

# 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: 22/21**

**Date to Members: 04/06/2021**

**Member's Deadline: 10/06/2021 (5.00pm)**

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2020. 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. You may also wish to refer to the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

**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 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 You may wish to consider the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

If would be helpful if you could indicate if you:-

- Have discussed the application(s) with the Case Officer and/or Development Manager
- Have discussed the application(s) with ward Member(s) if the site is outside of your ward
- Consider the site would benefit from a visit by the committee, setting out the reasons

Valid referral requests will be considered by the Committee Chair, in consultation with the Spokes, against the criteria given in the Members' Planning Code of Good Practice in the Council's constitution and you will be notified of the Chair's decision. Applications which are not referral, or where the referral request is not agreed by the Chair, will be determined by officers under delegated powers

**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.

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?

6. Do you feel a site visit is required or can issues be addressed by other means e.g. further information in the report, additional presentation material, video etc.

**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)

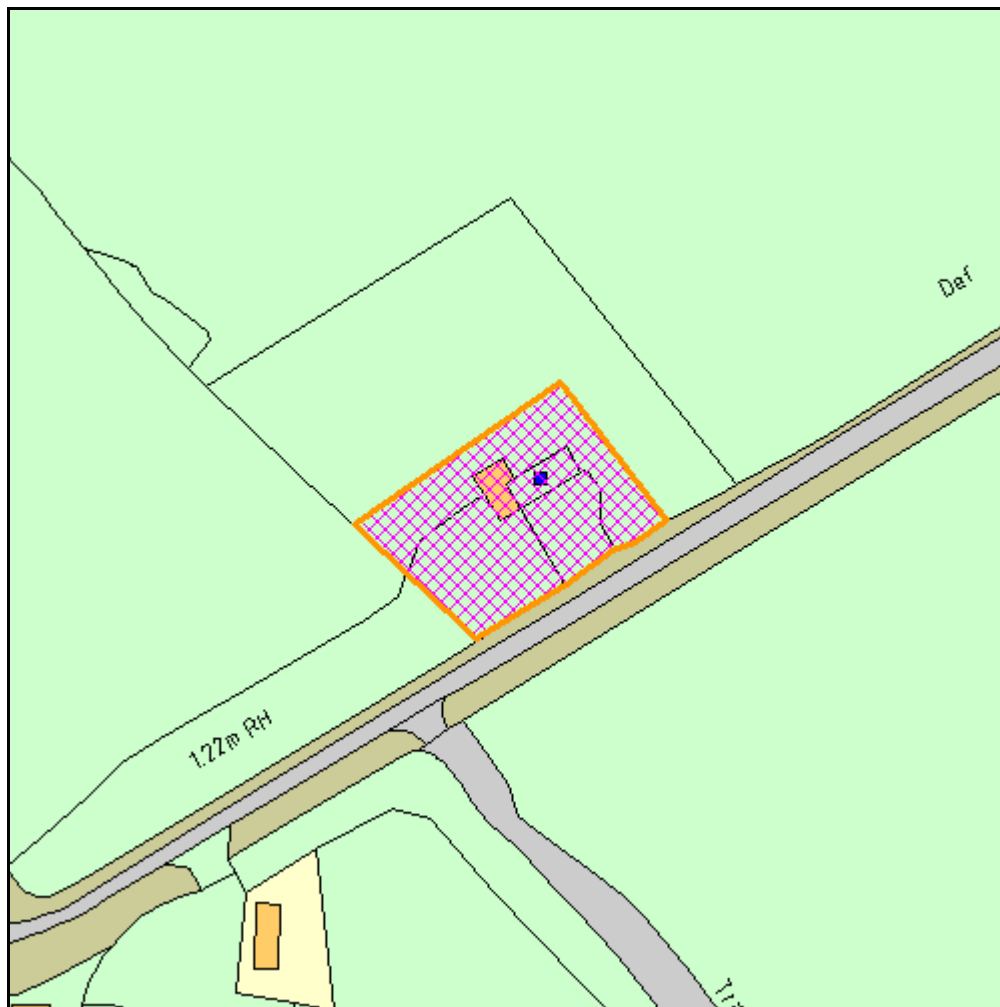
# CIRCULATED SCHEDULE 04 June 2021

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/13069/F	Refusal	The Bothy Ingst Hill Olveston Bristol South Gloucestershire BS35 4AP	Severn Vale	Aust Parish Council
2	P20/14987/F	Approve with Conditions	Box Hedge Farm Boxhedge Farm Lane Coalpit Heath South Gloucestershire BS36 2UW	Boyd Valley	Westerleigh Parish Council
3	P20/16925/F	Approve with Conditions	Toghill Barn Farm London Road Wick South Gloucestershire BS30 5RU	Boyd Valley	Cold Ashton Parish Council
4	P20/24056/F	Approve with Conditions	Building And Land At Varley Farm Talbots End Cromhall South Gloucestershire GL12 8AJ	Charfield	Cromhall Parish Council
5	P21/00606/F	Approve with Conditions	Land Adjacent To Heneage Farm Moorslade Lane Falfield South Gloucestershire GL12 8DJ	Charfield	Falfield Parish Council
6	P21/00608/ADV	Approve with Conditions	Land Adjacent To Heneage Farm Moorslade Lane Falfield South Gloucestershire GL12 8DJ	Charfield	Falfield Parish Council
7	P21/02546/F	Approve with Conditions	76D North Street Downend South Gloucestershire BS16 5SF	Staple Hill And Mangotsfield	Downend And Bromley Heath Parish Council
8	P21/02579/F	Approve with Conditions	Land To The Rear Of 29A And 29B Anchor Road Kingswood South Gloucestershire BS15 4RE	New Cheltenham	

**CIRCULATED SCHEDULE NO. 22/21 -4th June 2021**

<b>App No.:</b>	P19/13069/F	<b>Applicant:</b>	Mr & Mrs Greg and Mary North
<b>Site:</b>	The Bothy Ingst Hill Olveston Bristol South Gloucestershire BS35 4AP	<b>Date Reg:</b>	20th September 2019
<b>Proposal:</b>	Erection of single storey extension, raising of roofline to facilitate conversion of existing derelict building to form 1 no. residential dwelling with associated works.	<b>Parish:</b>	Aust Parish Council
<b>Map Ref:</b>	357613 187358	<b>Ward:</b>	Severn Vale
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th November 2019



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P19/13069/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.

## 1. THE PROPOSAL

- 1.1 The application is for the conversion of an existing derelict stone building to form 1 no residential dwelling with associated works. This includes
- i. a single storey kitchen extension to the rear of the property;
  - ii. increase in eaves and ridge height over the rear most existing two storey part of the bothy/original dwellinghouse to create one continuous ridgeline; and
  - iii. insertion of a first floor over the approved conversion of a former agricultural building.
- to facilitate the creation of one residential dwelling with associated works.
- 1.2 Planning permission was already commenced on a previous scheme which did not include these extensions.
- 1.3 The application defines a modest garden around the whole building (dwelling and barn). The proposal also shows land being utilised as a cider apple orchard as part of a full planting scheme. The proposal includes the reroofing of the building and provision of three parking spaces to the front of the property, accessed from the existing vehicular access.
- 1.2 The proposal is in open countryside and Green Belt. The site is also located in flood zone three.

## 2. POLICY CONTEXT

- 2.1 National Guidance  
National Planning Policy Framework March  
Technical guidance to the NPPF

- 2.2 Development Plans

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

CS1	High Quality Design
CS5	Location of Development
CS8	Improving accessibility
CS9	Managing the environment and heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

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

PSP1	Local distinctiveness
PSP2	Landscape

PSP7	Development in the Green Belt
PSP8	Residential amenity
PSP16	Parking Standards
PSP17	Heritage assets and the historic environment
PSP19	Wider biodiversity
PSP20	Flood risk, surface water and watercourse management
PSP40	Residential development in the countryside
PSP43	Private amenity space standards

### 2.3 Supplementary Planning Guidance

SG Landscape Character Assessment. Revised 2014  
 Para 116, ODPM Circular 06/05 –biodiversity  
 SG Parking Standards SPD adopted Dec 2013  
 SG Development in the Green Belt SPD  
 SG Lower Severn Forgotten Landscape Project.  
 SG Traditional Rural Buildings SPD adopted March 2021

## 3. RELEVANT PLANNING HISTORY

- 3.1 PT16/4570/F Conversion of existing derelict building to form 1no. residential dwelling with associated works 20.01.2017  
 And associated DOC18/0328 Discharge of conditions 2 (Bats), 3 (Package treatment plan), 4 9Flood warning and evacuation plan), 5 (Landscape scheme with shed) and 8 (Archaeology investigation) discharged 07.11.2018.
- 3.2 P93/1922 conversion of barn and former dwelling to one dwelling; alteration to existing vehicular and pedestrian access. Refused for requiring major works of rebuilding tantamount to the erection of a new building in the Green belt and contrary to North Avon Rural Areas Local Plan. 10/11/1993 It is noted that no structural survey was received during this application.
- 3.3 COM/11/1096/OD Works to barn – works stopped case closed

## 4. CONSULTATION RESPONSES

- 4.1 Aust Parish Council  
 No objection
- 4.2 Other Consultees  
 Highway structures – no comment  
 LLFA – no objection  
 Highway authority -No objection but recommend same conditions regarding car and cycle parking as previous scheme.  
 Landscape – comments of proposed landscape plan only.  
 Archaeology – no comment

### Other Representations

- 4.3 Local Residents  
 Support from six people received for the following reasons
- additional family accommodation



- it is intended for a local family
- in keeping with surrounding rural environment
- nicely proportioned family home which is much needed in the area
- provision of a rural dwelling will help rural communities survive.
- Make use of ruins
- Old house is very small so extensions would make a modern home.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The starting point in this decision is the planning consent granted in 2017 for full planning permission for the renovation of the derelict dwelling and conversion of the attached cattle shed building for residential purposes to be used as one dwelling. That application considered whether the use of the Bothy as a dwelling had been abandoned and separately the use of the agricultural building for residential use. The scheme at that time was based on a simple reuse of the building, or buildings together, in their original form. That conversion is understood to have commenced and the permission implemented but has drawn to a halt pending this application.

5.2 The NPPF sets a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved and where relevant policies are absent, silent or out-of-date, permission should be granted unless – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. This site is located in the open countryside and in Green Belt. The NPPF generally seeks to be proactive in relation to development and re-use of buildings provided that the buildings are of permanent and substantial construction. With regard to green belt, only certain types of development are considered appropriate. The re-use of the buildings (bothy and cow shed) are not of concern due to the previous consent but Paragraph 145 indicates in respect of construction of new buildings that:

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

5.3 In this case the raising of the roof of the cow byre creates significant additional mass to the extent that its original form is also barely discernible. The applicant identifies that the total increase in volume of the original building/approved dwelling will be 48%. This includes both the agricultural building and the agricultural building combined.

5.4 Policy PSP40 supports the conversion and re-use of existing buildings for residential purposes and these tests were considered previously. Given that the works commenced only the third criterion of this policy is now relevant and this states that 'any extension as part of the original conversion or subsequently is not disproportionate to the original building'.

5.5 Policy PSP7 states in respect of extension to buildings in the green belt that volume increase over 30% will be carefully considered which particular regards

- to whether the proposal that the larger a building becomes in excess of 30% over and above its original size, the less likely it is that the new extensions will be considered proportionate.
- 5.6 As indicated careful consideration has been given to the additional mass being proposed to this traditional mix of small dwelling house and the conversion of the agricultural barn which facilitated a three bedroom house. This additional volume is very heavily weighted on top of the existing buildings in respect of both the bothy itself as the rear is raised and more significantly across the whole of the cow byre to create an additional floor on the longest plan of the house. The ground floor extension at the rear further adds to the additional volume. The extent of volume increase and the form taken are considered disproportionate and harmful to the openness of the green belt.
- 5.7 Paragraph 144 of the NPPF states that 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'
- 5.8 Additional harm is found below in design section and whilst very special circumstances are not formally applied for it is not considered that the personal needs of a family for a larger house would be sufficient to clearly outweigh the harms to Green Belt.
- 5.9 The application is found to be in conflict with the Green belt policy.
- 5.10 Design  
Policy PSP1 seeks that development proposals demonstrate an understanding of, and respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area / locality. Innovative architectural responses will be favourably considered, where this would result in a high quality design that would in itself contribute positively to the distinctiveness of a place.  
Policy CS1 seeks the highest possible standards of design and it states that the siting, form, scale. Height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.11 It is considered that the changes to the bothy itself remove the character that this was intrinsically a very small scale dwelling by raising the ridge over the entire building. The raising of a wholly new structure over the cow shed in modern form removes almost all of its legibility as a low level, traditional, cow barn. Whilst a single storey element at the rear could be acceptable enough in design terms as a little extension it is intrinsically linked to the rest of the extension and as such would not be permissible as a split decision.
- 5.12 The applicants have forwarded several examples of modern building works within the shells of old buildings and it is acknowledged that that is a means of bringing historic buildings at risk into new uses but this proposal is not a listed

building and can be converted without the necessity of such large extensions. Neither do they reflect the form and character of the existing buildings or indeed leave them intact to respect the buildings past. A garage extension at Northwick Road PT17/5674/F has also been submitted as justification for the proposal but this was determined on its own complicated merits and the situation is not comparable to the alterations to this property in an isolated location.

5.13 Impact on Landscape

In addition to the volume and form is the potential visual impact resulting from the development of a domestic garden. The landscape proposals are the same as that considered previously and are considered acceptable in this scheme. No objection is therefore raised to the sectioning off of part of the field to create garden and orchard area.

5.14 However as before in the event of permission being granted for the conversion of the derelict dwelling and barn to one dwelling permitted development rights should be removed to safeguard the landscape character from unsympathetic developments within the domestic curtilage.

5.15 Transportation and Highway Safety

Given that the principle of the use is already established and three parking spaces are provided there is no objection. A modest cycle store/shed should also be provided in order to facilitate other means of travel. These can be secured by condition.

5.16 Flood risk

The dwelling (noting that the previous application is accepted as commenced) is located in a Defended Flood Zone 3 area. No sequential or exception test is required as there is no change of use. However flood risk is considered further in respect of the change of use of the agricultural building.

Overall this is a family home which could be affected by flooding in an area where emergency services are not likely to prioritise the risk to property and living conditions of remote properties. Weighed against this however is the set of precautions set out in the Applicants Flood Risk Mitigation Report and self awareness brought about by the compilation of a Flood Warning and Evacuation Plan, there is not likely to be a loss of life. As such the flood risk status is not sufficient to refuse the change of use and works proposed in this application. If permission were being recommended conditions could be proposed to ensure that the identified flood mitigation measures suggested in the FRA, and otherwise required by the EA form, and a Flood Warning and Evacuation Plan are carried out.

5.17 Ecology

A Protected Species Building Assessment was provided (Just Ecology, dated March 2016) and additional Bat Surveys by Just Ecology, October 2016 were submitted in the previous scheme and the mitigation from those reports is referred to in the application.

