

## SECTION 1 – ITEM 7

**Application No:** 22/P/2105/FUL

**Proposal:** Demolition of existing buildings on site (self storage) and construction of residential development comprising 68no. dwellings, with existing access off Sandford Road and creation of new access off Shipham Lane and associated works [amended proposal].

**Site address:** Land Adjoining Coombe Farm, Sandford Road, Winscombe

**Applicant:** Woodstock Homes (Winscombe) Limited

**Target date:** 09.03.2023

**Extended date:** 17.11.2023

**Case officer:** Emma Hawthorne

**Parish/Ward:** Winscombe and Sandford/Banwell and Winscombe

**Ward Councillors:** Councillor Joe Tristram and Councillor Tom Nicholson

### **REFERRED BY COUNCILLOR TRISTRAM**

#### **Summary of recommendation**

It is recommended that, subject to the completion of a legal agreement, the application be **APPROVED** subject to conditions. The full recommendation is set out at the end of this report.

#### **The Site**

The application site is located adjacent to a residential area of Winscombe to the northern edge of the village. The site comprises an area of 4.4ha of largely agricultural land, with some storage units located centrally within the site. The site is bound to the north by Shipham Lane and to the south by the rear gardens of the dwellings situated along Moorham Road. To the west of the site are residential properties, a Royal Mail distribution office and where the site adjoins Sandford Road, the boundary is formed by mature hedgerow and the site's main access route. The eastern boundary abuts agricultural land and a commercial orchard. The topography of the site is varied.

#### **The Application**

- This is a full planning application for the demolition of existing self-storage buildings on the site and construction of 68no. dwellings;
- The existing vehicular access off Sandford Road is proposed to be retained with the addition of a new access off Shipham Lane;
- A mix of one, two, three and four bedroom homes are proposed, comprising a maximum of two storeys in height;
- 30% of the proposed units will be for affordable housing;

- The site density is approximately 15.5 dwellings per hectare;
- The existing boundary hedgerows around the site are retained and reinforced with new planting for the most part;
- A drainage attenuation pond is to be located towards the south-western corner of the site with public open space located to the south-east corner of the site.

### **Relevant Planning History**

20/P/2724/FUL	Change of use of land for the stationing of 55no. residential park home bungalows	Withdrawn
99/P/2783/O	Residential development with associated public open space and means of access	Withdrawn
99/1405	Residential development of 57 dwellings with associated public open space and means of access on land	Refused. Appeal dismissed

### **Policy Framework**

The site is allocated for residential development in the Sites and Policies Plan Part 2: Site Allocations as two separate parcels.

It is affected by the following constraints

- Tree Protection Order (TPO) 225;
- Flood Zone 1;
- North Somerset and Mendip Bats Special Area Conservation (SAC) Consultation Zone C; and
- Setting of Area of Outstanding Natural Beauty (AONB) which bounds the eastern boundary of the site.

### **The Development Plan**

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

The following policies are particularly relevant to this proposal:

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
CS7	Planning for waste
CS9	Green infrastructure
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
CS27	Sport, recreation and community facilities
CS32	Service Villages
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
DM6	Archaeology
DM8	Nature Conservation
DM9	Trees
DM10	Landscape
DM11	Mendip Hills Area of Outstanding Natural Beauty (AONB)
DM24	Safety, traffic and provision of infrastructure etc associated with development
DM25	Public rights of way, pedestrian and cycle access
DM26	Travel plans
DM28	Parking standards
DM32	High quality design and place making
DM34	Housing type and mix
DM36	Residential densities
DM42	Accessible and adaptable housing and housing space standards
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:

SA1	Allocated residential sites (10 or more units)
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Land at Shipham Lane, Winscombe	Estimated capacity = 28
Land adjoining Coombe Farm, Winscombe	Estimated capacity = 24

**Other material policy guidance**

National Planning Policy Framework (NPPF) (2023)

The following sections are particularly relevant to this proposal:

- 1 Introduction
- 2 Achieving Sustainable Development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 9 Promoting sustainable transport

- 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

### Supplementary Planning Documents (SPD)

- Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (adopted January 2013)
- North Somerset Parking Standards SPD (adopted November 2021)
- North Somerset Landscape Character Assessment SPD (adopted September 2018)
- Biodiversity and Trees SPD (adopted December 2005)
- Affordable Housing SPD (adopted November 2013)
- Accessible Housing Needs Assessment SPD (Adopted April 2018)
- Development contributions SPD (adopted January 2016)
- North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: SPD (Adopted January 2018)
- Creating sustainable buildings and places SPD (adopted April 2021)

### Consultations

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

**Third Parties:** 209 letters of objection have been received. The principal planning points made are as follows:

- Increased traffic and congestion in the locality. Shipham Lane / Sandford Road junction is dangerous for vehicles using it. It is widely anticipated that the Banwell bypass proposals will also see an increase in traffic along Sandford Road;
- Shipham Lane used extensively for recreational use by walkers, equestrian owners and agricultural vehicles;
- Sandford Road is parked along, and for significant lengths it is single way carriageway. Royal Mail employees will have to park elsewhere;
- Wimblestone Road will become a rat-run because of this development and it will lead to it becoming a dangerous and chaotic road;
- The demise of the no.126 bus service means that the entirety of this development will therefore have to rely on the one or more likely two private cars per household. The no.51 bus is irregular and cannot be relied on;
- There is no continuous pavement going into Winscombe which will involve crossing the road several times;
- Lox River runs through the site, and part of the site is high risk on surface water flooding. Increased flooding as roadways, gullies and driveways already gathers significant amounts of water during rainy periods. The foul waste system in Winscombe is inadequate and we are already aware of some properties along Sandford Road that have issues;
- Existing infrastructure in the village (e.g. dentists, doctors, schools etc) is already over stretched;
- The development will result in damage to wildlife and loss of habitat;

- The proposal will negatively impact the quality of life for existing residents due to varied unsociable and undesirable elements i.e. noise, pollution. Loss of security, privacy, overshadowing and overlooking of existing bungalows along Sandford Road / existing residents neighbouring the site;
- The application site is outside the village boundary / settlement boundary and on the on the edge of the AONB. It will impact on landscape and cause loss of open, green space;
- Additional housing in Winscombe is not required;

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

- Need for local housing;
- Positive benefit for the village;
- The plans look well thought out and have a great looking layout that appears to fit nicely into the landscape. The layout looks to provide lots of open space and at the same time retaining the existing trees and hedgerows; and
- New families will enhance the community and help support the local shops and businesses.

