

## TOWN AND COUNTRY PLANNING ACT 1990 PERMISSION FOR DEVELOPMENT

David James And Partners (P)  
Well House  
The Chipping  
Wotton-under-edge  
GL12 7AD

**APP REF:** PK17/0207/F  
**DATE VALID:** 27th January 2017  
**DECISION DATE:** 26th June 2017  
**PARISH:** Dyrham And Hinton  
Parish Council

### NOTICE OF DECISION

South Gloucestershire Council in pursuance of powers under the above mentioned Act hereby PERMIT:

**APPLICATION NO:** PK17/0207/F

**DESCRIPTION OF DEVELOPMENT:** Conversion of existing farm buildings, including partial demolition and extensions to form 2 no. dwellings and associated works

**APPLICANT:** Messrs Higgins & Sons

**LOCATION:** Ring O Bells Farm Pucklechurch Road Hinton Chippenham  
South Gloucestershire

In accordance with the application and accompanying plans, subject to the conditions specified 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. Prior to the commencement of development (including demolition, ground works, site clearance), a method statement for bats shall be submitted to and approved in writing to the Local Planning Authority. Development shall then proceed in accordance with the agreed method.

Reason

To ensure that protected species are not harmed by development, in accordance with policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 and the National Planning Policy Framework. Information is required prior to commencement to prevent remedial works later on.

3. Prior to the commencement of development, a Construction Management Plan (including methods to avoid impacts on birds, reptiles and hedgehogs) shall be submitted to the local planning authority for approval in writing. The approved Construction Management Plan shall be followed in strict accordance thereafter.

Reason

To ensure that protected species are not harmed by development, in accordance with policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 and the National Planning Policy Framework. Information is required prior to commencement to prevent remedial works later on.

4. Prior to commencement, an investigation shall be carried out by a suitably qualified person, into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.

Where potential contaminants are identified, prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development and how any unacceptable risks will be mitigated. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings and what mitigation measures are proposed to address these. Thereafter the development shall proceed in accordance with any agreed mitigation measures.

Prior to occupation, where works have been required to mitigate contaminants, a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

Reason

To prevent risk of contamination to future occupiers, in accordance with policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. Information is required prior to commencement to prevent remedial works later on.

Strategic Planning, South Gloucestershire Council, Department For Environment And Community Services  
PO Box 1954, Bristol, BS37 0DD

Telephone: 01454 868004 Email: [planningapplications@southglos.gov.uk](mailto:planningapplications@southglos.gov.uk)

5. Prior to the commencement of development, a detailed scheme of hard and soft landscaping, shall be submitted to the Local Planning Authority for approval. This shall also expressly demonstrate the retention and reuse of existing floor materials (i.e. stable pavements) as part of the hard landscaping. Development shall be carried out in accordance with the agreed details.

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2012) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013). This information is required prior to commencement to prevent remedial works later on.

6. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes 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:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2012) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

7. The car ports and store rooms shown on the approved plans shall be maintained for such a purpose and shall not be converted into additional living accommodation.

Reason

In order to ensure adequate parking and cycle parking at the site, to prevent the site appearing cluttered and to encourage sustainable transport choices, in accordance with policy L13 and T7 of the South Gloucestershire Local Plan (Adopted) January 2006, policy CS8 and CS9 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

8. Prior to first occupation, a lighting design strategy should be submitted and approved by the Local Planning Authority. It should show the locations and specifications of external lighting and demonstrate that artificial light spill onto roost sites, the main farm house and gardens has been avoided. Any external lighting should then be installed in accordance with the strategy.

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Reason:

To ensure that protected species are not harmed by development, in accordance with policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 and the National Planning Policy Framework.

**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.**

**POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways:

Amendments have been sought and the applicant has been kept informed throughout the course of the application.

**ADDITIONAL INFORMATION**

1. This decision relates only to the plans identified below:  
Proposed Elevations Rev A (20th April 2017)  
Proposed Floor Plan Rev A (20th April 2017)  
Existing Floor Plans (including Site Location Plan and Block Plan) 001 (20th April 2017)
2. This Decision Notice grants planning permission only and does not constitute a Listed Building Consent.
3. This permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant.
4. You must obtain the prior written consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate or in any other way carry out any works in connection with this development including future repairs/maintenance, or to obtain support from adjoining property. This permission does not authorise you to take such action without first obtaining this consent. Your attention is also drawn to the Access of Neighbouring Land Act 1992 and Party Wall Act 1996.
5. This Decision Notice grants planning permission. You are advised that it does not imply compliance with Building Regulations and it is essential that you contact the Council's Building Control Manager with regard to your proposals before proceeding.

