

SECTION 1 – ITEM 8

Application No: 20/P/1673/FUL

Proposal: Reconfiguration and two storey extension to the existing retail unit to include a gym (1,054m²) (use class D2) and additional ground floor retail space to create two units (534m²); and erection of a food retail unit (195 m²) (use class A3/A5) and 39no. senior living apartments (29no. 1 bed and 10no. 2 beds) (use class C3); to include reconfiguration of the car park, public realm and landscaping works.

Site address: B&M Bargains Limited, The Triangle, Clevedon, BS21 6HX

Applicant: Ever (Cleveland) Ltd

Target date: 04.11.2020

Extended date:

Case officer: Sally Evans

Parish/Ward: Clevedon/Clevedon East

Ward Councillors: Councillor David Shopland

REFERRED BY COUNCILLOR CROSBY

Summary of recommendation

It is recommended that, subject to the satisfactory resolution of various matters and completion of a legal agreement (if required) the application be **APPROVED** subject to conditions. The full recommendation is set out at the end of this report.

The Site

The application site incorporates the current B&M store, the associated car park, rear service yard and the separate vehicle access and egress from Great Western Road and is located at the western end of the Clevedon Triangle Town Centre. The current B&M store, formerly Morrison's supermarket, is a large two storey height building with a shallow peripheral pitched roof and a 2,250 sqm approximately square footprint. The building abuts the smaller retail stores at its north and forms one side of the buildings enclosing Queens Square. The goods yard lies at the eastern side and the car park to the north and west. The application site is 1.33 ha's in area and the boundary extends to the Great Western Road at the south west side; to Melbourne Terrace at the south east; Queens Square as far as the raised planters at the north east; Lower Queens Road and associated properties including the Veterinary surgery car park at the north and north west. There are four mature White Poplar trees and a number of smaller trees including Scots Pine, Ash and Cherry within the site forming a landscaped buffer to Great Western Road. Individual semi mature trees including Cherry and Rowen are located at the north eastern side of the site. The car park is tarmac with interspaced with raised planting beds. At the north west on the

opposite side of Great Western Road is the Curzon Cinema (Grade II Listed) and Lidl store. There is a traffic light-controlled crossing in Great Western Way sited between the site access and egress, linking to the pedestrian route near Churchill Avenue to Clevedon Rugby Football Club. The culverted Land Yeo rhyne crosses the site at the north until it becomes above ground at Station Road.

The Application

Full permission is sought to:

- Extend and alter the existing B&M building to create two separate ground floor retail units (2,559 sqm total) and a class D2 Gym (1,026sqm) at the first floor extension.
- Construct a freestanding café/food retail outlet, use class A3/A5 (195sqm) at the south of the site adjacent to the access to Great Western Road.
- Construct a separate block of 39 no senior living apartments, use class C3,(10 x two bed and 29 x one bed units) with landscaping, 20 space car park, including two disabled spaces, substation and a bin store at the north of the site;
- Create a vehicular access from Lower Queens Road to serve the apartments only.
- Revise the layout and reduce the current B&M car park from 266 spaces to 145 spaces.
- Reconfigure the car park access resulting in the removal of the current egress from the site and enlarging the existing entrance to accommodate two-way traffic;
- Revise and re-route the pedestrian access through the car park to create a new walkway adjacent to the apartments and amending the existing route.
- Remove a number of the existing mature and other landscaping and trees from the Great Western Road frontage and the trees closest to B&M at the Lower Queens Road side and replace with a new landscaping/tree planting scheme.
- Create a new pedestrian/cycle route through the site to Lower Queens Road between the senior living apartments and the car park.

Relevant Planning History

Year: 1983

Reference: 1838/83

Proposal: Erection of a supermarket, twelve two storey shop units with offices at first and second floors, 441 space car park and the construction of a primary link road.

Decision: Approve 11/09/1985.

Officer comment. The accompanying Legal Agreement related to road and infrastructure delivery and did not include requirements relating to car parking provision. Also, even though the consent was for 441 parking spaces, the car park currently contains 266 spaces due to alterations over time since the original consent was granted.

Year: 1983

Reference: LB2779/83

Proposal: Demolition and site clearance to provide supermarket, shops, offices, link road and car parking.

Decision: Approve 05/06/1984.

Policy Framework

The site is affected by the following constraints:

- Inside the settlement boundary for Clevedon, the Clevedon Town Centre and Primary Shopping Area as designated in the adopted Development Management Plan (Part 1.)
- Within Zone C Horseshoe Bats
- Within the Clevedon Conservation Area which has an Article 4 direction
- TPO'd trees in the Triangle Centre.
- SFRA Tidal flood zone 3a
- Internal drainage board interest.
- Environment Agency interest – Culverted sealed main river under the site at the north (Land Yeo).
- Listed building (The Curzon) adjacent at the north west corner.
- Access is to the Great Western Way (Class B highway).
- Public Right of Way crossing the site at the current car park exit, following the northern side of the building through the Triangle.
- Sites and policies plan part 1: Development Management Policies specific site town centre and primary shopping area allocation.

The Development Plan

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

CS1	Addressing climate change and carbon reduction
CS2	Delivering sustainable design and construction
CS3	Environmental impacts and flood risk management
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS9	Green infrastructure
CS10	Transport and movement
CS11	Parking
CS12	Achieving high quality design and place making
CS13	Scale of new housing
CS14	Distribution of new housing
CS15	Mixed and balanced communities
CS16	Affordable housing
CS20	Supporting a successful economy
CS21	Retail hierarchy and provision
CS25	Children, young people and higher education
CS26	Supporting healthy living and the provision of health care facilities
CS27	Sport, recreation and community facilities
CS31	Clevedon, Nailsea and Portishead
CS34	Infrastructure delivery and Development Contributions

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

The following policies are particularly relevant to this proposal:

DM1	Flooding and drainage
DM2	Renewable and low carbon energy
DM3	Conservation Areas
DM4	Listed Buildings
DM6	Archaeology
DM7	Non-designated heritage assets
DM8	Nature Conservation
DM9	Trees
DM10	Landscape
DM19	Green infrastructure
DM24	Safety, traffic and provision of infrastructure etc associated with development
DM25	Public rights of way, pedestrian and cycle access
DM26	Travel plans
DM27	Bus accessibility criteria
DM28	Parking standards
DM29	Car parks
DM32	High quality design and place making
DM33	Inclusive access into non-residential buildings and spaces
DM34	Housing type and mix
DM36	Residential densities
DM40	Retirement accommodation and supported independent living for older and vulnerable people
DM42	Accessible and adaptable housing and housing space standards
DM47	Proposals for economic development within towns and defined settlements
DM60	Town centres
DM63	Primary Shopping Areas
DM64	Primary Shopping Frontages
DM65	Development at the retail parks
DM66	The sequential approach for retail development
DM68	Protection of sporting, cultural and community facilities
DM69	Location of sporting, cultural and community facilities
DM70	Development infrastructure
DM71	Development contributions, Community Infrastructure Levy and viability

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

The following policies are particularly relevant to this proposal:

SA3	Sites allocated for a mix of uses
SA4	Business employment development – allocations/safeguarding
SA8	Allocated/safeguarded community uses
SA9	Town centre regeneration area

Other material policy guidance

National Planning Policy Framework (NPPF) (February 2019)

The following sections are particularly relevant to this proposal:

- 1 Introduction
- 2 Achieving Sustainable Development
- 3 Plan-making
- 4 Decision-taking
- 5 Delivering a sufficient supply of homes
- 6 Building a strong, competitive economy
- 7 Ensuring vitality of town centres
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 10 Supporting high quality communications
- 11 Making effective use of land
- 12 Achieving well designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic 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)
- North Somerset Parking Standards SPD (adopted November 2013)
- North Somerset Landscape Character Assessment SPD (adopted September 2018)
- Biodiversity and Trees SPD (adopted December 2005)
- Creating sustainable buildings and places SPD (updated April 2021)
- Travel Plans SPD (adopted November 2010)
- Affordable Housing SPD (adopted November 2013)
- Development contributions SPD (adopted January 2016)
- North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: SPD (Adopted January 2018)
- Accessible Housing Needs Assessment SPD (Adopted April 2018)

Consultations

Copies of representations received can be viewed on the council's website. This report contains summaries only.

Third Parties: 856 letters in total have been received, 434 in response to the initial notification and 422 in response to the second when neighbours were notified of amended plans in February 2021. The principal planning points of objection made are as follows:

- Loss of town centre car parking and detrimental impact on health of town centre particularly on market days;
- Current over provision of senior living apartments/retirement homes in Clevedon.
- No demand for a gymnasium in this location.
- Out of keeping with the character of the area.
- Adverse impacts on local ecology.
- Need for unrestricted age accommodation suitable for young people.
- Overdevelopment of site, the development is too high and too close to existing properties.

- Poor quality design, retirement flats have insufficient gardens, no high-quality public realm; no overall landscape or public realm masterplanning.
- Increase in traffic, inadequate public transport.
- Insufficient existing community facilities.
- Loss of mature trees and adverse impacts on townscape.
- Loss of light, privacy and overlooking to neighbouring properties.
- Loss of existing well used and valued B&M shop.
- Increase in pollution from additional traffic.
- Development should be completed as a whole and not allow the flats to be built with no additional retail or café facilities.
- Increase flood risk to existing properties.
- Likely land contamination from former railway related uses.
- Adverse impacts to historic Curzon and conservation area.
- Requirement for additional affordable housing units.
- Insufficient sustainable energy proposals.

14 letters of support or neutral comment about the proposals have been received. The principal planning points made are as follows:

- Beneficial redevelopment of rundown town centre.
- Proposals improve B&M design and its frontage to Queens Square.
- Gym will be benefit and attract younger people.
- Improve the car park and big box B&M which currently detract from the attractiveness of the town centre, and create a dead evening frontage.
- Additional retail floorspace will support town centre economy.
- Potential phase 2 and/or hotel will support an increase economic growth and activity.

Clevedon Civic Society

Objects for the following reasons:

- The original planning approval for this site provided car parking for the town centre, not just for the supermarket. The reduction of spaces from 266 to 145 spaces is claimed to be adequate for the repurposed B&M store but makes no allowance for additional parking for the other town centre businesses, or indeed for the proposed gymnasium and drive thru restaurant.
- The proposed car park layout is unsatisfactory because it is centred entirely on the B&M building providing no significant linkage with Queens Square, also combining the vehicular entrance and exit in the same location is likely to be unsafe, particularly given the proximity of the drive thru restaurant.
- The old person accommodation said to be necessary to fund works to the rest of the development. As a consequence, Clevedon town centre will be negatively affected for the foreseeable future, particularly because it will no longer be possible to form an east-west pedestrian connection between Queens Square and the developing cultural quarter centred on the Curzon cinema. The desirability of forming this linkage was stressed by the Design Review Panel.
- The submitted scheme could just as easily be for an edge of town retail park, it does not add to the character of the Triangle Conservation Area, nor does it create a frontage to Great Western Road which improves the entrance to the town or

integrate the scheme into the town centre.

Clevedon Town Council:

Initial comments dated 14 Sept 2020:

“Planning Committee Members agreed that improvements are required to the B and M building and car park area. However, Committee members agreed that the planning application should be refused as the proposals are an overdevelopment of the site. The proposed senior living accommodation will remove a large number of the much needed carparking spaces in the town centre for residents and visitors. With recent developments either those that have been agreed or as with Poets Mews, now built, this comes with an age restriction on those residents moving in. This is creating an age imbalance in the town along which is starting to see an ageing population. Affordable housing to keep the age balance stable and to support younger people looking for homes in Clevedon, is very much needed in the town. The Engine Shed proposal was viewed as another food outlet in the town, whereby Clevedon already has several coffee shops and cafes in the town centre. The redundant building in the car park could be used for something else to support and encourage more footfall into the town centre. The senior living accommodation proposal will impact on the surrounding area due to loss of light and privacy to neighbouring residents, due to the scale and height of the proposed building. The senior living accommodation is cutting off the Curzon cinema and Clevedon Library with the rest of the town. Amendments to the pathways need to be considered to bring people through the whole town.”

