

NOTICE OF DECISION

Town And Country Planning Act 1990



Tim Hudd
RTP Surveyors
12 Arwenack Street
Falmouth
TR11 3JD

Application Number: 19/P/2550/FUL

Category: Full application

Application No: 19/P/2550/FUL
Applicant: Mr Simon Warburton
Site: Land South Of Purn Road, Bleadon, Weston-super-Mare,
Description: Erection of agricultural barn for livestock housing, feed store and machinery store with new access track off Purn Lane.

North Somerset District Council in pursuance of powers under the above mentioned Act hereby **REFUSE PERMISSION** for the above development for the following reasons:

- 1 The proposed agricultural building and associated track would be prominent in the landscape and together with the need for engineering works would harm the rural character of the area. This harm is not outweighed by agricultural need. The proposed development is contrary to policies CS5 and CS12 of the North Somerset Core Strategy, policies DM10, DM32 and DM51 of the North Somerset Sites and Policies Plan - Part 1 and North Somerset Landscape Character Assessment SPD.
- 2 The proposed livestock building is only 80 metres from the closest residential dwelling and would adversely affect the living conditions of the occupiers of the surrounding dwellings through noise disturbance and odours, contrary to policy CS3 of the North Somerset Core Strategy
- 3 Insufficient information has been provided to enable the Local Planning Authority to establish whether the proposal will result in a significant negative impact on a non-statutory designated site (the Combe Farm Drains and adjacent lands Local Wildlife Site). In the absence of details to the contrary, the proposal will conflict with the requirements of the Natural Environment and Rural Communities Act 2006, policy CS4 of the North Somerset Core Strategy, policy DM8 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset 'Biodiversity and Trees' SPD.

Advice Notes:

- 1 Positive and proactive statement: The council worked with the applicant in a positive and proactive manner and implemented the requirement in section 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, by publishing local planning guidance on the council's website, offering pre-application advice and publishing statutory consultee and neighbour comments on the council's website. The council also looked for solutions to enable the grant of planning permission. However, in this case the proposal is not sustainable development for the reasons set out above and the council was unable to identify an appropriate way of securing a development that improves the economic, social and environmental conditions of the area and complies with the relevant planning policies. Clear reasons have been given to help the applicant understand why planning permission has not been granted.

- 2 Refused plans/documents: The plans/documents that were formally considered as part of this application are as follows:

Drawing no. P180210/02/C: Combined plans - Plans of proposed storage barn - plans and elevations and Location plans
Aerial Photograph - P180210
Design Statement
Preliminary Ecological Appraisal Survey prepared by Arbtech, dated 6 August 2019

Date: 12 February 2020
Signed: Richard Kent
Head of Development
Management

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

NOTES RELATING TO A DECISION TO REFUSE PERMISSION

These notes are intended as helpful advice. PLEASE READ THEM CAREFULLY.

Appeals

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or by any of the conditions, 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 this is a decision to refuse planning permission for a householder application ¹ or shopfront proposal and you want to appeal, then you must do so **within 12 weeks** of the date of this notice. If this is a decision to refuse Advertisement Consent then you must submit your appeal **within 8 weeks** of the date of this notice. In all other cases 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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.

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.

How to get our advice

It is well worth contacting the officer who dealt with your application to see if an alternative solution can be reached which would avoid the need for an appeal. Should you require our written advice prior to submitting a new application please be aware that there is normally a fee for such requests. Details of how to obtain our advice prior to submitting an application can be found 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.

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

¹ Householder developments are defined as those within the curtilage of a house and are not a change of use or the creation of an additional dwelling or flat. Included in householder developments are extensions, conservatories, loft conversions, dormer windows, alterations, garages, car ports or outbuildings, swimming pools, walls, fences, domestic vehicular accesses including footway crossovers, porches and satellite dishes.

