

SECTION 2 – ITEM 7

Application No: 19/P/2298/FUL

Proposal: Erection of a terrace of 3no. dwellings (1 x two-bedroom, 2 x three-bedroom) and 1no. detached four bedroom dwelling with associated parking, refuse storage and landscaping following demolition of the existing garage and warehouse (Resubmission).

Site address: Stafford Garage, 1 Woodlands Road, Clevedon, BS21 7QD

Applicant: Mr & Mrs P.J. and A Moore

Target date: 26.11.2019

Extended date: 18.09.2020

Case officer: Mike Cole

Parish/Ward: Clevedon/Clevedon Walton

Ward Councillors: Councillor Caroline Cherry

REFERRED BY COUNCILLOR CHERRY

Summary of recommendation

It is recommended that the application be **APPROVED** subject to conditions. The full recommendation is set out at the end of this report.

Background

This application was deferred by the Committee at its meeting on 19 August for a Committee site visit. This meeting is scheduled to take place on 8 September and members will be updated of any issues that arise.

Prior to the last committee the applicant had requested a change to the wording of condition 16 that would have the effect of requiring the existing natural stone on the site to be retained for re-use on boundary walls and retaining features rather than on the new dwellings themselves. This was judged to be a reasonable request given that some of the stone may not be of such a quality that it could be easily used in the structure of the proposed dwellings.

Officers also proposed the addition of the Council's three standard conditions relating to possible ground contamination. These changes have all been incorporated into the list of conditions recommended in the report.

The Site

The application site is located within a residential area of Clevedon on the northern side of Woodlands Road to the west of its junction with Alexandra Road. The site contains a range of commercial buildings formally used as a commercial garage. Residential

properties adjoin the site to the north west and to the east the site is bounded by commercial properties fronting on to Alexandra Road. The land slopes down to the north west.

The Application

Full permission is sought for:

- the erection of four 3 and one 4 -bed two-storey dwellings comprising a terrace of 3 no. 3 bedroomed dwellings and one detached 4 bedroomed dwelling.
- off road parking for 9 vehicles (two for each new 3 bed dwelling and 3 spaces for the 4 bed dwelling)
- re-use of existing vehicular access off Woodlands Road

Relevant Planning History

Year: 2019

Reference: 19/P/2313/FUL

Proposal: Demolition of existing garage to form amenity area and storage to proposed development of four dwellings

Decision: Current application. See following item on agenda

Year: 2017

Reference: 17/P/5036/FUL

Proposal: Erection of a terrace of 3no. (2no.three-bedroom and 1no. two bedroom) dwellings and 3no. detached two-bedroom dwellings (6no. dwellings in total) with associated parking, refuse storage and landscaping

Decision: Withdrawn

Year: 2016

Reference: 16/P/1920/F

Proposal: Erection of a terrace of 4no three-bedroom dwellings and a three storey building comprising undercroft parking and 4no. two-bedroom flats following the demolition of the existing garage and warehouse

Decision: Refused

Policy Framework

The site is affected by the following constraints:

- Within Clevedon settlement boundary
- Within Clevedon conservation area
- NS and Somerset Bats SAC. Horseshoe Bats zone C
- Setting of statutory Listed building Grade II

The Development Plan

North Somerset Core Strategy (NSCS) (adopted January 2017)

The following policies are particularly relevant to this proposal:

CS1	Addressing climate change and carbon reduction
CS2	Delivering sustainable design and construction
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS11	Parking
CS12	Achieving high quality design and place making
CS13	Scale of new housing
CS14	Distribution of new housing
CS15	Mixed and balanced communities
CS31	Clevedon, Nailsea and Portishead
CS34	Infrastructure delivery and Development Contributions

The Sites and Policies Plan Part 1: Development Management Policies (adopted July 2016)

The following policies are particularly relevant to this proposal:

DM2	Renewable and low carbon energy
DM3	Conservation Areas
DM4	Listed Buildings
DM6	Archaeology
DM8	Nature Conservation
DM24	Safety, traffic and provision of infrastructure etc associated with development
DM28	Parking standards
DM32	High quality design and place making
DM34	Housing type and mix
DM36	Residential densities
DM37	Residential development in existing residential areas
DM42	Accessible and adaptable housing and housing space standards
DM71	Development contributions, Community Infrastructure Levy and viability

Sites and Policies Plan Part 2: Site Allocations Plan (adopted 10 April 2018)

None of the policies in the Plan are particularly relevant to this proposal:

Other material policy guidance

National Planning Policy Framework (NPPF) (February 2019)

The following sections are particularly relevant to this proposal:

1	Introduction
2	Achieving Sustainable Development
4	Decision-taking
5	Delivering a sufficient supply of homes

- 11 Making effective use of land
- 12 Achieving well designed places
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

Supplementary Planning Documents (SPD) and Development Plan Documents (DPD)

- Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (adopted January 2013)
- Residential Design Guide (RDG2) Section 2: Appearance and character of house extensions and alterations (adopted April 2014)
- North Somerset Parking Standards SPD (adopted November 2013)
- Biodiversity and Trees SPD (adopted December 2005)
- Creating sustainable buildings and places SPD (adopted March 2015)
- Development contributions SPD (adopted January 2016)
- North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: SPD (Adopted January 2018)

Consultations

Copies of representations received can be viewed on the council's website. This report contains summaries only.

Third Parties: 14 letters of objection have been received. The principal planning points made are as follows:

- Affect local ecology
- Too close to adjoining properties leading to loss of light and privacy
- Development too high. Out of keeping with character of area
- Inadequate access and parking provision
- Increased danger of flooding
- Increase of pollution

Clevedon Town Council: "Objects to the proposed application, as it is felt the plans are an overdevelopment of the site which is in a conservation area. There is insufficient information on the application with regards to the drainage plans, the unmade road and access and concern with loss of light to the existing properties surrounding the development.

If the District Council should support this application, then Clevedon Town Council would request that this application be called in to the Planning & Regulatory Committee for further consultation and consideration by the Panel."

In terms of the amended plans, "the Council notes the shadow survey and the slight change to the roof elevation of plot 4 of around a third of a metre. Although this has been reduced it is viewed that the roof line will still have a negative impact by way of loss of privacy and light to those residents living in Copse Road.

As there have been very minimal changes to the plans since March 2020, the Council's previous comments made on earlier resubmitted applications must be considered and new planning applications must be presented in the future and not further resubmissions.”

Other Comments Received:

Clevedon Civic Society

The Civic Society objects because pedestrian and vehicular access to the site will be taken from the lane to the rear of the existing properties on Alexandra Road, and this lane is not part of the application site, according to the site location plan. The site has an established vehicular access onto Woodlands Road, which should be used for the development so that the residents of any new houses have a proper legal access, not one from an already overloaded, narrow, unsurfaced, shared access way which is not part of the application site.

Historic England

No comments

Principal Planning Issues

The principal planning issues in this case are (1) the principle of residential development in this location, (2) impact on neighbours, (3) impact on setting of listed buildings, (4) impact on the Clevedon Conservation Area, (5) impact on highway safety and (6) impact on protected species.

Issue 1: The principle of residential development in this area

The site falls within the settlement boundary for Clevedon, where residential development is acceptable in principle in accordance with policy CS31 of the Core Strategy. Policy CS31 permits residential development in principle, provided it reflects the character of the local environment and does not cause any adverse impacts. Policy DM37 of the Sites and Policies Plan (Part 1) provides other criteria, such as design requirements, the need to protect the living conditions of neighbours, and the need to provide adequate amenity space. These issues are considered in more detail below.

As the proposal is to erect 4 dwellings, the Council's 5 year housing land supply position should also be considered. Currently the Council can only demonstrate 4.4 years supply of housebuilding land. In this respect paragraph 11 of the NPPF states that:

“Plans and decisions should apply a presumption in favour of sustainable development.....

