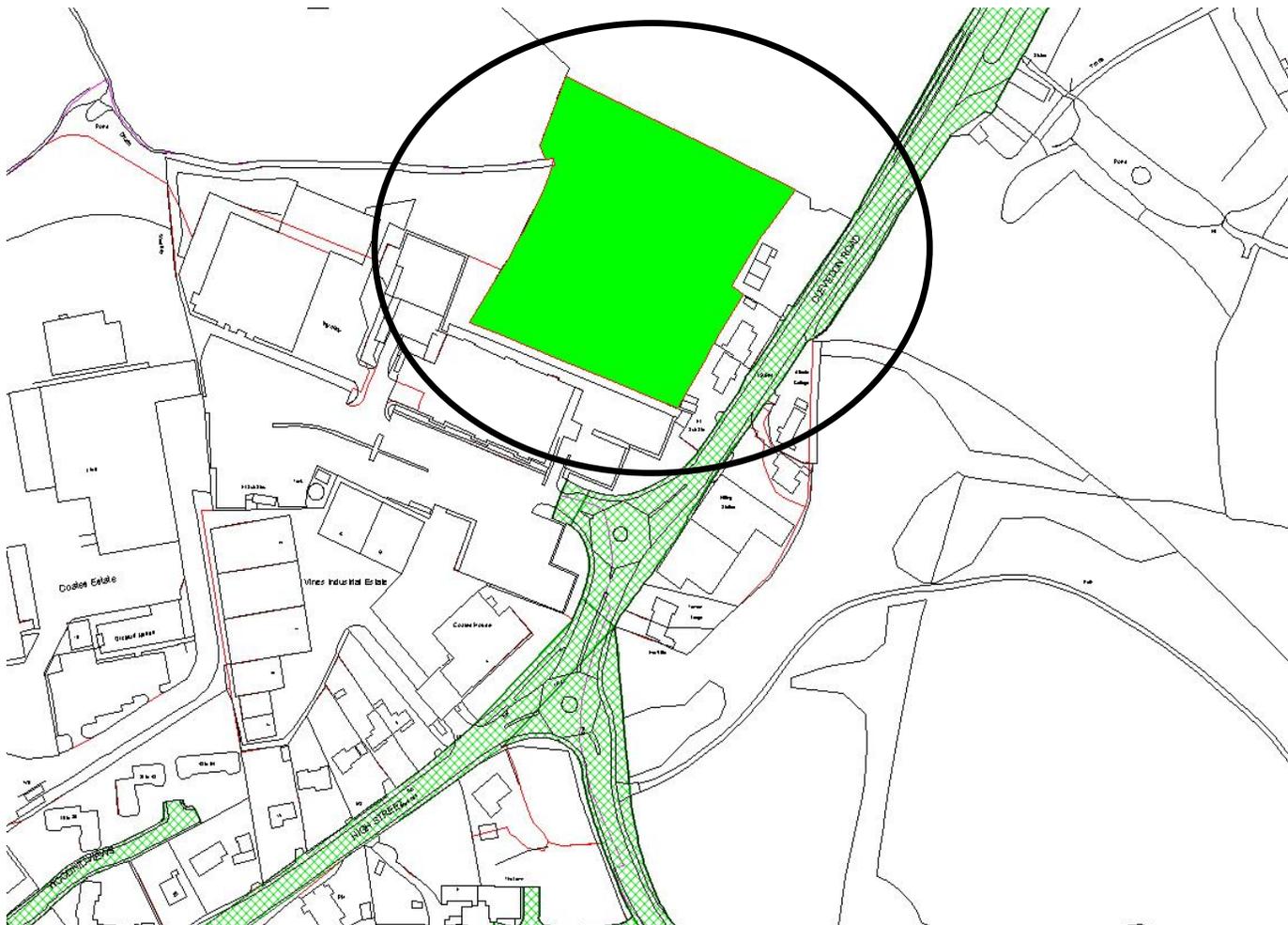


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<b>APPLICATION NO:</b> 16/P/0462/F	<b>CASE OFFICER:</b> Neil Underhay
<b>APPLICANT:</b> GE Oil & Gas	
<b>PARISH/WARD:</b> Nailsea/Long Ashton <b>WARD COUNCILLOR(S):</b> Cllr Mrs Mary Blatchford Cllr Charles Cave Cllr Kate Stowey	<b>TARGET DATE:</b> 04 April 2016
<b>SITE ADDRESS:</b> GE Oil and Gas, High Street, Nailsea, BS48 1BS	

LOCATION PLAN: The following plan shows the general location of the site only and is for illustrative purposes. The circle identifies the location of the site and is not a representation of the site boundaries. The site boundaries and other details submitted with the application can be viewed on the council's website at [www.n-somerset.gov.uk](http://www.n-somerset.gov.uk). This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office © Crown copyright and database rights 2016 Ordnance Survey 100023397. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form



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6. **Section 1: 16/P/0462/F Continued use of land as a 173 space car park for use by GE and retention of associated bunding and landscaping (previously granted temporary consent ref: 12/P/2068/F) at GE Oil and Gas, High Street, Nailsea, BS48 1BS**

**REFERRED BY COUNCILLORS BLATCHFORD AND CAVE**

**Summary of recommendation**

It is recommended that 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 0.88 of a hectare and it is a former agricultural field in the Green Belt. It is currently rented and used by GE Oil & Gas as a 173-space temporary car park in conjunction with their adjoining premises. Vehicle access to it is from High Street, Nailsea through GE's site. Whereas the built-up part of the GE premises comprising buildings, service yards and other car parks is in the Nailsea Settlement Boundary the application site is in Wraxall.

The aisles of the car park are surfaced in tarmac and the parking bays are compact stone. The car park is constructed using a geotextile membrane which is designed to be removed if required. An earth bund between 1.3 and 1.5 metres high with planting on top is located along the north and east boundaries. Low level bollard lighting around is position in the car park.

