



**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. 40/11

Date to Members: 14/10/11

Member's Deadline: 20/10/11 (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.

CIRCULATED SCHEDULE – 14 OCTOBER 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/0156/EXT	Approve Subject to S106	16 Lower Chapel Road Hanham South Gloucestershire BS15 8SH	Hanham	Hanham Parish Council
2	PK11/2236/F	Approve with Conditions	Sainsburys Supermarkets Ltd The Village Emerson Way Emersons Green South Gloucestershire BS16 7AE	Emersons	Mangotsfield Rural Parish Council
3	PK11/2738/F	Approve with Conditions	22 Brunel Close Warmley South Gloucestershire BS30 5BB	Siston	Siston Parish Council
4	PK11/2741/F	Approve with Conditions	1 Hesding Close Hanham South Gloucestershire BS15 3LP	Hanham	Hanham Abbots Parish Council
5	PK11/2776/F	Approve with Conditions	176 Soundwell Road Soundwell South Gloucestershire BS16 4RR	Kings Chase	None
6	PK11/2936/CLP	Approve with Conditions	23 Oakfield Road Kingswood South Gloucestershire BS15 8NT	Woodstock	None
7	PT11/2319/F	Approve with Conditions	3 Walnut Tree Close Almondsbury South Gloucestershire BS32 4EE	Almondsbury	Almondsbury Parish Council
8	PT11/2603/ADV	Approve	Premier Inn Catbrain Lane Almondsbury South Gloucestershire BS10 7TQ	Patchway	Almondsbury Parish Council
9	PT11/2651/F	Approve with Conditions	15 Gloucester Road Almondsbury South Gloucestershire BS32 4HD	Almondsbury	Almondsbury Parish Council
10	PT11/2778/F	Approve with Conditions	Land Adj To Hillcrest Codrington Road B4465 Doddington Chipping Sodbury South Gloucestershire BS37 8RG	Westerleigh	Westerleigh Parish Council
11	PT11/2902/F	Approve with Conditions	67A Gloucester Road Almondsbury South Gloucestershire BS32 4HW	Almondsbury	Almondsbury Parish Council

CIRCULATED SCHEDULE NO. 40/11 – 14 OCTOBER 2011

App No.:	PK10/0156/EXT	Applicant:	Mr Dicker
Site:	16 Lower Chapel Road Hanham Bristol South Gloucestershire BS15 8SH	Date Reg:	3rd February 2010
Proposal:	Erection of 13no. one bed flats (outline) with means of access and siting to be determined. All other matters are reserved. (Consent to extend time limit implementation for PK03/1261/O).	Parish:	Hanham Parish Council
Map Ref:	364153 172412	Ward:	Hanham
Application Category:	Major	Target Date:	26th April 2010



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 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK10/0156/EXT**

INTRODUCTION

This application has been referred to the Circulated Schedule following the receipt of objections from local residents and also because the proposal involves a modification to the originally approved S106 Agreement.

1. THE PROPOSAL

- 1.1 This application merely seeks an extension in time for a previously approved application PK03/1261/O for which consent was granted on the 22 Feb. 2007. The scheme has not been changed from that previously approved and none of the conditions discharged to date.
- 1.2 The application relates to a former builders yard and office buildings (mostly vacant) and associated outbuildings, located to the north of Lower Chapel Road, Hanham. The yard area is currently being used as a car sales lot. Vehicular access is currently from Chapel Road. The yard is generally enclosed by high boundary walls, which separate it from commercial buildings to the rear and residential properties to either side, a mix of residential and commercial properties, lie opposite the front of the site, on the southern side of Lower Chapel Road.
- 1.3 The application seeks outline planning permission to demolish the existing buildings and erect 13no. one-bedroom flats, with access and siting to be determined at this stage. All matters of design, external appearance and landscaping would be the subject of a subsequent reserved matters application. The proposed building would comprise two adjoining 2.5 storey blocks with an attached 2-storey rear wing. The proposed parking areas would be to the rear of the building and the majority of the communal amenity areas would be to the rear and side of the building. Vehicular access would be from Lower Chapel Road, through an archway within the building. The existing access from Chapel Road would be closed off. It is also proposed to provide a new footway to the front of the site on Lower Chapel Road.

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1 - Delivering Sustainable Development
 - PPS3 - Housing
 - PPG13 - Transport
 - Circular 1/97 Planning Obligations
 - Ministerial Statement 23 March 2001
 - The Draft National Planning Policy Framework (DNPPF) July 2007.
- 2.2 Development Plans
 - Joint Replacement Structure Plan
 - Policy 1 - Sustainable Development Objectives
 - Policy 02 - Location of Development
 - Policy 33 - Housing Provision and Distribution
 - Policy 34 - Re-use of previously developed land (support for infill)

South Gloucestershire Local Plan (Adopted) 6th January 2006

- D1 - Design
- L1 - Landscape Protection and Enhancement
- L17 & L18 - The Water Environment
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- EP7 - Unstable Land
- H2 - Residential Development within the existing Urban Area
- H6 - Affordable Housing
- LC2 - Provision of Education Facilities
- LC4 - Proposals for Educational and Community Facilities within the Existing Urban Area.
- LC8 - Open Space
- LC13 - Public Art
- T7 - Cycle Parking Provision
- T8 - Parking
- T12 - Transportation
- H6 Affordable Housing
- LC1 Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
- LC2 Provision for Education Facilities (Site Allocations and Developer Contributions)
- LC8 Open Space and Children's Play in conjunction with new residential development

The South Gloucestershire Core Strategy Submission Draft (Dec 2010)

- CS1 - Design
- CS5 - Location of Development
- CS6 - Infrastructure and Developer Contributions
- CS15 - Distribution of Housing
- CS16 - Housing Density
- CS17 - Housing Diversity
- CS18 - Affordable Housing

2.3 Supplementary Planning Guidance

- The South Gloucestershire Design Checklist (August 2007)
- The Affordable Housing SPD (Adopted) Sept. 2008

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/1261/O - Erection of 13no. one bed flats (outline) with means of access and siting to be determined. All other matters are reserved.
Approved 15th April 2004 Subject to S106 Agreement and provision of 13 car parking spaces as opposed to 10.
S106 Signed 22 Feb 2007.

4. CONSULTATION RESPONSES

Statutory Consultees

4.1 Hanham Parish Council

Members of Hanham Parish Council's planning committee considered this application on an individual basis and made the following comments:

We would suggest that an extension of no more than 3 years - which is in line with the time frames normally granted with planning permissions.

4.2 Other Consultees (including internal consultees of the Council)

4.3 PROW

It appears that there is unlikely to be any impact on the nearest recorded public right of way with reference KW 77 which runs to the southeast of the site.

4.4 Community Services Department

Based on the estimates of the likely population increase and the nature of the development, it is now considered that a financial contribution of £13,069.50p towards the provision, enhancement and maintenance of off-site Public Open Space is required. The contributions would be spent on improving land, which lies within a radius of 2Km of the proposed development site. More specifically this could be at one or more of the following sites but would remain the subject of further consultation:

- Vicarage Road
- Court Road Hanham High Street – basketball area.
- Kingswood Park
- Greenbank Road

4.5 Education Service

Based on current pupil projections an education contribution of £10,747.00p towards additional primary provision is now required in this case.

4.6 Affordable Housing

The site area is below 1.0 hectare and the proposed number of dwellings (13) is below local and national policy guidance on the threshold for requiring affordable housing (15). There is therefore no requirement for the provision of affordable housing in this case.

4.7 Sustainable Transport

No objection subject to the provision of a new 1.5m wide footway to the front of the site on Lower Chapel Road, the implementation of which would be secured by condition.

4.8 Environmental Protection

No objection subject to standard informatives relating to construction sites.

4.9 Landscape

Landscape is a reserved matter. A detailed planting plan will be required at the reserved matters stage.

Other Representations

4.10 Local Residents

3no. responses were received from local residents. The occupier of 18 Chapel Road raised no objection but noted that their shed actually adjoined the building to be demolished. The other two respondents objected to the proposal but gave no reasons why.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The acceptance in principle of the proposal was established at the 15th Feb. 2007 DC (East) Committee. The only issues for Members to now consider is whether or not the application is acceptable having regard to the revised S106 requests. The site is located within the established urban area and comprises existing office buildings and associated yard. The site is therefore classed as a previously developed, or brownfield site. In accordance with Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 and PPS3, the proposal is acceptable in principle, subject to a number of criteria, which are discussed under the following headings.

5.2 Density

Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land.

5.3 The South Gloucestershire Local Plan (Adopted) 6th January 2006 also seeks to ensure that, in achieving higher densities for new development, that local planning authorities and developers think imaginatively about designs and layouts which make more efficient use of land without compromising the quality of the environment.

5.4 In assessing the proposal therefore, consideration has to be given to whether the density proposed i.e 100 units per hectare, is acceptable and whether the design solution would lead to successful integration with development's surroundings.

5.5 It is considered that in this instance, given the site's location in the heart of the urban area, where higher density development is to be expected, its position at the junction between the commercial core of Hanham and the surrounding residential area, and the fact that the site is in very easy walking distance of Hanham High Street with its associated shopping area and regular bus routes, the location is highly sustainable and well capable of accommodating a development of the density proposed. In principle it is considered that the proposal would integrate within the locality.

Having considered the development constraints on the site, officers are satisfied that efficient use of the site in terms of density will be achieved by the proposal without the proposal being out of character with its immediate surroundings.

5.6 Visual Amenity

Issues of design and external appearance of the buildings remain to be determined under reserved matters, nevertheless siting is to be determined under the current application. The proposed footprint of the building is considered to integrate adequately within the existing pattern of development along Lower Chapel Road and Chapel Road. The applicant has previously submitted an indicative drawing to show the likely scale of the building in relation to the neighbouring properties, the scale is not considered to be excessive. Guidance contained in PPS3 supports a mix of house types. The architectural vernacular of the location is mixed and officers are satisfied that an appropriately designed building will not adversely affect the visual amenity of the area. Furthermore the existing buildings are quite unsightly and their loss would not detract from the visual quality of the area.

5.7 Landscaping

Landscaping remains to be determined as a reserved matter. There is no vegetation growing on the site that needs to be retained or protected. The proposed layout is considered to be acceptable, with landscaped areas to the front and communal gardens arranged to the rear around the parking and turning areas and to the side up to Chapel Road. It is intended to retain the existing boundary walls. The applicant will still need to submit a full landscape proposal for approval.

5.8 Impact Upon Residential Amenity

Officers consider that whilst it is perfectly normal for buildings to be in close proximity to each other in densely populated urban locations, careful consideration still needs to be given to the impact of the development on the residential amenities of neighbours and future occupiers alike.

5.9 For prospective occupiers of the proposed flats, amenity areas are to be provided, which would provide ample opportunity for siting out in a relatively private area. These areas are also to be used to provide bin storage and a cycle store. The boundary walls, which are to be retained, are high enough to provide adequate screening and privacy for both future and neighbouring occupiers.

5.10 The proposed building would be located in a similar position to the existing office. Officers are satisfied that in this case there would be sufficient distance between the majority of facing habitable room windows to front or rear. There is an existing issue of inter-visibility between the existing office windows and the front windows of the residential flats at 2 Lower Chapel Road. There is potential for this issue to be replicated by the proposed development, however this matter could be resolved in the design phase, by ensuring that habitable room windows in the front elevation of the proposed building, are not located directly opposite the windows of no.2.

- 5.11 Officers consider that some overlooking of neighbouring property is inevitable in this densely populated urban area, where properties are in close proximity to each other. Having regard to the proposed building's siting, any overlooking would be from an acceptable distance to front and rear. There is however the potential for significant loss of privacy for the occupiers of the dwellings to either side, in this respect officers consider it justifiable to impose a condition to restrict fenestration in the end elevations of the proposed building, to be fixed and obscurely glazed only.
- 5.12 Having had regard to the current impact of the existing buildings and high boundary walls, officers do not consider that the siting of the proposed building would be so overbearing on the neighbouring properties as to justify refusal of planning permission.
- 5.13 As regards noise, officers consider that the potential continued use of the site as an office and builders yard would be likely to create more noise than the proposed residential use. The flats are to be sold on the open market and will provide a valuable contribution to the low cost open market housing stock, which is increasingly in demand by single people or first time buyers. Any excessive noise issues emanating from future occupants would be subject to the usual controls under Environmental Protection Legislation.
- 5.14 On balance therefore, officers are satisfied that, subject to conditions to control the fenestration and retain boundary walls, that the impact of the proposed development upon neighbouring residential amenity, would be acceptable.
- 5.15 Transportation
Lower Chapel Road is very narrow and there is currently no footway along it. Prior to the submission of the original application PK03/1261/O, the Council was made aware that Lower Chapel Road had become a very popular 'short-cut' between Chapel Road and High Street, Hanham. In response to the concerns raised, the Council secured a traffic order to make Lower Chapel Road a one-way street and this has now been implemented. Furthermore, following consultation with the Council's Highway Development Control section, officers consider that the scheme is acceptable. There is however still a requirement for a new 1.5m wide footway along the site frontage on Lower Chapel Road but since this can be secured by a condition and constructed by the developer as opposed to the Council, there is no requirement to include this in the S106 Agreement.
- 5.16 The Council's current parking requirement for one-bedroom flats, is one space per flat and in the current scheme this level of parking provision will be attained. The development site is well located in respect of it being close to bus routes on High Street and Lower Hanham Road, as well as the shopping area along Hanham High Street. The proposed 13 parking spaces for the 13 flats is therefore considered to be acceptable in this sustainable location.
- 5.17 Furthermore the scheme will include an adequate turning area to allow vehicles to exit the site in forward gear. Officers are also satisfied that due to the proximity of the building to Lower Chapel Road, there would be no requirement for emergency vehicles to enter the site.