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PO Box 1954, Bristol, BS37 0DD

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PLEASE NOTE: The development hereby permitted must be implemented in accordance with plans hereby approved and any conditions specified above. The conditions may specify that works are to be carried out or details are required to be submitted for further approval, before all or part of the development is otherwise commenced. For further information regarding the discharge of Planning Conditions and the relevant forms please view "compliance with conditions" on our website, [www.southglos.gov.uk](http://www.southglos.gov.uk) If the permission is commenced without these requirements being fully met, or in any other manner, the development may be unauthorised and the permission invalidated. The council holds a definitive copy of this planning decision notice. You should be aware of the risk that subsequent copies of the decision notice may be subject to unauthorised alteration and if necessary you are advised to refer to the council for verification. The definitive copy can be viewed via the council's planning website.

*HC O'Connor*

**DEVELOPMENT MANAGER**

**DATE:** 26th June 2017

## **PLANNING PERMISSION THE NEXT STEPS**

**Your Decision could be subject to conditions. It is essential that you comply with these conditions in order to protect your planning permission. If you have conditions requiring details to be submitted prior to the commencement of development then failure to discharge these conditions could invalidate your planning permission and result in enforcement action being taken against the development.**

### **HOW TO APPLY TO DISCHARGE CONDITIONS ON YOUR PLANNING PERMISSION**

If the condition requires you to agree something in writing with the Authority before development commences then you will need to consider submitting these details at least 8 weeks prior to starting work. In order to submit your application, you can do so by one of the following options:

- Submit an online application using the Planning Portal online application service [www.planningportal.gov.uk/](http://www.planningportal.gov.uk/)
- Complete an application form online via the Planning Portal online Application service, [www.planningportal.gov.uk/](http://www.planningportal.gov.uk/) printing it off and enclosing it with the correct plans, fee and details before sending it to Development Services.
- Download a copy of the application form from the South Gloucestershire website on [www.southglos.gov.uk/planning](http://www.southglos.gov.uk/planning).
- Request a paper copy from our PT&SE Customer Contact Centre by calling 01454 868004.
- Visit one of the Council One Stop Shop receptions to collect a paper copy of the application form.

The fee amount is £28 per request relating to 'householder' applications and £97 for any other full planning applications.

The fee is payable for each submission (a single submission may be for more than one condition to be discharged).

### **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

If this application has been identified as being liable to CIL you should not commence development until the requirements and obligations under CIL have been established. If we require further information we will write to you requesting this. Where we already have clear information about the proposal and assumed liability we will issue a liability notice shortly. Further information can be found on our website at [www.southglos.gov.uk/environment-and-planning/planning/community-infrastructure-levy](http://www.southglos.gov.uk/environment-and-planning/planning/community-infrastructure-levy)

### **BUILDING REGULATIONS**

You might require separate Building Control approval and you can also secure this through the Council. For advice on development requiring Building Regulations approval please visit the Planning Portal or contact our Team on 01454 863451

### **ACTING AS AN AGENT?**

Please forward the full copy of this decision to your client and advise them of any conditions. The Council continues to be involved with enforcement action taken against applicants who claim not to have been passed the decision by their Agent.

## APPEALS AGAINST THE DECISION OF THE LOCAL PLANNING AUTHORITY (LPA)

If the applicant is aggrieved by the decision to refuse permission/consent for this proposal or to grant permission/consent subject to conditions, he may appeal to the Secretary of State for the Department of Communities and Local Government (SOS) in accordance with the provisions below. All appeals should be submitted on a form obtainable from The Planning Inspectorate, at the address below.

- (a) Refusal of planning permission for **Householder applications – within 12 weeks** (Article 37 of the Town & Country Planning (Development Management Procedure) (England) Order 2015)
- (b) Refusal of planning permission or permission granted subject to conditions - **within 6 months** (Section 78 Town & Country Planning Act 1990 (T & CPA) and Article 37 of the Town & Country Planning (Development Management Procedure) (England) Order 2015)
- (c) Refusal of Listed Building consent or consent granted subject to conditions. Refusal of Conservation Area consent or the decision of the LPA on an application to vary or discharge conditions attached to a Listed Building consent **within 6 months** (Regulation 8 of the Town & Country Planning (Listed Buildings and Conservation Areas) Regulations 1990 and Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (d) Refusal of consent for display of advertisement or consent granted subject to conditions - **within 8 weeks** of the date you receive the Council's decision - please refer to separate notice attached where necessary.
- (e) Refusal of Tree Preservation Order consent or consent granted subject to conditions. Issuing of an Article 5 certificate on refusing consent or an Article 6 direction on granting consent to fell any part of a woodland – within 28 days Town & Country Planning (Trees) Regulations 2012.

