

Minutes

of the Meeting of the

Planning and Regulatory Committee

Wednesday 19 February 2020

held in the New Council Chamber, Town Hall.

Meeting Commenced: 2.30 pm Meeting Concluded: 4.35 pm

Councillors:

P Andy Cole (Chairman)

P John Ley-Morgan (Vice Chairman)

P Mike Bird

P Steve Bridger

Peter Bryant

P Gill Bute

P Ashley Cartman

A Caroline Cherry

P Peter Crew

P Ciarán Cronnelly

P John Crockford-Hawley

P Paul Gardner

P Catherine Gibbons

P Ann Harley

P Karin Haverson (substitute for Stuart McQuillan)

P Sandra Hearne

A David Hitchins

P Steve Hogg

A Ruth Jacobs

P Huw James (substitute for Patrick Keating)

A Patrick Keating

A Stuart McQuillan

P Robert Payne

P Bridget Petty

Terry Porter

P David Shopland

P Timothy Snaden

P Mike Solomon

P Richard Westwood

P: Present

A: Apologies for absence submitted

Also in attendance: Councillor Mark Crosby

Officers in attendance: Lee Bowering (Development & Environment), Hazel Brinton (Corporate Services), Sue Buck (Corporate Services), Michèle Chesterman (Corporate Services), Simon Exley (Development & Environment), Richard Kent (Development & Environment), James Wigmore (Development & Environment), Roger Willmot (Development & Environment)

**PAR 79 Public speaking at planning committees (Standing Order 17 & 17A)
No. 18/P/4846/FUL (Agenda Item 1)**

Local resident Andrew Edwards addressed the Committee speaking in objection to an application for planning permission at Kenn Road, Clevedon.

**PAR 80 Public speaking at planning committees (Standing Order 17 & 17A)
No. 19/P/2662/RM (Agenda Item 1)**

The applicant's agent addressed the Committee speaking in support of an application for planning permission at Mead Fields, Parklands Phase 3B Land South of Churchland Way, Wolverhill Road, Banwell, Weston-super-Mare.

**PAR 81 Public speaking at planning committees (Standing Order 17 & 17A)
No. 19/P/0723/OUT (Agenda Item 1)**

The applicant's agent addressed the Committee speaking in support of an application for planning permission at the Full Quart, Bristol Road, Hewish, Weston-super-Mare.

PAR 82 Declaration of disclosable pecuniary interest (Agenda item 3)

None.

PAR 83 Minutes 22 January 2020 (Agenda Item 4)

Resolved: that the minutes of the meeting be approved as a correct record.

PAR 84 Planning Application No 18/P/4846/FUL Redevelopment of the site to form a retirement living plus (Extra Care) development of 55 units (C2 Use), a children's nursery and associated parking, landscaping, new vehicular and pedestrian access from Kenn Road on land at 173-175 Kenn Road, Clevedon (Agenda Item 6)

The Director of Development and Environment reported on an application for planning permission. The Director of Development and Environment's representative drew members' attention to the update sheet.

The applicant's proposal was for retirement living apartments with care which was a use falling within Class C2 and not a C3 dwelling use. Policy DM37 cited at the last Committee as the basis of the refusal did not apply to developments of this nature as the proposal was not for a C3 dwelling. The policy most relevant to the Members concern was considered to be policy DM32 [High quality design and place-making].

The applicant had requested that the application be deferred to allow for amended plans to be submitted to address the Committee's refusal reason.

At the invitation of the Chair, the ward member, Councillor Crosby spoke on the application.

Resolved: the application be **deferred** to allow for the submission and consideration of amended plans and further consultation as appropriate.

PAR 19/P/2662/RM - Submission of reserved matters of access, appearance, landscaping, layout and scale for the erection of 88no. dwellings with associated works pursuant to outline planning permission 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) at Mead Fields, Parklands Phase 3B Land South Of Churchland Way, Wolvershill Road Banwell Weston-super-Mare (Agenda Item 7)

The Director of Development and Environment reported on an application for planning permission. The Director of Development and Environment's representative drew members' attention to the update sheet which referred to the fact that amended plans and additional comments had been received.

Councillor Solomon spoke on behalf of the ward member, Councillor Treadaway.

Resolved: that the application be **approved** subject to the following conditions:-

1. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.
2. A minimum of 15 of the dwellings (17%) hereby approved shall constructed to comply with the requirements of The Building Regulations 2010 Volume 1 M4(2) Category Two: Accessible and adaptable dwellings.
3. Prior to the occupation of the development, details of the proposed cycle parking for each of the dwellings shall be submitted to and approved in writing by the Local Planning Authority.

