

DELEGATED REPORT

Application No:	21/P/0527/OUT	Target date:	25.06.2021
Case officer:	Lee Bowering	Extended date:	31.08.2021
Proposal:	Outline application for the erection of 14no. dwellings, with access and layout for approval and appearance, scale and landscaping reserved for subsequent approval.		
Site address:	Land Off Purn Way, Bleadon, BS24 0QF,		

SUMMARY OF MAIN ISSUES AND RECOMMENDATION

The suitability of the site for development being currently located outside the settlement boundary of an infill village and the weight to be given to the existing development plan having regard to the five-year land supply and the consideration of the tilted balance. Other planning issues are referred to within the report.

It is recommended that the application be APPROVED subject to s106 Agreement. The full recommendation is set out at the end of this report

Background

The application comprises the resubmission for 14 dwelling following the Planning Inspectors decision to dismiss the previous application. Further supporting detail has been submitted with the application which seeks to address the issues which gave rise to the decision by the Inspector not to allow the Appeal.

Planning History/Background – most recent applications

Reference	Proposal	Decision
18/P/5035/OUT	Outline application for the erection of 14 dwellings (formerly 16) and access with all	Refused

	other matters reserved for subsequent approval on land off Purn Way, Bleadon, BS24 0QF,	17 July 2020 Appeal Dismissed 14 January 2021
17/P/1351/O	Outline application for residential development of up to 16 dwellings and access with all other matters reserved for subsequent approval on land off Purn Way, Bleadon, BS24 0QF,	Refused 17 April 2018
05/P/2450/F	Erection of dwelling on land off Purn Way, Bleadon	Refused 07 December 2005
2510/80	Residential development on land north of Purn Way, Bleadon off	Refused 05 November 1980

Site / Proposal

The site is approximately 0.82ha and comprises an open field. Vehicle access to the land is via an existing farm track taken from Purn Way which borders properties alongside their side/rear gardens. Purn Way is a no through route and the road which ends to traffic some 70m east of the site. The West Mendip Way footpath skirts the northern boundary, beyond which are allotments. To the east of the site is a smallholding, also separated by the West Mendip Way.

It is proposed to erect ten detached bungalows and two pairs of semi-detached houses served by a new roadway to be constructed along the existing farm track that is accessed onto Purn Way. A landscape/ecological buffer, approximately 17 metres wide is proposed within the site parallel with the northern site boundary with a similar, but narrower landscape/ecological buffer, approximately 9 metres wide, within the site, adjacent to the site's eastern boundary.

Two parking spaces are shown to be provided to each dwelling on the submitted layout plan which proposes a developable area of 0.514 hectares.

Monitoring Details (if applicable)

To ensure compliance of National Space Standards requirements and delivery of the required affordable housing provision, Cill and s106 requirements.

Affordable Housing (if applicable)

All sites proposed for 11 or more dwellings, are required to provide a minimum of 30% on-site affordable housing, at nil public subsidy, with a tenure split of 77% social rent and 23% shared ownership.

This application proposes 14 dwellings; therefore, the affordable housing requirement is 5 of these units.

Policy Framework

The site is affected by the following constraints:

- The site is outside the settlement boundary for Bleadon.
- Bleadon is an infill village and is covered by a Neighbourhood Plan which does not identify the site for development purposes.

The Development Plan

The Development Plan comprises:

- North Somerset Core Strategy - Adopted January 2017
- The Sites and Policies Plan Part 1: Development Management Policies (DMP) [Adopted July 2016]
- The Sites and Policies Plan Part 2: Site Allocations Plan - Adopted 2018

North Somerset Core Strategy

<u>Policy Ref</u>	<u>Policy heading</u>
CS1	Addressing climate change and carbon reduction
CS2	Delivering sustainable design and construction
CS3	Environmental impacts and flood risk management

CS4	Nature Conservation
CS5	Landscape and the historic environment
CS7	Planning for waste
CS9	Green Infrastructure
CS10	Transport and movement
CS11	Parking
CS12	Achieving high quality design and place making
CS13	Scale of new housing
CS14	Distribution of new housing
CS15	Mixed and balanced communities
CS33	Smaller settlements and countryside
CS34	Infrastructure delivery and Development Contributions

The Sites and Policies Plan Part 1: Development Management Policies (adopted 19 July 2016)

The following policies are particularly relevant to this proposal:

<u>Policy</u>	<u>Policy heading</u>
DM1	Flooding and drainage
DM2	Renewable and low carbon energy
DM4	Listed Buildings
DM6	Archaeology
DM8	Nature Conservation
DM9	Trees
DM10	Landscape
DM19	Green Infrastructure
DM24	Safety, traffic and provision of infrastructure etc associated with development
DM25	Public rights of way, pedestrian and cycle access
DM27	Bus accessibility criteria

DM28	Parking standards
DM32	High quality design and place making
DM34	Housing type and mix
DM36	Residential densities
DM42	Accessible and adaptable housing and housing space standards
DM71	Development contributions, Community Infrastructure Levy and viability

Sites and Policies Plan Part 2: Site Allocations Plan (adopted 10 April 2018)

The following policies are particularly relevant to this proposal:

<u>Policy</u>	<u>Policy heading</u>
SA1	Allocated residential sites (10 or more units)
SA2	Settlement boundaries and extension of residential curtilages

Other material policy guidance

National Planning Policy Framework (NPPF) (July 2021)

The following is particularly relevant to this proposal:

<u>Section No</u>	<u>Section heading</u>
1	Introduction
2	Achieving sustainable
5	Delivering a sufficient supply of homes
6	Building a strong, competitive economy
8	Promoting healthy and safe communities

9	Promoting sustainable transport
11	Making effective use of land
12	Achieving well-designed places
14	Meeting the challenge of climate change, flooding and coastal change
15	Conserving and enhancing the natural environment
16	Conserving and enhancing the historic environment

National Planning Policy for Waste (October 2014)

National Planning Practice Guidance (Revised 24 July 2018)

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

- Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (January 2013)
- Residential Design Guide (RDG2) Section 2: Appearance and character of house extensions and alterations (April 2014)
- North Somerset Parking Standards SPD (December 2021)
- North Somerset Landscape Character Assessment SPD (December 2018)
- North Somerset and Mendip Bats SAC guidance on development SPD (January 2018)
- Creating sustainable buildings and places SPD (March 2015)
- Solar Photovoltaic (PV) Arrays SPD (November 2013)
- Travel Plans SPD (November 2010)
- Biodiversity and Trees SPD (December 2005)
- Affordable Housing SPD (November 2013)
- Accessible Housing Needs Assessment SPD (April 2018)
- Development contributions SPD (January 2016)

Nationally described space standards (March 2015)

To be read in conjunction with policy DM42

Consultations:

Wales and West Utilities: *“W&W Utilities has pipes in the area. Apparatus may be affected and at risk, during construction works. Should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable”.*

Avon Fire and Rescue: *“Will require additional hydrants, the cost of which will need to be borne by developer”.*

Crime Prevention Design Adviser:

“Should this application gain outline approval, the design and layout of any future reserved matters application should incorporate crime prevention measures and reflect the principles of designing out crime.

The proposed site layout submitted at this stage is for 14 dwellings (4no two storey and 10no single storey bungalow) served by one vehicle and pedestrian access point off Purn Road. Parking spaces shown adjacent to dwellings.

Bungalows to the east of the site – appear to have the front door in north elevation with parking spaces to the south. Moving the parking spaces to the north of the properties would offer the residents greater natural surveillance over their vehicle.”

Natural England:

“Thank you for your consultation dated 11 November 2021.

I have reviewed the re-submitted Ecological Impact Assessment Report (Clarkson & Woods, November 2021). I note that the information requested by Sarah Dale in her response dated 30 September 2021 has been provided and that errors within the calculation of replacement bat habitat have been corrected.

Subject to the following conditions, Natural England has no objection to the application:

- *Submission of a Construction Ecological Management Plan and Landscape and Ecological Management Plan for approval in accordance with the details set out in the Ecological Impact Assessment Report;*
- *Submission of a sensitive lighting scheme for approval, in accordance with the details set out in paragraphs 3.5.19 – 3.5.20 of the Ecological Impact Assessment Report. The lighting scheme must include lux contour plan modelling demonstrating the levels of light spill from exterior lighting and from windows which face sensitive habitat. Light levels should be modelled at ground level and on the vertical plan and the model should show anticipated light levels at day one of operation ie with no maintenance factor applied;*

- *The Reptile translocation must take place prior to any works beginning on site. Note that reptile translocation must take place between April and mid-October and that the procedure will take at least 30 days.*

Axe Brue Internal Drainage Board:

“The Board has no objection to the proposals as the applicant has demonstrated that a surface water drainage scheme can be delivered for the site. As the proposals are an outline application, the Board would recommend the appropriate surface water drainage condition”.

Wessex Water:

“No comment received”

The Mendip Society:

“The Mendip Society requests that North Somerset Council REFUSE the above application for 14 houses for the following reasons:-

1) The application will have a detrimental effect on the Mendip AONB and does not appear to take into account the findings of the Glover Review or the "Dark Sky" policy.