#### **Other Comments Received:**

##### Winscombe Parish Council:

Objected to the application as originally submitted.

“Having considered amended proposals for this planning application, the parish council offer the following further observations:

1. It is apparent that no notice of comments previously made by the parish council have been taken into consideration by the applicants in the recent planning amendments. The council would reiterate all 12 objections made to the original proposal.
2. It was noted that observations, comments, and objections raised by Natural England, Flood Risk Team, and the Fire Service have not been addressed in the amended proposals.
3. The parish council was unclear as to the actual number of homes now being applied for? Whilst a reduction of three dwellings was claimed in the amended proposals, the council was at a loss as to how these figures were arrived at when reading amendments in the Urban Design Officers report?
4. Why was an URBAN Design Officer involved in a planning application for a RURAL parish, and why was a report commissioned in January 2023 not made available in the public domain until May 2023?
5. The addition of three-storey apartments to the application further emphasized the difference in housing style to existing dwellings in the parish, and most importantly those surrounding the site at a lower level. The surrounding dwellings to the proposed development are mainly bungalow or dormer style bungalows and these would be subject to an overpowering impact from the proposed new development as well as over-looking.
6. The effects of increased traffic for the now approved planning application for the Banwell Bypass have not been taken into consideration in documents submitted. As traffic reports were commissioned during winter months, these would also not consider seasonal holiday traffic, including caravans accessing camp sites in close proximity to the application site.

For the reasons as outlined, the parish council continues to recommend refusal of this amended planning application.”

#### AONB Unit

Strong concerns relating to the application as the proposed number is still substantially in excess of the combined strategic allocations for 52no. dwellings, and therefore potential impact on the landscape setting of the AONB is significantly increased in terms of lighting, noise, and visual intrusion of domestic paraphernalia. Concerned that that noise levels from the proposed number of dwellings will not conserve and enhance the natural beauty of the AONB.

If North Somerset are minded to approve the application it is requested that the number of dwellings is reduced (below 68 units) and that there is a more substantial green buffer to the eastern boundary in order to conserve and enhance the natural beauty which includes the tranquillity and dark night skies of the AONB, and to conserve and enhance nature recovery.

#### Avon Fire and Rescue

Avon Fire & Rescue Service has calculated the cost of installation and five years maintenance of a Fire Hydrant to be £1,500 + vat per hydrant. Six fire hydrants required.

Environment Agency – no comments.

#### Natural England

As submitted, the application could have potential significant effects on the North Somerset and Mendip Bats Special Area of Conservation. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

#### Officer comment:

*Natural England will be consulted on a Habitats Regulations Assessment (HRA) once completed by the Council.*

Neighbourhood Police Response – no objection subject to comments;

### **Principal Planning Issues**

The principal planning issues in this case are (1) the principle of development, (2) landscape and character impact (3) transport and access, (4) ecology, (5) flood risk and drainage (6) living conditions of existing residents, (7) living conditions of future residents, (8) listed buildings, (9) trees, (10) archaeology,(11) other matters and (12) development contributions.

#### **Issue 1: The principle of residential development in this location**

Section 38 (6) of the Planning and Compulsory Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan includes the adopted Core Strategy and policy CS13 requires sufficient developable land to deliver a minimum of 20,985 dwellings

between 2006 and 2026. Policy CS14 sets out the broad distribution of the housing requirement across the settlement hierarchy. This prioritises new housing development at Weston-super-Mare followed by the other towns and then service villages. Winscombe is defined as a Service Village as set out in Policy CS32. CS32 confirms that new residential development will generally be acceptable in principle within the settlement boundaries and appropriate development up to about 25 dwellings adjoining settlement boundaries, for Service Villages, provided it respects the scale and character of the village and the site's location, and is not in the Green Belt.

Further to this, the application site is allocated as two residential allocations within the Sites and Policies Plan, Part 2: Site Allocations Plan. Policy SA1. The allocation for the site 'Land at Shipham Lane, Winscombe' is for an estimated capacity of 28 dwellings, and the allocation for the site at 'Land adjoining Coombe Farm, Winscombe' is estimated at 24 dwellings. The application site includes both allocated sites, as well as a parcel of land towards the centre of both allocations, which acts as a link between. Whilst Policy SA1 indicates the capacity of both allocated sites to equate to around 52 dwellings, it must be noted that these are indicative figures and the actual capacity following detailed assessment could be either higher or lower. As detailed in the following sections of this report, in this case 68 dwellings is found to be acceptable across the combined sites.

It should also be noted that at present, the Council cannot currently demonstrate a five-year housing land supply, with a recent appeal decision in respect of Farleigh Farm, Backwell finding that the Council has only a 3.5 year supply of land. This gives added weight to the need for additional housing.

## **Issue 2: Landscape and character impact**

As set out above, the application relates to sites which have already been allocated for development in the current local plan. The assessment of landscape impact must therefore be considered on that basis. Policies CS5, CS12 and CS32 of the Core Strategy and policy DM10 of the Development Management Policies (Part 1) Plan provide relevant guidance.

As noted above, these two allocated sites are linked by a footway and are the subject of this single full application for 68 dwellings. The site immediately borders expansive green fields within the Mendip Hills AONB to the east, but is otherwise surrounded by existing built development. Shipham Lane, which creates its boundary to the north, leads out of Winscombe through the hills and has a mostly green and rural character. However, to the south and west of the site there are many houses, some being quite large, but all developed in a traditional village pattern with large plot sizes, generously spaced and in a variety of styles and materials.

The development would interrupt views of the AONB from the current green the edge of the village. This is inevitable given the local plan allocations. The Royal Mail Delivery Office already has an impact on this view and the proposed development would be located adjacent to this and between other developed areas to the north and south of it. It would not significantly extend the pattern of development any further east than is currently the case.

