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North Somerset Council

ITEM 12

REPORT TO THE PLANNING AND REGULATORY COMMITTEE

DATE OF MEETING: 11 MAY 2016

SUBJECT OF REPORT: PLANNING APPLICATION 15/P/2100/O Outline planning application for erection of up to 16 dwellings and associated car parking and access, vehicular access to be provided by existing site entrances with appearance, layout, scale and landscaping reserved for subsequent approval at land off Elm Walk, Battens Orchard, Portishead, BS20 6SX

TOWN OR PARISH: PORTISHEAD

OFFICER/MEMBER PRESENTING: HEAD OF DEVELOPMENT MANAGEMENT

KEY DECISION: NO

RECOMMENDATIONS

The application is **APPROVED** subject to Section 106 agreement and conditions as set out in the report to the Planning and Regulatory Committee on 13TH April 2016.

1. SUMMARY OF REPORT

The application was considered by the Committee at its last meeting where it was resolved that the application should be refused. As the Committee resolution was contrary to the officers' recommendation, the application was held over to the next meeting in accordance with the provisions of the Scheme of Delegation, to enable the issues raised to be considered before the Committee confirms the decision. Further consideration of the reasons for refusal has taken place with the applicant and ward member and the applicant is providing further information to address the Committee's concerns.

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2. POLICY

As set in the report to the Planning and Regulatory Committee report of 13th April attached as Appendix 1.

3. DETAILS

This is an outline application for the erection of up to 16 dwellings and associated car parking and access, vehicular access to be provided by existing site entrances with appearance, layout, scale and landscaping reserved for subsequent approval.

The application was considered by the Committee at its last meeting where it was resolved that the application should be refused for the following reason:

1. In the absence of detailed plans to enable a full assessment of the impact of the development the increase in the number of dwellings on the site would result in a scale and form of development which would have an adverse effect on the character of the area and the living conditions of adjoining residents contrary to policies CS12 of the Core Strategy and GDP/3 and H/7 of the North Somerset Replacement Local Plan

As the Committee resolution was contrary to the officers' recommendation, the application was held over to the this meeting in accordance with the provisions of the Scheme of Delegation, to enable the issues raised to be considered before the Committee confirms its decision.

At the time of writing, further consideration of the reasons for refusal has taken place in conjunction with the Ward Member and relevant officers. As the application is for outline permission, the proposed site layout is a matter for negotiation at the reserve matter stage. However, in order to seek to address the Committee's concerns, further discussions are taking place with the applicant who is providing further information. The Committee will be updated on these at the meeting.

Should the application be refused, the Local Planning Authority and the applicant are expected to resolve as many of the issues as possible before any appeal is heard. If the Committee is still dissatisfied with the level of information provided it would be appropriate to defer the application to allow further consideration and investigation of any outstanding issues before the Committee confirms its decision.

4. CONSULTATION

Details of consultation responses are in the committee report in appendix 1.

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5. FINANCIAL IMPLICATIONS

The Council is at risk of an award of costs against it in any future appeal proceedings, if it cannot justify its decision on the basis of development plan policy or other material considerations.

6. EQUALITY IMPLICATIONS

Equality issues are taken into account in all planning decisions.

7. CORPORATE IMPLICATIONS

As set out in the previous Committee report.

8. OPTIONS CONSIDERED

Planning applications can either be approved or refused.

