

Planning and Affordable Housing Statement

Bleadon Quarry, Bridge Road, Bleadon, Weston-super-Mare
BS24 0AT

On behalf of: Marshalls Mono Ltd

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1 Introduction

1.1 This Planning Statement is prepared on behalf of Marshalls Mono Ltd (“the Applicant”) in support of an outline planning application, with details of access, for the demolition of the existing buildings, plant and structures and the erection of up to 42 dwellings and 500 sqm of flexible Use Class A2/B1/D1 floor space at Bleadon Quarry, Bridge Road, Bleadon, Weston-super-Mare, BS24 0AT.

1.2 The description of development is 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.”

1.3 This planning application has been submitted electronically via the Planning Portal (Planning Portal reference: PP-07613582) with the following documents submitted in support of the application:

- Planning Application Form (signed and dated);
- Land Ownership Certificates (signed and dated);
- Site Location Plan (1:1250);
- The following drawings prepared by Carlisle Jessop;
 - Ref. 1506/PC2/06 – Proposed Footpath Details Part 1;
 - Ref. 1506/PC2/07 – Proposed Footpath Details Part 2
 - Ref. 1506/PC2/08 – Topographical Survey;
 - Ref. 1506/PC2/09 – Existing Layout;
 - Ref. 1506/PC2/10A – Indicative Proposed Layout;
 - Ref. 1506/PC2/11A – Suggested Housing Mix;
 - Ref. 1506/PC2/12A – Bridge Road Highways Proposals;
 - Ref. 1506/PC2/04 – Existing Footpath Details;
 - Ref. 1506/PC2/05 – Proposed Footpath Details;
- Design and Access Statement prepared by Marshalls Mono Ltd;
- Planning and Affordable Housing Statement prepared by Gerald Eve LLP;
- Archaeological Desk-Based Assessment prepared by Avon Archaeological Unit;
- Flood Risk and Drainage Assessment prepared by WYG;

- Transport Assessment prepared by WYG;
- Arboricultural Report prepared by WYG;
- Ecological Appraisal prepared by WYG; and
- Bat Survey prepared by WYG;
- Geo-environmental Desk Study Report prepared by WYG.

1.4 Payment has been made to North Somerset Council (“the Council”) via the Planning Portal for the amount of £12,812, this being the statutory planning application fee in this instance.

1.5 This Planning Statement provides a summary of the site and the development proposal, before analysing how the proposal accords with the relevant planning policy framework.

1.6 The remainder of this Statement is set out as follows:

- Site Description and Allocations;
- Planning History;
- Proposal;
- Planning Policy;
- Planning Issues; and
- Summary.

2 Site Description and Allocations

Site Description

- 2.1 The site measures 3.45 ha and was formerly used as a quarry. The walls of the quarry form the site boundaries to the south and east. To the north, the site is bounded by residential properties and a paddock. The western side of the site is bounded by further residential properties which front onto Bridge Road.
- 2.2 A Site Location Plan is attached at **Appendix A**, which illustrates the site and its immediate surroundings.
- 2.3 The site is served by a single access from Bridge Road, situated between Quarry House and Magnolia Cottage. There is also an emergency access at the rear of the site onto Mulberry Lane to the north.
- 2.4 The site is presently used by Marshalls Mono Ltd as a manufacturing and distribution facility for concrete landscaping products. The buildings on the site include the main factory building, with associated plant and offices, and a small utilitarian stone building which houses an electrical substation. Magnolia Cottage and The Poplars are also situated within the application boundary and front onto Bridge Road.
- 2.5 The site lies within the village of Bleadon. The site is reasonably close to local services and is in a sustainable location. For example, there are local amenities and services, such as a garage, Coronation Hall and a hairdresser within a desirable walking distance of 400m. A convenience store / post office / café at Purn is within an acceptable walking distance of 800m.
- 2.6 In terms of flood risk, the site is situated within Flood Zone 1, which denotes a very low probability of flooding (lower than 1 in 1000 annual probability of river or sea flooding in any one year). The site is not at risk from surface water flooding, with the vast majority of the site at a very low risk according to the Environment Agency's online mapping.
- 2.7 The site's boundaries are dominated by mature vegetation. This includes a number of individual trees, groups of trees as well hedging. Three individual trees are protected by Tree Preservation Order (TPO) ref. 409 and two groups of trees to the north of the site are protected by TPO ref. 994

- 2.8 The site is not situated within a conservation area. There are no buildings on site that are listed, nor is the site within the setting of a listed building.

