



**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. 20/11

Date to Members: 26/05/11

Member's Deadline: 02/06/11 (5pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

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

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

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

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

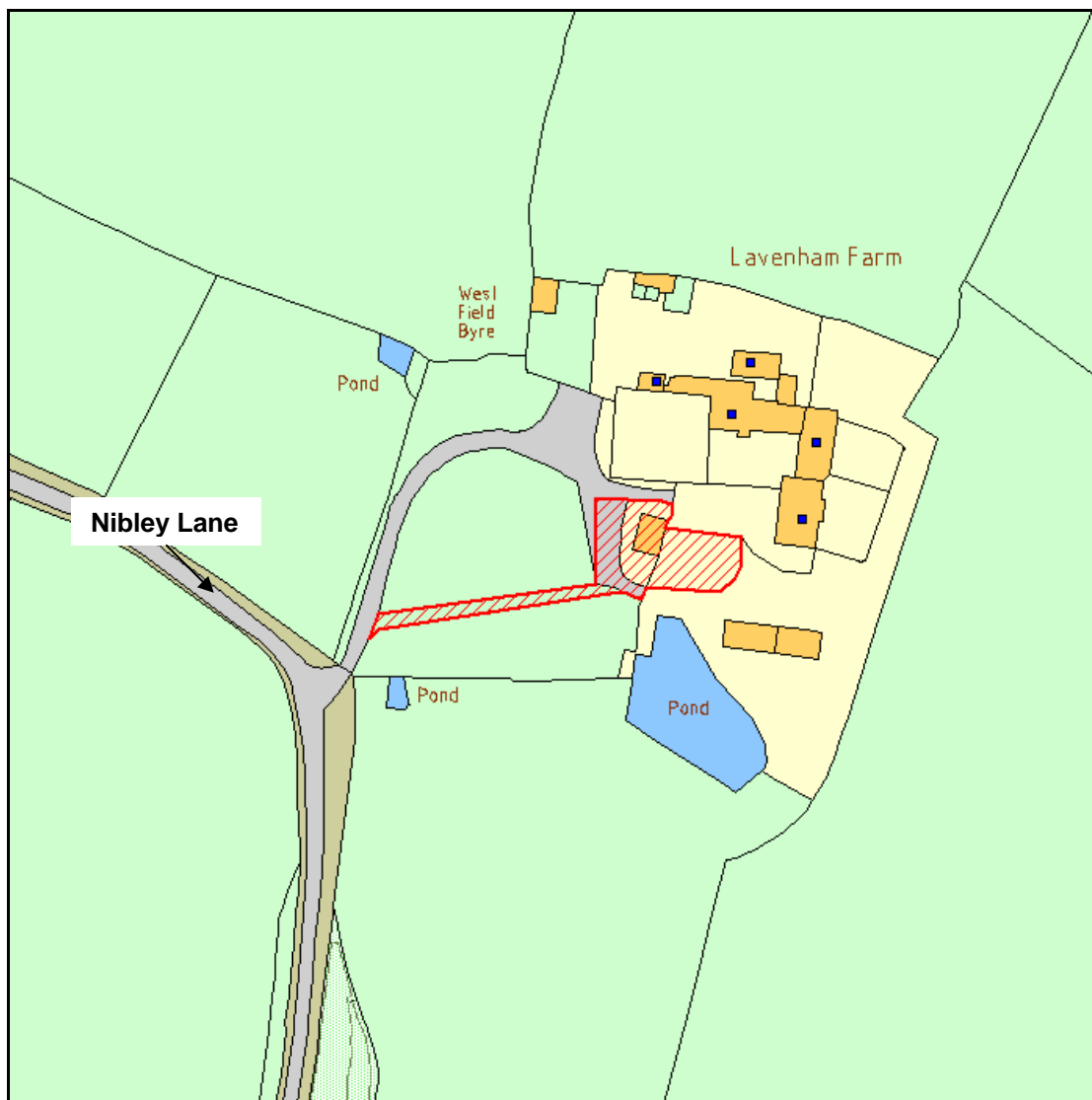
All other schedules during this period will be published as normal on Fridays

CIRCULATED SCHEDULE – 26 MAY 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK11/0760/F	Approve with Conditions	Barn 6 Lavenham Farm Nibley Lane Iron Acton South Gloucestershire BS37 9UR	Frampton Cotterell	Iron Acton Parish Council
2	PK11/1046/AD	Approve	The Blue Bowl Inn 178 High Street Hanham South Gloucestershire BS15 3HJ	Hanham	Hanham Abbots Parish Council
3	PK11/1067/RV	Approve with Conditions	Sir Bernard Lovell School North Street Oldland Common South Gloucestershire BS30 8TS	Oldland	Bitton Parish Council
4	PK11/1176/CLP	Refusal	Bramble Cottage Latteridge Road Iron Acton South Gloucestershire BS37 9TW	Frampton Cotterell	Iron Acton Parish Council
5	PK11/1219/F	Approve with Conditions	4 Wedgewood Road Downend South Gloucestershire BS16 6LT	Downend	Downend And Bromley Heath Parish Council
6	PK11/1250/F	Approve with Conditions	17 Bough Gardens Downend South Gloucestershire	Emersons	Downend And Bromley Heath Parish Council
7	PT11/0697/RVC	Approve with Conditions	The Nursery New Passage Road Pilning South Gloucestershire BS35 4LZ	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
8	PT11/1154/F	Approve with Conditions	The Old Forge Upper Tockington Road Tockington South Gloucestershire BS32 4LQ	Severn	Olveston Parish Council

CIRCULATED SCHEDULE NO. 20/11 – 26 MAY 2011

App No.:	PK11/0760/F	Applicant:	Ms L Hollowood
Site:	Barn 6 Lavenham Farm Nibley Lane Iron Acton South Gloucestershire	Date Reg:	15th March 2011
Proposal:	Conversion of building 6 as shown on sheet P3/A from work/live unit ancillary to building 5 to an independent residential dwelling with separate access.	Parish:	Iron Acton Parish Council
Map Ref:	368696 183130	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	6th May 2011



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
and may lead to prosecution or civil proceedings.
100023410, 2008. **N.T.S.** **PK11/0760/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of objections from Iron Acton Parish Council and a local resident; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Planning permission PK06/0769/F was granted to convert a complex of traditional farm buildings to residential properties and for most part the permission has now been implemented. A later consent PK06/3255/F relating to so called buildings 5 and 6 of the original consent, was granted to convert building 5 (a barn/stable) to include an extension, whilst building 6 (a former Wagon Shed) would be converted to provide a live/work office unit to be used ancillary to building 5. The site lies within the Green Belt and is surrounded by open countryside but is not within a Conservation Area or Established Settlement Boundary. A PROW utilises the access off Nibley Lane and runs to the back of the overall site.
- 1.2 Later permissions were granted to introduce a new vehicular access (PK08/0687/F) to building 6 and for an extension to building 6 (PK10/1582/F). The works that have been carried out to extend the building however include a number of unauthorised items, mainly new windows and doors, roof-lights, wood panelling to the southern end elevation and various unauthorised boundary treatments i.e. concrete block walls with willow fence facing.
- 1.3 It was intended that building 6 would be used in conjunction with the applicant's home business as a beauty and holistic clinic, but due to limited demand and bookings, the business failed to take off. The current proposal therefore seeks permission to convert building 6 to a separate self-contained residential dwelling. The scheme now incorporates various works designed to regularise the previous breaches of planning control.

2. POLICY CONTEXT

2.1 National Guidance

- PPS 1 - Delivering Sustainable Development
- PPG2 - Green Belts
- PPS3 - Housing
- PPS5 - Planning for the Historic Environment
- PPS7 - Sustainable Development in the Countryside

2.2 Development Plans

South Gloucestershire Core Strategy Pre-Submission Publication Draft
CS1 Design

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
L1 Landscape Protection and Enhancement
L9 Species Protection

L17 & L18 The Water Environment
EP1 Environmental Pollution
EP2 Flood Risk and Development
H4 Development within Existing Residential Curtilages
H5 Residential Conversions, Houses in Multiple Occupation and Re-Use of Buildings for Residential Purposes.
H10 Conversion and Re-Use of Rural Buildings for Residential Purposes.
GB1 Development in the Green Belt
T8 Parking Standards
T12 Transportation Development Control
LC12 Recreational Routes

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/0769/F Conversion of 4no. barns to 4no. dwellings, conversion of outbuilding to ancillary office. Conversion of outbuilding to 2 bedroomed annexe with erection of glazed walkway plus associated office.
Approved July 2006
- 3.2 PK06/3255/F Conversion and extension of building 5 and conversion of building 6 as identified on submitted drawing to form residential accommodation with ancillary living/work office.
Approved April 2007
- 3.3 PK08/0687/F Construction of new vehicular access (Retrospective)
Approved April 2008
- 3.4 PK10/1582/F Erection of single-storey extension to provide ancillary live/work office accommodation in association with building 5.
Approved August 2010

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council
Object on the following grounds:

“Planning application PK06/0769/F was approved by South Gloucestershire Council with a number of conditions. Condition 18 stipulated that four passing bays should be constructed along Nibley Lane ‘prior to first occupation’. To date, these passing bays have not been constructed. Despite numerous e-mails, letters and telephone calls to South Gloucestershire Enforcement Team by the Parish Council, nothing has happened. A letter from Andrew Barrow of the Enforcement Team dated 27th Feb 2009 states that the developer has been written to in connection with this breach, but again, nothing has happened.”

“Nibley Lane is a narrow country lane with a 30mph speed limit. Due to the amount and type of traffic using the lane, the edges of the road are breaking away. Further development at Lavenham Farm to create an additional residential dwelling will only go to increase the amount of traffic using Nibley Lane. It is therefore the consideration of Iron Acton Parish Council that these four passing bays are constructed before any further development at Lavenham Farm takes place.”

4.2 Other Consultees [including internal consultees of the Council]

Ecology Issues

There are no ecological constraints to granting permission. A bat survey was previously carried out under permission PK06/3255/F and no signs of use of the building by bats was found.

Landscape Officer

No objection

Sustainable Transport

No objection subject to provision of 2no. parking spaces.

Conservation

Although not listed or in a Conservation Area, the barns are considered to be a non-designated heritage asset as set out in PPS5. Unauthorised doors, windows and roof-lights have been inserted in the building. The boundary walls are also concrete block faced with timber fencing as opposed to natural stone. Whilst there is no in-principle objection to the proposed conversion, all boundary walls should be stone faced, and all windows and doors should be solid oak. The boarding to the gable end should be oak. Rooflights should be conservation roof-lights.

Other Representations

4.3 Local Residents

2no. letters of objection have been received, both from the same local resident. The concerns raised are summarised as follows:

- Outstanding enforcement issue relating to driveway.
- Trees have been removed.
- A previous condition ties barn 6 to the main house.
- Unauthorised plastic windows have been inserted.
- There are concealed openings behind the wooden cladding.
- 6 unauthorised sky-lights have been inserted.
- Standard block boundary walls have been erected and covered with cheap willow.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Building 6 already lies within the residential curtilage of building 5 and has been used as a living/work unit ancillary to the enjoyment of building 5; as such the authorised use of the building already falls under use class C3. Condition 14 attached to the earlier consent PK06/3255/F restricts the use of the building to be ancillary to building 5 only, the reason being that having regard to the limited access facilities at that time, there was insufficient space and facilities for the creation of an additional separate residential dwelling on the site. Since then however permission PK08/0687/F has been granted for the installation of a separate vehicular access to building 6. The access has now been laid but the final method of surfacing is still under negotiation with the Council, but this is separate matter.

