

**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. 05/10

Date to Members: 05/02/10

Member's Deadline: 11/02/10 (5pm)

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

CIRCULATED SCHEDULE

DATE: 05/02/10

SCHEDULE NO. 05/10

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

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

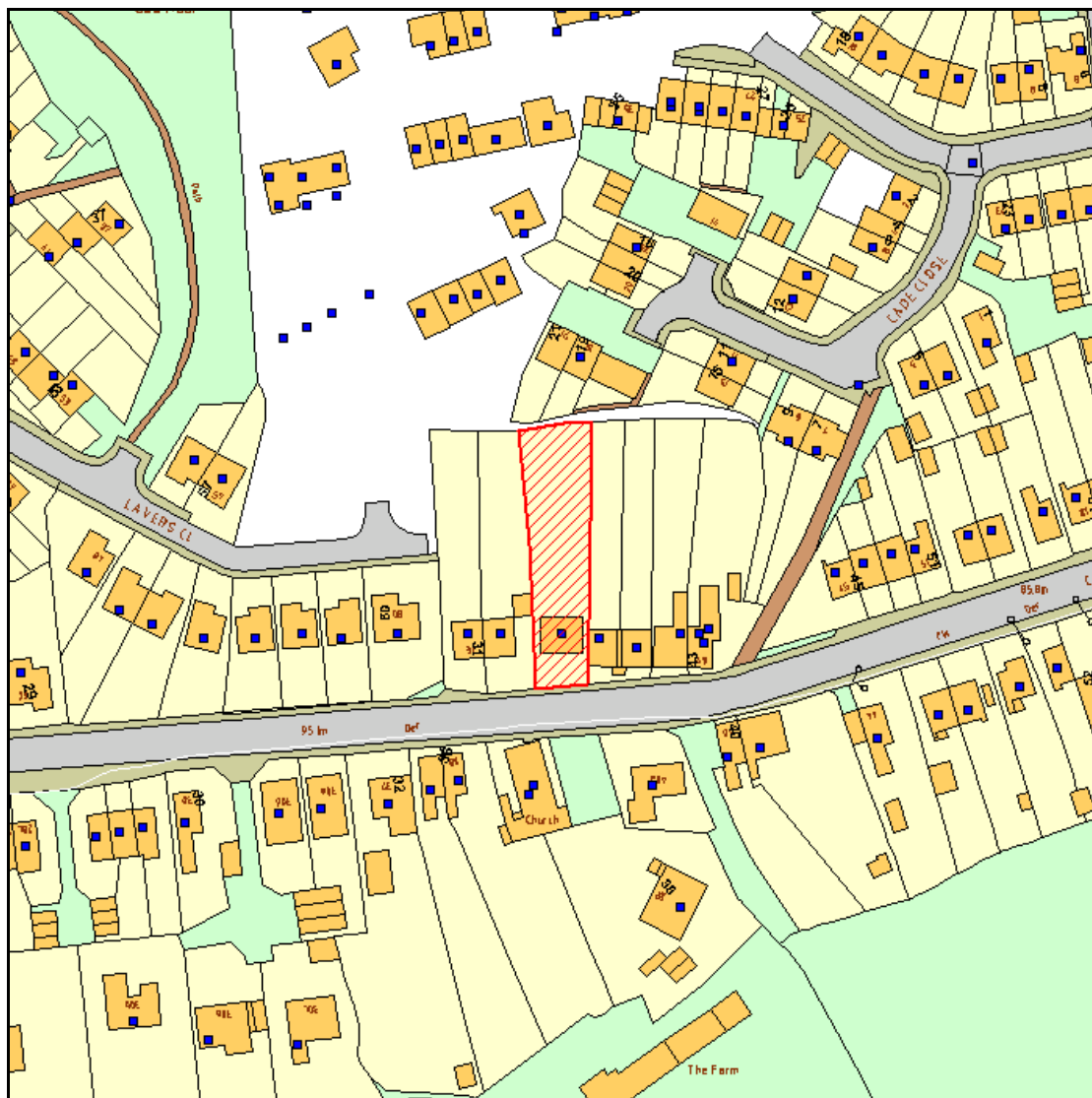
DATE

CIRCULATED SCHEDULE – 05 FEBRUARY 2010

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK09/5562/F	Approve with Conditions	35 Cock Road Kingswood South Gloucestershire BS15 9SH	Woodstock	None
2	PK09/5679/F	Approve with Conditions	25 Pines Road Bitton South Gloucestershire BS30 6JN	Bitton	Bitton Parish Council
3	PK09/6022/R3F	Deemed Consent	Courtney School Site Courtney Road Kingswood South Gloucestershire BS15 9RD	Woodstock	
4	PK09/6108/F	Approve with Conditions	9 Youngs Court Emersons Green South Gloucestershire BS16 7AU	Emersons	Mangotsfield Rural Parish Council
5	PT09/6043/RM	Approve with Conditions	53 Nicholls Lane Winterbourne South Gloucestershire BS36 1NF	Winterbourne	Winterbourne Parish Council
6	PT09/6057/F	Approve with Conditions	32 Touchstone Avenue Stoke Gifford South Gloucestershire BS34 8XQ	Stoke Gifford	Stoke Gifford Parish Council
7	PT09/6060/F	Approve with Conditions	Ash Cottage Quarry Road Frenchay South Gloucestershire BS16 1LX	Frenchay And Stoke Park	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 05/10 – 05 FEBRUARY 2010

App No.:	PK09/5562/F	Applicant:	Mr D Devenish
Site:	35 Cock Road Kingswood South Gloucestershire BS15 9SH	Date Reg:	21st December 2009
Proposal:	Construction of raised decking area with associated steps and balustrade to rear elevation. (Retrospective).	Parish:	None
Map Ref:	365623 172802	Ward:	Woodstock
Application Category:	Householder	Target Date:	12th February 2010



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 100023410, 2008. **N.T.S.** **PK09/5562/F**

INTRODUCTION

This application appears on the Circulated Schedule as representations have been received contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a two storey detached dwelling situated on the northern side of Cock Road, Kingswood. The site lies within the defined settlement boundary of Kingswood.
- 1.2 Planning permission is sought for the retention of a raised decking area with steps and balustrade to the rear elevation.

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 within existing residential curtilages, including extensions and new dwellings

3. RELEVANT PLANNING HISTORY

3.1 No history.

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
The area is unparished.

Other Representations

4.3 Local Residents

One letter of objection has been received raising the following points.

- Affects any privacy in my rear garden
- As the floor level of this decking is actually higher than the hedge that divides our properties, we have lost all of the privacy in our garden.
- We have a large patio which we use to eat and socialise during the summer or any suitable weather. This is directly overlooked by the decking.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 allows for the principle of house extensions subject to considerations of design,

residential amenity and highway safety. The principle of development is therefore acceptable subject to the following detailed assessment.

5.2 Design/Visual Amenity

Planning permission is sought for the retention of a raised decking area with steps and balustrade to the rear elevation. The application property is fully detached and situated on a steep hill running down from south to north, resulting in the ground floor of the at the rear elevation of the dwelling being sited approximately 1.5 metres above ground level. The decking extends from the rear elevation at this height, and has a depth of 5 metres. The total width of the decking is 8.2 metres, which includes the steps leading down to the rear garden.

5.3 Beneath the raised decking it is proposed to insert wooden doors and 3no. windows to the rear elevation. It is considered the decking and windows beneath would not harm the visual amenity of the area, particularly given the location at the rear of the dwelling and its simple design. It is therefore it is considered both additions are appropriate additions to the dwelling and the streetscene.

5.4 Residential Amenity

The decking is set back from the boundary to the east by 2.0 metres and from the west boundary by 1.8 metres. Due to the existing garage and mature shrubbery to the eastern boundary (to No.33 Cock Road), it is considered that no loss of amenity will be experienced to these occupiers. The boundary to the west (to No.37 Cock Road) is a mature hedgerow to an approximate height of 2.0 metres dropping to approximately 1.8 metres in height.

5.5 Whilst it is accepted that the decking does result in some additional levels of overlooking of the garden of the neighbour at No.37 Cock Road, it is not considered that this will be significantly greater than the existing situation. Additionally, the decking will extend very little beyond the depth of the existing single storey rear extension attached to No. 37.

5.6 Prior to the construction of the decking, there were views from the kitchen, dining room, and bedroom windows out over the neighbouring gardens. It is accepted that these views are exacerbated in parts of the neighbour's garden but not to such an extent to warrant the refusal of the application.

5.7 Consideration must also be given to the fact that an area of raised decking has recently been approved at a neighbouring property – No. 39 Cock Road (Ref PK08/3257/F). The decking subject of this current application will not afford any greater levels of overlooking or loss of privacy for the occupiers of No. 37 Cock Road than the decking already approved to the other side of the neighbouring dwelling, under application PK08/3257/F. Given that planning approval was given for the decking and conservatory at No.39, it would be unreasonable of the Council to refuse the decking subject of this application given that the issues are fundamentally the same. Therefore, it is considered that the impact on residential amenity is deemed acceptable.