**The Application**

Planning permission Ref No. 12/P/2068/F was granted in 2013 to use the land as a car park until February 2018 after which the car park shall be removed and the land restored to its former condition. This application seeks planning permission to continue to use the land for a car park for a further 15 years (after the current permission expires) which would take it up to 2033. GE say longer-term car parking will provide more certainty for their planned investment at the Nailsea site. This includes a 3500 square metres office building and 1000 square metres industrial test facility, which is the subject of a separate planning application (reference number 15/P/0291/F). That application has been on hold as it is considered both applications, for the reasons set out in 'Issue 1 of this report', should be considered at the same meeting. A separate report on planning application 15/P/0291/F is also made to this committee.

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**Relevant Planning History**

The site has had a number of planning applications in the past. The most relevant history is:

<b>Year</b>	<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
2016	15/P/0291/F	New building to be used for offices and test facility	See separate report
2012	12/P/2068/F	Temporary car park with bund and landscaping	Approved for 5 years – Expires in February 2018

**Policy Framework**

The site is within the Green Belt

**The Development Plan**

The North Somerset Core Strategy was adopted in 2012, but following a high court challenge in 2013, the housing requirement was remitted back to the Planning Inspectorate for re-examination. Following the re-examination of Policy CS13 the Secretary of State confirmed that the housing figure for the period 2006-2026 is 20,985 dwellings and this is now part of the adopted development plan.

While only CS13 was found to be unlawful, the Judge recognised that the re-examination of the housing requirement may result in consequential amendments to other policies. On this basis, eight other policies were also remitted; Policies CS6, CS14, CS19, CS28, CS30, CS31, CS32 and CS33. However, the Judge emphasised that ‘the policies can still be accorded appropriate weight in any decision making and housing can be brought forward through the development control process. The examination process will now consider these other remaining remitted policies. The Council is consulting on the proposed amendments to the other remitted policies prior to hearings taking place in June 2016.