The application is accompanied by a Landscape and Visual Appraisal (LVA) and the findings of the LVA are agreed. The southern section of the site has the highest

topography on site and a low-lying water course that runs east to west. However despite it being the larger parcel of land (compared to the northern parcel), it has a much lower density of dwellings due to its geographical features and prominence in the landscape. With regards to the southern part of the site, the majority of the proposed dwellings, many with garages, are set in larger plots in more generous gardens (compared to the northern part of the site). Whilst a denser row of terrace dwellings are located to the southern boundary of the site with the Royal Mail Delivery Office, this is considered to be appropriate, as it is not along the rural edge of the development.

A sufficient green buffer/wooded area has been retained to the southern/south-eastern boundary of the site. Open space and children's play facilities are also proposed to this part of the site to ensure a visual buffer is maintained between the site and wider landscape. This will ensure that the proposed plots follow the village development pattern with more generous spacing between dwellings and that secondary streets have a lower density which will allow the development to gradually blend into the surrounding rural area. The play facilities will be in the form of natural play supplemented by some traditional equipment for toddlers and young children. It is envisaged that play equipment would be timber (such as Acacia) which is durable, and this would be dealt with by condition in the event permission is granted.

Attention has been given to creating variety in the facades which will help create a sense of place on site and make it a desirable and interesting place to live. Window headers and brick and stone plinths with string courses have been included to some dwellings which will create interest and character within the site. The street scene and character of the area of the main street in the northern section, with a reduced amount of on-street parking, large green verges with planting and the varied building lines will ensure that this section of the development will appear more rural. The layout of the proposed dwellings to the eastern side of the northern section of the site, will ensure sufficient separation is maintained between each plot so that a less dense row of dwellings will be adjacent to the edge of the site and next to the AONB.

The landscape proposals to be secured as part of the proposed development are comprehensive and deal with views in from the AONB by retaining the eastern hedge and adding trees and woodland blocks. The setting of the AONB which bounds the eastern boundary of the site, would be conserved as a result of the proposed development and it is considered that there would not be any significant adverse impact on the wider area. The proposals therefore comply with the relevant development plan policies in this respect.

### **Issue 3: Transport and access**

Policy DM24 of the Sites and Policies Plan (Part 1) seeks to ensure that new development will not prejudice highway safety of the operation of the highways network and that the impact of any new developments are adequately mitigated. Development giving rise to a significant number of travel movements will only be refused on transport grounds if it is likely to have severe residual cumulative impact on traffic congestion or on the character of the surrounding area.

The proposals include 2 vehicular accesses, one at Sandford Road a Class C highway (via an internal private road serving a commercial site) for access to 39 dwellings and the other via Shipham Lane (unclassified road) for 29 dwellings. The existing junction on Sandford Road is to be modified and a new junction is proposed on Shipham Lane. The visibility



splays to be provided are acceptable and the plans note that the vegetation within the visibility splays at both sides of the access are to be maintained, which will be secured via a planning condition in the event permission is granted.

The Strawberry Line is very close to the development, providing an ideal opportunity to create a route for leisure trips and for those who would like a traffic free walk or cycle into the centre of Winscombe. Pedestrian connectivity to the Strawberry Line and Winscombe is to be secured by a section 278 agreement to ensure that improvements are made to assist pedestrians to get to the Strawberry Line from the proposed site to facilitate a walking/cycling route into Winscombe and the surrounding area. The applicant will consolidate the grass verge from the tactile crossing point adjacent to the bus stops on Sandford Road (approximately 30m south of the Sandford Road/Shipham Lane junction) to the Restricted Bridleway AX3/53. A suitable surface material will allow it to be used as a path, albeit narrow, to allow people to walk the short distance from the crossing to the Strawberry Line.

The site is also required to contribute to providing a safe walking route to local amenities in Winscombe. Improvements are required on Sandford Road to reduce the site's dependency on car use. A zebra crossing point is required for pedestrian connectivity to Winscombe and this has been identified in the vicinity of the fire station. The applicant is to design and deliver the zebra crossing by a section 278 agreement.

*Home to School Transport:*

A secondary school is not currently within a safe statutory walking distance from the site and therefore improvements towards home to school transport are required. The applicant has also indicated that 2 puffin crossings on Sandford Road to the north of the site will be designed and delivered to contribute to a safe walking route to Churchill Academy. The plans, infrastructure and siting of the crossings must be agreed with the Highway Authority and be delivered and functional prior to site occupation. This will be secured via a section 278 legal agreement in the event permission is granted.

*Public Transport:*

The proposals will increase the number of dwellings in the local area, with more vehicle journeys from the site on to the local highway network. To promote the use of public transport various measures will be provided. On Sandford Road at the northbound and southbound stops (near Ilex Lane), a contribution is required towards 2 replacement bus shelters with Real Time Information (RTI). There is a need for both bus stops to be modernised as the existing bus stop provision is nearing end of life and to provide a better public transport service but also, to improve awareness from the proposed site to their relevant destination by bus, such as employment, retail, or education. The cost of a new shelter with new RTI is £28,200.00 including the structure, installation, cabling, or solar and electrical costs. The site is required to make an appropriate contribution to such upgrades and £14,100.00 is required for each stop totalling £28,200.00 paid on completion of the site, secured via a section 106 agreement.

The existing 51 bus service (or comparable public transport service) that travels past the site requires a contribution to improve the frequency and these are improvements, therefore a contribution of £30,000.00 per year is required for 5 years. This is to

extend/improve the frequency of the daily service. Overall, the total Public Transport section 106 contribution requirement is £178,200.

*Cycle parking:*

Local residential cycle parking standards are set out in the North Somerset Parking Standards SPD 2021 and outline the minimum required number of cycle parking spaces for residential development requiring 1 space per bedroom. Furthermore, Policy DM28 of the Sites and Policies Plan states that development proposals should meet the Council's standards for the parking of bicycles. All dwellings would be provided with cycle storage which is acceptable subject to them being of an appropriate dimension to store cycles adhering to the NSC Parking Standards SPD 2021. This will be secured via a planning condition in the event permission is granted.

*Vehicle parking:*

The North Somerset Council's Parking Standards SPD 2021 set out the requirements for the car parking for the 68 residential dwellings. The applicant has submitted drawings to demonstrate onsite parking provision and the Highway Authority accepts that all 1 bed dwellings have 1 space (with a shared visitor space), 2-3 bed dwellings have 2 spaces, and 4+bed dwellings have 3 spaces.

