

August 2022

Our Ref: 709

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Development and Environment,  
North Somerset Council,  
Town Hall,  
Walliscote Grove Road,  
Weston-super-Mare,  
BS23 1UJ

Dear Sir / Madam,

**Re: S96A Application to delete condition 4 and amend the wording of condition 19 attached to 19/P/0835/OUT - Bleadon Quarry, Bridge Road, Bleadon, Weston-super-Mare**

On behalf of the applicants Edenstone Group and Greenborough Holdings Ltd., this Section 96A planning application has been submitted to delete a condition, and also amend the wording of another, attached to Outline application 19/P/0835/OUT; the description of development reads as follows;

*“Outline application with details of access (matters of layout, scale, appearance and landscaping are reserved) for the demolition of all industrial buildings, plant and machinery, the erection of up to 42 dwellings and 500 sqm of flexible Use Class A2/B1/D1 floor space, open space, landscaping, new vehicle and pedestrian access, and associated works”.*

*Approved with Legal Agreement 01/03/2021.*

Alongside this S96A application the applicants have now submitted the details required to confirm the outstanding Reserved Matters (layout, scale, appearance and landscaping) associated with Outline 19/P/0835/OUT. The Reserved Matters (RM) application was submitted following engagement with North Somerset Council through a pre-application enquiry which sought to obtain feedback on the proposed design, commercial proposals and housing mix (pre-app ref: 22/P/1196/PR1).

This application has been submitted in order to delete the following condition attached to the Outline Application (19/P/0835/OUT) which currently reads as follows:

*Condition 4 - The development hereby permitted shall, unless otherwise subsequently agreed by the Local Planning Authority, be carried out in general accordance with the following approved plans: 1506/PC2/05, 09, 10A and 12A.*

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

The proposed deletion of Condition 4 relates to the fact that the plans submitted to support the Outline permission were for indicative purposes only, as all matters apart from access were reserved.

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The RM application has now been submitted in parallel with this S96a application, and the Plans included therein (which are largely in accordance with those indicative plans) demonstrate compliance with the condition in any event – i.e. the layout and its component parts reflect closely the illustrative layout presented at outline stage.

This application is also submitted in order to amend the wording of the following condition:

*Condition 19 The proposed Mulberry Lane footpath shall be constructed in such a manner, together with a controlled access to be provided at the entrance of Mulberry Lane to prevent non-resident vehicular traffic and signage, as to ensure that the development, before it is brought into use, shall be served by a properly consolidated and surfaced footpath between the development and existing highway in accordance with details to be submitted to and approved by the Local Planning Authority. In addition, the proposed hillside footpath shall be constructed in such a manner, together with handrails and signage, as to ensure that the development, before it is brought into use, shall be served by a properly consolidated and surfaced and stepped-footpath between the development and existing public footpath in accordance with details to be submitted to and approved by the Local Planning Authority. Both accesses shall be open and fully operational prior to the occupation of the first dwelling.*

*Reason: To ensure that the development is served by an adequate means of access and in accordance with Policy CS10 of the North Somerset Core Strategy and Policy DM24 of the North Somerset Council's Sites and Policies Plan Part 1.*

This proposed wording amendment to condition 19 is required to remove reference to the hillside footpath, which is no longer considered a suitable or effective link. As part of pre-application discussions Edenstone Group met with NSC highways and Public Rights of Way (PROW) officers on site to discuss the proposals including both the Safer Routes to School link and the hillside footpath link.

In these discussions, it was clear that the origin of the requirement to provide the hillside footpath was unknown and could date back to the original outline application permitted over 8 years ago (2014). It was noted that the delivery of what would essentially be an iron ramp up the quarry rock face, was unlikely to form a useful link, and could bring about public safety and future management/ liability concerns. Delivering a large structure like this to the rear of the site, which forms the backdrop to the development would also most likely be detrimental for future occupants in terms of visual amenity.

To support this application the applicants instructed specialist transport consultants Vectos, to consider the potential implications of not delivering the hillside footpath; acknowledging that the Mulberry Lane Safer Routes to School link is in close proximity and would form the most effective connection to the village. Their response to this issue is included below.

#### Vectos Commentary on Removal of the Hillside Path

*In relation to the two active travel paths that have been conditioned to the north of the site it was evident from speaking with the highway officer when the team met on site that both options were not required.*

*Given this it would be more advantageous to progress the Mulberry Lane Active Travel route and seek to remove discharge the Planning Condition that provides the route around the northern edge of the quarry.*

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*Taking the site in a local context, all amenities and movements associated with local connectivity and community facilities would be made to the west of the site making the Mulberry Lane the preferred route of choice. Mulberry Lane itself connects to Coronation Road and Celtic Way which will form the primary connections through Bleadon and beyond.*

*The alternative route to the top of the quarry is described as an iron ramp traversing up the quarry face would not be preferable compared to the Mulberry Lane proposal. This quarry route would draw users to the east of the site where there are presently no facilities and in this case it is unlikely that this route would form an active travel desire line.*

*It is therefore our contention that the Mulberry Lane route be prioritised for upgrade works and there will be little to no advantage in providing the route from the quarry to the east. Moreover this route construction may constitute an additional maintenance liability for the highway authority.*

In order to remove reference to the hillside footpath we propose the following condition as amended:

*Condition 19 The proposed Mulberry Lane footpath shall be constructed in such a manner, together with a controlled access to be provided at the entrance of Mulberry Lane to prevent non-resident vehicular traffic and signage, as to ensure that the development, before it is brought into use, shall be served by a properly consolidated and surfaced footpath between the development and existing highway in accordance with details to be submitted to and approved by the Local Planning Authority. This access shall be open and fully operational prior to the occupation of the first dwelling.*

This update essentially just removes the reference to hillside path as described.

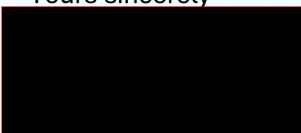
Bleadon Quarry has been allocated for housing development since the publication of the Sites and Policies Plan, Part 2 Site Allocations Plan back in 2016, and it should be noted that unlike the Mulberry Lane footpath link, reference to the hillside footpath, did not feature as a development stipulation of the allocation. The site has also had outline planning permission dating back to October 2014 (14/P/0687/O).

This application will assist in taking forward detailed proposals for the Reserved Matters of this scheme, and once approved Edenstone Homes are keen to start work on this project and bring forward much-needed housing (including 13 affordable dwellings) within the next 5-year period.

This covering letter should be read in connection with the application form and has been submitted alongside the required location plan.

We hope the contents of this letter is self-explanatory, but should you require any further information, please do not hesitate to contact us.

Yours sincerely



**Helen Ross**  
**Associate Director**

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