2) It does not appear that the proposed houses will meet North Somerset councils housing standards.

3) The existing site appears to be good agricultural land which we understood was not to be used for new housing developments.

4) The proposed access road on to Purn Way does not appear to meet current highway sightline requirements because of the existing wall and tree on private property.

5) The proposed layout does not show any turning areas meaning that cars will have to reverse onto the new service road or reverse into their own parking bays.

If the Local Authority is minded to grant approval to this application, may we suggest that these matters are clarified first.”

Third parties:

39 letters were received in response to the submitted application with a further 34 either reinforcing or adding to their comments in response to the amended plans which this report refers to. The following points have been raised:

- Previous comments made still stand,
- Close to adjoining properties,
- Conflict with local plan-outside village boundary and villager has infill status, Inadequate access with limited sight lines,
- Inadequate public transport provisions,
- Increase danger of flooding with inadequate drainage plans,
- Increase in traffic and danger to pedestrians,
- Adverse effect on the residential amenity of neighbouring properties by reason of; noise, disturbance, overlooking, loss of privacy and overshadowing,
- Out of scale with village; visual impact and on character of village,
- Out of keeping with character of area,
- More suitable sites in Weston to provide affordable housing nearer to facilities,
- Loss of wildlife, there are rare animal and plant species on the hill,
- Information missing from plans,
- Strain on existing community facilities,
- Inadequate access to site,
- The proposal allows for a 300% increase in traffic on access roads that are barely wide enough for one domestic vehicle and with no continuous pavement,
- Resulting parking issues in Purn Way will affect emergency vehicle access,
- Existing dangerous traffic issues within village,
- Street lighting inadequate,
- The amended plans only mitigate travel through the site not to and from the site,
- Purn Way unsuitable for additional traffic,
- Application still crosses private land to the north of the development,
- Criticism of Parish Council for reversing their previous decision to now support the proposal,
- Council should be fully supportive of local democracy,
- What provisions have been made in the Section 106 Agreement.

Bleadon Parish Council:

Comments dated 30/04/21– *“Despite having approved the previous application the Council recognised the current objections of the residents and therefore recommended refusal on the grounds that it was (a) outside the settlement boundary, (b) insufficient and inadequate vehicular access thus increasing a potential risk to pedestrians, (c) infringing the West Mendip Way and (d) that the area was susceptible to flooding and abounds a SSSI.”*

Amended comments dated December 2021

“While retaining our concerns regarding the building outside the settlement boundary we recognise the inevitability of this development and therefore we reluctantly support this application”.

Review of the Planning Inspectors Decision (18/P/5035/OUT)

In his decision letter dated 14 January 2021, the Inspector stated the following:

“The main issue is whether any adverse impacts of the proposal, with particular regard to development plan policies for the location and distribution of housing, the likely effect upon the character and appearance of the area and the extent to which there would be an increase in the need to travel by car, would significantly and demonstrably outweigh the benefits and if so, whether there is a mechanism in place to secure the delivery of these benefits and to mitigate any potential harmful impacts.”

In framing the above issues, the Inspector accepted that the Council was not able to demonstrate a 5-year housing land supply and that the ‘Tilted Balance’ would be taken into consideration, as set out in paragraph 11 of the NPPF.

The Inspector then went on to state:

“The most important development plan policies to the determination of this appeal are: CS14 (distribution of new housing), CS15 (mixed and balanced communities), CS16 (affordable housing), CS33 (infill villages) CS34 (infrastructure delivery and development contributions) and; DMP policy 71 (planning obligations). Given the above noted housing land supply position, policies CS14 and CS33 are now out-of-date. This would limit the weight to be attached to any conflict with them.

The appeal site lies outside the settlement limits for Bleadon and is not a site allocated for housing. The proposal would be contrary to the provisions of CS14 and CS33. This policy

conflict weighs against granting planning permission. However, it is very far from certain that the Council is going to be able to meet its housing requirement without development taking place on some sites that do not fit with its existing policies for the distribution of new housing and infill villages.”

Principal Planning Issues

The principal planning issues in this case are (1) the principle of development, (2) sustainability, (3) transport and access considerations, (4) impact on the landscape and trees (5) flood risk and drainage, (6) the site ecology and surrounding area, (7) design, layout & energy, (8) impact on living conditions and (9) Other issues (Archaeology, Planning Obligations, Lighting, Listed Buildings)

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Issue 1: Principle of development

Section 38 (6) of the Planning and Compulsory Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan includes the Core Strategy and Policy CS13 requires sufficient developable land to deliver a minimum of 20,985 dwellings between 2006 and 2026.

Policy CS14 sets out the distribution of the housing requirement across the settlement hierarchy. This prioritises new housing development at Weston-super-Mare followed by the other towns and then service villages. Policies CS28, CS31 and CS32 provide flexibility to deliver an appropriate scale of housing growth adjacent to town and service village settlement boundaries through the development management process.

Policy CS33 does not support housing outside the settlement boundaries of infill villages, such as Bleadon. The proposal is therefore contrary to the adopted development plan in so much that it is conflict with Policy CS33 of the Core Strategy.

The Site Allocations Plan identifies the detailed allocations to deliver the Core Strategy housing requirement and was adopted in April 2018. This includes additional housing supply required by the Inspector to provide additional flexibility and choice at sustainable locations, but not sites at Bleadon. The Site Allocations Plan confirms the settlement boundary; the current proposal lies outside the adopted settlement boundary.

The proposal is not considered to conflict with Policy DM 34 as it proposes both two storey housing and bungalows which it is in response to the 2012 Housing Needs Survey for Bleadon Parish which recognised the need for:

- Single storey bungalow for single people or retired couples,
- Larger family houses to attract a younger population,
- Low-cost housing for existing, elderly residents and younger people in the village wanting to enter the housing market.

The affordable housing requirement for the site is four units although the actual mix of units across the site would be determined at a reserved matters stage, if the application were to be approved.

Following the Planning Inquiry held earlier this year, concerning development at Moor Road Yatton, the Planning Inspector concluded that the Council was unable to demonstrate the provision of a 5-year housing land supply. The significance of this is that the NPPF, at paragraph 11d, says in summary:

“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”. Paragraph 14 of the NPPF is therefore engaged and brings into consideration the ‘tilted balance’.

The consideration and assessment of Sustainability, in so far as the site and proposal is concerned is referred to in the following Planning Issue (2).

Par 11 d) ii. Is nevertheless relevant to the decision makers assessment and consideration of the application in that d) *“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;”

Out-of-date housing policies does not make them irrelevant, but the weight given to them is a matter of judgement. This may depend on the extent of the housing land supply deficit, steps being taken to reduce it, and the degree to which the housing policies otherwise accord with the NPPF. On the latter, the SAP was only adopted in April 2018, having found to be sound in process and content.

The distribution of housing sites in the SAP allied to the Core Strategy provides a sustainable distribution of housing across the settlement hierarchy, which accords with the NPPF and should be given significant weight in the planning balance.

Whilst, carrying only limited weight at present, the North Somerset Local Plan, Consultation Draft Preferred Options (March 2022) identifies the site to fall within the proposed redrawn settlement boundary for the infill village of Bleadon. The proposed change to the existing settlement boundary is now therefore a material consideration which was not a factor for consideration by the Inspector when reaching his decision on 14 January 2021 to dismiss the Appeal into the proposed development of the site.

Paragraph 12 of the NPPF includes the following sentence:

“Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

The Planning Issues that follow will examine the relevant material considerations that either remain the same as those considered by the Inspector or have subsequently been resolved within this further application submission that proposes the same number of dwellings as previously refused.

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Issue 2: Sustainable Development

The NPPF says sustainable development has three inter-dependent dimensions:

Economic; Social and Environmental. Proposals should strike the right balance between these dimensions to be considered as sustainable development. The adopted Core Strategy confirmed the settlement hierarchy for North Somerset. Infill villages such as Bleadon are comparatively less sustainable settlements, where development opportunities are more limited.

The village lacks a number of key community facilities and features that would make it sustainable. Whilst there are bus services to Weston and Burnham from the A370 (approximately 0.4 mile on foot) the paucity of facilities including no primary school combined with the distance (2.0 miles to the hospital on the edge of Weston, and 4.0 miles to the centre (Town Hall) and the lack of cycle routes render the site unsustainable. However, the Planning Inspector concluded that given the scale of the development, the proposal would be unlikely to frustrate local and national planning policies for promoting sustainable transport.

The economic impacts of the proposal will result in construction jobs and other local investment during its build out. Such benefits are however transitory and are given only moderate weight in the planning balance. The scheme would also generate New Homes Bonus and Council Tax, but these are generic benefits and are given low weight.