AUTHOR

Richard Kent. Head of Development Management

BACKGROUND PAPERS

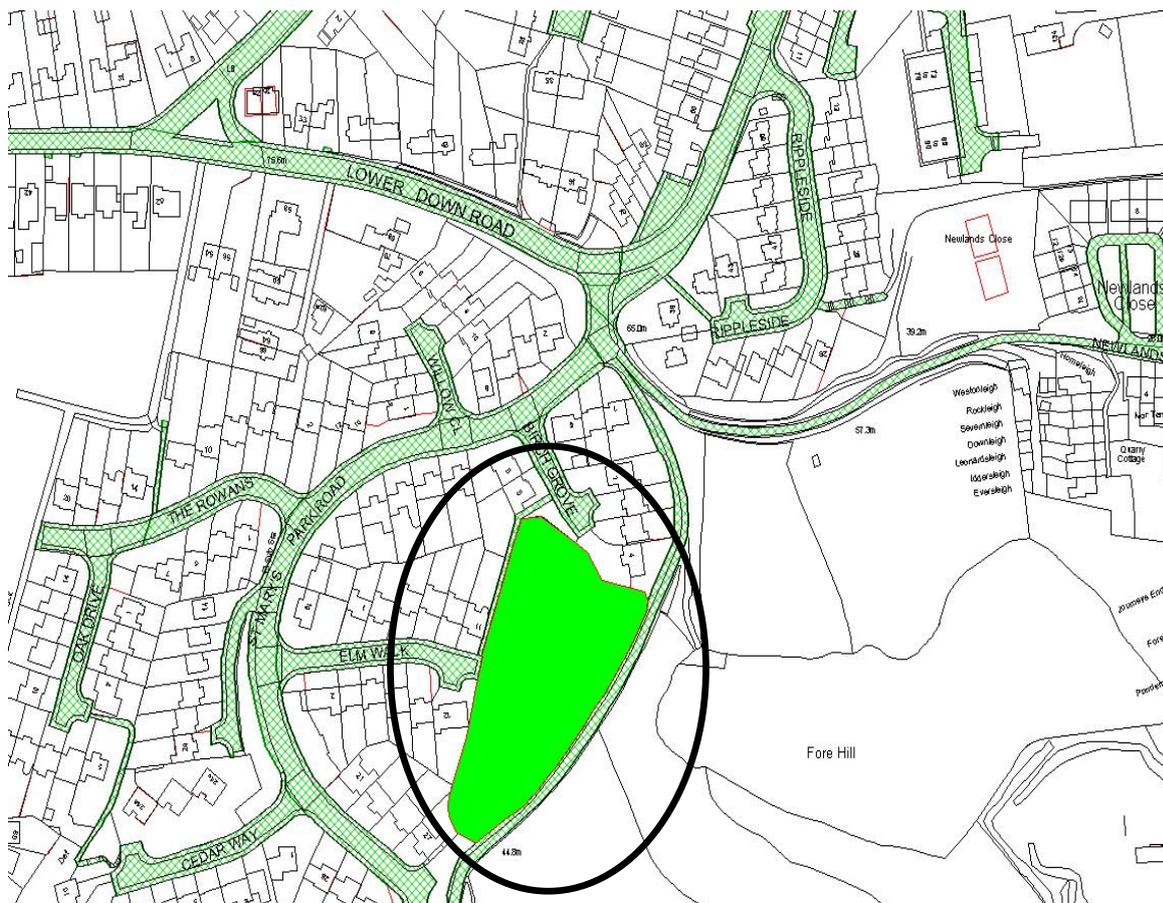
Planning and Regulatory Committee report 13th April 2016, update sheet and draft minutes

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APPENDIX 1

APPLICATION NO: 15/P/2100/O	CASE OFFICER: Andrew Stevenson
APPLICANT: Freemantle Developments Ltd	TARGET DATE: 01 December 2015
PARISH/WARD: Portishead/Portishead West WARD COUNCILLOR(S): Cllr D R Jolley Cllr Mrs F D Baker	
SITE ADDRESS: Land off Elm Walk, Battens Orchard, Portishead, BS20 6SX	

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. 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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7. **Section 1: 15/P/2100/O Outline planning application for erection of up to 16 dwellings and associated car parking and access, vehicular access to be provided by existing site entrances with appearance, layout, scale and landscaping reserved for subsequent approval at Land off Elm Walk, Battens Orchard, Portishead, BS20 6SX**

REFERRED BY COUNCILLOR JOLLEY

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.

Background

The principle of residential development for up to 10 dwellings has already been established through the extant outline planning permission 14/P/2348/O. The application for the extant permission was initially submitted as a development of up to 19 dwellings with access from Elm Walk and all other matters reserved. It was subsequently amended reducing the scale of development to 10 dwellings and below the threshold for developer contributions

The Site

The application site comprises an agricultural field measuring approximately 0.56 hectares. The site adjoins established residential areas of Birch Grove and Elm Walk to the north and west, with St Marys Road forming the eastern boundary. The site has an existing entrance point from Elm Walk.

The site is within the Portishead settlement boundary.

The Application

Outline planning permission is sought for the erection of up to 16 dwellings. The outline application includes means of access from Elm Walk, with appearance, layout, scale, and landscaping reserved for a subsequent application.

