant:	S.A Brain And Co Ltd
Site:	White Horse Inn Gloucester Road Buckover Wotton Under Edge South Gloucestershire	Date Reg:	18th June 2010
Proposal:	Installation of sewage treatment plant and associated drainage.	Parish:	Thornbury Town Council
Map Ref:	366385 190390	Ward:	Thornbury North
Application Category:	Minor	Target Date:	10th August 2010



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 100023410, 2008. **N.T.S.** **PT10/1268/F**

INTRODUCTION

This application appears on the Circulated Schedule as a representation was made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the installation of a sewage treatment plant and associated drainage.
- 1.2 The application site relates to the White Horse Inn, a public house located off Gloucester Road (the A38) in Buckover. The site is located outside of any defined settlement boundary in open countryside. The application covers the installation of a Kee 1200 NuDisc Sewage Treatment Plant and associated drainage, the majority of which would be situated underground. The proposed system would replace an existing un-consented septic tank discharge to a nearby watercourse.

2. POLICY CONTEXT

2.1 National Guidance

Circular 03/99: Planning requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development

PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design
EP2 Flood Risk and Development
L1 Landscape Protection and Enhancement
L17 & L18 The Water Environment

Emerging Development Plan

Core Strategy Pre-Submission Publication Draft (March 2010)

CS1 High Quality Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 Various but none specifically relevant to this application.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

No objection raised.

4.2 Other Consultees

Highways

No objection.

Other Representations

4.3 Local Residents

One letter received raising concern over soakaway arrangements and that the development would take place on land within the ownership of the applicant.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Circular 03/99 states that if connection to a public sewer is not feasible, a package sewage treatment plant incorporating a combination of treatment processes should be considered. The plant should offer full treatment and ultimately meet the standard and conditions set by the Environment Agency where applicable. It is considered that the proposed treatment plant is a preferable solution over the existing septic tank, and this is reflected in the policy advice of the Circular (particularly paragraph 5). Consent from the Environment Agency has been sought by the applicant.

Policy D1 of the Local Plan states that 'development will only be permitted where good standards of site planning and design are achieved'. The proposal is therefore acceptable subject to the following detailed assessment.

5.2 Design / Visual Amenity

The total size of the proposed tank would be approximately 3m deep, 2.5m wide and 9.1m in length. However the tank is to be dug into the ground meaning that the vast majority of it will be underground. The tank would protrude above ground by approximately 0.43m. The tank is to be located in the far northern corner of the site adjacent to the car park. This car park is set down considerably from the roadside level, meaning that the proposed tank would not be visible from the public realm. It is therefore considered that no harm is caused to the visual amenity and the proposal is acceptable.

5.3 Drainage / The Water Environment

The proposed sewage treatment plant would replace an existing septic tank that discharges into a nearby watercourse. A Consent to Discharge Application has been submitted to the Environment Agency. The property is not subject to flooding and the Council's Drainage Officer has assessed the application including soakaway

arrangements and raises no objection. The proposal therefore complies with the criteria set out in Policies EP2 and L17 & L18 of the Local Plan.

5.4 Residential Amenity

The sewerage plant would be located some distance from the nearest residential dwelling and therefore would not prejudice the amenity of nearby occupiers.

5.5 Other Matters

A local resident raised concern regarding the ownership of the land that the sewage plant is proposed to be built on. The applicant signed 'Certificate A' on the application form confirming that the land is within their ownership and the application is therefore duly assessed on this basis.

5.6 Design and Access Statement

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

5.7 Improvements to Scheme

No improvements considered necessary.

5.8 Section 106 Requirements

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

6. **CONCLUSION**

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

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

- a) The proposal would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposal has been designed to respect and maintain the overall design and character of the surrounding area. The development therefore accords to

Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

- c) The proposal would not have an adverse impact upon the water environment and would provide an adequate solution for water discharge. The development therefore accords to Policies EP2 and L17 & L18 of the South Gloucestershire Local Plan (Adopted) January 2006 and Circular 03/99: Planning requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development.