5.8 Amenity Space

Whilst the proposed extension does project into the rear garden, sufficient garden space will remain to serve the occupiers of the property.

5.9 Highway Safety Analysis

The extension will not affect the property's parking arrangements, situated at the front of the dwelling, nor will it prejudice highway safety. The proposal is therefore acceptable in highway grounds.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

6.2 It has been assessed that the proposed extension has been designed to respect and maintain the materials and design and character of the dwelling streetscene. The development therefore accords with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

6.3 It is not considered that the proposal would cause any significant adverse impact in residential amenity. The development is therefore considered to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

6.4 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: Elizabeth Dowse
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

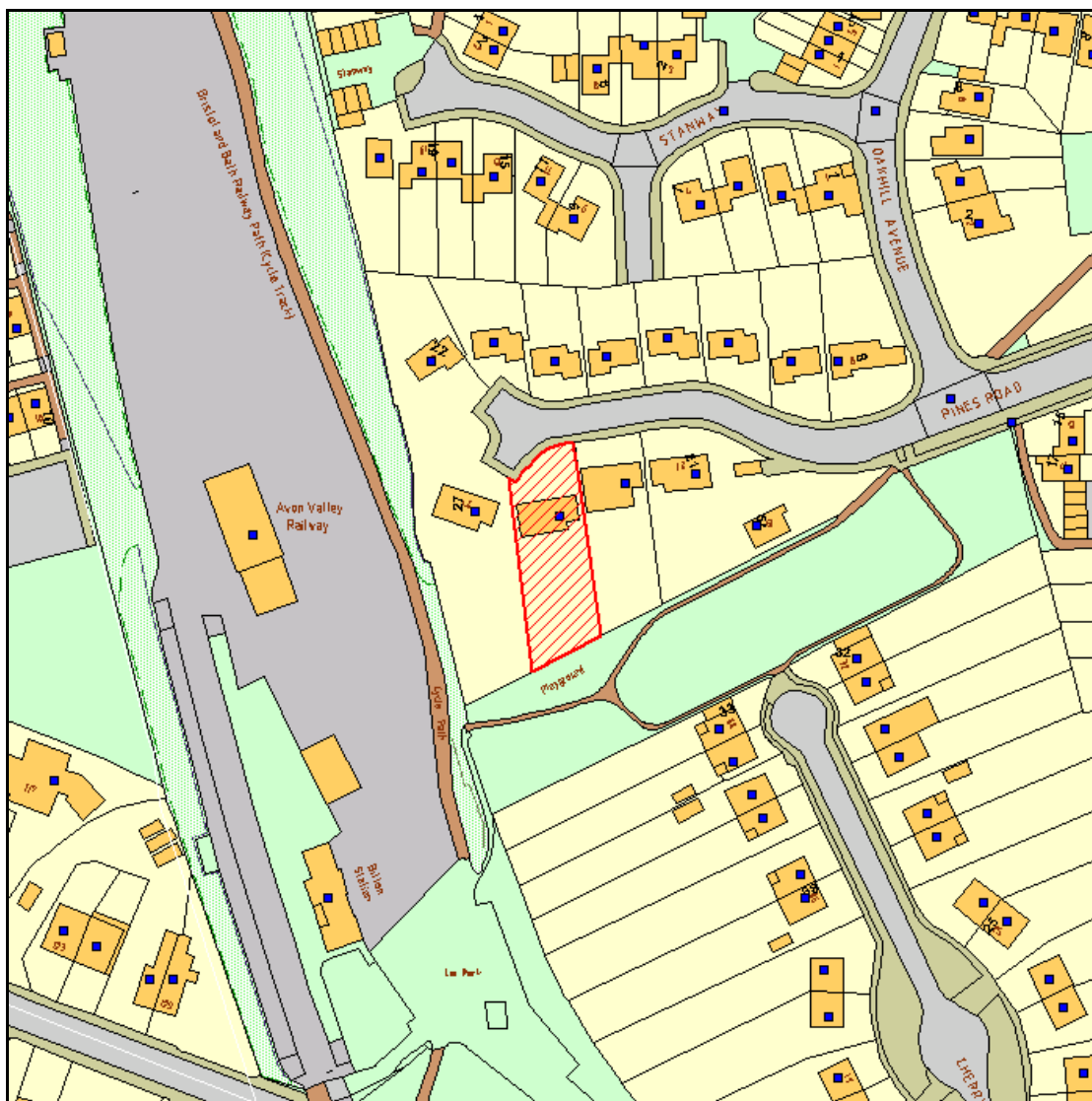
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 05/10 – 05 FEBRUARY 2010

App No.:	PK09/5679/F	Applicant:	Mr E Walker
Site:	25 Pines Road Bitton South Gloucestershire BS30 6JN	Date Reg:	11th November 2009
Proposal:	Erection of raised decking area (Retrospective)	Parish:	Bitton Parish Council
Map Ref:	367036 170387	Ward:	Bitton
Application Category:	Householder	Target Date:	1st January 2010



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 100023410, 2008. **N.T.S.** **PK09/5679/F**

INTRODUCTION

This application appears on the circulated schedule due to the receipt of two letters of objection.

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission for the erection of an area of raised decking to the rear of the property. The decking was erected before the applicant discovered the need for planning permission hence this application to regularise the situation.
- 1.2 The decking as constructed has a depth out from the main rear wall of the conservatory of 2.9 metres. Having visited the site, the planning officer expressed some concern about the decking as erected. Amended plans have been submitted to show an agreed reduced area of decking. The revised plans as submitted show the decking to have a depth of 1.2 metres out from the main rear wall of the conservatory.

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

3. RELEVANT PLANNING HISTORY

- 3.1 None Relevant

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
The Parish Council originally objected to the application for the retention of the decking as constructed. Following the receipt of revised plans showing a reduced area of decking the Parish Council formally withdrew their objection.

Other Representations

- 4.2 Local Residents
Two letter of objection have been received raising the following points of concern:
 - Shocked about the impact the decking has on No. 27
 - The decking resembles an observation platform that overlooks the whole of the neighbours garden

- Deprives No. 27 of any privacy in their lounge
- Decking is visually offensive

One additional letter of objection was received from a neighbouring property. Upon receipt of revised plans this objection however was formally withdrawn.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met.

5.2 Design

As currently constructed, the decking is large and is visually dominant on the rear elevation of the dwelling. Notwithstanding this, the decking has been built to a high quality and is of good design. The decking incorporates two stairways – one at either end and these stairways incorporate different angles adding visual interest to the structure.

5.3 During the course of the application negotiations were undertaken and the applicant has agreed to reduce the depth of the decking from 2.9 metres as constructed down to 1.2 metres. This will significantly reduce the visual mass of the structure lessening its dominant effect. Subject to the amendments being made, the decking is of high quality design that integrates successfully with the existing bungalow.

5.4 Residential Amenity

As currently constructed, the decking allows for direct visibility into the lounge window of the neighbouring bungalow No. 27 Pines Road at close proximity. Users of the decking are able to stand or sit on the platform and look directly into the previously private lounge window serving No. 27. This was considered to be unacceptable by your officer.

5.5 Following the negotiations as outlined in section 5.3 above, the scheme has been amended to include an area of decking that protrudes only 1.2 metres out from the conservatory wall. This amount of decking is necessary to allow the applicant access out of the conservatory down either stairwell and into the garden. At this reduced depth the impact upon the lounge window of No. 27 is greatly reduced. At this depth it is also likely that the decking will be used more as a walkway rather than as a sitting and gathering area – this will reduce the length of time residents spend on the decking. Subject to the attachment of a condition to ensure that the decking is reduced in accordance with the revised plans, the impact upon existing levels of residential amenity is deemed to be acceptable.

5.6 Use of Energy and Sustainability

None relevant for a scheme of this nature.

5.7 Improvements Achieved to the Scheme

Revised plans received as discussed in section 5.3 to reduce the depth of the decking to protect the amenities of the neighbouring dwelling.

5.8 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The decking as constructed is of high quality and good design. Once reduced in depth as per the revised plans, the decking will integrate successfully with the existing dwelling and levels of amenity afforded to the neighbouring dwellings will be protected.