Relevant Planning History

Year	Reference	Proposal	Decision
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2015 14/P/2348/O	Erection of 10 dwellings and associated car parking and access, vehicular access to be provided by existing site entrances with appearance, layout, scale and landscaping reserved for subsequent approval	Approved
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Policy Framework

The Development Plan

North Somerset Core Strategy (NSCS) (adopted April 2012)*

The following policies are particularly relevant to this proposal:

Policy Ref	Policy heading
CS2	Delivering sustainable design and construction
CS3	Environmental impacts and flood risk management
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS11	Parking
CS12	Achieving high quality design and place making
CS14	Distribution of new housing
CS15	Mixed and balanced communities
CS31	Clevedon, Nailsea and Portishead

* Core Strategy - High Court Challenge

Following a legal challenge to the adopted Core Strategy, Policy CS13 (housing requirement) was remitted back to the Planning Inspectorate for re-examination. In addition, Policies CS6, CS14, CS19, CS28, CS30, CS31, CS32, CS33 were also remitted on the grounds that should the housing requirement be increased, then this may have consequences for one or more of these policies. All other policies remain adopted. Policy CS13 was approved by the Secretary of State on 18 September 2015 and forms part of the development plan. The next stage is the examination of the other remitted policies.

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

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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.

The following policies are particularly relevant to this proposal:

Policy Ref	Policy heading
GDP/3	Promoting good design and sustainable construction
ECH/6	Archaeology
ECH/11	Protected species and their habitats
ECH/14	Wildlife and geological sites and local nature reserves
H/7	Residential development within settlement boundaries
T/6	Parking standards
T/10	Highway safety, traffic and the provision of infrastructure associated with development

Other material policy guidance

National Planning Policy Framework (NPPF) (March 2012)

The following is particularly relevant to this proposal:

Section No	Section heading
6	Delivering a wide choice of high quality homes
7	Requiring good design
8	Promoting healthy communities
9	Protecting Green Belt Land
10	Meeting the challenge of climate change, flooding and coastal change
11	Conserving and enhancing the natural environment

National Planning Practice Guidance (from March 2014)

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 on 2nd March 2016 and, following this, it is anticipated that the Inspector's final report will be received in 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.

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The following policies are particularly relevant to this proposal:

Policy	Policy heading
DM32	High quality design and place making
DM34	Housing type and mix
DM36	Residential densities
DM37	Residential development in existing residential areas
DM71	Development contributions, Community Infrastructure Levy and viability

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

- Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (adopted January 2013)
- Residential Design Guide (RDG2) Section 2: Appearance and character of house extensions and alterations (adopted April 2014)
- North Somerset Parking Standards SPD (adopted November 2013)
- North Somerset Landscape Character Assessment SPD (adopted December 2005)
- Biodiversity and Trees SPD (adopted December 2005)
- Creating sustainable buildings and places SPD (adopted March 2015)
- Affordable Housing SPD (adopted November 2013)
- Development contributions SPD (adopted January 2016)

Consultations

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

Third Parties: 35 letters of objection have been received. The principal planning points made are as follows:

- Planning permission already given for 10 dwellings when the initial application was for 19 dwellings
- Increased density of development out of keeping with the surrounding area
- Greater highways impact with increase in scale of the development
- Harm to the character of the area and loss of open space
- Harm to the living conditions of nearby occupiers
- Highways safety concerns
- Loss of habitat, trees and hedgerows
- Ecological designations on and close to the site
- Archaeological interests
- Drainage and surface water flooding issues
- Impact of construction
- Lack of detail and inaccuracies in submitted documents
- Further demand and pressure on local infrastructure and school places

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- New application with increased density adds to concerns previously expressed

Portishead Town Council: “Object on the grounds of overdevelopment of the site given the nature of the land and proposed semi-detached homes are not in keeping with other residential properties in the area”

Principal Planning Issues

The principal planning issues in this case are (1) the principle of residential development in this location, (2) the impact to the character of the area, (3) the impact to the living conditions of neighbours (4) highways considerations, (5) ecology and impact to the Fore Hill Local Wildlife Site, (6) developer contributions, and (7) other matters.

Issue 1: The principle of residential development in this location

The site is within the Portishead settlement boundary. The principle of residential development on this site has already been established with the granting of outline planning permission for 10 dwellings in June 2015 under application reference 14/P/2348/O.

