

SECTION 1

<b>APPLICATION NO:</b> 16/P/2744/OT2	<b>CASE OFFICER:</b> Neil Underhay
<b>APPLICANT:</b> Mr A Mead	<b>Extended expiry date:</b>
<b>PARISH/WARD:</b> Banwell/Banwell and Winscombe	<b>TARGET DATE:</b> 17 February 2017
<b>WARD COUNCILLOR(S):</b> Cllr E D Ap-Rees Cllr T Porter Cllr J O'Brien Cllr Mrs A F Harley	
<b>SITE ADDRESS:</b> Land South of Wolverhill Road, Banwell	

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



SECTION 1

9. **Section 1: 16/P/2744/OT2** Outline planning application with Environmental Statement with all matters reserved for subsequent approval for a residential development of up to 250 dwellings and associated infrastructure on land south of Wolvershill Road, Banwell

**Background**

In October 2016 a report to P&R Committee advised that an appeal had been lodged against the non-determination of a previous identical outline planning application (reference number 15/P/1646/O) for up to 250 dwellings on this site. The previous report also advised that had the appeal not been lodged and the Council had been able to determine the application, officers would have recommended it for approval, subject to a Section 106 Legal Agreement and planning conditions. The committee resolved to agree with this recommendation, following which the applicant submitted this duplicate application. The range of issues considered in this report is the same as was reported to P&R Committee in October 2016, save for updates to planning policy and consultation responses.

**Site**

The site comprises approximately 18.71 hectares of Grade 3b ('Moderate' quality) agricultural land. The eastern boundary is broadly parallel to the M5 Motorway. Other boundaries adjoin the 'Parklands' development boundary. The site is close to Wolvershill Manor and other adjoining dwellings.

**The Application**

Outline planning permission is sought to develop the site for up to 250 residential dwellings. All details are reserved for subsequent 'reserved matters' approval. The application is supported by an Environmental statement, various technical reports and Parameter Plans.

**Relevant Planning History**

Year	Ref No.	Description	Decision
2016		Outline application for up to 711 dwellings and associated infrastructure on North Somerset Council's land at Parklands Village	Pending
2016	16/P/1881/O	Outline application for up to 300 dwellings on land towards the south-west edge of the Parklands village development area.	Pending

**SECTION 1**

2016	16/P/0330/F2	Full application for 'North – South' spine road through Parklands village	Pending
2015	15/P/1646/O	Outline application for up to 250 dwellings	Appeal has been lodged
2014	15/P/0514/RM	Reserved Matters application for roads within the Mead Realisation's land	Approved 2016
2013	13/P/0997/OT2	Outline application for comprehensive mixed-used development comprising 1200 dwellings, primary school, community facilities, employment, open space and other uses	Approved 2015
2012	12/P/1266/OT2	Outline application for comprehensive mixed-used development comprising 1150 dwellings, primary school, community facilities, employment, open space and other uses	Approved 2015
2012	12/P/0760/F	150 dwellings, landscaping, open space and associated infrastructure.	Approved
2011	11/P/0923/F2	Leisure Dome	Approved – subject to completion of S106 Agreement
2011	11/P/0926/F	New access road to Parklands development from A371 Locking Moor Road	Approved

**Policy Framework**

**The Development Plan**

**North Somerset Core Strategy (NSCS)**

The Core Strategy was fully adopted on 10<sup>th</sup> January 2017.

SECTION 1

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
CS3	Environmental impacts and flood risk management
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS9	Green infrastructure
CS10	Transport and movement
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
CS19	Strategic gaps
CS20	Supporting a successful economy
CS25	Children, young people and higher education
CS26	Supporting healthy living and the provision of health care facilities
CS27	Sport, recreation and community facilities
CS28	Weston super Mare
CS33	Smaller settlements and countryside
CS34	Infrastructure delivery and Development Contributions

**Sites and Policies Plan Part 1 – Development Management Policies (adopted 19 July 2016)**

The following policies are relevant.

<b>Policy Ref</b>	<b>Policy Heading</b>
SP1	Presumption in favour of Sustainable development
DM1	Flooding and Drainage
DM2	Renewable and Low Carbon Energy
DM6	Archaeology
DM8	Nature Conservation
DM9	Trees
DM10	Landscape
DM24	Safety, Traffic and Infrastructure
DM25	Public rights of way, pedestrian and cycle access
DM26	Travel Plans
DM32	High quality design and place making
DM34	Housing type and Mix
DM36	Residential Densities
DM37	Residential development in residential areas
DM40	Retirement Housing and independent living
DM42	Accessible and adaptable housing

**SECTION 1**

DM44	Replacement dwellings in the countryside
DM69	Location of sporting, cultural and community facilities
DM70	Development Infrastructure
DM71	Development Contributions

Other material policy guidance

National Planning Policy Framework (NPPF) (March 2012)

The following sections are relevant:

<b>Section</b>	<b>Section heading</b>
1	Building a strong competitive economy
4	Promoting sustainable transport
6	Delivering a wide choice of high quality homes
7	Requiring good design
8	Promoting healthy communities
10	Meeting the challenge of climate change, flooding and coastal change
11	Conserving and enhancing the natural environment

Other National Policy Guidance

- National Planning Practice Guidance (March 2014)

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

- 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)
- Travel Plans SPD (adopted November 2010)
- Weston Villages SPD (Adopted 2012)
- Affordable Housing SPD (adopted November 2013)
- Development contributions SPD (adopted January 2016)
- Employment led delivery Weston-Super-Mare SPD (adopted November 2014)

Emerging Policy

The Sites and Policies Plan Part 2: Sites Allocation Plan

Consultation on the consultation draft of the 'The Sites and Policies Plan Part 2(Sites Allocations Plan) ended on 28 April 2016. The Plan identifies proposed new residential allocations to meet the Core Strategy housing requirement as well as reviewing existing sites and designating others for employment and other uses. Policy SA1 says residential sites of 10 or more dwellings are shown on the 'Policies Map' and set out at Schedule 1 together with any site specific related requirements.

