

Planning & Regulatory Committee 15 July 2020

Requests to address the Committee received in accordance with the Standing Orders

Public Participation under Standing Order No. 17 (up to a maximum of five minutes per speaker - this section should not exceed thirty minutes):

Name	Subject

Public Speaking on applications for planning permission under Standing Order 17A (up to a maximum of three minutes per speaker - this section should not exceed thirty minutes):

Agenda Item No.	Application	Statement (s)
6	<p>Planning Application No. 18/P/4735/OUT Outline planning application for the erection of up to 54no. dwellings (including 16 no. affordable housing units (30%)), along with the provision of informal public open space and associated works. Access from Wolvershill Road for approval with appearance, landscaping, layout and scale reserved for subsequent approval on land west of Wolvershill Road, north of Wolvershill Park, Banwell.</p>	<p>Against the proposal:</p> <p>For the proposal: Jonathan Coombs, Agent for the applicant Strongvox Homes</p>
7	<p>Planning Application No. 19/P/3091/OUT Outline permission for the erection of a dwellinghouse (all matters reserved for subsequent approval.) on land at Jubilee Lane Langford, Churchill</p>	<p>Against the proposal:</p> <p>For the proposal: David O’Nions Applicant</p>

8	<p>Planning Application No. 19/P/3061/FUL Change of use of agricultural building (shed 5) to storage (Use Class B8). Erection of extension to building (shed 3) and change of use to Gym (Use Class D2). Erection of replacement storage building (shed 4) (Use Class B8). Use of land for external storage and container storage. Construction of farm track and widening of existing access onto Wolverhill Road. (Retrospective). Gobbles Farm Wolverhill Road Banwell BS29 6DQ</p>	<p>Against the proposal:</p> <p>For the proposal: Chris Langdon, Agent for the applicants Mr & Mrs K Cooke</p>
9	<p>Planning Application No. 20/P/0262/FUL Demolition of former Jewson's yard buildings and redevelopment of the site including a change of use from B1 (light industry) use to create a car rental facility (sui-generis use) with erection of a new car rental office and washing facility. Erection of a cabin office building and spray booth building to rear of site. Old Jewsons site, Winterstoke Road, Weston-super-Mare, BS23 3YS</p>	<p>Against the proposal: Lynne Glozier</p> <p>For the proposal:</p>
10	<p>Planning Application No. 20/P/0079/FUH Part retrospective application for erection of garage. Lower Flat, 21 Grove Park Road, Weston-super-Mare, BS23 2LW</p>	<p>Against the proposal: Mrs Jacquetta Miner</p> <p>For the proposal: P R Woolley, Agent for the applicant Mr S Rowbotham</p>

Statement to Committee

Project Name: Land West of Wolvershill Road, Banwell
Author: Jonathan Coombs
Project number: BRS.6523
Reference: 18/P/4735/OUT
Date: 10 July 2020

My name is Jonathan Coombs and I am the planning consultant acting on behalf of Strongvox Homes. I have watched the previous two committees and wish to highlight a number of matters raised by members and within the drafted reason for refusal.

Guidance from the Planning Inspectorate states that *"the reasons for refusal should be clear and comprehensive and if the elected members' decision differs from that recommended by their planning officers it is essential that their reasons for doing so are similarly clear and comprehensive."*

I note that much of the debate under the previous committee focused on transport matters, including when Cllr Harley was asked to sum up the motion for the reason now before you. While I understand that transport matters do not form part of the draft reason for refusal, members should ensure that a decision is made solely on the basis of the reasons given and not on other matters.

I also wish to highlight the following considerations:

- The wording starts on the pretext that the location is of a 'rural character' yet in an 'edge of village' location that your officers note already includes housing to the south, north and east of the site.
- The scheme is in outline with only details of access before you and your officers note that the scheme has the potential to make a positive contribution to local distinctiveness.
- Strongvox Homes are an award winning private housebuilder currently building at Weston-Super-Mare, Congresbury and Sandford and are very proud of what they are building. I would highlight that the Council have contacted Strongvox Homes to compliment the quality of the current development at Sandford 2 miles away and to use photographs of this in the new Local Plan.
- If members are concerned about the number of homes, the density of development is circa 17 dwellings per hectare and your own Core Strategy seeks a target density of 40 dwellings per hectare across North Somerset. Moreover, your officers set out that the scheme is a *"spacious development that reflects the transition to a looser form of development to the north and the east"*.