Policy CS31 of the Core Strategy is supportive of residential development provided it reflects the character of the local environment and doesn't cause significant adverse impacts. Policy H/7 of the North Somerset Replacement Local Plan permits the construction of new dwellings in settlement boundaries provided that other criteria are met (such as design requirements, the need to protect the living conditions of neighbours, and the need to provide adequate amenity space). Policy DM37 of the Sites and Policies Plan Part 1 states that proposals for new dwellings in sites within predominantly residential areas will be permitted provided they do not adversely affect the character of the area.

The site comprises an undeveloped area of land that is used for agricultural purposes, but is within the settlement boundary so this does not preclude residential development provided the criteria of Policies CS31 and H/7 are met. These are assessed in more detail in the subsequent sections of this report. Furthermore, sites such as this within a settlement that provides a full range of functions and facilities constitute sustainable development in accordance with the NPPF and contribute to the 5 year housing land supply within the district.

Residential development in this location is acceptable in principle in accordance with policy CS31 of the North Somerset Core Strategy, policy H/7 of the North Somerset Replacement Local Plan, and DM37 of the Sites and Policies Plan Part 1.

Issue 2: Impact on the character of the area

Policy H/7 of the North Somerset Replacement Local Plan and DM37 of the Sites and Policies Plan Part 1 adopt a positive approach to residential development

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provided this respects the character of the surrounding area. In this context the site is adjacent to existing residential development along St Mary's Park Road, Elm Walk and Birch Grove with the surrounding residential development of a varied nature comprising typical late 1960's housing design and materials.

As has previously been expressed in the assessment of the scheme for 10 dwellings, the site in its current undeveloped state contributes positively to the character of area and provides a transition between the urban and rural setting. It remains the case that although until recent times the site displayed a more attractive semi-natural appearance, this can be given limited weight in the assessment when set against the wider context of site forming an infill on a relatively small parcel of land and as an approved development site. In the wider context of the area the route of St Marys Road provides a distinctive break between the built up area to the west and Fore Hill beyond to the east. Overall, it is considered that, in terms of character of the area, the proposed development will appear as an extension to the existing urban area up to where this meets with St Marys Road.

The Town Council and neighbours contend that the proposal for semidetached dwellings are out of keeping with the style of property in the area. 10 of the 16 dwellings are shown on the indicative plan as being detached dwellings. As this is an established residential area comprising a range of different designs and it would be expected that variety of property styles would add to this to address any imbalance in housing types. The site, located towards the end of a cul-de-sac, is not unduly prominent in the street scene and the indicative layout continues the established pattern of development and urban grain along Elm Walk and Birch Grove. Accordingly, the proposal complies with Policies H/7 of the North Somerset Replacement Local Plan and DM37 of the Sites and Policies Plan Part 1.

Despite the increase in the number of dwellings from the approved 10 in the current outline planning permission to the 16 now proposed, it is considered that the scale of development is still appropriate to the location. The indicative site layout plans show how the development can integrate with the existing urban form and that individual plots can be accommodated on the site without appearing unacceptably cramped. It is noted that the proposal is in outline form and a reserved matters application will be required to establish the final site layout. This will allow a further assessment of the proposed development to ensure it is in compliance with the development plan policies and the residential design guide and parking standard SPDs. It is considered that the proposed quantum of development provides a balance between the efficient use of land and impact to character of area at the edge of the settlement.

Details of the design, layout, scale and appearance are subject to reserved matters and it is considered that there is scope to achieve a suitable scheme within the parameters of the site that will be in accordance with the requirements of Policy H/7 and DM37 of the emerging Sites and Policies Plan Part 1

Issue 3: Impact to the living conditions of neighbours

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Policy CS12 of the Core Strategy encourages high quality design to ensure that any new development creates an acceptable place. Policies H/7 and GDP/3 of the Replacement Local Plan and policy DM37 of the emerging Sites and Policies Plan Part 1 also emphasise the need for all residential development to not adversely affect the occupiers of surrounding dwellings.