Allocations

- 2.9 Under the Development Plan, the site is covered by the following allocations:
- The developable area of the site is allocated as a mixed use allocation for 42 dwellings and 500 sqm of employment floorspace under Policy SA3 of the Sites and Policies Plan Part 2: Site Allocations Plan (2018);
 - The eastern and southern limits of the site (above the quarry walls) are designated as a Wildlife Site under Policy DM8 of the Sites and Policies Part 1: Development Management Policies (2016); and
 - The site is identified as a suitable Bat Habitat, along with a significant proportion of the borough, under Policy DM8 of the Sites and Policies Part 1: Development Management Policies (2016).
- 2.10 Further detail on the Development Plan and the site's allocations is set out in Section 6 of this Statement.

3 Planning History

The Site

- 3.1 A search of the Council's online planning register has been carried out for the site, which revealed the following planning applications:

Reference	Description	Status
16/P/2339/TPO	T1 beech - crown raise by 2-3m and remove dead branches; T2 walnut - reduce crown by 2m; T3 horse chestnut - crown raise by 2m over car park, reduce laterals over car park by approximately 1-2m; T4 and T5 group of ash, sycamore - reduce from yard/work area	Split Decision 24 Nov 2016
14/P/0687/O	Outline planning for a mixed-use scheme of 42 No. dwellings and 500sq.m of Use Classes A2, B1 and D1 floor space with details of access for approval; with landscaping, layout, scale and appearance to be reserved for subsequent approval	Approved 08 Aug 2016
03/P/1081/F	Erection of 1.4m high fence along lay by to prevent fly tipping onto network rail property	Approved 21 Jul 2003
874/81	Erection of ready mix concrete plant with office	Refused 05 Jun 1981
55008A	The erection of a toilet block.	Approved 06 Mar 1964
37298	The winning and working of minerals	Approved 30 Aug 1957
5134	Store shed	Approved 26 Aug 1949

3905	Office building	Approved 27 May 1949
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- 3.2 As the above table illustrates, the majority of the site's planning history relates to its former use as a quarry and its current use for the manufacture and storage of concrete products.
- 3.3 The site does, however, benefit from an extant outline planning permission for up to 42 dwellings and 500 sqm of flexible A2, B1 and D1 Use Class floorspace (reference: 14/P/0687/O). A copy of the decision notice for this permission is attached **Appendix B**. Whilst this permission is due to expire on the 8 August 2019, it clearly shows that the principle of residential development and the type of development proposed by this planning application is acceptable in principle.

4 Proposed Development

- 4.1 Outline planning permission, with details of access, is sought for the following:

“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.”

Background

- 4.2 As outlined in Section 3, the site has an extant outline planning permission (ref. 14/P/0687/O) for the same quantum of development and mix of uses proposed through this application.
- 4.3 This extant planning permission was pursued by the Applicant on the basis that its existing operation would potentially need to relocate elsewhere as a result of a) an inability to expand the operation at Bleadon and b) external factors (being the potential compulsory purchase of Marshalls nearest manufacturing facility).
- 4.4 As the external factors have not resolved themselves to date, the Applicant has been unable to determine how best to progress long term operational changes at Bleadon.
- 4.5 Unless reserved matters (those being layout, scale, appearance and landscaping) are submitted by the 8 August 2019, the extant permission will expire. Therefore in light of ongoing uncertainty and timescales associated with the extant permission, the Applicant has taken the decision to submit a revised planning application for the site. A new planning permission will provide an additional 3 year period (unless a longer period is agreed) to submit reserved matters.