7. RECOMMENDATION

7.1 That planning permission is **GRANTED** subject to the following conditions.

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

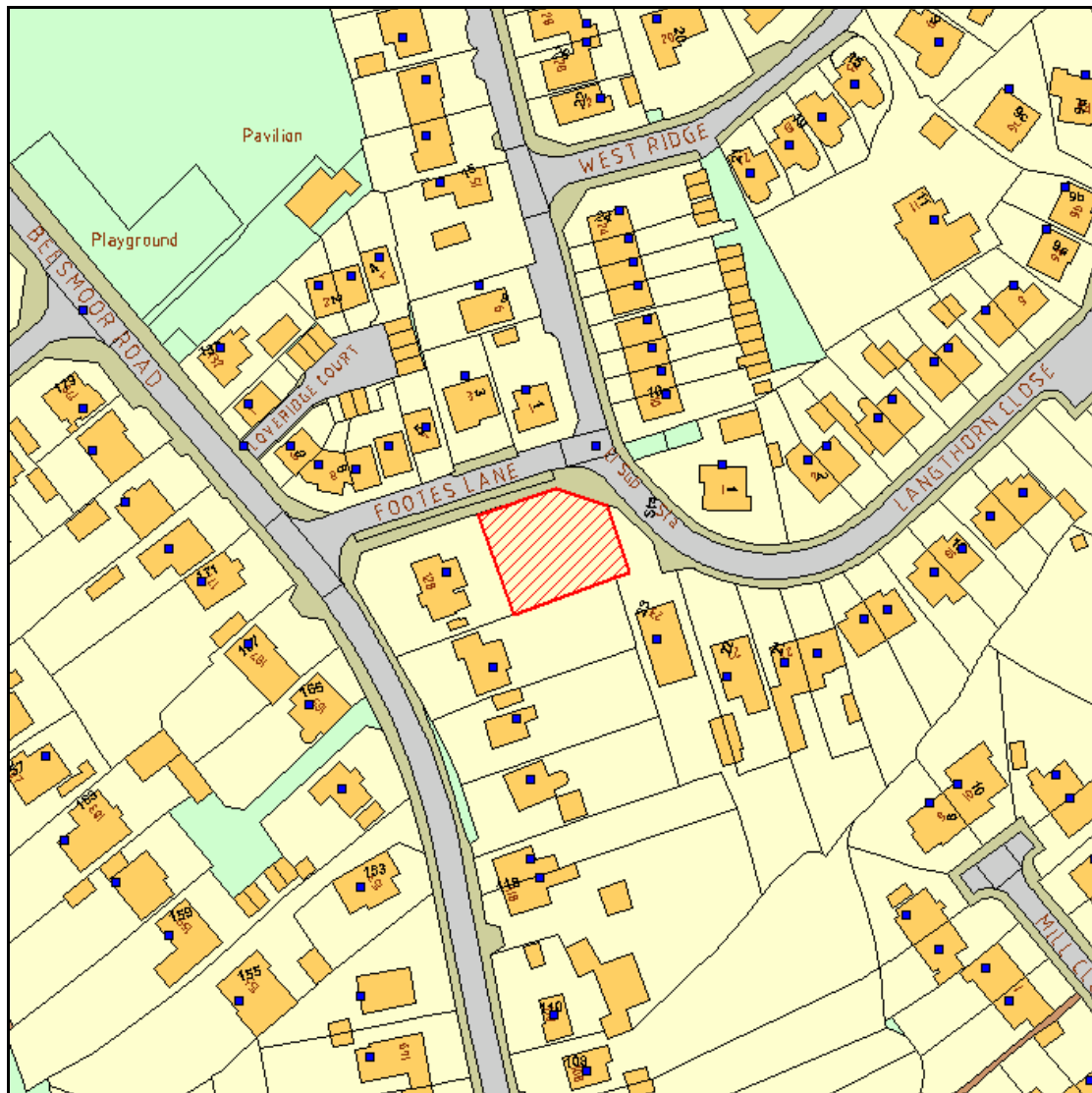
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 29/10 – 30 JULY 2010

App No.:	PT10/1446/F	Applicant:	Mr And Mrs Ruff
Site:	128 Beesmoor Road Frampton Cotterell Bristol South Gloucestershire BS36 2JP	Date Reg:	17th June 2010
Proposal:	Erection of 1 no two storey detached house with garage, new access and associated works.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366947 181125	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	9th August 2010



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100023410, 2008.

