

PLANNING AND REGULATORY COMMITTEE

UPDATE SHEET

20 May 2020

Section 1

Item 6 - 18/P/4735/OUT - Land West of Wolvershill Road, North of Wolvershill Park And Knightcott Park, Banwell

Additional information from the applicant

The applicant has requested that conditions 7,11,13,14,15,18,19, 22 and 24 be reviewed:

- Condition 7 – only the site location plan and access plan should be included. The remaining plans are illustrative details and not ‘approved plans’ but can be referenced in other conditions as need be.
- Condition 11 –no necessity for the travel plan be submitted with the reserved matters
- Condition 13 – the first part should read ‘first planting season’ in place of ‘October to March’. Not all landscaping should be planted at this time; concerns about the practicality of the ‘advance planting’.
- Condition 14 – the standard timetable established is 5 years based on the old Circular 11/95.
- Conditions 15 and 18 duplicates powers under highways and drainage adoption agreements.
- Conditions 16 and 17 prevent the approved development and should be deleted. Principal site has no watercourses alongside it and the proposed drainage scheme specifically involves an outfall that will be within 9 metres of the top of the bank.
- Condition 19 –need for water safety audits is normally established based on the design of any open water. The necessity of this could be determined at RM stage.
- Condition 22 –query the timing – see condition 11. It is standard to have a framework detailed by condition.
- Condition 24 – the application included a heritage statement that concluded no risk to archaeology. This has been agreed by your archaeologist.

Officer comments:

Condition 7 Approved documents

The documents referenced are indicative and the application is in outline, with only means of access not reserved for subsequent approval and therefore the application is seeking approval in principle, not to the detail apart from the access. The principles established in some of the documents referred to, are significant in establishing the acceptability of development on this site. It is important in these cases that they are carried through into the reserved matters and therefore that they are reflected in the permission granted. The HRA and the Ecological Constraints and Parameters Plan Rev 2 December 2019 are referenced as they set out clear principles and mitigations on which the recommendation is based.

PLANNING AND REGULATORY COMMITTEE

UPDATE SHEET

20 May 2020

Other matters will need to be assessed specifically at the reserved matters stage to ensure they comply with prevailing policy on relationships, proximity, overlooking and overbearing effect, parking provision, road widths etc.

Condition 11- Travel Plan

It is important that provisions within the Travel Plan are active before actual occupations take place so residents' patterns of travel can be influenced early. Pre-commencement conditions are discouraged by the government. A minor change is proposed.

Condition 14-Landscaping maintenance

The applicant's point is not accepted. The Council's practice is to require landscaping to be maintained for a ten-year period.

Conditions 15 and 18 Drainage and Flood Risk

The site lies within the control of the Lead Flood Authority not the IDB and thus not subject to by-laws. Conditions 15 and 18 are considered necessary and are regularly used to ensure surface water drainage and Sustainable Drainage details are secured at an early stage, so should be retained with the minor changes shown, in each case in line 1. Condition 16 can be adjusted to take account of concerns about being able to implement the permission if granted. Condition 17 may be deleted as this can be covered under other powers.

Condition 19 Water safety audit

This is not essential to the principle of development and the condition can be deleted but attention to this will be required as part of the reserved matters design and therefore an advice note to this effect is proposed in substitution for condition 19.

Condition 22-Biodiversity

It is not essential that the Biodiversity Habitat and Green Open Spaces Management Plan is submitted as part of the reserved matters; however it is important that specific measures designed to address ecological mitigation requirements that are essential to the principle of development are carried out as an integral part of the design process and are not left until what would currently be a relatively late stage, and one that would probably preclude the advance planting recommended by Natural England. A change is therefore proposed, consistent with the trigger points in other conditions.

Condition 24-Archaeology-

The applicant's points are agreed. This is no longer required.

Condition 29 Floor levels

This is more appropriately as part of the reserved matters application. It will be relevant to assessing the relationship to neighbouring properties. It may be necessary to condition compliance with the submitted details at that point.

AMENDMENT TO RECOMMENDATION:

PLANNING AND REGULATORY COMMITTEE

UPDATE SHEET

20 May 2020

Proposed changes to conditions are set out below (**bold text** indicates new wording, strikethroughs indicate deleted wording):

Condition 7 amended as follows:

The development hereby permitted shall be carried out in accordance with the following approved plans and documents and those to be approved under the conditions attached to this consent unless otherwise agreed in writing by the Local Planning Authority:

a) **Site location plan 1711.L01.100 rev A**

~~Indicative layout plan Site layout plan 1711.L01.02 Rev R~~

b) Ecological Constraints and Parameters Plan Rev 2 December 2019

c) ~~Lighting Strategy December 2019~~ **HRA Revision 2 Final December 2019**

d) ~~Illustrative Landscape Master plan~~ **Proposed Access Plan BRS 6523 Figure 5**

Condition 11 amended as follows:

No **development above dpc level shall take place** ~~dwelling shall be occupied~~ until a Travel Plan has been submitted to and approved by the Local Planning Authority, and this shall be fully implemented unless the Local Planning Authority gives written consent to any variation thereto.

