

Rae Mepham

From: Christopher Watt (Cllr)
Sent: 14 January 2011 10:52
To: Geoff Wilson; Jonathan Dicks
Cc:



Subject: RE: Planning Application 10/04015/FUL Parcel 0058

Geoff

There is no third party right of appeal in planning decisions.

We (through some of your neighbours) have formally asked B&NES to review their decision on the basis that the site was allocated by full council in 2007 on misrepresented advice from the EA. We are waiting to see the outcome of that.

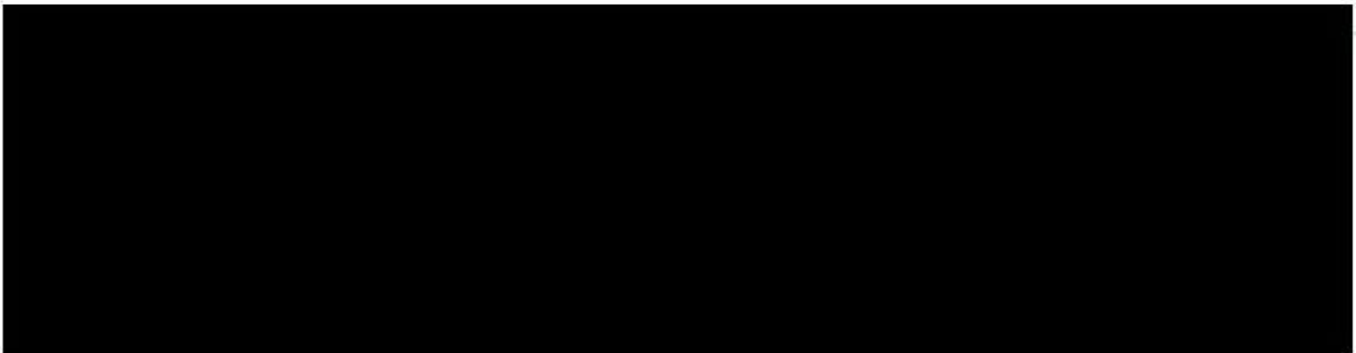
Yours aye,

Cllr Chris Watt MMRS MBA
Midsomer Norton Redfield Ward
Cabinet Member for Children's Services
Bath & North East Somerset Council



<http://www.bathnes-conservatives.com>

"Nec Aspera Terrent"



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Subject: RE: Planning Application 10/04015/FUL Parcel 0058

Hi Jonathan

Sorry but I don't know the answer, but would be interested to know if anyone else can help.

I would also be interested to know if we have a right of appeal against a decision which obviously hasn't taken account of all the facts by people who do not live here.

Regards

Geoff Wilson

-----Original Message-----

From: Jonathan Dicks [redacted]
Sent: Thursday, January 13, 2011 5:51 PM
To: Michael Evans

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Subject: Re: Planning Application 10/04015/FUL Parcel 0058

I was wonder if anyone could tell me what is going to happen too the ditch at the back for furlong close and cautletts close that runs towards the river?. Is there any new information about the field? Thanks Jonathan Dicks

On Tue, Nov 30, 2010 at 10:42 AM, Michael Evans [redacted] wrote:
I've asked for the 112 to be on the agenda of the NRTC Planning & Environment Committee on 13th December. Assuming it manages a quorum, it might be an opportunity for discussion.
Michael

> ask our Councillors to seek answers to these questions.

>

> Regards

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> Nick Mayo

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> Chris/John

> I am writing to you as my Councillors to reinforce my objection to today's

> approval for 112 new houses to be built on the land adjacent to Withies

> Park/Cautletts Close/Furlong Close.

> I was genuinely horrified at what seemed to be a complete lack of common

> sense, and dismissal of important considerations and views, being

> demonstrated by the Planning Committee and would like to ask you to

> investigate the following matters with the intention of "appealing" this

> decision in whatever way is possible - perhaps with a judicial review.

> 1. Chris, your input at the meeting today was succinct and sensible and if I

> understood it properly you were saying that the parcel of land should not be

> included in the Local Plan because it was slipped in at the last minute in

> 2007 and was therefore not included in the public consultation. This means

> that the question of building on this land has not been consulted on

> properly, and that as there is shortly to be a review of the Local Plan then

> the question over this land should be dealt with within this review. If this

> is the case then surely the process has not been followed according to the

> law? Can the local residents therefore demand a judicial or other type of

> review?

> 2. I wonder whether the Committee members had actually read the papers for

> this application. The planning officer did not verbally mention that there

> had been 99 written objections in the meeting. This is surely very relevant?

