



**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. 47/11

Date to Members: 02/12/11

Member's Deadline: 08/12/11 (5pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. **Please do not leave it to the last minute**
- Always make your referral request by e-mail to MemberReferral@southglos.gov.uk, where referrals can be picked up quickly by the Development Services Support Team. If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863518, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

Dates and Deadlines for Circulated Schedule
During Christmas and New Year period 2011/2012

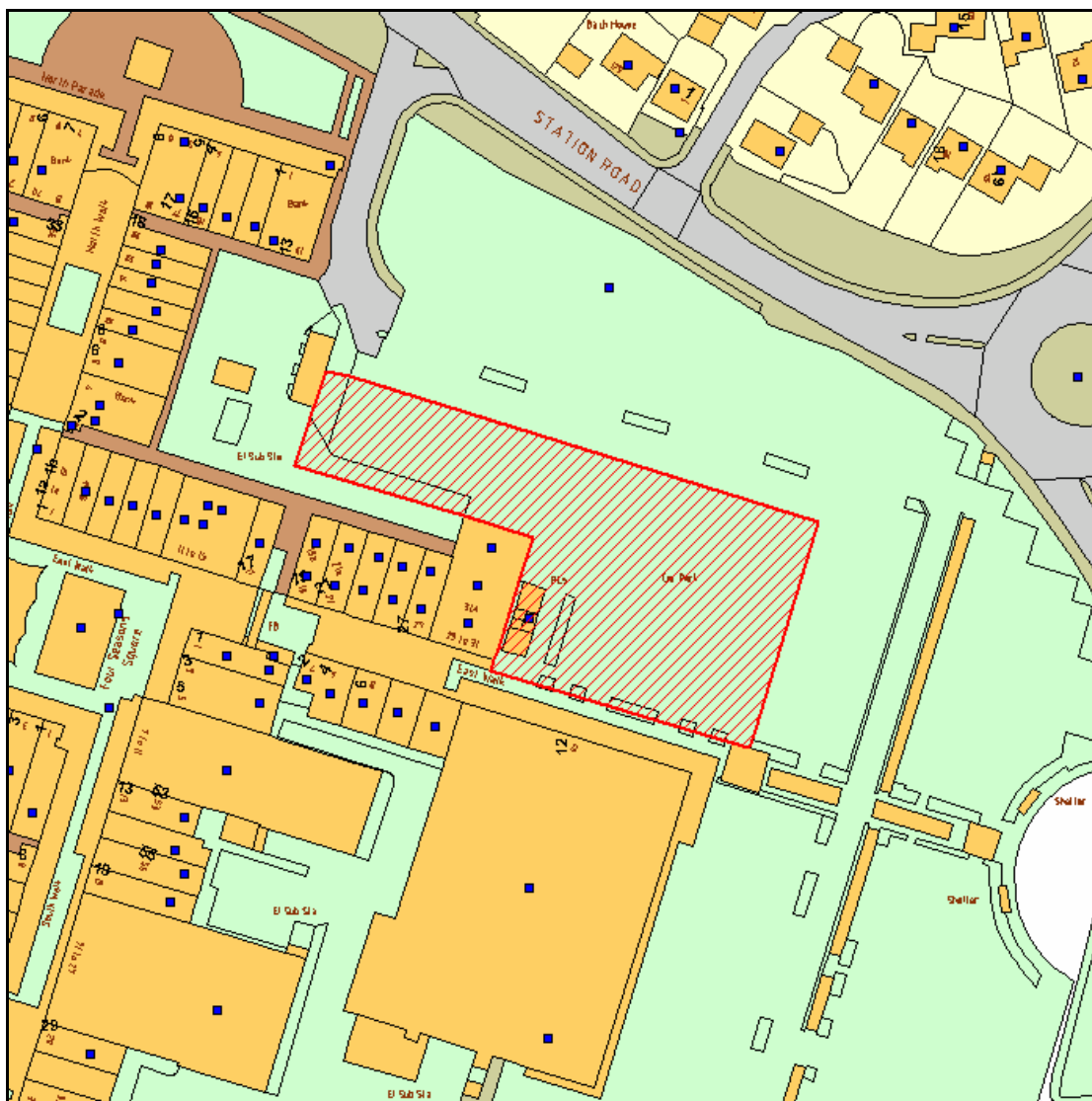
Schedule Number	Date to Members 9am on	Members Deadline 5pm on
49/11	Thursday 15 December 2011	Wednesday 21 December 2011
50/11	Thursday 22 December 2011	Tuesday 03 January 2012
51/11	No Circulated Schedule production	No Circulated Schedule production
01/12	Friday 06 January 2012	Thursday 12 January 2012

CIRCULATED SCHEDULE – 2 DECEMBER 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK11/2871/F	Approve with Conditions	East Walk Yate South Gloucestershire BS37 4AS	Yate Central	Yate Town
2	PK11/3274/F	Approve with Conditions	88 Cloverlea Road Oldland Common Bristol South Gloucestershire BS30 8TX	Oldland	Bitton Parish Council
3	PK11/3275/F	Approve with Conditions	31 Chiphouse Road Kingswood Bristol South Gloucestershire BS15 4TR	Rodway	None
4	PT11/2136/F	Approve with Conditions	2/2A Castle Street Thornbury Bristol South Gloucestershire	Thornbury North	Thornbury Town Council
5	PT11/2138/LB	Approve with Conditions	2/2A Castle Street Thornbury Bristol South Gloucestershire	Thornbury North	Thornbury Town Council
6	PT11/2919/F	Approve with Conditions	55 Hicks Common Road Winterbourne Bristol South Gloucestershire BS36 1EQ	Winterbourne	Winterbourne Parish Council
7	PT11/3250/F	Refusal	20 Hortham Lane Almondsbury South Gloucestershire BS32 4JL	Almondsbury	Almondsbury Parish Council
8	PT11/3317/CLE	Approve with Conditions	Cider House Hacket Lane Thornbury Bristol South Gloucestershire BS35 3TY	Thornbury South And	Thornbury Town Council
9	PT11/3398/ADV	Approve	Distribution Centre Western Approach Distribution Park Severn Beach South Gloucestershire BS35 4GG	Almondsbury	Almondsbury Parish Council
10	PT11/3449/CLP	Approve with Conditions	50 Footes Lane Frampton Cotterell Bristol South Gloucestershire BS36 2JG	Frampton Cotterell	Frampton Cotterell Parish
11	PT11/3474/CLP	Approve with Conditions	216 Woodend Road Frampton Cotterell Bristol South Gloucestershire BS36 2JF	Frampton Cotterell	Frampton Cotterell Parish
12	PT11/3483/R3F	Deemed Consent	Abbeywood Community School New Road Stoke Gifford South Gloucestershire BS34 8SF	Frenchay And Stoke Park	Stoke Gifford Parish Council

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PK11/2871/F	Applicant:	Dominion Corporate Trustees Limited
Site:	East Walk Yate South Gloucestershire BS37 4AS	Date Reg:	15th September 2011
Proposal:	Erection of 4 no. retail units (Class A1). (Amendment to part previously approved scheme PK07/3391/F).	Parish:	Yate Town Council
Map Ref:	371542 182368	Ward:	Yate Central
Application Category:	Major	Target Date:	20th December 2011



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 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/2871/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is for development classed as Major and is therefore appropriately reported on the Circulated Schedule. Objections have also been received, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Planning permission was approved in July 2009, under ref. no. PK07/3391/F for (inter alia) the erection of a replacement Tesco store incorporating 3 non-food retail units and a further four non-food retail units to face this new building on East Walk. This application seeks amendments to the design of those four retail units, as well as the removal of their classification as 'non-food'. Due to the cumulative scope of the changes proposed, as well as seeking the ability to sell food from at least one of the units, a new planning application has been submitted. A major material consideration in the determination of this application is the fact that planning permission has already been approved for similar development on this part of the site and since that permission has already been partly implemented, the remaining 4 non-food retail units could be built at any time, controlled by the existing conditions on PK07/3391/F,
- 1.2 The replacement Tesco store has now opened and the temporary store removed. This site is currently partly occupied by the East Walk toilet block and a temporary parking area. The removal of the toilet block was part of the approved scheme for the centre, with a replacement toilet facility already in place at first floor level within the Tesco store, which is available around the clock and accessible by escalators and lifts.
- 1.3 The footprint of the four units would be reduced in this proposal, with the two units closest to the existing retail frontage on East Walk, not projecting as far towards Station Road as on the approved scheme. This reduction in floorspace allows deliveries to be made to the (now partly exposed) side elevation of the other two units for deliveries direct from the existing service yard. The overall floorspace reduction would amount to an area of 25 metres by 7 metres, resulting in the approved rectangular building now having a rear corner missing. The previously approved car parking to serve the town centre would remain unaffected by this proposal.
- 1.4 Amended plans were requested and received, showing, amongst other aspects, additional glazing to the eastern elevation of the shops, the use of wooden louvers above ground floor level on the Southern elevation and the introduction of a 2.4 metre high fence along the northern boundary of the service yard in order to screen views in and contain any noise generated by deliveries. At present there is no boundary treatment at this location. #### ###

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1 Delivering Sustainable Development
 - PPS4 Economic Development
 - PPS13 Transportation
 - PPS25 Development and Flood Risk
 - 2011 Ministerial Statement for Growth

Circular 03/99 (Drainage)

2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
RT1 Development in Town Centres
T7 Cycle Parking
T8 Parking Standards
T12 Highway Safety
EP2 Flood Risk
L17 and L18 The Water Environment

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1 High Quality Design
CS5 Location of Development
CS14 Town Centres and Retail

2.3 Supplementary Planning Guidance
South Gloucestershire Design Guidance

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK07/3391/F Erection of replacement Tesco store with ground floor parking, incorporating 3 no. non-food retail units. Erection of 4 no. non-food retail units, public transport interchange, construction of footway along north side of Kennedy Way, acoustic screen to service yard and associated works.
Approved, subject to Section 106, 17 July 2009

4. **CONSULTATION RESPONSES**

NB. Consultation was undertaken both before and after the inclusion of the 2.4 metre high boundary fence was part of the proposal. Comments from the public are taken together from both phases of the consultation.

4.1 Yate Town Council

No objection, subject to the following changes to the scheme:

As there is a lot of lighting in the yard which is not reflected in the plans the proposed fencing be increased to a height up to the 1st floor level, the height at which the brick façade becomes wooden (full height of a large lorry); The current fencing only coming up as high as the steering wheel in a lorry cab; the lighting in the yard to be angled away from the houses with lighting shields so as to minimise the impact on the houses;

Softening of the building with planting, perhaps up the back of the building; a condition required about the reversing claxons being turned off; delivery restriction required from 9.30pm – 7.30am and no Sunday deliveries before 9am. As part of the redevelopment of East Walk in Yate Shopping Centre, there is a strong community requirement for accessible, ground floor level public conveniences to be provided.

Yate Town Council would request that Dominion discuss plans for the Station Road façade with Yate Town Council as it is important that it is pleasing to the eye. Also, there should be conditions imposed on the timings of the work so as to minimise disturbance to local residents.

4.2 Other Consultees [including internal consultees of the Council]

Sustainable Transportation

I have reviewed the documentation attached to this proposed development. It appears to be minor remodelling of retail units adjacent to Tesco's in Yate and removing the restriction for non-food retail use to allow M&S to occupy some of the remodelled units. There are no parking or access alterations proposed as a result of the requested changes such that PK07/3391/F has not materially changed in respect of the Highway Observations. So within the context of the town centre there are therefore no adverse traffic or transportation issues on this application.

Technical Services

No objection in principle, subject to the submission of a drainage plan. This has been required by condition below.

Environmental Protection

No objection in principle.

The new units will be accessed via the existing service yard 1 for the shopping centre. This service yard currently has no time restrictions and currently New Look and Greggs deliver to this yard at night, although any of the other shops could should they chose to. We have not received complaints concerning noise from deliveries to and unloading in this yard at night.

The yard area and loading bay for the new units will be screened by a new 2.4m high close boarded acoustic fence from the corner of the new building to the existing building in the yard. This acoustic screen will also provide the benefit of acoustically screening part of the existing service yard, reducing existing noise from this area.

Because 2 of the new units will be taken up by a food business, there was initial concern about noise from vehicle refrigeration units running while vehicles are on site. As a result of these concerns, the applicant via their acoustic consultant in their report (project 1112226) dated 8th November have proposed that refrigeration units on delivery vehicles delivering to the proposed retail units will be turned off prior to arrival on site, and not turned on until the vehicles have left site. This could be made a condition of the approval, or form part of a conditioned management plan for the service yard.

I would also request the applicant be required to provide a lighting scheme for the proposed service yard and loading area, to ensure light spill is not detrimental to the residential amenity of neighbouring properties.

During the construction phase for the new units, external working, deliveries and the use of heavy plant and machinery should not take place outside the following hours;

08:00 to 18:00hrs Monday to Friday

08:00 to 14:00hrs Saturday

No working on Sundays and Public Holidays

Other Representations

4.3 Local Residents

4 letters of objection were received in the first phase of consultation and a further 5 after the fence was added to the description of development. There were 6 objectors in total, citing the following concerns:

- The proposed M&S store will have more deliveries than a 'normal' retail unit, in light of the removal of the non-food restriction
- No deliveries should be allowed outside the hours of 2100 and 0730
- Need for an acoustic fence to contain the noise of reversing lorries – if this does not happen, more landscaping should be provided along Station Road
- Need for a construction times condition
- Plant running at night within the sunken compound on the roof will be a noise nuisance
- Too much traffic on the Yate roads. More shops will add to this and increase air pollution
- Signs will cause light pollution
- Deliveries at present in the service yard cause residents minimal disturbance, this would change if a new delivery area is established to the rear of the shops
- The centre does not need more units when the new units under Tesco are unoccupied
- Ground level toilets are needed to compensate for the loss of these toilets
- The loss of parking would be unacceptable: Spaces are at a premium and the overflow car park is full
- The fence is not high enough – should be up to first floor level
- The proposed café could lead to odours
- Café not needed, given the current facilities in the town centre
- The noise report sets the Greggs delivery at a high level
- Lighting of the service yard should be directed into this area only
- How will noise from the refrigeration units on the roofs of lorries be dealt with?
- The Transport Plan is incorrect in stating that this proposal will decrease traffic generation
- The units should be built further to the East to block views of Tescos
- There should be no parking underneath the proposed units

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As stated in the introduction, apart from the 'non-food' issue discussed below, the proposal is for four retail units in the location where planning permission was approved a little over two years ago, for four retail units to be erected. Since that permission, see 3.1 above, has been commenced, these units could be erected at any time under the extant planning permission. The principle of development is therefore considered to be established in locational terms, traffic impact and residential amenity which were examined in the original application and would now remain unchanged, subject to the analysis below.

The analysis will therefore concentrate on the design of the proposed buildings and the traffic impact involved in the proposed change from non-food to food products to be sold from at least one of them. As evidenced by the consultation replies, the impact of the proposal on residential amenity is also an issue. In this respect, the application stands to be assessed against the policies listed above, in the light of all material considerations, under the following headings:

5.2 Non-Food Retail

There is no planning policy reason why the previous scheme should have specified that 7 of the proposed units should not have been food retailers. However, the application was determined on the basis of the description of development, which made such a specification. Since the previous application was determined, there have been no changes in policy at either local or national level which would constrain the four units now applied for to be food retail use. Hence there is considered to be no reason not to accept the current proposal for the unconstrained retail use of the units, in terms of what they are able to sell. Indeed, since the release of the 2011 Ministerial Statement regarding promoting growth in the economy, approving this element of the proposal is considered to increase the chances of the development going ahead, with its attendant economic benefits.

5.3 Design and Visual Amenity of the Retail Units

The proposed design takes forward the principles of the previously approved scheme, to ensure that there are active shopfronts facing south (onto East Walk) and east (onto the car park). The northern frontage would be blank, apart from the windows on the already approved scheme which are replicated at first floor level. These will not be shop windows, but bring some overlooking of the car park area from storage areas. The western elevation, to the service yard, largely abuts the existing end of East Walk. The eastern elevation is considered to be the key element in increasing the limited degree of outward-looking which is evident in the town centre, which is generally focused inwards. To this end, the previously approved scheme showed glazing along the entire ground floor on this elevation. The amended plans have taken a different approach towards achieving a similar effect. Show windows are now interspersed along this elevation, where they are considered to achieve greater prominence set against the complementary and contrasting use of the cementitious cladding system. A condition below requires the submission of samples of materials prior to the commencement of development. This contrast is considered to give the elevation marginally greater prominence than in the approved scheme, which will be especially evident after dark, when the show windows will stand out all the more from the background, advertising the presence of the town centre at its eastern end. Although a separate issue from this application, space has been left at first floor level for a large advertising board for the four proposed units. This will at some stage be the subject of an application for advertisement consent.

