

Planning and Regulatory Committee 13.08.14

SECTION 1

APPLICATION NO: 14/P/0687/O	CASE OFFICER: David Tate
APPLICANT: Marshalls Mono Ltd	
PARISH/WARD: Bleadon/Hutton and Locking WARD COUNCILLOR(S): Cllr E D Ap-Rees Cllr T Porter	TARGET DATE: 30 June 2014
SITE ADDRESS: Bleadon Quarry, Bridge Road, Bleadon, BS24 0AT	

LOCATION PLAN: The following plan shows the general location of the site only and is for illustrative purposes. The circle identifies the location of the site and is not a representation of the site boundaries. The site boundaries and other details submitted with the application can be viewed on the council's website at www.n-somerset.gov.uk. This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office © Crown copyright and database rights 2014 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

1. **14/P/0687/O Outline planning for a mixed use scheme of 42 No. dwellings and 500m² of employment floor space with details of access for approval; with landscaping, layout, scale and appearance to be reserved for subsequent approval at Bleadon Quarry, Bridge Road, Bleadon, BS24 0AT**

MAJOR APPLICATION

Summary of recommendation

It is recommended that, subject to the completion of a legal agreement, the application be APPROVED subject to conditions. The full recommendation is set out at the end of this report.

The Site

The application consists of the former Bleadon Quarry and is presently served by a single access from Bridge Road 100 metres north of the main A370. The quarry floor is hard-surfaced and appears flat but has a slight slope from east to west. The present site entrance is narrow and with poor visibility onto Bridge Road. There is a secondary site access connecting to Mulberry Lane to the north and only used in the event of emergency.

The site was formerly used as a quarry with the walls of the quarry forming the site boundaries to the south and east and residential properties and a paddock to the north. It is currently used for the manufacture of concrete blocks. There is no active quarrying. The western side of the site is bounded by further residential properties which front onto Bridge Road. Views into the site are achievable at the site entrance from Bridge Road and the plant and machinery of the existing concrete works are seen against the back-drop of the quarry faces when viewed from the west as one approaches from the direction of Weston.

The Application

This is an Outline application that proposes the demolition of all existing industrial buildings and associated offices, storage facilities, plant and machinery on the site and their replacement with a mixed-use development comprising the erection of 42 dwellings and 500m² of employment floor space, together with landscaping and public open space, improved vehicular access, and associated footpaths and cycleways.

The layout is indicative only but nevertheless demonstrates how the site and its uses can be laid out to include a safe developable boundary away from the quarry faces and the avoidance of buildings in the shadow areas created by the high quarry walls. The application includes details of the 'means of access' with

SECTION 1

landscaping, layout, scale and appearance to be reserved for subsequent approval.

The proposed employment units are located near to the site entrance and adjoin the access road through the site so as to afford greater visual presence. This, it is hoped, will generate greater market interest. The revised site access is intended to be an improvement by re-positioning slightly further south of Bridge Road so as to achieve improved sight lines. The application also promotes pedestrian links to the centre of the village as well as proposing a link to the upland public footpaths.

The application has been supported by the following documents:

- Transport Statement
- Stage 1 Safety Audit
- Design and Access Statement
- Planning Statement
- Housing Needs Assessment
- Marketing Report
- Ecological Survey
- Flood Risk & Drainage Assessment
- Archaeology Report
- Statement of Community Involvement

Relevant Planning History

Year	Reference	Proposal	Decision
2011	11/P/1198/LDE	Certificate of lawful use granted for the existing use of the topyard area for the storing of concrete products	Approved

Policy Framework

Most of the application site lies within the village boundary of Bleadon.

The main relevant policies are as follows:

Development Plan

North Somerset Core Strategy (adopted April 2012)

CS1: Addressing climate change and carbon reduction

CS2: Delivering sustainable design and construction.

CS3: Environmental Impacts and Flood Risk Assessment

CS4: Nature Conservation

SECTION 1

- CS5: Landscape and the historic environment
- CS9: Green infrastructure
- CS10: Transportation 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
- CS20: Supporting a successful economy.
- CS15: Children, young people and higher education
- CS27: Sport, recreation and community facilities
- CS28: Weston-super-Mare
- CS33: Infill Villages
- CS34: Infrastructure delivery and development contributions.

** Core Strategy - High Court Challenge*

In March 2013 a judgment following a legal challenge to the Core Strategy concluded that the Inspector who undertook the examination was found to have 'failed to give adequate or intelligible reasons' for his conclusion that the North Somerset housing requirement made sufficient allowance for latent demand, i.e. demand unrelated to the creation of new jobs. Policy CS13 which relates to the housing requirement was remitted back to the Planning Inspectorate for re-examination. In addition, Policies CS6, CS14, CS19, CS28, CS30, CS31, CS32, CS33 were also remitted on the grounds that should the housing requirement be increased, then this may have consequences for one or more of these policies. The judge was clear that there is nothing unlawful about these policies per se and that they can still be accorded appropriate weight in decision making. All other policies remain adopted. The examination of the remitted policies is currently taking place and hearings were held in respect of the overall housing requirement (Policy CS13) in March 2014. An Inspector's letter was received on 22 April 2014 in which he considers that the housing requirement should be increased. The Council has replied and the Inspector's further response is awaited. It is considered that the above proposal is not materially affected by this re-examination.