- 5.18 Bats are a species protected under the Conservation Regulations 2012 (as amended), known as European Protected Species, and Wildlife & Countryside Act 1981 (as amended) and the preliminary bat inspection found that the internal walls of the building had moderate potential to support roosting bats. Two very old droppings were found on a window sill. Two further surveys were completed and found no bat roosts within the building.
- 5.19 As such no European Protected Species licence is required however, should permission be granted the location as shown on plan AL(0)04 and type of a bat box as recommended in the previous ecology report could be conditioned.
- 5.20 Archaeology  
The site is bounded by medieval field systems and close to area where Roman material has been recovered. An archaeological watching brief was required and discharged on ground works, specifically including the provision of services to the site such as the sewerage treatment unit. This The ground works have been undertaken and as such the Council's archaeologist raises no comment to this application.
- 5.21 Planning Balance  
In weighing up the planning merits of the site substantial weight must be given to any harm to the Green Belt. Harm is found as a result the scale of the extensions, harm is found due to the impact on the openness of the green belt and further harm is found because the proposal does not respect and enhance the distinctiveness of the buildings.
- 5.22 There is some benefit to ecology in that the orchard is proposed and that a redundant barn is being re-used but that was occurring in any case and is not considered to outweigh the significant harm which must be weighed against the scheme. Matters of flood risk, drainage, ecology were all mitigated under the previous scheme and as such have neutral weight in this application. The desires of the current developer are not very special circumstances which outweigh the substantial weight against the scheme by the harms found at this green belt site.
- 5.23 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 refuse 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 refused for the reasons set out below.

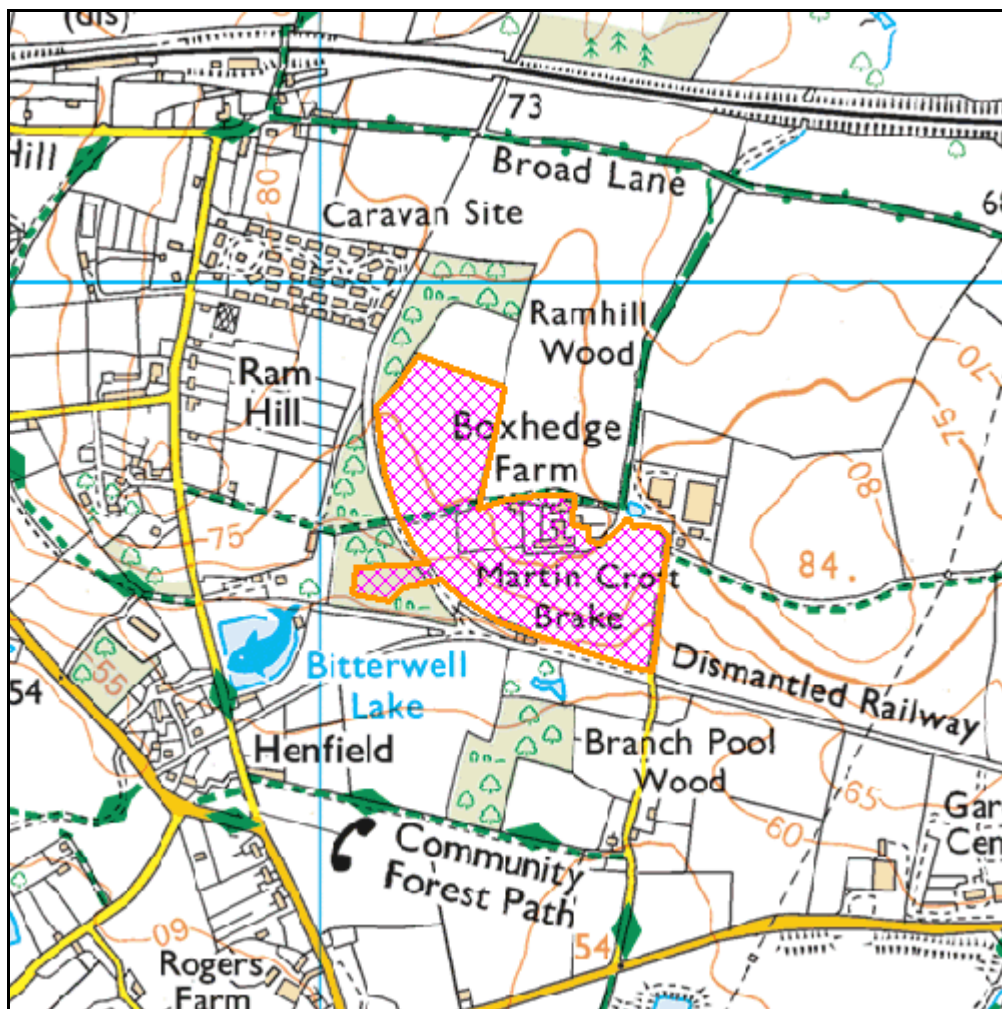
### **REASONS FOR REFUSAL**

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt as the erection of extensions at first floor level are considered to be inappropriate due to their scale. The proposal is further harmful to the Green Belt in terms of its impact on openness and in terms of design. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt, together with any other harm, should be overridden. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP7 of the Policies Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.
2. The proposal does not demonstrate that the highest standards of design have been achieved and the proposal does not respect the distinctiveness of the site. The proposal is therefore contrary to the provisions of Policy CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the Policies Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.

**Case Officer: Karen Hayes**  
**Authorising Officer: Helen Ainsley**

**CIRCULATED SCHEDULE NO. 22/21 -4th June 2021**

<b>App No.:</b>	P20/14987/F	<b>Applicant:</b>	Mrs Kate Hendy HFW Surveyors
<b>Site:</b>	Box Hedge Farm Boxhedge Farm Lane Coalpit Heath South Gloucestershire BS36 2UW	<b>Date Reg:</b>	27th August 2020
<b>Proposal:</b>	Conversion and refurbishment of 4no. buildings to form 7no. dwellings with landscaping and associated works. Change of use of surrounding land (sui generis) to agricultural use, as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)	<b>Parish:</b>	Westerleigh Parish Council
<b>Map Ref:</b>	368342 179685	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Major	<b>Target Date:</b>	23rd November 2020



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P20/14987/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 REFERRAL TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule due to the receipt of concerns from Cllr Clark and Cllr Taylor.

## **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the conversion and modification of a collection of buildings on the farm. The site currently comprised four outbuildings used for accommodation for hen and stag parties and for outdoor events. The proposals are complex but would ultimately create 7 units on the site.
- 1.2 The application site lies in the open countryside and is within the Green Belt.
- 1.3 The entire site within the applicants control extends to 8.5 hectares. The application site is much smaller however at 0.48ha. However, this is also an opportunity to control other activities that take place on the land within the blue line of the application.
- 1.4 By means of summary, the application seeks consent for the following works:
- Unit 1 - The Barn, which will have a single storey extension to its north and a garage built to its east, adjacent to an existing farmhouse outbuilding;
  - Unit 2 - The Old Barn, which will be extended to the north with the existing, adjoining garage demolished and a new detached double garage built to its west;
  - Unit 3 - The Forge and Stables, which will be combined into 1No. dwelling;
  - Unit 4 - The Lodge, which will be extended to its east to accommodate a garage;
  - Units 5 to 7 - Events Space Building, which will be re-clad and given a contemporary appearance;
  - A linear garage block will be located to the west of The Forge and will house the parking for Units 2 and 5 to 7, and comprise a timber framed and clad building; and
  - A bin store unit located to the SW of Unit 2.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework February 2019  
National Planning Practice Guidance

- 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
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP38	Development within existing residential curtilages
PSP39	Residential Conversions
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

Householder Design Guidance SPD (Adopted April 2021)

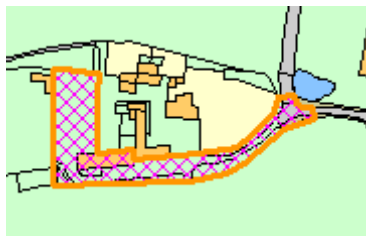
Barn Conversion Design Guidance SPD (Adopted April 2021)

**3. RELEVANT PLANNING HISTORY**

The history to the site is long and complex. In the interests of clarity, a map is provided with each reference number to indicate the part of the site to which the history relates.

- 3.1 PK16/5405/F Conversion of existing building to provide guest accommodation ancillary to the outdoor activity centre (sui generis), erection of storage shed and associated works.

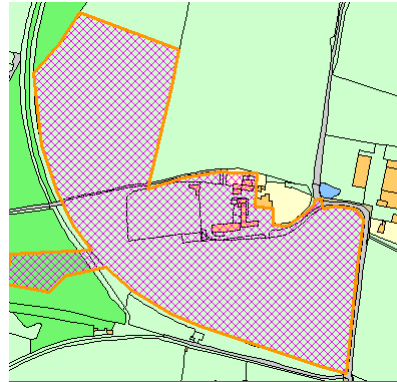
Approved January 2017



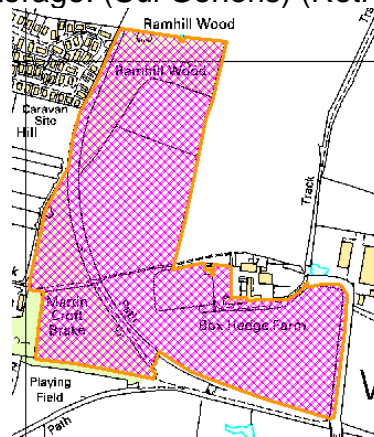
- 3.2 PT13/3305/RVC Removal of conditions 11 and 18 attached to planning permission PT11/1664/F regarding noise barrier and access gate.

Approved November 2013

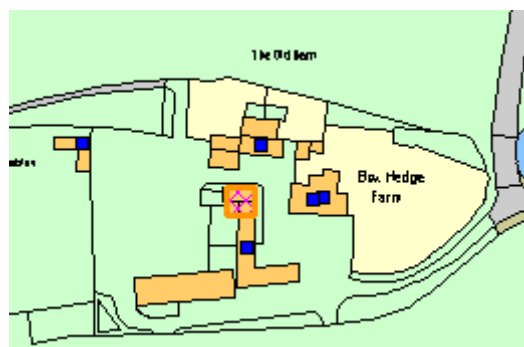




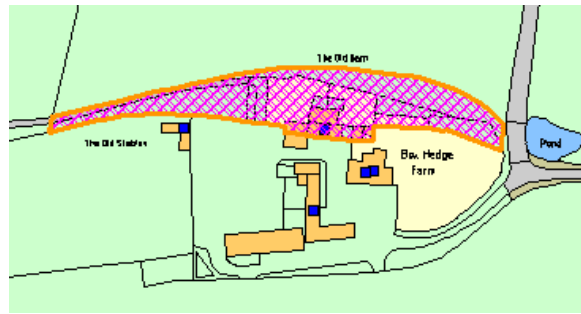
- 3.3 PT11/1664/F Change of Use of land and buildings for Corporate Events, Team Building Events, Stag and Hen Events, Family Fun Days and Activity Days including Clay Pigeon Shooting, Motorised Driving Activities, Archery, Orienteering, 'High Ropes', Games and Education together with associated landscaping works and ancillary use of the 'centre' building as office accommodation and storage. (Sui Generis) (Retrospective)



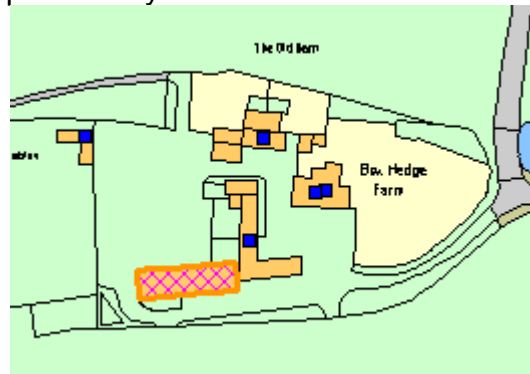
- 3.4 P99/1963/CL Certificate of Lawfulness for an existing use of farmshop as a dwelling and erection of conservatory. Approved 1999



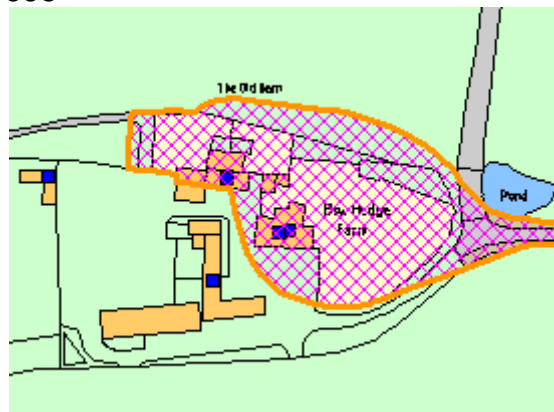
- 3.4 P96/1340 Conversion of barn into two dwellings. Change of use of land from agricultural to domestic curtilage and construction of private drive. Approved July 1996



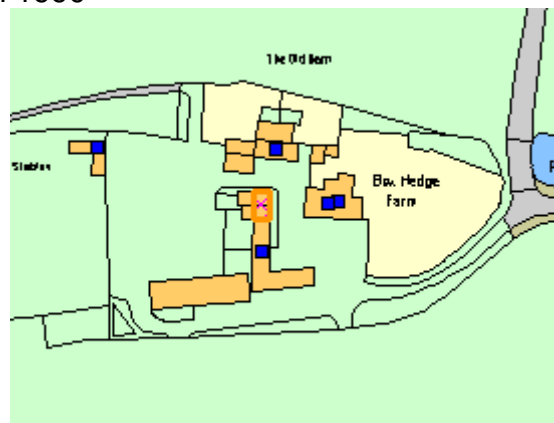
- 3.5 P96/1753/P Erection of steel framed agricultural building  
Permitted Development July 2005



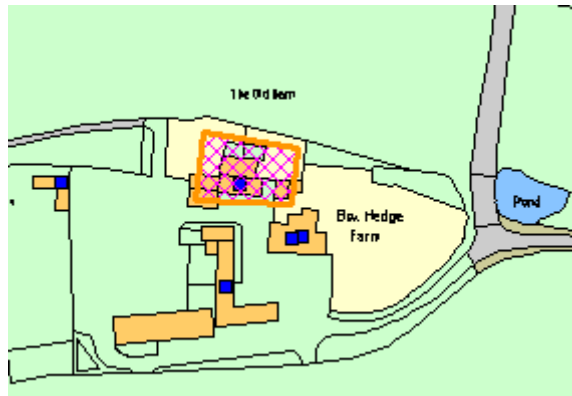
- 3.6 P95/1213 Conversion of barn to dwelling.  
Approved May 1995



- 3.7 P90/1143 Use of barn as shop  
Approved March 1990



- 3.8 P87/2286 Alterations to existing barn and erection of extension to provide two holiday cottages (in accordance with the amended plans received by the council on 19TH october 1987)  
Approved December 1987



#### 4. CONSULTATION RESPONSES

##### 4.1 Westerleigh Parish Council

Have no objections to the overall application but are concerned about the lack of privacy and ask that planning officers look at this. They also ask that the increase in vehicle movements will be looked at by officers.

##### 4.2 Other Consultees

###### Housing Enabling

As the site area does not exceed 0.5ha, no AH requirement is necessary. Recommend artificial sub division informatives for the rest of the site within the blue line.

###### Public Art Officer

No comment

###### Highway Officer

Questions whether the road is to be adopted - it can't be adopted unless it connects to a public highway. Separate arrangements will need to be made for waste and recycling vehicles. Unit 4 should be provided with a passing place

###### PROW Officer

The legal line of the footpath runs through the site and is obstructed. A diversion order must be sought

###### Crime Officer

No objection or comments

###### Highway Structures

No comment

Landscape Officer

Raises concern regarding the new build structures that would be introduced into the Green Belt.

Ecology

No objection – the new plans provide more habitat that will be to the benefit of wildlife

Tree Officer

There is a TPO woodland in proximity to the site that will not be affected. Therefore there are no objections

Lead Local Flood Authority

If the site area exceeds 1ha, a FRA is required

Environmental Protection

No objection – recommend an informative given the past use of the building.

