

# List of planning applications and other proposals submitted under the planning acts to be determined by the director of environment and community services

## CIRCULATED SCHEDULE NO. 15/20

**Date to Members: 08/04/2020**

**Member's Deadline: 16/04/2020 (5.00pm)**

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2018. Under the arrangement certain reports are circulated on a weekly basis. The reports assess the application, considers representations which have been received, and make a recommendation regarding the proposal.

Having considered the reports, those applications that Councillors feel should be referred to the relevant Planning Committee must be notified to the Strategic Planning section by email within five working days of the publication of the schedule (by 5pm) in line with the procedure set out below. If there has been no valid 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, it is recommended that Members speak to an officer about the issue, to explore whether any problems can perhaps be resolved without the need for referral to a Committee.

**PLEASE NOTE: The circulated schedule process is only open to elected Members of South Gloucestershire Council.**

## NOTES FOR COUNCILLORS

### – formal arrangements for referral to committee

**If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate planning committee then a referral should:**

- a) Be made in writing using the attached form by emailing [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk) identifying the application reference and site location
- b) 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 end of the following Thursday (see cover page for the date)
- c) The request in writing must be made in writing by at least two or more Members, not being Members of the same ward
- d) In addition, the request in writing must have the written support of at least one of the Development Management Committee Chair and Spokes Members
- e) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral
- f) Indicate whether you have discussed the application(s) with the Case Officer and/or Development Manager
- g) Indicate whether you have discussed the application(s) with ward Member(s) if the site is outside of your ward

**The Circulated Schedule will always contain the following applications unless the application is required to be determined by Committee:**

- 1) Any application submitted by, or jointly, or on behalf of the Council.
- 2) Any application submitted by or any matter directly affecting or involving any

Member of the Council and any application(s), submitted by an Officer of the Council working in the Strategic Planning area (specifically the Policy and Specialist Advice, Development Management, Strategic Major Sites and Planning Enforcement, Validation & Registration and Planning Technical Support teams) or any Member or Officer of the Council acting as a planning agent.

- 3) Any application requiring a new planning agreement.
- 4) Any applications requiring a modification of an existing planning agreement where in the opinion of the Director, there would be a detriment to the public benefits secured.

5) Any application where the proposed decision of the Director would, in his opinion, be contrary to the policies of the Council as expressed in the Development Plan and/or any emerging plan and require referral to the Secretary of State following approval in principle by the Council for the purposes of development control decision making.

6) Any applications, except those listed below a-f where three or more representations contrary to the Officers recommendation are received within the notification period other than from officers of the Council acting in their professional capacity.

7) Any applications, except those listed below a-f where a representation is received within the notification period which is contrary to the officers recommendation from the Parish or Town Council within whose boundary the proposal lies wholly or in part.

8) Any applications, except those listed below a-f where a representation is received within the notification period which is contrary to the officer's recommendation from any Member of South Gloucestershire Council.

Applications that will not appear of the Circulated Schedule procedure as a result of representations received:

a. All applications, where approval is deemed to be granted upon the expiry of a defined period

b. All applications to be determined the lawfulness of a proposed or existing use of a site

c. All applications for non-material amendments

d. All applications to discharge planning conditions

e. All applications solely required because of the removal of Permitted Development Rights or Article 4 direction

f. Any footpath stopping up or diversion required to implement an approved scheme

### **Additional guidance for Members**

Always make your referral request by email to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk) (not individual email addresses), where referrals can be picked up quickly by the Technical Support Team.

When emailing your circulated referral request, please ensure you attach the written confirmation from the Supporting Member(s) and Supporting Chair or Spokes

Please note a copy of your referral e mail will appear on the website.

Before referring an application always contact the case officer or Development 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.

A template for referral is set out below:

## Referral from Circulated Schedule to Development Management Committee

1. Application reference number:
2. Site Location:
3. Reasons for referral:

The referral should include the reasons for the referral indicating why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issues the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay of the referral

4. If the site is outside your ward have you contacted the ward Member(s) to inform them of the referral?

5. Have you discussed the referral with the case officer or Development Manager?

a) Referring Member:

b) Details of Supporting Member(s) (cannot be same ward as Referring Member)

c) Details of Supporting Chair or Spokes Member of the Development Management Committee

**Do you consider this is an application of strategic importance such that you would request the Director to consider using his discretion to refer the matter to the Strategic Sites Delivery Committee? If so please set out your reasons:**

**Date:**

To be emailed to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk)

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
15/20	12 O'clock Tuesday 7 <sup>th</sup> April	9am Wednesday 8 <sup>th</sup> April	5pm Thursday 16 <sup>th</sup> April	Friday 17 <sup>th</sup> April
16/20	5pm Wednesday 15 <sup>th</sup> April	9am Friday 17 <sup>th</sup> April	5pm Thursday 23 <sup>rd</sup> April	Friday 24 <sup>th</sup> April

