

18 June 2025

Planning Inspectorate

Dear Inspector

Town and Country Planning Act 1990

Appeals by Mr Stephen Willcox

Site Addresses: Weigh Bridge House, Fry's Bottom, Chelwood, Bristol, BS39 5QN and Fry's Bottom, Chelwood, Bristol, BS39 5QN

Council Ref: 23/00023/UNDEV/OD1

PINS Ref: APP/F0114/C/25/3364346

Tadman Planning Consultants have been instructed by group of residents living locally to the above site to make a representation on the above Enforcement Appeal on their behalf. Their names and addresses are provided at the end of this letter.

Overall we seek to object to the unauthorised works on the site and support the Council's enforcement action.

The appeal relates to the following breach of planning control as set out in the Enforcement Notice:

Without Planning Permission, the construction of a dwelling house.

It can be confirmed that the local residents are in full agreement with all of the reasons stated by the Council in issuing the enforcement notice however we have only provided comments on the main areas of concern below.

The Appellant has appealed against the Enforcement Notice on Grounds A, B, D and F however we have the following comments only on the Ground A Appeal:

Ground A Appeal:

The Council's case is that the building is being used as a dwelling whereas the information submitted by the Appellant with respect to a Ground A appeal seeks to retain the building for ancillary forestry use – for storage of tools and shelter during forestry operations.

The site is within the Green Belt where inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Development is strictly controlled and is only allowed in the circumstances listed in paragraph 154 of the NPPF unless very special circumstances exist.

In this respect paragraph 154 states that certain forms of other development are not inappropriate development but only where they preserve its openness and do not conflict with the purposes of including land within it.

Paragraph 154 sets out a number of exceptions to the provision of new buildings in the Green Belt however the erection of a dwelling, where it is not a rural worker dwelling, is

considered inappropriate development and there have been no very special circumstances submitted to outweigh the harm.

Furthermore, the site is outside of a housing development boundary and is in an unsustainable location where there is no policy support for the erection of a dwelling.

Therefore, with regard to the building being considered a dwelling, it would be unacceptable in principle and inappropriate development in the Green Belt which is contrary to part 13 of the NPPF, particularly paragraph 154, policy CP8 and DW1 of the Bath and North East Somerset Core Strategy, policy GB1, and RE4 of the Bath and North East Somerset Placemaking Plan.

However, paragraph 154 of the NPPF does include new buildings for agriculture and forestry as being not inappropriate development in the Green Belt. Impact on openness is not a consideration for this type of development. Therefore with the appropriate conditions attached, preventing the use of the building as a dwelling, the building can be considered not inappropriate in the Green Belt.

Impact on Ecology, Biodiversity and the Clutton Dismantled Railway and Fry's Bottom Site of Nature Conservation Interest:

An Ecology Impact Assessment or Ecological Assessment, with any accompanying necessary surveys, have not been submitted to demonstrate that the development has not adversely affected the ecology and biodiversity of the area including any protected species and bats.

The site also has numerous nature and green infrastructure designations and Development Plan policies including:

Clutton Dismantled Railway and Fry's Bottom designated Site of Nature Conservation Interest (SNCI) – Policy NE3
Green infrastructure network – Policy NE1
UK Priority Habitats – Policy NE3
Ecological Network – Policy NE5
Nature Recovery Network (NRN) Woodland Core Existing and Strategic Network – Policy NE5

Due to a lack of information, the appeal has failed to demonstrate that the unauthorised building has not harmed the ecology and biodiversity of the site, particularly the SNCI, and due to the building having already been constructed, it will be difficult to define what the baseline for the reports are and therefore understand the damage caused and the level of mitigation required.

Therefore, the failure to provide a full ecological assessment of the site, including all necessary surveys, means that the proposal can only be found unacceptable against part 15 of the NPPF and Policies NE1, NE3 and NE5 of the Development Plan.

Biodiversity Net Gain:

A Biodiversity Gain Metric has not been submitted which is a statutory requirement for a development such as this and which is also contrary to Policy NE3A of the Development Plan.

Similar to the Ecological Assessment above, it is going to be hard to define the baseline biodiversity value of the site given that the building has already been constructed.

The above information sets out the reasons why planning permission should not be granted for the dwelling/forestry building is clearly contrary to the policies outlined above.

This objection is being submitted on behalf of the following residents:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Yours sincerely

Rachel Tadman MA MRTPI
Tadman Planning Consultants Ltd