## SECTION 1

It also identifies local green space and strategic gaps. The Council's 'Executive' Committee approved the next stage of the Site Allocations Plan on 18<sup>th</sup> October 2016. This is the Publication Version and will be the plan that the Council intends to submit to the Secretary of State for examination. Examination is expected to be in April 2017. The plan currently has limited weight.

### 'Joint Spatial Plan'

The Joint Spatial Plan is a strategic plan being prepared jointly by the West of England authorities for the plan period 2016-2036. It will identify the overall housing requirement and district apportionment, strategic development locations and key infrastructure requirements. It will set the context for a new North Somerset Local Plan 2018-2036 which will review and roll-forward the existing plans. Consultation on the Issues and Options document closed on 29 January 2016. A second round of consultation expired on 19<sup>th</sup> December 2016. All feedback will be evaluated and considered. The development of the Spatial Strategy will continue throughout 2017 and the submission of the document to Secretary of State is anticipated to be in 2018. The plan currently has very limited weight at this stage.

### Consultations

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

**Third Parties:** 1 letter has been received which is a general observation. It makes the following points: Traffic driving along from Banwell to Churchlands away pass Scot Elm Drive at speed. What Infrastructure is in place for the entrance to Scot Elm Drive to reduce vehicle speeds?

**Locking Parish Council:** "The allocated land is too close to the motorway for residential properties. This application is not employment lead and cannot rely on jobs being created on the Locking Parklands Development, as there has been none to date. The additional development is not sustainable and is proposed to be built on land that has been previously allocated as a green buffer. With this in mind, Locking Parish Council objects to this application."

**Banwell Parish Council:** "Recommend approval with a request that North Somerset allocate section 106 money towards a cemetery extension and traffic calming measures along Wolvershill Road."

**Environment Agency:** No objection subject to planning conditions.

### **Historic England:**

The application area includes part of the archaeological remains of a Romano-British settlement of a type known as a 'ladder-settlement', detected with the use of geophysics. The survival and quality of these archaeological deposits has yet to be tested. However of the approximately 28,000 identified Romano-British settlements, in England, only about 50 are recorded as ladder-settlements (less than 0.2%). This form of settlement is therefore rare and potentially of national significance.

**SECTION 1**

The proposals would result in the physical removal of the northern and eastern parts of the identified settlement. The actual significance of the ladder-settlement (or other currently unidentified archaeological deposits) has not been determined through archaeological evaluation. We strongly recommend that any consent that may be issued is conditioned with a requirement for a robust Archaeological Mitigation Strategy.

**Highways England:** No objection.

**North Somerset Levels Internal Drainage Board:** The surface water drainage proposals are not yet sufficiently developed. Further information is required to confirm that the Banwell strategic flood storage solution provides the flood storage volumes required to accommodate the increased runoff from the site. Further details of conveyance routes and other technical information is also needed.

**Avon and Somerset Police:** No objection but we welcome consultation on the detailed design and layout of any future reserved matters application.

**Wessex Water:** No objection subject to a planning condition requiring the approval of a foul drainage strategy.

**Wales and West Utilities:** No objections, although our apparatus may be at risk during construction and should planning permission be granted the developer will need to contact us to discuss any such details.

**Planning Issues**

The main issues in this case are: (1) the principle of the development; (2) sustainable development; (3) housing and employment; (4) highways and transportation; (5) noise impacts; (6) landscape impacts; (7) biodiversity; (8) flood risk and drainage; (9) heritage assets; (10) loss of agricultural land; (11) air quality; (12) ground conditions; (13) utilities; (14) planning obligations and section 106 agreement.

**Issue 1: Matters of Principle**

Section 38 (6) of the Planning and Compulsory Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

The Council's housing requirement of 20,985 dwellings (2006-2026) is set out in Policy CS13 of the Core Strategy and CS14 is the distribution strategy. Policies CS28 (Weston-super-Mare) and CS30 (Weston Villages) of the Core Strategy emphasize that Weston-super-Mare will be the primary focus for new residential development (12,800 dwellings between 2006-2026) with most new housing being at 'Weston Villages' and 'Weston Town Centre and Gateway'. CS30 sets out detailed criteria to be considered when deciding application at Weston Villages.

**SECTION 1**

The application site is outside the Weston-super-Mare Settlement Boundary, which means its current status is 'countryside'. However the emerging ('publication') version of the 'Sites Allocations Plan' shows a new settlement boundary for Weston-super-Mare Settlement Boundary around an enlarged 'Parklands' Village development boundary, including this application site. The projected housing capacity of around 3700 dwellings at Parklands village (Policy 'SA1' Schedule 1 of the Sites Allocations Plan) includes housing on the application site.

There is no 'in-principle' objection to this application.

**Issue 2: Sustainable Development**

The NPPF sets out a presumption in favour of sustainable development through plan making and decision taking. It says there are three mutually dependent dimensions to sustainable development: economic, social and environmental.

Social sustainability is concerned with providing more homes in the right places so that people can feel part of a community and where facilities and services are available, local and accessible. This proposal would boost housing deliver and provide market properties and up to 30% affordable housing (subject to viability) for which there is a significant need. This is a matter of substantial weight in favour of the application.

The housing parcels would be well-connected to bus routes, local services and facilities (primary schools, community halls, doctor's surgery and shops) to be developed at 'Parklands'. The site is therefore sustainable in terms of its accessibility and future occupants should feel part of the Parklands community.