Additional comments dated 22nd February 2021 following the submission of amended plans:

“Over 800 objections have been recorded by the public etc., on the NSC portal. The Civic Society and emergency services have also raised concern with the proposals. Members felt the developers need to understand and listen to what Clevedon wants in the Town Centre. Especially with the recent retirement accommodation already built, and another large development receiving approval to be built in the town soon. The Census in 2011, established Clevedon as one of the oldest wards in North Somerset, by concentration of age. The Census, due this year, members felt will be interesting to establish how old Clevedon is now. The District Councillor for South Ward advised members of the following NSC policy:

‘The NSC Core Strategy 2017, CS15 - ‘Delivering strong and inclusive communities’, – mixed and balanced communities. The demography with a mixed housing type to support a range of household sizes, ages, and incomes to meet identified housing needs’. ‘Also, to reduce existing proliferation of one housing type within an area through encouraging the development of a range of housing types that better meet housing needs etc’.

The Council can challenge the planning application on this, as the proposed development does not support this policy. Although there is no evidence, it is anticipated that the development will bring more elderly into the town, rather than existing elderly residents moving into the complex, freeing up homes in the town. Committee members raised again,

that the size, height, and visual look of the proposed senior living accommodation is not very attractive and not appropriate for the immediate locality given neighbouring buildings: it would both overpower the small Victorian terraces and being practically the same size as the Curzon Cinema, produce a 'canyoning effect'. The traffic flow in the area will be affected and concern was raised with access to and from the site. The proposal will decrease the number of car parking spaces available to visitors and residents to the retail outlets and therefore reduce footfall, impacting on local businesses to bring further decline to the town centre.

The proposed four storey height of the development will impact on the privacy to neighbouring residents and the height will also prevent the possibilities that may be afforded through future development to bring both the Curzon Cinema and Library more into the town centre through landscaping and access between these iconic buildings and the Queens Square. In 1983, the supermarket development and provision for 441 car parking spaces was granted permission on this site. NSC should not be able to overturn Condition 5, below.

'Planning application no. 1838/83 submitted in 1983 for the supermarket development and provision of 441 car parking spaces.'

'Reason: In accordance with the provisions of Section 41 of the Town and Country Planning Act 1971, Condition 5 - To ensure that adequate and satisfactory car parking facilities are available in connection with the proposed use in the interests of the safety and convenience of road users.'

The Committee confirmed this requirement for car parking spaces in the town centre. The Committee acknowledged that the success of Phase 1 of the town transformation is dependent on making a profit on the senior living accommodation. This will then determine if Phase 2 goes ahead, with further development of the Queens Square. Since the Covid-19 pandemic has had such a dramatic impact on the economy, questions were raised regarding the viability of the proposed development in an uncertain climate, will all the flats be sold and occupied?"

Officer comment/clarification.

Condition no 5 of 1838/83 which was the original planning consent for the development, states "The area allocated for parking on the submitted plan shall not be used other than for the parking of vehicles in connection with the development hereby permitted." The parking provision was based on the standards that applied in 1983. Local Planning Authorities are able to reassess parking provision in accordance with current highways and transport policies and parking standards. This is explained further in the Issues below.

Other Comments Received:

Environment Agency

Following reconsultation in relation to the amended application the Environment Agency confirmed it had no further comments to make.

On the original plan, EA had no objection in principle provided the sequential test requirements as set out in the NPPF are addressed and conditions are attached requiring that the later living building floor levels are as high as practical; a permanent safe refuge is

provided on an upper floor accessible using a staircase which is sufficiently large to accommodate those within the units, with lighting and electricity, and a flood warning and evacuation plan is submitted and approved. Due to the close proximity of the development to a main river (Land Yeo rhyne) an Environmental Permit may be required for the development from the Agency and the applicant has been advised to contact the Agency to discuss this.

Historic England

The site is dominated by the existing supermarket building and extensive car parking. Originally the location of the town's railway station, any traces of that former use are now long gone. The existing buildings and landscape are functional at best and fail to preserve or enhance the character and appearance of the conservation area. There is a clear opportunity for considerable townscape enhancement in the potential site redevelopment.

It is disappointing, therefore, that the opportunity has not been taken to make good the gaps in the townscape created by the railway first, and the supermarket later. Lower Queen's Road, for instance, is lined with attractive and intimate terraced housing, but the eastern end of the road peters out into an ill-defined area of turning heads, service yards, and car parking. The position of the proposed retirement housing could be adjusted to provide a street frontage to Lower Queens Road, drawing the viewer towards the newly-animated façade of the supermarket retail units.

The opportunity to link the small market square to the North of the site with Lower Queen's Road appears to also have been missed. Like the idea of the proposed "engine shed" coffee shop, but the reference to the site's past could be strengthened without some contextual hard landscaping to reference the historic linear grain of the former railway alignment.

Paragraph 200 of the NPPF advises local planning authorities to look for opportunities for new development within conservation areas to enhance or better reveal their significance. We are not convinced that this is the case with this application, which with refinement and modification could be considerably improved without compromise to the quantum of development proposed.

Suggest the proposals are modified; the position of the retirement flats should be adjusted to give a street frontage to Lower Queen's Road. The landscaping should be refined to both connect Lower Queen's Road with the market square, and to reference the former railway alignment in the vicinity of the proposed 'engine shed'.

Somerset Drainage Board

No comments.

Avon and Somerset Police Crime Reduction Officer

Paragraphs 91, 95 and 127 of the National Planning Policy Framework July 2018 require crime and disorder and fear of crime to be considered in the design stage of a development. Other paragraphs such as 8, 104, 106, 110, 117, and 127 also require the

creation of safe environments within the context of the appropriate section. The amended plans in part address concerns, particularly with lack of defensible spaces issues remain relating to natural surveillance and secure boundaries.

Avon Fire and Rescue

Should the application be approved a contribution is sought for the maintenance of the four fire hydrants required on site of £1,500 each.

