

Minutes

of the Meeting of the

Planning and Regulatory Committee

Wednesday, 18th September 2019

held in the New Council Chamber, Town Hall.

Meeting Commenced: 2.30pm Meeting Concluded: 3.20pm

Councillors:

P Andy Cole (Chairman)

P John Ley-Morgan (Vice Chairman)

A Mike Bird

P Steve Bridger

P Peter Bryant

P Gill Bute

Ashley Cartman

A Caroline Cherry

A Peter Crew

A John Crockford-Hawley

P Ciaran Cronnelly

P Catherine Gibbons

P Ann Harley

P Sandra Hearne

P David Hitchins

P Steve Hogg

P Ruth Jacobs

P Patrick Keating

P Karin Haverson (substitute for Stuart McQuillan)

A Stuart McQuillan

P Robert Payne

P Bridget Petty

P Terry Porter

A David Shopland

Tim Snaden (substitute for Mike Bird)

P Mike Solomon

P James Tonkin

A Stuart Treadaway

A Richard Westwood

P: Present

A: Apologies for absence submitted

Also in attendance: Councillor John Cato

Officers in attendance: Sue Buck (Corporate Services), Simon Exley (Development & Environment), Roz Hime (Corporate Services), Richard Kent (Development & Environment), Heather Sanders (Corporate Services), James Wigmore (Development & Environment)

**PAR 36 Public participation at planning committees (Standing Order 17 & 17A)
Planning Application No. 19/P/0413/FUL**

The applicant's representative addressed the Committee speaking in support of an application for planning permission at Wolvershill Road, West Wick.

**PAR 37 Public participation at planning committees (Standing Order 17 & 17A)
Planning Application No. 19/P/1371/FUL**

The applicant's representative addressed the Committee speaking in support of an application for planning permission at land off West Hill, Portishead

PAR 38 Suspension of Standing Orders

Resolved: that Standing Orders be suspended under Standing Order 40 to allow the Committee to receive an address from a local resident, who had been unable to register for public participation as required under the provisions of the Standing Order for speaking at planning committees (Standing Order 17 & 17A).

The Committee's proceedings with the Standing Orders suspended then followed

Local resident Allan Andrews addressed the Committee speaking against an application for planning permission at land at Wolvershill Road, West Wick.

The Committee's proceedings under the provisions of the Standing Orders then resumed

PAR 39 Declaration of disclosable pecuniary interest (Agenda item 3)

None.

PAR 40 Minutes 21 August 2019 (Agenda item 4)

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

PAR 41 Planning Application No. 19P0413FUL West Acre Caravan Park, West Acres Farm, Wolvershill Road, West Wick (Agenda item 6)

The Director of Development & Environment reported on an application for planning permission. The Director of Development & Environment's representative drew members' attention to the update sheet which advised that additional third party comments had been received and that a number of the proposed conditions had been reworded.

Resolved: subject to (a) full consideration of the amended plans including any new issues arising as a result of the further consultation which have not been previously raised; (b) the expiry of the consultation period on the amended plans; (c) consideration of any further comments from the Health and Safety Executive, and (d) the completion of a section 106 legal agreement securing: (i) 30% on site affordable housing in accordance with Council policy; (ii) £120 per dwelling sustainable travel contribution and implementation of the travel plan; (iii) £6,000 for a Traffic Regulation Order and yellow lining of roads in the vicinity of the site; (iv) £4,000 for the construction of foot/cycle path links from the site to existing rights of way; (v) five water hydrants for fire-fighting purposes, in phase with the development and a financial contribution of £1,500 per hydrant; (vi) suitable management of public open space, rhynes and the play area, the application be **approved** subject to the following conditions and any other additional or amended conditions as may be required in consultation with the Chairman and Vice Chairman and local member:

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 development shall commence until full details of the surface water drainage scheme including phasing timetable for implementation have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance with approved details. 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 submitted to and approved in writing by 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 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.
4. No development shall commence until details of the implementation, phasing of delivery, future maintenance and management of the approved sustainable drainage system have been submitted to and approved, in writing, by the local planning authority. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. The details to be submitted shall include: a) a timetable for its implementation and maintenance during construction and handover; and b) a management and maintenance plan for the lifetime of the development which shall include details of land ownership; maintenance responsibilities/arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime; together with a description of the system, the identification of individual assets, services and access requirements and details of routine and periodic maintenance