The SOS has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. He is not however required to entertain an appeal if it appears to him that permission for the proposals could not have been granted by the LPA, or could not have been granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development orders and to any directions given under the orders.

In the case of refusal of permission to develop land or refusal of Listed Building consent or the granting of permission or Listed Building consent subject to conditions whether by the LPA or SOS and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development works which has been or would be permission, he may serve on the Council in which the land is situated a Purchase Notice (or Listed Building Purchase Notice) requiring the Council to purchase his/her interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town & CP Act 1990 and Part 1, Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances (not applicable to Advertisement proposals) a claim may be made against the LPA for compensation where permission is refused or granted subject to conditions by the SOS on appeal or on reference of the application to him.

## NOTES IN RESPECT OF SUBMISSION OF APPEALS

Data Protection: Please note all appeal documentation will appear on the Planning Casework Service website.

When submitting an appeal, please note that an identical set of documents should be sent to both the local authority and The Planning Inspectorate at the following addresses:

Strategic Planning  
South Gloucestershire Council,  
Department For Environment And Community Services  
PO Box 1954, Bristol, BS37 0DD

The Planning Inspectorate  
Room 3/04 Kite Wing  
2 The Square Temple Quay  
Bristol BS1 6PN

Please ensure this instruction is complied with in order to avoid any unnecessary delay

## NOTES IN RESPECT OF APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS

1. Under the provisions of Schedule 2 of the Town & Country Planning (Control of Advertisements) Regulations 2007 before any advertisement is displayed, the permission of the owner of the land, or building on which the advertisement is to be displayed must be obtained.
2. If a conditions imposing a time limit has been expressly included as part of a consent, then that condition must be observed. If no such condition is imposed Regulation 14 (7) of the 2007 Regulations provides that any consent is granted for a period of FIVE YEARS from the date hereof.
3. Where the Authority grant consent for a period shorter than five years they shall (unless the application required such a consent) state in writing their reasons for doing so, and the limitation in respect of time shall for the purposes of these Regulations be deemed to be a condition imposed upon the granting of consent.
4. At any time within a period of 6 months before the expiry of a consent granted under these Regulations, application may be made for the renewal thereof and the provisions of these Regulations relating to applications for consent and to the determination thereof shall apply where application is made for such renewal.
5. Penalty for Contravention. The amount of the fine to which a person who displays an advertisement in contravention of these Regulations is liable on summary conviction as set out in Section 224 of the Town and Country Planning Act 1990 and Regulation 30 of the 2007 Advertisement Regulations.

## NOTES IN RESPECT OF ALL APPLICATIONS

1. Attention is drawn to the need for strict compliance with the approved plan(s), failing which appropriate action will be taken.
2. If planning permission has been granted for the development, please note that should this involve any work within the highway, such as the construction of a vehicular access, the consent of the Highway Authority should be obtained.
3. WHERE PLANNING PERMISSION OR LISTED BUILDING CONSENT HAS BEEN GRANTED, APPROVAL MAY ALSO BE REQUIRED UNDER THE BUILDING REGULATIONS BEFORE ANY WORK IS COMMENCED.
4. Although planning permission may have been granted, should the proposed work involve the demolition, alteration or extension of a Listed Building or the demolition of an existing building in a Conservation Area, Listed Building or Conservation Area Consent will also be required before the work commences.
5. If the work authorised by this permission requires the supply of utility or other public services, you are requested to contact the appropriate statutory or other undertaker as soon as possible following the receipt of the decision. Failure to do so may result in delay in the provision of these services.
6. If planning permission has been granted this may be subject to condition(s) as listed on the decision notice. Some of these conditions require details to be submitted or other work to be carried out before development commences (conditions precedent). If you start development without complying with any such conditions you may invalidate the permission itself. Requests to discharge or confirm conditions made under Article 27 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 should be submitted on the appropriate forms and with any required fee.

Any further information concerning this decision may be obtained from the Director of Environment and Community Services Please quote the Reference Number of this permission in any correspondence.