

**PLANNING AND REGULATORY COMMITTEE – 24 JUNE 2021
REPORT OF THE DIRECTOR OF PLACE**

A - PLANNING APPEAL DECISIONS

1. Planning Application Number 20/P/1781/FUL

Site: Land To The South Of, 6 Harmony Drive, Portishead

Description: Erection of 2no. dwellinghouses including creation of a vehicular access.

Recommendation: Refuse

Appeal Dismissed 7 Apr 2021

Type of appeal: Written Representation

Officer: Jessica Smith

Appellant: Mr N Hakim

The main issues that were identified by the Planning Inspector were the effect of the proposed development on 1) the character and appearance of the surrounding area, with particular regard to trees; and 2) wildlife.

2. Planning Application Number 20/P/1286/OUT

Site: Land Accessed From, Nye Road, Sandford

Description: Outline application for the erection of a single storey detached dwelling including approval for access (Appearance, landscaping, layout and scale reserved for subsequent approval).

Recommendation: Refuse

Appeal Dismissed 15 Apr 2021

Type of appeal: Written Representation

Officer: Jessica Smith

Appellant: Mr and Mrs Dodd

The main issues that were identified by the Planning Inspector were 1) whether the development plan would support the proposed dwelling in this location; and 2) the effect of the proposal on the character and appearance of the area.

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3. Planning Application Number 19/P/1747/OUT

Site: Summervale, Moor Lane, Backwell

Description: Outline application for the erection of 9no. dwellings with access and layout for approval with matters of appearance, landscaping and scale reserved for subsequent approval

Recommendation: Refuse

Appeal Dismissed 15 Apr 2021

Type of appeal: Written Representation

Officer: Lee Bowering

Appellant: Mr D Abruzzo

The main issues that were identified by the Planning Inspector were 1) whether the development plan would support the proposed residential development in this location; and 2) the effect of the proposal on the character and appearance of the area.

4. Planning Application Number 20/P/0426/OUT

Site: Land at Duck Lane, Kenn

Description: Outline application for the erection of 2no. four bed detached dwelling houses with access and scale to be considered, with matters of appearance, layout and landscaping reserved for subsequent approval

Recommendation: Refuse

Appeal Dismissed 15 Apr 2021

Type of appeal: Written Representation

Officer: Mike Cole

Appellant: Mr Stuart Ings and Ms Jackie Manning

The main issues that were identified by the Planning Inspector were 1) whether the development plan would support the proposal in this location; 2) whether the proposal represents an acceptable form of development having regard to its flood zone location and the provisions of the National Planning Policy Framework (the Framework); and 3) the effect of the development on the character and appearance of the area, including any impact on trees.

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5. Planning Application Number 20/P/2359/FUH

Site: 5 Kenn Moor Road, Yatton

Description: Proposed detached garage extension to create a first floor office

Recommendation: Refuse

Appeal Dismissed 22 Apr 2021

Type of appeal: Fast Track Appeal

Officer: Ellena Fletcher

Appellant: Nicholas Ogborne

The main issue that was identified by the Planning Inspector was the effect of the development on the character and appearance of the area.

6. Planning Application Number 20/P/0994/FUL

Site: 5 Claremont Crescent, Weston-super-Mare

Description: Retrospective application to change the use of 5 Claremont Crescent from C3 dwelling houses to a sui generis House of Multiple Occupancy (HMO).

Recommendation: Refuse

Appeal Allowed 22 Apr 2021

Type of appeal: Written Representation

Officer: Mike Cole

Appellant: Legion House Developments Ltd

The main issue that was identified by the Planning Inspector was whether the proposed development would harm the character of the surrounding area and compromise its regeneration.

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7. Enforcement Notice Number 2017/0176

Site: Worships Farm, Row Of Ashes Lane, Redhill

Description: Without Planning Permission, (1) The creation of a new access (labelled A on the attached plan), (2) Without planning permission the conversion of the barn to holiday accommodation not in accordance with planning approval 14/P/0012/F

Recommendation: Enforcement Notice

The Enforcement Notice was invalid and was quashed on Appeal 26 Apr 2021

Type of appeal: Written Representation

Officer: Julie Walbridge

Appellant: Mr and Mrs Lane

The main issues that were identified by the Planning Inspector were that the enforcement notice did not specify with reasonable certainty the alleged breach of planning control and what must be done to remedy it.

Appellants application for costs refused.

