

Minutes

of the Meeting of

The Planning and Regulatory Committee

Wednesday, 16 November 2022

New Council Chamber - Town Hall

Meeting Commenced: 2.30 pm

Meeting Concluded: 3.00 pm

Councillors:

James Tonkin (Chairman)

John Crockford-Hawley (Vice-Chairman)

Mike Bird

Peter Bryant

Peter Crew

Ann Harley

Stuart McQuillan

Robert Payne

Mike Solomon

Richard Tucker

Apologies: Councillors: Caroline Cherry, Timothy Snaden and Richard Westwood..

Officers in attendance: Richard Kent (Head of Planning, Place Directorate), James Wigmore (Lead Transport Planner), Sue Buck (Solicitor - Litigation Team Leader), James Padgham (Infrastructure Delivery Manager, Bus Services), Andrew Stevenson (Principal Planning Officer) and Andrea English (Principal Transport Policy Officer) and Michèle Chesterman (Committee Services Senior Officer),

PAR Chairman's Welcome 25

The Chairman welcomed everyone to this face-to-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 Public speaking at planning committees (Standing Order 17 & 17A) (Agenda 26 Item 1)

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

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

PAR 27 Declaration of Disclosable Pecuniary Interest (Standing Order 37) (Agenda Item 3)

None

PAR 28 Minutes 12 October 2022 (Agenda Item 4)

Resolved: that the minutes of the meeting dated 12 October 2022 be approved as a correct record.

PAR 29 Planning Application No: 22/P/0227/OUT Outline planning application with all matters reserved, except access, for demolition of existing structures on site (75 Greenhill Road) and subsequent residential led mixed-use development comprising of up to 49no. residential dwellings (Class C3) and a change of use of land for education use (Use Class F1), along with associated infrastructure and works including landscaping, servicing, parking, new accesses, and a new access road. Land To The South Side Of Greenhill Lane And North Of Greenhill Road Sandford (Agenda item 6)

At the invitation of the Chairman, Lewis Knight, Applicant, addressed the committee speaking in favour of the application.

The Director of Place's representative presented the report. He also drew attention to the update sheet published with the report which referred to proposed amendments to the wording of conditions 8, 14, 21 and 22 and deletion of condition 9 (with consequent re-numbering).

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

Following debate it was:

Resolved: Subject to

- a) the completion of a Habitat Regulation Assessment and
- b) the submission of revised visibility splays drawings with SSD's aligned with the results of the speed surveys or delivery of an acceptable scheme for speed reduction mitigation measures, and
- c) the completion of a section 106 legal agreement securing financial contributions towards the provision of
 - £235,741.67 towards NSC Home to School Transport costs.
 - £30,000.00 per year for 3 years to provide an enhanced bus service (service 51) £50,000.00 to replace 2 bus stops
 - A £120.00 per dwelling contribution to be spent on active travel incentives such as bus vouchers, bicycle vouchers etc.
 - A £6,800 contribution required to make improvements to PRow AX29/45

- The transfer of land for a playing field, and
- The provision of 30% on site affordable housing

the application be **APPROVED** (for the reasons stated in the report) subject to the following conditions:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiry of three 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 before the expiry of two years from the date of approval of the last of the reserved matters to be approved.

Reason: in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

3. Approval of the details of the scale, layout, appearance of the buildings and the landscaping of the site (hereinafter called ("the reserved matters")) shall be obtained from the Local Planning Authority, in writing before any development is commenced.

Reason: The application was submitted as an outline application in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010 and in accordance with Policies DM32 of the Sites and Policies Plan Part 1 and Policy CS12 of the North Somerset Core Strategy.

4. The development hereby permitted shall be carried out in accordance with the approved plans (to be inserted).

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

5. No more than 49 dwellings shall be erected on the application site.

Reason: To avoid an overdevelopment of the site which would be likely to result in a form of development that is out of keeping with the character and appearance of the site and surrounding area in accordance with Policy CS33 of the Core Strategy and DM32 of the Sites and Policies Plan Part 1.

6. No work shall be commenced 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 7 and paragraph 17 of the National Planning Policy Framework.

7. 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.

8. The development hereby approved shall be carried out in accordance with the measures identified within the approved method statement and tree retention plan (Arboricultural Impact Assessment dated 25th January 2022) unless otherwise agreed in writing by the Local Planning Authority.

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.

9. 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.

10. 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.

11. All landscaping works should be carried out during the months of October to March inclusive following occupation of the dwellings 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.

12. Details of the external lighting shall be provided at the Reserved Matters stage including:

- (i) details of the type and location of the proposed lighting;
- (ii) existing lux levels affecting the site (dark and full moon);
- (iii) the predicted lux levels; and
- (iv) lighting contour plans.