As outline planning permission has already been granted following an assessment that 10 dwellings would not have an unacceptable impact to neighbouring occupiers, the question is therefore whether an increase in the scale of development to 16 dwellings would significantly change this position. A further assessment has therefore been undertaken to the potential proximity and relationship between the proposed dwellings to the neighbouring properties. In particular plots 1, 4, 5, 14 and 16 are situated closest to existing dwellings around the north and west boundary of the site. Whilst this is an outline application only with scale and layout carried over for reserved matters, further information has been provided by the applicant to demonstrate that the minimum distances required by the residential design guide SPD are achievable. Even with the increase in scale of the development the size of the site is such that a reasonable distance can be retained between existing and new dwellings which in turn will allow for a layout with sufficient separation distance to ensure there is no significant overbearing impact or unacceptable loss of privacy between gardens and facing windows. Whilst this can be shown on the indicative layout plan submitted, as layout and appearance are reserved matters, it will be necessary for any subsequent application to accord with the requirements of the adopted residential design guide SPD which deals more specifically with design issues relating to living conditions. If demonstrated to be necessary, it is possible to remove certain permitted development rights from individual properties at the time of determination of the reserved matters to protect the living conditions of current and future occupiers.

There is a discernible fall in the level of land from north to south across the site that follows the natural form of the hillside between West Hill and North Weston. This results in the proposed land for development being set at a lower level to the adjacent dwellings. Where existing dwellings stand on higher ground it can lessen the potential impacts of new development to the existing occupiers.

Accordingly, in the context of the site the increase in the number of properties from 10 to 16 will not result in unacceptable harm to the living conditions of nearby neighbours which will be within acceptable limits. The application accords with the requirements of Policies CS12 of the Core Strategy, GDP/3 and H/7 of the North Somerset Replacement Local Plan, DM37 of the emerging Sites and Policies Plan Part 1 and the guidance of the Residential Design Guide SPD.

Issue 5: Highways considerations

Policy T/10 states that development will only be permitted where it does not prejudice highways safety, policy CS11 of the Core Strategy states that adequate parking must be provided and managed to meet the needs of anticipated users and DM24 of the emerging Sites and Policies Plan Part 1 states development will be

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permitted provided it would not prejudice highways safety. The adopted Parking Standards SPD sets out the specific requirements in relation to parking provision.

The site comprises a parcel of land at the end of Elm Walk. Elm Walk is an existing residential cul-de sac serving 12 existing residential properties. Elm Walk has footways on both sides, and links to the wider highway by a priority junction with St Mary's Park Road.

The outline plans show that access will be taken from Elm Walk, and forms a natural extension to this road. The previous outline application for 10 dwellings has been approved and was considered acceptable from a highways point of view. The 6 additional dwellings are only likely to generate approximately 4 additional movements in the peak periods and this level of additional traffic generation is considered not to have a detrimental impact on localised vehicle volumes and highway safety.

There have been concerns raised in respect of existing visibility of the junction of Elm Walk and St Mary's Park Road. There are no recorded road injury accidents at this junction, and the level of traffic generated by the development does not represent significant intensification of this junction. Accordingly there are no objections to the proposed means of access to the site.

The supporting information makes reference to the Parking Standards SPD. Levels of car parking are a reserved matter and thus carry lesser weight at this stage of assessment, however it appears that a sufficient level of parking provision in line with the SPD can be provided within the site

With the number of units proposed it is expected that the applicant will offer the extended access road from the current terminus of Elm Walk for adoption.

Subject to the inclusion of conditions to secure sufficient parking provision and a site layout that will be compliant with the North Somerset Parking Standards SPD, there are no highway objections to the development. The application accords with Policy CS10 of the Core Strategy and T/10 of the North Somerset Replacement Local Plan.

Issue 5: Ecology and impact on the Fore Hill Local Wildlife Site

The site is within the boundary of Land at Fore Hill Local Wildlife site, which is protected under Policy ECH/14 of the North Somerset Replacement Local Plan insofar as planning permission will not be granted for development that would have a significant adverse effect on local biodiversity or geological interests. Policies CS4 of the Core Strategy and DM 8 of the Sites and Policies Plan Part 1 seek to protect important habitats and enhance green infrastructure of value to wildlife. However, the site has planning permission and is no longer meets the citation criteria of the Local Wildlife Site, with only the site boundaries providing suitable habitat for a range of species.

The principle for residential development has already been established and the indicative site plan for the 16 dwellings shows that the established site boundaries of trees and hedgerows can be retained and protected within the proposed layout. In

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the context of this site, the retention of the site boundaries provides suitable mitigation and can be secured by condition.

With regard to protected species, the measures detailed in the updated phase 1 habitat survey and precautionary method of works for Hazel Dormice are considered to be acceptable. Sufficient justification has been provided for not completing an assessment of likelihood of the pond 150m from the site supporting Greater Crested Newts due to the barriers to dispersal between the application site and the pond.

