



**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. 37/11

Date to Members: 23/09/11

Member's Deadline: 29/09/11 (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 your request, please contact 01454 863518, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

CIRCULATED SCHEDULE – 23 SEPTEMBER 2011

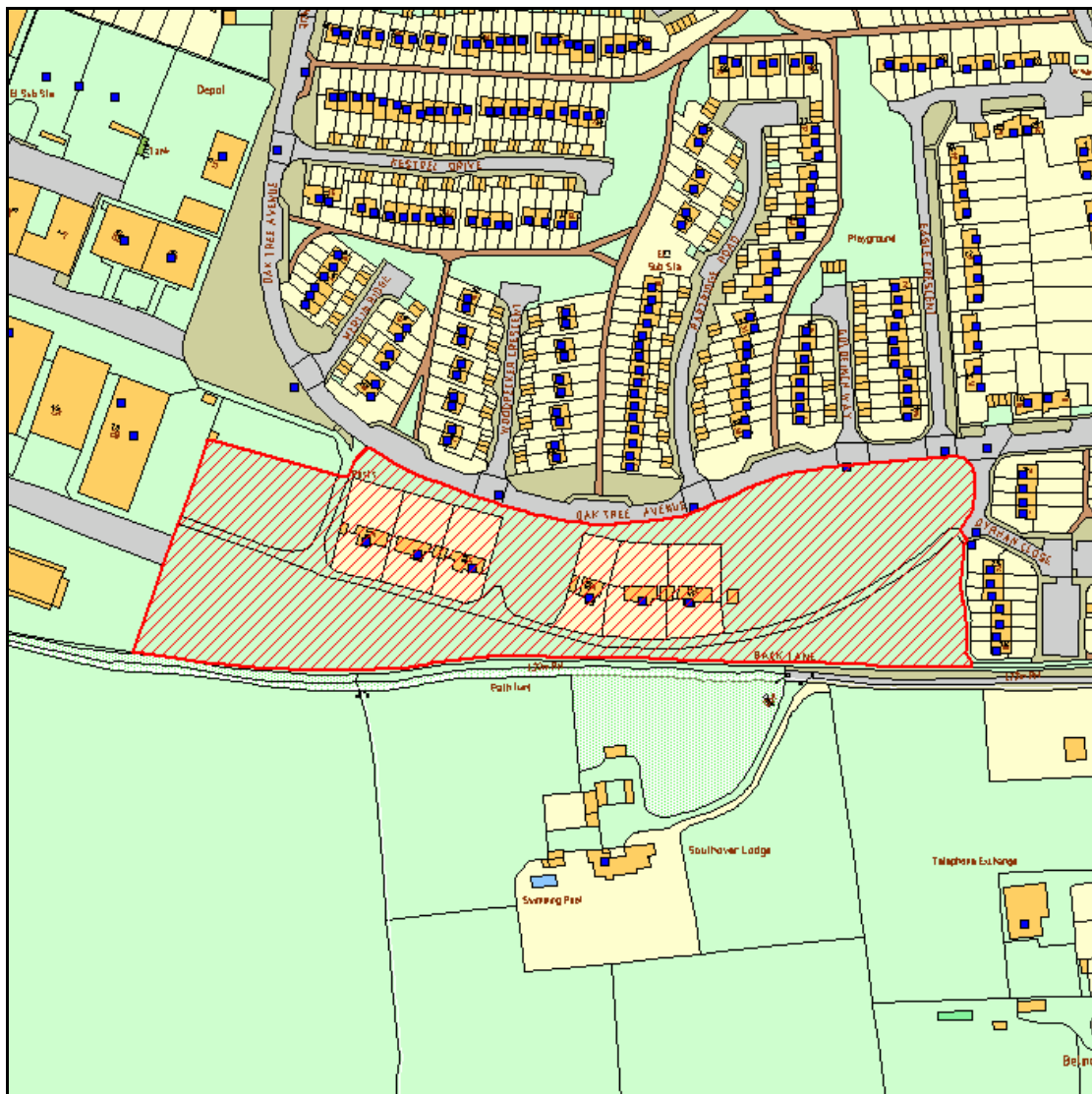
ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/3380/O	Approve with Conditions	Land At Oaktree Avenue Pucklechurch South Gloucestershire BS16 9SF	Boyd Valley	Pucklechurch Parish Council
2	PK11/1951/F	Approve with Conditions	Kings Chase Shopping Centre Regent Street Kingswood South Gloucestershire BS15 8LP	Kings Chase	None
3	PK11/2099/F	Approve with Conditions	Court Farm Siston Court Mangotsfield Bristol South Gloucestershire BS16 9LU	Siston	Siston Parish Council
4	PK11/2233/EXT	Approve with Conditions	22-27 Pucklechurch Trading Estate (Formerly Known As 4A-5) Becket Court Pucklechurch South Gloucestershire BS16	Boyd Valley	Pucklechurch Parish Council
5	PK11/2313/F	Approve with Conditions	Pennymead Cattybrook Road Mangotsfield South Gloucestershire BS16 9NJ	Boyd Valley	Pucklechurch Parish Council
6	PK11/2483/F	Approve with Conditions	21 Morley Avenue Mangotsfield South Gloucestershire BS16 9JE	Emersons	Mangotsfield Rural Parish Council
7	PK11/2527/F	Approve with Conditions	19 Morley Avenue Mangotsfield Bristol South Gloucestershire BS16 9JE	Emersons	Mangotsfield Rural Parish Council
8	PK11/2529/EXT	Approve with Conditions	45A Middle Road The Paddock Kingswood South Gloucestershire BS15 4XH	Rodway	None
9	PK11/2535/F	Approve with Conditions	17 Jubilee Crescent Mangotsfield South Gloucestershire BS16 9BB	Rodway	Mangotsfield Rural Parish Council
10	PK11/2593/AD	Approve	12 East Walk Yate South Gloucestershire BS37 4AS	Yate Central	Yate Town
11	PK11/2617/AD	Approve without conditions	12 East Walk Yate South Gloucestershire BS37 4AS	Yate Central	Yate Town
12	PK11/2679/F	Approve with Conditions	44 Mitchell Walk Bridgeyate South Gloucestershire	Siston	Siston Parish Council
13	PT11/2021/RM	Approve with Conditions	Airbus UK Gloucester Road North Filton Gloucestershire BS99 7AR	Filton	Filton Town Council
14	PT11/2024/F	Refusal	7 Hawthorn Close Charfield Wotton Under Edge South Gloucestershire GL12 8TX	Charfield	Charfield Parish Council
15	PT11/2479/F	Approve with Conditions	120 Wheatfield Drive Bradley Stoke South Gloucestershire BS32 9DD	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
16	PT11/2533/F	Approve with Conditions	19 Dovedale Thornbury South Gloucestershire BS35 2DU	Thornbury South And	Thornbury Town Council
17	PT11/2546/F	Approve with Conditions	Beech Cottage 17 Cross Hands Road Pilning South Gloucestershire BS35 4JB	Pilning And Severn Beach	Pilning And Severn Beach Parish Council

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
18	PT11/2577/F	Approve with Conditions	43 Harry Stoke Road Stoke Gifford South Gloucestershire BS34 8QH	Frenchay And Stoke Park	Stoke Gifford Parish Council
19	PT11/2596/F	Approve with Conditions	3 Blackberry Drive Frampton Cotterell South Gloucestershire BS36 2SL	Frampton Cotterell	Frampton Cotterell Parish
20	PT11/2621/TRE	Approve with Conditions	Plot 1 The Meads Frampton Cotterell South Gloucestershire	Frampton Cotterell	Frampton Cotterell Parish

ITEM 1

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PK10/3380/O	Applicant:	Sovereign Housing Group
Site:	Land At Oaktree Avenue Pucklechurch Bristol South Gloucestershire BS16 9SF	Date Reg:	10th December 2010
Proposal:	Outline planning permission for the erection of 56no. dwellings and a doctors surgery. For the housing element Access, Appearance, Landscaping, Layout and Scale are to be considered (no matters reserved). For the doctors surgery element only access is to be considered (all other matters reserved).	Parish:	Pucklechurch Parish Council
Map Ref:	370116 175791	Ward:	Boyd Valley
Application Category:	Major	Target Date:	10th March 2011



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100023410, 2008. **N.T.S.** **PK10/3380/O**

1.0 INTRODUCTION - REASON FOR REPORTING TO CIRCULATED SCHEDULE

Members may recall that this application appeared on the Circulated Schedule in the week commencing 18th February 2011. The application was not called before the full planning committee and the application therefore has a resolution to grant subject to the signing of a S106 agreement and conditions as set out in the circulated schedule report. The recommendation within the Circulated Schedule report included the following clause:

“Should the S106 agreement not be completed within 6 months, that authority be delegated to the Director of Planning Transportation and Strategic Environment to refuse the application due to the failure to complete the S106 Agreement offsetting the otherwise adverse impacts of the development”

Because of the village green application affecting a large portion of the site, it has not been possible for the applicants to complete the legal agreement. This is because the applicants cannot sign the legal agreement until they have a legal interest in the land and this will not be secured until the village green application is decided. The purpose of this report is to allow an extended period for the signing of the S106 agreement given that the initial 6 month period has now expired.

2.0 KEY ISSUES

A Section 106 Agreement under section 106 of the Town and Country Planning Act 1990 (as amended) has not yet been completed to secure the S106 contributions set out in section 9 the circulated schedule report dated 18th February 2011 that are necessary to mitigate the impact of the development and is therefore contrary to the policies set out in the South Gloucestershire Local Plan (Adopted January 2006).

3.0 RECOMMENDATION

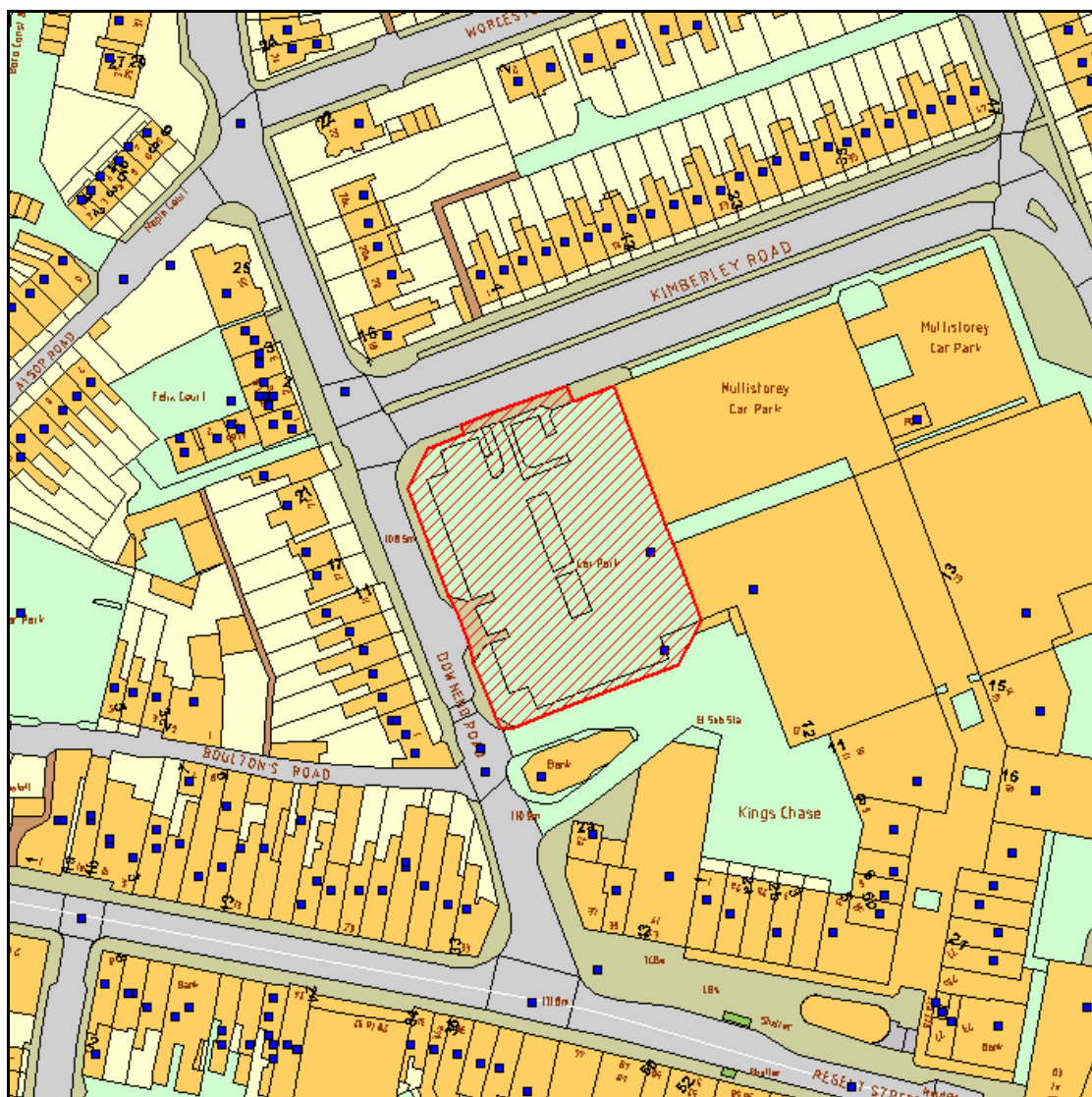
That a further 12 months be allowed to complete the agreement. Should the Section 106 agreement not be signed within 12 months of this report appearing on the Circulated Schedule that authority be delegated to the Director of Planning Transportation and Strategic Environment to refuse the application due to the failure to complete the S106 Agreement offsetting the otherwise adverse impacts of the development. Given the complex process the village green application must follow, a further 12 month period is considered reasonable.

Contact Officer: Marie Bath
Tel. No. 01454 864769

ITEM 2

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PK11/1951/F	Applicant:	Draco Kings Chase Ltd
Site:	Kings Chase Shopping Centre Regent Street Kingswood Bristol South Gloucestershire	Date Reg:	22nd June 2011
Proposal:	Erection of 2 no. retail units on two floors with 14 no. self contained flats above and associated works.	Parish:	None
Map Ref:	364715 173904	Ward:	Kings Chase
Application Category:	Major	Target Date:	16th September 2011



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100023410, 2008. **N.T.S.** **PK11/1951/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to the receipt of 9 letters of objection from local residents or businesses.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of an extension to Kingswood Town Centre. The application comprises two new retail units on the ground floor with mezzanine floors inside and 2 storeys of apartments and roof gardens above. A total of 14 new flats are to be provided within the development. The development is proposed on part of the existing car park served off of Kimberley Road.
- 1.2 The bulk of the existing Kings Chase Shopping Centre is approximately 33 years old. It is a purpose built shopping centre, which forms the focus of Kingswood Town Centre. The surrounding area is characterised by a combination of High Street style development and residential dwellings – mostly in the form of two storey Victorian properties. There is a large car park (partly multi-storey) immediately adjacent to the site.
- 1.3 In the design and access statement the applicant confirms that the purpose and intention of the application is to substantially increase the attractiveness and vibrancy of Kings Chase and Kingswood Shopping Centre as a whole. The Shopping Centre as a whole is allocated in the South Gloucestershire Local Plan as a ‘Major Town Centre’.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing
PPS4 Planning for Sustainable Economic Growth
Ministerial Statement – Planning for Growth March 2011

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
H2 Residential Development within the existing urban area
L1 Landscape Protection and Enhancement
T7 Cycle Parking
T8 Vehicle Parking
T12 Transportation Development Control
RT1 Development in Town Centres
EP1 Environmental Protection

South Gloucestershire Core-Strategy –Submission Draft December 2010

CS1 Design
CS5 Location of Development
CS14 Town Centres and Retail

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

3. **RELEVANT PLANNING HISTORY**

There is extensive planning history for Kingswood Town Centre as a whole including many applications for the display of advertisements, changes of use and the installation of new shop fronts. The most recent application to create new floor space within the centre (although not at this specific site), and therefore most relevant to the determination of this application is as follows:

- 3.1 PK09/0705/F Erection of Freestanding kiosk for Class A3 use.
Approved April 2009

This approval has since been implemented and is in operation.

4. **CONSULTATION RESPONSES**

- 4.1 Parish/Town Council
The area is un-parished
- 4.2 Other Consultees
- 4.3 Wessex Water
No Objection
- 4.4 Councils Archaeology Officer
No Objection
- 4.5 Councils Enabling Officer
No contribution requested
- 4.6 Councils Drainage Engineer
No Objection subject to conditions
- 4.7 Crime Prevention Officer
No objection but makes a number of suggestions
- 4.8 Councils Highway Engineer
No Objection subject to conditions and S106
- 4.9 Councils Environmental Protection Officer
No objection subject to the attachment of conditions
- 4.10 Councils Education Department
No Objection subject to S106

Other Representations

4.11 Local Residents

9 Letters of objection/concern have been received from local residents and businesses. A summary of the points of concern raised is as follows:

- Generally welcome the application but have concerns that planning restrictions on working hours are frequently breached.
- Concerned about construction noise before 7am
- The car park will be used for construction site offices and site cabins impacting on day time noise and loss of privacy
- General construction
- Congestion when construction delivery vehicles are operating
- Why are two more retail outlets being considered when there are at least 18 empty outlets in the Regent Street area.
- Increase in cars parking on Kimberley Road and Worcester Road
- Make it even more difficult for existing residents to park near their homes
- Lack of development to the existing unsightly multi-storey car park which suffers from anti social behaviour
- Kings Chase and the surrounding shops already provide sufficient consumer choice
- Longwell Green and Cribbs Causeway are within easy reach using the bus service
- New shops will have a negative impact on the existing shops
- 14 new flats will create a greater need for parking, not less.
- More pressure on parking and traffic
- Noise, air pollution and felling of trees
- Do not need any new shops or flats
- The building is too high and will darken Downend Road
- Loss of light into living room windows of properties on Downend Road
- Loss of privacy and overlooking of windows and roof garden balcony of properties on Downend Road
- Entrance to the flats is on Downend Road which will cause disturbance to neighbours
- Safety issues cause by changes and reductions in width to the pavement
- The entrance/exist to the flats comes straight out onto the pavement
- No space allocated for the collection and storage of rubbish
- Noise impact for the residential element - from the plant and deliveries carried out in the existing service yard
- Concerns about the additional service vehicles using the existing service yards
- Potential for increased opportunities for crime – for example from the roof gardens onto the existing Kings Chase Shopping Centre roof
- Need to ensure that the vehicular entrance is useable and manoeuvrable
- The proposed buildings are too high
- Who is going to be responsible and pay for any repairs to neighbours homes after building?
- Devaluation of neighbouring properties
- Population of Kingswood is already overcrowded

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the primary shopping area of Kingswood, allocated as a 'major town centre' under Policy RT1 of the Adopted Local Plan. Policy CS14 of the Emerging Core Strategy identifies Kingswood to be a 'Larger centre serving Kingswood and the wider area of the East Fringe of Bristol.' Policy RT1 states that retail and other development appropriate to a town centre will be permitted provided that:

- A. It would not detract from the overall vitality and viability of the centres; and
- B. It would be consistent with the scale and function of the centre; and
- C. It would be accessible to public transport users, pedestrians, cyclists and those with special mobility needs; and
- D. It would not have unacceptable environmental or transportation effects, and would not prejudice residential amenity; and
- E. It would, include residential accommodation or other non-retail uses appropriate to a town centre on upper floors

5.2 Policy RT1 of the South Gloucestershire Local Plan (Adopted) and Policy CS14 of the emerging Core Strategy both identify Kingswood Town Centre as being an established Town Centre. The supporting text to policy RT1 of the adopted Local Plan advises that, '*the Council considers it essential for town centres to become increasingly diverse, accessible and attractive.*' This is supported by policy CS14 of the emerging core strategy which states that, '*The Council will work with partner organisations and the local community to protect and enhance the vitality and viability of existing and new centres in South Gloucestershire.*'

5.3 Also material to the consideration of this current application is the Ministerial Statement of March 2011 'Planning for Growth'. This statement confirms that the planning system has a key part to play in ensuring that sustainable development to support economic growth is able to proceed as easily as possible. The Governments clear expectation is that the answer to development should wherever possible be 'yes' except where this would compromise the key sustainable development principles of national policy. The statement also draws attention to the long term or indirect benefits that may arise from increased consumer choice.

5.4 The requirements of PPS4 'Planning for Sustainable Economic Growth' are also a key material consideration. This document confirms that the governments overarching objective is to achieve sustainable economic growth. PPS4 specifically states that in order to promote vitality and viability the government wants;
'new economic growth and development of main town centre uses to be focused in existing centres, with the aim of offering a wide range of services to communities ;'
'competition between retailers and enhanced consumer choice ;'

- 5.5 Given that this application also includes a large residential element, the requirements of Policy H2 of the Adopted Local Plan relating the residential development within the existing urban area is also relevant.
- 5.6 Impact on Vitality and Viability
Paragraphs 5.2 to 5.4 above outline central governments drive towards promoting economic growth. This application includes the creation of two new, relatively large retail units at the heart of Kingswood Town Centre. Whilst it is noted that local residents are concerned that there are existing vacant units elsewhere in Kingswood, the development and expansion of Kingswood town centre can only but help to promote its vitality and viability. Given that the two units are larger in floor area than the majority of other units in the vicinity, there is potential to attract different end users to the centre that currently cannot be accommodated in the smaller units. This in turn has potential to attract more visitors to the centre increasing footfall and business for the other retail units.
- 5.7 The main front elevations of the two new shop units will face out North towards the existing car park. Whereas at present the main shopping centre is very 'inward facing' – that is the units all face towards the central pedestrian walkway, the new units will face outwards providing a more active frontage to the town centre from Downend and Kimberley Road. This is considered to be a very positive feature that may increase the attractiveness of the centre from passing trade.
- 5.8 The introduction of additional retail floor space will, by its very nature, attract new economic growth to the centre and help to 'update' its appearance. The proposal will increase competition between retailers and will increase consumer choice. Expansion of the existing Kingwood Town Centre will help to ensure that shoppers remain at the town centre as far as possible and avoid the need to travel to other town, or out of town centres thereby boosting the economy of Kingswood. The application is therefore in compliance with central government guidance and policy RT1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.9 Consistent with the Scale and Function of the Centre
As mentioned above, Kingswood Town Centre is a 'major town centre' as identified by Policy RT1 of the Adopted Local Plan. The function of the centre is to serve Kingswood and the surrounding East Fringe of Bristol. The development of two further shop units with residential accommodation above is considered to be entirely consistent with the scale and function of the centre.
- 5.10 Highway Impact and Accessibility
The application comprises an extension to the Kings Chase Shopping Centre of two retail units together with 14 residential units. The development is proposed on part of the existing car park with vehicular access off of Kimberley Road.
- 5.11 The application has been subject to pre-planning discussions. It has been recognised that one of the key highway issues, and potentially a major constraint to scale of the development at this location, is the impact of the development on the availability of parking within the existing car park.

- 5.12 As part of this application, the applicant has provided a detailed transport assessment including a car parking survey (for 293 days) from the car park operator for the period 21st March 2010 and 20th March 2011. The applicant has used this data to calculate the 85th percentile Saturday usage in terms of vehicular movements in and out of the car park. As Saturdays is often seen as the busiest day of the week in terms of shopping, the applicant considers it appropriate to use the 85th percentile Saturday as his design parameter. The Council's Highway engineer agrees that this approach is acceptable. Using this method of course does mean that there will be occasions where the 85th percentile Saturday parking demand is exceeded - such as on the lead to the Christmas period. The applicant is proposing to manage this through the car park operator directly and by providing additional staff within the car park on expected busy days to assist with space finding and to maintain fast and efficient turn over. In this respect, it should be reported that the applicant has submitted a draft travel plan.
- 5.13 The existing maximum car parking demand on the 85th percentile Saturday usage, according to parking survey submitted with the application, was 287 spaces. The existing car park has a capacity of 391 spaces. As a result of the redevelopment proposal (which is located on part of the existing car park) the capacity will be reduced from 391 spaces to 344 spaces; a total loss of 47 parking spaces. The conclusion is therefore is that on an 'average' Saturday, the size of the car park will still be sufficient to meet the parking demand. The applicant does not intend to allocate any parking spaces for the residential element of this development instead; each residential dwelling will be issued with one season ticket for the car park. This will enable new residents to park in any space within the car park.
- 5.14 It is noted that concerns have been received from some local residents on the grounds that the existing on street parking situation in surrounding streets would be put under further pressure - largely because the proposal would reduce parking spaces within the existing car park. From the highway officer's perspective, it is not disputed there is evidence of on-street parking issues on many of the roads surrounding the Kingswood shopping area. It is worth reporting that the Council's traffic management department is currently reviewing the parking/waiting restrictions in the area. As part of this ongoing investigation (entirely independent of this planning application), the issue of residents parking will also be considered. The Council's Traffic management department is aware of this redevelopment proposal and has indicated that the area for investigation would be widened to include the roads surrounding this development. This investigation is within the capital program for 2011– 2012 and the likely timescale for implementation would be approximately 2 years.
- 5.15 It is acknowledged there would be some additional traffic generated directly as a result of the proposed development – particularly the residential element of the scheme. However it is envisaged that a significant proportion of the trips to the proposed new retail units would be shared or linked-trips to the centre. Vehicular access to the car park would remain from the existing access off Kimberley Road. Access to the proposed retail units by pedestrians and

cyclists will be achieved from Downend Road. The applicant is proposing a new level pedestrian access route from Downend Road in the vicinity of the taxi layby. Deliveries and service vehicles will be accommodated via the existing Kings Chase shopping centre service yard accessed from Downend Road.

5.16 From a general accessibility point of view, Kingswood Town Centre is well served by public transport and highly accessible to a large number of people by walking and cycling.

5.17 During the course of the application, negotiations have been undertaken between the applicant and the Councils Highway Engineer to secure a suitable package of S106 monies toward highway and transportation improvements in the area. The applicants have agreed to make a contribution of £30,000 towards highway improvements in the area to include traffic management/road safety measures and improvements to public transport facilities in the area. Examples of measures on which this money could be spent include (but are not limited too);

- Review of waiting/parking restrictions in the area,
- Investigations into residents parking scheme in the area,
- Potential improvements to the existing pedestrian crossing facilities in the area (this could include improvements to existing crossing point on Kimberley Road near the junction with Downend Road, potential replacement of a pair of road cushions with raised table on Downend Road and improvements to pedestrian access/ crossing point on Gilbert Road).
- Improvements to public transport facilities

5.18 Subject to the attachment of conditions and the completion of a S106 legal agreement to secure this financial contribution towards traffic management, there are no highway objections to this proposal.

5.19 Design and Visual Amenity

5.20 Amount

The major constraints with regard to the 'amount' of development are the impact on the availability of parking and the impact on local residential amenity predominantly by way of scale. With regard to parking, it is noted that Kingswood Town Centre is well served by public transport and highly accessible to a large number of people by walking and cycling. It will also remain well served by the retention of the multi-storey car park. Furthermore, it is noted that the owners of the centre clearly have an interest in not undermining their trading potential by under provision of parking and would. Therefore there are no concerns in this respect.

5.21 Scale

Scale is essentially the height, width and depth of a building when compared to its surroundings. The context is both one of a commercial / retail centre as well as residential. The Kings Chase Centre itself is generally of 2 storey commercial scale (storey heights of approximately 3-3.5m as opposed to 2-2.5m domestic storey heights) surrounded by 2-2.5 storey residential development. The proposals show that the retail element with internal

mezzanine of the scheme is approximately equivalent to 2 storey residential development. On top of that is a further two storeys of apartments. The total height of the building is therefore equivalent to a 4 storey domestic building. However, this is not the case across the entirety of the building. The maximum height is reached along approximately three quarters of the elevation fronting Downend Road. A further quarter of the top storey fronting Downend Road is also set back some 2-3m and the entirety of the top floor is constructed as a mansard roof so further reducing the overall impact of scale.