> 3. The Committee members who voted for the application (who as far as I

> could see were not local to MSN!) in effect basically argued that it should

> be approved

> a) because it was in the Local Plan and would be overturned on appeal and

> b) that it is needed to hit the target numbers for new houses.

> Dealing with these in turn:

> a) If the land should not have been in the Local Plan in the first place

> then surely the fact that it is in the Plan is irrelevant, thereby negating

> this reason? In fact using this reason presumably compounds the illegality

> of a lack of consultation in the first place?

> b) I expect the targets are the RSS targets (Regional Spatial Strategy)

> imposed by the previous government and was a crucial reason for the decision

> by the Committee. I understand on very good authority that the new Local

> Communities Minister, Eric Pickles, wrote to all Councils just last week

> stating clearly that the RSS is not to be used as a consideration in any

> planning matters as it will be dealt with a new Localism Bill due this

> month. This means that the targets from the RSS should not be a reason for

> agreeing to this development. This was not mentioned in the meeting and is

> potentially a serious omission by the Planning Officers.

> It therefore seems that the two basic reasons for agreeing to this

> application were:

> i) Unintelligent following of the "Local Plan" when the land concerned

> should not be included in the Local Plan in the first place, and

> ii) Blindly following old targets that Councils have been explicitly told to

> ignore.
> Surely these are reasons enough to require some sort of review of this
> decision?
> Beyond this of course the fundamentals of why as a community we would want
> to build on this land is beyond me:
> - the land is part of an important water run off area and part of a flood
> risk zone
> - whatever the various agencies say the traffic impact will be a nightmare
> - why on earth would we sacrifice greenfield land when the local brownfield
> sites are not yet used up? I fail to see the sense in approving an
> application on land where there are many questions as to its suitability and
> legality especially when the brownfield sites in the locality are not being
> built on at the moment because the developers cannot find a market for their
> houses (Paulton etc).
> It just doesn't make any sense - except for the developer wanting to add to
> their landbank for when the economy recovers.
> I look forward to receiving your thoughts.
> Kind regards
> Nick Mayo
> PS Allowing only three minutes for each side of the argument seems very
> mean!

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> On 19 Nov 2010, at 12:01, Nick Mayo wrote:

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> I have tried to access the files online and it won't let me in to the
> associated documents. Anyone else struggling?

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> On 18 Nov 2010, at 21:54, kenneth webster wrote:

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> I write this e-mail in response to the message received on 12 November 2010
> regarding the Planning Committee due to be held at 1400 on Wednesday 24
> November 2010 at the Guildhall in Bath. One of the reasons I have written
> this e-mail is because I have just returned from Cornwall where I saw parts
> of the county ravaged by floods in areas where the 'experts' said 'it would
> never happen'.

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> The timing and location of the Planning Committee once again indicates the
> total lack of concern for the strong feelings of the local people. I note
> that much of the justification for this proposal is that it is 'in
> accordance with the requirements of the Local Plan' - it is clear that
> nothing in the plan is in accordance with the requirement of the local
> community.

>

> Whilst it is obvious that Council Committee members and representatives of
> the developer will be paid to be in attendance, there is little opportunity
> for members of the community most affected by this proposal to be present.
> Whilst many of the residents surrounding this site are elderly and unable to
> travel into Bath on a busy pre-Christmas trip, others are working and unable

> to attend. I feel that, with the sheer volume of objections to this
> proposal, BANES should show their commitment to local people and bring the
> meeting to a local venue so that local people can hear the proceedings and
> comment accordingly. I am positive that if the Council really values the
> views of the local community they would organise the meeting in Midsomer
> Norton at an acceptable time e.g. evening, and bring the opportunity of
> involvement to the people most affected by any decisions taken.

>
> It is interesting reading the comments made by the local authorities such as
> Highways, Environment (Green Spaces) and the Education Services on the
> Public Access site on the BANES website. I would encourage any of the
> objectors to read their statements as it is worth noting that if the
> development proceeds, those three organisations will seek a combined
> payment, from the Developer, of £912,158.00. Whilst I was under the
> impression that there would only be one beneficiary of this development it
> appears that BANES would also benefit to the tune of almost £1M. It would be
> very interesting to know whether the community surrounding the site would
> benefit from this windfall or would it be absorbed into the BANES budget?

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> I seek your urgent response to this request for a Planning Committee change
> of location and time, and I would encourage any of those copied into this
> e-mail to make a similar request if they feel so inclined.

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> S Biggs

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>> Date: Fri, 12 Nov 2010 09:36:03 +0000
>> From: development_control@bathnes.gov.uk
>> To: [REDACTED]
>> Subject: Planning Application 10/04015/FUL
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>> See attached document