Increased local spending could ensue from the proposal, but as this is not quantified it can only be given very limited weight. Increasing the number and range of homes is a social benefit. Social sustainability is also concerned with building houses in the right places to facilitate social interaction and create inclusive communities. The site is in a location where new residents may feel part of a wider community but where local facilities and services that are easily available and accessible are limited and do not include a school, or doctor's surgery (See Issue 3 for further analysis).

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Issue 3: Accessibility, Transport and Road Safety

Access

The previous plans submitted by the applicant are identical to those for this application. These plans indicate the access would be taken from an existing farm track of varying width onto Purn Way. The length of this track until it reaches the existing field is approximately 35m with a width between 8.0m to 8.5m throughout. This track runs between two properties, Broome House to the west and Southerly House to the east and the plans indicate a pavement to be provided on one side of the access road into the site. The planned access into the development runs internally in the development to a central area in the site where a T junction is formed to serve the properties. The applicant has submitted plans showing a 5.5m wide carriageway and a 2m footpath into the site. Visibility displays and tracked plans for larger vehicles have also been submitted which demonstrate that refuse and delivery vehicles can enter the development safely allowing other vehicles to pass. In terms of visibility from the site the applicant has indicated that at a point 2.4m back from the edge of the carriageway, 48m of visibility can be achieved to the west and 26m to the east which is below standards specified in Manual for Streets. Highways are nevertheless satisfied with this as the eastern section of Purn Way only continues for a further 70m serving a small number of properties and so traffic speeds will be well below the 30mph speed for which the guideline displays are specified.

The applicant has been challenged by officer's regarding a third-party claim that part of the required sight line falls outside the ownership control of the applicant. The applicant maintains full rights over the required visibility splays and any dispute in this regard remains that of a private matter which the Council has no interest in as the land in question is privately owned.

In the opposite direction Purn Way connects to Bleadon Road which leads to the A370, Bridgwater Road the main route to Weston-s-Mare. There is also a through route to Bleadon Road via Chestnut Lane which is relatively narrow and some 80m in length. This would probably be an attractive route for residents from the proposed development.

Parked cars on Purn Way are likely to impact on forward visibility and parking on the opposite side of the road at the proposed junction reduces the road width and Bleadon

Parish Council has previously commented that parking of vehicles are an issue locally on Purn Way. There are also some issues with overhanging trees which reduce visibility at the junction. None of these issues are sufficiently serious as to warrant refusal on highway grounds.

Pedestrian Crossing at Access

This application provides the opportunity to make improvements to the site access following the climate emergency declared by North Somerset Council. The need for active travel to be the first-choice walking and cycling, H&TDM now request that the applicant provides a blended crossing which is now shown proposed on the applicant's proposed site layout submission. This will help to encourage walking locally improving access from the area into Bleadon village.

Traffic Generation Assessment

A development of this size could potentially generate between 57 and 89 vehicle movements each day. This estimate is based on a 3/4-bedroom mx of properties, and would be lower for smaller unit sizes. The TRICS database has been used by the applicant for a previous application for a slightly higher number of properties to estimate movements during the peak hour periods. This has predicted between 9-8 movements in each AM and PM peak period, and this overall level of traffic at peak times and throughout the day is considered unlikely to have any significant effect on local highway conditions.

Sustainable Travel

Facilities and jobs in the village are limited and so there will be new journeys for employment, education and shopping. However, the level of traffic (57-89 movements per day) is unlikely to cause significant effect on local highway conditions as journeys would be spread throughout the day. The village has a local bus service, but this will probably not be suitable for the majority of travel.

There are a limited range of services available within Bleadon. These include a small shop, post office, public houses and a bus service. Whilst the site is only about 5 km from the centre of the main settlement of Weston-super-Mare, it is therefore likely that occupiers of the proposed dwellings would require the use of private motor vehicles for accessing employment, healthcare services and main shopping facilities. The proposed development would therefore increase the need to travel by car. However, given the scale of the development, the proposal would be unlikely to frustrate local and national planning policies for promoting sustainable transport. Indeed, the Planning Inspector came to the same conclusion and attach limited weight to the increase in need to travel by car.

There are bus stops on Bleadon Road and Celtic Way within walking distance from the site access. There is a bus stop with a shelter on Coronation Road some 530m walking distance from the site. There have been several changes to local bus services in recent

years, but the route now serving Bleadon village is service 4 which operates an hourly frequency throughout the day on Mondays to Saturdays. There are also additional bus services on the Bridgwater Road A370 linking Weston-s-Mare and Burnham-on-Sea.

A contribution towards sustainable travel measures including but not limited to for bus 'taster tickets', is recommended to encourage travel by sustainable modes and reduce the reliance on private vehicles. This will be secured by s106 contribution.

Home to School Travel

In line with policy DM25: Public Rights of Way, Pedestrian and Cycle Access, residential development of this size is expected to provide appropriate pedestrian/cycling links to the nearest primary and secondary schools. In the event of local bus services not providing suitable option and the development being unable to provide a safe walking route, or exceeding the statutory walking distances, North Somerset Council will seek recompense to mitigate the need for school transport. The appropriate financial contribution to meet the Council's home to school transport policy is therefore sought by way of a s106 Agreement.

Waste Servicing

For presentation of the containers on collection day, the Waste Team expects these to be placed at the point closest to where the vehicle can access. A refuse collection point should be accessible no more than 30 metres from each dwelling and no more than 15 metres from adoptable highway where a refuse vehicle can manoeuvre. Collection is by wheeled bins and recycling boxes using high sided vehicles. The design needs to take account of this with regard to vehicles driving and manoeuvring within the site during various weather conditions. This should also include consideration of the placing and emptying of containers.

Parking

Local residential car parking standards are set out in the North Somerset Parking Standards SPD and outline the minimum required number of car parking spaces for residential development. Furthermore, Policy CS11 of the Adopted Core Strategy states that adequate parking must be provided and managed to meet the needs of anticipated users (residents, workers, and visitors) in usable spaces. The site layout plan submitted shows parking spaces provided with 2 spaces allocated alongside each property, and this would be a sufficient number of spaces for 2- and 3-bedroom units, although 4-bedroom units require one additional space. The parking spaces should meet the minimum dimensions for spaces specified in the SPD which is 2.4m x 4.8m. Vehicle and cycle parking provision should be fully addressed at the reserved matters.

Electric Vehicle Charging

In line with the government's Clean Growth Strategy, and pledge to ban the sale of new petrol and diesel cars by 2030, it is essential that a suitable level of Electric Vehicle (EV)

charging provision be provided at new developments. The National Planning Policy Framework was updated in 2018 to ensure that new developments 'be designed to enable charging of other ultra-low emission vehicles in safe, accessible and convenient locations. On this basis, and in line with the Council's declaration of a Climate Emergency in 2019 and ambition to become Carbon Neutral by 2030, the Authority would expect the applicant to provide a suitable level of Electric Vehicle charging infrastructure at the site.

All charge points should use 'smart' technology to allow balancing of electricity supply and demand. Both the active and passive provision should be shown on a plan as part of the planning application and developers should specify what passive/active provision is to be provided.

The appropriate condition is recommended.

Construction Management Plan

Considering the local highway network and the volume of material that may need to be removed / brought to site, the Highway Authority would request that a construction management plan is submitted to the Highway Authority for approval prior to the commencement of development on site. This should include but not be limited to, HGV routing, provision for staff car parking, times of site operation, volume of HGV movements throughout the day, highway safety measures such as wheel washing facilities and mitigation measures for any remedial works required. The appropriate planning condition is recommended.

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Issue 4 Landscape

The site is relatively well contained visually in that there is existing mature vegetation around the eastern and northern site boundaries and only a narrow frontage to the road and whilst the site itself is relatively flat there is higher ground to the north and existing modern housing to the west. The land rises gently up from south to north.

There is no significant harm identified to views out of the AONB, the development being seen in the context of the village. The Ridges and Combes Landscape Character Area is said to have a moderate 'Significance of Impact' arising from the proposal, but again this is very localised.

The NSC Landscape Sensitivity Assessment, in respect of Bleadon, notes:

“Fields to the west of Celtic Way are more open, however, these are not located within the AONB and are not visible from it. Owing to this, land to the north of the settlement adjacent to the settlement edge is of medium sensitivity.”

The following link is for reference purposes:

<https://www.n-somerset.gov.uk/wp-content/uploads/2018/05/Landscape-Sensitivity-Assessment-2018.pdf>

The northern and eastern boundaries are defined by poor quality hedgerow and hedgerow trees. The surrounding footpath is a sensitive receptor to change although this is mitigated by the current character and appearance of the site as pony paddocks and the adjacent allotments land use. The site lacks significant landscape features, other than its perimeter hedgerow with some trees.

The number of dwellings proposed has been informed by the need for substantial ecological buffers to be provided on the north and east of the site where most of the perimeter hedgerow, and its adjacent landscape are to be retained and enhanced. This also includes new perimeter hedge planting adjacent to the revised residential boundary. The proposed layout, which has evolved since the earlier refused 2017 scheme, removes the central green, but this is a loss of potential amenity to future residents rather than being harmful to the landscape.

