

Public Document Pack

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Date: Friday, 11 March 2022

Attention is drawn to Update Sheets which include the latest information on a planning application. Please check the council's website for any supplementary despatches which will include Update Sheets if available.

Dear Sir or Madam

**Planning and Regulatory Committee – Monday, 21 March 2022, 2.30 pm
– New Council Chamber, Town Hall**

A meeting of the Planning and Regulatory Committee will take place as indicated above.

Please Note that this meeting is a face to face meeting being held in the New Council Chamber, Town Hall and will not be livestreamed.

The agenda is set out overleaf.

Yours faithfully

Assistant Director Legal & Governance and Monitoring Officer

Councillors (13):

James Tonkin (Chairman), John Crockford-Hawley (Vice Chairman), Peter Bryant, Caroline Cherry, Peter Crew, Ann Harley, Steve Hogg, Stuart McQuillan, Robert Payne, Timothy Snaden, Mike Solomon, Richard Tucker, Richard Westwood

Agenda

1. **Public speaking at planning committees (Standing Order 17 & 17A) (Agenda Item 1)**

Please note that following changes to SO17A, public speaking about applications for planning permission will be at the start of relevant agenda items rather than at the start of the meeting. Time limits and notification deadlines remain unchanged, as set out below.

To receive and hear any person who wishes to address the Committee. The Chairman will select the order of the matters to be heard. Each speaker will be limited to a period of five minutes for public participation on non-planning matters (up to a maximum of 30 minutes) and three minutes for the applicant/supporters and three minutes for objectors on a planning application (up to a maximum of 30 minutes).

If there is more than one person wishing to object to an application, the Chairman will invite those persons to agree a spokesperson among themselves. In default of agreement the Chairman may select one person to speak.

Requests to speak must be submitted in writing to the Assistant Director Legal and Governance and Monitoring Officer, or to the officer mentioned at the top of this agenda letter, by noon on the day before the meeting and the request must detail the subject matter of the address.

Please ensure that any submissions meet the required time limits and can be read out in five minutes for public participation on non-planning matters (up to a maximum of 30 minutes) and three minutes for applicant/supporter statements and three minutes for objector statements on a planning application (up to a maximum of 30 minutes). Members of the public are advised that 400 words at normal speaking speed equate to a three minute statement.

2. **Apologies for absence and notification of substitutes**

3. **Declaration of Disclosable Pecuniary Interest (Standing Order 37) (Agenda Item 3)**

A Member must declare any disclosable pecuniary interest where it relates to any matter being considered at the meeting. A declaration of a disclosable pecuniary interest should indicate the interest and the agenda item to which it relates. A Member is not permitted to participate in this agenda item by law and should immediately leave the meeting before the start of any debate.

If the Member leaves the meeting in respect of a declaration, he or she should ensure that the Chairman is aware of this before he or she leaves to enable their exit from the meeting to be recorded in the minutes in accordance with Standing Order 37.

4. **Minutes 16 February 2022 (Agenda Item 4) (Pages 5 - 8)**

16 February 2022, to approve as a correct record (attached)

5. **Matters referred by Council, the Executive, other committees etc (if any)**
6. **Planning Application No: 21/P/3016/FUL Proposed change of use from residential care home of 21no rooms (Use Class C2) to a House of Multiple Occupation (HMO) of 21no rooms (Sui Generis Use) with associated car parking, refuse and cycle storage. (Pages 9 - 16)**

Section 2 report of the Director of Place Directorate (attached)

7. **Planning Appeals 21 March 2022 (Agenda Item 7) (Pages 17 - 24)**

Section 3 report of the Director of Place Directorate (attached)

8. **Urgent business permitted by the Local Government Act 1972 (if any)**

For a matter to be considered as an urgent item, the following question must be addressed: "What harm to the public interest would flow from leaving it until the next meeting?" If harm can be demonstrated, then it is open to the Chairman to rule that it be considered as urgent. Otherwise the matter cannot be considered urgent within the statutory provisions.