Cllr Tristan Clark

Is not against the conversion of some of the buildings but raises a few concerns:

- Landscaping and amenity space for units 3,4,5, 6 and 7 (not sufficiently private)
- Some of the buildings would not be in accordance with the emerging Barn Conversions SPD
- Oppose the conversions of 3, 4, 5, 6 and 7 as they contravene CS1, CS9 and PSP40

Cllr Bob Taylor

Has no objection to the conversion of the Barn and Old Barn, the conversion of the reception/events/amenity building is not acceptable in the green belt. In accordance with the SPD *'Overall, in the interests of the rural landscape, modern pre-fabricated buildings are not something that should be retained in perpetuity by any scheme of residential conversion'*.

**Other Representations**

4.3 Local Residents

One letter of Objection has been received:

- The area isn't designed for 7 dwellings
- Traffic from 7 dwellings would be dangerous – at the end of a tiny country lane

One letter of Support has been received:

- Like the design
- Support the return of the land to agricultural use
- The current events business causes significant noise issues
- Support the cessation of motor racing activities
- The existing rally use creates dust and noise and damages the land

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

#### *Relevant planning policies*

- 5.2 The NPPF emphasis is on sustainable growth, including boosting housing supply and building including through windfall development. The NPPF indicates a presumption in favour of sustainable development except where adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the framework indicate development should be restricted.
- 5.3 The site is located within the open countryside. Paragraph 79 of the NPPF states that planning decision should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
- There is an essential need for a rural worker,
  - The development would represent the optimal viable use of a heritage assets or would be appropriate enabling development to secure the future of heritage assets
  - The development would re-use redundant or disused buildings and enhance its immediate setting
  - The development would involve the subdivision of an existing residential dwelling; or
  - The design is of exceptional quality.
- 5.4 PSP40 provides further guidance and states that the residential development in the form of conversion and re-use of existing buildings, outside of settlement boundaries, will be acceptable where the building is of permanent and substantial construction, it would not adversely affect the operation of a rural business or working farm, any extension would not be disproportionate, and if the building is redundant or disused the proposal would lead to an enhancement of its immediate setting. In all of the above circumstances, development proposals including any alterations, extensions or creation of a residential unit, will be acceptable where they do not have a harmful effect on the character of the countryside, or the amenities of the surrounding area.
- 5.5 The site is located within the Bristol / Bath Green Belt. National planning policy sets the criteria for acceptable development in Green Belt where development is restricted to the set list laid out in the NPPF. Local adopted planning policy follows this lead to protect our specially designated areas from sprawl and encroachment.
- 5.6 Other relevant policies include the impact of the proposal on the listed building, on the landscape, on residential amenity of future and existing occupiers, ecology and on the Green Belt. These policy areas are considered below.
- 5.7 Residential development in the countryside:  
Policy PSP40: residential development in the countryside requires development to meet certain tests. The conversion and re-use of buildings for residential purposes may be appropriate if:

- *The building is of permanent and substantial construction*
- *Would not adversely affect the operation of a rural business*
- *Any extensions as part of the conversion is not disproportionate to the original building*
- *If the building is redundant or disused and would enhance its immediate setting*

For clarity, and given the varying authorised use of each of the barn, each of the proposed residential units will be considered in turn.

5.8 Units 1 and 2 (Barn and Old Barn)

The authorised use of proposed units 1 and 2 is residential as per application P96/1340 detailed at paragraph 3.4 above. These two units therefore do not require any change of use assessment. Rather, the units are being given a new 'lease of life' including the erection of a 4m deep single storey rear extension. The single storey rear extensions are limited in volume and do not represent disproportionate additions over and above the volume of the original dwelling. As such, the extensions are appropriate in Green Belt terms and do not conflict with the purposes of including the land within the green belt.

5.9 The extent of the residential curtilage associated with Units 1 and 2 will not be increased over and above that previously approved in 1996. As was the case with the 1996 consent, permitted development rights will be removed. This will help to ensure a continued high level of visual amenity but will also protect the openness of the green belt (see more detailed green belt assessment below).

5.10 The design of the single storey rear extension has been assessed and found to be entirely appropriate. Adequate amenity space sufficient to meet the standards will be provided.

5.11 Units 3 (Forge and Stables) and 4 (The Lodge)

In respect of proposed units 3 and 4, full planning permission is sought for the change of use of part of the buildings to residential and elevational changes.

5.12 The authorised use of the majority of Unit 3 (the Forge and The Stables) is as a farmshop and a dwelling as per P99/1963/CL. One small part of proposed unit 3 does not have authorised residential use and thus is still in agricultural use. At the time of your officer site visit however it was clear that the whole of proposed unit 3 was in a residential use and had been so for a while. In accordance with the planning history 166m<sup>2</sup> has authorised residential use with a further 50m<sup>2</sup> to be secured through this planning application.

5.13 Turning to the tests as set out in Policy PSP40, the conversion of an existing building for residential purposes is acceptable where 4 criteria have been met. In this instance, and having visited the buildings, your officer is satisfied that The Stables is of permanent and substantial construction, would not adversely affect the operation of the rural business as the surrounding site is all to be converted to residential, and no disproportionate extensions are proposed – the footprint of the building will remain the same. The conversion will not intrude into the green belt and will not have any materially greater impact on the

- openses of the green belt than the existing use (see more detailed green belt assesment below). As with Units 1 and 2 above, in order to protect the visual amenity of the site and proptect the openness of the green belt, permitted development rights will be removed.
- 5.14 Unit 3 will be provided with a significant amount of amenity space and parking space in the communal area. The visual impact of the proposed amendments has been assessed and found to be acceptable for the location.
- 5.15 The authorised use of the Lodge (Unit 4) is understood to still be agricultural as it has not been included in any of the planning history above.
- 5.16 Turning to the tests as set out in Policy PSP40, the conversion of an existing building for residential purposes is acceptable where 4 criteria have been met. In this instance, and having visited the buildings, your officer is satisfied that The Lodge is of permanent and substantial construction, would not adversely affect the operation of the rural business as the surrounding site is all to be converted to residential, and no disproporionate extensions are proposed – the footprint of the building will be extended slightly to include a garage. The conversion will not significantly intrude into the green belt and will not have any materially greater impact on the openss of the green belt than the existing use (see more detailed green belt assesment below). As with Units 1, 2, and 3 above, in order to protect the visual amenity of the site and protect the openness of the green belt, permitted development rights will be removed.
- 5.17 Units 5, 6 and 7 (The Reception/events/amenity building)  
As noted in the comments from the Cllrs, these three units are the most controversial. Whereas all other elements relate to traditional rural buildings, this part of the scheme seeks to convert a modern steel framed building. The authorised use of this building was established through application PK16/5405/F (see para 3.1 above). The actual description describing the authorised use of Units 5, 6 and 7 is '*Sui generis being a combination of guest accommodation ancillary to the outdoor activity centre*'. Condition 3 attached to that permission explained that 'The occupation of the building as guest accommodation shall be ancillary to the principal use of the site as an outdoor activity centre and shall be used solely by customers using the outdoor activity centre.'
- 5.18 As will be explained later in this report, the right to use the site as an outdoor activity centre will be relinquished as part of this residential development. It is material however that half of the complete building can be used for residential purposes in the event that this permission is not implemented and the outdoor activity centre re-started.
- 5.20 Again turning to the tests as set out at Policy PSP40 the conversion of an existing building for residential purposes is acceptable where 4 criteria have been met. In this instance, and having visited the buildings, your officer is satisfied that the existing reception/events/amenity building is of permanent and substantial construction – a structural survey has also been submitted to demonstrate this. The conversion of this building would not adversely affect

- the operation of the rural business as the surrounding site is all to be converted to residential, and no disproportionate extensions are proposed.
- 5.20 As can be seen from the plans, the external appearance of the existing building will be altered quite significantly as a result of the proposed conversion. The appearance of the converted events building will be unashamedly modern as a contrast to the more traditional farm buildings. The conversion will not significantly intrude into the green belt and will not have any materially greater impact on the openness of the green belt than the existing use (see more detailed green belt assessment below). As with Units 1, 2, 3 and 4 above, in order to protect the visual amenity of the site and protect the openness of the green belt, permitted development rights will be removed.
- 5.21 Picking up of the Cllrs comments that the conversion is not in full conformity with the recently adopted Barn Conversions SPD, you officer agrees. However, given the history, the conversion of this specific building is slightly more complex.
- 5.22 The SPD states
- 5.23 Landscape and Green Belt  
The site lies in open countryside within the Green Belt, some 1.25km to the west of Westerleigh, and SE of Coalpit Heath, which lies on the opposite side of the main line railway. Housing and a large caravan site at Ram Hill lie some 300m to 400m to the west and NW of the site respectively, on the opposite side of a dense linear block of woodland.
- 5.24 Box hedge Farm lies at the end of Boxhedge Farm Lane, which leads off the south side of the Westerleigh Road. Elm Farm also lies at the end of the lane, further east. The wider landscape area comprises agricultural fields, sub-divided by a network of hedgerows. The NPPF states the limited types of development that can be considered acceptable in the Green Belt. One such circumstance is the '*partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would – not have a greater impact on the openness of the Green Belt than the existing development*'. The principle of such development in the Green Belt is therefore considered to be acceptable subject to the assessment below.
- 5.25 In order to assess the impact of the proposal on the landscape and the Green Belt. It is first necessary to look deeper into the authorised use of the site. As per para 3.2 of this report, the authorised use of the site is presently an outdoor activity centre. Subject to a suite of conditions, this allows for the driving of 'Rage Buggies', Quad Bikes, Land Rovers, Shooting, high ropes, archery and a variety of other outdoor activities. It was marketed towards the stag and hen party market. Should this permission be approved, that current consent would be relinquished and a condition would be attached to ensure that all land within the blue line of this application site was used for agricultural purposes only.
- 5.26 The Government provides advice on validity requirements in the Planning Practice Guidance (PPG). It explains that the submission of a valid application



for planning permission requires, amongst other things, compliance with national information requirements. The PPG1 stipulates that: "The application site should be edged clearly with a red line on the location plan. It should include all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings). A blue line should be drawn around any other land within the applicant's ownership.' Conditions can be attached that relate to land within the blue line. Officers are therefore satisfied that a restrictive condition is acceptable in this instance.

- 5.27 It is important to understand the history as it allows officers to compare the impact on the landscape and green belt of the extant use compared to the proposed use. The extant use caused degradation of the soil, with marks and tracks being left in the soil from the buggy movements. Google Maps shows the noticeable marks in the fields. Such markings are not 'common' in a rural area and detract from the rural character. By means of comparison, by returning the bulk of the site back to agricultural use, the more natural rural character will be retained.
- 5.28 Whilst the activity centre did not have permanent built form in the fields, the use necessitated a variety of temporary structures, fences, way markings etc. The return to agricultural use would put an end to such temporary visual intrusions having a positive impact on the rural character.
- 5.29 Turning specifically to the Green Belt, the Councils landscape officer has raised concern regarding the introduction of the detached garage block to be located centrally within the scheme. Your case officer has reached a different conclusion. Whilst the garage block does introduce additional built form, given that it is located centrally within the site and is very low key in nature, it doesn't conflict with the purposes of including land in the Green Belt as set out in the NPPF. Furthermore, if the garage building was not provided, all cars and domestic storage would happen outside. The provision of the garage building will allow for inside parking of cars thus reducing visual clutter and helping to retaining the open character of the site.
- 5.30 As mentioned elsewhere in the body of this report, in order to ensure that the openness of the Green Belt is retained, permitted development rights will be removed for the dwellings. Furthermore, a detailed landscaping scheme will be secured via condition.
- 5.32 In light of the above, and looking at the site as a whole, it is considered that the proposal will result in a visual betterment improving the rural nature of the site.
- 5.33 PROW  
The definitive line of the Public Right of way lies on land that it outside of the applicant's ownership. This PROW is obstructed and a permissive alternative has been set up as an alternative to enforcement action. Your officer has visited the site and has observed bot the legal line of the path and the path of the existing permissive route.

- 5.34 As part of the application, the applicants proposed to alter the route of the permissive path. The PROW officer raises an object to this as the permissive path is a temporary option and wants the legal line or a proper diversion made as part of the development. Your case officer concurs with the views of the PROW officer that the ideal situation would be for the legal route to be opened. However, as stated above, this legal route is not within the control of the applicants (not within the red or blue lines) and thus cannot be secured as part of this development. If the suggested route of the permissive path diversion is not acceptable to the PROW officers, this existing route can be kept open – thus maintaining the ‘status quo’. This would be secured through details secured via the landscaping condition. Informative would be attached to any consent granted to remind the applications of their legal obligations with respect to not obstructing a PROW.
- 5.35 Amenity Space  
Policy PSP43 sets out the amenity Standards. The proposed units all have amenity space far in excess of the minimum standards. The concerns of the Cllrs are noted regarding lack of privacy (as initially proposed all gardens were to be kept very open divided primarily by 1.2 m high fencing). As a result, the landscaping has evolved to include 1.8m privacy screen panels immediately outside of each of the dwellings to afford a high level of privacy to the external patio areas. Policy PSP43 recognises that adequate access to private outdoor space can play an important role on the physical and mental health and wellbeing of people. At this site, a sensitive balance needs to be achieved to provide private amenity spaces whilst retaining the openness of the green belt.
- 5.36 Officers are of the opinion that adequate privacy is easily achieved through a sensitive balance of screen fencing and landscaping. Whilst officers would not be supportive of long strips of fence, a combination of fence immediately adjacent to the rear of the dwellings and native hedging/planting at other points along the boundaries would achieve a suitable degree of privacy. This will therefore be secured via a suitably worded landscaping condition.
- 5.37 Residential Amenity  
The site is quite remote from other neighbouring dwellings. However, the letter of support is noted. In that letter, the resident comments that the existing activity centre causes significant disturbance for residents of the Park homes on Ram Hill to the northwest of the application site. The cessation of the activity centre will resolve this concern. As such, the impact on existing levels of residential amenity for neighbours is considered to represent a betterment.
- 5.38 Access and Parking  
Access to the site is via Box Hedge Farm lane which is a narrow, single track carriageway. The site is at the very end of the lane. The lane is well used by pedestrian and horse riders.
- 5.39 Whilst 7 dwellings at the end of a traditional rural lane would not normally be supported, compared to the use of the site as an activity centre, the impact on highway safety is found to be acceptable. Furthermore, as per the history detailed above, 4 of the 7 dwellings already have permission – this in effect only creates 3 additional dwellings.

