

Minutes

of the Meeting of

The Planning and Regulatory Committee

Wednesday, 18 May 2022

New Council Chamber - Town Hall

Meeting Commenced: 2.30 pm

Meeting Concluded: 3.50 pm

James Tonkin (Chairman)

John Crockford-Hawley (Vice-Chairman)

Peter Bryant

Peter Crew

Ciaran Cronnelly (substitute for Richard Westwood)

Ann Harley

Patrick Keating (substitute for Caroline Cherry)

Stuart McQuillan

Robert Payne

David Shopland

Timothy Snaden

Mike Solomon

Richard Tucker (for part)

Apologies: Councillors: Caroline Cherry and Richard Westwood..

Officers in attendance: Sue Buck (Solicitor - Litigation Team Leader), Michele Chesterman (Committee Services Senior Officer) Richard Kent (Head of Planning, Place Directorate), Andrew Stevenson (Principal Planning Officer), Roger Willmot (Service Manager Strategic Developments)

PAR Chairman's Welcome

1

The Chairman welcomed everyone to this face-face meeting of the Planning & Regulatory Committee in the New Council Chamber.

He explained the 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

PAR Election of Vice Chairman for the Municipal Year 2022/23 (Agenda item 1)

2

At its Annual Meeting, the Council had elected Councillor James Tonkin as Chairman of the Planning and Regulatory Committee for the forthcoming municipal year.

Councillor Tonkin nominated Councillor Crockford-Hawley for the position of Vice Chairman.

Resolved: that Councillor Crockford-Hawley be elected as Vice Chairman of the Planning and Regulatory Committee for the Municipal Year 2022-23.

PAR 3 Public speaking at planning committees (Standing Order 17 & 17A) (Agenda item 2)

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

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 7).

PAR 4 Declaration of Disclosable Pecuniary Interest (Standing Order 37) (Agenda Item 4)

None

PAR 5 Minutes 21 March 2022 (Agenda Item 5)

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

PAR 6 Planning Application No: 21/P/2123/OUT Erection of up to 25 dwellings, access and associated works (all matters except access reserved on land south of Dinghurst Road, Churchill (Agenda item 7)

At the invitation of the Chairman, Simon Hegarty, local resident, addressed the committee speaking against the application.

At the invitation of the Chairman, Chris Marsh, Agent, addressed the committee speaking in favour of the application.

The Director of Place's representative presented the report. He also drew members' attention to the update sheet which had been published the previous day

At the invitation of the Chairman, the ward member, Patrick Keating addressed the committee.

Following debate it was:

Resolved: Subject to

- (a) completion of a legal agreement securing the following, where not funded through CIL: (i) the provision of on-site affordable housing (ii) green infrastructure, (iii) financial contributions towards the provision of travel packs and bus stop upgrades (iv) provision for the adoption and maintenance of any flood, drainage, and green infrastructure and highways infrastructure, and
- (b) the adoption of the Habitats Regulation Assessment and inclusion of any

appropriately worded conditions,

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 in consultation with the Chairman and Vice Chairman and local member:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiry of 3 years from the date of this permission.

Reason: In accordance with the provisions of section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be begun either before the expiry of three years from the date of this permission, or before the expiry of two years from the date of approval of the last of the reserved matters to approved, whichever is the later.

Reason: In accordance with the provisions of section 92 of the Town and Country Planning Act 1990.

3. Approval of the details of the design and external appearance of the building(s), the landscaping of the site, and the layout, (hereinafter called the reserved matters shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The application was submitted as an outline application in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

4. The development hereby permitted shall be carried out in accordance with plan ref. P21-0266 FIGURE 4.1 Rev B (Proposed Site Access Layout) and in general accordance with plans 21397/3200/C (Illustrative Masterplan) and P21-0638_11 (Illustrative Landscape Masterplan), unless otherwise agreed in writing by the Local Planning Authority.

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

5. Details of the external lighting, including temporary/construction and permanent lighting, shall be provided at the Reserved Matters stage to include:
 - 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 plan.