5.18 Subject to the above and conditions relating to the provision and maintenance of the parking and turning facilities, provision of cycle store, and provision of the 1.5m footway on the site frontage on Lower Chapel Road, all prior to the first occupation of the building, there are no highway objections.

5.19 Drainage Issues

Neither Wessex Water or the Council's Drainage Engineer have raised any objections to the principle of the development, which would also be the subject of Building Control.

5.22 Archaeology

In view of the sites location within the likely area of medieval settlement, a condition should be imposed to secure a programme of archaeological work in accordance with a written scheme of investigation to be submitted to and approved by the Local Planning Authority, prior to the commencement of development.

5.23 Public Open Space

Given the passage of time that has passed since the previous approval of outline consent, the requirement for either public open space on the site or a contribution towards the enhancement of off-site facilities has been re-considered.

5.24 The following sums are required for the provision of:

Cat 1 formal open space £6,898.52p

Informal Open Space £546.20p

And for maintenance for 15 years:

Cat 1 formal open space £4176.90p

Informal Open Space £1447.88p

Making a total contribution of £13,069.50p. These sums would be indexed linked.

5.25 The contributions would be spent on improving land, which lies within a radius of 2Km of the proposed development site. More specifically this could be at one or more of the following sites but would remain the subject of further consultation:

- Vicarage Road
- Court Road
- Kingswood Park
- Greenbank Road

5.26 It was previously accepted by members that a contribution towards Library facilities could not be reasonably supported by a development of this scale. Furthermore it was concluded that the public art provision could in this case be adequately secured by a condition to secure such features as decorative brickwork etc.

5.27 Education

Previously no contributions to education provision could be justified for this development. However there is now a projected deficit of Primary School places in the area. The proposed development of 13no. flats will generate one additional primary school pupil for which a contribution of £10,747.00p is required.

5.28 Other Concerns Raised

As regards the issue of the impact of the development on the neighbour's shed; the shed is not within the application site. As regards the party wall belonging to the occupier of no.18 Chapel Road, this is a civil matter to be resolved by the individual parties concerned. In the event of outline consent being granted, the applicant would be advised as to his responsibilities under the Party Wall Act and Access of Neighbouring Land Act.

6. CONCLUSION

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

The obligations set out below meet Regulation 122 of the CIL Tests (statutory) and the tests set out in Circular 05/05 and without them the scheme would not be acceptable.

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

- a) Due to their scale and position in relation to the adjacent dwellings, the proposed dwellings are considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H2 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposal would provide adequate visibility at the access onto Chapel Road and 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.
- c) The proposal is considered not to result in direct or indirect impact on trees and other important landscape features within or adjacent to the site. The proposal therefore accords with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 in this respect.
- d) The proposal is considered to achieve a density in keeping with local character. As such the proposal accords with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 in this respect.

- e) Suitable mitigation measures will be provided to ensure existing open space in the area is maintained and enhanced to meet the needs of local residents. The application therefore complies with the requirements of Policies D1, L5, H2, and LC8 of the South Gloucestershire Local Plan (Adopted).
- f) The application demonstrates that it will not result in any adverse flooding or drainage effects in accordance with the requirements of Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.
- g) Adequate provision is being made to ensure that the extra impact on school provision is being mitigated for in accordance with the requirements of Policy LC2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- h) Consideration has been given to the need or otherwise to provide an affordable homes contribution in accordance with Policy H6 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

7. RECOMMENDATION

- (1) That authority be delegated to the Director of Planning, Transportation & Strategic Environment to grant outline planning permission, subject to conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following:
 - (i) The contribution of £13,069.50p towards off-site provision, enhancement and maintenance of public open space in the area
 - (ii) The contribution of £10,747.00p towards the provision of education facilities at primary School level.

The reason for this Agreement is:

- (i) To provide suitably enhanced public open space in the vicinity to meet the needs of future occupants having regard to Policy LC8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 - (ii) To provide adequate Primary School provision having regard to the projected pupil generation from the development and to accord with Policy LC2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- (2) That the Head of Legal & Democratic Services be authorised to prepare and seal the agreement.

- (3) Should the S106 Agreement not be signed and completed within 3 months of the date of the Committee resolution that delegated authority be given to the Director of Environment and Community Services Department.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

1. Approval of the details of the design and external appearance of the building and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

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

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

Reason

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

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

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

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; boundary treatments and areas of hardsurfacing. The plan should include a plant schedule indicating, size, type, specification and density for all species, plus ground preparation, tree staking and topsoil specification.

Reason

To protect the character and appearance of the area to accord with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out during the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

Reason

To protect the character and appearance of the area to accord with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

7. The landscape scheme to be submitted to the Local Planning Authority for approval, shall include a management plan for all areas to be managed by a management company. Such details as approved shall be permanently implemented.

Reason

To protect the character and appearance of the area to accord with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

8. Details of all boundary treatments (walls, railings or fences) to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the development shall only be carried out in accordance with the details so approved.

Reason

To protect the character and appearance of the area to accord with Policies D1/L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. Building operations shall not be commenced until details of the roofing and external facing materials proposed to be used have been submitted to and approved by the Council and all such materials used in construction of the building hereby authorised shall conform to the details so approved.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

10. No windows, other than fixed and obscurely glazed windows, shall be inserted at any time in the north-west or south-east end elevations of the property, unless the Local Planning Authority gives consent in writing to any variation.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

11. The roof area of the building hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

12. Before the development hereby permitted is commenced details of the proposed finished floor levels of the building relative to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the residential amenities of adjacent occupiers are not prejudiced by development close to the boundary, in accordance with Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

13. The hours of working on site during the period of construction shall be restricted to 8.00am to 6.00pm Mondays to Fridays inclusive, 8.00am to 1.00pm Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: deliveries of construction materials, 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. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

14. The existing walls enclosing the boundary of the site shall be retained and shall not be altered without the prior written consent of the Local Planning Authority.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

15. Development shall not begin until drainage details incorporating best management practices and the hydrological context of the development have been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policy EP2, L17 and L18 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

16. The drainage scheme approved, incorporating best management practices, shall be implemented in accordance with the approved details before the development is occupied.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policy EP2, L17 and L18 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

17. The approved parking and turning arrangements (shown on the plan no. TP/0606/01 approved under planning permission ref: PK03/1261/O) shall be provided prior to the dwellings being first occupied and shall be permanently retained as such thereafter. The car parking spaces shall be privately allocated on the basis of one space per flat, to the occupiers of the flats and identified as such by boundary treatment, demarcation, or any other means.

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 Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

18. Prior to the first occupation of the dwellings hereby approved, the car parking and turning areas within the site shall be surfaced with permeable bound material and maintained as such thereafter.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

19. Prior to the first occupation of the dwellings hereby approved, a 1.5m wide footway shall be constructed along the site frontage on Lower Chapel Road, in full accordance with the previously approved Site Plan no. 1222/1 Rev B; the footway shall be constructed to full adoptable standards and to the full written approval of the Council.

Reason

In the interests of highway safety in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

20. Prior to the commencement of development, details of the proposed cycle parking facilities in accordance with the standards set out in Policy T7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the cycle parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of cycle parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

21. The development hereby permitted shall not be occupied nor the use commenced until the means of vehicular, pedestrian, and cyclist access (shown on the previously approved plan no. 1222/1 Rev B) has been constructed and is available for use in accordance with the approved plans. There shall be no obstructions to visibility exceeding 0.9 metres in height within the splayed areas.

Reason

In the interests of the amenities of nearby occupiers, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

22. Before the vehicular access hereby permitted is first used, the existing vehicular access onto Chapel Road shall be permanently stopped up in accordance with the approved plans.

Reason

In the interests of the amenities of nearby occupiers, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

23. Prior to the occupation of the buildings hereby approved, details of waste bin storage facilities shall be submitted to and agreed in writing by the Local Planning Authority. Such details as agreed shall be implemented in their entirety before the first occupation of the buildings commences and subsequently retained for the approved purpose.

Reason

In the interests of protecting the amenities of adjacent occupiers and the visual amenities of the locality. To accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

24. No development shall take place until there has been submitted to and approved by the Local Planning Authority a programme of archaeological investigation and recording for the site. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

25. Prior to the commencement of the development a Waste Management Audit shall be submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:(a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.(b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.(c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.(d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.(e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill. The approved works shall subsequently be carried out in accordance with the agreed details.

Reason

To accord with the Council's adopted Waste Management Strategy, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

26. The landscape scheme to be submitted to the Local Planning Authority for approval, shall include a management plan for all areas to be managed by a management company. Such details as approved shall be permanently implemented.

Reason

To protect the character and appearance of the area to accord with Policies D1/L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

27. Prior to the commencement of the development hereby approved, a scheme of publicly accessible artwork, craft or design, to be incorporated within the development, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the artwork, craft or design shall be implemented in full accordance with the scheme as agreed and prior to the first use of the building hereby approved.

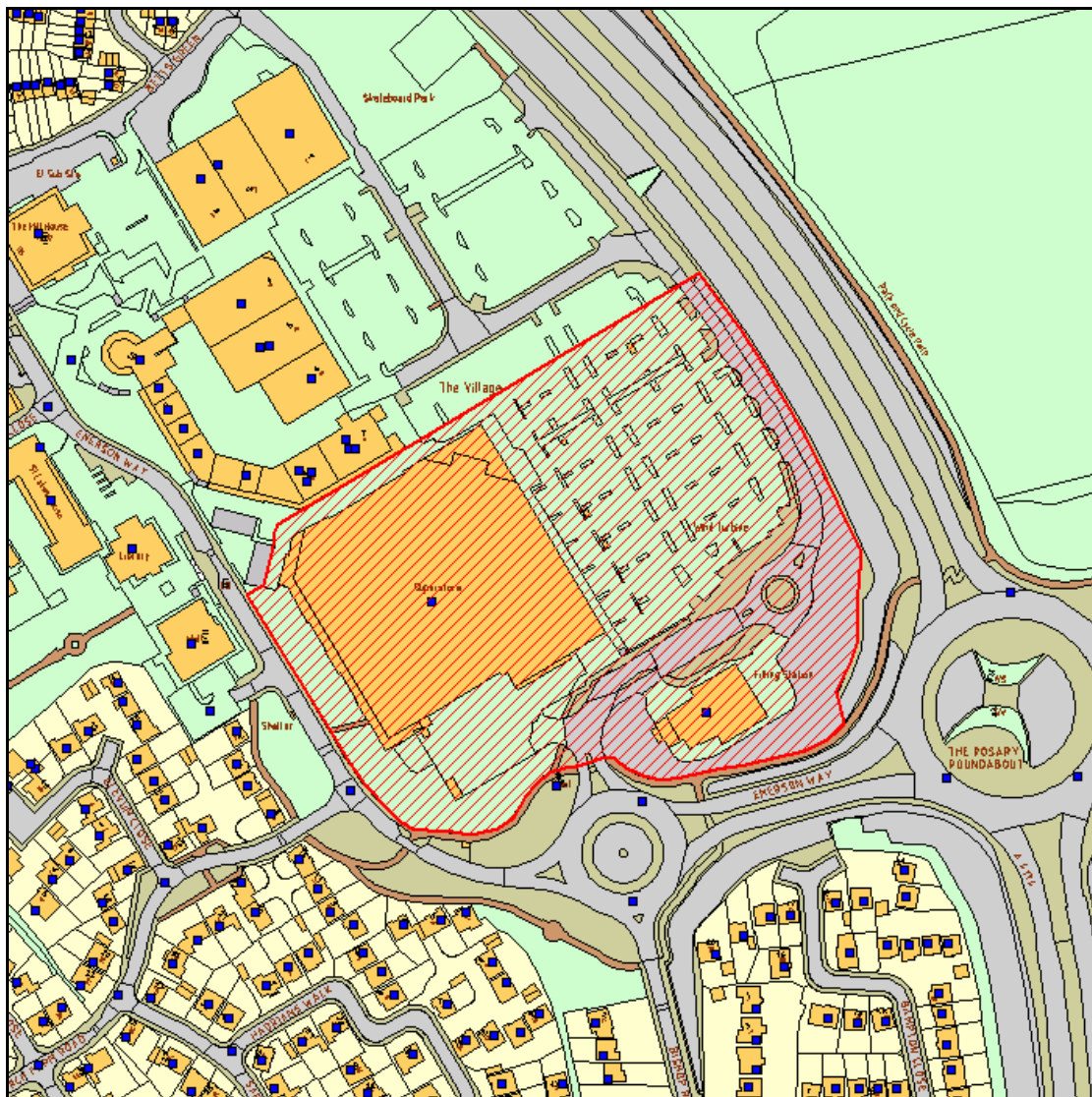
Reason

In the interests of visual amenity in accordance with Policies D1 and LC13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