- 5.40 The access within the site will not be adopted. As such, it is unlikely that Council refuse vehicles will enter the site. The applicant will need to negotiate with the refuse company outside of this planning application. In the event that Council refuse lorries will not enter, the applicant will need to source a private waste management company. In order to comply with the requirements of CS1 10, a condition will be attached to require details of the waste and recycling collection arrangements for the site.
- 5.41 The roads within the actual site are narrow. It is possible that at times, vehicles will need to manoeuvre and reverse if they meet each other on the private drive. However, this is a small scheme of 7 units. Any manoeuvring will be on private land and not on the public highway. The impact will only be felt by those residing within the development. Therefore no objection is raised on the grounds of highway safety.
- 5.42 Ecology  
The application is supported by a bat survey and a preliminary ecological appraisal. The Councils ecologist raises no objection to the proposal on the basis that it will result in a betterment for wildlife. Subject to conditions to ensure the works are carried out in accordance with the submitted details, the application is acceptable from an ecological perspective.
- 5.43 Housing Enabling  
Whilst the site area within the red line does not attract an affordable housing contribution, the Housing Enabling officers have raised the issue of potential future artificial site sub-division. To this effect, an Informative will be attached to any consent granted to remind the applicant that if any planning applications are submitted in the future for residential development on land within the red or blue lines, an affordable housing contribution will be required.
- 5.44 Planning Balance – Weighing Up Exercises  
The NPPP clearly set out three overarching objectives of sustainable development, economic, social and environmental. In this instance, the proposed development would create a scheme of 7 dwellings (3 additional). This weighs in favour of the development. The scheme also demonstrates ecological benefits and would result in less noise disturbance for neighbours through the cessation of the outdoor activity centre. Given that the outdoor activity centre would be left with no basic facilities (reception, storage, toilets etc.) officers are satisfied that this can be adequately controlled via a planning condition and a S106 is not required. As a result of the scheme, the volume of traffic using Box Hedge Farm Lane is likely to be regulated.
- 5.45 Weighing against the scheme are the fact that part of the proposal does include the conversion of a modern barn which goes against the general thrust of the recently adopted SPD. The new garage building would also introduce additional built form into the Green Belt. Taking all of these together, officers conclude that the benefits of the scheme clearly outweigh the harms.

#### 5.46 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 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 below

### CONDITIONS

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

Reason

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

2. The development hereby permitted shall be carried out as an alternative to the permissions granted under references PT13/3395/RVC and PT11/1664/F but not in addition to them - to the intent that the applicant may carry out either this permission OR the developments previously permitted but not both, nor parts of both schemes. The total area of land within the blue line on drawing BHF/PL/02revC shall be returned to agricultural use. All land within the blue line shall no longer be used for outdoor activities as approved through applications PT13/3395/RVC and PT11/1664/F.

Reason

In the interests of the visual amenity of the area, the openness of the Green Belt and highway safety on Box Hedge Farm Lane. Also to comply with the requirements of

Polices CS1, CS8 and CS34 of the Core Strategy (Adopted) and Policies PSP2, PSP7 and PSP11 of the Policies Sites and Places Plan (Adopted).

3. The development must be carried out in full accordance with the following plans:

Received by the Council on 19th May 2021:

BHF/PL/02revC - Site Location Plan

BHF/PL/06revB - Block Plan

Received by the Council on 19th August 2020:

BHF/PL/03 - Existing Block Plan

BHF/PL/05 - Proposed Demolition Plan

BHF/PL/09 - Proposed Parking Provision

BHF/PL/20 - Existing Arrangement

BHF/PL/21 - Existing Ground Floor Plan (Barn and Old Barn)

BHF/PL/22 - Existing First Floor Plan (Barn and Old Barn)

BHF/PL/23 - Existing Elevations (Barn and Old Barn)

BHF/PL/24 - Existing Elevations (Barn and Old Barn)

BHF/PL/25 - Existing Elevations and Sections (Lodge, Forge and Stables)

BHF/PL/26 - Existing Floor Plan (Lodge, Forge and Stables)

BHF/PL/27 - Existing Elevations (Lodge, Forge and Stables)

BHF/PL/28 - Existing Elevations (Lodge, Forge and Stables)

BHF/PL/29 - Existing First Floor Plan (Events building)

BHF/PL/30 - Existing Floor Plan (Events Building)

BHF/PL/41 - Proposed Ground Floor Plan (Units 1 and 2)

BHF/PL/42 - Proposed First Floor Plan (Units 1 and 2)

BHF/PL/43 - Proposed Elevations (Units 1 and 2)

BHF/PL/44 - Proposed Elevations (Units 1 and 2)

BHF/PL/45 - Proposed Ground Floor Plan (Units 3 and 4)

BHF/PL/46 - Proposed Elevations (Units 3 and 4)

BHF/PL/47 - Proposed Elevations (Unit 4)

BHF/PL/48 - Proposed Elevations (Unit 3)

BHF/PL/49 - Proposed Ground Floor Plans (Units 5, 6 and 7)

BHF/PL/50 - Proposed First Floor Plans (Units 5, 6 and 7)

BHF/PL/51 - Proposed Elevations (Units 5, 6 and 7)

BHF/PL/52 - Proposed Elevations (Units 5, 6 and 7)

BHF/PL/56 - Proposed Double Garage (Unit 4)

BHF/PL/53 - Proposed Garages

BHF/PL/54 - Proposed Garages

Reason

To define the permission

4. 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 development as specified in Part 1 (Classes A, B, D, E, F, G and H), or any minor operations as specified in Part 2 (Class A), 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.

For the avoidance of doubt, this condition applies to all dwellings with the red line on plan BHF/PL/02revC

Reason

This application has been found acceptable because of the specific planning history. It is necessary to remove Permitted Development Rights in the interests of the character and appearance of the area and the openness of the Green Belt. Also to comply with the requirements of Policies CS1, CS8 and CS34 of the Core Strategy (Adopted) and Policies PSP2, PSP7 and PSP11 of the Policies Sites and Places Plan (Adopted).

5. Prior to the commencement of the erection of any of the new buildings hereby permitted, 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 Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

6. Notwithstanding the submitted details and prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include means of enclosure and boundary treatments; treatment of the permissive path; car parking layouts; bin storage areas; and hard surfacing materials. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. All works shall be carried out in full accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

Also to ensure that there is no conflict with the Public Right of Way in accordance with Policy CS8 of the Core Strategy (Adopted)

Also to ensure that the gardens provides are sufficiently private whilst maintain the open rural character of the area and the openness of the Green Belt in accordance with the requirements of Policy PSP43 of the Policies Sites and Places Plan (Adopted).

7. Prior to first occupation, each dwelling shall be provided with an Electric Vehicle Charging Point.

Reason

To encourage sustainable methods of transport, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

8. Prior to the first occupation of any of the dwellings hereby permitted, a scheme of waste collection shall be submitted to the Local Planning Authority for written approval. Development must take place in accordance with the details agreed.

Reason

The internal access road will not be adopted and therefore Council refuse vehicles are unlikely to enter the site. Details of an alternative method of waste disposal must therefore be agreed to comply with the requirements of CS1 of the Core Strategy (Adopted).

9. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal and Bat Survey Report (Clarke Webb Ecology, May & July 2020)

Reason

To protect and enhance the ecological value of the site and to comply with the requirements of Policy PSP19 of the Policies Sites and Places Plan.

10. Prior to the first occupation of any dwelling hereby approved, details of any external lighting, 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.

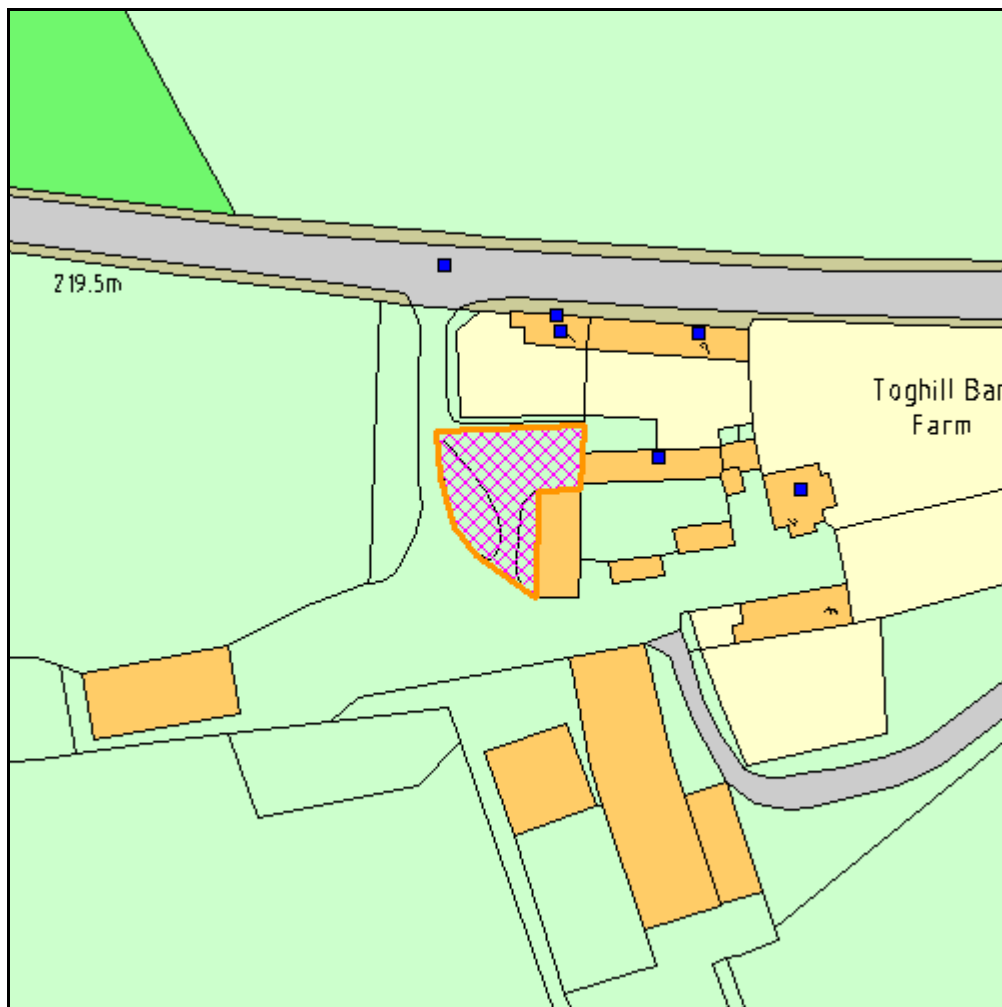
Reason

To protect and enhance the ecological value of the site and to comply with the requirements of Policy PSP19 of the Policies Sites and Places Plan.

**Case Officer: Anne Joseph**  
**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 22/21 -4th June 2021**

<b>App No.:</b>	P20/16925/F	<b>Applicant:</b>	Steve Matthews
<b>Site:</b>	Toghill Barn Farm London Road Wick South Gloucestershire BS30 5RU	<b>Date Reg:</b>	15th September 2020
<b>Proposal:</b>	Change of use of land from Agricultural to class C3 residential curtilage. Erection of front porch new stone external walls and associated landscaping.	<b>Parish:</b>	Cold Ashton Parish Council
<b>Map Ref:</b>	373648 172609	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	3rd November 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.

## **1. THE PROPOSAL**

- 1.1 The proposal relates to a barn conversion now used as a dwelling house which is part of a group of buildings.
- 1.2 The proposal is to add a large porch (4.9m wide, 1.5m deep and 3.8m tall) to the elevation facing the road access and to enclose land in the control of the applicant with stone walling and railings up to one metre high to include planter area.
- 1.3 The site lies in the Green Belt and AONB
- 1.4 The declaration of landownership is signed such that the applicant has sole ownership of the land in question.
- 1.5 The proposal has been amended slightly as the officer noted an anomaly in respect of the public highway land adjacent to the site and to increase openness of the wall form.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2019

- 2.2 Development Plans

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

CS1: High Quality Design

CS2: Green Infrastructure

CS5: Location of Development

CS9: Managing the Environment and Heritage

CS34: Rural Area

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

PSP1: Local Distinctiveness

PSP2: Landscape

PSP3: Trees & Woodland

PSP7: Development in the Green Belt

PSP8: Residential Amenity

PSP38: Development Within Existing Residential Curtilages, including Extensions and New Dwellings

PSP40: Residential Development in Countryside

- 2.3 Supplementary Planning Guidance  
 South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption November 2014) Site lies within LCA 6: Pucklechurch Ridge and Boyd Valley  
 Traditional Rural Buildings- Guidance on barn conversions SPD adopted March 2021
- 2.4 Endorsed documents from others  
 Cotswold conservation Board management plan (2013) and the Cotswold AONB Landscape Character Assessment (2004)

### 3. RELEVANT PLANNING HISTORY

- 3.1 PK15/1750/F, Site Address: Toghill Farm • Stone Barn Decision: COND, Date of Decision: 31-JUL-15, Proposal: Conversion of existing barns to form 1 no. dwelling, detached garage and associated works.  
  
 Red line was tight to barn frontage, excluding anything west of the barn wall.
- 3.2 DOC16/0363, Site Address: Toghill Barn Wick • South Gloucestershire • BS30 5RU , Decision: DOC, Date of Decision: 06-DEC-16, Proposal: Discharge of Condition 2 (Bat report compliance) attached to Planning Permission PK15/1750/F Conversion of existing barns to form 1 no. dwelling, detached garage and associated works.
- 3.3 DOC17/0168, Site Address: Toghill Barn • London Road • Wick • South Gloucestershire BS30 5RU • , Decision: DOC, Date of Decision: 11-JUL-17, Proposal: Discharge of condition 3 (Swallow mitigation details) attached to planning permission PK15/1750/F. Conversion of existing barns to form 1 no. dwelling, detached garage and associated works. (resubmission of PK15/0345/F), CIL Liable:
- 3.4 PK13/2322/R3F, Conversion of existing barn and stable block to form 1no.dwelling with associated works Concrete garage and Dutch barn were to be demolished and a new stone wall to match existing was to be erected to south side and laid to grass. Red line was tight around barn. DEEMED 16-AUG-13
- 3.5 ENFORC Reference: COM/20/0677/OD- Breach Type: OD- Description: Erection of rear boundary wall in breach of condition 5 attached to PK15/1750/F.- Status: PCO- Corresponding Case/Complaint:
- 3.6 ENFORC Reference: COM/20/0346/OD- Breach Type: OD- Description: Footings dug for a stone wall, encroachment of driveway.- Status: PCO- Corresponding Case/Complaint: -

### 4. CONSULTATION RESPONSES

- 4.1 Cold Ashton Parish Council  
 No objection

4.2 Other Consultees  
Highway structures - no comment

Highways team

Not likely to affect the travel demands of the site and vehicles access arrangements are unaltered - no objection.

LLFA

No objection

Landscape officer

No objection

**Other Representations**

4.3 Local Residents

7 people have written in respect of the following matters:

- Unauthorised footing put in
- Concern that it restricts access to the other houses.
- The area being enclosed is required for turning of larger vehicles.
- North wall appears to encroach onto public highway
- There is a danger from the unprotected 2/3 ft drop excavated for the footings running parallel to the public highway.
- PK15/1750/F preserved the turning circle and was a primary comment from highways authority. Reduced curtilage will restrict access for emergency vehicles and writers own vehicles
- It's not clear why they want a second access.
- New wall line intersects with the neighbour's wall rather than the adjoining the north wing of the proposal.
- The land is not the front courtyard of the barn but turning circle for everyone. Otherwise some vehicles will have to reverse onto the A420.
- There was a wind break in this elevation until hedge and lower branches of a tree were removed in August 2020.
- Raised planter area actually houses a large septic tank.
- Neighbours access incorrectly drawn.
- A neighbour parks his van on the drive which would prevent access to neighbour's campervan.
- 

One responder also supports the porch which retains concerns about the wall.

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The main policy in respect of this application is that of green belt where development is considered inappropriate but there are exceptions to that stand point. Local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and 'Very special circumstances' which may justify harm will not exist unless the potential harm to the Green Belt by reason

of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 5.2 The walling can be described as engineering operation and as such would fall with paragraph 146 of the NPPF development provided that it preserves the openness of the Green Belt and does not conflict with other land within it. The change of use of the land within that wall from agricultural land to residential curtilage is in addition to the residential curtilage on the other side of the barn but is not an unreasonable area for such a large barn and complex of associated buildings in the same ownership. It does not impact on the openness of the greenbelt and could in fact be planted with hedges/trees to prevent unauthorised access regardless of the proposed scheme. The porch is a very modest extension to a large barn and would fall under paragraph 145(c) – ‘the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building’. Being with the AONB too great weight will be given to the conservation and enhancement of the natural and scenic beauty of the landscape.