5.22 The south western corner of the building at the junction of Downend Road and the service yard access is thus the full 3 storeys with a 'mansard roof', but it should be noted is intended to serve as a 'landmark' clearly visible from the main High Street, in order to attract passers by. This element is also proposed in render as opposed to brick so reducing the sense of massing (feeling of weight).

5.23 The proposed building is clearly of a larger scale than properties across Downend Road. However, the context is equally of a retail / commercial (larger scale) nature. Given the full height is not extended across the entirety of the building which includes rooftop gardens, the mansard roof and limited overshadowing impact, the Councils Urban Design officer concludes that in terms of scale the proposals are acceptable – this view is shared by the Planning Officer.

5.24 Layout

The layout generally proposes retail glazed frontage to the remaining car park and Downend Road. These 'active' frontages are welcome. Glazing is also proposed such that surveillance and light will be provided along the existing walkway from the The Mall. On the upper storeys, roof gardens are provided to the apartments facing north towards Kimberely Road and south over the service yard, critically though not towards properties on Downend Road. The layout is therefore considered to be acceptable.

5.25 Landscape

The Councils landscape officer confirms that the landscape proposals shown on the Bridges Design Associates Landscape Proposals, dwg.no.519/01 are acceptable and there is no objection to the proposals with regard to Policy L1 and D1 of the South Glos. Local Plan.

5.26 Appearance

The Design and Access statement describes the locality as having an 'absence of dominant local style' yet describes building materials typical of the area as pennant stone with contrasting bath stone features, render details etc. The proposal is clearly not of domestic appearance or scale and therefore the architectural approach should reflect its function. A modern appearance is therefore an acceptable approach such that it takes some cues from the local vernacular in order to respond to local distinctiveness. In this respect the building has a predominantly vertical emphasis (as does the adjacent housing) expressed through the proportions of glazing panels and masonry surrounds. With regard to the width, the elevations are subdivided into equal vertical elements so creating a sense of a terrace rather than single building.

5.27 Residential Amenity

The residential properties closest to the application site and therefore the properties that have greatest potential to be affected by the proposal are No's 1 to 11 Downend Road just to the west of the application site. The distance between the proposed development and the dwellings on the opposite side of Downend Road is approximately 17 metres. This separation distance is not considered to be unusual in Kingswood town centre where densities are higher.

5.28 It is accepted of course that the properties on Downend road currently have an outlook over the existing car park and that this proposal will obviously affect the existing outlook. However, in planning terms, neighbours do not have a specific right to a view. Instead, it is necessary to make an assessment of the proposal in terms of the impact on neighbouring dwellings by means of overshadowing, overbearing and loss of privacy.

5.28 With respect to overshadowing, the Design and Access statement submitted with the application contains a shadow analysis of the existing and proposed buildings. This demonstrates that on the worst case day (21st March) additional overshadowing of properties on Downend Road is limited to between the hours of 7-8am. Whilst it is not disputed that some additional overshadowing will therefore occur, the level of overshadowing is not considered to be of sufficient concern to warrant the refusal of the application.

5.29 In terms of overbearing, the design of the building is discussed in detail in sections 5.21 onwards above. It has also previously been noted that the distance between the residential properties and the proposal is approximately 17 metres. Whilst the proposed building is indeed taller than the surrounding residential dwellings, this is a common relationship found in other locations within Kingswood Town Centre. Again, with a separation distance of around 17 metres, it is not considered that there will be any significant loss of privacy from neighbouring dwellings sufficient to warrant refusal of the application. In reaching this assessment, officers have been mindful of the fact that the scheme has been designed to ensure that a minimal number of habitable room windows face Downend Road.

5.30 In terms of the impact on other dwellings in the vicinity, including those along Kimberley Road and those further along Downend Road, because of the distances involved, it is not considered that the proposed development will have any immediate impact upon existing levels of residential amenity. Whilst it is noted that some residents of these surrounding properties are concerned about the impact on the existing difficult parking situation for their homes, this is discussed in full in the transportation section of this report.

5.31 Residential Accommodation on Upper Floors

The proposal satisfies criteria E of policy RT1 of the adopted Local Plan on the basis that includes residential accommodation suitable for its town centre location on the upper floors.

5.32 Education Requirements

The Councils Education Department report that based on a projected surplus of places at secondary schools in the local area, no contribution is required for additional secondary school provision. However at primary level there is a projected deficit in places in the local area, therefore a contribution is required towards primary school education. It is predicted that the proposed development of 14 flats will generate one additional primary school pupil based on the pupil number calculator. Current DCSF cost calculators give a figure of £10,466 per additional primary pupil place. Therefore a total contribution of £10,466 is requested for additional primary school provision. This sum of money has been discussed with and agreed by the applicant.

5.33 Public Open Space Requirements

During the course of the application extensive negotiations have been undertaken to ensure that adequate amenity and public open space is provided and maintained for the future residents of the development. In accordance with Policy LC8 of the adopted local plan, where on site provision is insufficient to meet the needs arising from a development, negotiations will be undertaken to secure provision to meet these needs. The applicants have agreed to make the contribution of £25,335.05 towards the Provision, Enhancement and Maintenance of an appropriate range of Public Open Space within the vicinity of the development.

5.34 It is noted that this sum has been reached through negotiation and the Council initially requested a higher contribution. The agreed sum is £15,091.80 less than that initially requested. It is considered by your officers however that this is a unique application where approval of the scheme would not only help contribute toward the five year land supply, but would also offer significant investment and upgrade to Kingswood Town Centre. Weight is given to the draft National Planning Policy Framework and the ministerial statement 'planning for growth'. The governments overarching agenda, as reflected in Policy RT1 of the Adopted Local Plan is that development should enhance the viability and viability of existing Town Centres – and your officer believed this is certainly taking place here. On the basis that communal roof gardens are being provided to provide informal open space for the development, and £25,335.05 is being secured toward the provision, enhancement and maintenance of formal, equipped and unequipped play space, it would be unreasonable to refuse the application solely because of the reduced figure – especially as policy LC8 allows for negotiation.

5.35 Library Contributions

The Councils community services department have also requested a contribution of £1,189 towards upgrading or enhancement of existing facilities and stock to offset the increased demand of facilities. The applicants have conformed that they are willing to provide this contribution, and as such the proposal is acceptable in terms of community services provision.

5.34 Environmental Issues

The Councils Environmental Protection Officer has been consulted on the application and 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 imposing a condition to limit the hours of construction. It has also been noted that because of the previous historical use of the site as a corset factory, there is some potential for ground contamination. A series of conditions will therefore be attached to any consent granted to ensure that the risk of ground contamination is investigated and mitigated against prior to the commencement of development. Subject to the attachment of conditions, there are no objections on environmental grounds.

5.35 In terms of drainage the Council's Drainage Engineer has raised no objection to the proposal. A drainage condition will be attached to ensure that surface water drains into a Sustainable Urban Drainage system. A condition will also be attached due to the potential risk of coal mining at or in the vicinity of the site.

5.36 Affordable Housing

This application for 14 units on a site within the urban area falls under the affordable housing threshold as set out in Policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006 which is 15 units or 0.5 hectare. It should be noted that the affordable housing policy within the Core Strategy has a reduced threshold to 10 dwellings and 0.33 hectares in urban areas, and a requirement for 35% affordable housing. Whilst the Core Strategy has been recognised by the Council as a key material consideration, it is still subject to public examination. Consequently the weight that can be attached to Policy CS18 (affordable housing) is limited. The Local plan is therefore the substantive policy against which this application will be decided.

5.37 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as Amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the highways requests, education and public open space contributions are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

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 introduction of the additional retail floor space will attract new economic growth to the centre and help promote the vitality and viability of Kingswood Town Centre. The proposal represents sound economic growth that will increase consumer choice within the town centre and encourage competition between retailers and enhanced consumer choice

- 6.3 Kingswood town centre is a 'major town centre' as identified in the adopted local plan and the introduction of two additional retail units is considered to be consistent with the scale and function of the centre.
- 6.4 Through the submission of a detailed transport assessment, it has been proven that the size of the remaining car park will be sufficient to meet the parking demand. Adequate parking arrangements will be made for the residents of the proposed new flats and this will be secured through the submission of a travel plan. The impact on highway safety in the vicinity of the site has been assessed and is considered to be acceptable.
- 6.5 The development, in the centre of Kingswood, will be well served by public transport and highly accessible to a large number of people by walking and cycling.
- 6.6 The proposed development is of a large scale but will be viewed against a mix of commercial and residential development. The scale and massing of the building has been designed so as to be sympathetic to the character of the area by the fact that the mansard roof does not cover the whole of the building. The design of the building, whilst modern, takes cues from the surrounding built environment and the visual appearance is therefore considered to be acceptable.
- 6.7 The impact on surrounding residential properties has been assessed and deemed to be acceptable in terms of overbearing, overshadowing and loss of privacy.
- 6.8 The proposal includes residential accommodation suitable for town centres on its upper floors.
- 6.9 Adequate provision is being provided through a S106 agreement to mitigate against the impact of the development in terms of its impact on Public Open Space, Education and the Library service.
- 6.10 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 authority be delegated to the Director of Planning, Transportation and the Strategic Environment to grant permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- i – The payment of £10,466 as a contribution towards additional primary education provision.
 - ii – The provision of £1,189 as a contribution towards the library service

iii – The provision of £25,335.05 towards the Provision, Enhancement and Maintenance of an appropriate range of Public Open Space within the vicinity of the development.

iv – the contribution of £30,000 towards highway improvements in the area to include traffic management/road safety measures and improvements to public transport facilities in the area.

The reasons for this agreement are as follows:

i – To mitigate against the impact of the development and in order to comply with the requirements of Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006

ii – To mitigate against the impact of the development and in order to comply with the requirements of Policy LC1 of the South Gloucestershire Local Plan (Adopted) January 2006

iii – To mitigate against the impact on the development and in order to comply with the requirements of Policy LC8 of the South Gloucestershire Local Plan (Adopted) January 2006

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

7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.

7.3 Should the agreement not be completed within 6 months of the date of the Committee resolution that delegated authority be given to the Director of Planning, Transport and Strategic Environment to refuse the application.

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

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

Reason

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

3. Prior to the commencement of development, details of a CCTV system for the development shall be submitted too, and if acceptable agreed in writing by the Local Planning Authority. All development shall take place exactly in accordance with the details so agreed and shall be maintained as such at all times thereafter.

Reason

To ensure the development is safe and to accord with the requirements of Policy RT1 of the South Gloucestershire Local Plan (adopted) January 2006.

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

Reason

To minimise disturbance to occupiers of nearby residential properties and to accord with Policy RT1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the commencement of development a travel plan for the development shall be submitted to the Local Planning Authority, and if acceptable agreed in writing. The agreed scheme shall be implemented as approved before the development hereby permitted is brought into use; or otherwise as agreed in the travel plan.

Reason

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

6. The bin and cycles stores as shown on the submitted plans shall be implemented before any part of the development is occupied and retained as such at all times thereafter.

Reason

To ensure that adequate bin and cycle storage provision is provided to meet the needs arising from the development and to accord with the requirements of Policies T7 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The hours of working on site during the period of construction shall be restricted to 7.30am to 18.00 Monday to Friday; 08.00am to 13.00pm 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 site.

Reason

To minimise disturbance to occupiers of surrounding dwellings and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Prior to the commencement of development, 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. The findings of the ground investigation and risk assessment shall be submitted to the Local Planning Authority, and if acceptable, will be agreed in writing. All development must be carried out exactly in accordance with the details agreed.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policies EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to the commencement of development, 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. The remediation scheme shall be submitted to the Local Planning Authority, and if acceptable, will be agreed in writing. All development must be carried out exactly in accordance with the details agreed.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policies EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. 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.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policies EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. 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 8, and where remediation is necessary an additional remediation scheme must be prepared in accordance with the requirements of condition 9, 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 10.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policies EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. The off-street parking facilities (for all vehicles, including cycles) shown on plan 0539-P25-D hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies D1, H2 and RT1 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. Prior to the commencement of development details of the location of any construction compound to be provided on the site shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To protect the amenity enjoyed by those living in the locality and also to ensure that there is minimum disruption to the car park and highway safety during the construction phase. In order to comply with the requirements of Policies D1, H2, RT1, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

15. All hard and soft landscape works shall be carried out in accordance with the details shown on plan 519/01 prepared by Bridges Design Associates. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

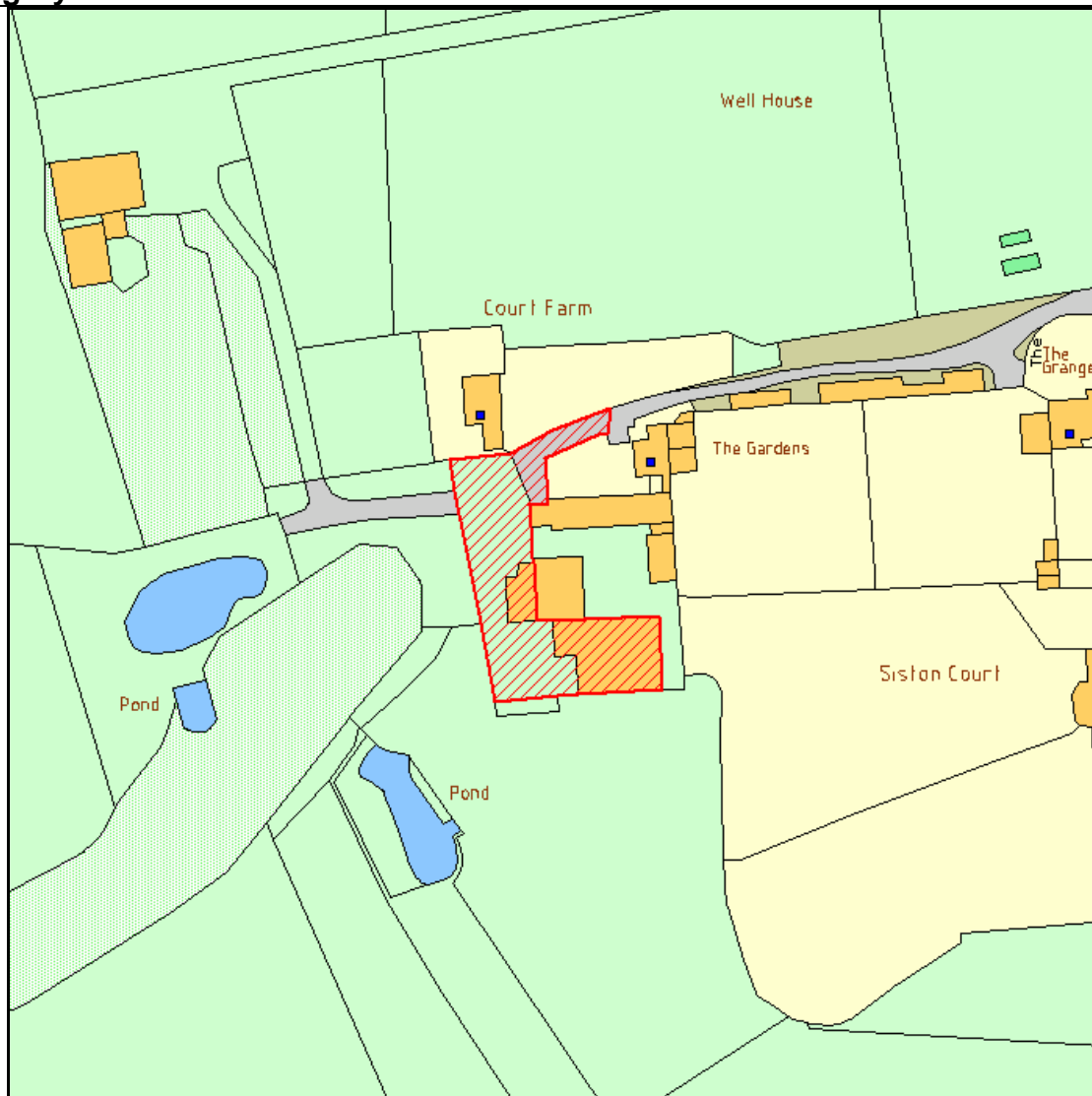
Reason

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

ITEM 3

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PK11/2099/F	Applicant:	Green Trees Surfacing Ltd
Site:	Court Farm Siston Court Mangotsfield Bristol South Gloucestershire	Date Reg:	6th July 2011
Proposal:	Change of use of 2 no. buildings for parking and storage of plant and machinery (Class B8) and part of 1 no. office building for commercial purposes (Class B1) as defined in The Town and Country Planning (Use Classes) Order 1987 (as amended). (Retrospective).	Parish:	Siston Parish Council
Map Ref:	368528 175420	Ward:	Siston
Application Category:	Minor	Target Date:	26th August 2011



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100023410, 2008. **N.T.S.** **PK11/2099/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Objections have been received, contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the permanent change of use of two buildings at Court Farm from their current agricultural use to use for the storage of plant and machinery (Class B8) and the change of use of a part of another building for use as an office (Class B1) associated with the business of surfacing. The proposal does not involve any building/conversion work as the existing buildings are to be used. The application seeks to continue the current planning use and is submitted following the lapse of the 12 month period previously applied for and allowed on appeal.
- 1.2 The application site comprises 0.12 ha of land and buildings on the southern side of the Court Farm complex. The buildings comprise two open fronted sheds as well as part of a smaller building (to be used as an office). An access road leads out passing neighbouring properties to Siston Lane. The site lies in the Bristol/Bath Green Belt, Siston Conservation Area and within the setting of Siston Court a Grade 1 Listed Building.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG2 Green Belt
PPS4 Planning for Sustainable Economic Growth
PPS5 Heritage

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
L1 Landscape Protection and Enhancement
L12 Conservation Areas
L13 Listed Buildings
EP4 Noise Sensitive Development
GB1 Development with the Green Belt
T12 Transportation Development Control Policy for New Development
E6 Employment Development in the Countryside
E7 Conversion and Re-use of Rural Buildings

2.3 Supplementary Planning Guidance

Development in the Green Belt
Landscape Character Area 12 – Westerleigh Vale and Oldland Ridge
Landscape Character Area 6 – Pucklechurch Ridge and Boyd Valley
Siston Conservation Area Guidance note
Ministerial Statement for Growth 2011

3. RELEVANT PLANNING HISTORY

- 3.1 CAE/08/0050/1 Planning Contravention Notice (served 10th December 2008) – Creation of access track and importation of soil and soil screening activities.

CAE/08/0050/2 – Planning Contravention Notice (served 27th May 2009) - Change of use of agricultural land to mixed use of agriculture and road surface dressing contractors office and storage/distribution place without planning permission

The Planning History relating to Court Farm (House) is as follows:

PK00/1157/F – Alterations and extensions to existing dwelling (to include a Granny Annexe.

(Refused – the proposal would represent a disproportionate addition to the building and would not be in accord with Green Belt Policy, the proposal would have a detrimental impact upon the character and appearance of the Conservation Area and the setting of the Grade I Listed Building)

PK00/2265/F – Alterations and extensions to the existing dwelling (Approved)

PK07/1141/F – Erection of two storey side extension to the north elevation, first floor side extension to south elevation and two storey and single storey rear extension. Installation of 2 no. rear dormer windows and 3 no. rear balconies.

(Refused – the proposal would represent a disproportionate addition to the building and would not be in accord with Green Belt Policy, the proposal would have a detrimental impact upon the character and appearance of the Conservation Area and the setting of the Grade I Listed Building and would not respect the scale, proportions and overall design of the existing building).

PK07/3275/F – Erection of two storey side and rear extensions to provide additional living accommodation. Installation of single rear dormer and balconies (Refused as per PK07/1141/F above)

PK09/1338/F 12 month change of use for the use of two buildings for the parking and storage of machinery (B8) and part of one office building for commercial purposes (B1) retrospective

Refused – approved on appeal

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

Object – B9 storage and distribution is wholly inappropriate in the Green Belt rural setting, within the curtilage of a Grade I Listed Building and Conservation Area. The vehicular access via Siston Lane is unsuitable for commercial/ heavy traffic and carries a 7.5 tonne weight restriction.

4.2 Other Consultees

English Heritage

The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

Conservation Officer

The use of the buildings now proposed was granted on a temporary consent on appeal. In determining the appeal the inspector found that there would be no adverse impact caused to the listed buildings or their settings, or to the character and

appearance of the conservation area. The proposed use on a permanent as opposed to temporary basis would not therefore be considered to have any additional adverse impacts. The submitted heritage statement adequately addressed the heritage assets affected by the proposal, and I therefore have no objections to the application.*

*This advice is based on an understanding that the buildings themselves benefit from planning permission, and have been constructed in accordance with that permission. I have not personally looked in to this matter, as I understand that the planning history has been assessed by our enforcement team in the past.

Historic Environment Records Officer

I have no Historic Environment comments on these proposals.

Sustainable Transportation

I have reviewed the documentation supplied in support of this planning application which chronicles the history of the use of the site since 2009 for storing plant associated with Green Trees Surfacing Ltd.

The application is retrospective in relation to extending a 12 month temporary application which expired in April 2011. It was previously approved for this temporary period on appeal by an Inspector.

I concur with the original Highway Officer's comments that there is no material traffic or transportation issue associated with this development as the number of vehicle movements is low and the nature of the vehicles used by the applicant in relation to this operation are quite specific (i.e. transit van, 2no. 7.5 tonne lorries with trailers and 2no. 26tonnes lorries). Vehicles of a similar size could already visit the farm as a result of existing agricultural requirements without a need to seek planning permission. I understand that the 7.5 weight restriction on the approach to the property is general, but allows heavier vehicles access to the site should they wish. In addition, from correspondence include with this application the weight restriction does not appear to have been put in place following safety concerns or to protect a weak bridge.

Safety records provided by the council up to and including the start of operations on the site do not record any incidents related to the operation of Green Trees Surfacing Ltd. I have checked these today and there are no collisions recorded since 2007 within 150m of the access off Siston Lane.

Therefore, there are no traffic or transportation comments in respect of this application.

The Garden History Society

Siston Court is a Grade I listed building, the largest Elizabethan house in Gloucestershire. Siston Court seems to have been built between 1572 and 1598 by Sir Richard Denys. By 1712 there were extensive geometrical gardens which Kip recorded in his engravings. An engraving of 1805 from Fosbrookes Gloucestershire shows the gothic setting of Siston Court. The gardens of Siston Court are on the local register of historic gardens.

PPS 5 indicates that where a planning application affects the historic environment, the applicant must demonstrate a clear understanding of the significance of the affected heritage assets, and that the proposed development will not adversely affect the

historic significance of any nationally designated heritage asset contained within that site.

The applicant has not satisfied the criteria set out in PPS 5 as it is clear that that the proposed development would adversely affect the historic significance of this nationally designated heritage asset. PPS 5 states that development which adversely impacts upon the historic environment should not be permitted.

The Society is concerned about the adverse impact of the proposed development. We would advise that there is the potential for damage to this heritage asset and we advise your Council to refuse this application.

Other Representations

4.3 **Local Residents**

7 letters of objection were received, citing the following concerns:

- Inappropriate development in the Conservation Area
- Inappropriate development in the Green Belt – with no very special circumstances
- The proposal does not maintain the traditional character of the area
- Large vehicles access the site past a Grade I Listed Building – including in the early morning, damaging the access road and drains beneath it and causing noise
- Effect on the safety of pedestrians accessing Siston Court
- Breach of conditions on previous permission not enforced – including failing to discontinue the use in April
- The applicant's business now differs from that granted temporary permission
- The applicant's Historic Asset Statement of Significance omits some detail
- The Siston Conservation Area SPD, adopted since the previous application, seeks to resist 'other inappropriate uses into adjoining parkland' preserve 'the landscape setting of the Court by resisting ; uses harmful to its character' protect 'important views and setting of the Listed Buildings' and ensure 'any new development or alterations do not harm the historic architectural character'.
- The applicant's planning statement is flawed in that the proposal would (in terms of PPS1) cause harm to the environment, cause adverse local impact and therefore the development cannot be considered to represent sustainable economic development
- The proposal does not fully accord with policies EC2, EC6 or EC10 of PPS4 – Planning for Sustainable Economic Growth
- As the application does not provide sustainable development, it does not accord with the ministerial statement of March 2011
- Traffic generated by the site has increased since the temporary permission was approved on appeal and it is only likely to grow further
- The business is carried out outside the parameters of the application site
- The buildings are not suitable for the proposed use
- The B1 use of part of the site (under 235 square metres) could be changed to B8 without requiring planning permission
- The proposal should read 'change the use of this residential property and agricultural land to that of a commercial use'
- Discrepancies on the application form: the operation did not start as claimed on 1 March 2009 and even the agents recognise this. Waste is left on site or

burned, while form states that waste would be collected from the site. Waste soil is not recycled for the applicant's own use, as stated by the agents, but is sold on. The claim that the land cannot be seen from a public footpath is incorrect. Vehicle movements through Gingells Farm are limited to that farm's own use and not the applicant's. The applicant does not farm 50 acres as claimed.

- The applicant has moved the public footpath signs along the access to redirect the public around his property, past a pile of soil. This is hazardous and unhealthy.
- Vehicles are stored on the applicant's land outside the application site
- The driveway used to access the site is in private ownership and its commercial use could be denied
- A TPO willow tree has been damaged by passing vehicles
- Employees at the site are abusive to the neighbours and the Police have been involved

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

Policies E6 and E7 of the South Gloucestershire Local Plan Adopted January 2006 support new employment generating uses in the countryside providing those uses are accommodated within existing rural buildings. The current proposal will not involve the erection of new buildings utilising as it does existing agricultural buildings within a farm complex. The principle of economic development is acceptable and it should be noted that the text accompanying Policy E7 (para 7.64) states *the Council's first priority will be to see such buildings re-used for purposes which make a positive contribution to the rural economy ie. Agricultural, industrial, commercial or tourism purposes*. Development however will only be permitted if it does not have an unacceptable impact on the environment, on residential amenity or in terms of traffic generation. Policy T12 also considers the impact of development in terms of the affect upon the surrounding highway network. An assessment of these issues will be made in the report below. Further to this, as recognised by the Inspector for the previous appeal on this site, at paragraph 17, PPS4 (inter alia) is supportive of re-using rural buildings for economic development.

The site is situated within the Bristol/Bath Green Belt and as such Policy GB1 following guidance set out in PPG2 applies. Policy GB1 allows for the change of use of land or existing buildings provided this 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. In addition any proposals within the Green Belt which would have an adverse impact on the visual amenity of the Green Belt will not be permitted. This issue is discussed in detail below.

The site is situated within the Siston Conservation Area and is located approximately 100 metres from Siston Court a Grade I Listed Building. Policy L12 of the South Gloucestershire Local Plan Adopted January 2006 following guidance in PPS5 Heritage, states that development within or affecting a Conservation Area will only be permitted where it would preserve or enhance the character or appearance of the area. Policy L13, considering the impact of development upon Listed Buildings or their setting, requires new development to preserve/not materially affect that setting.

The main material consideration in the determination of this application is considered to be the Inspector's Decision Letter which allowed a 12 month period for the use to continue, to allow the applicants to find a more suitable site. The major distinction between the previous and current applications is considered to be the temporary as opposed to the permanent nature of the change of use. In order to make the proposals identical, the applicant has been encouraged to make the current proposal temporary, but he has not agreed to this. Changes to policy which have occurred since the temporary permission was allowed on appeal are limited to the following:

* The adoption of the Siston Conservation Area guidance note (March 2010)

A further material consideration to be taken into account is the Ministerial Statement for Growth from the 2011 Budget. This states that the planning system should do 'everything it can to secure a swift return to economic growth'. It says: 'The government's top priority in reforming the planning system is stated to be to promote sustainable economic growth and jobs.' And 'the Government's clear expectation is that the answer to development and growth should be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy'.

The principle of economic development within the countryside is considered to be acceptable subject to consideration of the following issues.

5.2 Green Belt

Development in the Green Belt involving changes in land/building use is appropriate provided that there would not be a materially greater impact than the present authorised use on the openness of the Green Belt. The proposal under consideration will not involve the construction of any buildings. The storage of vehicles would be within buildings.