ITEM 2

CIRCULATED SCHEDULE NO. 40/11 – 14 OCTOBER 2011

App No.: PK11/2236/F	Applicant: Sainsburys
Site: Sainsburys Supermarkets Ltd The Village Emerson Way Emersons Green South Gloucestershire	Date Reg: 22nd August 2011
Proposal: Erection of single storey decked car park, atrium and associated alterations to existing foodstore, car park and landscaping. (Resubmission of PK10/2024/F)	Parish: Mangotsfield Rural Parish Council
Map Ref: 367219 177122	Ward: Emersons Green
Application Category: Major	Target Date: 16th November 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a decked car park extension to the east elevation of the existing Sainsburys store to sit over the existing car park. The provision of the deck would increase the number of parking spaces within the control of Sainsburys from 404 spaces to 515 spaces. The decked car park will have an atrium link giving access from the car park to the store.
- 1.2 The proposed deck will have a maximum height of 5.2 metres over the existing ground level. It will have a single vehicular access ramp providing two way access to the upper deck. The plans show that the deck will be partially clad with the cladding from the existing building, partly clad with new grey Euroclad panelling and would have mesh guarding enclosing the upper deck and corner stair well. Trellis and timber planters will then be erected along the southern and northern elevations of the deck and additional landscaping planted along the eastern boundary of the site. Pedestrian access is then facilitated to the store via a new atrium link. The plans also show a staircase and lift from the upper deck of the car park to the rest of the centre.
- 1.3 This application is the re-submission of application reference PK10/2024/F which was recently refused by the council for a number of reasons including the impact that the proposal would have on the area's character and appearance, the effects on the vitality and viability of Emersons Green Town centre and the fact that the proposal encourages car based transport contrary to the principles of sustainable development. The applicant appealed against the Councils decision and the appeal was allowed by the planning inspectorate on 6th October 2011, subject to several conditions.
- 1.4 The main differences between the current application and the previous application is the removal of the extensive grey cladding on the upper storey with a see through mesh fencing, changes to the design of the atrium, a reduction in depth and additional landscaping and planters. The proposal would predominantly have the same footprint as the previous proposal but would be 5 metres shorter in depth which results in an overall reduction in 17 parking spaces.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth
PPG13 Transport

- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
L1 Landscape Protection and Enhancement
EP1 Environmental Protection
L17 & L18 The Water Environment
T7 Cycle Parking
T8 Parking Standards
T12 Transportation development Control
RT1 Development in Town Centres

South Gloucestershire Core Strategy – Pre-Submission Publication draft
CS1 High Quality Design
CS5 Location of Development
CS14 Town Centres and Retailing

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – Adopted August 2007

3. RELEVANT PLANNING HISTORY

There is extensive history to the site and to Emersons Green centre. The most relevant planning history relating specifically to the erection of a decked car park is as follows:

- 3.1 PK10/027/SCR Erection of single storey decked car park, atrium and associated alterations to existing food store and car park. Screening opinion for PK10/2024/F
EIA not required
- 3.2 PK10/2024/F Erection of single storey decked car park, atrium and associated alterations to existing foodstore, car park and landscaping.
Allowed at appeal October 2011

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No response has been received, it should be noted that no objections were raised to the previous application, PK10/2024/F.
- 4.2 Environment Agency
Raise no objection but offers the advice that an Environmental Permit may be required. This would need to be arranged outside of the planning process.
- 4.3 Sustainable Transport
No objections

4.4 Public Rights of Way

No objections

4.5 Environmental Protection

No objections but advise that a condition should be attached to restrict the hours of construction and advise that the upper deck should be closed after 22.00 hours.

4.6 Tree Officer

No objections

4.7 Urban Design

No objections

4.8 Drainage Engineer

No objections

Other Representations

4.9 Local Residents

Four letters of objection from local residents and businesses have been received raising the following concerns:

- Concerns for Pk10/2024/F are still valid
- Anti-social behaviour
- Would like to see controls such as CCTV, speed bumps and bollards
- Upper deck needs to be closed at 20.00pm similar to Asda at Longwell Green
- Will act like an echo chamber at night resulting in noise disturbance
- Could lower deck be closed to traffic at certain times as well?
- Decked car park would increase noise pollution
- Would Sainsbury's consider improving double glazing in neighbouring properties and air conditioning units due to the consequence of not being able to open bedroom windows during the night.
- Freeholders, prudential Pensions Limited who own Emersons Green Retail Park adjacent to the development and share the car parking, feel they have received insufficient correspondence concerning the impact the proposal would have on customers and tenants. Need this information before making a stance on the proposal
- Impact on the retail park when building commences, where will customers park and how long will development take?
- Loss of spaces during construction will impact on footfall into the retail park and affect trade.
- Concern that building work will occur over Christmas period, resulting in customers going to other retail parks, such as Bradley Stoke.
- Question where staff will park, they already park in front of Boot and Brantano resulting in a loss of customer parking spaces.
- Development would have a negative impact on the Retail park.

One letter of support has been received stating the following:

- More parking is a good thing

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the existing urban area and is designated in the Adopted Local Plan as being within the Major Town Centre of Emersons Green. Policy RT1 of the South Gloucestershire Local Plan sets out the Council's criteria when dealing with applications for development in town centres. Paragraph 9.20 of Policy RT1 specifically sets out the Council's direction with regards to Emersons Green Town Centre. Guidance contained within PPS1 and PPS4 sets out the Government's drive towards promoting Sustainable Development and promoting sustainable economic growth. Other policies in the Local Plan relating to landscape and highway safety are also of importance.

5.2 It is considered that Policy RT1 of the South Gloucestershire Local Plan sets out many of the key issues facing this application. Policy RT1 states that retail and other development appropriate to a town centre will be permitted provided that:

5.3 **A. It would not detract from the overall vitality and viability of the centre; and**

The main vehicular access point to Emersons Green Centre is from the roundabout off of Emersons Way. There is a smaller secondary vehicular entrance from Bretts Green and various pedestrian access points from Emersons Way. The majority of visitors to the centre therefore arrive via the main vehicular entrance adjacent to the petrol filling station. The Council raised an objection to the previous proposal as it was considered that the proposed parking deck would have a detrimental impact on the visibility and function of the surrounding retail units.

In the appeal decision for the previous application the Inspector stated the following with regard to the visibility of the neighbouring retail units:

'I observed...that these units are not easily seen from the existing approach to the car park. Views towards them are initially screened by the side elevation of the superstore and then largely obscured by a number of obstructions – including tree planting, vehicles within the car park and buses waiting in the intervening lay-by. As such the new deck would not substantially reduce the present levels of visibility to these units. '

The Inspector was of the opinion that even if the visibility to the surrounding retail units were to be reduced, it does not necessarily follow that this would harm the vitality and viability of the centre. Given that no evidence was presented to demonstrate that the centre greatly benefits from impromptu visits, in combination with the established nature of Emersons Green and the fact that there is no visibility of the retail units from the ring road other than the Sainsbury totem, it was considered that impromptu visits are unlikely to form a substantive component of the centre's trade.

The Inspector goes on to state:

‘bearing in mind survey evidence showing the high level of usage of existing parking spaces, the addition of further car parking within the centre would be likely to benefit both the centre’s vitality and viability.’

The construction of the proposal would be for a limited time only, as such, given the Inspectors comments with regard to the previous application, in combination with the similarities between the previous proposal and the current application, it is therefore concluded that the proposal would not adversely affect the vitality and viability of Emersons Green town centre.

5.4 **B. It would be consisted with the scale and function of the centre; and**
The function of Emersons Green is a major town centre. Whilst it is accepted that the proposal is a large structure. However, whether a structure is out of scale depends on its context. In this respect the structure is adjacent to a large supermarket, mature landscape belts and a major distributor road. The structure is also located at the far side of the existing building away from the smaller scale townscape on Emersons Way. It is not therefore considered that the structure is therefore ‘out-of-scale’ with the function of the centre. Specific issues of design are discussed in detail in section 5.10 below.

5.5 **C. It would be accessible to public transport users, pedestrians, cyclists and those with special mobility needs; and**
The site is accessible by all modes of transport however it is considered that the proposed development will give priority to the private at the expense of other modes of transport.

In the assessment of the previous proposal concern was raised that the proposal clearly encourages car based travel. In addition it was considered that the proposal would make access to the store and other retail units more difficult due to the obstacles along the path that leads across the front of the Sainsburys store being put in the way of pedestrians. The pathway across the front of the Sainsburys store provides a pedestrian route from the bus stop to the Sainsburys store and to the other retail units. With regard to the pedestrian walkway across the front of the Sainsburys store this current application proposes the same changes as the previous application Reference PK10/2024/F.

In the appeal decision for the previous application, the Inspector took the view that whilst the proposal would result in the pedestrian route taking a deviation around the side of the new atrium, it would be generally wider than the existing footway and much of the route would be undercover. The Inspector accepted that some pinch points in the pedestrian route would exist but maintained that the path would predominantly remain 2 metres in width and consequently it was concluded that the scheme would not conflict with national and local policies that seek to encourage alternatives to the private car and that the proposal would be in compliance with policy D1 and PPS1, PPS4 and PPG13.

5.6 **D. It would not have unacceptable environmental or transportation effects, and would not prejudice residential amenity; and**

5.7 Environmental Effects and Impact on Residential Amenity

The proposed deck, whilst being in the town centre, is close to the residential area of Emerson Green Villages and residential dwellings. Whilst the structure and lighting of the proposed single storey decked car park is unlikely to be of significant detriment to the amenity of the residential premises as there is already a well lit car park and petrol station between the store and the houses, concern has been raised by the Councils Environmental Protection Officer with regard to the use of the decked parking area late at night when noise and light from vehicle headlights would have a potential detrimental affect on local residents. It was therefore advised that a condition should be attached to ensure that the decked area is closed after 22.00hrs daily (with the exception of the Christmas period when extra leniency would be given). A further condition was recommended by the Councils Environmental Protection Officer to restrict the hours of work during the construction phase to further protect the amenity of nearby residents.

In the appeal decision for the previous application the Inspector took the view that there was no substantive evidence to justify the requirement that the upper deck be closed at night and for the same reason the Inspector was of the opinion that construction activities could also be adequately regulated by other control regimes. Whilst concern has been raised by a neighbouring resident, given the above it is not considered reasonable to attach either condition to the current application. A condition would be attached ensure that full details of the drainage, including measures to intercept oil and petrol must be submitted to and approved in writing by the Council.

5.8 Transportation Effects

A full assessment of the previous application, reference PK10/2024/F, was carried out by the Councils Highway department and no objections were raised on the basis that the proposal was in accordance with the parking policy set out within the South Gloucestershire Local Plan.

It is generally accepted that the Emersons Green town centre car park operates well, with reasonable capacity in parking across the whole site, during most days of the week although during Friday and Saturday over a period of approximately 3 to 4 hours, the car park appear to be almost full. The knock-on effect of this is that some drivers have to search longer for a parking space. The parking survey indicates that not un-usually, all parking spaces closest to the food store are full most of the times and this location is where the greatest concentration of traffic within the car park. This means of car park operation is considered to be consistent with similar centres elsewhere.

Planning Policy Guidance Note 13 “transport”(PPG13) states that a balance has to be struck between encouraging new investment in town centre by providing adequate level of parking, and potentially increasing traffic congestion caused by too many cars.

In line with the national policy, South Gloucestershire Council operates maximum parking standards for broad classes of development and seeks to promote sustainable transport choices. Divergence from the maximum standards can be allowed only where an applicant has demonstrated (where appropriate through a Transport Assessment) that a higher level of parking is needed. In addition, where retail and leisure developments are located in a town centre, or on an edge of centre site consideration may be given to allowing parking additional to the relevant maximum standards provided that the parking facilities will genuinely serve the town centre as a whole.

The current proposal broadly speaking is similar to the last proposal with the exception that applicant is now proposing 110 extra car parking spaces in contrast to the 127 spaces proposed with the previous application. In respect of parking standards - the Council's highway engineer is satisfied that the proposed new parking provision complies with South Gloucestershire parking standards and the proposed development would not be over provision in this case. Additionally, given the role of Emersons Green as a Town Centre serving the eastern fringe of Bristol and recognition of its future role in serving the new residential development at Emersons Green east, the officer's view is that additional car parking provision is not a departure from the Council's parking policy in this case. As such there are no highway objections to the proposal.

5.9 E. It would, include residential accommodation or other non-retail uses appropriate to a town centre on upper floors.

The proposed structure will have only one floor. The purpose of building this additional floor is to provide car parking. There is no available free space in which to include suitable non-retail uses.

5.10 Design and Visual Amenity

Policy EC10.2.c. of PPS4 confirms that when assessing applications for economic development, local authorities should consider whether the proposal secures a high quality and inclusive design which takes opportunities available for improving the character and quality of the area and the way it functions. With regard to Urban Design, Policy D1 of South Gloucestershire Local Plan and Policy CS1 of the Core Strategy (Pre-Publication Submission Draft) confirm that the main issues for consideration are scale, appearance, landscaping, access and sustainability / the protection of environmental resources.

Whilst objections were raised with regard to the design of the previous application, several changes are proposed in the current scheme including the introduction of mesh to replace the previously proposed grey cladding on the upper storey.

A car deck is a functional structure. The proposed location (to the front of the store, adjacent a petrol station and screened from the immediate public highway network by existing substantial planting) is not a visually sensitive location. However, the policy requirement is to '*respect and enhance the character, distinctiveness and amenity of the site and locality*' (South Gloucestershire Local Plan Policy D1 criteria A). The proposal removes the extensive use of grey cladding on the upper storey and replaces this with see through 'mesh' fencing on the upper car deck.

The mesh fencing system will also provide a structure for proposed ivy planting to grow along. Projecting timber planters have also been added creating a modicum of visual interest along the structure. The overall impact is to create a much lighter weight and potentially green structure that has a significantly reduced visual impact than the previous application.

With regard to landscaping, here is a clear inevitable loss of tree cover. The proposed development will require the removal of a large number of trees. The trees were planted as part of the original landscaping scheme and are approximately 16 years old. They are relatively small and only offer any visual amenity to the immediate area. Due to the soil conditions on the site the trees are struggling to grow good rooting systems and many appear to be in decline. As such the Councils Tree Officer raised no objections to the proposal.

The plans show that the significant trees at the location are around the boundaries of the site and will be retained and protected throughout the development. Furthermore the proposal now provides greater potential for more climbing plants to become established on the structure. Subject to the attachment of a condition to ensure details of the proposed landscaping, there is no objection to the proposal on these grounds.

Consequently it is considered that the amendments made to the appearance of the car deck are a substantive improvement, in terms of reducing its overall visual impact, providing a structure that 'blends' more easily with the existing store and utilising greenery as an integral part of the design rather than a tokenistic addition. There are therefore no objections to the proposal in terms of design.

