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Contact: Hazel Brinton
Direct Dial: 01275 884811
E-mail: hazel.brinton@n-somerset.gov.uk
Date: Wednesday, 21 July 2021

**** Supplementary Dispatch**

To all Members of the Planning and Regulatory Committee

Dear Sir or Madam

Planning and Regulatory Committee – Wednesday, 21 July 2021

I refer to the agenda for the above Planning and Regulatory Committee meeting and attach the following item:

10. P&R Update Sheet 21 July 2021 (Pages 3 - 6)

Yours faithfully

Assistant Director Governance and Monitoring Officer

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PLANNING AND REGULATORY COMMITTEE

UPDATE SHEET

21 JULY 2021

Section 1

Item 6 - 21/P/0803/FUL - Land to the west of Wild Country Lane, Long Ashton

Additional Third Party comments

47 additional letters of support have been received. The principal planning points not previously made are as follows:

- environmental impact outweigh community need which must be in the wider public interest
- no traffic impact
- would object if this was housing application - don't want this to set a precedent for housing
- if refused scouts will fold
- existing site no longer fit for purpose
- precedent for recreation facility set from Guide HQ

Updated policy guidance

The National Planning Policy Framework (NPPF) has been updated and a revised version issued on 20th July. The sections in the amended NPPF remain the same as in the Committee report. It should be noted that some paragraph numbers have changed in the updated version. There is however an amendment to Section 15 (new para 180) which says that "when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"

Natural Environment and Rural Communities (NERC) Act 200

The proposed development will have a material detrimental impact upon bio-diversity.

Additional information from the applicant

An interim Bat Activity Survey was received on 20th July which confirms that through mitigation there would be a biodiversity net gain to the site.

Officer Comments: This survey has only provided further information on bat activity where other ecological surveys for a variety of protected species are still required.

Section 2

Item 7 – 20/P/0861/FUL Land to east of Youngwood Lane, Nailsea

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Additional information from the applicant

The drainage infrastructure proposed at the south western corner cannot be relocated due to engineering requirements therefore the layout cannot be redesigned to site dwellings in this location to prevent the access road being extended into land to the south. The principle of a S106 requirement (or planning condition) to preclude access being provided to land to the south of the site would be acceptable, although the drainage provisions have to be located where proposed, thus providing a further *technical* reason why an access to a wider development area is not feasible.

Officer comment: The Council's flood risk manager has confirmed the location for the drainage measures are appropriate to enable drainage by gravity and that it would not be possible to plant or build over the proposed soakaways. It is considered that it would be possible to frame a clause for inclusion within a s106 agreement to preclude the site providing access to land to the south.

Additional comments from Natural England

The additional hedge and tree planting is welcomed however the Habitat Evaluation Procedure (HEP) calculations for the HRA show a small deficit in Horseshoe bat habitat provision. The substitution of a Sustainable Urban Drainage System (SUDS) for the south west corner soakaways would be strongly preferred and environmentally beneficial.

Officer comments: Options to create the additional habitat units are being explored with the agent. Whilst Natural England would prefer a drainage arrangement that would enable wetland or open water this is not possible within this application .

Updated policy guidance

The National Planning Policy Framework (NPPF) has been updated and a revised version issued on 20th July. This has been taken into account and the officer recommendation remains unchanged.

AMENDMENT TO RECOMMENDATION:

Subject to –

- (a) the completion of the Habitat Regulations Assessment and Appropriate Assessment if required, and provision for any necessary off-site mitigation
- (b) submission of amended plans showing additional wildflower grassland planting
- (c) The completion of a section 106 legal agreement securing:
 - i. the delivery of a minimum of 30% on site affordable housing,
 - ii. commitment to there being no access provided through the site to land to the south for road, paths or services
 - iii. financial contributions towards on-going maintenance of fire hydrants and for off-site cycle path links (if required),

the application be **APPROVED** subject to the conditions referred to in the 24 June committee report attached as Annex 1, as amended by recommendation referred to within the 24 June Update sheet attached as Annex 2, and any other additional or amended conditions as may be

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required in consultation with the Chairman and Vice Chairman and local members together with additional conditions as follows:

13. All ecological mitigation measures identified in the Habitats Regulations Assessment together with the recommended compensation and enhancement measures proposed in the Ecological Impact Assessment April 2020 and letter dated 3rd December shall be implemented according to a programme to be approved by the Local Planning Authority. Reason: To protect and enhance biodiversity on site in accordance with policy CS4 of the North Somerset Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan Part 1.

14. No dwelling shall be occupied until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved by the Local Planning Authority in accordance with the principles set out in the approved documents. The Plan shall cover a ten-year period and include measures for establishment, enhancement and management of habitats and open spaces within the site and shall include planting schedules devised in accordance with the principles set out in the approved documents and any conditions required as part of the HRA. This shall include a timetable for management activities as well as a monitoring schedule and shall be fully implemented. Reason: To comply with Policy CS4 of the adopted Core Strategy, policy DM24 of the North Somerset Sites and Policies Plan Part 1 and to comply with the Conservation of Habitats and Species Regulations 2010 (as amended).

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