5.2 In Green Belt terms the proposal needs to be assessed against Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and government policy contained in PPG2. Policy GB1 permits changes of use only where they would not have materially greater impact than the present authorised use on the openness of the Green Belt.

The change of use of land or existing buildings within the Green Belt is permitted provided that :

1. *It would not have a materially greater impact than the present authorised use on the openness of the Green Belt and would not conflict with the purpose of including land in it;*
2. *The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction; and*
3. *The form, bulk and general design of the buildings would be in keeping with their surroundings.*

5.3 The original proposal to convert and extend the barns was previously assessed against these policies and found to be acceptable. There would be no new build involved in converting the building to a separate dwelling. Furthermore the building already lies within an established residential curtilage. Separate residential use might result in some intensification of residential clutter but given that the building is very well contained within the site, officers are satisfied that neither the openness or visual amenity of the Green Belt would be compromised. The proposal therefore accords with Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and would not be contrary to the purposes of including land within the Green Belt.

5.4 The acceptance in principle of the conversion of the building for ancillary live/office use has already been established with the granting of planning permissions PK06/0769/F and PK06/3255/F. Paragraph 17 of PPS7 states that *'the Government's policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives.*

Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building.

- 5.5 The previous proposal to convert the barns was assessed against Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 when the acceptance in principle of the residential use of the buildings was established. The key issues to consider are whether or not there is now adequate access and facilities to support a separate residential use of building 6 and whether the works required to convert the building are acceptable. The proposal also falls to be assessed under Policy H5, which relates to the conversion of existing residential properties into smaller units of self-contained residential accommodation and Policy H4, which relates to development within residential curtilages; the criteria attached to these policies are discussed below.
- 5.6 Further consideration must be given to the criteria contained in Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which relates to the conversion and re-use of existing rural buildings, outside the urban areas and boundaries of settlements, for residential purposes. The policy requires all criteria listed to be satisfied. These criteria are discussed as follows:
- 5.7 **A. All reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use;**
- 5.8 The original farm buildings were redundant for some years and there was no prospect that they would ever be used for farming purposes again in the future. In this particular instance the buildings were not marketed for a business re-use, neither was the original scheme part of a business re-use. This was because the access to the site was considered to be totally inadequate to support the likely traffic generation associated with any business uses for the buildings. The Council's Highway Officer concurred with this view. Whilst the use of the buildings for Holiday Lets would generate traffic levels more akin to the original lawful use of the site, officers considered it unlikely that anybody would choose to finance the cost of conversion of the barns rather than acquire property in a more convenient and cheaper location elsewhere. Holiday lets were considered to be a quasi-residential use anyway, which would be seasonal only and unlikely to offer a realistic return on the amount of investment needed to afford a high enough quality conversion of the buildings. Officers were therefore satisfied that having regard to the historic nature and architectural quality of the buildings and constraints upon the site, it was futile to demand a marketing exercise to attempt to find a business or community use, that might generate less traffic than the residential uses proposed. This approach was supported by a recent (October 2005) appeal decision (APP/T3915/A/04/1164852) relating to a very similar scenario, albeit not in South Gloucestershire.

- 5.9 Building 6 (the subject of the current proposal) has been used ancillary to Building 5 for ancillary live/work use only but the business element has been very low key and as noted in para. 1.3 above, the home business has failed to take off. Officers are satisfied that criterion A of Policy H10 is satisfied.
- 5.10 **B. The buildings are of permanent construction and structurally sound and capable of conversion without major or complete re-construction:**
- 5.11 The applicants have previously submitted a structural survey of the building that was carried out by a suitably qualified person. The Council's own Structural Engineer also inspected the building and having considered the contents of the structural survey concluded that the building was structurally sound and capable of conversion without major re-construction. Since then application PK10/1582/F was approved to extend the building. The current application to convert the existing building to a separate dwelling house, would not increase the size of the building. Officers are therefore satisfied that criterion B of Policy H10 is satisfied.
- 5.12 **C. The buildings are in-keeping with their surroundings in terms of character, form, bulk and overall design:**
- 5.13 The building is a former Wagon Shed and being constructed of natural stone with a simple overall form, is in-keeping with the rural character of the location.
- 5.14 **D. Development, including any alterations, extensions or the creation of a residential curtilage would not have a harmful effect on the character of the countryside or the amenities of the surrounding area:**
- 5.15 The previously approved extension is not considered to be excessive in scale. The existing form of the building would be retained. The existing sub-divisions within the site would not radically alter and the proposed curtilages are for most part already defined. The buildings form a well enclosed and tightly related complex, the appearance of which would be enhanced by a scheme of landscaping. Officers have negotiated a number of revisions to take account of some unauthorised works to the building and the boundaries of the site (see Conservation section below). The character of the countryside and amenities of the surrounding area would not be significantly compromised.
- 5.16 **E. The building is well related to an existing settlement or other groups of buildings.**
- 5.17 The building is one of a well related group. Furthermore the farm complex lies only 500m from Iron Acton Villlage, which has a primary school, public house/guest house, church and village hall. There is a regular bus service from Iron Acton Village to Yate and Bristol City centre. The site is therefore well related to an existing settlement.

5.18 Impact Upon Residential Amenity

The buildings within the site are well related to each other. Being on the south-western periphery of the site, Building 6 would be sufficiently distant from the other dwellings within the site as to have no significant adverse impact on residential amenity. Given the new access arrangements approved under PK08/0687/F and revised parking arrangements, there would now be adequate private amenity space to serve the dwelling created; the scheme is not therefore considered to be an overdevelopment of the site. Since there are no other residential properties within close proximity of the Lavenham Farm site there would be very little impact on existing residential amenity. The impact on residential amenity is therefore acceptable.

5.19 Design and Conservation Issues

The Council's current Conservation Officer has inspected the building. The original barns, although not listed were considered close to listable quality and form an important and attractive grouping. Officers consider that the character of the buildings and their setting should be safeguarded and that this is an important material consideration in the determination of this current application. Furthermore the latest version of PPS5 now requires the sustaining and enhancing of even non-designated heritage assets. Furthermore Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 requires development to be of a high quality design and Policy H10 criterion D is also relevant.

5.20 In association with the recent extension of the building, some unauthorised works were carried out, these being:

- Insertion of 6no. rooflights.
- Insertion of upvc doors on east and west elevation.
- Insertion of upvc windows on west elevation.
- Inappropriate wood cladding to end elevations replacing glazed oak screen previously approved for southern elevation.
- Introduction of concrete block walls clad in Willow fencing.

5.21 Whilst it is acknowledged that some new openings are necessary to convert the building to a separate dwelling, officers considered that a number of the unauthorised features are not acceptable. As such, amended plans have been negotiated and submitted which now show the following:

- Conservation rooflights retained.
- Upvc doors replaced with solid oak doors.
- Upvc windows replaced with solid oak windows.
- All wood cladding to be in oak.
- All concrete block boundary walls to be faced in natural stone.

These works would be carried out within 6 months of any consent granted and this would be secured by a condition.

- 5.22 Subject to the above, the scheme would adequately retain the existing form and character of the building in accordance with Policy D1, H4 and H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and PPS5.
- 5.23 Transportation Issues
In the original application PK06/0769/F officers considered that the site access from Nibley Lane was substandard by reasons of inadequate visibility onto the public highway. Additionally the access road itself was substandard by reason of inadequate width for two-way traffic, no footway facilities and unsatisfactory forward visibility.
- 5.24 In response to these concerns the developer commissioned a traffic report and full traffic survey and submitted revised proposals for access improvements. Officers were satisfied that based on the information provided, actual vehicular speeds at the location were below 30mph. Based on the actual speed survey, officers were satisfied that visibility splays from the site access onto Nibley Lane conform with the observed speeds and hence refusal of the application on this basis could not be substantiated.
- 5.25 The developer proposed to introduce a 4m kerb radii at the access, which would allow for a 4.1m width of access 8m back from the highway edge. The gates and pillars would be removed and the access re-surfaced. The PROW would be retained in its current position. Four passing bays would also be provided along Nibley Lane. Subject to these matters officers raised no objection to the proposal.
- 5.26 Since then a separate access or spur off the driveway, to Building 6 has been implemented (see PK08/0687/F) and hard-standings introduced to the western side of the building. Unfortunately the 4no. passing bays have not yet been implemented on Nibley Lane although it should be noted that this is not the sole responsibility of the current applicant. This matter is now in the hands of the Council's Enforcement section. Whilst it is for the Council to decide how expedient it would be to serve an enforcement notice in relation to this matter, the applicant has given written assurances that the passing bays are to be installed within the next month.
- 5.27 Due to the limited access facilities, the Council's Highways Officer has always resisted commercial uses of Building 6 other than as a live/work unit associated with Building 5. With the additional driveway and parking area however, the use of Building 6 as a separate dwelling would be acceptable subject to the provision of two car parking spaces, which can be secured by condition. The sole use of the building as a residential dwelling would have a similar traffic generation to the existing live/work use of the building. The proposal is therefore considered to accord with Policies T8, T12, H10, H4 and H5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.28 Landscape Issues
The character of the site is rural and low key with the former farmhouse and mature trees being the dominant features. The previously approved scheme sought to retain the existing vegetation and walls, that for most part define the residential curtilages and contain the parking areas within the centre of the site.

The previously approved extension to Building 6, whilst retaining a reasonable gap between Buildings 4 and 5 closed the views of the internal parking areas from the open Green Belt land to the east.

5.29 Concern has been raised about the loss of some trees to the west of Building 6 and the lack of landscaping in this area. The trees that were removed were not protected by TPO but officers consider that given the introduction of the new driveway and hard-standings to the west of Building 6, a new landscape scheme to mitigate for the lost trees and to soften views of the site from the access, is justifiable and this can be secured by condition. Subject to this condition, the scheme would accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.30 Ecology

A report was previously submitted to the Council's Ecologist, which confirmed that there were no bat roosts in Building 6 and that no other protected species were present on the site. The Council's Ecologist has no objections to this current proposal.

5.31 Drainage

The existing methods of foul and surface water disposal would be used. There are therefore no drainage objections.

5.32 Public Rights of Way

Public Footpath LIA24 utilises the site access from Nibley Road, skirting the driveway to exit via a newly installed kissing gate, into the fields behind the former Cow Byre. The footpath would be retained on its current route and access maintained. A condition to prevent any gates on the access was previously imposed. Subject to the standard informatives, there are no objections to the proposal.

6. CONCLUSION

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

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

1. Consideration was previously given to a business re-use of the building in accordance with Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
2. The building has already been converted for the proposed use and is of permanent construction, in accordance with Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. The building would be in keeping with its surroundings in accordance with Policy H10, H4, H5 and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
4. Consideration has been given to the impact of the proposal on the character of the countryside and amenity of the surrounding area, in accordance with Policies H10, D1, L1, H4 and H5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
5. The building is well related to an existing group of buildings in accordance with Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
6. Consideration has been given to the highway implications of the proposal which accords with Policy T12, T8, H4, H5 and H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
7. Consideration has been given to the impact of the scheme on residential amenity in accordance with Policy H10, H4, H5 and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
8. The proposal would not adversely affect the openness or visual amenity of the Green Belt in accordance with Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and PPG2.
9. The drainage and environmental implications of the proposal have been considered against Policies L17 & L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
10. The scheme would have no adverse impact on protected species in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
11. The scheme would not adversely affect the PROW that runs through the site in accordance with Policy LC12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006

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

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no development as specified in Part 1 (Classes A, B, C, D, E, F, G and H), or any minor operations as specified in Part 2 (Class A and B), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1, H4 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No windows, dormers or doors other than those shown on the plans hereby approved shall be inserted at any time in the building.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1, H4 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the first occupation of the building as a separate dwelling house, 2no. car parking spaces shall be provided, the details of which shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the 2no. car parking spaces shall be maintained in accordance with the details so approved and used only in conjunction with the building's purpose.