N.T.S.

PT10/1446/F

INTRODUCTION

This application appears on the Circulated Schedule List because objections have been received which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 1no. two-storey detached dwellinghouse with an attached garage.
- 1.2 The application site comprises a residential garden associated with no. 128 Beesmoor Road within the established residential area of Frampton Cotterell. The host dwelling forms a corner plot between Beesmoore Road and Footes Lane. Large conifer trees currently line the northern boundary of the site adjacent to Footes Lane. The proposed dwelling would be situated east of the host dwelling and front onto Footes Lane. A new access would be formed off Footes Lane to serve the dwellinghouse.
- 1.3 The proposed dwelling would comprise 4no. bedrooms, an attached garage/utility room, store, green house and conservatory.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H2 Proposals for Residential Development within Existing Urban Areas and Settlement Boundaries
H4 Residential Development within Existing Residential Curtilages
L1 Landscape Protection and Enhancement
T12 Transportation Development Control Policy for New Development
T7 Cycle Parking
T8 Parking Standards
L17/18 The Water Environment
EP1 Environmental Pollution
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)
- 2.4 Core Strategy – Planning for Future Development in South Gloucestershire – Pre-Submission Publication Draft
CS1 High Quality Design
CS3 Renewable and Low Carbon Energy Generation
CS34 Rural Areas
- 2.5 Ministerial Statement on Previously Developed Land and Density and revised PPS3 Housing issued 9th June 2010

3. RELEVANT PLANNING HISTORY

- 3.1 N7244/2, erection of detached bungalow. Construction of vehicular access, refusal, 02/07/81.
- 3.2 N7244/1, erection of detached bungalow. Construction of vehicular and pedestrian access (outline), refusal, 26/03/81.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell
No objection – the Parish Council would like the boundary wall to be built from existing local stone.
- 4.2 Transportation DC
No objection

Other Representations

- 4.3 Local Residents
One letter of objection has been received from a neighbouring occupier. The objector highlights the following concerns:

Access would be across the only pavement in Footes Lane;
Existing off street parking problems in Footes Lane;
Existing congestion problems in Footes Lane;
New Government legislation has blocked the infilling of gardens.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning Policy D1 applies to all types of development and requires that a good standard of design is achieved. Planning Policies H2 and H4 allow for the principle of new residential development within existing settlement boundaries and residential curtilages subject to design, residential amenity, transportation and environmental considerations.
- 5.2 An objector has stated that the new government legislation has blocked the infilling of gardens. However, the ministerial statement regarding the change in definition of previously developed land does not make a significant difference in this instance to the assessment of the application for housing development on garden land. This is because the proposal for new residential development on garden land will be assessed under policies H2 and H4 of the Local Plan. These policies allow for the principle of residential development to take place on sites that are located within existing settlement boundaries and residential curtilages. There is no reference to whether or not the land is brownfield land or previously developed land. The Policies in the Local Plan already require that

proposal must be assessed for their impact on the character of the local area and this is clearly stated in Policies H2 and D1.

5.3 Impact on Streetscene

Footes Lane comprises a mix of traditional and modern terrace properties, which directly front the lane behind dwarf stone/brick walls. The proposed dwelling, which would be set back approximately 4 metres from the street behind a stone wall approximately 1.2 metres in height and align with the northern building line of the host dwelling, would respect the layout and siting of the surrounding built form. The applicant has specified that the wall would comprise a stone facing which would be sourced from local sources to match similar examples in the locality. A condition will be applied to ensure that samples are submitted, and it is considered that this sufficiently addresses the Parish Council's comments.