The main frontage would be onto East Walk and this is considered to be appropriate as this is the shopping frontage identified in the adopted Local Plan. On this elevation, there are four distinct units with vertical subdivision. The scale of the building is greater than that of the units on East Walk, with flats above, but this is considered to be justified in the units creating

appropriate enclosure opposite the, taller still, new Tesco store opposite. The level of glazing provided is considered to be critical in achieving the appropriate step up in scale which these units would bring.

The original plans submitted with this application showed louvers above ground floor (shopfront) level. The amended plans show these louvers to be timber, which would reflect the Tesco store opposite, which has a great deal of wood as its facing material. This amendment is considered to reflect and reinforce local distinctiveness, in accordance with policy D1.

The fence that has been added to this proposal would be close boarded and constructed of timber. In visual terms it is considered that it would not be detrimental to visual amenity, with the design similar to what would be standard for such purposes within a service area of a shopping centre. The height of the fence is not considered to be excessive visually and is a function of its noise attenuation qualities, covered later in this report.

5.4 Transportation Impact

The transportation comments at 4.2 above indicate that the scheme does not depart from that previously approved for the Tesco store, bus station and 4 retail units as detailed at 3.1 above. Under these circumstances, the change from non-food to food retailing is the only relevant issue for this proposal in highways terms, as the car park remodelling under the previous planning permission has already been implemented. Although some car parking spaces will be lost as a part of this proposal, they are only temporary spaces, created before the four units are erected (either as apart of the already approved scheme, or this one). Parking under the units is not proposed. The proposed change from non-food to food, considering the size of the units is not considered to have any transportation impact. Service yard issues are covered below. With regard to the point about increasing traffic, this site is in perhaps the most easily accessed location in Yate, next to the bus station. People visiting the new shops are most likely to combine their trip with visits to other retail outlets in the centre as part of the same visit, benefiting footfall for the centre as a whole.

5.5 Changes to the Service Yard

The revised layout of the service yard is considered to be acceptable in terms of manouvering of vehicles. The other significant change to the service yard is the proposed 2.4 metre fence, conditioned below to be erected before any of the residential units is first used. This fence is designed to both screen the service yard visually and also to contain noise generated within it. To this end, an acoustic report was submitted with the application and the 2.4 metre height is considered to be an adequate height, in conjunction with compliance with the delivery management plan, to ensure that noise will be contained effectively. The redesign of the service yard also allows for deliveries to be taken right next to the retail units, reducing the distance for the goods to be taken, over which noise is likely to be generated.

With regard to the lighting of the service yard, a condition appears below requiring a lighting plan to be submitted. There is considered to be every opportunity for external lighting not to have any untoward impact, through the use of directional lighting and cowls to prevent light spillage. Subject to the final

details, it is not considered that lighting this area would have any detrimental impact on existing levels of residential amenity.

5.6 Impact on Residential Amenity

Again, it is appropriate to assess this proposal against what has already been approved and could still be implemented. Like the nearby Tesco store, these 4 units could be used for any kind of retail use, as the planning system does not distinguish between retail operators. Deliveries are proposed from the west, via the existing service yard. The original parts of the town centre, despite having flats above many of them, are not bound by any restraints on delivery times. The recent comprehensive scheme, which includes a 24 hour supermarket as well as the four retail units which could yet be built as approved, is also not restricted in this manner. These are important material considerations. Against this background it is not considered to be reasonable (a test of any condition) to limit delivery times for this proposal which only involves amendments to the recently approved scheme. Despite this, a delivery management plan has been negotiated with the applicants and their agents, compliance with which has been conditioned below. This plan, which necessarily can only relate to the current proposal, includes the following measures, effective between the hours of 2300 and 0700:

- all engines will be switched off when parked to unload
- refrigeration units will be switched off prior to arrival at the service yard
- staff will be instructed to work quietly when receiving deliveries

These are considered to be improvements over the current position, if the four retail units were to be built under the current permission, although the current shops (two of which currently receive goods at night) would remain unaffected. Reversing warning cannot be required to be switched off, due to liability and health and safety issues. The proposed acoustic fence is considered to help screen noise from the service yard to the north in respect of all deliveries, which is considered to represent an improvement to the current situation. The issue raised through the consultation process that the proposed café could lead to odour problems has been addressed through the appropriate condition below, which requires full details of odour attenuation measures in a scheme to be implemented prior to first use of the relevant café facility.

Further noise issues have been raised through the consultation process with regard to plant running at night within the sunken compound on the roof. As with the odour control facilities, details are required by condition below. There is no reason to assume that this plant would generate noise which cannot be adequately mitigated.

5.7 Other Issues

The most easterly of the four retail units is shown on the plans as having a café area on its first floor. This is considered to be ancillary to the retail use of this part of the site. It is considered to be complementary to the function of the town centre, but it is not a planning unit in itself. Its relationship to the rest of the scheme is explained in an informative on the decision notice.

The relevant condition below requires the submission of a SUDS compliant drainage plan, for approval, prior to the commencement of development. No

objection in principle was raised by Technical Services. This approach is the same as that taken with the previous planning application on this site.

Further issues were raised by the public and the Town Council through the consultation process. One of these is the fact that the units which form part of the Tesco supermarket are unlet. This could be due to a number of factors, but the current proposal opposite the supermarket, with its larger units, has generated interest, which has led directly to the current proposed revision of the planning permission.

The noise report sets the Greggs delivery at a high level, in comparison with the background level, according to one consultation reply. The Greggs unit is one of the two served by the service yard for this proposal which receives deliveries at night. This noise generated is considered to be likely to be mitigated by the acoustic fence now applied for.

There is no opportunity of providing planting to soften the northern elevation of the building, without resulting in a loss of available parking spaces. A principle of the original comprehensive scheme was to ensure that parking would be maintained at the pre-development levels for the centre as a whole. The need for the café is not a planning matter, not least as it would be ancillary to the retail use of this unit and as such would not be a planning unit of its own. The location of the proposed units was determined as part of the previous, comprehensive, scheme and is currently proposed to be amended, not moved. This is a planning application and would not be able to grant advertisement consent. No such consent has been applied for and therefore it is unknown if illumination would be involved. Adverts would be the subject of a separate application. The loss of the East Walk toilets is not in itself a planning issue, although the previous development (as described at 1.2 above) has provided a fully accessible alternative facility, available for longer hours than the East Walk toilets.

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 erection of the four retail units will boost consumer choice and/or product range within Yate town centre, a sustainable location in close proximity to the bus station, without having any adverse impact on transportation concerns, flood risk, residential amenity and with an appropriate design. The proposal accords with policies D1, RT1, T12, EP2, L17 and L18, subject to conditions.
- 6.3 The recommendation to approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to 0800 to 1800 from Mondays to Fridays, 0800 to 1400 on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

In the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The delivery management plan received by the Council on 25 November 2011 shall be implemented at all times.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy RT1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies L17 and L8 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the commencement of development details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy RT1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of development, details and maintenance regimes for odour control in respect of the cafe as well details of all external plant shall be submitted for approval in writing by the Local Planning Authority. The plant and odour control measures shall be implemented in accordance with the approved scheme prior to the first use of the relevant unit(s) and maintained in working order in accordance with the approved specification thereafter.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy RT1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

8. Prior to the commencement of development full details of the fence hereby approved shall be submitted to the Local Planning Authority for approval in writing. The fence shall be erected in accordance with the details so approved prior to the first use of any of the retail units and thereafter retained.

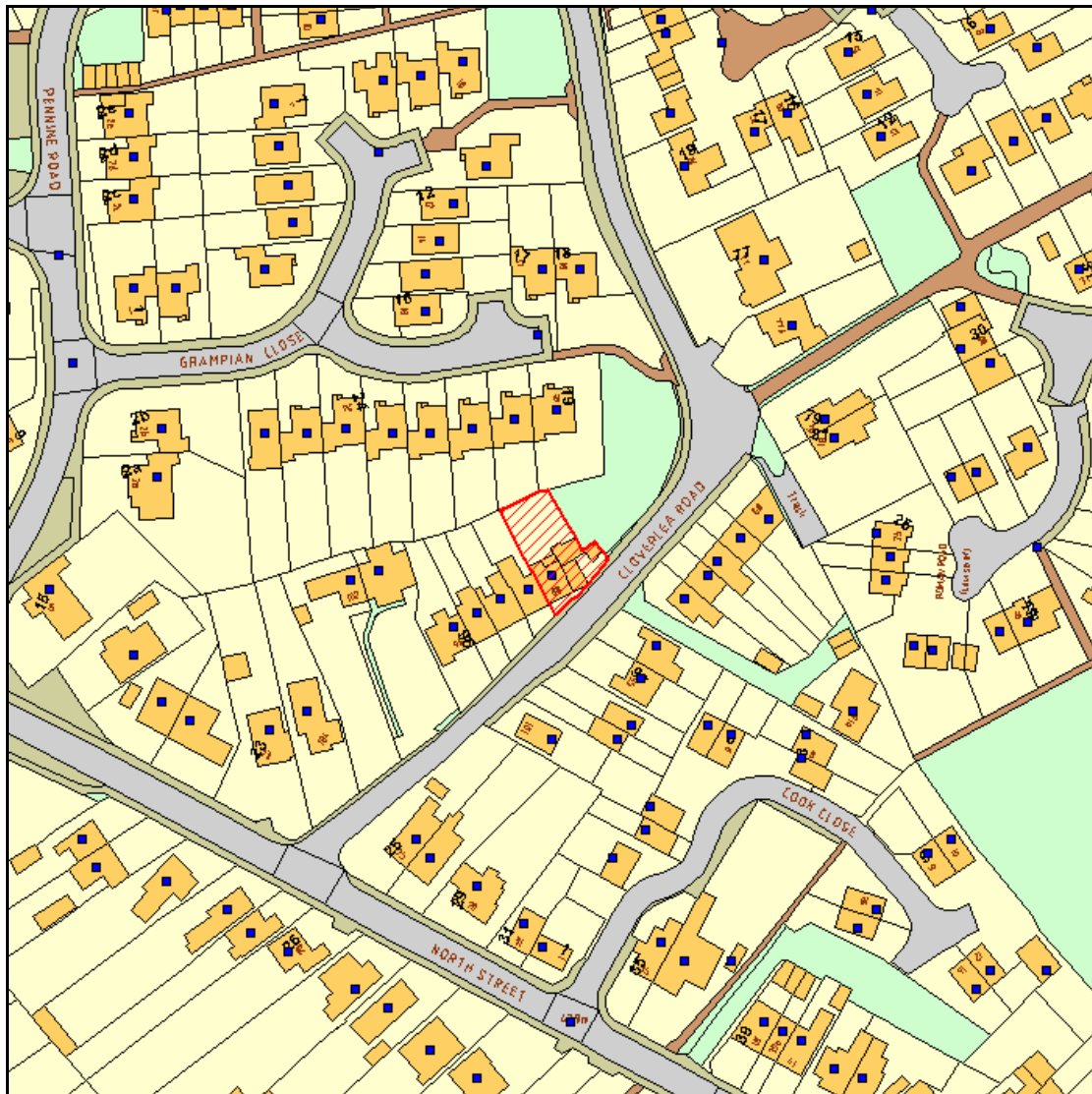
Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy RT1 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 2

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PK11/3274/F	Applicant:	Mr Hale
Site:	88 Cloverlea Road Oldland Common Bristol South Gloucestershire BS30 8TX	Date Reg:	18th October 2011
Proposal:	Erection of 1no. attached dwelling with associated works and erection of single storey rear extension to existing dwelling to form additional living accommodation. (Re-submission of PK11/2334/F)	Parish:	Bitton Parish Council
Map Ref:	367304 171867	Ward:	Oldland Common
Application Category:	Householder	Target Date:	9th December 2011



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100023410, 2008. **N.T.S.** **PK11/3274/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission to erect a two bedroom two storey end-of-terrace dwelling to the side of an existing end-of-terrace dwelling, and to erect a single storey rear extension on the existing dwelling. The application is a resubmission of a similar application (Ref PK11/2334/F) that was withdrawn in September 2011.
- 1.2 The site currently forms the garden of 88 Cloverlea Road. The houses in the road are mainly semi-detached or small terraced rows, and to the north-east side lies a small area of public open space.
- 1.3 There is documentary evidence of a locally listed small building sited within the side garden of the host dwelling; this has since been demolished.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG3 Housing as revised June 9th 2010
PPG13 Transportation
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H2 Residential Development within the Urban Area
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy
EP2 Flood Risk for Development
L17 & L18 The Water Environment

South Gloucestershire Council Core Strategy (Submission Draft) (December 2010)
CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Environmental Resources and Built Heritage
CS17 Housing Diversity
CS16 Housing Density
- 2.3 Supplementary Planning Guidance
Design Checklist (adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/0822/F Erection of two storey side and rear and single storey rear extensions to provide integral garage and additional living accommodation.
Withdrawn 25-APR-08.
- 3.2 PK11/2334/F Erection of two storey side extension to form dwelling.
Erection of single storey rear extension to existing dwelling.
Withdrawn September 2011.

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Objection. Councillors felt that minimal changes had been made to the proposals and thus still objected to the application for the following reasons:

- 1) the new property would be too close to the footway, appearing to touch it;
- 2) they objected to the demolition of the stone wall at the front of the property which is very typical of the area;
- 3) the proposals would leave only a small garden for each property, restricting amenity area;
- 4) the proximity of the buildings would have an adverse effect on the footpath;
- 5) the access from the property for cars was considered to be dangerous, on a bend.

Councillors also noted that the block plans show the new dwelling as L shaped whereas the floor plans show both existing and new dwellings as straight front to back. Also, the eastern corner of the existing dwelling is hard up against the footpath but the plans show the SE boundary of the new property as extending forward of the existing line and into the footpath.

- 4.2 The submitted block plan shows the extent of the new building, rather than the delineation of the internal layout. Additionally, the south east corner of the existing dwelling does not touch the footpath. The footprint shown on the Council's own site plan shows the historical layout, including a carport attached to the side of the dwelling that has since been demolished.

Other Consultees [including internal consultees of the Council]

- 4.3 Sustainable Transportation
No objection.
- 4.4 Historic Environment
No objection
- 4.5 Drainage Engineer
No objection, subject to conditions regarding drainage being attached to the decision notice (if approved)

- 4.6 Coal Authority
No objection.

Other Representations

4.7 Local Residents

One letter has been received, raising the following points:

- General observations have been made regarding the existing roof drainage (guttering arrangements) for the row of terraces houses. Additionally, a request has been made regarding any proposed guttering. This is a civil matter and is not assessed as part of the planning application. Also, the Party Wall Act will likely apply to access to any shared guttering that is not within the applicant's ownership.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposed new dwellings within the existing residential curtilage, providing that the design is acceptable, highway safety would not be compromised, adequate parking and amenity space is provided and that there is no unacceptable impact on residential and visual amenity.

- 5.2 PPS3 has been reissued on 9 June 2010 to reflect concerns regarding the redevelopment of neighbourhoods, loss of Green Space and the impact upon local character. The changes involve the exclusion of private residential gardens from the definition of previously land and the removal of the national indicative density target of 30 dwellings per hectare. The existing policies in the South Gloucestershire Local Plan (Adopted) January 2006, Policies H2, H4 and D1 already require that proposals are assessed for their impact upon the character of the area and that proposals make efficient use of land.

5.3 Design / Visual Amenity

Policy D1 of the Local Plan requires all new development to be well designed. The existing dwelling is two-storey and has a valley roof and an existing single storey lean-to rear extension, which on the Officer's site visit has been partially demolished. Unusually, this single storey rear extension extends a small way along the rear wall of the neighbouring property, No. 90 Cloverlea Road. This unusual arrangement seems to occur along most of the terrace.

- 5.4 The two-storey element of the proposed dwelling would measure 4.0 metres in width by 7.8 metres in depth. The lean-to single storey projection attached to the proposed dwelling will span the width of the dwelling and will measure 3.0 metres in depth.