Land West of Wolvershill Road, Banwell

- I would ask members to consider how a scheme of 25 dwellings within the eastern field of a similar density would differ in impacts from our proposals, given the western field cannot be meaningfully seen from the surrounds.
- I would request members consider which other developments are being included under the terms 'cumulatively' and 'proposals' when suggesting that the application is inconsistent with the sustainable development strategy. I am particularly mindful that a previous appeal at Knightcott Road in Banwell found that a scheme of up to 150 dwellings could be sustainably located within Banwell and development since then cumulatively remains below this number.

We have worked closely with your Officers for over 18 months to deliver a scheme that addresses all planning matters. This development will help reduce the Council's 5 Year Housing Land Supply shortfall, that may in turn help to resist future speculative applications, particularly bearing in mind these challenging times for the delivery of homes.

I request that members consider the detailed wording of the reason for refusal and whether this truly reflects the scheme before you, particularly in the context of your officers professional advice to recommend approval.

We respectfully ask that planning permission be granted.

Good afternoon Councillors

My name is David O'nions and I currently live in Langford with my wife Margaret, son Martin and daughter Jenna.

We are 72, 72, 52 and 40 respectively.

Due to our mortgage ending we had to sell the family home due to my age being against me securing a new mortgage. We are currently renting a house off Stock Lane, Langford while we try to find a home suitable to accommodate our daughter Jenna who has Angelman Syndrome.

Finding suitable rental accommodation was extremely difficult, we almost had to rent two lodges in Cheddar and that would have been far from ideal. The main issue with renting is that we do not own the property and the special adaptations needed are costly and who pays for them. Finding something suitable to rent was a precursor to the problems we have found in finding somewhere permanent to live.

Angelman Syndrome is a complex genetic disorder that primarily affects the nervous system causing severe physical, communication and learning disabilities.

Until lockdown Jenna attended her day centre @Worle and is looked after by her family at all other times.

Since the move her condition has deteriorated particularly with her sleep pattern and unintelligible noise she makes when distressed.

It is fully the intention of myself and Margaret along with Martin to continue to care for Jenna as a family unit (as long as we are able), without putting any requirement on North Somerset to provide support.

It is particularly important for Martin as although I am well, my wife Margaret has diabetes. In short, we won't last for ever and so we need to provide certain safe continuity for Martin and Jenna's future.

The proposed dwelling in Jubilee Lane would be designed to meet our criteria for safety and comfortable living with Jenna. We don't want to consign her to an institution for others to look after her.

A number of objections to our application have suggested buying a property on one of the new estates around Langford and Churchill. We have ruled this out because of the noise Jenna can make when distressed or wanting attention. She regularly bangs on windows, walls and bannisters to communicate which would make estate living difficult. We have looked at a considerable number of properties since 2018 until now which have all been unsuitable in terms of design layout and location.

Our previous home, which we lived in for some 21 years, was adapted between 1996 and 1998 with particular emphasis on construction to ensure safety for Jenna. This included large bedroom and bathroom, wide staircase with hand rails both sides and high banisters to prevent falling.

The outside area was landscaped to maximise safety with any steps or ramps having hand rails and adequate width.

To date we have not been able to identify any property in the area that meets our safety and sensory criteria that would not be expensive to adapt. We have studied the particulars of some 150+ properties. These can be whittled down due to the location, number of bedrooms, internal layout and the cost of conversion works. To be specific we require a detached, 4 bedroom dwelling in a safe and secure environment away from traffic. So it would have to be in a particular location, away from a main road. On an estate we would be too close to the adjacent houses and no houses are built to the specific needs of Jenna.

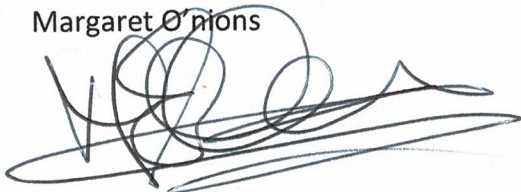
The property we would propose to build in Jubilee Lane would be a Chalet bungalow or dormer in a separate position away from other properties. It is important the property we propose to build would have the layout that would allow Jenna a safe and secure future.

Yours faithfully



David O'Nions

Margaret O'Nions



Mr Chris Langdon - 07771 791736
15 July 2020 North Somerset Planning Board
19/P/3061/FUL Gobbles Farm
Planning Agent speaking in support of application

Gobbles Farm

The family operation at Gobbles Farm originally focussed on turkey production and sheep. The turkey enterprises became non-viable and in order to make use of those buildings the farm has diversified and let all the turkey sheds out for commercial use. Permission is now sought to regularise the existing commercial uses of these redundant turkey sheds. (some have already been permitted by Certificate of lawful use). Please note that the farm has retained the largest remaining livestock building as a ewe lambing shed and a barn for hay storage.