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

Three NSRLP policies were not saved in March 2010. The Core Strategy supersedes some but not all of the remainder. It does not supersede the following relevant policies:

- | | |
|---------------|---|
| Policy GDP/3. | Good design and sustainable construction. |
| Policy ECH/11 | Protected species and their habitats. |
| Policy T/6 | Parking provision. |

SECTION 1

Policy T/10	Safety, traffic and the provision of infrastructure.
Policy T/11	Travel Plans

Other material policy guidance

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

Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (adopted January 2013)
Residential Design Guide (RDG2) Section 2: Appearance and character of house extensions and alterations (adopted April 2014)
North Somerset Parking Standards SPD (adopted November 2013)
Affordable Housing SPD (adopted November 2013)
Solar Photovoltaic (PV) Arrays SPD (adopted November 2013) (relevant only to employment proposal)
Travel Plans SPD (adopted November 2010)
North Somerset Landscape Character Assessment SPD (adopted December 2005)
Biodiversity and Trees SPD (adopted December 2005)

National Planning Policy Framework (NPPF) (issued March 2012)

The NPPF contains relevant guidance and the following sections and paragraphs are of particular relevance:

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 the natural environment.
12. Conserving and enhancing the historic environment

Consultations

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

Third Parties: 17 letters of objection have been received. The principal planning points made are as follows:

- Traffic calming on Bridge Road would change the character of the village
- Increased traffic problems joining A370

SECTION 1

- Too many dwellings for the village
- 42 dwellings is still too many
- Drainage & sewage would be unable to cope
- Mulberry Lane not suitable for access
- Lack of public transport
- No village school
- Dangerous with no footpath on Bridge Road
- Object to parking restrictions on Bridge Road

Bleadon Parish Council: The Parish Council is fully in favour of this development however the application in its present form is not acceptable and should therefore be refused for the following reasons:

- Whilst it is understood that the developer has to make the project commercially viable in its present form there are too many dwellings and should be dramatically reduced.
- The proposed number would have a detrimental effect on the fabric and current ambience of the village.
- The layout gives the impression of being crammed in with very little green space
- As the location is a quarry environment with high stone rock on three sides more emphasis should be given to improving the visual aspect for the intended properties
- Two of the proposed dwellings are outside the village fence
- Insufficient amenity space with the current proposals badly sited due to shadowing from the rock face and as such very unappealing
- Insufficient evidence of the traffic impact on the village and requires more clarification
- The presented traffic survey does not fully understand the needs of the village. Any development within this area must improve the access along Bridge Road both for traffic movement pedestrians and cyclists. In this respect the Parish Council would wish to see the rhyne culverted and moved into the field in order for the road to be improved. Access at the junction of Bridge Road and the A370 needs improving. Mulberry Lane is not considered to be a suitable access road to the development
- The Parish Council would wish to be involved in the allocation process for the Social Housing proposed to ensure that the needs of the village residents are paramount in the first instance
- Clarification is required as to the style of the "Mews" properties
- Clarification of the size proposals for the industrial use as there is conflicting information (1744 sq.mts. on the application 1535 sq.mts on the plan and 500 sq.mts in a letter) and evidence used to suggest that these suggested units are needed. If employment is needed for this development then something more suitable should be suggested so as to be of benefit to the community such as medical and professional services.

SECTION 1

Other Comments Received:

Environment Agency: No objections subject to conditions.

English Heritage: No objections.

Wessex Water: No principle objections subject to conditions.

Somerset Drainage Consortium: No objections subject to conditions.

Avon & Somerset Police: No objections subject to conditions.

Highways Agency: No objections.

Principal Planning Issues

The principal planning issues in this case are (1) policy and principle of development, (2) transportation and highways, (3) employment, (4) impact on the village character (5) impact on adjoining properties (6) biodiversity and landscaping, (7) environmental protection, (8) community infrastructure provision and (9) crime and disorder.

Issue 1: Policy and principle of development

In considering the principal policy issues there will be a need to have regard to the Development Plan. The Town and Country Planning Act 1990 (as amended) Section 70 deals with the determination of applications. Section 70(2) states that: *“in dealing with applications the authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations”*. The Development Plan policies are set out above.

Most of the site is within the settlement limits of Bleadon in the adopted North Somerset Replacement Local Plan, the exception being the upper storage yard on the north side of the site. The development of this small part of the site would amount to a departure from the Development Plan. Nevertheless, it is recognised that the Sites and Policies Plan Consultation Draft (SAPP) proposed an allocated mixed use site for Bleadon Quarry which includes the upper storage yard and proposed an amendment to the settlement boundary which goes around the allocation, so including the upper storage yard. In addition, Bleadon Parish Council commented on the SAPP at the formal consultation stage, and said that it *“strongly supports the existing settlement boundary in Bleadon and accepts the adjustment at Bleadon Quarry”*. In view of this it is considered that the proposed use of the upper storage yard as part of the planning application is not

SECTION 1

inappropriate in principle although it has been advertised as a departure from the Development Plan.

The North Somerset Core Strategy classifies Bleadon as an Infill Village, the smallest category of settlement for which settlement limits are to be retained. Policy CS33 applies to Infill Villages, and states that within their settlement boundaries, infill development (one or two dwellings) or small scale residential development, where the proposal is community led with clear community and environmental benefits, will be permitted.