5.11 Sustainability

The applicant has provided a Sustainability Statement. It predominantly promotes the wider corporate activities of the company in the area, such as procuring sustainable energy, waste reduction and energy efficiency initiatives. With regard to the car deck itself, the reduction in the extensive use of cladding materials, reuse of existing cladding (currently on the front of the existing store) and energy efficient lighting is proposed and welcome.

5.12 Public Rights of Way

The Councils Public Right of Way Officer has assessed the proposal and it is considered that the development may affect the nearest recorded public footpath, reference PMR11, which runs adjacent to the southern boundary of the site. No objections are raised, however an informative would be attached to any permission to ensure that the applicant/agent is aware of the Public Right of Way.

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 a) The proposal is not considered to detract from the overall vitality and viability of the centre in accordance with Policy RT1 of the South Gloucestershire Local Plan Adopted January 2006
- b) The proposal is considered to be in keeping with the scale and function of the centre and would be accessible by all modes of transport. Furthermore the proposal is not considered to have any unacceptable environmental impacts and would not harm the residential amenities of the neighbouring residential properties, in accordance with policies EP1 and RT1 of the South Gloucestershire Local Plan Adopted January 2006.
- c) The proposal offers adequate parking provision and will not adversely affect the surrounding highway network in accordance with Policies T8, RT1 and T12 of the South Gloucestershire Local Plan Adopted January 2006
- d) The proposal is considered to be of an appropriate standard in design and would not adversely affect the character and appearance of the area. The proposal therefore accords with Policy D1 of the South Gloucestershire Local Plan Adopted January 2006
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Kirstie Henshaw
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

2. The development hereby permitted shall not be brought into use until the trolley stores have been put in place in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason

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

3. The development hereby permitted shall not be brought into use until details of the schemes drainage arrangements, including measures to intercept oil and petrol, have been put in place in accordance with details that shall previously have been submitted to and approved in writing by the local Planning Authority.

Reason

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

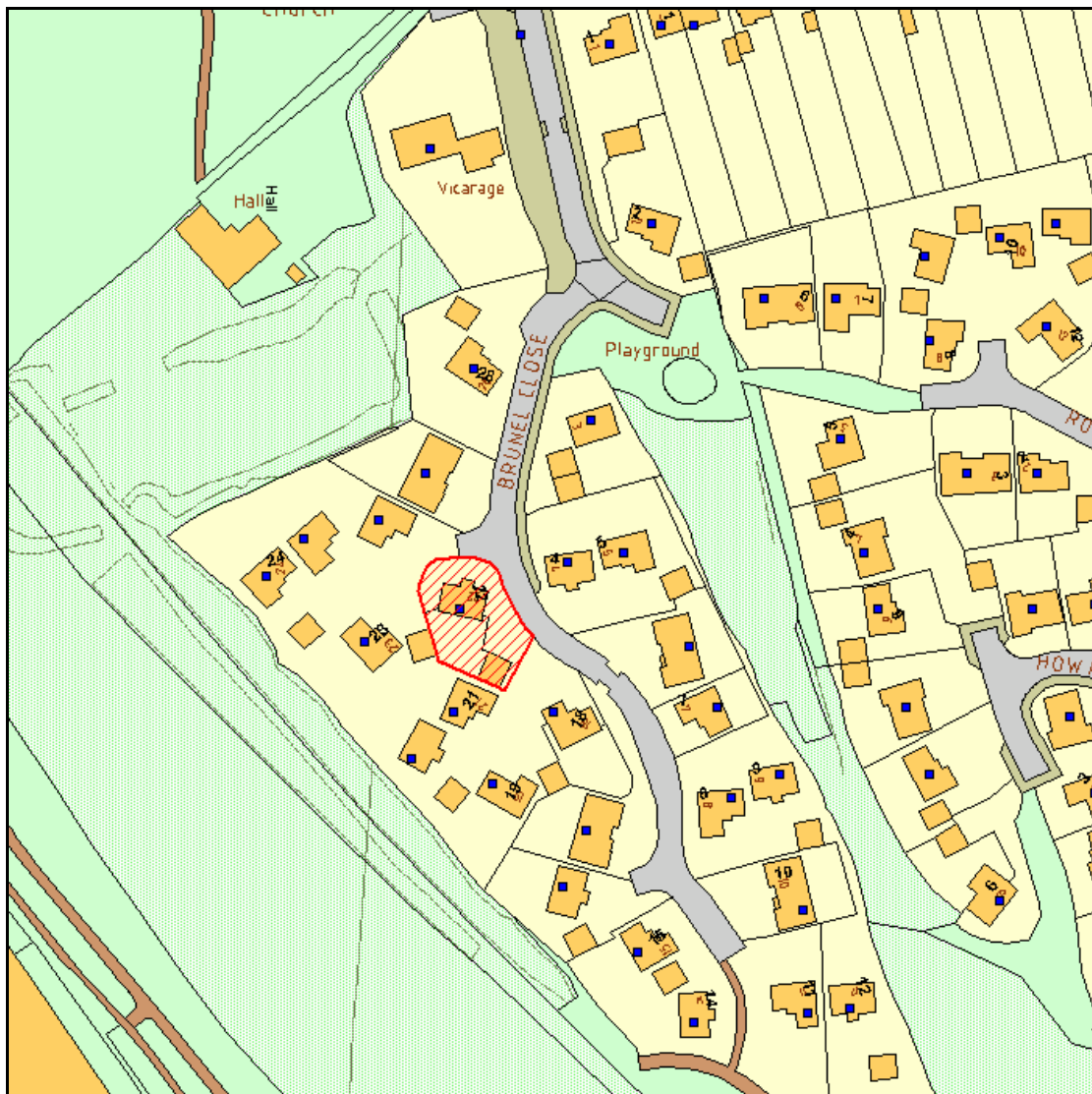
4. The development hereby permitted shall not be brought into use until landscaping has been put in place in accordance with details, including a maintenance schedule, that shall previously have been submitted to and approved in writing by the Local Planning Authority.

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.

CIRCULATED SCHEDULE NO. 40/11 – 14 OCTOBER 2011

App No.:	PK11/2738/F	Applicant:	Mr S Harding
Site:	22 Brunel Close Warmley Bristol South Gloucestershire BS30 5BB	Date Reg:	2nd September 2011
Proposal:	Erection of two storey rear extension to form additional living accommodation. Installation of 2no. front dormer windows and 1no. window to side elevation to facilitate loft conversion.	Parish:	Siston Parish Council
Map Ref:	367467 173078	Ward:	Siston
Application Category:	Householder	Target Date:	25th October 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following two objections from local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two storey rear extension to form additional living accommodation plus the installation of 2 no. front dormer windows and 1no. window to the side elevation to facilitate a loft conversion.
- 1.2 The application site relates to a detached property on a small modern estate in Warmley.
- 1.3 During the site visit the officer noted that excavation work had already begun on the site.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No objection.

Other Representations

- 4.2 Local Residents
One letter of objection has been received by a local resident this can be summarised as:

- the outlook from the 2nd storey window will encroach on the privacy of the garden of no. 21. This will be regarded as a negative aspect by any prospective new purchasers. Frosted glass would help with regards to the privacy, but its size and position is of concern
- the estate is only 15 years old and its design ensured the privacy of each property and its surroundings
- an agreement between the developers and buyers/sellers of the properties states that no new buildings are erected or existing buildings to be altered if visible from the road
- there are no 2 storey extension in existence
- concerned that this would set a precedent thereby destroying the character and architecture of the original development
- dormer is not in-keeping with the general appearance of the estate
- with regards to access for the unloading of materials it should be noted that access to 23,24,25 and 26 Brunel Close is on a driveway that is the responsibility of the owners of these properties to maintain so if any damage is caused to this driveway as the result of unloading materials then we would require that the appropriate repairs are made
- a clause in the deeds prohibits the construction of any window that could look directly into the vicarage of St Barnabas Church. We assume this applies to no. 22 and this has been taken into consideration

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. Policy D1 of the Local Plan requires all new development to be well designed and along with other criteria, respect and enhance the character, distinctiveness and amenity of both the site and locality.

5.2 Design and Visual Amenity

The application site is a two-storey detached dwellinghouse situated within a development of similar modern properties. The existing dwellinghouse is of red brick with darker red brick quoin and window detailing. The application site is in a prominent position facing oncoming traffic entering the close. The estate comprises varying designs of property with similar materials being used to create distinctiveness and difference within Brunel Close.

For the sake of clarity the different aspects will be covered in turn:

The dormer windows to the front and window to the side

The proposed dormer windows have been designed in terms of their scale and position to match first floor windows of the existing dwellinghouse. Furthermore, the detailing on their bargeboard matches that seen on other properties in the immediate area thereby helping the design to complement and integrate with the overall street scene. The window to the side in the east elevation will also serve the loft conversion. It will be relatively small in size and will have detailing to match that of the existing dwellinghouse.

Given the dormer windows will be the only change to the front elevation it is considered that they will not substantially alter the overall character of the area.

Rear development

The proposed two storey rear extension will be to the far right hand side of this elevation. It will project approximately 2.7 metres in to the garden, be 3.8 metres wide and its roof height of 7 metres will be substantially lower than that of the host dwellinghouse. Windows in its ground and first floor elevations will face onto the garden.

Given the estate is made up of individual properties of varying designs the principle of alterations to existing dwellinghouses is considered acceptable. The scale and subservient nature of the proposed extension is judged satisfactory and as such will not detract from the character of the existing dwellinghouse. Although this would extend the property making it one of the largest in the close, as the development is to the rear it would not detract from the distinctive character or street scene of the local area.

There is little regularity in the street scene and the design of the proposal complements the distinctiveness of the area. Materials used in its construction will be of good quality and as such will accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) 2006.

5.3 Residential Amenity

The application site is separated from its neighbours to the west at No. 23 Brunel Close by their neighbours' double garage and a 1.8 metre high wall. The application site is to the northeast of this neighbour and positioned at an angle from it. Neighbours to the south (rear) at No. 21 are separated by a 1.8 metre high fence and are approximately side-on to the application site.

Dormer windows to the front and side window

To the front the application site is not directly opposite any neighbouring properties and the side window will be in an elevation adjacent to the road. As such, in this instance, there would be no issues affecting residential amenity to consider.

Rear development

The windows of the extension will be at the same height as those of the first floor existing windows. A further velux window will be situated in the roof to serve the loft extension.

Given the extension will project 2.7 metres into the garden it is considered that there are no issues of inter-visibility or loss of privacy over and above existing levels. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space will remain to serve the property. The impact on residential amenity is subsequently deemed acceptable. As such the proposal accords with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.4 Other Matters

This group of dwellinghouses is characterized by there being little regularity in the pattern of development. This varied street scene allows for the scope of extensions. Every application is treated on its individual merits and therefore this application would not be taken as a precedent for future development.

The agreement between developers and buyers/sellers is likely to be a covenant attached to the properties. This is therefore, a civil issue, not a planning matter and as such cannot be covered under the remit of this planning application report. Likewise the access for unloading of materials or potential damage caused by such is again a civil matter and cannot be considered within the extent of 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 proposed erection of a two storey rear extension, the installation of 2 no. front dormer windows and 1 no. window to the side elevation is considered to be in-keeping with the overall character of the dwelling and surrounding area in terms of its scale, design and the materials used. Furthermore, the existing level of residential amenity afforded to neighbouring properties is protected. As such the proposal accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application be **APPROVED** subject to the conditions written on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 40/11 – 14 OCTOBER 2011

App No.: PK11/2741/F
Site: 1 Hesding Close Hanham Bristol
 South Gloucestershire BS15 3LP
Proposal: Erection of rear conservatory
Map Ref: 364049 171437
Application Category: Householder

Applicant: Mr & Mrs J Barrett
Date Reg: 2nd September 2011
Parish: Hanham Abbots Parish Council
Ward: Hanham
Target Date: 26th October 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application was referred to the Circulated Schedule due to the receipt of an objection from a local resident.

1. THE PROPOSAL

1.1 The applicant seeks planning permission for the erection of a conservatory at the rear of No.1 Hesding Close, Hanham.

The property is a two-storey semi-detached dwelling and has a single storey rear extension that spans half of the rear elevation. The proposed conservatory would span the remaining width of the host dwelling. The proposed conservatory would measure approximately 2.5 metres wide by 3.5 metres deep and 3 metres to its ridge (2.3 metres to its eaves).

1.2 During the course of the application, the applicant submitted an amended drawing to show the high level windows would be frosted glazed.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development

H4 Development within Existing Residential Curtilages, including Extensions and New Dwellings

South Gloucestershire Council Core Strategy Submission Draft December 2010

CS1 Good Quality Design

Supplementary Planning Guidance

Supplementary Planning Document Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

3.1 There is no planning history relevant to the determination of this application.

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council
No objection.

4.2 Other Consultees
No response received.

Other Representations

4.3 Local Residents

A local resident raised an objection during the first public consultation for the following reasons:

- a. The types of windows on the side elevation are not detailed. If these windows are clear glass and / or can open, the proposal will result in a loss of privacy
- b. It is not clear what clearance would be between the rainwater gutter and the border fence and posts.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 allows for the principle of development within residential curtilages providing it is in keeping with the character of the area and subject to considerations of design, residential amenity and highway safety. Policy D1 allows development where good standards of design are achieved. This is reflected in Policy CS1 of the South Gloucestershire Core Strategy Submission Draft.