- 5.5 The materials used in the proposed dwelling are indicated to match those of the existing house of stonework and render. The valley roof will be replicated to match the existing dwelling, aiding the integration of the proposed dwelling with the rest of the terrace. As such it is considered that the proposal would be in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. Overall, it is

therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene and therefore it is considered the proposal accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.6 The materials used in the proposed replacement single storey rear extension to the existing dwelling extension will also match both the host dwelling and the proposed dwelling. It will be subservient to the host dwelling and will be the same depth as the single storey rear projection of the proposed dwelling. The proposed extension is therefore considered acceptable in design terms.

5.7 Residential Amenity

The proposed dwelling would be attached to No. 88 Cloverlea Road. Directly to the other side lies a small area of public open space. Beyond the boundary of the rear garden lie the rear gardens of the dwellings sited in Grampian Close. The distance from the proposed dwelling to the nearest dwelling in Grampian Close is approximately 23 metres. Additionally, there is a 1.8 metre high close boarded fence on the rear boundary. It is considered that the proposed dwelling would not result in an overbearing impact on the occupiers of either the host dwelling or the adjacent dwelling at No. 90 Cloverlea Road. It is also considered that the proposed dwelling would not create any material loss of privacy through over looking or intervisibility.

5.8 As discussed above, the proposed single storey replacement rear extension overlaps the rear wall of the neighbouring dwelling by 1.0 metre. The replacement extension is to be increased in depth from 2.4 metres to 3.4 metres; however, the increase in depth of 1.0 metre will be stepped in from the attached dwelling at No. 90 Cloverlea by 1.0 metre, therefore reducing any material impact on residential amenity of the neighbouring dwelling, No. 90 Cloverlea. As the depth of the rear extension closest to the attached dwelling remains at 2.0 metres, it is considered that there will not be a material loss in amenity to the occupiers of the neighbouring dwelling, and therefore accords with Policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.9 With regard to the adequacy of the garden sizes, it is considered that both the proposed and the residual dwellings would be left with gardens of a sufficient size to serve the current and future occupiers. The plans show that the rear garden has been split so that access can be gained for both dwellings from the rear garden to the front, so that bins can be easily moved out for collection and the cycle storage can be accessed. A rear garden space of approximately 50 square metres will be provided for both the existing and proposed dwelling. This level of amenity space provision is considered acceptable. The proposal is therefore considered to accord with policy H4 in this regard.

5.10 Transportation Issues

Parking is to be provided at one space for the proposed house and one for the existing house, both to the side of the proposed dwelling. The property is also well located in relation to access to public transport facilities (within 120 metres walking distance to bus stop) and it is within easy walking distance to local schools. In view of this the site is considered sustainable. The Council's

Highways Engineer has commented that the maximum total parking allowed under SGC Policies at this location within the curtilage of the proposed development is 3 (1.5 spaces per two bed dwelling). As there is availability for on street parking in the vicinity of this dwelling there are no adverse traffic or transportation comments on this application.

- 5.11 Concern has been raised over highway safety, especially with regard the access to the parking space being close to a bend. Cloverlea Road is an unclassified road, which although is two-way outside the application property, goes in to one-way in a northerly only direction just north of the application site. The Council's Highway Engineer has assessed the site and has raised no objections in regard to highway safety. It is therefore considered that the proposals accord with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.12 With regard to policy T7, secure cycle parking is required. The site plan shows access to the rear garden of the existing dwelling once the proposed dwelling is built. This was requested to allow for easy access for cycle and bin storage that is proposed in the rear gardens of both the existing and proposed dwelling. It is therefore considered that the proposals accord with Policy T7 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.13 Drainage Issues
With regard to drainage, Policy EP2 does not allow for development that would increase the risk of flooding, unless adequate environmentally acceptable measures are incorporated which provide suitable protection, attenuation or mitigation. Policy L18 requires that new development will need to incorporate a Sustainable Drainage (SUDS) system. The Councils Drainage Engineer has requested that a condition is attached to secure the submission of a full drainage scheme for approval before development could commence and that the proposed area of hardstanding is constructed of a permeable material.
- 5.14 Concern has been raised over the loss of the stone wall. Although the wall will be demolished, it is considered that the loss of the wall will not materially affect the character of the area and therefore the application is considered to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006. Additionally, the site is not located within a conservation area.
- 5.15 Other Issues
Concern has been raised that the proposed dwelling would be too close to, and would have an adverse impact upon, the adjacent footway. The proposed plans show the proposed dwelling to be completely enclosed within the curtilage of the existing dwelling; therefore it is considered that the proposal will not materially affect the existing footpath. If approved, an informative will be attached to the decision reminding the applicant of the need to maintain the footpath through the building process.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

- a) Due to its scale and position in relation to the adjacent dwellings, the proposed dwelling is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H2, H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) It has been assessed that the proposed dwelling has been designed to respect and maintain the massing, scale, proportions, materials vernacular and overall design and character of the street scene and surrounding area. The development therefore accords to Policies H2, 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 provide adequate off street parking within the site. The proposal is therefore considered to be acceptable in highway safety terms in accord with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
- d) The proposal is considered to be acceptable in relation to surface water and foul waste disposal subject to conditions. The proposal is therefore considered to be acceptable in this respect in accord with Policy L17 and L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

7. RECOMMENDATION

7.1 That planning permission is approved, subject to the conditions shown on the decision notice.

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 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.

3. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.
Full planning application. A detailed development layout showing surface water and SUDS proposals is required as part of this submission.

Reason

To comply with Policies L17, L18, EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPS25.

4. The parking area is to be constructed of an appropriate permeable design or rainfall to be directed to a permeable soakage area (provided it does not cause flooding of adjacent property) within the curtilage of the dwelling to ensure surface water run-off is retained at source.

Reason

To ensure a satisfactory means of drainage and pollution control in order to comply with South Gloucestershire Local Plan (Adopted) January 2006 Policy L17, L18, EP2 and Town and Country Planning Order 2008 (No 2362) Class F.

5. The hours of working on site during the period of construction shall be restricted to

Monday - Friday .	07.30 - 18.00
Saturday .	08.00 - 13.00

and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

All plant and equipment should be suitably chosen, sited, operated and serviced so as to minimise noise, vibration, fumes and dust. Best practical means should be employed to minimise potential nuisance to neighbouring properties. All plant should be turned off when not in use.

Pneumatic tools should be fitted with an integral silencer and/or purpose made muffler, which is maintained in good repair.

In periods of dry weather, dust control measure should be employed including wheel washing and damping down. Any stockpiles of materials which are likely to give rise to windblown dust, shall be sheeted, wetted or so located as to minimise any potential nuisance.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 3

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PK11/3275/F	Applicant:	Kellie Searle Webb
Site:	31 Chiphouse Road Kingswood Bristol South Gloucestershire BS15 4TR	Date Reg:	18th October 2011
Proposal:	Erection of two storey side and single storey rear extension to provide additional living accommodation. Erection of detached garage.	Parish:	None
Map Ref:	365588 175011	Ward:	Rodway
Application Category:	Householder	Target Date:	14th December 2011



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4. **CONSULTATION RESPONSES**

4.1 Consultees [including internal consultees of the Council]

Drainage Engineer – No objection. The proposal could be situated close to or over a public sewer, which could affect the ability to build the scheme. An informative is recommended to bring this to the applicant's attention.

Other Representations

4.3 Local Residents

One letter of objection received from the occupiers of 29 Chiphouse Road raising the following concerns:

The proposed first floor side window would overlook no.29; The view from the side window of no.29 would be of a brick wall at 200mm distance; annotation on the drawings which reads '20mm short of existing upstand to allow for render above' this distance should be increased to 50mm to allow for rendering away from the steel posts.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for development within the curtilage of dwellings, including extensions to existing dwellings, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. Policies T8 (parking standard) and T12 (transportation) are also relevant considerations.

The South Gloucestershire Core Strategy Pre-Submission Publication Draft was issued March 2010 and the consultation period expired on 06.08.2010. The Council's response to the representations received was considered at the Council's Cabinet meeting on 13 December 2010 and at the Full Council meeting on 15 December 2010 and the proposed changes to the Core Strategy agreed by Full Council have now been published. The South Gloucestershire Core Strategy Submission Draft was then published December 2010. The South Gloucestershire Core Strategy Development Plan Document was submitted to the Secretary of State on 31 March 2011 for Examination. Whilst this document is a material consideration in the determination of planning applications, it will be afforded less weight than the adopted Development Plan at this stage.

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The dwelling is situated within a suburban residential context. The dwelling the subject of this application is a two storey semi detached dwelling of post war

design. The proposed side extension would be visible from public vantage points from the north on Chiphouse Road but only from near views as the extension would be screened from views from the east and west by the existing dwelling and no.29 respectively. The visual prominence of the side extension is therefore considered to be limited. The rear extension and garage would be visible only from the rear service track and as such are considered not to be visually prominent. The design and materials would be of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. The side extension would have a subservient design, form and scale which matching materials to the existing house. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Residential Amenity

Adequate rear amenity space to the property would be retained following the erection of the proposed extensions and garage. With regard to neighbouring properties, the side extension would be situated closer to the side elevation of the neighbour to the west (no.29). No.29 has two ground floor side windows facing towards the proposal serving hall and kitchen and a further small window. The hall window and the small window in the side elevation do not serve principle rooms and as such the proposal would result in no significant amenity impact in respect of these two windows. The window serving the kitchen is a second window to this room in addition to an opening in the rear (south) elevation. Considering the kitchen is served by an opening in the south facing elevation (which will provide ample daylight /sunlight to the kitchen) it is unlikely that any additional impact on the side kitchen window would result in a significant detrimental impact on daylight/sunlight to the kitchen. The two storey extension would not project forward of the existing front or rear elevations of the dwelling. As such it is considered that the proposed extension would not prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing.

The rear extension would be single storey only with a flat parapet roof and would be modest in scale. The rear extension would not extend significantly forward of the existing two storey rear extension of the neighbour to the east (no.33) and the rear extension would be situated an acceptable distance from the rear and side elevations of no. 29. As such the proposed extension would not prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development.

The proposal would include a first floor window in the side elevation of the two storey extension. The side window would face the neighbouring landing window of no.29. The applicant has indicated that the side window is to be obscurely glazed. A condition is included to ensure the window is obscurely glazed and remains as such. Subject to this condition, the proposal would not prejudice the amenity of neighbouring occupiers in terms of loss of privacy.

The proposed garage at the rear would be situated a good distance from the neighbouring dwellings and as such would not prejudice the amenity of

neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development.

5.4 Other issues

The Council's drainage engineer has indicated that the proposal may be situated close to or over a public sewer. This may affect the ability for the scheme to be implemented. This matter would fall within the legislative controls of the local water provider and would be outside planning control. As such limited weight will be attached to this as a planning consideration. However, an informative is recommended to bring this to the applicant's attention.

The proposal would result in an increase from 3 to 4 bedrooms, which would require additional off street parking in accordance with the Council's adopted parking standard. The proposal would result in the ability for two cars to park off street at the front of the site and one space at the rear within the proposal garage. The proposal would therefore meet the Council's adopted parking standard and as such the proposal is considered to be acceptable in highway safety terms.

Concern was raised from the neighbouring occupier that an annotation on the proposed drawings, which reads '20mm short of existing upstand to allow for render above', would be an insufficient distance and the distance should measure 50mm. This is either a technical construction issue would be controlled through Building Regulations or a land ownership issue related to encroachment of development onto the neighbour's boundary which is controlled through civil legislation. An increase in the distance to the boundary of 30mm would create no additional material issues and no significant weight can be attached to this matter if controlled by Building Regulations or Civil Law. As such this issue does not carry sufficient weight to outweigh the benefits of the scheme as outlined in this report.

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) Due to the location and position of the proposed dwelling in relation to the neighbouring dwellings, the proposed development is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

- b) It has been assessed that the proposed extensions and garage has been designed to respect and maintain the massing, scale, proportions, materials and overall design and traditional character and vernacular 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 proposed site layout would provide adequate parking and manoeuvring for vehicles. As such the proposal is considered to be acceptable in highway safety terms in accord with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

7.1 Consent is GRANTED subject to the conditions below.

Contact Officer: Sean Herbert
Tel. No. 01454 863056

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.

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

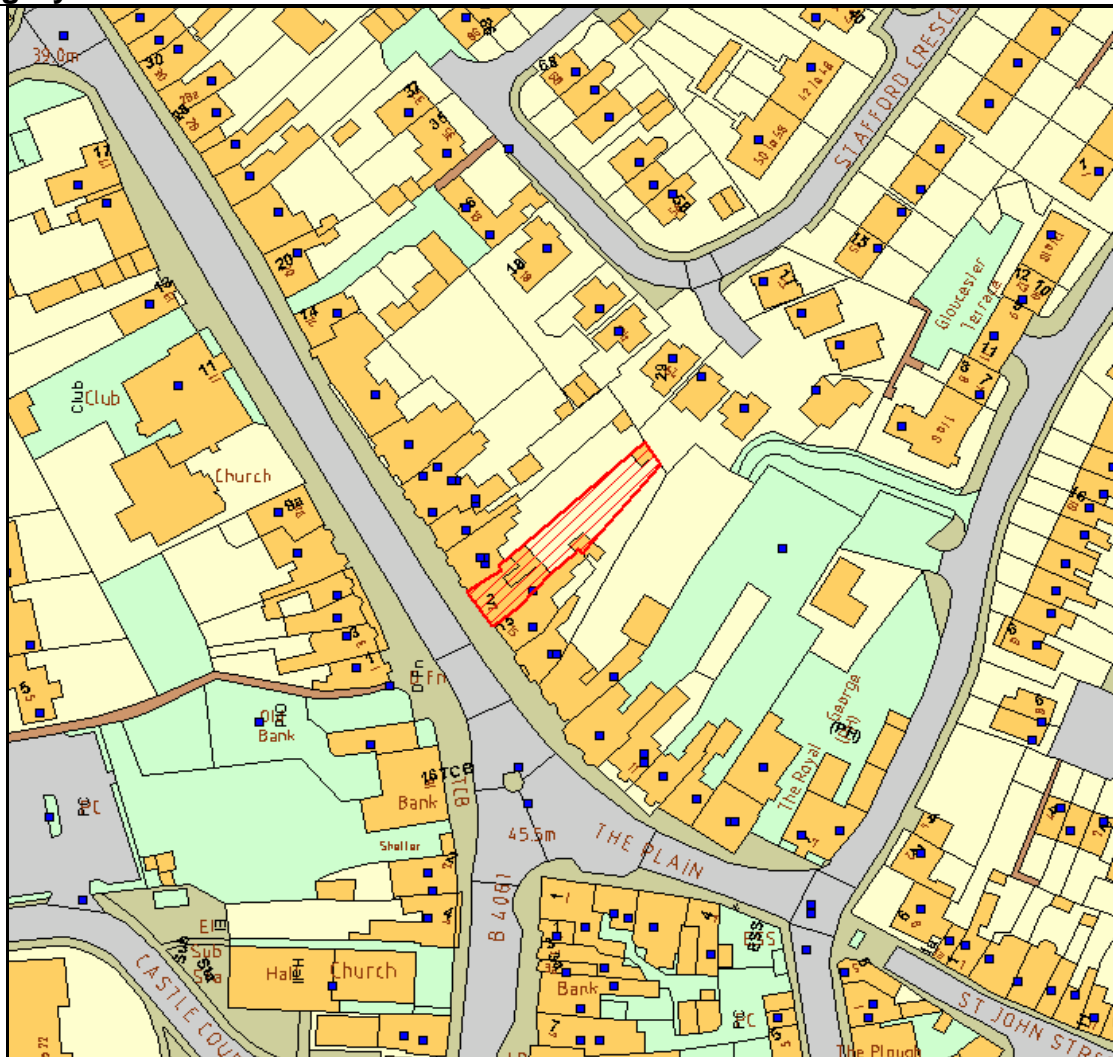
Reason

To protect the privacy of the neighbouring occupiers and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 4

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PT11/2136/F	Applicant:	Nos 4 Ltd C/o LSR Plc
Site:	2/2A Castle Street Thornbury Bristol South Gloucestershire BS35 1HB	Date Reg:	26th July 2011
Proposal:	Change of use from Financial and Professional services (Class A2) to Restaurant/Cafe (Class A3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Installation of extraction flue.	Parish:	Thornbury Town Council
Map Ref:	363683 190226	Ward:	Thornbury North
Application Category:	Minor	Target Date:	15th September 2011



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PT11/2136/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is reported to Circulated Schedule as the officer recommendation is contrary to objections received on the application.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of the ground floor of both 2 and 2A Castle Street to form a ground floor café/restaurant (Class A3). As a result of the need to vent the proposed use an extraction flue is proposed and this emerges at the rear of the building. The upper floors of the building are currently used as three separate flats and this is not proposed to change.
- 1.2 The application site comprises the ground floor of this three storey building located in Castle Street close to 'The Pump' in The Plain, Thornbury. The site is located within the Thornbury Conservation Area and is grade II listed. A corresponding listed building application is also being considered in this Circulated Schedule under reference PT11/2138/LB.
- 1.3 There would be no external alterations to the front of the building and only the erection of a flue exiting the existing WC on the rear of the building this flue is proposed to run horizontally along the existing boundary wall until it turns within the outbuilding and rises to a height of 6.5m.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPS5	Planning for the Historic Environment
PPG13	Transport

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L1	Landscape Protection and Enhancement
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
T7	Cycle Parking
RT10	Changes of use of retail premises within Secondary Shopping Frontages in Town Centres.

