

PLANNING AND REGULATORY COMMITTEE

UPDATE SHEET

13 December 2023

Section 1

Item 6 – 22/P/2920/FUL – Land west of Ladymead Lane, Ladymead Lane, Langford

Additional information from the applicant

Biodiversity Net Gain

The applicant has confirmed that the proposal would result in a net-gain in hedgerow units but would result a net loss in habitat units at the site which is primarily a reflection of existing site constraints alongside the operational requirements of the SEND school.

Officer comment: Policy CS4 (Nature Conservation) requires that 'a net loss of biodiversity interest should be avoided, and a net gain achieved where possible'. Officers are satisfied that the applicant has explored the options for net gain. The national requirement for mandatory BNG is being introduced in the new year. This will be pursued further and also through the HRA process which has to be satisfactorily concluded before planning permission can be granted and additional planning conditions or a planning obligation may be required as a result. The recommendation has been amended to make this clear (see below).

BREEAM

Policy CS2 (Delivering sustainable design and construction) seeks that 'BREEAM Excellent' is secured for all non-residential developments over 1000 Sqm. In this case, the applicant has provided justification as to why BREEAM Excellent is not achievable. This includes locational factors, design restrictions and the specific operational requirements of the SEND school meaning that certain targets cannot be met. The applicant has confirmed that a 'Very Good' rating is achievable, which is considered acceptable.

Amended to recommendation

Subject to (a) clarification of the provision of biodiversity net gain (including the use of planning obligations and/or conditions if required) and (b) the completion of a Habitats Regulation Assessment the application be **APPROVED** (for the reasons stated in the report above) subject to the following conditions together with any amended or additional conditions which may be required in consultation with the Chairman and Vice Chairman..... (continue as published)

Amendments to proposed conditions

Condition 2 Requires the development to be carried out in accordance with the approved plans and documents. The approved documents are to be listed as follows:

Plans:

PLANNING AND REGULATORY COMMITTEE

UPDATE SHEET

13 December 2023

- FS0905 -PEV -XX - 00 - DR - A – 0100 Rev P07 Site Location Plan
- FS0905 PEV XX 00 DR A 0101 RevP06 existing Site Block Plan
- FS0905-PEV-XX-00-DR-A-0200_Proposed Site Plan - Rev P07
- FS0905-ALA-00-XX-DR-L-0001 Landscape Illustrative Masterplan – Rev P08
- FS0905-ALA-00-XX-DR-L-0002 Landscape General Arrangement 1 of 2 – Rev P08
- FS0905-ALA-00-XX-DR-L-0003 Landscape General Arrangement 2 of 2 – Rev P08
- FS0905-ALA-00-XX-DR-L-0004 Fencing General Arrangement 1 of 2 – Rev P09
- FS0905-ALA-00-XX-DR-L-0005 Fencing General Arrangement 2 of 2 – Rev P09
- FS0905-ALA-00-XX-DR-L-0006 Site Sections – Rev P05
- FS0905-ALA-00-XX-DR-L-0010 Planting Plan 1 of 2 – Rev P07
- FS0905-ALA-00-XX-DR-L-0011 Planting Plan 2 of 2 – Rev P07
- FS0905-ALA-00-XX-DR-L-1001_MUGA Fencing and Plan Rev P02
- FS0905-ALA-00-XX-DR-L-0009 Rev P03 BB104 Areas
- FS0905 PEV XX ZZ DR A 3100 Rev P04 - Proposed Elevations
- Roof Plan FS0905 PEV XX 02 DR A 1202 Rev _03
- FS0905 PEV XX 00 DR A 1200 Ground Floor Rev P03
- FS0905 PEV XX 01 DR A 1201 First Floor Rev P02
- FS0905 PEV XX ZZ DR A 4100 Proposed Sections Rev P04
- F S 0 9 0 5 P E V X X 0 0 D R A 0 1 0 1 Existing Site Block Plan – Rev P02
- FS0905-PAR-ZZ-XX-DR-C-8250 Rev P03 – Private Road construction details
- FS0905 PEV XX 01 DR A 1701 P01 - Floor finishes L1

Reports:

- Transport Assessment – Ref 600478-HEX-00-TP-RP-X-0001 - 4th August 2023 – rev P03
- Framework Travel Plan – Ref: 600478-HEX-00-TP-RP-X-0002 - 4th August 2023 – rev P03
- Proposed Access Arrangements - 600478-HEX-XX-XX-DR-TP-0100 P08
- Proposed site access - 600478-HEX-XX-XX-DR-TP-0200 P04
- Road Safety Audit (Midlands Road Safety Ltd) - 23-1490-RSA12
- FS0905 -PAR-XX-XX-RP-C-0002 Sustainable Drainage Assessment – 19th October Rev P03
- Below ground drainage layout FS0905-PAR-ZZ-00-DR-C-8000 - Rev P07
- BNG report dated 18th October Arbtech
- EclA dated 18th October Arbtech
- Biodiversity metric spread sheet x 2
- Arboricultural Impact Assessment 03 dated Oct 23 Arbtech
- Landscape Visual Assessment and Report – Jan 3 (Ares)
- Planning Statement – Nexus Planning December 22
- Agricultural Land Classification Report – Rev1 December 22
- Tree Survey Jan 21 – Arbtech
- Energy Report BRM09205-RPS-ZZ-XX-RP-N-0013-S2-P01 (RPS)
- Alternative Sites Assessment Dec 22
- Archaeological Desk Based Assessment August 22 – RPS
- Energy Report BRM09205-RPS-ZZ-XX-RP-N-0013-S2-P01 – RPS
- Statement of Community Involvement – Nov 22
- Design and Access Statement – Pick Everard
- Noise Impact Assessment – Buro Happold August 22 – 051373
- Phase II Geo environmental Site Assessment – July 21 E3P
- Preliminary Flood Risk Appraisal – Jan 21 EPS

PLANNING AND REGULATORY COMMITTEE

UPDATE SHEET

13 December 2023

- Sunlight and Daylight Impact Statement – Nov 22 - Arup

Condition 10 - the referenced document is to be updated to 'Arboricultural Impact Assessment 03 dated Oct 23 Arbtech'. See amended wording below.

Condition 21 as drafted requires the submission of a noise impact assessment as a pre-commencement condition. However, a Noise Assessment (prepared by Buro Happold) has been submitted as part of the application which has assessed and modelled potential sources of noise relating the operation of the school in terms of fixed plant and ventilation, and the use of the outdoor playing facilities. This has been reviewed by the Environmental Health Officer and comment provided under issue 8 of the report. As a result of the Noise Assessments conclusions Condition 20 requests that the 2.4m high Acoustic Fence is constructed prior to the school being brought into use.

Condition 21 should therefore be reworded to a compliance condition:

Amended condition 10

10. The development shall be carried out in accordance with the tree and hedgerow retention and Arboricultural Impact Assessment 03 dated Oct 23 Arbtech, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that features of ecological and landscape importance are maintained and in accordance with Policy DM32 of the Sites and Policies Plan Part 1

Amended condition 21

21. The use hereby permitted shall be operated in accordance with the details of the approved Noise Impact Assessment (Buro Happold August 22 ref 051373) and thereafter maintained in this approved state at all times.

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.