5.2 Design/Visual Amenity

This applicant seeks permission for the erection of a rear conservatory. The dwelling had a small single storey rear extension with a lean-to roof. The proposed conservatory would measure 2.5 metres in width by 3.5 metres in depth and would have an overall height of 3 metres above the garden ground level. The proposed conservatory would have a hipped roof, and it would be glazed with white panels and obscured windows above a dwarf brick wall. In respect of the location and the design of the proposed conservatory, it is considered that the proposal is of an appropriate addition to the dwelling, and it would not cause any harms to the character of the host dwelling and the area.

5.3 Residential Amenity

The conservatory would be approximately 3.5 metres in depth. Although it will be more than 3 metres deep, the conservatory would have a hipped roof and the eaves height would be approximately 2 metres above internal finished floor level. Officers therefore considered that the proposal would not cause significant overbearing impact upon the adjacent occupiers.

The local resident raised concerns with regard to the loss of privacy due to the raised finished floor level and the proximity of the proposed conservatory and neighbour's habitable window. To address the local resident's concerns, the applicant submitted an amended drawing, which shows the high level windows would be installed with frosted glass. In addition, the applicant also advised that these windows would be fixed at closed position. Officers therefore consider that it would be appropriate to impose a planning condition to ensure that this is the case.

Subject to the following condition, it is considered that the amended proposal would not cause significant loss of privacy to the adjoining neighbours.

5.4 Amenity Space

The property has a reasonable sized rear garden and it is therefore considered that sufficient garden space will remain to serve the occupiers of the dwelling.

5.5 Highway Safety Analysis

The proposed conservatory is located at the rear of the property it will not affect the property's parking arrangements nor will it prejudice highway safety.

5.6 Other Issues

The local resident also raised concerns with regard to the clearance between the gutter of the proposed conservatory and the existing boundary fence. The drawings show that the gutters of the proposed conservatory would be slightly set back from site boundary and the applicant also declared and confirmed that the proposal would be completely located within the applicant's ownership. It should be noted that the dispute of ownership of the site boundary is not material consideration of planning applications.

6. CONCLUSION

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

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

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

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

7. RECOMMENDATION

7.1 That planning permission is granted subject to the following conditions.

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

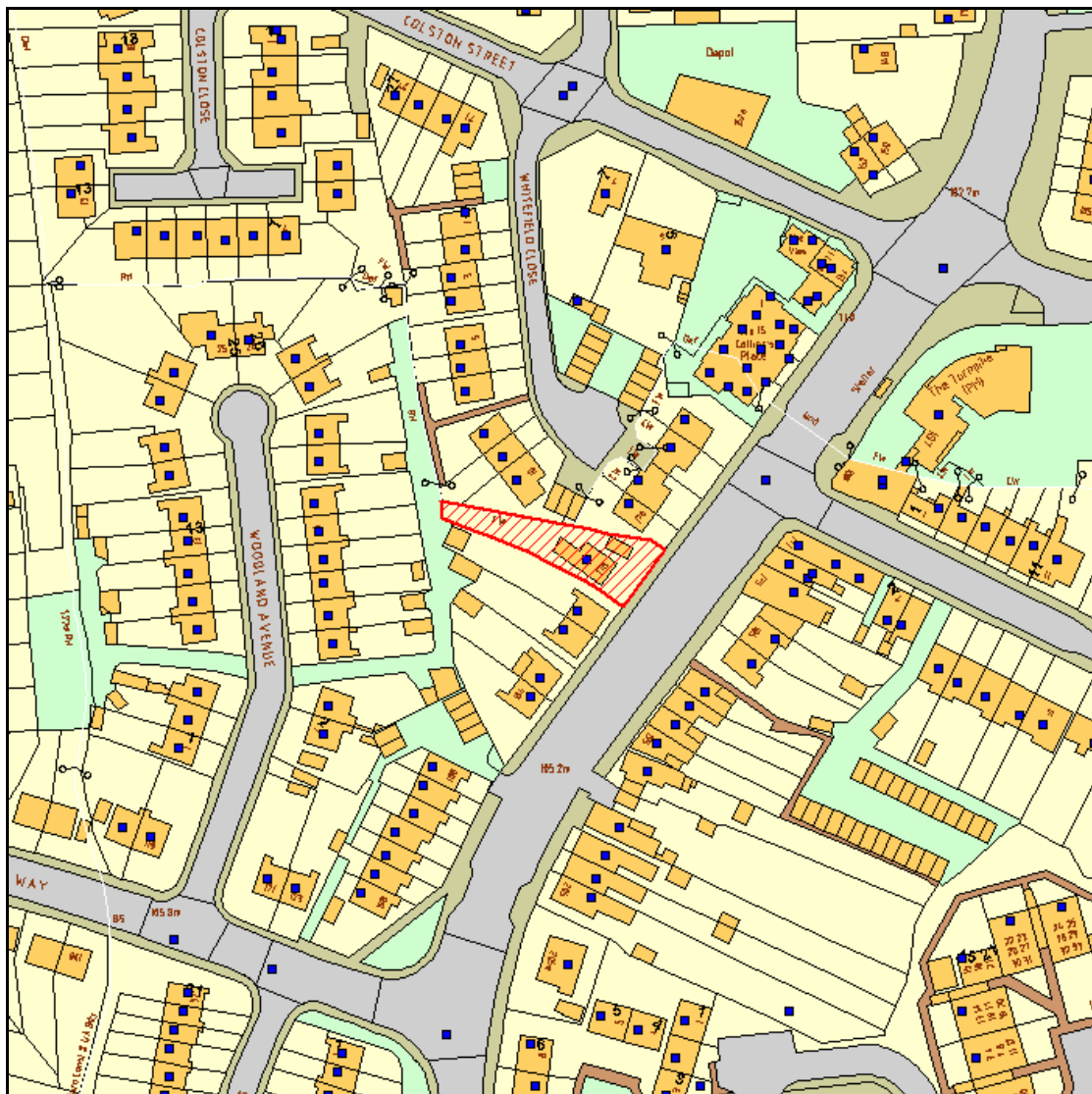
2. The high level glazing on the side south elevation of the proposed conservatory hereby approved shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

Reason

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

CIRCULATED SCHEDULE NO. 40/11 – 14 OCTOBER 2011

App No.:	PK11/2776/F	Applicant:	Mr C Walker
Site:	176 Soundwell Road Soundwell Bristol South Gloucestershire BS16 4RR	Date Reg:	8th September 2011
Proposal:	Conversion of existing dwelling house and single storey side extension to facilitate 2 no. self contained flats and associated works.(Re-Submission of PK11/1771/F)	Parish:	None
Map Ref:	364713 174942	Ward:	Kings Chase
Application Category:	Minor	Target Date:	1st November 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 The applicant is seeking full planning permission for the erection of a single storey side extension at 176 Soundwell Road, Soundwell, to facilitate the conversion of the existing dwelling into 2no. self contained flats. The proposed extension would measure a maximum of 1.1 metres wide by 3 metres in depth and would have an overall height of 3.1 metres. An existing side lobby would be demolished to facilitate the erection of the side extension.

1.2 The existing property is a two storey detached dwelling with a large single storey flat roofed side protrusion. The site is located within a residential area of Soundwell.

1.3 This application is the resubmission of a previously refused application reference PK11/1771/F. The previous application was for the conversion of the dwelling into 1no, maisonette and 2no. self contained flats. And included a flat roofed first floor extension. The previous application was refused for the following reasons:

‘The proposed development by virtue of the inadequate off-street parking and the insufficient turning facilities on site, would lead to an increase of vehicles standing and manoeuvring on the public highway thereby interfering with the safe and free flow of traffic on a classified highway, to the detriment to highway safety. The proposal is therefore considered to be contrary to Policy T12 and H4 of the South Gloucestershire Local Plan.’

‘The proposal by virtue of the scale, massing and detailing, would result in a very dominant and incongruous feature in the street scene and would detract from the character of the site. The proposal is therefore considered to be contrary to PPS1 and Policies H4 and D1 of the South Gloucestershire Local Plan.’

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing as revised June 9th 2010
PPG13 Transport
Ministerial Statement 9th June 2010

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

- H2 Proposals for Residential Development within the Existing Urban Area
- H5 Residential Conversions, houses in Multiple Occupation and Re-use of Buildings for Residential Purposes
- L17 & L18 The Water Environment
- EP1 Environmental Protection
- T7 Cycle Parking
- T8 Parking Standards
- T12 Transportation Development Control

South Gloucestershire Core Strategy, submission Draft December 2010

- CS1 High Quality Design
- CS16 Housing Density
- CS17 Housing Diversity

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 PK11/1771/F Erection of first floor side extension to facilitate the conversion of the existing dwelling to form 1no. maisonette and 2no. self contained flats with external staircase and associated works. Construction of vehicular access from Soundwell Road.
Refused July 2011

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Site falls outside of any parish boundaries
- 4.2 Sustainable Transport
No objections
- 4.3 Coal Authority
No objections

Other Representations

- 4.4 Local Residents
Two letters of objection have been received from local residents raising the following concerns.
- Overlooking and loss of privacy
 - No alterations have been made to reduce worries about loss of privacy
 - Additional vehicles on an already busy and crowded street

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policies H4 and H5 of the South Gloucestershire Local Plan are supportive in principle of the extensions to, and the conversion of existing residential properties into smaller units of residential accommodation, 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.

PPS3 has been reissued on 9th 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 local plan, policies H4, H5 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.

5.2 Design / Visual Amenity

The proposal includes the demolition of an existing lobby and the erection a small side porch. Other alterations to the exterior of the dwelling include, the installation of a side entrance door on the south west elevation and the omission of the rear garage door.

It is considered that the single storey side extension proposed would be in keeping with the character and appearance of the existing dwelling and surrounding properties. The side extension is of modest size in comparison to the bulk of the main dwelling and is suitably subservient to it. Furthermore, the proposed addition would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling.

The proposed side porch would predominantly replace the existing lobby, furthermore the other alterations proposed are considered to be small in scale and would integrate well with the existing fenestration. It is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

The proposal extension would be adjacent to the boundary with the neighbouring dwelling, No. 178 Soundwell Road. Given the location and scale of the proposal it is not considered that the extension would result in any overshadowing or overbearing effect on this neighbouring dwelling.

No new first floor windows are proposed and whilst the internal layout would be changing to facilitate to the conversion, all existing first floor habitable rooms would remain as such. Therefore it is not considered that the proposal would result in any significant increase in overlooking or loss of privacy over and above that from the existing first floor windows.

Whilst concern has been raised that the rear bedroom window would be replaced by a kitchen window and therefore resulting in an increase in overlooking, both kitchens and bedrooms are considered to be primary living accommodation and as such it is not considered that the change from a bedroom to a kitchen would result in any significant increase in overlooking or loss of privacy.

The proposed plans show that adequate and useable amenity space would be provided for each of the dwellings. Given that the area is a dense urban location, the amount of amenity space provided is considered acceptable. The impact on residential amenity is therefore considered to be entirely acceptable.

5.4 Transportation Issues

An objection was raised to the previous application as it was considered that there was inadequate off-street parking and insufficient turning facilities on site. As such Officers were of the opinion that the proposal would result in an increase in vehicles standing and manoeuvring on the public highway to the detriment to highway safety.

The proposal has been reduced in scale and now only proposes the conversion of the dwelling into 2no. two bedroom self contained flats. The plans show that there are two parking spaces and a garage, which is considered to be in accordance with the parking standards set out in policy T8 of the South Gloucestershire local plan. Consequently it is considered that the proposal would not result in any detrimental impacts to highway safety and with no objections from the Councils Transportation Officer the proposal is considered acceptable.

5.5 Coal Mining

The site lies within a coal mining area which may contain unrecorded mining related hazards. The Coal Authority has assessed the proposal, and given the proposal is for a first floor extension and internal alterations, it is considered that no coal mining assessment is required and there are no objections to the proposal.

5.6 Noise

It is not considered that the addition of an extra unit of accommodation would cause any significant increase in overall noise and disturbance. The Building Regulations (Part E), would cover the issue of sound insulation between the new units themselves. As this issue is covered by the Building Regulations (ie other legislation), legal advice has indicated that it is not appropriate to impose a condition requiring insulation details.

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 a) The proposed extension and alterations are considered to be of an appropriate standard in design and reflect the character of the main dwelling house and surrounding properties. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. As such the proposal accords with Policies D1, H5 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

b) The proposal offers adequate parking provision and will not adversely affect the surrounding highway network in accordance with Policies H5, H4, T8 and T12 of the South Gloucestershire Local Plan Adopted January 2006

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

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions:

Contact Officer: Kirstie Henshaw
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 40/11 – 14 OCTOBER 2011

App No.:	PK11/2936/CLP	Applicant:	Mr D Gleed
Site:	23 Oakfield Road Kingswood Bristol South Gloucestershire BS15 8NT	Date Reg:	20th September 2011
Proposal:	Application for Certificate of Lawfulness for the proposed installation of rear dormer and hip to gable roof alteration.	Parish:	None
Map Ref:	364630 173052	Ward:	Woodstock
Application Category:	Minor	Target Date:	10th November 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule in accordance with the standard procedure for the determination of such applications.

1. THE PROPOSAL

- 1.1 A certificate of Lawfulness for a proposed development has been applied for in relation to a proposed installation of a rear dormer window to facilitate a loft conversion and a hip to gable roof enlargement. The application property is a two-storey end of terrace dwelling and is located within the defined settlement boundary of Kingswood.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

- 2.1 The proposed installation of a rear dormer window to facilitate a loft conversion and the proposed hip to gable roof enlargement are both assessed under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|-------------|---|
| 3.1 | PK06/3587/F | Installation of 1 rear dormer window with balconette to facilitate loft conversion. Erection of front porch |
| | Refused | 23 rd January 2007 |

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
The area is unparished.