Buffer Green Corridors. These can provide valuable wildlife corridors and assist screening. Re-instatement of the site’s boundary hedges will help retain green corridors and define the extended area of settlement. It is important that the green corridors/landscape buffer is retained in the future for the dual purpose of providing both landscape and ecological benefit. Furthermore, the green corridors/landscape buffer should not be an area which is publicly assessable in the future. The appropriate planning condition is therefore recommended.

Inevitably there are impacts upon a number of adjacent properties as summarised in the Landscape and Visual Impact Assessment (LVIA). Views from private dwellings (Viewpoints VP2,3 and 4) are the only ‘substantial’ significance of impact. The siting of new development and screening of these properties has been given consideration in planning the proposed layout. Care should nevertheless be taken not to damage existing perimeter hedges and trees in adjacent gardens.

The meaning of Medium Sensitivity for the purpose of the report is:

Medium sensitivity: Land with a medium susceptibility to change and/or which is of medium value, e.g., land which has medium visual prominence, land which partially contributes to heritage or ecological assets.

Combined with the submitted LVIA assessment, and the nature of the existing uses surrounding the site, it is considered capable of accommodating residential development of a suitable scale and height (note the bungalows along the northern edge), without significant harm arising to the surrounding wider landscape (including the AONB). The submission of a fully detailed landscape planting scheme will be a requirement of the reserved matters application submission, thereby satisfying the requirements of policies CS5 and CS12 of the North Somerset Core Strategy and policies DM10 and DM32 of the Sites and Policies Plan Part 1

The supporting Arboricultural information submitted with the application is considered to be acceptable however it will be necessary to condition, for subsequent approval, the requirement of a Method Statement Report together with a Tree Survey and Tree Protection Plan. Barrier protection measures will also be required so that damage to above ground parts of the existing trees can be avoided. Some facilitating pruning works to reduce the overhang will be acceptable but must be specified as part of a reserved matters application.

Conditions will be necessary to prevent the commencement of development, including the access road, before arboricultural protection measures described in the submitted Arboricultural Technical Note are carried out.

In principle there is no landscape objection to the proposal which is considered broadly complies with Policy DM10 of the Sites and Policies Plan Development Management Policies July 2016 and Policy CS5 of the Core Strategy.

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Issue 5: Flood Risk and Drainage

Policy DM1 of the Sites and Policies Plan Part 1-Development Management Policies July 2016 states that all development that would increase the rate of discharge of surface water from the site must consider its implications for the wider area, including revised or amended proposals. Sustainable drainage systems are expected for all major developments; alternatives will only be permitted where sustainable drainage is impractical or would compromise the viability of the scheme and the alternative does not conflict with national or local planning policy. Policy CS2 of the Core Strategy requires the application of best practice in Sustainable Drainage Systems to reduce the impact of additional surface water run-off from new development.

The Internal Drainage Board has raised no objection to the submitted proposals as the applicant has demonstrated that a surface water drainage scheme can be delivered on site.

Drainage is proposed through the use of soakaways and infiltration test results have been provided that indicate that this is viable. Two trial pits were dug on the site and two tests were undertaken within each pit, with the lowest infiltration rate calculated being 1.129×10^{-5} m/s which is satisfactory and confirms that soakaway drainage for surface water on site is suitable.

The Flood Risk Management (Drainage) Team has no objection to the proposed development, as submitted, subject to the submission, by condition, of the required surface water drainage detail which would be in accordance with Core Strategy Policies CS2 and CS3 and policy DM1 of the Sites and Policies Plan Part 1-Development Management Policies July 2016.

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Issue 6: The impact of the proposals upon the site ecology and surrounding area

Section 99 of OPDM Circular 06/2005 states: 99. It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.

The site is located within Band C of the North Somerset and Mendip Bat Special Area of Conservation (SAC) and is also within close proximity to a number of other designated sites.

Unlike the original refused application submission that lacked the evidence to demonstrate that the proposal would not have an adverse impact on the biodiversity of the area, the current application proposal has the support of an Ecological Impact Assessment together with a suite of surveys which are dated 10 June 2021 (Great Crested Newt survey) and 01 July 2021 (Bat scoping survey). These surveys provide an update to the surveys findings that were undertaken during the course of 2018 and 2019.

The surveys undertaken covered a range of habitats and protected species. The surveys undertaken included an Extended Phase 1 Habitat Survey, Walked Transect Surveys and Static Detector Survey. The following species were included in the survey: bats, badgers, great crested newts, common toad, reptiles, brown hare, dormouse and hedgehogs.

The survey findings established that, with the exception of the presence of bats and slowworms, there was no evidence of other protected species recorded on site, or in the immediate locality that would be adversely affected by the proposed development.

The updated surveys, which includes additional data on flora, found that the habitats on site were generally of poor quality with the grassland and other central habitats being of low ecological value. The hedgerows, although well-established and tall, were species-poor and had suboptimal structure.

Previous surveys identified the presence of a low population of slow worms on site. Bat activity surveys, including the use of static detectors, recorded 8 bat species using habitats for foraging/commuting within the site, including low use by both greater and lesser horseshoe bats.

Updated survey

The grassland vegetation has been confirmed as semi-improved. The report highlights that underlying rocks and soils may allow beneficial re-establishment of limestone/chalk grassland with a more diverse flora than is currently present if appropriate longer-term grassland management is implemented in retained habitat corridors.

Overall, the new ecological impact assessment report represents a higher quality ecological submission than that submitted previously and provides sufficient information to consider the impacts of the proposal.

Bats

There is some potential for lesser and greater horseshoe bats associated with the North Somerset and Mendip SAC to experience a minor adverse impact from the removal of habitat on site in the absence of mitigation. However, it is considered that the removal of two dwellings reduced from 16 to 14, (10 of which would be bungalows reducing the potential for light spill onto key hedgerows) and the proposed wide ecological buffer habitat areas shown on the amended plan, will potentially eliminate the minor adverse impact. Indeed, it is considered that the revised scheme will be able meet the mitigation requirements of the bat SAC guidance provided the ecological buffer as identified on the revised site plan is provided. Appropriate additional supporting tree and hedge planting and grassland management will also need to be included in a long-term site ecological planting plan and management plan.

It is considered that a new native hedge should be planted to the rear of properties on the northern and eastern sides of the site to help prevent light spill together with a central managed grassland foraging habitat corridor aiming to enhance grassland quality (as advised in the new ecological report) is offered within the proposed ecological buffer zones to support the bat SAC and other local wildlife.

The wide ecological and landscape buffer would also serve to protect the foraging and commuting routes from householder damage and light spill thus the development as now proposed could be considered acceptable and provide sufficient mitigation and protection of the important features for the SAC bats.

Hedgerows

The overgrown hedgerows to the north and east site boundaries should be protected and buffered as proposed in the revised site plan to ensure they can continue to function as wildlife habitat and commuting/foraging routes for bats. Some supplementary planting of trees and shrubs to fill gaps would be needed.

Protection of Local Wildlife Sites and SSSI

It is likely that the closer non-statutory wildlife sites may experience a minor adverse impact from additional recreational pressure as a result of the development.

It is important that the nearby rural SSSI and Local Wildlife Sites retain an agricultural buffer around them to protect and support their ecosystems and ensure agricultural practices are still viable on these high-quality habitats. In addition, bat commuting and foraging routes to the north, east and west of the site must be protected from damage and erosion from light spill.

It is considered that whilst the proposal with its wide ecological and landscape buffers, could be accommodated with minimal or no damage to these protected sites due to its location adjacent to existing housing on two sides, further extensions of the village into the fields north and west of the village would be potentially more damaging to these designated and Local Wildlife sites by reducing agricultural/rural buffers and expanding impacts.

Ecological Mitigation

The recommendations for habitat and species mitigation, habitat retention, creation and management as outlined in the Ecological Impact Assessment prepared by Clarkson and Woods are broadly acceptable and these should be incorporated into the detailed planning stage proposals should the conclusion be to grant outline planning permission to develop the site.

During the course of this application consideration, it has been established that there is no requirement for a Habitat Regulation Assessment to be carried out in respect of this particular site / proposal.

Notwithstanding other policy considerations associated with the consideration of this application, it is considered that subject to the submission of satisfactory detail at the reserved matters application stage, the proposal is in accordance with policy CS4 of the Core Strategy and policy DM8 of the Sites and Policies Plan Part 1: Development Management Policies; and the provisions of the Conservation of Habitats and Species Regulations 2017 and Section 99 of OPDM Circular 06/2005.

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Issue 7: Design, layout and energy

Whilst this is an outline application submission the applicant has asked for the access and layout to be determined at this stage and therefore the number of dwellings proposed and their respective layout within the site is as shown on the amended site plan received.

The dwellings largely overlook a central space, which although potentially attractive may not be convenient for larger vehicles requiring access to the site and may be considered to be rather formal and rigid in nature for this edge of village location, notwithstanding its equally formal neighbouring development to the west.