PAR 19/P/0723/OUT Outline application for the addition of overnight accommodation as an extension to the existing public house with all matters reserved for subsequent approval. At the Full Quart, Bristol Road, Hewish, Weston-super-Mare (Agenda Item 8)

The Director of Development and Environment reported on an application for planning permission. The Director of Development and Environment's representative drew members' attention to the update sheet which reported that a number of the recommended conditions had been reworded.

Members considered that the proposal had local support, would provide jobs, would not adversely affect the area and the reasons for

refusal could be overcome by conditions. As such they granted planning permission for the development subject to the 20 conditions in the appendix to the Committee report but with conditions 7,8 and 11 being amended on the update sheet.

Resolved: that the application be **approved** contrary to the officers' recommendation subject to the following conditions:-

1. Approval of the details of the layout, scale appearance of the building(s) the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority, in writing before any development is commenced.
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.
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.
4. The details to be submitted in accordance with Condition 1 shall include an extension of no more than 2 storeys in height, a native species landscaping scheme for the site frontage, provision of a coach parking bay and retention of an undeveloped strip 10m wide from the railway boundary.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Orders revoking and re-enacting those Orders, with or without modification), the premises shall be used only for hotel accommodation operated as an extension to the Full Quart Public House and for no other purpose, including as a separate hotel operation.
6. No development shall take place until surface water drainage works have been implemented in accordance with details that have first been submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, associated Planning Practice Guidance and the non-statutory technical standards for sustainable drainage systems, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the system shall be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall: i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to greenfield run off rates and volumes, taking into account long-term storage, and urban creep and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and ii. include a timetable for its implementation.

7. The building hereby permitted shall not be occupied until the sewage disposal works have been completed in accordance with details which have first been submitted to and approved by the local planning authority.

8. The development hereby permitted shall not take place except in complete accordance with the approved Flood Risk Assessment.

9. The development shall not take place except in strict accordance with the measures outlined in the Bat Survey Report Version 1 dated 21.10.2019 and Preliminary Ecological Appraisal report version 1.1 dated 21.10.19. If amendments to the methodology are required, details of the changes must be submitted in writing and agreed by the Local Planning Authority before relevant works proceed. The development shall then be implemented in accordance with the agreed changes.

10. No development shall commence until a plan showing the location and design of tree and hedge protection fencing has been submitted to and agreed in writing by the Local Planning Authority and the agreed tree and hedge protection has been erected around existing trees and hedges to be retained. Unless otherwise specified, the fencing shall be as shown in Figure 2 of BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations' and shall be erected to achieve root protection areas in accordance with BS5837:2012 root protection area calculations and the location of the fencing shall be informed by the recommendations of BS5837:2012. This fencing shall remain in place during site works. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree or hedge. No equipment, machinery or structure shall be attached to or supported by a retained tree or hedge. No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area. The Local Planning Authority is to be advised prior to development commencing of the fact that the tree and hedge protection measures as required are in place and available for inspection.

11. Trees, hedges and plants shown in the landscaping scheme (to be submitted under condition 1) 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.

12. All works comprised in the approved details of landscaping shall be carried out in accordance with the approved details during the months of October to March inclusive following occupation of the building or completion of the development, whichever is the sooner.

13. No trees or hedges shall be felled, lopped, topped or grubbed out until the last of the reserved matters is approved and any such trees or hedges which during that time are removed or die, or become severely damaged or seriously diseased shall be replaced with trees or hedging plants of such size and species and at such time as may be specified by the Local Planning Authority.

14. No development shall commence until a detailed method statement which includes:

- (i) measures to avoid killing or injuring reptiles during construction; and
- (ii) to provide mitigation for such species if they are found during construction

has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with these approved details.

15. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged. No site clearance shall be carried out on site between 1st March and 30th September inclusive in any year, unless a check has been carried out beforehand by a qualified ecologist following a methodology that has first been agreed, in writing, with the local planning authority.

16. No external lighting shall be installed until details, including:

- (i) details of the type and location of the proposed lighting;
- (ii) existing lux levels affecting the site;
- (iii) the proposed lux levels; and
- (iv) lighting contour plans,

have been submitted to and approved in writing by the Local Planning Authority. Any external lighting shall be installed and operated in accordance with the approved details.

17. The development hereby approved shall not be occupied until measures to generate 10% (less if agreed with the local planning authority) of the energy required by the use of the development (measured in kilowatt hours - KWh) through the use of micro renewable or low carbon technologies have been installed on site and are fully operational in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved technologies shall be permanently retained unless otherwise first agreed in writing by the Local Planning Authority.