Other Representations

- 4.2 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The purpose of this application for a Certificate of Lawful Development is to establish whether or not the proposed development can be implemented lawfully without the need for Planning Consent. This is not a Planning Application but is an assessment of the relevant planning legislation, and as such the policies contained within the South Gloucestershire Local Plan (Adopted) January 2006 do not apply in this instance.

It stands to be ascertained whether the proposed development falls within the limits set out in Part 1 of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

5.2 Installation of rear dormer and hip to gable roof enlargement.

Schedule 2, Part 1, Class B of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof, provided that it meets the following criteria.

B1 Development is not permitted by Class B if—

(a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

The proposed rear dormer will not exceed the height of the highest part of the existing roof. Regarding the hip to gable, the development would follow on from the existing roof line and therefore not exceed the height of the existing roof.

(b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

The proposed dormer extension will be on the rear elevation, which is not the principle elevation, and does not front a highway. The hip to gable enlargement is on the side elevation of the dwelling and also will not extend beyond the plane of any existing roof slope which forms the principle elevation of the dwellinghouse and fronts a highway.

(c) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—
(i) 40 cubic metres in the case of a terrace house, or
(ii) 50 cubic metres in any other case;

The dwelling is an end terrace property and the total cubic content of the proposed rear dormer and hip to gable roof enlargement, when combined, is approximately 38 m³.

- (d) **it would consist of or include—**
(i) the construction or provision of a veranda, balcony or raised platform, or
(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

The proposed development will not consist of any of the above.

- (e) **the dwellinghouse is on article 1(5) land.**

The application site is not located on article 1(5) land.

Conditions

- (a) **The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;**

The materials to be used in the development will match those of the existing dwellinghouse.

- (b) **Other than in the case of a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 cm from the eaves of the original roof.**

The proposal is for a hip to gable enlargement.

- (c) **Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—**
(i) obscure-glazed, and
(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

The proposed window in the side elevation will be of obscure glazing.

6. RECOMMENDATION

- 6.1 That a Certificate of Lawfulness for Proposed Development is granted for the following reason:

Evidence has been provided to demonstrate that the development meets the criteria set out in Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 and is therefore permitted development.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CIRCULATED SCHEDULE NO. 40/11 – 14 OCTOBER 2011

App No.:	PT11/2319/F	Applicant:	Ms Jill Maggs
Site:	3 Walnut Tree Close Almondsbury Bristol South Gloucestershire BS32 4EE	Date Reg:	1st August 2011
Proposal:	Erection of single storey side extension to form additional living accommodation.	Parish:	Almondsbury Parish Council
Map Ref:	360247 184231	Ward:	Almondsbury
Application Category:	Householder	Target Date:	25th October 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because objections have been received from neighbouring occupiers contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey side extension to form additional living accommodation.
- 1.2 The application site comprises a two-storey chalet style dwelling situated in the cul-de-sac Walnut Tree Close on the southern side of the street. The site is within the established residential area of Lower Almondsbury, which is washed over by the Green Belt.
- 1.3 A signed Certificate B has been received.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
H4 Residential Development within Existing Residential Curtilages
GB1 Development in the Green Belt

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

3. RELEVANT PLANNING HISTORY

- 3.1 P84/1849. erection of single storey front extension to form porch and w.c. Alterations to vehicular access, approval, 18/07/84.
- 3.2 PT02/1526/F, erection of two-storey side extension to form garage with bedroom over, refusal, 28/06/02.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No objection.

Other Representations

4.2 Local Residents

Two letters of objection have been received from neighbouring occupiers. The following is a summary of the reasons given for objection:

- The plans are incomplete as they do not show my existing extension and the fact that it adjoins their existing garage;
- The plans do not show my existing wall at the rear of the existing garage, which would be affected by the development;
- The proposal appears to cross over the boundary and will require the removal of boundary fences during construction;
- Potential for the development to weaken the boundary wall between nos. 1 and 2.
- The proposal would have an adverse overbearing impact and result in loss of natural light due to proximity and topography of the site.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy GB1 of the South Gloucestershire Local Plan (adopted January 2006) allows for limited extension to properties in the Green Belt provided that they do not result in disproportionate additions over and above the size of the original dwelling. The South Gloucestershire Development in the Green Belt SPD states that additions that result in a volume increase under 30% of the original dwelling will likely be acceptable; additions that result in a volume increase of over 50% of the original dwelling will be carefully considered with regards to scale and appearance; additions that result in a volume increase over 50% of the original dwelling will be considered to be in excess of any reasonable definition of 'limited extension' and will likely be considered to be contrary to policy GB1 of the Local Plan. The proposal calculates to a floor area increase of approximately 28% over the volume of the original dwelling. This indicates that the proposal is likely to comprise a proportionate addition to the dwellinghouse.

5.2 Planning policies GB1 and H4 allow for the principle of the proposed development. The main issues to consider are the form and appearance of the proposal (policies D1 and H4 of the Local Plan), the impact on residential amenity (policy H4) and transportation impacts (policy H4 of the Local Plan).

5.3 Appearance/Form

The proposal measures approximately 3.6 metres in width, 7.3 metres in length and 3.6 metres at ridge height, falling to 2.4 metres at the eaves. It occupies the location of an existing flat roof garage on the western side of the dwelling.

The applicant has specified the materials that the proposed brick walls and roof tiles will match the existing dwelling, therefore, a condition on this basis is not required. Access to the proposed extension is through a single pedestrian door in the front elevation and triple bi-fold doors in the rear elevation. Whilst the proposal extends the full length of the dwelling and extends the full width of the boundary, its single storey scale is such that it is subservient to the existing dwelling and does not adversely detract from its appearance. The scale and form of the proposal are considered to be in-keeping with the character of the existing dwelling and surrounding built form.

5.4 Residential Amenity

It is clear from the objection received that the neighbouring occupiers are concerned about the effect that the proposal will have on their residential amenity. The previous application PT02/1526/F for a two-storey side extension in the same location was previously refused on residential amenity grounds, and it is noted that the application site is raised above the neighbouring dwelling, therefore, careful consideration is required with regards to the impact on the neighbouring occupiers. The previous application extended the existing form of the building across the full width of the curtilage, so that it presented a 1.5 storey gable directly on the boundary. It is considered that the proposed extension will have a significantly less impact on the neighbouring occupiers given the single storey lean-to form with the roof slope facing the boundary. As such, notwithstanding the close proximity between the application site and neighbouring properties and the topography of the site, it is considered that the proposal would not be significantly adversely more harmful to the residential amenity of the neighbouring occupiers in terms of loss of outlook or natural light, than the existing situation. Furthermore, the neighbouring occupiers are located to the west of the host dwelling, therefore, given the scale and form of the proposal, it is not considered that there will be a significant difference in light levels over the existing situation. Two roof lights are proposed in the western roof slope facing the neighbouring property. However, the position of the rooflights are such that they would not allow for direct views into the neighbouring properties, therefore, it is considered that it would not introduce any significant adverse privacy issues.

5.5 Further Matters

The concerns of the neighbouring occupier with regards to the eaves and guttering overhanging the boundary are noted. Whilst it is not considered that this would be adversely harmful to the residential amenity of the neighbouring occupiers, the Officer requested that the width of the proposal be reduced to bring the extension entirely within the curtilage of the dwelling. This is because the applicant will require the permission of the neighbour to construct the extension due to the encroachment and this may bring about legal issues separate to the planning application in the future. This was explained to the applicant; however, the plans have not been amended as requested.

The concerns regarding the potential for damage to the boundary wall between the properties no. 1 and 2 are noted. However, it is considered that this issue is beyond the scope of this planning application. This issue is a civil matter and should be resolved through the party wall act.

- 5.6 Planning permission does not give applicants the right to carry out works on, or over, land not within their ownership, or control. If planning permission is granted, an informative note can be added to inform the applicant that they will require separate written consent from the relevant neighbouring occupiers.

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 in-keeping with the scale, form, materials and siting of the existing dwelling and surrounding properties and will not adversely affect the character or visual amenity of the area – policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The concerns of the neighbouring occupiers are noted, however, the proposal will not have a significantly adversely harmful impact on the residential amenity of the neighbouring occupiers through loss of natural light, outlook or privacy – policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal represents a proportionate addition to the dwellinghouse, which constitutes appropriate development in the Green Belt – policies GB1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006; and the South Gloucestershire Development in the Green Belt SPD (adopted).

7. RECOMMENDATION

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

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

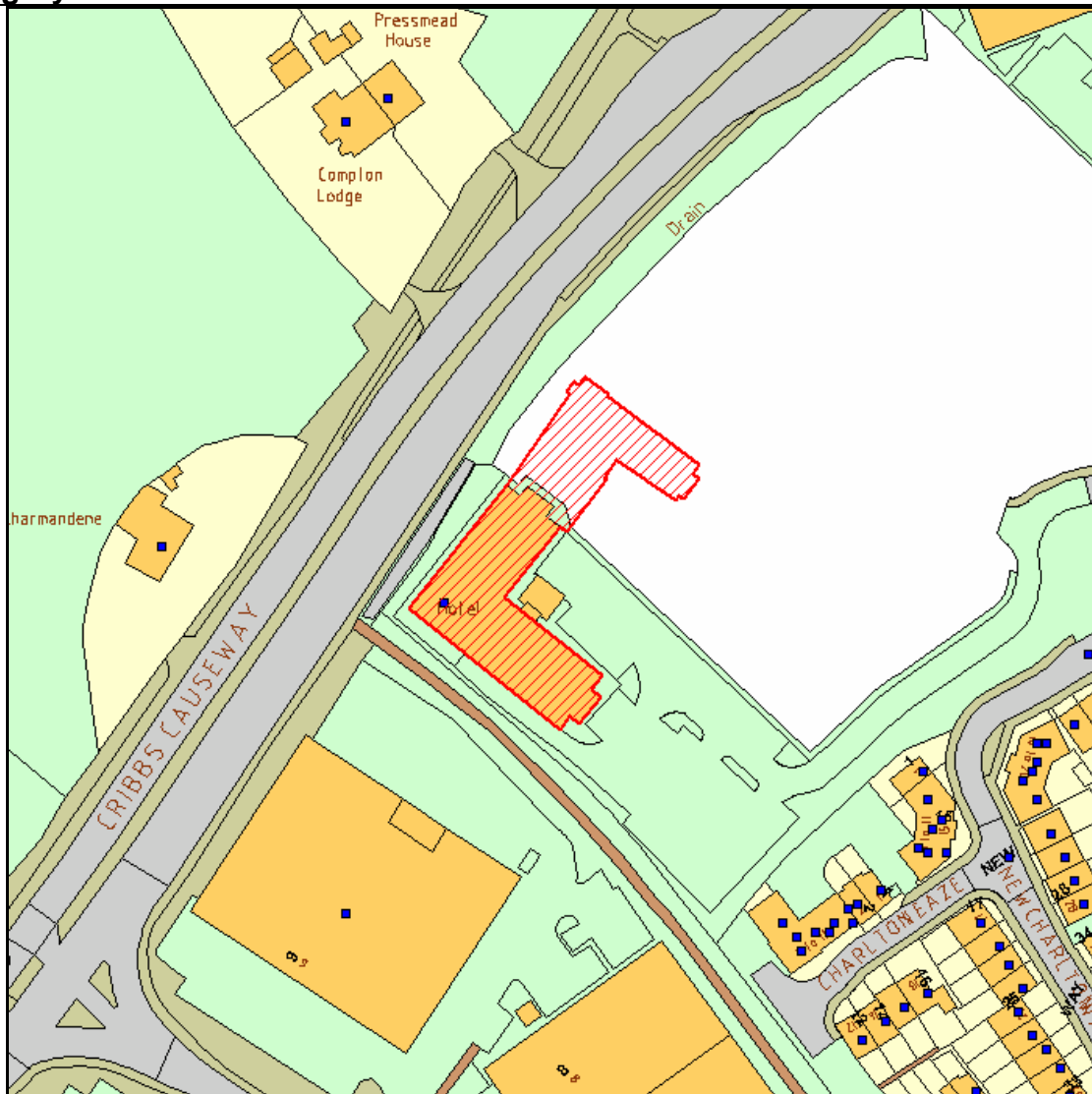
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 40/11 – 14 OCTOBER 2011

App No.:	PT11/2603/ADV	Applicant:	Whitbread Group plc
Site:	Premier Inn Catbrain Lane Almondsbury South Gloucestershire BS10 7TQ	Date Reg:	5th September 2011
Proposal:	Display of 4no. internally illuminated fascia signs, 4no. non-illuminated signs, 1 externally illuminated sign and 1no. internally illuminated wire mounted frame.	Parish:	Almondsbury Parish Council
Map Ref:	357319 180674	Ward:	Patchway
Application Category:	Minor	Target Date:	27th October 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks advertisement consent for four internally illuminated fascia signs, four non-illuminated signs, one externally illuminated fascia sign and one internally illuminated wire mounted sign.
- 1.2 The application site comprises the Premier Inn hotel on the east side of Cribbs Causeway. The application site falls within a Safeguarded Employment Area and was the subject of a recent application for an extension to this hotel. This extension is currently under construction and this application relates to signage for the enlarged part of the building.
- 1.3 The description of the application initially read '*Display of 5 internally illuminated fascia signs, 12 internally illuminated signs, 3 non-illuminated signs and 1 internally illuminated wire mounted frame sign*'. However, this has been amended to better reflect the proposal; it appears this original description was in part due to a misunderstanding in respect of the up lighters/ down lighters proposed with these originally understood to form part of the signage; this lighting is only required to light the building.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG19: Outdoor Advertisement Control
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving High Quality Design in New Development
T12: Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy - Proposed Changes (Dec 2010)
CS1: High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P97/2558: Development of 3.44 hectares for Class B8 (wholesale/ distribution), Class C1 (hotel- 131 bedrooms) and three Class A3 (restaurant) units. Permitted: 2 July 1998
- 3.2 PT00/1263/RM: Landscaping works- (reserved matters following outline permission for Class B8, C1 and A3 retail development). Permitted: 16 October 2000