The following policies are relevant to this proposal

<b>Policy Ref</b>	<b>Policy heading</b>
CS1	Addressing climate change and carbon reduction
CS2	Delivering sustainable design and construction

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CS3	Environmental impacts and flood risk management
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS6	Green Belt
CS10	Transport and movement
CS11	Parking
CS12	Achieving high quality design and place making
CS20	Supporting a successful economy
CS31	Clevedon, Nailsea and Portishead
CS34	Infrastructure delivery and Development Contributions

North Somerset Replacement Local Plan (NSRLP) (saved policies) (adopted March 2007)

Three NSRLP policies were not saved in March 2010. The Core Strategy supersedes some but not all of the remainder. It does not fully supersede the policies listed below.

<b>Policy Ref</b>	<b>Policy heading</b>
GDP/3	Promoting good design and sustainable construction
E/4	Proposals for new business developments within towns and defined settlements
E/5	Safeguarded employment areas
RD/3	Development in the Green Belt
T/6	Parking standards
T/10	Highway safety, traffic and the provision of infrastructure associated with development
T/11	Travel plans

**Other material policy guidance**

National Planning Policy Framework (NPPF) (March 2012)

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The following sections of the NPPF are particularly relevant to this proposal:

<b>Section</b>	<b>Section heading</b>
1	Building a strong, competitive economy
4	Promoting sustainable transport
7	Requiring good design
9	Protecting Green Belt land

### Other National Policy Guidance

- Technical Guidance to the National Planning Policy Framework (March 2012)

### Emerging Development Plan

The Sites and Policies Plan Part 1: Development Management Policies is currently out for consultation on the proposed Main Modifications following the examination hearings in November 2015 and the Inspector's interim report which was received on 13 November 2015. The consultation on the proposed Main Modifications ended in March 2016 and following this the Inspector's final report was received on 26 April 2016. The plan making is now in its final stages and close to adoption so policies within the plan carry significant weight in accordance with paragraph 216 of the NPPF and can be used to determine planning applications.

The following Policies are relevant to this application.

### Policy Ref    Policy Heading

- SP1            Presumption in favour of Sustainable development
- DM1            Flooding and Drainage
- DM2            Renewable and Low Carbon Energy
- DM9            Trees
- DM10            Landscape
- DM12            Development within the Green Belt
- DM24            Safety, Traffic and Infrastructure
- DM26            Travel Plans
- DM28            Parking Standards
- DM32            High quality design and place making

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Part 2 of the Sites and Policies Plan (the 'Sites Allocation Plan') is less advanced, although the Council's Executive have approved its draft for Consultation. It currently has limited weight as a material consideration.

### Supplementary Planning Documents (SPD) and Development Plan Documents (DPD)

- North Somerset Parking Standards SPD (adopted November 2013)
- Travel Plans SPD (adopted November 2010)
- Biodiversity and Trees SPD (adopted December 2005)

### Consultations

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

**Third Parties: 1 letter of objection from a neighbouring residents has been received making the following points:**

- The site is in the Green Belt and there could be a proper car park built on the Coates Estate adjacent to GE Oil and Gas.
- The screening of the car park is inadequate with parked cars visible from an adjoining property.
- The new hedging has not been maintained and inadequate planting has been provided on the bund.
- The car park has been allowed to be used beyond its permitted hours.
- Lights on porta-cabins shines through in to nearby properties causing disturbance during darkness

### **Wraxall Parish Council:**

"Investigating Councillors are familiar with the site, have sought comments from neighbours and reviewed documentation on the Case File.

The land is in the Green Belt. The previous related applications (15/P/0291/F and 12/P/2068/F) were not supported.