- There is no expansion of the existing farm curtilage for mixed use into the countryside. The change of use, small extension and replacement building proposed are all within the farm buildings complex and within the existing curtilage.
- The North Somerset local plan makes it clear that the councils preference is for the re-use of redundant rural buildings for employment purposes.
- Gobbles Farm has responded to business demand. There are 10 businesses making use of the storage space subject of this application, these include carpenters, shop fitters, carpet fitters, engineers and scaffolders amongst others.
- The Gym has been trading for over 10 years, moved to Gobbles Farm 3 years ago and would now like to expand. They have proved demand (and the lack of suitable alternative sites).
- In total this proposal already supports 11 businesses employ over 20 people.
- Flood risk. The flood risk assessment has satisfied the Environment Agency. The application is not required to undergo a sequential test based on North Somerset guidelines.
- The context of the farm buildings being adjacent to the M5 means the site is clearly not in the middle of a rural idyll but beside large infrastructure and urban development.
- The site cannot be viewed from any neighbouring residential users nor any footpath users. The only view is from the highway - for only a few seconds.
- Using guidelines drawn up by the Landscape Institute, signposted by North Somerset any impact on countryside is not significant.

Old Jewsons Premises, Winterstoke road

Please refuse this development as it would generate the same level of nuisance as a B2 use. All day every day noise, pollution, toxic fumes, smell and vibration arising from 4 body repair units, a compressor, a car wash and the movement of 62 vehicles.

Weston Town Council have objected to these uses in a residential area. The development does not comply with the local plan, nor with NPPF Framework, nor planning case law as evidenced by:-

a) Policy DM47 stating development should ONLY be permitted if it causes no environmental harm to the amenity of a residential area and NO adverse impact to living conditions of owners.

b) Policy CS12 stating development should protect and enhance the character of a residential area. This is a quiet residential area with a Victorian street scene, it is NOT of an industrial character.

c) The NPPF para 180 states in that 'decisions should ensure that new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health and living condition-----' No account has been taken of this requirement by the planning department. A compliant noise impact assessment should be sought before the application is given further consideration.

d) A noise impact assessment was recently required on a nearby B1 site as the council was concerned with noise from an industrial extractor fan system on residents. The result was an increase of more than 10 db, accordingly that application was recommended for refusal, because and I quote 'it would have had significant adverse impact on the health and quality of life of residents' This Jewson's development would be far noisier but the council has not yet required an Assessment. The compressor alone would generate noise levels between 70 and 95 db. It is proposed to locate the compressor next to our homes. Why is the impact of this development on the health of residents of Langford Road and Woodview Terrace not being taken into account?

e) Online objection dated 7th July sets out planning and case law concerning B1 and B2 uses.

f) The statement in para 1 of page 7 of the planning report is wrong. Toxins would not be contained within the building as they clearly would be pumped into the air next to our homes via 4 low level extractor fans. The proposals plan resubmitted on 13th July is STILL wrong and states 31 parking spaces when in fact there would be 62 car parking spaces.

g) Why has the request dated 13th July by D&E Highways and Transport been ignored? D&E have asked for a condition to be imposed to the effect that a construction management agreement should be submitted regarding the demolition. They have concerns about the effect demolition would have on the environment. Due to the size and age of the buildings I expect those concerns relate to asbestos coming into our air.

In view of the above the Secretary of State would be asked to rescind any consent granted and compensation awards from the Ombudsman would be substantial. The adverse effects

could be mitigated (subject to noise assessment) by the imposition of 10 additional conditions including the relocation of all buildings and compressor to the Winterstoke road side of the site. Details of the conditions have been given to our local Councillor

- 1) Revision of the layout to place the repair units/ compressor next to the car rental building on Winterstoke road and provision of an acoustic fence between this area and the car park. Condition 8 already ties the repair use to the car rental use, so this should not present a problem.
- 2) Continuation of the boundary wall in the report's condition 6 to run along the boundary of number 44, Langford Road, and provision of a substantial landscape strip.
- 3) provision of an Environmental Noise Impact assessment.
- 4) provision of a construction management agreement.
- 5) Limiting use of the body repair/ spray booths/ compressor and car wash to 9am to 5 pm Monday to Friday excluding Bank holidays
- 6) Ensuring the compressor is of a type which will not cause noise above 60 Db and which will not cause vibration to the residential area at any time.
- 7) To ensure that all illuminated signage is screened from the residential area to avoid light pollution.
- 8) To agree an enforceable definition of 'minor' repairs to demonstrate they would not comprise the same processes as full repairs nor generate the same level of nuisance.
- 9) Main doors to the repair units to remain closed at all times during works.
- 10) To ensure that the emissions from the extractors comply with council environmental policies and to demonstrate that they will not cause harmful air pollution to the residential area.

