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Planning Statement

Siting of 1no. Cabin for Short Term Holiday Let Accommodation and Associated Works at Land to the West of Chapel Pitch, Ketford, Dymock, GL18 2BL.



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1. Introduction

- 1.1 The following Statement has been prepared by Brodie Planning Associates Ltd (the agent) on behalf of Mr and Mrs Preece (the applicants) to accompany the submission of a full planning application which seeks permission for the change of use of land and siting of 1no. short-term 'off-grid' holiday cabin at Land off Chapel Pitch, Dymock, Ketford.
- 1.2 This Statement is intended to assist Forest of Dean District Council in its determination of the application. It considers the application site and its context, identifies relevant planning history, and discusses the development proposals in great detail, in line with statutory 'Design and Access' requirements. This Statement then outlines the planning policy framework applicable to the application and provides a robust assessment which addresses both planning matters.
- 1.3 This Statement seeks to describe the applicant's proposals to develop the site for holiday accommodation, in order to explain why this is an appropriate use for the existing site, and how it accords with relevant planning policy. The Statement also includes details of the design and access considerations of the scheme, and addresses ecology and biodiversity matters.
- 1.4 The proposals have been informed by a range of technical and environmental consultants, and so their reports, in addition to the submitted plans, should be read in conjunction with this Statement. These include:

Title	Drg.no / Ref
Land to the West of Chapel Pitch, Ketford Transport Briefing Note - Access	Version 2 - July 2023
Preliminary Ecological Appraisal (Swift Ecology)	C4051-1
Marsh Portapura Package Sewage Treatment Plant Information	
Confidential Business Plan	July 2023

The Site and Surrounding Area

- 1.5 The application site is located within the hamlet of Ketford, approximately 3 miles from villages of Dymock to the west and Redmarley D'Abitot to the east. Both villages offer a range of services and facilities. The site benefits from a public right of way (reference GPA8) which forms part of the Geopark Way and travels along the internal western edge of the site.
- 1.6 The site consists of rough grazing land, occasionally rented to a local farmer. In regard to planning designations, the site is located adjacent to the Barn Farm Banks Key Wildlife Site and BGS Coal Resource Area and outside of the Malvern Hills Area of Outstanding Natural Beauty. As identified from the government online flood mapping service, the application site is located within Flood Zone 1 and is therefore at low risk of flooding. The site does not contain any Tree Protection Orders (TPO's).

Planning History

- 1.7 According to the Local Planning Authorities (LPA) online records, there is no planning history available for this site.

Pre-Application Discussions

- 1.8 A pre-application enquiry was submitted to the LPA in February 2023 with reference P0273/23/PREAPP, for the siting of one cabin as is currently proposed.
- 1.9 The advice received was favourable, outlining that although the site lies outside of a defined development boundary, proposals for new tourism uses in rural locations are strongly supported by both national policy and Core Strategy CSP.7.
- 1.10 However, the advice re-iterated the need for the proposals to be compatible with the surrounding landscape, would need to be sustainably located and not impact living conditions of nearby residential dwellings, or adversely impact highways safety or the ecology of the site.
- 1.11 The LPA also outlined that the application should be supported by a full business and marketing plan demonstrating that the proposal has the prospect of becoming a viable business. The applicants have provided a

business and marketing plan, which has been submitted alongside this application.

- 1.12 The case officer also outlined a number of documents that were required to be included as part of this planning application, including additional highways information and a preliminary ecological appraisal which have been provided to accompany the application.
- 1.13 This Statement also includes at Section 4.10 – 4.13 the requested drainage strategy. Given the scale of the proposals, the provision of a noise impact assessment is not considered reasonable or necessary.

The Proposed Development

- 1.14 This application therefore seeks permission for the change of use of land and the siting of one shepherd's hut along the site's eastern boundary and associated works, including the creation of a new access, parking area, bin store and pathway between the parking area and cabin.
- 1.15 In contrast to the submitted pre-application enquiry, access to the site is to be provided on the sites Eastern boundary ensuring the public right of way is not impacted in anyway by either vehicles or pedestrians using the site.

