

Draft Minutes

of the Virtual Meeting of the

Planning and Regulatory Committee

Wednesday, 15th July 2020

held via Microsoft Teams

Meeting Commenced: 2:30pm Meeting Concluded: 5:22pm

NB: Following guidance from the national Planning Advisory Services on how to run planning committees during the current pandemic, senior councillors from all parties, in consultation with the Chief Executive, have agreed to temporarily reduce the membership of the Planning and Regulatory Committee to 13 for virtual meetings.

Political balance applies. The attendance at the meeting of the 13 members nominated by political group leaders is indicated below: -

Councillors:

P Andy Cole (Chairman)
P John Ley-Morgan (Vice Chairman)

P Steve Bridger
P Peter Bryant
P Peter Crew
P John Crockford-Hawley
P Ciaran Cronnelly
P Ann Harley
P Huw James
P Stuart McQuillan
P Robert Payne
P Mike Solomon
P Richard Westwood

Wider P&R members

A Mike Bird
A Gill Bute
A Ashley Cartman
A Caroline Cherry
A Sandra Hearne
A David Hitchins
A Steve Hogg
A Ruth Jacobs
P Patrick Keating
A Bridget Petty
A Terry Porter

A David Shopland
A Tim Snaden

P: Present
A: Apologies for absence submitted

Other Members in attendance:

P Ian Parker

Officers in attendance: Hazel Brinton (Corporate Services), Sue Buck (Corporate Services), Michèle Chesterman (Corporate Services), Andrea English (Development and Environment), Simon Exley (Development & Environment), Peter Hitchings (Development and Environment), Richard Kent (Development & Environment), Mike Riggall (Corporate Services), James Wigmore (Development & Environment), Roger Willmot (Development & Environment)

PAR Chairman's Welcome

16

The Chairman welcomed everyone to the third virtual meeting of the Planning & Regulatory Committee.

He explained the procedures to be followed at the meeting and confirmed that decisions taken at this meeting would have the same standing as those taken at a regular meeting of the Planning & Regulatory Committee in the Town Hall.

The Chairman reminded everyone that the meeting was being livestreamed on the internet and that a recorded version would be available to view within 48 hours on the North Somerset Council website.

For the benefit of those in attendance and members of the public watching the meeting online a representative of the Head of Legal and Democratic Services carried out a roll call of members in attendance and read out the names of the officers present at the meeting.

PAR Public speaking at planning committees (Standing Order 17 & 17A, as amended by SO 5A) No 18/P/4735/OUT (Agenda Item 1)

17

At the request of the Chairman, a representative of the Head of Legal and Democratic Services read out a written submission from Mr Jonathan Coombs, Agent for the Applicant, speaking in support of the proposal. Full details had been published in advance of the meeting.

PAR Public speaking at planning committees (Standing Order 17 & 17A, as amended by SO 5A) No 19/P/3091/OUT (Agenda Item 1)

18

At the request of the Chairman, a representative of the Head of Legal and Democratic Services read out a written submission from Mr David O'Nions, Applicant, speaking in support of the proposal. Full details had been published in advance of the meeting.

PAR 19 Public speaking at planning committees (Standing Order 17 & 17A, as amended by SO 5A) No 19/P/3061/FUL (Agenda Item 1)

At the request of the Chairman, a representative of the Head of Legal and Democratic Services read out a written submission from Mr Chris Langdon, Agent for the Applicants, speaking in support of the proposal. Full details had been published in advance of the meeting.

PAR 20 Public speaking at planning committees (Standing Order 17 & 17A, as amended by SO 5A) No 20/P/0262/FUL (Agenda Item 1)

At the request of the Chairman, a representative of the Head of Legal and Democratic Services read out a written submission from Lynne Glozier, local resident, speaking against the proposal. Full details had been published in advance of the meeting.

PAR 21 Public speaking at planning committees (Standing Order 17 & 17A, as amended by SO 5A) No 20/P/0079/FUH (Agenda Item 1)

At the request of the Chairman, a representative of the Head of Legal and Democratic Services read out a written submission from Mrs Jaquetta Miner, local resident, speaking against the proposal. Full details had been published in advance of the meeting.

PAR 22 Public speaking at planning committees (Standing Order 17 & 17A, as amended by SO 5A) No 20/P/0079/FUH (Agenda Item 1)

At the request of the Chairman, a representative of the Head of Legal and Democratic Services read out a written submission from Mr P Woolley, Agent for the Applicant, speaking in support of the proposal. Full details had been published in advance of the meeting.

PAR 23 Public speaking at planning committees (Standing Order 17A 17.18) (Agenda Item 1) – Suspension of Standing Orders

Resolved: that Standing Order 17A 17.18 be suspended under Standing Order 40 to allow for a written submission from Mr Liam Farbrace on behalf of the Applicant for application no 20/P/0262/FUL to be heard.

The Committee's proceedings with Standing Order 17A 17.18 suspended then followed.

At the request of the Chairman, a representative of the Head of Legal and Democratic Services read out a written submission from Mr Liam Farbrace, representative of the Applicant, speaking in support of the proposal under application 20/P/0262/FUL.