The characteristics of the Bleadon Quarry site make it unusual. It is mostly within the adopted settlement boundary of the village, yet it is a relatively large non-conforming industrial use in a predominately residential area that is being vacated by the current user. The Parish Council supports the principle of redevelopment. For these reasons, in preparing the SAPP, the Council supported the allocation although the site was larger than “small scale” as referred to in CS33. However, given concerns about sustainability, it was felt that the number of dwellings should not be excessive. Bleadon has only a limited range of facilities, (halls, post office/shop, pubs), and notably lacks a primary school. The nearest (Oldmixon Primary School, in Winterstoke Road, Weston, and Uphill Primary School, Uphill) are both over 3.3km away by road. Public transport is also limited. The site is not within convenient walking distance of Weston super Mare. Further housing development in the village would be likely to increase car borne trips to and from facilities in other settlements, including Weston, with resultant increased carbon emissions and pollution.

Taking these factors into account the council allocated the site for mixed use development, including 25 dwellings, employment and community uses in the SAPP (Policy BL1) in February 2013. The Parish Council stated that it supported the “recommended maximum” of 25 dwellings in its response.

Wider review of dwelling numbers- Core Strategy Policy CS13

The overall Core Strategy housing requirement contained in policy CS13 has been remitted back to the Planning Inspectorate for re-examination along with other policies, including CS33, which may be affected if the housing target was to increase.

The Judge when remitting policy CS33 suggested that it should still carry ‘appropriate’ weight in decision making but it does not currently have Development Plan status. This inevitably creates some uncertainty as to the level of weight that should be attributed to it.

To date, as part of the re-examination process of CS13, the Inspector has indicated that the quantum of housing for North Somerset over the plan period

SECTION 1

should be increased though it is not yet confirmed what the overall figure will be. This may or may not eventually have implications for policy CS33 depending on what adjustments may be required to the spatial strategy, however it has significant implications for the 5 year housing land supply.

5 year supply of deliverable housing sites

The re-examination of CS13 has created uncertainty in terms of the overall dwelling requirement and the Council's ability to identify a 5 year supply of deliverable sites. Without a confirmed housing requirement a 5 year supply target cannot be calculated. Where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites, the National Planning Policy Framework advises that,

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

In these circumstances the NPPF advises Local Planning Authorities to, *"grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits..."* (Paragraph 14).

The significance of this is considered in the conclusions below. However from a policy point of view the proposed development of the site for mixed residential, employment and community uses is acceptable in principle.

Finally, Policy CS16 of the Core Strategy states that on-site affordable housing provision will be sought to meet local needs on all residential developments of 10 dwellings or more, or sites of 0.3ha or above. There is no upper limit to the potential affordable housing provision, but a benchmark of 30% will be sought as a starting point. Although the Parish Council has requested some involvement in the allocation of any affordable housing to be provided on the above site, there is already an established process in place. The council operates a Choice Based Lettings (CBL) system called HomeChoice for allocation of rented affordable housing. In addition, intermediate housing products for sale, such as shared ownership, are currently allocated through the South West Homebuy agent South West Homes. Additional details on affordable housing provision are set out in Issue 8

Issue 2: Transportation and Highways

The vehicular access arrangements to the site are determined by the topography of the site with the proposed street frontage onto Bridge Road. There are three points of access:

SECTION 1

- Bridge Road - Vehicular and pedestrian access via remodeled the access
- Mulberry Lane - has the potential for pedestrian/ bicycle access to the village
- Public Footpath – there is the potential to provide a footpath to the north east of the site that joins with a public footpath leading to the open countryside and also to the village

The proposed new main access will be located on Bridge Road between Magnolia Cottage and the Poplars and will necessitate the demolition of the northern end of the Poplars. The access road into the development will be 5.5m wide and a raised table arrangement is proposed at the site access point to reduce traffic speeds and to emphasise that vehicular traffic, cyclists and pedestrians will use this space as they enter and leave the development. The visibility splay to the left will be 2.4m x 35.0m and the visibility splay to the right will be 2.4m x 45.9m which is in excess of the 2.4m x 37.7m that would be expected.

The LPA acknowledge that HGV movements take place via an inadequate access and that Marshalls have records of HGV movements dating back to 1993. It is accepted that over the period 2009-2011 vehicle activity amounted to approximately 44 HGV movements per day together with approximately 20 cars associated with the industrial use. Nevertheless, this present situation has to be weighed in the balance when assessing the likely traffic impact on the local highway network created by 42 dwellings and 500m² of light industrial/office floorspace. The estimated trips associated with the proposed mixed use development will be approximately 58 trips in the weekday morning peak and 61 in the evening peak. Based on the applicant's assessment on the capacity of the proposed site access and Bridge Road/A370 junction, it is suggested that the resultant traffic flows associated with the proposal are modest.

The main issue however, is the change in terms of the character and scale of trips to and from Bridge Road. Bridge Road is a major feeder route into and out of the village and it is important that the applicant demonstrate how to safely accommodate vehicles, pedestrian and cycle links from the site into the local network.

Policy T/10 of the North Somerset Local Plan states that "Development will only be permitted if it would not prejudice highway safety or emergency vehicle access. Development giving rise to a significant number of travel movements will only be permitted if it:

is not likely to lead to an unacceptable degree of traffic congestion or to generate traffic that cannot be accommodated without seriously affecting the character of the surrounding area; and

SECTION 1

can readily be integrated with public transport, cycleway and footpath links, and bridleways where appropriate.

Where a proposal would be acceptable apart from deficiencies in transport infrastructure and services, planning permission may, in accordance with Policy GDP/5, be granted subject to the applicant entering into an appropriate legal agreement to fund the improvements sought.”