Exempt Items

Should the Planning and Regulatory Committee wish to consider a matter as an Exempt Item, the following resolution should be passed -

"(1) That the press, public, and officers not required by the Members, the Chief Executive or the Director, to remain during the exempt session, be excluded from the meeting during consideration of the following item of business on the ground that its consideration will involve the disclosure of exempt information as defined in Section 100I of the Local Government Act 1972."

Also, if appropriate, the following resolution should be passed –

"(2) That members of the Council who are not members of the Planning and Regulatory Committee be invited to remain."

Mobile phones and other mobile devices

All persons attending the meeting are requested to ensure that these devices are switched to silent mode. The chairman may approve an exception to this request in special circumstances.

Filming and recording of meetings

The proceedings of this meeting may be recorded for broadcasting purposes.

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting, focusing only on those actively participating in the meeting and having regard to the wishes of any members of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Assistant Director Legal & Governance and Monitoring Officer's representative before the start of the meeting so that all those present may be made aware that it is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting.

Emergency Evacuation Procedure

On hearing the alarm – (a continuous two tone siren)

Leave the room by the nearest exit door. Ensure that windows are closed.

Last person out to close the door.

Do not stop to collect personal belongings.

Do not use the lifts.

Follow the green and white exit signs and make your way to the assembly point.

Do not re-enter the building until authorised to do so by the Fire Authority.

Go to Assembly Point C – Outside the offices formerly occupied by Stephen & Co

Minutes

of the Meeting of

The Planning and Regulatory Committee

Wednesday, 16 February 2022

New Council Chamber, Town Hall

Meeting Commenced: 6.00 pm

Meeting Concluded: 6.49 pm

Councillors:

James Tonkin (Chairman)

John Crockford-Hawley (Vice-Chairman)

Caroline Cherry

Peter Crew

Ann Harley

Steve Hogg

Phil Neve

Robert Payne

Timothy Snaden

Mike Solomon

Richard Tucker

Richard Westwood

Apologies: Councillors: Peter Bryant and Stuart McQuillan.

Officers in attendance: Hazel Brinton (Democratic Services Officer), Richard Kent (Head of Planning, Place Directorate), James Wigmore (Lead Transport Planner), Roger Willmot (Service Manager Strategic Development, Place Directorate) and Sally Evans (Principal Planning Officer).

PAR Chairman's Welcome

40

The Chairman welcomed everyone to this face-to-face meeting of the Planning & Regulatory Committee in the New Council Chamber. In line with public health recommendations to exercise caution and the council's health and safety advice, the number of councillors, officers and members of the public in attendance in the Chamber was still limited to ensure the meeting could take place safely.

He also confirmed that the new committee and meeting arrangements were now in place following Council approval of the recommendations from the Planning Peer Review. This Committee now comprised 13 members, together with an agreed pool of substitute members to be called on where standing committee members were unable to attend. There were also new arrangements in place for speaking on planning applications under Standing Order 17A, with speakers to be invited to address the committee immediately before an application rather than at the start of

the meeting.

The Chairman then introduced those officers present at the meeting and explained that any non-committee members in attendance may be invited to speak but did not have a vote.

PAR 41 Public speaking at planning committees (Standing Order 17 & 17A) (Agenda Item 1)

It was noted there were no speakers under Standing Order 17.

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

PAR 42 Declaration of Disclosable Pecuniary Interest (Standing Order 37) (Agenda Item 3)

None declared.

PAR 43 Minutes of the meeting held on 17 November 2021 (Agenda Item 4)

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

PAR 44 Matters referred by Council, the Executive, other committees etc (if any)

None.

PAR 45 Planning Application No 22/P/0062/FUL Installation of 'See Monster' a large-scale temporary art installation formed upon a decommissioned North Sea offshore platform, which provides events space (Sui Generis) along with an amphitheatre, associated engineering and landscaping works at Tropicana, Marine Parade, Weston-Super-Mare, Somerset, BS23 1BE (Agenda Item 6)

At the invitation of the Chairman, Patrick O'Mahoney, for the applicant, addressed the committee speaking in support of the application.