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: Marie Bath
Tel. No. 01454 864769

CONDITIONS

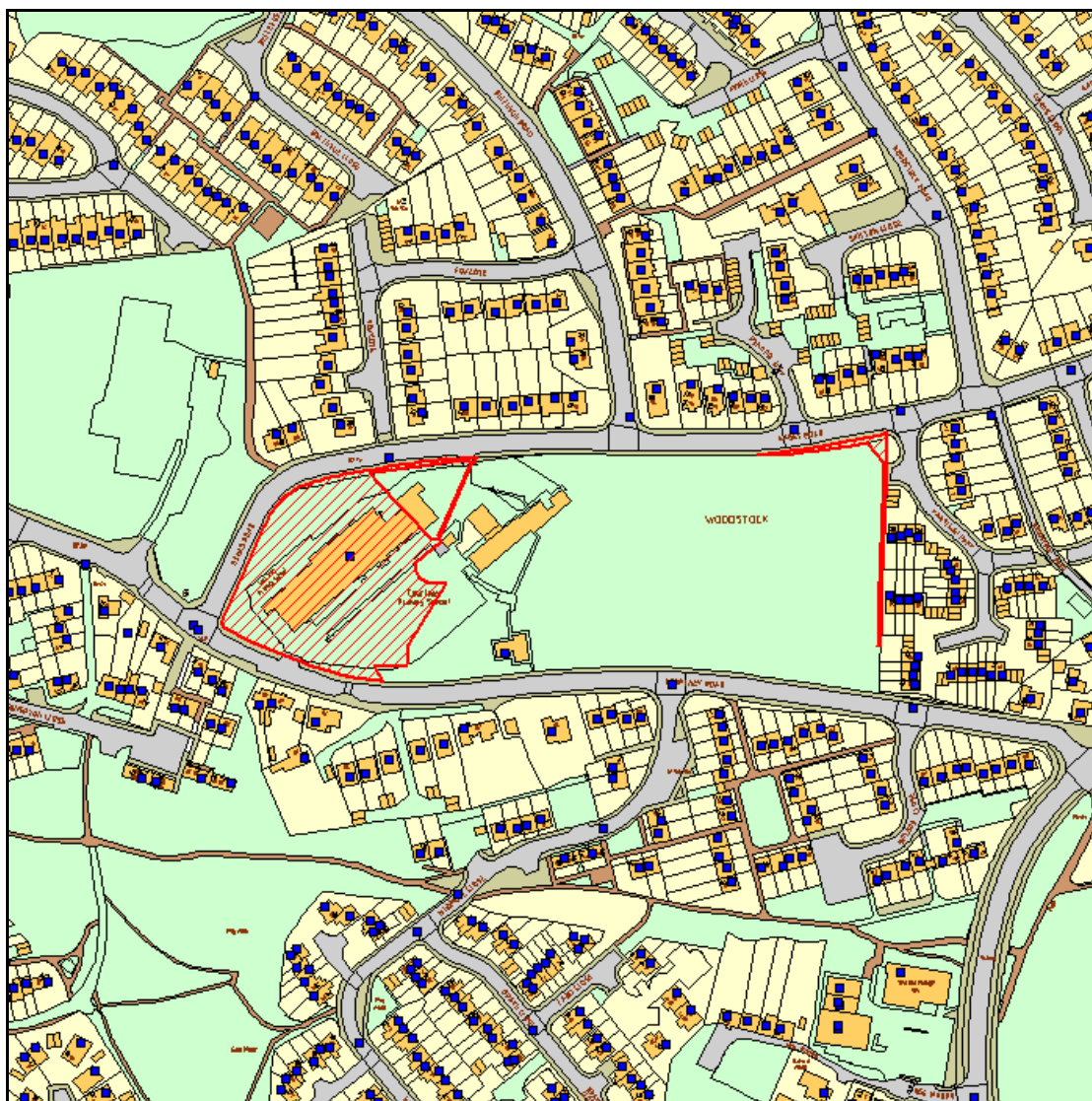
1. Within 6 weeks of the date of this decision notice the area of decking must be reduced in accordance with plans no's EW/PR/2009/3 and EW/PR/2009/2A

Reason

At its current depth, the area of decking allows for direct intervisibility into the lounge window of No. 27 Pines Road having a significant and detrimental impact upon levels of residential amenity. At the reduced depth these issues of overlooking and loss of privacy will be reduced to an acceptable amount. The reduction is therefore required to ensure that the decking satisfies the requirements of Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 05/10 – 05 FEBRUARY 2010

App No.:	PK09/6022/R3F	Applicant:	CYP Dept. SGC
Site:	Courtney School Site Courtney Road Kingswood Bristol South Gloucestershire	Date Reg:	23rd December 2009
Proposal:	Erection of new 15 place BESD special primary school with associated works. Erection of 3m maximum high boundary fence and gates.	Parish:	
Map Ref:	365520 173224	Ward:	Woodstock
Application Category:	Minor	Target Date:	15th February 2010



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 100023410, 2008. **N.T.S.** **PK09/6022/R3F**

INTRODUCTION

This application appears on the circulated schedule in accordance with correct procedure as the applicant is South Gloucestershire Council itself.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the construction of a new 15 place special primary school. The school will provide education facilities for pupils aged between 7 – 11 with behavioural, emotional and social difficulties. The new school building will be constructed on the site that is currently occupied by Courtney Primary School. This 210 place school will be re-located into a new building which is currently under construction on the adjacent playing field.
- 1.2 The site comprises a 0.5ha parcel of land at the junction of Courtney Road with Gages Road and is currently occupied by Courtney Primary School. Planning permission has recently been granted for a new primary school on the former playing fields immediately adjacent to the application site and is currently under construction. The proposed school will be single storey only and has been designed to mirror the school under construction on the adjacent site.
- 1.3 The application also seeks planning permission for the construction of boundary fencing. The majority of the fencing surrounds the proposed new school although an isolated section is also proposed to the east of the application site adjacent to the residential properties on Kingsley Park. Drawing 200 entitled 'Location Plan' clearly shows the location of the proposed school and the proposed new fencing.

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1 Delivering Sustainable Development
 - PPG17 Planning for open space, sport and recreation
- 2.2 Development Plans
 - South Gloucestershire Local Plan (Adopted) January 2006
 - D1 Design
 - L1 Landscape Protection and Enhancement
 - LC4 Proposals for Community and Education Facilities
 - T8 Parking standards
 - T12 Transportation Development Control
- 2.3 Supplementary Planning Guidance
 - South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/2561/R3F Erection of replacement primary school (7 classrooms) on existing site with new access and associated works. Erection of 2.4m high perimeter fence.
Approved September 2008
This application is the approval of the replacement primary school on the adjacent site as referred to in the introduction.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
The area is un-parished

- 4.2 Other Consultees

Highway Officers
No objection

Other Representations

- 4.3 Local Residents
None Received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy LC4 of the South Gloucestershire Local Plan (Adopted) relates to the expansion of education facilities within the existing urban area. The previous application for the erection of the primary school on the adjacent site was also tested against a number of policies relating to the protection of playing fields and open space. These policies are not relevant here as the site is already developed and will not result in the loss of any existing play fields. Policy LC4 states that proposals for education facilities within the urban area will be permitted provided the following criteria are satisfied:
- 5.2 **A. Proposals are located on sites which are highly accessible on foot and by bicycle;** and
The site is located in the centre of a densely populated residential area with many dwellings within easy walking/cycling distance of the school. This criterion is therefore complied with.
- 5.3 **B. Development would not unacceptably prejudice residential amenities;** and
The has been used as a school for many years. The proposed building is modest in scale and will be further into the site and therefore further away from neighbouring dwellings than the existing building. There will be a limited number of children at the school (15) and therefore the potential for noise at break times is likely to be lower than the noise generated by the existing much larger school. Impact upon existing levels of residential amenity is therefore likely to be minimal.

5.4 **C. Development would not have unacceptable environmental or transportation effects; and**

5.5 Environmental Effects

The proposal will have no adverse environmental effects. An external lighting scheme has been submitted as part of the design and access statement to indicate that the development will have minimal impact upon the local environment in terms of light spillage/pollution. Whilst external illumination of the building, access and play areas will be required, this has been designed to be as un-obtrusive as possible.

5.6 Ecology

Most of the site consists of buildings and tarmac playing areas and is without vegetation. There are some trees on the site but these will be discussed in more detail in section 5.20 below. An ecological survey has been submitted with the application and confirms that no signs of any protected species have been seen on the site. The only groups for which the site is potentially suitable are badgers and bats.

5.7 The site, and as far as possible areas within 30 metres were searched for setts and other signs of badger activity. None were seen.

5.8 The school buildings are flat roofs and constructed of well-pointed brick and lack any spaces for potential bat roosts. The ecological report states that none of the trees on the site have any deep holes although some have small crevices and/or ivy coverings of ivy that could be used by small numbers of bats although no signs of any use were seen. The ecological report states that there are no habitats on site that are likely to be of significant value as bat foraging or commuting habitats.

5.9 Any grass on the site is short mown and are therefore unsuitable for slow worms and other reptiles. There are no ponds or other wetlands either on the site or as far as could be seen, in nearby areas.

5.10 Because of the existing use of the site, the heavy use by man and the fact that the site is devoid of many natural features, the ecological impact of the proposal is acceptable. The sedum roof will contribute positively towards the ecological benefit of the site and the application is therefore considered to comply with Policies L9 and LC4 of the South Gloucestershire Local Plan (Adopted).