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1	High Quality Design
CS9	Environmental Resources and Built Heritage
CS32	Thornbury

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist Supplementary Planning Document 2007

3. RELEVANT PLANNING HISTORY

- 3.1 N2759 Change of use of premises from shop and residential to offices. Approved
- N2759/1 Change of use of first floor (rear) to Dog Grooming Centre with ancillary use for retail sales of dog grooming equipment. Approved
- P85/1550 Use of premises as dog grooming centre.(Renewal of temporary consent) Appraised
- P86/1634 Use of premises as chiropody surgery (part of building). Approved
- P86/3002 Change of use of one room at first floor level from office to treatment room in connection with alternative (homeopathic) medicine. Approved
- P88/1960 Use of premises as dog grooming centre (renewal of temporary consent) Appraised
- P89/1927 Use of premises as dog grooming centre Approved
- P89/2142 Change of use of part of building to use as property consultant agency (class A2 as defined in the town and country planning (use classes) order 1989) Approved
- P90/1517/L Re-Roofing, of building, repair to chimney stack; re-rendering. Consent
- P90/2145 Alterations and renovation of existing building, erection of first floor extension including installation of two skylights to form offices (as defined in class B1 of the town and country planning (use classes) order Approved
- P90/2146/L Alterations and renovation of existing building. Erection of first floor extension including installation of two skylights to form offices (as defined in class B1 of the town and country planning (use classes) order 1987). Approved
- P92/1131 (2nd Floor) Change of use of first floor premises from office to residential approved
- P92/1132/L Internal alterations (to include the blocking of existing stairway and formation of shower cubical) to facilitate change of use of first floor accommodation from office to residential. Approved
- PT04/1979/F Change of use from antique shop (Class A1) to financial and professional services (Class A2) as defined in the Town and Country Planning (Use Classes) Order 1987). (Retrospective).

PT11/2138/LB Internal and external alterations including installation of extraction flue to facilitate the conversion to restaurant/cafe. Pending consideration.

4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council
No objection

4.2 Transportation DC
No objection

Environmental Protection

No comments to make in regards to the proposed flue from a noise perspective. The design incorporates anti-vibration mounts and the use of an attenuator which will be necessary to meet current noise guidelines.

With reference to the odour abatement there is concern if planning permission were granted for A3 use. General A3 use would allow the premises to be used for any hot food use, which could include high odour type cooking (Fried Chicken, Indian, Chinese, Italian etc) for which an odour abatement system is required to be designed and installed with agreement at the planning stage. Therefore without knowing the type of food to be cooked the team is unable to provide comments as to whether the proposed odour abatement system is suitable. It is therefore requested that a condition is placed on any decision notice stating that this information should be provided together with a suitable odour abatement system which will be subject to the approval of the Local Planning Authority.

Restrictions to the times of operation of the extraction unit, use of garden and public on the premises also need to be conditioned.

Environmental Health Food Team
No comment

Historic Environment Record Officer
No comment

Conservation Officer
Concerns about lack of detailing in drawing THIRBY1 Rev E.

Other Representations

4.3 Local Residents

Correspondence from 4 households have been received in OBJECTION to the proposal for the following reasons.

- Concern at evening noise impacting on 6 Castle Street's immediate environment.
- Prefer if outside dining were not permitted.
- Concern that appropriate restrictions generated by the extractor and the odours are required.

- There are already enough restaurant /café's in town and in close proximity - the need is for shops.
- Would negatively affect the quiet residential atmosphere of Castle Street, by increasing footfall and increase in difficulty parking in Castle Street.
- Parking has already been noticeably more difficult since the opening of the Italian Restaurant opposite the site.
- Castle Street car park, owned by Natwest has been put up for sale as a development opportunity.
- Castle Street is a visually appealing quaint part of Thornbury which will be put under threat if more establishments are allowed to creep along Castle Street.
- St Mary's shopping centre is the area that needs attention in terms of having a restaurant to fill the empty shops as well as High Street.
- The ground floor should be rented as residential flats and there is no evidence of marketing for this.
- There are rat problems in the gardens of The Plain and castle Street due to the large number of food establishments.

- The drains in Castle Street are old and sensitive to materials which cause blockages
- Extra number of people using the (sewerage) system would cause severe problems of blocking the main drain, which happened last in 2006.
- Grease trap should be installed
- Flue appears to have no odour control unit.
- What would happen if the noise attenuation measures are unsatisfactory?
- Writers garden area would be spoilt by allowing the use of the garden at 2 Castle Street to be used for additional seating area.
- People arriving and departing from 6pm until 11pm would increase noise to an unbearable level.

Correspondence from 2 local residents have been received in SUPPORT of the proposal for the following reasons.

- No disadvantage in a further café or restaurant opening up, Town is developing an unenviable reputation as a place to eat and as an independent and spirited town.
- Positive use of building which is peripheral to town centre
- Better to use a building than allow it to remain vacant indefinitely.
- The restaurant will complement the other restaurants.
- Will create feel good factor in the town.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The main aims of PPS4 are to provide sustainable economic growth by reducing the need to travel, especially by car and to promote the viability and vitality of towns. Therefore, PPS4 seeks to steer economic growth and town centre uses into existing centres with the aim of improving the range of facilities available to communities and to increase the level of competition between

retailers. PPS4 defines retail and restaurants as town centre uses, therefore, the principle of the proposal is supported by PPS4. Policy EC10 of PPS4 contains criteria that all applications should be assessed against and these criteria have been considered under the main headings of this report. The aims of PPS4 are enshrined in Policy RT10 of the South Gloucestershire Local Plan (adopted) January 2006. Policy RT10 states that within the ground floor level of secondary shopping frontages....proposals for change of use will be permitted except where:

- The proposed use would undermine the established character, vitality or civic role of that frontage.
- It would not have unacceptable environmental or transportation effects, or would prejudice residential amenity

In addition, Policy CS32 of the emerging South Gloucestershire Core Strategy seeks increased employment opportunities for the area, particularly within the Town Centre, through the improvement of existing sites and premises. It is considered that the proposal adheres to this criteria in principle.

5.2 Transportation

The application site is located just off the main Thornbury High Street, which is within walking distance and cycling distance of a large catchment of dwellings and within close proximity to bus services. No vehicular parking provision is proposed, however, policy T8 allows for car free development provided that it is located on sites with good links to non-car modes and where there is adequate public off-street or shared parking available. The site is located within a sustainable Town Centre location and shared off street parking facilities are located nearby. It is considered that the proposal meets the criteria specified for car free development and that patrons would make use of town centre, parking, travel and retail facilities. It is considered that the scale of the proposal is such that any additional traffic generated, in comparison to the existing two uses, would not have a significant adverse impact on highway safety.

5.3 Residential Amenity

The application site is located within a Town Centre with the site being surrounded on either side by mixed use buildings with commercial uses at ground floor and residential use over. The upper floors of this building are let as three flats which would remain unchanged. Independent access to the flats would remain as existing with the exception of a n additional door at the bottom of the staircase.

The commercial units were last used as an Employment agency (No 2) and Tax consultancy (No 2A) and these have been vacant for well over 2.5 years and 4 years respectively. Whilst the extant uses would have been unlikely to have been used in the evenings the scale of the proposal is such that it would not have a significantly more harmful impact in terms of residential amenity than the existing uses provided that noise transfer within the building and potential odour and noise transfer from the extraction unit are adequately controlled. Noise and odour control have been submitted, in respect of the proposed flue, as part of this application and conditions are considered appropriate means of controlling their integration in the development and their continued management. The comings and goings to the proposed restaurant

are expected to be limited at any one time. The property itself is limited in size, although a small area in the rear garden is also intended to be used as a restaurant seating area. It could be anticipated that the busy times would be lunch times, during the day when the 'high street' is busy. Further early evening might be when a high percentage of guests might arrive. One would expect the High Street to be relatively busy at this time too. The application indicates that the premises would be open for custom until 11pm. These guests might be expected to leave the premises gradually throughout the evening. In order to control the late evening comings and goings a condition restricting cooking hours to no later than 11pm is proposed by which point the extraction unit will also be turned off and that the site shall be clear of members of the public by midnight. A further proposed condition restricts the use of the outside eating area for eating and drinking to 9pm.

5.4 Design and Impact on the Listed building and Conservation Area

The proposal incorporates little external alteration given that the two halves of the ground floor of this building are essentially being put back together and changing use. Indeed there are no external alterations to the front of the building. Further the rear elevation of the building is subject to no external alteration, save the installation of an odour extraction system. Internal alterations are considered further in the Listed building application as they are not development and can not be controlled under this planning application.

5.5 The odour extraction system exits the building at relatively low level on the rear elevation and traverses the garden wall horizontally (wall to an outbuilding next door), before rising through an existing outbuilding on site. The flue would rise alongside the two storey height range of buildings in the neighbouring ownership. This prevents the extraction system damaging other more important historic fabric within the building and also prevents a stack being read directly with the listed house however it is considered that the construction of a brick chimney stack to house the flue would be necessary to preserve the setting of the listed building. The agent has agreed that details of this chimney stack will be agreed by condition. Given the limited development proposed at the site there would be no material harm to the character or appearance of the Thornbury Conservation Area.

5.6 Vitality of the town centre

The proposal would involve restaurant (A3) at ground floor level. The restaurant is considered to be an appropriate secondary shopping frontage use and would contribute positively to the vitality and economy of the Town Centre. The secondary shopping frontage currently supports a range of different uses including B1 offices, 3No. A1 Retail uses (one vacant), 4No A2 Professional offices/banks, 2No A3 (restaurant) uses and this site's existing empty uses. It is considered that the conversion of the empty units at 2 and 2a will not undermine the secondary retail frontage given that it contains a range of uses and the proposal would not create a concentration of restaurants.

5.6 Other issues

Consultation responses have raised issue about the potential for rats to be a problem at the site and for foul drainage/blocked drain issues to arise as a result of the scheme.

In terms of the remit of this planning application a condition is suggested that would ensure well managed refuse storage and bin management. Otherwise problems with vermin, and indeed pre-existing issues as suggested here would be more appropriately dealt with through specific environmental legislation.

It is not considered that the change of use from class A2 to A3 at this scale would make a material difference to the capacity of the drainage system in dealing with foul drainage. The introduction of food preparation does require certain mitigation to prevent the build up of grease in drainage pipes. A condition relating to this is suggested.

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 PPS4 and policy RT10 of the South Gloucestershire Local Plan (adopted) January 2006.

The limited scale of the proposed development and the Town Centre Location is such that it would not, with careful conditions being imposed, have a material adverse impact on residential amenity – Policy RT10 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposed extraction facilities, once subject to conditions, are considered to be sympathetic to the character of the existing listed building and the character of the surrounding Conservation Area – Policies D1, L12 and L13 of the South Gloucestershire Local Plan (adopted) January 2006.

The site is located in a sustainable location and meets the criteria for a car free development. The proposal is of a scale that would not have a material impact on traffic levels in the locality– Policies T12 and RT10 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following conditions.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. Prior to the first use of the site as approved full details of the types food to be cooked on the premises, together with details of a grease trap system and an odour abatement system (including it's effective maintenance schedule) suitable to prevent dispersal of those food odours shall be submitted to and agreed in writing by the Local Planning Authority. The approved odour abatement system shall then be installed and shall be fully operational and maintained as agreed thereafter.

Reason

In order to properly deal with the likely waste products, which are not collected as refuse, and in the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No food shall be cooked outside of the hours of 09.00-23.00 hours and the extraction unit shall be switched off outside of these times.

Reason

In the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No deliveries shall be taken at or despatched from the site outside the hours of 07.00 - 19.00 nor at any time on Sundays, Bank or Public Holidays.

Reason

In the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No members of the public shall be on the premises between the hours of 24.00 and 09.00 hours.

Reason

In the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. There shall be no consumption of food or drink outside in the garden area between the hours of 21.00 and 09.00 hours.

Reason

In the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Full details of a brick chimney stack to enclose the vertical part of the flue shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the chimney shall be finished in brick and mortar to match the materials and mortar detailing used in the host outbuilding.

Reason

To maintain and enhance the character and setting of the listed building and the Thornbury Conservation Area, and to accord with policies L12, L13 and D1 of the South Gloucestershire Local Plan Adopted January 2006 and PPS5.

8. Prior to the commencement of the use hereby permitted details of the location and type of all bins appropriate to the establishment shall be submitted to and approved in writing by the Local Planning Authority. The details agreed shall thereafter be implemented and used to control the waste output from the establishment.

Reason

In the interests of protecting the amenity enjoyed by those living in the locality and to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. 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, proposed planting (to include size, species and ratio of planting and times of planting), screen details and method of fixing, and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall then be carried out in accordance with the agreed details prior to the first use of the site as approved.

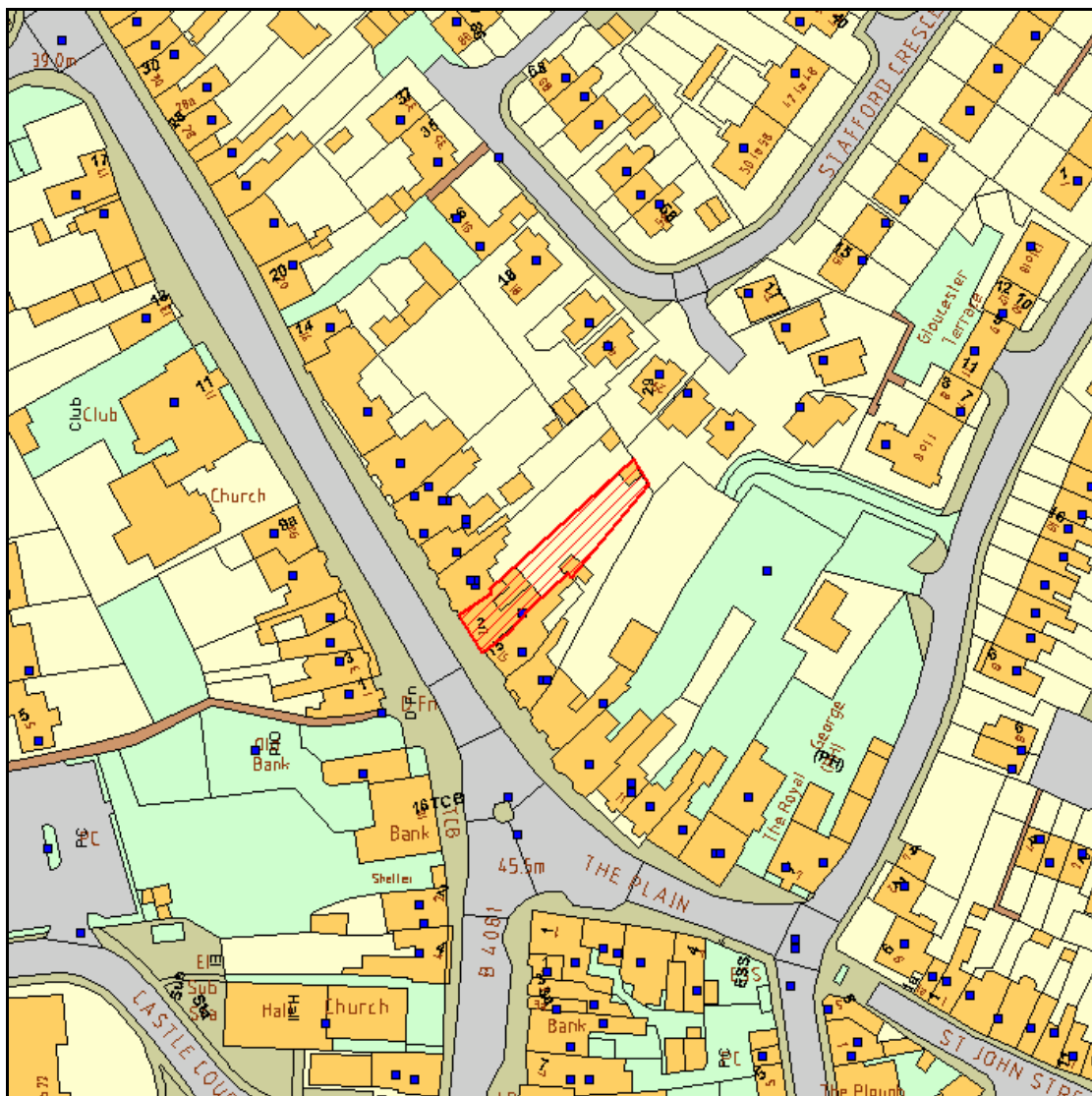
Reason

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

ITEM 5

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PT11/2138/LB	Applicant:	Nos 4 Ltd C/O LSR Plc
Site:	2/2A Castle Street Thornbury Bristol South Gloucestershire BS35 1HB	Date Reg:	26th July 2011
Proposal:	Internal and external alterations including installation of extraction flue to facilitate the conversion to restaurant/cafe.	Parish:	Thornbury Town Council
Map Ref:	363683 190226	Ward:	Thornbury North
Application Category:	Minor	Target Date:	15th September 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is reported to Circulated Schedule as the officer recommendation is contrary to objections received on the application.