Reason

To ensure an adequate provision of off-street car parking provision in the interests of highway safety and to accord with Policies T8, T12, H5 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5. Prior to the first occupation of the building as a separate dwelling house, 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); any new boundary treatments and areas of hardsurfacing, shall be submitted to the Local Planning Authority for written approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policies D1/L1/GB1/H4/H5/H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. All works to replace the building's windows, doors and wood cladding, as shown on the approved plan no. B11509 P2/B, shall be carried out to the Council's written satisfaction no later than 180 days from the date of this grant of planning permission.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policies D1, H4 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Notwithstanding the details shown on the plans hereby approved, all wicker facing, to the existing concrete block walls within the application site, shall be replaced with natural stone facing; the re-facing works shall be completed no later than 180 days from the date of this planning consent.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policies D1, H4 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

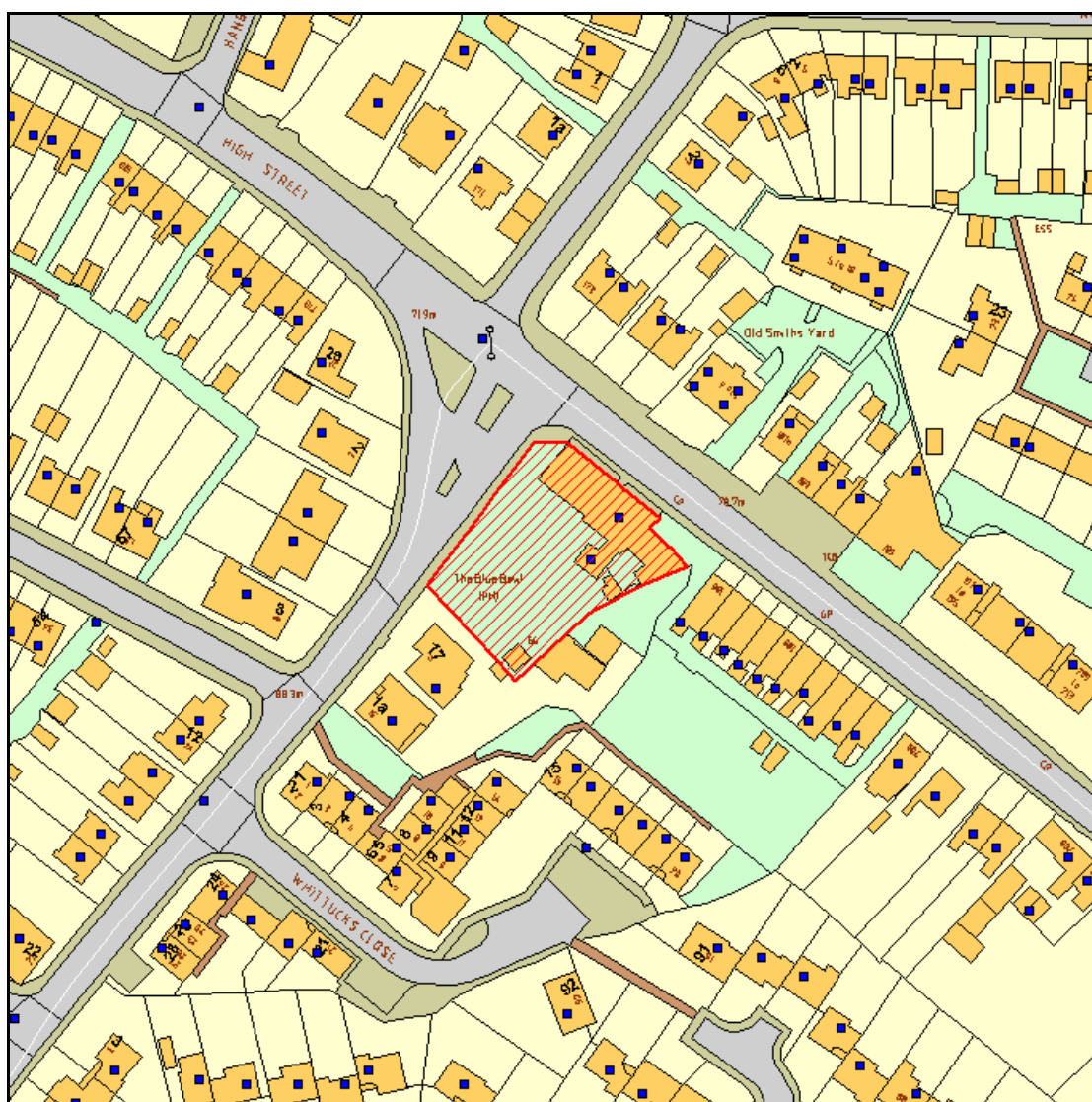
8. Prior to the commencement of the works to re-face the boundary walls, the subject of condition 7 above, a sample panel of the proposed stonework demonstrating the type of stone, colour, texture and pointing shall be erected on the site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in full accordance with the sample panel so approved.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1, H4 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 20/11 – 26 MAY 2011

App No.:	PK11/1046/ADV	Applicant:	Mitchells & Butlers
Site:	The Blue Bowl Inn 178 High Street Hanham Bristol South Gloucestershire	Date Reg:	6th April 2011
Proposal:	Display of 3no. externally illuminated sets of letters, 1no.externally illuminated hanging sign, 1no. externally illuminated transom, 1no. non illuminated wall sign and 1no. lantern. (Resubmission of PK10/3437/ADV).	Parish:	Hanham Abbots Parish Council
Map Ref:	364739 172030	Ward:	Hanham
Application Category:	Minor	Target Date:	27th May 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/1046/ADV**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of an objection from a local resident and objections from Hanham Abbots Parish Council, the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to The Blue Bowl Inn, a traditional vernacular building, which is reputed to have 17th Century origins. The building lies on a large corner plot at the junction of Whittucks Road and High Street Hanham. A large car park to the rear is accessed from Whittucks Road. The building is Locally Listed.
- 1.2 Advertisement consent is sought for a number of advertisement signs to be displayed upon the building. The advertisements have for most part already been installed on the building. The advertisements are required following the recent acquisition of the pub by a different group. The current application follows an earlier submission PK10/3437/ADV that was withdrawn following concerns raised by officers as to the number, brightness and design of the advertisements.
- 1.3 This application should be read in conjunction with application PK11/1098/ADV for the display of 1no. internally illuminated static post sign.

2. POLICY CONTEXT

- 2.1 National Guidance
PPG19 - Outdoor Advertisement Control
Circulars 5/92 and 15/94
- 2.2 Development Plans

The South Gloucestershire Core Strategy Submission Draft Dec 2010
CS9 - Environmental Resources and Built Heritage

South Gloucestershire Local Plan (Adopted) January 2006
D1 - Design
L13 - Listed Buildings
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Check List SPD (Adopted) 23 Aug 2007.

3. RELEVANT PLANNING HISTORY

There have been numerous applications relating to this building, the most relevant of which are listed below:

- 3.1 P96/4141/A - Retain display of 4no. externally illuminated board signs. Retain display of externally illuminated individual lettering.
Approved 29 May 1996

- 3.2 PK10/2989/F - Erection of rear entrance lobby and single-storey rear extension, erection of front porch, construction of external staircase and associated works.
Approved 17 Dec 2010
- 3.3 PK10/3437/ADV - Display of 3no. internally and externally illuminated fascia signs, 1no. non-illuminated fascia sign, 1no. internally illuminated projecting sign, 1no. internally illuminated totem sign, 2no. internally illuminated transom signs and 2no. non-illuminated post mounted signs.
Withdrawn 24 Feb 2011
- 3.4 PK11/1098/ADV - Display of 1no. internally illuminated static post sign.
Pending

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
Objection: This building is a 14th century coaching inn and the proposed illuminated signs are totally out of keeping with the character of this listed building. We believe that the proposed illuminated signs are unnecessary and will result in further light pollution to this area.

4.2 Other Consultees

Conservation Officer
No objection.

Sustainable Transport
No objection.

Other Representations

- 4.3 Local Residents
1no. e.mail was received from a local resident objecting to the proposal. The concerns raised are summarised as follows:

- Bright lights shining in rooms of 177 High Street.
- Length of time lights left on.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
In accordance with the advice given in PPG19, the display of outdoor advertisements/signs can only be controlled in the interests of amenity and public safety, however the need to advertise the presence of the business is accepted as valid. Officers are of the view that it is reasonable for a limited amount of advertising/signage to be displayed on or adjacent to the buildings and that it is inevitable that the advertising/signage will be visible from public areas.

- 5.2 Whilst officers have no objection to the principle of advertising/signage at the site, careful consideration should be given to the amount and size of the advertisements/signs, which should not be detrimental to the appearance of the building, to which they relate or to the character of the locality. The cumulative effect of the proposal should not be detrimental to visual amenity and the advertisements/signs should not prejudice public safety.
- 5.3 Visual Amenity
The Blue Bowl Inn has been identified as a building that makes a significant contribution to the character and distinctiveness of the locality. It is a traditional vernacular building, which is reputed to have 17th century origins and appears to have originally been a terrace of small cottages. It is a rendered building with clay tile roof and traditional sliding sash windows to the principal front elevation. It has been extended and altered during the 20th century and the rear elevation is a veritable mix of roofs, modern materials, fire-escapes, storage areas and general clutter.
- 5.4 The Blue Bowl Inn is a traditional, vernacular building positioned in a prominent corner position on the High Street. The building has had various signs associated with its use as a public house but these were designed and formed in traditional materials and they read as subtle additions that enhanced rather than detracted from the host building
- 5.5 Policy HE7.5 of PPS5 states:
Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.
- 5.6 This is a much-revised application since the withdrawal of the earlier scheme PK10/3437/ADV and it has been subject to pre-application consultation. The scheme has been significantly improved, with the omission of the internally illuminated signage and its replacement with individually fixed lettering. The hanging sign is a traditional sign in the existing bracket and a small 'history board' is affixed adjacent to the entrance. The globe lantern to the rear is still slightly discordant but is not a reason for refusal. The scheme has been revised to preserve the character and appearance of this locally listed building and is in accordance with the relevant policies.
- 5.7 Having regard to the amendments made and the revised numbers, design and locations of the advertisements in comparison to those previously resisted, officers are now supportive of the scheme which would not have a significant adverse impact on visual amenity. All illumination is now external only and would not exceed 250cd/m. It should be stressed that the static post sign that has been erected on the site is the subject of a separate application PK11/1098/ADV.
- 5.8 Public Safety
The highways officer has no objection and the signs, which would be located in positions where they would not be of danger to pedestrians or motorists.