- activities.
5. The finished floor levels shall be a minimum level of 5.650m AOD for all residential buildings with direct access to an upper floor and finished floor levels for any self-contained single-storey dwellings with no direct access to safe refuge shall be a minimum level of 6.25mAOD.
 6. The finished floor, ground and ridge height levels shall not exceed those shown on the approved plans.
 7. No development shall take place until an assessment of the nature and extent of contamination on site has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site and it shall include:
 - (i) a survey of the extent, scale and nature of contamination, and
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems, and
 - archaeological sites and ancient monuments.
 8. Unless the Local Planning Authority confirms in writing that a remediation scheme is not required, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended 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 shall 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.
 9. The remediation scheme approved under condition no 8, 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) shall be submitted to and approved in writing by the Local Planning Authority.
 10. No development shall be commenced above ground level until sample panels of the materials to be used in the construction of the external surfaces of the buildings 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 unless otherwise agreed in writing by the Local Planning Authority. These details may be submitted for the whole, or part of a phase.
 11. The dwellings hereby approved shall not be occupied until measures to generate 15% of the on-going energy requirements of the use (unless a different standard is agreed) through micro renewable or low-carbon technologies have been installed 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
12. No dwelling shall be occupied until the roads, footpaths and turning spaces shown on the approved plans have been constructed in such a manner that each dwelling, is served by a properly consolidated and surfaced footpath and carriageway between the dwelling and the existing highway, in accordance with the approved plans.
 13. A Construction Environmental Method Statement shall be submitted to and approved by the Local Planning Authority before works and development commences. This shall include details of the method of works, including siting and installation of services such as drainage. This shall also include measures for storage and disposal of waste. Measures to protected ecological features and trees during the construction phase shall also be detailed. Works shall be implemented in strict accordance to the approved methodology unless otherwise agreed in writing by the Local Planning Authority.
 14. Details of measures to be taken to prevent spoil and mud being deposited on the public highway from vehicles leaving the site during construction works shall be submitted to and approved, in writing, by the Local Planning Authority before development commences. The measures shall be retained and fully used for the duration of the construction period in accordance with the approved details.
 15. No site clearance, preparatory work or development shall take place until a plan for the protection of the retained trees and hedges, and the site-specific statements for working methods in relation to demolition, construction, landscaping in accordance with Sections 5 to 8 of British Standard BS5837: 2012 - 'Trees in relation to design, demolition and construction - recommendations' has been approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
 16. No demolition or development shall take place within the area identified on a plan to be first submitted to and agreed in writing by the Local Planning Authority, until an archaeological Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI. The WSI shall include:
 - The statement of significance and research objectives; and
 - The programme and methodology of site investigation and recording; and
 - The nomination of a competent person or persons or organisation to undertake the agreed works; and
 - The programme for post-investigation assessment and subsequent analysis, publication & dissemination; and
 - The deposition of resulting material.The development shall not take place except in complete accordance with the details and programme set out in the approved WSI.
 17. No development shall take place within the archaeological area identified on a plan to be first submitted to and approved in writing by the Local Planning Authority 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.

18. 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.
19. 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.
20. No building shall be demolished, or dwelling occupied until details of the specification and location for new bird and bat nesting facilities within the site together with a timetable for their implementation as recommended in the Ecological Appraisal submitted with the application, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.
21. 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.
22. 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 garages shall be constructed other than those specifically authorised by this consent.
23. 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 the south elevations and roof slopes of plots no's 1, 15, 16 and 17 without the prior written consent of the Local Planning Authority.
24. No dwelling shall be occupied until the public footpath through the site which shall link into existing surfaced footpaths at Wolvershill Road and both the northern and southern sides of the site adjacent to plots 1 and 83 as detailed on layout plan no SW129-PD-021G has been constructed in accordance with the approved plans and specifications.
25. No dwelling shall be occupied until sight lines have been provided at the junction between the means of access and the highway in accordance with the approved plans and specifications.
26. No dwelling shall be occupied until secure parking facilities for bicycles and bin storage serving that dwelling have been provided in accordance with plans and specifications that have first been submitted to and approved, in writing, by the Local Planning Authority. The approved facilities shall thereafter be permanently retained and kept available for the parking of bicycles at all times.