The Director of Place's representative presented the report emphasising that the application was for temporary planning permission. He also drew members' attention to the update sheet which had been published the previous day and which gave more information relating to the proposed colour(s) of the installation, additional third-party comments and the opinion of Weston Town Council on the application. Additionally, the update sheet proposed an alteration to planning condition number 4 and an additional condition, number 10. He noted that an amendment to condition number 5 was also being proposed.

At the invitation of the Chairman, the ward member Councillor Payne addressed the committee.

Following debate, it was

Resolved: that Subject to the receipt and consideration of comments from Natural

England the application be **APPROVED** (for the reasons stated in the report) subject to the following conditions and any other additional or amended conditions as may be required in consultation with the Chairman and Vice Chairman and local member:

1. The structure and associated fittings hereby permitted shall be removed and the land restored to its former condition on or before 31st October 2022 in accordance with a scheme of work that has first to be submitted to and approved in writing by the Local Planning Authority.
2. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.
3. Prior to opening the development to the public a Flood Warning Evacuation Plan shall be submitted to and approved, in writing, by the local planning authority and thereafter shall be fully implemented.
4. No development shall take place, including any piling works, until a Construction and Deconstruction Environmental and Ecological Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. As a minimum, the plan 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 used in constructing the development
 - (d) wheel washing facilities
 - (e) measures to control the emission of dust and dirt during construction
 - (f) measures to control noise and vibration from works on the site
 - (g) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - (h) measures to keep access roads clear of vehicles
 - (j) routing restrictions
 - (k) construction and deconstruction phasing restrictions
 - (l) location and specification of fencing
 - (m) site security.
 - (n) fuel oil storage, bunding, delivery and use, details of how both minor and major spillage will be dealt with, containment of silt/soil contaminated run-off; disposal of contaminated drainage, including water pumped from excavations.
 - (o) site induction for workforce highlighting pollution prevention and awareness.
 - (p) construction working hours to be restricted to 08:00 to 18:00 Monday to Friday, 09:00 to 13:00 on Saturday with no construction working on Sundays and Bank Holidays unless the works are inaudible at the boundary of the site or unless otherwise agreed with the Local Planning Authority.
5. The use of the structure hereby permitted by the public shall not commence until measures to facilitate and promote the use of sustainable modes of transport to the venue have been implemented in accordance with plans and specifications to be first submitted and approved by the Local Planning Authority.
6. The use of the development hereby permitted shall not take place outside the

hours of 09:00 hours to 23:00; hours unless otherwise agreed in writing with the Local Planning Authority.

7. Details of any means of external illumination of the structure shall be submitted to and approved in writing by the Local Planning Authority prior to its installation on site. No means of external illumination shall be installed other than in accordance with the approved details and shall not be varied without the permission in writing of the Local Planning Authority.

8. The premises shall not be occupied until the public accesses have been made suitable for use by disabled people in accordance with details that have first been submitted to and approved, in writing, by the Local Planning Authority.

9. Should any contamination not previously identified be found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

10. Prior to filling the water storage area/tank with water, details of the water level management, supply and overflow arrangements shall first be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the approved details.

PAR 46 Q3 Performance Report (Agenda Item 7)

The Director of Place's representative presented the report.

Resolved: that the report be noted, and officers thanked for all their hard work.

PAR 47 Planning Appeals 16 02 22 (Agenda Item 8)

The Director of Place'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 48 Urgent business permitted by the Local Government Act 1972 (if any)

None.

Chairman

SECTION 2 – ITEM 6

Application No: 21/P/3016/FUL

Proposal: Proposed change of use from residential care home of 21no rooms (Use Class C2) to a House of Multiple Occupation (HMO) of 21no rooms (Sui Generis Use) with associated car parking, refuse and cycle storage.

Site address: 20 Cambridge Road, Clevedon, BS21 7HX

Applicant: N/A

Target date: 24.01.2022

Extended date: 25.03.2022

Case officer: Ellena Fletcher

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.

The Site

The application site is located within the settlement boundary of Clevedon. The existing building is currently vacant but formally served as a care home. The proposal includes some external alterations to the site layout to accommodate parking and waste storage.

