# WRAXALL AND FAILAND PARISH COUNCIL

Minutes of the discussion between Parish Councillors that took place remotely on Zoom at 7.30pm on Thursday 10th April 2025.

Present: Councillors Parsons (Chairman), Gorford, Malpas, Robinson, Sandeman and Vallentine.

North Somerset Councillor Cartman.

Parish Clerk: Monika Ward.

No member of the public had requested to speak.

1. To receive any apologies for absence.

   Apologies were received from Councillors Muschamp, Sheppard and Wolff. Councillor Amos was not present.

2. To receive the Clerk's report.

   The Clerk has been working on completing the year end and the Annual Governance and Accountability Return. The submission is being finalised and will be presented for Internal Audit.

   Wraxall and Failand Financial Regulations have been updated to reflect the recent changes to the Model Financial Regulations, as implemented by the National Association of Local Councils. The Clerk will also be revising Standing Orders to ensure that they align with the updated Model Standing Orders issued by National Association of Local Councils. The new versions of the documents will be circulated shortly.

   Remaining policies have been reviewed by Councillors and no changes are required apart from updating Clerk's details where necessary.

   The Parish Council has been contacted by North Somerset Community Learning team about free Community Learning courses. These courses are free for North Somerset residents, minimum age 19 who are in receipt of means tested benefits or having own personal annual income of less than £20,319. Priority is given to those who have few or no qualifications and to those who wish to develop skills and confidence for work, further learning or to improve their health and wellbeing. Courses offered include: Maths, English, Introduction to IT, Office Skills, ESOL, Woodwork for Women, Introduction to British Sigh Language and Bead & Wire Jewellery Making.

   Councillors have agreed that the above courses could benefit some of the residents of the Parish and that course information should be publicised on the Parish Council website and notice boards.

3. To receive a report from the Long Ashton ward District Councillors.

   North Somerset Council has announced that it will be moving to three-weekly bin collections from June.

4. To discuss Nailsea Town Council's decision to put forward a recommendation for an amendment of Nailsea Settlement Boundaries, to include The Elms and development sites at Engine Lane, Netherton Grange and Causeway View.

   The Parish Council was informed that Nailsea Town Council had recently made a decision to put forward a recommendation for an extension to the settlement boundary and support the proposed developments on land to the north of Nailsea (west of Tower House Lane) and to the east, adjacent to The Elms.

   The Chair of the Parish Council wrote to the Chair of Nailsea Town Council, and a meeting to discuss the above points was subsequently arranged and attended by representatives from both councils.

   The outcome of the meeting was encouraging, and Nailsea Town Council has agreed to reconsider its position. However, the Parish Council is awaiting a response from Nailsea Town Council on the possibility of decision reversal regarding the proposed development and the recommendation of a settlement boundary change.

   The Parish Council will be placing notices on the noticeboards and proceeding with a leaflet distribution in the Elms. This is to ensure that residents are informed of the proposed boundary changes that have been recommended by Nailsea Town Council in response to the North Somerset Governance Review, on which Wraxall and Failand Parish Council has made its position clear. A notice will also be published on the Parish Council website.

5. To consider the following planning application appeal:

   24/P/1510/FUL - Land At Tyntesfield Springs , Bristol Road, Wraxall

   Installation of a Novel hydro turbine and the provision of 3no. gypsy/traveller pitches.
   Appeal Reason: Failure to issue a decision on an application for planning permission or approval within the appropriate period.

   It was unanimously recommended to object to the appeal with the same response that has previously been submitted for this application.

6. To comment on the following Proposed Public Path Diversion Order:

   Part of Public Footpath LA 20/59 - The Downs Preparatory School, Wraxall

   Application to divert part of public footpath LA 20/59 at the above location.

   It was unanimously recommended to support the above Public Path Diversion Order and provide the following comment:

Having regard to the safeguarding risk, Wraxall & Failand Parish Council strongly support the proposed diversion as shown on map no. PPO 215 with a clear width of 2.5m.

The removal of stiles is strongly supported. However, it is requested that the replacement with pedestrian gates be considered in relation to British Standard 5709:2018 Gaps, Gates and Stiles, see extracts below.

*"Attention is drawn to the Equality Act 2010 [1], which requires local authorities authorizing the installation of gates, stiles and other works on public rights of way to have regard to the needs of people with disabilities."*

*"when the purpose of the structure changes (for example, when the land use changes from pasture to arable) the appropriateness of the structure as the least restrictive shall be reviewed and changed to the structure (whether less or more restrictive) made accordingly.*

*The presence / siting of an existing more restrictive structure or ground condition further along the path shall not be taken as a reason for not choosing a less restrictive structure."*

As no livestock need to be kept in or out, the existing gate should be replaced with a gap which is the least restrictive structure. If there is an objective justification for doing so, then an accessible latched self-closing, 2-way pedestrian gate with trombone handle and Easy Latch could be installed with a minimum clear width of 1.1m, preferably 1.5m, allowing the least restrictive access to the widest range of footpath users, whether walking or wheeling.