Use

- 4.6 The application proposes the demolition of all existing industrial buildings and associated offices, storage facilities, plant and machinery on the site and their replacement with a mixed-use development comprising the erection of up to 42 dwellings and up to 500 sqm of flexible Use Class A2/B1/D1 floor space.
- 4.7 Given the outline nature of the scheme, the precise mix of house types does not form part of this application and would be confirmed as part of the future reserved matters process.

However, an indicative mix of house types, comprising 2, 3 and 4-bedroom detached, semi-detached houses and bungalows, is illustrated to demonstrate the potential mix of house types at the site.

- 4.8 In addition, the flexible Use Class A2/B1/D1 floor space is indicatively illustrated as five units of up to 100 sqm. However, the exact layout and scale of the floor space will be determined at the reserved matters stage.
- 4.9 Affordable housing will be introduced in accordance with the Council's 30% affordable policy requirement. The exact mix and tenure is to be agreed during the planning application process.

Access

- 4.10 The site is currently served by a single access from Bridge Road, situated between Quarry House and Magnolia Cottage. The existing vehicular access to the site is sub-standard in that visibility splays are restricted, particularly when looking to the right.
- 4.11 It is proposed to serve the development by an improved vehicular and pedestrian access further south along Bridge Road. The new access, which will be 5.5m wide with kerb radii of 6m, will be situated between Magnolia Cottage and The Poplars. In order to achieve this new access, the northern section of The Poplars will need to be demolished and the property remodelled.
- 4.12 A shared surface arrangement is proposed at the site access point to reduce traffic speeds and to emphasise that vehicular traffic, cyclists and pedestrians will use this space as they enter and leave the development.
- 4.13 In order to further improve the level of connectivity for pedestrians, a footpath link from the northern side of the site to connect to the village via Mulberry Lane is proposed. This will provide a safe and shorter route between the development and the village. In addition, a new connection is proposed from the site to the Public Right of Way (PRoW) to the east of the site (ref. AX6/12) to allow for greater connectivity between the development and wider PRoW network.

Indicative Layout

- 4.14 Whilst the layout is indicative at this stage it nevertheless demonstrates how the site and the proposed uses can be laid out. Notably, the indicative design has not been amended since the granting of planning permission in August 2016.
- 4.15 The layout demonstrates how 42 dwellings can be appropriately laid out as part of the development, ensuring sufficient privacy and residential amenity for future occupiers. It also illustrates the provision of the 500 sqm of flexible employment space towards the site entrance so as to afford it greater visual presence.
- 4.16 In terms of landscaping, the indicative layout illustrates how existing vegetation on site, including those species subject to Tree Preservation Orders, can be retained on site, whilst also illustrating how new open and amenity space can be accommodated within the site.

5 Planning Policy

- 5.1 This Section sets out the relevant planning policy context in respect of the site and proposed development. In particular, it highlights any site constraints and the relevant criteria against which the proposal will be considered.

The Development Plan

- 5.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

- 5.3 In this instance, the relevant Development Plan documents comprise the:

- North Somerset Core Strategy (2017);
- Sites and Policies Part 1: Development Management Policies (2016); and
- Sites and Policies Part 2: Site Allocations Plan (2018).

North Somerset Core Strategy (2017)

- 5.4 The North Somerset Core Strategy (“Core Strategy”) is the principal planning document which guides development choices and decisions in North Somerset. It was adopted in 2012 but following a High Court challenge nine policies were remitted for re-examination. Following a successful two-part re-examination, the amended Core Strategy, incorporating the changes recommended to the remitted policies, was approved on the 10 January 2017.

- 5.5 The following policies of the Core Strategy are considered to be relevant to the site and proposal:

- 5.6 **Policy CS1 Addressing Climate Change and Carbon Reduction** sets out a broad policy framework drawing together various themes where development can address climate change issues. This includes, inter alia:

- demonstrating a commitment to reducing carbon emissions, including reducing energy demand through good design, and utilising renewable energy where feasible and viable in line with standards set out in Policy CS2;
- requiring developments of 10 or more dwellings to demonstrate a commitment to maximising the use of sustainable transport solutions;

- creating a network of green infrastructure, including not only green spaces but also the creation and enhancement of woodland areas;
- the use of on and off-site measures to conserve and enhance species and habitats as well as the reduction or preferably elimination of any adverse impacts through sensitive design and layout and construction of developments; and
- the re-use of previously developed land and existing buildings in preference to the loss of green field sites.