The Application

Full permission is sought for:

- Change of use of 21 bed care home to a 21 bed HMO for use by vulnerable refugees (mainly women and children)
- Alterations to layout to allow for parking and waste storage
- 9 vehicle parking spaces and 21 cycle storage spaces

Relevant Planning History

Year: 2009

Reference: 09/P/1917/F

Proposal: Erection of three-storey extension to south-east elevation to provide eight bedrooms and a lounge

Decision: Refuse

Year: 2004
Reference: 04/P/1974/F
Proposal: Change of use from nursing home to 8 flats and 1 house (involving increasing the height of a single storey extension to enable the creation of a first floor; erection of a single storey entrance porch)
Decision: Approve

Year: 2002
Reference: 02/P/1345/F
Proposal: Erection of rear conservatory.
Decision: Approve

Policy Framework

The site is affected by the following constraints:

- Within the settlement boundary for Clevedon
- NS and Mendip SAC Horseshoe Bat Zone C
- Landscape Character Area *Clevedon*

The Development Plan

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

The following policies are particularly relevant to this proposal:

CS11 Parking
CS12 Achieving high quality design and place making
CS31 Clevedon, Nailsea and Portishead
CS32 Service Villages
CS33 Smaller settlements and countryside

Sites and Policies Plan Part 1: Development Management Policies (adopted 19 July 2016)

The following policies are particularly relevant to this proposal:

DM8 Nature Conservation
DM24 Safety, traffic and provision of infrastructure etc associated with development
DM28 Parking standards
DM32 High quality design and place making
DM39 Subdivision of properties
DM40 Retirement accommodation and supported independent living for older and vulnerable people
DM41 Nursing and care homes for older people and other vulnerable people

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

The following policies are particularly relevant to this proposal:

SA2 Settlement boundaries and extension of residential curtilages

Other material policy guidance

National Planning Policy Framework (NPPF) (2021)

The following sections are particularly relevant to this proposal:

- 1 Introduction
- 2 Achieving Sustainable Development
- 3 Plan-making
- 4 Decision-making
- 11 Making effective use of land
- 12 Achieving well designed places
- 15 Conserving and enhancing the natural 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 2021)
- North Somerset Landscape Character Assessment SPD (adopted September 2018)
- Biodiversity and Trees SPD (adopted December 2005)
- 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: 152 letters of objection have been received. The principal planning points made are as follows:

- Out of keeping with the low density and quiet housing neighbourhood
- Overdevelopment
- Increased traffic, highway safety and inadequate parking.
- Should retain as vital elderly care accommodation
- Inappropriate location for 21 bed HMO
- Worry of unsocial behaviour
- Have a harmful effect on the character and living conditions of adjoining properties
- Inadequate utilities in building for number of people sharing
- Noise pollution
- Limited amount of employment in the area

2 letters of support have been received. The principal planning points made are as follows:

- An HMO would help reduce the housing crisis
- Proposal would provide affordable accommodation for Clevedon

Clevedon Town Council: “Clevedon Town Council objects to the proposed application to alter the change of use from a residential care home to a House of Multiple Occupancy (HMO).”

Other Comments Received:

Avon and Somerset Police: No objection subject to comments.

Principal Planning Issues

The principal planning issues in this case are (1) principle of development, (2) character and appearance, (3) living conditions, (4) highway safety, (5) trees, (6) protected species, (7) setting of a listed building.

Issue 1: Principle of development

Policy CS31 in the Core Strategy supports residential development in the settlement boundary for Clevedon. Policy DM39 in the Sites and Policies Plan (Part 1) permits conversions of buildings within settlement boundaries to House in Multiple Occupation (HMO) provided.

- the proposals will not have a harmful effect on the character and living conditions of the property, adjoining properties and the local area; and
- a satisfactory standard of accommodation and living conditions are provided and that the proposal does not create an over-intensive use of the site; and
- the development will not singularly or cumulatively contribute to an unacceptable change in the balance of types of properties in one street or area: and
- parking should meet the councils parking standards.

The proposal falls within the settlement boundary of Clevedon and so the principle of development is supported by policy DM39. The other criteria are assessed in detail below.