1. THE PROPOSAL

1.1 This application seeks listed building consent for internal and external alterations to the ground floor of both 2 and 2A Castle Street to form a ground floor café/restaurant (Class A3). As a result of the need to vent the proposed use an extraction flue is proposed and this emerges at the rear of the building. The upper floors of the building are currently used as three separate flats.

1.2 The application site comprises the ground floor of this three storey building located in Castle Street close to 'The Pump' in The Plain, Thornbury. The site is grade II listed. A corresponding planning application is also being considered in this Circulated Schedule under reference PT11/2136/F.

1.3 There would be no external alterations to the front of the building but a range of alterations internally which are summarised below.

- The removal of a modern stud partition in the front room, which it is understood was erected without listed building consent;
- The removal of a section of modern stud infill between the front and rear room of the left hand side of the building;
- Re-opening a former doorway within the flank wall of the rear range;
- Re-opening a former doorway (now blocked) between the two front rooms;
- Closing off a doorway to the cellar stairs;
- The use of one of the rear rooms as a kitchen;
- The installation of a large extract vent running from the proposed kitchen (at ceiling level), exiting the building from the rear wc, and running along the boundary wall in to the store building and through the roof of this. This will require the vent to be taken through three areas of historic wall at ground floor level of the rear range which are likely to be Victorian.

2. POLICY CONTEXT

2.1 National Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

PPS5 Planning for the Historic Environment and Historic Environment Planning Practical Guide (March 2010).

3. RELEVANT PLANNING HISTORY

3.1 N2759 Change of use of premises from shop and residential to offices.
Approved

N2759/1 Change of use of first floor (rear) to Dog Grooming Centre with ancillary use for retail sales of dog grooming equipment. Approved

P85/1550 Use of premises as dog grooming centre.(Renewal of temporary consent) Appraised

P86/1634 Use of premises as chiropody surgery (part of building). Approved

P86/3002 Change of use of one room at first floor level from office to treatment room in connection with alternative (homeopathic) medicine. Approved

P88/1960 Use of premises as dog grooming centre (renewal of temporary consent) Appraised

P89/1927 Use of premises as dog grooming centre Approved

P89/2142 Change of use of part of building to use as property consultant agency (class A2 as defined in the town and country planning (use classes) order 1989) Approved

P90/1517/L Re-Roofing, of building, repair to chimney stack; re-rendering. Consent

P90/2145 Alterations and renovation of existing building, erection of first floor extension including installation of two skylights to form offices (as defined in class B1 of the town and country planning (use classes) order Approved

P90/2146/L Alterations and renovation of existing building. Erection of first floor extension including installation of two skylights to form offices (as defined in class B1 of the town and country planning (use classes) order 1987). Approved

P92/1131 (2nd Floor) Change of use of first floor premises from office to residential approved

P92/1132/L Internal alterations (to include the blocking of existing stairway and formation of shower cubical) to facilitate change of use of first floor accommodation from office to residential. Approved

PT04/1979/F Change of use from antique shop (Class A1) to financial and professional services (Class A2) as defined in the Town and Country Planning (Use Classes) Order 1987). (Retrospective).

PT11/2138/LB Internal and external alterations including installation of extraction flue to facilitate the conversion to restaurant/cafe. Pending consideration.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council
No objection

Historic Environment Record Officer

No comment

Conservation Officer

Concerns about lack of detailing in drawing THIRBY1 Rev E. particularly in relation to the size of the flue and it's external appearance. How would its appearance be mitigated. If consent is to be granted for the change of use then more detail needs to be received in respect of the following.

- Seek confirmation that historic door to cellar will be retained and locked as opposed to blocked – it is an historic door and access will need to be maintained.
- Drawings to be corrected and show existing buildings accurately;
- Clarify treatment and appearance of flue
- Changes to floor or wall finishes (for building regulations or health and safety requirements) should be made clear at this stage.
- I would recommend that if a less visually intrusive flue can be accommodated above the wc outside, this may be preferable however without details for comparison it is difficult to give a view.
- Details of how the visual impact of the flue will be mitigated should be made clear.
- seek clarification about what is proposed to partition in first private dining area (the drawing is not clear what is proposed to this wall);

Since these comments drawing THIRBY1 Rev F has been received along with an explanatory email dated 26 August 2011.

Other Representations

4.3 Local Residents

Correspondence from the owner of 4 Castle Street has been received in OBJECTION to the proposal for the following reasons.

- The drains in Castle Street are old and sensitive to materials which cause blockages
- Extra number of people using the (sewerage) system would cause severe problems of blocking the main drain, which happened last in 2006.
- Grease trap should be installed
- Flue appears to have no odour control unit.
- What would happen if the noise attenuation measures are unsatisfactory?
- Garden area would be spoilt by use of the garden at 2 Castle Street to serve food.
- People arriving and departing from 6pm until 11pm would increase noise to an unbearable level.

This letter refers to matters relevant to the planning application and as such its contents are dealt with under reference PT11/2136/F.

5. **ANALYSIS OF PROPOSAL**

The only matter for consideration in this listed building application is the impact on the special architectural and historic character of the listed building.

5.1 **Design and Impact on the Listed building and Conservation Area**

The proposal incorporates relatively little external alteration given that the two halves of this building are being put back together. Indeed there are no external alterations to the front of the building. Further the rear elevation of the building is subject to no external alteration, save the installation of an odour extraction system. Clarification and an amended plan from the agent has been received in respect of some of the issues raised by the Conservation officer.

5.2 The plan confirms that unauthorised partitioning would be removed, the historic door to the cellar will be retained and locked as opposed to blocked as previously advised and that there is no intention to create a partition between the two private dining rooms. It is confirmed by email that the lines shown on the revised drawing show only the existing step (level change) between the two rooms.

5.3 The drawings have been corrected and show existing buildings accurately. The amended plans clearly show the main listed building, its single storey WC and its outbuilding in relation to the building in the neighbouring property. These drawings show that a coating of the flue with a brick finish is proposed. This is not acceptable and the agent has confirmed his willingness to erect a chimney on the outbuilding to house the flue. The route of the flue is generally in the Victorian range of the building and would have little physical impact on the historic fabric of the main building and that of the outbuilding. It is also considered that with careful conditioning of the detail of the chimney the flue will not cause harm to the setting of the listed building.

5.4 There are no proposed changes to historic floor or wall finishes. It is proposed however to paint the walls of the restaurant but like for like finish is not considered to require listed building consent and will not detract from the historic fabric of the building.

5.5 The odour extraction system exits the building at relatively low level on the rear elevation and traverses the garden wall horizontally (wall to an outbuilding next door), before rising through an existing outbuilding on site and being contained within a purpose built chimney. The stack would rise alongside the two storey height range of buildings in the neighbouring ownership. This prevents the extraction system damaging other more important historic fabric within the building and also prevents a stack being read directly with the listed house. This would preserve the setting of the listed building.

6. **CONCLUSION**

6.1 The restaurant is considered to be an appropriate secondary shopping frontage use and would contribute positively to the vitality and economy of the Town Centre. It is considered that bringing the building back into a sustainable economic use is in the general good of preserving the historic building and as well as being good for the vitality of the town centre. As such the relatively

modest alterations required to facilitate the change of use are considered to outweigh the limited harm to the fabric of the building.

7. RECOMMENDATION

7.1 That Listed building consent is approved subject to the following conditions.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

2. Notwithstanding previously submitted details, and prior to the commencement of development on site, a detailed drawing at a scale of 1:20, showing the size, construction and design of the brick chimney casing around the new flue protruding above the outbuilding roof, shall be submitted and approved in writing by the local planning authority. The works shall be completed strictly in accordance with the approved details and prior to the commencement of the change of use.

Reason: In order that the works serve to preserve the architectural and historic interest of the building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and accompanying Planning Practice Guide.

3. Notwithstanding previously submitted details and prior to the commencement of works a representative sample of brickwork for the new brick chimney flue casing, showing the brick, bonding and pointing, shall be erected on site and approved in writing by the local planning authority. The work shall be implemented strictly in accordance with the approved panel, which shall be retained on site for consistency.

Reason: In order that the works serve to preserve the architectural and historic interest of the building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and accompanying Planning Practice Guide.

4. Prior to the commencement of works the detailed design of the following items, including materials and finishes, shall be submitted and approved in writing by the local planning authority:
 - a) all new doors (including frames, furniture and fittings)
 - b) all new vents or flues (including size, location and finishes)
 - c) new Bar

The design details shall be accompanied by elevation and section drawings to a scale of 1:5 including cross sections. The works shall be completed strictly in accordance with the approved details.

Reason: In order that the works serve to preserve the architectural and historic interest of the building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and accompanying Planning Practice Guide.

5. Prior to the commencement of works a detailed schedule of all new or replacement wall, floor and ceiling finishes (including samples of floor finishes), for which consent is expressly reserved, shall be submitted and approved in writing by the local planning authority. For the avoidance of doubt all new wall finishes shall be traditional haired lime plaster and all floor finishes shall be traditional stone flags or timber boarding.

Reason: In order that the works serve to preserve the architectural and historic interest of the building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and accompanying Planning Practice Guide.

6. Prior to the commencement of works, details of making good of all openings created for the flue shall be submitted and approved in writing by the local planning authority.

Reason: In order that the works serve to preserve the architectural and historic interest of the building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and accompanying Planning Practice Guide.

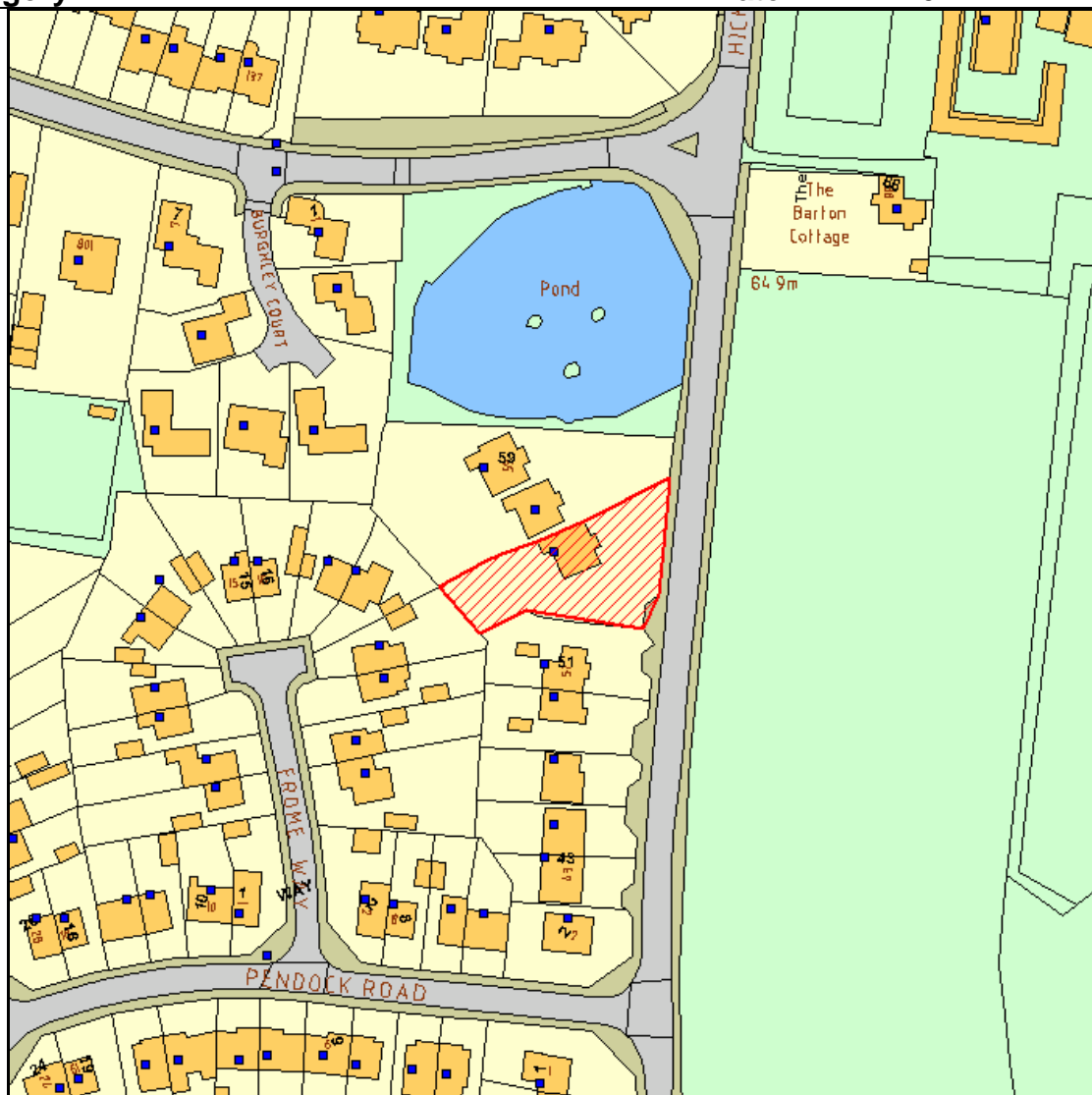
7. Prior to the commencement of the works hereby approved, full details of proposed Mechanical and electrical systems including external electrical fittings including lights, meter boxes and security alarms, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval. No works shall be commenced until the Local Planning Authority has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

Reason: In order that the works serve to preserve the architectural and historic interest of the building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and accompanying Planning Practice Guide.

ITEM 6

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PT11/2919/F	Applicant:	Mr John Hammond
Site:	55 Hicks Common Road Winterbourne Bristol South Gloucestershire BS36 1EQ	Date Reg:	14th October 2011
Proposal:	Erection of first floor side extension to form additional living accommodation. Erection of detached car port and workshop	Parish:	Winterbourne Parish Council
Map Ref:	365392 180314	Ward:	Winterbourne
Application Category:	Householder	Target Date:	8th December 2011



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100023410, 2008. **N.T.S.** **PT11/2919/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule in view of the letters of objection that have been received.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a first floor side extension and a detached outbuilding.
- 1.2 The application relates to a detached two-storey dwelling on the west side of Hicks Common Road, Winterbourne.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG13: Transport

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

H4: Development within Existing Residential Curtilages

T12: Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1: High Quality Design

CS17: Housing Diversity

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

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection

- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Summary of Local Residents Comments
Three letters received expressing the following concerns:
 - o What will the workshop be used for? (Concerns regarding noise etc);
 - o The proposal removes the symmetry of the building;

- It will become too large- properties are architecturally spaced;
- The proposal will detract from the open aspect of these dwellings.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy H4 is permissive of proposals for house extensions and development within residential curtilages subject to considerations related to design, residential amenity and highway safety.