Clevedon BID (Amenity Group)

To be confirmed (at time of writing.)

Principal Planning Issues

The principal planning issues in this case are (1) principle of development, (2) highways and transport, (3) sustainable urban design, (4) conservation area and setting of listed buildings, (5) equalities act, accessible and adaptable housing and impacts on neighbours living conditions, (6) flood risk, drainage and culverted rhyne, (7) biodiversity and habitat regulations assessment, (8) archaeology; (9) potential land contamination, (10) third party comments and (11) Development Contributions and Community Infrastructure Levy.

Issue 1: Principle of development.

The application site is within the Clevedon Town Centre which has the same boundary as the Primary Shopping area. Adopted local plan policies are aimed at encouraging main town centre uses, regeneration and activities which support the economic, social and environmental well-being of the town and residents. The associated policy is DM60:

“DM60: The boundaries of the town centres of Clevedon, Nailsea, Portishead and Weston-super-Mare are defined on the Policies Map. The vibrancy, vitality and community focus provided by the town centres will be maintained and enhanced. Proposals for main town centre uses within these areas will, in principle, be supported provided they contribute to the improvement of the town centre. In assessing this the proposal should:

- *Make a positive contribution to the centre’s identity and heritage.*
- *Increase job, education and training opportunities.*
- *Enhance the mix or quality of uses at the centre.*
- *Create additional community benefits and activities.*
- *Increase the activity and footfall in the centre, including supporting the evening economy.*
- *Secure the redevelopment or improvement of buildings, features or areas which detract from the quality or appearance of the centre.*
- *Enhance the built environment and public realm.*
- *Do not adversely impact on the role and function of the centre.*
- *Do not prejudice the delivery of proposed redevelopment schemes.*
- *Retain or increase the amount and quality of public car parking spaces available”*

The supporting text clarifies that *“Residential development within the centres is encouraged especially as part of mixed-use schemes using upper floors with other uses on the ground floor. The conversion of vacant ground floor units in residential style streets back to residential use outside of the primary shopping areas will be supported.”*

The Glossary in Annex 2 of the NPPF defines Main Town Centre uses as “Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).”

The whole site is within the Primary shopping area as designated in the Sites and Policies Plan and policy DM63 applies. This states:

“DM63: Within the primary shopping areas of Clevedon, Nailsea, Portishead and Weston-super-Mare defined on the Policies Map ‘A’ class uses will be supported. Other uses may be considered appropriate where they:

- Make a positive contribution to the vitality, viability and diversity of the town; and*
- Contribute to local distinctiveness such as by reflecting the heritage/ coastal location; and*
- Encourage greater footfall in the town centre in particular better linkages between the seafront/dock and the primary shopping area; and*
- Extend the time frame of active use to support the evening economy. For the purposes of permitted development rights ‘key shopping areas’ are the defined primary shopping areas.”*

Town centre commercial uses.

The proposals for retail floorspace, gym and café uses fall within the NPPF categories for main town centre uses. The proposals are considered to comply with the majority of the principles set out in policies DM60 and DM63. They will provide an opportunity to increase job and training opportunities, enhance the mix of uses with a new gymnasium which has community benefits, improve the design and appearance of the B&M building, particularly the frontage facing Queens Square which currently is a blank wall and is proposed to be replaced by new shop fronts with accesses and windows. Policies and supporting text support residential uses in town centres should be given due weight, not least because they will increase footfall and an active evening economy.

The applicants also propose to make a financial contribution to the Council to pay for enhancements of the public realm at Queens Square (Council owned land), and the amount, the justification and relationship to requirements for other financial contributions are currently being assessed and the committee will be updated.

Age restricted apartments.

The proposals are for 39 senior living apartments where the main occupier is restricted to be aged 60+ and a partner to be aged 55+. There is no care to be provided and the accommodation is within Use Class C3 (dwellinghouses.). Development Management plan policy DM40 states that the Council will support retirement accommodation provided that it is within the settlement boundary, within easy reach of shops, public transport, community facilities and medical services without access to a car and an appropriate standard of facilities are provided. The site is within the Town Centre and complies with these specifications. The justification for the policy advises that it is likely that demand will increase for a range of types of housing aimed at providing independent living for older

people and that the Council will support this, including accommodation aimed at the active 65+ age group. This type of housing provides opportunities for people to downsize and for family houses to become available, although planning practice does not permit this to be restricted to the local area or town. Objections on the grounds of need for more family accommodation to support schools in Clevedon have been assessed by the Education service planning and governance team, who advise that all schools have a sustainable pupil roll. It is also likely that some future housing growth will be planned for Clevedon over the new Local Plan period. It is acknowledged that the proposed accommodation is small scale with the majority of units having only one bedroom, and that outdoor space is minimal, but the apartments benefit from being in a highly sustainable location, in close proximity to amenities and with green open space and allotments within 350m. It is therefore concluded that the type of residential units comply with policy.

Affordable Housing.

Core Strategy policy CS16 requires a minimum of 30% on-site affordable housing provision to meet local needs. This equates to 11 units, on site with a tenure split of 77% social rent and 23% shared ownership. Policies and the associated SPD allow for this requirement to be subject to viability. The applicants do not propose to provide any on or off-site affordable housing and have submitted a development viability appraisal with the aim of demonstrating that there is no finance available to provide this. The appraisal is currently being assessed at time of writing and the committee will be updated.

Development Viability

In line with policy CS16 and the associated Affordable Housing SPD, and Development Management policies DM70 and DM71, the applicants have submitted a development viability appraisal with a view of demonstrating there is insufficient finance to deliver any affordable housing on site. The applicants instead propose a contribution of £100,000 for town centre enhancements to the hard landscaping on Council owned land at Queens Square. At the time of writing, the appraisal and the underlying policy assumptions, interpretations and implications are currently being assessed and the Council has appointed external Valuers to advise on the proposals. The committee will be updated.