Issue 2: Character and appearance

Policy CS12 of the Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan (Part 1) require a high standard of design in all new developments. These policies require that development is sensitively designed to respect the character of the site and its surroundings, taking the opportunity to enhance an area where relevant. Policy DM39 requires that proposals will not have a harmful impact on the character of the area or will not contribute to a change in the balance of the types of property.

The proposal seeks to change the use of a care home to a HMO. The proposal would result in external changes to the parking layout and waste storage, which would result in some visual clutter. However, the change of use would not create alterations to an extent it would significantly or unacceptably harm the character of the area.

The surrounding area is characterised by large, detached dwellings. The existing building's lawful use is as a care home. Therefore, the existing site already does not function as a single household. The proposal is therefore unlikely to unacceptably unbalance the types of property in the local area.

The proposal would not unacceptably harm the characteristics of the existing site or the character of its surroundings. In this respect, the proposal complies with policy CS12 of the Core Strategy, policies DM32 and DM39 of the Sites and Policies Plan (Part 1).

Issue 3: Living conditions

Policy DM32 of the Sites and Policies Plan (Part 1) states that the design and layout of development should not prejudice the living conditions for the occupiers of the proposal or that of adjoining occupiers through loss of privacy, overlooking, overshadowing or overbearing impact. Policy DM39 also requires that proposals provide high quality living accommodation for future occupiers.

Neighbours raised concerns in relation to noise disturbance and anti-social behaviour affecting nearby residents. Avon and Somerset Constabulary consider the proposal is unlikely to result in an increase in crime or anti-social behaviour provided the design incorporates onsite security systems. The applicant advises in the Supporting Statement that the HMO would be used to house vulnerable refugees including women and children and a management company would be in place to provide control. Therefore, given the above, the proposal is unlikely to result in unacceptable noise disturbance or disruption through anti-social behaviour. Any concerns regarding noise or anti-social behaviour would be dealt with by Environmental Health or Police.

There were concerns raised that the proposal would not result in high quality accommodation. However, the council's Housing team consider the bed spaces would be functional and safe. It also considers the communal spaces would meet the requirement for up to 25 households. The details would be confirmed when the applicant applies for a HMO licence. Details of fire precautions would be dealt with through the Building Regulations. Considering the proposed bed spaces have adequate natural light and the size and layout would be safe and functional; the proposal is unlikely to result in unacceptable living conditions for future occupiers.

There were concerns raised that the proposal would be sited too far away from local services, including supermarkets. However, the proposal is located within a settlement boundary and is considered a sustainable location. The nearest shops are within a 20 minute walking distance along pavements and footpaths. The area is also served by local bus routes. The proposed location is therefore considered sustainable.

The proposal would not result in unacceptable living accommodation nor would it unacceptably harm adjoining neighbours. In this respect, the proposal complies with policy CS3 of the Core Strategy and policies DM32 and DM39 of the Sites and Policies Plan (Part 1).

Issue 4: Highway safety

Policy DM24 of the Sites and Policies Plan (Part 1) requires that development would not prejudice highway safety or inhibit necessary access for emergency, public transport, service or waste collection vehicles. Policy DM39 requires that proposals comply with the council's parking standards.

Access to the site would be through the existing stone gate pillars and driveway which is 3.9m wide. The wide footway outside the property and the access position, on the outside of a bend in the road, offers good visibility in both directions.

The plans show the provision of 9 allocated car parking spaces on site, a deficit of 2. Cambridge Road is 7m wide with footways both sides immediately outside the site; and does not have parking restrictions. It considered that safe on-street parking for 2 vehicles could be accommodated either immediately outside, or very close to the application site.

The area is served by public transport through the X6 and X7 bus services which run within 100m of the site and provide half hourly services on week days, and hourly services on the weekend between Clevedon and Bristol. Shops and services within central Clevedon are around one mile away and a 20-minute walk through residential areas.

Refuse collection for residents would be by regular roadside collect. The plans indicate adequate space for waste storage to serve the premises.

The proposal is therefore in accordance with policies DM24, DM28 and DM39 of the Sites and Policies Plan (Part 1).