At the conclusion of public speaking the Committee's proceedings under the provisions of Standing Orders then resumed.

PAR 24 Declaration of Disclosable Pecuniary Interest (Standing Order 37) (Agenda Item 3)

None

PAR 25 Minutes 17 June 2020 (Agenda Item 4)

Resolved: that the minutes of the meeting be approved as a correct record.

PAR 26 Planning Application No. 18/P/4735/OUT Outline planning application for the erection of up to 54no. dwellings (including 16n. affordable housing units 30%)), along with the provision of informal public open space and associated works, Banwell (Agenda Item 6)

The Director of Development and Environment's representative drew members' attention to the update sheet which referred to funding recently accepted by the council towards the Banwell bypass scheme and additional information provided by the applicant.

The Chairman reminded members that this was a Section 1 application being held over by one cycle because the committee decision was contrary to the officer recommendation. The Committee noted the further report advice from the representatives of the Director of Development and Environment and in particular the need to give weight to shortfall in housing supply and whether the benefits of the new housing would be significantly and demonstrably outweighed by adverse impacts.

Resolved: that subject to the completion of:-

- 1) a satisfactory Habitats Regulations Assessment and the inclusion of any additional planning conditions arising as a result;
- 2) a legal agreement securing contributions for: (a) the delivery of 30% on site affordable housing; (b) provision of an easement for future provision of a 3.0m cycle/footway alongside Wolverhill Road (c) home to school transport to secondary school; (d) Sustainable Travel Packs (e) appointment of Management Company for Public Open Space, drainage installations and ecological management, and (f) the maintenance of fire hydrants on site; and
- 3) and any revisions to the above or other requirements as may arise,

the application be **APPROVED** subject to the following conditions together with any amended or additional conditions which may be required including those arising from the Habitats Regulation Assessment with the agreement of the Chairman, Vice-chairman and ward members:

1. Approval of the details of the layout, scale, appearance of the buildings, the means of access within the site and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority, in writing before any development is commenced.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiry of two years from the date of this permission.

3. The development hereby permitted shall be begun either before the expiry of three years from the date of this permission, or before the expiry of two years from the date of approval of the last of the reserved matters to approved, whichever is the later.
4. No more than 54 dwellings shall be built on the site pursuant to this planning permission.
5. The details to be submitted under condition 2 shall include the details for all public open space, wildlife corridors and buffers, SUDS scheme, and a phasing scheme for their delivery and all the following details: a) hard and soft structural landscaping; b) a 10m buffer inside the site boundary adjacent to the hedge at the north, 10m at the eastern and southern boundary, 6.0 m at the western boundary which shall be clear of all development; c) the design and surfacing of, and means of access to all public open space, public footpaths and rights of way; d) means of enclosure and boundary treatment and e) dog waste bins where required by the local planning authority. The development shall be carried out in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.
6. The reserved matters to be submitted for approval pursuant to condition 1 shall include no less than six single storey dwellings on the southern edge of the site in accordance with the principles demonstrated in the submitted Indicative layout plan Site layout plan 1711.L01.02 Rev R.

Approved Plans and Documents

7. 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

Highways and Transport

8. No dwelling shall be occupied until the visibility splays, roads, footpaths and turning spaces shown on the plans to be approved, have been constructed in such a manner that each dwelling, is served by a properly consolidated and surfaced footpath and carriageway between the dwelling and the existing highway. The visibility splays shall be kept clear at all times of any vegetation or other obstructions exceeding 1.0m in height.
9. No dwelling shall be occupied until cycle storage facility for each dwelling is provided in accordance with details to be first agreed

in writing with the Local Planning Authority prior to installation/construction. The cycle storage facility for each respective dwelling shall be of a form that is secure and lockable and shall thereafter be maintained by the future occupiers, at all times.

10. No dwelling shall be occupied until passive provision that allows for electric vehicle charging has been designed and incorporated into the approved development. Such provision shall establish all the associated ducting, chambers and junctions for the carrying of power cables which shall be of sufficient capacity to meet the minimum supply needs of an electrical vehicle charging point.
11. No development above damp-proof course 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.

Landscaping and trees

12. No site clearance, preparatory work or development shall take place until a plan for the protection of the retained trees and hedges, and the site specific statements for working methods in relation to demolition, construction, landscaping in accordance with Sections 5 to 8 of British Standard BS5837: 2012 – ‘Trees in relation to design, demolition and construction – recommendations’ has been approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
13. 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.
14. Trees, hedges and plants in any development phase shown in the landscaping scheme to be retained or planted, which during the development works or during a period of ten years following implementation of the landscaping scheme in that development parcel, which are removed without prior written approval from the Local Planning Authority or which die, become seriously diseased or damaged, shall be replaced in the first available planting season with other such species and size as are to be agreed with the Local Planning Authority.

Drainage and flood risk

15. 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.
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.
16. 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.
17. 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.