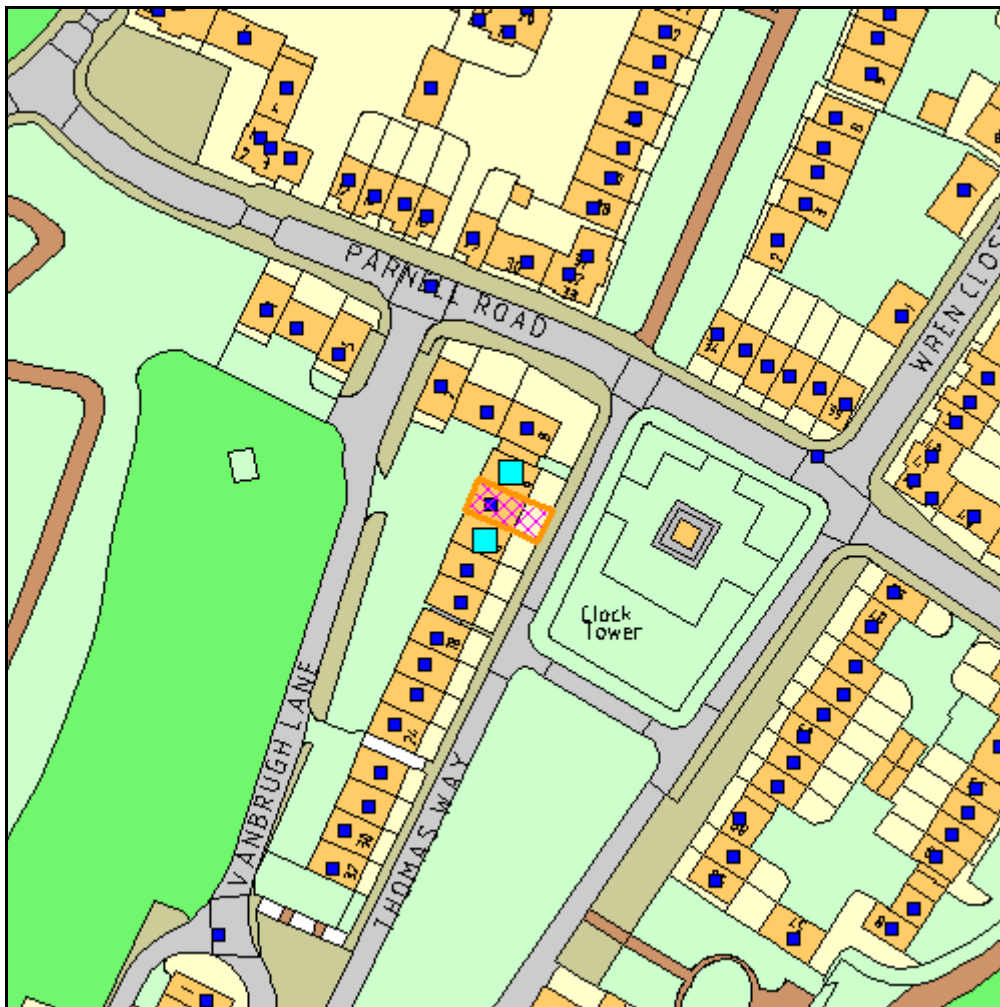
Dates and officer deadlines for Circulated Schedule Easter Bank Holidays 2020

# CIRCULATED SCHEDULE - 08 April 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/13675/F	Approve with Conditions	10 Thomas Way Stoke Gifford South Gloucestershire BS16 1WT	Stoke Park And Cheswick	Stoke Gifford Parish Council
2	P19/19181/F	Approve with Conditions	1 Meadow View Shortwood Road Pucklechurch South Gloucestershire BS16 9PQ	Boyd Valley	Pucklechurch Parish Council

**CIRCULATED SCHEDULE NO. 15/20 - 8th April 2020**

<b>App No.:</b>	P19/13675/F	<b>Applicant:</b>	Mr Wesley Howard
<b>Site:</b>	10 Thomas Way Stoke Gifford Bristol South Gloucestershire BS16 1WT	<b>Date Reg:</b>	4th October 2019
<b>Proposal:</b>	Installation of 2no rear dormers to facilitate loft conversion. (resubmission of P19/1528/F).	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	362286 177412	<b>Ward:</b>	Stoke Park And Cheswick
<b>Application Category:</b>	Householder	<b>Target Date:</b>	27th November 2019



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 100023410, 2008. N.T.S. P19/13675/F

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application is reporting to Circulated Schedule due to a number of objections from local residents and the Parish Council, which are contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The application as originally submitted sought planning permission for the installation of 2no. front and 2no. rear dormer windows to facilitate a loft conversion. This was submitted as a resubmission of P19/1528/F which sought permission for the installation of 2no. front and 2no. rear dormer windows to facilitate a loft conversion as well as change of use of dwelling house (Class C3) to 4no. bed HMO (House of Multiple Occupation) (Class C4). P19/1528/F was subsequently withdrawn. The current proposals do not seek change of use from a class C3 dwelling house to class C4 HMO.
- 1.2 Revised plans have however been subsequently submitted which now seek permission only for two rear dormers to facilitate the loft conversion. The description of development has therefore been amended to reflect this. These revised plans have been fully reconsulted.
- 1.3 The application site relates to a modern mid-terraced property with a mock-Georgian appearance within a square containing similar. The property has rendered elevations with Bath stone features and a parapet wall, concealing a gabled roof with slate tiles. Below, and to the rear, are integral garages serving the dwelling and neighbouring dwellings (located in the basement area).
- 1.4 The site is situated opposite to the Clock Tower, approximately 150m to the north is the Dower House, which itself is listed (Grade II\*), the application site is just within the associated Registered Park and Garden, although itself is part of an area of modern residential development.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework  
National Planning Policy Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

PSP1 Local Distinctiveness



PSP8 Residential Amenity  
PSP16 Parking Standards  
PSP17 Heritage Assets and the Historic Environment

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Parking Standards SPD

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P19/1528/F - Installation of 2no. front and 2no. rear dormer windows to facilitate loft conversion, and change of use of dwelling house (Class C3) to 4no. bed HMO (Class C4). Withdrawn
- 3.2 P99/1769 – Erection of 21 dwellings (approval of reserved matters). Approved 30/9/1999

### **4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council  
No Objection.

Sustainable Transportation  
No objections

#### **Other Representations**

- 4.3 Local Residents  
9 letters of objection and one further letter from planning agents on behalf of one of the objectors was received to the initial consultation.

6 letters of support were received.

The objection comments and concerns are summarised as follows:

- the proposed dormers would be visually discordant and destroy existing symmetry
- The terrace has been carefully designed, the dormers would ruin the overall effect of the terrace as well as its Georgian look
- special regard need to be given to setting of the listed building and registered parks and gardens
- the proposals fail to conserve or protect the setting of nearby heritage assets
- the proposals would be detrimental to the streetscene
- this is an alternative way of achieving the HMO
- HMO's have been causing antisocial issues in the area
- The proposals and increase in capacity will spoil the experience and enjoyment of living in the area
- there is not enough parking in the area or to serve the property
- there are already parking issues in the area

The support comments are summarised as follows:

- the developer wishes to add value to the property without causing disturbance and improvements are made with the same materials

- this is not an HMO so would not create the same issues
- the developer has listened and addressed concerns regarding the previous HMO and present plans common in modern houses in order to create more space
- a loft conversion here makes sense and caters for a growing or larger family property
- the plans are detailed and appears to be a justified attic conversion with dormers

Upon re-consultation of the revised plans for two rear dormers 4 letters supporting the proposals and 3 letters objecting to the proposals were received, including a further letter from planning agents on behalf of one local household. None of the previous objections were withdrawn. Stoke Gifford Parish Council also responded to the reconsultation, this time with an objection:

#### Stoke Gifford Parish Council

Objection - over development and not in keeping with the street scene.

