

## NOTICE OF DECISION

Town And Country Planning Act 1990



Mr Ian Maddams  
Western Building Consultants Ltd  
Western House  
2 Rush Hil  
Bath  
BA2 2QH

Application Number: 20/P/0285/FUL

Category: Full application

**Application No:** 20/P/0285/FUL  
**Applicant:** Mr Stephen Bishop  
**Site:** Wallflower House, 30 Coronation Road, Bleadon, Weston-super-Mare  
**Description:** Demolition of existing house, workshop and outbuildings and erection of 4no. new dwellings

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 proposal is considered to have an adverse impact on the setting of the Church of St. Peter and St. Paul, a statutory listed building grade I obscuring views of the church from various vantage points to the north. The proposal is therefore in conflict with policy CS5 of the North Somerset Core Strategy, policy DM4 of the Sites and Policies Plan (Part 1), section 16 of the NPPF and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- 2 The proposed construction of four large, 3 storey dwellings of a modern design would constitute an overdevelopment of this site which would be out of character with surrounding area. As such it would harm the characteristics of the existing site and the character of its surroundings. The proposal therefore conflicts with policy CS12 of the Core Strategy, policies DM32 and DM37 of the Sites and Policies Plan (Part 1).
- 3 The proposed development would have an unacceptable overbearing impact on the nearest neighbours which would be to the detriment of their living conditions and would also cause an increase in overlooking. The development would not therefore comply with the relevant tests contained within the Residential Design Guide (Section 1: Protecting living conditions of neighbours) and not therefore comply with policies DM32 and DM38 of the Sites and Policies Plan (Part 1).
- 4 The limited depth of the proposed front gardens would not allow the proposed car parking and garage spaces to be conveniently used, resulting in an increased likelihood the residents would choose to park on street in the vicinity. This would be

to the detriment of highway safety and the living conditions of neighbours. The proposal therefore conflicts with policies DM24, DM28 and DM38 of the Sites and Policies Plan (Part 1).

**Advice Notes(s):**

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

001 - LOCATION PLAN  
002 - EXISTING SITE PLAN  
004 - WALLFLOWER HOUSE, EXISTING PLANS  
005 - WORKSHOP EXISTING PLANS AND ELEVATIONS  
006 - OUTBUILDING EXISTING PLANS AND ELEVATIONS  
102 - PROPOSED SITE PLAN  
104 - PROPOSED GROUND FLOOR PLAN  
105 - PROPOSED FIRST FLOOR PLAN  
106 - PROPOSED SECOND FLOOR PLAN  
107 - PROPOSED ROOF PLAN  
120 - PROPOSED WEST ELEVATION  
121 - PROPOSED SOUTH ELEVATION  
122 - PROPOSED EAST ELEVATION  
123 - PROPOSED NORTH ELEVATION  
177 - PROPOSED 3D VIEW  
178 - PROPOSED 3D VIEW  
179 - PROPOSED 3D VIEW  
180 - PROPOSED 3D VIEW  
181 - PROPOSED 3D VIEW  
181 - PROPOSED 3D VIEW

and the following documents:

Design and Access Statement dated January 2020  
Energy and Sustainability Statement February 2020  
Bat Survey - Preliminary Roost Assessment dated 2 March 2020

Date: 14 May 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](http://www.n-somerset.gov.uk/planningconditions)

Please use our [online contact form](http://www.n-somerset.gov.uk/contactplanning) on our website at [www.n-somerset.gov.uk/contactplanning](http://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](http://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](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.

### 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](mailto: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](mailto: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](http://www.planningportal.co.uk).