The scheme shall ensure that light levels do not exceed 0.5 lux above base on features important to bats, including foraging habitat and flight lines and boundary buffer corridors. 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 Local Planning Authority.

Reason: To reduce the potential for light pollution in accordance with Policy CS12 of the Core Strategy, Policy DM8 of the Sites and Policies Plan Part 1 and to protect bat habitat in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended) and Wildlife and Countryside Act 1981 (as amended).

13. Details of the fencing or means of enclosure to be provided around private gardens of the individual dwellings adjacent to the ecological buffer zones shall be provided at the Reserved Matters stage. The fencing or means of enclosure shall be of sufficient height and standard to prevent light spill from individual dwellings onto the boundary hedgerows and ecological buffer zones. Thereafter the approved boundary treatment shall be constructed in accordance with the approved details for each dwelling before the occupation of that dwelling.

Reason: To reduce the potential for light pollution in accordance with Policy CS12 of the Core Strategy, Policy DM8 of the Sites and Policies Plan Part 1 and to protect bat habitat in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended) and Wildlife and Countryside Act 1981 (as amended).

14. 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.

15. Prior to the commencement of development, a Habitat Management Plan shall be submitted to, and approved in writing, by the Local Planning Authority. The plan shall cover a ten-year period and include measures for establishment, enhancement and management of habitats within the site, including planting schedules and details of ongoing management. This shall include a timetable for management activities as well as a monitoring schedule for habitats and species, including bat monitoring post completion.

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.

16. None of the dwellings hereby approved shall be occupied until the new site access to Greenhill Road has been constructed and the related visibility splays have been provided in accordance with the approved details. The approved visibility splays shall be maintained free of vegetation or other obstruction above 600mm above the nearside carriageway level at all times thereafter.

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

17. No dwelling hereby permitted shall be occupied until the access serving the dwelling has been completed in accordance with the details shown on the approved plans.

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

18. Prior to the occupation of each dwelling, the relevant number of parking spaces for that dwelling will be provided in accordance with the North Somerset Parking Standards SPD.

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

19. Prior to the commencement of development, a Construction Method Statement shall be submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. The method and duration of any pile driving operations to include expected starting date and completion date
- ii. The hours of work, which shall not exceed the following: construction and associated deliveries to the site shall not take place outside 07:00 to 19:00 hours Mondays to Fridays, and 08:00 to 16:00 Saturdays, nor at any times on Sundays or Bank Holidays
- iii. The arrangements for prior notification to the occupiers of potentially affected properties
- iv. The responsible person (e.g. site manager / office) who could be contacted in the event of complaint
- v. measures to control the emission of dust and dirt during construction

- vi. Details of wheel washing facilities
- vii. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- viii. A scheme for recycling/disposing of waste resulting from demolition and construction works
- ix. The parking of vehicles of site operatives and visitors

Reason: In the interests of residential amenity and to ensure the safe operation of the highway and to minimise disruption.

20. No above ground work shall take place until surface water drainage works have been implemented in accordance with the approved Foul & Surface Water Drainage Strategy (ref 21219-HYD-XX-XX-RP-DS-5001-P03) and a timetable for its implementation is agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of flooding to the development from surface water/watercourses, 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 (Development Management Policies).

21. No above ground work shall take place until surface water drainage works have been implemented in accordance with the approved Foul & Surface Water Drainage Strategy (ref 21219-HYD-XX-XX-RP-DS-5001-P03) and a timetable for its implementation is agreed in writing with the Local Planning Authority.

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 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).

22. No above ground work 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 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).

23. No development will take place within 5 metres of the top of bank of any watercourse on one bank to allow access for maintenance and a biodiversity corridor.

Reason: To ensure clear access for maintenance over the lifetime of the development and in accordance with policy CS3 of the North Somerset Core Strategy.

24. No culverting of watercourses on the site will take place except for access points without the agreement of the Local Planning Authority

Reason: To ensure that there is no restriction in the conveyance of the flow or volume of water. To preserve the biodiversity and habitats in the water corridor and ensure that clear access to watercourses for maintenance is allowed.

25. 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, Development Management.

PAR 30 Q2 Performance Report (Agenda item 7)

The Director of Place's representative presented the report.

Members asked questions about staffing; monitoring of developments to ensure adoption standards were met and tracking/reporting of CIL/S106 receipts.

Resolved: that the report be noted

PAR 31 Planning Appeals 161122 (Agenda item 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 32 Urgent business permitted by the Local Government Act 1972 (if any) (Agenda item 9)

None

Chairman