The objections are summarised as follows:

- concern about design and the dormer windows not aligning to existing windows patterns below
- the dormers would continue to provide an imbalance on the symmetrical design
- concerns about living conditions due to the size shape and headroom in the converted loft
- Parking in the area is challenging
- there are only two spaces and the visitor bays do not belong to no. 10
- the Grade II listed architecture and parkland should be protected
- concern that the original plans will reappear over time
- concerns with trying to cram too many people into the dwelling and area
- overpopulating will negatively impact existing residents and new tenants

The letters of support are summarised as follows:

- support for a member of the community who wishes to improve the quality and size of their family home or residence
- the dormer windows shouldn't affect the neighbourhood as previously raised
- the proposals would have much affect upon car parking or parking availability
- the revised plans address previous concerns and are an improvement and suitable design on what is a standard homeowner terraced house
- the outlook and position of the rear dormers would not be an issue on the estate
- happy to support the plans as submitted

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Extensions to dwellings within residential curtilages are acceptable in principle subject to detailed development control considerations in respect of local

amenity, design and transportation; as set out in policy PSP38. The issues for consideration in this respect therefore are whether the proposals have an adverse impact on the amenities of nearby occupiers and whether the design of the proposal is sufficiently in keeping with the site and surroundings. The application must be addressed on its individual merits as submitted, in this instance as a proposals for two rear dormers

5.2 Design/Visual Amenity/Conservation Context

Initial concerns, including comments from the Councils Conservation Officer, regarding the proposals were very much an issue of design and how the proposed dormers would alter the architectural composition of the terrace, rather than a specific issue in respect of the impact on the setting of the Dower House or the impact on the character of the Registered Park and Garden. The clock tower is not listed in its own right or locally listed, but may possibly be protected under the curtilage listing of the main house. It is not clear to what extent it served the main house, as it appears to have been erected c1930 after the site had been adapted to 'Stoke Park Colony', and may have served the school and hospital that was erected on site and subsequently demolished.

5.3 The original proposals were trying to replicate the dormers and roof design of the paired properties to the south, north and east that have been intentionally designed as a dominant centre-pieces with taller ridges, taller coped gables and raised parapets along their front elevations. These houses, with one or two dormers per dwelling, break forward of the common building lines and are flanked by subordinate properties to create a largely balanced and symmetrical elevation and were clearly intended to be the focal buildings on their respective sides of the 'avenue' and clock tower.

5.4 The original proposals sought to replicate this in terms of the dormers, raised ridge, raised parapet and raised coping on the party wall lines but there are some fundamental differences between number 10 and the other properties that made the original proposal unacceptable from a design perspective. Unlike the other properties, no.10 is just a single width dwelling in a terrace that sits off-centre from the central property (no.12) and lacks any step forward in terms of its footprint. The original proposals would have created an imbalance in the near symmetrical elevation and symmetrical roof-scape which would appear incongruous and contrived in the context of the wider development scheme. It would also set an inappropriate and unwelcome precedent for other properties in the area that would detract from the intended architectural composition of these groups that face the clock tower and frame the views down to the listed building.

5.5 This was therefore a principally design objection (Policy CS1), with the impact of this single proposal on the setting and thus significance of the Dower House being low to negligible and therefore, at the lowest end of 'less than substantial' harm as set out in the NPPF. The risk here, however, is that incremental changes across more of the properties around the avenue as a result of the precedent being set could eventually erode the careful design and planning of the development which could collectively harm the setting of the listed building and the quality of this designed approach. The registered P&G does cover this avenue and the redevelopment of the site is acknowledged in

the register entry with the clock tower recorded as a feature but the impact of this proposal on the significance of the park and garden was also going to be low-negligible and at the lowest end of less than substantial.

5.6 In terms of potentially revised proposals, it was considered that the Council was likely to resist any dormers to the front roofslopes and would suggest that dormers to the rear should match the design/appearance of those that already exist, keeping the front elevation unaltered to safeguard the external appearance of the development.

5.7 The proposed scheme now only seeks consent for 2no. rear dormers and the description of development is amended to reflect the amendments that have been made to the scheme. There would be no changes to the existing front, principle elevation of the property and the proposals would consist only of rear dormers. The proposed rear dormers would be acceptable in design terms, suitably follow the positioning of the upper floor windows and be an acceptable addition to the rear elevation of the property and the row of properties. It is considered that the revised proposals have satisfactorily addressed the previous objections and concerns raised.

#### 5.8 Highways

This development proposes works to add an additional bedroom in the form of a loft conversion to make 4 bedrooms rather than 3. The impact that this has in terms of parking provision is such that the parking requirement for a 3 bed dwelling is the same as for a 4 bed dwelling so on this basis regardless of the parking available currently from a transportation perspective this would represent a neutral impact.

Currently the applicant has 2 designated parking spaces in the form of an integral garage on the ground floor. This proposal does not alter that provision. In addition to this there is shared visitor parking available in the rear courtyard and also the potential to park on street (spaces permitting).

Whilst comments regarding parking are acknowledged, and it would indeed be preferable to see additional car parking associated with the development as a whole, consideration of both the current situation in relation to car parking and our current parking standards that require the same amount of parking for both 3 and 4 bedded dwellings must be taken into account. On this basis the proposals are acceptable and no highways objections are raised.

5.9 Over and above this, any unauthorised parking or parking on land not within the applicants control is not permitted by the granting of planning permission and would be a civil and legal highways matter.

#### 5.10 Residential Amenity

It is not considered that the rear dormers would have a material amenity impact upon neighbouring properties in terms of overlooking or being overbearing. In terms of the additional space being provided through the conversion of the existing loft, this is considered acceptable as an extra room and the space provided would not be considered unsuitable such as to sustain an objection and refusal of the application. Loft conversions are not uncommon forms of development and the proposals would result in an acceptable additional room to be used in conjunction with the existing dwelling and household, with the

proposed dormers providing additional room and windows, and more space than rooflights on their own would provide.

#### 5.10 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

With regards to the above this planning application it is considered to have a neutral impact on equality.

### 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 development plan set out above, and to all the relevant material considerations set out in the report.

