

## NOTICE OF DECISION

Town And Country Planning Act 1990



Mr Eric Davis  
Ercle Designs Ltd  
Gordon Court, Ground floor east  
4 Craigie Drive  
Millfields  
Plymouth  
PL1 3JB  
England

Application Number: 20/P/2726/FUL

Category: Full application

**Application No:** 20/P/2726/FUL  
**Applicant:** Chris Sanders  
**Site:** Land North To A370 And South Of, Bleadon Road, Bleadon,  
**Description:** Erection of 5no. dwellings.

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 site is outside the settlement boundary for Bleadon in an area where new residential development is restricted to prevent unsustainable development and to protect the countryside from encroachment. The site has limited access to local services and facilities, employment opportunities and public transport and future occupants would be reliant upon the private motor vehicle. The application is not accompanied by a Section 106 obligation to secure the necessary Home to School transport contribution necessary to partially mitigate the locational issues. The proposal would therefore result in an unsustainable pattern of development that conflicts with the locational strategy for development set out in policies CS14 and CS33 of the North Somerset Core Strategy and would be contrary to the requirements of Policies CS 34 of the North Somerset Core Strategy, DM71 of the North Somerset Sites and Policies Plan part 1 and the Development Contributions SPD.
- 2 The proposed residential development would be a poorly sited, incongruous and visually prominent enclave of development in an otherwise open landscape and would be out of character with the area. It would adversely affect the open rural character of the area and views into and out of the Mendip Hills AONB. Lighting would add to the visual harm. The development would be contrary to policies CS5 and CS12 of the Core Strategy, policies DM10, DM11 and DM32 of the Sites and Policies Plan Part 1 and the North Somerset Landscape Character Assessment SPD.

- 3 Insufficient evidence has been submitted with the application to enable the Local Planning Authority to determine that any harm caused by the development to protected species could be avoided or mitigated to an acceptable level. It has not been adequately shown that there will not be a likely significant effect on the North Somerset and Mendip Bats SAC. 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) and the North Somerset 'Biodiversity and Trees' SPD. The proposals contravene the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017.
  
- 4 The application is not supported by an archaeological desk top appraisal. In the absence of this, the proposed development is contrary to Policy CS5 of the North Somerset Core Strategy and Policy DM6 of the North Somerset Sites and Policies Plan part 1.

#### 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:

2045-ED-B0-XX-DR-A-1001      SITE LOCATION PLAN  
 1004 H PROPOSED SITE PLAN  
 2045-SK - 3001 F    HOUSE TYPE A1 ELEVATIONS  
 2045-SK - 3002 E    HOUSE TYPE A2 + A3 ELEVATIONS  
 2045-ED---B2-XX-DR-A- 2003D    HOUSE TYPE A2 FLOOR PLANS  
 2045-ED--B1-XX-DR-A-SK 2002E      HOUSE TYPE A1 FIRST FLOOR PLANS  
 2045-ED-B1-XX-DR-A-SK 2001E      HOUSE TYPE A1 GROUND FLOOR PLANS  
 2045-ED-B2-XX-DR-A- 2004D    HOUSE TYPE A3 FLOOR PLANS  
 2045-ED-B3-XX-DR-A- 2005D    HOUSE TYPE A4 PLANS  
 2045-ED-B3-XX-DR-A- 3003E    HOUSE TYPE A4 ELEVATION  
 2045-ED-B4-XX-DR-A- 2006D    HOUSE TYPE A5 FLOOR PLANS  
 2045-ED-B5-XX-DR-A- 3004E    HOUSE TYPE A5 ELEVATIONS  
 2045-ED-B0-XX-DR-A-PL-8001    ECOLOGICAL MITIGATION PLAN  
 EXISTING SITE PLAN

2020-45-B0-XX-DR-A-SK-1002 BLOCK PLAN  
2020-45-B0-XX-DR-A-SK-7001 ARTISTIC IMPRESSIONS  
2045-ED-B0-XX-DR-A-SK- 5002C PROPOSED STREET SCENES  
2045-ED-B0-XX-DR-A-SK- 5003C ADDITIONAL STREET SCENES  
2045-ED-B0-XX-DR-A-SK- 6002C 3D VIEWS  
2045-ED-B0-XX-DR-A-SK-6001C 3D VIEWS

DESIGN AND ACCESS STATEMENT  
ADDITIONAL ECOLOGICAL INFORMATION BY EMAIL DATED 11 FEBRUARY 2021  
ECOLOGICAL IMPACT ASSESSMENT  
ECOLOGICAL MITIGATION AND COMPENSATIONS  
ENERGY STATEMENT  
LVIA AND VIEWPOINTS  
PLANNING FLOOD MAP

Date: 29 April 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.