5.4 The dwelling would comprise a rectangular form with a painted roughcast render finish for the walls, timber fenestration and a pitched roof covered by clay pantiles with 2no. chimney stacks. The proposed horizontal proportions and unbroken eaves level would reflect the character of the more traditional properties in Beesmoor Road and Footes Lane. The principal elevation would comprise a gabled timber canopy over the front entrance and an elongated central first floor window, which would serve an internal staircase. The proportions of the window have been amended to be more in-keeping with the other windows on the front elevation, which has improved the overall appearance of the principal elevation. The surrounding area is characterised by dwellings of various architectural styles and ages and it is considered that the dwelling would not appear adversely out of keeping in this context.

5.5 The applicant has reduced the roof verges around the proposed house and garage, which has reduced the bulk and massing of the proposal. Whilst the street plan submitted indicates that the dwelling would be larger in scale than the host dwelling, it is considered that the proposal would not be adversely harmful given the mix of dwellings in the surrounding area. The applicant has reduced the size of the footprint of the dwelling slightly, and it is considered that the open space to the eastern side of the property and the single storey garage adjacent to the flank boundary, would ensure that the proposal would not appear adversely cramped within the streetscene. Given the above, it is considered that the proposal would integrate with the existing streetscene and would not have an adverse impact on the character of the surrounding area.

5.6 The rear elevation of the proposed dwelling would be south facing and includes a significant amount of glazing in order to maximise solar gain. The roof would comprise solar hot water panels and photovoltaic panels, whilst a rainwater harvesting tank would be situated underground in the rear garden. The South Gloucestershire Local Plan and emerging South Gloucestershire Core Strategy generally support appropriately sited renewable/low carbon installations in proposals. Although the additional glazing, timber store and solar panels would give the rear elevation a somewhat cluttered and unbalanced appearance, it would be well screened from the public realm by vegetation and existing built form. Given the above it is considered that the proposal complies with Policy D1 of the South Gloucestershire Local Plan and Design Checklist SPD.

5.7 Residential Amenity

The rear of the proposed dwelling would be located perpendicular to the flank boundary of no. 126 Beesmoor Road at a distance of approximately 10 metres, which is considered to be a sufficient distance to ensure that any views into the rear garden of the neighbouring property would not be significantly adversely harmful in terms of residential amenity. Thick vegetation along the southern boundary would also help to screen views from the proposed dwelling into the neighbouring garden. The proposed dwelling would be located north of the neighbouring property at a distance of approximately 20 metres, therefore, it is considered that the proposal would not have a significant adverse overbearing/shadowing impact to the detriment of the neighbouring occupiers residential amenity. The rooflights proposed in the rear elevation have been reduced in scale and would be located high enough up the roof slope to ensure there would not be any significant adverse privacy issues.

5.8 A distance of approximately 10 metres would separate the rear of the host dwelling from the side of the proposed single storey garage and 16 metres to the main dwelling. On this basis, on balance, it is considered that the proposal would not have a significant adverse overbearing impact to the detriment of the host dwellings residential amenity. In addition, the location of the host dwelling to the southwest of the proposed dwelling would ensure that it would not be significantly adversely impacted through loss of daylight. No first floor side windows are proposed in the western elevation of the proposed dwelling, therefore, it is considered that the proposal would not introduce any new privacy issues to the detriment of the residential amenity of the host dwelling. A sufficient amount of private amenity space would be left to serve the host dwelling.

5.9 The host dwelling benefits from a two-storey rear extension, which would be approximately 8 metres from and perpendicular to the boundary of the proposed dwelling and would allow views into the rear garden. However, the proposed dwelling would benefit from a large garden area and more privacy would be available in the northeastern part of the garden. On balance, it is considered that any views from the host dwelling into the proposed garden area would not be adversely harmful to the residential amenity of future occupiers.