Construction Environmental Management Plan

18. No development shall commencement until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of:

- the number and frequency of construction vehicle movements,
- construction operation hours,
- construction vehicle routes to and from the site with distance details,
- construction delivery hours, to avoid school start and finish times
- car parking for contractors,
- specific measures to be adopted to minimize and mitigate construction impacts on the environment (including effects of noise, dust, vibration, waste disposal, piling, ground works and rock removal, and infrastructure improvements if appropriate),
- a detailed site traffic management plan to control traffic movements within the site during the construction phases,
- a detailed working method statement to avoid/minimize impacts on protected and notable species and important habitats.
- a plan showing measures for habitat protection and retention. The approved Plan shall be implemented and adhered to at all times, unless any amendments are first agreed in writing with the Local Planning Authority.

Biodiversity

19. All ecological mitigation measures identified in the Habitats Regulations Assessment together with the recommended compensation and enhancement measures proposed as referred to in the submitted Ecological Impact Assessment Report dated January 2019 shall be implemented according to a programme to be approved by the Local Planning Authority

20. 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.

21. Not later than one- and five-years following occupation of the 10th dwelling on the site a monitoring report to show the use of the site by Horseshoe bats of existing and created habitats, shall be submitted to the Local Planning Authority together with any recommendations for further mitigations.

Energy

22. The dwellings hereby approved shall not be occupied until measures to generate 15% of the on-going energy requirements of the use (unless a different standard is agreed) through micro renewable or low-carbon technologies have been installed and are fully operational in accordance with the reserved matters details that have been first submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved technologies shall be permanently retained unless otherwise first agreed in writing by the Local Planning Authority.

Space standards and accessible dwellings

23. The dwellings hereby approved shall be built in accordance with the Nationally Described Space Standards (NDSS), unless shown not to be practicable and viable and a minimum of 17% of the dwellings shall be constructed to comply with the requirements of The Building Regulations 2010 Volume 1 M4(2) Category Two: Accessible and adaptable dwellings.

Waste management

24. Provisions for the storage of refuse shall be constructed and made available for use in accordance with details to be submitted and approved under the reserved matters consent before the occupation of each dwelling that they serve and thereafter shall be made permanently available for use for the storage of refuse only.

Samples of materials

25. No development shall be commenced above ground level until samples panels of the materials to be used in the construction of the external surfaces of the buildings to which they relate have been constructed on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. These details may be submitted for the whole, or part of a phase.

Fire Hydrants

26. No development above damp-proof course level shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Avon Fire Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.

PAR 27 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 (Agenda Item 7)

The Director of Development & Environment's representative reported on the planning application.

At the invitation of the Chairman, the ward member, Councillor Keating, spoke on the application.

The committee took into account the need for housing and in particular special needs housing and considered the adverse impacts of the proposal did not significantly outweigh the benefits of the proposed accommodation given the particular circumstances of the applicant. The application was therefore **APPROVED** contrary to recommendation subject to conditions to be agreed by the Chairman, Vice Chairman and Ward Member.

PAR 28 Planning Application No. 19/P/3061/FUL Change use agriculture building, erection of extension, change of use to gym, erect replacement storage building. Use of land external storage, container storage, construction farm track, widen access road, Banwell (Agenda Item 8)

The Director of Development & Environment's representative reported on the planning application.

The committee considered that the use of existing redundant buildings would enable the farm to diversify and remain viable whilst providing space for local businesses and services for the local community. It would not adversely the character of the area or unacceptably impact on flood risk contrary to the relevant policies.

The application was therefore **APPROVED** contrary to recommendation subject to conditions to be agreed by the Chairman, Vice Chairman and Ward Members

PAR 29 Planning Application No. 20/P/0262/FUL Demolition of former Jewson's yard buildings, redevelopment of site including change of use from B1 use (light industry) to create car rental facility, Winterstoke Road W-S-M (Agenda Item 9)

The Director of Development & Environment's representative reported on the planning application. He and drew members' attention to the update sheet which referred to an amendment to condition 5 and two additional conditions 13 and 14 as set out in the amended recommendation.

Resolved: that the application be **DEFERRED** for further investigation to establish whether the proposals amount to a B2 use which would have an adverse impact on the living conditions of local residents.

PAR 30 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 (Agenda Item 10)

The Director of Development & Environment's representative reported on the planning application.

At the invitation of the Chairman, the ward member, Councillor Crockford-Hawley, spoke on the application.

Resolved: that the application be **REFUSED** contrary to recommendation for the following reason:

The proposed garage due to its overly large size, design and location will cause an unacceptable intrusion and harm to the character of the Great Weston Conservation Area when viewed from Grove Park Road and South Road and neighbouring properties and as such it results in unacceptable harm to the Conservation Area contrary to part II section 72 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 and policies DM3, DM32 and DM38 of the North Somerset Sites and Policies Plan and policies CS5 and CS12 of the North Somerset Core Strategy

PAR Planning Appeals (Agenda Item 11)

31

The Director of Development & Environment's representative reported on appeal decisions and appeals that had been lodged since the date of the last meeting.

Resolved: that the report be noted.

Chairman