The absence of pedestrian and cycle facilities along Bridge Road and the existing shared use of the carriageway will mean that vehicles will likely need to pass by pedestrians, cyclists and equestrians travelling within the highway. The change in type and scale of pedestrians/cyclists travelling to the schools, shops and play areas in particular, is vastly different and significantly higher compared to the existing activity. The development of the site for residential purposes will result in new children and parents walking and cycling to schools, sport facilities, bus stops and shops.

It is proposed that the following traffic calming measures are introduced on Bridge Road:

1. Installing a series of humps/cushions/tables along bridge to support the introduction of a 20mph speed limit/zone
2. Rear parking facilities for the four existing properties on Bridge Road adjoining the main entrance.
3. Realignment and height restriction of the front boundary walls of the adjacent properties in order to maintain visibility lines
4. Provision of a TRO to provide parking restrictions within the visibility splay
5. Realignment of the front boundary walls of The Poplars & Magnolia Cottage will allow a new section of footpath to be provided on Bridge Road either side of the site.
6. Provision of an aesthetically designed road barrier (Improved links to the bus stops on the A370

These traffic calming measures are required in order to control speeds on Bridge Road to a level that will demonstrate the proposed access is acceptable in terms of highway safety. It is noted that the precise means of traffic calming will need to be carefully discussed prior to the reserved matters stage in order to protect the character of the village. These matters will be controlled and managed by the legal agreement and S278 of the Highway Act. The off-site highway works will be set out in the s106: see recommendation)

Under the circumstances, notwithstanding the level of traffic generated by the proposed development, the package of highway improvements and traffic calming measures proposed are likely to reduce the impacts on Bridge Road sufficient not to prejudice highway safety and comply with Policy T/10 of the North Somerset Replacement Local Plan.

SECTION 1

Mulberry Lane Access

Mulberry Lane is an adopted highway but not over its entire length and stops at the entrance drive to Church View approximately 65 metres short of the application site. It is understood that the applicant owns the first part of the lane and have enjoyed rights of movement, vehicular and pedestrian, over this route since they purchased the site in the 1993. Consequently, the applicant intends to utilise this long-established route as a convenient route to the village. Although there is some local objection to the use of Mulberry Lane as a pedestrian link into the village, there is no planning objection to the proposal.

Improvements are proposed to the existing public footpath AX6/12 which is proposed to connect with a new footpath link to the development. The improvements to off-site public rights of way will mean that residents of the new development will have improved accessibility to the village and adjacent public right of way.

Cycle Parking

Secure cycle parking will be required for the proposed business development. This is compliant with Policy T/6 of the NSRLP and the standards in the Core Strategy

Public Transport

The site is currently served by public transport with access to buses provided via bus stops located on the A370 and in the village. These services operate on the hour during peak times and directly serve Burnham and Weston-super-Mare. The proposal will require the upgrading of the bus stops and provide a small section of footway to connect them together with a new pedestrian crossing.

There are also two advance directional signs to the existing concrete works which would need to be removed and replaced with signs indicating a new pedestrian crossing.

Construction Management

There is concern regarding the potential effect of the demolition and construction phases of the development on neighbours and the surrounding highway network and the environment. A strategy is therefore required that shows how demolition and construction traffic associated with the development will be appropriately managed and accommodated on the surrounding local highway network. This

SECTION 1

should include, but not be limited to, provision for staff car parking, times of site operation, volume of HGV movements throughout the day, HGV access arrangements and safety measures such as wheel washing facilities and pedestrian provision.

Issue 3: Employment Provision

The Development Plan comprises the Core Strategy, which was adopted on 10 April 2012, and various saved policies, particular Policy E/5 of the Replacement Local Plan (2007). This policy remains an integral part of the Development Plan and accords with the Core Strategy and the employment objectives set out in the National Planning Policy Framework.

In terms of Policy E/5 of the Local Plan it is accepted that the proposal, with the proposed small office development, would not harm the range or quality of premises available for business use in Weston super Mare and would lead to the removal of incompatible manufacture of concrete products business, resulting in greater potential benefits to the community in terms of the environment and living conditions of existing neighbouring residents.

Although there is no objection to the closure of this heavy industrial activity in such close proximity to the village, the applicant has agreed to provide/retain an element of employment on site despite the fact that their marketing exercise suggested there has been no serious interest in an employment use on the site.

The marketing report is dated January 2013 and since then there has been a general improvement in the commercial property market and it is expected that agents can now be more optimistic about the site in 2014 than when the report was published. The 500m² of employment floor space could well provide a more attractive local employment opportunity and indeed this was recognised by those who commented on the employment provision at the public consultation exercises. The Parish Council have also suggested the employment space could benefit to the community such as medical and professional services. There is confidence that when the employment units are constructed together with more in depth marketing, take-up of the new buildings will occur. Therefore the LPA will expect the business units to be constructed in stages as occupation of the housing progresses.

Issue 4: Impact on the character of the village

The former quarry site is within the built environment of the village. However, as a former quarry it is separated from most neighbours by considerable changes in level on the eastern and southern boundaries and therefore the proposed development is visually screened from the existing housing. There is no objection in principle to the proposed layout that demonstrates a satisfactory layout can be achieved and in itself, is unlikely to have an adverse impact on the character of

SECTION 1

the village. The site does not link visually with the surrounding village apart from the Bridge Road frontage. The unique character of the site offers an opportunity to create a distinctive character that is reflective of its history, natural assets and visual containment. Although the density of the development is generally acceptable, the site lends itself to a more organic pattern of layout than that currently proposed in the illustrative plans and the applicant and/or developer should exploit its unique location and character taking advantage of the interesting rock faces. The nature of the measures associated with the development, such as traffic calming are dealt with above in Issue 2.