It is not considered that the use would/is have/having any materially greater impact upon the Green Belt than the current unrestricted Agricultural Use. In determining the previous appeal, the Inspector found that the proposal would not harm the Green Belt, subject to the inclusion of a condition preventing outside storage. That condition is duplicated below.

Subject to that condition to restrict outside storage, it is considered that the proposal is acceptable in Green Belt terms and in comparison with the authorised current agricultural use of the site.

5.3 Conservation Area/Listed Building/Visual Amenity Issues

The application site lies within the Siston Conservation Area and close to the setting of a Grade 1 Listed Building. The site is currently occupied by areas of hardstanding and modern agricultural buildings that are used for storage. Policy L12 of the South Gloucestershire Local Plan Adopted January 2006 states that development within or affecting a Conservation Area will only be permitted where it would preserve or enhance the character or appearance of the area. Policy L13, considering the impact of development upon Listed Buildings or their setting requires new development to preserve/not materially affect that setting. Policy L1 indicates that all development must preserve and where possible enhance the landscape.

The only change to policy to take into account in the determination of this application, in comparison with the original, temporary, scheme is the adoption of the Siston Conservation Area guidance note. It is considered that there is nothing within this Supplementary Planning Document which mitigates against the proposal.

It is considered that as the proposal does not entail any alteration to the form, bulk and mass of the buildings that there will be no material impact upon the character of the Conservation Area or the setting of the Listed Building and that the proposal does not have any implications for landscape character. Conditions are recommended as appropriate, to echo those imposed by the Inspector in the previous appeal decision to secure no outside storage. Subject to this condition no objection is raised by the Council Conservation/Listed Building Officers and the proposal is considered acceptable in these terms, in line with the Inspector's original decision on the proposal, where the Inspector concludes that the development does not harm heritage assets.

5.4 Residential Amenity

The application site is surrounded by land that is within the ownership of the applicant, but nevertheless lies close to adjoining residential properties. Concern has been raised regarding the impact of the proposal on the residential amenity of neighbouring occupiers in terms of the nature of the use, noise and disturbance and hours of use. Such concern is understandable given that the site is accessed via a track that runs from Siston Lane and this track/road passes by (immediately to the front of residential properties). It is acknowledged that vehicles passing using the access have the potential to cause noise and disturbance to neighbouring occupiers. The strong material consideration of the previous appeal decision applies.

In addition, the applicant has the fall back position of operating and storing agricultural machinery within the red line area, and established access rights should permit this traffic to pass to the front of properties, however ultimately access rights are a legal issue rather than a material planning consideration. Under the agricultural use there is no restriction on the number of vehicles that can be stored at the site, no restriction upon outside storage of vehicles and materials and no restriction upon the hours of operation at the site. Concern has been raised regarding the hours that are being operated at present whereby the site is in operation throughout the day, seven days a week. The Inspector decided that 07.30 to 1800 Monday to Friday and 0800 to 1300 hours Saturdays with no activity to take place on Sundays would be suitable in this instance and this condition has been brought forward below.

It is therefore considered that subject to the conditions recommended below, the proposal is acceptable in terms of impact upon residential amenity, and would provide a level of control that the Council can exercise over the operation of activities on this site.

5.5 Transportation

Policy T12 of the South Gloucestershire Local Plan Adopted January 2006 sets a number criteria to ensure that new development makes adequate, safe and appropriate provision for the transportation demands that it will create to minimise the adverse impact of motorised traffic and with the overarching objective of ensuring highway safety is preserved.

It is recognised that the access to the site has limited visibility in both directions, constrained by dip in the road to the south and by the boundary wall to the north. .

It is considered by transportation officers that the conversion of agricultural buildings to the B8 warehousing/storage use would result in a slight increase in vehicle movements over and above the agricultural use of the site and this is recognised by the Inspector in paragraph 8 of his Decision Letter. It is considered that the buildings that are the subject of this application are relatively modest in size which in itself will limit the scale of the operations that take place.

Members previously raised concern regarding the impact of heavy vehicles on Siston Lane in particular given the weight limit of 7.5 tonnes that is in place. It can be confirmed that this restriction has been imposed for environmental reasons but only applies to those vehicles passing through the area rather than those that are gaining access to a particular site. There are no loading restrictions on nearby St Anne's bridge on Siston Lane.

It is considered that the proposed development is acceptable in Transportation terms and in accord with the aims and objectives of Policy T12 of the South Gloucestershire Local Plan Adopted January 2006. This follows the Inspector's conclusion at paragraph 9 that the development does not give rise to any serious highway implications. .

5.6 Public Right of Way

Policy LC12 indicates that Recreational Routes, existing and proposed recreational walking, cycling and horse riding routes will be safeguarded. Concern has been raised that the proposal will adversely affect a public footpath.

Footpath PSN20 does not cross the site, while PSN21 is subject to a diversion order, which will soon be sealed and as a result would share only 80 metres of the road which runs from the site to the access to the Court.

5.7 Other Issues

The main other issue is the nature of the application, whether it should be time-constrained as the previous upheld appeal decision was, or whether it should be open-ended, as applied for. In determining the previous appeal, the Inspector approved the application for temporary permission, without identifying any harm that would be caused by the proposal. This application is the same proposal and is for permanent permission. Since no harm was identified by the Inspector to the original proposal and none is now identified to the same proposal, there is considered to be no reason to make the current proposal time-constrained.

The ministerial statement for growth requires that fostering economic growth and employment should be fully considered in determining planning applications. The business which seeks planning permission to be permanently located on this site currently employs 9 people and this level of employment would be supported by the planning permission. If refused and the business cannot find suitable alternative premises, these jobs could be lost, with a negative impact on economic growth and

employment. If approved, the jobs would be secured and the business would have an opportunity to create further employment which would foster economic growth.

The previous appeal also included a cost claim made against the alleged unreasonable action of the Council in refusing the application. It should be noted that this cost claim was awarded to the applicant and settled by the Council at £7,000. Officer advice is that the previous application and the current one are identical proposals, since the condition recommended below would ensure that this application is also temporary: Under these circumstances, refusal of this application on any matter not previously considered by the Inspector is considered to be highly likely to result in an appeal being lodged and the award of costs once more against the Council.

While the hours of operation applied for are 0730 to 1900 from Mondays to Fridays, it is not considered necessary to depart from the hours that the Inspector set in approving the temporary permission, which set a 1800 time limit in the evening from Monday to Friday. The operating hours of the temporary permission have been brought forward below.

The point that there are, for instance, vehicles stored outside the application site is irrelevant to this application, as the applicant is applying for the continuation of the business within the red line area only.

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 development proposed would provide a permanent premises for a business with 9 employees, through the re-use of existing rural buildings without having any adverse effect on highway safety, the Green Belt or the Grade I Listed Building and Siston Conservation Area. The proposal accords with policies E6, E7, L1, L12, L13, T12 and GB1 of the adopted South Gloucestershire Local Plan.
- 6.3 The recommendation to approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 Planning Permission is granted subject to the following conditions, brought forward as appropriate from the appeal decision. In addition, permitted development rights are shown as removed for the site, as extensions to the building or the erection of new buildings would not have been appropriate to have been prevented on a 12 month temporary permission, given the lack of likelihood of them being erected for so short a period of time.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

1. The development shall be undertaken in accordance with the details shown on the 1:1250 scale Ordnance Survey Plan No. BRS.2233_01-2.

Reason

For the avoidance of doubt regarding the site area.

2. With the exception of any machines used to clean the interior of the office building, no other machinery shall be operated and no deliveries shall be undertaken or despatched from the site outside the following times: 0730 to 1800 Monday to Friday and 0800 to 1300 on Saturdays, nor at any time on Sundays or Bank/Public Holidays.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E6 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No outside storage of materials/goods/ waste/plant or vehicles shall take place at the site beyond the hours specified in condition 2 above.

Reason

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

4. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 8 (Classes A, B (a) and (c) and Class C), 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 a satisfactory standard of external appearance in the Siston Conservation Area and to protect the openness of the Green Belt, and to accord with and Policies L12 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 4

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PK11/2233/EXT	Applicant:	Segro Properties Ltd
Site:	22-27 Pucklechurch Trading Estate (Formerly Known As 4A-5) Becket Court Pucklechurch Bristol	Date Reg:	15th July 2011
Proposal:	Demolition of existing buildings and redevelopment of the site to provide 6 units in two blocks for commercial/industrial use (Class B1(c), B2, B8) with ancillary office space, car parking, landscaping and associated works including the erection of an acoustic fence. (Resubmission of PK08/0418/F).(Consent to extend time limit implementation for PK08/2278/F)	Parish:	Pucklechurch Parish Council
Map Ref:	369803 176184	Ward:	Boyd Valley
Application Category:	Major	Target Date:	12th October 2011



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100023410, 2008. **N.T.S.** **PK11/2233/EXT**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Council's Circulated Schedule in light of an objection received from a local resident regarding the application.

1. THE PROPOSAL

1.1 The application proposes an extension of time for planning permission PK08/2278/F for the Demolition of existing buildings and redevelopment of the site to provide two blocks for commercial/industrial use (Class B1(c), B2, B8) with ancillary office space, car parking, landscaping and associated works including erection of an acoustic fence.

1.2 The application site is situated within the safeguarded employment area of Pucklechurch Trading Estate

1(b) Information submitted by agent in support of application:

- We consider the development is in line with local policies particular in terms of safeguarding land for economic development
- Our client considers that a three year extension is reasonable given the current economic conditions
- Progress is being made with discharging the remaining pre-commencement conditions (condition 11 drainage) however this is taking longer than anticipated.
- Condition 02 relating to materials has been discharged
- We request therefore that a new planning permission is granted to replace the extant permission

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth
PPG13 Transportation
Ministerial Statement 9th June 2010

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
L1 Landscaping Issues
E3 Criteria for assessing proposals for Employment Development within the Urban area, defined Settlement boundaries and/or permitted by policies E4/E6/E7
E4 Safeguarded Employment Areas
RT5 Proposals for Out Centre and Edge of Centre Retail Development
T12 Transportation Development Control Policy for New Development
T8 Parking Standards

T7 Cycle parking
EP1 Environmental Pollution
EP2 Flood Risk
L17 & L18 The Water Environment

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS11 Distribution of Economic Development Land
CS12 Safeguarded Areas for Economic Development

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/0418/F Demolition of existing buildings and redevelopment of the site to provide 6 units in two blocks for commercial/industrial use (Class B1(c), B2, B8) with ancillary office space, car parking, landscaping and associated works including the erection of an acoustic fence.
Approved October 2008
- 3.2 PK02/0935 Demolition of existing building and erection of warehouse for B8 use (Renewal of P94/2449)
Approved August 2002
- 3.3 P94/2449 Demolition of existing building and erection of warehouse totalling 3631 square metres B8 use
Approved January 1998

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
No objection

- 4.2 Other Consultees [including internal consultees of the Council]

Environmental Services

No objection, has recommended a ground contamination survey. This is addressed below.

Drainage Engineer

Conditions as per previous application

Other Representations

- 4.3 Local Residents

One letter has been received from a local resident raising the following planning objection regarding the proposed application:

-We supported the previous application to remove existing buildings and develop the site

-We object to this application to extend the working hours as it will dramatically affect the lives of many in its community

-Continual movement of large lorries late at night and early in the morning will bring noise and light pollution which would be unacceptable

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy E3 and E4 of the adopted Local Plan allows for employment generating uses within the defined employment area subject to acceptability in terms of environmental effects, highway safety and traffic, residential and visual amenity, density. Policies T8 and T12 are also relevant relating to parking standards and highway safety respectively.

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

5.2 The main planning considerations for this application for an extension of time for commencement of development relate to:

- a) any changes to development plan policy or national guidance as a primary material planning consideration, since the previous application to which this extension of time relates was determined, which would change how the application is considered.
- b) Additionally, a material consideration would relate to any physical changes which have taken place, since the original application was determined, which would raise new planning considerations.

5.3 Development Plan Policy and National Guidance

Planning permission PK08/2278/F was determined under the South Gloucestershire Local Plan (2006) i.e Policy E3 and E4 and at the time of writing this report remains the relevant policy consideration. As such the application is considered to be acceptable in this respect being considered in an identical way in relation to Local Plan policy.

5.4 Since the determination of planning application PK08/2278/F National Guidance PPS4 Planning for Sustainable Economic Growth has replaced PPG4. PPS4 advises that Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic development should be treated favourably.

5.5 In addition the Council's Core Strategy has been submitted to the Secretary of State and is awaiting examination in public. As such the Core Strategy is

considered to carry clearly less weight than the adopted Development Plan. However, the policy relating to Safeguarded Employment Areas renamed Safeguarded Areas for Economic Development is to be retained in principle (currently named Policy CS12) and the application site will remain within a safeguarded area. The supporting text relating to Policy CS12 advises that opportunities to redevelop existing employment sites, through intensification or re-modelling will be encouraged. Redevelopment can increase productivity through the more efficient use of land and enable the site to make a better contribution to the local area through better design and improving the number and range of jobs available.

Other policies of relevance within the core strategy include CS1, which seeks to achieve high quality design. Issues of design were addressed in detail as part of the previous application. The units are typical of that found in this type of location. At that time it was considered with the use of screen fencing, landscaping and use of suitable materials and acknowledgment by the Planning officer the buildings had to be of a certain size from an economic and viability point of view that they were acceptable.

5.6 Considering all of the above matters there is considered to be little material change in emphasis in terms of employment development from the policy framework under which the application PK08/2278/F was considered and the current policy framework. As such the proposed extension of time is considered to be acceptable in respect of Development Plan and Government guidance.

5.7 Physical changes and visual impact

Having carried out a site visit of the application site and inspected the immediate industrial buildings and residential properties particularly those rear of the application site i.e. St.Aldams Drive , the Officer can confirm that there have been no physical changes in circumstances.

Therefore it is considered that the proposed extension of time is considered to be acceptable in this respect.

5.8 Residential Amenity

An objection has been raised with regards any proposed changes to hours of operation. Members are advised to consider that this application merely seeks permission to extend the life of extant planning permission PK08/2278/F for a period of three years. Working hours on the site are unaffected by this application and these will remain unaltered.

5.9 At the time of the previous application (Pk08/2278/F) hours of operation were fully considered in terms of any impact on the amenities of neighbouring residential properties. It should be noted that extant planning permission PK08/2278/F benefits from unrestricted hours of operation, which was fully considered in light of an earlier appeal decision that supported unrestricted hours of operation and proposed noise mitigation measures i.e. acoustic report and acoustic fencing. No objection was raised by the Council's Environmental Services Department at that time and no objection is raised this time round subject the previous condition relating to noise levels is imposed.

5.10 Highway matters

All highway matters remain materially unchanged since permission was given for PK08/2278/F. As such the proposal is considered to be acceptable in highway safety and transportation terms.

5.11 Drainage

The Councils' Drainage Engineer has advised that no objection subject to previous planning condition 11 relating to submission of Sustainable drainage details being re-imposed.

5.12 Environmental Services

As part of this planning application the Councils' Environmental Services Department has advised as the historical use of the site is that of a former transport yard means there is a potential for land contamination to be present and a planning condition should be imposed requiring the submission and approval of a ground contamination survey. The agent has questioned the reasonable of this, as it was not imposed at the time of the previous application. The Planning Officer is of the view that it would be unreasonable to impose this condition especially as there has been no change in local plan policy or national guidance that would require it now. However the applicant has been made aware of the comments raised and an informative will be imposed advising them of this.

5.12 All conditions and informative attached to the previous application PK08/2278/F will be carried forward to this extension of time application unless the conditions have already been discharged i.e. Condition 02 in this instance.

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 summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.

a) Despite the additional policy consideration in the form of South Gloucestershire Core Strategy Submission Draft December 2010, the proposal is still considered to comply with the requirements of both Central and Local Government policy. The development therefore accords to Policy E3 and E4 of the South Gloucestershire Local Plan (Adopted) January 2006.

b) No material changes have taken place in physical terms since PK08/2278/F was approved. As the proposal PK08/2278/F was considered acceptable in residential amenity, highway terms, drainage terms and environmental

terms this extension of time is also considered to be acceptable in all of those respects. The development therefore accords to Policy E3 and E4 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

- 7.1 That the application be approved subject to the conditions listed on the decision notice.

Contact Officer: Tracey Price
Tel. No. 01454 863424

CONDITIONS

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

Reason

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

2. The development shall be carried out in accordance with those materials relating to roofing and external facing as approved in writing by the Local Planning Authority dated the 9th June 2011 in relation to Condition 02 of PK08/2278/F, unless otherwise agreed in writing by the Local Planning Authority.

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

3. All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason

To protect the character and appearance of the area to accord with Policies D1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No outside storage of material/goods/waste or plant shall take place at the premises.

Reason

To protect the character and appearance of the area to accord with Policies D1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The rating level of noise emitted from the site shall not exceed 33 LAeq, 1 Hour between 0700 and 2000 hours, 31 LAeq, 1 Hour between 2000 and 2300 hours and 31 LAeq, 5 Min between 2300 and 0700 hours. The noise levels shall be determined

at the nearest noise sensitive premises this meaning those residential properties. The measurements and assessment shall be made in accordance with the provisions of BS4142:1997.

Reason

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy E3 and EP1 of the South Gloucestershire Local Plan.

6. Any oil or chemical storage tanks shall be surrounded by an impervious oil/watertight bund having a capacity of at least 110% of the tank and of a structural design approved in writing by the Local Planning Authority.

To prevent non-point source pollution and to accord with Policies E3 and EP1 and of the South Gloucestershire Local Plan (Adopted) January 2006.

7. All surface water run-off from outside storage, parking or vehicle washdown areas shall pass through a properly constructed oil/ petrol interceptor or such other alternative system as may be agreed with the Local Planning Authority, before discharge to the public sewer, or other drainage system.

To prevent non-point source pollution and to accord with Policies E3 and EP1 and of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The acoustic fence hereby authorised as per dwg.no. 24 P1 shall be erected in the approved location as shown on dwg.1213-02 (A) F and dwg.21 P10 prior the use hereby authorised commencing.

Reason

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy E3 and EP1 of the South Gloucestershire Local Plan.

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

Reason

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

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

Reason

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy E3 of the South Gloucestershire Local Plan.

11. Prior to the commencement of development hereby authorised commencing 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 before the development is occupied.

Reason

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

ITEM 5

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.: PK11/2313/F	Applicant: Mr M Drew
Site: Pennymead Cattybrook Road Mangotsfield South Gloucestershire	Date Reg: 26th July 2011
Proposal: Change of use of land from agricultural to land for the keeping of horses. Erection of stable and tack room.	Parish: Pucklechurch Parish Council
Map Ref: 367767 176097	Ward: Boyd Valley
Application Category: Major	Target Date: 20th October 2011



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100023410, 2008. **N.T.S.** **PK11/2313/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 This application seeks full planning permission for the erection of a stable block and the change of use of land from agricultural to equestrian. There are two pieces of land affected by the application – one plot of land immediately to the rear of Pennymead and a second plot of land at the end of Cattybrook Road. The stable block is to be erected on the piece of land immediately to the rear of Pennymead, no physical works are proposed to the second piece of land. The location lies within the Bristol/Bath Green Belt, in open countryside. The location is rural in character.
- 1.2 It is proposed to erect a stable building to include 2 stalls and a tack room with a covered walkway along the front. The building would measure 10.6m x 5m with eaves set at 2.1m and the ridge of a low-pitched roof at a maximum height of 2.9 m. It was noted at the time of the officer site visit that the concrete pad for the stables is already in place and there did appear to be water and electricity connections close to the siting of the proposed stables.
- 1.3 During the course of the application an amended plan was received showing a revised roofing material for the stable.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPG2 - Green Belts
- PPG13 - Transport
- PPS7 - Sustainable Development in Rural Areas
- PPS9 - Biodiversity and Geological Conservation.

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

- GB1 - Development within the Green Belt
- T12 - Transportation
- D1 - Design
- L1 - Landscape Protection and Enhancement
- L9 - Species Protection
- EP1 - Environmental Pollution
- E10 - Horse related development
- LC5 - Proposals for Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundary
- LC12 - Recreational Routes

- 2.3 Supplementary Planning Guidance
Advice Note 9 - Development Involving Horses
Development in the Green Belt (SPD) – Adopted June 2007
The South Gloucestershire Design Checklist (SPD) – Adopted August 2007

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK11/1342/F Demolition of existing bungalow to facilitate the erection of 1 no detached dwelling with associated works.
Approved June 2011

4. **CONSULTATION RESPONSES**

- 4.1 Pucklechurch Parish Council
No Objection

4.2 Other Consultees

Councils Public Rights of Way Officer

The development is unlikely to affect the nearest public footpath therefore no objection

The Coal Authority

No objection but recommends attachment of an informative

Councils Sustainable Transport Officer

No objection subject to a condition to prevent business or livery use.

Councils Ecologist

No Objection submitted to the attachment of a condition

Wessex Water

No objection in principle providing that there is no impact on Wessex Water infrastructure.

Other Representations

4.3 Local Residents

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

- No objection to the erection of a stable block and change of use providing the Portacabins and other building equipment is removed from the fields
- Horse stabling will cause noise, smells, flies, vermin and manure and liquid effluent problems
- The stable will be 10 m from the rear window of the neighbours house and 1m from the rear garden fence
- Object to the proposed site and position of the stable block and tack room

- Stables should be sited to the north edge of the field where there is a woodland boundary
- The application includes land owned by another party – why
- Fail to see why the two areas of land need to be re-designated.
- Whilst there is no objection to the principle of the stables being built there appears to be a hidden agenda.
- Why has pre-emptive work on the bases, water and electrical installations already taken place?

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In the first instance the proposal must be considered in the light of current Green Belt Policy. Guidance contained in PPG2 states that, the change of use of land in the Green Belt is not inappropriate, where it would not have a materially greater impact on the openness of the Green Belt than the present authorised use. Furthermore the construction of new buildings inside the Green Belt is not inappropriate development if it is an essential facility for outdoor sport and recreation. Paragraph 3.5 of PPG2 states that essential facilities should be genuinely required for the uses of the land, which preserve the openness of the Green Belt and gives an example of '*small stables*' as possible essential facilities, the PPG does not however define what is meant by '*small*'. This is supported by Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, which states that proposals for outdoor sports and recreation outside the urban area and defined settlement boundaries will be permitted, subject to a number of criteria being met.

5.2 Furthermore, PPS7 generally supports equine related developments in the countryside, provided that they maintain environmental quality and countryside character. Policy E10 of the South Gloucestershire Local Plan reinforces the view that '*proposals for horse related development .. such as stables, will be permitted outside the urban boundaries of settlements*', subject to the following criteria being met:

- A. Development would not have unacceptable environmental effects; and
- B. Development would not prejudice the amenities of neighbouring residential occupiers; and
- C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and
- D. Safe and convenient access to bridleways and riding ways is available to riders; and
- E. There are no existing suitable underused buildings available and capable of conversion; and
- F. The design of buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

The analysis of the proposal in relation to these criteria is considered below.

5.3 Green Belt Issues

Officers consider that the proposed change of use of the land would retain the openness of the Green Belt. The fields affected by the proposal would remain grassed land, as is the current situation. As regards the construction of the stable building, Policy GB1(2) permits essential facilities for outdoor sport and recreation and for other uses which do not conflict with including land within the Green Belt.

- 5.4 In the current proposal, officers are satisfied that the scale of the building is appropriate and is of modest size. The stable building is large enough to accommodate two horses and hay/feed/tack but is not overly generous in proportion. The eaves and ridge height of the proposed building have been kept low to further reduce the visual impact on the openness of the Green Belt. Given that buildings required to provide essential sporting facilities are not inappropriate development within the Green Belt, officers are satisfied that on balance the proposal would not represent inappropriate development within the Green Belt and by definition therefore the stable would not cause harm to the Green Belt, furthermore the building would be genuinely needed for the uses that retain the openness of the Green Belt.

5.5 Impact on the Visual Amenity of the Green Belt and Landscape in General

The proposed stable block is to be located in the southwestern corner of the field to the rear of Pennymead. Planning permission has recently been granted to demolish the existing dwelling known as Pennymead and the erection of a new replacement dwelling in its place. Given that the piece of land to the rear of Pennymead is entirely land locked (that is there are no parts of the field that abut a highway) the only way of getting access into the field is through the property of Pennymead. Therefore, there is logic in locating the proposed stable immediately next to the existing dwelling, rather than introducing new tracks across the field which could possibly affect visual amenity. Whilst it is noted that a neighbour suggests the stables may be more appropriately located to the north of the field adjacent to the extensive tree screening, because of the need to create additional access tracks, this possibility is not being pursued.

- 5.6 The planning officer understands that any horseboxes or vehicles associated with the change of use would be stored within the residential curtilage of Pennymead. In light of this, the plans do not show the introduction of any new hardstanding in the fields or around the stables. A condition will be attached to any consent granted to ensure that if any hard standing is required, full details are submitted too and agreed in writing by the Council before the relevant parts of the work commence.

- 5.7 Some concerns have been raised by local residents about the need to include two separate pieces of land within the change of use application. The intention is that no more than 2no. horses would be kept at the site at any one time and this could be restricted by condition. The general guidelines are that each horse should have access to around 1.5 acres of land. In this case, the field to the rear of Pennymead is approximately 1.2 acres therefore not large enough to support two horses on its own. Therefore, the applicant has reached agreement with a neighbouring landowner that a second piece of land also be included within the application site. This second piece of land measures

approximately 2.95 acres. Combined together therefore, the two pieces of land are ample large enough to accommodate two horses. Whilst the two pieces of land are separated, there is easy access between the two fields along a quiet and dead end country lane. The applicant has confirmed verbally that the horses will be kept most of the time on the field behind Pennymead and then just lead along the lane to the second piece of land for exercising or additional grazing on a periodic basis. It is understood that other horses may be grazed on the second piece of land in addition to the applicant's own two horses. Given the availability of ample land sufficient to meet the needs of several horses, there is no reason to suspect that the land would be poorly managed.

5.8 The building would have an agricultural appearance, being constructed of timber walls and doors, with a green corrugated sheet roof. Officers are therefore satisfied that the visual amenity of the Green Belt or landscape in general would not be adversely affected and that the proposal would accord with Policies GB1 and L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.9 Transportation Issues

No new vehicular access would be created to allow access to either of the fields. Subject to the attachment of a condition ensuring there being no livery use or sub-letting of the stables, there are no highway objections. Criterion C of Policy E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 is therefore satisfied.

5.10 Environmental Effects and Drainage Issues

All matters of external lighting, erection of loose jumps and fences and use of portable buildings or trailers, could be strictly controlled by conditions.

5.11 The disposal of foul waste should be undertaken in accordance with the MAFF (now DEFRA) Code of Good Agricultural Practice for the Protection of Water and would be the subject of Environment Agency controls. Foul wash-down would soakaway to the land. Any burning of waste manure would be controlled by Environmental Health legislation. Criterion A of Policy E10 is therefore satisfied.

5.12 Buildings Capable of Conversion

There are no existing buildings within the field. The applicant does not own any other land nearby or buildings that could be utilised for storage or stabling, so the new building is genuinely required for the uses proposed. Criterion E of Policy E10 is therefore satisfied.

5.13 Impact Upon Residential Amenity

It is noted that local residents are concerned that the proposed stable may have an adverse impact on their existing levels of residential amenity and believe that the stable will be only 10 metres from the rear windows of the neighbours house. Just to confirm that the stable would be located at the bottom of the garden of No. 1 Cattybrook Road. The stable will however be 2 metres away from the boundary with this property and 35 metres away from the main rear wall of this property. Given the significant separation distances therefore, the limited size of the stable block, and the fact that the field could be

used for agricultural purposes at any time, it is not considered that the development would have any significant impact on existing levels of residential amenity.

