

NOTICE OF DECISION  
Town and Country Planning Act 1990



Sutherland PLS Ltd  
Ground Floor  
46 Dean Hill  
Plymstock  
Plymouth  
PL9 9AE

Application Number  
Category

17/P/1178/F  
Full Planning  
Permission

**Application No:** 17/P/1178/F  
**Applicant:** Mrs Mary Shepherd  
**Site:** Land opposite junction of Chestnut Lane and, Bleadon Road, Bleadon  
**Description:** Demolition of 2 no. existing agricultural barns and erection of 1no. new agricultural barn

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:

Site layout plan as existing  
Plan and elevations of existing barn  
Plan and elevations of proposed new barn  
Flood Risk Assessment  
received on 3 April 2017

Site location plan  
received on 29 August 2017.

Site layout plan - new barn as proposed  
received on 1 November 2017

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

- 3 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, the building shall be used for agricultural purposes only and not for any other purposes and if the use of the land for agriculture ceases, within three months the building shall be taken and all its materials removed from the landholding permanently.

Reason: To ensure that the building is retained for agricultural purposes only and to protect the rural character of the landscape of the open countryside where abandoned buildings would erode its appearance and in accordance with Section 7 of the National Planning Policy Framework, policy CS12 of the North Somerset Core Strategy and policies DM32 and DM51 of the North Somerset Sites and Policies Plan - Part 1.

- 4 The materials to be used in the agricultural building hereby permitted shall be in strict accordance with the approved plans. If any other material is proposed no development shall take place until such has been approved, in writing, by the Local Planning Authority.

Reason: To ensure the works maintain the rural character of the open countryside 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.

- 5 The development shall be carried out in strict accordance with the submitted Flood Risk Assessment prepared by Sutherland Property and Legal Services Ltd, on July 2016 and received on 3 April 2017.

Reason: To ensure that the development does not increase flooding risk as the site is in an area at risk from flooding and in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, policy CS/3 of the North Somerset Core Strategy and policy DM1 of the North Somerset Sites and Policies Plan - Part 1.

- 6 The development hereby permitted shall not be commenced until full details of a scheme to mitigate the flood risk has been submitted to, and approved in writing by, the Local Planning Authority and this should include no raising of ground levels, improvements to the existing surface water disposal system, incorporation of flood-proofing measures into the proposed development., ensure the building is porous and that the site is for domestic use only. The scheme shall be fully implemented and subsequently maintained, in accordance within the scheme or as may subsequently be agreed, in writing, by the LPA.

Reason: To ensure no loss of flood storage, to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to reduce the impact of flooding on the proposed development and future occupants, to allow for free flow of water and reduce the impact on flood flow routes and to reduce the risk of flooding to third parties, and in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, policy CS/3 of the North Somerset Core Strategy and policy DM1 of the North Somerset Sites and Policies Plan - Part 1.

- 7 The development hereby approved shall not commence until additional details of the drainage system regarding surface water run off and outflow have been submitted to and approved by the local planning authority and once approved shall be carried out in strict accordance with the approved detailed plans and maintained permanently.

Reason: To ensure that the development has a satisfactory drainage system as the site is in an area at risk from flooding and in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, policy CS3 of the North Somerset Core Strategy and policy DM1 of the North Somerset Sites and Policies Plan - Part 1.

- 8 The existing dilapidated barns as specified in the approved plans that are sited on the land shall be taken down and all the structure and materials taken from the site and at no

time shall it be returned to the site or landholding.

Reason: To ensure that the proposed new barn is a replacement barn and to protect the rural character of the landscape of the open countryside where abandoned buildings and materials would detract from its appearance and in accordance with Section 7 of the National Planning Policy Framework, policy CS12 of the North Somerset Core Strategy and policies DM32 and DM51 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.

The applicant is advised that as the site falls within an area at high risk from flooding, it must be drained on a separate system with all clean roof and surface water being kept separate from foul drainage. Any manure or chemicals must be sited in an area where they will not cause pollution of any watercourse or water source by the release of contaminated run-off. The subsequent disposal of collected wastes must be undertaken in accordance with, Protecting our Water, Soil and Air, DEFRA 2009. There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

The applicant is advised that there shall be no mud on the public highways from construction or other works.

**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: 3 November 2017

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.gov.uk/appeal-planning-inspectorate](http://www.gov.uk/appeal-planning-inspectorate).

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: [strnames@n-somerset.gov.uk](mailto:strnames@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.co.uk](http://www.planningportal.co.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)**