The street lighting design plan demonstrated that light spill can be contained within the development, and the scheme shall ensure that the light levels do not exceed 0,5 lux along the boundary hedgerows and habitats to permit continued foraging and commuting of horseshoe bats across the landscape. Details for all external lighting shall be submitted to and approved in writing

by the Local Planning Authority prior to the commencement of development. Thereafter any external lighting shall be installed and operated in accordance with the approved details and shall not be varied without agreement in writing from the LPA.

Reason: To reduce the potential for light pollution in accordance with Policy CS12 of the North Somerset Core Strategy and to protect bat habitat in accordance with the Conservation of Habitats and Species (Amendment) Regulations 2012 and Wildlife and Countryside Act 1981 (as amended)

6. As part of the lighting strategy mitigation, prior to the commencement of development details of the fencing to be provided around private rear gardens of the individual dwellings comprising close boarded garden fences of sufficient height and standard to prevent light spill from the individual houses onto boundary hedgerow must be submitted to, and approved in writing, by the Local Planning Authority. Thereafter the development must be carried out in accordance with the approved plans.

Reason: To reduce the potential for light pollution in accordance with Policy CS12 of the North Somerset Core Strategy and to protect bat habitat in accordance with the Conservation of Habitats and Species (Amendment) Regulations 2012 and Wildlife and Countryside Act 1981 (as amended)

7. No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall include, but not necessarily be limited to, the following:
 - i) Description and evaluation of features to be managed;
 - ii) Landscape and ecological trends and constraints on site that might influence management;
 - iii) Aims and objectives of management;
 - iv) Appropriate management options for achieving aims and objectives;
 - v) Prescriptions for management actions;
 - vi) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5 year period);
 - vii) Details of the body or organisation responsible for implementation of the plan;
 - viii) Ongoing monitoring and remedial measures;
 - ix) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.
 - x) Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.
 - xi) Where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed, and implemented.
 - xii) Timescales for implementation, delivery, monitoring and any contingencies and/or remedial measures.

The LEMP shall be implemented in full in accordance with the timescales set out in the approved details.

Reason: To ensure the development contributes to the protection and enhancement of the site's ecology in accordance with policy CS4 of the Core Strategy and Site and policy DM8 of the Sites and Policies Plan Part 1.

8. No development shall commence (including any works of demolition), until a Construction Method Statement (CMS), has been submitted to, and approved in writing by, the local planning authority. The CMS shall include the following:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - viii) hours of construction, including deliveries

Reason: In the interests of highway safety and in accordance with policy DM24 of the Sites and Policies Plan Part 1.

9. No work above ground shall commence until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Surface water will be disposed of via a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, associated Planning Practice Guidance and the non-statutory technical standards for sustainable drainage systems. The system shall be designed such that there is no surcharging for a 1 in 30-year event and no internal property flooding for a 1 in 100 year event + 40% allowance for climate change.

The submitted details shall:

- a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge rate and volume from the site 7.8 l/s and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- b) taking into account long-term storage, and urban creep; and
- c) provide a plan indicating flood exceedance routes, both on and off site in the event of a blockage or rainfall event that exceeds the designed capacity of the system.

Reason: To reduce the risk of flooding, and in accordance with the National Planning Policy Framework (notably paragraphs 17, 103 and sections 10 and 11), 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). These drainage works should be completed prior to any other development commencing because it is necessary to understand whether the discharge rates and volumes are appropriate prior to any initial

construction works which may prejudice the surface water drainage strategy.

10. No work above ground shall take place until details of the implementation, maintenance and management of the approved sustainable drainage scheme have been submitted to and approved, in writing, by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

The details to be submitted shall include:

- a) a timetable for its implementation and maintenance during construction and handover; and
- b) a management and maintenance plan for the lifetime of the development which shall include details of land ownership; maintenance responsibilities/arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime; together with a description of the system, the identification of individual assets, services and access requirements and details of routine and periodic maintenance activities.

Reason: To reduce the risk of flooding and to ensure that maintenance of the SUDs system is secured for the lifetime of the development, and in accordance with the National Planning Policy Framework (notably paragraphs 17, 103 and sections 10 and 11), 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). The information is required before works start on site because it is necessary to understand how the system will be maintained during construction works and before the hand over to a management company to prevent flooding downstream of the system.