5.14 Ecology

The site consists of two agricultural fields. The site itself is not covered by any statutory or non-statutory nature conservation designations but are located to the north and south of Shortwood (West) Site of Nature Conservation Interest (SNCI) designated for its semi-natural ancient woodland. The field has already been used for grazing purposes. It is therefore considered that there would be no adverse impact upon the ecology of the area. Subject to a condition to secure a habitat creation and management plan, there are no objections on ecology grounds.

5.15 PROW Issues

Public Right of Way officers have conformed that the proposed development would not affect the nearest Public Rights of Way and therefore raised no objection to the proposal.

5.16 Other Issues

At the time of the officer site visit it was noted that there are a large number of portacabin's and other building paraphernalia on part of the site. It was verbally confirmed to the officer that these are in place whilst work is undertaken on the replacement dwelling as approved under application PK11/1342/F and would be removed as soon as this work was completed. This issue however is not for consideration as part of this planning application but would need to be investigated independently of this scheme.

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 following is a summary of the reasons for recommending approval :

1. Careful consideration has been given to the scale of the proposed building and to its appropriateness in Green Belt terms - Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Development in The Green Belt (SPD) - Adopted June 2007.
2. The proposal has been designed and screened so as to have minimum impact on the visual amenity of the Green Belt and rural landscape in general – Policies D1, L1 and GB1 of the SGLP.
3. Adequate access and parking provision would be provided and the use of the site would be restricted to social and recreational use only - Policies E10 and T12 of the SGLP.
4. Consideration has been given as to the possibility of converting existing buildings for the purpose proposed - Policy E10 of the SGLP.
5. Consideration has been given to the impact of the proposal on the Ecology of the area - Policy L9 of the SGLP.

6. Consideration has been given to the impact of the proposal on the PROW that runs adjacent to the site - Policy L12 of the SGLP.

7. Consideration has been given to the drainage and environmental issues to result from the proposal - Policies E10, L17, L18, EP1 and EP2.

8. Consideration has been given to the impact of the development on residential amenity in accordance with Policy E10 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 below:

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

2. At no time shall the stables and the associated land be used for livery, riding school or other business purposes whatsoever.

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and to accord with Policies GB1, L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Reason

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

3. The number of horses kept on the part of the site edged in red adjoining the property Pennymead edged in blue on the approved plans shall not exceed 2.

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and to accord with Policies GB1, L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Reason

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

4. No jumps, fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land.

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and to accord with Policies GB1, L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5. Other than within the building hereby approved, at no time shall horse boxes, trailers, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses or livestock.

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and to accord with Policies GB1, L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. Details of any external illumination shall be submitted to and approved in writing by the Local Planning Authority. The external illumination shall be implemented in accordance with the approved details.

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and to accord with Policies GB1, L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

7. At no time shall there be any burning of foul waste upon the land the subject of the planning permission hereby granted.

Reason

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policies E10 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Prior to the commencement of the development hereby approved, an ecological habitat creation and management plan shall be drawn up and agreed in writing with the Council, to include details of the habitat to be created (or retained) and how this will be sympathetically managed to the benefit of local wildlife.

Reason

In the interests of the ecology of the area in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) Jan 2006.

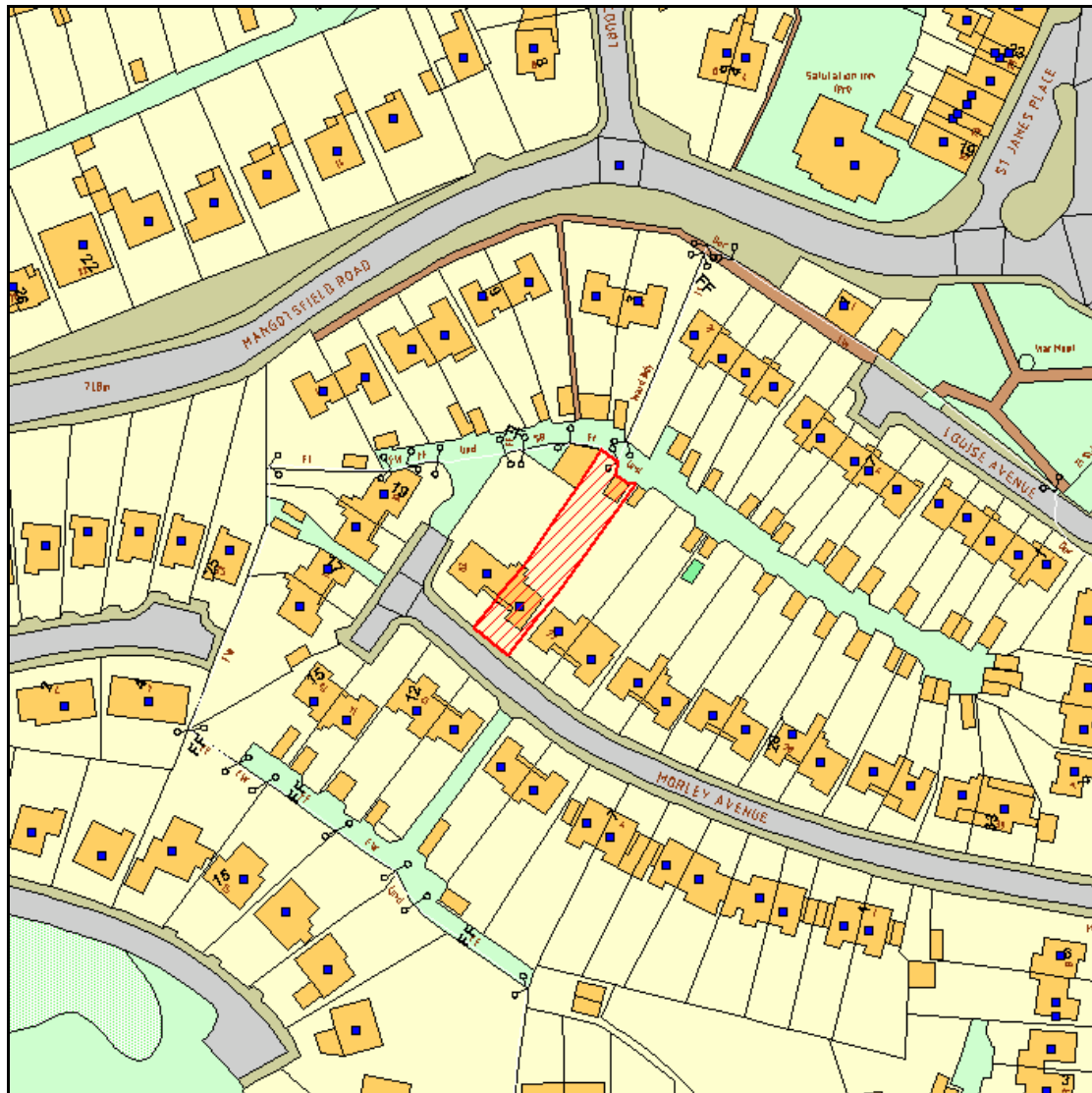
9. Details of any hardstanding shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the works. The hardstanding shall be implemented in accordance with the approved details.

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and to accord with Policies GB1, L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PK11/2483/F	Applicant:	Mr S Cumine
Site:	21 Morley Avenue Mangotsfield Bristol South Gloucestershire BS16 9JE	Date Reg:	10th August 2011
Proposal:	Erection of first floor rear extension to provide additional living accommodation.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366301 175997	Ward:	Emersons Green
Application Category:	Householder	Target Date:	30th September 2011



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PK11/2483/F

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

This application has been forwarded to the Council's Circulated Schedule of applications as representation has been received raising concerns contrary to the Officer recommendation.

1. THE PROPOSAL

1.1 The application site is situated on the south west side of Mangotsfield within a post war residential cul de sac. The site is bounded by residential development to the south east and north west Morley Avenue to the south west and with vehicular access via a service track at the rear (north east).

The application site is situated within the urban area as defined in the adopted Local Plan.

1.2 The application proposes erection of first floor rear extension to provide additional living accommodation.

Following submission, the application has been amended to remove the parapet feature from the side (north west) elevation by 300mm.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Existing Residential Curtilages

South Gloucestershire Core Strategy – Submission Draft December 2010

CS1 High Quality Design

2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Mangotsfield Rural Parish Council

No objection

4.2 Other Consultees [including internal consultees of the Council]

None

Other Representations

4.3 Local Residents

One letter of objection received from the occupiers of 20 Morley Avenue raising the following concerns in relation to the original plans:

The drawings are ambiguous as the existing floor plan and section shows a different internal party wall arrangement to the proposed floor plan and section; the proposed floor plan shows a new wall as a cavity wall on the applicant's side; concern is raised in relation to proposed construction on the basis that it may not be possible to build the internal wall as shown on the sectional drawings; The proposed side boundary wall would be built much higher than the existing eaves height resulting in a material loss of amenity to the adjacent occupier, in particular the neighbour's third bedroom window; loss of view from the neighbour's bedroom; detrimental massing of development; overshadowing of the neighbour's bedroom window and rear patio; shadowing and loss of light to the neighbour's bedroom and rear patio; unacceptably visually obtrusive development.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

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

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The dwelling is situated within a suburban residential context in a cul de sac characterised by post war semi detached and detached two storey dwellings. The dwelling the subject of this application is a two storey semi detached dwelling. The proposed extension would not be visible from public vantage points from the highway (Morley Avenue). The extension would be visible from the shared service track at the rear of nos 20 and 21, but only behind the

existing garages and outbuildings at the rear of nos 20-22. As such it is considered that the proposal is not particularly visually prominent. The subservient design and matching materials would be of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Residential Amenity

The proposed first floor extension would have no additional impact on the private garden space provided for no.21. The proposed extension would measure 3m length, 2.3m width with a height of 2.05m to eaves above the existing rear flat roofed element and 3.7m to ridge. The overall height would be 5.3m to eaves and 6.2m to ridge. The third bedroom of no.20 would be situated approximately 0.5m from the proposal. The proposal has been amended following advice from Officers and the originally proposed parapet feature on the boundary with no.20 has been removed and the overall eaves height has been reduced by 300mm. This has resulted in a much improved scheme with a reduced presence in relation to no.20. Considering the subservient appearance of the proposal when viewed from no.20 and the 3m width, it is considered that the proposed extension would not prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development. Additionally, it is considered that the proposal as amended would result in no significant impact occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development on the rear patio area of no.20 situated abutting the rear elevation of no.20.

5.4 Other issues

The proposal would provide an extension to an existing bedroom only and as such there would be no additional requirement for off street parking.

Concern has been raised by the representative for the neighbouring occupier that the application drawings may not accurately illustrate the existing party wall and cavity wall arrangement between the two dwellings in the location where the first floor extension is proposed. This matter would most effectively be controlled through Building Regulations in terms of the structural issues or Civil Law in relation to party wall and land ownership matters. On this basis little weight can be afforded to these issues in considering this planning submission.

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 summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.

- a) Due to its scale and position in relation to the adjacent dwellings, the proposed development is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) It has been assessed that the proposed extension has been designed to respect and maintain the massing, scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

7. RECOMMENDATION

- 7.1 Consent is GRANTED subject to the conditions and informatives as outlined in the attached decision notice:

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

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

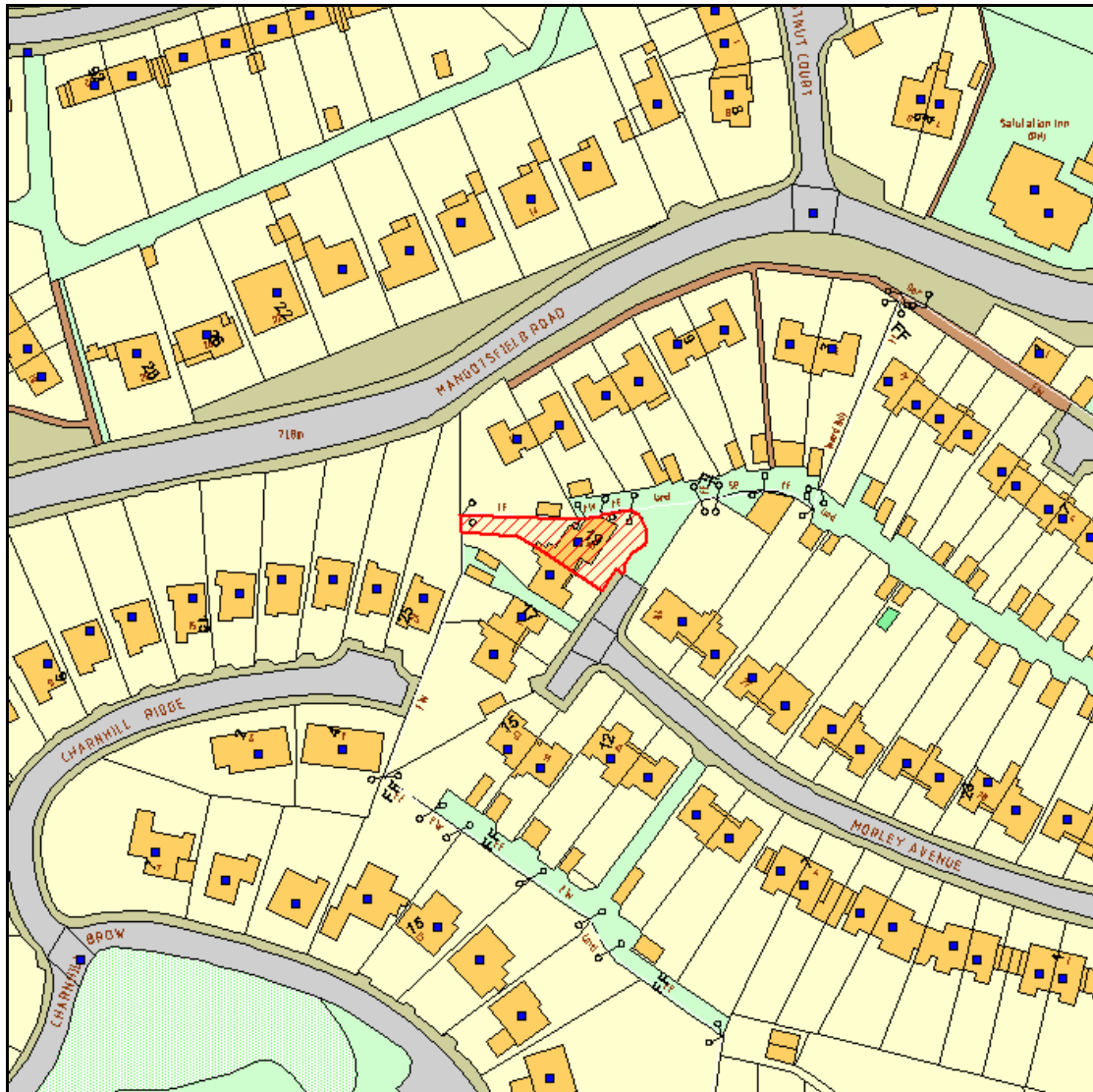
Reason

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

ITEM 7

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PK11/2527/F	Applicant:	Mr Rob Jones
Site:	19 Morley Avenue Mangotsfield South Gloucestershire BS16 9JE	Date Reg:	12th August 2011
Proposal:	Erection of single storey and two storey rear extension.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366272 176021	Ward:	Emersons Green
Application Category:	Householder	Target Date:	4th October 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule due to the receipt of one letter of objection from a neighbouring resident and 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 single storey and two storey rear extension at 19 Morley Avenue, Mangotsfield. The proposed extension would measure 9.7 metres wide by 3.5 metres in depth and would have an overall height to ridge of 6.5 metres. the two storey element would measure 2.8 metres in width.
- 1.2 The property is a two storey semi-detached dwelling and is located within a residential area of Mangotsfield.
- 1.3 During the course of the application amended plans were received omitting the balcony and replacing it with a lean to roof. The first floor rear bedroom window as been reduced in scale to allow room for the erection of the lean to roof.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T8 Parking Standards

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 Mangotsfield Rural Parish Council
Concerns were raised regarding the balcony overlooking neighbouring gardens and compromising privacy.

- 4.2 Drainage
No objections

Other Representations

4.3 Local Residents

One letter of objection has been received from a neighbouring resident raising the following concerns:

- Plans do not show the juxtaposition of the property boundaries therefore feel a site visit from the planning committee is essential
- No objections to the shape, size and aspect
- Actual building of the proposal is likely to present problems
- The delivery of materials would be via the shared fence between the drive to No. 17 Mangotsfield Road and the application properties garden.
- Disruption is likely to continue for some time given the scale of the project.
- Lane for the deliveries is only sand and soil and would not be able to support frequent use without being damage.
- Damage to the lane could result in the resident of No. 17 Mangotsfield Road being marooned at their home.
- Problem with access for fire engines, ambulance or doctors to No's 15 and 17.
- Wish to make aware the due consideration needed regarding issues to be addressed in project management, risk assessment and method statements.

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 and reflects the character of the main dwelling house and surrounding properties. The proposed extension is of modest size in comparison to the bulk of the main dwelling and is suitably subservient to it. This is particularly the case given that the bulk of the proposal is single storey and given that the two storey element is narrow in width and the ridge height of the proposal would be significantly lower than the ridge height of the main dwelling. The appearance of the resultant building is well proportioned and would remain in keeping with the scale of the surrounding dwellings. Furthermore, the proposed addition would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling.

The proposed extension would be to the rear of the existing dwelling and would not be readily visible from the road. It is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

The two storey rear extension would be located adjacent to the boundary with the adjoining property and adjacent to the existing small lean to rear extension. Whilst it is accepted that the extension is quite deep, measuring 3.5 metres, the extension would be located to the north of the adjoining property and as such it is not considered that the proposal would result in any significant overshadowing. The proposal has a height to eaves of 5.4 metres and the roof would be hipped to reduce the impact that the proposal would have on the adjoining property. The single storey extension would be adjacent to the rear driveway of No. 17 Mangotsfield Road, this neighbouring dwelling is located over 15 metres away from the location of the proposed extension, as such it is not considered that the proposal would have any significant overshadowing or overbearing effect on this neighbouring dwelling.

The proposal includes the addition of one new first floor window on the rear elevation. Given the location of this window, it is not considered that the proposal would result in any significant increase in overlooking or loss of privacy over and above that from the existing first floor windows. Given that the proposed balcony has now been replaced by a lean to roof, 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 Parking and Highway Safety

The application would not effect the existing garage and off street parking for the dwelling. It is considered that there is space for two cars to park on the driveway. Therefore the parking provision would remain in compliance and within the Councils required parking standards.

5.5 Other Issues

With regard to concern raised regarding the removal of fencing and access to the site for the construction of the proposal, this is a civil matter, which would need to be addressed under non-planning legislation in the form of the Party Wall Act and other related legislation. However for the avoidance of doubt, three informative would be attached to the decision notice to ensure that the applicant / agent is aware that planning permission does not grant rights to carry out works on land outside of the control of the applicant, consent must be sought from the owner of the land, and that Building Regulations must be complied with. In addition to the above, an informative will be attached to any permission to remind the applicant/ agent that the construction works for the proposal should be carried out at reasonable times.

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 and the parking provision would remain in compliance with Policy T8. As such the proposal accords with Policies D1, T8 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 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).

ITEM 8

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PK11/2529/EXT	Applicant:	Mr John Glover
Site:	45A Middle Road The Paddock Kingswood Bristol South Gloucestershire	Date Reg:	23rd August 2011
Proposal:	Demolition of 1 no. dwelling to facilitate the erection of 4 no. flats (Outline) with layout and access to be determined. All other matters reserved. (Resubmission of PK08/1523/O). (Consent to extend time limit implementation for PK08/2055/O)	Parish:	None
Map Ref:	365607 175323	Ward:	Rodway
Application Category:	Minor	Target Date:	14th October 2011



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PK11/2529/EXT

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application is seeking an extension on the time limit attached to application reference PK08/2055/O at 45A Middle Road, Kingswood. The original application was for the demolition of the existing dwelling to facilitate the erection of 4no. flats (outline) with layout and access to be determined (re-submission of PK08/1523/O). The original application was approved on 3rd October 2008 and the consent therefore lapses on 3rd October 2011.
- 1.2 The application site comprises a detached bungalow situated on the northern side of Middle Road.

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
L1 Landscape Protection and Enhancement
L17 & L18 The Water Environment
EP1 Environmental Protection
EP7 Unstable Land
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control
- South Gloucestershire Core Strategy -Submission Draft (December 2010)
CS1 High Quality Design
CS5 Location of Development
CS16 Housing Density
CS17 Housing Diversity
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/1523/O Demolition of existing dwelling to facilitate the

erection of 5no. flats and 1no coach house (Outline) with layout and access to be determined. All other matters reserved. (withdrawn July 2008)

- 3.2 PK08/2055/O Demolition of existing dwelling to facilitate the erection of 4no. flats (Outline) with layout and access to be determined. All other matters reserved.
Approved October 2008

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Site falls outside of any parish boundaries.
- 4.2 Environmental Protection
No objections
- 4.3 Sustainable Transport
No objections
- 4.4 Drainage Engineer
No objections

Other Representations

- 4.5 Local Residents
Two letters of objection have been received from local residents raising the following concerns:
- Reduce daylight to neighbouring property
 - Overbearing
 - Loss of privacy
 - Drainage problems, track to north is already prone to flooding
 - Loss of garden/ draining land could increase risk of flooding
 - Increase in traffic would have a detrimental environmental impact
 - Could create a precedent
 - PK08/1523/O was made prior to the completion and occupation of dwellings to the north
 - Increased density may increase problems for passing places on the road which is already heavily parked on and a bus route.
 - Jubilee mews development has already ruined views and resulted in noise and disturbance
 - More houses will add to disturbance and ruin side view towards 45a.
 - No need for the development as housing is being constructed in Stanley Road
 - Already parking issues, proposal would make this worse.
 - Site is in a coal mining area
 - No mention of access to the development Unhappy for the back lane to be used, believe this is private land.
 - Back lane inadequate for plant vehicles

- On the main road there is a bus stop very close to 45a Middle Road
- Access to the main road would be dangerous due to constant bus activity and will cause congestion especially when bins are collected.
- Middle Road is used as a school run, if the application is granted it will be dangerous
- Drainage will be greatly depleted.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The principle of development was accepted as a part of the previous application PK08/2055/O Since the determination of the previous application the South Gloucestershire Core Strategy (Submission Draft) has been issued as identified in section 2.2 of this report. In addition to this, national government guidance has been revised - Planning Policy Statement 3: Housing, was reissued on 9th June 2010 to reflect concerns regarding the redevelopment of neighbourhoods, loss of Green Space and the impact upon local character.

5.2 Analysis of Proposal

In assessing this application to extend the time limit for implementation, it is necessary to assess any material changes in either policy and any other material considerations since the approval of the previous application.

5.3 The local plan policies against which the application must be tested remains the same as those considered in 2008, in particular Policies H2 and H4. Central Government Policy has altered since 2008 with the amendments to PPS3. The changes to PPS3 involved 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. However, the 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.

5.4 In addition to the above, the South Gloucestershire Core Strategy Submission Draft was published December 2010. Whilst this document is a material consideration in the determination of planning applications, it will be afforded less weight than the adopted Local Plan at this stage. Policies of relevance within the core strategy include CS1 High Quality Design, CS5 Location of Development, CS16 Housing Density and CS17 Housing Diversity. It is considered that the proposal meets the requirements of the relevant Core Strategy policies, in addition to those of the existing Local Plan.

5.5 Physical changes and visual impact

No material changes have taken place to the physical environment within or immediately surrounding the application site since application PK08/2055/F was determined in 2008. Whilst the dwellings to the north may not have all been completed at the time of the previous application, permission for these properties was granted in May 2006 and the dwellings are shown on the committee report plan dated 2nd October 2008. As such it is considered that the

proposal would have no additional material impact in terms of residential and visual amenity or in relation to highway safety over and above those considered for application PK08/2055F which was considered to be acceptable and approved.

Consequently it is considered that the extension in time is acceptable in this instance. All conditions attached to the previous application will be carried forward to this extension of time application unless the conditions have already been discharged.

5.6 Parking and Highway Safety

With regard to the concerns raised, the proposed plans show there to be three parking spaces to the front of the property and one space to the rear. Cycle storage and bin storage would be located along the side of the proposed building, adjacent to the boundary with No. 47 Middle Road. The access and off street parking was considered as part of the previous application and considered acceptable at that time. No changes in policy or material changes in the immediate area have occurred since the previous recommendation, as such the proposal is still considered to be in accordance with Local Plan policies.

5.7 Residential Amenity

Concern has been raised regarding loss of privacy, overbearing, loss of views and loss of daylight. The impact of the proposal was assessed as part of the previous application and given the scale and position of the proposal it was not considered that the proposed development would have any significant detrimental impacts on residential amenity. Whilst a full assessment of the impact in terms of overlooking and loss of privacy would need to be made at the reserved matters stage, when the exact location of windows would be known, it is considered that the proposal is still in accordance with national and local government guidance.

5.8 Drainage and Coal mining

Concern has been raised regarding the drainage of the site and the fact that the application site is located within a coal mining area. Both these issues were assessed as part of the previous application. The drainage engineer still raises no objections to the proposal. As such subject to the attachment of the same conditions, a condition to ensure the submission of details of sustainable drainage system and a condition to ensure the submission of a mining report, there are no objections to the proposal.

5.9 Other Issues

Concern raised regarding access to the rear of the property and the ownership of the track is a civil matter which would need to be addressed under non planning legislation. However, for the avoidance of doubt, three informatives would be attached to the decision notice to ensure that the applicant / agent is aware that planning permission does not grant rights to carry out works on land outside of the control of the applicant; consent must be sought from the owner of the land; and, that the Building Regulations must be complied with.

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) Despite the additional policy consideration in the form of South Gloucestershire Core Strategy Submission Draft December 2010, and amendments to PPS3 the proposal is still considered to comply with the requirements of both Central and Local Government policy.

b) No material changes have taken place in physical terms since PK08/2055/O was approved. As the proposal PK08/2055/O was considered acceptable in residential amenity and highway terms, this extension of time is also considered to be acceptable in residential amenity and highway terms. The development therefore accords to Policy H4, H2, T8 and T12 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 That the application be approved subject to the following conditions.

Contact Officer: Kirstie Henshaw
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

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

Reason

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

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

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

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

Reason

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

5. Application for the approval of the reserved matters shall be in accordance with the parameters indicated on the submitted plans.

Reason:

To accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

7. Prior to the commencement of development full details of the bin storage, to include elevations (the storage shall be fully enclosed) and layout shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the approved details and shall be retained for that purpose thereafter.

Reason

In the interests of residential amenity and to accord with Policy D1(H) of the South Gloucestershire Local Plan. (Adopted)

8. The parking area, turning area and access shall have a bound permeable surface and shall be retained as such thereafter.

Reason

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

9. All highway works associated with the extension to the existing site access shall be carried out to the full and final satisfaction of the Councils Street Care department.

Reason

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

10. The hours of working on site during the period of construction shall be restricted to 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to occupiers of nearby buildings and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Prior to the commencement of any works on the site, a mining report must be submitted to and approved in writing by the Local planning Authority. Works shall proceed in accordance with the approved details.