Investigating Councillors considered that the Transport Statement is misleading and does not accurately reflect the following aspects regarding the Coates Industrial Estate (Option Two):

- There was a car parking arrangement prior to the consent for 12/P/2068/F using the Coates Estate (80 spaces) which was adjacent to the GE site and has direct pedestrian access via an existing gate in the boundary fence, currently there is not long walk around the estate or via the public highway. The Extended Factory Acceptance Test (EFAT) construction as

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currently designed may preclude this but it ought be possible to incorporate in a pedestrian access in this design.

- The pedestrian access gate remains in the boundary fence between Coates Estate and GE site.
- There is also a pair of wide vehicle access gates in the boundary fence between the two sites, on level ground – only GE hold a key to these.
- DBL Landrover and Travis Perkins are on the Southfield Road Trading Estate – not on the Coates Estate. Blake & Squires garage is not on the Coates Estate.
- No traffic management problems or safety issues were identified when there was a car parking arrangement prior to the consent for 12/P/2068/F using the Coates Estate.
- The temporary ‘Orchard Car Park’ has residential properties to the East of the site. The previous 80 car parking spaces provided on Coates Estate were approx. 200m from residential properties, e.g. Woodhill View Flats.

Investigating Councillors are of the view that there is a viable alternative in the Coates Estate, which does not appear to have been adequately considered by GE, and therefore no very special reasons exist for development in the Green Belt.

Should North Somerset Council be minded to approve we would ask that the following conditions are imposed:

- The screening of the temporary Orchard car park from the adjacent residential properties has been ineffective. This should be significantly improved with evergreen planting that will provide year round cover.
- Lights within the main office and temporary porta-cabins are very intrusive for the adjacent properties, they are frequently left on when there is no one in the office. A condition of approval should be the inclusion of a lighting system in the office spaces that extinguishes the lights when no activity within a particular room or office is detected.”

**Nailsea Town Council:**

“No objections”

**Natural England:**

No comments

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**Other Comments Received:**

None

**Principal Planning Issues**

**Issue 1: Car Parking Requirements**

The number of car parking spaces that is required to serve commercial uses is primarily determined by the net usable floor area of all buildings at the site, although employee numbers and the type the business (allowing for visitors and customers) is also considered. The cumulative floor space GE's current building would require 230 car parking spaces when measured against the Council's current car parking standards which are set out in its Car Parking Supplementary Planning Document. Excluding the temporary car park subject to this application GE currently has around 270 other permanent car parking spaces. With the temporary car park (a further 173 spaces) GE currently has access to 443 spaces. During visits to the site by Officers it was noticed that most of the permanent car parking spaces were occupied and about two-thirds of the temporary car park was also in use. This suggests that GE need more car parking than the SPD standards would require.

The net increase in floor space that will arise from the proposed extension (planning application 15/P/0291/F) would require 358 parking spaces based on the SPD. Fifty permanent spaces would however be lost to accommodate the extension itself. Without the temporary car park this would leave GE with around 220 permanent spaces which is 138 spaces less than required by policy. With the temporary car park in place they would have around 393 spaces. This exceeds the policy requirements by 38 spaces, but it is a realistic figure for the business having regard to staff, customers and visitors parking. The planned extension (planning application 15/P/0291/F) is likely to result in full occupancy of the temporary car park, although reliance of car travel could be slightly reduced with an effective travel plan. This is addressed in the separate report for planning application 15/P/0291/F.

**Issue 2: Car Parking in the Green Belt**

The temporary car park is in the Green Belt. The NPPF says the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open and one of its main purposes is to safeguard the countryside from encroachment. Paragraph 90 of the NPPF says some types of development (such as change of use of land) is not inappropriate in the Green Belt provided it preserves the openness and does not conflict with the purposes of including land in Green Belt. The parking of cars does not however maintain the openness of the

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Green Belt and it does not safeguard the countryside from encroachment. It is therefore inappropriate development, which, by definition, is harmful to the Green Belt.