2. Planning Policy Context

- 2.1 The determination of a planning application is to be made pursuant to Section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with Section 70(2) of the Town and Country Planning Act 1990.
- 2.2 Section 38(6) requires a determining body to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the determining body 'shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations.'
- 2.3 The development plan consists of the Forest of Dean Core Strategy and the Forest of Dean Allocations Plan. There is no Neighbourhood Plan for the area.

The Development Plan

- 2.4 The following Core Strategy policies are of most relevance to this proposal:

Policy CSP.1 – Design and Environmental Protection

Policy CSP.2 – Climate Change

Policy CSP.3 – Sustainable Energy Use within Development Proposals

Policy CSP.7 – Economy

Policy CSP.9 – Recreational and Amenity Land

- 2.5 The following Allocation Plan policies are of most relevance to this proposal:

Policy AP1 – Sustainable Development

Policy AP4 – Design of Development

Policy AP7 – Biodiversity

The National Planning Policy Framework (NPPF)

- 2.6 The revised NPPF came into effect in July 2021. It sets out the Government's policies on many different aspects of planning and requires local authorities to take its content into account when preparing their development plans. It is a material consideration when making decisions on planning

applications or appeals. The key text in relation to the development proposals is considered below.

2.7 **Paragraph 8** outlines the three overarching objectives to sustainable development:

- **An economic objective** – building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth innovation and improved productivity and by identifying and coordinating the provision of infrastructure;
- **A social objective** – supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **An environmental objective** – contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

2.8 **Paragraphs 9-10** provides guidance on the interpretation of the three objectives. They are not to be read in isolation but instead are mutually dependent on each other. Seeking positive improvements to the quality of the built, natural and historic environment as well as quality of life is a key function of sustainable development.

2.9 **Paragraph 11** clearly sets out that at the heart of the Framework is a presumption in favour of sustainable development. For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; and
- where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 2.10 **Paragraph 12** provides important clarification on the interpretation of the presumption by confirming that the presumption does not change the statutory status of the development plan as the starting point for decision making. It goes on to confirm that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted but makes it clear that applications can be granted where they depart from an up-to-date development plan if material considerations indicate that the plan should not be followed.
- 2.11 **Paragraph 38** directs local planning authorities to approach decisions on proposed development in a positive and creative way. It adds that decision-makers at every level should seek to approve applications for sustainable development where possible. Subsequent paragraphs cite that pre-application engagement is a useful tool.
- 2.12 **Paragraph 81** states planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 2.13 **Paragraph 84** states planning policies and decisions should, inter alia, enable; the sustainable growth and expansion of all types of business in rural areas; the development and diversification of land-based rural businesses; and sustainable rural tourism and leisure developments which respect the character of the countryside.
- 2.14 **Paragraph 85** continues by stating that decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings,

does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.

- 2.15 **Paragraph 92** states that policies and decisions should aim to achieve healthy, inclusive and safe places which, amongst other stipulations, promotes social interactions, are safe and accessible, and enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.
- 2.16 **Paragraph 110** seeks to ensure that appropriate opportunities to promote sustainable transport modes can be taken up, and that safe and suitable access to the site can be achieved for all users.
- 2.17 **Paragraph 111** states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 2.18 **Paragraph 119** states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 2.19 **Paragraph 126** stipulates that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. It adds that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 2.20 **Paragraph 130** advises, among other things, that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 2.21 **Paragraph 174** that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

3. Design and Access

- 3.1 This part of the Statement relates to the provisions of Article 8(3) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 as amended, which sets out the requirements for Design & Access Statements. Accordingly, this section considers the design principles and concepts that have been applied to the development and shows how issues relating to access to the development have been dealt with.
- 3.2 The proposed development does not constitute one of the application types prescribed by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) for the provision of a Design and Access (D&A) Statement, however in the interests of good planning, this statement includes a D&A statement to satisfy the requirements of Local Plan policies.
- 3.3 The National Planning Policy Framework (NPPF) at paragraph 124 confirms the importance the Government attaches to the design of the built environment. It is also stated in this paragraph that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

Amount

- 3.4 This application seeks permission for the change of use of the land outlined in red in order to place 1no. shepherds hut. The hut will be fixed to a trailer base and remain fully mobile, allowing it to be removed from site and land returned to its original condition immediately if necessary.
- 3.5 The hut has a minimal footprint and provides an open plan living and bedroom area with small kitchenette, and an enclosed bathroom. Taking into account the scale of the site, one shepherds hut will be easily accommodated without resulting in any detrimental impacts upon the surrounding area in accordance with CSP.1 of the Core Strategy.