### 7. RECOMMENDATION

7.1 That planning permission is granted, subject to the conditions recommended.

**Contact Officer: Simon Ford**  
**Tel. No. 01454 863714**

### 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).

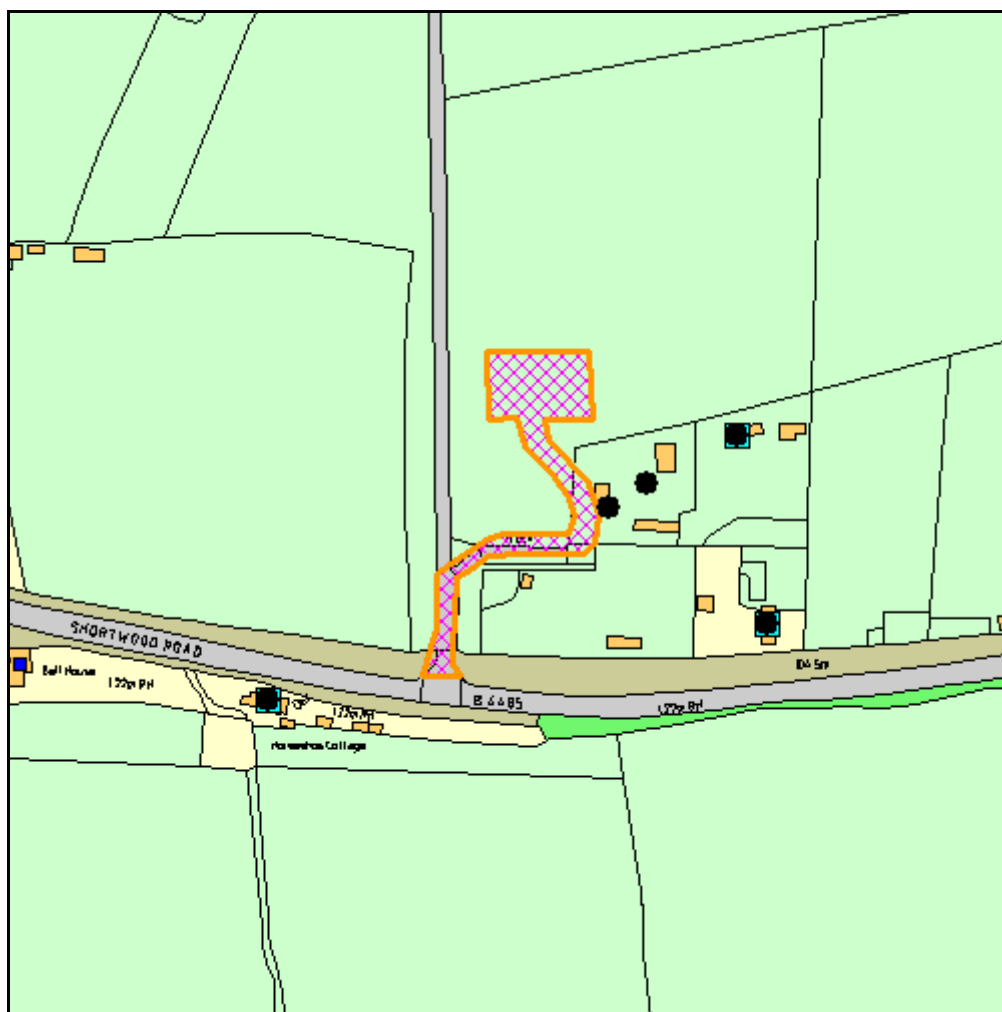
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

**CIRCULATED SCHEDULE NO. 15/20 - 8th April 2020**

<b>App No.:</b>	P19/19181/F	<b>Applicant:</b>	Mr Jason McDonagh
<b>Site:</b>	1 Meadow View Shortwood Road Pucklechurch Bristol South Gloucestershire BS16 9PQ	<b>Date Reg:</b>	23rd December 2019
<b>Proposal:</b>	Change of use of land to single Gypsy pitch and erection of a single storey outbuilding to be used as a day room.	<b>Parish:</b>	Pucklechurch Parish Council
<b>Map Ref:</b>	369057 175840	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th February 2020



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South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

## **REASONS FOR REPORTING TO CIRCULATED SCHEDULE**

A representation has been made by the parish council, which is contrary to the findings of this report. Furthermore, the application represents a departure from normal Green Belt policy. Under the current scheme of delegation it is therefore required to be taken forward under the Circulated Schedule procedure.

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the change of use of land to a single Gypsy pitch and the erection of a single storey outbuilding to be used as a day room. The application relates to 1 Meadow View, Shortwood Road, Pucklechurch.
- 1.2 The application site comprises an undeveloped parcel of land. The land is currently in use for the keeping of horses, and is situated immediately to the north of an established and safeguarded Gypsy and Traveller site. The site is located beyond any defined settlement boundary and therefore within the open countryside. The site is also located within the Bristol and Bath Green Belt.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework Feb 2019

National Planning Policy Guidance (2014)

Planning Policy for Traveller Sites August 2015 (PPTS)

#### 2.2 Development Plans

##### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS21	Gypsy and Traveller Accommodation
CS34	Rural Areas

##### South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment



PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts

- 2.3 Supplementary Planning Guidance  
 Development in the Green Belt SPD (Adopted) 2007  
 Residential Parking Standards SPD (Adopted) 2013  
 South Gloucestershire Gypsy and Traveller Accommodation Assessment (GTAA) 2017

### 3. **RELEVANT PLANNING HISTORY**

#### 3.1 **P19/2770/RVC**

Variations of conditions 2 and 3 attached to PK12/2288/F to allow the building to be used by anyone and remain permanent.

Approved: 12.07.2019

#### 3.2 **P19/4212/F**

Erection of a stable block.

Approved: 16.08.2019

#### 3.3 **PK18/4328/F**

Erection of 2 no. stable buildings, associated access road and hard standings.

Refused: 17.12.2018

#### 3.4 **PK18/0959/F**

Change of use of land from agricultural to land for the keeping of horses.

Approved: 06.07.2018

#### 3.5 **PK17/4232/RVC**

Variation of condition 1 and 2 attached to PK14/2889/F allowed on appeal APP/P0119/W/15/3065767 condition no. 1 to now read The use hereby permitted shall be carried on only by the following and their resident dependants: James McDonagh and Helen Monagan (Plot 1) and Jason McDonagh and Theresa McDonagh (Plot 2). Condition no. 2 to now read, When the land ceases to be occupied by those named in Condition 1) above, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought onto the land, or works undertaken to it in connection with the use shall be removed and the land restored within a further three months to its condition before the development took place.

Approved: 15.12.2017

**3.6 PK14/2889/F**

Change of use of land to gypsy/travellers site including 2 no. mobile homes and 2 no. touring caravans with the formation of additional hard standing and 2 no. ancillary utility/day rooms.