5.2 Openness

The stone wall and railing would rise to a metre tall and is located within the old working farmstead of Toghill Farm. There are other walls to the cottages close by also. It is closely related to the largest of the barns and together the buildings at site prevent this proposal from having a material impact on the openness of the Greenbelt. Notwithstanding this a condition to restrict further development on the residential curtilage is necessary as this could harm the openness and amenity of the AONB.

5.3 Landscape/design

The intent is to formally enclose land the area to the front of the barn conversion to create a more private residential curtilage and parking space. The site lies off the south side of the A420 London Road, within the Green Belt. The barn conversion shares a driveway with the neighbouring four properties, and is nestled amongst those neighbours and other agricultural buildings. The site is largely screened by the surrounding building group in views from the adjoining section of the A420. No detailed hard and soft landscape proposals have been submitted despite this being a full application in the AONB. Hard landscaping of the walling, railing and groundworks and soft landscaping will need to be agreed by Condition. In respect of the porch it is considered that the scale and openness of the structure proposed is appropriate and certainly not disproportionate to the building it is attached to. Porch materials are detailed sufficiently on the plans so as to prevent need for a condition. Overall the proposals, given that they are to be finished predominantly in stone like the barn would not harm the AONB and are considered in accordance with policy PSP2.

5.4 Transportation

The proposal has no impact on the access off the classified highway and no longer appears to build on the public highway element immediately around the application site. As such there is no objection to the proposal from a highway safety perspective.

In terms of parking the site already has parking on the other side of the large barn but that does not preclude additional parking as SGC do not have maximum parking standards but minimum ones. The application therefore complies with parking standards.

Whilst neighbours have used the land to park or manoeuvre to their own houses this is not a right and the plans indicate that access remains to the other houses either on the public highway or via shared access routes which are not built over in this proposal.

#### 5.5 Land ownership

There is clearly objection to this scheme as a result of ownership issues and whilst the Local Planning Authority does not have rights to determine land ownership or rights of access some consideration has been given to due diligence in this matter. The application forms are signed as having ownership of the land in question and it is acknowledged that there is, unusually public highway within the site area but that public highway is not impeded by the proposal. There is also a shared access on the southern side of the barn and this is also not affected by the proposal. Whilst the initial plans did appear to build over a small section of public highway the amended plans appear to have resolved this. Nevertheless informatives will be placed on the decision notice to highlight boundary issues.

#### 5.6 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 following conditions.

### **CONDITIONS**

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

Reason

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

2. Notwithstanding the provisions of 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 development as specified in Part 1 (Classes A, B or E ), or any minor operations as specified in Part 2 (Class A), 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

The domestic curtilage created is located within the Bristol Bath Green Belt and AONB and further extensions, buildings or means of enclosure would be contrary to policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted Nov 2017, Policy CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

3. Prior to the raising of walls above existing ground level a scheme of landscaping, which shall include:
  - Detailed landscape plan (1:200 scale) specifying the location, species, stock size, planting centres and quantities of all proposed tree and shrub planting to the front garden and parking area;
  - Details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required, with a supporting schedule of proposed manufacturer material/products.

shall be submitted to and agreed in writing by Local Planning Authority. Development shall be carried out in accordance with the agreed details and the landscaping shall be carried out during the first planting season following substantial completion of the enclosure.

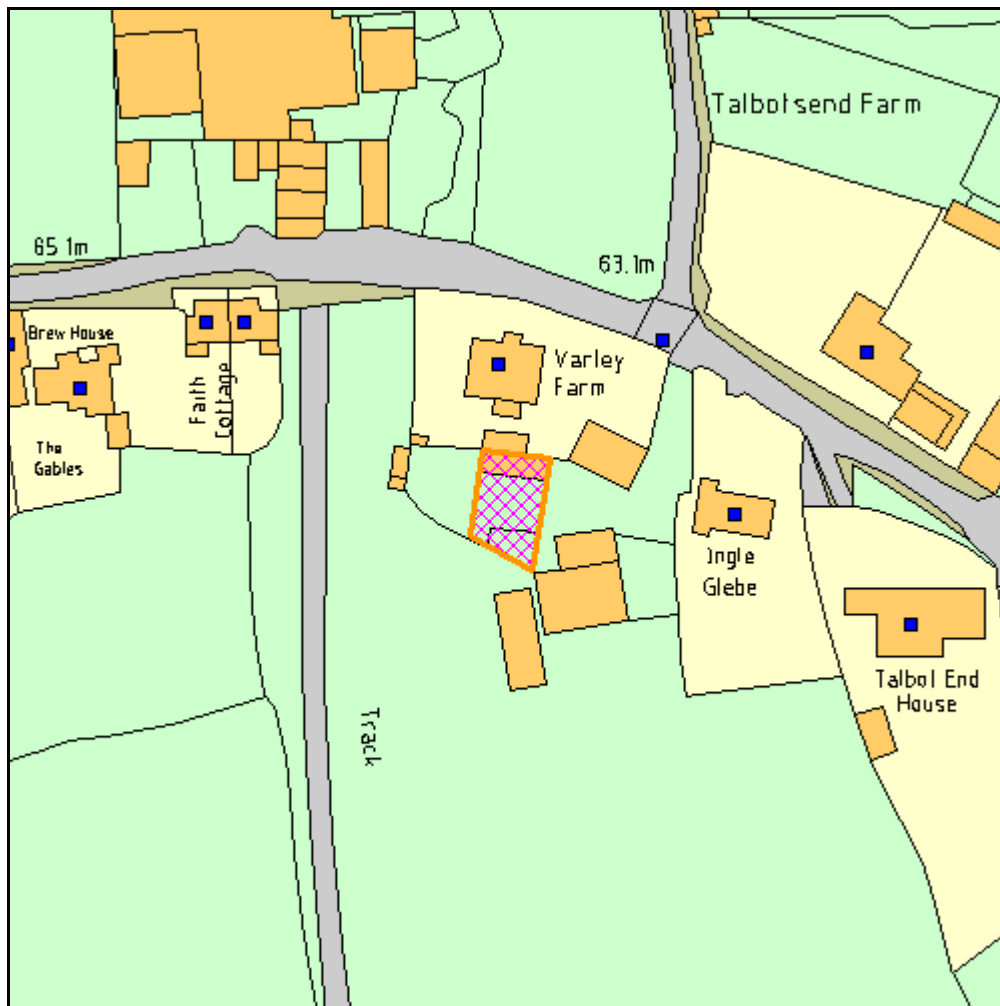
Reason

To protect the character and appearance of the AONB, to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted Nov 2017 and the National Planning Policy Framework.

**Case Officer: Karen Hayes**  
**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 22/21 -4th June 2021**

<b>App No.:</b>	P20/24056/F	<b>Applicant:</b>	Mr and Mrs Scolding
<b>Site:</b>	Building And Land At Varley Farm Talbots End Cromhall South Gloucestershire GL12 8AJ	<b>Date Reg:</b>	17th December 2020
<b>Proposal:</b>	Erection of porch and installation of rooflight and chimney flue to facilitate change of use of building and land from agriculture to holiday let (Class C3).	<b>Parish:</b>	Cromhall Parish Council
<b>Map Ref:</b>	370056 190539	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	8th February 2021



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## 1. THE PROPOSAL

- 1.1 The application seeks full planning permission for works to convert to a holiday let an old stone pigsty storage building, attached to the farmhouse.
- 1.2 Since submission a bat emergence survey and report has been requested, received and overviewed by the Councils ecologist.

## 2. POLICY CONTEXT

### 2.1 National Guidance

National Planning Policy Framework  
National Planning Policy Guidance

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

CS1 High Quality Design  
CS4a Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS9 Managing the environment and heritage  
CS34 Rural areas

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

PSP1 Local Distinctiveness  
PSP8 Residential Development  
PSP11 Transport  
PSP16 Parking Standards  
PSP18 Statutory wildlife sites  
PSP19 Wider biodiversity  
PSP38 Development within Existing Residential Curtilages  
PSP40 Residential development in the countryside  
PSP43 Private Amenity Standards

### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007  
Residential Parking Standards SPS (Adopted) 2013  
Residential Amenity TAN (Endorsed) 2016  
Traditional Rural Buildings- Guidance on barn conversions SPD adopted March 2021

## 3. CONSULTATION RESPONSES

- 3.1 No responses received contrary to the officer recommendation

### Ecology Officer

No objection since emergence survey but recommend conditions for mitigation.

### Environmental protection



No objection but suggest informative about carrying out pollution checks.

Highways

No objection

Query drive material to ensure no tracking of surface material onto road.

Revised Resolved as drive is concrete - No objection

Conservation officer

No above ground heritage concerns as buildings are not nationally or locally listed, but concern about porch and roof light.

#### 4. **ANALYSIS OF PROPOSAL**

##### 4.1 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. The Barns SPD has emerged to direct applications for change of use and draws attention to the differences between holiday lets and full residential dwellings. In this case the floor area gross internal floor area appears to be 36m<sup>2</sup> and as such would be of a size below that of the minimum housing standards. It could however form temporary accommodation in principle for holiday let without being harmful to residential amenity as proposed in this instance and it is well enclosed within the fold of original farm buildings and is physically attached to the main farm house.

An allocated garden area is shown from the expansive old curtilage of the farmhouse and parking space within this. This keeps the yard free for agricultural vehicles as required.

The barn would be left essentially intact but with a new porch facing away from the main house and public view points. This leaves the stone walls of the building intact as would be seen from Talbots End road amongst the other stone buildings which make up this old farmyard. This is considered an acceptable approach with a timber and matching tiled roof to the porch.

##### 4.2 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. The proposal has been carefully assessed and has found to be in compliance with these policies.

##### 4.3 Transport

The site is located on the edge of an existing settlement, so broadly accords with the locational requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan. It is unlikely to generate a significant number of vehicular movements, especially as holiday lets are not occupied at all times. It is also considered that it broadly conforms

to Policy PSP28 relating to re-use of redundant agricultural buildings in highways or transportation terms as such there is no objection in principal.

To conform to the Councils adopted Residential Car Parking Standards, the applicants will be required provide it with at least 1 off-street car parking space which is shown on the plan. There is adequate turning space so that they can leave the site in forward gear as part of the host dwelling and farming site (blue line) upon which it relies for access. As such there is no harm to highway safety and an electric charging point is already in place as a facility to the main house. Individual cycle storage is not proposed and there may be barns associated with the main house that can provide such facilities.

#### 4.4 Ecology

Policy PSP19 is the prime policy in relation to ecology but statutory legislation is also relevant. The site is not within a designated area for wildlife conservation. The building has been subjected to a bat roost assessment, and it was confirmed that it has negligible potential, however gaps were found within the building that could allow access for bats.

A subsequent bat emergence survey was undertaken in May 2021 and found no bats roosting within the building, therefore no further surveys are required.

There is nearby foraging habitat including woodland, watercourse and a quarry. As such additional mitigation in respect of the proposal are justified. These involve tying the works to the Mitigation measures submitted and maintaining proposed physical measures and the formation of a lighting strategy. An informative is also recommended.

#### 4.4 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. This planning application it is considered to have a neutral impact on equality.

## 5. CONCLUSION

- 5.1 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 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.

## 6. **RECOMMENDATION**

6.1 It is recommended that planning permission is granted subject to the conditions set out below.

### **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 not start until a drawing(s) showing the position and height of the chimney or flue has been submitted to and approved in writing by the Local Planning Authority. The chimney or flue shall then be permanently installed in accordance with the approved drawing(s) before the development is brought into use or occupied, and maintained as such thereafter.

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.

3. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Bat Survey and Evening Bat Survey (CTM Wildlife, December 2020); and the enhancement points at 4.7 of the report shall be carried out prior to first use of the building hereby permitted.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the ecology at or immediately surrounding the site and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017 and the National Planning Policy Framework.

4. Prior to commencement, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
  - Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in

accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the ecology at or immediately surrounding the site and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017 and the National Planning Policy Framework.

5. 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 development as specified in Part 1 (Classes A, B, D, E, F, G and H, or any minor operations as specified in Part 2 (Class A), 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 protect the character and appearance of the area and to accord with Policies CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

6. The class C3 units hereby permitted shall only be used for the purposes of holiday accommodation, and shall not be a primary or main place of residential accommodation. A register of occupants shall be kept and made available at any time at the request of the Local Planning Authority, with the development occupied for a maximum of eleven months per calendar year. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the premises shall only be used for the purposes specified in the application and for no other purpose (including any other purpose in Class C3 on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order.

Reason

The development has been applied for as a holiday let and has been considered as such. The holiday let applied for has a floor area less than the national space standards at 36m<sup>2</sup> for a one person dwelling and as such its use by holiday makers is acceptable but its use as a dwelling for permanent habitation is considered to be poor design and contrary to policy CS1 and national guidance. Further the proposal is reliant on land not in the red lined plan to access the public highway and other matters of provision of sustainable means of transport are not demonstrated in this application. In addition, there would be harm to residential amenity of the associated dwelling if the building was an independent unit.

7. The development shall proceed in accordance with the following plans and particulars:  
001 B Site location and block plan rec 14/12/2021  
101 A Combined proposed plans rec 14/12/2021  
Preliminary bat survey 2020 and Evening bat survey 2021 received 12/5/2021

Reason

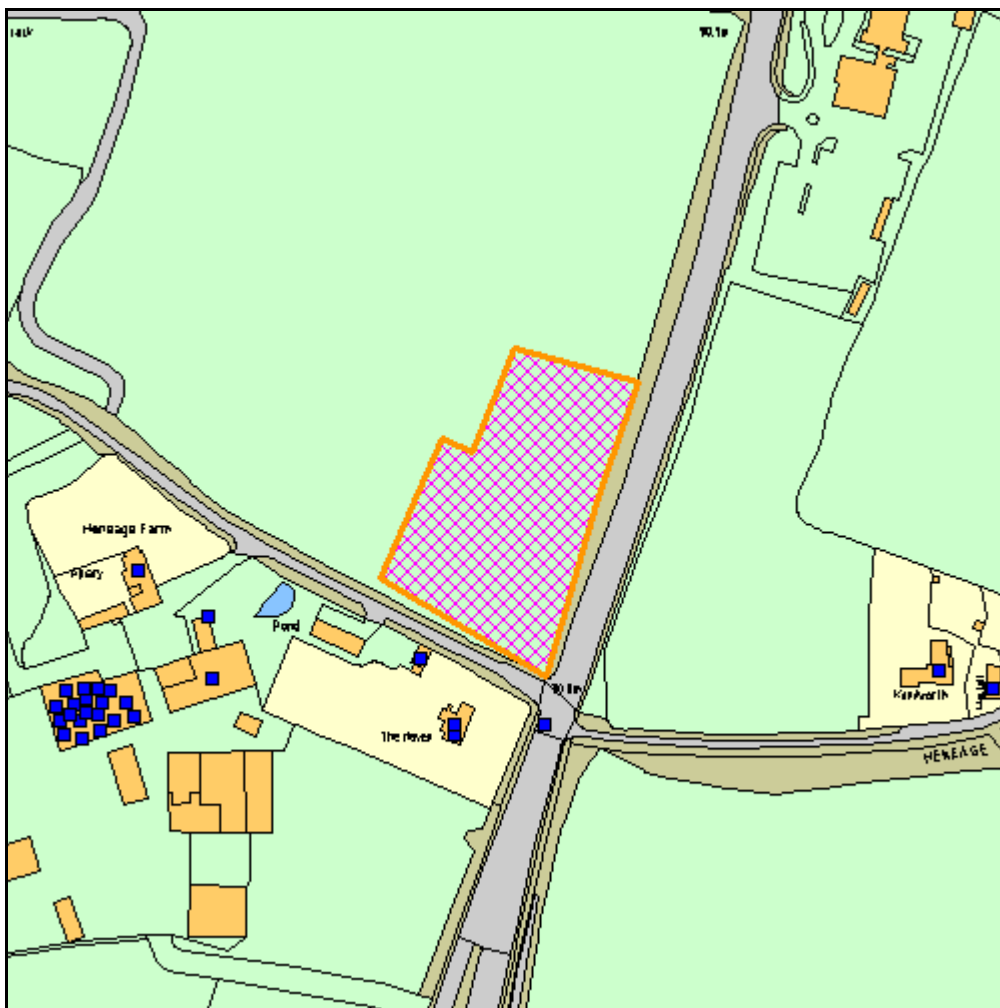
In the interests of clarity and to prevent the need for remedial or enforcement action.