Layout

- 3.6 As shown on the submitted site plan, a new access is to be provided on the applications site's eastern boundary, which will be accompanied by a small

parking area incorporating electric vehicle charging points and a small bin store. A small pathway will then lead in a south-westerly direction to the shepherd's hut, which is to be set in a natural nook formed by the sites' topography and landscaping. It should be clearly noted at this stage that the proposed layout has been chosen in order to ensure that minimal amounts of site clearance will be required in order to accommodate the proposals.

Appearance

- 3.1 A selection of 3D visualisations of the proposed cabin have been provided with both the pre-application enquiry and the current application to reflect the desired appearance of the shepherds hut. The hut is to be constructed by a local carpenter and finished on the external walls with burnt larch cladding, with timber frame windows and doors painted to match. The shepherd's hut is therefore considered to have a high-quality design that integrates effectively with the characteristics of the surrounding rural landscape.

Landscaping

- 3.2 As indicated within the Preliminary Ecological Appraisal report accompanying this application, no trees are to be removed in order to accommodate the development. However, a number of Ash trees on site are showing signs of disease and currently in poor health. The report recommends that the three trees are removed, although their removal is not necessary for the scheme to be implemented.

Access and Parking

- 3.3 The parking area will be created using grass-crete, a removable mesh placed on the ground to provide a stable parking surface, without harming the ground or plants beneath. No hardstanding materials are proposed to mark the parking area or footpath to the cabin; however, it is expected that the access will need to be surfaced in a bound material.
- 3.4 This element of the scheme will have a minimal impact upon the overall visual appearance of the site whilst ensuring suitable access to the site and an area for parking in line with Gloucestershire Highways standards are provided.

4. Planning Assessment

- 4.1 This section provides an analysis of the proposal against the development plan and those matters which are material to the determination of the planning application, at both a national and local level.

Principle of Development

- 4.2 In accordance with Section 70 (2) of the Town and Country Planning Act 1990 and section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless there are material considerations that indicate otherwise. The starting point for the determination of this application is therefore the Forest of Dean Core Strategy which was adopted in February 2012 and the Forest of Dean District Council Allocations Plan (adopted 2018). The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material consideration.
- 4.3 As identified within the pre-application report provided by Matthew Green, the application site is located outside of a designated settlement boundary, in the open countryside, where new development is strictly controlled. However, the proposal for new tourism uses in rural locations are strongly supported by both the National Planning Policy Framework and Core Strategy Policy CSP.7. The national and local policies support sustainable growth and expansion of all types of businesses and enterprises in rural areas, which make a significant contribution to the economy.
- 4.4 The pre-application report goes on to outline that any economic development, including tourism-based development in rural areas needs to be compatible with the surroundings and landscape, needs to be sustainably located, and not impact upon the living conditions of nearby residential properties, highway safety and the ecology of the site.
- 4.5 In addition, the report outlines that any future planning application should demonstrate that the proposals have the prospect of becoming a viable business, through provision of a full business and marketing plan. The applicants have therefore provided a business and marketing plan which indicates that the site has a realistic prospect of becoming a viable business in Ketford.

- 4.6 As such, the proposals are considered to be acceptable in principle in accordance with CSP1 and CSP.7 or the Core Strategy and Policy AP.1 of the Allocations Plan.

Impact on the Character and Appearance of the Surrounding Area

- 4.1 It should be noted that the Barn Farm Banks Key Wildlife Site (KWS), also known as Ketford Banks, is located on the opposite side of the valley to the application site, and therefore some parts of the KWS may have some limited views of the shepherd's hut. Similarly, a public right of way (PROW) is known to run from the existing site access in a southerly direction, immediately adjacent to the KWS.
- 4.2 As such, the siting and layout of the scheme have been amended to ensure that the scheme does not have any impact upon the KWS or PROW. The site access now does not cross the PROW or the KWS, and due to the siting of the shepherd's hut there would be limited views to the development from either areas.
- 4.3 It should also be noted that within the pre-application discussions, the case officer outlined that as a result of the proposed materials and siting of the cabin, the development would likely assimilate well into the surrounding environment. Similarly, as a result of the positioning and screening provided by existing trees on site, there would be limited views of the cabin from the public right of way, and the scale of harm resulting from the development would not be adverse.
- 4.4 Taking into account the above, alongside the sympathetic design and scale of the shepherd's hut, it is considered that there would be minimal adverse impacts upon the character and appearance of the surrounding area and as such the proposals are considered to comply with CSP.1 of the Core Strategy and AP4 of the Allocations Plan.