5.11 **D. Development would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area and highway safety.**

The new school will be built on the site of Courtney primary school which is being replaced with a new building lower down the hill.

5.12 The new school will cater for 15 students and it is considered reasonable to expect these pupils will arrive by car and minibus. The existing main vehicular and pedestrian access will remain the same and will be used as the only means

of entrance to the new school. Adequate provision is made for delivery vehicles and fire appliances. The plans show the provision of 11 car parking space plus one disabled parking bay. There is a drop off area for 5 taxis or minibuses, with one additional minibus parking space and a cycle shelter to accommodate 5 cycles.

5.13 In light of the above, adequate on site parking space is being provided to meet the needs of the school. The proposal does not include the introduction of any new vehicular access points that could effect the safe and free flow of traffic in the vicinity. In light of the above there are no highway objections to the proposal and the applications complied with the requirements of LC4, T8, T7 and T12 of the South Gloucestershire Local Plan (Adopted).

5.14 Design

Whilst urban design officers have not been consulted with regards to this application, the building has been designed to take lead from the new primary school currently under construction on the lower site – application PK08/2561/R3F.

5.15 The proposed building will appear compact and pays attention to the topography of the site and the surrounding built environment by the curve of the building. The proposal incorporates a sedum roof as will be found on the new primary school on the lower site helping to soften the impact of the building along with having positive environmental effects. The building has been designed to address both Courtney Road and Gages Road with the two most important elevations facing these two roads.

5.16 The new school building is to have a modern and contemporary feel. The bulk of the school will be finished in buff brick although panels of colour are to be added to introduce visual interest. Parts of the external walls will also be finished with a timber effect cladding to help soften the impact of the building and add further horizontal emphasis to reduce the visual scale of the building.

5.17 It is considered that the proposed new building is of good design that respects and enhances the street scene. It will facilitate the removal of the existing school building, which is of far lower design quality having a more institutional appearance. The use of varied materials and the curved footprint add visual interest and help to keep the bulk of the building as low as possible through the horizontal emphasis. The building takes its lead from the primary school building currently under construction on the lower site ensuring successful integration. The design of the building is therefore considered to be entirely appropriate.

5.18 Fencing

The application seeks consent for a variety of fencing - around the proposed new school, around the adjacent Air Training Corps Site and an isolated section adjacent to the new school under construction on the lower site.

5.19 Drawing PE/110/LA/P-03A shows the location of the proposed fencing which is focused mainly around the new school. The majority of the proposed fencing is 2.4 metre high weld mesh perimeter fencing. This is of the same height and

design as the fencing surrounding the new school on the lower site. Fencing of this height is required in the interests of safety and crime reduction. Fencing has traditionally been found around the site and the new fencing will not have any significant visual impacts. An assortment of other fencing is also included within the application – notably the 3m tall fencing around the proposed games Court. This is required to prevent balls and other such items leaving the games court during play. The design of the fencing is appropriate and effective without appearing unduly obtrusive.

5.20 Landscaping/Trees

A detailed landscaping plan has been submitted with the application which does show the felling of one TPO'd tree in the northern corner of the site adjacent to Gages Road. This Lombardy Poplar is in poor condition and there is no objection to its removal. The proposed landscaping scheme shows the planting of a replacement tree in the location of the TPO'd tree to be felled. The majority of existing trees on the site are to be retained as part of the re-development along with some new planting. A condition will be attached to any consent granted to ensure that tree protection measures are put in place to protect the trees during the construction period.

5.21 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. The statement is thorough and comprehensive and fully explains the reasoning behind the design and layout of the scheme.

5.22 Use of Energy and Sustainability

The design and access statement confirms that a number of energy conservation measures have been included within the scheme and BREEAM measurement of 'very good' is included within the brief. A renewable energy statement has been submitted demonstrating that all appropriate means of renewable energy have been considered – the conclusion being that an air source heat pump shall be installed for both space and hot water at the school.

5.23 Improvements Achieved to the Scheme

None required.

5.24 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed development is suitable for its setting and is of a good design that will enhance the street scene and character of the area. The proposed new building is to be located centrally within the plot and will be slightly further away from neighbouring dwellings than the existing building it is to replace. Existing levels of residential amenity are protected through the development. The site is located in a densely populated residential area with many dwellings within easy walking/cycling distance of the school and adequate on site parking space is being provided to meet the needs of the school. The proposal does not include the introduction of any new vehicular access points that could effect the safe and free flow of traffic in the vicinity.
- 6.3 The proposed new building is of good design that respects and enhances the street scene. It will facilitate the removal of the existing school building, which is of far lower design quality having a more institutional appearance. The use of varied materials and the curved footprint add visual interest and help to keep the bulk of the building as low as possible through the horizontal emphasis. The building takes its lead from the primary school building currently under construction on the lower site ensuring successful integration. The design of the building is therefore considered to be entirely appropriate. The proposed fencing in terms of height and design is entirely appropriate for the setting and will integrate with that already approved and erected around the adjacent primary school.
- 6.4 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: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

2. No development shall take place until a tree protection plan in accordance with BS:5837:2005 has been submitted to the Council and if acceptable, agreed in writing. The tree protection measures as agreed must be fully in place before development commences.

To ensure that protected trees and trees to be retained are not accidentally damaged during the development process and to comply with the requirements of Policy L1 of the Adopted South Gloucestershire Local Plan.

3. 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 policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

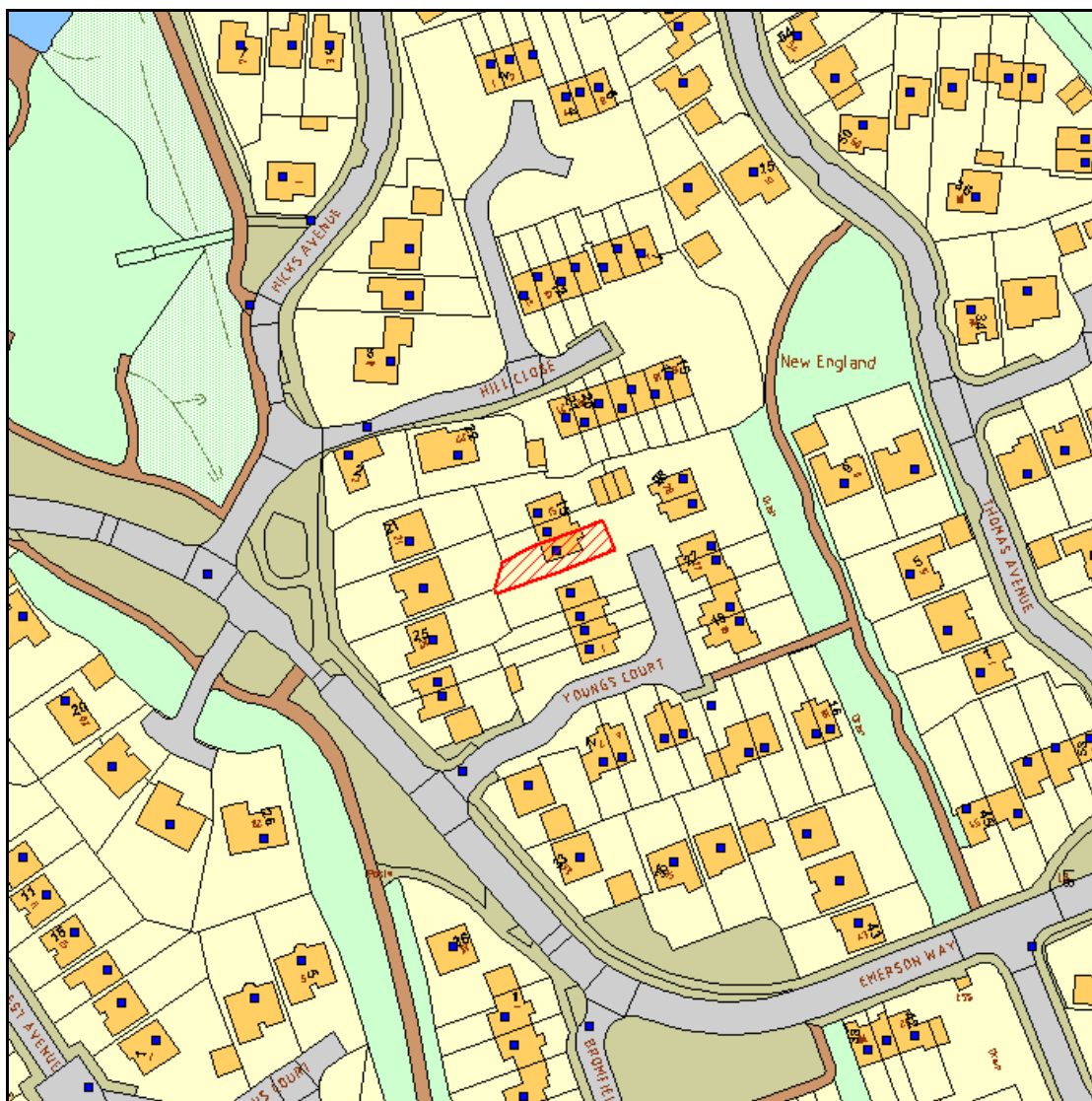
4. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

CIRCULATED SCHEDULE NO. 05/10 – 05 FEBRUARY 2010

App No.:	PK09/6108/F	Applicant:	Mrs S Andrews
Site:	9 Youngs Court Emersons Green South Gloucestershire BS16 7AU	Date Reg:	23rd December 2009
Proposal:	Erection of two storey side extension to form additional living accommodation.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366789 177554	Ward:	Emersons Green
Application Category:	Householder	Target Date:	15th February 2010



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 100023410, 2008. **N.T.S.** **PK09/6108/F**

INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule as a result of objections received from local residents regarding the proposed development.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a two storey side extension.
- 1.2 The application site relates to an end terraced two storey dwelling within residential area of Emersons Green.