Issue 5: Trees

The Town Council raise concerns that the proposal may harm trees adjoining the site. However, the works are largely internal with minimal operational development. The proposed parking area and waste storage space would make use of an existing hardstanding. The proposal is therefore unlikely to result in adverse harm to onsite trees. In this respect, the proposal complies with policy DM9 of the Sites and Policies Plan (Part 1) and to the council's Biodiversity and Trees SPD.

Issue 6: Protected species

The proposal is unlikely to affect features used by bats, however as a precaution, an advice note is recommended warning the applicant of the requirements should bats be encountered during the development works. 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: Setting of Listed Building

The proposal does not affect the setting of any listed buildings.

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.

Conclusion

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. Prior to commencement of use a scheme for the management of the use of the site to include provision for a designated manager to be on site at all times during which the accommodation hereby approved is occupied shall be submitted to and approved in writing by the Local Planning Authority. The site will only thereafter be occupied in accordance with the approved scheme.

Reason: To ensure that the House in Multiple Occupation (HMO) is managed to avoid any anti-social behaviour that would harm the living conditions of the occupiers of neighbouring dwellings and the character of the area and in accordance with policy DM39 of the North Somerset Sites and Policies Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Orders revoking and re-enacting those Orders, with or without modification), the premises shall be used as a House of Multiple Occupation for a maximum of 25 residents (sui-generis use class) and for no other purpose.

Reason: The Local Planning Authority wishes to retain control over the use of the premises in the interests of the living conditions of the occupiers of neighbouring dwellings and the character of the area and in accordance with policy DM39 of the North Somerset Sites and Policies Plan

5. The HMO use hereby permitted shall not be occupied until a properly consolidated and surfaced parking area for 9 vehicles has been constructed in accordance with the approved plans and specifications. The approved parking area shall thereafter be permanently retained and kept available for parking at all times.

Reason: In order to ensure that adequate parking provision is made in the interests of preserving highway safety and in accordance with policies CS10 and CS11 of the

North Somerset Core Strategy, policies DM24 and DM28 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Parking Standards SPD.

6. The HMO use hereby permitted shall not be commenced until secure parking facilities for 21 bicycles have been provided 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 DM28 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Parking Standards SPD.

7. The HMO use hereby permitted shall not be commenced 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 in connection with the use hereby permitted.

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).

**PLANNING AND REGULATORY COMMITTEE – 21 MARCH 2022
REPORT OF THE DIRECTOR OF PLACE**

A - PLANNING APPEAL DECISIONS

1. Planning Application Number 20/P/3135/FUL

Site: Land to rear of 8 Albert Road, Portishead

Description: Erection of new dwelling with new vehicular access off Victoria Square.

Recommendation: Refused

Appeal Dismissed 4 Feb 2022

Type of appeal: Written Representation

Officer: Ellena Fletcher

Appellant: Ms Kelly Titcomb

The main issues that were identified by the Planning Inspector were 1) the effect of the proposal on the character and appearance of the area; 2) the effect of the proposal on the living conditions of the occupiers of the neighbouring property at 9 Albert Road in respect of outlook; and 3) whether or not the appeal site is an acceptable location for the development proposed with regards to its vulnerability to flooding.

2. Planning Application Number 19/P/2763/FUL

Site: Max House Farm , Max Mill Lane, Winscombe

Description: Demolition of existing dwelling and coach house. Construction of replacement dwelling with annexe.

Recommendation: Refused

Appeal Dismissed 4 Feb 2022

Type of appeal: Written Representation

Officer: Angela Norris

Appellant: Nicole Atkinson

The main issue that was identified by the Planning Inspector was the effect of the proposed development on the character and appearance of the site and its setting, with particular regard to the extent to which it would conserve or enhance the natural beauty of the Mendip Hills Area of Outstanding Natural Beauty.

**PLANNING AND REGULATORY COMMITTEE – 21 MARCH 2022
REPORT OF THE DIRECTOR OF PLACE**

3. Planning Application Number 21/P/2755/FUH

Site: 40 Severn Avenue, Weston-super-Mare

Description: Retrospective application for partial demolition of front wall

Recommendation: Refused

Appeal Dismissed 8 Feb 2022

Type of appeal: Fast Track Appeal

Officer: Chris Joannou

Appellant: Mr Potter

The main issue that was identified by the Planning Inspector was the effect of the works on the character and appearance of the area, having particular regard to the extent to which it preserves or enhances the character or appearance of the conservation area.