If the scheme progresses to reserved matters it is expected that a documented statement of intent or design code framework to compensate for the loss of part of the LWS will be submitted and this will need to be drawn up to avoid placing unrealistic management burdens on individual householders. There will also need to be an updated phase 1 habitat survey which will need to inform details of a lighting design strategy.

Conditions relating to tree protection, ecology and archaeology will be necessary to mitigate the impacts of the proposed development and these in turn will influence a suitable site layout at the Reserved Matters stage.

Subject to the inclusion of conditions and further assessment of the detail of the development with a subsequent application, the proposed development will not result in an unacceptable loss of habitats or have a significant adverse effect on local biodiversity or geological interests, in accordance with policies CS4 and ECH/14

Issue 6: Developer contributions

Policy CS34 of the Core Strategy and Policy DM71 of the emerging 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 is a site within the settlement boundary with an existing planning consent in place for 10 dwellings. The extant consent is not subject to S106 contributions as at the time of determination the development of 10 units / maximum development area of 1,000m² was under the threshold for planning obligations.

This application has been submitted seeking to increase the quantum of development to 16 dwellings, contained within the same redline as the extant outline consent. A viability appraisal has been submitted by the applicant and has been reviewed by the Council's Valuer. The site value attributed to a development of 10 units is not sufficient to allow a fully compliant level of contributions to be achievable and from this it is agreed that the development cannot afford full contributions as well as 30% affordable housing (5 units). A figure of £229,500 has been established through the viability appraisal to meet any necessary planning obligations across all service areas. The applicant has offered either a financial contribution of £229,500 or 3no, 3 bed on site houses as Starter Homes (80% Market Value).

Following further internal consultation, on balance it is proposed that the delivery of 3 on site affordable housing units be secured as starter homes under a mechanism within the S106 to be agreed with the Housing team. This is the preferred option of the Housing Team. It is considered that the risk of contravening the S106 pooling regulations associated with collecting a relatively low contribution for other service

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areas means an appropriate approach is to focus on delivery of the affordable housing as a priority for this development

Issue 6: Other matters

Neighbours have raised concerns with regard to an increased risk from surface water run off to St Mary's Road as the slope across the site means the land drains to the east. Flood risk from surface water run-off is a material planning consideration and in accordance with Policy CS3 of the Core Strategy and DM1 of the Sites and Policies Plan Part 1 state development will only be permitted if potential adverse impacts can be mitigated to an acceptable level. The Flood Risk Management team have been consulted and have confirmed that this can adequately be controlled by way of a condition to ensure that a suitable system to prevent surface water run off to the highway is approved prior to commencement of development.

Through Policies CS5 of the Core Strategy ECH/6 of the North Somerset Replacement Local Plan, and DM6 of the Sites and Policies Plan Part 1 the significance of the historic environment, including archaeological sites, must be taken in account when assessing development proposals.

Records show that the site has archaeological potential. As an outline application with all matters except access reserved it is considered that the archaeological status can be established through a condition requiring a programme of archaeological works to be carried out.

Other matters have been raised by consultees, namely loss of view, devaluation of property and covenants. However such matters carry very little weight in the determination of planning applications.

Natural Environment and Rural Communities (NERC) Act 2006

The proposed development will not have a material detrimental impact upon bio-diversity subject to mitigation and enhancement measures that have been recommended, and secured through planning conditions.

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

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report, continue to be the matters that carry greatest weight in the determination of this application.

Conclusion

The erection of 16 dwellings will not unacceptably harm the character of the area or the living conditions of neighbours and will provide a satisfactory standard of accommodation in accordance with Policies H/7 of the North Somerset Replacement Local Plan, CS3 and CS31 of the Core Strategy, and DM32 and DM37 of the emerging Sites and Policies Plan Part 1. Details relating to layout, scale, design, appearance and landscaping can be controlled by condition and will be subject to the submission of a further reserved matters application. The proposed access via Elm Walk is satisfactory to serve the development and is in accordance with Policy T/10 of the North Somerset Replacement Local Plan and CS11 of the Core Strategy. The site is within the settlement boundary and residential development in sustainable locations will contribute to meeting the Council's 5 year housing land supply. The proposed development will however result in the loss of green space and have some impact to ecology and biodiversity, however, subject to the imposition of appropriate conditions to mitigate against the impact, this is considered not to be of such significance to render the development unacceptable. When balancing these positive and negative aspects of the development, greater weight is attached to the presumption in favour of sustainable development in accordance with the guidance of the NPPF.