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

In this context, “out of date” includes applications involving the provision of housing, where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in NPPF paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

Paragraph 12 of the NPPF says that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. A shortfall in housing supply is one of those considerations.

In terms of the sustainability of the site, Government advice is to use brownfield sites in urban areas to reduce the need for private car journeys. As such 4 dwellings make a medium contribution towards meeting housing need within the authority area and are in a sustainable location, therefore this consideration should be given substantial weight.

Issue 2: Impact on neighbours

Policy DM32 of the Sites and Policies Plan Part 1 specifies that the design of new development should contribute to the creation of high quality, distinctive, functional and sustainable places where opportunities for physical activity and recreation are maximised. The design and planning of development proposals should demonstrate sensitivity to the local character, and the setting, and enhance the area taking into consideration the existing context.

Policy DM37 states that any proposal for new dwellings on infill plots will only be permitted if it does not adversely affect the character of the area. Development proposals should amongst other things, respect the street scene, achieve adequate garden sizes, be of a design, form and scale to be in keeping, and not prejudice the living conditions of adjoining properties. The Council’s Residential Design Guides SPD set out appropriate standards for protecting the living conditions of neighbours.

Extensive discussions have taken place with the applicant in order to address concerns in respect of the design and layout, with a view to minimising the impact of the development on neighbours. The latest amended plans detail acceptable arrangements in this respect. The proposed terrace of 3 dwellings on the lane frontage are sited to have minimal impact on neighbours in respect of overlooking and overshadowing.

The detached unit to the rear has been designed to have no greater a height than the building that is presently located in this area. Windows in the western roof slope are limited to rooflights which would be set too high in the dwellings to allow any direct

overlooking of the neighbours. The design has positioned all of the habitable rooms so that they have an outlook to south-east, into the unit's garden area. Neighbouring dwellings on the southern side would have their privacy levels safeguarded by the use of obscure glazing and careful orientation of the first floor windows.

It is concluded that the proposed development complies with the relevant tests contained within the Residential Design Guide (Section 1: Protecting living conditions of neighbours) and would not result in a significant adverse impact upon the living conditions of neighbouring residents. In this respect, the proposal complies with policies DM32 and DM38 of the Sites and Policies Plan (Part 1).

Issue 3: Impact on setting of listed buildings

The Planning (Listed Buildings and Conservation Areas) Act 1990 and policy DM4 require that a proposal that affects the setting of listed buildings, should not have an adverse impact on the setting of that listed building. As such development must not harm the setting of the Listed Building. Section 16 of the NPPF advises that when assessing the impact on a heritage asset, it should be considered whether the proposal would result in harm to any designated asset.

The proposal falls within the wider setting of 18 – 32 Copse Road which is a terrace of Grade II Listed Buildings. The proposal is considered not to have an adverse impact on the setting of this Listed Building because the form, scale and design of the new development turns its back upon the rear of the terrace and does not impose its presence on it. It is of a limited scale that would not cause any overbearing of the listed terrace and it maintains a respectful relationship with it in architectural terms. The impact on the setting of the Listed Buildings has been fully assessed and it is considered that the proposals do not adversely affect the setting of the nearby listed buildings.

Overall, the proposal has a neutral effect on the setting of the listed buildings, would not result in any harm, be that substantial or less than substantial harm, to the setting of the Listed Buildings and therefore complies with advice in the NPPF. Furthermore, it is considered that the proposals do not adversely affect the setting of the Listed Building and are therefore comply with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy DM4.

It is concluded that the proposal is therefore in accordance with policies CS5, policy DM4 of the Sites and Policies Plan (Part 1), section 16 of the NPPF and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Issue 4: Impact on the Clevedon Conservation Area

Policy CS5 of the Core Strategy states that the townscape of North Somerset will be protected and enhanced by the careful, sensitive management and design of development. The council will conserve the historic environment of North Somerset, having regard to the significance of heritage assets such as conservation areas.

Policy DM3 of the Sites and Policies Plan Part 1 seeks to ensure that new development will not cause harm to the existing character and appearance of the Conservation Area and wherever possible positively enhance it. When determining applications for new

development, the council will have regard to matters such as bulk, height, materials, colour, vertical or horizontal emphasis and design.