Refused: 04.03.2015

Appeal Allowed: 10.02.2016

**3.7 PK12/2288/F**

Erection of utility/day room and associated works.

Approved: 01.03.2013

**3.8 PK09/0398/F**

Change of use of grazing land (sui generis) for the stationing of 1no. residential gypsy mobile home, 4no. associated touring caravan pitches (1no. permanent and 3no. transit pitches). Erection of utility/day room and associated hardstanding.

Refused: 29.05.2009

**3.9 PK08/2020/F**

Change of use of grazing land (sui generis) for the stationing of 2no. residential gypsy mobile homes, 2no. associated touring caravans and associated pitches. Erection of day room and associated hardstanding.

Approved: 16.09.2008

**3.10 PK05/1054/F**

Change of use of grazing land (sui generis) for the stationing of 3no. residential gypsy caravans. (Retrospective).

Refused: 14.12.2006

Appeal Allowed: 16.08.2007

**4. CONSULTATION RESPONSES**

**4.1 Pucklechurch Parish Council**

- Objection – Council do not believe that plans accurately reflect density of site with multiple mobile homes missing from plans.
- Proposal is inappropriate development in Green Belt and applicant has not demonstrated very special circumstances.
- Site would cause visual harm to openness of countryside.

- Site is not an appropriate distance from key services and facilities. There are no safe walking or cycling routes resulting in car dependency.

## 4.2 Other Consultees

### Highway Structures

No comment

### Landscape Officer

No comment

### Lead Local Flood Authority

Following confirmation that treated effluent would be discharged to the ground via a drainage field, no objection. However applicant should be reminded the drainage field must be designed in accordance with British standards.

### Planning Policy Team

The existing site, known as 1 Meadow View, Shortwood Road, Pucklechurch, was granted planning permission following an appeal (application ref. PK14/2889/F) and as such is considered to be a safeguarded.

Government policy on planning for the needs for Travellers is set out in the Planning Policy for Traveller Sites (PPTS). PPTS makes clear that Traveller site development in the Green Belt represents inappropriate development (Policy E), and that: 'subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances'.

Case law is clear that there is a duty on both the Local Planning Authority (LPA) and Secretary of State to treat the best interests of the child as a primary consideration, and that no other consideration is inherently more important (see *AZ v SSCLG & South Gloucestershire Council* [2012] and *Collins v SSCLG* [2013]).

In progressing the new South Gloucestershire Local Plan, the Council published its refreshed Gypsy and Traveller Accommodation Assessment (GTAA) 2017. Based on the GTAA 2017, there is a need for 61 additional pitches for Gypsies/ Travellers in South Gloucestershire by 2032.

There is therefore a high level of need for Gypsy/ Traveller pitches in South Gloucestershire. The proposed development would result in an extension to an existing Gypsy/ Traveller site, providing an additional pitch, therefore contributing to meeting the existing shortfall of sites in South Gloucestershire.

Notwithstanding this, in the case of proposals which come forward in the Green Belt, national policy is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (para 16).

In local planning policy terms, considerable weight can be applied to Policy CS21 of the adopted Core Strategy, in combination with the demonstrable need for Gypsy/ Traveller pitches in South Gloucestershire.

It is for the case officer to consider whether criteria 1 – 4 of CS21 have been satisfied, and it should be deferred to specialist officers for their assessment of the proposal and its compliance with national and local planning policy.

Sustainable Transport  
No objection

### **Other Representations**

4.3 Local Residents  
No comments received

## **5. ANALYSIS OF PROPOSAL**

5.1 The application seeks permission for the change of use of land to a single gypsy pitch and erection of a single storey outbuilding to be used as a day room. The application site is located outside of any defined settlement boundary and within the Bristol and Bath Green Belt. The site is also located adjacent to a safeguarded gypsy and traveller site.

### **Principle of Development**

5.2 Policy CS21 of the Core Strategy is the principal policy in the development plan with regard to gypsy and traveller accommodation. It states, primarily, that a review of accommodation will be undertaken as part of the Policies, Sites and Places Plan or a replacement local plan, but that applications in the meantime will be considered having regard to the level of need and most recent government guidance. A further review is yet to be undertaken, and as such CS21 remains the principal policy.

5.3 The policy then outlines that additional provision will be addressed through the intensification of existing sites in the first instance. The policy then goes on to provide a selection criteria when considering applications and indicates that sites within a reasonable distance of facilities and services would be preferential to those in more remote locations. It is also stipulated that in the Green Belt and AONB, development will only be acceptable where 'very special circumstances' can be demonstrated. The selection criteria as referred to above is set out below, and an assessment of the compliance of the scheme with these criteria will be undertaken throughout the remainder of this report:

5.4 'Sites for Gypsies and Travellers will be considered appropriate where they meet the following criteria:

1. The development would not lead to unacceptable environmental effects;  
and

2. The land is not the subject of unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
3. The proposal would not unacceptably prejudice the amenities of existing and new neighbouring residential occupiers; and
4. Adequate provision is made for vehicular access, parking and manoeuvring.'

5.5 Gypsy and Traveller Accommodation

Whilst CS21 remains the Council's principal development plan policy, the figures set out in CS21 relating to identified need are no longer up-to-date. The most up-to-date information relating to need is set out in the Gypsy and Traveller Accommodation Assessment (GTAA) 2017. Based on the GTAA 2017, there is a need for 61 additional pitches for Gypsies/ Travellers in South Gloucestershire by 2032. The Council is currently refreshing its GTAA and an update is due to be published later this year, however these represent the latest figures.

- 5.6 On the basis that allocations are yet to be made as part of any new local plan, and given the current shortfall in gypsy/traveller pitches, the Local Planning Authority is currently unable to demonstrate it has a 5-year supply of gypsy and traveller accommodation. Furthermore, the authority has a historic track record of under delivery of gypsy and traveller accommodation with a significant shortfall in supply and a ministerial direction to make significant improvements to supply and delivery.
- 5.7 Paragraph 22 of the Planning Policy for Traveller Sites (PPTS) emulates Section 38(6) of the Planning and Compulsory Purchase Act 2004. It states that applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. As it is established that the Authority does not currently have a 5-year supply, national guidance should be given greater weight as a material planning consideration.
- 5.8 Paragraph 23 of PPTS states that applications for gypsy and traveller sites should be assessed in the context of the presumption in favour of sustainable development; and, where a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material factor in the determination of applications (paragraph 27). The exception to this is where the land in question is subject to a national designation, such as Green Belt, where the tilted balance contained within the presumption in favour of sustainable development does not apply. Local planning authorities should apply weight to: the existing level of provision and need; the availability (or lack thereof) alternative accommodation; personal circumstances of the applicant; and, locally specific criteria when assessing applications.
- 5.9 The locational and impact assessment criteria of CS21 therefore can still be afforded full weight in decision taking.
- 5.10 As alluded to, in addition to the above, the principle of development is affected by the site's designation within the Green Belt.