The scale of the buildings is predominantly single storey with the two pairs of two storey dwelling located closest to existing dwellings to reflect the scale of surrounding housing. Single storey buildings are located on the edge with surrounding countryside. This demonstrates it is possible to achieve a sensible scale of development in that specific sense.

The external form and detailing of the proposed dwellings, including the materials to be used would be submitted at a Reserved Matters stage. There would however need to be additional conditions added to the outline planning consent should the decision be taken to approve the application, and these would cover a range of issues, including energy requirements, national space standard requirements and construction management plans.

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Issue 8: Impact on residential living conditions

The site is generally well-contained by trees adjacent to its north boundary and along its eastern boundary. This will partially screen views of dwellings.

The impact of the development on the occupants of neighbouring dwellings in Purn Way and Manor Grange is likely to be minor in terms of outlook and privacy, although this will ultimately depend on the position of windows, scale and design of dwellings, which is set aside for reserved matters. Further landscaping and reinforcement of the existing landscape planting and boundaries would be secured by way of an appropriate landscape planting

Concern from nearby residents about noise and disturbance even during the development process would be difficult to sustain. The construction activities could be mitigated to satisfactory levels through a Construction Management Plan.

It is considered that, subject to appropriate detailing at the Reserved Matters application stage, the proposal complies with policies DM32 of the Sites and Policies Plan Part 1

Issue 9: Other issues (Archaeology, Planning Obligations, Lighting, Listed Buildings)

Archaeology

There are a number of post-medieval heritage assets still present in the vicinity of the proposed development area, and 11th to 14th century pottery were discovered during construction of a building to the south-west of the site (MNS776 – Medieval pottery east of Manor Farm). Evaluations at Whitegate Farm 300m to the west of the site provided evidence of Iron Age pits and burials, Bronze Age pottery and also medieval occupation in the form of structures dating from the 12th-14th centuries. To the north of the site prehistoric field systems have been recorded (Field System, Bleadon Hill – MNS26)

Archaeological investigations have been undertaken and no significant archaeology has been revealed. The applicant has since submitted a detailed archaeological evaluation report and based on the results from the trenches. Sufficient information is now available and there will be no further requirements for archaeological investigations or mitigation.

Planning Obligations

Core Strategy policies CS 16 and CS34 and Development Management Plan policy DM71, together with the SPD on Development Contributions, support the provision of planning obligations to make development proposals acceptable and to provide any necessary contributions to mitigate the impact of new development.

The refused application presented before the Planning Inspector failed to provide the necessary 30% Affordable Housing provision. The inspector commented that, without such an Agreement in place, this important social benefit would not be provided and as a result there would be conflict with Core Strategy policies CS15 and CS16, as well as national planning policies that are aimed at providing affordable housing and achieving mixed and balanced communities. This material consideration weighed heavily in the round of issues which the Inspector considered and, in the absence of other identified s106 heads of terms, led to the dismissal of the applicant's appeal.

Policy CS16 of the NS Core Strategy indicates that affordable housing will be sought on all residential developments of 11 dwellings or more. The development proposal is for 14 and therefore the required 30% (policy compliant) affordable housing requirements would be secured by s106 Agreement.

Policy DM71 sets out broad requirements for planning obligations which are now mainly focused towards site-specific requirements.

In assessing the previous Appealed proposal, the Planning Inspector concluded that there was insufficient justification to require a contribution towards the Mendip Way PROW, that passes the rear of the site. The Council's Access officer has accepted this position given that a financial contribution towards improvements along the back of the Purn Way section of the PROW towards Purn Farm has already been secured in connection with the much larger proposed housing development within the former Bleadon Quarry site located at Bridge Road. The following s106 contribution requirements are nevertheless considered relevant to make this development acceptable:

- The Home to School Transport Contribution
- The Affordable Housing Contribution
- The Open Space Contribution
- The Sustainable Travel Measures Contribution

Home to School Transport Contribution – (Safe Route to School Commuted Sum) to provide a safe walking route to Oldmixon Primary School and Broadoak Academy Secondary School for primary school age pupils.

Affordable Housing – Provision of 30% onsite Affordable Housing provision.

Open Space Contribution - The provision of off-site Neighbourhood Open Space is permitted as an exception in the Council's CIL 123 List. The site is considered to be too restricted to accommodate on site provision without compromising the required ecological and green corridor buffer. The off-site Neighbourhood Open Space will therefore, be delivered by s106. This usually takes the form of a commuted sum to be expended on a nearby Neighbourhood Open Space to enhance its provision, and is therefore available for residents of the development site to make use of.

Sustainable Travel Measures Contribution – includes public transport vouchers to encourage residents of the Development to sample local public transport.

Allotments: – There is no requirement for on-site allotment provision as there is an adjacent site.

Off-site requirements; are now mainly covered by the Community Infrastructure Levy (CIL). All large-scale off-site provision is now dealt with through CIL, including school places and libraries, Woodland, Conservation Sites, Allotments, Formal Parks & Public Gardens and Community Parks (except in Strategic Development Areas) for which this development would be liable.

Lighting

It has been established that a number of bats of different species frequent the site which at present occupies a reasonably dark location suitable for the habitat of bats. For this reason, it is considered appropriate that a condition requiring details of all external lighting associated with the development be submitted in the event that planning permission is granted for the development.

Fire hydrant

To be secured by condition in accordance with the Fire Officers requirements.

Listed Buildings

The proposed development is situated within wider setting of Grade I Listed Church of St. Peter and St. Paul which is located several hundreds of metres to the east of the site

The submitted heritage statement meets the needs in overcoming the below statement from the observation made by the Planning inspector when considering the previous refused planning application:

“During my site visit, it was apparent that the appeal site forms part of the surroundings in which the grade I listed parish church of St. Peter and St. Paul is experienced. This is not a matter identified by the main parties and my decision does not turn on it. However, before any planning permission could be granted an assessment would be necessary to determine whether or not the proposal would preserve the setting of this designated heritage asset.”

The applicant's submitted heritage statement is clear and concise in its observations, and the Councils Heritage and Conservation Officer agrees with the conclusions that have been made within the submitted report.

Overall, the development will have an impact on the wider setting of the listed church due to the change from agricultural land to urban, but this will be minimal due to the position of the development within the landscape. It would result harm equal to the lower end of less than substantial harm to the setting of the listed church in terms of the

NPPF and paragraph 196 will need to be applied to the planning balance. The planning balance has been assessed and it is concluded that the proposal will not adversely harm the setting of the Grade I listed Church and therefore the proposal is in accordance with policy CS5 of the North Somerset Core Strategy, policy DM4 of the Sites and Policies Plan (Part 1), section 16 of the NPPF and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Third Party

The third-party representations that have been received have been fully assessed and considered having regard to the various conclusions reached in the consultation responses received in respect of the application proposal. The proposal has furthermore been assessed having regard to the relevant development plan policies, the decision and conclusions reached by the Planning Inspector in regard to the previous application to develop the site and having regard to the North Somerset Local Plan, Consultation Draft Preferred Options (March 2022) which identifies the application site to fall within the proposed redrawn settlement boundary for the infill village of Bleadon.

Balancing of Issues Overview

The proposal is contrary to the development plan (Core Strategy and Site Allocations Plan). It lies outside the settlement boundary of Bleadon, an infill village. The Council are not however in a position to provide/identify the necessary five years housing land supply which the NPPF requires and therefore the relevant Development Plan policies are to be considered out of date. The Planning Inspector endorsed this policy position, and the Inspectors conclusion implied that, but for the fact that the appealed application had not put in place the necessary s106 Agreement, the Appeal would likely have succeeded. The North Somerset Local Plan, Consultation Draft Preferred Options (March 2022) identifies the site to fall within the proposed redrawn settlement boundary for the infill village of Bleadon and therefore, notwithstanding the current Development Plan policies, the site falls to have development potential.

Conclusions

This site is located outside of the settlement boundary of an infill village and has not been allocated for development in the Site Allocations Plan. The proposed development would therefore represent an extension of the built-up area into open countryside where development is strictly controlled to protect the character of the rural area and prevent unsustainable development.

The Council does not currently dispute that it cannot demonstrate it has a five-year supply of housing land and therefore the development plan by virtue of paragraph 11d) of the NPPF, is out of date. The tilted balance therefore comes into play.

Whilst some weight should nevertheless be accorded to the policies within the development plan, those policies are outweighed by the transient and generic economic benefits that would derive from the scheme and its modest contribution to local housing supply.

Paragraph 12 of the NPPF includes the following sentence:

“Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

It is considered that the tilted balance in favour of allowing the proposal and granting outline planning permission outweighs the out of date development plan policies because of a) the requirement placed upon Local Planning Authorities by the Government to meet the shortfall in housing supply, b) the material comments and conclusions made by the Planning Inspector in assessing the various identified planning issues, and c) the Council's recent decision to identify this particular site for development in the North Somerset Local Plan, Consultation Draft Preferred Options (March 2022).