It is recommended that for the positioning of a fence Outdoor Accessibility Guidance - Paths for All | Paths for All guidance on hedge growth and on maintenance of hedge to retain full path width be considered. (Pages 53, 54 and 58.)

Given the proximity of the Children's Hospice at Charlton Farm, where children could go out in a wheelchair or mobility scooter, there is a strong case for a generous path width and no barriers.

There is another issue associated with a potential safeguarding risk on the adjoining footpaths (LA20/56/50, LA20/56/60 and LA20/59/30) to the south. At this site the Downs School have placed a sign on a gate prohibiting access to walkers with dogs on the gate to their cricket pitch. This is not considered to be reasonable or lawful and it is requested that the NSC Public Rights of Way team provide advice.

7. To comment on the following planning applications:

25/P/0519/FUL - Charlton Lodge, Charlton Drive, Wraxall, BS48 1PD
Section 73 application to vary conditions 3 (use classes) and 4 (hours of use) attached to planning permission 24/P/1326/FUL (Change of use of an agricultural building to Use Class E

(Commercial, Business and Service) / Use Class B8 (Storage or Distribution) with parking and retrospective changes to appearance) to allow for the variation of the hours of use and to permit the use class E (d) to enable occupation by a small scale personal fitness trainer business.

It was unanimously recommended to object to this application for the following reasons:

Application 25/P/0519/FUL and 25/P/0527/FUL are to be assessed together as one application.

These applications appear separate but are in fact under the same ownership, involve the same building on Charlton Park Farm (even though one is called Charlton Lodge) and together have an enormous detrimental affect on the Green Belt, openness of the Countryside and quiet enjoyment by neighbours. They have a negative affect on the character of a rural setting and go far beyond the planning application 24/P/1326/FUL, dated August 2024 against which NSC granted permission for change the use of the agricultural building to commercial use with clear conditions.

Neither application references the other even though they clearly interconnect as they are about the same building on Charlton Park Farm. Hence why this response from Wraxall and Failand Parish Council is copied on both applications and has identified the error / oversight by the applicants in their submission.

Vehicle parking
The cover letter for 25/P/0519/FUL states "The existing building benefits from 9 parking spaces which is more than ample for the intended operation"

What this fails to point out is that 5 of the 9 parking spaces are going to be used as floor space for the proposed Sauna building as shown in 25/P/0527/FUL.

25/P/0527/FUL states there are "no vehicle or cycle spaces on site". Again, this is not correct as 24/P/1326/FUL in granting permission from agricultural to commercial included 9 vehicle spaces and a number of cycle spaces as confirmed above and 25/P/0519/FUL states these 9 parking spaces are sufficient for the intended operation.

25/P/0527/FUL also states that noise will not be an issue contrary to alternative commercial uses. It is well known and documented that Fitness centres play loud music to help focus the mind of the person(s) being trained. This is a quiet rural setting in the middle of Green Belt land. The noise expected to be generated by this use would be detrimental to the character and quiet enjoyment and mindfulness of the open countryside and contrary to NSC Core Strategy in the interest of neighbouring residents and others who access the area for educational purposes. The nearest being a nursery school for young children.

The requested change of hours of use and deliveries plus the addition of the extension for the sauna building (erection of decking and fencing plus walls, roof

and windows for the sauna = building) is going beyond that originally intended as a commercial building from agricultural use and with the increased flow of people at unsociable hours using the training facilities plus the sauna, which has no restrictions on hours of use, will change the character of the countryside and surrounding area, potentially disturbing nearby residents and young children in a learning environment and in a quiet rural setting in Green Belt. This will also introduce more regular and increased traffic flow at all hours of the day and night throughout the year than was envisaged (when 24/P/1326/FUL was granted in August 2024) on Charlton Drive and the exit onto the B3128, which is already a dangerous entrance and exit.

These applications (25/P/0519/FUL & 25/P/0527/FUL, which should be read as one) are detrimental to the openness and character of the countryside and are contrary to NSC Core Strategy.

North Somerset stated in their granting of the change of use from agricultural to commercial in 24/P/1326/FUL:

"The Local Planning Authority wishes to retain control over the use of the premises in the interests of highway safety, the amenities of neighbouring residents and to ensure compliance with the locational strategy for development set out in the adopted development plan - and in accordance with policies CS3 and CS33 of the North Somerset Core Strategy and policy DM24 of the of the North Somerset Sites and Policies Plan (Part 1- Development Management Policies)."

25/P/0481/FUL - The Stables Adjacent To Failand, Green Farm, Green Lane, Failand
Proposed conversion and extension of existing stables building to form 1no. dwelling, alongside the formation of hardstanding.

It was unanimously recommended to object to this application for the following reasons:

Inappropriate development in greenbelt without exceptional circumstanced being demonstrated.