Paragraph 87 of the NPPF says inappropriate development in the Green Belt should not be approved except in very special circumstances. Paragraph 88 clarifies that: *“Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”* Policy CS6 of the Core Strategy, Saved policy RD/3 (‘Development in the Green Belt’) of the Replacement Local Plan, and emerging Policy DM12 of the Sites and Policies Part 1 (Publication Version) are closely aligned with the NPPF.

### Very Special Circumstances

As with the initial application for the temporary car park in 2012, the applicants have set out a strong economic case which explains their desire to consolidate and improve the Nailsea premises. The planned extension will modernise and improve facilities so that the business remains a viable and successful. To do this they need surety that sufficient long-term parking of the right quality and flexibility is available. They have optimised car parking on their own land. Their proposed ‘Travel Plan’ initiatives should also reduce reliance on single occupancy car trips and encourage car sharing, use of public transport and cycling. There is however a demonstrated need for the business inclusive of the planned extension to retain about 390 parking spaces for the business. The key issue is whether there are ‘very special circumstances’ to retain 173 spaces in the Green Belt, or whether there is an alternative better option on ‘brownfield’ land not in the Green Belt within the Nailsea Settlement Boundary.

### Alternative Options

GE say that they have searched for alternative parking sites up to 1km of their site. They suggest this is the optimum search area as sites at a greater distance than this, would not encourage employees in particular to park and then walk to the site. This is not an unreasonable approach, but even at this distance officers suspect some employees may still be tempted to park much closer to the premises including residential roads.

The nearest and seemingly available site that could potentially provide car parking which is not in the Green Belt is the ‘Coates Industrial Estate’, which adjoins the north-west boundary of the GE site. Vehicle access to this land is from Southfield Road. GE confirm that they previously had a licence with the owners of the Coates Estate to park cars up to 80 on land adjoining their boundary and a gateway in the boundary fence provided direct pedestrian access from GE to the Coates Estate. This arrangement is understood to have

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ceased in 2013 after the temporary car park (planning permission 15/P/0291/F) was brought into use. It has not been renewed and GE say there were a number of operational and financial issues why they do not wish to seek a further period of parking on this land. These are summarised below:

- The location of the proposed new extension at GE would not provide a safe or feasible pedestrian connection with the GE site for staff or visitors.
- Their business operation requires flexibility due to staggered working hours including employment of contractor staff all of which requires access the site on a constant basis without interruption. They say access to the Coates Estate is closed in the evening or at bank holidays. These operational restrictions would not be compatible with GE's business.
- Their Transport Consultants have reviewed the potential for the Coates land to be utilised as car parking. They concluded it was unsuitable for various reasons, including: the High Street and Southfield Road access junction design is inadequate and there is very limited scope to improve its geometry and visibility to appropriately manage the growth in traffic. Also additional traffic through the estate coupled with limited lighting could cause conflict between pedestrian, HGV's and cars.
- The land is not of a sufficient quality to be used for a car park.

The applicants say that they searched other land with a 1km radius of the sites and they have not identified any other options for car parking of the scale that they require. They also suggest that the cost of a Park & Ride facility further from the site would be prohibitive due to only 170 car parking spaces

The case officer has had informal discussion with the owners of the Coates Estate. They confirmed that they may be willing to invest and improve the condition of the car park provided there is a long-term commitment from GE and provided access and use to a car park does not compromise the operation of other land and tenants on the estate. They dispute however the contention from GE that access to and from the site is not practical or safe. They confirm however that the entrance to the estate is typically locked after 6:30-7:00pm but they said that there are gates in the boundary fence between the two-sites which GE control and any cars left at the Coates Estate after gates are locked could still leave via the GE premises.

As the Coates Estate is 'brownfield land' within the Nailsea Settlement Boundary, it is sequentially preferable to parking vehicles in the Green Belt. The fact its owners are seemingly prepared to improving the conditions of the car park subject to commitments from GE also suggests they may be prepared to negotiate a long-term lease to GE.