27. Notwithstanding the approved plans no development above ground level hereby permitted shall commence until a detailed landscape planting scheme which shall include details of the size, species and positions or density of all landscaping to be planted and the proposed time of planting has been submitted to and approved in writing by the Local Planning Authority.
28. A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas including rhyme and watercourse management and maintenance corridors within the relevant development phase shall be submitted to and approved by the Local Planning Authority prior to the occupation of any development within that phase. The plan shall also make provision to maintain and monitor key habitats protected or created as a result of the proposed development. The landscape management plan shall be fully implemented as approved prior to the final occupation of each phase of the development.
29. 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 building or completion of the development, whichever is the sooner.
30. Trees, hedges and plants in any development phase shown in the landscaping scheme to be retained or planted, which during the development works or during a period of ten years following implementation of the landscaping scheme in that development parcel, which are removed without prior written approval from the Local Planning Authority or which die, become seriously diseased or damaged, shall be replaced in the first available planting season with other such species and size as are to be agreed with the Local Planning Authority.

PAR 42 Planning Application No. 19/P/1371/FUL former garage site, off West Hill, Channel View Road, Portishead (Agenda item 7)

The Director of Development & Environment reported on an application for planning permission. The Director of Development & Environment's representative drew members' attention to the update sheet which advised that proposed conditions 3 and 5 had been reworded.

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 external walls or roofs shall be constructed until samples of the walling and roofing materials to be used in the development have first been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in the approved materials unless otherwise agreed in writing by the Local Planning Authority.
4. The flats shall not be occupied until a hard and soft landscape scheme 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, size, species and positions of all new trees and shrubs; details of existing and

proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site; and a programme of implementation. The hard and soft 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. All hard landscape works shall be permanently retained in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

For advice on how to discharge this condition, please refer to www.n-somerset.gov.uk/landscapingconditions

5. 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 Construction Method Statement shall be adhered to throughout the construction period. The Construction Method 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) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - (e) wheel washing facilities
 - (f) measures to control the emission of dust and dirt during construction
 - (g) measures to control noise from works on the site
 - (h) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - (i) measures to keep access roads clear of vehicles
 - (j) routing restrictions
 - (k) construction phasing restrictions
6. The flats hereby permitted shall not be occupied until properly consolidated and surfaced parking areas for 15 vehicles, together with a vehicular turning area and the proposed pedestrian link to the building, have been constructed in accordance with approved plans and specifications. The approved parking and turning areas shall thereafter be permanently retained and kept available for parking and turning at all times.
7. No flat shall be occupied until the approved, secure parking facilities for bicycles have been provided for it in accordance with the approved plans and specifications. The approved facilities shall thereafter be permanently retained and kept available for the parking of bicycles at all times.
8. No structure, erection or planting exceeding 600mm in height above the adjoining carriageway level shall be placed within the sight lines shown on the plans approved in writing by the Local Planning Authority.
9. Before the first occupation of the flats hereby permitted the windows on the south east elevation of flats 3 and 6 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). These windows 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.

10. The flats hereby permitted 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. For further advice on how to discharge this condition please refer to www.n-somerset.gov.uk/energyconditions
11. No flat shall be occupied until space and facilities for the separate storage and collection of waste and recycling materials have been provided for it in accordance with the approved plans and specifications. The said space and facilities shall thereafter be made permanently available for the storage and collection of waste and recycling materials only for the occupiers of the flats.
12. No above ground work shall be commenced until foul and surface water drainage details, together with a programme of implementation, have been submitted to and approved in writing by the Local Planning Authority. Such works shall be carried out in accordance with the approved details and programme. For advice about discharging this condition please refer to www.n-somerset.gov.uk/drainageconditions

PAR Planning Appeals (Agenda item 8)

43

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