The Planning (Listed Buildings and Conservation Areas) Act 1990 and policy DM3 require that a proposal within a Conservation Area, should preserve or enhance the character of the area. As such development in a Conservation Area does not have to enhance the Conservation Area but it must not harm it. Section 16 of the NPPF advises that when assessing the impact on a heritage asset, it should be considered whether the proposal would result in any harm to a designated asset.

The proposals involve the removal of a range of low-quality commercial structures previously used as a commercial garage and their replacement with a sensitive infill scheme of residential development. The designs, proposed materials, scale and massing are all considered to be of a standard that will enhance the character and appearance of the conservation area in which the site is located.

Overall the proposal would not result in substantial harm or less than substantial harm to the Conservation Area and therefore complies with advice in the NPPF. Furthermore, it is considered that the proposals comply with the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy DM3.

The proposal is therefore considered to be in accordance with policy CS5 of the North Somerset Core Strategy, policy DM3 of the Sites and Policies Plan (Part 1), section 16 of the NPPF and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Issue 5: Impact on highway safety

Policy DM24 of the Sites and Policies Plan Part 1 states that development will be permitted provided it would not prejudice highway safety or inhibit necessary access for emergency, public transport, service or waste collection vehicles. Policy DM28 states that development will not be permitted if the car parking arrangements would unacceptably harm the character of the area or the safe and effective operation of the local transport network. Parking standards are set out in the Council's Parking Standards SPD.

The development has been provided with sufficient car parking to fully comply with the Council's parking standards. The individual dwellings have space for cycle parking facilities to be installed (to be secured by condition). Furthermore, each property has a separate refuse storage area and there is a communal refuse storage area for use on collection days.

The concerns of neighbours and consultees in respect of access have been carefully considered. The existing commercial garage has enjoyed vehicular access on to Woodlands Road partially over a private lane that also serves as a rear access to properties in Alexandra Road. This would continue to serve as the means of access to the new dwellings. The use of the lane to the rear of Copse Road would be limited to pedestrian gates only. This is considered to be acceptable.

On-site parking provision is therefore adequate and complies with the standards set out in the North Somerset Parking Standards SPD. The proposal is therefore in accordance with policies DM24, DM28 and DM38 of the Sites and Policies Plan (Part 1).

Issue 6: Impact on protected species

Policy CS4 of the Core Strategy seeks to maintain and enhance the biodiversity of North Somerset by ensuring that new development is designed to maximise benefits to biodiversity, incorporating, safeguarding and enhancing natural habitats and features and adding to them where possible, particularly networks of habitats.

Policy DM8 of the Sites and Policies Plan Part 1 states that where development proposals may impact legally protected and notable species and habitats, they will need to be accompanied by an up to date ecological survey assessment as part of the submitted application.

The site is located within NS and Somerset Bats SAC. Horseshoe Bats zone C. As such the application was accompanied by a bat report. The survey work on which this report was compiled was carried out in August 2019. The survey found that the existing buildings had negligible potential as a habitat for bats. No roosts were found to be present. The report suggested conditions to require that the demolition works be undertaken under an ecological watching brief and that enhancements for roosting bats be incorporated in the design of the new buildings. A sensitive lighting scheme would also be required to avoid residual impacts (again to be secured by condition).

Conditions are recommended to secure the recommendations set out in the ecologist's report. In this respect, regard has been paid to the requirements of the Conservation of Habitats and Species Regulations 2017 and the Natural Environment and Rural Communities Act 2006, and to policy CS4 of the North Somerset Core Strategy, policy DM8 of the Sites and Policies Plan (Part 1) and the council's Biodiversity and Trees SPD.

Issue 7: Community Infrastructure Levy

The Council's Community Infrastructure Levy (CIL) Charging Schedule took effect on 18 January 2018. This means that the development may be liable to pay the CIL. The Charging Schedule and supporting information can be viewed on the website at www.n-somerset.gov.uk/cil.