RECOMMENDATION: Subject to the completion of a legal agreement securing the delivery of 3 on-site affordable housing units, 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:

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

Reason: The application was submitted as an outline application in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and in accordance with Policy H/7 of the North Somerset Replacement Local Plan.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiry of three years from the date of this permission.

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

3. The development hereby permitted shall be begun before the expiry of two years from the date of approval of the last of the reserved matters to be approved.

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

4. The reserved matters submitted in accordance with condition 1 shall include a detailed design and access statement and shall include details and plans showing

The arrangement of the plots and their buildings

- The arrangements for car parking
- Building heights and massing
- Ground levels
- Materials palette
- Details of the retained and proposed landscaping

Reason: The application was submitted as an outline application in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and in accordance with Policy H/7 of the North Somerset Replacement Local Plan

5. The materials to be used in the development hereby permitted shall accord with the approved plans. If any other material is proposed no development shall take place until such has been approved, in writing, by the Local Planning Authority.

Reason: To ensure the development maintains the character of the surrounding area and in accordance with Policy CS12 of the North Somerset Core Strategy and Policy GDP/3 of the North Somerset Replacement Local Plan.

Surface water drainage

6. No development shall be commenced until surface water drainage details together with a programme of implementation have been submitted to and approved by the Local Planning Authority. Such works shall be carried out in accordance with the approved details.

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Reason: To ensure that the development is served by a satisfactory system of surface water drainage and in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, the Technical Guidance to the National Planning Policy Framework (March 2012) and policy CS/3 of the North Somerset Core Strategy.

Ecology

- 7 No development shall commence until an updated ecological survey has been completed. This shall include a reassessment of the potential of the site to support protected and notable species and important habitats, including updated recommendations for avoidance and mitigation measures.

Reason: To comply with the Conservation of Habitats and Species (Amendment) Regulations 2012, Wildlife and Countryside Act 1981 (as amended) and Natural Environment and Rural Communities Act 2006 and in accordance with Policy CS4 of the Core Strategy.

- 8 The development hereby approved shall proceed in accordance with recommendations detailed in Section 7 of the Updated Phase 1 Habitat Survey (The Bat Consultancy, November 2015) and Section 2 of Precautionary Method of Works (The Bat Consultancy, November 2015) unless otherwise agreed in writing by the local planning authority. The agreed measures shall be implemented in accordance with the approved methodology.

Reason: To comply with the Conservation of Habitats and Species (Amendment) Regulations 2012, Wildlife and Countryside Act 1981 (as amended) and Natural Environment and Rural Communities Act 2006 and in accordance with Policy CS4 of the Core Strategy.

- 9 Prior to development details of an ecological enhancement scheme, including built-in bat and nesting bird provision, including a plan showing the location and specification of enhancement measures shall be submitted to, and approved in writing by the Local Planning Authority. These shall be in accordance with recommendations in Section 8 of the Updated Phase 1 Habitat Survey (The Bat Consultancy, November 2015) and the approved strategy shall be carried out prior to occupation of the first dwelling.

Reason: To comply with Core Strategy CS4 and the NERC Act 2006.

Archaeology

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10. No development shall commence until the applicants or their successor in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation and or recording, which has been submitted to, and approved in writing, by the Local Planning Authority.

Reason: So that records may be made before the archaeological remains are affected by the development in accordance with Policy ECH/6 of the North Somerset Replacement Local plan and CS5 of the Core Strategy.

Tree protection

11. No development shall take place until a plan and method statement identifying measures to protect all trees to be retained has been submitted to and approved, in writing, by the Local Planning Authority. The method statement shall include proposed tree protection measures during site preparation (including clearance and demolition work), construction and landscaping operations (including any changes to ground levels). The plan shall identify which trees are to be retained, and where these are to be integrated into the subsequent landscaping of the site. Thereafter the site clearance works and development shall be undertaken in accordance with the approved details.

Reason: To ensure the appropriate protection of trees that are to be retained and in accordance with policies CS4 and CS5 of the North Somerset Core Strategy and Policy GDP/3 of the North Somerset Replacement Local Plan.