The undeveloped part of the Coates Estate which includes land adjoining the rear (west) boundary of GE is however allocated in the North Somerset Replacement Local Plan for new 'Employment Generating Development'. While car parking is

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clearly ancillary to employment development it should not, in itself, prevent new building or other employment uses from coming forward. A long-term commitment for car parking for an adjoining use not in the Coates Estate could potentially reduce the chance of new development from happening on this land, which would not meet the objective of new employment development.

In terms of access between the two sites, existing gates in the boundary do potentially allow direct vehicle access between the two sites, although this currently appears to be prevented by storage on the GE site. The site is constrained so that the options for the company to expand its facilities in situ are very limited. Any potential vehicle access between the two sites would require land which is otherwise earmarked for expansion by the proposed new office / testing building proposed (planning application 15/P/0291/F). It would not be feasible therefore to provide an access through this part of the site. If the Coates Estate is closed after 6:30– 7:00pm as suggested, it would not therefore provide a practical arrangement for vehicle access in to a potential car park as GE who operate at longer hours. It would appear highly unlikely therefore that there is a reasonable prospect of GE having a long term car park at the ‘Coates Estate’

The Council has also reviewed commercial property records and it is also unable to identify any other alternative options that may be suitable or available for car parking. It is also agreed that a Park & Ride for such a small number of off-site parking spaces would be unlikely to succeed. In these circumstances it is unlikely that the Council could sustain an objection to the application or prove that there is other land that is genuinely available, accessible and practical for alternative car parking.

Summary

The applicants do appear to present a strong case for needing around 390 car parking spaces, which includes around 170 car parking spaces more than they can provide on their own land. Furthermore there does not appear to be any other sites that are genuinely available and practical for the needs of the applicant within 1 km of the premises that also falls inside the Nailsea Settlement Boundary and not in the Green Belt.

The discontinuation of the car park at the end of the current temporary planning permission is likely to have two main impacts. Firstly, GE’s current parking demands clearly exceeds what they can provide on their own land. Car parking that currently takes place in the temporary car park will be displaced elsewhere: probably on local roads including residential roads if the temporary car park is not continued. Officers would not support the separate application for the extension (planning application 15/P/0291/F) without the continuation of the temporary car park or an equivalent provision elsewhere as this would exacerbate off-site car parking which would be unacceptable.

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The environmental consequences of not renewing the temporary car park, allied to the economic benefit of the planned investment from a significant employer is considered tantamount to 'very special circumstances' and it would, on this occasion, outweigh any harm to the openness of the Green Belt.

**Issue 3: Drainage**

A surface water drainage condition was imposed on the previous application and this required details to be agreed and implemented. This was duly approved and carried out. There are therefore no drainage objections to this application.

**Issue 4: Landscape Impact**

Planning conditions imposed on the previous planning application (12/P/2068/F) for the temporary use of land as a car park included a landscape scheme to be implemented. This included a bund with planting on top. This took place and the site appears to be generally well contained from most surrounding views.

There is some suggestion however that the planting on top of the bund has not succeeded (due to poor maintenance) nor is it sufficient in quantity and that it either needs replanting of a greater density of planting should be undertaken. It is not clear when the bund was planted but it does appear quite sparse at present and it would benefit from further planting to provide more screening. This would then better contain the car park from adjoining properties, thereby giving their residents more privacy. This would also reduce any impacts of artificial light although bollard lighting in the car park is unlikely to be obtrusive

Subject to this a planning conditions requiring an improved landscaping scheme there are no landscape objections to the proposal, in accordance with Policies CS5 and CS12 of the Core Strategy.

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

The proposed development will not have a material detrimental impact upon biodiversity.

**The Crime and Disorder Act 1998**

The proposed development will not have a material detrimental impact upon crime and disorder.