6. CONCLUSION

- 6.1 In accordance with Section 220 of the Town and Country Planning Act 1990 and Regulation 4 of the Advertisement Regulations 1992, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant advertisement consent has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

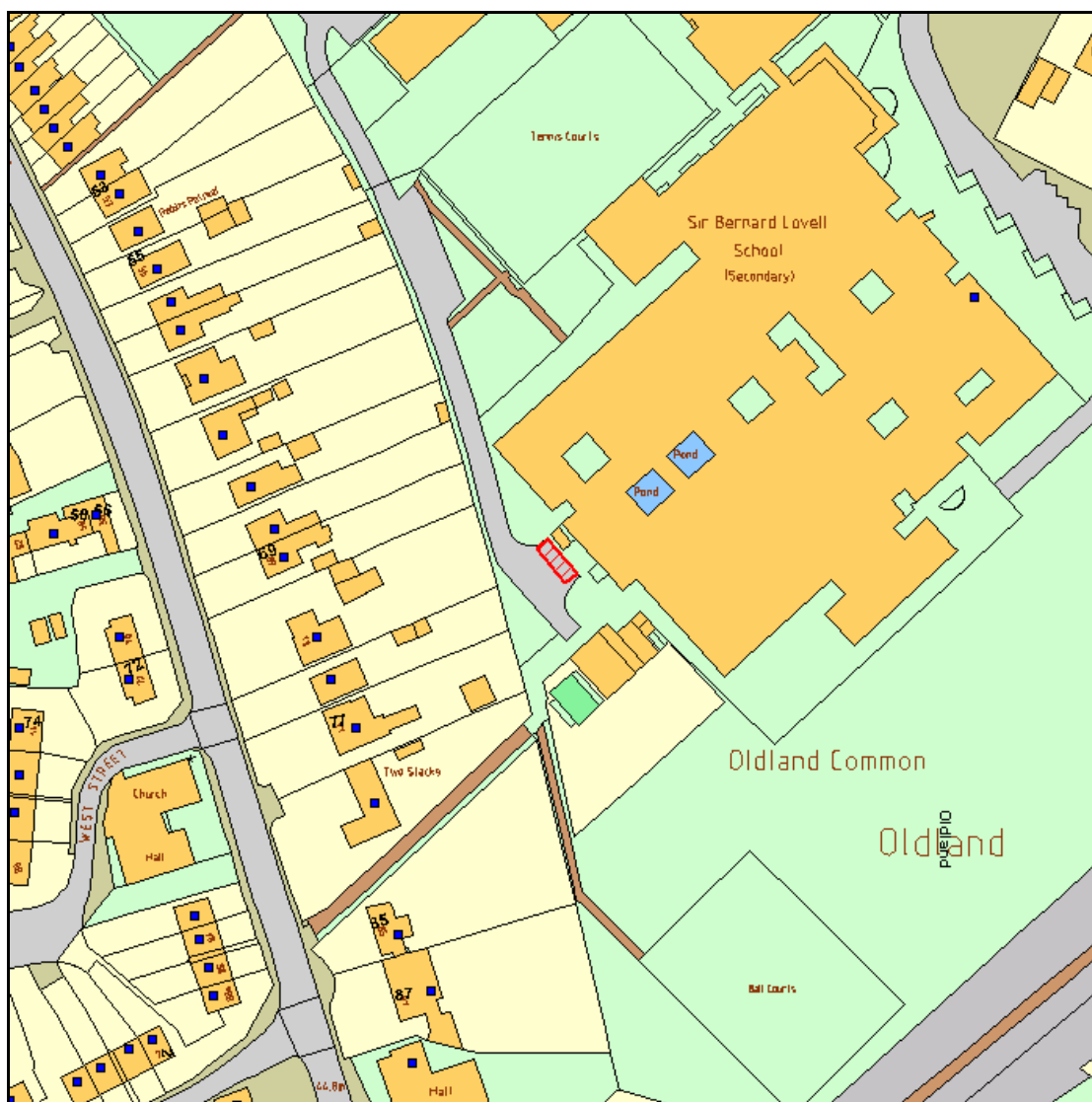
7. RECOMMENDATION

- 7.1 That Advertisement Consent be GRANTED.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CIRCULATED SCHEDULE NO. 20/11 – 26 MAY 2011

App No.:	PK11/1067/RVC	Applicant:	
Site:	Sir Bernard Lovell School North Street Oldland Common Bristol South Gloucestershire	Date Reg:	19th April 2011
Proposal:	Variation of condition no. 2 of planning permission PK10/0828/R3F to change the colour to grey of containerised boiler room	Parish:	Bitton Parish Council
Map Ref:	367334 171703	Ward:	Oldland Common
Application Category:	Minor	Target Date:	13th June 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/1067/RVC**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to the receipt of a letter of objection from the Parish Council and from a local resident

1. THE PROPOSAL

- 1.1 This application seeks consent to vary condition 2 attached to application PK10/0828/R3F which was approved via the circulated schedule procedure on 22nd October 2010. Condition 2 reads as follows:
Within one month of the date of this decision notice, the exterior of the unit shall be painted dark brown colour to match the brick work of the school.
The reason for the condition read as follows:
To ensure that the unit integrates successfully with the surrounding built environment and in the interests of the visual amenity of the area to accord with the requirements of Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 1.2 This application seeks consent to remove the condition to allow the container to remain in the grey colour as it currently stands.
- 1.3 The description initially given to the application was incorrect as it read to vary condition 3 and there was no condition 3 attached to PK10/0828/R3F. This mistake however was corrected and the necessary reconsulations sent out to all parties.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG17 Planning for open space, sport and recreation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
L1 Landscape Protection and Enhancement
LC4 Proposals for Community and Education Facilities
EP1 Environmental Pollution

South Gloucestershire Core-Strategy –Submission Draft December 2010

CS1 Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/0828/R3F Erection of containerised plant room (retrospective)
Approved October 2010

4. **CONSULTATION RESPONSES**

4.1 **Bitton Parish Council**

Bitton Parish Council object to the application on the grounds that they feel that the grey/white colour of the container as it stands on site now is unacceptable. It does not blend in with its surroundings and is very visible. It is clear from the original permission that, had it been stated as part of an application before the container was put on site that a grey/white container was to be installed (the original application stated that the white container shown was for illustrative purposes only), then this would have been deemed inappropriate and a darker colour required.

However, if the Case Officer is minded to allow the application then Bitton Parish Councillors request the inclusion of a condition requiring screening of the container from neighbouring properties within a set time limit, either with a physical barrier or with suitable vegetation that would provide an effective screen immediately.

Other Representations

4.2 **Local Residents**

Several letters have been received from a local resident. A summary of the points raised is as follows:

- Nondescript application
- The retrospective consent should now be removed and the plant room removed
- Concerns over the description of the application
- Concerns over the noise levels which were above the permitted level
- The applicant failed to comply with the original conditions – what action is being taken
- Cannot see what has changed to justify removing the condition
- ‘The paint theory is a load of rubbish’

5. **ANALYSIS OF PROPOSAL**

5.1 The application effectively seeks consent to allow the container to be finished in grey rather than dark brown. The reason for the condition was in the interest of visual amenity. This application therefore will assess the visual impacts of retaining the container in the existing grey colour.

5.2 Given that the parts of the school building closest to the application site are finished in a dark brown colour, the starting position is that it would be preferable for the container also to be finished in a dark colour. However, the applicants have put forward justification to explain why the grey colour is more appropriate and this must be taken into consideration.

5.3 The key justification for the colour change is the maintenance of the building and the potential for graffiti. Given that the container is within the grounds of a secondary school, it is entirely reasonable to expect children to be allowed

access to the site and therefore there is a high risk of graffiti. The applicants make the case that the existing colour is plasticized onto the steel shell. This makes the coating hardwearing and difficult to scratch initials or other graffiti into. By means of comparison, to change the colour of the container, the container would need to be painted. Whilst a thick and durable paint could be used, it will never be as durable as the existing plasticized finish. Any scratching of graffiti onto the painted brown finish would reveal the grey finish underneath which would soon look scruffy and unkempt. As the container is already in place, with all the plant inside and operational, it cannot be removed and sent back to the factory to be re-plasticized in a different colour.

5.4 On balance therefore, your officer is able to see the logic in retaining the existing grey colour as difficulties in the finishing materials were not known at the initial application stage. Whilst it would still be preferable to finish in a brown colour, given that the brown could be covered in graffiti and scratched off, the case to retain a nice clean and unscratched grey colour is accepted. Whilst the plant room is visible from the neighbouring dwellings, it is not readily visible from the public realm. No objection is therefore being raised to the removal of the condition.

5.5 Other Issues

It is noted that the Parish Council raise the issue of additional screen planting. As this was not requested as part of the original application it would be unreasonable to now insist on this at this stage.

An application has been received to discharge condition 1 attached to the original consent (regarding a noise survey) and this is currently being assessed by the Council's environmental protection team.

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 variation of condition, for the reasons as set out by the applicant in their supporting statement, is considered acceptable. Whilst it would still be preferable to finish the container in a brown colour, given that the brown could more easily be covered in graffiti and scratched off, the case to retain a nice clean and unscratched grey colour is accepted.

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 found below.

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

1. A Noise Assessment prepared by Nendle Acoustics Company is currently with the Council for consideration in response to condition 1 attached to application PK10/0828/R3F. The Council will provide a written response to this detail by 21st June 2011. Any measures to mitigate against the impact of noise from the container identified in this report and agreed in writing by the Council must be implemented within two months of the Council providing written approval to the details.

Reason

To ensure that existing levels of residential amenity are protected and in order to comply with the requirements of Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 20/11 – 26 MAY 2011

App No.:	PK11/1176/CLP	Applicant:	Mr And Mrs R Hinder
Site:	Bramble Cottage Latteridge Road Iron Acton Bristol South Gloucestershire	Date Reg:	14th April 2011
Proposal:	Application for Certificate of Lawfulness for the proposed erection of single storey detached incidental outbuilding. (Re-Submission of PK10/3557/CLP)	Parish:	Iron Acton Parish Council
Map Ref:	366585 184762	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	6th June 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/1176/CLP**

INTRODUCTION

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 the erection of a single storey detached building for use incidental to the enjoyment of the dwellinghouse, within the curtilage of Bramble Cottage, Iron Acton. The application property is a two storey semidetached dwelling and is located outside of any settlement boundaries and within the Bristol/Bath Green Belt.
- 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.
- 1.3 If granted, the building will replace an existing detached double garage. The proposed building will contain a studio/office, cloakroom, workshop/store and an integral garage.

2. POLICY CONTEXT

- 2.1 Schedule 2, Part 1, Class E 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 P93/1741 Erection of two storey side extension to form dining room and cloakroom with bedroom and en-suite bathroom over.
Approved July 1993
- 3.2 PK10/0837/F Erection of first floor over existing garage and two storey side extension to facilitate conversion of existing garage to form garage and residential annexe ancillary to main dwelling.
Refused 4th June 2010.
- 3.3 PK10/3557/CLP Certificate of Lawfulness for erection of incidental outbuilding.
Refused 24th December 2010.

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council

No objections.

4.2 Other Consultees [including internal consultees of the Council]

Drainage Engineer

No objection in principle

Other Representations

4.3 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. This legislation has an associated "Technical Guidance" published by the Government in August 2010 entitled "Permitted development for householders".

The proposed development consists of the erection of a single storey detached building. This development would fall under the criteria of Schedule 2, Part 1, Class E of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (The provision within the curtilage of the dwelling house of:- any building or enclosure...for a purpose incidental to the enjoyment of the dwelling house).

- 5.2 Schedule 2, Part 1, Class E of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 allows the provision of a building or enclosure provided that it meets the following criteria and provided that the purpose of the building is incidental to the enjoyment of the dwelling house. The applicant is proposing a single storey detached building that would contain a studio/office, cloakroom, workshop/store and an integral garage kitchen/workshop and integral garage.

The view that is taken in cases such as this, is that to quantify as permitted development under Class E, Part 1 of the General Permitted Development Order, the proposal should be of a reasonable size, one that is not considered excessive nor going beyond a scale of purpose of what could be considered as incidental to the enjoyment of the dwellinghouse.