All dwellings should be served by an appropriate electric vehicle charge. This can be secured via a planning condition in the event permission is granted.

*Construction phase:*

A construction management plan will be required for approval before the commencement of development on the site. This is likely to include, but not be limited to, HGV routing, provision for staff car parking, times of site operation, volume of HGV movements throughout the day, managing complaints, local consultation concerning the works and maintaining access for properties/commercial sites that may be impacted by the works. It should also consider highway safety measures such as wheel washing facilities and mitigation measures for any remedial works required. Due to the constrained area around the site and access width consideration to any required Temporary Traffic Regulations Orders (TTRO's) at the developer's expense, including associated traffic management.

**Issue 4: Ecology**

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. The Conservation of Habitats and Species Regulations 2017 ('The Regulations') also apply. Their objective is to protect biodiversity through the conservation of natural habitats and species of wild fauna and flora and it sets out legislative protection measures for such habitats and species. The Regulations also provide protection for designated sites supporting internationally-important habitats or populations of such species, known as 'European Sites'.

Policy CS4 of the Core Strategy and DM8 of the Sites and Policies Plan (Part 1) seek to protect priority habitats and the policy requires that development that could directly or indirectly harm protected species will not be permitted unless the harm can be avoided or

mitigated. The NPPF puts in place the framework for assessing development proposals. This includes reference to minimising impact to biodiversity and ensuring that Local Planning Authorities place appropriate weight to statutory and non-statutory conservation designations, protected species, and biodiversity.

All native hedgerow qualifies as Habitats of Principal Importance (HPI) under Section 41 of the NERC Act 2006. As assessment of impacts on these habitats needs to be provided to meet the LPA's duty in relation to the NERC Act 2006, NPPF and North Somerset's Core Strategy policy CS4 and Site and Policies Plan (Part 1), Development Management policy DM8. The mitigation hierarchy must be followed with these habitats retained and protected in the first instance, or mitigation / compensation provided with justification as a last resort.

### Horseshoe Bats

This site subject to the North Somerset and Mendip Bats Special Area of Conservation (SAC) in that it lies within Consultation Band 'C' of the SAC. The North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: Supplementary Planning Document (Adopted January 2018) provides guidance on the impact of development on bats.

A shadow Habitats Regulation Assessment (HRA) has been undertaken in respect of the development's potential impacts on the SAC. This shows that individually or cumulatively with other developments in the area, the development is unlikely to have significant effects on the SAC. At the time of writing, the formal HRA in relation to the SAC required for this proposal has not been completed. Appropriately worded conditions are required to secure the mitigation as set out in the plans and reports accompanying the application. A monitoring programme must include triggers and mechanisms for action, both in relation to lighting and in relation to habitat condition.

Accordingly, the recommendation is subject to the final adoption of the HRA and imposition of appropriate conditions to secure the mitigation as set out in the plans and reports accompanying the application.

### Biodiversity Net Gain (BNG)

All proposals should achieve no net loss and a net gain of biodiversity. The application includes an 'Ecological Impact Assessment' and 'Biodiversity Net Gain Calculation'. This examines the ecological baseline of the site in terms of its conservation importance; habitats within and surrounding the site; protected and notable species; the impact of the proposal on the ecological baseline during and post construction; avoidance, mitigation, compensation and enhancement opportunities and residual and cumulative impacts. The reports submitted in support of this proposal indicate that the development would deliver a net biodiversity gain in accordance with the NPPF and North Somerset policies CS4 and DM8. The assessment confirms that the proposal would equate to a 35.34% net gain in habitat units and 17.72% net gain in hedgerow units. A management plan will be required and can be secured by a planning condition if permission is granted, to demonstrate that habitats will be appropriately managed for biodiversity net gain for a minimum of 30 years, and how the bat replacement habitat will be managed.

Subject to the imposition of appropriately worded conditions to cover matters including retained habitats, ecological buffer zones, a lighting plan and a management plan, it is

considered that the proposal will not have an adverse impact to ecology and protected species.

### **Issue 5: Flood risk and drainage**

Policies CS3 of the Core Strategy and DM1 of the Sites and Policies DPD seek to ensure that new development does not create problems in terms of flood risk. The site lies within Flood Zone 1. The development can be divided into two distinct areas (northern and southern) bisected by the existing watercourse). These areas both fall to towards the watercourse which creates a valley through the development. This watercourse runs east to west roughly through the middle of the southern development area. At the interface with Sandford Road to the west, there is an existing pond which will provide some water retention during peak flows. There is also an unnamed watercourse in the southern catchment running parallel with Sandford Road which also discharges to the pond.

The application is accompanied by a number of supporting documents including a Flood Risk Assessment (FRA) and drainage strategies. These confirm that the surface water drainage network will be designed for up to and including the 1 in 100year event plus 45% allowance for climate change and an additional contingency allowance of 10%. An approximate attenuation volume of 900m<sup>3</sup> is provided for the northern catchment in the form of a detention basin and 346m<sup>3</sup> of cellular storage will be required for southern catchment.

The Council's Flood Risk Manager has reviewed the amended proposals and has confirmed that no objection to the proposal subject to the drainage conditions set out at the end of this report. Foul drainage is dealt with under the Building Regulations.

As such, the development is not considered to be at risk of flooding and with an appropriate drainage scheme will not increase the risk of flooding to neighbouring properties or the highway. It is therefore in accordance with policies CS3 and DM1.

### **Issue 6: Impact on living conditions of neighbours**

Policy DM32 of the Sites and Policies plan seeks to ensure high quality design and buildings and ensure that the design and layout of development should not prejudice the living conditions of adjoining occupiers.

The application site is positioned to the east of existing residential properties along Sandford Road, to the north of properties off Moorham Road and south of Shipham Lane, however these properties are separated by the highway and a grass verge. The Royal Mail Delivery Office is located centrally within the proposed application site (between the north and southern parcels of land).

The proposals, which are the result of revised plans, will ensure that neighbouring amenity is respected. Given that the proposed dwellings and existing dwellings along Shipham Lane are separated by the highway, footpath and grass verge a separation distance of in excess of 21 meters is maintained, and as such there will be very limited impacts to these dwellings in terms of overbearing, overshadowing or overlooking.