**Case Officer: Karen Hayes**

**Authorising Officer: Helen Ainsley**

**CIRCULATED SCHEDULE NO. 22/21 -4th June 2021**

<b>App No.:</b>	P21/00606/F	<b>Applicant:</b>	Vistry Homes Ltd
<b>Site:</b>	Land Adjacent To Heneage Farm Moorslade Lane Falfield South Gloucestershire GL12 8DJ	<b>Date Reg:</b>	28th March 2021
<b>Proposal:</b>	Erection of sales cabin for the period of 18 months (Retrospective).	<b>Parish:</b>	Falfield Parish Council
<b>Map Ref:</b>	368459 193696	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	19th May 2021



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P21/00606/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 REFERRING TO CIRCULATED SCHEDULE**

The application appears on the Circulated Schedule because in excess of 3no. representations from local residents and a representation from the Parish Council has been received that are contrary to the findings of this report and officer recommendation.

#### **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for the erection of a sales cabin for a period of 18 months. This application is retrospective because the sales cabin is already been in place and has been, since (approximately) January 2021.
- 1.2 The application site is the park and share car-park associated with the Falfield Grange development, approved under outline consent PT17/4800/O (reserved matters approved under P19/3928/RM).
- 1.3 The site is on the Northern side of Moorslade Lane, with the A38 immediately to the East. It is within the open countryside and is within the setting of the grade II listed Heneage Farmhouse.
- 1.4 During the applications consideration, the description of development has been amended because initially it was proposed that the permission be for 3 years. A period of public re-consultation was carried out.
- 1.5 An application for advertisement consent is also pending consideration by the local planning authority for the same site for a number of advertisements associated with the sales function, reference P21/00608/ADV. This application should be read in conjunction with this associated advertisement consent application.

#### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework February 2019  
National Planning Practice Guidance

- 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
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP17	Heritage Assets and the Historic Environment

- 2.3 Supplementary Planning Guidance  
Design Checklist SPD (Adopted) August 2007

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

- 3.1 P21/00608/ADV (pending consideration at the time of writing):  
Retention of 6 no. flagpoles and banners and 4 no. non-illuminated totum signs.
- 3.2 P21/00189/NMA (refused 26/01/2021):  
Non material amendment to planning approval P19/3928/RM to temporarily amend the number of parking spaces referenced within the description and approved plans (condition 9 and 10).
- 3.3 P20/04875/NMA (no objection 24/03/2020):  
Non-Material Amendment to planning permission P19/3928/RM to amend condition 6 for the landscaping and maintenance to be carried out in accordance with the Environmental Dimension Partnership Ltd Report dated February 2020.
- 3.4 P20/04791/NMA (no objection 24/03/2020):  
Non-material amendment to P19/3928/RM to make the minor amendments outlined in the covering letter.
- 3.5 P19/3928/RM (approved 25/09/2019):  
Change of use and development of agricultural land to provide 85 No. Dwellings with associated access, parking, hard/soft landscape works, public open space, and drainage, together with development of a 'Park and Share' facility for 25 cars and new Community Hub with appearance, landscaping, layout and scale to be determined. (Approval of Reserved matters to be read in conjunction with outline permission PT17/4800/O).
- 3.6 MOD19/0001 (approved 22/03/2019):  
Modification of S106 Agreement attached PT17/4800/O
- 3.7 PT17/4800/O (approved 18/12/2017):  
Change of use and development of agricultural land to provide up to 85no. dwellings with associated access, parking, hard/soft landscape works, public open space, and drainage, together with development of a 'Park and Share' facility for up to 100 cars and new Community Hub (Outline) with access to be determined. All other matters reserved



- 3.8 PT16/0770/O (refused 13/02/2017):  
Change of use and development of agricultural land to provide up to 115 dwellings with associated access, parking, hard/soft landscape works, public open space, and drainage, together with development of a 'Park and Share' facility for up to 100 cars (Outline) with access to be determined. All other matters reserved.

#### 4. **CONSULTATION RESPONSES**

##### 4.1 Falfield Parish Council

Objects on the following grounds (summarised):

- Developer has abused their position installing sales hub without planning permission
- Support objections raised by residents
- Question whether removal of three parking spaces is accurate
- Cumbersome and unsightly
- Out of keeping with rural setting
- Harmful impact on character and appearance of the area
- Should be on the main site and not within the park and share
- Overlooks properties, including a listed building
- Visitors would have to park and walk along Moorslade lane and Jenkinson way which do not have pavements
- No information on security and lighting during evenings and weekends when not in use and periods of darkness
- Should be a change of use to a sales operation
- Disappointed that Parish Council and community liaison group not given opportunity to provide input
- Not in scale with 85 house development where some have already sold
- No appropriate location to meet potential buyers of other developments
- Appears less safe to encourage more people to visit a regional hub
- Timber fencing and signs not in keeping with rural area
- Planning approval should be followed through and park and share put in to operation
- If approved, condition should be applied for maximum of 3 years or once final property has been sold
- Once removed the area should be returned to design approved under P19/3928/RM and landscaping requirements in that approval addressed
- Trees on original landscape plan should be planted sooner rather than later
- Query why tree pits not indicated on the 'surfaces plan'

##### 4.2 DC Transport

Objection on the grounds of loss of park and share spaces and that the use of the park and share for marketing purposes offers no benefits in transport terms.

If minded to approve, it is requested that it is conditioned that the approval is linked to a fast tracked opening of the park and share facility which could utilise the remainder of the spaces not taken up by the temporary building.

4.3 Drainage (LLFA)

No objection (x2)

4.4 Conservation Officer

*Initial response:*

Considering the temporary nature of the application and the reversion of the site to its approved form and appearance, the proposal will result in a slight degree of harm to the setting and significance of the listed building which would equate to a level of harm at the lower end of the less than substantial harm spectrum. This harm would be time-limited, but should still be weighed against the public benefits of the proposal in accordance with paragraph 196 of the NPPF, taking into account the great weight afforded to the assets conservation under paragraph 193 of the Framework, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

*Updated response:*

As previous

4.5 Planning Enforcement

No comments have been received

4.6 Highway Structures

No comment

4.7 Local Residents

7no. objection comments have been received in response to the application during both consultations. These comments are summarised as follows:

- Out of character
- Height of building
- Drawings and photos not visually accurate
- Not as described
- Site level raised (1.5 metres above natural plain)
- Dominant structure
- Not in keeping
- Overlooks property, including windows, access/egress from property and back garden
- Should be closer to development
- Planting not in accordance with plans
- Hours restriction requested
- Within the curtilage of a listed property
- Results in loss of parking spaces
- Requirement that park and share is available before 51<sup>st</sup> property sold

- Village was not told that this would be part of the plans
- Increase in traffic
- Falfield should not become a regional sales hub
- Serves no purpose
- Unnecessary
- Show home should be used
- Distraction to road users
- Flags an eyesore and distraction to drivers
- Observed a car swerve as looking at flags
- Flags are excessive and unnecessary
- Other developments have not done this
- Planning system is being manipulated to extend the process
- Unlikely that the cabin will be removed at the end of the period
- 18 months is unclear

## 5. **ANALYSIS OF PROPOSAL**

5.1 The proposal seeks to regularise the installation of a sales cabin that is to be in situ for a period of 18 months. This would be from the date consent is granted, should that be the case.

### Principle of Development

5.2 The proposed development stands to be assessed against the above listed policies and any other relevant material considerations. The principal use of the site has been established as a park and share facility associated with the Falfield Grange development of 85 houses. What is proposed would essentially be ancillary to the permitted use, and would result in a temporary sales facility associated with the aforementioned development. The sales office would also act as a hub that will cover other development site in one location. It is stated that the hub is only required for the duration of construction.

5.3 Policy CS1 is the Council's principal design policy. CS1 requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by respect and enhance the character, distinctiveness and amenity of both the site and its context. PSP2 submits that development proposals should seek to conserve and where appropriate, enhance the quality, amenity, distinctiveness, and special character of the landscape.

5.4 Policy CS34 requires development in rural areas to take account of the vision for the rural area and partnership priorities, accord with neighbourhood plan initiatives and (inter alia) protect, conserve and enhance the rural area's distinctive character, beauty, wildlife, landscape, biodiversity and heritage.

5.5 CS9 requires heritage assets to be conserved, respected, and enhanced in a manner appropriate to their significance. PSP17 requires development affecting listed buildings and their settings will be expected to preserve or where appropriate, enhance those elements which contribute to their special architectural or historic interest (including their setting). Conservation of heritage assets is also given substantial weight in the NPPF, and designated

heritage assets including listed buildings and conservation areas enjoy statutory protection under the Planning (Listed Buildings and Conservation Areas) Act 1990.

5.6 Design, Landscape and Heritage

The cabin has a height of just under 4 metres, and a depth of c.7.4 metres and length of c.10.2 metres. It has a steel framed appearance that is clad with vertical timber to the sides and has glazing with roller shutters to the front. The roof is flat, with a raised surround. Access is to the front (South) via a ramp and raised platform (c.500mm high).

5.7 The appearance of the cabin is a functional one. Nearby within Heneage Farm are numerous modern agricultural buildings and within that context, what has been built could be considered as being in keeping to a degree. However, the building is located away from these buildings and appears isolated. In this isolated setting, the building appears alien and incongruous within the landscapes, which presents a degree of harm to the visual amenity of the area and rural setting. That said, the site is not within any sensitive landscape designations, such as the Cotswolds National Landscape (formerly AONB). It should also be acknowledged that the area has experienced a degree of urbanisation with the introduction of the formal parking area for the park and share facility, and widening of Moorslade Lane associated with the wider development.

5.8 Taking the visual impacts first, whilst officers have some concern with the overall design and visual appearance of the building and how it relates to the rural context, any harm would be temporary in nature and limited to the 18 month period. Accordingly, this impact would be entirely reversible. The appearance of the building itself is a functional one, which reads clearly as a temporary structure to be used for a specific time-limited purpose. Officers therefore consider that on balance of the impact being a time limited one, a refusal on this occasion would not be warranted. In order to ensure that the impact is as limited as possible, an appropriately worded condition should be applied, should permission be granted, to ensure the removal of the cabin after a period of 18 months from the date of consent.

5.9 Turning to heritage, the site can be considered as being within the wider setting of Heneage Farmhouse, understood to be of 17<sup>th</sup> century origin. The farmhouse is built in limewash rubble stone with a double roman tiled roof. It is noted that the conservation officer considers the proposed development to present less than substantial harm to the setting of the listed building.

5.10 The identification of less than substantial harms triggers paragraph 196 of the NPPF. Paragraph 196 sets out that where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing the optimum viable use. The identification of harm also means that, as established in case law, there is a statutory presumption against granting planning permission. In this case with there being less than substantial harm, consideration needs to be given to whether there are robust material considerations in the form of public benefits that outweigh the

- identified harm. Less than substantial harm should not be considered as equating to a less than substantial objection. Should there not be sufficient benefits, permission should be refused in line with the statutory presumption against granting permission.
- 5.11 The outline consent that granted permission for the development and the principal use of the site as a park and share as part of the wider development identified that the park and share facility (among other things) would result in less than substantial harm to the significance of the listed building. It was however found in the weighing up exercise at the time that the public benefits (principally, the provision of housing) outweighed the less than substantial harm such that permission could be granted, in accordance with the NPPF. In effect, this proposal (if consent is granted) would add to the existing harm caused by the park and share as identified at the time of considering the outline consent. The resultant level of harm would still however be less than substantial. The levels of harm are no harm; less than substantial harm and substantial harm (including total loss).
- 5.12 The sales cabin would be used in conjunction with the approved housing development and would form part of the operation to sell the houses that are being erected under the outline and reserved matters consents and would then be removed (thus removing this harm). The time limited nature of the proposal has already been considered by the conservation officer and factored into their response, and does not completely address the harm, as the harm would be there for as long as the building is there. Therefore, it still needs to be established whether there are any public benefits that outweigh the harm, because the time limited nature of the proposal would not completely allay the concern with regards to the impact on the setting of the listed building.
- 5.13 The wider development that the sales cabin is associated with provides a substantial amount of housing towards the district's housing supply that was identified as resulting in satisfactory public benefits. Because the proposal would have the effect of aiding the development, officers consider the public benefits identified at that stage to also extend to the sales cabin, which would facilitate the sale of the units on the housing development. Public benefits are therefore identified.
- 5.14 In accordance with the requirements of the NPPF, great weight should be and has been given the conservation of the heritage asset. In accordance with paragraph 196 of the NPPF, where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing the optimum viable use. In this case, as set out above, there are considered to be public benefits that are sufficient to outweigh the identified harm. Accordingly, whilst officers accept that there would be harm caused to the setting of the grade II listed building to a less than substantial degree and give substantial weight to this harm, in this case the test has been met whereby the statutory presumption against granting permission can be overridden for the limited period of 18 months. Once the cabin is removed from the site, this harm will be removed.

5.15 Residential Amenity

PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. The closest properties are on the opposite (South) side of Moorslade Lane to the sales cabin. These are The Barn and The Haven.

5.16 Due to its siting and lack of immediate neighbours, the retention of the sales cabin would not result in any material overbearing or overshadowing issues. Concern has been raised with regards to overlooking of nearby properties.

5.17 The cabin is in a raised position, despite it being single storey, due to it being supported on a series of block piers. The cabin is accessed from the front via a ramp which leads to a raised platform to the front of the cabin which is around .5 of a metre high. This faces the properties on the South side of Moorslade Lane. However, the intervening distance between the cabin and the boundary of the nearby properties (In excess of 30 metres) is such that any overlooking would not be to an unacceptable degree. Furthermore, areas that are overlooked from a distance are areas that can be observed from the public realm already, as is often the case with access and egress points to a property, for example.

5.18 Transportation

The sales cabin is sited on a carpark providing 50 parking spaces, of which is to be used a park and share facility in conjunction with the adjacent Falfield Grange Development. The park and share facility is part of that consent and is part of the Section 106 agreement. The park and share is required by condition 9 of P19/3928/RM to be implemented prior to the occupation of the 51<sup>st</sup> dwelling. It is noted that the highways officer raises concerns regarding the impact that the sales cabin would have on the park and share facility. It is stated in the application particulars that the sales cabin takes up 3 parking spaces. Following visiting the site, officers note that in reality closer to half of the parking spaces are affected. C.11 are taken up by the building itself either wholly or partially (including the access ramps, etc). However, the entire Northern side of the carpark cannot be used because the cabin is located on the access to that side of the carpark.

