

NOTICE OF DECISION

Town and Country Planning Act 1990



Aggie Morris
Nash Partnership
23A Sydney Buildings
Bathwick
Bath
BA2 6BZ

Application Number: 21/P/3076/OUT

Category: Outline application

Application No: 21/P/3076/OUT
Applicant: Long Ashton Land Company
Site: Land To The South Of Warren Lane, North Of Weston Road, Long Ashton,
Description: Application for outline planning permission for the erection of up to 35no dwellings, allotments and associated access, parking, drainage infrastructure and landscaping, with new access off Weston Road for approval and appearance, layout, scale and landscaping reserved for subsequent approval.

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 constitutes inappropriate development in the Green Belt. The Housing Needs Survey and alternative site considerations submitted in support of the application are insufficient to demonstrate that the proposal would provide limited affordable housing to meet local needs under policies in the development plan. There is no Parish Council support for the proposal. The proposed development is therefore contrary to Core Strategy Policy CS17 (a), (b), (c) & (d), the Affordable Housing SPD, Policies LHN 3 and LHN 4 of the Long Ashton Neighbourhood Development Plan and paragraphs 147-149 of the National Planning Policy Framework.
- 2 The proposed development would result in the complete removal of all archaeological remains from the development site and would cause unacceptable harm to the Scheduled Monument. These remains form part of the significance of the designation of this heritage asset. In addition, the development of part of the historic field pattern associated with the Scheduled Monument would cause unacceptable harm to the historic landscape. The proposed development is therefore contrary to Policy CS5 of the Core Strategy, Policy DM6 of the North Somerset Sites and Development Plan, and paragraphs 195, 199, 200, 201, 202 and 205 of the National Planning Policy Framework.

Advice Notes:

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- 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:

Drawings:

- o 21077-NP-XX-XX-DR-A-1001-1 Location Plan
- o 21077-NP-XX-XX-DR-A-1002-1 Existing Site Plan
- o 21077-NP-XX-XX-DR-A-1003-3 Illustrative Site Plan
- o 21077-NP-XX-XX-DR-A-1004-2 Parameter Plan - Land Use
- o 21077-NP-XX-XX-DR-A-1005-2 Parameter Plan - Building Heights
- o 21077-NP-XX-XX-DR-A-1006-2 Parameter Plan - Green Infrastructure
- o 21077-NP-XX-XX-DR-A-1007-2 Parameter Plan - Access and Movement
- o 21077-NP-XX-XX-DR-A-6001-3 Illustrative View 1 - Frontage to Weston Road
- o 21077-NP-XX-XX-DR-A-6002-2 Illustrative View 2 - Looking East along Weston Road
- o 21077-NP-XX-XX-DR-A-6003-3 Illustrative View 3 - Entrance to site
- o 21077-NP-XX-XX-DR-A-6004-3 Illustrative View 4 - Typical Internal Street
- o 21077-NP-XX-XX-DR-A-6005-3 Illustrative View 5 - Aerial Perspective
- o 21077-NP-XX-XX-DR-A-6006-3 Illustrative View 6 - Aerial Perspective Looking North-West
- o 21077-NP-XX-XX-DR-A-6007-2 Illustrative View 7 - Wider Aerial Perspective Looking East
- o 21077-NP-XX-XX-DR-A-6008-3 Illustrative View 8 - Wider Aerial Perspective Looking North-East
- o 3454-SK101H - Site Access Layout
- o 1478_P18b Landscape Strategy Plan

Reports & Technical Information:

- o Planning, Design, Heritage and Access Statement
- o Draft Section 106 Heads of Terms
- o Geoenvironmental and Geotechnical Report
- o Construction Environmental Management Plan
- o Tree Survey and Report
- o Ecological Assessment
- o Landscape Visual Impact Assessment
- o Open Space Assessment
- o Statement of Community Involvement
- o Affordable Housing Statement
- o Residential Travel Plan
- o Transport Assessment
- o Technical Note - 3454/01 dated April 2022
- o Flood Risk Assessment Issue 5 dated April 2022

- o Site Waste Management Plan
- o Energy Statement
- o Lighting Assessment
- o Historic Environment Desk Based Assessment
- o Archaeological Evaluation
- o Magnometer Survey
- o Housing Needs Survey

Date: 5 August 2022
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.