Issue 5: Impact on Neighbouring Properties

The planning application is in 'outline' where the siting, design and landscaping to be considered at a later stage. There is, however, no objection in principle to the development of 42 dwellings that in itself, is unlikely to have an adverse impact on the living conditions of adjoining neighbours since the site does not link visually with the surrounding properties apart from a limited number of dwellings on Bridge Road.

Issue 6: Biodiversity, landscaping and the natural environment

Public Open Space

The layout plan shows how the required public open space and play provision can be incorporated on the site in the form of:

- Informal open play space
- Children's local equipped area play (LEAP)
- Amenity space for walking within areas of new landscape woodland

Ecology

A Phase 1 Habitats Survey was carried out in 2011. Notwithstanding the industrial use of the site, the survey work has considered protected species and the suitability of enhanced habitats to support protected species together with recommendations for mitigation or enhancement to maximise gains for biodiversity. Additional survey work will be required prior to the demolition of the buildings on site particularly the buildings adjoining Bridge Road. (See Condition 18)

The old quarry walls and scrubland above the quarry together with new landscaping are habitats that are potentially suitable for legally protected and notable species including foraging and commuting bats and badger, reptiles and nesting birds.

SECTION 1

The illustrative layout plans shows how different parts of the site may be designed to reinforce public open space and landscaping and offers an opportunity to increase a range of habitats and bio-diversity. The range of habitats encompass meadow verges at the top of the quarry faces, the rock faces themselves and safety areas at the base of the quarried rock the woodland areas together with the suggested grass and planting areas.

Although the new domestic gardens will provide some habitat for protected and notable species, the differing management of these, along with boundary treatments (preventing access for species such as hedgehog), lighting and human disturbance, is likely to reduce opportunities for protected and notable species.

Conditions are recommended for mitigation and biodiversity enhancement measures in line with Core Strategy Policy CS4. Further conditions will require provision of bird and bat boxes in accordance with policy ECH/10.

Trees

Although the layout is illustrative, it shows how the existing trees will be retained and protected. Trees T1 (beech) and T2 (walnut) of the Tree Preservation Order(TPO) are trees that still merit protection and as such the development proposal needs to be feasible and implemented without adverse effect on tree health or public amenity. There are also two protected horse chestnut trees (T3 and T4 of the same TPO) growing along the boundary in the same area, which need be retained. There will also need to be further information on the footpath link to the village, as it cuts through trees protected under TPO 994.

Issue 7: Environmental Impacts

Drainage & Flood Risk

The applicant's Flood Risk Assessment (FRA) has determined that the proposed development is at low risk from flooding as the site is located in Flood Zone 1. The Environment Agency has no objections.

Although the applicant has not provided information with regard to the proposed drainage designs for the capture and removal of surface water from the development it is accepted that the development appears to indicate a decrease in impermeable areas that will reduce the surface water runoff. The increase in permeable areas will reduce the surface water runoff but will result in the need to import large volumes of soil to provide green areas and landscaping. This process will need to be controlled by condition.

SECTION 1

There is no objection to the proposed development, as submitted, subject to suitable drainage conditions being applied. The submitted drainage details should include a SUDS design for all of the surface water drainage within the site.

Contamination

Activities at the above site will have had the potential for contamination to be present. Prior to any development a full site investigation will need to be carried out. The Environment Agency has no objection in principle to the proposed development but requests that consideration is given to contaminated land prior to determination. The risk can be managed through conditions.

Public Safety

Policy CS3 of the Core Strategy requires proposals to include measures to identify the areas of rock fall risk and stabilise the quarry walls. The policy states that development which would result in harm to amenity, health or safety will only be permitted if the potential adverse effects would be mitigated to an acceptable level. The adequacy of the proposals with regard to these safety issues will be considered and the safety measures will be controlled and managed by condition.

Sustainable Development

Policies CS1 and CS2 of the Core Strategy promote sustainable development, encouraging travel plans, facilities for waste recycling bins, biodiversity, sustainable construction and on-site energy production. The current requirements are that developments which create in excess of 10 dwellings should produce 15% of the projected future energy needs on site (for example through roof mounted photovoltaic panels). Additionally 50% of all new homes should comply with Lifetime Homes standards. These sustainable objectives will be controlled by condition.

Archaeology

The desk-based assessment deposited with this application deals effectively with the issues (or lack of them) for archaeology on the site. In terms of archaeology records, there is a 19th century references to Bleadon Quarry as a site of Pleistocene bone cave. Although it is unclear exactly where in the quarry it was found, it has always been presumed to have been quarried away. These 'bone caves' contain nationally important bone deposits (and sometimes human artefacts) of Palaeolithic date (in the case of the bone caves, any period from 500,000 to 30,000 years ago). There is just a chance that some of this cave system survives under the concrete in the floor of the quarry, so to address this

SECTION 1

issue, in the event of a successful application, breaking up the concrete in the floor of the quarry should be accompanied by an archaeological watching brief to be agreed in writing with the LPA.

Construction Phase

Provided that a Construction Management Plan (CMP) is submitted and approved there are no material impacts on the environment. The CMP should ensure that hours of working, vehicle movements, noise, on-site recycling, soil importation, dust, and security are satisfactory.

Issue 8: Community Infrastructure provision

Adopted saved policy CF/1 of the North Somerset Replacement Local Plan requires that new residential developments of 10 units or more should provide financial contributions to cover the costs for provision of community services to serve the new residents. The S106 contributions requested from this development include the revised mix of dwellings as follows: 12x2bed, 21x3bed, 7x4 bed and 2x3bed bungalows.