The proposed dwellings within the southern parcel of land are at least 23m from the southern boundary of the site, and common boundary with properties along Moorham

Road. The southern boundary of the site will retain the existing boundary features, as well as mature trees. This is proposed to be supplemented with native woodland planting and as such there will be limited impacts on these existing residential properties. Given the separation distances between the proposed and existing dwellings, as well as vegetated buffers there will be no harm in terms of overlooking or loss of privacy.

The relationship between the proposed dwellings and existing residential properties to the western boundary of the site has been considered in detail. Whilst the proposed dwellings (notably plots 1-5, 9-11) would have some impact the elevation drawings submitted for these dwelling types illustrate that overbearing or overshadowing impacts would not be unduly harmful. The distance between the existing dwellings and the proposed dwellings would be as follows;

<i>Proposed plot(s)</i>	<i>Existing dwelling(s)</i>	<i>Separation distance / back-to-back (approx.)</i>	<i>Window openings to western elevation of proposed dwellings</i>
1-5	76-78 Sandford Road	23m (minimum)	x2 first floor bedroom
9	74 Sandford Road	14.2m	none
10 & 11	70 Sandford Road	17m	x1 first floor bathroom (plot 11)

As illustrated in the table above, plots 1-5 and 11 will have first floor window openings facing towards the common boundary and existing dwellings / gardens of Sandford Road. The proposed separation distance along with proposed vegetated buffers will ensure that their amenity is protected to a satisfactory level. The proposed landscaped buffer is proposed to be approx. 5m wide for the most part to the rear of plots 1-5 and would consist of native shrubs and screen planting, with native trees of medium scale proposed between plot 9 and no.74 Sandford Road. A native hedge is proposed between the boundary of plot 10 and no.70 Sandford Road. Further to this, the proposed first floor window to plot 11 (apartment) will serve a bathroom and as such will be conditioned to be obscure glazed and top hung opening only. Whilst ground floor windows and doors are proposed to the western elevation of the new dwellings, these are not considered to give rise to harmful impacts in terms of overlooking given their position relative to ground level.

To ensure that the living conditions of these existing residents along Sandford Road is preserved over time, it is appropriate to add conditions to any permission granted which would restrict permitted development rights for plots 1 to 5, and plots 9, 10 and 11 so that roof alterations (including rooflights and dormer windows), extensions (to the rear or side elevations) and outbuildings cannot be built without first seeking the approval of the Local Planning Authority.

With regards to the proposed relationship between plot 30 and Coombe Barn, this is separated by the existing access road to the Royal Mail Offices and given the separation distance of 30m plus between both buildings, the impacts are considered to be limited. The other dwellings proposed within the southern parcel of land are well set back from Sandford Road and as such there will be no impact on neighbouring amenity of 45-55 Sandford Road.

An open sided barn is present to the south western corner of the site and it is separated from the proposed dwellings by a large area of open space and woodland area. A pedestrian link from the southern parcel of land onto Sandford Road would run to the north

of the barn, however it is not in residential use and therefore will not impact residential living conditions.

Overall, it is considered that the proposed development has been designed in such a manner that it does not prejudice the living conditions of existing neighbours having regard to the Residential Design Guide SPD and the aims of policy DM32. The proposed boundary treatments and landscaping proposed can be secured through planning conditions in the event permission is granted, and a maintenance condition is included to ensure the retention and long-term health of the landscaping.

### **Issue 7: Impact on living conditions of future occupants**

Policy DM42 of the Sites and Policies Plan (Part 1) requires proposals to comply with the DCLG's 'Technical housing standards – nationally described space standards'. The proposed dwellings would be in accordance with those nationally described space standards.

With regards to noise, there are a number of noise sources in the vicinity, including the Royal Mail Delivery Office located to the centre of the site, as well as road traffic noise must be considered. A Planning Noise Survey & Assessment and updated Acoustic Report was submitted in support of the application. The reports confirm that vehicle movements were the only noise source of note. The noise levels for the front façade of the nearest property to Sandford Road (plot 50) are within acceptable limits. The gardens are located on the rear side of the property and therefore are significantly screened by the properties themselves. It is common for fencing to also be installed between properties which will further mitigate the noise in the rear..

The proposals have been reviewed by the Council's Environmental Protection Team and they are satisfied with the findings.

### **Issue 8: Impact on nearby listed buildings**

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

### **Issue 9: Trees**

There are a number of trees of amenity value on site which are protected through a TPO (mostly covered by TPO 225). A group of Hybrid Black Poplars and 4 individual trees are to be removed to facilitate the development, together with two Ash and a group of dead Elm (the latter for Arboricultural reasons). Replacement planting is proposed, and this is considered to be acceptable. The scheme has been designed to ensure that the Root Protection Area (RPA) of the existing trees within the site are fully respected.

### **Issue 10: Archaeology**

The documentation supporting the proposal includes reports resulting from a comprehensive programme of archaeological investigation which was undertaken as part of the previous application (withdrawn by the applicant). As such, no further investigation is required.

### Issue 11: Other matters

The Parish Council comments together with all other comments received have been given full consideration. All the issues which have been raised have been taken into account in reaching the recommendation below.

### Issue 12: 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. This application is for 68 dwellings and therefore subject to developer contributions.

Contributions have been sought towards:

- (a) affordable housing;
- (b) green infrastructure;
- (c) highway and transport matters;
- (d) six fire hydrants; and
- (e) Local Labour Agreement.

The details are as follows:

#### Affordable Housing

Policy CS16 of the Core Strategy sets a trigger for on-site provision of schemes of 10 or more dwellings. The applicants have agreed that they would deliver 30% of the homes as 'affordable housing' units which, based on a total of 68 units coming forward, equates to an affordable housing requirement of 20 of the units.

The submitted documents confirm that all affordable units are compliant with designated space standards.

#### Green Infrastructure

On-site provision of green infrastructure will include the provision of:

- 936 m2 Neighbourhood Open Space;
- 1560 m2 of woodland;
- 1872 m2 Conservation Site (rural); and
- Play area with maintenance provision.