11. No development shall commence until the foul water point of connection to the existing public sewer has been submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented in accordance with the approved plans prior to occupation of any dwellings.

Reason: To ensure the development is served by appropriate infrastructure 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.

12. No part of the development shall be occupied until play facilities have been installed on site, in accordance with a specification that shall be first submitted to and approved in writing by the local planning authority.

Reason: In the interests of residential amenity and in accordance with policy CS12 of the Core Strategy and policy DM32 of the Sites and Policies Plan Part 1.

13. Prior to commencement, a detailed Arboricultural Impact Assessment and Tree Protection Method Statement shall be submitted to and approved in writing by the local planning authority. The arboricultural works shall be carried out in accordance with the approved details and may only be fully

discharged on the subject to satisfactory written evidence of contemporaneous supervision and monitoring of tree protection throughout construction by the appointed arboriculturist.

Reason: To ensure the protection of trees during the development process in the interests of the character and biodiversity of the area and in accordance with policies CS4 and CS5 of the North Somerset Core Strategy and Policy DM9 of the Sites and Policies Plan Part 1.

14. No development shall commence until a tree and hedgerow retention plan identifying all existing trees and hedgerows to be retained has been submitted to and approved in writing by the Local Planning Authority. No trees or hedgerow identified for retention shall be felled or grubbed out and the development shall thereafter be carried out in accordance with the approved tree and hedgerow retention plan.

Reason: To ensure that features of ecological and landscape importance are maintained and in accordance with Policy DM9 of the Sites and Policies Plan Part 1.

15. The reserved matters application for landscaping shall be accompanied by a detailed Landscape Masterplan and Strategy to demonstrate that the landscaping proposals have taken account of and been informed by the existing landscape characteristics of the site and by any loss of existing vegetation on the site.

Reason: To ensure that a satisfactory landscaping scheme is implemented and in accordance with Policies DM9, DM10 and DM32 of the Sites and Policies Plan Part 1.

16. Trees, hedges and plants shown in the landscaping masterplan and strategy to be submitted with the reserved matters application for landscaping, that are to be retained or planted which, during the development works for 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 in accordance with DM9 and DM10 of the Sites and Policies Plan Part 1 Publication Version 2015.

Reason: To ensure as far as possible that the landscaping scheme is fully effective and in accordance with Policy DM9 and DM10 of the Sites and Policies Plan Part 1.

17. All landscaping works should be carried out during the months of October to March inclusive following first occupation of the last dwelling or completion of the development, whichever is the sooner.

Reason: To ensure that a satisfactory landscaping scheme is implemented in accordance with policy CS9 of the North Somerset Core Strategy and policy DM9 of the North Somerset Sites and Policies Plan Part 1.

18. No part of the development shall be occupied until the visibility splays shown

on the approved plans P21-0266 FIGURE 4.1 Rev B (Proposed Site Access Layout) have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall be retained and maintained free of obstruction in perpetuity.

Reason: in the interests of highway safety and in accordance with policy DM24 of the Sites and Policies Plan Part 1.

19. Prior to the occupation of each dwelling, the relevant number of parking spaces for that dwelling shall be provided and be available for use in accordance with the North Somerset Parking Standards SPD. Thereafter the approved parking spaces shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that each dwelling has the necessary on-site parking provision and in accordance with the North Somerset Parking Standards SPD.

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 the interests of residential amenity and in accordance with policy CS12 of the Core Strategy and policy DM32 of the Sites and Policies Plan Part 1.

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.

Reason: In the interests of residential amenity and in accordance with policy CS12 of the Core Strategy and policy DM32 of the Sites and Policies Plan Part 1

22. The Reserved Matter of layout to be submitted pursuant to Condition 1 of this permission shall include details to demonstrate the ability in principle to accommodate a safe pedestrian route between the proposed on-site footway(s) and the North East corner of the site at Dinghurst Road, as shown on the Illustrative Masterplan. The said route shall be identified on the submitted layout details and shall be safeguarded for that purpose for the first ten years following first occupation of the development.