This Statement has been submitted by a resident of Langford road, who lives in close proximity to the Old Jewson's premises. Committee clerk has name/ address details. The statement follows on from a petition against this application signed by residents of Bridge Road, Langford road and Woodview Terrace.

PLANNING STATEMENT FOR PLANNING COMMITTEE, 15 JULY 2020.

ERECTION OF GARAGE AT 21 GROVE PARK ROAD, WESTON-SUPER-MARE. BS23 2LW.

CHAIRMAN, MEMBERS,

THE SUBJECT GARAGE MEASURES 9.5M X 5.5M WITH A HEIGHT TO RIDGE OF 3.5M. THE ROOF PITCH IS 20 DEGREES, NOT AS BUILT ON THE SITE, THUS CREATING A MUCH SMALLER MASS. THIS TO OBVIOUS ADVANTAGE OF THE ADJOINING OWNER. THE SITING OF THE GARAGE, WITHIN THE REAR GARDEN OF THE DWELLING AGAINST THE ADJOINING BOUNDARY, PROVIDES FURTHER ADVANTAGE. THE DRIVE IS 850MM ABOVE THE ADJOINING OWNERS PATH, BUT A FENCE OF 1.45M IS POSITIONED AT GROUND LEVEL. THIS ESTABLISHES A BOUNDARY HEIGHT OF 2.3M, PROVIDING NO ADDITIONAL LOSS OF VISUAL AMENITY TO THE ADJOINING OWNER OR TO THE GENERAL PUBLIC.

THE SIZE OF THE GARAGE IS VERY SMALL IN PROPORTION TO THE SITE CURTILAGE, WHICH IS TOTALLY DOMINATED BY MY CLIENTS DWELLING. FURTHERMORE THE PROPORTION OF THE GARAGE/DWELLING BY AREA IS 31.5%, THUS MAKING THE GARAGE VERY SUBSERVIENT TO THE EXISTING DEVELOPMENT.

THE GARAGE IS FINISHED WITH RECLAIMED ROOF TILES ABOVE BATH STONE COLOURED RENDER AND A FRONT WALL OF TRADITIONAL LOCAL STONE ALL TO MATCH THE DWELLING. THE CAREFUL AND SENSITIVE DESIGN OF THIS LOW PROFILE BUILDING IS SYMPATHETIC TO THE CONSERVATION AREA. ADDITIONALLY THE SCREENING OF THE GARAGE, BY THE EXISTING SOFT LANDSCAPING, ALLOWS THE BUILDING TO BE OF NO FURTHER DETRIMENT TO THE CONSERVATION AREA GENERALLY.

PARAGRAPH 11 OF THE NATIONAL PLANNING POLICY FRAMEWORK ESTABLISHES A PRESUMPTION IN FAVOUR OF GRANTING PLANNING PERMISSION UNLESS ANY ADVERSE IMPACTS OF DOING SO WOULD SIGNIFICANTLY AND DEMONSTRABLY OUTWEIGH THE BENEFITS WHEN ASSESSED AGAINST POLICIES IN THE NPPF TAKEN AS A WHOLE OR WHERE SPECIFIC POLICIES IN THE NPPF INDICATE THAT DEVELOPMENT SHOULD BE RESTRICTED.

MY CLIENT'S HOBBY IS CLASSIC CARS. THE SMALL INCREASE IN LENGTH OF THE GARAGE, BEYOND THAT OF A STANDARD GARAGE, IS NECESSARY IN ORDER TO KEEP AND MAINTAIN HIS VEHICLES. IN MY PROFESSIONAL OPINION, I DO NOT CONSIDER THIS ADDITIONAL 3.5M LENGTH TO BE DETRIMENTAL TO ANY THIRD PARTY. I CANNOT AGREE THAT ANY POLICY CAN SIGNIFICANTLY OR DEMONSTRABLY OUTWEIGH THE BENEFITS TO MY CLIENT. ON THE CONTRARY, SHOULD THIS APPLICATION NOT BE APPROVED, THE LOSS OF SOCIAL AMENITY TO MY CLIENT, IN CONJUNCTION WITH HIS DWELLING, WOULD BE SERIOUSLY DISADVANTAGEOUS.

