

**PLANNING AND REGULATORY COMMITTEE – 13 OCTOBER 2021
REPORT OF THE DIRECTOR OF PLACE**

A - PLANNING APPEAL DECISIONS

1. Enforcement Notice Number 2017/0490

Site: Land on the east side of Manor Road, Abbots Leigh

Description: Without planning permission, the material change of use of the land from agriculture/horticulture to a mixed use of agriculture and recreational/leisure.

Recommendation: Enforcement Notice

Appeal Dismissed and notice upheld with variations 27 September 2021

Type of appeal: Public Inquiry

Officer: Chris Nolan

Appellant: Mr & Mrs Johnson

The main issues that were identified by the Planning Inspector were 1) whether or not the development is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy; 2) the effect of the development on the character and appearance of the area; and 3) if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

2. Enforcement Notice Number 20/00356/UAW

Site: 1 Kilkenny Place, Portishead, Somerset, BS20 6JD

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

Recommendation: Enforcement Notice

Appeal Dismissed and notice upheld with variations 2021

Type of appeal: Written Representations

Officer: Chris Nolan

Appellant: Kevin Pilgrim And Demolza Pilgrim

The main issue is the effect of the development on the character or appearance of the Portishead West Hill and Welly Bottom Conservation Area.

**PLANNING AND REGULATORY COMMITTEE – 13 OCTOBER 2021
REPORT OF THE DIRECTOR OF PLACE**

3. Planning Application Number 20/P/2988/FUH

Site: Old Barton, Chelvey Road, Chelvey, Brockley

Description: First floor side extension and single storey rear extension.

Recommendation: Refuse

Appeal Dismissed 6 Aug 2021

Type of appeal: Fast Track Appeal

Officer: Ellena Fletcher

Appellant: Mr A Bailey

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 building and wider area; and 2) the living conditions of the occupiers of Old Field House, with regard to overlooking from the proposed balcony.

4. Planning Application Number 20/P/1316/LDE

Site: Land to the rear of Homelea/The Gables, Downside Road, Backwell

Description: Lawful development certificate in respect of the use of the land to the rear of Homelea and The Gables for non-agricultural purposes.

Recommendation: Appeal against non-determination

Appeal Withdrawn 13 Aug 2021

Type of appeal: Written Representation

Officer: Julie Walbridge

Appellant: Mrs Sharon Haskell

**PLANNING AND REGULATORY COMMITTEE – 13 OCTOBER 2021
REPORT OF THE DIRECTOR OF PLACE**

5. Planning Application Number 19/P/3180/FUL

Site: Land to the west of Rowington, Bridgwater Road, Winscombe

Description: Erection of 4 dwellings, associated works including access road, parking, and landscaping

Recommendation: Appeal against non-determination

Appeal Dismissed 31 Aug 2021

Type of appeal: Written Representation

Officer: Simon Exley

Appellant: Crown Developments

The main issues that were identified by the Planning Inspector were 1) the effect of the proposal on biodiversity and likely significant effects on the North Somerset and Mendip Horseshoe Bat SAC; and 2) whether the proposal is in an appropriate location for housing in relation to the settlement strategy for the area including effects on character and appearance.

6. 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

Recommendation: Refused

Appeal Dismissed 9 Sep 2021

Type of appeal: Written Representation

Officer: Anna Hayes

Appellant: Mr Alan and Christopher Watts

The main issues that were identified by the Planning Inspector were 1) the effect of the development on the character and appearance of the area; 2) the effect of the development on the living conditions of the occupants of Hi Field and the future occupants of the proposed dwelling, with particular regard to noise, disturbance and privacy; and 3) the impact of the development on highway safety.

**PLANNING AND REGULATORY COMMITTEE – 13 OCTOBER 2021
REPORT OF THE DIRECTOR OF PLACE**

7. Planning Application Number 19/P/3076/CQA

Site: Barn 1, Rolstone Manor, West Rolstone Road, Hewish

Description: Prior approval for the change of use of an agricultural building (Sui Generis Use) to 1no. dwelling house (Use class C3) with operational development consisting of replacement of existing clay pantile roof with metal roof; new timber cladding and insertion of windows and doors

Recommendation: Refused

Appeal Allowed 14 Sep 2021

Type of appeal: Written Representation

Officer: Jessica Smith

Appellant: Mr P Jones

The main issues that were identified by the Planning Inspector were 1) whether the proposed development would be granted planning permission by Article 3(1) and Schedule 2, Part 3, Class Q of the GPDO, with particular regard to whether the buildings meet the requirements of paragraph Q.1(a); and 2) whether the location or siting of the buildings make it otherwise impractical or undesirable for the buildings to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order in terms of whether or not the proposal would provide satisfactory living conditions for future occupiers with particular regard to noise and disturbance and health and safety.

