

NOTICE OF DECISION  
Town and Country Planning Act 1990



William Falconer  
St Francis  
Chelvey Road  
Backwell  
Bristol  
BS48 4AD

Application Number  
Category

16/P/1292/F  
Full Planning  
Permission

**Application No:** 16/P/1292/F  
**Applicant:** Mr Steve Barnes  
**Site:** Garage at Hailstones Farm, Red Hill, Wrington, BS40 5TG  
**Description:** Change of use of domestic garage to holiday let

North Somerset District Council in pursuance of powers under the above mentioned Act hereby **GRANTS CONSENT** for the above development in accordance with the plans and particulars received and subject to the following condition(s):-

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing garage floor plans  
Existing garage elevations  
Proposed site layout plan  
Proposed garage conversion ground floor  
Proposed garage conversion first floor  
Proposed garage conversion elevations  
received on 12 May 2016

Site location plan  
Ecological Survey Report  
received on 27 May 2016

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Notwithstanding Class C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification, the accommodation hereby permitted shall be used to provide tourist accommodation only, which shall not be occupied as permanent, unrestricted residential accommodation or as a primary place of residence.

Reason: The site is outside Wrington settlement boundary, in the open countryside, and in the Green Belt where the policy of the Local Planning Authority is to restrict residential development and not to permit any additional dwellings and in accordance with policies CS6, CS14 and CS33 of the North Somerset Core Strategy and policy DM12 of the North Somerset Sites and Policies Plan - Part 1.

- 4 The use of the holiday units hereby approved shall be restricted to short term holiday accommodation for either a single period of days or multiple periods of days not exceeding a maximum of three months in any one calendar year, by any one person or group of persons occupying the unit. The holiday unit shall not be used for permanent residential accommodation or for any other purpose without the prior approval of the Local Planning Authority.

Reason: In order to ensure that the holiday unit is not occupied as unauthorised, permanent, residential property given the location outside a settlement boundary and in the Green Belt and in order to comply with policies CS6, CS14 and CS33 of the North Somerset Core Strategy, and policy DM12 of the North Somerset Sites and Policies Plan.

- 5 The site owners/operator shall maintain an up-to-date register of the names of all owners/occupiers of the individual holiday units on the site and of their main home addresses, and shall make this information available at all reasonable times to officers of the Local Planning Authority.

Reason: To ensure that the accommodation is not used for unauthorised permanent residential occupation in location outside a settlement and in the Green Belt and in accordance with policies CS6, CS14 and CS33 of the North Somerset Core Strategy and policy DM12 of the North Somerset Sites and Policies Plan (saved policies).

- 6 The conversion works shall retain the existing shell of the building and external walls and the building works shall only include the roof area as shown on the approved plans. The new windows and door shall be in timber as shown on the approved plans. Any works of making good shall be in materials to match those in the existing building. If any other material is proposed other than those shown on the approved plans, no development shall take place until such has been approved, in writing, by the Local Planning Authority.

Reason: To ensure the works harmonise as closely as possible with the existing building, in order to maintain the character of the building and the surrounding area and in accordance with section 7 and paragraph 17 of the National Planning Policy Framework, policy CS12 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan - Part 1.

- 7 The development hereby approved shall not be occupied until the parking area has been constructed and laid out in accordance with the approved plans and these parking spaces shall thereafter be permanently retained and shall not be used except for the parking of vehicles in connection with the occupiers of the holiday let whilst they are at residence at the accommodation and at no time shall be used for any other parking including airport parking.

Reason: To ensure that the holiday let is served by a suitable parking area in order to preserve highway safety and in accordance with paragraph 39 of the National Planning Policy Framework, policies CS10 and CS11 of the North Somerset Core Strategy and policies DM24 and DM28 of the North Somerset Sites and Policies Plan (Part 1).

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order amending or revoking and re-enacting that Order, no extensions to the building shall be carried out.

Reason: The Local Planning Authority wish to retain control over extensions in order to maintain the scale of this development as it is sited in the Green Belt and in accordance with policy CS6 of the North Somerset Core Strategy and policy DM12 of the North Somerset Sites and Policies Plan - Part 1.

**Advice note(s)**

In dealing with the application we have worked with the applicant in a positive and proactive manner and have implemented the requirement in the National Planning Policy Framework (paragraph 187) by publishing local planning guidance on the council's website, offering pre-application written advice and publishing statutory consultee and neighbour comments on the council's website.

All species of bats and their roosts are legally protected. If bats are encountered all demolition or construction work should cease and the Bat Conservation Trust (Tel 0845 1300 228) should be consulted for advice.

Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the 1981 Wildlife and Countryside Act and prior to commencing work you should ensure that no nesting birds will be affected.

**For advice about how to comply with the conditions above visit [www.n-somerset.gov.uk/planningconditions](http://www.n-somerset.gov.uk/planningconditions)**

Date: 21 July 2016

Signed   
Director of Development & Environment

Please use our [online contact form](http://www.n-somerset.gov.uk/contactplanning) on our website at [www.n-somerset.gov.uk/contactplanning](http://www.n-somerset.gov.uk/contactplanning) if you require further information on this decision.