TO CONCLUDE; HAVING VERY CAREFULLY STUDIED THIS APPLICATION AND HAVING CAREFUL REGARD TO ALL POLICIES, THE PLANNING OFFICER AND THE CONSERVATION OFFICER BOTH RECOMMEND THIS APPLICATION FOR APPROVAL AND I URGE THE COMMITTEE TO AGREE WITH THE OFFICERS AND GRANT THIS APPLICATION PLANNING PERMISSION.

THANK YOU FOR YOUR ATTENTION,

P. R. Woolley MRICS.
Chartered Building Surveyor.
Agent for Mr. S. Rowbotham

Tel. 07971 578040.
8 JULY 2020.

Job ref. 2969.

Planning Application 20/P/0079/FUH – Grove Park Road

I wish to submit my objection to the above planning application. I understand this will be published in advance and read out by an officer at the meeting.

I am writing as the neighbour at 19 Grove Park Road and one of the ten objectors to this proposed garage at Lower Flat, 21 Grove Park Road.

I have read the recommendations of the officers and would make the following comments:

1. The application site is the lower flat of a two-storey dwelling.
2. The applicant owns only half of the garden.
3. Mr Rowbotham negotiated with the top flat owner for a segment of the lower half of the garden to accommodate the footprint of the structure both as built, and of the proposed garage, this forms a 'dog-leg' into the lower half of the garden.
4. The Amended Site Plan (published on 18 June) is misleading. I do not think this plan is to scale which could give credence to Mr Rowbotham's proposal. It certainly overstates how much of the garden is owned by him, whilst at the same time understates the width of his driveway. His access is actually wider than ours, not smaller, than his Site Plan suggests.
5. Mr Rowbotham did not follow the requirement to apply for planning permission in advance of building his structure. And I do not believe he would have been granted approval had he followed the correct procedure. His current application is for a structure smaller than he has built without approval; and the officers have even now proposed more changes to what he has asked for retrospectively.
6. In Principal Planning Issues, Issue 1, paragraph 4, the Officers consider that "although the proposed garage is larger than a standard domestic garage in terms of its floor space, it is considered that the garage is proportionate to the size of the large detached dwelling house and to the size of the substantial rear garden". However, the applicant only owns half the house and half the garden, so in my view the proposed garage is disproportionately large.
7. In paragraph 7, the Conservation Officer's comments are referred to, although no mention is made here of her comment (from her Comments document) that the "floor plan of the garage is still overly large". The officers do refer to her conclusion that the proposal will cause "less than substantial harm to the character of the conservation area", but by this they still acknowledge that the harm falls within the range of "substantial".
8. In Issue 2: Neighbour Impacts, paragraph 4, the Officers make comment that the garden of the Lower Flat at 21 is 0.9m higher than our garden at 19. They acknowledge that this increases the sense of height of the garage. But no mention is made that Mr Rowbotham himself raised his garden by that amount. This was in order to level part of his garden to accommodate the change of access to the rear garden from footpath to driveway.
9. In paragraph 6, the Officers say that "a condition to prevent surface water run-off to neighbouring properties is considered necessary to mitigate against this and the proposed plans demonstrate that gutters will be used to collect surface water run-off from the proposal". However there is no indication as to how the collected water would be dealt with, and this water run-off has already been an issue for us.
10. Issue 4: Other Matters, the Officers say that "unauthorised works" on the site "should be given no weight in the determination of this application". However, the fact that there are other "unauthorised works" adds to my belief that Mr Rowbotham has followed a 'build it and hope you get away with' approach.
11. A garage that is acknowledged as "larger than a standard domestic garage" and which measures 5.5 metres wide, 9.5 metres long, 2.5 metres to the eaves and 3.5 metres to the ridge is far too large for any domestic purposes. The Officers have specified certain conditions for their approval, but notwithstanding those, the proposed structure is out of keeping with the surrounding residential Conservation area and would, in my opinion, be better suited to an industrial estate or farm. For the above reasons, I would respectfully ask that the members of the Planning and Regulatory Committee refuse this application.

Mrs Jacquetta Miner FRSPH