18. There shall be no vehicular access to and from the site to East Hewish Lane at any time.

19. The overnight accommodation hereby permitted shall not be occupied until a properly consolidated and surfaced parking area for vehicles in accordance with the Local Planning Authorities parking requirements has been constructed in accordance with the approved plans and specifications. The approved parking area shall thereafter be permanently retained and kept available for parking at all times.

20. The car parking spaces which are provided shall only be used in connection with the public house and approved overnight accommodation uses on the site and not shall not be used for other non-related car parking purposes.

PAR 19/P/2635/FUL Erection of 2 No. two-storey dwellings including access and 87 parking on land to the rear of The Ship Hotel, West Street, Banwell (Agenda item 9)

The Director of Development and Environment reported on an application for planning permission.

Resolved: that the application be **approved** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.
3. No construction of the external walls of the development shall commence until samples of all external walling and roofing materials to be used have been provided on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples unless otherwise agreed in writing.
4. The development shall not take place except in strict accordance with the measures outlined in the Landscape and Ecological Management Plan. If amendments to the methodology or management company are required, details of the changes must be submitted in writing and agreed by the Local Planning Authority before relevant works proceed. The development shall then be implemented in accordance with the agreed changes.
5. No access shall be permitted to any part of the ecological mitigation area except to manage it in accordance with the Landscape and Ecological Management Plan. The 1.8m stone wall/ fences/ gate which bound the ecological mitigation area shall be provided prior to the occupation of any dwelling. The gate shall be kept locked at all times.
6. The dwellings shall not be occupied until a soft landscape scheme which accords with the provisions of the Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; and a programme of implementation. The landscaping scheme shall be carried out in accordance with the approved details, specifications and programme of implementation.

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.

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (a) the parking of vehicles of site operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials used in constructing the development
 - (d) measures to control the emission of dust and dirt during construction
 - (e) measures to control noise from works on the site
 - (f) measures to keep access roads clear of vehicles
 - (g) routing restrictions
8. The development hereby approved shall not be occupied until the access and parking areas have been constructed in accordance with the approved plans and these parking spaces shall thereafter be permanently retained and shall not be used except for the parking of vehicles in connection with the development hereby approved, apart from spaces 1-12 which are for the use of the flats in the former Ship Hotel.
9. No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during groundworks on the site, with provision for excavation of any significant deposits or features encountered and shall be carried out by a competent person or persons and completed in accordance with the approved written scheme of investigation.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order, with or

without modification), no extensions to the dwellings shall be carried out.

11. Before the first occupation of the dwellings hereby permitted the first floor windows to the east elevations of Plots 1 and 2 shall be fitted with obscure glazing. The obscure glazing used shall provide a degree of obscuration no less obscure than that which is provided by privacy level 3 of the Pilkington Group Limited textured glass range as defined in publication "Pilkington Textured Glass Range" (published January 2010). This window shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order, with or without modification), neither the obscure glazing nor the method of opening shall be subsequently altered without the prior written permission of the Local Planning Authority.
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order, with or without modification), no windows, rooflights or dormers (other than any expressly authorised by this permission) shall be inserted in any elevation without the prior written consent of the Local Planning Authority.
13. The dwellings hereby approved shall not be occupied until 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 have been installed on site and are fully operational in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved technologies shall be permanently retained unless otherwise first agreed in writing by the Local Planning Authority.
14. The dwellings shall not be occupied until space and facilities for the collection of waste and recycling materials have been provided in accordance with the approved plans and specifications. The said space and facilities shall thereafter be made permanently available for the collection of waste and recycling materials for the occupiers
15. No dwelling shall be occupied until all walls, fences and other boundary treatments (as applicable) have been completed in accordance with the approved plans.

PAR 88 Planning Application No 19/P/2430/FUL Erection of a detached bungalow with construction of rear access to Battery Lane at 7 Woodhill Road, Portishead, BS20 7EU (Agenda Item 10)

The Director of Development & Environment reported on an application for planning permission.

Contrary to the officers' recommendation to approve subject to conditions Members agreed to defer the application for one cycle to give the application further consideration.

Resolved: that the application be **deferred** for one cycle to give the application further consideration.

PAR 89 2nd Quarter Planning Performance 2019-2020 (Agenda Item 11)

The Director of Development & Environment reported on the 2nd Quarter Planning Performance for 2019-20.

Resolved:

(1) that the report be noted

(2) that the Committee be provided with an update on the 5-year housing land supply.

PAR 90 Planning Appeals (Agenda item 12)

The Director of Development & Environment reported on appeal decisions and appeals that had been lodged since the date of the last meeting.

Resolved: that the report be noted.

Chairman