Page
18

4. Planning Application Number 20/P/1440/FUH

Site: 3 The Avenue, Clevedon

Description: Proposed three storey side extension and rear extension to garden level

Recommendation: Refused

Appeal Dismissed 11 Feb 2022

Type of appeal: Fast Track Appeal

Officer: Jessica Smith

Appellant: Mr Andrew Bassett

The main issue that was identified by the Planning Inspector was the effect of the proposed development on the character and appearance of the existing property and surrounding area.

5. Enforcement Notice Number 21/00021/UAW

Site: 81 Bristol Road Lower, Weston-super-Mare

Description: Without planning permission the erection of a fence

**PLANNING AND REGULATORY COMMITTEE – 21 MARCH 2022
REPORT OF THE DIRECTOR OF PLACE**

Recommendation: Enforcement Notice

Appeal Dismissed and notice upheld 18 Feb 2022

Type of appeal: Written Representation

Officer: Mark Womersley

Appellant: Mr Matthew Elkington and Ms Sandra Beddington

6. Planning Application Number 20/P/0204/LDE

Site: The Old Forge, Bristol Road, Felton

Description: Certificate of lawfulness to confirm a) the amalgamation of three former planning units into one from 2006 with the Forge accommodation, Lulscott, Siverridge and the uses formerly approved at the Old Forge area of the Site becoming one enterprise, b) the building known as Lulscott is lawful and has a holiday accommodation use, c) the use of the former Silveridge area of the Site for the placement of 2 static caravans used for holiday accommodation and the retention of the building to the rear of the former Siverridge area of the Site as holiday accommodation, d) the use of the land across the Site for the parking of vehicles in association with the uses on the site, namely; holiday accommodation, office, car repair garage and car hire

Recommendation: Refused

Appeal Dismissed 23 Feb 2022

Type of appeal: Public Inquiry

Officer: Chris Nolan

Appellant: Mr Gregory Wedlake

The main issue that was identified by the Planning Inspector was whether the Council's decision to refuse the LDC was well-founded.

Appellants application for costs refused.

**PLANNING AND REGULATORY COMMITTEE – 21 MARCH 2022
REPORT OF THE DIRECTOR OF PLACE**

B – PLANNING APPEALS RECEIVED SINCE LAST COMMITTEE

1. Planning Application Number 20/P/2726/FUL

Site: Land north to A370 and south of Bleadon Road, Bleadon

Description: Erection of 5no. dwellings.

Date of Appeal: 18 Feb 2022

Type of appeal: Written Representation

Case Officer: Emma Bailey

Appellant: Chris Sanders

2. Planning Application Number 20/P/2725/FUL

Site: Land adjacent to junction of Bridge Road to Coronation Road, Bridge Road, Bleadon

Description: Development of 2no. dwellings and a detached block comprising 2no. double garages.

Date of Appeal: 18 Feb 2022

Type of appeal: Written Representation

Case Officer: Emma Bailey

Appellant: Chris Sanders

3. Planning Application Number 20/P/0775/FUL

Site: Land at Tyntesfield Springs, Bristol Road, Wraxall

Description: Removal of existing barn and erection of new dwelling and associated works, including new horizontal vortex turbine, use of existing lake to provide a heat source and new tree planting

Date of Appeal: 21 Feb 2022

Type of appeal: Hearing

Case Officer: Emma Bailey

Appellant: Dr H & Mrs J Pratt

**PLANNING AND REGULATORY COMMITTEE – 21 MARCH 2022
REPORT OF THE DIRECTOR OF PLACE**

4. Planning Application Number 20/P/2990/OUT

Site: Land off Butts Batch, Wrington

Description: Outline planning application for access with all other matters reserved for the erection of up to 61 no. dwellings, including 18 no. affordable housing units (30%), along with access from Butts Batch, the provision of play facilities and public open space/ecological mitigation land, with associated works

