

Minutes

of the Meeting of

The Planning and Regulatory Committee

Wednesday, 18 January 2023

New Council Chamber - Town Hall

Meeting Commenced: 2.00 pm

Meeting Concluded: 3.20 pm

Councillors:

James Tonkin (Chairman)

John Crockford-Hawley (Vice-Chairman)

Mike Bird

Peter Bryant

Caroline Cherry

Peter Crew

Ann Harley

Robert Payne

Timothy Snaden

Mike Solomon

Richard Tucker

Richard Westwood

Apologies: Councillors Stuart McQuillan

Officers in attendance: Richard Kent (Head of Planning, Place Directorate), Sue Buck (Solicitor - Litigation Team Leader) and Michèle Chesterman (Committee Services Senior Officer)

PAR 42 Chairman's Welcome

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

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

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

PAR 44 Declaration of Disclosable Pecuniary Interest (Standing Order 37) (Agenda Item 3)

None.

PAR 45 Minutes 14 December 2022 (Agenda Item 4)

Resolved: that the minutes of the meeting dated 14 December 2022 be approved as a correct record.

PAR 46 Planning Application No: 21/P/3185/FUL Erection of additional building at Busy Buddies Nursery, to increase the capacity of existing nursery, Cowslip Lane, Hewish, Banwell (Agenda item 6)

At the invitation of the Chairman, Alistair Mead, Applicant, addressed the committee speaking in favour of the application.

The Director of Place's representative presented the report.

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

Following debate it was:

Resolved that the application be **APPROVED** contrary to recommendation

The reasons for approval were as follows:

The Committee considered there was an overriding need for nursery provision in the locality and did not consider that there were any reasonably available alternative sites within the nursery's current catchment and that this outweighed the development plan policies. It noted that the nursery would serve the local community, staff at the adjacent Puxton Park complex and workers travelling to and from Weston-super-Mare and therefore would not have an unacceptable impact on sustainability objectives. It did not consider that the development caused harm to the landscape due to the proximity of other buildings and screen planting.

The approval was subject to the following conditions:

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the

following approved plans and documents:

2021-44-ED-XX-00-DR-A-PL-000 A: EXISTING SITE PLAN
2021-44-ED-XX-00-DR-A-PL-001 B: Site Location Plan
2021-44-ED-XX-00-DR-A-PL-002: PROPOSED FIRSTFLOOR/REFUGE
2021-44-ED-XX-00-DR-A-PL-002 A: PROPOSED SITE PLAN
2021-44-ED-XX-00-DR-A-PL-003: PROPOSED PLANS & ELEVATIONS
IMAGE 1 OF PROPOSED BUILDING
IMAGE 2 OF PROPOSED BUILDING

BBD-BPC-ZZ-XX-RP-C-0001_FRA: Flood Risk Assessment - Bailey Partnership, dated March 2022

FLOOD RISK ASSESSMENT AND SUSTAINABLE DRAINAGE STRATEGY - Sutherland Property & Legal Services Ltd
SEQUENTIAL TEST - Sutherland Property & Legal Services Ltd
ENERGY STATEMENT - Sutherland Property & Legal Services Ltd
Ecological Appraisal - Quantock Ecology, dated 31/08/2021
EXTENSION SUPPORT LETTER

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

3. The building hereby permitted shall not be constructed until details of the walling, roofing, window and door materials to be used in the development have first 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 policy CS12 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan (Part 1).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Orders revoking and re-enacting those Orders, with or without modification), the premises shall be used for children's day nursery only and for no other purpose (including any other purpose in Class E).

Reason: The Local Planning Authority wishes to retain control over the use of the premises in the interests of serving the local community and in accordance with policy CS25 of the North Somerset Core Strategy and policy DM68 of the North Somerset Sites and Policies Plan (Part 1).

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

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

CS11 of the North Somerset Core Strategy, policies DM24 and DM28 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Parking Standards SPD.

6. Prior to the first occupation of the development hereby approved a Flood Warning Evacuation Plan shall be submitted to and approved, in writing, by the local planning authority. This plan shall address the matters required pursuant to the National Planning Policy Framework and Planning Practice Guidance. Thereafter the Flood Warning Evacuation Plan shall be fully implemented.

Reason: To limit the risk of flooding by ensuring the provision of satisfactory means of flood management and incident response on the site in accordance with policy CS3 of the North Somerset Core Strategy.

7. Finished floor levels to be set at least 300mm above existing ground levels.

Reason: To reduce the risk of flooding to the proposed development and future occupants 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).

8. The nursery should not be used for overnight accommodation, and any sleeping areas should not be situated on the ground floor.

Reason: To reduce the risk of flooding to the proposed development and future occupants 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).

9. The additional building shall not be occupied until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; finished ground levels; a planting specification to include numbers, size, species and positions of all new trees and shrubs; details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site; and a programme of implementation. The hard and soft landscaping scheme shall be carried out in accordance with the approved details, specifications and programme of implementation. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or 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. All hard landscape works shall be permanently retained in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure a satisfactory landscaping scheme is implemented and maintained in the interests of the character and biodiversity value of the area, and in accordance with policies CS4, CS5, CS9 and CS12 of the North Somerset Core Strategy, policies DM8, DM9, DM10 and DM32 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Biodiversity and Trees

SPD.

For advice on how to discharge this condition, please refer to www.n-somerset.gov.uk/landscapingconditions

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order, with or without modification), no extensions to the additional building hereby permitted shall be carried out without the permission, in writing, of the Local Planning Authority.

Reason: The Local Planning Authority wish to retain control over extensions in order to maintain the integrity and appearance of this development and in accordance with policy CS12 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan (Part 1).

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order, with or without modification), no gates, fences, walls or other means of enclosure shall be erected or constructed on any boundaries of the site, or elsewhere within the site (other than any expressly authorised by this permission).

Reason: The Local Planning Authority wish to retain control over means of enclosure in the interests of the character and appearance of the area and in accordance with policy DM32 of the North Somerset Sites and Policies Plan and policies CS5 and CS12 of the North Somerset Core Strategy.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order, with or without modification), no garage, shed or other structure shall be erected within the curtilage of the additional building hereby permitted (other than any expressly authorised by this permission).

Reason: The Local Planning Authority wish to retain control over additional structures in order to maintain the integrity and appearance of this development and in accordance with policy CS12 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan (Part 1).

13. The additional building hereby permitted shall not be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the development is served by a satisfactory system of foul drainage and to prevent pollution of the water environment, 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).

For advice about discharging this condition please refer to www.n-somerset.gov.uk/drainageconditions

14. The additional building hereby permitted shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans and specifications 2021-44-ED-XX-00-DR-A-PL-002 A.

Reason: To ensure that the development is served by a satisfactory means of vehicular access in the interests of road safety, and in accordance with policy CS10 of the North Somerset Core Strategy and policy DM24 of the North Somerset Sites and Policies Plan (Part 1).

PAR 47 Planning Appeals 18.01.23 (Agenda item 7)

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

Resolved: that the report be noted.

PAR 48 Urgent business permitted by the Local Government Act 1972 (if any) (Agenda item 8)

None.

Chairman
