

# Bath & North East Somerset Council

**Planning Services**  
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**Fax:** (01225) 394199  
**DX:** 8047 (Bath)  
**Date:** 29th March 2012  
**Our Ref:** 11/05421/FUL

Chris Dent Architect  
5 North Avenue  
Exeter  
EX1 2DU

Dear Sir/Madam

## **Town and Country Planning Act 1990**

Address to which the proposal relates: Application No: **11/05421/FUL**  
**Chew Valley Lake Walking And Cycle Trail Walley Lane Chew Magna Bristol**

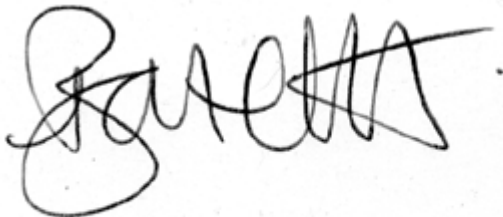
Description of proposal: Date registered: **10th January 2012**  
**Enlargement of existing path to create a route for walkers and cyclists from the dam to the picnic area and the picnic area to Ham Lane (Resubmission)**

Name of Applicant: **Sustrans Ltd**

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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



## **NOTIFICATION OF DECISION**

Application Type: **Full Application**    Application No: **11/05421/FUL**

Address to which the proposal relates: **Chew Valley Lake Walking And Cycle Trail Walley Lane  
Chew Magna Bristol**

Description of Proposal: **Enlargement of existing path to create a route for walkers and cyclists  
from the dam to the picnic area and the picnic area to Ham Lane (Resubmission)**

Application submitted by: **Sustrans Ltd**

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The above development is **PERMITTED** in accordance with the application, plans and drawings submitted by you subject to the condition(s) set out below:

### **PLANS LIST:**

This permission relates to the proposals shown on the following drawings and as specified in the following documents:

SW/CVL/SK001; SW/CVL/SK002; SW/CVL/003; TC8501/002 REV F; TC8501/003 C; TC8501/004; Arboricultural Report (August 2011); Eastern Path (December 2011); Ecological Report (received 20 December 2011); Flood Risk Assessment (December 2011).

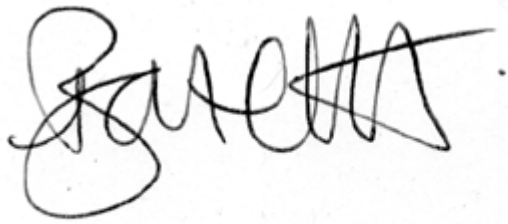
The applicant is advised that notwithstanding the hedgerow removal shown on Drawing SW/CVL/SK001, no works to the existing hedge shall be carried out other than to accommodate the chicane barrier to be provided at the northern end of the site.

### **REASONS FOR GRANTING APPROVAL:**

The decision to grant approval has taken account of policies set out in the development plan and Draft Core Strategy, and in the National Planning Policy Framework (March 2012). The proposed development is in accordance with policies GB.1, GB.2, NE.2, NE.4, NE.8, NE.10; NE.12; NE.13, SR.10 in the Bath and North East Somerset Local Plan (including minerals and waste policies) 2007. The relevant policies in the adopted Local Plan as they relate to the application proposals are consistent with the policies set out in the NPPF.

It is considered that the proposed development will not impact on the openness of the Green Belt nor purposes for including land within it, nor impact adversely on the natural beauty of the landscape in the Mendip Area of Outstanding Natural Beauty, or adversely affect the Site of Special Scientific Interest. Subject to appropriate protection measures the proposed works will not give rise to adverse impacts on the natural environment and landscape value of the site.

Date of Decision: 29th March 2012

A handwritten signature in black ink, appearing to read 'Lisa Bartlett', with a large, stylized initial 'L' and a series of loops and strokes.

Lisa Bartlett  
Development Manager, Planning & Transport Development

**IMPORTANT NOTE** - The above decision refers to Planning Permission only and does not grant or imply Listed Building Consent, Advertisement Consent, Building Regulation or other consents under any other legislation.

## **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 (8 weeks for Advertisement appeals).
- 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](http://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.

## **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.