

Minutes

of the Meeting of

The Planning and Regulatory Committee

Wednesday, 11 October 2023

New Council Chamber - Town Hall

Meeting Commenced: 2.30 pm

Meeting Concluded: 3.51 pm

Councillors:

Hugh Malyan (Chairperson)

Robert Payne (Vice-Chairperson)

Christopher Blades

Peter Bryant

Peter Burden

Stuart Davies

Clare Hunt

Terry Porter

Timothy Snaden

Mike Solomon

Hannah Young

Dan Thomas (substitute for Stuart McQuillan)

Apologies: Councillor Tom Nicholson.

Also in attendance: Councillor Mike Bird.

Officers in attendance: Sue Buck (Solicitor - Litigation Team Leader), Richard Kent (Head of Planning, Place Directorate), Roger Wilmot (Strategic Development Service Manager) Andrea English (Principal Transport Policy Officer, Place Directorate), Neil Underhay (Applications Manager, Place Directorate), Harriet Isherwood (Committee Services Support Officer).

PAR Public speaking at planning committees (Standing Order 17 & 17A)

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Two requests to speak had been received under Standing Order 17A and the speakers would be invited to address the committee immediately prior to the consideration of the application in question (agenda item 6).

PAR Declaration of Disclosable Pecuniary Interest (Standing Order 37)

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None.

PAR Minutes 20 September 2023

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It was noted that PAR30 was amended to include the site address.

Resolved: that the minutes as amended be approved as correct record.

PAR 37 **Matters referred by Council, the Executive, other committees etc (if any)**

None.

PAR 38 **Planning Application No. 22/P/0459/OUT - Outline planning application for the erection of up to 90no. dwellings (including 30% affordable housing), public open space, children's play area, landscaping, sustainable urban drainage system and engineering works, with vehicular access off Mulberry Road, Congresbury.**

At the invitation of the Chairperson, Cem Kosaner, Agent, addressed the committee speaking in favour of the application.

At the invitation of the Chairperson, Amie Price-Bates, objector, addressed the committee speaking in opposition of the application.

The Director of Place Directorate's representative presented the report.

At the invitation of the Chairperson, the ward member, Councillor Dan Thomas, addressed the Committee.

Following debate, it was considered that the application be **refused** for the reasons set out below.

As the resolution was contrary to the officer recommendation the application was to be held over to a future meeting for the decision to be made.

1. The development would add significantly to North Somerset's carbon emissions, contrary to the Council's core principle of addressing the challenge of Climate Change. It would only provide for the minimum requirement for renewable energy. The site is in an unsustainable location with inadequate bus services, no places for children in local schools and no doctor's surgery in the village with no scheduled bus service between Congresbury and the surgery in Langford contrary and the proposed development is contrary to policies CS1, CS2 and CS10 of the North Somerset Core Strategy 2017 and policy DM24 of the Sites and Policies Plan Part: Development Management policies 2016. The adverse impacts of the development significantly outweigh the benefits of the development contrary to paragraph 11 of the National Planning Policy Framework.

2. The proposed development would do clear and demonstrable harm to the both the natural environment and wildlife, the landscape, and the character of the neighbourhood. The site is situated on an elevated field above the Yeo Valley. The position, scale and extent of the proposed development would have a significant urbanising effect on its rural location beyond the settlement boundary. There would be potential adverse effects on wildlife, including the bat population

which is already under threat from other developments and the proposed mitigation measures are not sufficient to reduce the harm and the proposed development is contrary to policies CS4, CS5 and CS14 of the North Somerset Core Strategy 2017 and policies DM32 and DM36 of the Sites and Policies Plan Part: Development Management policies 2016. The adverse impacts of the development significantly outweigh the benefits of the development contrary to paragraph 11 of the National Planning Policy Framework.

PAR 39 Application no. NSC/TGV/09 for a Town/Village Green on land at the Perrings, Nailsea

The Director of Corporate Services representative drew members' attention to the report from the Assistant Director of Legal & Governance and Monitoring Officer which included advice received on the merits of the application from the independent barrister engaged by the council.

At the invitation of the Chairman, the ward member, Mike Bird, spoke on the application.

Resolved: that the application be refused as per the officer's recommendation for the following reasons:

- a) A trigger event has occurred under Schedule 1A to the Commons Registration Act 2006 so that section 15C of the Commons Registration Act 2006 applies meaning that the Applicant is not entitled to make the application and it should, therefore, be rejected.
- b) If not rejected, the application should be refused because use of the land by local inhabitants has been "by right" and is, therefore, incapable of meeting the statutory requirement under section 15(2) of the Commons Registration Act 2006 that the use must be "as of right".

PAR 40 Planning Appeals 111023

The Director of Place Directorate'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.

PAR 41 Other matters

Officers to consider whether a link to the planning application could be included in the P&R report.

PAR 42 Urgent business permitted by the Local Government Act 1972 (if any)

None.

Chairperson