The layout and form of development has been influenced by the requirements to provide onsite the necessary ecological landscape buffers /margins on the Northern and Eastern boundaries. This has had the effect of reducing the number of dwellings proposed on the site to 14 and in turn has reduced plot sizes and available on-site amenity space. It is therefore likely to pose challenging, but not insurmountable to accommodate the necessary on-site cycle storage and recycling/waste facilities without making further internal adjustments to the layout which is under consideration as part of this outline application submission.

The layout principles are however considered acceptable and would be subject to further detail as part of the reserved matters application.

The facilities available to this infill village are limited and the site is not ideally located because of the limitations of access to the site and the restricted width of Purn Way albeit that a highway refusal reason is not justified. Surface water drainage is capable of being dealt with and is no longer considered to be a reason that would justify refusal. It is considered that the relationship to neighbouring properties can be satisfactorily addressed at the reserved matters submission stage if outline planning permission is granted. The lack of information concerning biodiversity which led to one of the previous refusal reasons has now been satisfactorily addressed and Natural England are satisfied with the

proposed mitigation that provides for a wide ecological and green landscape buffer on the north and east sides of the site.

With appropriate landscape planting, it is unlikely that there would be any harmful loss of amenity for those using these sections of the paths which already border the settlement edge. In more distant public views to the northeast and west, the proposed dwellings, roads and hard surfaced areas would be apparent as a modest extension to the settlement and a minor detractor in these wide panoramas.

It is considered that the proposal would not result in any serious adverse landscape and visual impact

All other matters referred within the body of the report have been given full consideration and subject to the conditions recommended and the applicant entering into the required s106 Agreement, the proposal is considered to be acceptable and satisfies the relevant development plan policies.

Community Infrastructure Levy (CIL)

All large-scale off-site provision is now dealt with through CIL, including, Woodland, Conservation Sites, Allotments, Formal Parks & Public Gardens and Community Parks (except in Strategic Development Areas).

Note this is additional to any s106 requirements for Built Sport and Leisure (which are separately calculated).

Natural Environment and Rural Communities (NERC) Act 2006

NERC places a duty on Local authorities to have regard to the conservation of biodiversity in exercising their functions.

The Crime and Disorder Act 1998

The proposed development will not have a material detrimental impact upon crime and disorder.

Local Financial Considerations

The Localism Act 2011 amended section 70 of the Town and Country Planning Act 1990 so that local financial considerations are now a material consideration in the determination of planning applications. This development is expected to generate New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in this report, continue to be the matters that carry greatest weight in the determination of this application.

RECOMMENDATION: APPROVE subject to the applicant entering into a Section 106 Agreement which secures; a). contribution towards Home to School Transport, b). 30% on site provision of Affordable Housing, c). Off site open space contribution and d). contribution towards Sustainable Travel Measures Contribution and to the following conditions:

1. Approval of the details of the scale, 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.

Reason: The application was submitted as an outline application in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010 and in accordance with policy DM32 of the North Somerset Sites and Policies Plan Part 1 and policy CS32 of the North Somerset Core Strategy.

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

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

3. The development hereby permitted shall be begun either before the expiry of three 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 approved, whichever is the later.

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

In accordance

4. The development hereby permitted shall be carried out in accordance with the following documents and approved plans and those to be approved under the conditions attached to this consent unless otherwise agreed in writing by the Local Planning Authority:

Documents

- Affordable Housing Statement
- Application Supporting Statement
- An Archaeological Evaluation Report, dated February 2019
- Design and Access Statement
- Response to LLFA comments dated 24 February 2018
- Ecological Impact Assessment dated November 2021
- Landscape and Visual Impact Assessment dated March 2021
- Sustainable Drainage Statement
- Tree Statement
- Heritage Impact Assessment dated 21 June 2021

Plans

- Site Location Plan (Red line) Drg. No. LP001 Rev. A sated February 2020
- Existing Site Plan Drg. No. EP002 Rev. A dated February 2020
- Proposed Site Plan Drg. No. PP003 – Rev E dated May 2022

Reason: For the avoidance of doubt and in the interest of proper planning and to ensure a high-quality development and protection of interests of acknowledged importance in accordance with policy DM32 of the North Somerset Sites and Policies Plan Part 1 and policy CS33 of the North Somerset Core Strategy.

Site access and visibility

5. No dwelling hereby approved shall be occupied until the construction of the site access onto Purn Way has been completed, and the related visibility splays and raised pedestrian crossing to the site entrance, as shown on the approved proposed site plan, drawing number PP003-E dated May 2022, have been provided with no obstruction to visibility at, or above a height of 0.6m above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times.

Reason: in the interests of highway safety and in accordance with policy DM24 of the Sites and Policies Plan Part 1.

Roads and footpaths

6. No dwelling shall be occupied until the roads, footpaths and turning spaces shown on the approved layout plan, 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.

Reason: To ensure adequate access available for each occupier and in accordance with policy CS10 of the North Somerset Core Strategy and policy DM24 of the North Somerset Sites and Policies Plan Part 1.

Landscape & Ecology

7. The details to be submitted under condition 1 shall include the required landscape and ecology buffer on the northern and eastern site boundaries, as shown on drawing number PP003-E dated May 2022, together with the following details: a) hard and soft structural landscaping; b) means of access for future management and maintenance, c) means of enclosure and boundary treatment. The development shall be carried out in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory and high-quality approach is taken to landscape design and the delivery of wildlife habitat in accordance with policies DM8, DM10, DM32 of the North Somerset Sites and Policies Plan Part 1 and policies CS4, CS5 and CS12 of the North Somerset Core Strategy.

8. Details comprising the future management and maintenance arrangements for the proposed Landscape and Ecology buffer, shall be detailed within a Landscape and Ecology Management Plan to be submitted to the Local Planning Authority for approval as part of the Reserved Matters application submission. The Landscape and Ecology Management Plan shall cover a ten-year period and include measures for establishment, enhancement and management of habitats within the site in accordance with details set out in the submitted Ecological Impact Assessment Report, dated November 2021. This shall include a timetable for management activities as well as a monitoring schedule. The plan should also detail the measures for the protection and enhancement of biodiversity, including those specifically for the benefit of European Protected Species, within the site and shall be fully implemented. The submitted detail shall confirm that no fertilizers or pesticides will be used within the landscape and ecology buffer area. The development shall be carried out in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.

Reason: To comply with Policies CS4 and CS5 of the adopted Core Strategy, policies DM8, DM9, DM10 and DM32 of the North Somerset Sites and Policies Plan Part 1 and to comply with the Conservation of Habitats and Species Regulations 2010 (as amended).

9. The implementation of the development hereby approved shall provide and maintain at all times the Landscape and Ecological buffer located within the site adjoining the northern and eastern site boundaries as shown on drawing number PP003-E dated May 2022. There shall be no public access to the Ecological buffer, which shall be permanently fenced with a locked access gate, to be used for the purpose of carrying out an agreed programme of managed maintenance and enhancement works.

Reason: To ensure that the necessary landscape mitigation and ecology benefits are put in place to provide enhancement and protection for the local wildlife and habitat, and in accordance with policies CS4 and CS5 of the adopted Core Strategy and policies DM8, DM9, DM10 and DM32 of the North Somerset Sites and Policies Plan Part 1, and to comply with the Conservation of Habitats and Species Regulations 2010 (as amended).

10. No site clearance or development shall take place on site until the required reptile translocation and the associated mitigation measures, including the provision of reptile fencing, has been undertaken in accordance with the measures referred to within the submitted Ecological Impact Assessment Report dated November 2021. The translocation of the reptiles shall furthermore take place between April and mid-October and thereafter the biodiversity protection measures, and the ecological mitigation area referred to within the Ecological Impact Assessment Report shall remain in place and shall be appropriately managed throughout the period of construction.

Reason: To safeguard the existing reptile population through a managed and coordinated reptile transition in accordance with policy CS4 of the adopted Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan Part 1, and to comply with the Conservation of Habitats and Species Regulations 2010 (as amended).

Materials

11. No development shall be commenced above ground level until samples panels of the materials to be used in the construction of the external walls and roofs 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.

Reason: In the interests of the visual appearance of the area and in accordance with policy DM32 of the North Somerset Sites and Policies Plan Part 1 and policy CS12 of the North Somerset Core Strategy.