30% of affordable housing will be provided on site which represents 13 units in total. The mix includes 10 social rent units - 4 x 2 bed units, 5 x 3 bed units, 1x 4 bed bungalow units.) The 3 shared ownership units that will consist of 3 x 3 bed units.

In addition to the affordable housing, the financial contributions include:

Education (primary & secondary school places)	£688,797
Education (transport)	£81,000
On-site LAP	£30,870
On-site Public Open Space	£17, 250 (commuted sum)
Sport Provision	£13, 440
Libraries	£20, 563
Community (Coronation Hall)	£27, 308
Footpath Improvement	£2,300
Traffic Calming Measures + TRO	£53,000
New bus stops and A370 crossing	£48,000
Travel Plan & Sustainable Transport	£6,800

Issue 9: The Crime and Disorder Act 1998

The Crime and Disorder Act places a duty on Local Authorities to have regard to crime and disorder issues in exercising their functions.

SECTION 1

The proposed re-development of this site for residential development will need careful consideration to design out crime from an early stage to create a safe sustainable development, through the following means, though these will form part of the reserved matters application, rather than this outline stage:

- During redevelopment, the site should be secured with hoarding to discourage intruders and offenders at times when high value building materials/plant and tools are on site.
- Since the site will be open to public access, designing secure boundary treatment for the private rear gardens to existing properties.
- Access control on the offices bin/cycle store to minimise the likelihood of any anti-social behaviour, theft, or arson.
- With regard to the cycle store, it is recommended that all doors entering this area should be of solid construction with good access control such as electronic swipe card to reduce the probability of cycle theft. All cycle anchor points inside the storage area should be securely fixed with security bolts or concreted into the floor.

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, on occupation, is expected to generate approximately £100,000 of New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in this report, continue to be the matters that carry greatest weight in the determination of this application.

Conclusion

The National Planning Policy Framework requires that applications be determined in accordance with the development plan “*unless material considerations indicate otherwise*”. A decision must be made on this application and it is evident from the analysis above that whilst the proposed development would undoubtedly create impacts on a range of elements of social and physical infrastructure in Bleadon, these can largely be addressed with the comprehensive package of s106 requirements that have been negotiated with the developer.

It is also recognised that the site has already been allocated for housing. Ahead of an overall housing figure being resolved through the Core Strategy and a corresponding 5 year supply being identified, officers have accordingly considered (as required by the NPPF) whether there are adverse impacts arising from granting permission that would significantly and demonstrably outweigh the

SECTION 1

benefits to the Council and the wider community that will arise from provision of more housing.

In this respect there are material issues that will arise in respect of the impact the development will have on Bridge Road. However, it is concluded that with conditions and the S106 that have been negotiated these concerns can be addressed to the extent that they would not justify a refusal. The surface water drainage and flood risk considerations can also be addressed in the view of the Environment Agency and the impacts on ecology and landscape can be addressed through the reserved matters and appropriate conditions, Similarly, matters such as energy conservation and crime and security can be dealt with through the detailed layouts and conditions or clauses within an agreement.

On balance therefore, having evaluated these matters and all the material issues raised in this report, it is considered that the development of the Bleadon Quarry site for 42 dwellings complies with the NPPF and there are no adverse impacts which outweigh the need for the new housing. The Council must give significant weight to its obligations to provide sufficient quantities of housing and on this basis and taking account of the many material considerations to be weighed in the overall planning balance it is recommended that this application be approved.

RECOMMENDATION: Subject to departure procedure and the completion of a legal agreement securing on-site provision towards: (a) Affordable housing, (b) Public open space and (c) Employment units together with financial contributions towards: (d) Built sports and leisure facilities, (e) Playing pitches, (f) Education, (g) Libraries, (h) Employment Provision; (i) Footpaths and (j) Transport & Highway Works, the application be **APPROVED** (for the reasons stated in the report above) subject to the following conditions and any other additional or amended conditions as may be required:

1. 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.

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

2. The development hereby permitted shall be begun either before the expiry of five years from the date of this permission, or before the expiry of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

SECTION 1

3. Approval of the details of the siting, design and external appearance of the buildings, 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 unless otherwise agreed in writing by the Local Planning Authority.

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

4. The development hereby permitted shall, unless otherwise subsequently agreed by the Local Planning Authority in writing, be carried out in accordance with the following supporting documents and approved plans: [To be referred to in the decision letter].

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

5. No building shall be occupied until the layout and alignment of the proposed access roads, driveways, footpaths, vehicle manoeuvring, turning spaces, car parking spaces, to serve the development have been constructed in accordance with detailed plans to be submitted to and approved as part of the reserved matters application. And the first dwelling shall not be occupied until the existing access to the site on Bridge Road has been permanently stopped up in accordance with details that have been submitted to and approved in writing by the local planning authority. Once constructed, these facilities shall be retained at all times.

Reason: To ensure adequate vehicle and pedestrian access, as well as adequate turning and parking space is available at all times to serve each development before it is occupied, in accordance with Policies T/6 and T/10 of the North Somerset Replacement Local Plan.

6. The dwellings shall not be occupied until sight lines have been provided at the junction between the means of access and the highway in accordance with details to be submitted to and approved by the Local Planning Authority

Reason: In the interests of road safety and in accordance with Policy CS10 of the North Somerset Core Strategy and policy T/10 of the North Somerset Replacement Local Plan.