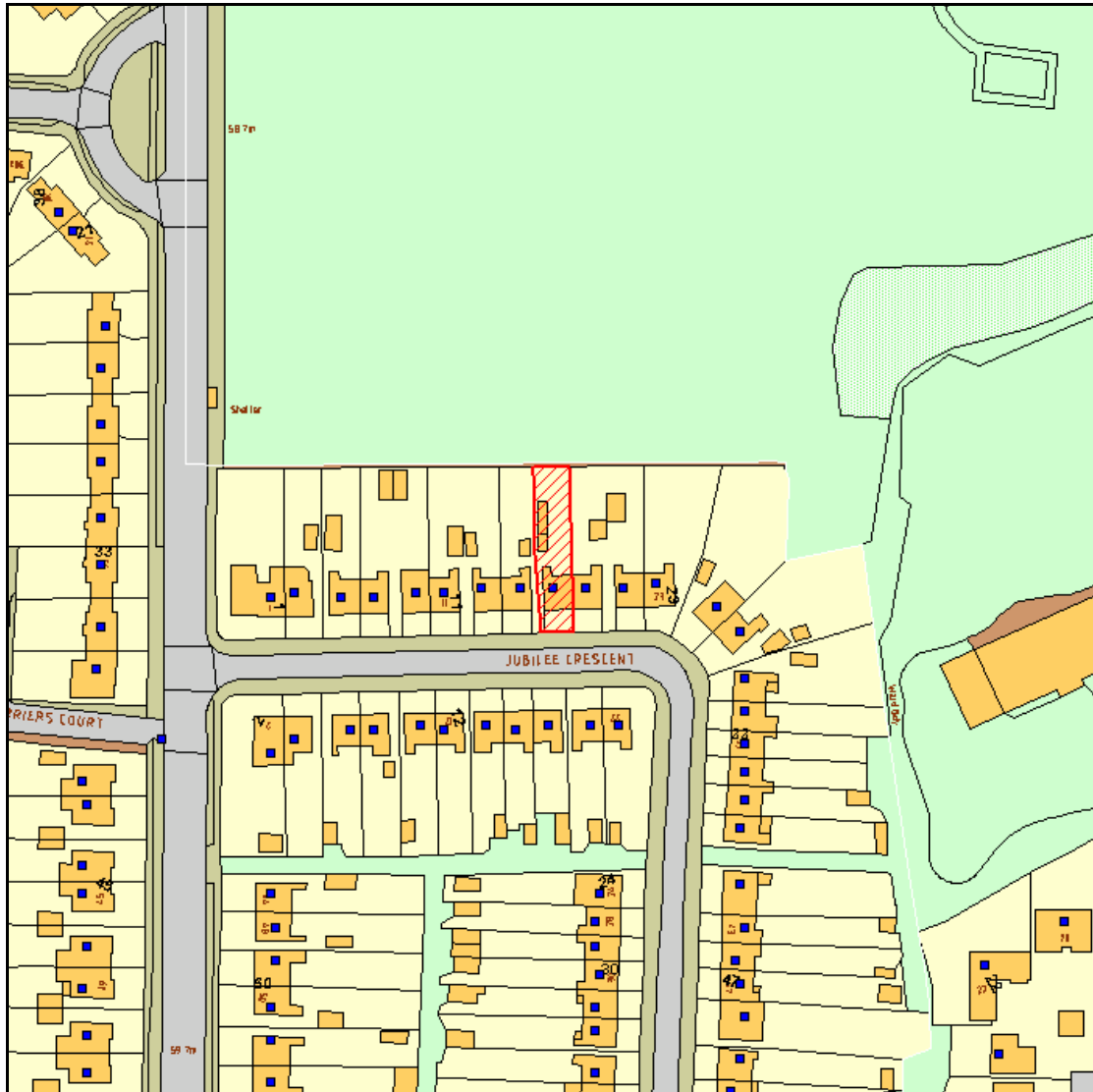
Reason;

To prevent non-point source pollution and flooding and to accord with policies L17 , L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 9

CIRCULATED SCHEDULE NO. 37/11 – 29 SEPTEMBER 2011

App No.: PK11/2535/F	Applicant: Mr & Mrs R Pope
Site: 17 Jubilee Crescent Mangotsfield South Gloucestershire BS16 9BB	Date Reg: 12th August 2011
Proposal: Erection of two storey rear extension to provide additional living accommodation.	Parish: Mangotsfield Rural Parish Council
Map Ref: 366454 177078	Ward: Rodway
Application Category: Householder	Target Date: 4th October 2011



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100023410, 2008. **N.T.S.** **PK11/2535/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The following report has been recommended for submission to the Circulated Schedule following objections being received from local residents.

1. THE PROPOSAL

- 1.1 The application relates to a semi-detached dwelling situated on the north side of Jubilee Crescent, Mangotsfield. The site lies within the defined settlement boundary.
- 1.2 Planning permission is sought for the erection for a two storey rear extension. The property has a single storey rear projection that was built at the same time as the house. The property has a detached garage that is located to the rear of the dwelling, and can be accessed via a shared driveway with No. 15 Jubilee Crescent. Planning permission was also sought for a dropped kerb and a permeable hardstanding to the front of the dwelling; these do not require planning permission therefore do not form part of this application. If approved, an informative will be attached to the decision notice informing the applicants that permission from the Council's Streetcare Department will be required for the insertion of a dropped kerb.
- 1.3 Amended plans were received removing an erroneous line shown on the side of the proposed extension and correcting the scale written on the plans. On the existing block plan, the existing garage is shown as double length, this was not found to be the case on the Officer's site visit; instead there is an existing single length garage.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T8 Parking standards
T12 Transportation Development Control Policy
South Gloucestershire Council Core Strategy (Submission Draft) December 2010
CS1 Good Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007

3. **RELEVANT PLANNING HISTORY**

3.1 No history.

4. **CONSULTATION RESPONSES**

4.1 Downend & Bromley Heath Parish Council
No objection.

4.2 Drainage Engineer
The proximity of a private sewer may affect the layout of the development. It is recommended that the applicant considers diverting the private foul/surface water sewer to avoid any future maintenance issues. If approved, an informative will be attached to the decision notice regarding this.

Other Representations

4.4 Local Residents
Three letters of representation have been received (two from one person) raising the following points:

- o The extension is out of proportion compared to surrounding properties
- o As the extension is deeper than the existing, it will impact upon the vehicle turning area in the shared drive
- o The applicants' vehicle would have to park on the shared drive to load/unload contents into garage
- o Will the manhole be accessible if extension is built?
- o Loss of light to side landing and side kitchen windows of adjacent property
- o Neighbour's rear patio will be blocked from morning sun
- o It will have an overbearing impact on adjoining neighbour's dwelling
- o It sits directly on the boundary and will lead to a loss of light, especially to lounge and rear bedroom.
- o It will lead to a loss of outlook
- o The extension exceeds the 45 degree rule
- o Need for dropped kerb questioned
- o Off-street parking should not be for caravans or commercial vehicles
- o The compass on the plans is misleading: the properties are north-south aligned
- o Neighbour's rear rooms and patio will be in shadow
- o The applicants' will require access to neighbouring property for access to shared drainpipe
- o It will affect neighbours' health and well-being

4.5 It is noted that objections have been raised over the front parking area and dropped kerb. As discussed above, these do not require planning permission.

Vehicle parking on a residential property can only be for domestic vehicles. Additionally, concerns regarding loading of vehicles on the shared drive is a civil matter. The access to the shared drainpipe is also a civil matter and should be covered by the Party Wall Act. The North indicator on the submitted plans appears to be correctly shown; additionally the plans correlate with the Council's records.

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

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

5.2 **Design/Visual Amenity**

This application seeks planning permission for the erection of a two storey rear extension to replace the existing single storey rear projection. The proposed extension will have a depth of 3.6 metres from the main rear (two-storey) wall of the dwelling and the west side wall of the extension will be chamfered from a depth of 1.7 metres. The extension will span nearly the full width of the dwelling and will be sited 0.1 metre from the boundary with the attached dwelling. The height to eaves will be 5.3 metres and will have a hipped roof that will be set down from the ridge of the host dwelling. The materials used in the proposed extension will match the host dwelling, which is spar painted render.

5.3 An objection has been received stating that the proposed extension is out of proportion with the surrounding dwellings. Although it is acknowledged it is a large extension, it is considered domestic in design and scale. With materials to match the existing dwelling and its location at the rear of the property, where due to the trees on the rear boundary the proposal would not be significantly adversely prominent from the public realm, it is considered that the extension will adequately be in keeping with the surrounding semi detached properties.

5.4 In respect of the design of the rear extension, with the chosen construction materials and its location at the rear of the property, it is considered that it is an appropriate addition to the dwelling and the streetscene. It is therefore considered to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.5 **Overbearing analysis**

The proposed rear extension will be sited 0.1 metre from the boundary with the attached dwelling. Although it is acknowledged it is quite a large extension, its depth is 3.6 metres. An objection has been raised regarding the "45 degree rule". The Officer has not used this approach in the analysis of this proposal, however, the proposal will be analysed in-depth. Concern has been raised that the extension will lead to a loss of light to the rear rooms of the adjoining

- dwelling, the rear patio of both the adjoining and adjacent dwelling, and the side windows of the adjacent dwelling. The extension is on the north elevation, therefore, any loss of sunlight will be minimised by the sun's path from an east to a west direction on a southerly plane. The extension will have a hipped roof and will be set down from the ridge height of the dwelling, helping to reduce any impact on light levels. Due to the angle of the sun, it is therefore considered that the extension will not lead to a detrimental loss of light to either of the neighbouring dwellings that would warrant refusal of the application.
- 5.6 Concern has been raised regarding a potential loss of outlook caused by the extension. The dwellings have substantial rear gardens of over 20 metres in length. Additionally, there is an existing 1.8 close boarded fence on the adjoining boundary. It is therefore considered that the proposed extension will not lead to a detrimental loss of outlook.
- 5.7 It is therefore considered that the scale and design of the rear extension is considered to be acceptable, and if allowed, would therefore not lead to a detrimental impact on the neighbours health and well-being, as raised in a letter of representation.
- 5.8 Privacy Analysis
No windows are proposed on the side of the proposed extension closest to the adjoining dwelling. It is recommended that a condition be attached preventing any future windows on this side. Two first floor windows are proposed on the other side; these are to a bathroom and therefore will be obscure glazed. As the obscure glazing is not shown on the submitted plans, it is also recommended that a condition be attached securing this. French windows are proposed in the rear elevation. If the above conditions are attached, it is considered that the proposed extension will not lead to a loss of privacy. The extension is therefore considered to accord with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.9 Other Matters
Concern has been raised over the existing manhole. If approved, an informative will be recommended to be put on the decision notice regarding this.
- 5.10 Amenity Space
Whilst the proposed extension does project into the rear garden, sufficient garden space will remain to serve the occupiers of the property.
- 5.11 Highway Safety Analysis
The property benefits from a detached garage. This is situated to the rear of the property and consequently the development will not impact upon highway safety. Additional off street parking is proposed to the front. The proposal is considered to accord with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 It has been assessed that the proposed extension has been designed to respect and maintain the materials and design and character of the dwelling streetscene. The development therefore accords with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

The proposed extension has taken account of neighbouring residential amenities and will not materially harm the amenities of neighbouring properties by reason of loss of privacy or overbearing impact. The proposal therefore accords with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

The development proposes satisfactory levels of onsite car parking to meet highway car parking standards, and would not prejudice highway safety in accordance with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

7. RECOMMENDATION

- 7.1 That planning permission be **GRANTED** subject to the conditions shown on the decision notice.

Contact Officer: Elizabeth Dowse
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. No windows shall be inserted at any time in the east side elevation of the extension hereby approved.

Reason

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

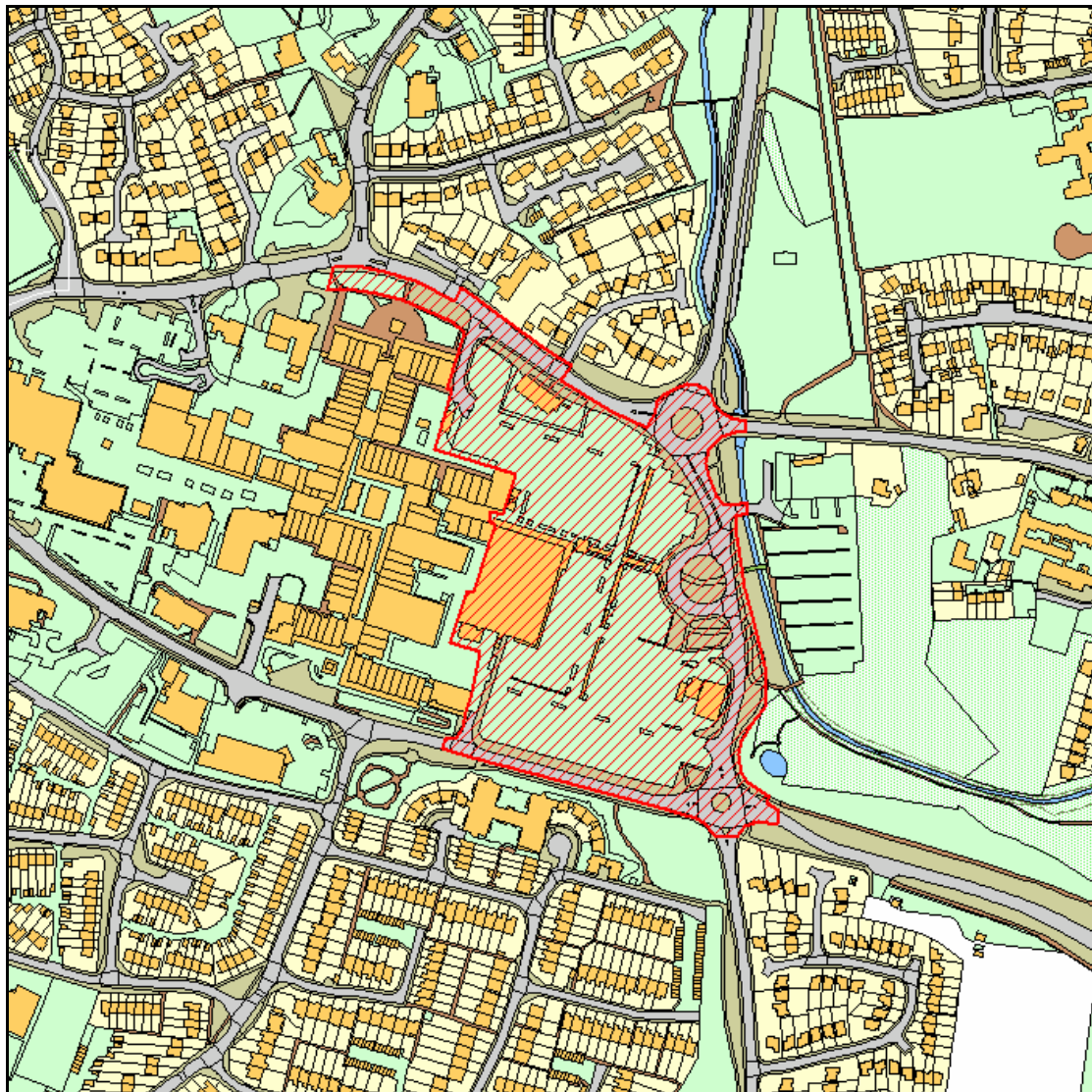
3. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor windows on the west side elevation and the west north west side (chamfered) elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the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

Reason

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

CIRCULATED SCHEDULE NO. 37/11 - 23 SEPTEMBER 2011

App No.:	PK11/2593/ADV	Applicant:	Tesco Stores Ltd
Site:	12 East Walk Yate Bristol South Gloucestershire BS37 4AS	Date Reg:	18th August 2011
Proposal:	Display of 10no. glazing vinyls, 2no. internally illuminated 2no. externally illuminated, 1no. non-illuminated and 2no. non-illuminated goal post signs	Parish:	Yate Town Council
Map Ref:	371538 182400	Ward:	Yate Central
Application Category:	Minor	Target Date:	20th October 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

Objections were received, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for signs to be attached to the replacement Tesco store forming the eastern end of Yate town centre, which is nearing completion and expected to open in October. It is the largest and tallest building in the centre.
- 1.2 The signs proposed under this application are 10 glazing vinyls, which only require advertisement consent if they are applied to the outside of the windows and not if they are attached to the inside. 8 of these vinyls show pictures of food, and of the remaining 2, one states 24 hour opening and the other shows a hand holding a Tesco clubcard.
- 1.3 Three externally illuminated signs are applied for, one on the south elevation, facing Kennedy Way at first floor level stating: Tesco extra and one other on the east elevation, facing onto the bus station stating: Yate Shopping Centre. The same type of sign is also proposed for the north elevation, facing Station Road at a distance.
- 1.4 In addition, two large, internally illuminated Tesco Extra logo signs are applied for, one for the eastern elevation at the top (third) floor and centrally located, with the other on the northern elevation, centrally located on the top floor.
- 1.5 Finally, this application seeks advertisement consent for two 'goalpost' signs, to be located over the entrance doors, non-illuminated and stating: welcome to Tesco extra.
- 1.6 An amendment to the scheme originally proposed has been sought and received to remove the external illumination of the sign facing Kennedy Way. However the applicants are not prepared to reduce the scale of the main 'Tesco Extra' signage, stating that it is appropriate to the scale of the building upon which it is proposed to be displayed.

2. POLICY CONTEXT

2.1 National Guidance

PPG19 Outdoor Advertising

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

None

South Gloucestershire Core Strategy -Submission Draft (December 2010)

None

3. RELEVANT PLANNING HISTORY

- 3.1 PK11/2617/ADV Signage scheme for car park and building
Undetermined

3.2 PK11/2759/ADV Two totem signs next to car park Undetermined

4. **CONSULTATION RESPONSES**

4.1 Yate Town Council

Object to the proposal as the scale of the signs illuminated is too big, with the Tesco Extra signs at almost 1 and ½ storeys. Illuminated signage facing Kennedy Way would be a waste of energy if screened by the trees and have an impact on residential amenity in Kennedy House, if located above the tree line. All other illuminated signage should be switched off at 2300.

4.2 Other Consultees [including internal consultees of the Council] Sustainable Transportation

The proposed signs are mainly fascia signs and well set back from the adopted highway boundary. It is considered that these would have no highway or road safety implications and as such there are no highway objections to this planning application.

Other Representations

4.3 Local Residents/ Businesses

Two letters of objection have been received, citing the following concerns:

- Light pollution from illuminated signs
- Size and scale of signs on the Station Road elevation
- The signage should not be in a central position on the north elevation
- The landscaping of the site may not screen the proposed signs

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the Advertisement Regulations and the only relevant issues are therefore public safety and visual amenity.

5.2 Highway Safety

All the signs relate to the building itself. The impact on users of the highway is considered to be limited to those approaching or passing the building and those manoeuvring in the town centre's car parks at this end of the centre of Yate. There has been no objection made by Sustainable Transportation. The signs are not considered to be likely to be distracting, given their location in relation to the nearest highways.

5.3 Impact on Visual Amenity

All of the proposed signage relates to the building itself, which is three storey and large in scale in the local context. The size of the signage proposed is considered to respect the scale of the building on which it is to be displayed. All the signs would be set well back in the site with either the car park or retained landscaping between the building and public views from outside the site. The majority of the signs would only be appreciated from positions close to the building itself and these are not considered to have any adverse impact on visual amenity. The impact on visual amenity is considered to be more significant on those signs proposed above ground floor level, where the scale of the proposed signage on a three storey building is considered to be

appropriate. With regard to the impact on the Station Road frontage, the houses are located some 60 metres from the signs. Even though they will be clearly visible, in the context of the size of the building which would surround them it is considered that they would not harm visual amenity. Furthermore, the central location of the main signs on each affected façade is considered to be well-balanced and as such represents an appropriate design solution.

5.4 Cumulative Impact

The signs relate to the site itself and its role as part of the shopping centre. They are spread over three elevations, primarily the north and east elevations, with two other signs on the elevation facing Kennedy Way. Where signs are grouped, they are small ones close to ground level and, given the size of the facades involved, the signs proposed are considered to be of a reasonable scale not to result in any harmful cumulative impact.

5.5 Illumination

Further to the analysis at 5.3 above, the issue of impact from illumination is considered to be limited to the larger signs above ground level as part of this scheme. Given that the closest housing in proximity to these signs is Kennedy Way, amended plans have been requested and received to ensure that the 'Tesco Extra' sign on this elevation is unlit. The Town Council has questioned the size of these signs and a slight reduction in size has been requested, but not agreed by the applicants.

The impact of the sign on the north elevation, facing Swan Field is considered to be limited due to the distance referred to above between the signs and the houses. Over 60 metres it is not considered that an illuminated sign would cause any problems for residential amenity, in that the illumination would not be so bright as it would be internally illuminated and would be, as shown on the plans, mounted into the building, i.e. flush with its surface. Under these circumstances, it is considered that to impose a condition limiting the hours of illumination would be unreasonable in the absence of any demonstrable harm.

6. CONCLUSION

6.1 The recommendation to grant consent has been taken having regard to Section 220 of the Town and Country Planning Act 1990 and Regulation 4 of the Advertisement Regulations 1992

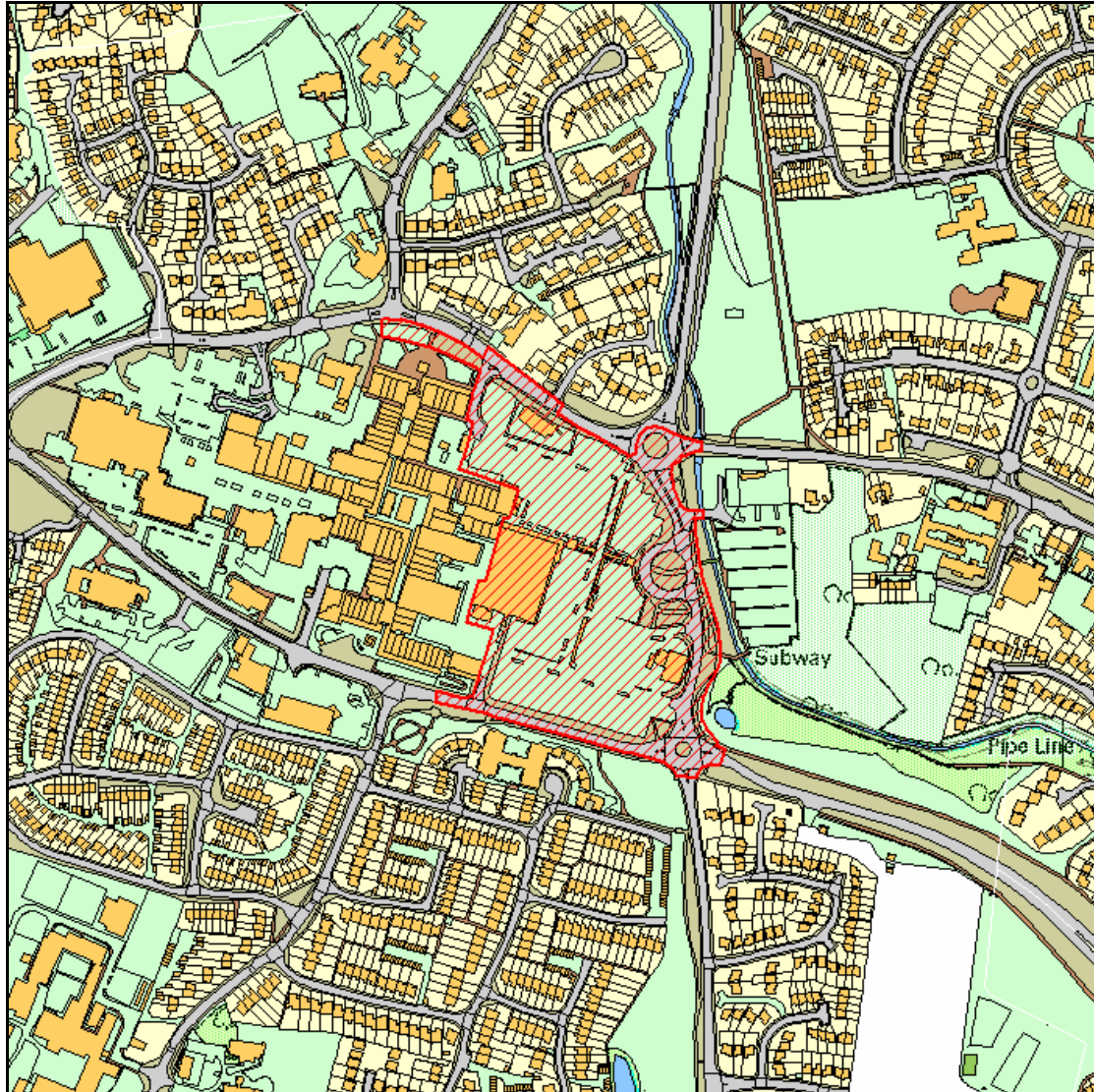
7. RECOMMENDATION

7.1 That advertisement consent is granted.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PK11/2617/ADV	Applicant:	Tesco Stores Ltd
Site:	12 East Walk Yate Bristol South Gloucestershire BS37 4AS	Date Reg:	25th August 2011
Proposal:	Display of 28 no. non illuminated signs.	Parish:	Yate Town Council
Map Ref:	371538 182400	Ward:	Yate Central
Application Category:	Minor	Target Date:	18th October 2011



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PK11/2617/ADV

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Objections have been received which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for a scheme of signage to be located within the car park which takes up the eastern edge of Yate town centre. The signage would be exclusively for information and directions, since negotiations have resulted in the original scheme for 42 signs being reduced to 28 signs, half of which would be located in the undercroft car park below the two storeys of the Tesco store currently under construction and therefore not readily visible from outside the site.
- 1.2 The remaining 14 signs would be situated mostly close to the edge of the site. No illumination of signs is proposed.

2. POLICY CONTEXT

- 2.1 National Guidance
PPG19 Outdoor Advertising
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
None
- South Gloucestershire Core Strategy -Submission Draft (December 2010)
None

3. RELEVANT PLANNING HISTORY

- 3.1 PK11/2593/ADV Signage scheme for building Undetermined
- 3.2 PK11/2759/ADV Two totem signs next to car park Undetermined

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Object to the proposal as the scale of the signs illuminated is too big, with the Tesco Extra signs at almost 1 and ½ storeys. Illuminated signage facing Kennedy Way would be a waste of energy if screened by the trees and have an impact on residential amenity in Kennedy House, if located above the tree line. All other illuminated signage should be switched off at 2300.
- 4.2 Other Consultees [including internal consultees of the Council]
Sustainable Transportation
The proposed signs are either directional signs aimed at drivers/people moving through the car park or advertising/information signs and they will all be located on private land. There would be no highway or transportation impact resulting from these and hence, there are no highway objections to this application.

Other Representations

- 4.3 Local Residents/ Businesses
Two letters of objection have been received, citing the following concerns:

- Object to the exit sign being erected opposite the front of a house on Station Road
- Object to the banners proposed to be placed opposite a property in Station Road as they are used purely for marketing

NB. This second point has been dealt with in the amendments negotiated to the scheme, with the banners now not part of the proposal.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the Advertisement Regulations and the only relevant issues are therefore public safety and visual amenity.

5.2 Highway Safety

The transportation comments appear at 4.2 above. No harm to existing levels of highway safety has been identified and it is considered that the signage is necessary for the smooth running of the private car park area, which is to the benefit of the safe movement of vehicles overall.

5.3 Impact on Visual Amenity

All of the proposed signage relates to the car park area, half of it comprising the ground floor of a three storey building. All the signs would be set back in the site with landscaping between the car park and the surrounding roads and public views from outside the site, where possible. The majority of the signs would only be appreciated from positions close to the car park itself and these are not considered to have any adverse impact on visual amenity. With regard to the impact on the Station Road frontage, the houses are located some 24 metres from the nearest sign. The sign in question would display the word 'exit' which would face into the site. Its maximum height would be 3.35 metres and at such a distance from the nearest dwelling is not considered to compromise existing standards of visual amenity.

5.4 Cumulative Impact

The signs relate to the site itself and the need for directions for drivers and pedestrians within the car park. Extraneous signage has now been removed from the scheme. Where signs are grouped, they are small ones close to ground level and are considered to be of a reasonable scale not to result in any harmful cumulative impact.

