

NOTICE OF DECISION
Town and Country Planning Act 1990



Savills (UK) LTD
Embassy House
Queens Avenue
Bristol
BS8 1SB

Application Number
Category

15/P/1918/O
Outline Planning
Permission

Application No: 15/P/1918/O
Applicant: Taylor Wimpey
Site: Land off Stowey Road, Yatton, BS49
Description: Outline planning application for the erection of up to 60 dwellings with access for approval. Layout, scale, appearance 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 reason(s):

The site, with the exception of a small area of land at the site access onto Stowey Road, lies within a rural area outside the settlement boundary for the Service Village of Yatton and within an area where new residential housing development is not allowed, other than for replacement dwellings, residential subdivision, residential conversion or dwellings for essential rural workers. The proposal is therefore contrary to policies CS32 and CS33 of the North Somerset Core Strategy. Furthermore the proposal is contrary to policy H/7 of the North Somerset Replacement Local Plan in that the site is not within the settlement boundary for the Service Village of Yatton where, subject to satisfying other policy criteria, new residential housing would be considered acceptable.

The proposed erection of up to 60 dwellings on land, which is located outside the established settlement boundary for the Service village of Yatton, represents a form of development that, with its 'finger-like' projection into the surrounding countryside, will be out of keeping with the rural landscape character and quality of the area and will result in harm to the rural setting and edge of village. The proposal is therefore contrary to policies CS5 and CS12 of the North Somerset Core Strategy, policy DM32 of the North Somerset Sites and Policies Plan Part 1 and contrary to the objectives of paragraphs 17, 56, 64, 75, 109 and 125 of the National Planning Policy Framework and the North Somerset Landscape Character Assessment SPD.

Without Section 106 agreement to the requirements for on-site affordable housing provision, together with financial contribution provision towards education, library, informal open space, built sport and leisure facilities and playing pitches within Yatton, the proposal is contrary to policies CS16 and CS34 of the North Somerset Core Strategy and policy DM71 of the North Somerset Sites and Policies Plan, Part 1.

The proposal fails to satisfy the Sequential Test as referred to in the National Planning Policy Framework in that sequentially, and for the purpose of the Test, there exists existing sites within Yatton and elsewhere within North Somerset that are more suitable for residential development and which do not fall within Zone 2 and zone 3. The proposal is therefore contrary to the requirements of the National Planning Policy Framework and policy CS3 of the North Somerset Core Strategy and policy DM1 of the North Somerset Sites and Policies Part 1.

Advice notes

The applicant is advised that the following submitted plans and documents have been considered in reaching the decision to refuse the application:

Plans:

- Site Location Plan Drg. SK10
- Existing Site Plan Drg. SK09
- Constraints and Opportunities Plan Drg. SK01
- Block Layout Drg. SK02
- Amended Illustrative Layout Drg. SK11 Rev. D
- Landscape Parameter Plan Drg. SK13
- Indicative Parking Extract Drg. SK14
- Site Visibility Drg. 0303 - SK01 Rev. A

Documents:

- Design and Access Statement
- Planning Statement
- Ecological Assessment
- Ecological Assessment & Development Implications
- Tree Quality Survey & Development Implications
- Statement of Community Involvement
- Transport Statement
- Transport Statement Addendum
- Technical Briefing Note to inform Pre Application Discussions
- Heritage Statement
- Draft Heads of Terms
- Level 2 Flood Risk Assessment
- Lighting Impact Study (inc. Lux Contour Plan)
- Landscape and Visual Appraisal Report
- Photomontages
- Drainage Technical Note

The council worked with the applicant in a positive and proactive manner and implemented the requirement in the National Planning Policy Framework (paragraph 187) 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 and invited amendments and/or additional information be submitted to overcome concerns. However, notwithstanding these efforts the application does not comply with the relevant planning policies and clear reasons have been given to help the applicant understand why planning permission has not been granted.

Date: 23 August 2016



Signed:
Director of Development & Environment

Please use our [online contact form](#) on our website 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 application¹ 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.

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.planningportal.gov.uk/pcs.

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.gov.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.