Due to its size, the building as outlined on the submitted plans and in supporting information, is not considered to be incidental to the enjoyment of the dwellinghouse. As such, it is considered that the proposed purpose of the building would not comply with schedule 2, Part 1 Class E of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 and that the certificate be refused.

5.3 There are several conditions attached to development permitted under Class E. Developments which fail any of the following criteria would not be permitted:

E.1 (a) The total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwelling house) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house);

The application property is set within a large plot of land. The proposed building in combination with all other existing structures, excluding the main original dwelling house would not cover a total ground area exceeding 50% of the total area of the curtilage.

(b) Any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwelling house;

The proposed building would be located to the side of the main dwelling, and would not be situated on land forward of a wall forming the principal elevation of the original dwelling house.

(c) The building would have more than one storey;

The proposed building would be single storey.

(d) The height of the building, enclosure or container would exceed-

(i) 4 Metres in the case of a building with a dual dual-pitched roof,

(ii) 2.5 metres in the case of a building or enclosure or container within 2 metres of the boundary of the curtilage of the dwelling house, or

(iii) 3 metres in any other case;

The proposed building would be situated more than 2 metres from the boundary of the curtilage and would have a dual pitched roof which is 4 metres in height.

(e) The height to eaves of the building would exceed 2.5 metres;

The eaves height of the proposed building would be 2.5 metres.

(f) The building, enclosure, pool or container would be situated within the curtilage of a listed building;

The application property is not a listed building.

(g) It would include the construction or provision of a veranda, balcony or raised platform;

The proposal would not include any of the above.

(h) It relates to a dwelling or microwave antenna; or

The proposal is for a new detached building, not an existing dwelling, and does not contain a microwave antenna.

(i) The capacity of the container would exceed 3,500 litres.

Not applicable.

E.2 In the case of any land within the curtilage of the dwelling house which is within-

(a) A world Heritage Site,

(b) A National Park,

(c) An area of outstanding natural beauty, or

(d) The Broads,

Development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwelling house would exceed 10 square metres.

The application site is not located within any of the above.

E.3 In the case of any land within the curtilage of the dwelling house which is article 1(5) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwelling house and the boundary of the curtilage of the dwelling house.

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

5.4 Conclusion

Whilst the proposed building in terms of scale and location meets the criteria set out in the Class E of the General Permitted Development Order, the purpose of the building is not considered to be incidental to the enjoyment of the dwelling house and as such the proposal does not comply with schedule 2, Part 1 Class E of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 and is not permitted development.

6. RECOMMENDATION

6.1 That a Certificate of Lawfulness for Proposed Development is **refused** for the following reason; The purpose of the proposed building is not considered to be incidental to the enjoyment of the dwelling house due to its size and as such the proposal does not comply with schedule 2, Part 1 Class E of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008.

Contact Officer: Anne Joseph
Tel. No.: 01454 863788

CIRCULATED SCHEDULE NO. 20/11 – 26 MAY 2011

App No.:	PK11/1219/F	Applicant:	Mr P Allen
Site:	4 Wedgewood Road Downend South Gloucestershire BS16 6LT	Date Reg:	18th April 2011
Proposal:	Erection of 1 no. detached dwelling with access, parking and associated works.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364820 178110	Ward:	Downend
Application Category:	Minor	Target Date:	9th June 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/1219/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule due to concerns raised by the parish council.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a detached dwelling at 4 Wedgewood Road, Downend. The proposed dwelling would follow the building line of the existing dwelling and would measure 6.5 metres wide by 9 metres in depth and would have an overall height to ridge of 8.4 metres.
- 1.2 The application property is a two storey semi-detached dwelling and is located within a residential area of Downend.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG3 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
L17 & L18 The Water Environment
EP1 Environmental Protection
L1 Landscape Protection and Enhancement
T8 Parking Standards
T12 Transportation Development Control

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
Raise an objection to the proposal, do not consider that there is enough room

with the existing three trees.

4.2 Sustainable Transport
No objections

4.3 Tree Officer
No objections

Other Representations

4.4 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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 H2, H4 and D1 already require that proposals are assessed for their impact upon the character of the area and that proposals make efficient use of land.

The South Gloucestershire Plan (Adopted) 2006 identifies the site as lying within the urban area. With the exception of design, Policy H2 of the adopted Local plan encompasses all the relevant issues of the above policies. Policy H2 allows for new residential development providing that the following criteria are complied with:-

5.2 **(a) Development would not have unacceptable environmental or transportation effects; and would not significantly prejudice residential amenity.**

In the interests of clarity these two issues will be discussed in turn.

Transportation Issues

The existing garages and conservatory serving the existing dwelling would be removed and instead, parking facilities will be added to the front for both the existing dwelling and the new property. As such, the Council's transportation officer is satisfied that adequate parking provision can be provided for both properties. Therefore, there are no highway objections to the proposal however it is recommended that the a condition is attached to any permission to ensure that the parking spaces are provided prior to the first occupation of the dwelling

and to ensure that the parking areas are constructed from permeable bound surfaced material.

Residential Amenity

The proposed dwelling would be located on the corner of Wenmore Close and Wedgewood Road and would be accessed off Wedgewood Road. Given the location of the dwelling, situated over 22 metres away from the opposite dwelling, No. 11 Wedgewood Road and over 15 metres away from the front elevation of No. 1 Wenmore Close. It is not considered that the proposal would have any overshadowing or overbearing effect on the neighbouring dwellings.

The proposal includes the addition of five new first floor windows, two on the rear elevation, two on the front elevation and one landing window on the side elevation. Given the location of these windows, 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 first floor windows of the existing dwelling. It is therefore considered that there are no issues of inter-visibility or loss of privacy.

The plans show adequate private and useable amenity space would be provided to serve both the existing and proposed dwelling. The impact on residential amenity is therefore considered to be entirely acceptable.

5.3 **(b) The maximum density compatible with the sites location, it accessibility and surroundings is achieved.**

Under new government guidance whilst there is no longer a national minimum density target, PPS3 seeks to ensure the most efficient use of land. Officers are satisfied that having regard to the sites constraints, the pattern and scale of existing development, access and impact on residential amenity, no more than one additional dwelling as proposed could be accommodated on the site.

5.4 **(c) The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination.**

The new dwelling would be subjected to no greater levels of noise, dust, pollutants etc than the existing dwellings in the vicinity.

5.5 **(d) Provision for education, leisure, recreation etc. in the vicinity is adequate to meet the needs arising from the proposal.**

The proposal is only for 1 dwelling and therefore would not have a significant impact on the area in terms of service provision.

5.6 **Design / Visual Amenity**

The existing garage and side conservatory would be demolished to facilitate the proposed works. The proposed dwelling would be designed to match the existing property, as such it is considered that the proposal is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. Furthermore, the proposed dwelling would be finished in materials to match those of the main dwelling, assisting the successful integration of the dwelling within the street scene.

Whilst the area is characterised by semi detached properties, the style of the dwelling, its proportions, hipped roof and materials all replicate the existing dwelling allowing it to integrate well within the street scene, as such the fact that the proposal is for a detached dwelling is not considered to be of sufficient concern to warrant the refusal of the application. It is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.7 Trees on site

The parish council have raised concerns regarding the trees on the site. There are two semi-mature Scots pine growing on the southern boundary of the property adjacent to Wenmore Close. The tree situated to the side of the existing property will need to be removed to accommodate the proposed development. Scots Pine have the potential to become very large trees, if retained it would undoubtedly have an impact on the amenity of the existing and proposed property. Whilst this is regrettable it is considered that the tree is too small to be considered a significant feature of the landscape and would therefore not fulfil the criteria for a Tree Preservation Order.

The second tree is situated within the rear garden and should, if adequately protected, be unaffected by the proposed development. To ensure the retention and longevity of this tree a condition would be attached to any permission to ensure the submission of a tree Protection Plan in accordance with BS5837:2005. As such there are no objections to the proposed development.

5.8 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by attaching an informative outlining the hours of construction. There are therefore no objections on environmental grounds. In terms of drainage the Councils Drainage Engineer has raised no objection to the proposal. A condition would however be required to secure the submission of a full drainage scheme for approval before development could commence.

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 siting and scale of the proposal has fully taken account of neighbouring residential amenities and the amenity of future occupiers to accord with Policy H2 of the South Gloucestershire Local Plan Adopted January 2006

The scale of the proposal is appropriate to the site and to the wider area and will make a positive contribution to the character and appearance of the area to accord with Policy D1 and H2 of the South Gloucestershire Local Plan Adopted January 2006

The proposal offers adequate parking provision and will not adversely affect the surrounding highway network to accord with Policies 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).

2. Prior to occupation of the new building, two parking spaces for the existing dwelling and two parking spaces for the new house shall be provided. These parking spaces shall then be maintained satisfactory 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 Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. All parking areas for the existing and the new property shall be constructed from permeable bound surfaced material (and not by loose stones or gravel) and maintained satisfactory 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 Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

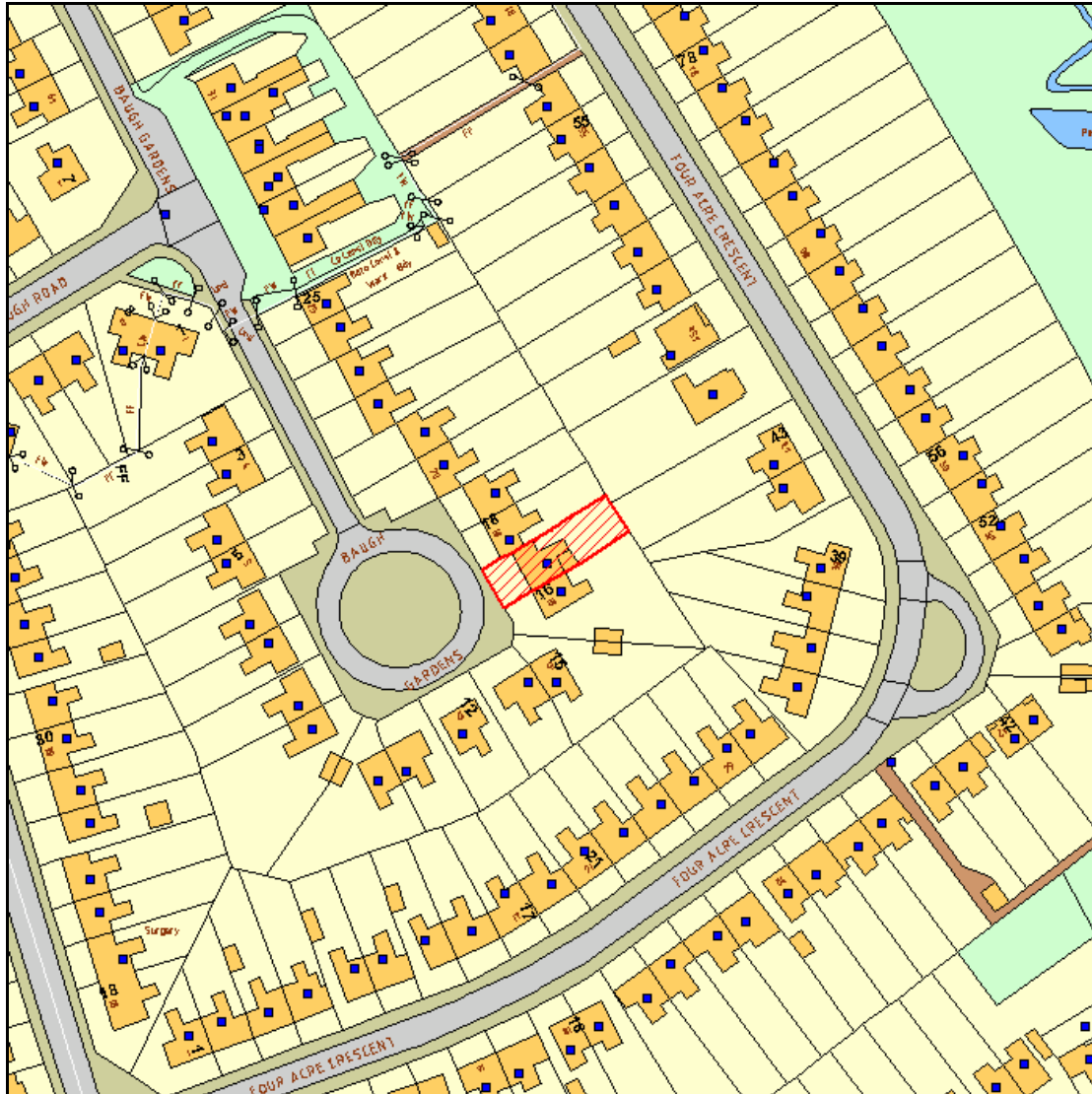
5. No development shall take place until the a Tree Protection Plan in accordance with BS5837:2005 is submitted and approved by South Gloucestershire Council. Development shall be carried out in accordance with the agreed details.