5.7 Policy CS2 Delivering Sustainable Design and Construction requires new development to demonstrate a commitment to sustainable design and construction, increasing energy efficiency through design, and prioritising the use of sustainable low or zero carbon forms of renewable energy generation. It outlines that the Council will have regard to, inter alia, the following:

- designs that are energy efficient and designed to reduce their energy demands;
- the use of on-site renewable energy sources or by linking with/contributing to available local off-site renewable energy sources to meet a minimum of 15%; and
- require the application of best practice in Sustainable Drainage Systems to reduce the impact of additional surface water run-off from new development.

5.8 Policy CS3 Environmental Impacts and Flood Risk Assessment confirms that development which, on its own or cumulatively, would result in air, water or other environmental pollution or harm to amenity, health or safety will only be permitted if the potential adverse effects would be mitigated to an acceptable level.

5.9 Policy CS4 Nature Conservation outlines that biodiversity will be maintained and enhanced by:

- “1) seeking to meet local and national Biodiversity Action Plan targets taking account of climate change and the need for habitats and species to adapt to it;*
- 2) seeking to ensure that new development is designed to maximise benefits to biodiversity, incorporating, safeguarding and enhancing natural habitats and features and adding to them where possible, particularly networks of habitats. A net loss of biodiversity interest should be avoided, and a net gain achieved where possible;*
- 3) seeking to protect, connect and enhance important habitats, particularly designated sites, ancient woodlands and veteran trees;*
- 4) promoting the enhancement of existing and provision of new green infrastructure of value to wildlife;*

5) promoting native tree planting and well targeted woodland creation, and encouraging retention of trees, with a view to enhancing biodiversity.”

- 5.10 **Policy CS5 Landscape and the Historic Environment** outlines that the character, distinctiveness, diversity and quality of North Somerset’s landscape and townscape will be protected and enhanced by the careful, sensitive management and design of development. In terms of the historic environment, the Council will conserve the historic environment of North Somerset, having regard to the significance of heritage assets such as conservation areas, listed buildings, buildings of local significance, scheduled monuments, other archaeological sites, registered and other historic parks and gardens.
- 5.11 **Policy CS9 Green Infrastructure** outlines that the existing network of green infrastructure will be safeguarded, improved and enhanced by further provision, linking in to existing provision where appropriate.
- 5.12 **Policy CS10 Transportation and Movement** sets out that development proposals that encourage an improved and integrated transport network and allow for a wide choice of modes of transport as a means of access to jobs, homes, services and facilities will be encouraged and supported.
- 5.13 **Policy CS12 Achieving High Quality Design and Place Making** sets out a range of design principles to guide new development, ensuring that:
- new development functions well, supporting sustainable land uses and improves the image of the area;
 - proposals of all scales demonstrate sensitivity to the existing local character already established in an area and take the opportunity to enhance the sense of place and local identity through a well thought out design; and
 - proposals demonstrate a commitment to designing out crime through the creation of safe environments (both private and public) that benefit from natural surveillance, visible streets and open spaces, lighting and other security measures
- 5.14 **Policy CS15 Mixed and Balanced Communities** confirms that the Council will seek to ensure a genuine mix of housing types within existing and future communities.
- 5.15 **Policy CS16 Affordable Housing** sets out that on-site affordable housing provision will be sought to meet local needs on all residential developments of 10 dwellings or more (or on sites of 0.3 hectare or above). There is no upper limit to the potential affordable housing

provision or contribution, but a benchmark of 30% will be sought as a starting point split 82% social rented housing and 18% intermediate housing. The capacity of a site to deliver a level of affordable housing that can be supported financially will be determined by individual site viability analysis.