#### 5.11 Definition of Gypsy and Traveller

For planning purposes, the definition of gypsies and travellers is contained in Annex 1 of the PPTS. It states gypsies or travellers are:

*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own family's or dependents' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

5.12 The Authority has published the 'Gypsy and Traveller Accommodation Assessment (GTAA) 2017 Explanatory Note'. In this document the Authority sets out why it has adopted a broader definition of gypsies and travellers than that contained in PPTS. This note is being used to establish the Authority's position as the New Local Plan progresses. It is yet to be subject to Examination; however, officers attach weight (albeit limited) as it is an important document in indicating the future direction the Authority will take in addressing the historic under supply of specialist gypsy and traveller accommodation in the district.

5.13 While the Authority's broader definition has been used to establish need; and as a result, that need may be higher than if the more restrictive national definition was used, for the purposes of this application, the definition in the PPTS will be used. This is because it is considered a more robust position; if the applicant meets the national definition then they would *de facto* meet the local definition. To determine whether a person may be included within the national definition, consideration should be given to whether they previously have led a nomadic habit of life; the reasons for ceasing a nomadic habit of life; and whether there is the intention of living a nomadic habit of life in the future.

5.14 Officers have concluded that the applicant and their family do fall within the definition of gypsies and travellers for planning purposes. This has been confirmed by the Council's Traveller Sites Officer. On the basis that officers are satisfied that the applicant and their family fall within the definition of a gypsy for planning purposes, the assessment of this application should continue.

#### **Green Belt**

5.15 The application site is located within the Bristol and Bath Green Belt. Policy CS5 and CS34 of the Core Strategy and policy PSP7 of the Policies, Sites and Places Plan support the protection of the Green Belt from inappropriate development. The NPPF attaches great importance to the Green Belt – with the fundamental aim of preventing urban sprawl and keeping the land open in nature. In order to achieve this, there is a general presumption against inappropriate development in the Green Belt. Any type of development in the Green Belt is considered inappropriate, unless it falls into a predefined exception category or very special circumstances override the presumption against inappropriate development. Very special circumstances will not be

found unless the harm to Green Belt and any other harm is clearly outweighed by the benefits of the proposal.

- 5.16 The provision of a gypsy/traveller site is not listed as an exception category for development in either Paragraph 145 or 146 of the NPPF. As such, the development is an inappropriate form of development. The development is therefore, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 5.17 In terms actual harm, it is considered that the actual harm to openness would be notable, but not substantial. The proposal would see the existing site essentially extending to the north in to an undisturbed area of paddock. This would result in the re-surfacing of the land, the provision of boundary treatments, the erection of a day room and the introduction of domestic paraphernalia at the site. Furthermore, the northern boundary of the existing gypsy/traveller site creates a clear border between the gypsy/traveller pitches to the south and the undeveloped land to the north. The proposed pitch would breach this border. As such, the proposal would undoubtedly cause a degree of harm to the openness of this part of the Green Belt.
- 5.18 However on the basis that the development only relates to the provision of a single additional pitch, which, itself is noticeably reduced in scale when compared to existing adjacent pitches, the overall impact on openness is not considered to be substantial. The overall impact is also reduced on the grounds that the only permanent structure proposed is a 6.5m x 3.5m single storey day room. Whilst other more temporary structures and associated paraphernalia would also be present at the site, the absence of any two-storey structures would aid in preserving the openness of the land to a degree. As such and as discussed above, the harm to the openness of the Green Belt which would arise from the development is considered to be notable, but not substantial.
- 5.19 Nevertheless the proposal is an inappropriate form of development in the Green Belt. To this end, the applicant has submitted a case for very special circumstances, which sets out why the harm to Green Belt and any other harm is clearly outweighed by the benefits of the proposal.
- 5.20 Case for Very Special Circumstances  
Given the sensitive nature of the application, it is not appropriate to disclose the full personal circumstances of the applicant, or full personal details, within this public report. However the case centres on the fact that certain members of the applicant's family currently reside on an existing pitch alongside other family members. However a child is expected, and current conditions are considered to be overcrowded. As such, it is proposed to create a new pitch, as to provide the relevant family members with their own separate accommodation.
- 5.21 It has been outlined that the intended occupants have lived in the immediate area for some time, and are settled in to the community. Should the application to create an additional pitch be refused, then accommodation options would be limited, and the intended occupants would likely be required to travel and double up on other family members' pitches, who have neither the permission

nor space to accommodate them. It has also been outlined that the intended occupants have never lived in a house and would not feel comfortable doing so.

- 5.22 The case for very special circumstances has been accepted by the Local Planning Authority. The case centres on the interests of a child, and the best interests of a child, and the safety of a child, is a planning matter and a matter of significant weight.
- 5.23 Article 3 (1) of the United Nations Convention on the Rights of the Child provides that the best interests of the child shall be a primary consideration in all actions by public authorities concerning children. Case law is clear that there is a duty on both the Local Planning Authority (LPA) and Secretary of State to treat the best interests of the child as a primary consideration, and that no other consideration is inherently more important (see *AZ v SSCLG & South Gloucestershire Council* [2012]). Further to this, recent planning appeal decisions in relation to residential Gypsy accommodation have also indicated that this means no other consideration can be inherently more important than the best interests of the child.
- 5.23 Given that the outcome of the application would directly impact upon the future living conditions of a child, the best interests of the child are a key consideration in the assessment of this application. Case law makes clear that the best interests of the child should be treated as a primary consideration, and that no other consideration is inherently more important.
- 5.24 Therefore whilst it is recognised that the proposal would constitute inappropriate development in the Green Belt, the harm to the Green Belt, which is found to be significant in this case, is considered to be clearly outweighed by other considerations. In this case, the other considerations relate to the fact that refusing to allow the development would directly and adversely impact upon the living conditions of an unborn child. The wider public benefits of providing additional specialist accommodation in a district with an identified undersupply should also be attributed weight. Whilst PPTS makes clear that unmet need is unlikely to sustain 'very special circumstances' in its own right, when considered alongside the personal circumstances of the applicant, officers consider the harm to the Green Belt to be outweighed by the benefits of the proposal.
- 5.25 An assessment of whether the harm to the Green Belt 'and any other harm', is outweighed by the benefits of the proposal will be made in the final planning balance following a detailed assessment of all relevant factors.
- 5.26 It should however be noted that, as the development represents a departure from normal Green Belt policy, the Local Planning Authority are required, in certain cases, to notify the Secretary of State. The criteria for notifying the Secretary of State are set out in the Town and Country Planning (Consultation) (England) Direction 2009. LPA's must notify the Secretary of State if they intend to approve a planning application for the following types of development in the Green Belt.