Reason

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

CIRCULATED SCHEDULE NO. 20/11 – 26 MAY 2011

App No.:	PK11/1250/F	Applicant:	N Perry & B Tottle
Site:	17 Baugh Gardens Downend Bristol South Gloucestershire BS16 6PN	Date Reg:	19th April 2011
Proposal:	Erection of rear and side extension to provide additional living accommodation	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365502 177988	Ward:	Emersons Green
Application Category:	Householder	Target Date:	13th June 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/1250/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a single storey extension to wrap around the side and rear of No. 17 Baugh Gardens. The application seeks consent to demolish the existing single storey rear projections and erect a replacement rear extension in their place. The rear extension would also wrap around the corner of the property and run along the side of the dwelling to join onto the existing attached side garage.
- 1.2 The property is a two storey semi-detached dwelling and is located within a residential area of Downend.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection.

Other Representations

- 4.2 Local Residents

Two letters of objection have been received from local residents. A summary of the key points of concern raised is as follows:

- The location of the drainage cover along the side of the proposed extension – proposed plan shows a different siting of the drain cover.

- The pitch on the roof of the side extension is greater than the roof pitch on the existing garage with no reason
- The guttering would overhang No. 18 and prevent future extension of this property
- The design should be amended to pull the extension away from the boundary with No. 18

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design / Visual Amenity

The proposed extension is of an appropriate standard in design that reflects the character of the main dwelling house and surrounding properties. The extension is of modest size in comparison to the bulk of the main dwelling and is suitably subservient to it. Furthermore, the materials to be used in the exterior of the extension will match the main dwelling, assisting the successful integration of the structure with the host dwelling.

The proposed rear extension would not be visible from the public realm and it is therefore considered that the rear extension would not be harmful to the character and appearance of the principal dwelling and street scene.

It is accepted, as has been raised by the neighbour, that the roof of the side extension will be higher than the roof of the existing garage. The reason for the higher roof line is to tie in with the roof on the proposed rear extension. The roof of the proposed extension will have the same pitch as the roof on the existing garage but stand approximately 30cm higher. Given that the side extension is set well back from the front of the dwelling, the limited additional height will not have any significant or detrimental impact on the character of the dwelling of the street scene.

5.3 Residential Amenity

It is considered that the proposed will respect the existing level of residential amenity afforded to the neighbouring dwellings. The extension has limited depth at only 3.5 metres and at this depth will not result in any issues of overbearing or overshadowing. The extension is set away slightly from the boundary with No. 16 and this will further reduce the impact on this property.

It is noted that concerns have been raised that the proposed guttering will overhang the boundary with No. 18 Baugh Gardens. Your officer has asked the applicant for further detail in this respect. The agent has confirmed that all building works including the guttering will take place over land owning to the application site and that there will be no encroachment.

Notwithstanding this, an informative will be attached to any consent granted to remind the applicant that the granting of planning permission does not give any rights to build on or over land outside of their ownership.

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

5.4 Drainage

The plans show that an existing inspection chamber will be moved to allow for the erection of the extension. This however will be subject to building regulations approval and is not for discussion as part of this full planning application.

6. CONCLUSION

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

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

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 20/11 – 26 MAY 2011

App No.:	PT11/0697/RVC	Applicant:	Mr G Sheppard
Site:	The Nursery New Passage Road Pilning Bristol South Gloucestershire BS35 4LZ	Date Reg:	27th April 2011
Proposal:	Variation of Condition 2 attached to planning permission PT07/3605/F to change the working hours from 10.00 am - 16:00 pm Monday to Friday to 0900 am - 17.00 pm Monday to Friday and for machinery on site to work from 08.00 am - 17.00 pm Monday to Friday.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354804 185985	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	15th June 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT11/0697/RVC**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to objections received from a local resident contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the variation of condition 2 attached to PT07/3605/F to extend the working hours during the construction of the noise bund from 10.00am to 16.00pm Monday to Friday to 08.00am to 17.00pm Monday to Friday at The Nursery, New Passage Road, Pilning.

Condition 2 states the following:-

“The hours of working on site during the period of construction shall be restricted to 10.00am – 4.00pm Mondays – Fridays and 08.00am – 1pm on Saturdays and no working shall take place on Sundays or Public Holidays. The term ‘working’ shall, for the purposes of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site and the movement of vehicles within the curtilage of the site.’

- 1.2 The reasons for this condition was:-

Reason 1. *‘To safeguard the amenity of the locality, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006’.*

Reason 2. *‘In the interests of highway safety to avoid peak traffic hours and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.’*

- 1.3 The applicant wishes to extend the operating hours from 10am to 8am start Monday to Friday and from 4pm to 5pm finish Monday to Friday. Hours of operation on Saturdays are to remain unchanged with no working on Sundays of Public Holidays.
- 1.4 The original application related to engineering operations for the construction of noise bund at The Nursery, New Passage Road, Pilning. The bund is currently under construction. It is ‘L’shaped, with a length of some 140m running northwest to southeast along the western boundary and a maximum width of 29m. The south-eastern boundary has a maximum length of 75m and a maximum width of some 32m. The maximum height of the bund is approximately 8m. The bund is to be landscaped with tree and shrub planting as well as grassed areas.
- 1.5 The bund lies to the rear of eleven properties, including the application site. The site is within the Green Belt and outside any defined settlement boundary. Approximately 15,000 cubic metres of waste material will be required with access taken via the eastern access, off New Passage Road, through the disused Nursery.

1.6 In support of the application the applicant has submitted the following information

'The bund construction was started soon after the permission was granted and the various conditions satisfied. The limitation on the hours worked ok to begin with as the market was buoyant (particularly in the construction industry where most of the material stemmed from) and as there was a good demand for sites then transport companies were prepared to put themselves out a bit and stick to the time restrictions.

For clarity, the nature of the works demand that there is transport bringing in the material, site supervision, cleaning machines and a digger on site moving and sculpting the materials delivered. Alongside this, the areas unaffected are still being operated as a smallholding.

Of course, this situation soon changed and the construction industry in particular took a significant hit in activity (and this remains the case). This meant that the demand for sites diminished and as a consequence, transport companies had little need to put themselves out.

As a result we have been unable to get a regular drop of material to site to finish the construction of the bund and this is primarily because the transport companies cannot work within the time limitations set. They have clearly expressed that this can be addressed if the times of operation can be changed to meet the requirements of a standard working day.

On average I am told that an average of 12 – 16 loads per day can be delivered (depending on where the material originates from) and each load is circa. 8 m3.

In essence, the increased times should mean a more consistent flow of material which in turn will mean that the project will finish earlier.

As for the machinery in operation on site, I have spoken to most of the neighbours who live several doors in each direction of the site and there is only support for progressing the project quickly as they know that they will gain a benefit from the reduction in noise from the motorway. I am not aware of the individual who has submitted the objection on the web site and none of the neighbours know who this is, however they should be aware that machinery would and will be operating on the site in general as this is a working small holding. I can confirm that either side of the site local farmers and smallholders consistently use various machinery and this is the nature of living in a semi-rural community.'

2. POLICY CONTEXT

2.1 National Guidance

Circular 11 / 95	Use of Conditions in Planning Permission
PPS1	Delivering Sustainable Development
PPG2	Green Belt
PPS7	Sustainable Development in Rural Areas
PPS10	Planning for Sustainable Waste Management

- | | | |
|-----|--|---|
| | PPG13 | Transport |
| | PPG24 | Planning and Noise |
| | PPS25 | Development and Flood Risk |
| 2.2 | <u>Joint Waste Core Strategy (Adopted)</u> | |
| | Policy 45 | Environmental Bunds |
| 2.3 | <u>South Gloucestershire Local Plan (Adopted) January 2006</u> | |
| | D1 | Achieving Good Quality Design in New Development |
| | L1 | Landscape Protection and Enhancement |
| | L4 | Coastal Zone |
| | EP2 | Flood Risk and Development |
| | GB1 | Development within the Green Belt |
| | T12 | Transportation Development Control Policy for New Development |
| 2.4 | Joint Waste Core Strategy (Adopted) | |
| | None relevant. | |
| 2.5 | <u>Emerging Policy</u> | |
| | <u>South Gloucestershire Core Strategy –Proposed Changes Version (December 2010)</u> | |
| | CS1 | High Quality Design |
| | CS34 | Rural Areas |
| 2.6 | <u>Supplementary Planning Guidance</u> | |
| | South Gloucestershire Landscape Character Assessment | |
| | Development in the Green Belt Adopted May 2007 | |

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|-------------|---|
| 3.1 | PT05/2272/F | Construction of noise bund.
Refused 2 February 2006. |
| 3.2 | PT07/1384/F | Construction of noise bund (resubmission of
PT05/2272/F)
Refused 15 June 2007. |
| 3.3 | PT07/3605/F | Construction of noise bund (resubmission of
PT07/1384/F)
Approved 3 March 2008. |

4. CONSULTATION RESPONSES

- | | | |
|-----|--|--|
| 4.1 | <u>Pilning and Severn Beach Parish Council</u> | No objection provided the neighbours have no objection and that machinery operating earlier is purely on site and not on-road. |
| 4.2 | <u>Other Consultees(Internal)</u>
<u>Environmental Protection</u> | No objection. |

4.3 Sustainable Transport

No objection.

4.4 Environment Agency

No objection.

4.5 Local Residents

4 letters have been received, 3 in support of the application and the other objecting to the proposal on the following grounds:-

- a) increased noise and disturbance;
- b) increased traffic;

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application relates to development that benefits from planning consent and therefore the principle of the development is established. The main issues to consider is whether the increased operating hours would result in an unacceptable level of noise and disturbance to neighbouring residences and cause highway safety issues, balanced against the need of the applicant to have a more flexible approach in getting the bund constructed.

5.2 Circular 11/95 states that in dealing with applications for the variation of a condition under section 73 or section 73A of the Town and Country Planning Act 1990, a condition should not be retained unless there are sound and clear-cut reasons for doing so.

5.3 Assessment and Justification

The applicant seeks to vary condition 2 attached to planning permission PT09/3605/F which states the following:-

“The hours of working on site during the period of construction shall be restricted to 10.00am – 4.00pm Mondays – Fridays and 08.00am – 1pm on Saturdays and no working shall take place on Sundays or Public Holidays. The term ‘working’ shall, for the purposes of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site and the movement of vehicles within the curtilage of the site.”

