

## NOTICE OF DECISION

Town And Country Planning Act 1990



Mr Michael Shepherd  
Shattock Associates  
Cliff View House  
Long Street  
Crocombe  
BA5 3QQ

Application Number: 20/P/2614/FUL

Category: Full application

**Application No:** 20/P/2614/FUL

**Applicant:** Mr Shaun Abrahams

**Site:** Land At Purn Holiday Park, Bridgwater Road, Bleadon,

**Description:** Change of use of land from pasture to a site for 10No. timber lodges, for year round holiday use, in association with the existing holiday park

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 application site is in an area at risk from flooding and the application does not demonstrate that the proposal passes the first part of the Exception Test set out in section 14 of the National Planning Policy Framework. The Local Planning Authority is not, therefore, satisfied that the proposal would provide wider sustainability benefits to the community that outweigh the flood risk. The proposed development is, therefore, considered to be at an unacceptable and avoidable risk of flooding, contrary to policy CS3 of the North Somerset Core Strategy, policy DM1 of the North Somerset Sites and Policies Plan (Part 1) and paragraphs 155-161 of the National Planning Policy Framework (and the associated Planning Practice Guidance).
- 2 The expansion of the caravan site into the undeveloped area adjacent to the River Axe will have an unacceptable adverse impact on the open and undeveloped character of the riverside, harming the landscape character. It will be highly prominent from the well-used public footpath. The proposed development is contrary to Policy CS5 and CS12 of the North Somerset Core Strategy and Policies DM10, DM25, DM32 and DM 58 of the North Somerset Sites and Policies Plan part 1, and the North Somerset Landscape Character SPD.
- 3 The site (and its surroundings) is considered to have potential to be used by protected species and falls within consultation Zone C of the North Somerset and Mendip Horseshoe Bats SAC SPD. The site adjoins a designated Local Wildlife Site. Insufficient evidence has been submitted with the application to enable the Local Planning Authority to determine that the development does not harm the Local Wildlife

Site and does not accommodate protected species, or that any harm caused by the development could be avoided or mitigated to an acceptable level. In the absence of details to the contrary, the proposed development is likely to result in harm to protected species and their habitats, contrary to policy CS4 of North Somerset Core Strategy, policy DM8 of the North Somerset Sites and Policies Plan (Part 1) the North Somerset and Mendip Horseshoe Bats SAC SPD and the North Somerset 'Biodiversity and Trees' SPD. The proposals may also contravene the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017.

### 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:

21702/01 REV A PROPOSED SITE PLAN  
LOCATION PLAN @ 1:1250  
LOCATION PLAN @ 1:2500  
FLOOD RISK ASSESSMENT  
LANDSCAPE IMPACT ASSESSMENT  
ELEVATIONS AND FLOOR PLANS  
DESIGN AND ACCESS STATEMENT

Date: 20 May 2021  
Signed: Richard Kent  
Head of Planning

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

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## NOTES RELATING TO A DECISION TO REFUSE PERMISSION

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

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### 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 <sup>1</sup> 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](mailto: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](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.

### 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](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)**

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<sup>1</sup> 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.