Economic benefits include temporary construction jobs during the build-out phase (direct and indirect employment) and the likelihood of increased local spending. Policy CS20 of the Core Strategy also requires housing to be provided in tandem with employment development and this is considered in Issue 3.

Environmental sustainability is relevant in terms of traffic impact, landscape impact, biodiversity and road traffic noise from the M5 Motorway. These and other matters are considered in more detail in the following Issues.

**Issue 3: Housing and Employment**

Policy CS20 the Core Strategy regulates the release of residential development alongside employment provision. It says major housing applications in Weston-super-Mare should provide 1.5 jobs per home. This is consolidated in the 'Employment-Led delivery at Weston-Super-Mare' Supplementary Planning Document' which shows that the application site is within the "Junction 21 Enterprise Area including the Weston Villages" and the policy is to secure on-site job delivery.

For this application to be policy compliant it should generate 375 jobs. The SPD however says that an over-provision of projected jobs from other planning permissions in the 'Junction 21 Enterprise Area' can be offset against any deficit in



**SECTION 1**

another provided it does not (1) result in an aggregated shortfall and (2) provided there is agreement between the respective landowners/applicants. In this case, the applicant for this proposal is the same that obtained outline planning permission for 1150 dwellings (planning permission 12/P/1266/OT2) on the adjoining land.

The projected jobs yield arising from planning permission number 12/P/1266/OT2 is 390 more than is required for the consented 1150 dwellings and the applicant proposes to use this surplus for the 375 jobs that would be required for the 250 dwellings in this application. This approach is acceptable and it means that no employment development is required in this application.

**Issue 4: Highways and Transportation**

For the reasons set out in Issue 2, the site is considered to be well-connected and accessible. The new road junctions in to 'Parklands' have been designed to cater for around 3700 homes and other uses. The additional traffic does however mean that Section 106 financial contributions are required for public transport, local footpath routes and to off-set the extra traffic impacts that will be placed on other off-site junctions and roundabouts near to the site, including 'Phase 2' works at Junction 21 (M5). Subject to these being made, there are no traffic or transport objections to the application.

Concern has been raised that vehicle speeds along Wolvershill Road are excessive and traffic calming measures should be put in place to reduce vehicle speeds along this road, especially as they pass the junction with Scot Elm Drive.

This development will, if approved, be relatively close to the new roundabout entrance that was approved as part of planning permission 12/P/1266/OT2. This provides a 4-arm roundabout on Wolvershill Road. The southern exist is in to Parklands and the northern exit is to Scot Elm Drive. The design and alignment of the roundabout will have the effect of reducing vehicle speeds along Wolvershill Road as they approach and exit the roundabout. The 30 mph speed limit is also extended further east along Wolvershill Road.

There are no highway or transport objections to the application.

**Issue 5: Noise Impacts**

As the site is relatively close to the M5 motorway, the impact of noise has been closely scrutinised.

The National Planning Policy Guidance (PPG) on noise does not prevent Councils from granting planning permission for housing near to noise sources provided this can be mitigated to an acceptable level. This approach is reflected in Policies CS3 and CS12 of the Core Strategy and in Policy DM32 of the Sites and Policies Plan.

The applicants propose to construct an earth bund up to 6 metres high with a 2 metre high fence on top on the eastern and southern boundaries of the site close to the motorway. This is a significant engineering operation which will reduce road

**SECTION 1**

traffic noise, but further secondary noise mitigation would still be required in the form of the design and layout of dwellings.

Planning conditions can be imposed to secure a perimeter earth bund to be constructed before any houses on this site are occupied and ensure bespoke mitigation is agreed and implemented before individual dwellings are occupied. Subject to this there are no noise related objections to the application.

**Issue 6: Landscape Impacts**

The site is not one of the more sensitive green corridors identified at Parklands and it will have limited visibility beyond the site, particularly when adjoining plots at Parklands are developed. The green gap between the housing parcels and the motorway land will still result in a discernible green edge to the development, albeit much will comprise a new earth mound. The bund is to be planted with tree belts and it should, once mature, create a significant landscaped enclosure. The proposal would not undermine the wider objective for 'Parklands' to be seen in a wide green setting and there are no over-riding landscape objections to the application.

**Issue 7: Biodiversity**

The Ecology Chapter of the Environmental Statement (ES) identifies habitats on, and adjacent to the site that have potential to support legally protected species including bats, dormice, reptiles, wild birds, badger, otter, water vole as well as section 41 species. Protected species surveys considered by the Council's Ecologist however indicates that there is no evidence of adverse impacts on biodiversity provided conditions are imposed to safeguard specific areas of interest. This complies with Policy CS4 of the Core Strategy and DM8 of the Sites and Policies Plan.

**Issue 8: Flood Risk/Drainage**

The capacity of the River Banwell was recently increased under planning permission 14/P/2206/F2 and it provides a holding attenuation area for surface water arising from the eastern half of the 'Parklands' development area. The consented attenuation scheme has capacity for additional conveyance from this proposal, although some on-site SUDS drainage will also be required. There is no flood risk or drainage objection to the principle of this application, subject to planning conditions being imposed which require the delivery of the off-site attenuation area together with details of conveyance as well as maintenance and management plans for on-site SUDS systems.

**Issue 9: Heritage Assets**

There are no Listed Buildings on the site, but a Grade II Listed Building at Locking Head Farm is about 1000 metres to the west of the site. A Scheduled Monument (Motte and Bailey Castle and associated earthworks south of Locking Head Farm) is also about 1050 metres from the west boundary. Views towards the Listed Building

**SECTION 1**

and Motte & Bailey from the application site are restricted by the former RAF Locking 'married quarters' (now private dwellings) and this will be further prevented by comprehensive development at 'Parklands'.

