

# PLANNING AND REGULATORY COMMITTEE

## UPDATE SHEET

17 FEBRUARY 2021

### Section 1

#### Item 6 - 20/P/2000/R3 - Land south of The Uplands, Nailsea

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

Tracking details have been provided to demonstrate that a fire engine will be able to negotiate the highways within the site. Information has also been provided to assess the required extent for visibility splays at the junction of The Uplands with the access to no's 14 a and b.

*Officer comments: Access by fire engines can be achieved. The visibility at the access with no's 14 a & b is being assessed by the Highway Safety Engineer. If amendments are required this is covered in point b (i) of the recommendation.*

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

6 additional letters of objection have been received. In addition to the points and objections detailed in the committee report, the additional principal planning points made are as follows:

- The highways assessment is inadequate and should confirm that vehicular dimensions used include wing mirrors to prevent highway hazard to parked cars and residents of The Uplands. Internal site roads should not include speed restricting platforms as these cause noise and disturbance.
- There is a boundary dispute adjacent to no 20 The Uplands and a wider landscaped buffer should be incorporated.

#### Officer comments:

- *The vehicle dimensions used for highways assessments of road widths include vehicle mirrors and the new roads are within design parameters for refuse vehicles, emergency vehicles, fire appliances and 7.5 tonne box vans. Tracking has been provided which demonstrates that a box van and a large car can pass on the existing section of the Uplands where the road is between 4.8m and 5m wide. Manual for Streets shows that a 4.1m wide road is sufficient for an HGV and a car to pass.*
- *There are two raised platforms in the highway at junctions but these are not speed reducing features so removal can be considered.*
- *The on street parallel parking bays will preclude ad hoc parking. Where there are no bays there will be features such as raised kerbs and bollards or similar features to prevent this (details to be agreed under a condition.)*
- *Additional planting has been requested at the north western corner and the aim is to address this through planning conditions.*

#### **Addition information regarding use of condition and S106 agreement.**

A condition must pass the 6 tests set out in paragraph 206 of the NPPF, the wording and the principal heads of terms should be agreed with the applicant. The Council, as freeholder of the site, is likely to either enter into a building lease with a third-party developer or enter into a joint venture arrangement. The planning obligations would then be secured under a section 106 legal agreement

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either with a third-party building contractor, by virtue of their leasehold interest in the site, or under a section 106 agreement with the joint venture, if created as a separate legal entity

### **Council applications**

Under section 316 of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning General Regulations 1992 (as amended.) a local planning authority has powers to determine a planning application by the same authority on its own land and for any permission granted to run with the land,

### **AMENDMENT TO PART OF RECOMMENDATION:**

“Subject to

- (a) the completion of the Habitat Regulations Appropriate Assessment submission and
- (b) receipt and consideration of suitably revised plans and details demonstrating:
  - (i) acceptable visibility splays at the site access and no’s 14 a and b The Uplands (if required);
  - (ii) details of HRA compliant dark corridors and buffers (or suitably worded planning condition); and
  - (iii) details of the location of the proposed play area (or suitably worded planning condition/S106 requirement).

**the application be APPROVED** (for the reasons stated in the report above) subject to the following conditions and any other additional or amended conditions as may be required, together with a negatively worded condition which would prevent development from commencing until a third-party developer or joint venture entity or partner has entered into a S106 agreement with the Council. The S106 agreement is to secure the planning obligations as set out in the Heads of Terms described in this report (with any amendments required) and in consultation with the Chairman and Vice Chairman and local member:”

Conditions as listed in the Committee report

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### **Section 2**

**Item 7 – 20/P/2020/FUL - Rickford Chapel (former Masonic Lodge), The Batch, Burrington, BS40 7AH**

### **Burrington Parish Council:**

A statement prepared by Burrington Parish Council responding to the updated officer’s report has been sent to all P&R Committee Members. The statement reiterates previous concerns and expresses disappointment that no additional parking has been provided. It understands the importance of the finding an economic use of the listed building but continues to raise concerns about the lack of vehicle car parking provisions and future growth in number of staff at the office.

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