#### Highways and Transport

The following contributions are sought via a s106 agreement;

- Contribution of £150.00 per dwelling to be spent flexibly on active travel incentives such as towards bus / train taster tickets and/or towards a bike / cycling equipment;
- £3,400.00 for the Traffic Regulation Order for double yellow lines on the access road from Sandford Road (subject to it being adopted);
- Deliver an acceptable highway scheme to install 2 puffin crossings at an agreed location with the Highway Authority, to contribute to a safe walking route to Churchill School scheme; and

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- Public Transport contributions totalling £178,200.00. £150,000.00 (to be paid £30,000.00 per year for 5 years) to support 51 bus service/comparable service and £28,200.00 for bus stop improvements to be paid on completion of the site.

The following highway improvement works are sought via a s278 agreement;

- Design and delivery of a consolidated footway on Sandford Road for improved connection to Ilex Lane (access to the Strawberry Line) and a zebra crossing or puffin crossing in the proximity of Fire Station/Bignell Close for a continuous active travel connection to amenities in Winscombe;
- Delivery of improvement works (and lining) on the connecting road from its junction from Sandford Road to its junction to the new development access, with plans agreed with the Highway Authority; and
- Delivery of 2 puffin crossings in an acceptable scheme in agreement with the Highway Authority.

### Fire Hydrants

Avon Fire & Rescue Service has calculated the cost of installation and five years maintenance of a Fire Hydrant to be £1,500 + vat per hydrant. Six fire hydrants required for the proposed development, and the applicant has agreed to pay £9,000 + vat, secured via the s106 legal agreement.

### Local Labour Agreement

The implementation of a Local Labour Agreement for the construction phase of the development which should cover areas such as skills development and helping disadvantaged residents in line with need outlined in the North Somerset Employment and Skills Strategy.

### Community Infrastructure Levy

The Council's Community Infrastructure Levy (CIL) Charging Schedule took effect on 18 January 2018. This means that the development may be liable to pay the CIL.

### **Natural Environment and Rural Communities (NERC) Act 2006**

The impact of the proposal on European protected species is referred to within Issue 4 above.

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

The proposed development has been screened 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**

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.

## **Equalities assessment**

The Equalities Act 2010 sets out the Public Sector Equalities Duty ("PSED"). Case law has established that this duty is engaged when planning applications are determined and consequently this duty has been applied in the determination of this application. Due regard has been paid to the need to eliminate discrimination and promote equality with regard to those with protected characteristics.

## **Conclusion**

The proposed development would be on two sites allocated in the current local plan. The principle of the development has therefore been accepted by the Council through the local plan process. Notwithstanding this, in the absence of a 5-year housing land supply the need for additional housing carries significant weight.

A change from open fields to housing could be seen as inherently harmful and weigh against the development in the planning balance. The site however is an allocated development site and therefore the landscape impact of the current proposal has been addressed through the detailed design and landscaping proposals.

The proposed development would result in the loss of a number of low-quality trees and a short section of low-quality hedgerow for access into the northern part of the site. Without the mitigation measures proposed this would impact on the presence of bats and other wildlife. Therefore, there is some environmental impact likely in the short term whilst the development is implemented and the new and replacement planting undertaken. Over time the provision of green infrastructure on site, the retention of trees and hedgerows, and establishment of ecological buffer zones to support the bat population and protected species will ensure the impact is not harmful.

The existing storage business, known as 'The Storage Station' within the site is proposed to be demolished and as such the loss of business should be taken into account. The applicant has confirmed that the storage containers have no employment directly associated with them, as the applicant operates the business himself. Given the nature of the business the use of the site by customers is infrequent. Many of the containers in the yard area were empty at the time of submission, and any usage of containers is by individuals and not by local companies/businesses. A number of the containers have already been removed from the site, and the applicant has notified the remaining

customers that they need to remove any remaining items stored at the site within a specified timeframe. Therefore, this impact should be given very limited weight.

The proposed erection of 68 dwellings on allocated sites accords with the Sites and Policies Plan, Part 2. It would support the Government's objective of significantly boosting the supply of homes, as set out in paragraph 60 of the NPPF. The proposed development would also provide the policy-compliant figure of 30% affordable housing. This further benefit too should also be afforded substantial weight.

The site layout and proposed S106 includes provision of land for an equipped play area for toddlers and young children, as well as public open space. This would improve green infrastructure within the development. The applicant has agreed to deliver an improved footway on Sandford Road for connection to Ilex Lane (access to the Strawberry Line) and a zebra crossing or puffin crossing in the proximity of Fire Station/Bignell Close for a continuous active travel connection to amenities in Winscombe. The delivery of 2 puffin crossings will also contribute towards a safe walking route to Churchill Academy. In addition, public transport contributions for bus stop improvements and a contribution towards active travel incentives would also be secured as a result of this development. This is considered to improve sustainable transport within the locality and is afforded moderate weight in favour.

The delivery of 68 new homes would give rise to some economic benefits as a result of the jobs created during the construction phase and the spending power of new residents within the local economy. These benefits would arise from any similar-sized housing development and therefore are given limited weight.

Accordingly, it is concluded that the proposal complies with the relevant development plan policies and therefore the application should be approved.

**RECOMMENDATION:** Subject to –

- (a) the completion of a Habitat Regulation Assessment;
- (b) the completion of a section 106 legal agreement securing financial contributions towards affordable housing, green infrastructure, highway and transport improvements, fire hydrants and a LLA;
  - i. The provision of 30% on site affordable housing, which equates to 20 units;
  - ii. The provision of onsite green infrastructure to secure 936m<sup>2</sup> Neighbourhood Open Space, 1560m<sup>2</sup> Woodland, 1872m<sup>2</sup> Conservation Site (rural) and 400m<sup>2</sup> of Play Provision;
  - iii. Contributions and a s278 agreement towards highway and transport improvements to include £150.00 per dwelling to be spent flexibly on active travel incentives, £3,400.00 for the Traffic Regulation Order for double yellow lines on the access road from Sandford Road, Public Transport contributions totalling £178,200.00. and the delivery of 2 puffin crossings at an agreed location with the Highway Authority, to contribute to a safe walking route to Churchill School scheme;
  - iv. The provision of a Local Labour Agreement for the construction phase of the development; and
  - v. £9,000 plus VAT towards the provision of six fire hydrants within the site.

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

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 has been approved on the basis of the documents listed below and it shall be carried out in accordance with those drawings and documents.