In terms of archaeology, examination of the features located on geophysics survey of March 2012 indicate the existence of a potential 'ladder settlement' and associated features including enclosure ditches and areas of industrial activity (which may include salt-making). Ladder settlements are very rare in the UK, making this site potentially nationally significant. In order to assess the significance of these features, a further evaluation through excavation should be undertaken. This can be controlled through a planning condition.

**Issue 10: Loss of Agricultural Land**

The application site is 3B Agricultural Land having 'moderate' quality (based on best available estimate of agricultural land quality including DEFRA Agricultural land classification and National Soil Mapping). There are no planning grounds to resist development of 3B agricultural land.

**Issue 11: Air Quality**

The impact of the development on local air quality will be negligible, including emissions from road traffic using the nearby M5 Motorway and that both nitrogen dioxide (NO<sub>2</sub>) and Particulate Matter (PM) will be below the EU air quality limit values. Potential impacts during construction from the development will however need to be mitigated through a construction environmental management plan, which can be the subject of a planning condition.

**Issue 12: Ground Conditions and Contamination**

There is some potential for contamination from the adjoining Wolverhill Industrial land to have migrated on to the site. Oil and fuel spillages may have affected the site. Other possible sources of contamination could include buried animal remains, buried fly tip materials and agricultural chemicals. There is no objection provided further surveys are carried out for reserved matters applications and mitigation is carried out where necessary.

**Issue 13: Utilities**

All main utility providers have been consulted. Responses indicate the principle of development is accepted, but the developer will need to secure the appropriate easements next to services as required by the utility providers.

**Issue 14: Planning Obligations/Section 106 Requirements**

Section 122 of the 'CIL' Regulations 2010 and paragraph 204 of the NPPF (paragraphs 203-206) says planning obligations should only be sought where they:

- are necessary to make the development acceptable in planning terms;

**SECTION 1**

- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

The primary policy context for development contributions is provided by policy CS34 (Infrastructure Delivery and Development Contributions). Other relevant Core Strategy policies include:

- CS9 Green infrastructure.
- CS10 Transportation and movement.
- CS16 Affordable housing.
- CS25 Children, young people and higher education.
- CS26 Supporting healthy living and the provision of health care facilities.
- CS27 Sport, recreation and community facilities.

The Core Strategy is also supported by an Infrastructure Delivery Plan (IDP). North Somerset's Development Contributions SPD was adopted on 12<sup>th</sup> January 2016. Financial contributions and/or works in kind will be required in respect of (but not necessarily limited to): Affordable Housing, Education, Health Care facilities, Library Services, Transport, Public Open Space and Built Sport facilities, Community Interests.

**Issue 15: Other Issues**

Banwell Parish Council have requested that a Section 106 contribution should be obtained from the development towards the cost of a cemetery extension and traffic calming measures along Wolvershill Road. On the first point, planning permission was granted last year for a substantial extension to the Ebdon Road Cemetery in Weston-super-Mare and works is expected to begin on that permission later this year. This will provide additional burial space for Weston-super-Mare and the surrounding area over the next 30 years. In light of this, it is not considered necessary that this application should contribute to other local cemetery space. In terms of traffic calming in Wolvershill Road, this is addressed in Issue 4.

**Balancing of Issues**

It is intended to allocate the site for housing as part of 'Parklands' village and the proposal would result in increased local housing, both market and affordable, and contribute to reducing the Council's current five year housing land supply deficit. These are matters of significant weight (social and economic) in favour of the proposal and which far outweigh the comparatively modest environmental impacts of developing the site. The proposal is considered to be sustainable development subject to development (S106) obligations and planning conditions.

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

The proposed development will not have a material detrimental impact upon biodiversity subject planning conditions

**SECTION 1**

**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 £1,965,236 New Homes Bonus contributions for the authority.

**Conclusion**

In light of the above it is considered that the proposal represents sustainable housing development.

**RECOMMENDATION:**

1) Subject to the completion of a legal agreement securing, but not necessarily limited to the following: (a) Affordable Housing; (b) Healthcare Contributions; (c) Community Interest Company contributions, (d) Community Capacity fund contributions, (e) Built sport, leisure facilities and playing pitches, (f) education contributions, (g) Transportation including public transport and off-site highway works services; (h) Library Services: the application would have been **APPROVED** (for the reasons stated in the report above) subject to conditions in respect of the issues set out below and the following planning conditions together with any additional or amended conditions as may be required in consultation with the Chairman and Vice Chairman:

**Time Limits**

- 1 The development hereby permitted shall be begun before the expiration of ten years from the date of this approval.

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

- 2 The first application for the approval of Reserved Matters shall be submitted to the Local Planning Authority within three years from the date of this permission. All subsequent Reserved Matters shall be submitted to the Local Planning Authority no later than ten years from the date of this permission.

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

- 3 Approval of the details for each phase of the development including the layout, scale, appearance of the development, the means of access within the site (hereinafter called "the reserved matters") shall be obtained from the Local

**SECTION 1**

Planning Authority in writing before any development comprised within that phase is commenced. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: The application was submitted as an outline application and in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

**Approved Details**

**4 TO BE ADDED**

Reason: For the avoidance of doubt and in the interest of proper planning and ensure a high quality development and protection of acknowledged importance and to ensure that the approved plans are consistent with the submitted documents.