8. Planning Application Number 19/P/2766/FUL

Site: Ruslin Farm, Rusling Lane, Butcombe

Description: Demolition of hay store, conversion of barn and erection of a two storey extension to form 1no. dwelling and conversion of barn to self-contained annexe/ home office (all Unit 1). Demolition of farmhouse, removal of ancillary farm buildings and erection of 1no. replacement dwelling and detached two storey garage/office (all Unit 2)

Recommendation: Refuse

Appeal Dismissed 14 May 2021

Type of appeal: Written Representation

Officer: Angela Norris

Appellant: Mr Graham Aldridge

The main issues that were identified by the Planning Inspector were 1) whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy; 2) the effect of the proposal on the openness and purpose of the Green Belt; 3) the effect of the design of the proposed

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development on the character and appearance of the area; and 4) if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

9. Planning Application Number 20/P/1282/FUH

Site: The Forge, Hillend, Locking

Description: Raise roof and extend to rear elevation to create first floor. Alteration to exterior including new doors and windows (Resubmission of application ref. 19/P/2179/FUH)

Recommendation: Refuse

Appeal Allowed 20 May 2021

Type of appeal: Fast Track Appeal

Officer: Janet Jones

Appellant: Mr Neil Crispin

The main issues that was identified by the Planning Inspector was the effect of the proposal on the character and appearance of the area.

10. Enforcement Notice Number 19/00229/OTH

Site: The Olde Shoppe, West Hay Farm, Summer Lane, Banwell

Description: Without planning permission, the change of use of a building to a residential dwelling

Recommendation: Enforcement Notice

Appeal Dismissed and notice upheld 27 May 2021

Type of appeal: Public Inquiry

Officer: Karen Bartlett

Appellant: Mr P Bateman

The main issues were 1) the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice and 2) the notice was not properly served on everyone with an interest in the land.

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Appellants application for costs refused.

11. Planning Application Number 18/P/4024/LDE

Site: Land at West Hay Farm, Summer Lane, Banwell

Description: Certificate of lawfulness for existing use of land and buildings to a mixed use of B8 Storage, Car repairs (sui generis) and residential

Appeal Withdrawn prior to Inquiry

Case Officer: Karen Bartlett

Appellant: Mr P Bateman

Council's application for costs allowed in part

12. Planning Application Number 20/P/2606/PIP

Site: Land at Cherry Orchard, Caswell Lane, Clapton-in-Gordano

Description: Permission in Principle for the erection of between 2no. and 3no. dwellings

Recommendation: Refuse

Appeal Dismissed 28 May 2021

Type of appeal: Written Representation

Officer: Jessica Smith

Appellant: Estate of May James

The main issues that were identified by the Planning Inspector were whether the site is suitable for residential development, having regard to its location, land use and amount of development, with particular regard to a) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; b) the effect of the proposal on the openness of the Green Belt; c) the effect of the proposal on the character and appearance of the area; d) whether the site would be suitably located for the development proposed having regard to local and national planning policies and its proximity to local services and facilities; e) whether the harm by reason of inappropriateness, and any other

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harm, would be clearly outweighed by other considerations. If so, whether these would amount to the very special circumstances necessary to justify the proposal.

Council's application for costs dismissed

B – PLANNING APPEALS RECEIVED SINCE LAST COMMITTEE

1. Planning Application Number 20/P/3068/PIP

Site: Star Inn, Clevedon Road, Tickenham

Description: Permission in Principle for the erection of minimum/maximum of 7 dwellings following demolition of Star Inn.

Date of Appeal: 21 Apr 2021

Type of appeal: Written Representation

Case Officer: Judith Porter

Appellant: Mr S Williams

2. Planning Application Number 20/P/3223/OUT

Site: 28 Queens Road, Banwell

Description: Outline application for the demolition of a side extension of existing dwelling and erection of a 2 bedroom dwelling to the side including access and parking to the rear of the site (all other matters reserved for subsequent approval).

Date of Appeal: 23 Apr 2021

Type of appeal: Written Representation

Case Officer: Jessica Smith

Appellant: Mr Haines

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3. Planning Application Number 20/P/2367/FUL

Site: Hi Field Lodge, Hi Field, School Road, Wrington

Description: Proposed conversion of existing annex into a separate 2no bed self-contained dwelling; reconfiguration of existing access to provide separate entry and exit points

Date of Appeal: 28 Apr 2021

Type of appeal: Written Representation

Case Officer: Anna Hayes

Appellant: Mr Alan and Christopher Watts

4. Planning Application Number 20/P/3205/FUH

Site: Leaze Cottage, Christon Hill, Christon Road

Description: Proposed erection of a replacement front porch

Date of Appeal: 19 May 2021

Type of appeal: Fast Track Appeal

Case Officer: Janet Jones

Appellant: Mr C Bone

5. Enforcement Notice Number 20/00356/UAW

Site: 1 Kilkenny Place, Portishead, Bristol

Description: Without planning permission the erection of a rear and side balcony

Date of Appeal: 3 Jun 2021

Type of appeal: Written Representation

Case Officer: Gwen Lloyd

Appellant: Kevin Pilgrim and Demolza Pilgrim

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C- INQUIRIES/HEARINGS DATES AND VENUES