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
- 2.3 Supplementary Planning Guidance
Design

3. RELEVANT PLANNING HISTORY

- 3.1 PK6//3448/F Erection of rear conservatory
Approved Jan 2007

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Parish Council
No response received

Other Representations

- 4.2 Local Residents
3 letters have been received from local residents raising the following objections regarding the proposed development, which have been summarised by the Planning officer as follows:
 - Application site red line deemed incorrect
 - Plans insufficient with regards assessing if access and driveway will be affected
 - Drawings should be provided acknowledging legal boundaries and access practicalities
 - Extension will impact on existing car parking arrangements
 - Access to rear of drive and rubbish bins will be difficult
 - Overlooking
 - Loss of sunlight

- Width of extension should be reduced
- The proposed extension would impact on the original planning layout of the estate
- Loss of light
- Increased surface water run off

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for extensions to existing dwellings subject there being no adverse impact on existing visual and residential amenities and transportation highway safety.

5.2 Visual Amenity

The application site relates to a modern end terraced two storey dwelling located within a residential cul-de-sac, which is characterised by semi detached and terraced properties.

5.3 This application seeks permission for a two-storey side extension. Local residents have raised an objection on the grounds that the proposed works would impact on the original layout of this development.

5.4 Whilst it is accepted that the original housing development of Youngs Court would have been subject to careful consideration in terms of layout and design, this does not however preclude any future extensions to dwellings on this estate. All proposed developments are determined in line with the relevant South Gloucestershire Local Plan in this instance Policies D1 and H4, unless material considerations indicate otherwise.

5.5 This application seeks permission for a two-storey side extension, which is subservient to that of the main dwelling with the front building line of the extension set back and the proposed ridge height set lower than the existing.

5.6 The proposed extension is considered to be of scale and design in keeping with the character of the existing dwelling and that of the immediate surrounding area, particularly those terraced properties.

5.7 Residential amenity

The proposed extension will be sited on the southern elevation of the dwelling and will be set back from the side elevation of no. 7 by approximately 2.60m, separated by no. 7's driveway. The side elevation of no. 7 has a first floor obscured window.

5.8 It is considered that an extension in this location would not have an overbearing impact on the adjacent occupiers of no. 7. When on site of was noted that the application site at the rear is set at higher level to those properties along the rear of Emerson's Way. As the extension will be set back from the adjoining rear boundary of no. 23 & 25 by 8.0m at the nearest point and given that those properties are set back of the boundary by 10.0m. It is considered that despite the difference in ground levels that an extension of this scale and in this location would not have an overbearing impact.

- 5.9 Objections have been raised on the grounds of loss of privacy by reason of the proposed first floor rear bedroom window. Regard must be had for the fact that there is already an element of overlooking by reason of the existing first floor rear bedroom window and that this situation is commonly found within a built up residential area. It is therefore considered that the introduction of a second bedroom window would not have a detrimental impact on the existing amenities of the adjacent occupiers or those properties to the rear so as to warrant refusal of the application.
- 5.10 In terms of loss of light, given the orientation of the application site property in relation to those properties to the rear and side it is considered that although there may be a small element of loss of early morning light it would not have such a detrimental impact.
- 5.11 Transportation Issues
Objections have been raised on the grounds that the proposed extension and proposed car parking space would impact on existing car parking arrangements.
- 5.12 The adjacent occupiers of no. 7 have raised an objection on the grounds that the proposed extension alongside their driveway would restrict the use of their driveway for parking and access to refuse bins. Whilst the Council acknowledges the above, it is considered that the proposed extension should not have greater impact than the existing situation i.e. when the applicant currently parks a car on their driveway. The overall width of no.7's driveway is 3.0m, which includes a 0.70m path. Provided all works relating to the proposed extension are within the applicant's boundary then the Council is unable to raise an objection on these grounds.
- 5.13 The neighbouring occupiers of no. 15 have raised concerns regarding the proposed second car parking space and its possible impact on their driveway and the extent of the red edge line. As part of this planning application the applicant proposes a second car parking space within the existing front garden. Additional plans have been submitted which show the extent of the applicant's boundary and car parking spaces in relation to no.15's unenclosed parking space. Based on the submitted plans they clearly show that 2 car parking spaces can be provided within the application site boundary. It is accepted that access to the proposed space is slightly awkward, however it can be achieved. So based on the submitted plans, which illustrate that two car parking spaces can be provided without impacting on the adjacent neighbour's parking space, no objection is raised. Issues of encroachment onto neighbouring land is a civil matter. Regard must be had that as an existing car parking space is being retained on site which is in line with the Council's current maximum car parking standards this application would be considered acceptable based on one space only being provided, however the provision of a second space is considered an enhancement.
- 5.14 The applicant has also confirmed in writing that parking to the property will remain within their curtilage and will be served by an existing shared surface road. New parking will be sited within an area, which is currently lawn and

neighbouring properties and their associated parking will remain unaffected by the proposals.

5.15 Drainage

Objections raised regarding increased surface water run as a result of the extension will be covered by the Building Regulations application. However with regards the second car parking space a planning condition will be imposed requiring that measures for dealing with surface water run are provided.

5.16 Design and Access Statement

Not required with this particular type of householder planning application.

5.17 Use of Energy and Sustainability

No specific measures above Building regulations

5.18 Improvements Achieved to the Scheme

Revised plans relating to on site car parking provision have been submitted, clarifying on site car parking arrangements.

5.19 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.

- a) The proposed extension has been designed to positively enhance the character and appearance of the dwelling and area taking account of materials, design, siting and scale-Policies D1 and H4
- b) The proposed development has taken fully account of neighbouring residential amenities and through careful design the proposal will not materially harm et amenities of neighbouring properties by reason of loss of privacy or natural light-Policy H4
- c) The proposal retains and offers car parking provision –Policies H4 and T8

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.

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

2. Prior to the occupation of any part of the extension hereby approved off street parking facilities as shown on the approved plan hereby approved shall be provided and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area and to accord with Policies H4 and T8 and T12 of the South Gloucestershire Local Plan.

3. The parking area shall be made from bound surfaced material either of porous materials or porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house and shall be maintained thereafter.