8. Planning Application Number 19/P/3074/CQA

Site: Barn 2, Rolstone Manor, West Rolstone Road, Hewish

Description: Prior approval for the change of use of an agricultural building (Sui Generis Use) to 1no. dwelling house (Use class C3) with operational development consisting of new rooflights; new render and timber cladding; insertion of windows and doors and re-roofing of lean to

Recommendation: Refused

Appeal Allowed 14 Sep 2021

Type of appeal: Written Representation

Officer: Jessica Smith

Appellant: Mr P Jones

PLANNING AND REGULATORY COMMITTEE – 13 OCTOBER 2021
REPORT OF THE DIRECTOR OF PLACE

The main issues that were identified by the Planning Inspector were 1) whether the proposed development would be granted planning permission by Article 3(1) and Schedule 2, Part 3, Class Q of the GPDO, with particular regard to whether the buildings meet the requirements of paragraph Q.1(a); and 2) whether the location or siting of the buildings make it otherwise impractical or undesirable for the buildings to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order in terms of whether or not the proposal would provide satisfactory living conditions for future occupiers with particular regard to noise and disturbance and health and safety.

9. Planning Application Number 20/P/1075/FUL

Site: P J Hare Ltd, Havyatt Road Trading Estate, Havyatt Road, Wrington

Description: Application to vary condition 8 (landscaping) and remove condition 7 (retention of railway embankment) attached to planning permission 97517 (development of land for light industrial purposes) to allow for replacement landscaping scheme along the eastern boundary of the site

Recommendation: Appeal against non-determination.

Appeal Dismissed 14 Sep 2021

Type of appeal: Written Representation

Officer: Julie Walbridge

Appellant: TR Estates (Bristol) Ltd

The main issue that was identified by the Planning Inspector was whether the disputed condition is necessary to protect the living conditions of the occupiers of Fairview and Little Ridge, with particular regard to outlook and noise; the effect on the character and appearance of the area; and the effect on biodiversity.

Appellants application for costs refused.

**PLANNING AND REGULATORY COMMITTEE – 13 OCTOBER 2021
REPORT OF THE DIRECTOR OF PLACE**

B – PLANNING APPEALS RECEIVED SINCE LAST COMMITTEE

1. Planning Application Number 21/P/0597/FUH

Site: 1 Vian End, Weston-super-Mare

Description: Retrospective application for the erection of a replacement fence to boundary.

Date of Appeal: 7 Sep 2021

Type of appeal: Fast Track Appeal

Case Officer: Chris Nolan

Appellant: Mr Johnson

2. Planning Application Number 20/P/2553/OUT

Site: Land adjacent to Barrowfield Cottage, Front Street, Churchill

Description: Outline application for the erection of five dwellings with all matters reserved for subsequent approval.

Date of Appeal: 7 Sep 2021

Type of appeal: Written Representation

Case Officer: Louise Grover

Appellant: Mr & Mrs B & S Vosper

3. Planning Application Number 20/P/3135/FUL

Site: Land to rear of 8 Albert Road, Portishead

Description: Erection of new dwelling with new vehicular access off Victoria Square.

Date of Appeal: 14 Sep 2021

Type of appeal: Written Representation

Case Officer: Ellena Fletcher

Appellant: Ms Kelly Titcomb

**PLANNING AND REGULATORY COMMITTEE – 13 OCTOBER 2021
REPORT OF THE DIRECTOR OF PLACE**

4. Planning Application Number 20/P/2257/OUT

Site: Land at former Western Trade Centre, Knightcott Road, Banwell

Description: Outline planning permission for erection of 20no. dwellings with access, landscaping, layout and scale for approval with appearance reserved for subsequent approval

Date of Appeal: 14 Sep 2021

Type of appeal: Written Representation

Case Officer: Ursula Fay

Appellant: Bourton Ltd

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: Simon Exley

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, New Council Chamber, Town Hall (this is a rescheduled date)

PLANNING AND REGULATORY COMMITTEE – 13 OCTOBER 2021
REPORT OF THE DIRECTOR OF PLACE

2. Site: The Old Forge, Bristol Road, Felton, Wroughton

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 – 9 Nov 2021 (2 days), New Council Chambers, Town Hall

Case Officer: Chris Nolan

Appellant: Mr Gregory Wedlake

3. 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.

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

**PLANNING AND REGULATORY COMMITTEE – 13 OCTOBER 2021
REPORT OF THE DIRECTOR OF PLACE**

Type of appeal: Public Inquiry – 12 Oct 2021 (2 days), The Royal Hotel, Weston-super-Mare
Case Officer: Chris Nolan
Appellant: Mr J Reed

Summary Performance April 21 – March 22

Appeals received 15
Appeals decided 23
Appeals dismissed 19
Percentage dismissed of appeals decided 82.6%

Appeals Allowed April 21 – March 22

Delegated Decision 4
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)