1. Site: Land off Summer Lane, Banwell

Enforcement Notice Number 19/00095/UAW

Description: Without planning permission, the creation of a hardstanding and access track

Case Officer: Chris Joannou

Planning Application Number 19/P/0314/FUL

Description: Use of land for the stationing of caravans for residential purposes as a single pitch gypsy/traveller site and the erection of a day room building ancillary to that use

Case Officer: Judith Porter

Enforcement Notice Number 20/00186/COU

Description: Without planning permission, the material change of use of agricultural land to a use as a single pitch traveller site

Case Officer: Chris Joannou

Appellant: Ms Kathleen Kiely

Type of Appeal: Hearing – 2 Nov 2021, venue to be confirmed (this is a rescheduled date)

3. Site: Bristol Airport, North Side Road, Felton, Wrington

Planning Application Number 18/P/5118/OUT

Description: Outline planning application (with reserved matters details for some elements included and some elements reserved for subsequent approval) for the development of Bristol Airport to enable a throughput of 12 million terminal passengers in any 12 month calendar period, comprising: 2no. extensions to the terminal building and canopies over the forecourt of the main terminal building; erection of new east walkway and pier with vertical circulation cores and pre-board zones; 5m high acoustic timber fence; construction of a new service yard directly north of the western walkway; erection of a multi-storey car park north west of the terminal building with five

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levels providing approximately 2,150 spaces; enhancement to the internal road system including gyratory road with internal surface car parking and layout changes; enhancements to airside infrastructure including construction of new eastern taxiway link and taxiway widening (and fillets) to the southern edge of Taxiway GOLF; the year-round use of the existing Silver Zone car park extension (Phase 1) with associated permanent (fixed) lighting and CCTV; extension to the Silver Zone car park to provide approximately 2,700 spaces (Phase 2); the provision of on-site renewable energy generation; improvements to the A38; operating within a rolling annualised cap of 4,000 night flights between the hours of 23:30 and 06:00 with no seasonal restrictions; revision to the operation of Stands 38 and 39; and landscaping and associated works.

Type of appeal: Public Inquiry – 20 July 2021 (40 days)

Case Officer: Neil Underhay

Appellant: Bristol Airport Limited

4. Site: The Old Forge, Bristol Road, Felton, Wrington

Planning Application Number 20/P/0204/LDE

Description: Certificate of lawfulness to confirm a) the amalgamation of three former planning units into one from 2006 with the Forge accommodation, Lulscott, Silverridge and the uses formerly approved at the Old Forge area of the Site becoming one enterprise, b) the building known as Lulscott is lawful and has a holiday accommodation use, c) the use of the former Silverridge area of the Site for the placement of 2 static caravans used for holiday accommodation and the retention of the building to the rear of the former Silverridge area of the Site as holiday accommodation, d) the use of the land across the Site for the parking of vehicles in association with the uses on the site, namely; holiday accommodation, office, car repair garage and car hire

Type of appeal: Public Inquiry – date to be confirmed

Case Officer: Karen Bartlett

Appellant: Mr Gregory Wedlake

5. Site: Devils Elbow Farm, Hillend, Locking

Planning Application Number 19/P/1520/LDE

Description: Certificate of lawfulness for the existing use of a part of an agricultural barn to a self-contained residential flat, the residential occupation of one caravan, building operations to a second caravan and its use as a residential dwelling and the use of the land for B8 storage.

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Enforcement Notice Number 20/00063/COU (1)

Description: Without planning permission, the material change of use of part of a building to a single dwelling house

Enforcement Notice Number 20/00063/COU (2)

Description: Without planning permission, the material change of use of the land from a mixed agricultural, equestrian use to a mixed agricultural, equestrian and the siting of a caravan for residential use

Enforcement Notice Number 20/00063/COU (3)

Description: Without planning permission, the material change of use of the land from a mixed agriculture and equestrian use to residential

Type of appeal: Public Inquiry – date to be confirmed

Case Officer: Karen Bartlett

Appellant: Mr J Reed

Summary Performance April 21 – March 22

Appeals received 5

Appeals decided 11

Appeals dismissed 9

Percentage dismissed of appeals decided 81.8%

Appeals Allowed April 21 – March 22

Delegated Decision 2

Committee Decision None

Costs awarded against the Council

Delegated Decision: none

Committee decision: none

Total: none

Costs awarded to the Council

Delegated Decision: 1 (partial)