The stables were constructed six years ago and have been built with the objective of converting to residential. The structure has not been used as stables.

Below is a direct extract of the structural survey:

The stable walls are of cavity construction with a damp proof course and insulation within the cavities. The floor structure is a concrete ground bearing slab with under floor heating. It is likely to have floor insulation and a damp proof membrane. The building has a vaulted cut roof with a slate covering. Photovoltaic panels a located on the south facing elevation.

The building is in good condition as would be expected given its age. All of the existing structure is suitable for re-use and in fact relatively little work is needed to

convert the building for residential use. The building is clearly suitable for conversion to residential use.

25/P/0527/FUL - Barns At Charlton Park Farm, Charlton Drive, Wraxall
Proposed creation of raised decking and 2.4m fencing to the East of the existing barn alongside the siting of a timber sauna.

It was unanimously recommended to object to this application with the same response and justification provided above for Planning Application 25/P/0519/FUL.

25/P/0534/FUL - Charlton Park Barn, Charlton Drive, Wraxall
Demolition of existing agricultural building and erection of 1no. dwelling

It was unanimously recommended to object to this application for the following reasons:

The creation of a new build single dwelling in the Green Belt where there is currently no such thing is contrary to NSC core strategy, which seeks to strictly control unsustainable piecemeal development such as that proposed.
It is harmful to the character of the Countryside, sits within Green Belt with no Very Special Circumstances evident and will negatively affect the openness of the countryside.

25/P/0637/AOC - Birdcombe Court Barn, Tower House Lane, Wraxall, BS48 1JR
Request to discharge condition 4 (Gate details) on application 24/P/0321/LBC.

It was unanimously recommended to object to this application for the following reasons:

The gate proposed for replacing the existing gate at position A on the site plan is on Footpath LA20/3/20. It is shown as being 3.6m wide and constructed from softwood. A gate of such width and weight is not appropriate for a footpath. Individuals with limited upper body strength, or with limited mobility would find it impossible, or at best very difficult, to manage to open and close such a structure. It is considered that it is not compatible with British Standard 5709:2018 Gaps Gates and Stiles and is contrary to expectations of the Equality Act 2010 and the principle of least restrictive access.

As no livestock needs to be kept in or out, the existing gate should be replaced with a gap, which is the least restrictive option. But if there is an objective justification for doing so, it should be replaced with an accessible, latched, self-closing, two-way pedestrian gate with trombone handle and Easy Latch with a minimum clear width of 1.1m, preferably 1.5m, allowing the least restrictive access to the widest range of footpath users, whether walking or wheeling. If a right of way exists for farm or landowner vehicles, the accessible gate above could be combined with a second gate to meet the necessary width to allow vehicular access (eg a Centrewire York 2-in-1 gate or wooden equivalent).

Footpath LA20/3/20 was not addressed in the Delegated Officer's Report for application 24/P/0321/LBC and there were no reports relating to PRoW. It is recommended that an officer from the NSC PRoW team be consulted for this application.

The Parish Council has no issue with the other gates proposed for locations B, C and D.

8. To note that Parish Councillors have examined the following planning application and have decided that the Parish Council does not have any issues to raise.

   25/P/0533/FUH - Orchard Farm, Bristol Road, Wraxall BS48 1NE

   Proposed demolition of existing lean-to extension to the East elevation and porch extension to the West elevation with subsequent erection of replacement single storey West and East extensions alongside the siting of a Conservatory to the West elevation. Fenestration alterations to the Main dwelling including the removal, replacement and/or alteration of all windows and doors alongside the replacement/ removal of render/cladding. Fenestration alterations to the Detached Cottage including the installation and replacement of windows and doors alongside the removal of render. Alterations to the Detached Stable include the partial demolition of the South wall to form a Canopy space alongside fenestration alterations including the replacement of existing side windows with doors.

   The planning application was noted.

9. To note the following planning decisions made by North Somerset Council:

   25/P/0113/FUH - 19 Sixty Acres Close, Failand, BS8 3UH

   Proposed dormer Loft Conversion including the creation of gable roofing to the West and East elevations.
   Decision: Approved

   25/P/0271/FUL - Failand Hill Farm, Horse Race Lane. Failand, BS8 3TY
   Proposed partial conversion of existing barn to form 1no. dwelling alongside the creation of bike/bin store and improvement/expansion of existing access and hardstanding.
   Decision: Approved

   The planning decisions were noted.

10. Councillor reports.

    Councillor Vallentine has announced her resignation from the Parish Council.

Wraxall Charities would like to make residents of the Parish aware that support can be provided to individuals or families who are experiencing financial hardship and are in need of financial assistance.
Senior Parks and Open Spaces Officer, Ecologist and Ranger from North Somerset Council will be visiting the Duck Pond in two weeks' time. They will be looking at the plans from the Site of Nature Conservation Interest perspective and discussing the Rangers involvement and assistance with maintenance of the pond.

End of minutes.