Location Plan	21432/1001
Planning Layout	21432/5001 AA
Street Elevations	21432-3401 C
Affordable Housing Strategy	21432-5011 F
Type OM.3B Recon Stone V1 – Northern Parcel	21432-6000.1 B
Type OM.3B Recon Stone V2 – Central Parcel	21432-6000.4
Type OM.3B Recon Stone V3 – Southern Parcel	21432-6000.5
Type OM.3C Render and Brick – Northern Parcel	21432-6001.1 B
Type OM.3C Brick – Northern Parcel	21432-6001.2 B
Type OM.3C Recon Stone – Northern Parcel	21432-6001.3 A
Type OM.3E Brick – Central Parcel	21432-6003.1 C
Type OM.3E Recon Stone – Southern Parcel	21432-6003.2 C
Type OM.3E Brick – Northern Parcel	21432-6003.3 B
Type OM.3E Brick w/ Render and Stone Plinth – Southern Parcel	21432-6003.4 C
Type OM.3E Render and Brick V2 – Central Parcel	21432-6003.5
Type OM.4B Brick w/ Render and Stone Plinth – Southern Parcel	21432-6004.1 C
Type OM.4B Recon Stone – Central Parcel	21432-6004.2 C
Type OM.4B Render and Brick – Central Parcel	21432-6004.3 B
Type OM.4E Recon Stone V1 – Southern Parcel	21432-6005.1 C
Type OM.4E Recon Stone V2 – Central Parcel	21432-6005.2
Type OM.4i Brick w/ Render and Stone Plinth – Southern Parcel	21432-6007.1 B
Type OM.4i Recon Stone – Southern Parcel	21432-6007.2 C
Type OM.5B Recon Stone – Southern Parcel	21432-6008.1 B
Type OM.4H Recon Stone – Southern Parcel	21432-6009.1 B
Type OM.4H Brick w/ Render and Stone Plinth – Southern Parcel	21432-6009.2 B
Type AFF.1A Brick Northern Parcel	21432-6050.1 B
Type AFF.2A Brick Northern Parcel	21432-6051.1 B
Type AFF.2B Brick Northern Parcel	21432-6052.1 C
Type AFF.3A Brick Northern Parcel	21432-6053.1 C
Type AFF.3A Render and Brick Central Parcel	21432-6053.2 A
Type AFF.4A Render and Brick Central Parcel	21432-6054.2 A
Drainage Strategy Sheet 1	0776-C-P-0300 D
Drainage Strategy Sheet 2	0776-C-P-0301 D
Drainage Strategy Sheet 3	0776-C-P-0302 D

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Drainage Strategy Sheet 4		0776-C-P-0303 D
Drainage Strategy Sheet 5		0776-C-P-0304 D
Drainage Strategy Sheet 5		0776-C-P-0305 D
Drainage Areas Plan		0776-C-P-03010 F
Engineering Levels Sheet 1		0776-C-P-0330 D
Engineering Levels Sheet 2		0776-C-P-0331 D
Engineering Levels Sheet 3		0776-C-P-0332 D
Engineering Levels Sheet 4		0776-C-P-0333 D
Engineering Levels Sheet 5		0776-C-P-0334 D
Engineering Levels Sheet 6		0776-C-P-0335 D
Highways Adoption Plan		0776-C-P-0340 D
Highways Material Plan		0776-C-P-0350 D
Road and Drainage Longitudinal Sections Sheet 1		0776-C-P-0360 B
Road and Drainage Longitudinal Sections Sheet 2		0776-C-P-0361 D
Road and Drainage Longitudinal Sections Sheet 3		0776-C-P-0362 C
Highways Construction Details Sheet 1		0776-C-P-0380 B
Highways Construction Details Sheet 2		0776-C-P-0381 B
Proposed Access Arrangement w/ Sandford Road		2282-02 J
Proposed Double Yellow Lines Traffic Regulation Order		2282-13
Manholes Schedules Network 1		0776-C-P-0390 B
Manholes Schedules Network 2		0776-C-P-0391 B
Planting Plan North		350-22-PP001 F
Planting Plan Central		350-22-PP002 F
Planting Plan South		350-22-PP003 G
Soft Landscape Typologies		350-22-LD01 H
Flood Risk Assessment	0776-R-0001 4	July 2023
Energy and Sustainability Statement	709515	October 2023
Geo-Environmental Site Assessment Report	Reference P1651.1.1	20 <sup>th</sup> July 2022
Arboricultural Impact Assessment	230719-CFW-AIA-Rev C-SD&AM	July 2023
Arboricultural Report	By Silverback Arboricultural Consultancy Ltd	July 2023
Landscape and Visual Appraisal	Revision B	July 2023
Stage 1 Road Safety Audit	230607 V1	16 August 2023

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

3. The materials to be used in the development hereby permitted shall be in complete accordance with the approved plans and specifications unless details of any alternative material have first been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure that the materials to be used are acceptable in order to maintain the character and appearance of the building and those of the surrounding 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. The finished ground, floor and roof height levels of the development hereby permitted shall not exceed those shown on the approved plans and drawings.

Reason: In the interests of the character and appearance of the area and in accordance with policies CS5 and CS12 of the North Somerset Core Strategy and policy DM32 of the Sites and Policies Plan (Part 1).

5. The dwellings shall not be occupied until details of a scheme for providing space and facilities for the storage and collection of waste, and submission of an Indemnity Letter with agreed waste/recycling collection points, has 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.

6. No development shall commence on site until plans have been submitted to and approved by the Local Planning Authority to deliver the Sandford Road junction radii improvements, remove the kerb line at the vehicle crossover, upgrade the storm water gully and D400 utility cover for the suitability of motorcycles and bicycles (or agree a new location out of the bellmouth).

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

7. Prior to the occupation of the residential units, a scheme for achieving the external and internal noise levels outlined in BS8233:2014 shall have been submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be fully implemented for each dwelling before the first occupation of that dwelling. Thereafter it shall be maintained in the approved state at all times with no alterations made to the approved structures including roof, doors, windows and external facades, layout of the units or noise barriers unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the living conditions of the occupants of the dwellings and in accordance with section 11 of the National Planning Policy Framework and policy CS3 of the North Somerset Core Strategy.

8. No development shall take place until an assessment of the nature and extent of contamination on site has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include, but shall not be limited to:
- (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 and in accordance with section 11 of the National Planning Policy Framework and policy CS3 of the North Somerset Core Strategy.