5.19 In terms of the sales cabin and function itself, officers would consider there to be ample parking available in the remaining spaces that are available and do not consider this to be an issue. The impact on the park and share facility is fully acknowledged and is less than ideal, particularly had the park and share facility been required to be in operation at this point, because of the impact on the number of parking spaces.

5.20 The park and share facility is not however required to be operable until the occupation of the 51<sup>st</sup> dwelling on the development. Therefore, in the interim and until that trigger point, there is nothing to compel the applicant to bring the park and share in to use. However, it needs to be ensured that once the park and share facility implementation trigger point is reached, the cabin will not be able to have the impact that it currently does.

- 5.21 Accordingly, an appropriately worded condition should be applied, should permission be granted, to require the sales cabin to be removed and the park and share brought into operation as approved on the expiration of 18 months from the date of consent OR upon the first occupation of the 51<sup>st</sup> dwelling in accordance with condition 9 of P19/3928/RM (or any future variation of that condition), whichever occurs first. This would mean that the proposal would not prevent the park and share facility being used in accordance with the agreed details and trigger point. Subject to this, officers consider the proposal to be acceptable in terms of transportation.

### **Impact on Equalities**

- 5.22 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.
- 5.23 With regards to the above this planning application is considered to have a neutral impact on equality.

### **Other Matters**

- 5.24 A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.25 Having visited the site, officers are satisfied that the plans are sufficiently accurate. Should the removal of the cabin not occur when it should as prescribed the time limit condition, this would be an enforcement matter. The land including any agreed landscaping features would need to be implemented in accordance with the details agreed within the reserved matters consent, for which this consent would not supersede.
- 5.26 A change of use is not required because the use of the building is permitted as part of the consent, if 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.
- 6.3 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission is sought for any works to have special regard to the desirability of preserving the listed building or its setting, or any features of special architectural or historic interest in which it possesses. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

## 7. **RECOMMENDATION**

- 7.1 It is recommended that permission is **GRANTED**

### **CONDITIONS**

1. The temporary sales building hereby permitted shall be removed and the Park and Share facility re-instated in accordance with the details agreed under P19/3928/RM (or any future variation of that consent) on the expiration of 18 months from the date of this consent OR before the occupation of the 51st dwelling in accordance with condition 9 (Park and Share facility implementation) attached to P19/3928/RM (or any future variation of that condition), whichever occurs first.

#### Reason

The sales building has been considered and found to be acceptable on the basis that is a temporary installation required for a specific purpose. Permanent siting would require further detailed consideration in terms of design, visual amenity, heritage and landscape impacts, in accordance with the prevailing local plan policies.

#### Reason

In the interest of ensuring that the Park and Share facility to be provided as part of the P19/3928/RM consent would not be unacceptably impacted upon, should the trigger for its provision be met before the expiration of the 18 month temporary consent.

2. Permission is granted in accordance with the following plans:

LP.02 A - Site location plan

Received 10th March 2021

CAB.01.pe B - Sales cabin plans and elevations

Received 18th March 2021

#### Reason

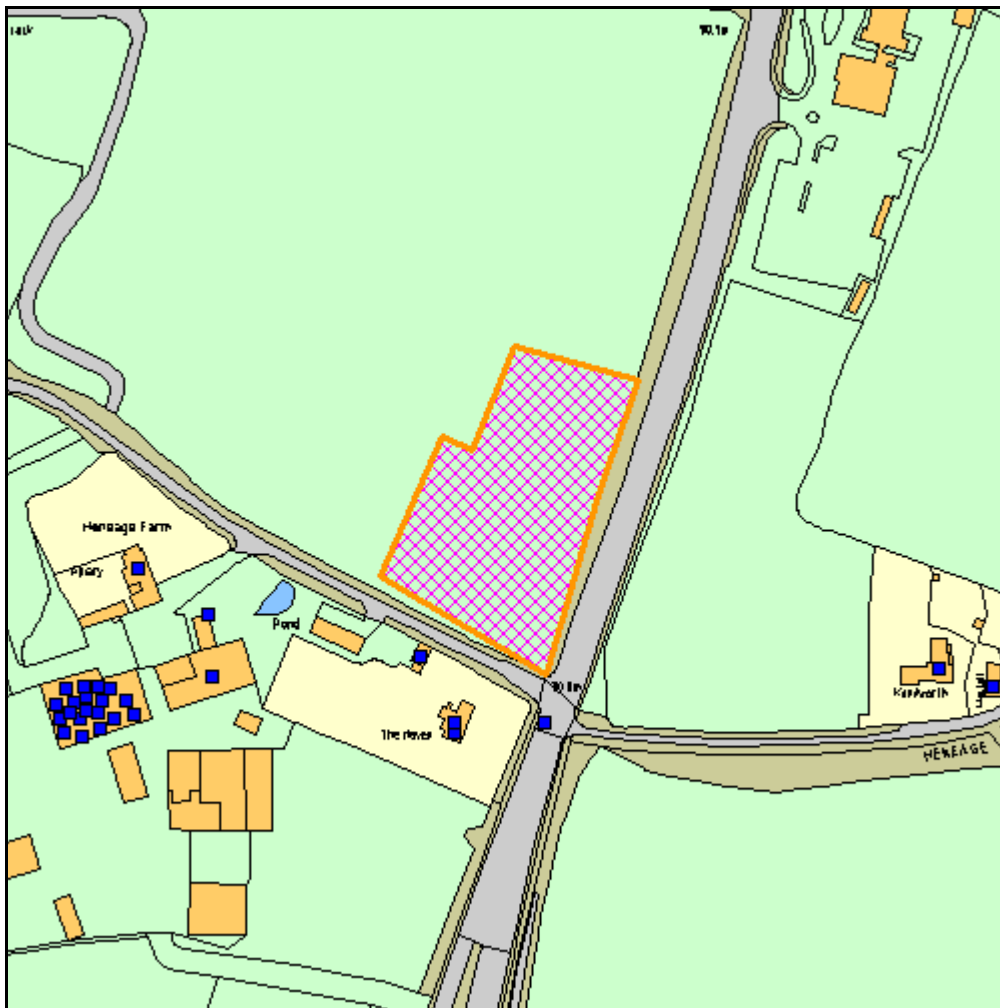
For the avoidance of doubt and to define the exact terms of the permission.

**Case Officer: Alex Hemming**  
**Authorising Officer: David Stockdale**



**CIRCULATED SCHEDULE NO. 22/21 -4th June 2021**

<b>App No.:</b>	P21/00608/ADV	<b>Applicant:</b>	Vistry Homes Ltd
<b>Site:</b>	Land Adjacent To Heneage Farm Moorslade Lane Falfield South Gloucestershire GL12 8DJ	<b>Date Reg:</b>	28th March 2021
<b>Proposal:</b>	Retention of 6 no. flagpoles and banners and 4 no. non-illuminated totum signs.	<b>Parish:</b>	Falfield Parish Council
<b>Map Ref:</b>	368459 193696	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	19th May 2021



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N.T.S.

P21/00608/ADV

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.

### **THE APPLICATION APPEARS ON THE CIRCULATED SCHEDULE BECAUSE**

The application appears on the Circulated Schedule because in excess of 3no. representations have been received from residents and a representation from the Parish Council have been received that are contrary to the findings of this report and officer recommendation.

#### **1. THE PROPOSAL**

- 1.1 Advertisement consent is sought to retain 6no. flagpoles with banners and 4no. non-illuminated totem signs. This application is retrospective as the advertisements are already in place.
- 1.2 The application site is the park and share carpark associated with the Falfield Grange residential development, approved under outline consent PT17/4800/O (reserved matters approved under P19/3928/RM).
- 1.3 The site is on the Northern side of Moorslade Lane, with the A38 immediately to the East. It is within the open countryside and is within the setting of the grade II listed Heneage Farmhouse.
- 1.4 During the application's consideration, the number of flagpoles and associated banners was reduced from 10no. to 6no., following officer comments. A period of re-consultation took place, as the description had to change.

#### **2. POLICY CONTEXT**

##### 2.1 National Guidance

National Planning Policy Framework February 2019

National Planning Practice Guidance

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Town and Country Planning Act 1990 section 220

Outdoor Advertisements and Signs: a guide for advertisers (June 2007)

##### 2.2 Development Plans

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

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP11 Transport Impact management

- 2.3 Supplementary Planning Guidance  
Shopfronts and Advertisements SPD (Adopted) April 2012

### 3. RELEVANT PLANNING HISTORY

- 3.1 P21/00606/F (pending consideration at the time of writing):  
Erection of sales cabin for the period of 18 months (Retrospective).
- 3.2 P21/00189/NMA (refused 26/01/2021):  
Non material amendment to planning approval P19/3928/RM to temporarily amend the number of parking spaces referenced within the description and approved plans (condition 9 and 10).
- 3.3 P20/04875/NMA (no objection 24/03/2020):  
Non-Material Amendment to planning permission P19/3928/RM to amend condition 6 for the landscaping and maintenance to be carried out in accordance with the Environmental Dimension Partnership Ltd Report dated February 2020.
- 3.4 P20/04791/NMA (no objection 24/03/2020):  
Non-material amendment to P19/3928/RM to make the minor amendments outlined in the covering letter.
- 3.5 P19/3928/RM (approved 25/09/2019):  
Change of use and development of agricultural land to provide 85 No. Dwellings with associated access, parking, hard/soft landscape works, public open space, and drainage, together with development of a 'Park and Share' facility for 25 cars and new Community Hub with appearance, landscaping, layout and scale to be determined. (Approval of Reserved matters to be read in conjunction with outline permission PT17/4800/O).
- 3.6 MOD19/0001 (approved 22/03/2019):  
Modification of S106 Agreement attached PT17/4800/O
- 3.7 PT17/4800/O (approved 18/12/2017):  
Change of use and development of agricultural land to provide up to 85no. dwellings with associated access, parking, hard/soft landscape works, public open space, and drainage, together with development of a 'Park and Share' facility for up to 100 cars and new Community Hub (Outline) with access to be determined. All other matters reserved
- 3.8 PT16/0770/O (refused 13/02/2017):  
Change of use and development of agricultural land to provide up to 115 dwellings with associated access, parking, hard/soft landscape works, public open space, and drainage, together with development of a 'Park and Share' facility for up to 100 cars (Outline) with access to be determined. All other matters reserved.

## 4. **CONSULTATION RESPONSES**

### 4.1 **Falfield Parish Council**

Objection on the following grounds (summarised):

- Developer has abused their position installing sales hub without planning permission
- Support objections raised by residents
- 10 flagpoles are excessive
- Harmful to character of the area and out of keeping
- Parish Council consider existing approved advertisements to be adequate
- Additional notices are more than needed
- Distraction to traffic
- Disappointed that the Parish Council and community liaison group did not have the opportunity to provide any input prior to the erection of the flagpoles and banners
- Condition requested that the flagpoles are removed once final property is sold.

### 4.2 **Sustainable Transport**

Does not have any comments to make.

### 4.3 **Planning Enforcement**

No comments have been received

### 4.4 **Local Residents**

5no. objection comments have been received, summarised as follows:

- Flags are an eyesore
- Flags are noisy in the wind
- Flags are within curtilage of a listed building
- Sign count is misleading
- Signs not illuminated but nearby lighting illuminates them
- Distraction to motorists
- Repetitive signage does not add value
- Not in keeping
- Unnecessary
- Serves no purpose
- Not in keeping with village aesthetic
- Not local to the development

## 5. **ANALYSIS OF PROPOSAL**

1.1 The proposal seeks to retain 6no. flagpoles with banners and 4no. non-illuminated totem signs. This application is retrospective as the advertisements are already in place.

### 1.2 **Principle Of Development**

The NPPF states that great importance is attached to the design of the built environment, with good design cited as a key aspect of sustainable

development and thereby positively contributing to making places better for people. Development should function well and add to the overall quality of the area. The NPPF specifically stipulates that poorly placed advertisements can have a negative impact on the appearance of the built environment. Adverts should therefore be controlled in the interests of amenity and public safety only, taking into account cumulative effects. The proposal is considered acceptable in principle, subject to the following consideration.

### 1.3 Amenity

The site where the advertisements are sited is the carpark associated with the Falfield Grange housing development, which is to be used as a park and share facility and forms part of the consent for that housing scheme. The housing development is due Southwest of the site, a short distance away from the park and share facility site, which sits on the Northern side of Moorslade Lane, with the A38 immediately to the East. The area has an open character to it, however, there has inevitably been an increased degree of urbanisation with the introduction of the formal park and share facility, and works to widen Moorslade Lane as part of the larger housing development. 6no. 6 metre tall flagpole advertisements with 900mm wide, 2.5 metre high flags have been erected, 4 along the border with the A38 and 2 on the Northern side of the car park (initially, there was 10). A further 4no. totem signs are present. Two of which are bordering the A38 at each end of the site (3 metres tall), and the other two being smaller totem signs on the entrance (one on each side) which are double sided and on one side state 'Welcome to Falfield Grange Sales Office', and 'Thank You For Visiting' on the other.

1.4 It is acknowledged that the signage, in particular, the flags and flagpoles, represent something of an intrusion into the otherwise open countryside setting. This is particularly apparent when viewed from the A38 when heading North and when viewed from the A38 in a Westerly direction. That being said, the reduction in flags from 10 as proposed originally, down to 6, can be considered to reduce the overall impact and level of visual clutter. Whilst officers have some concerns about the advertisements (the flags in particular) due to their rural setting and alien nature, they can be considered something of an expected feature associated with a new build major housing development and associated sales infrastructure. The totem signs are considered to have a much lower impact than the flags. Furthermore, it would be unlikely that they would be in situ for longer than is required, given their overall purpose. However, officers would consider a condition to that effect with regards to the flags as being necessary to ensure that their impact is as limited as possible in this otherwise pleasant rural setting. Therefore, as the flagpoles and flags are clearly associated with the temporary sales function and sales cabin, it would be considered both reasonable and necessary to condition their removal once the sales cabin has been removed from the land (in accordance with relevant condition on that consent). Subject to this, officers consider the proposal to be acceptable in terms of visual amenity and would not consider a refusal to be warranted, on this occasion.

1.5 The advertisements are within the setting of the nearby grade II listed Heneage Farmhouse. In line with the advertisement regulations, amenity and public safety are the only things that can be considered. Heritage assets can be

- considered to contribute towards the visual amenity of an area. The signage, in particular, the flags and flagpoles, would intrude into the rural setting of this heritage asset and cause a degree of harm to that setting. However, these impacts would be time limited, in line with the above condition, and would not be a permanent affair.
- 1.6 In terms of residential amenity, the signage is all non-illuminated which mean no concerns are raised by officers with regards to glare or light intrusion into residential dwellings. As they are a sufficient distance away and due to their scale, officers do not consider the advertisements to present any material overbearing or overshadowing issues. It is noted that concern is raised regarding the noise from the flags in the wind. Whilst the flags may produce some noise in windy weather, it would not be considered that this would be unacceptably intrusive or impactful on the amenities of nearby occupiers to warrant refusal.
- 1.7 Public Safety  
The key public safety issue to consider is the impact on highway safety. The site and the advertisements are immediately adjacent to the A38, which lies to the East of the site.
- 1.8 Whilst officers are mindful that concern has been raised in respect to highway safety, the highways officers have reviewed the proposal and do not consider the retention of the signage to present any highways issues, when considering that there is no record of the signage creating any highways or transportation issues in this location. Accordingly, officers consider the proposed retention of advertisements to be acceptable in terms of public safety.

### **Impact on Equalities**

- 1.9 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.
- 1.10 With regards to the above this planning application is considered to have a neutral impact on equality.

