

NOTICE OF DECISION

Town And Country Planning Act 1990



Greenslade Taylor Hunt
75-77 High Street
Burnham On Sea
TA8 1PE

Application Number: 20/P/1878/FUL

Category: Full application

Application No: 20/P/1878/FUL
Applicant: Mrs M Sheppard
Site: Land Off Bleadon Road, Bleadon Road, Bleadon,
Description: Erection of a general purpose agricultural building.

North Somerset District Council in pursuance of powers under the above mentioned Act hereby **GRANTS PERMISSION** 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 and documents:

Drawing no. 1682-DR-S-050 -01: Location plan
Drawing no. 1682-DR-S-050 -S-003- Rev D: Elevation Drawings
Drawing no. 1682-DR-S-050 -04- Rev C: Floor plan
Drawing no. 1682-DR-S-050-10- Rev A: Site Plan and Landscape Scheme, received on 26 October 2020
Document no. 1682-011: Notes to accompany Landscape Scheme, received on 26 October 2020

Design and Access Statement
Environment Agency - Flood Map for Planning
Flood Risk Assessment dated 30 July 2020

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any Order revoking and re-enacting that Order, with or without modification), the building shall be used for agricultural purposes only and not for any other purposes and no change of use is

permitted and if the use of the land for agriculture ceases, within three months the building shall be taken down and all its materials removed from the landholding permanently.

Reason: The building is permitted only due to the needs of agricultural purposes, to protect the rural character of the open countryside as other uses may not be acceptable in this location and where abandoned buildings would erode openness and character of the rural landscape and in accordance with policies CS12 and CS33 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 development hereby permitted shall be in complete accordance with the approved plans and specifications including colour, unless details of any alternative material have first been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure that the materials to be used are acceptable in order to maintain the character and appearance of the building and those of the surrounding area, and in accordance with policy CS12 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan (Part 1).

- 5 The finished floor, ground and ridge height levels shall not exceed those shown on the approved plans.

Reason: In order to ensure that the height of the development is appropriate in the interests of the character and appearance of the landscape of the open countryside area, and in accordance with policies CS5 and CS12 of the North Somerset Core Strategy and policies DM10 and DM32 of the North Somerset Sites and Policies Plan (Part 1).

- 6 The approved landscape scheme has been carried out in strict accordance with the approved details, specifications and programme of implementation. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or a period of ten years following full implementation of the landscaping scheme, are removed without prior written consent from the Local Planning Authority or die, become seriously diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the Authority may specify.

Reason: To ensure a satisfactory landscaping scheme is implemented and maintained in the interests of the character and biodiversity value of the area, and in accordance with policies CS4, CS5 and CS9 of the North Somerset Core Strategy, policies DM8, DM9, DM10 and DM32 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Biodiversity and Trees SPD.

For advice on how to discharge this condition, please refer to www.n-somerset.gov.uk/landscapingconditions

- 7 The agricultural building hereby permitted shall not be brought into use until the track, hardstanding, parking and turning areas have been provided in accordance with the

approved plans and specifications. The approved track, hardstanding, parking and turning areas shall be properly consolidated and surfaced before the agricultural building use commences and thereafter it shall not be used except for the parking of vehicles in connection with the agricultural development hereby permitted.

Reason: In order to ensure that adequate track, hardstanding, parking and turning area provision is made in the interests of preserving highway safety and in accordance with policies CS10 and CS11 of the North Somerset Core Strategy, policies DM24 and DM28 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Parking Standards SPD.

- 8 Prior to installation of any external floodlighting or means of external illumination on or for the proposed building, details shall be submitted to and approved, in writing, by the Local Planning Authority. No means of external illumination shall be installed other than in accordance with the approved details and shall not be varied without the permission in writing of the Local Planning Authority.

Reason: In the interests of the living conditions of occupants of neighbouring properties and the character of the area and in accordance with policy CS3 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan.

- 9 The development hereby permitted shall not take place except in complete accordance with the approved Flood Risk Assessment.

Reason: To reduce the risk of flooding, and in accordance with paragraph 163 of the National Planning Policy Framework, policy CS3 of the North Somerset Core Strategy policy and policy DM1 of the North Somerset Sites and Policies Plan (Part 1- Development Management Policies).

- 10 The two existing agricultural buildings to be demolished shall be completely taken down and all the materials and structures of these agricultural buildings shall be removed from the site and landholding permanently.

Reason: The proposal is for a replacement agricultural building and to ensure that by removing all the materials it will enhance the appearance of the site and protect the character of the countryside, and in accordance with policies CS5 and CS12 of the North Somerset Core Strategy and policies DM10 and DM32 of the North Somerset Sites and Policies Plan - Part 1.

Advice Notes:

- 1 Positive and proactive statement: In dealing with the application we have worked with the applicant in a positive and proactive manner and have 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 written advice and publishing statutory consultee and neighbour comments on the council's website.
- 2 Protected Species: All species of bats, (including their roosts), wild birds (including

nests and eggs until the young have fledged), reptiles, great crested newts and dormice are legally protected. If these species, or actively used water vole burrows, otter holts or badger setts are encountered before or during building work you must cease work and contact a suitably qualified ecologist for advice. Details of suitably qualified ecologists operating regularly in North Somerset can be found using the search tool on the Chartered Institute of Ecology and Environmental Management: www.cieem.net/members-directory. In the event that European protected species are encountered (bats, great crested newt, dormice, water vole and otter), all works must cease and Natural England must be contacted immediately (0300 060 3900).

Date: 5 November 2020

Signed: Richard Kent
Head of Development Management

For advice about how to comply with the conditions above visit www.n-somerset.gov.uk/planningconditions

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

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE

NOTES RELATING TO A DECISION TO GRANT PLANNING 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.

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. 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 our decision to impose 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 you want to appeal against our decision then you must do so within 6 months [12 weeks if this is a decision to refuse planning permission for a shopfront proposal or a minor commercial application] 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.

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.

Protected species

The Wildlife and Countryside Act 1981 (as amended) makes it an offence to intentionally or recklessly disturb a protected species while it is occupying a place which it uses for shelter or protection. This includes, for example, bats or birds in roof spaces or cavities. Obtaining planning permission does not grant permission to disturb protected species. Licences can, however, be issued to allow construction works that would otherwise be prohibited. Applications for licences should be made to Natural England before any construction works commence on site.

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-ordinated 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) 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.

If the applicant was the Local Authority and the application was made under regulation 3 of the Town and Country Planning General Regulations 1992 (as amended) then this permission enures only for the benefit of the Local Authority and such other person as was specified in the application.

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 888761; email: 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.