- a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

5.27 The proposal does not include any buildings with a floor space of 1,000 square metres or more. Furthermore, it is acknowledged that the proposal relates to the provision of a single gypsy/traveller pitch. Whilst this does represent a departure from normal Green Belt policy, it is not considered that in the wider context of the Green Belt, the impact on its openness would be significant. On this basis, the Secretary of State has not been notified.

### **Local Assessment Criteria (CS21)**

#### **5.28 Intensification of Existing Site**

Policy CS21 specifically outlines that in the first instance, any unmet provision should be sought through the intensification of existing sites. Whilst the proposed pitch would extend from an existing site, it would require the change of use of land, and would not represent the intensification of an existing site.

5.29 The possibility of meeting the need through the intensification of the site, as opposed to its extension, was put to the applicant. However it was outlined that the intensification of the existing site would amount to overcrowding; and that the effects of this would be particularly detrimental to the unborn child. There is no evidence to suggest that this view should be disputed, and therefore the intensification of the existing site is not considered to be a suitable solution in this instance.

#### **5.30 Distance to Facilities and Services**

The site is located outside of any defined settlement boundary, and is therefore classed as being within the open countryside. Policy PSP11, for the purposes of assessing traditional residential development, includes key measures for assessing sustainable access. In addition, the planning authority has published sustainable access profiles for the rural villages. These give an indication on how sustainable the rural villages are given the availability of goods and services.

5.31 The site is situated approximately 400m from the defined settlement boundary of Pucklechurch. The village is served by a number of facilities in the form of local shops, public houses, a primary school, a medical practice, a social club and a community centre. As such, a number of key services and facilities are situated within the relative proximity of the site. It is however acknowledged that there is no pedestrian footway connecting the site to the settlement.

5.32 However on the basis that the proposal relates to the provision of one additional pitch at an established site, and key services and facilities could be accessed through a short car journey, any harm arising from the development in this respect would be limited. For the purposes of an assessment against CS21, the

site is considered to be situated within a reasonable distance of local services and facilities.

- 5.33 Design, Visual Amenity and Landscape Impact (CS21: criteria 1)  
Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Policy CS1 is fully compliant with design guidance in the NPPF.
- 5.34 Moreover, policy CS34 seeks to protect, conserve and enhance rural areas' distinctive character, beauty, wildlife, landscape, biodiversity and heritage. The sentiments of this policy are echoed in the Council's principal landscape policy; PSP2 of the Policies, Sites and Places Plan.
- 5.35 As discussed in the Green Belt section of this report, the proposal would result in the extension of domestic influences in to an undeveloped part of the countryside. As a matter of principle, this would detract from the currently unspoilt, rural character of the land.
- 5.36 That said, the fact that the proposed site would essentially adjoin an established site would reduce the overall prominence of the pitch, when compared to a gypsy/traveller pitch to be provided in isolation. Further to this, a significant belt of landscaping at the southern boundary of the established site, as well as an established hedgerow at the western boundary of the site, render views of the site from public areas limited.
- 5.37 In terms of wider landscape impacts, the new pitch would form a noticeable feature within the surrounding landscape. However the immediate surrounding landscape comprises former agricultural land; with the use of the land recently changed to allow for the keeping of horses. Whilst the appearance is characteristic of the countryside, the land is not considered to be overly distinctive or exhibit any noteworthy natural beauty.
- 5.38 On the basis of the assessment set out above, whilst the development would cause harm to general visual amenity and the character and appearance of the countryside, given the context of the development, this would only be moderate. The impact of the development in this respect can also be mitigated to a degree through the application of relevant planning conditions seeking to agree boundary treatments, and restricting the storage of certain items at the site. Notwithstanding this, the proposal is considered to be contrary to design and landscape related policies, and the harm identified in this respect will weigh against the proposal in the overall planning balance.
- 5.39 Residential Amenity (CS21: criteria 2 & 3)  
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and

- overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.40 The site is situated in excess of 100m from any neighbouring residential dwellinghouses. As such, it is not considered that the change of the use of the land and the erection of a day room would adversely impact the amenity of surrounding residents through overbearing, overshadowing or overlooking impacts. Furthermore, there is no evidence to suggest that the amenity of local residents would be adversely affected through increased noise or air pollution.
- 5.41 Given that the proposed pitch would be situated adjacent to, and would essentially form an extension of an existing gypsy/traveller site, it is considered that the amenity of those residing at the adjacent pitches would be adequately preserved. In terms of the amenity of the intended occupants of the development, the proposed pitch is separated from the highway. As such it is not considered that occupants would be subjected to unacceptable levels of noise or air pollution. On the basis of the assessment set out above, it is concluded that the proposal would have no unacceptable impact on amenity, and the development therefore complies with policy PSP8. The impact of the development in this respect is therefore neutral.
- 5.42 Transport (CS21: criteria 4)  
The transport officer has reviewed the proposals and has not raised any fundamental concerns. In terms of access, the site would be accessed via a lane running to the west of the site (providing access to Pucklechurch Covered Reservoir) off the B4465. The levels of visibility at the junction between the access lane and the classified highway are good, and it is not considered that the minor intensification of use resulting from the development would have any material impact on highway safety. The site itself would be accessed through an existing pitch; however there are no highway safety concerns with this arrangement.
- 5.43 In terms of parking, it is considered that sufficient levels of off-street parking space would be provided on-site as to serve the development. As such the development would not directly lead to increased parking on the highway. On the basis of the above, there are no concerns with the proposal from a transportation perspective, and the impact of the development in this respect is considered to be neutral.

### **Other Relevant Planning Considerations**

- 5.44 Drainage  
The drainage officer originally queried the proposed methods of foul sewage and surface water disposal. The applicant subsequently provided an amended site plan, indicating that drainage will be dealt with by means of a package treatment plant and soakaway within the application site. Following further confirmation from that applicant that treated effluent will be discharged via a drainage field, the drainage officer no longer raises any objection to the proposals, and considers the proposed drainage measures to be acceptable.