Issue 2: Highways and Transport

The most relevant adopted plan policies are Core strategy policy CS11 (requiring adequate parking and a balance between good urban design, highway safety, residential amenity and promoting town centre attractiveness and vitality); Development Management Plan policy DM24 (new development should not prejudice highway safety); DM25 (provision to be made for cyclists, pedestrians etc); DM26 (travel plans); DM28 (parking standards should be met and functional parking accommodated); DM29 (protection of car parks) and DM60 which requires that in town centres the amount and quality of public car parking spaces available are retained or increased.

The Council's adopted Parking SPD and parking discount tool which permits a 15% reduction in the number of parking spaces in locations with the high sustainable travel opportunities, are also relevant.

At the time of report writing, assessment of the amended plans received in May, which mainly impact on the car park and foot/cyclepath layout is ongoing and the committee will be updated on issues as identified below. The application proposals are:

(i) Reduction in size of the current B&M car park from 266 spaces to 145 spaces.

It is recognised that this issue has resulted in a large number of objections. However the car park is owned and operated by the applicants and the original planning consent does not include a requirement by legal agreement or planning condition that it be available for public use. Instead planning condition no 5 states that it shall not be used other than for the parking of cars in connection with “the permitted development”, which could be interpreted to exclude general use by the public if they are not visiting the B&M store and these are the restrictions imposed on the current use. Policy DM 29 is therefore not considered to apply to these proposals.

(ii) Compliance with parking standards.

Commercial development: Assessment of the parking required to serve the two retail units, café and gym using the TRICS database forecasts parking demand on a 24 hour basis and indicates there will be peak levels on weekdays of 74 vehicles and at weekend of 97 vehicles. An uplift of 10% is applied for unplanned demand, which results in a maximum need of 107 spaces. The surplus from the provision of 145 spaces provides for some other town centre linked trips. The application proposes additional cycle parking and improved cycle routes to the stores, is considered acceptable on this basis.

Senior living residential development: The provision of 20 spaces is 10 spaces less than required by the Council’s adopted standards. The Council’s Parking Discount tool however can be applied because the site is sustainably located within a Town centre and is well served by buses with stops within 500m of the site although these are not easily linked to the rail network. This reduces the shortfall to 5 spaces. This can be addressed through the implementation of a car club, with a minimum of two electric cars over a three year period enforced by planning condition and a residential Travel Plan.

(iii) Amendments to the car park access at Great Western Road.

A road safety audit (stage 1) has assessed the proposals to remove the current site egress and change the site entrance to two way traffic. Potential concerns about visibility at the junction have been addressed with 25m visibility splays, a suitable revised signage strategy and delivery vehicles will be restricted to out of peak hours by a planning condition. The design of pedestrian crossing points is subject to final approval of location, surfacing, signage which may be controlled by condition.

(iv) Potential impacts on the surrounding highway network from the additional traffic generated by the development.

An assessment has taken place of the wider traffic impacts from the development on flows at Great Western Road, associated roundabouts and road network junctions at Clevedon. The traffic generation (36 at the morning peak and 68 at the afternoon peak) is considered acceptable and to have little impact on overall traffic levels.

(v) New access to Lower Queens Road.

The proposed access to the senior living apartments from Lower Queens Road has been assessed by Road Safety Audit and is considered acceptable. Refuse lorry access has been designed for and bin storage provided. Existing taxi bays will be relocated.

(vi) Sustainable travel improvements.

The main cycle route through the site is relocated to be between the apartments and the B&M car park and the path has been widened to 3m to accommodate this. A further footpath links the shops to the existing toucan crossing in Great Western Road. A total 39 Sheffield cycle stands are proposed which will provide 78 cycle parking spaces, (29 for shoppers, 49 for staff and 14 for the later living apartments). Electric vehicle charging points can be conditioned in the car park and later living site. There is a need to widen the existing path at Great Western Road to 3m to allow for cycle use and a method of delivery is under discussion. However in general the proposals are acceptable as they facilitate improvements to sustainable travel patterns in the neighbourhood.

(vii) Construction traffic.

A construction environmental management plan will be required by condition and will include requirements for on-site materials storage, traffic parking, wheel washing etc.

On this basis it is concluded the application will deliver a sustainable development, in accordance with the previously referenced local plan policies.

Issue 3: Sustainable urban design

Core Strategy policies CS12 and CS31 require that new developments provide high quality and locally distinctive designs, creating an individual character and identity. Local Plan Policy DM32 also supports high quality, distinctive, functional and sustainable places. Paragraph 130 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, or taking into account any local design standards. However, where the design accords with clear expectations of planning policies it should not be used as a refusal reason. The Government has produced the National Design Guide, which sets out 10 characteristics of well-designed places and demonstrates good practice, which are context, identity, built form, movement, nature, public places, uses, homes and buildings, resources and lifespan. The application is also within the Conservation Area therefore policies CS5 and DM3 are relevant and require that new development will not cause harm to the existing character and appearance and wherever possible enhance it. Also, that new development retains existing buildings, features, hard and soft landscaping that contribute to its special character.

The proposals to redevelop this site were the subject of the pre-application enquiry process when the applicants consulted the Design Review Panel (DRP). At that stage the apartment block and the commercial development were significantly larger and related poorly to adopted plan policies and the National Design Guide. The DRP advice was essentially that the proposals needed a clearer vision and links to the heritage strategy, stronger green and blue infrastructure, contributions to biodiversity and to make the senior living element more sensitive to the conservation area and clarify proposals for how Queens Square and Great Western Road can be improved.

B&M, Gym and café.

The submitted application addressed some of the DRP points, and following negotiations, amended plans were submitted in January which improved the external appearance and designs of the café and B&M building significantly. The designs took inspiration from the railway heritage which gave them a clearer identity, with raised coped verges and feature

gables. The unbalanced, overhanging first floor extension to the B&M building was redesigned and now has a more conventional double pitch roof better suited to the Conservation Area. External materials include red brick finish to the most prominent ground floor elevations and clay vertical 'Terrart' Baguette structures above, which subject to approval of detailed design and colouring, has the ability to provide a high-quality finish with articulation, grain and shadowing. The retail unit at the B&M building east elevation facing Queens Square has evolved to address the DRP's suggestions for improving the relationship with the public square by including a doorway and shop windows to retail unit no 2, replacing the B&M blank wall and improving the signage. The current B&M building is not of a particularly high-quality design and does not contribute positively to the character and appearance of the conservation area and the proposals are considered to improve it. In conclusion the redesigned B&M building and the café are considered not to cause harm to and subject to high quality design details and external materials, to enhance the conservation area and are acceptable.