6. **CONCLUSION**

6.1 The recommendation to grant consent has been taken having regard to Section 220 of the Town and Country Planning Act 1990 and Regulation 4 of the Advertisement Regulations 1992

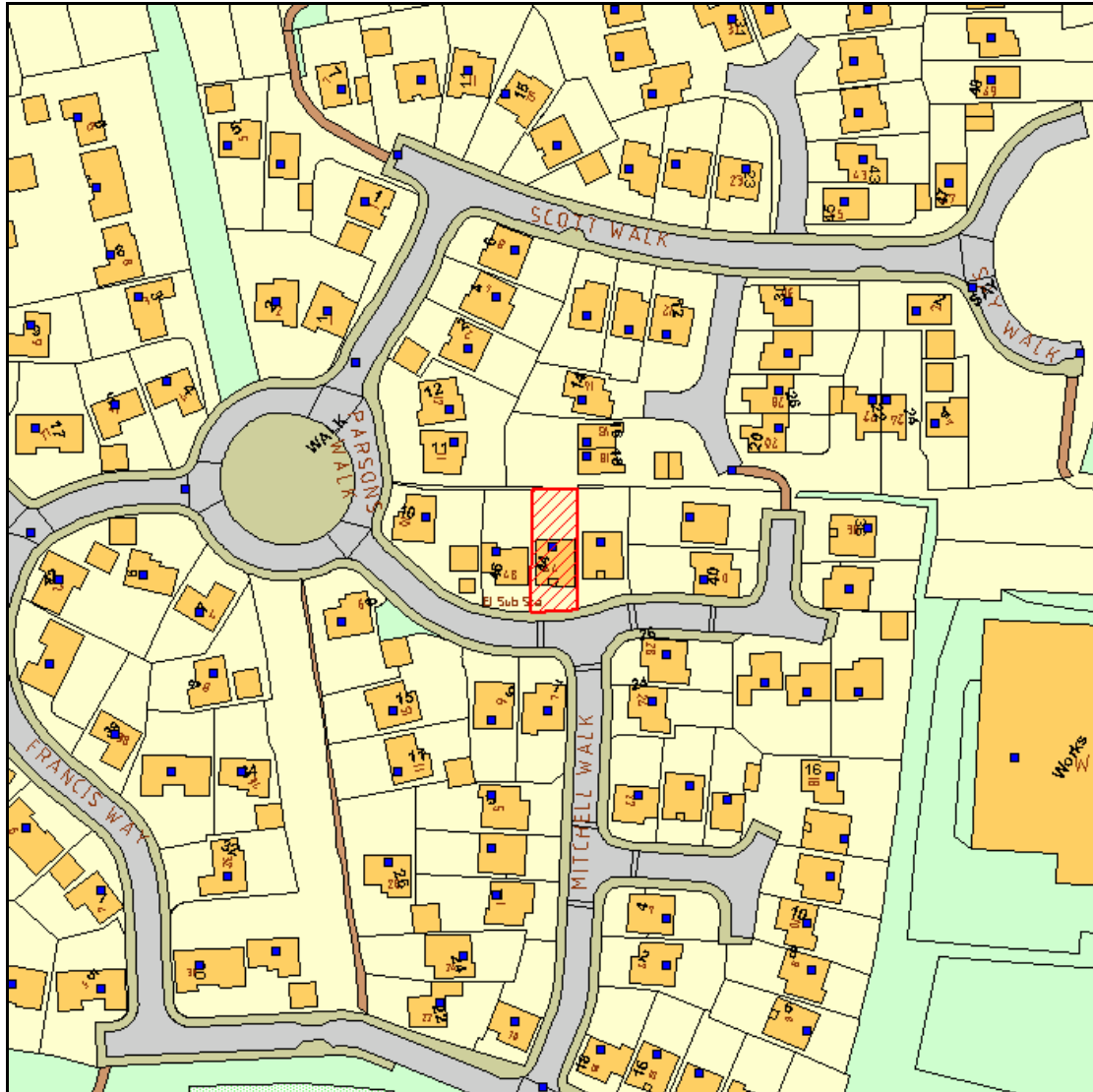
7. **RECOMMENDATION**

7.1 That advertisement consent is granted.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PK11/2679/F	Applicant:	Mr D Mitchell
Site:	44 Mitchell Walk Bridgegate South Gloucestershire BS30 5XY	Date Reg:	30th August 2011
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Siston Parish Council
Map Ref:	367752 173085	Ward:	Siston
Application Category:	Householder	Target Date:	19th October 2011



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 100023410, 2008. **N.T.S.** **PK11/2679/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule due to the receipt of one letter of objection from a neighbouring resident.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a single storey rear extension at 44 Mitchell Walk, Bridgegate. The proposed extension would measure 4 metres wide by 3.8 metres in depth and would have an overall height to ridge of 3.5 metres.
- 1.2 The property is a two storey detached dwelling and is located within a residential area.

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 December 2010
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No objections

Other Representations

- 4.2 Local Residents
One letter of objection has been received from a neighbouring resident raising the following concerns:
- Loss of light to kitchen which is north facing.
 - Buildings were built staggered so the rear of the properties would get as much light as possible.
 - Loss of light to downstairs toilet
 - Overshadow back garden

- Velux window will overlook back garden and bedroom windows
- Unknown location of storm and foul drain
- Damage to fencing
- No objections if extension were to be built on opposite side of the house

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 and reflects the character of the main dwelling house and surrounding properties. The extension is small in scale in comparison to the bulk of the main dwelling and is suitably subservient to it. Furthermore, the proposed addition would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling.

The proposed extension would be to the rear of the existing dwelling. It is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

The rear of the property is bound on all sides by neighbouring residential properties and is enclosed and screened by 1.8 metre high closed board fencing which is staggered in height in line with the gradient of the garden.

The rear elevation of the nearest neighbouring dwelling No. 42 projects slightly beyond the rear elevation of the application property, as such the proposal would only extend approximately 2.4 metres beyond the rear elevation of No. 42 Mitchell Walk. The proposed extension would have a height to eaves of 2.2 metres and is set approximately 600mm away from the boundary with the No. 42 Mitchell Walk. Whilst concern has been raised that the proposal would result in loss of light to the neighbouring properties kitchen and bathroom windows, given the existing boundary treatments in place, combined with the location, depth and height of the proposal, it is not considered that the extension would have any significant overshadowing or overbearing effect on the neighbouring dwelling. This is especially the case given that the proposal is set away from the boundary and would incorporate a hipped roof that slopes away from the neighbouring property, in addition it should be noted that the rear of the property is north facing. With regard to the concern raised relating to the bathroom window, given that the outlook from the bathroom window is already enclosed by the existing circumstances it is not considered that a refusal reason on overshadowing grounds could be substantiated or justified at appeal.

The proposal would have a rear window that overlooks the rear garden of the property and an entrance door and window on the western elevation, in addition the extension would include two roof lights. Whilst concern has been raised regarding overlooking from the roof lights, it is important to note that the roof lights would be located over 2.4 metres above ground level, furthermore given the acute angle and height difference between the proposal and the bedroom windows it is not considered that the extension would allow any loss of privacy to the neighbouring properties bedroom windows. Consequently it is considered that there are no issues of inter-visibility or loss of privacy. Further, sufficient garden space would remain to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

5.4 Other Issues

With regard to concerns raised regarding possible damage to the boundary fence and the unknown location of the storm and foul drain, the proposal is set approximately 600mm away from the neighbouring fence and as such it is likely that the extension could be constructed without the need to remove the boundary fence. However any works that effect the fencing would be a civil matter which would need to be addressed under non planning legislation in the form of the Building Regulations, The Party Wall Act and other related legislation. The location of the storm and foul drain would be addressed under Building Regulations. However, for the avoidance of doubt, three informatives would be attached to the decision notice to ensure that the applicant / agent is aware that planning permission does not grant rights to carry out works on land outside of the control of the applicant; consent must be sought from the owner of the land; and, that the Building Regulations must be complied with.

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. 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 following conditions

Contact Officer: Kirstie Henshaw
Tel. No. 01454 865207

CONDITIONS

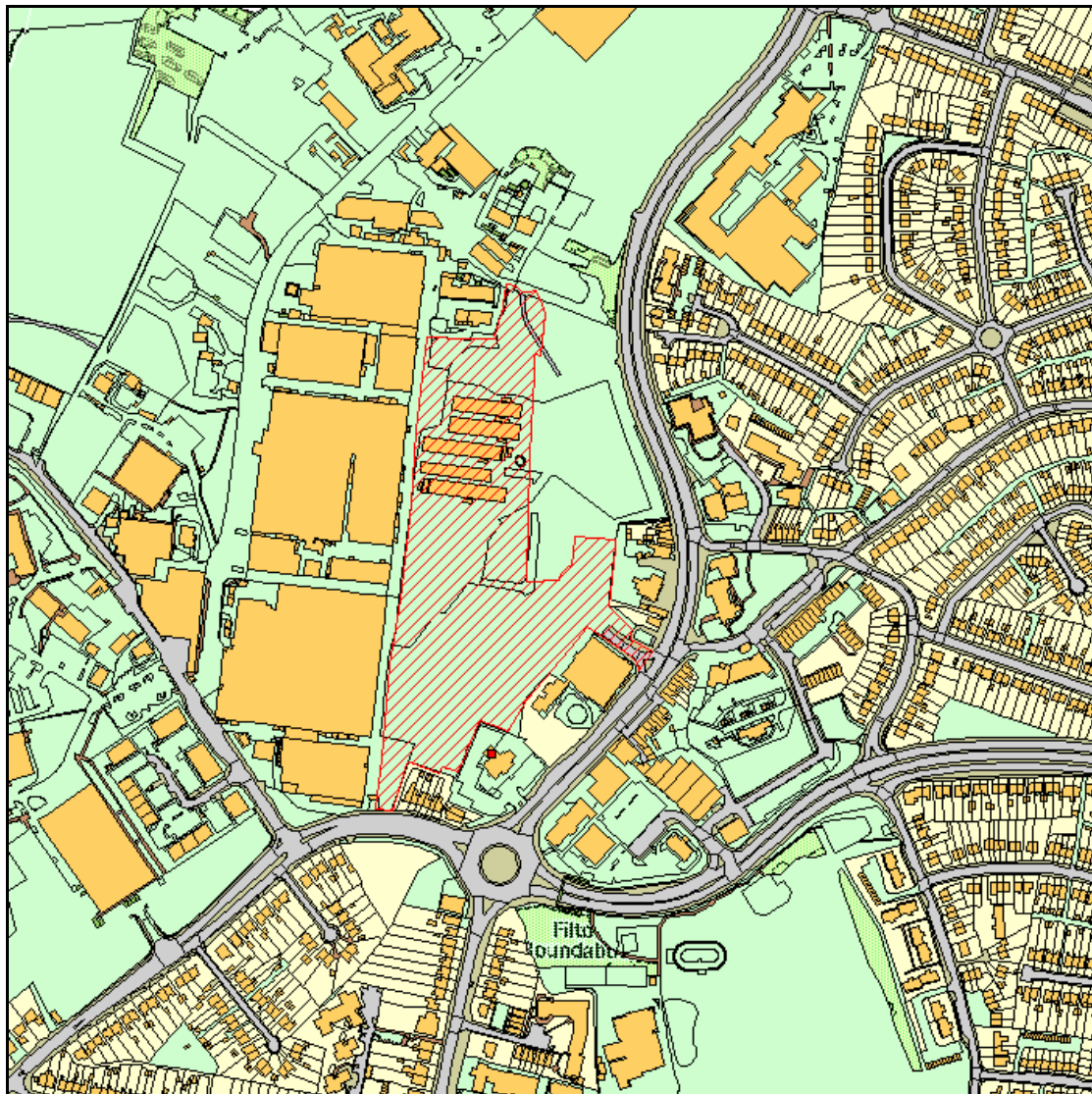
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PT11/2021/RM	Applicant:	Airbus (Fairlawn) Ltd
Site:	Airbus UK Gloucester Road North Filton Bristol Gloucestershire	Date Reg:	21st July 2011
Proposal:	Erection of 4-storey Office Building (B1); Energy Centre/Staff Changing Facilities Building; and Data Centre. Associated landscaping, infrastructure and parking. (Approval of reserved matters to be read in conjunction with outline planning permission ref: PT05/0749/O and PT08/2849/RVC).	Parish:	Filton Town Council
Map Ref:	360109 179066	Ward:	Filton
Application Category:	Major	Target Date:	14th October 2011



REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule following an objection to the proposed scheme from a local resident.

1. THE PROPOSAL

- 1.1 This is a reserved matters application following the granting of outline planning permission first under reference PT05/0749/O and then PT08/2849/RVC for the redevelopment of Airbus the site to provide a new office campus; research/development buildings; new staff facilities; and revised parking and access to the A38.
- 1.2 The matters that were reserved at outline stage for further detailed consideration were layout, scale, appearance and landscaping and these are now to be considered in relation to the erection of a new 4-storey office building for B1 use with ancillary staff facility building; an energy centre and data centre; and parking on an area of 4.7 hectares.
- 1.3 In addition to this reserved matters application for a new office building, the adjacent listed buildings of Pegasus House and Old Filton House are also to be refurbished and reused for B1 office uses. However due to the fact that the adjacent listed buildings were not included within the outline application site, they do not form part of this reserved matters application but a listed building application (ref. PT11/2038/LB) has been submitted for the restoration works. Together the new 'headquarters' office building and re-occupation of the listed buildings will form the first phase of what is intended to become the Airbus Aerospace Park.
- 1.4 The proposed new office building and the works to Pegasus and Old Filton House will represent a significant improvement in the working conditions for the existing Airbus employees that currently are housed in temporary facilities or outmoded offices in out-lying locations across the site. The new headquarters buildings will provide approximately 28,400 square metres of new office accommodation (GIA) over 4-storeys with a footprint of 77.3m x 92.3m and includes four internal atria to bring in natural light into the building. In addition the refurbished and re-used Pegasus House will provide approximately 8000 square metres of office space (GIA) with Old Filton House providing an additional 300 square metres.
- 1.5 The Energy Centre and Changing Facilities will be housed together in predominantly a single-storey building with an area of 1044m² (439m² and 605m² respectively) with a maximum height of 7.4 metres. The Data Centre will have a footprint of 490 square metres and a maximum height of 4.5 metres.

- 1.6 The access to the proposed Aerospace Park will be from via the existing vehicular access adjacent to Pegasus House on the A38.
- 1.7 The application site is in a prominent location between the A38 (to the south and east) and the larger GKN industrial buildings to the west. A number of residential properties are situated along a small section of the southern site boundary that fronts onto Southmead Road. The eastern A38 boundary is also partially shared with a number of commercial/ residential buildings. To the north and as indicated in the Design and Access Statement is the remainder of the proposed office campus that will form the next phase of the Aerospace Park.
- 1.8 The site is set within a major industrial area that has historically been occupied by companies associated with the aviation industry since the early 20th century.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS5	Planning for the Historic Environment
PPS9	Biodiversity and Geological Conservation
PPG13	Transportation
PPS23	Planning and Pollution Control
PPS24	Planning and Noise
PPS25	Development and Flood Risk

National Planning Policy Framework (Draft) June 2011

2.2 Development Plans

Joint Replacement Structure Plan (adopted 2002)

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 12	North Fringe development
Policy 30	Safeguarded employment areas

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L9	Species Protection
L11	Archaeology
L13	Listed Buildings
L17	The Water environment
L18	The Water environment
EP1	Environmental Pollution
EP2	Flood Risk and Development
EP6	Contaminated Land
T7	Cycle parking
T8	Parking standards
T12	Transportation policy for new development
E3	Criteria for assessing employment development

E4	Safeguarded employment areas
E5	Filton Airfield Safeguarding

South Gloucestershire Core Strategy Submission Draft (December 2010)

CS1	High Quality Design
CS9	Environment and Heritage
CS12	Safeguarded Areas for Economic Development

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/1373/RM: Redevelopment of site to provide new office campus research development and manufacturing buildings; new staff facilities and revised parking an access to A38. (Approval of reserved matters of siting, design, external appearance and landscaping of Buildings 200A to be read in conjunction with PT05/0749/O). Approved 17/06/08.
- 3.2 PT08/2064/RM: Erection of building to house test facility (Approval of reserved matters of siting, design, external appearance and landscaping of Buildings 200A to be read in conjunction with PT05/0749/O). Approved 03/10/08.
- 3.3 PT08/2849/RVC: Variation of condition 3 attached to planning application PT05/0749/O to allow for an extension of time for submission of reserved matters for the campus area. Approved 26/01/09.
- 3.4 PT06/0296/RM: Erection of industrial building for B2 use with ancillary offices, parking and associated works (Approval of reserved matters to be read in conjunction with Outline Planning Permission PT05/0749/O). Approved 15/05/2006.
- 3.5 PT06/0310/RM: Erection of industrial building for B2 use with ancillary offices, parking and associated works (Approval of reserved matters to be read in conjunction with Outline Planning Permission PT05/0749/O). Approved 26/06/2006.
- 3.6 PT06/0567/RM: Erection of industrial building for B2 use with ancillary offices, parking and associated works (Approval of reserved matters to be read in conjunction with Outline Planning Permission PT05/0749/O). Approved 26/06/2006.
- 3.7 PT06/0737/RM: Erection of industrial building for B2 use with ancillary offices, parking and associated works (Approval of reserved matters to be read in conjunction with Outline Planning Permission PT05/0749/O). Approved 26/06/2006.
- 3.8 PT05/0749/O: Redevelopment of site to provide new office campus, research, development and manufacturing buildings, new staff facilities and revised parking and access to A38; (Outline). Approved 27/05/O.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No consultation responses were received.
- 4.2. Environmental Protection
No objections in principle subject to suggested conditions/ informatives to protect existing neighbours' residential amenity.
- 4.3 The Coal Authority
The site does not fall within the defined coalfield and so there is no requirement to consider coal mining as part of this application and the Coal Authority has no comments to make.
- 4.4 The Avon Wildlife Trust
No objection to the application.
- 4.5 Environment Agency
Although raising an initial objection to the proposal, following the submission of additional information and confirmation of the issues that were addressed at outline stage (contamination etc), in a letter dated 12th September 2011, the Environment Agency confirmed their withdrawal of their objection.
- 4.6 The Civil Aviation Authority
A 4-storey structure would not constitute an aviation en-route obstruction.
- 4.7 English Heritage
No comment.

Other Representations

- 4.8 Local Residents
1no. consultation response was received which objected to the proposed scheme on the grounds that a new proposed pedestrian crossing that would have been located directly adjacent to their existing vehicular access. In addition the local resident also objected to the proposals on the grounds that a proposed substation in close proximity to their rear curtilage boundary.
- BAE Systems
- 4.9 A response was received from the BAE Systems Airfield Manager that highlighted the fact that due to the height of any potential cranes used in the construction of the office building, consultation with the developer would be required to ensure a solution is achieved that mitigates the airports concerns and maintains a safe operation of aircraft at Filton.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

The principle of the new office building along with the ancillary structures and its access was established under the outline application PT05/0749/O and PT08/2849/RVC. This Reserved Matters application therefore is to only consider detailed matters of layout, scale, appearance and landscaping. The principle of the development is also considered to accord with growth agenda set out in the Draft National Planning Policy Framework

5.2 Layout

As identified within the outline application, the proposed buildings would form part of the office campus that would be sited at the southern end of the Airbus site. The position of the new office building would be at its closest point approximately 65 metres from the A38. The separation distance between the new 4-storey office building and the closest residential property fronting Southmead Road would be approximately 80 metres which represents a significant improvement on the relationship that previously existed between the residential properties and the commercial buildings as they were built up to the site boundary until they were recently demolished. Moreover due to the orientation of the office building being to the north of the houses, it is considered that along with the separation distance, there should be no overshadowing or overbearing impact on the adjoining residential properties along Southmead Road. The ancillary buildings of the staff changing/ energy centre and the data centre would be located to the north of the new office building and so would not impact on the residential and commercial buildings on Southmead or Gloucester Road. The separation distance between new office building and the buildings along Southmead Road also allow for substantial landscaping which would again significantly improve the existing character and appearance of this part of the application site and its relationship with its residential neighbours.

5.3 The proposed office building is also located within the setting of the two existing grade II listed buildings and gates and therefore sufficient regard to preservation and enhancement of the setting needs to be made. The position of the new office building in relation to the Pegasus House follows the same alignment as earlier industrial buildings now demolished. The new headquarters building will therefore maintain an angular aspect to Pegasus House but would be set further away from Pegasus House than the previous buildings which would improve the setting of the listed building. In addition where previously the separation space was previously used in an utilitarian way, this space will now be used to form the site entrance and provide open areas and circulation space including a pond that will both be an amenity feature and part of the SUDS system.

5.4 The separation distance between the new office and Pegasus House has also been carefully considered with the rationale being that the existing juxtaposition of Old Filton House with Pegasus House will be echoed in the relationship between Pegasus House and the new headquarters office building. The relationship between the three buildings (Old Filton House, Pegasus House and the new office) will also provide legibility to the historic evolution of the site. This is considered important to the integrity of the site, as if the new office building was sited further away from the historic buildings, which were in their

- time former headquarters, the link between the three buildings and the subsequent historic context would be lost.
- 5.5 The position of the new building would also see it intercede between the listed buildings to the east and the larger GKN manufacturing buildings to the west that form the boundary to this reserved matters application. The intention is to create a courtyard between the 'old' and the 'new' to echo the historic courtyard between Pegasus and Old Filton House. The layout of the landscape courtyard around the listed buildings retains the courtyard arrangement that pre-dates Pegasus House. As confirmed within the Design and Access Statement, the detailed design of this area will be covered by the listed building application as this area technically falls outside of this reserved matters application. What is indicated though is a new pedestrian link to the A38 that is considered important in the interests of providing greater links to the facilities along the A38 for the Airbus employees.
- 5.6 The vehicular access to the Aerospace Park is from the A38 as approved at outline stage. The main areas of staff parking are located to the north of the new office building with some additional parking areas adjacent to the western site boundary. A visitor car park will be located on the eastern side of the main entrance road.
- 5.7 The staff changing facilities building will be located in relatively close proximity to the new office building for obvious functional reasons. The Data Centre is more remotely located at the northern end of the application site.
- 5.8 In conclusion the layout of the buildings is considered to be informed by the needs of protecting the amenities of nearby residents along with helping to both protect the setting of the listed buildings but also creating a new and distinctive development that can be considered to represent a clear progression of the site in terms of scale, materials, use and ownership.
- 5.9 Scale and Appearance
Overall the main headquarters building has been designed to have a positive impact on its immediate and wider context but also remaining subservient aesthetically and deferential architecturally to Pegasus House. The office building is though a substantial one that which will have a significant impact on the setting of the Grade II listed Pegasus House and Old Filton House.
- 5.10 With regard to the scale, the new office building will replace a substantial series of demolished former factory buildings that occupied the whole of the proposed development area far more densely and came closer to the listed buildings than the new office building. The context of the site is an industrial one and so the development is appropriate in principle but the although the scale of the proposed new office building is considerably taller than the structures it would replace, it is considered that any adverse impacts are offset by the increase in spaciousness around the listed and curtilage listed buildings which will be used for the site entrance, circulation and amenity space including the proposed pond which will provide some clear separation distance between the new office block and the listed building. The proposed new buildings will also provide an improved backdrop to Pegasus House than the current vista of blank brick

- walls of the blunt industrial forms that currently sit behind the building. Therefore the scale of the building is considered acceptable in its context.
- 5.11 The Design and Access Statement sets out how the design of the new office building has taken key design cues from Pegasus House, for example how the new office building will possess the same rectilinear form and they both will incorporate atria to bring in natural light and ventilation. This is considered an appropriate response and although in contrast to Pegasus House with its Art Deco architectural form and detailing referencing the aircraft industry, the new office would appear more utilitarian, this is also considered acceptable as it would not compete architecturally with its historic neighbour and so would achieve the deference intended.
- 5.12 The help further distinguish between 'old' and the 'new', the design of the exterior of the new building is lighter in composition than Pegasus House and includes features that are both functional but also help break up the massing of the building – metal louvres/cladding, glazed curtains and atria towers. There will also be staircases embedded into a metal clad projecting features at the centre of each elevation and on the eastern elevation one will form a key architectural element of the building that will be a raked frontage projection on the east facing elevation in the Airbus corporate colour (blue). This is intended to signify the main entrance to the building that will lead out towards Pegasus House, but due to its position behind Pegasus House, it again won't visually compete with Pegasus House in any prominent public views through the site.
- 5.13 In addition to the treatment of the elevations, the roof will be pitched to fifteen degrees of which the atria tower will project above in a way that is intended to help break up the roof form and add interest and articulation to the skyline.
- 5.14 The staff changing facilities and energy centre building will be housed together in one building with a simple rectangular footprint. Clad in metal sheeting with a largely flat roof, the building will appear as the functional and commercial building that it is intended to be. The Date Centre building will be a simple single storey building on a L-shaped plan with a traditional dual-pitched roof. The building will be clad in profile sheeting with domestic scale windows. The Data Centre will be very utilitarian in appearance, but again this is acceptable considering the site context.
- 5.15 In conclusion, it is considered that the proposed new office building has successfully balanced the need for it to have a positive and significant impact on its context, but at the same time be respectful to its historic neighbours, as although the proposed building will have an impact on the setting of the listed buildings, it is considered the benefits of the improving the setting of the buildings along with their restoration (as required as part of the S106 agreement tied to the outline) will outweigh any adverse impacts. Consequently the proposed scale and appearance of the proposed buildings are considered acceptable.
- 5.16 Landscaping
The outline consent requires that the approach to the A38 corridor treatment is addressed in strategy document. However, the interface between the A38

- and this reserved matters application is limited with the only point where the application site meets the A38 being the Pegasus House junction. The long A38 frontage to the remainder of the proposed office campus is to remain undeveloped for the foreseeable period and so when the redevelopment of this area comes forward, this would be the appropriate time for a landscape strategy to be prepared and so for now it is not required. In the meantime the existing boundary trees along the eastern boundary are to be retained.
- 5.17 The approach to the landscaping of the site is a mixture of formal and informal to help provide distinctive character areas. To the west of the Pegasus and Old Filton House, the landscaping will be formally set out – i.e. rigid boundaries and tree lined roads. The intention is that this area is seen as an extension of the historic formal gardens associated with Old Filton House, which are to be restored and the existing air raid shelters within these gardens are also to be left *in situ* and incorporated into the landscape surroundings. The formality of the landscaping however changes adjacent to the Southmead Road boundaries to provide a buffer of meadow planting which would enhance the quality of the existing environment significantly. The space between Old Filton House and Pegasus House and the new office building has been designed to be more with a large pond providing a focal point.
- 5.18 In conclusion the design of the landscaping will see the historic areas restored which will improve the setting of the listed buildings while also creating elsewhere areas of informality that together will create an environment of distinction and high amenity value for the Airbus employees.
- 5.19 Transportation
The outline application envisaged the construction of 43,750 sq m of office space as part of the new office campus. This application envisages a total footprint of 30,499 square meters.
- 5.20 As part of this reserved matters application, the applicant has proposed to signalise the existing junction adjacent to the listed Pegasus House. This is in line with the junction proposals approved at outline stage. In the constructing the new junction the existing subway underpass will also be filled in and replaced with an at-grade signalised crossing, which has since submission been re-positioned away from the vehicular entrance point of an adjacent commercial/residential property.
- 5.21 An indicative Travel Plan Framework has been also submitted, which although not forming part of the approved documentation, it does set out some principles and objectives that will be utilised to achieve an appropriate modal shift from the existing levels of staff parking to those attributed to this application. A condition will therefore be attached to ensure a full travel plan is submitted and approved by this authority prior to the first occupation of the main building that indicates how the modal shift to accommodate the permitted parking levels will be achieved.
- 5.22 Ecology
This site is not covered by any statutory or non-statutory nature conservation designation covering the site and so there are no ecological constraints to

- consider or address. The application is however supported by a protected species survey carried out by Atkins on behalf of Airbus UK Ltd dated March 2011.
- 5.23 The findings of the report were based on internal inspections of both Old Filton House and Pegasus House. Although some old bat droppings were found in the ground floor and basement of Pegasus House, the small quantity and sparse distribution indicates indicate a small number of bats using the building opportunistically rather than as a regular roost.
- 5.24 No evidence of bats was found in Old Filton House and so given the use of the buildings has only ever been sporadic and historic by one or two bats and that the site primarily comprises hardstanding and built form, the application is not considered to have any implications under the Habitat Regulations 2010.
- 5.25 The site however maintains a potentially valuable site to helping improve local diversity and so an ecological management plan is to be prepared which is to be secured by condition.
- 5.26 Sustainability
The building is to be constructed to BREEAM as required by condition 26 attached to the outline consent.
- 5.27 Local Resident's Objections
The consultation response form the local resident raised two issues which were:
(1) The position of the proposed substation to the rear of their property; and
(2) The proximity of the proposed signal controlled pedestrian crossing to their vehicular access.
- 5.28 To address the first point, no objection to the proposed scheme was received from the Council's Environmental Protection Services. Moreover, Condition 8 of outline application requires that the noise levels arising from the proposals and ancillary activities shall not exceed pre-existing background noise levels.
- 5.29 The substation is to be housed in a building constructed of concrete block with external rendered walls and profiled metal sheet roof. The building would have a height to eaves of 3 metres, a width of 6 metres and would be approximately 2 metres from the existing boundary wall of a neighbouring property (2 metres in height) that is currently used for a mix of retail and residential uses. Due to the extensive nature of the rear curtilage, the separation distance between the sub-station and the neighbouring building would be approximately 35 metres.
- 5.30 In conclusion, it is considered that the housed nature of the substation, the noise restrictions it would have to adhere to and the separation distance involved, the proposed substation should not cause the local resident any disturbance to a level that can be considered significantly harmful to their residential amenity. Although partial views of the substation building will be achieved from the rear curtilage and from the rear windows of the neighbour's building, it is considered that any impact on the neighbour's outlook has to be considered in the context of the long-standing industrial use of the site.