**Prior to Reserved Matters**

**5** Prior to the submission of the first of the Reserved Matters application, 'Design Codes' for the site shall be submitted to and approved in writing by the Local Planning Authority. These shall comply with the approved Parameter Plans and shall elaborate the concepts set out in the Design & Access Statement to include the following elements:

a) How the outer (east) perimeter of built development and landscaping nearest to the M5 Motorway will be designed to create an attractive and soft green edge to the development, while having regard to the height and scale of the acoustic bund.

b) How 'route' typologies including the different road hierarchy, footpaths and shared foot / cycle paths and development alongside these routes will be designed and treated to create a distinct and legible development. These shall consider how soft landscaping, trees, street lights, bus stops and services will be incorporated into design.

c) How different Character Areas or neighbourhoods will be created and how this fits in with the wider Parklands development.

d) How the Green Infrastructure set out in the Landscape Parameters Plan will be designed to create a hierarchy and connection between green spaces.

All Reserved Matters applications shall accord with the approved 'Design Codes' unless otherwise agreed in writing by the Local Planning Authority.

Reason: The Local Planning Authority wish to ensure that applications for Reserved Matters follow a properly coordinated site-wide design approach, which recognises the unique features of the site and creates a distinct,

**SECTION 1**

attractive and highly legible development and in accordance with policy CS30 of the North Somerset Core Strategy.

- 6 Prior to the submission of the first of the Reserved Matters application, a vehicle, cycling, and pedestrian strategy showing the indicative location of strategic roads, pedestrian and cycle paths throughout the development and how they fit in with the wider 'Parklands' development area shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following:

a) The pedestrian and cycle routes shall demonstrate how the development will be designed to provide safe and convenient access to employment areas, community uses, schools, open spaces and other key services.

b) All routes that are proposed to continue on to adjoining land in different ownership must show how they have been designed to align and integrate with routes on adjoining land.

All Reserved Matters applications shall be designed to accord with the approved walking and cycling strategy unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a comprehensive walking and cycling strategy is prepared for the site, in accordance with Policy T10 of the North Somerset Core Strategy.

- 7 Prior to the commencement of development for each phase a construction programme for that phase, listing the scope of works including services and street lighting within each phase and the projected timetable for its implementation, together with a detailed timetable for the implementation and completion of infrastructure for that phase shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved phasing programme, unless agreed in writing with the Local Planning Authority. The phasing programme shall include in particular:-

Reason: To ensure that the development is carried out in a satisfactory way and to ensure the delivery of infrastructure in accordance with policy CS30 of the North Somerset Core Strategy.

**Number of Dwellings**

- 8 No more than 250 dwellings shall be built on the site pursuant to this planning permission.

Reason: The infrastructure and facilities for and impact of this development have been assessed on the basis of this number of dwellings in accordance with policy CS30 of the North Somerset Core Strategy.

SECTION 1

**Noise Mitigation**

9 No dwellings shall be occupied until an acoustic bund has been completed along or adjacent to the eastern and southern boundaries of the site. Details to be provided in respect of the bund shall include the following:

i) Survey plans and cross sections showing existing and proposed ground levels across the area of the proposed bund. Cross sections through the bund shall be provided at 50 metre intervals. These shall show the height and profile of the proposed bund in relation to: a) the eastern boundary of the application site, b) the profile / width of the adjoining motorway embankment road or any soft verge areas, c) the 'hard shoulder' and level of the M5 carriageway level of the M5 Motorway and, d) the profile of land up to the edge of the proposed housing plots including the indicative height and position of the nearest dwellings.

ii) Written dimensions of the finished crest height, length and width of the bund and details of the height, position, materials and density of any fencing or other structure to be erected on the bund.

iii) Details of the materials to be used in the construction of the bund. These shall only comprise inert and uncontaminated materials including sub soils and top soils.

iv) A structural report with structural calculations which demonstrates how the bund will be constructed to ensure it is stable at the time of construction and in the longer term to minimise the risk of slippage / failure. This shall be carried out by a suitably qualified person(s) and it shall include details of any supporting or retaining structures to be used.

v) A survey to show which trees, hedgerows or landscape features will be removed to make way for the bund.

vi) Surface water drainage details to capture and discharge surface water from the bund.

vii) Details of an ongoing maintenance / management plan for the bund.

Reason: To reduce road traffic noise on the living conditions of residents and to ensure that the scale, height, position, materials, appearance, drainage and structural integrity of the bund is acceptable and in accordance with Policies CS3, CS5, CS7, CS12 and CS30 of the North Somerset Core Strategy.

10 In addition to the noise mitigation that will result from the completion of the bund referred to in the previous condition, secondary noise mitigation will also be required for individual properties. Reserved matters applications for each phase of development shall therefore include details to show how the layout and design of dwellings further reduce road traffic noise from affecting living



**SECTION 1**

conditions of residents. The approved secondary attenuation measures for each dwelling shall be fully implemented in accordance with the recommendations of the approved scheme before those dwellings are occupied and they shall be retained thereafter.

Reason: To ensure that noise levels are reduced to an acceptable level in accordance with Policy CS3 of the North Somerset Core Strategy.

**Construction Environment Management Plan**

- 11 Prior to the commencement of development for each phase a Construction Environment Management Plan (CEMP) for that phase shall be submitted to, and approved in writing by the Local Planning Authority. The Construction Management Plan shall provide/confirm the following details:

(i) Details of construction hours and how the hours of delivery/export of materials/equipment and other goods and particularly those involving HGV's will be managed to (1) avoid conflict with peak periods of vehicle activity on local approach roads and Junction 21 of the M5 Motorway and (2) reduce potential conflict with pedestrian movement. This shall include the proposed route(s) to and from the site including temporary site access.