5.2 Design/ Visual Amenity

The application relates to a detached two-storey dwelling on the west side of Hicks Common Road, Winterbourne. The property forms one of three dwellings that originally would have been of identical design which stand staggered at a 45 degree away from Hicks Common Road. The proposal is for a first floor side extension that would provide an ensuite bedroom and is also for a detached carport/ workshop building within the rear garden.

5.3 The first floor side extension would build over an existing flat roofed side extension continuing the existing profile of the dwelling providing a near symmetrical front elevation. In so doing, it would mirror the design of the existing first floor side extension to no. 59 Hicks Common Road.

5.4 This element of the proposal is considered to be acceptable in design/ visual amenity terms with an associated refusal reason unlikely to prove sustainable. In this regard, whilst it would close up the spacing between these dwellings, in view of this aforementioned side extension and with the properties of no significant architectural interest, it is not considered appropriate to recommend planning refusal on this basis.

5.5 The detached carport/ workshop would stand within the rear garden (that is dissected by the vehicular access leading to the two neighbouring properties) and measure 4.9m x 4.3m with a pitched roof. This would appear suitably subservient to the dwelling whilst in view of its rear position, would not appear as visible from public viewpoints. Accordingly, this element of the proposal is also considered to be acceptable in design/ visual amenity terms.

5.6 Residential Amenity

The neighbouring property to this north sits slightly further back given the staggered positioning of these dwellings with the proposal extending some 3.6m forward of this property within relative close proximity to the boundary. Nonetheless, the profile of the extension would help to reduce its impact and with no side facing windows proposed (or contained with the side elevation of the neighbouring dwelling), on balance it is not considered that any significant adverse impact in residential amenity would be caused. Nevertheless, in the event that planning permission is granted, it is recommended that a condition be attached to prevent any first floor side facing windows.

5.7 The detached workshop would stand apart from neighbouring properties given its position within the end part of the rear garden. However, it would appear visible, particularly to those properties behind, given the limited boundary

screening along the rear boundary. Nevertheless, having regard to the size and scale of this outbuilding, it is not considered that any significant adverse impact in residential amenity would be caused.

5.8 In response to those concerns regarding use of the workshop, it is suggested that a condition is attached to any permission to ensure that it is only used for purposes ancillary to the property.

5.9 Highway Safety

The host dwelling benefits from a large residential curtilage with ample room for parking/ manoeuvring. As such, this application is considered to be acceptable from a highway viewpoint.

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.

6.3 The recommendation to GRANT permission is for the following reasons:

1. The design massing and scale of the extension and outbuilding proposed would be in general keeping with the design of the host dwelling and the character of the area. Accordingly, the proposal is considered to accord with Planning Policies D1 (Achieving Good Quality in New Development) and H4 (House Extensions) of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposal would not cause any significant adverse impact in residential amenity and would accord with Planning Policy H4 (House Extensions) of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The proposal is considered to be acceptable in highway safety terms and would accord with Planning Policies T8 (Parking Standards) and T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

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

Reason

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

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.

3. No windows shall be inserted at any time in the north elevation of the property as extended..

Reason

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

4. The outbuilding hereby approved shall be used for purposes ancillary to the host dwelling only and not for business use.

Reason

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

ITEM 7

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PT11/3250/F	Applicant:	Mr Davies
Site:	20 Hortham Lane Almondsbury South Gloucestershire BS32 4JL	Date Reg:	19th October 2011
Proposal:	Demolition of existing dwelling. Erection of replacement dwelling, detached double garage and associated works.	Parish:	Almondsbury Parish Council
Map Ref:	362035 184478	Ward:	Almondsbury
Application Category:	Minor	Target Date:	9th December 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because correspondence has been received contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This full application relates to the erection of a replacement dwelling and detached double garage on land at 20 Hortham Lane, Hortham, Almondsbury. The proposal will involve the demolition of an existing Woolaway 1 bed detached bungalow, which is located centrally in the site. The building is currently boarded up and constructed of concrete panel walling with tiled roof. The site has been cleared of vegetation.
- 1.2 The building was originally erected in the 1950's in association with Hortham Hospital and was used as a dwelling to train patients for their eventual removal from the institutional environment to living in the community, falling under class C2 of the Use Classes Order. It has been vacant for many years but has never been used as a dwelling (Class C3). The building is very modest in size, having a floor area of some 46m², although the site has a substantial curtilage, some 0.14 hectares in area.
- 1.3 Access and parking were approved under the 2008 application (PT08/2994/F) in which planning permission was granted to change the use from C2 to C3, the access has recently been constructed. The proposal utilises the approved access.
- 1.4 The site is broadly rectangular in shape and level in nature although it is some 1m above the level of Hortham Lane. It is enclosed by a hedgerow to the front of the site and a 1.8m timber fence forms the rear boundary. The new residential housing estate on the old Hortham Hospital grounds lies to the south and west of the site with the property and curtilage of 22 Hortham Lane to the east. A large Pine tree covered by a TPO lies within the site to the east.
- 1.5 The proposed replacement dwelling is a substantial four bedroom property measuring approximately 15 metres in width, 8 metres in length and an apex of 8.4 metres at ridge height.
- 1.6 The site is located within the Green Belt but is outside any defined settlement boundary.

2. POLICY CONTEXT

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS3	Housing
PPG13	Transport
Draft National Planning Policy Framework	

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
GB1	Development within the Green Belt
GB3	Redevelopment of the Major Developed Site in the Green Belt at Hortham Hospital, Almondsbury
H3	Residential Development in the Countryside
H4	Development within Existing Residential Curtilage
H11	Replacement Dwellings in the Countryside
L1	Landscape Protection and Enhancement
T8	Parking Standards
T12	Transportation Development Control Policy for new Development

Emerging Development Plan

South Gloucestershire Core Strategy Proposed Changes Version (December 2010)

CS1	High Quality Design
CS5	Location of Development
CS34	Rural Areas

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Development in the Green Belt (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 N3356, erection of Woolaways bungalow. No objection 23 March 1977.
- 3.2 P96/2363, erection of building for use as child psychology clinic, construction of new access and car parking. Approved 31 December 1996 but never implemented.
- 3.3 PT08/2994/F, change of use from hospital unit (Class C2) to residential use (Class C3). Approved 11 December 2008.
- 3.4 PT11/2939/TRE, work to 1no. Pine tree to raise canopy by 5m, 15% crown reduction to reshape and remove dead wood. Refused 2011.
- 3.5 PT06/0865/F, demolition of existing buildings. Erection of 270 dwellings on 34.17 hectares of land to include new access, landscaping bunds, public open space, landscaping details associated work to Hortham Lane and Hortham Lane/A38 junction.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No comments received.

Other Consultees

4.2 Tree Officer

No objection subject to condition

4.3 Landscape Officer

The proposed replacement dwelling should be moved further to the west to avoid conflict with the retained tree T1 (Pinus nigra). A 1.8m high close board fence is proposed along the road frontage and it is considered that this is not appropriate in this location, as the majority of properties along this road have low hedges to the front gardens, so this would be out of character. It would be preferable to plant a new hedge behind the existing remnant native hedgerow along this boundary; species such as Beech or Hornbeam would be appropriate and would establish a secure boundary, whilst being consistent with the adjacent properties, providing a 'green' road frontage to Hortham Lane.

4.4 Transportation Officer

No objection

4.5 Environmental Protection Officer

No objections in principle

Other Representations

4.4 Local Residents

One letter of support and one letter of objection have been received from neighbouring occupiers.

Summary of letter of support

The land has been derelict for 20 years and is an eyesore;
The 1.8 metre fence to the east of the dwelling should be erected before the development starts.

Summary of letter of objection

Removal of trees will harm the character of the area;
Harm to outlook and privacy;
Additional light and noise pollution in the evenings;

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposed dwelling is located within the open Green Belt outside the defined settlement boundary. The replacement of dwellings in this location is acceptable in principle by virtue of Policies GB1 and H11 of the South Gloucestershire Local Plan (adopted) January 2006. Provided that the existing residential use has not been abandoned; the existing dwelling is incapable of retention in its current state; the replacement dwelling is of a similar size and scale to the existing dwelling, within the same curtilage, and of a design that is in-keeping with the locality and which minimises intrusion in the countryside.

5.2 Has the residential use been abandoned?

Planning permission was granted in 2008 (PT08/2994/F) to change the use of the building to residential. The permission included provision for the formation of an access and turning area. The access was being constructed when the Officer visited the site. Therefore, whilst the building is uninhabited, the permission has been implemented and therefore, it is considered that the residential use has not been abandoned.

5.3 Is the dwelling incapable of retention in its current state?

In the previous application permitted in 2008 (PT08/2994/F) to change the use of the building to residential, consideration was given as to whether the building was capable of conversion without major or complete re-construction. The Officer considered that the building was capable of conversion. Given that less than three years have elapsed since the previous application, it is considered that the building is still likely to be capable of retention in its current state. No evidence contrary to this has been submitted by the applicant, however, it is noted that the existing dwelling is a prefabricated structure, and therefore, a replacement property, may bring about benefits in terms of the visual amenity of the area and energy efficiency.

5.4 Is the replacement dwelling a similar size and scale to the existing dwelling, in-keeping with the locality and minimises intrusion into the countryside?

The existing property is single storey and has a floor area of approximately 50 square metres. The proposed dwelling is two storeys in height and has a floor area of approximately 215 square metres; it also comprises a large double garage with a floor area of approximately 30 square metres. The proposal represents a floor area increase of approximately 390% over the existing dwelling. It is therefore, considered that the proposal is wholly out of keeping with the size and scale of the existing dwelling, and represents a disproportionate volume increase over and above the size of the original property.

5.5 Given the above, it is considered that the proposal is contrary to Policies GB1 and H11 of the South Gloucestershire Local Plan (adopted) January 2006, and by definition, is harmful to the openness of the Green Belt.

5.6 The applicant has stated in the supporting information that the proposed development will result in a disproportionate addition over and above the size of the existing dwelling and is therefore 'inappropriate' development. The applicant has therefore, provided the following very special circumstances to justify the grant of planning permission in the Green Belt.

Very special circumstances

- The location of the site within the heart of the village that would not result in any detrimental harm to the openness of the Green Belt;
- The proposal replicating the character and scale of the existing surrounding development;
- The hospital redevelopment setting the new context of the site;

- The fact that the development would not cause harm to the purposes for including land in the Green Belt;

5.7 It is not considered that the circumstances put forward by the applicant can be considered 'very special' to justify the grant of planning permission in this instance. The applicant states that the property is within the heart of the village, however, the site is outside of the defined settlement boundary defined by the South Gloucestershire Local Plan (adopted) January 2006 and is within the open Green Belt. The site is adjacent to the modern Hortham residential area and the applicant argues that the re-development of this site has changed the context of the area and eroded the openness. However, Hortham Hospital was a major redundant site identified for redevelopment under policy GB3 of the Local Plan; the re-development of the site was required to comply with strict Green Belt criteria contained in policy GB3 to ensure that it would not have a greater impact on the openness of the Green Belt than the existing hospital development. Therefore, the re-development was required to be no higher than the existing hospital buildings and the aggregate floor area of the re-development was required to be consistent with the floor area of the existing buildings to be replaced. As such, the Hortham residential development was proportionate to the development that it replaced and appropriate development in the Green Belt. The redevelopment of the former hospital site therefore, does not form a sufficient argument to justify the proposed development. The applicant argues that the development would not cause harm to the purposes for including land in the Green Belt and has listed the five main reasons for including land in the Green Belt in PPG2. Nevertheless, PPG2 states that "inappropriate development is, by definition, harmful to the Green Belt". The harm in this instance is that the proposal will result in a 390% (approx) volume increase over the existing property. If all the properties in the Green Belt were allowed to do the same, then there would be considerable harm to the character and openness of the area. Therefore, there is very good reason for requiring the proposal to comply with the Green Belt limits given the potential for a precedent to be set, which would considerably harm the openness of the Green Belt.

Given the above, it is considered that the circumstances provided do not justify the grant of planning permission in the Green Belt. The proposal is therefore, contrary to policies GB1 and H11 of the South Gloucestershire Local Plan (adopted) January 2006; and the South Gloucestershire Development in the Green Belt SPD (adopted).

5.8 Transportation

The parking and access provisions for the development are considered to be acceptable. It is not envisaged that the amount of vehicular traffic generated by the proposal will have a significant adverse impact on local highway conditions.

5.9 Residential Amenity

An objection has been received from the occupiers of no. 10 Acer Crescent to the rear of the application site on the basis of loss of privacy and outlook. However, the proposed dwelling is approximately 16 metres from the rear boundary, which is approximately 34 metres from the objectors dwelling. Although the erection of the proposed dwelling and removal of tree (T2) will

impact the occupiers of the dwelling, it is considered that there is sufficient distance to ensure that the impact will not be significantly adversely harmful to the living conditions of the occupiers of the neighbouring dwelling. Weight is also given to the fact that the neighbouring dwelling is already impacted by the existing dwelling no.22-24 Hortham Lane. Other neighbouring properties are located to the rear of the site within closer proximity, however, it is considered that there is sufficient distance between the proposed dwelling and neighbouring properties for no significant adverse residential amenity issues to be introduced. It is not considered that the proposal will be significantly adversely harmful than the existing situation in terms of the generation of light or noise pollution.

5.10 Appearance/Form and Impact on the Character of the Area

The proposal will be read in conjunction with the dwellings to the east, which front Hortham Lane. These properties are not enclosed by fencing, and instead comprise mature hedging to the front boundary, which contributes to the rural character of the area. The proposal comprises 1.8 metre high fencing along the front boundary, which is considered to be out of keeping with the character of the area. Additional information regarding boundary treatments can be obtained by condition if permission is granted, therefore, this is not considered to be a reason for refusal in itself. The proposed dwelling was originally sited within the canopy spread and root protection area of a large protected Plum tree to the east. Whilst the Council's Tree Officer considers that the proposal could be constructed without adversely harming the health of amenity of any of the trees to be retained on the site, it was considered that the proposal should be sited further away from the tree to reduce the likelihood of the tree interfering with the proposed dwelling and to reduce the potential requirement for future works to the tree. The applicant has submitted an amended plan which has moved the dwelling further to the west so that it will be outside the canopy spread of the tree. Whilst the proposal is now outside the canopy spread of the tree, it is still within close proximity; therefore consideration has been given as to whether the proposal will lead to future pressure for works to a protected tree. Given that the proposed dwelling is served by a large garden and the tree is located to the side of the proposed dwelling, where it will not adversely impact light levels to the property or garden, it is considered that the proposal will not necessarily lead to an increase in pressure for works to the tree in the future. Whilst the scale and massing of the proposal are considered wholly unacceptable on Green Belt grounds, there is no objection to the appearance of the proposal and weight if given to the appearance of the existing property, which cannot be said to contribute positively to the character of the area. Nevertheless, this does not outweigh the harm to the openness of the Green Belt.