SECTION 1

7. No dwelling shall be occupied until the approved parking spaces and/or garage have been provided for, together with vehicular access thereto. The internal footprint measurements for the garages shall be no less than 3.1 x 7.0 metres. The access and parking spaces shall be used for no other purpose.

Reason: In the interests of highway and pedestrian safety and in accordance with Policies T/10 and GDP/3 of the North Somerset Replacement Local Plan.

8. The approved rear parking to Magnolia Cottage, Quarry House, The Poplars and Laurel House shall be provided for, together with vehicular access thereto prior to occupation of the first dwelling. The access and parking spaces shall be used for no other purpose.

Reason: In the interests of highway and pedestrian safety and in accordance with Policies T/10 and GDP/3 of the North Somerset Replacement Local Plan.

9. Prior to any reserved matters approval, details of an overarching surface water drainage strategy shall be submitted to and agreed in writing by the Local Planning Authority and include:-

- i. Sustainable drainage principles
- ii. details of phasing of surface water drainage infrastructure and works, including source control measures
- iii. full operation and surface water maintenance strategy including the ownership, operational and maintenance arrangement for the works over the lifetime of the scheme.

The drainage works shall be completed in accordance with the details and timetable agreed unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that drainage capacity not increased in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, the Technical Guidance to the National Planning Policy Framework (March 2012) and policy CS/3 of the North Somerset Core Strategy.

10. No development approved by this permission shall be commenced until a scheme for the disposal of foul water has been approved by the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in accordance with a programme to be submitted to and approved by

SECTION 1

the Local Planning Authority before any development commences.

Reason: To prevent pollution of the water environment in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, the Technical Guidance to the National Planning Policy Framework (March 2012) and Policy CS/3 of the North Somerset Core Strategy.

11. No development shall take place until details of a landscaping scheme for the site including landscaping to the rock fall bunding areas and existing and proposed ground levels have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure that a satisfactory landscaping scheme is prepared and in accordance with Policy GDP/3 of the North Somerset Replacement Local Plan.

12. No development shall commence until protective fencing has been erected around existing trees to be retained. Unless otherwise specified the fencing shall be 1.2m high and consist of chestnut pale fencing or chain link fencing supported by a scaffold framework braced or driven into the ground to resist impacts. Unless otherwise specified the fencing shall be erected at 1m beyond the canopy spread or at a distance equal to half the height of the tree, whichever is greater. This fencing shall remain in place during site works. The local planning authority is to be advised prior to development commencing of the fact that the tree/hedge protection measures as required are in place and available for inspection.

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

13. All works comprised in the approved details of landscaping should be carried out during the months of October to March inclusive following completion of the dwellings.

Reason: To ensure that a satisfactory landscaping scheme is implemented and in accordance with Policy GDP/3 of the North Somerset Replacement Local Plan.

14. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or a period of ten years following full implementation of the landscaping scheme, are

SECTION 1

removed without prior written consent from the Local Planning Authority or die, become seriously diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the Authority may specify.

Reason: To ensure as far as possible that the landscaping scheme is fully effective and in accordance with Policy GDP/3 of the North Somerset Replacement Local Plan.

15. No development above proposed ground levels shall commence until materials are agreed and samples and/or sample panels of their respective exterior building materials have been provided on the site and have been approved in writing by the Local Planning Authority. The materials to be used in the development shall be in strict accordance with those approved and no other material shall be used unless the Local Planning Authority has first approved it in writing.

Reason: To ensure that materials to be used are acceptable and in accordance with Policy GDP/3 of the North Somerset Replacement Local Plan.

16. No development shall be commenced until details indicating the boundary treatment within and surrounding the site has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved details shall be completed before the dwellings are occupied.

Reason: To ensure that a satisfactory scheme of boundary treatment is agreed and implemented and in accordance with Policy GDP/3 of the North Somerset Replacement Local Plan.

17. No external and street lighting within the site shall be installed until details of such lighting and the timing of installation have been submitted to and approved in writing by the Local Planning Authority. The approved lighting thereafter shall be installed shall accord with those details to be approved.

Reason: To prevent light pollution in accordance with Policy CS3 of the North Somerset Council Core Strategy.

18. No development shall take place until additional ecological survey work has been carried out prior to the demolition of the buildings on site particularly the buildings adjoining Bridge Road. In addition, ecological mitigation and enhancement works for the whole site shall be carried out prior to first occupation in accordance with the recommendations of

SECTION 1

the ecological surveys submitted with the application unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that ecological mitigation is carried out to an acceptable methodology and standard, in accordance with Policy ECH/11 of the North Somerset Replacement Local Plan.

19. No construction works, including the movement of construction or delivery vehicles to or from the site, shall take place outside 08:00 hours to 18:00 hours Mondays to Fridays (excluding public holidays) and 09:00 to 13:00 hours on Saturdays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the potential for disturbance to local residents and customers of the adjoining caravan park, in accordance with Policy CS3 of the North Somerset Council Core Strategy.

20. Details of measures to be taken to prevent spoil/mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and be approved, in writing, by the Local Planning Authority before development commences. The measures agreed shall be retained and fully used for the duration of the construction period.

Reason: In the light of the need to import substantial quantities of soil to provide a growing medium for gardens and landscaped areas on the rock bed it is necessary to prevent spoil/mud being deposited on the surrounding roads in compliance with Policy T/10 of the North Somerset Replacement Local Plan.

21. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted a remediation strategy to the LPA detailing how this unsuspected contamination shall be dealt with and obtained written approval from the LPA. The remediation strategy shall be implemented as approved.