Public space, pedestrian/cycleway links and car park.

The use of space for car parking has been maximised, with a landscaped boundary with Great Western Road and a number of trees within the car park. The Design Review Panel's suggestion for a biodiversity inspired public walkway through the site has not been addressed. However, a 1.1m high stone wall is proposed along the boundary with Great Western Road, apart from the area adjacent to the blank wall of the apartments where no means of enclosure is proposed. Provided the detailed design and materials are suitable the wall will improve this boundary and be more in keeping with the appearance of the Conservation Area, which is characterised by stone walls.

Reference has been made by the applicants to a second phase of development to improve retail units along the eastern side of Queens Square and the Square itself which is in Council ownership. However, details of these proposals are not part of this application.

Senior living apartments.

The proposals for the senior living building have been amended and reduced in scale since the pre-application enquiry and during consideration of this application. The building is three stories in height with large dormers resulting in four stories at the southern section overlooking the car park and furthest from the neighbouring residents at Lower Queens Road. The design makes reference to the railway architecture inspiration for the retail and café units, in terms of external bricks, terracotta Baguettes and the form of the gables. In addition to the apartments there is residents lounge/meeting room, reception and management office at the ground floor, three staircases, a lift and a flood evacuation room at the fourth floor. The apartments are single aspect and those at the south west elevation overlooking the car park have balconies. There are no windows in the north east elevation which faces towards the nearest neighbouring properties in Lower Queens Road and Great Western Road (north).

There is very little private open space for the residents. However, the development is located within a town centre where residents would not necessarily expect to have access to private gardens. There are concerns that the garden space between the ground floor apartments and the foot/cyclepath is only between 2.7m and 2.9m wide and is delineated by 1.0m high railings. This results in little privacy or security for the occupants of the ground floor flats. As the applicants have not proposed methods of addressing these concerns details will be sought and the committee updated.

Sustainable energy.

Policies CS1 and CS2 require a minimum of 15% of future energy needs to be generated on site, subject to feasibility and viability. Should the application be approved it is proposed to address this by planning conditions.

Issue 4: Impact on Conservation Area

The heritage assets are the Conservation Area (CA) and the site is within the setting of the listed Curzon Cinema (Grade II) and St Johns Church (Grade II*). The Conservation Area includes the whole of the site but excludes the Curzon, though its setting must also be considered. There are views of the rear and side elevation of the Curzon obtainable from within the Conservation Area (CA), particularly Great Western Road and these provide a connection to the town centre and main part of the CA. A substantial area of the CA comprises the car park which is the site of this application. This is considered to be unattractive and has a harmful impact on the CA. So too, do the blank elevations of the 1980s supermarket and its service area. There are, however, important views out of the Conservation Area towards the roof of St Johns Church which is a local landmark and as a Grade II* listed building is a particularly important building of more than special interest. Views into the core of the CA's commercial centre are restricted. There is a group of poplar trees alongside Great Western Road which are important, highly visible in the CA and are valuable to the appearance of the streetscene. They contribute significantly to the Conservation Area, providing the most obvious green features on this side of the road by reason of their size and maturity. Though individually not specimen trees, as a group they are a positive and prominent feature of the CA and are therefore of significant amenity value. Other trees within the car park are not of such significance but those adjacent to Great Western Road are to be removed and replaced with others.

Core strategy policy CS5 and Development Management policies DM3 and DM4 are relevant. Generally, the alterations and extensions proposed to the B&M building and the new café are supported and subject to satisfactory detailing are not considered to adversely impact on heritage assets. The comments from Historic England are noted but the principles of the layout were agreed at the pre-application stage taking into account the views of the Design Review Panel and the impracticalities of relocating the new buildings to the western side of Queens Square, including the presence of the culverted main river, are extremely difficult to address.

Para 196 states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

It is considered that the application will have some harmful effects on the significance of these assets: the proposed apartments do have a significant mass and will present a somewhat dominating effect to Great Western Road though it is considered sufficiently distant from the Curzon for this not to have a severe impact on pedestrians' appreciation and enjoyment of the Conservation Area. The apartment block will be visible along Great Western Road where currently the Curzon is the primary building in the streetscene. The setting of the Curzon will be affected but these are relatively brief views. The development will also obscure distant views of the landmark tower and nave roof of the Grade II* listed St Johns Church and characteristic Clevedon hillside skyline from further east on Great Western Road but similar views will remain obtainable from Lower Queens Road. The

harm is considered to be limited. However, the impact on appreciation of the four poplar trees and their health and long-term retention is considered to be significant.

As the application site is within a Conservation Area the existing trees are protected by the provisions of section 211 of the 1990 Town and Country Planning Act. Development management policies CS4, CS5, CS9 and DM3 are relevant and require that the Council seeks to secure the retention of features, hard and soft landscaping (including trees) that contribute to the special character of the Conservation Area. Additionally, policy DM9 of the Development Management Plan require that proposals affecting trees should demonstrate that they are protected where appropriate. The Residential Design Guide – Section 2 paragraph 3.6.2 outlines the council's guidance on trees. The British Standard BS5837:2012 which relates to the Design, Demolition and Construction in proximity to trees, provides guidance on design. Paragraph 5.2 and 5.3 advise works should allow adequate space for long term retention of trees and consider future maintenance. Whilst now showing three of the four poplars to be retained, the applicant has not addressed their long-term health or amenity value. They are very close to the apartment block and this will likely lead to the early loss of these prominent trees through requests to fell to allow better light penetration to apartments. The decision to still remove one of the poplars in order to retain one parking space has a damaging effect for marginal gain on the parking front.