## NOTES RELATING TO A DECISION TO APPROVE PERMISSION

These notes are intended as helpful advice. PLEASE READ THEM CAREFULLY. Make sure everyone has a copy that needs it, including your builder or contractor.

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### Scope of this decision notice

This decision notice grants planning permission only. It should not be taken to imply that the scheme meets the requirements of any other agency that may be involved. Please make sure that you have obtained all the approvals you need before starting work. If you are in any doubt you should obtain professional advice.

### Building Regulations

Before you start construction work you need to obtain separate approval under Building Regulations. You can contact the team on 01275 884550 or submit your application on our [website](#).

### Conditions

This approval is subject to conditions. They are an integral part of the decision and are important because they describe how the council requires you to carry out the approved work or operate the premises. It is your responsibility to comply fully with them.

Please pay particular attention to those conditions that have to be met before work commences. There is a fee for requests for written confirmation that conditions have been complied with. Details of these fees can be found on our website at [www.n-somerset.gov.uk/planningconditions](http://www.n-somerset.gov.uk/planningconditions). When sending us information please include the decision reference number and relevant condition number. Depending on the complexity of the issues involved it can take up to 12 weeks for conditions to be discharged. It is therefore important that you submit any required details to us early.

### Appeals

If you are aggrieved by the decision of your Local Planning Authority to impose any of the conditions (or to only approve part of an application for Advertisement Consent), then you can appeal to the Secretary of State for the Environment in accordance with the provisions of Town and Country Planning Act 1990. If you want to appeal against your local planning authority's decision then you must do so **within 6 months** of the date of this notice.

Appeals must be made using a form, which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Alternatively, your appeal can be submitted electronically using the Planning Portal at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of a Development Order or to directions given under it. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

### **Prepare for floods**

If the scheme to which this approval relates is at risk of flooding you should prepare a flood plan to help keep people safe and protect your property. You can find out if your property is at risk of flooding and how to prepare a flood plan on the [Government's website](#). You should also sign up for [flood warnings](#).

### **Works which affect a Public Highway**

Any works/events carried out by or for a developer which affects the public highway in any way must be co-coordinated in accordance with the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 to minimize disruption to users. Developers are required to inform undertakers of their proposed works, to jointly identify any affected apparatus, and to agree diversion or protection measures and corresponding payment.

Developers are also required to liaise/seek permission of North Somerset Council's Street Works Section (01934 888802 or [streetworks@n-somerset.gov.uk](mailto:streetworks@n-somerset.gov.uk)) at least one month in advance of the works and this must be in line with the requirements of the NRSWA 1991 and TMA 2004. The developer must endeavor to ensure that undertaker connections/supplies are coordinated to take place whenever possible at the same times using the same traffic management. It should be noted that where road closures or formal restrictions are required to undertake works, a minimum of three months' notice will be required.

### **Public Rights of Way**

The grant of planning permission does not entitle developers to interfere or obstruct any public right of way (PROW). The obstruction of a PROW is an offence. If required an application can be made to North Somerset Council to divert the PROW and should be made well ahead of any development.

It is also an offence to drive a mechanically propelled vehicle without lawful authority on any PROW. The grant of planning permission should not be treated as a grant of lawful authority. Please contact the PROW Team for further advice on 01934 888802.

### **Changes to Plans:**

Should you wish to change your plans for any reason, including the need to meet the requirements of other legislation (for example Building Regulations) it is important that you notify us (i.e. 'the planners') before carrying on with work. Amendments to your approved plans may require a fresh application and could even prove to be unacceptable. Details of how to seek formal approval of amendments to a planning approval can be found on our [website](#) or by visiting the planning portal.

### **Enforcement:**

The council has powers to enforce compliance with planning permission and there are penalties for failure to comply. In cases where terms and conditions of planning permission are not adhered to and the Council finds it necessary to take enforcement action, it almost invariably results in delay and additional expense to the applicant. In extreme cases, it can mean that newly erected buildings have to be demolished.

### **Street Naming**

When you receive consent for the building of new a development(s)/property or creating additional flats/units within an existing dwelling, for reasons of public safety and for the allocation of an official postal address, please contact the Street Naming and Property Numbering Section, Town Hall, Weston-super-Mare, BS23 1UJ; Tel: 01275 88761; email: [stnames@n-somerset.gov.uk](mailto:stnames@n-somerset.gov.uk). Learn more on our [website](#).

### **Access to further information**

Further guidance on Planning and Building regulation information and services can be accessed on our website and on the Planning Portal at [www.planningportal.gov.uk](http://www.planningportal.gov.uk).

We strongly encourage the submission of planning applications via the Planning Portal. We also provide an online planning service on our website that allows you to monitor and review all applications we receive. This can help you keep you up-to-date with planning matters in your area.

**This publication is available in large print, Braille or audio formats on request. Help is also available for people who require council information in languages other than English. Please contact us using our [www.n-somerset.gov.uk/contactplanning](http://www.n-somerset.gov.uk/contactplanning)**