Reason: To ensure the proposed development will not cause pollution or harm to public health in accordance with Policy CS3 of the North Somerset Council Core Strategy.

22. The employment units shall not be occupied until a Sustainable Travel Plan, which sets out strategic measures that seeks to reduce the number of single occupier vehicle trips to and from the site, has been

SECTION 1

submitted to and approved by the Local Planning Authority. The approved travel plan shall thereafter be implemented in accordance with its recommendations, unless otherwise agreed, and shall thereafter be reviewed to the satisfaction of the Local Planning Authority.

Reason: In order to reduce the number of single occupier vehicle trips to and from the site in compliance with locational and sustainable policies contained in National Planning Guidance and Policy T/11 of the North Somerset Replacement Local Plan.

23. No dwelling shall be occupied until plans have been submitted to and approved of the Local Planning Authority showing full details of bird and bat boxes to be provided around the site. The agreed details shall thereafter be installed before prior to the completion of the development.

Reason: In the interests of ensuring that there is no net loss of biodiversity in the area in accordance with Policy ECH/11 of the North Somerset Replacement Local Plan.

24. The developer shall notify the Council not less than seven days before the initial excavations are due to commence and shall afford access at all times to any archaeologist nominated by the Local Planning Authority, and allow him or her to observe the initial excavations and record items of interest and finds.

Reason: So that records may be made before the archaeological remains are affected by the development and in accordance with paragraphs 128 and 169 of the National Planning Policy Framework, policy CS5 of the North Somerset Core Strategy and policy ECH/6 of the North Somerset Replacement Local Plan.

25. The dwellings shall be provided with a water storage butt and composter prior to occupation unless details of proposed exceptions have first been supplied to and approved by the Local Planning Authority.

Reason: The Local Planning Authority wish to encourage sustainable water storage and recycling initiatives in line with Government Policy and in accordance with Policy GDP/3 of the North Somerset Replacement Local Plan.

26. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and

SECTION 1

approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors
- (ii) loading and unloading of plant and materials
- (iii) storage of plant and materials used in constructing the development
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (v) wheel washing facilities
- (vi) measures to control the emission of dust and dirt during construction
- (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
- (viii) measures to control noise from works on the site.

Reason: In order to preserve the living conditions of nearby residents as required by Policy CS3 of the North Somerset Core Strategy 2012.

27. The dwellings hereby approved shall not be occupied until measures to generate 15% (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 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.

Reason: In order to secure a high level of energy saving by reducing carbon emissions generated by the use of the dwellings and in accordance with paragraph 17 and section 10 of the National Planning Policy Framework and policies CS1 and CS2 of the North Somerset Core Strategy.

28. All dwellings hereby approved shall be constructed to Code Level 3 of the Code for Sustainable Homes. A copy of the Post Construction Review Report undertaken by a licensed BREEAM assessor and a copy of the Final Code Certificate issued by the Building Research Establishment (BRE) for each dwelling shall be submitted to the Local Planning Authority on completion of the development.

Reason: In the interests of promoting good design and sustainable

SECTION 1

construction and in accordance with paragraph 17 and section 10 of the National Planning Policy Framework and Policies CS1 and CS2 of the North Somerset Core Strategy.

29. Not more than 30 dwellings shall be occupied before the play area totalling a minimum of 800m² has been constructed in accordance with details that have first been submitted to and approved, in writing, by the Local Planning Authority. Thereafter the play area shall be permanently retained and shall not be used for any purpose other than as a play area.

Reason: To ensure that an appropriate play area is provided in accordance with policy CS27 of the North Somerset Core Strategy.

30. The basic shell of the five employment units hereby approved with a minimum footprint of 500m² and to a specification to be submitted to and approved by the Local Planning Authority shall be constructed and made available in accordance with details to be submitted to and approved by the Local Planning Authority prior to the 30th dwelling being occupied.

Reason: In the interests of promoting the employment units and sustainable construction and in accordance with paragraph 17 and section 10 of the National Planning Policy Framework and policies CS1 and CS2 of the North Somerset Core Strategy.

31. No development shall be commenced until a marketing strategy for the approved employment units have been submitted to and approved by the Local Planning Authority. The written and approved marketing strategy shall be implemented prior to commencement of development of the proposed employment units and six monthly updates on the progress of the marketing shall be provided to the Local Planning Authority until the units are fully developed.

Reason: In the interests of promoting and marketing the employment units in accordance with paragraph 17 and section 10 of the National Planning Policy Framework and policies CS1 and CS2 of the North Somerset Core Strategy.

32. The dwellings shall not be occupied until a Management Plan, which seeks to monitor and manage the rock face around the site, has been submitted to and approved by the Local Planning Authority. The approved Management Plan shall thereafter be implemented in accordance with its recommendations to the satisfaction of the Local

SECTION 1

Planning Authority.

Reason: In order to manage and reduce the risk of rock falls around the site in the interests of public safety in compliance with Policy CS3 of the North Somerset Replacement Core Strategy.

33. No development shall take place on the site until a detailed site development project plan setting out key milestones in the development, including site preparation, plot commencements, installation of street lights, submission of drawings for approval in principle to structures and open spaces and play equipment, and land drainage consents, and relates them to proposed dates for adoptions of each element has been submitted to and approved by the Local Planning Authority. The development shall proceed in accordance with this timetable unless any variations have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety and in accordance with Policies T/10 and GDP/3 of the North Somerset Replacement Local Plan.