Reason: in the interests of highway safety and in accordance with policy DM24 of the Sites and Policies Plan Part 1.

23. Before commencement of development, a Construction Environment Management Plan (CEMP) shall be submitted to, and approved in writing, by the Local Planning Authority. This shall include mitigation measures required to protect legally protected species and their retained habitats from injury or damage and include information for construction workforce; timings of site clearance; details of appropriate fencing for buffer areas to protect retained on site habitats; overnight ramps placed within open trenches and daily checks of excavations for trapped wildlife; pre-commencement surveys for species that are dynamic in distribution (e.g. badger); a walk over check by ecologist immediately prior to vegetation and other site clearance activities. The approved plan shall be implemented and adhered to during the vegetation clearance and construction phases.

Reason: To ensure the retained habitats and species are not adversely impacted by the proposed works in accordance with the Wildlife and Countryside Act 1981 (as amended); Wild Mammals Protection Act (1996) and policy CS4 of the Core Strategy policy CS4 and policy DM8 of the Site and Policies Plan Part 1.

24. No construction above DPC level shall be carried out until samples of the materials to be used in the development have 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 section 12 and paragraph 127 of the National Planning Policy Framework.

25. The dwellings shall not be occupied until details of a scheme for providing space and facilities for the storage and collection of waste have been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented. Thereafter the approved space and facilities for the storage and collection of waste shall be permanently retained unless otherwise agreed in writing with the local planning authority.

Reason: The local planning authority wishes to encourage sustainable waste collection initiatives in the interests of local amenity and sustainable waste shall be permanently retained unless otherwise agreed in writing with the Local Planning Authority.

26. The dwellings hereby approved shall, unless otherwise first agreed in writing by the Local Planning Authority, not be occupied until measures to generate

15% of the on-going energy requirements of the use (unless a different standard is agreed) through micro renewable or low-carbon technologies have been installed and are fully operational in accordance with the approved 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: To proactively support the wider transition towards a low carbon future through the use of renewable and low carbon energy in accordance with policy CS1 of the North Somerset Core Strategy and policy DM2 of the North Somerset Site and policies Plan Part 1.

27. The dwellings hereby approved shall be built in accordance with the Nationally Described Space Standards, and a minimum of 17% of the dwellings shall be constructed to comply with the requirements of The Building Regulations 2010 Volume 1 M4(2) Category Two: Accessible and adaptable dwellings.

Reason: The NDDS is the appropriate space development standard for new and market housing and to ensure that sufficient accessible housing is provided in accordance with Policy DM42 of the North Somerset Sites and Policies Plan Part 1 Development Management Policies, and the North Somerset Accessible Housing Needs Supplementary Planning Document April 2018.

28. All residential units hereby approved shall be constructed to comply with, as a minimum, the equivalent of the requirements of Code Level 4 of the Code for Sustainable Homes. This equates to a 19% improvement on Part L of the Building Regulations. Unless otherwise first agreed in writing by the Local Planning Authority, and prior to the commencement of the development of any dwelling hereby approved, a copy of a Design Stage SAP Assessment for each dwelling, issued by a suitably qualified and accredited energy expert (SAP Assessor), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, each dwelling shall be constructed in accordance with the approved Design Stage SAP Assessment unless a revised Assessment has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting good design and sustainable construction and in accordance with policies CS1 and CS2 of the North Somerset Core Strategy and the council's 'Creating sustainable buildings and places' Supplementary Planning Document.

PAR Q4 Performance Report (Agenda item 8)

7

The Director of Place's representative presented the report. It was reported that it had been an exceptionally busy year, performing well against targets.

Resolved: that the report be noted.

PAR Planning Appeals 18.05.22 (Agenda item 9)

8

The Director of Place Directorate's representatives reported on appeal decisions and appeals that had been lodged since the date of the last meeting.

Resolved: that the report be noted.

PAR Urgent business permitted by the Local Government Act 1972 (if any)
9 (Agenda item 10)

None.

Chairman