12. No development shall commence until a plan showing the location and design of tree protection fencing has been submitted and agreed in writing by the Local Planning Authority and the agreed tree protection has been erected around existing trees to be retained. Unless otherwise specified the fencing shall be as shown in Figure 2 of BS5837:2005 Trees in Relation to Construction - Recommendations and shall be erected to achieve root protection areas in accordance with BS5837: 2005 root protection area calculations and the location of the fencing will be informed by the recommendations of BS5837:2005. This fencing shall remain in place during site works. The Local Planning Authority is to be advised prior to development commencing of the fact that the tree/hedge protection measures as required are in place and available for inspection.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place within this protective zone and in accordance with policies CS4 and CS5 of the North Somerset Core Strategy and Policy GDP/3 of the North Somerset Replacement Local Plan.

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Landscaping

13. All works comprised in the approved details of landscaping should be carried out during the months of October to March inclusive following occupation of the dwellings or completion of the development, whichever is the sooner.
- Reason: To ensure that a satisfactory landscaping scheme is implemented and in accordance with Policy GDP/3 of the North Somerset Replacement Local Plan.
14. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or a period of ten years following full implementation of the landscaping scheme, are removed without prior written consent from the Local Planning Authority or die, become seriously diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the Authority may specify
- Reason: To ensure that a satisfactory landscaping scheme is implemented and in accordance with Policy GDP/3 of the North Somerset Replacement Local Plan.
15. No development shall commence until details of the boundary treatment have been submitted to, and approved, in writing, by the Local Planning Authority. These details shall include the extant and programme of works for any ground stability works to be carried out around the perimeter site, and details of the boundary treatment between the approved dwellings. The dwellings hereby approved shall not be occupied until the approved boundary treatment has been fully implemented and thereafter permanently retained.
- Reason: To protect the living conditions of occupiers of adjoining properties and in accordance with Policy CS12 of the North Somerset Core Strategy and Policies GDP/3 and H/7 of the North Somerset Replacement Local Plan.

SECTION 2

Parking and highways

15. The dwellings shall not be occupied until the parking areas have been laid out in accordance with the approved plans and shall be made from a permeable material and shall be retained permanently and not be used except for the parking of vehicles in connection with the dwellings hereby approved.

Reason: To ensure that the dwellings are served by an access and by parking areas built to the satisfaction of the Local Planning Authority and in accordance with Policy CS11 of the North Somerset Core Strategy and Policy T/6 of the North Somerset Replacement Local Plan.

16. The development shall not commence until a construction traffic management plan has been submitted to, and approved in writing by the Local Planning Authority. The plan shall include details of the number and frequency of construction vehicle movements, construction operation hours, construction vehicle routes to and from the site, construction delivery hours, and car parking for contractors. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To mitigate the impact of construction traffic during the construction phase and in the interests of highways safety and the living conditions of neighbours in accordance with Policies CS10 of the Core Strategy and ECH/3 of the North Somerset Replacement Local Plan.

17. No development shall commence until a plan showing the extent of the adoption of highway into the site has been submitted to, and approved in writing by the Local Planning Authority. No construction shall be commenced until plans widths and sections have been submitted to and approved, in writing, by the Local Planning Authority for this purpose.

Reason: To ensure that the matters specified are designed to the satisfaction of the Local Planning Authority and in accordance with Policies CS10 of the Core Strategy and T/10 of the North Somerset Replacement Local Plan.

SECTION 2

Sustainability

18. Prior to commencement of development details of renewable energy measures to generate 10% (less if agreed with the local planning authority] of the energy required by the use of the development (measured in carbon) through the use of micro renewable or low carbon technologies shall be submitted to and agreed in writing by the local planning authority and once approved shall be installed in accordance with the approved details during the course of development and the dwelling shall not be occupied until such measures are fully functional and the measures shall be retained and maintained permanently unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the energy reduction measures are in accordance with Policy CS2 of the North Somerset Core Strategy and Policy GDP/3 of the North Somerset Replacement Local Plan.

19. No development shall take place until a plan providing appropriate space and facilities for the separate storage and collection of waste for re-use and recycling to include the location of a collection points has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before the use hereby permitted commences and thereafter shall be made permanently available for the use for the storage and collection and waste for re-use and recycling only for the occupiers of the building.

Reason: The Local Planning Authority wishes to encourage sustainable recycling initiatives in the interests of local amenity and sustainable waste management and in accordance with policies CS1 and CS7 of the North Somerset Core Strategy.

Approved plans

SECTION 2

20. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan received 1 September 2015; Indicative proposed site plan 2514/2; Indicative proposed site section 2514/5 received 30 October 2015

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