Protected Species

- 4.5 As outlined within the Forest of Dean Allocations Plan, Key Wildlife Sites are defined as areas with a rich diversity of habitats that provide refuges and corridors for wildlife. They are found on both public and private land and include a great variety of valuable semi-natural habitats such as ancient woodland, species-rich grasslands, river valleys, heathland and hedgerows.

These sites have no legal protection, yet they still deserve recognition as the most important places for wildlife outside of legally protected land such as Sites of Special Scientific Interest (SSSI).

- 4.6 The application site falls immediately adjacent to Barn Farm Banks Key Wildlife Site, although not within it. The Barn Farm Banks (Kelford Banks) Wildlife Site is recognised for its collection of Daffodils, which line the sandy banks of the valley. As such, a Preliminary Ecological Appraisal has been undertaken to accompany this application and has been submitted alongside this statement.
- 4.7 The PEA includes a description and evaluation of the designated sites, habitats, protected and priority species and invasive non-native species. The report makes a number of recommendations, including compensatory, precautionary and mitigation methods.
- 4.8 Regarding potential impacts on bats, an inspection was carried out, and while no bat roosts were found, nesting birds were observed. Precautionary measures during felling are advised to prevent harm to bats in case they are present, and felling should occur outside the bird breeding season. Any additional trees proposed for removal should be checked by a bat licensed ecologist before felling.
- 4.9 The survey identified the potential for protected species on the site, including bats, breeding birds, great crested newts, hedgehogs, and common toads. However, significant impacts on these species are deemed unlikely if appropriate precautionary measures are implemented during development.
- 4.10 The woodland and surrounding pasture are recognized as important bat foraging habitats. The shepherd's hut's impact on habitat loss is considered minimal, but any external lighting for the hut should be low intensity to avoid disturbing bats, following standard guidance.
- 4.11 Similarly, the PEA indicates that three Ash trees within the site are currently in poor health within the site and should be removed to prevent the spread of disease. Bird nesting mitigation is therefore recommended if these trees are to be removed.

- 4.12 The PEA summarises the findings by providing a table of mitigation and compensation measures at Table 5.1. These should be read in conjunction with the precautionary working methods advised throughout the appraisal.
- 4.13 In conclusion, due to the scale of the proposals, it is not expected that the development would have any adverse impacts upon protected species, habitats or designated sites in accordance with CSP.1 of the Core Strategy and AP7 of the Allocations Plan.

Residential Amenity

- 4.14 Taking into account the scale of the proposals, it is considered that the proposed change of use of land and siting of one shepherd's hut is unlikely to have any adverse impacts upon residential amenity in terms of a loss of privacy outlook, or in terms of noise disturbance.
- 4.15 It should also be noted that within pre-application discussions, it was also confirmed by the case officer that due to the fact that there are no immediate neighbouring residential properties, no impacts would arise to the living conditions of any neighbouring residents.

Flood Risk and Drainage

- 4.16 The application site is located in Flood Zone 1 and is therefore at low risk of flooding. As such, a flood risk assessment is not required to be provided with this application. However, given that the shepherds hut will require provision of clean water and disposal of both surface and foul water, a water management statement is required. This section of the statement therefore constitutes a water management statement.
- 4.17 The proposed shepherds hut is to have a flat roof with appropriately disguised guttering to divert surface water from the roof to downpipes. The downpipes will then be connected to a water butt, which is to be installed to the rear of the hut, with the grey water then available for re-use for outdoor purposes such as washing boots or other walking equipment. Any overflow from the water butt will then be diverted to a soakaway, to be positioned to the north of the shepherds' hut, mimicking the natural drainage of the site as a result of the topography.