Construction Environmental and Ecological Management

12. No development shall commence, including any works of demolition, until a Construction Environmental and Ecological Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved management plan shall be adhered to throughout the construction period and shall as a minimum provide for:

- (a) the parking of vehicles of site operatives and visitors,
- (b) times of site operation,
- (c) HGV routing and movements throughout the day,

- (d) system for managing complaint's,
- (e) local consultation concerning the works and maintaining access for the neighbouring properties to be affected by the works,
- (f) highway safety measures such as wheel washing,
- (g) mitigation measures for any remedial works required,
- (h) storage of plant and materials used in constructing the development,
- (i) measures to control the emission of dust and dirt during construction,
- (j) measures to control noise and vibration from works on the site, particularly to avoid periods when bats are active,
- (k) a scheme for rapid collection, recycling/disposing of waste resulting from demolition and construction works,
- (l) site security,
- (m) details of fuel oil storage, bunding, delivery, use, managing minor and major spillage,
- (n) disposal of contaminated drainage, including water pumped from excavations,
- (o) Site induction for workforce highlighting pollution prevention and awareness,
- (p) measures to protect the landscape and ecology buffer within the site adjoining the north and east site boundaries and ensure it is available and suitable for bat foraging during construction activities,
- (q) measures to protect bat flight corridors during construction and ensure no severance from construction works,
- (r) construction delivery hours, to avoid school start and finish times,
- (s) mitigation measures required to protect legally protected species and their retained habitats from injury or damage and include information for construction workforce,
- (t) details of appropriate fencing for buffer areas to protect retained on site habitats,
- (u) overnight ramps placed within open trenches and daily checks of excavations for trapped wildlife, (v) pre-commencement surveys for species that are dynamic in distribution (e.g. badger),
- (w) a walk over check by ecologist immediately prior to vegetation and other site clearance activities.

Reason: In order to preserve highway safety, local amenity, ecological interest, European protected species and the living conditions of nearby residents and in DRAFT accordance with policies CS1, CS2, CS3, CS4, CS10 and CS12 of the North Somerset Core Strategy and policies DM8, DM9, DM24 and DM32 of the North Somerset Sites and Policies Plan (Part 1) and the Habitats and Species Regulations (201) as amended. The details are required prior to the commencement of development in order to ensure that construction works do not pose a threat to amenity, protected species, health or safety.

Space Standards and Accessible dwellings

13. The details submitted in accordance with condition number 1 of this permission shall include plans and specifications showing how at least 17% of the proposed dwellings will be constructed in such a way that they are accessible and sufficient to meet the needs of occupants with differing needs, including disabled people, as well as being constructed to allow adaptation to meet the changing needs of the occupants over time. To achieve this requirement, the accommodation should meet the standards contained in the Building Regulations 2010, Approved Document Part M 'Access to and use of dwellings': M4(2) 'Accessible and adaptable dwellings'. No dwelling specified in the submitted details as being constructed to meet this requirement shall be occupied until it has been constructed in complete accordance with the approved plans and specifications.

Reason: The Nationally Designed Space Standards is the appropriate space development standard for new and market housing and to ensure that sufficient accessible housing is provided in accordance with policy CS2 of the North Somerset Core Strategy and Policy DM42 of the North Somerset Sites and Policies Plan Part 1 Development Management Policies, and the North Somerset Accessible Housing Needs Supplementary Planning Document April 2018.

Energy

14. The dwellings hereby approved shall not be occupied until measures to generate a minimum of 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 the reserved matters 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 building in accordance with Policies CS1 and CS2 of the North Somerset Core Strategy and 20 policies DM2 and DM32 of the North Somerset Sites and Policies Plan Part 1.

Fire Hydrants

15. No development above damp-proof course level shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Avon Fire Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.

Reason: To ensure that the necessary water reliant infrastructure is installed in the interests of public safety and in accordance with policy CS34 of the North Somerset Core Strategy and policy DM71 of the North Somerset Sites and Policies Plan Part 1.

Waste Management

16. Provisions for the storage of refuse shall be constructed and made available for use in accordance with details to be submitted and approved under the reserved matters consent before the occupation of each dwelling that they serve and thereafter shall be made permanently available for use for the storage of refuse only.

Reason: In the interests of the local environment and in accordance with policy DM32 of the North Somerset Sites and Policies Plan Part 1 and policies CS7 and CS12 of the North Somerset Core Strategy.

Lighting

17. Details of the external lighting, including temporary/construction and permanent lighting, shall be provided at the Reserved Matters stage including:

- (i) details of the type and location of the proposed lighting;
- (ii) existing lux levels affecting the site (dark and full moon);
- (iii) the predicted lux levels; and
- (iv) lighting contour plans. to demonstrate that the proposed lighting does not illuminate the ecological and landscape buffer.

The scheme shall ensure that light levels do not exceed 0.5 lux on features/within areas important to bats, including foraging habitat and flight lines and boundary buffer corridors as set out within the submitted Ecological Impact Assessment Report dated November 2021. Any external lighting shall be installed and operated in accordance with the approved details and shall not be varied without agreement in writing from the Local Planning Authority.

Reason: To reduce the potential for light pollution in accordance with policies CS12 and CS3 of the Core Strategy, Policy DM8 of the Sites and Policies Plan Part 1 and to protect bat habitat in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended) and Wildlife and Countryside Act 1981 (as amended).

Archaeology

18. The developer shall afford access at all times to any archaeologist nominated by the Local Planning Authority and shall allow him or her to observe the 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 policy CS5 of the Core Strategy and policy DM6 of the North Somerset Sites and Policies Plan Part 1.

Sustainable Travel Plan

19. No dwelling shall be occupied until a Sustainable Travel Plan for the approved development has been submitted to and approved by the Local Planning Authority, and the approved plan shall be provided to each household and fully implemented.

Reason: To ensure the provision of safe and convenient forms of transport other than the motor car in the interests of sustainability in accordance with policies CS1 and CS10 of the North Somerset Core Strategy and policy DM26 of the North Somerset Sites and Policies Plan Part 1

Height of Dwellings

20. No dwelling hereby permitted shall exceed two storeys in height.

Reason: In order to maintain the integrity and appearance of this development, minimise the landscape impact and protect the living conditions of neighbours in accordance with policy DM32 of the North Somerset Sites and Policies Plan Part 1 and policies CS5 and CS12 of the North Somerset Core Strategy

Electric Vehicle Charging

21. No dwelling shall be occupied until passive provision that allows for electric vehicle charging has been designed and incorporated into the approved development. Such provision shall establish all the associated ducting, chambers and junctions for the carrying of power cables which shall be of sufficient capacity to meet the minimum supply needs of an electrical vehicle charging point.

Reason: To future-proof the development by allowing for charging points to be installed without the need for undertaking works that require breaking ground to install cabling retrospectively and in accordance with policy CS1 of the North Somerset Core Strategy.

Cycle parking

22. No dwelling shall be occupied until details for the provision of secure cycle parking for each dwelling has been submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details.

Reason: To ensure that secure cycle parking facilities are provided in order to encourage the use of more sustainable transport choices and in accordance with policies CS1 and CS11 of the North Somerset Core Strategy, policy DM 28 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Parking Standards SPD.

Boundaries

23. The details submitted in accordance with condition 1 of this permission shall include details of residential plot boundary enclosures which shall thereafter be constructed in accordance with the approved details prior to the occupation of the dwelling to which they relate.

Reason: In the interests of good design and road safety in accordance with policy CS12 of the Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan (Part 1).

Arboricultural Method Statement

24. No development shall commence until a detailed Arboricultural Method Statement Report and Tree Protection Plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The arboricultural method statement report shall include the control of potentially harmful operations such as site preparation (including demolition, clearance and level changes); working adjacent to existing trees within adjacent residential developments, the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery. The report shall incorporate a provisional programme of works; monthly supervision and monitoring details by an Arboricultural Consultant and provision of monthly site visit records within 72 hours of the visit to the Local Authority's Tree Officer and certificates of completion to the Local Planning Authority. The Tree Protection Plan must be superimposed on a layout plan, based on a topographical survey, and exhibit root protection areas which reflect the most likely current root distribution, detail methods of protection and reflect the guidance in the method statement report. No development or other operations shall thereafter take place except in complete accordance with the approved details and no site clearance or preparatory work for any part of the development shall commence until the approved Tree Protection Plan requirements have been fully implemented on site.

Reason: To ensure that trees to be retained are not adversely affected by the development, in the interests of the character and biodiversity value of the area, and in accordance with policies CS4, CS5 and CS9 of the North Somerset Core Strategy, policies DM8, DM9, DM10 and DM32 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Biodiversity and Trees SPD. The details are required prior to commencement of development because the development / construction works have the potential to harm retained trees. Therefore, these details need to be agreed before work commences.

Creating sustainable buildings and places

25. All residential units hereby approved shall be constructed to comply with, as a minimum, the equivalent of the requirements of Code Level 4 of the Code for Sustainable

Homes. This equates to a 19% improvement on Part L of the Building Regulations. Unless otherwise first agreed in writing by the Local Planning Authority, and prior to the commencement of the development of any dwelling hereby approved, a copy of a Design Stage SAP Assessment for each dwelling, issued by a suitably qualified and accredited energy expert (SAP Assessor), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, each dwelling shall be constructed in accordance with the approved Design Stage SAP Assessment unless a revised Assessment has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting good design and sustainable construction and in accordance with policies CS1 and CS2 of the North Somerset Core Strategy and the council's 'Creating sustainable buildings and places' Supplementary Planning Document.

Drainage and flood risk

26. No above groundwork development above damp-proof course level shall commence 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. The sustainable drainage scheme 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 which shall be fully implemented.