9. The remediation scheme, shall be implemented in accordance with the approved timetable of works as set out within the Geo-Environmental Site Assessment Report prepared by Ground Investigation Limited dated, 20<sup>th</sup> July 2022. 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 and in accordance with section 11 of the National Planning Policy Framework and policy CS3 of the North Somerset Core Strategy.

10. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) have been submitted to and approved in writing by the Local Planning Authority. These Plans shall incorporate details of:
- a) construction traffic management;
  - b) the parking of vehicles of site operatives and visitors;
  - c) loading and unloading of plant and materials;
  - d) storage of plant and materials used in constructing the development;
  - e) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
  - f) wheel washing facilities;
  - g) measures to control the emission of dust, dirt and emissions to air during construction;
  - h) noise and vibration control;
  - i) a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - j) the use of efficient construction materials;
  - k) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
  - l) a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

Reason: In the interests of the living conditions of the occupants of the dwellings and in accordance with section 11 of the National Planning Policy Framework and policy CS3 of the North Somerset Core Strategy.

11. Prior to the first occupation of the dwellings hereby approved, the design and installation of signs and lines for parking restrictions shall be submitted to and approved in writing by the Local Planning Authority. The signs and lines for parking restrictions shall be implemented prior to first occupation of the dwellings hereby approved and shall be retained as such thereafter for the lifetime of the development.

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

12. The development hereby permitted shall not be carried out except in accordance with the approved Arboricultural Method Statement Report and Tree Protection Plan.

Reason: To ensure that the trees to be retained are not adversely affected by the development, in the interests of the character and biodiversity value of the area, and in accordance with Policies CS4 and CS9 of the North Somerset Core Strategy, Policies DM8, DM9, DM10 and DM19 of the North Somerset Sites and Policies Plan Part 1 and the North Somerset Biodiversity and Trees SPD.

13. Trees, hedges and plants shown in the landscaping masterplan and strategy, that are 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 in accordance with DM9 and DM10 of the Sites and Policies Plan Part 1.

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.

14. All street trees shown in the landscaping masterplan and strategy shall be planted with a tree pit or root barriers system, and shall be retained as such thereafter.

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.

15. All landscaping works shall 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.

16. The dwellings hereby permitted shall not be occupied until the play area shown on the drawings hereby approved has been constructed in accordance with details that have first been submitted to and approved, in writing, by the Local Planning Authority. Thereafter the play area shall be permanently retained and shall not be used for any purpose other than as a play area.

Reason: To ensure that an appropriate play area is provided and in accordance with policies CS26 and CS27 of the North Somerset Core Strategy.

17. No building hereby permitted shall be occupied until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption within the site have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, these unadopted features shall be permanently managed and maintained in accordance with the approved management and maintenance details.

Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users in accordance with policy DM32.

18. The dwellings hereby approved on plots 1 to 29 inclusive shall not be occupied until the new site access to Sandford Road and Shipham Lane has been constructed and the related visibility splays have been provided in accordance with the approved details, and the dwellings hereby approved on plots 30 to 68 inclusive shall not be occupied until the new site access to Sandford Road has been constructed and the related visibility splays have been provided in accordance with the approved details. The approved visibility splays for both site accesses 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.

19. 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.

20. Following the first occupation of the dwellings, the Travel Plan hereby approved shall be fully implemented in accordance with the approved plan.

Reason: In order to facilitate the use of sustainable modes among occupiers and visitors and to mitigate the impact of trips generated by the site.

21. Prior to the occupation of each dwelling, the relevant number of parking spaces for that dwelling shall be provided in accordance with the approved plans and shall be retained solely for use for parking thereafter.

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

22. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the approved details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.



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).

23. 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 (NSCS) (adopted January 2017).

24. Before the first occupation of the first floor apartment on plot 11 hereby permitted, the windows on the first floor of the western elevation shall be fitted with obscure glazing. The obscure glazing used shall provide a degree of obscuration no less obscure than that which is provided by privacy level 3 of the Pilkington Group Limited textured glass range as defined in publication "Pilkington Textured Glass Range" (published January 2010). These windows shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. 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), neither the obscure glazing nor the method of opening shall be subsequently altered without the prior written permission of the Local Planning Authority.

Reason: In the interests of protecting the privacy of neighbouring residents in accordance with policy DM32 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Residential Design Guide SPD (Section 1: Protecting living conditions of neighbours).

25. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C and E 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 extension, enlargement or other alteration of the dwellinghouse(s)

on plots 1 to 5 inclusive, 9, 10 and 11 shall be carried out other than that expressly authorised by this permission.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development.

26. The dwellings hereby approved shall, unless otherwise first agreed in writing by the Local Planning Authority, not be occupied until measures to generate 15% of the on-going energy requirements of the use (unless a different standard is agreed) through micro renewable or low carbon technologies have been installed and are fully operational in accordance with the approved Energy and Sustainability Statement by Melin Consultants, dated October 2023. 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 and CS2 of the North Somerset Core Strategy and policy DM2 of the North Somerset Site and Policies Plan Part 1.

27. Prior to the first occupation of the dwellings hereby approved, a section 278 agreement securing the following highway works shall be formally completed, and the following works shall be delivered by the developer in accordance with the agreement;
- Consolidate the grass verge with acceptable materials on Sandford Road from the tactile crossing point adjacent to the bus stops on Sandford Road (approximately 30m south of the Sandford Road/Shipham Lane junction) to the Restricted Bridleway AX3/53;
  - A zebra crossing or puffin crossing as approved with the Highway Authority at an agreed location, in the vicinity of the Fire Station/Bignell Close to facilitate a continuous active travel connection to amenities in Winscombe (carrying out all associated requirements not limited to infrastructure, utility modifications, signing and lining and undertaking any required consultations as specified by the Highway Authority); and
  - Install 2 puffin crossings as approved with the Highway Authority at an agreed location, in the vicinity of Hill Road/South Croft (carrying out all associated requirements not limited to infrastructure, utility modifications, signing and lining and undertaking any required consultations as specified by the Highway Authority).

Reason: In the interests of highway and pedestrian safety.

The planning application can be viewed at [22/P/2105/FUL](https://www.northsomerset.gov.uk/22/P/2105/FUL).