Reason

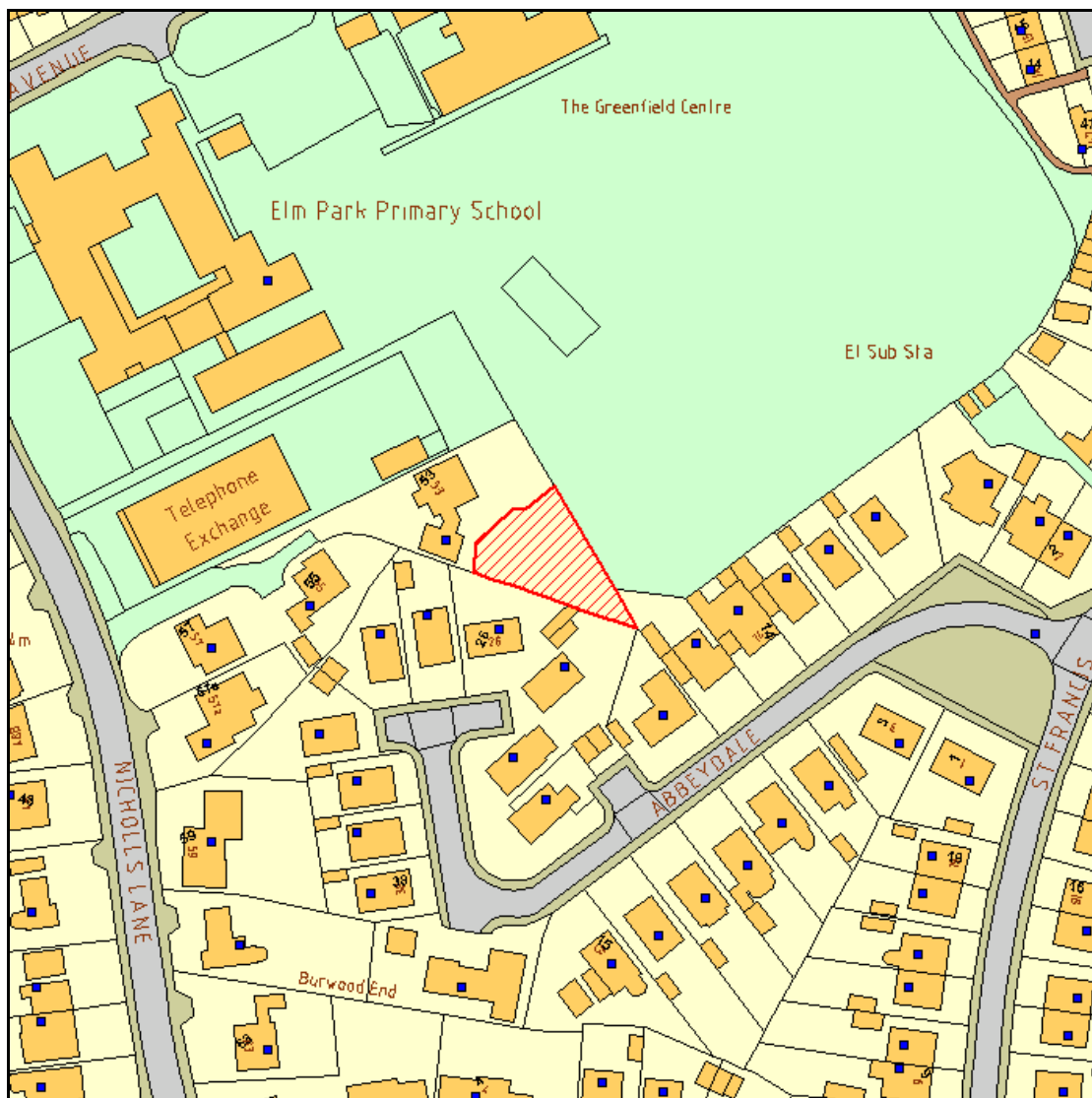
In the interests of highway safety and ensure a satisfactory means of drainage is provided and to accord with Policy T12 and EP1 of the South Gloucestershire Local Plan.

4. 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.

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.

CIRCULATED SCHEDULE NO.05/10 – 05 FEBRUARY 2010

App No.:	PT09/6043/RM	Applicant:	Mr And Mrs L Rickards
Site:	53 Nicholls Lane Winterbourne Bristol South Gloucestershire BS36 1NF	Date Reg:	7th January 2010
Proposal:	Erection of 1 no. dwelling with appearance, landscaping, layout and scale to be determined. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT08/1899/O)	Parish:	Winterbourne Parish Council
Map Ref:	365435 180889	Ward:	Winterbourne
Application Category:	Minor	Target Date:	15th February 2010



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INTRODUCTION

This application appears on the Circulated Schedule as representations were made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This reserved matters application relates to the erection of one detached two bed dwelling on land to the rear of 53 Nicholls Lane, Winterbourne. Details of siting/layout, design/appearance, scale, and landscaping are all to be considered under this application. Access was determined as a part of the outline consent.
- 1.2 The application site relates to land within the curtilage of 53 Nicholls Lane, Winterbourne. The application site is located within a well established residential area within the Winterbourne settlement boundary. The existing dwelling has an attached garage that will be demolished to create vehicular access to the proposed new dwelling. A separate planning application (PT09/6104/F) has been made that proposes to erect a new detached garage and parking area to serve the existing dwelling.
- 1.3 Following the Officer's site visit it was noted that hardstanding has been laid on the application site and therefore development has commenced. Amended plans were also submitted as the original ones were not drawn to the correct scale.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 Joint Replacement Structure Plan
Policy 1 Sustainable Development Objectives
Policy 2 Location of Development
Policy 33 Housing Provision and Distribution
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H2 Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
L1 Landscape Protection and Enhancement
L17 & L18 The Water Environment
T8 Parking Standards
T12 Transportation Development Control Policy for New Development

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

3. RELEVANT PLANNING HISTORY

PT08/0889/O - Erection of 1 no. dwelling (Outline) with access to be determined. All other matters reserved. Refused 09/05/2008.

PT08/1899/O - Erection of 1 no. dwelling (Outline) with access to be determined. All other matters reserved. Approved 30/01/2009.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection raised.

- 4.2 Other Consultees

Drainage
No objection.

Transport
No objection.

- 4.3 Local Residents
Four letters of objection received raising the following concerns:

- The proposed roof of the dwelling is high and would restrict view
- There are no proposals concerning drainage
- The width of the proposed dwelling is 1 m more than stated in the previous outline planning application
- The proposal is one and a half storeys not single storey as stated in outline application
- The roof will be higher than surrounding bungalows

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The principle of residential development has already been accepted by virtue of the previous outline application PT08/1899/O. This application must therefore be assessed purely on the grounds of layout, scale, design/external appearance and landscaping.

- 5.2 Policy H4 of the adopted Local Plan specifically relates to detailed design issues in assessing applications for residential development within existing residential curtilages. The main issues to consider are design, residential amenity, transportation issues and levels of amenity space.

- 5.3 Design / External Appearance

National Planning Guidance within PPS1 makes it clear that good design ensures attractive, useable, durable and adaptable places and is a key element in achieving sustainable development. This is reiterated at the local level within Policy D1 of the Local Plan and the South Gloucestershire Design Checklist SPD.

- 5.4 In respect of the layout and siting of the proposed dwelling would be accessed from an un-adopted access lane. The character of the wider area in this location is particularly mixed, with a mix of modern bungalows and more traditional two storey dwellings on Nicholls Lane. To the north of the site is the large two storey telephone exchange building. As such, there is no clearly defined settlement pattern.
- 5.5 The proposed dwelling has been sited on a triangular shaped site within the existing rear garden of no. 53 Nicholls Lane. The site is situated away from the public realm, and would not be visible until you enter the site itself. As such, in view of the above, it is considered that the proposed development would not materially harm the visual amenity of the street scene.
- 5.6 In terms of the scale and massing of the proposal the plans show that the development would be 6.1 m in height, 12.7 m in length and 8.2 m in width. In the outline application (PT08/1899/O) the applicant states the width of the dwelling would be between 5.3 m and 7 m. The main body of the proposed dwelling is 7 m however to the north east (rear) facing elevation there is a small lean to extension that takes the overall width of this section of the dwelling to 8.2 m and this is considered to be within a reasonable interpretation of the parameters set at the outline stage. Nevertheless it is considered that the scale and massing of the proposed development would be appropriate, given the surrounding properties and size of the plot.
- 5.7 The overall ridge height of the dwelling is also acceptable, as are the two small dormer windows on the rear elevation that facilitate a second storey. The outline planning permission did not rule out the construction of a two storey dwelling on the site and the overall height of the dwelling is actually more akin to a single storey dwelling and within the parameters of the outline consent.
- 5.8 The proposed dwelling would be built in brick and tiles to match the appearance of no. 53 Nicholls Lane. Fenestration is basic to the front, rear and sides with small rooflights on the front and rear roof pitches. It is considered that the design of the dwelling respects the character of the locality. Furthermore, the development would not be seen from the street scene. In view of this it is considered that the proposal would be acceptable in appearance.
- 5.9 Residential Amenity
There is glazing on the ground floor of the south east and south west facing elevations however there is a 2 m boundary fence ensuring no loss of privacy to the existing bungalows to the south. To the north east facing rear elevation is boundary treatment in the form of 4 m high trees and beyond this is a playing field. The proposal would not lead to an unreasonable loss of privacy for neighbouring occupiers and due to the dwellings siting and size there would be no overbearing impact on neighbouring dwellings.

5.10 Landscaping

To the north east the site benefits from a large amount of mature trees and there is also substantial planting along the boundary with the access lane to no. 53 Nicholls Lane and the adjacent telephone exchange. Sufficient information has been submitted in the form of the block plan for this reserved matter to be considered dealt with. In this instance it is not considered expedient for a landscaping condition to be attached to the decision notice.

5.11 Drainage

The proposal is to connect to an existing private foul drain serving no. 55 Nicholls Lane. According to Council drainage records this drain connects within the site to a private foul sewer serving 20-38 (evens) Abbeydale. It also shows no 16 Abbeydale as the head of another separate private foul sewer system (although no. 18 may also connect). The two systems do not join until the rear of 21 St Francis Drive. Roof water will be taken to soakaway although the Council record also shows a private surface water sewer running adjacent and parallel to the foul. This proposal satisfies the SUDS requirements.

