

NOTICE OF DECISION

Town and Country Planning Act 1990



Miss Helen Donnelly
Corylus Planning & Environmental Ltd
Unit 3
The Old Dairy
Yanworth
Cheltenham
GL54 3LQ

Application Number: 19/P/2243/OUT

Category: Outline application

Application No: 19/P/2243/OUT
Applicant: Innova Consulting Services Limited
Site: Land At Bleadon Hill, Bleadon Hill, Weston-super-Mare,
Description: Outline Planning Permission for up to 36 dwellings with all matters reserved except for access, as amended by plans received 9 November 2020

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

- 1 The proposed development, by reason of its location within a valued landscape in close proximity to the Mendip Hills Area of Outstanding Natural Beauty (AONB), will appear as an extension of the urban edge into the 'transitional' rural landscape between Weston-Super-Mare and the Mendip Hills AONB. The proposal would cause unacceptable harm to the character and appearance of a valued landscape which forms part of the setting of the AONB, including views to and from the AONB. The proposal would create light pollution which would impact on the dark skies of the AONB. The proposed development is therefore contrary to Policies CS5 and CS9 of the Core Strategy, Policy DM10 of the Sites and Policies Plan Part 1 - Development Management Policies, the Mendip Hills AONB Management Plan 2019-2024, the North Somerset Landscape Character Assessment SPD, and paragraphs 170 and 172 of the National Planning Policy Framework.
- 2 The location of the site, by reason of its distance to the nearest services and facilities and the nature (gradient and intermittent footpaths) of the routes leading to it will not encourage walking or cycling. The site is not regularly served by public transport. Residents of the development will be over-reliant on vehicle use, even when undertaking local journeys. Taking into consideration the position of this site adjoining the urban area of Weston-Super-Mare, where there is a reasonable expectation that development proposals offer a genuine choice of transport modes, this is not conducive to sustainable development. The proposal is contrary to Policies CS1, CS10 & CS28 of

the North Somerset Core Strategy, Policy DM24 of the Sites and Policies Plan Part 1 - Development Management Policies and Paragraphs 103 and 108 of the NPPF.

- 3 The proposed development, due to its location in close proximity to the North Somerset and Mendip Bats SAC, would have significant effect on this habitat site. The site is located in Bat Consultation Zones B and C as designated in the North Somerset and Mendip Bats SAC SPD and the survey evidence and consultation with Natural England suggests that SAC bats would be adversely affected by the development, requiring the submission of appropriate mitigation measures within the application. The proposal is not accompanied by a details of specific mitigation measures that can be demonstrated to mitigate the impacts on the SAC bats. The proposed development is therefore contrary to Policy CS4 of the Core Strategy, Policy DM8 of the Sites and Policies Plan Part 1: Development Management Policies, the North Somerset and Mendip Bats SAC SPD and paragraphs 175 and 177 of the NPPF.

- 4 The plans/documents that were formally considered as part of this application are as follows:
 - Site Location Plan ICS/02-9047/26 Rev B
 - Site Survey (3 plans) S1784-1, S1784-2, S1784-3
 - PROPOSED SITE ACCESS ARRANGEMENT SK01 REV D
 - PROPOSED SITE ACCESS SWEEP PATH ANALYSIS SP01 REV A
 - Illustrative Masterplan ICS/02-9047/8 Rev G
 - Building Heights Parameter Plan ICS/02-9047/24 Rev B
 - Green Infrastructure Parameter Plan ICS/02-9047/25 Rev A
 - Affordable and Accessible Housing Statement ICS/02-9047/AAHS/v.3
 - Design and Access Statement ICS/02-9047/DAS/ v3
 - Planning and Energy Statement ICS/02-9047/PS/v.4
 - Preliminary Ecological Appraisal Report 2019-018 v2.1
 - Bat Activity Report 2019-018 V.1
 - Reptile Survey Report 2018-018 v1.1
 - Transport Statement CTP-19-254 Issue 2
 - Travel Plan Statement CTP-19-254 Issue 2
 - Flood Risk Assessment-Bleadon Hill. Ref K0913 V.3 Nov 2020
 - Groundwise Searches Limited 22867DM
 - Landscape and Visual Impact Assessment Final Version 05-09-2019
 - Supplementary Visual Appraisal 21-02-2020
 - Supplementary Visual Appraisal 2 09-11-2020

Date: 8 January 2021
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.