Natural Environment and Rural Communities (NERC) Act 2006

The proposed development will not have a material detrimental impact upon bio-diversity subject to the conditions and advice notes suggested.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

The proposed development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. A formal EIA screening opinion is not, therefore, required.

The Crime and Disorder Act 1998

The proposed development will not have a material detrimental impact upon crime and disorder.

Local Financial Considerations

The Localism Act 2011 amended section 70 of the Town and Country Planning Act 1990 so that local financial considerations are now a material consideration in the determination of planning applications. This development is expected to generate New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in this report, continue to be the matters that carry greatest weight in the determination of this application.

Planning balance and Conclusion

This a sustainable, brownfield site located within the Clevedon settlement boundary and residential development for 4 dwellings is therefore acceptable under policy CS31 of the Core Strategy (CS). The design and layout have been conceived to ensure that neighbours are not adversely affected by overlooking/overshadowing or overbearing effects. The development therefore complies with policies DM32 and DM37 of the Sites and Policies Plan Part 1 (SPPP1) and the sustainable development principles of the NPPF.

The development will not have an unacceptable impact on the setting of adjoining listed buildings and will therefore comply with policies CS5 of the Core Strategy and DM4 of the SSSP1. The development provides a sensitively designed residential infill scheme which safeguards the character of this part of the Clevedon Conservation Area thus complying with policies CS5 and DM3. The proposed development does not adversely affect the setting of the Listed Building and it preserves the character of the conservation area in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990.

The development has been provided with sufficient car parking to fully comply with the Council's parking standards and access arrangements are considered acceptable, thus complying with policies DM24, DM28 and DM38 of the SPPP1. Ecological considerations in respect of the protection of Bats can be secured by conditions.

As the Council cannot demonstrate a 5 year housing land supply at present, Para. 11 of the NPPF advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (the so-called 'tilted balance' exercise). In this case the benefits of the development which would be for 4 dwellings on a brownfield site in a sustainable location would outweigh any adverse impacts. The proposal for 4 dwellings would make a contribution towards meeting housing need within the authority, therefore planning permission should be granted for the development.

RECOMMENDATION: APPROVE (for the reasons stated in the report above) subject to the following conditions: -

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No external walls or roofs shall be constructed until details of the walling and roofing materials to be used in the development have first been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in the approved materials unless otherwise agreed in writing.

Reason: To ensure that the materials are acceptable in the interests of the appearance of the area and in accordance with policy CS12 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan (Part 1).

4. The dwellings shall not be occupied until a soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; and a programme of implementation. The landscaping scheme shall be carried out in accordance with the approved details, specifications and programme of implementation. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or a period of ten years following full implementation of the landscaping scheme, are removed without prior written consent from the Local Planning Authority or die, become seriously diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the Authority may specify.

Reason: To ensure a satisfactory landscaping scheme is implemented and maintained in the interests of the character and biodiversity value of the area, and in accordance with policies CS4, CS5 and CS9 of the North Somerset Core Strategy, policies DM8, DM9, DM10 and DM32 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Biodiversity and Trees SPD.

For advice on how to discharge this condition, please refer to www.n-somerset.gov.uk/landscapingconditions

5. No dwelling shall be occupied until the access shown on the approved plans, including footpaths and turning spaces, where applicable, and parking spaces have been constructed in such a manner that each dwelling, is served by a properly consolidated and surfaced access and parking spaces, in materials to be agreed, between the dwelling and the existing highway. Once provided the car parking spaces shall be retained for the car parking for the dwellings hereby approved and shall not be used for any other purpose without the prior written approval of the Local Planning Authority.

Reason: To ensure adequate access and car parking is available for each occupier and in accordance with policies CS10 and CS11 of the North Somerset Core Strategy and policies DM24 and DM28 of the North Somerset Sites and Policies Plan (Part 1).

6. No dwelling shall be occupied until secure parking facilities for two bicycles have been provided for it in accordance with the approved plans and specifications. The approved facilities shall thereafter be permanently retained and kept available for the parking of bicycles at all times.