(ii) The access route to and from the site for construction traffic and particularly for HGV's

(iii) Details of the location and design of the construction access including visibility splays

(iv) Wheel washing facilities or other measures to prevent or clear mud or debris from the highway

(v) Measures to control the emission of vibration, dust and dirt during construction

(vi) A scheme for recycling/disposing of waste resulting from demolition

(vii) Details of measures to ensure the Grumblepill Rhyne and any other aquatic habitats on or adjacent to the development site are not adversely affected during construction (to include no light spill to dark corridor during the construction phase);

(viii) Details of measures to protect wildlife habitats, protected species and Section 41 species during construction.

The approved plan shall be implemented and adhered to thereafter at all time during construction.

Reason: In the interest of public safety and to minimise the impact on the development of nearby residents as required by Policies CS3 & CS10 of the

**SECTION 1**

North Somerset Core Strategy and to comply with the Habitats and Species Regulations (2010) and ensure the survival of rare or protected species, and the protection of a Wildlife Site in accordance with Policy CS4: Nature Conservation in the adopted North Somerset Core Strategy.

**Flood Prevention / Drainage**

- 12 The development hereby permitted shall not commence until the extension of the River Banwell Strategic Flood Attenuation scheme (providing approximately 22,300m<sup>3</sup> minimum excavated volume) has been completed and commissioned in accordance with the detailed design and construction drawings set out in planning permission 14/P/2206/F2. This shall include independent verification that the system is complete and operational inclusive of the following details:
- a) Discharge rates and volumes (both pre and post development) so that the developer can demonstrate that it fits with the volume splits and post development peak flows in the model, means of access for maintenance to any part of the drainage system (4 metres minimum) and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
  - b) Any works required on or off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
  - c) Flood water exceedance routes, both on and off site;
  - d) A management and maintenance plan for the lifetime of the development including temporary or permanent sustainable drainage and pollution control schemes, as well as arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development together with an agreed timetable for handover.
  - e) Impermeable area analysis which demonstrates that the site does not exceed the allowance set out in the 'Weston Villages Strategic Flood Solution Assessment of impact of developments' for the extension 4.55 ha impermeable area.

Reason: To secure a working drainage system to the he approved details that shall thereafter be implemented, retained, managed and maintained in accordance with the approved details throughout the lifetime of the

**SECTION 1**

development in accordance with Policy CS3 of the North Somerset Core Strategy.

- 13 No culverting of watercourses on the site will take place except for access points without the agreement of the Local Planning Authority. All culverts on rhynes will meet with the Royal Haskoning Weston Villages Strategic Flood Solution: Developer Structure Sizing Guidance 16 August 2016

Reason: To ensure that there is no restriction in the conveyance of the flow or volume of water. To preserve the biodiversity and habitats in the water corridor and ensure that clear access to watercourses for maintenance is allowed in accordance with Policies CS3 and CS4 of the North Somerset Core Strategy.

- 14 The drainage system hereby approved (4.55 ha of impermeable area) shall not be constructed until the following pre-construction details have been submitted to and approved in writing by the Local Planning Authority.

Preventative measures to prevent:

- a) pollution/sediment loading,
- b) potential damage to SuDS during construction,
- c) flooding and damage up or down stream.
- d) increase discharge to downstream systems

The approved details must be adhered to at all times throughout the construction stage

Reason: This is to ensure that the drainage system are adequately planned, and that the development is served by an adequate and approved means of drainage to comply with policy CS3 of the North Somerset Core Strategy.

- 15 The on-site drainage system and extension to the River Banwell Strategic Flood attenuation scheme must be maintained by the developer prior to adoption by an approved body or other organisation to ensure it functions as designed. The maintenance requirements set out below must be submitted to and approved by the Local Planning Authority, prior to handing over to the appropriate body.

- a) a 12 month functioning period where the developer is responsible during this period
- b) Rectifying any defects prior to handover that occurs, until such time as the drainage system is passed to an approved body or adopting authority
- c) The developer to supply copies of electrical and other test certificates, where appropriate, and the operation and maintenance manuals for the drainage system

**SECTION 1**

- d) The developer to supply as-built drawings to the approved body or any other authority/organisations with an interest in managing the system, including the Local Planning Authority
- e) A timetable for the handover over the maintenance

Reason: To ensure that maintenance of the SUDS system can be carried out of the lifetime of the development in accordance with Policy CS3 of the North Somerset Core Strategy.

- 16 The Finished Floor levels of the proposed dwellings within this development should be set a minimum of 5.55 metres Above Ordnance Datum.

Reason: To prevent the increased risk of flooding in accordance with Policy CS3 of the North Somerset Core Strategy.

**Landscaping**

- 17 No development shall commence for individual phases until full details of both hard and soft landscape works for that phase have been submitted to and approved in writing by the Local Planning Authority.

These details shall include:

- a) a survey of the site showing all existing landscape features. This shall include a tree survey to comply with BS5837:2012.
- b) details of all landscaping to be removed, retained and new proposals.
- c) all hard and soft structural landscape areas;
- d) pedestrian accesses, car parks and circulation areas;
- e) existing and proposed finished ground levels
- f) means of enclosure and boundary treatment, and
- g) Parks, Greens and public open spaces
- h) dog waste bins where required by the local planning authority
- i) proposed and existing functional services above and below ground (e.g. Drainage power, communication cables, pipelines etc. indicating lines, manholes, supports etc.);
- j) details of land within public and private ownership.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory and high quality approach is taken to landscape, community facilities and open space design is provided in accordance with Policy CS9 & 12 of the Core Strategy.

- 18 The soft landscape works referred to in the previous condition shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

**SECTION 1**

Reason: To ensure that a satisfactory landscaping scheme is prepared and in accordance with Policy CS12 of the North Somerset Core Strategy.