- 5.16 **Policy CS27 Sport, Recreation and Community Facilities** outlines that where the local provision of sport, recreation, children's play and other community facilities arising from new residential development are inadequate to meet projected needs and standards, additional provision in safe and accessible locations will be sought to meet any identified shortfall. This provision may be in the form of on-site provision or the enhancement/improved access to existing facilities.

Sites and Policies Part 1: Development Management Policies (2016)

- 5.17 The Sites and Policies Part 1: Development Management Policies ("Sites and Policies Plan") was adopted in 2016 and brings forward the detailed development plan policies which complement the strategic context set out in the Core Strategy.
- 5.18 The following policies of the Sites and Policies Plan are considered to be relevant to the site and proposal:
- 5.19 **Policy DM1 Flooding and Drainage** outlines that all development must consider its vulnerability to flooding, taking account of all sources of flood risk and the impacts of climate change, up to 100 years ahead on residential or mixed use sites. It also sets out 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.
- 5.20 **Policy DM6 Archaeology** confirms that archaeological interests will be fully taken into account when determining planning applications.
- 5.21 **Policy DM8 Nature Conservation** notes that development proposals must take account of their impact on local biodiversity and identify appropriate mitigation measures to safeguard or enhance attributes of ecological importance. In terms of protected species and habitats, the Policy sets out that development which could harm, directly or indirectly, species, which are legally protected, or species and habitats that have been identified as 'Priority' will not be permitted unless the harm can be avoided or mitigated by appropriate measures.

5.22 **Policy DM9 Trees and Woodlands** sets out a number of guiding principles for development. This includes, inter alia, ensuring development:

- demonstrates that the retention, protection and enhancement of tree canopy cover has been considered throughout the design and development process;
- ensures that the short and longer-term impacts that the development may have on existing trees;
- achieves high quality design by demonstrating that the long term retention of appropriate trees is realistic, and that the trees are viewed as an asset by new occupants rather than as an issue of conflict;
- provides high quality physical protection of retained trees;
- includes, where practical, the introduction of appropriate new tree planting and woodland creation as an integral part of the design and landscaping of new developments, using native species of local origin wherever possible; and
- includes, where appropriate, the provision of new large-growing street and open space trees that are planted in high-quality tree pit designs, which maximise tree health and minimise future maintenance of the street surface.

5.23 **Policy DM19 Green Infrastructure** outlines that large-scale proposals in locations where there is a lack of green infrastructure or opportunities to create or improve green networks, will be required to contribute to the quality of the environment, through the creation of high quality well designed and accessible green infrastructure. Green infrastructure should be provided in line with the phasing and scale of development. Where it is not possible, practical or desirable for green infrastructure provision to be made on site then financial contributions will be sought. Contributions will vary depending on the existing provision in the locality and whether the requirement is for new provision or for upgrades to existing provision.

5.24 **Policy DM24 Safety, Traffic and Provision of Infrastructure** sets out that development will be permitted provided it would not prejudice highway safety or inhibit necessary access for emergency, public transport, service or waste collection vehicles. The policy also notes that development giving rise to a significant number of travel movements will only be refused on transport grounds if it:

- is likely to have a severe residual cumulative impact on traffic congestion or on the character and function of the surrounding area; or

- is not accessible by non-car modes or cannot readily be integrated with public transport, cycleway and footpath links, and bridleways where appropriate.

- 5.25 **Policy DM25 Public Rights of Way, Pedestrian and Cycle Access** outlines that development will be required to provide, improve, or contribute to providing or improving multi-user infrastructure (to include pedestrian, cycling and equestrian) appropriate to its size and type, taking account of the latest information on and priorities for pedestrian, cycling and where appropriate, equestrian infrastructure.
- 5.26 **Policy DM32 High Quality Design and Place-Making** outlines that the design of new development should contribute to the creation of high quality, distinctive, functional and sustainable places where opportunities for physical activity and recreation are maximised.
- 5.27 **Policy DM34 Housing Type and Mix** outlines that the housing mix and type proposed should be justified in the planning application through the Design and Access Statement or similar documents and should demonstrate how it meets local needs with reference to the latest SHMA or local needs surveys.
- 5.28 **Policy DM36 Residential Densities** outlines that residential development should optimise the potential of the site to accommodate development whilst protecting or enhancing the distinctiveness and character of the area.
- 5.29 **Policy DM71 Development Contributions** outlines that Section 106 Agreements will be sought in line with the appropriate regulations and will seek to deliver or address matters that are necessary to make the development proposal acceptable in planning terms.