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

7. RECOMMENDATION

7.1 That planning permission is REFUSED for the following reason.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

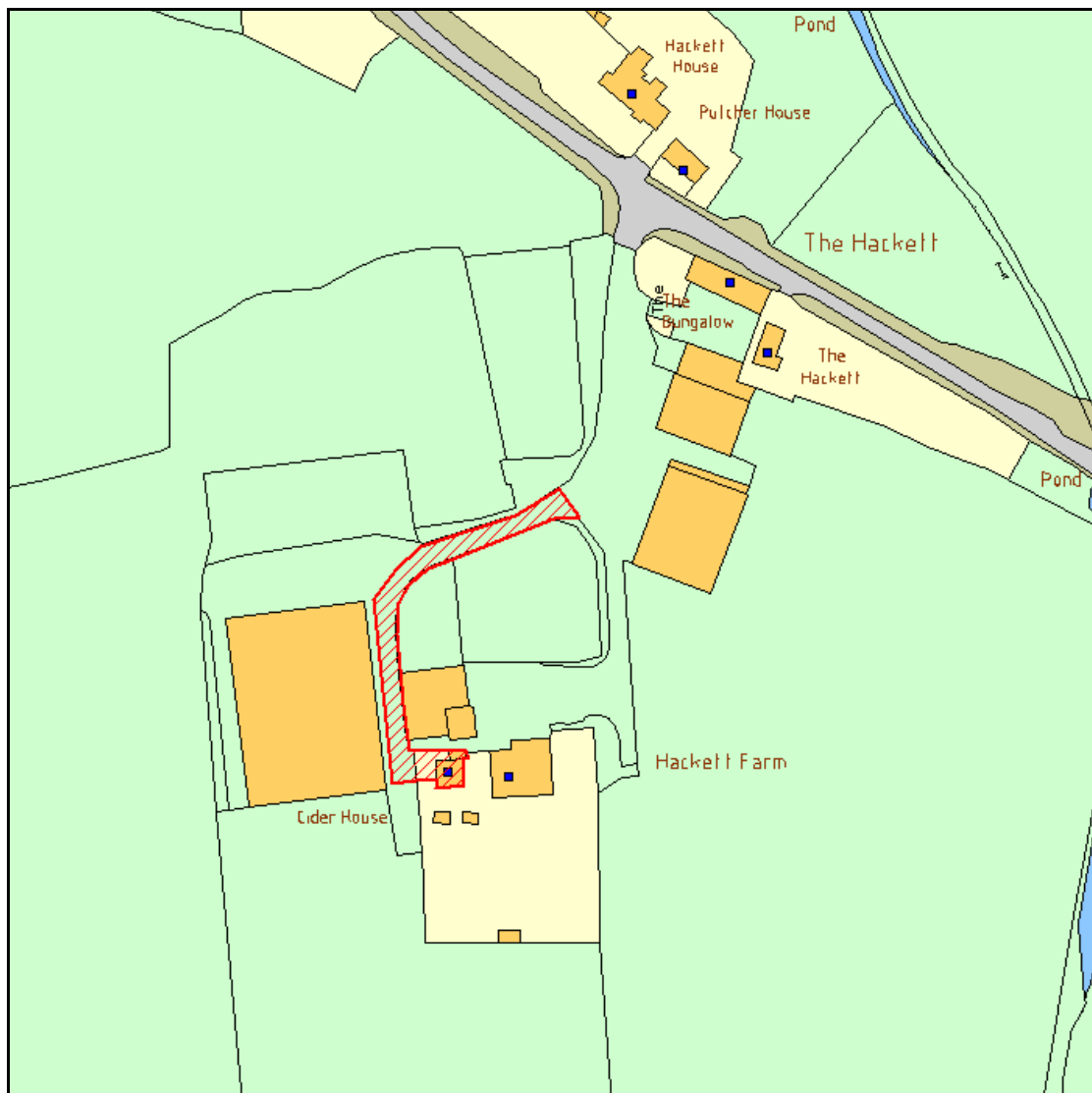
REASON FOR REFUSAL

1. The application site is located within the open Green Belt and outside the defined settlement boundary and the proposal does not fall within the limited categories of development which is normally considered appropriate within the Green Belt; the very special circumstances provided are not sufficient to justify the grant of planning permission and the harm to the openness of the Green Belt and the encroachment into the countryside. The proposal is therefore, contrary to PPG2 and Policies GB1 and H11 of the South Gloucestershire Local Plan (adopted) January 2006 and the South Gloucestershire Development in the Green Belt SPD (adopted).

ITEM 8

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PT11/3317/CLE	Applicant:	T B Grey & Sons
Site:	Cider House Hacket Lane Thornbury Bristol South Gloucestershire	Date Reg:	20th October 2011
Proposal:	Application for Certificate of Lawfulness for the existing use of building as dwelling (Class C3)	Parish:	Thornbury Town Council
Map Ref:	365472 189921	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	19th December 2011



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INTRODUCTION

This application is for a Certificate of Lawfulness, and as such, under the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 This application is for a Certificate of Lawfulness for the existing use of a building as a dwelling.
- 1.2 The site relates to a detached, two storey, stone building with small patio/garden area to the west located within the grounds of Hackett Farm.
- 1.3 This Certificate of Lawfulness application seeks to authorise a change of use of the building from a redundant farm building to a one bedroom residential property.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Procedures) Order 1995 Article 24
Circular 10/97 Enforcing Planning Control

3. RELEVANT PLANNING HISTORY

- 3.1 P98/2671 – Conversion of redundant outbuilding into tourist accommodation. Approved 31st December 1998.

4. SUMMARY OF EVIDENCE IN SUPPORT OF THE APPLICATION

- 4.1 The applicant has submitted a collection of annotated application plans from decision P98/2671, a statutory declaration, and two shorthold tenancy agreements from 2003 and 2004 respectively.

5. SUMMARY OF CONTRARY EVIDENCE

- 5.1 None.

6. OTHER REPRESENTATION RECEIVED

6.1 Thornbury Town Council

No objection.

6.2 Transportation

No comment.

6.3 Local Residents

One letter of support received stating the following:

I fully support the creation of a new dwelling in this part of Thornbury. I am sure the council are well aware that planning appeal ref APP/P01119/A/10/2138335 demonstrates that 2006 Local plan policy H3 has to be disregarded as the council is unable to demonstrate a 5 year land supply, and so cannot be used as a vehicle to refuse this application.

7. EVALUATION

The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to provide precise and unambiguous evidence.

In this instance the applicant needs to demonstrate that the property has been in situ and in residential use for a continuous period of at least four years immediately prior to the submission of this application. The four year period applies as it is accepted, by virtue of Robert Edric Grey's statutory declaration and the work's that have taken place on site, that the P98/2671 consent for the conversion of the building to tourist accommodation was never implemented. Had the consent been implemented a change of use would have occurred and 10 years would have had to be demonstrated, but that is not the case here.

Robert Edric Grey's statutory declaration confirms that Cider House, Hacket Lane has been continuously occupied at all times since 2003 as a single dwellinghouse.

Given this evidence and considering the well established appearance of Cider House, Hacket Lane, the claim that the property has been in situ and in continuous residential use for in excess of 4 years has been demonstrated on the balance of probability. It is demonstrated that the property has been in situ and in residential use for the requisite period.

8. RECOMMENDATION

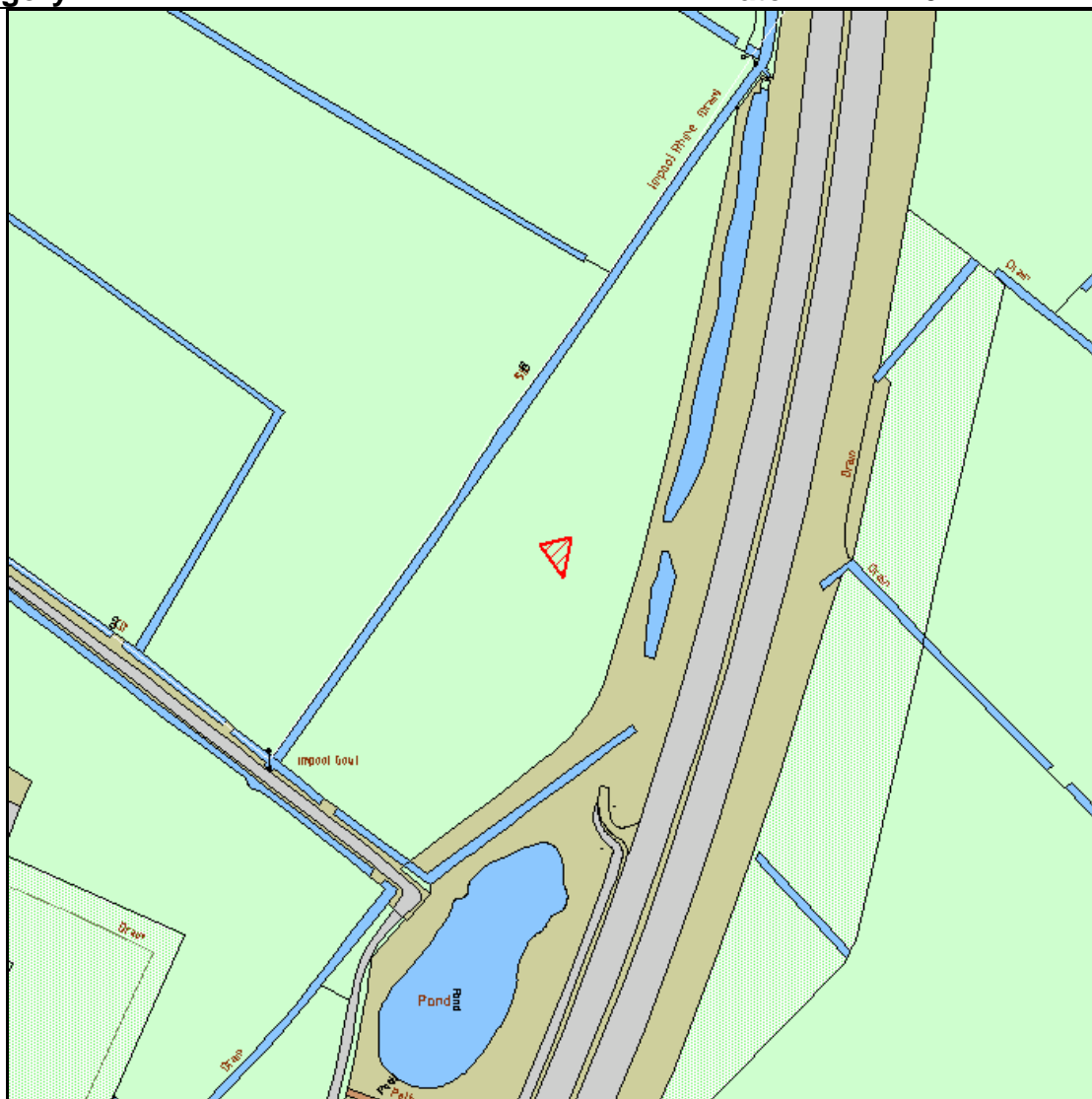
- 8.1 A Certificate of Lawfulness for the existing use of Cider House, Hacket Lane as a residential dwellinghouse and for the continued use of land (outlined in red on plan) for residential purposes is **GRANTED**.

Contact Officer: **William Collins**
Tel. No. **01454 863425**

ITEM 9

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PT11/3398/ADV	Applicant:	Mr Patrick Perkins, Hollywood Monster Ltd
Site:	Distribution Centre Western Approach Distribution Park Severn Beach South Gloucestershire BS35 4GG	Date Reg:	1st November 2011
Proposal:	Display of 1 no. 13.5 metre high steel supported structure with 2 non- illuminated sides	Parish:	Almondsbury Parish Council
Map Ref:	355094 184049	Ward:	
Application Category:	Minor	Target Date:	22nd December 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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 Advertisement Consent for the display of 1 no. 13.5 metre high steel supported structure with 2 non-illuminated sides.
- 1.2 The proposed sign would be located in a field to the west of the M49 motorway near to where the new Central Park business site is currently being developed.
- 1.3 The original description of the application stated that the advertisement would be illuminated however the applicant has confirmed that this will not be the case.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG19 Outdoor Advertisement Consent

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design

Emerging Development Plan

Core Strategy Proposed Changes Version (December 2010)

CS1 High Quality Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant history.

4. CONSULTATION RESPONSES

4.1 Pilning and Severn Beach Parish Council

Object on the following grounds:

- The sign is out of keeping with its surroundings and would be contrary to visual amenity.
- Illuminated sign unnecessary and distracting to drivers

4.2 Other Consultees

Transportation

No objection.

Other Representations

4.3 Local Residents

No response.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

PPG19 advises that advertisements should only be assessed on visual merit and impact upon public safety. It is not necessary to consider the actual need for new advertisements.

Accordingly, consent for the display of advertisements will be granted provided that the advertisements would not be detrimental to the immediate location in which it is to be displayed, by virtue of its size, siting, materials, colour or illumination, or that the cumulative effect of the proposal would be detrimental to character and visual amenity of locality. The proposal should not prejudice public safety.

The proposal is therefore considered acceptable in principle subject to the following detailed assessment.

5.2 Visual Amenity

The advertisement would be located in a field adjacent to the M49 motorway. Approximately 150 m to the north west the new Central Park business park is being developed and given this backdrop, it is not considered the proposal would have an adverse impact upon the character of the surrounding area. Overall, the proposal is considered acceptable in terms of visual appearance.

5.3 Public Safety

The signs are at a suitable distance from the edge of the motorway and the Council's Highways Engineer raises no objection to the proposal. As such, it is not considered that the signs will have any impact on existing levels of public safety.

6. **CONCLUSION**

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

7. RECOMMENDATION

7.1 That Advertisement Consent is **GRANTED**.

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

1. The approved signage shall not be illuminated at any time.

Reason

To ensure the satisfactory external appearance of the signage in the interests of visual amenity and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPG19.

2. The approved signage shall consist of 2 advertisements, neither of which should exceed 18 square metres in size.

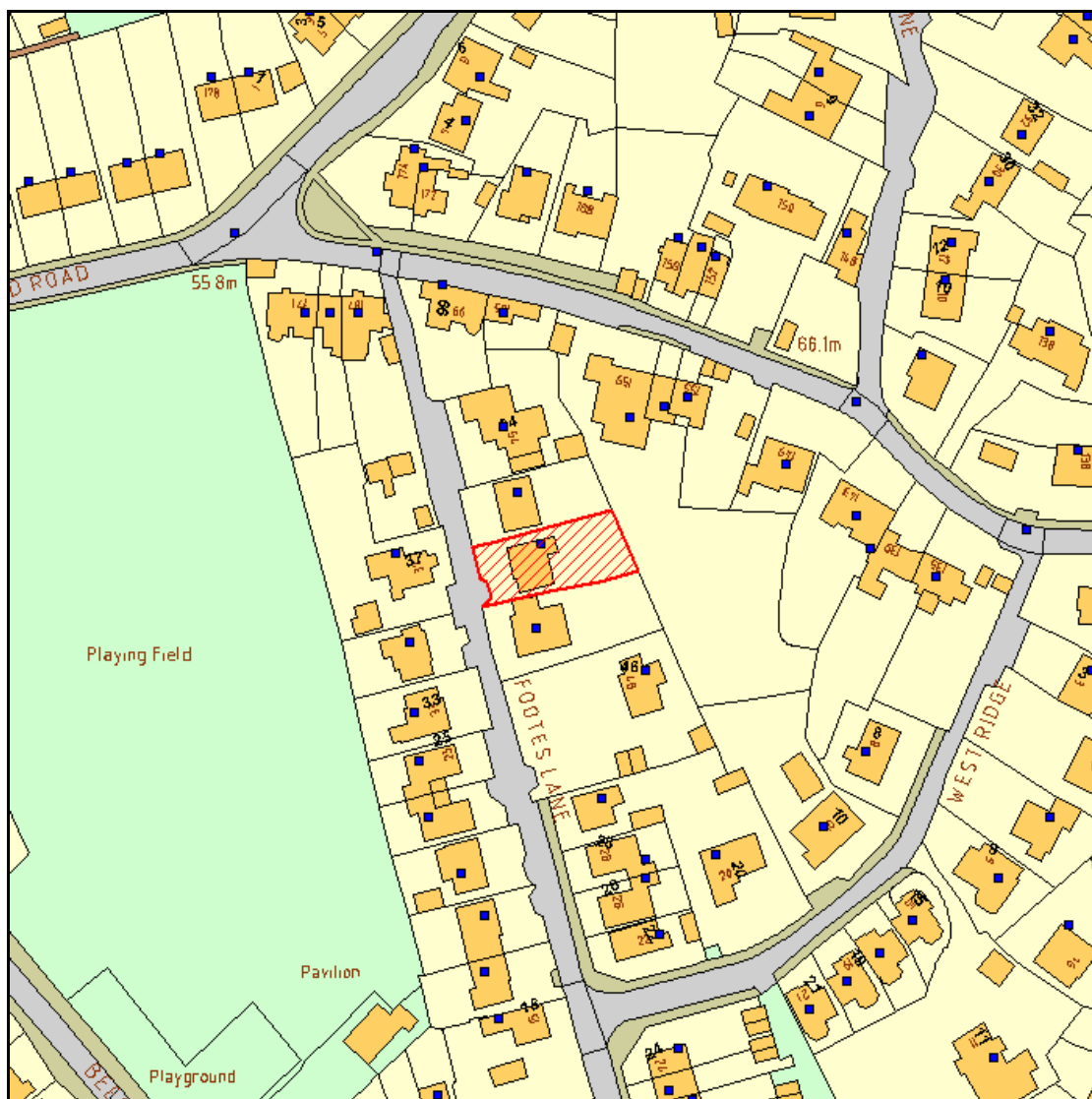
Reason

To ensure the satisfactory external appearance of the signage in the interests of visual amenity and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPG19.