## **6. CONCLUSION**

- 6.1 The recommendation to **grant** consent has been taken having regard to the provisions of the of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007; the NPPF and to all relevant material considerations set out in the report.

## 7. **RECOMMENDATION**

7.1 It is recommended that advertisement consent is **GRANTED**

### **CONDITIONS**

1. The 6no. flagpole advertisements hereby permitted shall be removed from the site at the same point that the associated sales cabin permitted under application ref. P21/00606/F is removed from the land and shall remain removed thereafter.

#### Reason

The advertisements hereby given consent have been considered acceptable on the basis that they are for a specific purpose and would otherwise not be acceptable as a permanent feature in this location. Their removal once the associated sales use is no longer required is therefore considered necessary in the interest of visual amenity in accordance with PSP1 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017 and CS1 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) December 2013.

2. Consent applies to the following plans:

LP.02 A - Site location plan  
Received 26th March 2021

L443/95 - Advertisement layout plan  
Advertisement details/plans  
Received 14/05/2021

#### Reason

For the avoidance of doubt and to define the exact terms of the consent.

**Case Officer: Alex Hemming**  
**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 22/21 -4th June 2021**

<b>App No.:</b>	P21/02546/F	<b>Applicant:</b>	Mr Luxton
<b>Site:</b>	76D North Street Downend South Gloucestershire BS16 5SF	<b>Date Reg:</b>	7th April 2021
<b>Proposal:</b>	Erection of first floor side extension to form additional living accommodation.	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	365040 176435	<b>Ward:</b>	Staple Hill And Mangotsfield
<b>Application Category:</b>	Householder	<b>Target Date:</b>	27th May 2021



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P21/02546/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 Referral to the Circulated Schedule**

This application appears on the Circulated Schedule due to the receipt of 4 objection comments from the public, contrary to the officer recommendation.

## **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of a first-floor side extension to form additional living accommodation at 76D North Street, Downend.
- 1.2 The applicant site comprises a modest end plot with the property itself forming a two-storey, semi-detached dwelling. The property appears to benefit from off street parking with the case officer recognising there are no restrictive policies that cover the site.

## **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
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted 2007)  
Residential Parking Standards SPS (Adopted 2013)  
SGC Householder Design Guide (Adopted March 2021)

## **3. RELEVANT PLANNING HISTORY**

- 3.1 Ref: PK17/5784/CLP. Approve with conditions, 24.01.2018

Proposal: *Installation of velux windows to front and rear elevations to form loft conversion.*

- 3.2 Ref: PK17/5517/CLP. Approve with conditions, 08.01.2018  
Proposal: *Application for a Certificate of Lawfulness for the proposed erection of a single storey side extension to form garage.*
- 3.3 Ref: PK14/4128/F. Approve with conditions, 02.02.2015  
Proposal: *Erection of 1no. detached dwelling and garage with new access and associated works.*

#### **4. CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
No objections.
- 4.2 Local Residents  
Four objection letters have been received from neighbours. Key points are summarised as follows:
- Concerns over the positioning of any proposed windows and the impact this may have on residential amenity.
  - Request that any en-suite windows be fitted with frosted glass to maintain privacy.
  - The proposed development may impact on the quality of the rear lane and limit access to properties during construction work.
- 4.3 *[Officer Comment]* The above comments have been noted. However, it is recognised that any damage caused to an unclassified road and the blocking of such a road via vehicles falls outside the scope of this application and is not afforded any planning merit. Notwithstanding this, further discussion regarding residential amenity can be found in section 5 of this report.

#### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
As stated in policy PSP38, extensions and alterations to dwellings within established residential curtilages are acceptable in principle subject to development control considerations in respect of local amenity, design and transportation. The issues for consideration in this respect are therefore concerned if the proposal: has an adverse impact on the amenities of nearby residents; is sufficiently in-keeping with the site and its immediate vicinity; and, whether the proposed development would affect existing transport arrangements.
- 5.2 Design and Visual Amenity  
Policies CS1, PSP38 and the SGC Householder Design Guide seek to ensure that development proposals are of the highest possible standards of design in which they respond to the context of their environment. This means that developments should demonstrate a clear understanding of both the site and

- local history to ensure the character, distinctiveness and amenity is well assessed and incorporated into design.
- 5.3 The proposed first-floor extension would be constructed above the existing garage and extend to the side of the property by approximately 3m, be set back from the front building line by 5m and set down from the ridge by 1.75m. The proposal would feature a gable end – mirroring the existing roof – and function to create a larger bedroom. There would also be 2no. windows incorporated into the first-floor extension, one installed on the principal elevation and the other onto the rear. The proposed finishing materials are set to match the existing.
- 5.4 Overall, it is considered that the design, scale and finish of the proposed extension would integrate with the host dwelling and sufficiently respects the character and distinctiveness of the immediate vicinity. It is therefore considered the proposal has an acceptable standard of design and complies with policies CS1 and PSP38.
- 5.5 Residential Amenity  
Policy PSP8 relates specifically to residential amenity in which it states development proposals are acceptable, provided they do not create unacceptable living conditions or result in unacceptable impacts on residential amenities. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.
- 5.6 The case officer notes the comments of local residents (see section 4) in which concerns were raised about the potential this proposal would have on the residential amenity of properties located to the rear of the host dwelling (East facing). Whilst there is some concern of privacy towards the properties identified above (and similarly for the applicant property) there is an existing relationship of overlooking by means of the current first-floor rear windows. Due to this, it is considered the addition of 1.no rear window would not exacerbate the existing overlooking, nor would it create unacceptable impacts. However, as the proposed rear window relates to a bathroom, it would not be undue to set a condition that ensures the fitted window is constructed with frosted glass to maintain current privacy standards for the applicant property.
- 5.7 Therefore, given the siting, scale and design of the proposed first floor extension and in consideration to the neighbouring properties, the development would not result in any unreasonable impacts as described above and would comply with policy PSP8.
- 5.8 Private Amenity Standards  
Policy PSP43 states that residential units, including those that are subject to development, are expected to have access to private amenity space that is: functional and safe; of a sufficient size in relation to occupants; and, be easily accessible. As the proposal seeks to increase living accommodation, the officer is satisfied private amenity space for the host property would remain intact and as such, the proposed first-floor rear extension would comply with PSP43.

### 5.9 Transport (Access and Parking)

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. As the proposed works do not seek to increase bedroom number, the requirement for on-site parking remains effectively unchanged. The proposal would therefore have no impact on existing vehicular access and complies with policy PSP16 and the Council's Residential Parking Standards SPD.

### 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.

5.11 With regards to the above, this planning application 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 the application be **APPROVED** subject to conditions.

### 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 use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first-floor rear window (East 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 residential amenity of the neighbouring occupiers and to accord with Policy PSP8 of the South Gloucestershire Local Plan: PLaces, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

3. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:

Site Location Plan (BW1-00670577)

Block Plan

Existing Floor Plans (Sheet 1 of 3)

Proposed Floor Plans (Sheet 2 of 3)

Existing and Proposed Elevations (Sheet 3 of 3)

Reason:

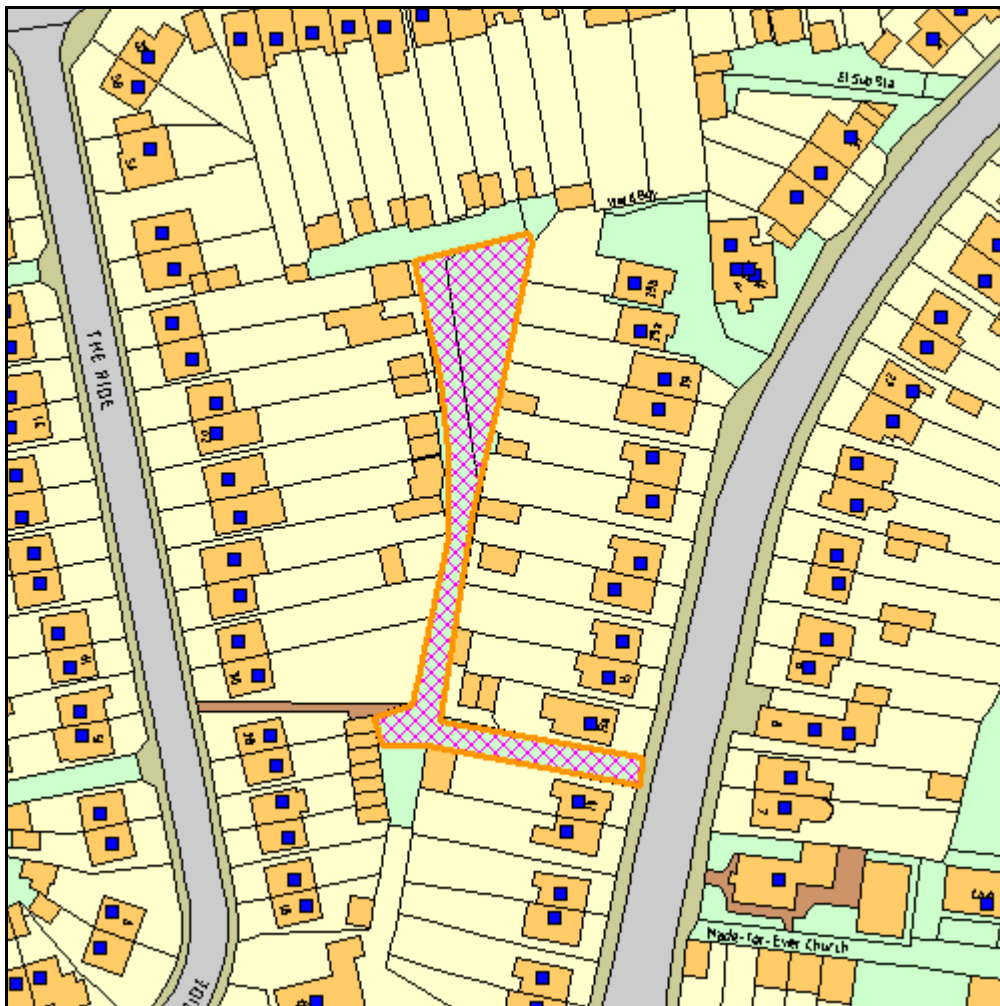
To define the terms and extent of the permission.

**Case Officer: Ben France**

**Authorising Officer: Helen Ainsley**

**CIRCULATED SCHEDULE NO. 04/21 -4th June 2021**

<b>App No.:</b>	P21/02579/F	<b>Applicant:</b>	Mr Cushing and Mr Dyer
<b>Site:</b>	Land To The Rear Of 29A And 29B Anchor Road Kingswood South Gloucestershire BS15 4RE	<b>Date Reg:</b>	13th April 2021
<b>Proposal:</b>	Change of use from amenity land (Sui Generis) to a residential parking area (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with associated works.	<b>Parish:</b>	
<b>Map Ref:</b>	366099 174532	<b>Ward:</b>	New Cheltenham
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th June 2021



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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.

## **REASON FOR APPEARING ON CIRCULATED SCHEDULE**

This application appears on the Council's Circulated Schedule procedure following the receipt of more than three objection comments.

### **1. THE PROPOSAL**

1.1 This application relates to the change of use of amenity land to the rear of 29A and 29B Anchor Road to a residential parking area.

1.2 The site is located within the urban area of Kingswood.

### **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
CS4a	Presumption in Favour of Sustainable Development
CS9	Managing Environment and Heritage
CS29	Communities of the East Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP5	Undesignated open spaces within Urban Areas and Settlements
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards

2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted 2007)  
Residential Parking Standards SPS (Adopted 2013)

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

3.1 PK11/2091/F – Erection of single storey rear extension, erection of 2no. detached dwellings with new access and associated works. Approved (with conditions) 01/08/2011

3.2 PK15/3678/PNH – Erection of single storey rear extension. No objection 01/10/2015

- 3.3 P20/00291/F - Erection of 2 no. semi-detached garages with storage above and workshops to the rear. Refused 11.02.2020

#### 4. **CONSULTATION RESPONSES**

- 4.1 Parish Council – The area is unparished.
- 4.2 Transportation DC – No comments
- 4.3 Public rights of way - No objection however the public right of way (footpath KW 15 pink dashed line on pp2) runs along the southern part of the access lane from Anchor Rd. The application would therefore be subject to limitations with particular emphasis on keeping the footpath route clear, safe and accessible.

#### **Other Representations**

##### 4.3 Local Residents

6no. objection comments have been received, summarised as:

- The lane is private
- More cars will create noise
- 29A and 29B have sufficient parking
- A business appears to be carried out at the properties
- Will a change of use be made to the houses?
- The lane is in a bad condition
- Tarmac surface must be installed to a good standard
- Plans for garages to the front of the properties rejected
- Planting does not exist

1no. general comment has been received, summarised as:

- The back lane is in disrepair
- Will the owners have the responsibility of resurfacing and general upkeep?
- Clarification needed on whether the spaces are for residential use or business
- Will the addition of spaces affect current access?

#### 5. **ANALYSIS OF PROPOSAL**

##### Principle of development

- 5.1 The land is considered to be undesignated open space within an urban area. Development proposals in these areas will be acceptable if they do not adversely affect the quality, character, biodiversity, sustainable water management, recreation opportunities, heritage value, amenity or distinctiveness of the locality.

##### Visual impact

- 5.2 The proposal is located within an existing area of open hardcored land top the rear of properties 29A and 29B Anchor Road. The land is accessed by a private lane, which is accessed adjacent to 13a Anchor Road.



- 5.3 The land already appears to be used informally for parking, and the proposed use would appear little different. The proposed parking area is to be stone chippings, with the access road tarmacked. Proposed planting and a shared access walkway is also proposed. This is considered to be a visual improvement on the relatively unmaintained area.

#### Biodiversity

- 5.4 The existing site is unlikely to provide habitats. The inclusion of planting to the rear is considered to be a biodiversity gain compared to the existing situation.

#### Sustainable water management

- 5.5 The existing area is a mixture of tarmac and gravel, the drainage situation will remain unchanged.

#### Recreation opportunities

- 5.6 The site is hardcored land, owned privately and informally used for parking. There are little recreation opportunities at the current site.

#### Heritage value

- 5.7 The area of land has no heritage value.

#### Residential amenity

- 5.8 The land is located to the rear of over 30 properties, some of which utilise the land for parking or access to garages. Given that the access is already in use, the provision of 8no formalised spaces is not considered to significantly impact on residential amenity.

#### Highways impacts

- 5.9 The land is connected to the public highway by a lengthy track, and as such the proposal is unlikely to have any severe or unacceptable impact upon the adjoining roads, and the proposal is not considered to alter the travel demand associated with the site.

#### Other matters

- 5.10 Concern has been raised regarding the upkeep of the private track. This is a civil matter and down to the owners to manage.
- 5.11 The applicants have confirmed ownership of the land that forms this application.
- 5.12 The application has been submitted as residential parking only. Should the land be used for business purposes then the Planning Enforcement team should be contacted to investigate.

5.13 The Council does not have maximum residential parking standards.

Consideration of likely impact on Equalities

5.14 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. 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 It is recommended that planning permission is GRANTED.

**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/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:

06 Apr 2021	20-11200	01A	LOCATION AND BLOCK PLAN
06 Apr 2021	20-11201	1A	BLOCK PLANS
06 Apr 2021	20-11202	1A	EXISTING PLA
06 Apr 2021	20-11203	1A	PROPOSED PLAN

Reason:

To define the terms and extent of the permission.

**Case Officer: Rae Mepham**  
**Authorising Officer: Marie Bath**