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

- 5.30 The Sites and Policies Plan Part 2: Site Allocations Plan (“Site Allocations Plan”) was adopted in 2018 and identifies detailed allocations to deliver the Core Strategy requirements up to 2026.
- 5.31 The following Site Allocations Plan policies are considered to be relevant to the site and proposal:
- 5.32 **Policy SA3 Mixed Use Sites** sets out a schedule of allocated mixed used sites. It notes that proposals must take into account the specific site-related requirements or key considerations as set out in Schedule 1, and any other relevant policy considerations.

- 5.33 Under Policy SA3, the site is allocated as a mixed use site for 42 dwellings and 500 sqm of employment floorspace, in accordance with the extant outline planning permission (ref. 14/P/0687/O). Schedule 1 also sets out that traffic calming measures along Bridge Road, pedestrian access along Mulberry lane and suitable surface water attenuation at the site must be provided.

Other Material Considerations

National Planning Policy Framework (2019)

- 5.34 The revised National Planning Policy Framework NPPF was updated on 19 February 2019 and sets out the Government's planning policies for England and how these are expected to be applied. This revised NPPF replaces the previous NPPF published in March 2012, and revised in July 2018
- 5.35 The overarching aim of the NPPF is to achieve sustainable development by satisfying the economic, social and environmental dimensions as set out by the NPPF (**paragraphs 7-8**).
- 5.36 **Paragraph 11** sets out the presumption in favour of sustainable development. For decision-taking, this means:

"c) approving development proposals that accord with an up-to-date development plan without delay; or

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:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

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."

- 5.37 **Paragraph 48** relates to emerging local plans and sets out that from the day of publication, decision-takers may give weight to relevant policies in emerging plans according to:

“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”

5.38 **Paragraph 59** confirms that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

5.39 **Paragraph 64** sets out that major housing developments should seek to provide 10% of the overall affordable housing provision to be available for home ownership.

5.40 **Paragraph 73** requires that local planning authorities identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

5.41 **Paragraph 91** outlines that decisions should aim to achieve healthy, inclusive and safe places which:

“a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and

accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”

- 5.42 **Paragraph 108** outlines that for sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

“a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

- 5.43 **Paragraph 109** confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 5.44 **Paragraph 110** outlines that planning applications should:

“a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”.

- 5.45 **Paragraph 111** sets out that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 5.46 **Paragraph 117** confirms that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions
- 5.47 **Paragraph 118** outlines that in determining planning applications, decision makers should:
- “a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*
 - b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*
 - c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
 - d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and*
 - e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.”*
- 5.48 **Paragraph 120** sets out that decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans,

and of land availability. Where there is no reasonable prospect of an application coming forward for the use allocated in a plan the council should:

- a) as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and
- b) in the interim, prior to updating the plan, support applications for alternative uses on the land, where the proposed use would contribute to meeting an unmet need for development in the area.