ITEM 10

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PT11/3449/CLP	Applicant:	Mr David Woodward
Site:	50 Footes Lane Frampton Cotterell Bristol South Gloucestershire BS36 2JG	Date Reg:	4th November 2011
Proposal:	Application for certificate of lawfulness for the proposed installation of rear dormer.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366955 181309	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	27th December 2011



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100023410, 2008. **N.T.S.** **PT11/3449/CLP**

INTRODUCTION

This application is for a Certificate of Lawfulness, and as such, under the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

1.1 The applicant is seeking a formal decision as to whether a proposal to install a rear dormer window at no. 50 Footes Lane, Frampton Cotterell would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

1.2 The proposed dormer window would be externally faced with hanging tiles to match existing and have a volume of approximately 37.4 cubic metres.

The site lies within the defined settlement boundary of Frampton Cotterell.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Procedures) Order 1995 Article 24
Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Schedule 2, Part 1, Class B. (referred to in this report as GPDO 2008)

3. RELEVANT PLANNING HISTORY

3.1 No relevant history.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

No objection raised.

Other Representations

4.2 Local Residents

No response.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 Site plan, existing and proposed plans. Received 1st November 2011.

6. EVALUATION

The application for a Certificate of Lawfulness is purely an evidential test. The test of evidence to be applied is whether the case has been shown on the balance of probability. As such the applicant needs to provide precise and unambiguous evidence. As has been set out already the case made here is that the proposed rear dormer window falls within Class B, Part 1, Schedule 2 of the GPDO 2008 and is therefore 'permitted development' and thus the development does not require an application for full planning permission. Accordingly, if this case is made successfully there is no consideration of planning merit nor an opportunity for planning conditions. The development is simply lawful or not lawful according to the evidence.

The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class B of the GPDO 2008. The site is in use as a dwellinghouse, and there is no evidence to indicate that the permitted development rights have been removed. Class B, Part 1, Schedule 2 of the GPDO allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. This is subject to the following restrictions:

- a) The dormer window should not be any higher than the highest part of the roof. The submitted plans show this would not be the case.
- b) The dormer window must not extend beyond any plane of the roof slope which fronts any highway and forms the principal elevation of the dwellinghouse. The dormer is proposed on the rear of the property which does not front onto a highway.
- c) The cubic content of the resulting roof space should not be increased by more than 50 cubic metres. The plans show a dormer window well below 50 cubic metres in volume (approx 37.4 cubic metres).
- d) The proposal would consist of a veranda, balcony, raised platform, chimney, flue or soil and vent pipe. The submitted plans show this would not be the case.
- e) The site should not reside on article 1(5) land within the meaning of the GPDO – for example this would include Conservation Areas. The site is not article 1(5) land within the meaning of the GPDO 2008.

In addition the proposal would not be in conflict with any of the conditions set out in B.2 of Class B, Part 1, Schedule 2 in that; the materials used externally would be of similar appearance to existing, no side windows are proposed and the edge of the dormer would not be within 20 centimetres of the eaves of the dwellinghouse.

Accordingly, on the balance of probability the evidence points to the proposed development falling within Schedule 2, Part 1, Class B, of the GPDO 2008.

7. RECOMMENDATION

7.1 That a Certificate of Lawfulness of Proposed Use be granted as it has been shown on the balance of probability that the proposed outdoor swimming pool would fall within Class B, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008. Therefore the proposal does not require planning permission.

Contact Officer: William Collins

Tel. No. 01454 863425

ITEM 11

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PT11/3474/CLP	Applicant:	Mr K Rawlings
Site:	216 Woodend Road Frampton Cotterell South Gloucestershire BS36 2JF	Date Reg:	7th November 2011
Proposal:	Application for certificate of lawfulness for the proposed erection of a detached double garage and store.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366721 181365	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	6th January 2012



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100023410, 2008. **N.T.S.** **PT11/3474/CLP**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is being circulated to Members because it is a Certificate of Lawfulness for a Proposed Development. This is the standard procedure for applications of this type, in line with arrangements for delegated powers.

1. THE PROPOSAL

- 1.1 The application seeks a Certificate of Lawfulness for a Proposed Development to establish the lawfulness of a detached garage at the dwelling known as 216 Woodend Road. The property comprises a detached dwelling located on a corner plot at the junction where Woodend Road meets Park Lane. The property is outside of any conservation area.
- 1.2 The proposed garage would measure 6.4 metres in width and 5.9 metres in depth. Attached to the rear of the proposed garage would be a store measuring an additional 2.1 metres in depth. It would be 3.2 metres in width. The proposed height would be 3.9 metres to the ridge of a dual pitched roof falling to 2.4 metres at the eaves. The ridge height of the attached store would remain the same at 3.9 metres yet the eaves would be lowered to 2.1 metres in height. The garage would be separated from the existing dwelling by a walkway of approximately 1 metre in width. The existing garage requires removal in order to facilitate the proposed garage and store.
- 1.3 The evidence submitted attempts to demonstrate that the proposal constitutes permitted development by virtue of Class E, Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2008. Accordingly the test is one of evidence rather than a balancing of planning merits against the Development Plan policy. The evidence must show that on the balance of probabilities the proposed garage would be permitted development.

2. POLICY CONTEXT

- 2.1 Class E, Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2008

3. RELEVANT PLANNING HISTORY

- 3.1 PT11/2796/F Erection of detached double garage and store
Withdrawn. 12-OCT-11.
- 3.2 PT07/1930/F Erection of 2 storey side and single storey rear
extension to provide additional living
accommodation
(Resubmission of PT07/0869/F).
Approved. 27-JUL-07.
- 3.3 PT07/0869/F Erection of two storey side extension to

provide garage and dining room with 2no. bedrooms above. Erection of single storey rear extension to provide bathroom.

Refused. 19-APR-07.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

No objection.

4.2 Highways

No objection.

Other Representations

4.3 Local Residents

None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

It is considered that the dwellinghouse at 216 Woodend Road has its permitted development rights in tact. Both the submitted site plan and the officer's site visit identifies the location of the proposed garage and store as in the residential curtilage of this dwelling given that the dwelling is located on a modest corner plot.

5.2 This application is seeking a Certificate to state that the proposed development is lawful. It is not a planning application where the relative merits of the scheme are assessed against policy rather it is an evidential test of whether it would be lawful to proceed with the proposal. Accordingly, the key evidential test in this case is whether proposals fall within the permitted development rights afforded to householders under the Town and Country Planning (General Permitted Development) (Amendment) Order 2008.

5.3 Proposed garage

Whilst the proposed garage has a footprint of similar dimensions to the main house, the proposed garage would be single storey level, in close proximity to the main dwelling and located in the same place as the existing garage and would be used for garaging of motor vehicles with a small workshop and store included. As such in this instance, on the balance of probabilities, this proposed garage is considered incidental to the enjoyment of the dwellinghouse.

5.4 It is considered that the proposed garage with store would be a building required for the purposes incidental to the enjoyment of the dwellinghouse. The proposed detached garage would be permitted development and would not require planning permission. The assessment of this proposal against each of the criteria of Part 1, Class E of the GPDO is summarised below:

- (a) The proposed detached garage would not exceed 50% of the total area of the curtilage.

- (b) The proposed detached garage would not be situated on land forward of the wall forming the principal elevation of the original dwellinghouse.
- (c) The proposed detached garage would not have more than one storey.
- (d) The height of the proposed detached garage dual pitch roof would not exceed 4 metres.
- (e) The height of the eaves of the building would not exceed 2.5 metres.
- (f) The detached garage would not be situated within the curtilage of a listed building.
- (g) The detached garage would not include the construction or provision of a veranda, balcony, or raised platform.
- (h) The detached garage is not related to a dwelling or microwave antenna.
- (i) The detached garage would not relate to a container for the storage of oil.

6. **RECOMMENDATION**

- 6.1 That a Certificate of Lawfulness for a Proposed Development be **GRANTED** as it has been shown on the balance of probability that the proposed developments would fall within Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008. Therefore the proposal does not require planning permission.

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

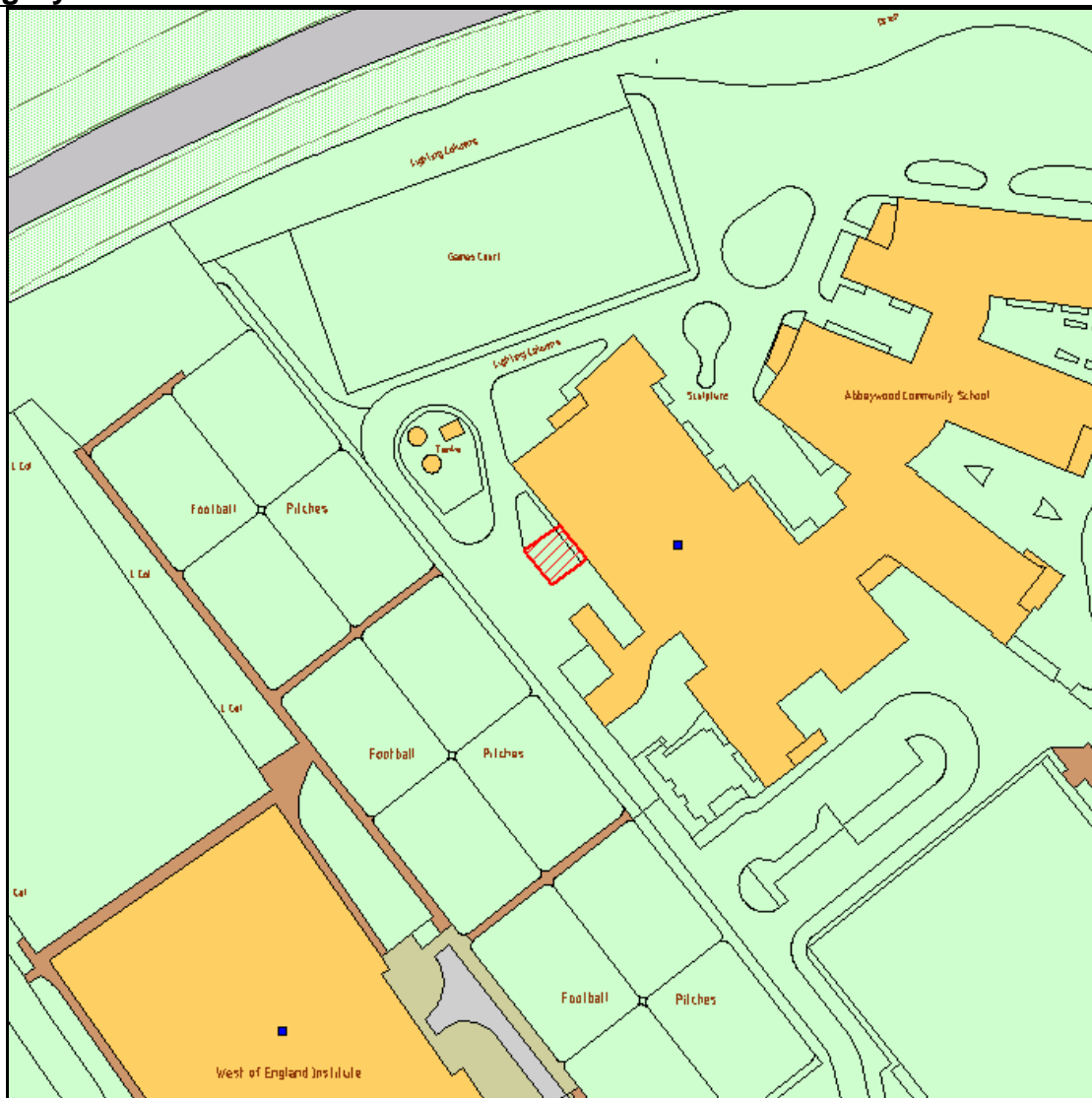
CONDITIONS

1. The proposed garage and store would fall within Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

ITEM 12

CIRCULATED SCHEDULE NO. 47/11 – 2 DECEMBER 2011

App No.:	PT11/3483/R3F	Applicant:	South Gloucestershire Council
Site:	Abbeywood Community School New Road Stoke Gifford South Gloucestershire BS34 8SF	Date Reg:	9th November 2011
Proposal:	Erection of detached garage	Parish:	Stoke Gifford Parish Council
Map Ref:	361633 179551	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	29th December 2011



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100023410, 2008. **N.T.S.** **PT11/3483/R3F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because it is an internal submission by South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a detached garage.
- 1.2 The application site comprises the modern Abbeywood Community School, which is situated on the northwestern side of New Road. Within the Stoke Gifford settlement Boundary.
- 1.3 The proposal is located on a hardstanding/planting area on the western side of the building. The building proposed is constructed of facing brick with two metal vehicular roller doors in the front elevation. The applicant has clarified that the proposed building is orientated so that the front of the building with the vehicular doors faces west. According to the applicant, the garage is required to house the school minibus, grounds maintenance equipment and general storage.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG13 Transportation
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
LC4 Proposals for Education and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries
T12 Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy -Submission Draft Proposed Changes (December 2010)
CS1 High Quality Design
CS25 Communities of the North Fringe of Bristol Urban Area
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/0369/R3F, demolition of existing school for facilitate erection of new secondary school with new access, landscaping and associated works, deemed consent, 02/05/08.
- 3.2 PT02/2079/O, development of 20.4 hectares for land for educational use to include new college building and sports facilities, approval, 27/03/03.

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

No objection

4.2 Transportation DC Officer

There is no Transportation DC objection to this proposal

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy LC4 of the South Gloucestershire Local Plan (adopted) January 2006 allows for the principle of the proposed development. The main issues to consider are whether the site is highly accessible by foot or bicycle (policies T12 and LC4 of the Local Plan), the impact on the residential amenity of neighbouring occupiers (policy LC4 of the Local Plan), the environmental effects (policy LC4 of the Local Plan) and the transportation effects in terms of parking provision and highway safety (policies T8, T12 and LC4 of the Local Plan). The proposal is also required to achieve a high quality standard of design in-keeping with the character of the area (policy D1 of the Local Plan).

5.2 Appearance/Form and Impact on the Character of the Area

The proposal, which measures approximately 7.9 metres in width, 7.9 metres in length and 3.8 metres in height, is constructed of facing brick and is encompassed by a flat roof. The front of the building comprises two separate metal roller vehicular doors. The building is located to the side (west) of the existing school building adjacent to the sports hall on a hard standing/grass area. The proposal is located in a relatively discreet location adjacent to existing fuel storages, boilers and recycling area and will be relatively well screened from views from the public realm by the existing built form. Although the building has a somewhat utilitarian appearance by reason of its scale and form, it will be viewed against the backdrop of the larger school building, and will not appear adversely out of keeping with the character of the area. The applicant has specified the material facing brick to match the existing building, therefore, a condition on this basis is not required if permission is granted. The planted area, which will be lost is small in scale and does not comprise any significant trees or vegetation that makes a significant contribution to the character or amenity of the area. It is considered therefore, that its loss will not have a significant adverse impact on the character or visual amenity of the area.

5.3 Residential Amenity

The site is a school/college campus with large two and three storey buildings. Given this context, it is considered that the proposal will not have a significantly more harmful impact in terms of residential amenity than the existing situation.

In addition, the proposal is approximately 170 metres from the nearest residential property.

5.4 Transportation DC

The proposal relates to an existing school/college campus, which was granted planning permission. The accessibility of the site has already been considered and it is noted that the original application included a number of transport improvements in terms of accessibility. The proposal, is therefore, considered to be acceptable in terms of access by non-car modes of transport. Given the nature of the proposal, it is considered that it will not generate a significant number of additional trips to the detriment of congestion. In addition, the proposal will not alter the existing car parking arrangements to the detriment of the amenity of the area or highway safety.

6. CONCLUSION

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

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

The proposal is sympathetic to the appearance of the building and surrounding area in terms of scale, form, materials and siting and will not be adversely prominent from view from the public realm – Policy D1 of the South Gloucestershire Local Plan (adopted) January 2006.

Given the context of the site and the distance of the proposal from residential properties, there will not be a significant adverse impact in terms of residential amenity – Policy LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

The site was considered to be sufficiently accessible by non-car modes of travel in the original planning application (PT08/0369/R3F). The proposal will not result in a material increase in vehicular traffic and will not effect the existing car parking arrangements to the detriment of highway safety or the amenities of the area – Policies T8, T12 and LC4 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).