- 3.3 PT01/2016/RM: Erection of 106-bedroom hotel with associated parking and landscape works- approval of reserved matters to be read in conjunction with outline permission P97/2558. Permitted: 4 April 2002
- 3.4 PT02/2342/O: Variation of condition 1 (b) to allow for extended period of time for the submission of reserved matters in respect of the erection of a new wholesale/ distribution unit (Class B8), 131-bedroom hotel (Class C1) and three restaurant (Class A3) units on 3.44 Ha attached to outline approval P97/2558. Withdrawn: 2 March 2009
- 3.5 PT03/0185/ADV: Display of one externally illuminated signs. Permitted: 24 February 2003
- 3.6 PT03/1915/ADV: Display of internally illuminated fascia sign. Permitted: 27 July 2004
- 3.7 PT04/3694/ADV: Display of two freestanding and six fascia internally illuminated signs. Permitted: 26 January 2005
- 3.8 PT07/2212/ADV: Display of four internally illuminated fascia signs, one internally illuminated totem sign, three wall mounted lighting strips and three wall mounted up-lighters. Permitted: 15 August 2007
- 3.9 PT07/3188/F: Erection of 7 two and three-storey office buildings with car parking, cycle storage, bin storage and associated works, construction of new pedestrian access. Permitted: 8 August 2008
- 3.10 PT10/1001/F: Erection of four storey extension to existing hotel to form a restaurant, offices, reception area and additional guest rooms; creation of additional car parking and landscaping. Permitted: 21 October 2010

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No objection- although Councillors are concerned about light pollution and the timescales when the lights are going to be on
- 4.2 Other Consultees
Highways DC: no objection
Lighting Engineer: no objection

Other Representations

- 4.3 Summary of Local Residents
One letter has been received from a representative of the neighbouring landowner raising the following concerns:
- o Objection to sign H3 and up lighter L5;
 - o The sign is overlarge & unduly prominent compounded by the lighting;

- o It will prejudice the future development of the neighbouring land and serve no purpose once this adjoining land is developed;
- o There would be no objection to a smaller non-illuminated sign or a time limited consent restricted to 18 months.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning Policy Guidance Note 19 states that advertisements can only be controlled on the basis of visual amenity and public safety. It states that when assessing amenity, the Local Planning Authority should have regard to the impact of the sign on the building/ the immediate neighbourhood where it is to be displayed as well as the cumulative impact on the surroundings. With regard to public safety, Local Planning Authorities are expected to assess the impact on any traffic or transport on land (including pedestrians), water or air.

5.2 Visual Amenity

The application seeks consent for the display of a number of signs to be located on the extended part of the building currently under construction. The largest and most prominent signs would comprise the 'Premier Inn' logo with one fronting Cribbs Causeway, one on the northeast elevation (facing towards the motorway) and with two on the rear elevation. The design of these signs would reflect the existing 'Premier Inn' branding on the building with the size of the sign on the front to match the existing and with that on the north east elevation smaller than that which it replaces (i.e. on the former northeast elevation). Accordingly, these signs are considered to be acceptable in visual amenity terms and appropriate in size having regard to the scale/ design of the extended building.

5.3 Further signage would be relatively small scale focused at the rear of the building and concentrated on the internal restaurant. Accordingly, one externally illuminated sign at ground level is proposed close to the entrance along with one internally illuminated wire mounted menu board, branding to three of the windows and a banner sign. These signs would not be readily visible beyond the site boundaries (and would not be visible from the front of the hotel) and are considered acceptable in visual amenity terms.

5.4 Finally, the application includes details of up lighting to the rear and side elevation to colour the building purple and down lighting above the entranceway. In this regard, it is understood that the Premier Inn are introducing these lighting to help 'brand' their buildings.

5.5 In considering the above, it was initially understood that the up lighting was required to light the new signage; this is not the case. As such, the agent has advised that some Local Planning Authorities have approved this form of lighting as part of advertisement applications whilst others have requested the submission of a full application. In this instance, given that external lighting was conditioned as part of the application to extend this hotel, it is considered that this could be considered as part of that condition.

It is not considered appropriate to assess this as part of an application for advertisement consent (particularly having regard to the down lighting proposed).

5.6 Highway Safety

Comments received from the Councils Highways Officer advise that there are no public safety issues relating to pedestrians or motorists thus there is no highways objection to this application.

5.7 Outstanding Issues

In response to the concerns raised, the sign on the north east elevation would be smaller than that shown previously on this elevation (albeit set back from the boundary) and is considered to be acceptable whilst it is not considered that it would significantly prejudice the future redevelopment of the adjoining site or that consent could be reasonably withheld pending development of this site. Further, the up lighting is not now considered to form part of this application.

5.8 Given that location of the application site (i.e. not immediately near residential properties) and given that the Councils Lighting Engineer has raised no objection to this application, it is not considered necessary to add a condition in respect of the hours of illumination.

6. **RECOMMENDATION**

6.1 Advertisement Consent is **GRANTED**.

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CIRCULATED SCHEDULE NO. 40/11 – 14 OCTOBER 2011

App No.:	PT11/2651/F	Applicant:	Mr S Weaver
Site:	15 Gloucester Road Almondsbury Bristol South Gloucestershire BS32 4HD	Date Reg:	8th September 2011
Proposal:	Erection of two storey side extension to provide additional living accommodation.	Parish:	Almondsbury Parish Council
Map Ref:	360734 184134	Ward:	Almondsbury
Application Category:	Householder	Target Date:	1st November 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to an objection received from Almondsbury Parish Council.

1. THE PROPOSAL

- 1.1 This full application relates to the erection of a two storey side extension at 15 Gloucester Road, Almondsbury. The application site forms the end cottage on a terrace of 3 properties and fronts onto Gloucester Road (A38). The site benefits from a large curtilage and is located on the top of the Almondsbury escarpment. A layby is situated directly outside the site.
- 1.2 The proposed extension measures 4m in width and has the same depth and ridge height of the existing property.
- 1.3 The site is located within the settlement boundary of Almondsbury and is also within the Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
GB1	Development within the Green Belt
H4	Development Within Existing Residential Curtilages, Including Extensions and New Dwellings
T12	Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1	High Quality Design
CS34	Rural Areas

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/3078/F Construction of new vehicular access.
Approved 8 December 2006.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

Object to the proposal on the grounds that it would involve the loss of car parking space. By building on what should be a parking area, this would result in the loss of car parking amenities, which in turn could result in parking within the layby specifically marked 'keep clear'.

4.2 Other Consultees Sustainable Transport

No objection.

Other Representations

4.3 Local Residents

No response received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In assessing applications for residential extensions, planning policies D1 and H4 of the adopted local plan are particularly relevant. Policy D1 is a general design policy and cites that development will only be permitted where good standards of site planning and design are achieved. In particular, proposals will be required to demonstrate that siting, overall massing, form, scale, height, detailing, colour and materials respect and enhance the amenity, character and distinctiveness of both the site and the locality. Policy H4 specifically relates to residential development, including extensions, and considers issues such as design, residential amenity and highway safety.

5.2 The site also lies within the Green Belt. Advice contained within PPG2 and reflected in policy GB1 of the adopted local plan sets out the limited categories of development normally considered appropriate within the Green Belt. Residential extensions are not considered inappropriate development provided they can be regarded as limited and would not result in a disproportionate addition over and above the size of the *original* dwelling.

5.3 Design/residential amenity

The proposed extension replicates the existing cottage, maintaining the same front and rear building lines and ridge height. The modest proportions of the existing cottage are still however retained. The fenestration details also mirror the proportions and symmetry of the existing cottage and as such the proposal is acceptable in design terms. Moreover, as the extension is located to the side of the property with no element projecting beyond the front or rear building line, no adverse impact to residential amenity will result.

5.4 Green Belt

As can be seen from the planning history, the property does not benefit from any previous extensions. Advice contained within the adopted South Gloucestershire SPD, 'Development in the Green Belt' provides an indication as to what is likely to be considered in excess of any reasonable definition of

'limited extension'. An addition resulting in a volume increase of 50% or more of the original dwelling would normally therefore be viewed as a disproportionate addition. The proposed extension results in a 34% increase in volume. As such the proposal is considered as limited. Furthermore, the proposal in visual terms looks proportionate in its scale and massing and therefore the application is acceptable on Green Belt grounds.

5.5 Transportation

The extension is proposed on curtilage land where there is primarily a hedge/planting, but does extend approximately 1.5 metres into the area where there is a hardstanding. However, at least 1 off-street parking space available will remain available which is in accordance with the Council's standards and is acceptable. The potential for parking on the highway (raised by the Parish Council) will be controlled by the Road Traffic/Highway legislation such that unlawful parking can be prevented.

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 proposed extension due to its limited size, location and design is considered to be acceptable in Green Belt terms and would have no adverse impact upon visual or residential amenity. The proposal would therefore accord with Planning Policies D1, GB1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. The proposal has no impact in highway safety terms. As such the proposal is considered to be compliant with Planning Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the conditions attached to the decision notice.

Contact Officer: Vivian Butt
Tel. No. 01454 863427

CONDITIONS

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

Reason

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

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

Reason

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

CIRCULATED SCHEDULE NO. 40/11 – 14 OCTOBER 2011

App No.:	PT11/2778/F	Applicant:	Mr R Leighfield
Site:	Land Adj To Hillcrest Codrington Road B4465 Doddington Chipping Sodbury South Gloucestershire	Date Reg:	6th September 2011
Proposal:	Erection of replacement agricultural storage building.	Parish:	Westerleigh Parish Council
Map Ref:	370374 179214	Ward:	Westerleigh
Application Category:	Minor	Target Date:	28th October 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because an objection has been received from a neighbouring occupier contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a replacement agricultural building. According to the applicant the building is required for agricultural storage in association with land holdings at 'The Gables' and to meet the operational needs of the site.
- 1.2 The application site comprises a small parcel of land (approximately 0.1 hectares) located on the northern side of the B4465. The site is within the open Green Belt outside the defined settlement boundary. The access is off the B4465 via a secured access, which slopes down into the site.
- 1.3 An existing corrugated metal clad and cement roof agricultural building approximately 18.5 metres in length, 7.5 metres in width and 3.6 metres at ridge height falling to 2.8 metres at the eaves occupies the site and is to be replaced. The proposed replacement building measures approximately 18.2 metres in length, 12.2 metres in width, with an apex of 5.2 metres at ridge height and falling to 3.6 metres at the eaves.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPS7 Sustainable Development in Rural Areas
PPG13 Transportation
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
GB1 Development in the Green Belt
E9 Agricultural Development
T12 Transportation Development Control Policy for New Development
L1 Landscape Protection and Enhancement
L17/L18 The Water Environment

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

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history for the site. However, there is a history of Enforcement complaints at the site relating to residential and business uses at the site. A contravention notice has been served at the site relating to the use of the mobile home for residential purposes (COM/11/0643/COU).

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No comments received
- 4.2 Drainage Officer
No objection
- 4.3 Transportation DC Officer
No objection
- 4.4 Landscape Officer
No objection subject to condition

Other Representations

- 4.3 Local Residents
One letter of objection has been received from a neighbouring occupier. The following is a summary of the objections:
- The building proposed is twice the size of the existing building;
 - Concerns that the building will be used for non-agricultural purposes.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning Policy GB1 of the South Gloucestershire Local Plan (adopted) January 2006 only allows for new development for limited categories of development. One of the categories of development, which is appropriate in the Green Belt, is agriculture/forestry.
- 5.2 Is the proposal for Agricultural purposes?
It is necessary to consider the proposed use of the building when considering whether the principle of the development is acceptable. The site is an isolated parcel of land that is not physically adjoined to agricultural fields. Notwithstanding this, the applicant lives in the Gables to the south of the site, and it is understood that the site is part of a registered smallholding at the Gables some 400 metres south of the application site. The design of the building is such that it is not unreasonable to assume that it will function for agricultural purposes. and the applicants have stated that the building is for the storage of agricultural machinery, which is considered to be an appropriate use in the Green Belt. However, a neighbour has objected on the basis of the size of the building and that the existing building is not entirely used for agricultural

purposes. Weight is given to the comments due to the fact that there is enforcement history of unlawful business activities and residential use at the site. The Officer noted that a caravan, as well as a number of materials were being stored when visiting the site. Therefore, careful consideration is required with regards to the intended use of the building. The Officer has discussed the concerns with regards to the use of the building with the agent, who assured the Officer that the proposed building is for the storage of agricultural machinery in association with the agricultural free holding at The Gables. There is no record of a change of use at the site, therefore, the lawful use of the site is considered to be agricultural. As such, it is considered that the building is acceptable development in principle by virtue of policies GB1 and E9 of the South Gloucestershire Local Plan (adopted) January 2006. The main issues to consider are the impacts on highway safety (policies T12 and E9 of the Local Plan), environmental impacts (policy E9 of the Local Plan), the impact on the residential amenity of neighbouring occupiers (policy E9 of the Local Plan) and the appearance and form of the building and impact on the surrounding landscape (policies D1 and E9 of the Local Plan).

5.3 Transportation

The existing access will serve the proposed building. Although the footprint of the building is larger than existing, it is not considered that there will be a material increase in traffic generation to the detriment of highway safety. An existing gravel driveway will provide adequate turning facilities for the proposal.