5.12 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.

5.13 Energy and Sustainability

Solar panels are proposed on the front and rear elevations.

5.14 Other Matters

Concern was raised by local residents that the proposed dwelling would restrict views from nearby properties. It should be noted that entitlement to a private view cannot be considered as a material planning consideration in this instance. The proposed dwelling would be an addition to an already built up area within the settlement boundary of Winterbourne.

5.15 Section 106 Requirements

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

6. CONCLUSION

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

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 proposed dwelling would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed dwelling has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the surrounding area. The development therefore accords to Policy D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

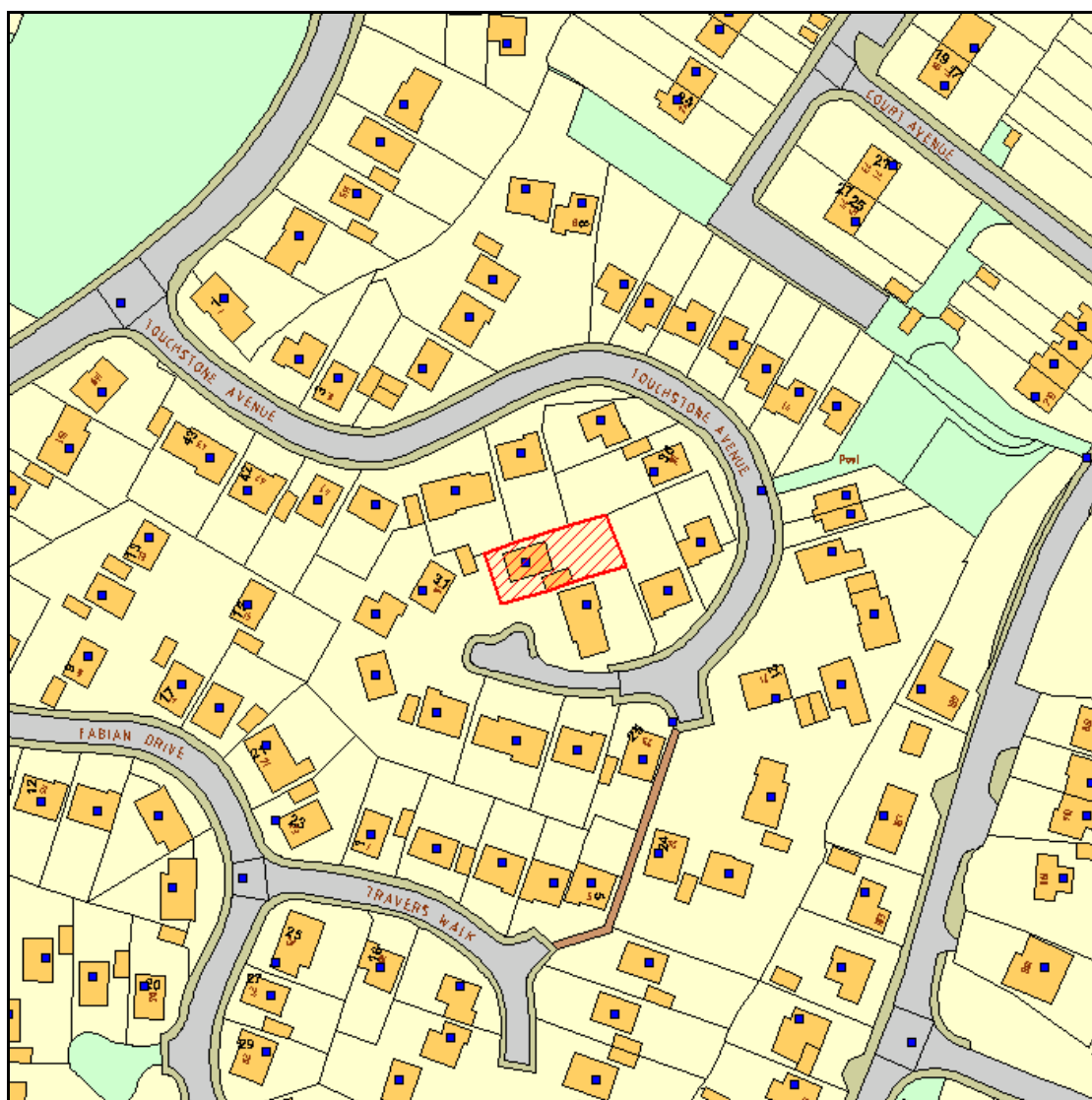
7. RECOMMENDATION

- 7.1 That the Reserved Matters submitted in accordance with Conditions 1, 2 and 3 associated with Outline Planning Permission PT08/1899/O dated 30 January 2009 is APPROVED.

Contact Officer: William Collins
Tel. No. 01454 863819

CIRCULATED SCHEDULE NO. 05/10 – 05 FEBRUARY 2010

App No.:	PT09/6057/F	Applicant:	Mr M Hambly
Site:	32 Touchstone Avenue Stoke Gifford Bristol South Gloucestershire BS34 8XQ	Date Reg:	23rd December 2009
Proposal:	Erection of two storey side and single storey rear extensions to form additional living accommodation. (Resubmission of PT09/5633/F).	Parish:	Stoke Gifford Parish Council
Map Ref:	362552 180134	Ward:	Stoke Gifford
Application Category:		Target Date:	16th February 2010



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INTRODUCTION

The application is submitted to the Circulated Schedule because concerns of a neighbour.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of two storey side and rear extension with an element of ground floor extension. The proposal would extend 3.4 metres into the rear garden and would extend 3.9m sideways.
- 1.2 The application site relates to a detached house in a cul-de-sac location in Stoke Gifford.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilage
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/5633/F Erection of two storey side and single storey rear extensions to form additional living accommodation. Withdrawn

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No comment received.
- 4.2 Local Residents
One letter was received which raised concerns about the clarity of the application in respect of the following matters;
 - The rear elevation may not be drawn correctly.
 - The application form refers to facing bricks and does not mention render as indicated on the drawings.
 - The drawings show that up to two metre length of Hornbeam hedge within the writers property is to be lost.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

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

5.3 Visual Amenity

The proposed side and rear extension would be situated on the dwellings southeastern corner and would replace the existing garage and conservatory at this location. The house is unusually located as it does not face directly onto the cul-de-sac. The two storey element of the proposal starts approximately half way along the side of the house which reduces the impact on the cul-de-sac of the side extension and also serves to retain an additional parking or turning space outside the house.

Whilst brick is stated to be the material of choice on the application form render is also annotated on the drawings and the officer has established that this would be used at first floor level on the two storey extension. This would have an acceptable appearance on the house and the rest of the street where render is well used provided that the type and colour of render is similar to that already in the cul-de-sac.

As such the proposal would accord to Policy H4 of the adopted local plan.

5.4 Residential Amenity

The proposed extension would be located forward and sideways from the detached neighbouring house. The front half of the extension is situated to the north of the neighbour who has secondary fenestration and garaging closest to the proposal. Fenestration on the ground floor would not affect the privacy of houses adjoining the site and the risk of overlooking from first floor has been prevented by locating only the bathroom window at first floor on the rear elevation. A roof light shown is discretely located and would be too high to facilitate overlooking. Other windows face onto the cul-de-sac and do not affect privacy.

As such the proposed extension would not detract from the residential amenity or privacy of the neighbouring occupiers. Furthermore sufficient private residential curtilage would remain after the proposal were erected.

The proposal is to be erected close to the boundary and immediately adjacent to the neighbour's Hornbeam hedge which would extend approximately two metres further than shown on the drawings. The neighbour would like to retain his hedge. In planning terms the hedge is not so critical in the street scene as to warrant refusal of the application due to its potential loss and a condition is not justified. The hedge would be to the south side of the proposed extension and as such with care this section of hedge could be retained but this would be a civil/neighbourly matter between the applicant and the neighbour. The grant of planning permission would not convey ownership rights to remove a hedge that is not in the ownership or control of the applicant. The applicant would need to obtain all other legal consents necessary in addition to planning permission.

The development therefore accords to policies D1 and H4 of the adopted local plan.

5.5 Transportation

Three parking spaces are shown on the drawings for on site car parking which complies with the maximum parking standards adopted in the Local plan.

5.6 Use of Energy and Sustainability

This would need to be constructed to current Building Regulation standards.

5.7 Improvements Achieved to the Scheme

The plans were amended to correct an error on the rear elevation.

5.8 Section 106 Requirements

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

6. CONCLUSION

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

6.2 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 proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development

therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

- b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

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

7. RECOMMENDATION

7.1 Planning permission to be **GRANTED** subject to the following condition.

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 extension shall be finished in brick at ground floor level as indicated on the south facing elevation in a manner to match the existing house. The remaining external walls of the extension shall be finished in render and the roof tiles shall match those of the existing house.