The reasons for this condition was:-

Reason 1. *‘To safeguard the amenity of the locality, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006’.*

Reason 2. *‘In the interests of highway safety to avoid peak traffic hours and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.’*

- 5.4 The applicant wishes to extend the hours of operation by 3 hours Monday to Friday, opening at 8am rather than 10am and finishing at 5pm rather than 4pm. The reason behind this application is that the current working hours are too restrictive and do not allow tenants the necessary flexibility to operate in the current economic climate. Evidence submitted as part of the application also states that it will take approximately 18-26 weeks of activity to get the bund completed with consistent working within the hours applied for. It is hoped that the bund will be finished before the end of this year.
- 5.5 The main issues to consider in the assessment of this application are residential amenity and transportation.
- 5.6 Residential Amenity
The Council's Environmental Health Officer has raised no objection to the increased operating hours as it is considered that under the circumstances, the extended hours are reasonable and should not materially harm the residential amenities of surrounding occupiers to such a degree as to warrant a refusal. In addition, the extended hours will shorten the time taken to construct the bund. The application is therefore acceptable in this regard and in compliance with policy D1 of the adopted local plan.
- 5.7 Transportation
The condition was designed in part to reduce the level of traffic during the peak hours when the highway network is at its busiest. Although it is recognised that it is important to manage peak hour traffic where possible, in this instance it would be difficult to argue that the additional construction traffic would significantly compromise highway safety. In addition, the proposal would reduce the overall length of time for the construction works, which would also be of benefit. As a consequence no transportation objection is raised to the proposal.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- a) The applicant has demonstrated that the increase in operating hours is required in order to finish the construction of the noise bund and that the planning condition can be varied and in compliance with the necessary tests set out in Circular 11 / 95: Use of Conditions in Planning Permission.

7. RECOMMENDATION

- 7.1 That planning permission be granted to vary condition 2 of application PT07/3605/F to allow the hours of construction at The Nursery to operate between the hours of 8am to 5pm Monday to Friday, 8am to 1pm Saturdays, with no working on Sundays or Bank Holidays.

Contact Officer: Vivian Butt
Tel. No. 01454 863427

CONDITIONS

1. The hours of working on site during the period of construction shall be restricted to 08.00 hours to 17.00 hours Monday to Friday and 0800 hours to 1300 hours on 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: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of the site.

Reason

To safeguard the amenity of the locality, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

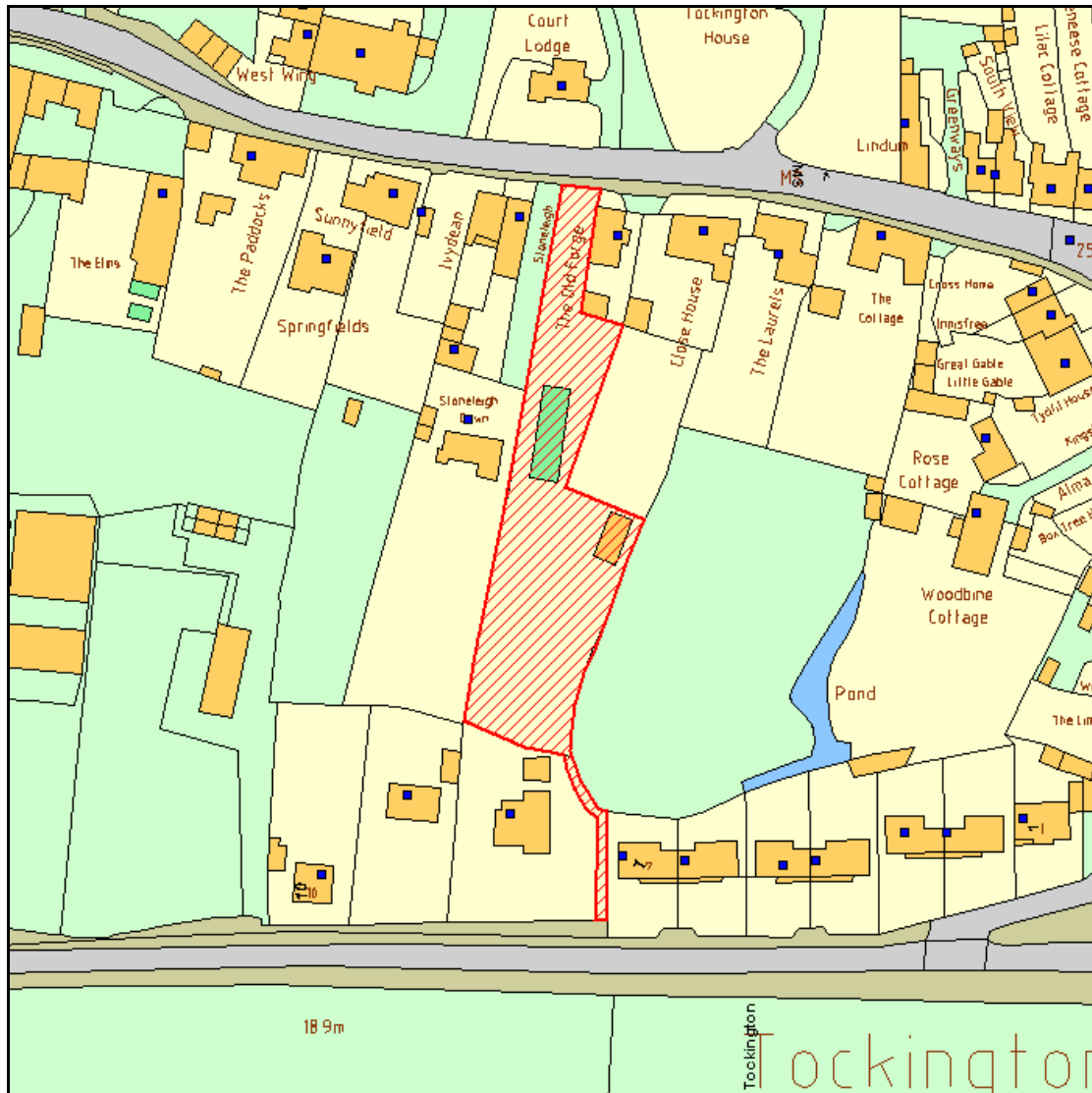
2. The development shall be carried out in accordance with the landscaping scheme submitted (dated 6 December 2007).

Reason

To protect the character and appearance of the area to accord with Policies L1 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 20/11 – 26 MAY 2011

App No.:	PT11/1154/F	Applicant:	Mr C Dix
Site:	The Old Forge Upper Tockington Road Tockington South Gloucestershire	Date Reg:	12th April 2011
Proposal:	Demolition of existing outbuilding. Erection of 1 no. detached dwelling and associated works.	Parish:	Olveston Parish Council
Map Ref:	360725 186564	Ward:	Severn
Application Category:	Minor	Target Date:	7th June 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT11/1154/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following the receipt of representations from local residents that were contrary to the Case Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning for the erection 1no. detached dwelling and associated works. The development would also include the demolition of an existing outbuilding.
- 1.2 The application site comprises of the dwelling known as the Old Forge and its associated residential curtilage. The site includes a large detached outbuilding. The remainder of the site comprises of mowed lawn.
- 1.3 The proposed development comprise of a one and half storey dwelling. The design approach is based on a traditional form of barn building, of vernacular design. The main building would be finished in natural stone, whilst the single storey element would be clad with timber. The building would incorporate a large glazing section the front and rear elevations.
- 1.4 The application site is divided by boundary of the Tockington settlement boundary and conservation area.
 - The Old Forge and the detached storage shed are situated within the settlement boundary – the proposed dwelling would therefore be situated within this area.
 - The conservation area boundary is situated along the front of the detached storage shed – the proposed dwelling would therefore be sited just outside of this area.
- 1.5 The entire site is “washed-over” by the Bristol and Bath Green Belt.
- 1.6 It is noted that the original plans detailed a garage on the Proposed Site Plan (Drg. No. 11-1386-100). This proposal was not included with the description of the development and no elevation plans were provided. The applicant has submitted amended plans omitting the garage from the scheme.

2. POLICY CONTEXT

2.1 National Guidance

PPS1:	Delivering Sustainable Development
PPG2:	Green Belts
PPS3:	Housing
PPS5:	Planning for Historic Environment
PPS9:	Biodiversity and Geological Conservation
PPG13:	Transport

2.2 Ministerial Statement

Letter to Chief Planning Officers: New Powers for Local Authorities to Stop 'Garden Grabbing' June 2010 – refers to new development in residential curtilages.

2.3 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1:	Achieving Good Quality Design in New Development
L1:	Landscape Protection and Enhancement
L5:	Open Spaces
L9:	Protected Species
L12:	Conservation Areas
EP1:	Environmental Pollution
EP6:	Contaminated Land
GB1:	Development within the Green Belt
T12:	Transportation Development Control Policy For New Development
H2:	Proposals for Residential Development within Defined Settlement Boundaries
H4:	Development within Existing Residential Curtilages

2.4 Emerging Development Plans

South Gloucestershire Core Strategy (Proposed Changes Draft) December 2010

CS1:	High Quality Design
CS5:	Location of Development
CS9:	Environmental Resources and Built Heritage
CS16:	Housing Density
CS17:	Housing Diversity
CS34:	Rural Areas

2.5 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

South Gloucestershire Development within the Green Belt SPD (Adopted) 2007

South Gloucestershire Biodiversity Action Plans (BAP)

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|------------|---|
| 3.1 | P85/2378/L | Works of incidental demolition to facilitate alteration and extension to existing barn to form single dwelling. Approved 20.11.1985 |
| 3.2 | P85/2334 | Alterations and extensions to existing barn to facilitate change of use to form single dwelling. Alterations to existing vehicular and pedestrian access. Approved 20.11.1985 |

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
No objection.
- 4.2 Highways Authority
No objection.
- 4.3 SGC Conservation Officer
No objection, subject to conditions regarding detailing and materials.
- 4.4 SGC Drainage Officer
No objection subject to condition for drainage details to be agreed.
- 4.5 SGC Environmental Protection
No objection subject to condition for possible land contamination.
- 4.6 Local Residents
Two letters of objection and one letter of support have been received in response to this planning application. The main points are summarised below:
- a) Concern that the proposed development would prevent land from coming forward for development at a future date.
 - b) The proposed development would be outside of the village development boundary.
 - c) The outbuilding is a green house.
 - d) Inaccurate drawings.
 - e) Loss of light.
 - f) Site plan shows a new building adjacent to The Old Forge.
 - g) The site plan does not show two substantial buildings in the field to the south.
 - h) The existing outbuilding appears to currently be used for the applicant's business as a builder.
 - i) Concern with regard to the potential for future development on the land.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The proposed development relates to the erection of a detached dwelling within the curtilage of an existing dwelling. Policies H2 and H4 of the South Gloucestershire Local Plan (SGLP) establish that new residential development on sites within settlement boundaries and the curtilage of dwellings are acceptable in principle, subject to the proposal satisfying other material considerations, such as an density, design, residential amenity, and highway safety.
- 5.2 The application site relates to the dwelling known as the 'Old Forge' and a large area of land to its rear. The proposed dwelling would be sited on land that is situated within the Tockington settlement boundary and the residential curtilage of the 'Old Forge'. On this basis, it is considered that the principle of the