There are nevertheless, public benefits arising from the application. These include enhancement of the appearance of the current B&M Bargains building that currently presents a blank and unappealing elevation visible in extensive views from Great Western Road within the Conservation Area, to present one that will create life, movement and greater night-time activity in this part of the centre. It will also help create a greater sense of enclosure and arrival at the centre with new buildings rather than a relatively featureless car park dominating the Great Western Way impressions of the centre. There will be a beneficial effect in enlivening and providing a fresh face to Queens Square through improved elevational treatment of the B&M store that faces onto Queen Square. This is currently a somewhat dead frontage and elevation that turns its back on the Square. It is also positive that in a time of great difficulties for retail centres that the scheme is proposing significant investment in the town centre.

That is not to say there are aspects of the scheme that could not be improved upon. It is disappointing that it has not been feasible to create a continuation of Lower Queens Road, but this was not an aspect that the DRP felt strongly about. It remains possible to improve the end of this road to create a space rather than the ill-defined area of turning head and pedestrian path. It is also disappointing that suggestions relating to the public realm from the DRP and celebration of the historic route of the river have not been picked up and utilised more positively but these cannot be characterised as harm.

Weighing up these aspects of the application it is considered that on balance it preserves the character of the centre and offers some limited enhancement. The offer of a contribution towards the improvement of Queen Square is welcome but should not be considered in terms of weighing up the impact on the CA. However, the balance in favour of preserving or enhancing the CA still relies on demonstrating that the application delivers a sustainable long-term relationship between trees and the apartment block.

The applicant has been asked to retain the four poplar trees along the road frontage as they would take some years to replicate their amenity value and scale. However, it is considered that their relationship to the proposed dwellings as currently shown is not

satisfactory for the reasons given. It is considered that the applicant should be required to either revisit the footprint of the building to allow more space, or alternatively provide detailed technical specifications for the replacement of these trees where conflict is likely. Suitable tree pits with reservoirs to enable better establishment and growth of new trees of suitable stock size should be required. This would have beneficial long-term microclimate benefits by providing shade and could be considered to be a satisfactory long-term solution and one that .

Overall it is considered that the proposals for the senior living apartments will cause less than substantial harm to the CA and the setting of the LBs, but that there are public benefits that will preserve or enhance their character.

Issue 5: Equalities Act, Accessible and Adaptable housing and impacts on neighbours living conditions.

Relevant policies are Development Management policy DM33 which requires that public buildings should be accessible and policy DM42 which requires that a minimum of 17% units should comply with M(4) of Part M of the B Regs, in accordance with the accessible and adaptable housing needs SPD. If the application is approved suitable planning conditions will be added to address these requirements.

Another requirement of policy DM42 is that all new dwellings should conform with the minimum space standards set out in the Nationally described space standards where practical and viable. Additional information has been requested to demonstrate compliance with these standards and the committee will be updated on the outcome.

Policy DM32 requires that new development conforms with the standards to protect neighbouring residents from overlooking, overshadowing and overbearing as set out in the Council's Residential Design Guide Part 1. It is confirmed that the proposals comply with these standards.

Issue 6: Flood risk, drainage and culverted rhyne

Development Management policies DM1 and CS2 require that the potential for site flooding and drainage requirements are properly addressed. The site is within flood zone 3 and the culverted Main River (the Land Yeo rhyne) passes under the north of the site. Surface water runoff is proposed to drain to this rhyne. Drainage details submitted with the application were insufficient for a full assessment and an additional drainage report was provided recently with the aim of demonstrating that no additional flood risk will arise from the development. Provided this information is satisfactory there will be no objections on these grounds subject to necessary planning conditions. The Environment Agency may require the applicants to obtain approval for an Environmental Permit from that Authority for the development due to the proximity to the Main river. This is the applicant's responsibility to address and is unlikely to impact on the physical development and a note will be added to the planning decision notice to this affect.

As the site lies within flood zone 3 the proposals are required to comply with the Sequential sites assessment and exceptions test as set out in the NPPF and NPPG. It is confirmed that these matters have been addressed.

Issue 7: Biodiversity and Habitat Regulations Assessment

The Natural Environment and Rural Communities (NERC) Act 2006 places a duty on Local authorities to have regard to the conservation of biodiversity in exercising their functions and it is confirmed that subject to the addition of relevant planning conditions the terms of the Act have been complied with in this respect. Development Management Plan policy DM8 requires that biodiversity and important species are protected. The site has no significant connected habitat value for bats and the buildings on site have been surveyed for bats and nothing was found. The site mainly consists of a tarmac car park with areas of tree and shrub planting, and it has been concluded that other protected species are very unlikely to be on site. Should the application be approved, the new landscaping scheme should include flowering and fruiting plants, native species where possible and bird boxes under the terms of planning conditions.

Issue 8: Archaeology.

Development Management Plan policy DM6 requires that archaeology interests be fully considered and taken into account in determining planning applications. Should the application be approved planning conditions are required to implement an archaeological watching brief to monitor grounds and record the archaeological remains, and to require the installation of information boards to showcase the site history relating to the the heritage of Clevedon Station and the Weston, Clevedon & Portishead Light Railway.

Issue 9: Potential land contamination.

Core strategy policy CS3 requires that the potential for environmental impacts both to and from new developments are addressed. The submitted site desktop studies indicate the potential for on-site contamination and possible impacts on the development from nearby off site contamination and further assessment and investigations are to be carried out and appropriate mitigation implemented during development, if required. Further assessments of potential asbestos in existing buildings will be necessary and mitigation programmed into the development. Potential impacts from road noise to residential uses also requires further assessment, and suitable mitigation can be implemented through higher levels of sound insulation if necessary which will not impact on the external appearance of the building. These matters can be addressed through suitable planning conditions. Additionally the proposals to reused railway sleepers in the hard landscaping are not acceptable as they are often contaminated with creosote and should be replaced with clean replicas under landscaping conditions.

Issue 10: Third party comments

Neighbouring residents and the Town Council's objection to the development proposals are detailed in this report. They have been addressed in the preceding issues sections. Other matters have been raised by neighbours namely loss of views, devaluation of property, noise and nuisance. Such matters carry little weight in the determination of planning applications and are not controlled under adopted plan policies.