Reason: To ensure that secure cycle parking facilities are provided in order to encourage the use of more sustainable transport choices and in accordance with policies CS1 and CS11 of the North Somerset Core Strategy, policy DM 28 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Parking Standards SPD.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order, with or without modification), no extensions or alterations including any additional windows to the dwellings shall be carried out without the permission, in writing, of the Local Planning Authority.

Reason: The Local Planning Authority wish to retain control over extensions in order to maintain the integrity and appearance of this development and to protect the privacy of adjoining residents in accordance with policy CS12 of the North Somerset Core Strategy and policies DM32 and DM37 of the North Somerset Sites and Policies Plan (Part 1).

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order, with or without modification), no gates, fences, walls or other means of enclosure shall be erected or constructed on any boundaries of the site, or elsewhere within the site (other than any expressly authorised by this permission).

Reason: The Local Planning Authority wish to retain control over means of enclosure in the interests of the character and appearance of the Conservation Area and in accordance with policies DM3 and DM32 of the North Somerset Sites and Policies Plan and policies CS5 and CS12 of the North Somerset Core Strategy.

9. The dwellings hereby permitted shall not be occupied until measures to generate 10% (less if agreed with the local planning authority) of the energy required by the use of the development (measured in kilowatt hours - kWh) through the use of micro renewable or low carbon technologies have been installed on site and are fully operational in accordance with 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.

Reason: In order to secure a high level of energy saving by reducing carbon emissions generated by the use of the building(s) in accordance with policies CS1 and CS2 of the North Somerset Core Strategy.

For further advice on how to discharge this condition please refer to www.n-somerset.gov.uk/energyconditions.

10. The dwellings shall not be occupied until space and facilities for the separate storage and collection of waste and recycling materials have been provided in accordance with the approved plans and specifications. The said space and facilities shall thereafter be made permanently available for the storage and collection of waste and recycling materials only for the occupiers of the dwellings.

Reason: The Local Planning Authority wishes to encourage sustainable recycling initiatives in the interests of local amenity and sustainable waste management and in accordance with policies CS1, CS3 and CS7 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan (Part 1).

11. No external lighting shall be installed until details, including:

- (i) details of the type and location of the proposed lighting;
- (ii) existing lux levels affecting the site;
- (iii) the proposed lux levels; and
- (iv) lighting contour plans,

have been submitted to and approved in writing by the Local Planning Authority. Any external lighting shall be installed and operated in accordance with the approved details.

Reason: To reduce the potential for light pollution in accordance with Policy CS3 of the North Somerset Core Strategy and to protect bat habitat in accordance with the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended), policy CS4 of the North Somerset Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan (Part 1).

12. The dwellings hereby permitted shall not be occupied until foul and surface water drainage works have been completed in accordance with the approved details.

Reason: To reduce the risk of flooding and prevent pollution of the water environment and in accordance with policy CS3 of the North Somerset Core Strategy policy and policy DM1 of the North Somerset Sites and Policies Plan (Part 1- Development Management Policies).

13. The development shall not take place except in strict accordance with the measures outlined in Clarkson & Woods Bat Survey dated September 2019. If amendments to the methodology are required, details of the changes must be submitted in writing and agreed by the Local Planning Authority before relevant works proceed. The development shall then be implemented in accordance with the agreed changes.

Reason: To ensure compliance with the Conservation of Habitats and Species Regulations 2017/the Wildlife and Countryside Act 1981 (as amended), policy CS4 of the North Somerset Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan (Part 1).

Advice about discharging conditions relating to ecological mitigation can be found at:
www.n-somerset.gov.uk/batroostconditions
www.n-somerset.gov.uk/birdboxconditions
www.n-somerset.gov.uk/ecologyconditions

14. A bird box and a and a bat box/cavity roosting feature shall be installed in each of the proposed new dwellings prior to its occupation.