**Conclusion**

The applicants require around 390 car parking spaces, including 173 spaces in the temporary car park. There does not appear to be any other sequentially preferable

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sites that are genuinely available and practical for the needs of the applicant within 1 km of the premises that inside the Nailsea Settlement Boundary and not in the Green Belt. The environmental consequences of not renewing the temporary car park, allied to the economic benefit of the planned investment from a significant employer is considered tantamount to 'very special circumstances' and it would, on this occasion, outweigh any harm to the openness of the Green Belt. The application therefore complies with Policy CS6 of the Core Strategy, RD/3 and T/6 of the Replacement Local Plan, DM12 of the Site and Policies Plan Part 1, the Councils Supplementary Planning Document on Parking and paragraph 88 of the NPPF. There are no technical or environment objections to the application.

**RECOMMENDATION: APPROVE** (for the reasons stated in the report above) subject to the following conditions:-

1. The use hereby permitted shall be carried on only by GE Oil & Gas, (or the applicant operating under any other name) and shall be for a limited period of time, which shall expire on 30<sup>th</sup> April 2033, or the period during which the premises are occupied by GE Oil & Gas, (or the applicant operating under any other name) whichever is the shorter

Reason: Permission has been granted due to the very special circumstances of the applicant only and is otherwise contrary to Policy CS6 of the North Somerset Core Strategy, Policy RD/3 of the North Somerset Replacement Local Plan (saved policies), Policy DM12 of The Sites and Policies Plan Part 1 – Development Management Policies (Publication Version) and the National Planning Policy Framework Core Planning Principle 9.

2. The car park hereby permitted shall be removed and the land restored to its former condition on or before expiry of this permission in accordance with a scheme of work submitted to and approved by the local planning authority.

Reason: The site is in the Green Belt where development is strictly controlled and the development is not normally considered to be appropriate and has been permitted due to the very special circumstances of the applicant only and is otherwise contrary to Policy CS6 of the North Somerset Core Strategy, Policy RD/3 of the North Somerset Replacement Local Plan (saved policies), Policy DM12 of The Sites and Policies Plan Part 1 – Development Management Policies (Publication Version) and the National Planning Policy Framework Core Planning Principle 9.

3. The car park shall be used in accordance with the approved plans for the parking of cars by staff and visitors to the GE Oil and Gas premises and for no other purpose.

Reason: Permission has been granted due to the very special circumstances of the applicant only and to prevent undue disturbance to nearby residents and in

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accordance with Policies CS3 and CS6 of the North Somerset Core Strategy, Policy RD/3 of the North Somerset Replacement Local Plan (saved policies), Policy DM12 of The Sites and Policies Plan Part 1 – Development Management Policies (Publication Version) and the National Planning Policy Framework Core Planning Principle 9.

4. The car park hereby permitted shall not be used for any purpose including the parking of vehicles at any time Saturdays and Sundays without the prior written permission of the Local Planning Authority

Reason: To prevent undue disturbance to nearby residents and in accordance with Policy CS3 of the North Somerset Core Strategy.

5. No external lighting other than the bollard lighting hereby granted under planning permission 12/P/2068/F shall be used in the car park. The lighting shall only be switched on when the car park is in use. The lights shall either be switched off within 10 minutes of the being vacated or at 19.00 hours (whichever occurs the earliest) and shall not be switched on again before 06.30 hours of the following day.

Reason: In the interests of the living conditions of occupants of neighbouring properties and the appearance of the area and in accordance with paragraph 125 of the National Planning Policy Framework and policy CS3 of the North Somerset Core Strategy.

6. Within two months of the date of this planning permission details of additional planting on or adjoining the earth bund around the car park shall be submitted to the Local Planning Authority. Once approved the additional landscaping shall be implemented in accordance with the approved specifications during the first available planting season. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or a period of five 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.

Reason: To ensure that as far as practical a landscaping scheme is implemented and managed and in accordance with Policy CS5 of the North Somerset Core Strategy and Policy GDP/3 of the North Somerset Replacement Plan.

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**Advice Note:**

The applicant is advised that the hours of use restrictions set out in condition 5 regarding the use of lighting within the car park must be adhered to at all times.