Issue 11: Development Contributions and Community Infrastructure Levy

Policy CS34 of the Core Strategy and Policy DM71 of the Sites and Policies Plan Part 1 set out the requirement and mechanism to seek developer contributions to mitigate the

impacts of a development proposal, should the application be approved. This application is for 39 no new dwellings and Use class E town centre commercial development (1,008 sqm gym; retail extension 456 sqm net and a food unit 195 sqm). Under the terms of adopted planning policies and SPD's, the development should provide for affordable housing and potentially contributions for Highways Act requirements; fire fighting infrastructure and town centre enhancement . The applicants have submitted a development viability appraisal with the aim of demonstrating that the development cannot meet the costs of all these contributions. It is currently being assessed and the committee will be updated. The development will also be required to pay community infrastructure levy.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

The proposed development has been screened separately under the above Regulations and has been found not to constitute 'EIA development'. An Environmental Statement is not, therefore, required.

The Crime and Disorder Act 1998

Subject to the proposed planning conditions, the proposed development will not have a material detrimental impact upon crime and disorder.

Local Financial Considerations

The Localism Act 2011 amended section 70 of the Town and Country Planning Act 1990 so that local financial considerations are now a material consideration in the determination of planning applications. This development is expected to generate New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in this report, continue to be the matters that carry greatest weight in the determination of this application.

Conclusion

Para 11 of the NPPF says that there should be a presumption in favour of sustainable development where proposals conform to an up-to-date development plan. Section (d) explains that where policies are out of date then planning permission should be granted unless:

- (i) the application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development, or
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The associated footnote 6 explains that policies are deemed out of date where the Local Planning Authority cannot demonstrate a 5 year land supply (with the appropriate buffer), as is the case here. At present the Council cannot demonstrate a five year land supply of deliverable housing sites, with the current supply position standing at 4.2 years. This means that for applications involving the provision of housing, the policies which are most important for determining the application are deemed to be out of date (NPPF paragraph 11, footnote 7). In accordance with paragraph 11 of the NPPF this means that unless:

i: the application of policies in the NPPF that protect areas or assets of particular importance (as listed in NPPF footnote 6 and which include designated heritage assets such as Conservation Areas) provide a clear reason for refusing the application; or
ii. the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, then the application should be considered favourably. Impacts on the Conservation Area have been assessed and subject to the points made in the report and recommendation, are not unacceptably harmful. It is considered that the impacts of the development detailed in this report need not outweigh the benefits which includes the provision of 39 new homes and town centre regeneration from new commercial developments.

RECOMMENDATION: Subject to –

- (a) The satisfactory completion of the assessment regarding the development viability appraisal and the completion a section 106 legal agreement securing suitable financial contributions (or site provision) towards (i) affordable housing provision, (ii) town centre enhancements (where justified), (iii) highways and transportation requirements (if required) and (iv) fire service infrastructure, and
- (b) amended plans and details to demonstrate and secure the retention and protection of the trees at the boundary with Great Western Road or suitable replacements;
- (c) satisfactory proposals to protect the privacy of the occupiers of ground floor apartments;
- (d) further assessment and confirmation of the acceptability of the design of the vehicle access to Great Western Road and improvements to the turning head at Lower Queens Road;
- (e) further information to confirm that the proposals comply with policy DM42 in terms of compliance with the minimum space standards set out in the Nationally described space standards;

- the application be **APPROVED** (for the reasons stated in the report above) subject to conditions to be agreed in consultation with the Chairman, Vice Chairman and ward member to include the following matters together with any further relevant conditions as may be required:

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. No development shall take place, including any works of demolition, until a Construction 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. 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 from works on the site
- (g) a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In order to preserve highway safety, local amenity and the living conditions of nearby residents in accordance with policy CS2 of the Core Strategy.

4. No development hereby approved shall commence until a noise survey at the site has been completed and a scheme to protect the proposed and existing dwellings from noise has been submitted to and approved, in writing, by the Local Planning Authority. The details are required prior to the commencement of the development to allow for any sound insulation/mitigation requirements to be incorporated into the design of the development. None of the dwellings or the retail units shall be occupied until all the works that form part of the scheme have been completed. The approved noise protection scheme shall thereafter be permanently retained and maintained in accordance with the approved details.

Reason: So that noise affecting the proposed development may be attenuated to a level acceptable for residential use. Likewise, so that noise from the proposed development, particularly the retail element, does not cause noise disturbance to existing and proposed residential dwellings.

5. A written method statement for the identification and subsequent removal of asbestos if required, shall be agreed in writing with the LPA prior to the demolition/extension/alteration of site buildings and all requirements shall be implemented and completed to the satisfaction of the LPA. No deviation shall be made from this scheme without the express written agreement of the LPA.
6. No development shall take place until an intrusive ground investigation, assessing the nature and extent of contamination on the site, has been submitted to and approved in writing by the Local Planning Authority. This investigation 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 order to ensure that land is suitable for the intended uses.

7. 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. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: In order to ensure that land is suitable for the intended uses

8. The remediation scheme, which includes gas protection measures if required, shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to the Local Planning Authority.

Reason: In order to ensure that land is suitable for the intended uses

9. No dwelling shall be occupied until details of electric vehicle charging ducting, wiring and identified suitable fuse box connection ready to receive a charging socket serving that dwelling have been submitted to and approved in writing by the Local Planning Authority and implemented in full.

Reason: In order to secure sustainable modes of travel and in accordance with policies CS1 and CS10 of the North Somerset Core Strategy.

10. No building or use hereby permitted shall be occupied or use commenced until details of a car club scheme, in accordance with a contract to be entered into by the developer and an approved* car club provider, shall be submitted to and approved in writing by the Local Planning Authority. To incorporate -
- The allocation of 2 car club parking space(s)
 - The provision of 2 vehicle(s)
 - Provision of car club membership for all eligible residents of the development for a minimum of three years
 - Promotion of the scheme
 - The phasing at which the scheme will be introduced

Reason: to follow.