5.49 **Paragraph 122** outlines that decisions should support development that makes efficient use of land, taking into account:

- “a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.”*

5.50 **Paragraph 123** sets out that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site

5.51 **Paragraph 124** outlines that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

5.52 **Paragraph 127** sets out that planning policies and decision should ensure that developments:

- “a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

5.53 **Paragraph 130** confirms that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

5.54 **Paragraph 153** outlines that in determining planning applications, local planning authorities should expect new development to:

“a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”

5.55 **Paragraph 163** confirms that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

5.56 **Paragraph 165** outlines that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

“a) take account of advice from the lead local flood authority;

b) have appropriate proposed minimum operational standards;

c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and

d) where possible, provide multifunctional benefits”

5.57 **Paragraph 170** sets out that planning policies and decisions should contribute to and enhance the natural and local environment by:

“a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”

5.58 **Paragraph 175** confirms that when determining planning applications, local planning authorities should apply the following principles:

“a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”

5.59 **Paragraph 178** planning policies and decisions should ensure that:

“a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”

- 5.60 **Paragraph 180** confirms that planning policies and decisions should also ensure that new development is appropriate for its location. In doing so, the following should be taken account of:

“a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

- 5.61 **Paragraph 189** requires, in determining planning applications, applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

West of England Joint Spatial Plan (2018)

- 5.62 The West of England Joint Spatial Plan (JSP) is a strategic statutory Development Plan Document (DPD) for the West of England. It is being prepared jointly by the four Unitary Authorities of Bristol, Bath and North East Somerset, North Somerset and South Gloucestershire.
- 5.63 On adoption as a DPD, the JSP will identify the needs for housing, employment, key infrastructure and the broad strategy for its delivery for each authority's new Local Plan for the period 2016 to 2036. On submission for examination on 13 April 2018, the JSP identified a need for 102,200 homes and 82,500 additional jobs across the West of England to 2036. In terms of housing, this translated to a housing requirement of 25,000 homes for North Somerset.
- 5.64 Whilst the JSP will not allocate new sites, it does identify new Strategic Development Locations. These will be brought forward as allocations through each authority's new Local Plan. New site specific allocations and policy designations in Local Plans will need to be in conformity with the JSP.

- 5.65 Given the stage of adoption, and given that the JSP is subject to possible amendments at the examination stage, it is considered that limited weight should be given to this document in relation to this planning application.

Emerging Local Plan 2036 (2018)

- 5.66 As outlined above, the West of England authorities are working together to prepare the JSP. This will identify the needs for housing, employment and key infrastructure 2016-2036 and the broad strategy for its delivery. As such, the West of England authorities are required to review and update their existing local plans alongside the emerging JSP in order to provide detailed guidance to support its implementation.
- 5.67 The Council therefore consulted, between 3 September to 10 December 2018, on the issues and options for the emerging Local Plan to identify the issues which need to be addressed and to receive initial feedback on a range of proposed alternatives. This is not a draft plan and does not contain detailed policies or site allocations.
- 5.68 Given the stage of preparation, it is considered that very limited weight should be attached to the emerging Local Plan for the purposes of assessing this planning application.

North Somerset and Mendip Bats Special Area of Conservation Supplementary Planning Document (2018)

- 5.69 The North Somerset and Mendip Bats Special Area of Conservation (SAC) SPD was adopted in January 2018 and contains guidance on development that could impact the SAC, which is important for two bat species, Greater and Lesser Horseshoe bats.
- 5.70 The guidance explains how development activities can impact the SAC and the steps required to avoid or mitigate any impacts. The guidance identifies a “Bat Consultation Zone” where Horseshoe bats may be found, divided into Bands A, B and C, reflecting the likely importance of the habitat for the bats and proximity to maternity and other roosts.
- 5.71 For the purposes of the SPD, the site is situated with Band C. Whilst for Bands A and B the guidance requires full season surveys, including automated bat detector surveys, for Band C the requirements are less stringent and will depend on whether a commuting structure is present and the suitability of the adjacent habitat to support prey species hunted by horseshoe bats.

- 5.72 In some circumstances an applicant may be able to clearly demonstrate (from their qualified ecologist's site visit and report) that the impacts of a proposed development are proven to be minor and can be avoided or mitigated (or do not require mitigation) without an impact on SAC bat habitat, so a full season's survey is not needed. This should be substantiated in a suitably robust statement submitted as part of the development proposals.