5.4 Residential Amenity

The site abuts an equestrian centre to the north and residential properties to the east and west. Sunnymead Farm to the east is approximately 69.7 metres from the proposed building; however, the single storey property Hillcrest to the west will be approximately 20 metres from the building. Although the scale of the proposed building is larger than existing, it is not considered that it will have a significantly adversely more harmful impact on the residential amenity of the neighbouring occupiers than the existing situation. The side of the neighbouring property faces the application site, therefore, the proposal will not result in a significant, adverse loss of outlook through the main front and rear windows in the property. In addition, a high conifer hedge on the boundary will help to screen views of the proposal. The 20 metre gap between the proposed building and the neighbouring property, and the orientation of the site is such that any loss of light will not be to an extent where it will have a significant adverse impact on the residential amenity of the neighbouring occupiers. The nature of the proposal, and the conifer boundary hedge are such that there will not be a significant adverse impact on the neighbouring occupiers in terms of loss of privacy.

5.5 Appearance/Form and Landscape Impacts

The proposed building measures approximately 18 metres in length, 12.1 metres in width and 5 metres at ridge height, falling to 3.6 metres at the eaves. The building comprises a dual pitched roof with a shallow slope and 18 roof lights. Large double doors are proposed on the front western elevation of the building to allow for easy tractor access. The applicant has specified a natural colour fibre cement roof and colour coated steel sheet cladding for the walls.

The appearance and form of the building is such that it is not unreasonable to assume that it will function for agricultural purposes and it will not appear adversely out of keeping with the character of the area in terms of scale and overall appearance. The building will occupy approximately the same footprint of the existing building; therefore, it will not be significantly closer to the boundaries of the site. The site slopes down from the main access to the south and given the mature vegetation along the front boundary and the set back from the street, it is considered that the proposed building will not be significantly adversely prominent from the public realm. The building will be more prominent from views to the north due to the topography of the site and gaps in the boundary hedge. However, the building will be limited to public view since there are no public rights of way to the north and a condition is recommended to supplement the existing hedgerow with an appropriate species in order to provide further screening. A large amount of equipment is currently being stored outside, the proposal will likely improve the visual amenity of the immediate site as there will be more room for storage in the building. It is considered that the proposal complies with policy D1 of the South Gloucestershire Local Plan (adopted) January 2006.

5.6 Further Matters

If permission is granted a condition is recommended to ensure that the existing mobile home and temporary storage buildings on the site, which do not have planning permission, are removed prior to the commencement of the development in the interests of visual amenity of the area.

The concerns of the neighbouring occupier regarding the use of the building are noted. Given the previous history of the site, if permission is granted, the application can be monitored by the Council's Compliance Team to ensure that the development is carried out accordingly.

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 concerns of the neighbouring occupier are noted and the use of the building has been carefully considered. However, the applicant has stated that the building will function for agricultural purposes and the design of the building is such that it is not unreasonable to assume that it will function for this purpose. The development is acceptable in principle by virtue of policies GB1 and E9 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal will not have a significantly greater impact on the residential amenity of the neighbouring occupiers than the existing situation through loss of natural light or privacy – policy E9 of the South Gloucestershire Local Plan (adopted) January 2006.

The existing access and turning facilities at the site will adequately serve the proposed building. There will not be a significant increase in vehicular traffic to have a detrimental impact on the local highway conditions – policies T12 and E9 of the South Gloucestershire Local Plan (adopted) January 2006.

The scale, form, siting, materials and overall appearance is acceptably in-keeping with the character of the surrounding area. The topography of the site and boundary hedging is such that the building will not be adversely prominent from the surrounding area – policies D1 and L1 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

7.1 Planning permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

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

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

Reason

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

3. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. (For the avoidance of doubt, the submitted plan should demonstrate additional planting on the northern boundary of the site to mitigate views from the lower ground to the north and west). Development shall be carried out in accordance with the agreed details.

Reason

To preserve the character of the area and to accord with policies D1, E9 and L1 of the South Gloucestershire Local Plan (adopted) January 2006.

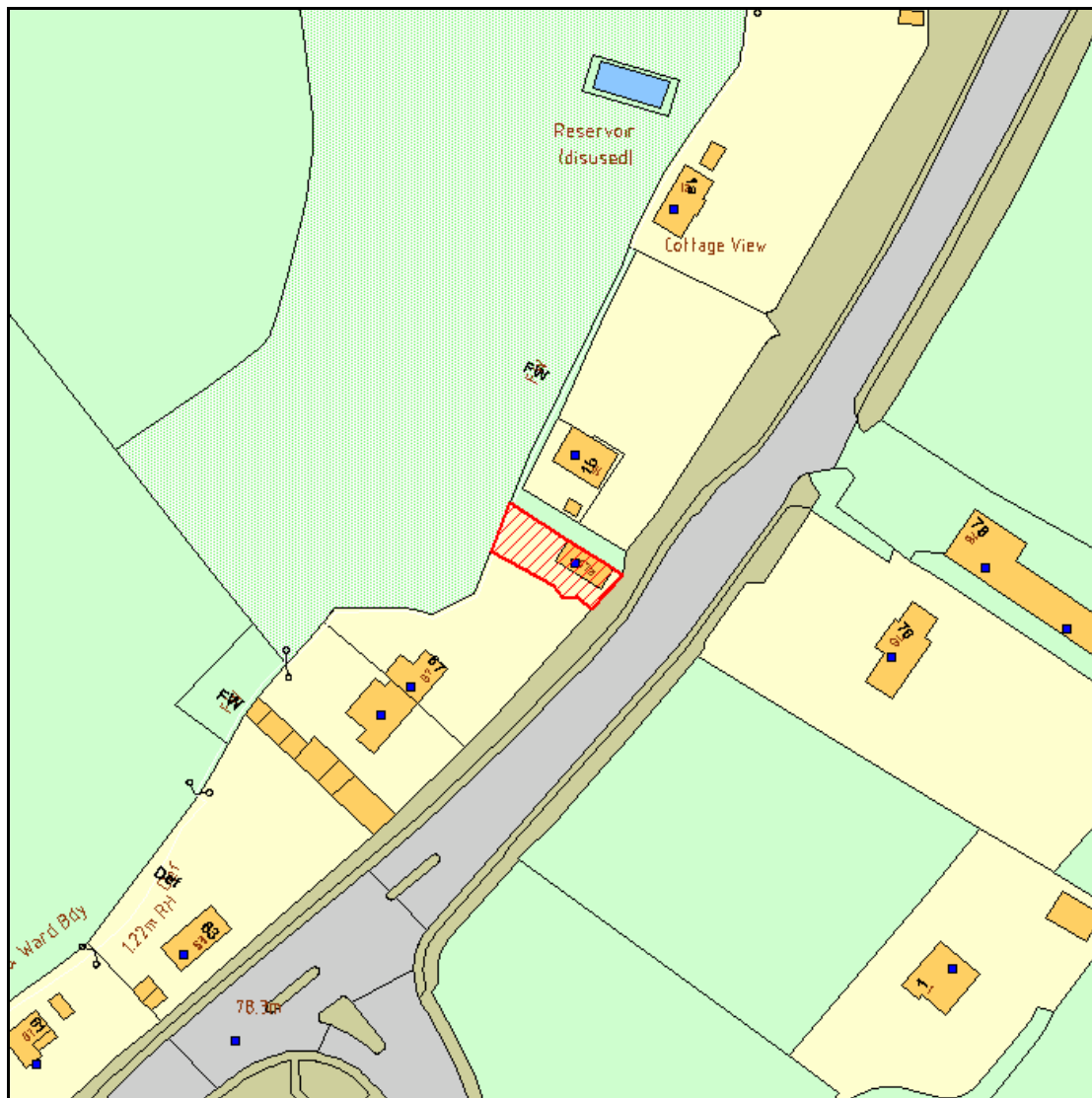
4. Prior to the commencement of the development the mobile home and temporary buildings on the site that are not shown on the site plan LPC.2937.11.03/RevA hereby approved shall be permanently removed.

Reason

In the interests of the visual amenity of the site and to accord with policies D1 and E9 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 40/11 – 14 OCTOBER 2011

App No.:	PT11/2902/F	Applicant:	Mrs David
Site:	67A Gloucester Road Almondsbury South Gloucestershire BS32 4HW	Date Reg:	15th September 2011
Proposal:	Erection of single storey side extension to form additional living accommodation	Parish:	Almondsbury Parish Council
Map Ref:	361439 184863	Ward:	Almondsbury
Application Category:	Householder	Target Date:	7th November 2011



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 100023410, 2008. **N.T.S.** **PT11/2902/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is being circulated to members because the Officer's recommendation is contrary to written representations received from the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a single storey extension to the existing dwelling. The proposed extension would measure approximately 5 metres in depth and 7.5 metres in width with a ridge height of approximately 5 metres falling to circa 2.7 metres at the eaves. The materials would match the existing dwelling.
- 1.2 The application site consists of a single storey dwelling located off the A38 in the Green Belt outside any defined settlement boundary but in close proximity to other residential development.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG 2 Green Belts
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Design
H4: Development within Existing Residential Curtilages
GB1: Development in the Green Belt
- 2.3 Emerging Policy
South Gloucestershire Council Core Strategy Proposed Changes Version December 2010:
CS1: High Quality Design
- 2.4 Supplementary Planning Guidance
South Gloucestershire Council Design Checklist Supplementary Planning Document 2007
South Gloucestershire Council 'Development in the Green Belt ' SPD 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/3066/F Conversion and extension of garage to form dwelling.
Approved. 22-MAR-05.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
Object on the grounds that the proposed development would result in over development of the site.

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The development consists of an extension to a residential dwelling within an existing residential curtilage in a settlement boundary washed over by the Green Belt. Policy GB1 permits limited extensions to existing dwellings provided they are not disproportionate and permits limited infilling within areas washed over by the green belt. Policy H4 permits residential development within an existing residential curtilage. As such the proposal is acceptable in principle subject to the following considerations

5.2 Impact on the Green Belt

The planning history and officer's site visit together with the submitted plans (specifically 'Existing Elevations' Drawing No: 11.004/002 and 'Proposed Elevations' Drawing No: 11.004/004 both dated 06.07.2011) identifies that the volume of the original dwelling is approximately 300 cubic metres.

- 5.3 The proposed single storey extension is estimated to be approximately 150 cubic metres (7.5m (w) x 5m (d) x 4m(h)). The height has been taken half way up the roof slope to accommodate the high-pitched roof in the volume calculations. As such, this equates to approximately a 50% increase to the original dwelling. With regard to the 'Disproportionate test' outlined in the adopted *Development in the Green Belt SPD*, limited extensions are considered acceptable up to 30%, any proposals in excess of 30% shall be subjected to careful and considered assessment. Where proposals exceed 50% of the original volume of the dwelling it is likely that they would be refused. As such given that the proposed development is circa 50% it has been subjected to careful consideration.

- 5.4 Whilst the site is outside the settlement boundary, it is within an established pocket of residential dwellings just outside the settlement boundary with residential dwellings both sides to the northeast and southwest. To the northwest is a boundary wall with a mass of mature trees and foliage screening the development from the open fields beyond. Given this particular location and the minor scale and size of both the original dwelling and proposed extension it is considered on balance, to be within the definition of 'limited extension' and is therefore acceptable. Accordingly the proposed development is not considered to be a disproportionate addition and is not considered to have a detrimental impact on the openness of the Green Belt. Accordingly the proposed development meets criteria in policy GB1 of the South Gloucestershire Local Plan for residential re-development and South Gloucestershire Development in the Green Belt SPD (Adopted) 2007.

5.5 Residential Amenity

The proposed development would be located to the northwest of the existing property in an area of domestic curtilage with decking. To the rear of the dwellinghouse (northeast of the application site), there is a stonewall with an approximately 3 metres tall mature evergreen hedge acting as a boundary treatment with the neighbouring occupier and screening the neighbouring occupier from the development.

The proposed development would be located to the northwest of the existing development adjacent to an existing boundary wall with mature trees and foliage. To the southwest, opposite the principal elevation of the existing dwelling is a lawned area with an established outbuilding and a gravel driveway. To the southeast adjacent to the main A38 road is an established hedge of approximately 3 metres in height. Together with the slope in levels off this main entrance, the site is well screened and there is considered to be no impact on existing residential amenity of neighbouring or future occupiers. There is sufficient space retained to serve the main dwelling and the proposal does not raise any issues in terms of highway safety. Accordingly the proposal meets criteria contained in policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.6 Design/Visual Amenity

The existing development is a single storey bungalow constructed of timber and brick with a hipped roof and steep roof pitch finished with gable ends to the north west and southeast of the dwelling. The proposed extension would match the materials and style of roof and gables as well as roof pitch, ridge height and eaves height. It is considered that it would respect the character of the existing dwelling and remain in keeping with the locality, although given the tall boundary treatments and topography of the site, the development would barely be visible from the street scene.

Concerns have been raised that the proposed development would represent an overdevelopment of the site. Whilst the proposal would equate to adding half as much again of what is on the site, it is considered that the site has enough space to accommodate this and that sufficient amenity space would be retained. It is not considered that such an addition is disproportionate and is it considered that the scale and massing of the proposal would fit well with the existing dwelling and the application site as a whole without appearing cramped.

Accordingly the proposed development is considered to meet criteria contained in policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) 2006.

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 Given the location and minor nature of the development the proposal amounts to a limited extension and is not considered harmful to the openness of the green belt. As such it is considered appropriate development in the green belt and accords with policy GB1 of the South Gloucestershire Local Plan (Adopted) 2006 and the South Gloucestershire Council Development in the Green Belt SPD adopted 2007.
- 6.3 The proposed development by virtue of the boundary treatments, location and the topography of the site, would not impact on the street scene or residential amenity of neighbouring occupiers. The proposed development would not compromise highway safety or transport arrangements. The proposal would match the existing dwelling in terms of height, scale and materials. As such it meets criteria contained in policies H4, D1 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.4 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

CONDITIONS

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

Reason

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