- 19 No development approved by any Reserved Matters approval shall commence until a landscape and management plan for each phase of development, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than privately owned domestic gardens, has been submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: To ensure that a satisfactory scheme is implemented and in accordance with Policy CS12 of the North Somerset Core Strategy.

- 20 No development approved by any Reserved Matters approval shall commence until a plan showing the location and design of tree protection fencing (for trees to be retained) within the area covered by the Reserved Matters Approval has been submitted to 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 at least 7 days 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 Policy CS4 of the North Somerset Core Strategy.

- 21 All works comprised in the approved details of landscaping should be carried out in accordance with phasing details to be agreed during the months of October to March inclusive following occupation of the building or completion of the development, whichever is the sooner, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory landscaping scheme is implemented and in accordance with Policy CS5 of the North Somerset Core Strategy.

- 22 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.

**SECTION 1**

Reason: To ensure as far as possible that the landscaping scheme is fully effective and in accordance with Policy CS5 of the North Somerset Core Strategy.

**Access and Parking**

- 23 No dwellings approved by any Reserved Matters approval shall be occupied until road, cycle and pedestrian access and car parking to serve each dwelling or other buildings, including details of the location and surfacing of driveways/pathways and parking areas and associated turning spaces and including details of the number of car parking spaces and garages (where appropriate), have been constructed and are available for use in accordance with plans to be submitted to and approved in writing by the Local Planning Authority. The approved access roads, footpaths, driveways and parking spaces shall thereafter be permanently retained and shall not be used except for access to and/or the parking of vehicles in connection with the development hereby permitted, unless otherwise specified in writing by the Local Planning Authority.

Reason: To ensure that the development is served by a suitable access and parking area in accordance with the requirements of Policies CS10 and Cs11 of the North Somerset Core Strategy.

**Biodiversity**

- 24 Prior to the commencement of development of any reserved matters an up-to-date ecological survey for protected species on each reserved matters site shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing. If any protected species are identified as inhabiting that site then a scheme for mitigation against any impacts from the development together with a timetable for these works shall be submitted and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance with the approved details.

Reason: To protect biodiversity and protected species in accordance with Policies CS4 and CS30 of the North Somerset Core Strategy.

- 25 No development shall commence for any individual phases until details of external lighting for that phase that minimises the impacts of lighting on (1) nocturnal wildlife for retained or new habitats on site and (2) the wider visual amenity of the development, have been submitted to and approved in writing by the Local Planning Authority. This shall include a lighting contour plan in lux together with details of the height, location and type of light fitting. The lighting shall be implemented in accordance with the approved scheme and shall not be varied without the agreement in writing of the Local Planning Authority.

Reason: To comply with the Habitats and Species Regulations (2010) and ensure the survival of rare or protected species, and the protection of a

**SECTION 1**

Wildlife Site in accordance with Policy CS4: Nature Conservation in the adopted North Somerset Core Strategy.

- 26 Applications for 'reserved matters' shall include detailed measures for the provision of bird and bat boxes/bricks for each phase, together with a timetable for their implementation. The development shall be carried out in accordance with the approved details, unless otherwise authorised in writing by the Local Planning Authority.

Reason: To comply with the Habitats and Species Regulations and ensure the survival of rare or protected species in accordance with Policies ECH/11 and ECH/12 of the North Somerset Replacement Local Plan and Policy CS4: Nature Conservation in the adopted North Somerset Core Strategy.

27. Prior to the commencement of each phase of development full details of protective fencing around ecological features to be retained shall be submitted to and approved in writing by the Local planning Authority. The approved fencing shall be fully implemented and shall be retained on site until the development in that phase is complete unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect biodiversity and protected species in accordance with Policy CS4 of the North Somerset Core Strategy.

**Ground Contamination**

- 28 No development proposed by any Reserved Matters application shall commence until an assessment of the nature and extent of contamination within the area of that Reserved Matters application has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified person and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - o human health,
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - o adjoining land,
  - o ground waters and surface waters,
  - o ecological systems,
  - o archaeological sites and ancient monuments.

Reason: In order to ensure that land is suitable for the intended uses and in accordance with policy CS3 of the North Somerset Core Strategy.

- 29 Unless the Local Planning Authority confirms in writing that a remediation scheme is not required, no development shall take place in those areas identified for remediation until a detailed remediation scheme to bring the site

**SECTION 1**

to a condition suitable for residential use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: In order to ensure that land is suitable for the intended uses and in accordance with policy CS3 of the North Somerset Core Strategy.

- 30 The remediation scheme, if required, shall be implemented in accordance with the approved timetable of works. 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) must be submitted to the Local Planning Authority.

Reason: In order to ensure that land is suitable for the intended uses and in accordance with policy CS3 of the North Somerset Core Strategy.

- 31 No materials to be used any ground works shall be imported onto the site other than inert topsoil, inert subsoil, non-polluting hardcore and inert aggregates, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent pollution of the land, watercourse and water resources in accordance with Policy CS3 of the North Somerset Core Strategy.

**Energy Efficiency**

- 32 The dwellings hereby approved shall not be occupied until measures to generate 15% of the on-going energy requirements of the use through micro renewable or low-carbon technologies have been installed and are fully operational in accordance with the approved details that have been first submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved technologies shall be permanently retained

Reason: In order to secure a high level of energy saving by reducing carbon emissions generated by the use of the building in accordance with policy CS1 & CS2 of the North Somerset Core Strategy.

**Finished Levels**

- 33 Development proposed by any Reserved Matters application shall not be commenced until (1) existing and proposed external ground levels and (2) the finished site slab levels, floor levels and ridge levels of all buildings relative to fixed datum points have been submitted to and approved in writing by the Local



**SECTION 1**

Planning Authority. The development shall be constructed in accordance with these approved details, unless otherwise authorised in writing by the Local Planning Authority.