Reason: To reduce the risk of flooding to the development from surface water/watercourses, and in accordance with the National Planning Policy Framework (notably paragraphs 17, 103 and sections 10 and 11), policy CS3 of the North Somerset Core Strategy policy and policy DM1 of the North Somerset Sites and Policies Plan Part 1 (Development Management Policies). The information is required before works start on site because it is necessary to understand whether the discharge rates and volumes are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

27. No above groundwork development above damp-proof course level shall take place until details of the implementation, maintenance and management of the approved

sustainable drainage scheme have been submitted to and approved, in writing, by the Local Planning Authority. The scheme 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.

Reason: To reduce the risk of flooding and to ensure that maintenance of the SUDs system is secured for the lifetime of the development, and in accordance with the National Planning Policy Framework (notably paragraphs 17, 103 and sections 10 and 11), policy CS3 of the North Somerset Core Strategy policy and policy DM1 of the North Somerset Sites and Policies Plan (Part 1- Development Management Policies). The information is required before works start on site because it is necessary to understand how the system will be maintained during construction works and before the hand over to a management company to prevent flooding downstream of the system.

28. Prior to the commencement of development a scheme for the provision of foul water disposal for the whole application site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the phasing of implementation. The scheme shall be implemented in full.

Reason: To ensure the development is served by a satisfactory system of drainage and to prevent pollution in accordance with policy CS3 of the North Somerset Core Strategy.

Landscape

29. 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.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place within this protective zone and in accordance with policies CS4 and CS9 of the adopted North Somerset Core Strategy and policies DM10 and DM32 of the

North Somerset Sites and Policies Plan Part 1 and the adopted supplementary planning document Biodiversity and Trees.

30. All works comprised in the details of landscaping to be submitted and approved under condition no 1 shall be carried out during the during the months of October to March inclusive first planting season following first occupation of the dwellings or completion of the development, whichever is the sooner. The landscaping plans shall include replacement tree and hedgerow planting, and additional hedgerow planting at the south, east and west boundaries in accordance with the mitigation principles set out in the approved Habitat Regulations Assessment version 3.

Reason: To ensure as far as possible that the landscaping scheme is fully effective and in accordance with policy DM32 of the North Somerset Sites and Policies Plan Part 1 and policy CS 33 of the North Somerset Core Strategy

31. Trees, hedges and plants in any Reserved Matters Area 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 Reserved Matters Area, 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.

Reason: To ensure that the landscaping scheme is effective in accordance with policies DM9 and DM32 of the adopted Development Management Sites and Policies Plan part 1 and policy CS30 of the North Somerset Core Strategy.

Biodiversity

32. All ecological mitigation, compensation and enhancement measures referred to in the submitted Ecological Impact Assessment Report dated November 2021, shall be implemented according to a programme of works to be submitted to and approved by the Local Planning Authority as part of the Reserved Matters application submission.

Reason: To protect and enhance biodiversity on site in accordance with policy CS4 of the North Somerset Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan Part 1.

33. Not later than one- and five-years following occupation of the 10th dwelling on the site a monitoring report to show the use of the site by Horseshoe bats of existing and created habitats, shall be submitted to the Local Planning Authority together with any recommendations for further mitigations.

Reason: To comply with Policy CS4 of the adopted Core Strategy, policy DM8 of the North Somerset Sites and Policies Plan Part 1 and to comply with the Conservation of Habitats and Species Regulations 2010 (as amended).

Parking Standards

34. Prior to the occupation of each dwelling, the relevant number of parking spaces for that dwelling shall be provided and be available for use in accordance with the North Somerset Parking Standards SPD. Thereafter the approved parking spaces shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that each dwelling has the necessary on-site parking provision and in accordance with the North Somerset Parking Standards SPD.

Permitted development rights removed

35. 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 gates, fences, walls or other means of enclosure shall be erected or constructed on any boundaries of the site, or elsewhere within the site (other than any expressly authorised by this permission).

Reason: The Local Planning Authority wish to retain control over means of enclosure in the interests of the character and appearance of the area and in accordance with policy DM32 of the North Somerset Sites and Policies Plan and policies CS5 and CS12 of the North Somerset Core Strategy.

36. 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 garage shall be erected without the permission, in writing, of the Local Planning Authority and the approval by them of the design, siting and external appearance of such garage and of the means of access thereto.

Reason: The Local Planning Authority wish to retain control over new garages in order to maintain the integrity and appearance of this development and protect the living conditions of neighbouring residents, and in accordance with policies CS5 and CS12 of the North Somerset Core Strategy and policies DM32 and DM38 of the North Somerset Sites and Policies Plan (Part 1), and the North Somerset Residential Design Guide SPD (Section 1: Protecting living conditions of neighbours).

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Advice Notes:

Positive and proactive statement:

1. In dealing with the application we have worked with the applicant in a positive and proactive manner and have implemented the requirement in section 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, by publishing local planning guidance on the council's website, offering pre-application written advice and publishing statutory consultee and neighbour comments on the council's website.

Highways

2. The applicant/developer is advised to contact the Network Management Team (01934 888802 or streetworks@nsomerset.gov.uk) for Licences for scaffolding, hoarding & fencing, mobile elevating work platforms (MEWPs) and builder's materials that may be required on the highway as soon as possible. The Highway Authority does not accept roll on roll off skips on the highway. Any works carried out by or for a developer which affects the public highway in any way must be co-ordinated in accordance with the New Roads and Street Works Act 1991 and the Traffic management Act 2004 to minimize disruption to users. Developers are required to inform undertakers of their proposed works, to jointly identify any affected apparatus, and to agree diversion or protection measures and corresponding payment. Developers are also required to liaise/seek authorisation from the NSC's Network Management Team (01934 888802 or streetworks@n-somerset.gov.uk) at least one month in advance of the works and this must be in line with the requirements of the NRSWA 1991 and TMA 2004. The developer must endeavour to ensure that undertaker connections/supplies are coordinated to take place whenever possible at the same times using the same traffic management. For road closures or formal restrictions required to undertake the works, a minimum of three months' notice will be required.

Waste

3. The applicant/developer is advised that the North Somerset Council waste team does not service private drives. As such, a waste collection point for the two dwellings located off the private drive should be provided at the point closest to where the vehicle can access. A refuse collection point should be accessible no more than 30 metres from each dwelling and no more than 15 metres from adoptable highway where a refuse vehicle can manoeuvre. Collection is by wheeled bins and recycling boxes using high sided vehicles. The design needs to take account of this with regard to vehicles driving and manoeuvring within the site during various weather conditions. This should also include consideration of the placing and emptying of containers.

Associated Legal Agreement(s):

4. The applicant/developer is advised that this decision notice must be read in conjunction with the terms of the Legal Agreement(s) of the same date. You are advised to satisfy yourself that you have all of the relevant documentation.

Drainage

5. The applicant/developer is advised that the implementation of Sewerage Sector Guidance will allow Wessex Water to adopt more sustainable drainage features, therefore we would recommend that a discussion with Wessex Water takes place at an early stage.

Drainage

6. The applicant/developer is advised that, prior to works commencing on site, Land Drainage Consent is required under section 23 and 66 of the Land Drainage Act 1991 from the Axe Brue Drainage Board for any construction in, or within, 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District. Consent application forms are to be used and they can be found at:

<http://somerse排水boards.gov.uk/development-control-byelaws/land-drainage-consents/>

Electric Vehicle Charging

7. The applicant/developer is advised that in line with the government's Clean Growth Strategy, and pledge to ban the sale of new petrol and diesel cars by 2030, it is essential that a suitable level of Electric Vehicle (EV) charging provision be provided at new developments. The National Planning Policy Framework was updated in 2018 to ensure that new developments 'be designed to enable charging of other ultra-low emission vehicles in safe, accessible and convenient locations. On this basis, and in line with the Council's declaration of a Climate Emergency in 2019 and ambition to become Carbon Neutral by 2030, the Highway Authority would expect the applicant to provide a suitable level of Electric Vehicle charging infrastructure at the site:

- For allocated parking (both on and off plot) the Council requires a minimum of 100% passive provision. This should take the form of cabling and Residual Current Device (RCD) sufficient to enable the subsequent installation of 7kW 32amp Office for Low Emission Vehicles (OLEV) compliant wall or ground mounted charge point.
- For unallocated parking, the Council requires a minimum of 90% passive provision, as well as 10% active provision. Active provision should take the form of cabling, RCD and 7kw 32amp OLEV compliant wall or ground mounted charge point.

All charge points should use 'smart' technology to allow balancing of electricity supply and demand. Both the active and passive provision should be shown on a plan as part of the planning application and developers should specify what passive/active provision is to be provided.

Reason for Overriding Parish Council comments - No conflict with Parish Council comments

In recommending this application, I have taken into consideration the relevant policies of the Development Plan and the comments made by the consultees and other interested parties and the:

☐ Natural Environment and Rural Communities (NERC) Act 2006

☐ Crime and Disorder Act 1998

☐ Human Rights Act 1998.

Signed: Lee Bowering

Signed: Lee Bowering