

# PLANNING AND REGULATORY COMMITTEE

## UPDATE SHEET

June 2020

---

### **Section 1**

#### **Item 6 – 18/P/4735/OUT - Land West Of Wolvershill Road, North Of Wolvershill Park And Knightcott Park, Banwell**

##### **Committee Site Inspection**

To comply with guidelines to minimise the risk of Covid-19 virus, a site inspection pack was made available online for individual members to carry out self-guided site visit followed by an online Q&A opportunity with officers.

##### **Additional Third Party comments:**

34 additional letters of objection have been received which raise the same range of points that are addressed within the committee report.

---

#### **Item 7 – 17/P/1250/F - Land West Of, Engine Lane, Nailsea, BS48 4RH**

##### **Additional information from the applicant**

The applicant has submitted a comprehensive set of revised plans. These now show what the applicant believes to be an accurate representation of the Development Consent Order (DCO) and related easement.

In respect of the eastern path through the open space adjacent to Engine Lane, the agent comments that National Grid (NG) will not permit a tarmac path in this location and thus the 2m hoggin path through this area of POS with 3m connections from the proposed scheme's internal streets across the green space/NG easement to a proposed gap in the hedge and onto Engine Lane is shown as a compromise. This will allow cyclists to safely access Engine Lane from the proposed scheme rather than navigating the schemes vehicular accesses.

At this point the applicant has not agreed the requested contribution to the transport works to facilitate improved connections between the site and Backwell rail station, and thus, further consideration of this point is required.

##### **Officer comments:**

*Confirmation from National Grid in connection with correct definition of NG easement will be sought but it is believed that it is now correctly defined. National Grid enjoys considerable rights within the area over which the DCO was granted. It is disappointing that the current application is not directly able to assist in the delivery of the planned cycle route along the western fringe of Nailsea through its construction. However, the proposed path through the open space on the eastern site boundary does comply with the Site Allocations Plan requirement for a footpath on the western side of Engine*

# PLANNING AND REGULATORY COMMITTEE

## UPDATE SHEET

June 2020

*Lane and does not prejudice negotiations at a future stage with NG. The proposed open space area within which no other development can take place will, subject to an additional requirement through the s106, protect a corridor should future negotiation with NG prove fruitful. The additional contribution sought will be the subject of further discussions with the applicant in the event that the recommendation of approval is supported by members.*

### **Amended plans**

The plans show amended technical details requested, principally in connection with highways matters. These include revisions to the layout to show road dimensions, consistent with the road hierarchy proposed by the developer, tracking diagrams, amendments to omit non-standard surfaces, revisions to parking spaces, inclusion of dropped kerbs at junctions with tactile paving, lighting column/lantern changes and a number of other technical details. It also provides some minimal revisions to the lighting strategy. However not all requests concerning the highways aspects are agreed by the applicant and these include increases to road widths in the northern part of the site, partially as this would compromise the design qualities unnecessarily, partially for the purposes of annual pumping station maintenance and because requested signage/planters often become that target for vandals and create street clutter.

Amendments to increase road widths in the northern part of the site are rejected as the applicant believes this goes against the Urban Design strategy which was previously approved as these areas are secondary streets on green edges or at the periphery of the site and as the pumping station will be inspected annually, amending the street hierarchy for this rare occasion is not proportionate.

### Officer comments:

*The acceptability of these technical changes from a highway safety, drainage and ecological perspective have been sought and a verbal update will be given. It is proposed that these matters of detail are delegated to officers, in consultation with the chairman, vice-chairman and local members.*

### **Additional Third-Party comments-**

4 additional letters of objection have been received which raise no new matters

### **Amendments to recommendation**

It is recommended that provision be made by agreement and condition, that enables the matter of providing a cycleway within the eastern POS adjacent to Engine Lane to be revisited at a future stage. This is reflected in an amended recommendation below.

Condition 8 may need to be slightly re-worded to make it clear that another party can enter an agreement with NG, if it can be successfully negotiated, to construct a cycleway. Once the response of the Drainage and Flood Risk officer has been received, conditions 32 and 33 may prove to be unnecessary, in which case they will be deleted.

An additional condition is required in accordance with the site-specific requirements in the Sites and Policies Plan Part 2. This is reflected in an amended recommendation below.

### **AMENDMENT TO RECOMMENDATION:**

## PLANNING AND REGULATORY COMMITTEE

### UPDATE SHEET

June 2020

The recommendation is amended as follows with additional text in bold.

“Subject to –

- (a) the receipt of satisfactory additional information concerning drainage; amended plans showing satisfactory amendments to details on the layout; satisfactory response to the request for additional mitigation; and the response of the Council’s ecologist and
- (b) confirmation that Natural England has signed off the Habitats Regulations Assessment, and
- (c) completion of a legal agreement securing (i) 30% on site affordable housing, (ii) contributions towards a package of transport measures including traffic management measures and junction improvements, and public transport infrastructure improvements, (iii) sustainable travel packs, (iv) possible additional mitigation measures to secure improved cycling and walking infrastructure **to include provision should it be necessary for the Council to secure or call upon land at no cost, within the eastern Public Open Space corridor if the Council wishes to implement a cycleway route through this land;** (v) off site drainage works, (vi) financial contribution towards a Technical Bat Habitat Study and towards strategic retention and enhancement of off-site bat foraging habitat, (vii) payment for fire hydrants if proved to be necessary, (viii) completion of a Travel Plan and future monitoring,

the application be **approved** subject to the following conditions and any other additional or amended conditions **and deletion of any that may no longer be appropriate**, as may be required in consultation with the Chairman, Vice Chairman and ward members: “

Conditions as recommended in agenda papers but with an additional condition (36)

#### **Additional condition 36**

36. No development shall be commenced until site investigations are carried out to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to establish whether remedial and mitigatory measures are required. The investigations should result in the submission of a report of findings arising from the site investigations to the LPA for approval; and thereafter the requirements and recommendations in the report are implemented to the satisfaction of the LPA.

Reason: In order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.