

17 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/OD2

PINS Ref: APP/F0114/C/25/3364347

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 Councils enforcement action.

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

1. Without Planning Permission, the construction of a non-agricultural storage building in the approximate location marked 'A' on the attached plan.
2. Without Planning Permission, the importation of material and carrying out of Engineering Operations in the form of the expansion of a level area of hardstanding.

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, C, D and F however we have only made comments on the Ground A appeal below:

Ground A Appeal:

Impact on the Green Belt

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 and in some cases, only where they preserve its openness and do not conflict with the purposes of including land within it.

The building has been considered to comprise an non-agricultural building and a new building of this use is not listed in paragraph 154 of the NPPF as an exception and is therefore considered inappropriate development in the Green Belt.

However, the engineering works carried out are listed as potentially not inappropriate development within paragraph 154 of the NPPF however they also have to demonstrate that they are not harmful to the openness of the Green Belt before by can be defined so.

When considering harm to the openness of the Green Belt, as the building is inappropriate development and comprises a large building it is considered to also have a harmful impact on the openness of the Green Belt.

In addition, harm to openness is not isolated to the provision of buildings or physical changes to land, it also includes activity from the use of the land. In this case the activity from the use of the building for storage is also considered, with the resulting vehicle movements etc is considered to also have a harmful on the openness of the Green Belt.

The retention of the building is considered to represent inappropriate development for which no very special circumstances have been provided to outweigh the harm. While the engineering works are not inappropriate, these works along with the building, will have a harmful impact on the openness of the Green Belt due to the existence of a large building and also the increased activity on the land as a result of the storage use.

The works are therefore contrary to part 13 of the NPPF, particularly paragraph 154, and Policy CP8 of the of the Bath & North East Somerset Core Strategy and Policy GB1 of the Bath & North East Somerset Placemaking Plan and therefore constitutes inappropriate development within the Green Belt for which no Very Special Circumstances appear to exist to outweigh the harm.

Appellants Case for the Building

Despite the Council's consideration that the building is in a storage use, the Appellant has made the argument that the building should be granted planning permission for the same use as per the planning permission granted in 2023.

To recap - planning permission was granted for a forestry building on the site (ref: 22/03198/FUL) in January 2023 having been found acceptable in relation to its location in the Green Belt and all other matters.

However, the permission was subject to a number of conditions and, as there were serious concerns by residents about the potential use of the site for the processing of firewood on anything other than an occasional basis, a point which the delegated Officer report acknowledges, the following condition was attached stating:

No Timber Processing, beyond the cutting of logs for drying, shall be carried out within the application site.

Reason: To safeguard the residential amenities of occupiers of nearby properties in accordance with policy D6 of the Bath and North East Somerset Placemaking Plan.

Due to the imposition of this condition, it can reasonably be assumed that the Council would have refused permission had there been any intention at that time for the building and application site to be used for firewood production.

The concerns raised by local residents and the Council, at the time of dealing with the forestry building application, were ultimately proven to be true with the processing of firewood being carried out resulting in loud and intrusive noise from the chainsaws, cutting and splitting equipment. This has had a significant and unacceptably harmful impact on the residential amenity of neighbouring residents.

The submitted Design and Access Statement is relatively vague in relation to the proposed use of the building for forestry and has failed to consider the impact of the development on residential amenity, even if only by confirming that the processing of firewood would not be carried out and nor would chainsaws, cutting or splitting machinery be used.

In light of the above, before considering whether to grant planning permission, it is respectfully requested that the Inspector specifically clarifies the use of the building and whether or not this would include the processing of firewood or the use of machinery that would be likely to have a harmful impact on residential amenity.

If the use does include the processing of firewood or other noisy activities, it is considered that, due to the excessive noise that can potentially be generated (and has been experienced by the use of the building), and the close proximity of a neighbouring dwelling, the use would have an unacceptably harmful impact on residential amenity and should be refused as it would be contrary to Policy D6 of the Placemaking Plan for Bath and North East Somerset (2017) and part 12 of the NPPF.

If the use does not include the processing of firewood then the Inspector is respectfully requested to attach the condition as detailed above, which was attached to the previous permission on the site ref: 22/03198/FUL in order to prevent this use on the site.

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