#### 5.45 Historic and Natural Environment

It is acknowledged that the provision of the site would result in the re-surfacing of an undeveloped parcel of land. However as the area at present comprises a paddock area with minimal vegetation, the habitat potential of the site is considered to be limited. As such, it is not considered necessary to request the submission of an ecological appraisal, and the impact of development in ecological terms is considered to be neutral.

5.46 In terms of archaeology, the site is not known for being of high archaeological potential. Furthermore it is likely that only modest footings would be required for the proposed day room, and as such only a small area of subsoil would be disturbed. In terms of trees and vegetation, no substantial vegetation is to be removed as part of the development. Furthermore, there are no protected trees present at the site which would be affected by the proposals. Overall, the impact of the development on the historic and natural environment is considered to be neutral.

#### **Impact on Equalities**

5.47 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.48 With regards to the above this planning application is considered to have a positive impact as it would directly assist in addressing inequality for the reasons set out in the report.

#### **Other Matters**

5.49 The comments made by the parish in respect of the accuracy of plans, and the omission of any caravans from existing plans, are noted. However provided that caravans conform with the definition set out in Section 29(1) of the Caravan Sites and Control of Development Act 1960 and Section 13(1) of the Caravan Sites Act 1968, the caravans themselves would not amount to development. As such, the plans are considered sufficiently accurate in that they show permanent structures. In any case, a site visit undertaken by officers allowed for the situation with regards to the provision of mobile homes to be appreciated.

#### **Planning Balance**

##### 5.50 Harmful Factors

In terms of identified harm, the most pertinent consideration relates to the inappropriate nature of the development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt, and a case specific

assessment has concluded that the development would result in notable harm to openness.

5.51 It has also been identified that the change of use of the currently undeveloped land would result in moderate harm to the visual amenity of the immediate area, and the character and appearance of the rural landscape. When considered cumulatively, the level of harm identified is considered to be significant.

5.52 Favourable Factors

As identified in the GTAA, there is significant need for additional gypsy and traveller accommodation in South Gloucestershire (61 pitches over the plan period). Further to this, the planning authority has a poor track record on the delivery of additional gypsy and traveller accommodation with a historic undersupply. It is accepted that there is a need for additional specialist accommodation for which no provision is made in the development plan.

5.53 This is a factor of significant importance. The aim of planning policy is to meet sustainable housing needs, including that for gypsies and travellers. As a public body, the authority is also bound by the public sector equality duty where it is required to act to promote equality and this is highly relevant to the application in hand.

5.54 Officers therefore apply significant and substantial weight to the provision of additional gypsy and traveller accommodation and this weighs in favour of granting planning permission. The provision this development makes towards the supply of specialist gypsy and traveller accommodation should be considered a public benefit.

5.55 As part of this application, information on the personal circumstances of the applicant has been provided. The intended occupants of the pitch are expecting a child, and should permission not be granted, the occupants would rely on other family members for accommodation. It has been put forward by the applicant that this would result in continuous travel and overcrowded living conditions. The provision of a new gypsy/traveller pitch would therefore plainly be in the best interests of the child. This is a matter of critical importance and heavily weighs in favour of granting planning permission.

5.56 Personal circumstances reflect the applicant's situation; they do not attribute towards any identified public benefit that would result from the development but nonetheless are material planning considerations of significant weight in the overall planning balance.

5.57 Balancing Exercise

In considering whether any material considerations would justify a departure from the development plan, officers have balanced the harm which would result from the development against the benefits set out above.

5.58 While it is acknowledged that the development would result in environmental harms, and that those harms should each be given significant weight, the resulting harm is concluded to be outweighed by social factors set out above. Significant weight is given to the undersupply of suitable accommodation within

the district and the resulting public benefit should that undersupply be reduced. Exceptional weight is given to the very special personal circumstances of the applicant – which include the best interests of the children.

5.59 It is therefore concluded by officers that, on the merits of this case and, having regard to all material considerations, the application should be supported subject to suitable conditions to mitigate the impact of the development. This consideration also leads officers to conclude that the public benefits of the development would not only outweigh harm to the Green Belt, but also 'any other harm' which may arise from the development. The application therefore succeeds and it follows that planning permission should be granted.

## 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: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

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

**Contact Officer: Patrick Jackson**  
**Tel. No. 01454 863034**

## 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. This permission does not authorise use of the land as a caravan site by any persons other than gypsies and travellers, as defined in Annex 1: Glossary of the Planning Policy for Traveller Sites (August 2015), or any definition revoking and replacing that.

Reason

The development has been permitted on the basis of a need gypsy and traveller accommodation in the district to comply with policy CS21 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and any alternative use would require further assessment.

3. Should the residents of the site no longer comply with the definition contained within condition 2, then the use of the site shall cease. All development (including materials and equipment) that was brought onto the land in connection with its use as accommodation for the intended residents shall be permanently removed and the site restored to its former condition within a period of 6 months from the date the use ceased.

Reason

The development has been permitted on the circumstances of the case and any alternative use would require further assessment to accord with policy CS21 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

4. No more than 1 caravan, as defined in the Caravan Sites and Control of Development Act 1960, and the Caravan Sites Act 1968 shall be stationed on the site at any time.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

5. No commercial activities shall take place on the land, including the storage of materials.

Reason

To protect the residential amenities of nearby occupiers, to limit the impact of the proposal on visual amenity, and to accord with policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

6. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved or agreed under the conditions of this permission, shall be carried out.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

7. The level of noise emitted from the site from plant and machinery shall not exceed 55 dB as measured on the boundary of the site with any adjacent site in a residential use.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS21 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan, and the National Planning Policy Framework.

8. 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. The scheme of landscaping shall include a landscape management plan, which shall require the replacement of any plant or tree which becomes diseased, damaged, or dies within the first 5 years following the completion of the landscaping scheme. The approved landscaping scheme shall be carried out in accordance with the agreed details within the first planting season following approval.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and the character and appearance of the landscape, and to protect the residential amenity of the neighbouring occupiers and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

This is required to be agreed prior to the commencement of development, as to avoid causing damage to existing vegetation during initial groundworks.

9. Prior to the first occupation of the development hereby approved, a scheme for the external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall then be carried out in accordance with agreed details, and no external lighting, other than that included within the agreed scheme, shall be installed at any time.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity, and to protect the residential amenity of the neighbouring occupiers and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.