Consequently there are no objections to the impact on the levels of the visual amenity that the substation building would cause.

5.31 With regard to the position of the proposed pedestrian crossing issue, as noted previously the relationship and potential conflict to the neighbour's point of vehicular access was overlooked during the detailed design of the reconfigured junction that was approved at outline stage. This has now been addressed and the signal-controlled pedestrian crossing has been repositioned away from the neighbour's property and will be an integrated part of the junction.

5.32 Other Residential Amenity Issues

In the interest of safeguarding residential amenity levels, issues regarding protecting air quality; the hours of operation; matters of contamination; flood risk; external lighting and outside storage were all addressed by the outline application and so do not need to be duplicated as part of this reserved matters application.

5.33 EIA Screening Opinion

Although the outline application was supported by an Environmental Impact Assessment, the applicant submitted a Screening Opinion request to the Council as to whether the proposals contained within this reserved matters application were themselves EIA development.

5.34 In a letter 19th July 2010, the Council confirmed (under ref. PT10/025/SCR) that in light of the scale and nature of the development, the proposals would not have any significant environmental effects as defined in the 1999 EIA regs and in light of this and the EIA already prepared, an Environmental Impact Assessment for this reserved matters application was not required.

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 scheme is in accordance with the provisions of the outline application and in consideration of the matters that were reserved, the layout, scale and appearance of the proposed scheme is considered to be acceptable and that it would create a development of high quality and distinction which has also sufficient regard to the historic assets and their setting which will lie in close proximity and so is considered compliant with Policies D1, E3 and L13 of the South Gloucestershire Local Plan (Adopted 2006). The proposed landscaping will also ensure an attractive environment is provided that helps provide amenity areas and protect and enhance areas of historic importance, which would all accord with Policy E3 and L1 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 reserved matters of layout, scale, appearance and landscaping be APPROVED .

Contact Officer: Robert Nicholson
Tel. No. 01454 863536

CONDITIONS

1. Prior to the first occupation of the development hereby approved, a full travel plan shall be submitted to the local planning authority for written approval that indicates how the required modal shift will be achieved from the existing levels of staff parking to those attributed to the current application. Development shall be carried out in accordance with the agreed details.

Reason

To encourage means of transportation other than the private car, to accord with Policies T10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. Prior to the first occupation of the development hereby approved, a 1:200 planting plan is to be submitted to the local planning authority for written approval which shall include species, densities and specification. 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, E3 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the first occupation of the development hereby approved, notwithstanding the landscaping proposals submitted, a further 1:200 scale planting plan is to be submitted to the local planning authority for written approval which sets out the treatment of the 'stony meadow', boundaries and the boundary treatment of the staff car park to the north of the office building. Development shall be carried out in accordance with the agreed details

Reason

To protect the character and appearance of the area and in the ecological interests of the site, all in accordance with Policies E3 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the first occupation of the development hereby approved, a landscape and ecological management plan should 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 L1, E3 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of development of the office building hereby approved, large scale detailing of the roofing and external facing materials and fenestration proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to safeguard the setting of the adjacent listed buildings so to accord with Policies D1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PT11/2024/F	Applicant:	Mr D Langborne
Site:	7 Hawthorn Close Charfield Wotton Under Edge South Gloucestershire GL12 8TX	Date Reg:	11th July 2011
Proposal:	Change of use of land from public open space to residential curtilage; erection of boundary fence (retrospective).	Parish:	Charfield Parish Council
Map Ref:	372186 191785	Ward:	Charfield
Application Category:	Minor	Target Date:	1st September 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to letters of support contrary to the officer's recommendation.

1. THE PROPOSAL

1.1 This full application relates to the change of use of an area of public open space to residential curtilage and erection of 2m boundary fence at 7 Hawthorn Close, Charfield. The land has an area of some 0.05 hectares and lies to the rear of 7 and 8 Hawthorn Close. It is broadly triangular in shape, its western boundary directly adjacent to open fields and the eastern boundary adjacent to a public footway.

1.2 The application site lies within the settlement boundary of Charfield.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

L1 Landscape Protection and Enhancement

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

LC8 Open Space and Children's Play in Conjunction with New
Residential Development

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1 High Quality Design

CS34 Rural Areas

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

3.1 P88/1680 Erection of 182 houses and garages.
Approved 16 February 1989.

3.2 P90/2160 Erection of 17 dwellings (amended layout).
Approved 12 November 1990.

4. CONSULTATION RESPONSES

4.1 Charfield Parish Council

No objection.

4.2 Internal consultees of the Council

Public Rights of Way

No objection provided the public footpath which runs adjacent to the site (OCH16/80) is not affected.

4.3 Community Services

Object to the proposal.

Other Representations

4.4 Local Residents

6 letters have been received, 4 in support of the application and 2 objecting to the proposal on the following grounds:-

- a) high fence has been erected on an area of public land;
- b) loss of view;
- c) area used by dog walkers;
- d) area is an eyesore;
- e) access to field behind is difficult.

The letters of support states that the area of land has not been maintained by the Council over the last 15 years and has been rendered useless by the overgrowth of brambles, weeds and nettles. The area was only used as a dog fouling area/dumping ground and served little purpose. The enclosure with a fence does not infringe upon any neighbours outlook and has tidied up the general area.

4.5 Sustainable Transport

No objection.

5. ANALYSIS OF PROPOSAL

5.1 Background

Planning permission was originally granted for 7 Hawthorn Close under the 1988 planning application for 182 houses. This was subject to a Section 52 Agreement and covered public open space. In 1990, a further application was submitted to alter house types/layout under the 1988 application. The Section 52 Agreement still applied to that application and the area the subject of this application was designated as public open space. However, this land was never conveyed to the Council.

5.2 The applicant subsequently purchased the land from the original developer Crest Nicholson in March this year and was unaware that the land was designated public open space. As a consequence they enclosed the land and changed the use of the land to residential curtilage.

5.3 Principle of Development

The issues to consider under this application are the loss of public open space and the effect of the proposal on the wider amenities of local residents.

5.4 Open Space

Community Services has objected to the application on the grounds that when the original planning application was granted in 1988 the level of public open space required for the development was considered and this land formed part of that. If the application were to be allowed there will be a deficit of open space, reducing the amount of open space available for local residents to enjoy. The area of the enclosed part of the site is approximately 212m². The 1988 application clearly identified the level of need required for the size of the housing development as a whole. As such the proposal is unacceptable and contrary to policy LC8 of the adopted local plan.

5.5 Visual Amenity

It appears that the land was not formally landscaped but left as a grassed area. This is evident from aerial photos since 1999. It also appears that the area has been regularly mown. The appearance of the site has now fundamentally altered by the enclosure of the site with close-boarded timber fencing. This fence measures some 26m in length adjacent to the footpath. However, a 3-4m wide grass verge separates the site from the footpath and this allows the immediate locality to maintain an area of openness. On balance, it is considered that the application is acceptable in visual amenity terms. Having regard to the context of the site within a residential estate and the enclosure of rear gardens immediately opposite the site, the proposal does not appear out of place within the street scene, especially as the applicant has softened the appearance with planting. In addition, the southernmost portion of the site has been left as public open space. The proposal is therefore considered to comply with policies D1 and L1 of the adopted local plan in this respect.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Retrospective planning permission be refused.

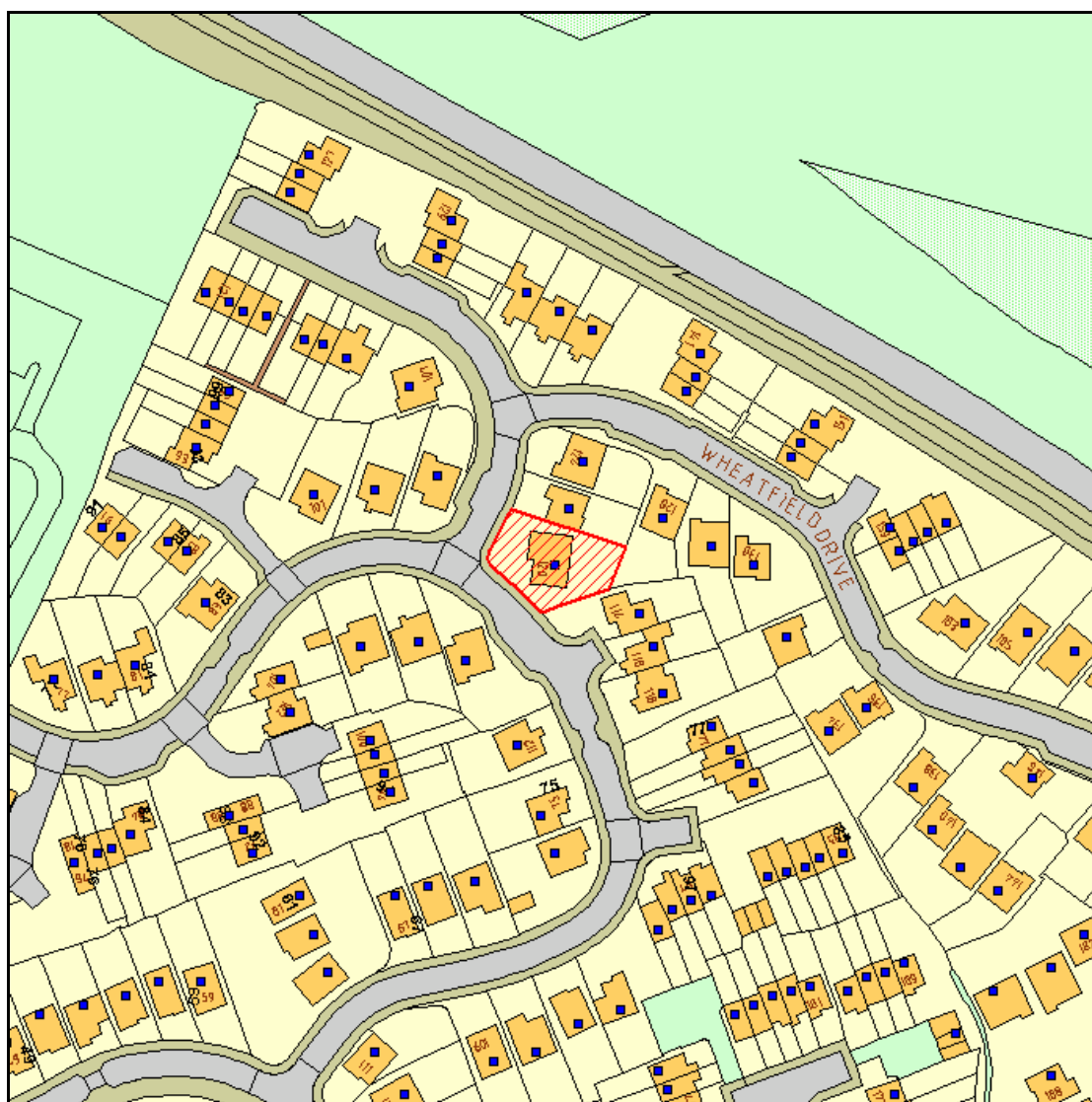
Contact Officer: Vivian Butt
Tel. No. 01454 863427

REASONS FOR REFUSAL

1. The development, if allowed would result in a deficit of public open space in the immediate locality which would be to the detriment of surrounding occupiers and contrary to policies LC8 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the adopted South Gloucestershire Design Checklist SPD.

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PT11/2479/F	Applicant:	Mr B Turner
Site:	120 Wheatfield Drive Bradley Stoke South Gloucestershire BS32 9DD	Date Reg:	15th August 2011
Proposal:	Erection of single storey side extension to provide additional living accommodation.	Parish:	Bradley Stoke Town Council
Map Ref:	361812 182365	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Householder	Target Date:	5th October 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey side extension to provide additional living accommodation.
- 1.2 This is a large detached dwelling located within the established urban area of Bradley Stoke.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG13 Transport
Draft National Planning Policy Framework

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design
H4 Development within Existing Residential Curtilage
T12 Transportation Development Control Policy for New Development

Emerging Development Plan

Core Strategy Proposed Changes Version (December 2010)

CS1 High Quality Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT01/1508/F – Erection of first floor side extension. Approved.
- 3.2 PT08/0402/F – Erection of two storey side extension and conversion of part of garage to living accommodation. Approved.

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

Objection. The proposals are not in-keeping with the street scene.

4.2 Other Consultees

Transportation

No objection.

Other Representations

4.3 Local Residents

No response.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the Local Plan states that *proposals for development within existing residential curtilages*, will be permitted subject to certain criteria. The principle of the development is therefore acceptable subject to the following detailed assessment.

5.2 Residential Amenity

Overbearing Analysis

Due to the overall scale and size of the proposed development and sufficient boundary treatment between the neighbouring properties the proposal would not be overbearing on the residential amenity of neighbouring occupiers.

Privacy Analysis

The proposal is single storey and there is an existing party boundary fence approximately 1.8 m in height to the side and rear so therefore there would be no overlooking or loss of privacy as a result of the proposal.

Amenity Space

Whilst the proposed extension does project into the rear garden its modest size means that sufficient garden space will remain to serve occupiers of the property.

Highway Safety Analysis

As the extension is located at the side of the property it will not impact on the property's parking arrangements, located at the front of the house, nor will it prejudice highway safety.

5.3 Design / Visual Amenity

It is considered the proposal is modest in scale and fits with the character of the existing property. The chosen construction materials, which match the palette of materials displayed in the existing building, means that this is an appropriate

addition to the dwelling and streetscene. It is considered that by virtue of the proposals overall design that the character of the locality would be preserved and therefore there is no harm caused to the visual amenity.

5.4 Improvements to Scheme

No improvements considered necessary.

6. CONCLUSION

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

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

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

7. RECOMMENDATION

7.1 That planning permission is **GRANTED** subject to the conditions attached to the decision notice.

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

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

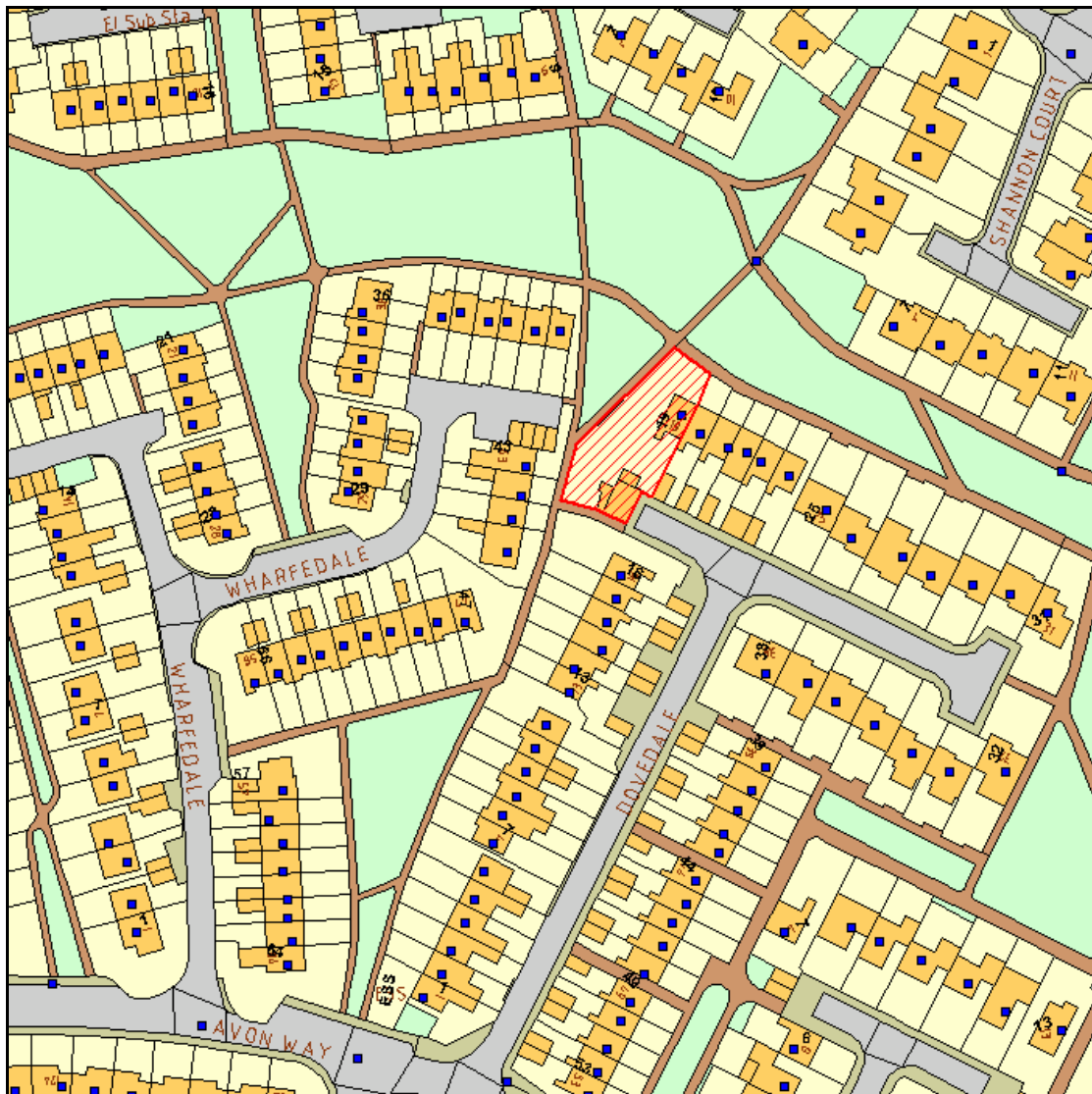
Reason

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

ITEM 16

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PT11/2533/F	Applicant:	Mr Spencer Allen
Site:	19 Dovedale Thornbury Bristol South Gloucestershire BS35 2DU	Date Reg:	12th August 2011
Proposal:	Erection of 1 no. semi detached dwelling with new access and associated works.	Parish:	Thornbury Town Council
Map Ref:	364677 189610	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	4th October 2011



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100023410, 2008. **N.T.S.** **PT11/2533/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of an end of terrace dwellinghouse with a new access and associated works.
- 1.2 The application site comprises approximately 0.005 hectares of garden land situated within the cul-de-sac Dovedale on the northern side of the street. The site is within the established residential area of Thornbury.
- 1.3 The proposed dwelling, which comprises three bedrooms, would be adjoined to the side host dwelling and would replicate the scale and appearance of this existing end of terrace dwelling. The estate comprises a radburn layout whereby the vehicular access is to the rear and the dwellings front onto a footpath with an open grass area beyond.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transportation
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
H2 Residential Development within Existing Urban Areas and Boundaries of Settlements
H4 Residential Development within Existing Residential Curtilages
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
L5 Open Areas within Existing Urban Areas and Boundaries of Settlements
EP1 Environmental Pollution
L17/L18 The Water Environment

South Gloucestershire Core Strategy -Submission Draft Proposed Changes (December 2010)
CS1 High Quality Design
CS16 Housing Density
CS8 Improving Sustainability
CS32 Thornbury
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P91/1503, erection of extension to existing detached garage to form double garage (in accordance with amended plans received by the Council on 29th May 1991), approval, 02/06/91.
- 3.2 PT06/3034/F, erection of two-storey side extension to form kitchen and utility area with additional bedroom accommodation over (in accordance with amended plans received on 27th October 2006), approval, 13/11/06.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council
No objection

4.2 Transportation DC Officer
No objection

4.3 Drainage Officer
No objection

4.4 Wessex Water
The following is a summary of the response received from Wessex Water:

Waste water connections will be required from Wessex Water. A public surface water sewer and a public sewer is shown on record plans within the land identified for the proposed development. It appears that the development proposals will affect existing water mains/public sewers. It is recommended that the applicant contacts Wessex Water Sewer Protection Team for further advice on this matter. Building over existing surface water sewers and public sewers will not be permitted (without agreement) from Wessex Water under Building Regulations.

4.5 Environment Protection
No objection

Other Representations

4.3 Local Residents
Three consultation responses have been received from neighbouring properties. Two of the neighbouring occupiers object to the proposed development, whilst the other makes an observation.

The following is a summary of the objections received:

- There is existing parking and congestion issues in the street and insufficient parking has been allocated for the proposed and existing dwellings;
- The layout of the parking spaces is not practical and would be unlikely to be used;
- No provision for refuse and recycling bins.

The observation received from a neighbouring occupier asks that issues relating to drainage are given consideration as there have been previous drainage issues which has required Wessex Water having to visit the location on several occasions.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning policies H2 and H4 allow for the principle of new residential development within existing urban areas and residential curtilages. The main issues to consider are the appearance and form of the dwelling and the impact on the character of the area (policies D1, L5, H2 and H4 of the Local Plan), the impact on the residential amenity of neighbouring occupiers (policies H2, H4 and T12 of the Local Plan) and transportation impacts (policies T12, H2 and H4 of the Local Plan).

5.2 Weight is also given to the previous application no. PT06/3034/F for the erection of a two-storey side extension. This scheme, which was approved but not been implemented, is similar to the proposal in terms of scale and siting.

5.3 Appearance/Form

The proposal continues the existing eaves and ridge levels across to form the dwelling. Features of the existing property such as the timber clad flat roof porch and side staircase projection, and hanging vertical tiles are replicated in the proposed scheme. The applicant has proposed the materials facing brick for the walls and concrete interlock tiles for the roof to match the existing dwelling, which would help with the integration of the proposal. A condition to seek matching materials is not therefore, required if permission is granted.

The host dwelling benefits from a large side garden area, which is well screened from the surrounding area by a mature boundary hedge. The proposed dwelling is located in the side garden area, which moves the building line closer to the pathway adjacent to the western boundary of the site. However, it is not considered that the loss of space to the side of the dwelling would be adversely harmful to the character of the area as the surrounding properties such as no. 42 Wharfdale are positioned within close proximity to their curtilage boundaries. The proposed dwelling will not appear notably forward of the building line of terrace properties to the south due to the level of separation. As such, it is considered that the proposal would not be adversely out of keeping with the siting of the surrounding built form. Whilst the proposed dwelling occupies an elevated position due to the topography of the site, the proposal is at an oblique angle to the pathway, which will help to retain a sense of spacing and reduce the visual impact of the proposal. In addition, the applicant has specified that the boundary hedge is to be retained and this will help to screen views of the dwelling. A small plum tree in the rear garden is also to be retained. If permission is granted a condition is recommended to ensure that the hedge and plum tree are adequately protected through the development.

5.4 Residential Amenity

The dwelling does not project significantly further beyond the existing front and rear elevations of the host dwelling. Whilst the proposal blocks an existing high level side window in the host dwelling, this window serves a hallway, therefore, it is considered that this would not have a significant adverse impact on the living conditions of the occupiers.

It is considered that there is sufficient distance between the proposed dwelling and the existing properties to the west to ensure that no adverse residential amenity impacts would be introduced.

The first floor rear windows in the proposed dwelling are approximately 23 metres from the neighbouring dwelling no. 18 to the south and this is considered to be a sufficient distance to ensure that any loss of light or privacy would not be to a degree that would adversely harm the residential amenity of the occupiers. Sufficient private amenity space would remain to serve the existing dwelling following the development.

5.5 Transportation

An existing brick double garage located to the south of the existing dwelling will be removed to facilitate off street parking for four cars (two parking spaces for each dwelling). A new pedestrian access is to be formed in the northern boundary hedge. The neighbouring occupiers have objected to the proposal on the basis that the parking provision is insufficient for the dwellings and raised concerns that the tandem layout for the proposed dwelling 19A is not practical. The Council's Transportation Officer has inspected the proposal and has raised no objections. The proposed parking provision is considered to be sufficient for the three bedroom properties. The objections relating to the parking layout are noted, however, the spaces would function as part of a single household, and therefore, it is considered to be a practical design. The dimensions of the parking spaces are considered acceptable and there is no reason to assume that the proposal would result in difficulties with the access to no.20. It is considered that the proposal would not have a significant adverse impact on local highway conditions.

5.6 Further Matters

A local resident has indicated that there have been previous issues in the area relating to drainage. Wessex Water and the Council's Drainage Officer have been consulted with regards to the proposed development. The Council's Drainage Officer has not objected to the development but has requested that further details in respect of the treatment of surface water are submitted. These details can be obtained by condition if permission is granted.

The effect on the local drainage system is beyond the scope of this application. A connection to the mains will however, require permission from the owner (Wessex Water). If permission is granted, an informative note can be applied to the decision notice informing the applicants of this.

An objection has been received on the basis of a lack of provision for the storage of refuse and recycling bins, which if left out, could cause an obstruction. However, the bins could be stored in the respective garden areas of the proposed dwellings and therefore, will not necessarily cause obstruction.

6. CONCLUSION

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

The proposal is sufficiently in keeping with the character of the existing dwelling and surrounding built form in terms of scale, form, siting and materials. There would be no significant adverse effect on the character of the area – policies D1, H2, H4 and L5 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal would not have a significant adverse impact on the residential amenity of the neighbouring occupiers through loss of natural light or privacy – policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The concerns of the neighbouring occupiers regarding the parking provision have been considered. The amount and design of the parking is sufficient to serve the host dwelling and there will be no significant adverse impact on the local highway conditions – policies T12, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

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

2. Prior to the commencement of development 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 an acceptable means of drainage is provided and to accord with policies EP1, L17 and L18 of the South Gloucestershire Local Plan (adopted) January 2006.

3. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. (For the avoidance of doubt the plan should demonstrate that the boundary hedge and plum tree to be retained will be adequately protected through the development). Development shall be carried out in accordance with the agreed details.