Date of Appeal: 2 Mar 2022

Type of appeal: Public Inquiry

Case Officer: Roger Wilmott

Appellant: Strongvox Homes Ltd

Page
21

C- INQUIRIES/HEARINGS DATES AND VENUES

1. Site: Land off Summer Lane, Banwell

Enforcement Notice Number 19/00095/UAW

Description: Without planning permission, the creation of a hardstanding and access track

Case Officer: Chris Joannou

Planning Application Number 19/P/0314/FUL

Description: Use of land for the stationing of caravans for residential purposes as a single pitch gypsy/traveller site and the erection of a day room building ancillary to that use

Case Officer: Emma Bailey

Enforcement Notice Number 20/00186/COU

Description: Without planning permission, the material change of use of agricultural land to a use as a single pitch traveller site

Case Officer: Chris Joannou

**PLANNING AND REGULATORY COMMITTEE – 21 MARCH 2022
REPORT OF THE DIRECTOR OF PLACE**

Appellant: Ms Kathleen Kiely

Type of Appeal: Hearing – to be rescheduled following postponement of 2 November date

2. Site: Kings Field, land off Moor Road, Banwell

Planning Application Number: 20/P/2666/FUL

Description: Creation of 1no. traveller and gypsy caravan pitch together with the formation of hardstanding and the erection of a day room, stables and shed, siting of park home and touring caravan (Retrospective)

Case Officer: Emma Bailey

Appellant: Mr Dick Atwell

Type of Appeal: Hearing – 19 April 2022

3. Site: Land at Farleigh Farm and 54 and 56 Farleigh Road, Backwell

Planning Application Number 21/P/1766/OUT

Description: Outline planning application for demolition of 54 and 56 Farleigh Road; residential development of up to 125 dwellings (Class C3); strategic landscaping and earthworks, surface water drainage and all other ancillary infrastructure and enabling works with means of site access (excluding internal roads) from the new junction off Farleigh Road for approval; all other matters (internal access, layout, appearance, scale and landscaping) reserved for subsequent approval.

Case Officer: Roger Willmot

Appellant: Persimmon Homes (Severn Valley)

Type of appeal: Public Inquiry – Scheduled for 8 days – 15 to 18 March and 22 to 25 March 2022, to be held at The New Council Chambers, Town Hall, Weston-super-Mare

**PLANNING AND REGULATORY COMMITTEE – 21 MARCH 2022
REPORT OF THE DIRECTOR OF PLACE**

4. Site: Land at Tyntesfield Springs, Bristol Road, Wraxall

Planning Application Number 20/P/0775/FUL

Description: Removal of existing barn and erection of new dwelling and associated works, including new horizontal vortex turbine, use of existing lake to provide a heat source and new tree planting

Case Officer: Emma Bailey

Appellant: Dr H & Mrs J Pratt

Type of appeal: Hearing – 26 April 2022, venue to be confirmed

5. Site: Land off Butts Batch, Wrington

Planning Application Number 20/P/2990/OUT

Description: Outline planning application for access with all other matters reserved for the erection of up to 61 no. dwellings, including 18 no. affordable housing units (30%), along with access from Butts Batch, the provision of play facilities and public open space/ecological mitigation land, with associated works

Case Officer: Roger Willmot

Appellant: Strongvox Homes Ltd

Type of appeal: Public Inquiry – Scheduled for 4 days – 28 June to 1 July 2022, to be held at The New Council Chambers, Town Hall, Weston-super-Mare

**PLANNING AND REGULATORY COMMITTEE – 21 MARCH 2022
REPORT OF THE DIRECTOR OF PLACE**

Summary Performance April 21 – March 22

Appeals received 36
Appeals decided 42
Appeals dismissed 35
Percentage dismissed of appeals decided 83.3%

Appeals Allowed April 21 – March 22

Delegated Decision 6
Committee Decision 1

Costs awarded against the Council

Delegated Decision: 3 (in relation to 3 quashed enforcement notices)
Committee decision: none
Total: 3

Costs awarded to the Council

Delegated Decision: 1 (partial)