- proposed development would be acceptable and would accord with policies H2 and H4 of the SGLP.
- 5.3 The applicant has proposed that the land immediately to the south of the proposed dwelling, which is outside of the Tockington settlement boundary, would be used as the residential curtilage for the new dwelling. Officers are satisfied that this land is indeed existing residential curtilage. This is because the planning history (P85/2334) for the 'Old Forge' has detailed this land as 'residential curtilage' and a site visit and aerial photographs have shown that the land has been used for purposes that are incidental to the enjoyment of the host dwelling (e.g. moved lawn area and keeping of domestic animals). Therefore, as this planning application would retain the land as residential curtilage and would not include any operational development on the land there would be no material change of use. On this basis, Officers are satisfied that the principle of development would remain acceptable.
- 5.4 It is acknowledged that in June 2010 the Coalition Government issued a Ministerial Statement under the title of 'New Powers for Local Authorities to Stop 'Garden Grabbing''. The Ministerial Statement has raised some important points regarding the design and density of new residential development. Firstly the statement reiterated the need to ensure the residential development do not result in the over development of neighbourhoods, the loss of green space, and impact upon local character. These matters can be reasonably assessed under existing policies (D1, L5, H2, and H4) within the South Gloucestershire Local Plan.
- 5.6 The second point relates to the requirement in PPS3 for all new residential developments to achieve the national indicative density target of 30 dwellings per hectare. This policy objective was reflected in Policy H2(b) of the South Gloucestershire Local Plan which stated that the maximum density compatible with the sites location should be achieved, but with an expectation that it will achieve a minimum density of 30 dwellings per hectare. The Ministerial Statement has removed the requirement for new residential development to achieve the national indicative minimum density, and thus very limited weight should be given to Policy H2(b).
- 5.7 Green Belt
It is considered that the proposed development for the erection of a single dwelling would constitute limited infilling, and thus would be classified as 'appropriate development' within the Green Belt. Officers reached this conclusion because the site is surrounded by residential development to the east and west and therefore would constitute infilling. Furthermore it is considered that any impact to openness would be minimised by reason of the site being enclosed by existing residential development. On this basis it is considered that the proposal would accord with PPG2 and Policy GB1 of the Local Plan.
- 5.8 Design
The application site lies just outside of the Tockington Conservation Area boundary. A number of the building surrounding the site are historic, and cumulatively make a positive contribution to the character and appearance of

- the conservation area. It is therefore important to consider the design quality of the proposed development and the impact of the proposal on the setting of the Conservation Area.
- 5.9 A key characteristic of the application site is the very clear view through the site (from the street scene) to the open landscape of the Severn Ridge beyond. The spire of Almondsbury Church is a particularly distinct and important feature in the landscape. The applicant has acknowledged this character and designed the layout accordingly. For instance, the two-storey section has been sited to the east of the site and the single storey section to the west of the site. This layout would ensure that a large proportion of the view, including the spire of Almondsbury Church, would be maintained from the street. It is considered that this demonstrates that the proposal would preserve the character and appearance of the Conservation Area.
- 5.10 Another characteristic of the application site is the limited scale of the single storey dwelling known as 'The Old Forge'. It was therefore considered that any development to the rear of the site should not dominate from the host property from the street scene. As such, the applicant has designed a one and half storey dwelling that sits within the topography of the site. The applicant has provided a drawing showing the proposal and its context from the street Scene and east elevation (Drg. No. 11-1386-103). It is considered that this demonstrates that the proposal would respect the scale and massing of the neighbouring properties and thus would preserve the character and appearance of the Conservation Area.
- 5.11 The appearance of the building is based upon the traditional form of an agricultural barn. The building would be finished in stone and render, and would include large glazing panels. It is considered that this design approach would merge traditional and contemporary influences and would respect the character of the adjacent rural cottages and houses. Notwithstanding this, to ensure the success of the development it is essential that the detailing and materials be of a high quality. It is therefore recommended that conditions be attached to ensure this.
- 5.12 In view of the above, it is concluded that the proposed development would respect the character and appearance of the site and the adjacent Conservation Area.
- 5.13 Residential Amenity
The proposed development is surrounded by residential development. The impact of the proposal on the adjacent properties is assessed below:
- 5.14 *The Old Forge*
This property would be situated approximately 31m to the north of the proposed dwelling. It is considered that this distance is significant and therefore the proposed one and half storey building would not prejudice privacy and would not give rise to a material overbearing effect or loss of light.

5.15 *Close House*

This dwelling is situated approximately 37m to the north-east of the proposed dwelling, however the garden of this property extends beside the proposal. In view of the distance between these properties it is considered that the development would not prejudice privacy or give rise to a material overbearing effect or loss of light. It is acknowledged that the proposal would extend along the garden of Close House, however this part of the garden is significantly detached from the main house. On this basis, any material harm, by virtue of an overbearing effect would be limited and would not justify the refusal of the planning application.

5.16 *Stoneleigh*

This property is situated approximately 29m to the north-west of the proposed dwelling. It is considered that this distance is significant and therefore the proposed one and half storey building would not prejudice privacy and would not give rise to a material overbearing effect or loss of light.

5.17 *Stoneleigh Down*

It is acknowledged that the occupier of this unit is concerned that the proposed development would result in a loss of light to their property. This dwelling is situated besides the proposed one and half storey dwelling and would be separated by approximately 7m. In view of the scale, orientation, and the distance separating the two buildings, it is considered that the proposal would not give rise to a material overbearing effect or loss of light. Furthermore, the proposed building would not include any windows that would afford direct views into the adjacent property that would prejudice privacy. It is noted that the local resident is concerned with regard to the position of the balcony on the rear elevation. It should be noted that this is a 'Juliet' balcony and therefore it would not be possible to stand on the balcony and any views from the balcony would be almost identical to a window.

5.18 In view of the above, it is concluded that the proposed development would not materially prejudice the residential of the neighbouring occupiers.

5.19 Transportation

The Highway Authority has confirmed that the additional traffic generated by the proposed dwelling would not harm highway safety at the point access onto Upper Tockington Road. Furthermore it is considered that the development would include sufficient parking and turning areas within the curtilage. On this basis, it is concluded that the proposed development would not give rise to unacceptable transportation effects.

5.20 Ecology

The proposed development involves the demolition of an existing garden store. The Council's Ecologist has concluded that the fabric of the building is not of material generally suitable for bats and therefore it is not necessary to undertake a survey in this instance. Nevertheless it is noted that individual bats can always be found under tiles or slates of roofs. It is therefore recommended that an informative be attached advising the applicant of their responsibilities.

5.21 Water Environment

Officers are satisfied that the proposed development would not be at risk from flooding because it would be situated within Flood Zone 1. Furthermore, the Council Drainage Engineer has confirmed that the development would not have adverse drainage issues. However, it is recommended that a condition be attached to ensure that a scheme of drainage is agreed prior to the commencement of development. The scheme should incorporate sustainable means of drainage that ensure the development drains within its own curtilage and does not materially increase run-off on adjacent sites.

5.22 Contamination

The Council's Environmental Health Officer has identified the potential for contamination on the application due to the site's former use as a 'smithy'. As such an Environmental Consultant's Desk Study should be sought regarding the potential for contamination and details of how the proposal will mitigate any risks. It is considered that any contamination would not prejudice the proposed development and therefore it is reasonable to expect there to be satisfactory mitigation solutions available if any contamination were to be found. Therefore in these circumstances it would be appropriate for a condition to be attached to ensure that these details are agreed prior to the commencement of the development.

5.23 Outstanding Matters

Accuracy of plans

Officers have checked the plans on site and are satisfied that they are sufficient for the purposes of determining this planning application.

Future development of the site

It is noted that the adjacent neighbour has raised concerns that the proposed development would prejudice the future development of their land. They have stated that the land at the rear of Close House should be included within the settlement boundary and developed in tandem to The Old Forge site.

Notwithstanding these comments, all planning applications are considered on their own merits. The adjacent site is situated outside of the settlement boundary and the Council cannot reconsider the position of the settlement boundary under an individual planning application. This would be something to be reviewed as part of the Local Development Framework.

Enforcement issues

It is noted that a local resident has raised concerns with regard to a number of unauthorised activities being undertaken on the site, namely the erection of outbuildings and a potential business. It is considered that these matters do not specifically relate to the proposed development. Nevertheless, these issues have been passed onto the Council's Enforcement Team for further investigation.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- a) The principle of the proposed dwelling would be acceptable because the site lies within the Tockington settlement boundary and therefore accord with Policy H2 of the South Gloucestershire Local Plan (adopted) January 2006.
 - b) The proposed development would constitute 'limited infilling' within an existing settlement and thus represents an appropriate form of development within the Green Belt. The proposed development would therefore accord with PPG2 and Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - c) The proposed dwelling would preserve the character and appearance of the site and Conservation Area. The proposed development would therefore accord with PPS1, PPS3 and Policy D1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - d) The proposed dwelling would respect the residential amenities of nearby neighbouring occupiers. The proposed development would therefore accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - e) The proposed dwelling would not give rise to unacceptable transportation effects. The proposed development would therefore accord with PPG13 and Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - f) The proposed dwelling would not give rise to unacceptable effects to the water environment. The proposed development would therefore accord with PPS25 and L17 /L18 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 Planning permission to be **GRANTED** subject to the following condition(s):

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. No development shall take place until drainage details have been submitted to, and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the drainage details should incorporate Sustainable Drainage Systems (SuDs) for the disposal of surface waters. Where this is not practicable it must be demonstrated that an acceptable alternative means of surface water disposal is incorporated. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the proposed development has suitable drainage arrangements that would not have a unacceptable affect upon the water environment, and to accord to policies L17 and L18 of the South Gloucestershire Local Plan (adopted) January 2006.

3. No development shall commence until Parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part 4 has been complied with in relation to that contamination.

1. Site Characterisation

A ground investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, (whether or not it originates on the site). The scope of the risk assessment is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings produced. The report must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with current DEFRA and Environment Agency guidance.

2. Submission of Remediation Scheme

A detailed remediation scheme must be produced to demonstrate how the site will be brought to a condition suitable for the intended use (ie by removing unacceptable risks to human health, buildings and other property and the natural and historical environment). This is subject to approval in writing by the Local Planning Authority.

The scheme must include all works to be undertaken; proposed remediation objectives and remediation criteria; timetable of works; and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The Local Planning Authority must be given two weeks written notification of commencement of the remediation works. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development (other than work that are required to be incorporated into the development), unless otherwise agreed in writing by the Local Planning Authority

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary an additional remediation scheme must be prepared in accordance with the requirements of condition 2, subject to the approval in writing of the Local Planning Authority. Following completion of the additional measures identified a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EP6 of South Gloucestershire Local Plan (January 2006).

4. No development shall take place until a representative sample of natural clay tile has been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed samples.

Reason

To ensure a satisfactory standard of external appearance in the Tockington Conservation Area, and to accord with and Policy D1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No development shall take place until a representative sample panel of natural facing stone, of at least one metre square, showing the stone, coursing, mortar and pointing, shall be erected on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved panel. For the avoidance of any doubt the sample panel shall be retained on site until completion of development.

Reason

To ensure a satisfactory standard of external appearance in the Tockington Conservation Area, and to accord with and Policy D1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No development shall take place until the detailed design of the following items have been submitted and approved in writing by the Local Planning Authority:
 - a) All new windows and fixed glazing (including framing, cill and head details)
 - b) Rooflights
 - c) All new doors
 - d) All new vents and flues
 - e) Juliette balcony

The development shall be carried out in accordance with the approved details. For the avoidance of any doubt, the details shall be submitted via elevation and section drawings at a scale of 1:10.

Reason

To ensure a satisfactory standard of external appearance in the Tockington Conservation Area, and to accord with and Policy D1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.