Reason

To preserve the character and visual amenity of the area and to accord with policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

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

Reason

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

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PT11/2546/F	Applicant:	Mr Shaun Webber
Site:	Beech Cottage 17 Cross Hands Road Pilning South Gloucestershire BS35 4JB	Date Reg:	12th August 2011
Proposal:	Erection of single storey side and rear extension to form additional living accommodation	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	355673 185103	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	4th October 2011



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100023410, 2008. **N.T.S.** **PT11/2546/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is being circulated to Members because the Officer's recommendation is contrary to a written representation received from a local resident.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a side and rear extension. The proposed extension would measure approximately 11 metres in length, 7 metres in width with a ridge height of the pitched roof at approximately 3.9 falling to circa 2.5 metres at the eaves and flat roof level.
- 1.2 Other alterations are shown on the submitted plans namely a dormer window with Juliette balcony to the rear, velux windows on the principal elevation and the alteration of the location of the front door with a uniform size and style window replacing the existing front entrance. South Gloucestershire Council records indicate that the permitted development rights are in tact for this property. As such it is considered that these alterations are permitted development and do not require assessment within the remit of this application.
- 1.3 The application site relates to a two-storey semi-detached cottage style dwelling with an associated toilet outbuilding connected to the main house through an existing kitchen. The site is located within the defined settlement boundary of Pilning and is situated within flood zone 3.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS25 Development and Flood Risk
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Design
L3: Coastal Zone
L18: The Water Environment
EP2: Flood Risk and Development
H4: Development within Existing Residential Curtilages
T12: Transportation in New Development
- 2.3 Emerging Policy
South Gloucestershire Council Core Strategy Proposed Changes Version December 2010:
CS1: High Quality Design
CS5: Location of Development
- 2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist Supplementary Planning Document 2007

3. RELEVANT PLANNING HISTORY

3.1 None.

4. CONSULTATION RESPONSES

4.1 Pilning and Severn Beach Parish Council
No objection

4.2 Drainage
No objection provided that a completed Flood Mitigation Measures Form is submitted and any development incorporates such measures.

Other Representations

4.3 Local Residents
2 letters received from 1 local resident objecting to the proposed development on the following grounds:
a) the removal of the front door would unbalance the appearance of the cottages from the main road;
b) any northerly winds would blow the exhaust from the chimney at the dormer window on the rear elevation;
c) design of the dormer is not in keeping with the property. A ridge roof is preferable to a flat one;
d) dormer could invade adjoining occupiers privacy.

These concerns will be addressed in the relevant sections of the following report. Should any concerns fall outside the remit of such sections, these will be addressed in the section entitled 'Other Matters' found towards the end of the report.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The proposed development consists of an extension to a dwelling within an existing residential curtilage. Policy H4 of the Local Plan permits this type of development in principle subject to the following considerations.

5.2 Residential Amenity
The proposed development would replace the existing outbuildings with a larger single storey rear extension. This proposed extension would wrap around the side of the existing property in a similar location to the garage. This would be set back from the boundary by approximately 1 metre. There are approximately 1.8 metres tall close boarded timber fences on the side boundaries of the rear garden of the application site. At single storey level it is not considered that the proposal would result in an overbearing impact or allow inter-visibility between principal rooms. It is not considered to result in a loss of privacy to future or neighbouring occupiers. A long rear garden of

- approximately 75 metres in length means sufficient amenity space would be retained to serve the host dwelling.
- 5.3 The neighbour has raised concerns that fumes from the chimney are likely to enter through the dormer window on the rear roof slope. Whilst this concern is appreciated, such matters are dealt with by Building Control legislation and are outside the scope of this planning application. Notwithstanding this, the matter was queried with the applicant who has advised that the dormer window is sufficient distance from the chimney so as to comply with Building Regulations.
- 5.4 The adjoining occupier is concerned that the dormer window may result in a loss of privacy by virtue of the development overlooking their back garden. This dormer window is considered to be permitted development and as such is not subject to assessment under this planning application.
- 5.5 Accordingly the proposed development is not considered to result in a detrimental impact on the residential amenity of future and neighbouring occupiers. Accordingly the proposal meets criteria contained in policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 5.6 Design/Visual Amenity
The existing property is a cottage style semi-detached dwelling with a substantial garden. The existing dwelling is relatively narrow at approximately 5.5 metres in width and approximately 22 metres in depth. Attached to the rear of the main dwelling is a single storey kitchen with pitched roof with a single storey flat roof projecting off this which is a converted outside toilet. The proposed development would incorporate replacements of these.
- 5.7 A flat roof using fibre glass roofing sheet would replace the existing flat roof. Whilst South Gloucestershire Council do not in general encourage the use of flat roofs due to issues with maintenance and appearance, the applicant has advised that the flat roof is the best option given the relationship with the attached flat roof of the single storey rear outbuilding of the adjacent occupier at number 19 Crosshands Lane. This is considered acceptable in these circumstances and would remain in keeping with the neighbouring property and character of the original house.
- 5.8 A new pitched roof rear extension would be attached to this replacement flat roof. This pitched roof rear extension would extend across the back of the house and wrap round the northeast corner of the host dwelling. It would be located in the same place as a previous garage and would run the length of the house. It would be set back from the boundary shared with no. 15 Crosshands Lane by approximately 1 metre. The rear elevation would include 2 sets of French doors leading out to the rear garden and the side extension would have two roof lights inserted. The rest of the side elevation would be windowless.
- 5.9 The front door would be moved from its location on the east of the principal elevation and would be replaced with a window of the same style and size as those which exist. The front door would be moved to the front of the side extension to the west of the main dwelling. Concerns have been raised that this alteration would result in an unbalanced principal elevation that would not be in

keeping with the character of the property. The removal of the front door and replacement with a window is considered to be within the remit permitted development and not subject to this planning application. The only assessment under this application is the location of the front door on the front elevation of the side extension. With regards to the street scene, similar development is evident at neighbouring properties. Furthermore, various dwellings in the immediate vicinity have made similar alterations to principal elevations and main entrances. As such it is considered acceptable and is not a sufficient basis for refusal of the application.

- 5.10 There is a mixture of architectural styles and materials from a number of different eras in the immediate locality. All materials used would be either reclaimed and reused and would match the existing dwelling. The proposal would retain the materials and other characteristics of the host dwelling. It would appear subservient and suit the host dwelling in terms of size and style. As such on balance it is considered that the proposal does not result in a detriment to the appearance of the property and is considered appropriate.
- 5.11 Concern has been raised that the dormer window on the rear roof slope should have a pitched roof rather than a flat roof. It is considered that this dormer is permitted development and accordingly it cannot be assessed within the remit of this planning application.
- 5.12 As such on balance it is considered that the proposed development adopts a design approach that would remain in keeping with the street scene and locality. The proposal meet criteria contained within policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 5.13 Transportation
The proposed development would retain hardstanding for 2 off street parking spaces and does not include alterations to access arrangements. The proposed development would not generate significant traffic or compromise highway or public safety. Accordingly the proposal meets criteria contained in policy T12 of the South Gloucestershire Local Plan (Adopted) 2006.
- 5.14 Flood Risk and Drainage
The proposed development is located in Flood Zone 3 which indicates that the site is at a higher risk of flooding. In general standard householder development would not increase the risk of flooding to the site and would not compromise the safety of the property. Notwithstanding this the Environment Agency requires a checklist to confirm that floor levels will be set no lower than existing levels and flood proofing of the development will be incorporated where appropriate. The applicant has not yet supplied this information and as such a condition is recommended requiring this information to be submitted and such drainage details to be approved before any development commences. Accordingly the proposal is acceptable in this regard. The proposal meets criteria contained in national guidance PPS25 and policies EP2, L17&L18 of the South Gloucestershire Local Plan (Adopted) 2006.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed development will keep to the footprint of previous built form and would use matching materials. It would not be out of keeping with the locality and is of a size and style that suits the host dwelling. The proposal does not raise any highway issues. The proposal would not give rise to a detrimental impact on the residential amenity of neighbouring or future occupiers. Accordingly it meets criteria contained in policies D1, H4, T12, EP2, L17 & L18 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. No development shall commence until details of flood mitigation measures for the proposed development have been submitted to and agreed in writing by South Gloucestershire Council. Thereafter the development shall be implemented in accordance with these details so agreed.

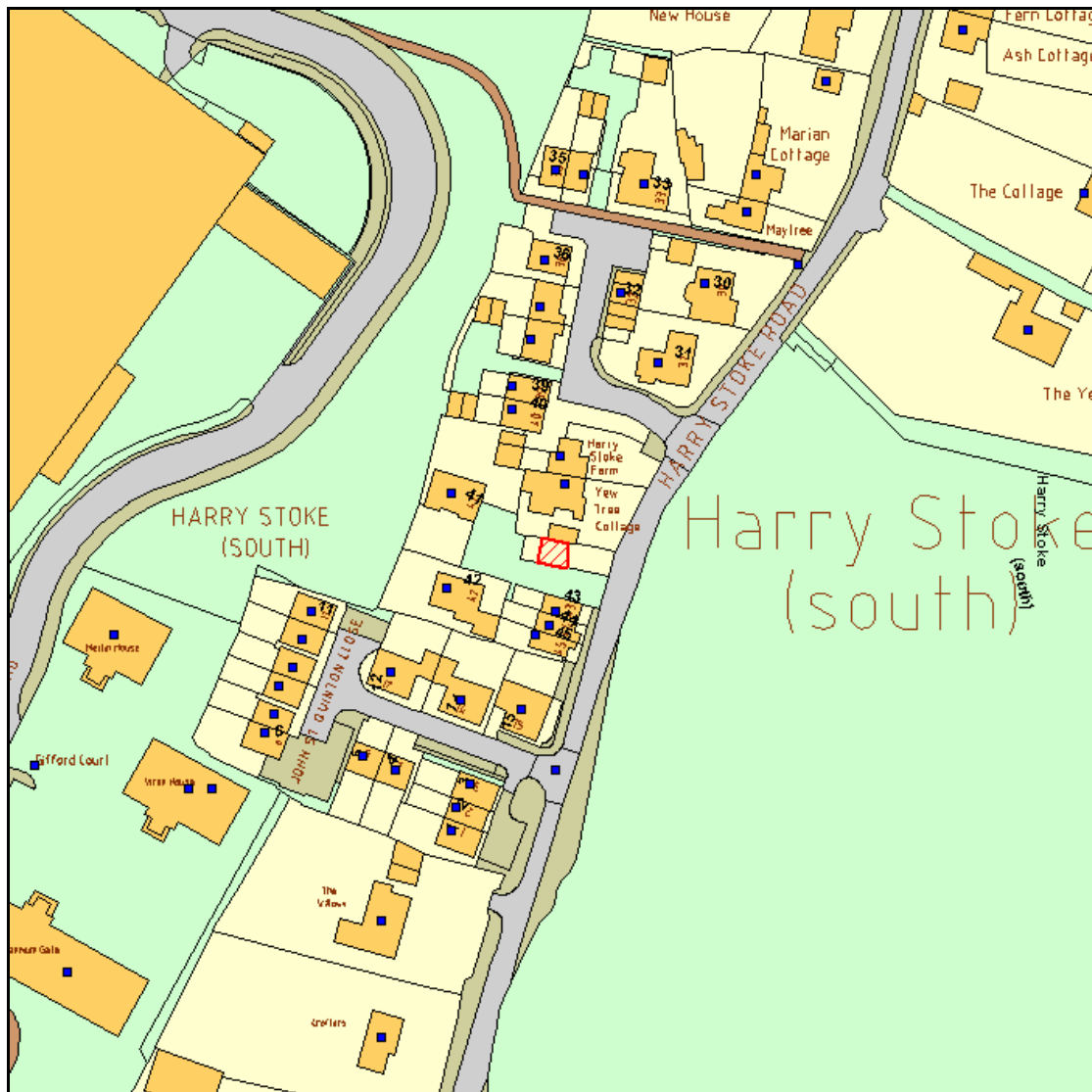
Reason

To prevent non-point source pollution and flooding, and to accord with Policies EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 18

CIRCULATED SCHEDULE NO. 37/11 – 29 SEPTEMBER 2011

App No.:	PT11/2577/F	Applicant:	Ms L Wilson
Site:	43 Harry Stoke Road Stoke Gifford South Gloucestershire BS34 8QH	Date Reg:	23rd August 2011
Proposal:	Change of use of land from incidental open space to parking area in connection with private dwelling (retrospective).	Parish:	Stoke Gifford Parish Council
Map Ref:	362029 178798	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	14th October 2011



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100023410, 2008. **N.T.S.** **PT11/2577/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This full application relates to the retrospective change of use of land from incidental open space to car hardstanding area for the dwellings of 43 and 44 Harry Stoke Road, Stoke Gifford. The proposed area of land measures 5m in depth by 8.5m in length. It has been gravelled and is located adjacent to the boundary of Yew Tree Cottage but shielded from this property by a 1.3m stone wall with 2m close board timber fencing behind. To the north and south of the site lies parking spaces and to the west the access drive serving a small enclave of 5 dwellings.
- 1.2 The car parking spaces are proposed for the properties of 43 and 44 Harry Stoke Road located to the west of the site and owned by the applicant. These properties form a terrace of 3 dwellings, each with one allocated car parking space. The applicant wishes to transfer the one car parking space associated with 43 Harry Stoke Road to 44 Harry Stoke Road giving this property 2 parking places, and use the land in question to form 3 parking places for no.43.
- 1.3 The land was originally shown as a small landscaped area as part of the original permission but this was never implemented. The land is in the ownership of the applicant.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG13 Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
H2 Proposals for Residential Development within Existing Urban Area and Defined Settlement Boundaries.
H4 Development Within Existing Residential Curtilages, Including Extensions and New Dwellings
T8 Parking Standards
T12 Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1 High Quality Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/3458/F Erection of 16 dwellings and garages with associated access and landscaping.
Approved 28 July 2004.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No response received.
- 4.2 Sustainable Transport
No objection.

Other Representations

- 4.3 Local Residents
2 letters have been received, 1 in support of the application making the following comments:- 'double yellow lines on the road have made parking for those of us with only one space absolutely impossible – where on earth are residents and visitors supposed to park when there is quite literally no alternative nearby'.

The other letter raises the following concerns:-

- a) does the land belong to the applicant?
- b) area should be used for parking by all who use shared access drive;
- c) surface is poor, of gravel and not in keeping with the rest of the drive.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
This retrospective application relates to the change of use of incidental open space to hardstanding at Harry Stoke Road, Stoke Gifford. The land was originally shown as a small landscaped area but this was never implemented. By the applicant's admission, the land has been used for car parking since 2007, when it was gravelled.
- 5.2 It is clear that the land has been used for car parking purposes for a number of years and having regard to the parking spaces immediately to the north and south of the site, the proposal is considered to be acceptable in visual amenity terms. It also appears that parking is a problem in the area due to the lack of on-street parking options in the vicinity as the road has double yellow lines. Furthermore, it is noted that the maximum standards for residential development have been removed from National Policy with an indication that these should be set locally. It is also noted that in light of this the Council is currently undertaking a review of its parking standards set against policy T8 of the adopted local plan.
- 5.3 As a consequence no objection has been raised by the Council's Transportation engineer. It is considered appropriate however to impose a

condition requiring that the surface be block paved and of similar appearance to the adjacent parking and driveway in the interests of visual amenity.

- 5.4 Furthermore, it is recognised that the parking area lies directly adjacent to Yew Tree Cottage. However, no material adverse impact upon residential amenity is considered to result from the proposal due to the existing boundary treatment, which consists of a 1.3m stone wall and 2m close boarded timber fencing behind. The application is therefore considered acceptable.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to grant permission is for the following reasons:-
1. The proposed car parking area will not detract from the visual or residential amenity of the area and will alleviate existing on-street parking problems. The proposal would therefore accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the conditions below.

Contact Officer: Vivian Butt
Tel. No. 01454 863427

CONDITIONS

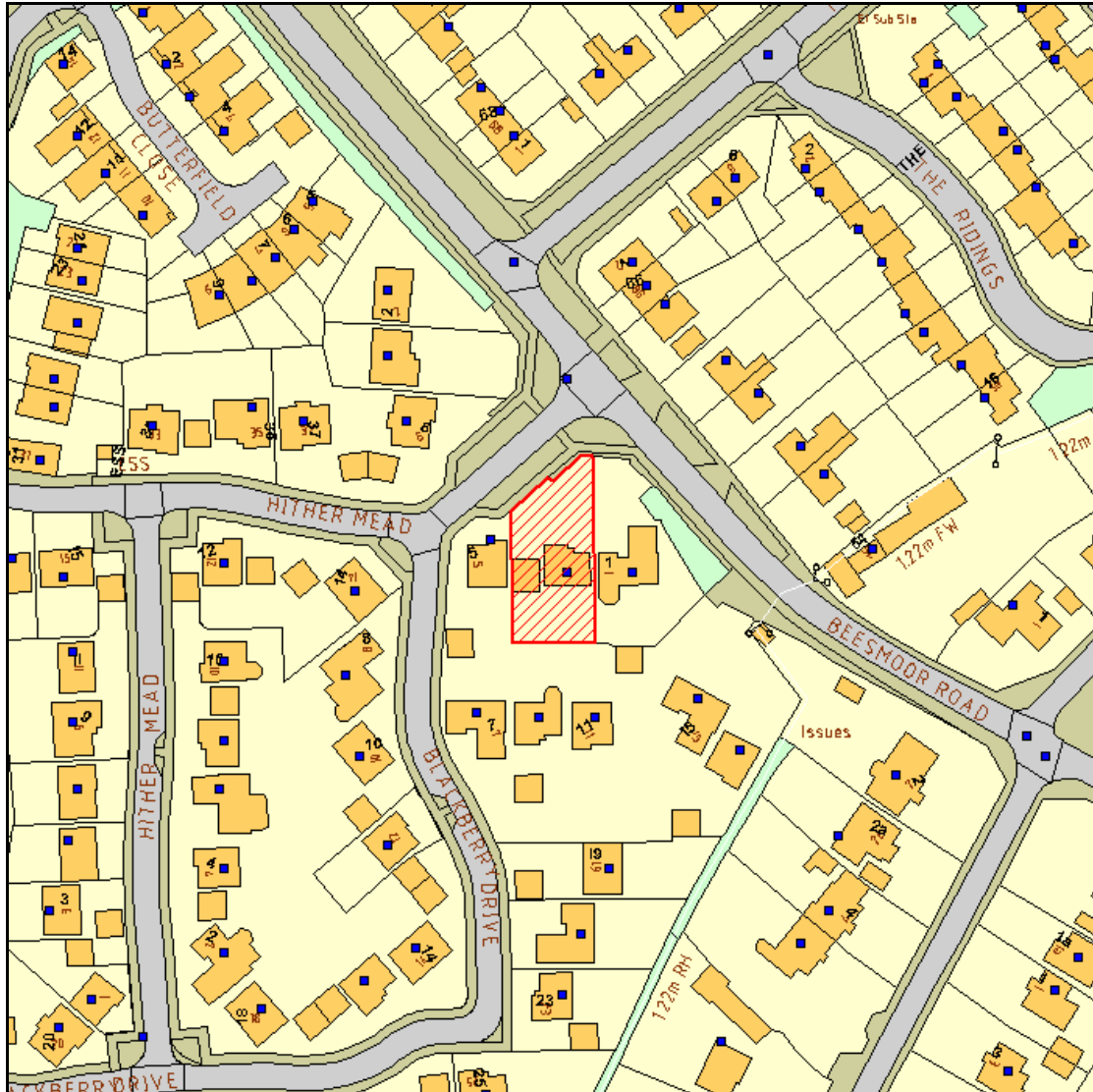
1. Within 6 months of the date of this decision, the parking area shall be resurfaced with block paving of similar colour and design to the adjacent parking and driveway, the details of which shall be submitted to and approved in writing by the Council within 2 months of this decision notice. The development when carried out shall conform to the details so approved.

To ensure the satisfactory appearance of the development and to accord with policies D1, H2, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2011.

ITEM 19

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PT11/2596/F	Applicant:	Mrs L Burns-Jones
Site:	3 Blackberry Drive Frampton Cotterell South Gloucestershire BS36 2SL	Date Reg:	17th August 2011
Proposal:	Erection of two storey side extension to provide additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	367070 180749	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	10th October 2011



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100023410, 2008. **N.T.S.** **PT11/2596/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule List because an objection has been received from the Parish Council and a neighbouring occupier contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two-storey side extension.
- 1.2 The application site comprises a modern two-storey detached property situated in the cul-de-sac Blackberry Drive on the southern side of the street. The site is within the established residential area of Frampton Cotterell.
- 1.3 The host dwelling benefits from a detached double garage on the western side. This will be demolished to facilitate the proposal. Whilst the proposal comprises a garage at ground floor level, this is for storage purposes only and would not function for parking.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
H4 Residential Development within Existing Residential Curtilages
T8 Parking Standards
T12 Transportation Development Control Policy for New Development

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT02/1149PDR, erection of rear conservatory, no objection, 07/05/02.
- 3.2 P96/2971, erection of 197 residential houses including 40 affordable houses, village green, public open space, estates roads and associated works, approval, 27/10/97

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Council

Objection - If SGC is minded to grant consent, the Parish Council requests that a site visit is undertaken so that the accuracy of the plans and the provision of parking facilities can be assessed.

- 4.2 Transportation DC Officer
No objection

Other Representations

- 4.3 Local Residents
One letter of objection has been received from a neighbouring occupier. The occupier objects to the proposal on the basis that the site location plan shows the plot larger than it is. The occupier states that land belonging to no. 1 and part of the shared driveway is included and this could cause legal issues when either of the properties are sold.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning policy H4 of the South Gloucestershire Local Plan (adopted) January 2006 allows for the principle of the proposed development. The main issues to consider relate to the appearance and form of the proposal and the effect on the character of the surrounding area (policies D1 and H4 of the Local Plan), the impact on the residential amenity of the neighbouring occupiers (policy H4 of the Local Plan) and transportation effects (policies T8 and T12 of the Local Plan).
- 5.2 Appearance/Form
The proposed extension is large in scale due to the fact that it encompasses a ground floor double garage. It is set back from the front elevation of the dwelling by approximately 2.3 metres and flush with the rear. A hipped roof encompasses the proposal, which is set down from the main roof ridge, whilst the eaves are broken by a roof gable situated above the main front bedroom window. The applicant has specified a mix of facing brick and render for the walls and concrete roof tiles to match the existing dwelling, which will help the extension to integrate with the existing dwelling. Whilst the extension is large in scale, the surrounding properties are characterised by large, modern, detached properties of varying architectural style; therefore, on balance, the proposal would not appear adversely out of keeping with the character of the surrounding built form. Although the spacing over the existing garage separating the host and neighbouring properties is lost through the proposal, it is considered that the loss of spacing would not be adversely harmful to visual amenity in this instance given the relatively high density of the estate and somewhat ad hoc layout of the surrounding built form. Although the appearance of the fenestration and associated roof gable on the front elevation appear somewhat unbalanced, on balance, the proposal complies with policy D1 of the South Gloucestershire Local Plan (adopted) January 2006.
- 5.3 Residential Amenity
The proposal would not extend significantly further past the existing front or rear building lines of the host dwelling. As such, it is not considered that the

proposal would have a significant effect on the light levels to the main windows in the front or rear elevations of the neighbouring properties. A ground floor pedestrian door is the only opening proposed in the side elevation of the extension, no windows are proposed. The front and rear windows proposed allows for oblique views into the neighbouring gardens, however, this is considered to be an acceptable relationship given the context of the area and not significantly more harmful than the existing situation. It is considered that the proposal would not have a significant adverse impact on the residential amenity of the neighbouring occupiers.

5.4 Transportation

Although the proposal takes away the use of the garage for parking of vehicles, there is still adequate parking available to the front of the dwelling. It is not considered that the proposal would not result in a material increase in terms of vehicular trips. As such, there are no transportation objections to the proposal.

5.5 Further Matters

An objection has been received from a neighbouring occupier on the basis that the curtilage shown on the site location plan is incorrect. According to the neighbouring occupier, the site plan submitted encompasses a shared driveway. Nevertheless, it is considered that the extension proposed is contained within the curtilage of the dwelling and the neighbouring occupier does not dispute this. The description of the application does not specify an alteration to the extent of the residential curtilage; therefore, it should not be assumed that the 'red line' on the plans denotes the lawful extent of the residential curtilage. If permission is granted, a note can be attached to the decision notice indicating this.

6. CONCLUSION

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

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

Although large in scale, the proposed extension would not be adversely out of keeping with character of the host dwelling and surrounding built form in terms of scale, form, siting and materials. It would not bring about any significant adverse issues to the character or visual amenity of the area – policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal would not have a significant adverse impact on the residential amenity of the neighbouring occupiers through loss of natural light or privacy – policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

There would not be a significant adverse impact on local highway conditions given that sufficient parking space would be left to serve the dwelling, and because there would not be a material increase in vehicular traffic – policies T12 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following condition.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

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

ITEM 20

CIRCULATED SCHEDULE NO. 37/11 – 23 SEPTEMBER 2011

App No.:	PT11/2621/TRE	Applicant:	Barratt Homes Bristol Division
Site:	Plot 1 The Meadows Frampton Cotterell Bristol South Gloucestershire	Date Reg:	22nd August 2011
Proposal:	Works to 1 no. Oaktree to clear stem of maturing shoots up to 1.5m, crown lift outer canopy to 3.5 - 4m, crown thin by 15% all covered by tree preservation order 428 dated 18th December 1996.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366926 180999	Ward:	Frampton Cotterell
Application Category:		Target Date:	12th October 2011



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100023410, 2008. **N.T.S.** **PT11/2621/TRE**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because an objection has been received from a local resident contrary to the Officer's recommendation.

1. THE PROPOSAL

1.1 This application seeks consent for the following works to 1no. Oak tree:

- to clear the stem of maturing shoots up to 1.5 metres
- crown left outer canopy to 3.5 – 4 metres
- crown thin by 15%

1.2 According to the applicant, the works are required to reduce the risk of branch damage during the landscaping work and to improve light level through and beneath the canopy to the plot.

1.2 The tree is located in the northwestern corner of The Meads housing development in Frampton Cotterell.

2. POLICY CONTEXT

2.1 National Guidance

The Town and Country Planning Act 1990

The Town and Country Planning (Trees) Regulations 1999

3. RELEVANT PLANNING HISTORY

3.1 PT10/1013/RM, `Erection of 184 dwellings; construction of 186sqm of retail floorspace; construction of new vehicular access off Heather Avenue and provision of public open space. (Approval of Reserved Matters). (To be read in conjunction with outline planning permission ref PT08/2760/O), approval, 27/09/10.

3.2 PT08/2760/O, Erection of 220 residential dwellings and 186m2 of A1 retail floorspace. Outline application with means of access. All other matters reserved, approval, 15/12/08.

3.3 PT05/0368/TRE, works to trees covered by South Gloucestershire Tree Preservation Order 8/96. Removal of lower limbs on 15no. Oaks to height of three metres and fell one Willow tree, withdrawn, 03/02/06.

3.4 PT05/1278/TRE, remedial works to 29no. trees covered by South Gloucestershire Council Tree Preservation Order SGTPO 8/96, approval, 22/08/05.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

No comments received

- 4.2 Tree Officer
No objection

Other Representations

4.3 Local Residents

One letter of objection has been received from a local resident. The following is a summary of the concerns raised:

- Given the relatively small number of trees in the vicinity proposal would have a detrimental impact on the local wildlife habitat, including birds and bats;
- The proposal would have a detrimental effect on the contribution that the tree makes to the character of the area;
- Proposed thinning could adversely affect the health and viability of the tree;
- Other proposed tree works on the other boundary of the development with Park Farm have been previously refused.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The only issue to consider in this application is the effect on the amenity of the tree, which contributes to the visual amenity of the area.

5.2 Consideration of Proposal

The tree has been inspected by the Council's Tree Officer who considers that the proposed works will not have an adverse impact on the visual amenity offered by the tree and should be viewed as ongoing management.

- 5.3 The Concerns of the local resident are noted, however, the impact on local wildlife is not a consideration in this application. The only issue is the impact on the visual amenity that the tree affords to the area. It is likely that other applications for tree works in the locality have been refused, however, each application is required to be assessed on its own merits and this depends on the type of works proposed and the type of tree. In this instance, it is considered that the works proposed would not adversely affect the visual amenity of the tree.

6. RECOMMENDATION

- 6.1 Consent is GRANTED subject to the conditions below.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

In the interests of the long term health of the tree and to accord with The Town and Country Planning Act 1990 and The Town and Country Planning (Trees) Regulations 1999.

2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

In the interests of the long term health of the tree and to accord with The Town and Country Planning Act 1990 and The Town and Country Planning (Trees) Regulations 1999.