- 4.18 As the hut is to contain both a bathroom and kitchen, the scheme will therefore require foul water drainage. It is proposed for a small package sewage treatment plant to be installed below the hut and trailer base (above ground), therefore ensuring no ground works are required to accommodate the plant whilst ensuring it is hidden from view. Details of the sewage treatment plant have been submitted alongside this application.
- 4.19 Subject to the soakaway, water butt and sewage treatment plant being secured via conditions, the proposals are therefore considered to comply with Policies CSP.1 and CSP.2, as the scheme incorporates sustainable drainage systems and will not increase or exacerbate flooding issues in the area.

Highways

- 4.1 As requested within the pre-application enquiry, a transport technical note has been provided with this application which outlines how the site is to be accessed, provision for parking and other matters relating to highways safety, which has been submitted alongside this application.
- 4.2 The proposed access will utilise an existing agricultural gate on the western edge of Chapel Pitch Lane and involve upgrade works to provide a new vehicular access. The works will consist of providing a 6m wide access for the first 10m, a 6m radii and visibility spays for the recorded 85th percentile speeds.
- 4.3 The technical note includes details of the Automated Traffic Count surveys (including recorded speeds) undertaken on Chapel Pitch Lane carried out on either end of the visibility splays to the north and south of the proposed access.
- 4.4 In summary, from a volume perspective there are approximately 3 total vehicles during the AM Peak 0800-0900hrs and 1 vehicle during the PM Peak hour 1700-1800hrs and 23 total vehicles on average across the 12-hour day of 0700-1900hrs travelling along Chapel Pitch. In this regard, existing traffic volume levels along Chapel Pitch are very low and can be described as being very lightly trafficked.

- 4.5 Using the recorded speed data and calculating the 85th percentile, the requisite visibility splays will be provided at 2.4 x 59m to the right and 2.4m x 53m to the left, and should be kept free from obstruction above 600mm at all times.
- 4.6 Based on the information provided, the impact of the development proposals onto Chapel Pitch Lane is considered to be insignificant and non-detrimental to the public highway. Trip generation has been provided and concluded that, 8 two-way trips daily is insignificant and will not cause detriment to either free flow of traffic or road safety in this location.
- 4.7 On this basis, it can be concluded that, the proposed development be recommended for approval on highway and transportation grounds in accordance with CSP.1 and CSP.2 of the Core Strategy and AP1 and AP4 of the Allocations Plan.

5. Conclusion

- 5.1 This application seeks planning permission for the change of use of land at The Firs, Chapel Pitch, for the siting of 1no. short term holiday let. In this instance, it is proposed for a shepherds hut to be positioned on the land for holiday let use.
- 5.2 The provided planning statement, along with the submitted drawings and accompanying documents, establishes that the proposed project holds the potential to develop into a viable and successful business. This alignment with policies CSP.1 and CSP7 of the Core Strategy and Policy AP.1 of the Allocations Plan further supports the feasibility and merits of the proposal.
- 5.3 In addition, this statement confirms that the proposals will not cause harm to the character and appearance of the surrounding area, through virtue of the sympathetic site layout, design and use of materials.
- 5.4 The accompanying Preliminary Ecological Appraisal confirms that the scheme will not result in any biodiversity losses that cannot be fully mitigated, and that there will be no adverse impacts resulting from the proposals in regards to ecology or biodiversity on site in accordance with CSP.1 of the Core Strategy and AP7 of the Allocations Plan.
- 5.5 Similarly, the accompanying transport technical note clearly demonstrates that the scheme will not result in any adverse impacts upon highways

safety, and that a suitable access with appropriate visibility splays can be achieved on Chapel Pitch Lane. In addition, the block plan shows that parking, turning and manoeuvring space will be accommodated on site, along with electric vehicle charging points adjacent to the proposed parking spaces. As such, the proposals will comply with CSP.1 and CSP.2 of the Core Strategy.

- 5.6 This statement also confirms that a suitable Sustainable Drainage System will be implemented on site for surface water drainage, and foul drainage will be dealt with appropriately.
- 5.7 To conclude, the granting of permission would accord with the development plan, and there are no other material considerations that would indicate otherwise. The proposals should therefore be approved under delegated authority without delay in accordance with Paragraph 11 (c) of the NPPF.



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