Reason: To ensure that the height of the buildings are appropriate to their setting in accordance with Policy DM32 of the Sites and Policies Plan Part 1.

**Exterior Building Materials**

- 34 No works to construct any building or structure hereby approved shall be commenced until samples of the materials to be used in the construction of the external surfaces of that building or structure to which they relate have been constructed on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the area and in accordance with Policy DM32 of the Sites and Policies Plan Part 1.

- 35 Details, including samples of the materials for the surface of footways and pedestrian areas, cycleways and all other hard surfaced areas shall be submitted to and approved in writing prior to the commencement of the development to which they relate. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the area and in accordance with Policy DM32 of the Sites and Policies Plan Part 1.

**Boundary Enclosures**

- 36 No boundary walls, gates, fences or other means of enclosure and boundary treatment shall be erected unless details including the location, height, appearance and materials of such enclosures have been submitted to and approved in writing by the Local Planning Authority. The boundary enclosures shall be erected in strict accordance with the approved details and maintained and / or replaced if necessary at all times thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the form and design of enclosures surrounding the buildings are acceptable and in accordance with Policy DM32 of the Sites and Policies Plan Part 1.

**Permitted Development**

- 37 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order amending or revoking and re-enacting that Order, no service equipment (including electricity sub-stations, gas governors, sewage pumping stations, telecommunications equipment, external meter boxes), or apparatus shall be erected or constructed in site

**SECTION 1**

unless details of their appearance and location are first submitted to and approved by the Local planning Authority.

Reason: To maintain the appearance of the development and in accordance with Policy DM32 of the Sites and Policies Plan Part 1.

**Archaeology**

- 38 No development or site preparation works which involve breaking the surface of the site, shall commence until an Archaeological Mitigation Strategy has been submitted to and approved by the Local Planning Authority in writing.

The Archaeological Mitigation Strategy shall include the following:

- A programme of archaeological investigation and recording including a geophysical survey to provide a comprehensive overview of the application area, evaluation by targeted trial trenching, and a sound paleo-environmental sampling strategy, which will be set out in a Written Scheme of Investigation;
- A detailed mitigation strategy to ensure the retention in situ or removal where appropriate of any significant archaeology. This may include, for example, targeted excavation, strip, map & sample or an archaeological watching brief;
- Provision to be made for publication and dissemination of the analysis and records of the site investigation, including appropriate archiving strategies;
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development shall be carried out in complete accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that any archaeological remains are properly investigated, recorded and retained or relocated where necessary in accordance with policy CS5 of the Core Strategy and policy DM6 of the North Somerset Sites and Policies Plan Part 1.

**Advice Notes:**

1. The planning permission must be read in conjunction with the Section 106 Legal Agreement.
2. The site is partly within the North Somerset Levels Internal Drainage Board Area. Site layouts must respect the natural drainage pattern across the site, with the rhyne network remaining open and culverted for access only.

**SECTION 1**

3. North Somerset Levels Internal Drainage Board should be consulted at an early stage as their Byelaws require a 9 metre corridor free of all development (including roads, street furniture and vegetation to maintain an access for maintenance).
4. The Strategic Flood Solution (SFS) for the River Banwell requires this proposal to provide a minimum of 56,900m<sup>3</sup> of total flood storage. This figure is detailed within the Weston Villages Strategic Volume Split Technical Note dated 17 May 2013.
5. Confirmation will be required ensuring adequate capacity of the connecting rhyne network between the development and the SFS. Please note that these rhyne are outside of the redline boundary for the proposal.
6. There should be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.
7. Under the Water Resources Act 1991 and the Land Drainage Act 1991 both the Environment Agency and the Local Authority have permissive powers to maintain watercourses. Their jurisdiction depends on the watercourse designation as "Main River" or "Ordinary Watercourse". However, responsibility for general maintenance of the watercourses and their banks, rest with riparian owners.
8. If the highway and any associated works that are to be constructed in accordance with the planning approval hereby granted is at any time likely to be required to be adopted by the Highway Authority and subsequently maintained at public expense, then it will be necessary for the developer to comply with the Council's specifications in accordance with either the Advance Payments Code under Section 219 or under Section 38 of the Highways Act 1980, and that no construction of these roads should be carried out prior to the Section 38 agreement being in place. Failure to have the agreement in place prior to the commencement of works may prejudice the adoption or result in additional expense in relation to the confirmation of the construction details of the works The developer is advised to make early contact with the Highways Development Officer (Mr W Hole 01934 426707) so that the processing of the agreement does not impede the implementation of planning consent. The developer will be required to pay the Council's fees in entering the agreement and associated inspection/supervision fees.
9. The works within the highway in association with this development will require the developer to enter into a S278 Agreement (Highways Act 1980). The developer is advised to make early contact with the highways officer (Mr W. Hole 01934 426707) so that the processing of the order does not impede the implementation of planning consent. The developer will be required to agree to the specification of the works, meet the Council's costs in the drawing up of the order, provide a bond or cash equivalent and meet the Council's inspection charges.
10. Any works which affect the traffic capacity of the highway are subject to the Traffic Management Act 2004. This Act places an obligation upon local authorities to coordinate and manage the road network to ease congestion and delay. As the works in this approval are likely to require a part of the highway to be closed, approval for the closure will be

**SECTION 1**

subject to the provisions of the Act. The developer is urged to make early contact with the Council's Streets & Open Spaces Highway Maintenance Team (01275 888802) to 'book' any required road closure.

11. Any alteration or connection to public or private utilities is outside the scope of this planning permission and separate permission should be obtained from the appropriate landowner or utility providers.