Reason: To provide compensatory habitat features in the development tin order to comply with Conservation of Habitats and Species Regulations 2017/the Wildlife and Countryside Act 1981 (as amended), policy CS4 of the North Somerset Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan (Part 1).

15. No demolition works hereby approved shall be commenced until a signed contract stating that the works of redevelopment hereby permitted will be commenced within 6 months of the date of the contract has been made and a copy of the contract supplied to the Local Planning Authority.

Reason: The signed contract is required prior to commencement in order to safeguard against premature demolition that may be harmful to the character and appearance of the Conservation Area, and in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), policy CS5 of the North Somerset Core Strategy and policy DM3 of the North Somerset Sites and Policies Plan (Part 1).

16. All natural stone on site should be retained for re-use for boundary walls and retaining walls in any future re-development of the site.

Reason: To contribute towards maintaining the character and appearance of the conservation area in accordance with policies CS5 and CS12 of the North Somerset Core Strategy and policies DM3, DM4 and DM32 of the North Somerset Sites and Policies Plan (Part 1).

17. No demolition shall take place until a Demolition Management Plan (DMP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved DMP shall be adhered to throughout the demolition and restoration period. The DMP shall provide for:

- (a) the parking of vehicles of site operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) times of site operation
- (e) wheel washing facilities
- (f) measures to control the emission of dust and dirt during construction
- (g) measures to control noise from works on the site
- (h) a scheme for recycling/disposing of waste resulting from demolition works
- (i) measures to keep access roads clear of vehicles
- (j) routing restrictions
- (k) volume of HGV traffic
- (l) protection of pedestrians
- (m) mitigation measures for any required remedial works

Reason: In order to preserve highway safety, local amenity and the living conditions of nearby residents and in accordance with policy CS3 of the North Somerset Core Strategy and policy DM24 of the North Somerset Sites and Policies Plan (Part 1).

The details are required prior to the commencement of development in order to ensure that demolition works do not pose a threat to amenity, health or safety.

18. No retaining wall shall be constructed until a sample panel of the stonework demonstrating the type of stone to be used and the coursing and pointing of the stonework has been erected on site and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved sample panel, which shall be retained on site for reference until the development is completed.

Reason: In order to protect the character of the conservation and the setting of the listed buildings and in accordance with part I section 66 and Part II section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), policies CS5 and CS12 of the North Somerset Core Strategy and policies DM3, DM4 and DM32 of the North Somerset Sites and Policies Plan (Part 1).

19. Before the first occupation of the dwelling on Plot 4 hereby permitted the windows shown on the approved drawing no.906.12 Rev H shall be fitted with obscure glazing. The obscure glazing used shall provide a degree of obscuration no less obscure than that which is provided by privacy level 3 of the Pilkington Group Limited textured glass range as defined in publication "Pilkington Decorative Glass Range" (published November 2017). These windows shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order, with or without modification), neither the obscure glazing nor the method of opening shall be subsequently altered without the prior written permission of the Local Planning Authority.

Reason: To protect the living conditions of occupiers of adjoining properties and in accordance with policies DM32 and DM38 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Residential Design Guide SPD (Section 1: Protecting living conditions of neighbours).

20. No development shall take place until an assessment of the nature and extent of contamination on site has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems, and

- archaeological sites and ancient monuments

Reason: In order to ensure that land is suitable for the intended uses and in accordance with policy CS3 of the North Somerset Core Strategy.

For advice about discharging this condition please refer to www.n-somerset.gov.uk/landcontaminationconditions

21. Unless the Local Planning Authority confirms in writing that a remediation scheme is not required, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: In order to ensure that land is suitable for the intended uses and in accordance with policy CS3 of the North Somerset Core Strategy.

For advice about discharging this condition please refer to www.n-somerset.gov.uk/landcontaminationconditions

22. The remediation scheme, if required, shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to the Local Planning Authority.

Reason: In order to ensure that land is suitable for the intended uses and in accordance with policy CS3 of the North Somerset Core Strategy.

For advice about discharging this condition please refer to www.n-somerset.gov.uk/landcontaminationconditions