Condition 13 amended as follows:

All works comprised in the approved details of landscaping should be carried out **during the** ~~during the months of October to March inclusive~~ **first planting** season following first occupation of the dwellings or completion of the development, whichever is the sooner, with the exception of any advance planting in areas identified as necessary for the protection of ecology, **within the Habitats Regulations Assessment and Biodiversity Habitat and Green Open Spaces Management Plan referred to in conditions 21 and 22 which shall be undertaken in accordance with the timetable set out within these documents.** ~~Advance planting shall include:~~

- ~~• Buffer and other new habitats are planted up early, in the first planting season following commencement of development (including ground clearance works);~~
- ~~• Two mature standard trees (native species) to be planted, one either side of the access road, to create a hop-over for bats. Mature specimens will allow bats to continue using the north-south route parallel to Wolverhill Road, during the construction period;~~

Condition 15 amended as follows:

~~No above-ground work~~ **development above damp-proof course level** shall commence until surface water drainage works have been implemented in accordance with details submitted to and approved in writing by the local planning authority. Which are in accordance with the principles set out in the National Planning Policy Framework, associated Planning Practice Guidance and the non-statutory technical standards for sustainable drainage systems. The results of this assessment shall be provided to the local planning authority with the submitted details. The system shall be designed such that there is no surcharging for a 1 in 30-year event and no internal property flooding for a 1 in 100-year event + 40% allowance for climate change.

PLANNING AND REGULATORY COMMITTEE

UPDATE SHEET

20 May 2020

The submitted details shall:

- a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge rate and volume from the site to 6.2 l/s and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- b) taking into account long-term storage, and urban creep
- c) provide a plan indicating flood exceedance routes, both on and off site in the event of a blockage or rainfall event that exceeds the designed capacity of the system

Condition 16 amended as follows:

No development **other than for the creation of an outfall or associated works** shall take place within 9 metres of the top of the bank of the watercourses located at the boundaries of the site.

Condition 17 delete and replace with advisory note

Condition 18 amended as follows:

No ~~above-ground work~~ **development above damp-proof course level** shall take place until details of the implementation, maintenance and management of the approved sustainable drainage scheme have been submitted to and approved, in writing, by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

The details to be submitted shall include:

- a) a timetable for its implementation and maintenance during construction and handover; and
- b) a management and maintenance plan for the lifetime of the development which shall include details of land ownership; maintenance responsibilities/arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime; together with a description of the system, the identification of individual assets, services and access requirements and details of routine and periodic maintenance activities.

Condition 19- delete and replace with advice note

Amended condition 22-

No **development above damp-proof course level shall take place** ~~dwelling shall be occupied~~ until a Biodiversity Habitat and Green Open Spaces Management Plan has been submitted to and approved by the Local Planning Authority **in accordance with the principles set out in the documents referred to in condition 7**. The Plan shall cover a ten-year period and include measures for establishment, enhancement and management of habitats and open spaces including ponds within the site and shall include planting schedules **devised in accordance with the principles set out in the Ecological Constraints and Parameters Plan Rev 2 December 2019 and any conditions required as part of the HRA** and details of ongoing management. This shall include a timetable for management activities as well as a monitoring schedule. The plan should also detail the measures for the protection and enhancement of biodiversity, including those specifically for the benefit of European Protected Species, within the site and shall be fully implemented.

Conditions 24 and 29 delete

PLANNING AND REGULATORY COMMITTEE

UPDATE SHEET

20 May 2020

Section 2

Item 7 – 20/P/0692/NMA - Land to the South of, Locking Head Drove, Locking

A minor adjustment is made to Condition 37, which is now reworded as set out below.

AMENDMENT TO RECOMMENDATION:

Bold text indicates new wording, strikethroughs indicate deleted wording:

Condition 37

With the exception of a ~~first~~ Reserved Matters application **approval** for the point of access **only**, no development ~~proposed~~ permitted by any Reserved Matters application **approval** shall commence or take place until ~~at~~ a person with an interest in the land within that Reserved Matters area **has** entered into and duly completed a section 106 agreement with the Council for the provision of **such of the following matters as shall be applicable to and/or relate to such area namely**, financial contributions and/or works in kind for affordable housing, pre-school, primary school and secondary school places and (if applicable) school transport; the Weston Villages Strategic Flood Solution; public/sustainable modes of transport and highway works/mitigation; public rights of way and cycle/bridleway routes; public open space and its maintenance; on-site community facilities; employment-led requirements and any other reasonable requirements to meet the planning policies of the Council in relation to that phase of development. ~~unless otherwise secured by the provisions of the Community Infrastructure Levy.~~

Item 8 – 19/P/2514/FUH - Cinderford Cottage, Ropers Lane, Wrington, Bristol, BS40 5NH

Additional comments from the applicant

- Windows in the first-floor east elevation are in reference to rooflights which would be installed at 1.7 metre above floor level
- When referring to the 45 degrees test, there is reference to the dining room doors at Swallows Barn. This room may also be used as a living room, but they have the same level of protection.

Clarification of car parking provision

There are 3 available parking spaces to the west of the site in front of Bramley House. The proposal would require two parking spaces as set out in the NS Parking SPD, so the proposal would comply with the council's parking requirements.

Section 4

Emergency Delegation Arrangements

PLANNING AND REGULATORY COMMITTEE

UPDATE SHEET

20 May 2020

On 13th May Government published a further update on procedural changes to the planning system in response to the Covid-19 pandemic. This made clear that local planning authorities should hold virtual planning committees rather than deferring committee dates. They should also consider giving senior officers delegated authority to make decisions. The national Planning Advisory Service will be providing further advice to local authorities on how to manage planning committees and continue decision-making during this time.