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Fax: (01225) 394199
DX: 8047 (Bath)
Date: 6th August 2013
Our Ref: 13/01965/FUL

Ruston Planning
The Picton Street Centre
10-12 Picton Street
Montpelier
Bristol BS6 5QA

Dear Sir/Madam

Town and Country Planning Act 1990

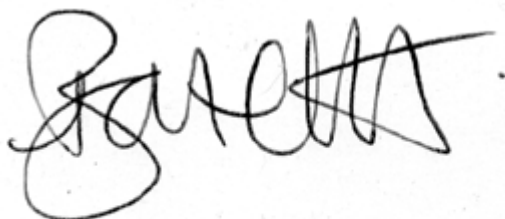
Address to which the proposal relates: Application No: **13/01965/FUL**
Old Colliery Yard Wick Lane Pensford Bristol

Description of proposal: Date registered: **8th May 2013**
Use of land for 12 pitches for Gypsy and Traveller use with associated works - 12 dayrooms and hardstanding (resubmission).

Name of Applicant: **Mr T Smart**

With reference to the above application for planning permission, please find enclosed a copy of the Local Planning Authority's notification of decision. Your attention is drawn to the notes that accompany the decision notice which give guidance on matters such as making appeals, serving purchase notices and compensation issues. However, if you require further assistance on any of the above areas, please contact Planning Services.

Yours faithfully



Lisa Bartlett
Development Manager, Planning & Transport Development

Town and Country Planning Act 1990

NOTIFICATION OF DECISION

Application Type: **Full Application** Application No: **13/01965/FUL**

Address to which the proposal relates: **Old Colliery Yard Wick Lane Pensford Bristol**

Description of Proposal: **Use of land for 12 pitches for Gypsy and Traveller use with associated works - 12 dayrooms and hardstanding (resubmission).**

Application submitted by: **Mr T Smart**

The above development is **REFUSED** in accordance with the application, plans and drawings submitted by you for the reason(s) set out below:

1 The proposed Gypsy and Traveller site would constitute an inappropriate form of development within the green belt which would conflict with the purpose of safeguarding the open countryside from encroachment and would be detrimental to the openness of the green belt and the character of the area. No very special circumstances have been demonstrated which would serve to clearly outweigh the harm to the green belt and other areas of identified harm and therefore the proposal is contrary to policies GB.1, GB.2 and NE.1 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007 and the guidance within Planning Policy for Traveller Sites 2012 and the National Planning Policy Framework 2012.

2 The proposed Gypsy and Traveller site, by reason of the unsustainable location of the site which is remote from local services and public transport, would lead to future occupiers of the site being dependent on private car journeys contrary to policies HG.16 and T.1 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007 and the guidance within the National Planning Policy Framework 2012.

3 The proposed Gypsy and Traveller site, by reason of the intensification of the use of an access with substandard visibility and the increased number of vehicular movements on a section of the highway with restricted width carriageways and substandard visibility, would have an adverse impact on highway safety contrary to policy T.24 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

4 Insufficient information has been submitted to demonstrate that the proposal would not have an adverse impact on the ecological interest of the site contrary to policies NE.9, NE.10, NE.11 and NE.12 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

5 Insufficient information has been submitted to demonstrate that the proposed development would not be adversely affected by potential sources of land contamination on the site contrary to policy ES.15 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

6 Insufficient information has been submitted to demonstrate that the proposed development and adjacent sites would not be adversely affected by the potential dangers from land instability contrary to policy ES.14 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

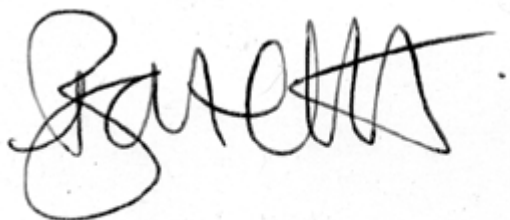
7 Insufficient information has been submitted to demonstrate that the proposed development would not be adversely affected by flood risk contrary to the guidance within the National Planning Policy Framework 2012.

FOOTNOTE:

1271/01, 1271/02a, 1271/03, 1271/04, 1271/05, 1271/06 received 08 May 2013.

1271/SP received 02 July 2013.

Date of Decision: 6th August 2013

A handwritten signature in black ink, appearing to read 'Lisa Bartlett', with a large, sweeping flourish at the end.

Lisa Bartlett
Development Manager, Planning & Transport Development

APPEALS TO THE FIRST SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- 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. Should your application relate to an Enforcement Notice there is a reduced time limit as described in the note below.
- 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 or online 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 which 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 they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- 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.

NOTE:

As of the 6th April 2010 the time limit for submitting a planning appeal will be reduced where the same or substantially the same development is subject to an enforcement notice.

The new time limits are:

- 28 days from the date of the refusal or the expiry of the period which the local planning authority (LPA) had to determine the application, where the enforcement notice is served before the application is submitted;
- 28 days from the date of the refusal or the expiry of the period which the LPA had to determine the application, where the enforcement notice is served before the decision on the application is reached or the determination period has expired; or
- 28 days from the date the enforcement notice is served, where the enforcement notice is served after the decision or expiry of the period which the LPA has to reach a decision on the application, unless the effect would be to extend the period beyond the usual time limit for cases not involving an enforcement notice.

The reduced time limit to submit a planning appeal will apply where an enforcement notice has been served no more than two years before the date on which the application is made or where it is served on or after the date of the application. It will apply regardless of whether an appeal has been lodged against the enforcement notice or not, provided the enforcement notice is not withdrawn prior to the expiry of the reduced period to submit a planning appeal.

PURCHASE NOTICES

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

COMPENSATION

- In certain circumstances compensation may be claimed from the local planning authority if permission or consent is refused or granted subject to conditions by the First Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.