5.10 Transportation

Access would be from Footes Lane onto an area of hard standing to the front of the dwelling. An attached garage/utility room would be adjoined to the western side of the dwelling. The garage would be encompassed by a pitched roof and would provide bicycle and car parking for 1no. car. Objections have been received on the basis that the access would be over the only pavement in Footes Lane. However, Footes Lane is an unclassified highway, therefore, an access could be formed onto the highway without planning permission. Objections have been received on the basis of existing congestion and off street parking issues, which will be exacerbated by the proposed development. However, there is no transportation objection. The off-street parking provision specified would not have an adverse impact on levels of off-street parking and the scale of the proposal is such that it is considered that it would not generate a significant number of vehicular trips, which would have a material affect on

congestion of highway safety in the locality. The Council Transportation Officer has no objections to the proposal.

5.11 Works to Trees/Hedges and Impact on the Character of the Area

The site currently contains numerous fruit trees and free standing conifers and the site is screened by a cypress hedge on the northern boundary. The existing hedge provides a screen for the property but offers little visual amenity to the area. The other trees on the site are small garden varieties offering little visual amenity. The Council Tree Officer has inspected the trees and considers that none of them would fulfil the criteria for a Tree Preservation Order. The plans demonstrate that part of the hedge would be removed in order to create the access. It is considered that this would also help assimilate the dwelling with the surroundings and contribute more to the streetscene. In addition, 4no. conifers and 2no. fruit trees would be removed to facilitate the dwelling. There are no objections to the removal of these trees but the Council Tree Officer has requested replacement planting to be undertaken to mitigate the loss. A condition will be applied to ensure that a landscape scheme is submitted if permission is granted. The plans demonstrate that the remaining trees would be retained within the new curtilage. A protective fencing plan in accordance with BS5837:2005, and a method statement for any works within the Root Protection Area of the retained trees should be submitted to ensure that they are not damaged during development and to ensure the health and longevity of the trees. A condition will be applied on this basis if permission is granted.

5.12 Further Matters

The side elevation plan submitted for the proposed dwelling does not show the proposed greenhouse or store. The footprint and siting of the greenhouse and store shown on the rear elevation and floor plan is considered to be acceptable in principle and further details will be obtained by condition.

5.13 Design and Access Statement

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

5.14 Use of Energy and Sustainability

Glazing, photovoltaics and water heating panels located to maximise solar gain. Greenhouse, food growing area and rainwater harvesting facilities proposed.

5.15 Improvements Achieved to the Scheme

Reduction to the scale, bulk and massing of the proposed dwelling including alterations to the elongated first floor window on the principal elevation. Alterations to improve the appearance of the rear elevation.

5.16 Section 106 Requirements

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

condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

The principle of the development is acceptable by virtue of Policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The dwelling is informed by the scale, design, siting, form and massing of the surrounding development and would not have an adverse impact on the character of the streetscene – Policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The layout of the site and the design of the proposed dwelling is such that the proposal would not introduce any significant adverse impacts in terms of residential amenity through loss of natural light or privacy – Policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The objections received are noted, however, it is considered that the proposal would not have a significant adverse impact in terms of congestion or highway safety in the locality given the scale of the proposed development. The parking provision proposed complies with the Council parking standards – Policies T7, T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

- 7.1 Planning Permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

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

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

Reason

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

3. Prior to the commencement of development details/samples of the roofing and external facing materials proposed to be used including the 1.2 metre high front boundary wall shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

4. Prior to the commencement of development 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.

Reason

To protect the character and appearance of the area and to accord with Policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted).

5. Prior to the commencement of the development a Tree Constraints Plan and Method Statement for any works within the Root Protection Areas, in accordance with BS5837:2005 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure the health and longevity of the retained trees to preserve the character and visual amenity of the area to accord with Policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted).

6. The hours of working on site during the period of construction shall be restricted to 8.00-18.00 Monday to Friday; 8.00-13.00 on Saturdays and with no working 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 the site.

Reason

To minimise the disturbance to neighbouring occupiers to accord with Policy H2 of the South Gloucestershire Local Plan (adopted) January 2006.

7. Prior to the commencement of the development a side elevation plan showing the proposed greenhouse and store shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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