Reason

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

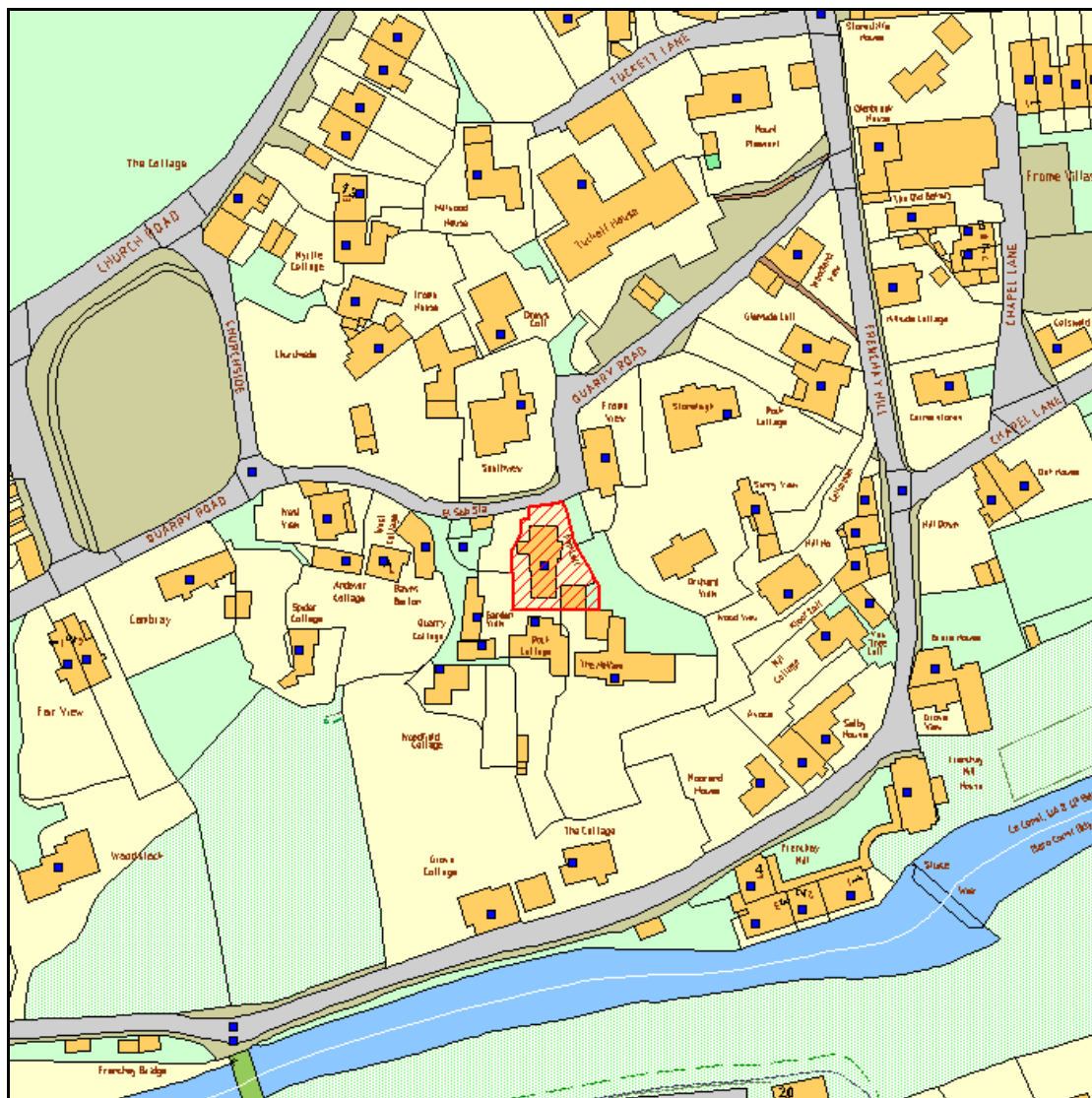
3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the extension hereby permitted.

Reason

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

CIRCULATED SCHEDULE NO. 05/10 – 05 FEBRUARY 2010

App No.:	PT09/6060/F	Applicant:	Mr S Gazard
Site:	Ash Cottage Quarry Road Frenchay Bristol South Gloucestershire	Date Reg:	23rd December 2009
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	364058 177325	Ward:	Frenchay And Stoke Park
Application Category:	Householder	Target Date:	15th February 2010



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 100023410, 2008. **N.T.S.** **PT09/6060/F**

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey extension to form additional living accommodation.
- 1.2 The application site comprises a two-storey detached dwellinghouse located within the Frenchay Conservation Area on the southern side of Quarry Road.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG15 Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Residential Development within Existing Residential Curtilages
L12 Conservation Areas
- 2.3 Supplementary Planning Guidance
Achieving Good Quality Design in New Development
The Frenchay Conservation Area SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection – This property was built in 1986 and not as stated, any extension must be stone faced to match existing.
- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning Policy D1 applies to all types of development and ensures that a good standard of design is achieved. Planning Policy H4 allows for residential extensions subject to design, residential amenity and transportation considerations. Planning Policy L12 only allows for development within or affecting a Conservation Area where it would preserve or enhance the appearance or character of the Conservation Area.

5.2 Design/Visual Amenity

This application seeks planning permission for the erection of a single storey extension to form additional living accommodation. The application site comprises a two-storey detached property situated on the southern side of Quarry Road within the Frenchay Conservation Area. The dwelling is prominent from Quarry Road being situated adjacent to the street and because of the topography of the site. The host dwelling comprises mainly rubble stone elevations, which helps it fit in with the surrounding small traditional stone cottages.

5.3 The extension would be adjoined to the southwestern elevation of the property and nestle in a corner formed by a projecting porch. A section of the extension would extend past the western building line of the existing porch and would be visible from the front of the dwellinghouse. The plans demonstrate that the front and sides of the extension would comprise a render finish, whilst the rear elevation would comprise random stonework to match the existing dwelling. Access would be through the rear elevation via double French doors in timber and flanked on either side by tall, narrow timber windows. The western elevation would comprise a high-level narrow, timber window approximately 2 metres in length.

5.4 Whilst the extension would fit awkwardly with the existing dwelling, it is considered on balance, given that it would be modest in size and simple in form, it would not have a significant adverse impact on the character of the existing dwelling or the surrounding Conservation Area. It is considered that the front and sides of the extension, which would be visible from Quarry Road should be finished in stonework to match the existing dwelling to ensure that the extension integrates well with the existing dwelling and respects the character of the Conservation Area. The agent has not responded to the Officers requests for amended plans, therefore, the amendments will be ensured by condition. Elevations demonstrating the front of the proposal from Quarry Road were not submitted with the application and will be conditioned. Samples of materials and details of eaves and verges will also be obtained by condition.

5.5 The Council Conservation Officer raised the concern that the proportions of the proposed side window would be out of keeping with the historic context and should be removed. Amended plans were therefore, requested from the agent. Whilst the agent has not acceded with this request, permitted development rights allow for the installation of ground floor side windows without the need for planning permission. Given that the dwellings permitted development rights are in tact and the window would not introduce any adverse privacy issues, it is considered that a refusal on this basis would not prove sustainable at appeal.

5.6 Residential Amenity

Given that the extension would be modest in size and single storey in form, it is considered that it would not have a significant adverse overbearing impact on the occupiers of the neighbouring properties. Closed timber fencing along the rear boundary of the application site shared with Rock Cottage would ensure that no significant privacy issues would be introduced as a result of the proposal. The side window proposed in the western elevation would be narrow

in height and high level. It is considered therefore, that it would not introduce any significant privacy issues.

5.7 Design and Access Statement

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

5.8 Use of Energy and Sustainability

The proposal would comply with building regulation specifications.

5.9 Improvements Achieved to the Scheme

The agent has not responded to requests for amended plans. Therefore, amendments with regards to the materials and fenestration will be ensured by condition.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The recommendation to 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 would respect the character of the existing dwelling and surrounding Conservation Area in terms of design, form, materials and siting – Policies D1, H4 and L12 of the South Gloucestershire Local Plan (adopted) January 2006 and the Frenchay Conservation Area SPD (adopted).
- The extension would be modest in size and sited far enough from neighbouring properties to not have a significant adverse impact in terms of loss of natural light or privacy – Policy H4 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 samples of the roof tiles and stonework indicating the colour and texture and details of eaves and verges proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the avoidance of doubt, the northern front and western side elevations shall be finished in stonework.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies D1, H4 and L12 of the South Gloucestershire Local Plan (adopted) January 2006 and the Frenchay Conservation Area SPD (adopted).

3. Prior to the commencement of the development a front elevation plan showing the proposed view from Quarry Road shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details.

Reason

In the interests of visual amenity and to accord with Policies D1, H4 and L12 of the South Gloucestershire Local Plan (adopted) January 2006 and the Frenchay Conservation Area SPD (adopted).