Affordable Housing Supplementary Planning Document (2013)

- 5.73 The Affordable Housing Supplementary Planning Document (SPD) was adopted in 2013 and provides guidance to applicants on how the Council applies its affordable housing policies, namely Core Strategy Policy CS16.
- 5.74 The SPD confirms that there is no upper limit to the potential affordable housing provision or contribution, but a benchmark of 30% will be sought as a starting point (rounded up to the nearest affordable housing unit). In terms of outline planning applications, the SPD confirms that where a scheme proposes 10 or more units or has a gross area of 0.3 ha or greater will automatically be expected to enter into a legal agreement to provide affordable housing on-site in line with Policy CS16.
- 5.75 In terms of layout and design, affordable housing units should be seamlessly integrated and distributed throughout the development, consisting of no more than six affordable housing units in one location for general needs housing or 12 for supported housing.

Residential Design Guide Supplementary Planning Document – Part 1 (2013)

- 5.76 The Residential Design Guide SPD was adopted in 2013 and set out a number of design principles for residential development. The guidance largely relates to the detailed design of a scheme, as applied for through a full planning permission or reserved matters. Nevertheless, a summary of key elements is set out below:
- Overbearing and loss of light - new residential buildings should not cause significant harm to the living conditions of neighbouring residents when using their gardens or habitable rooms. A number of tests will be utilised to assess this including the 45 degree test and 12 metres being maintained between a two storey side wall and a main elevation of a dwelling with windows.
 - Privacy and overlooking - The privacy of neighbouring properties will normally be preserved by maintaining a distance of at least 21 metres between a proposed upper floor window and existing habitable room windows. In addition, a distance of

no less than 7 metres should normally be maintained between a proposed upper floor window and the rear boundary of the property if it adjoins a neighbouring rear garden.

North Somerset Council Policy Position on Housing standards (2015)

- 5.77 In 2015, the Council released a Policy Position Statement in relation to Code for Sustainable Homes and Lifetime Homes provision, following the written ministerial statement released by the Secretary of State on 25 March 2015. The Council's Statement confirms that current policy requirements relation to Code for Sustainable Homes and Lifetime Home provision (as set out In Policy CS1 and CS2) will not be applied to planning permissions from 26 March 2015.

Summary of Planning Policy

- 5.78 The Development Plan comprises the Core Strategy (2017), the Sites and Policies Plan (2016) and the Site Allocations Plan (2018).
- 5.79 Under the Development Plan, the site is covered by the following policy designations and allocations:
- The majority of the application site is allocated as a mixed use allocation for 42 dwellings and 500 sqm of employment floorspace under Policy SA3 of the Site Allocations Plan;
 - The eastern and southern limits of the site (above the former quarry walls) are a locally designated Wildlife Site under Policy DM8 of the Sites and Policies Plan; and
 - The site is identified as a suitable Bat Habitat, along with a significant proportion of the borough, under Policy DM8 of the Sites and Policies Plan.
- 5.80 There are also a number of other relevant Development Plan policies relating to matters such as design, highways, sustainability, nature conservation, affordable housing, flooding, drainage and trees.
- 5.81 Alongside the Development Plan, there are a number of material considerations that are relevant to the proposed development.
- 5.82 The NPPF, which sets out strategic objectives for plan making and decision making in England, is significant material consideration. Within the NPPF, there are a number of policies

relevant to the site including those related to transport, housing, design and the natural environment.

- 5.83 The Councils is also in the processes of preparing the JSP and emerging Local Plan. Both documents are considered to carry limited weight for the purposes of this planning application.
- 5.84 Other relevant material considerations include the North Somerset and Mendip Bats SAC SPD, the Affordable Housing SPD and the Residential Design Guide SPD.
- 5.85 A detailed assessment and justification of how the proposed scheme fits within the planning policy context outlined above is set out within the subsequent Planning Issues section of this Statement.

6 Planning Issues

6.1 This Section provides a detailed analysis of the main planning issues relating to the proposed development, which are considered to be the following:

- Principle of the development;
- Affordable Housing;
- Design;
- Highways;
- Ecology;
- Trees;
- Contamination;
- Flood Risk and Drainage; and
- Archaeology.

Principle of the Development

6.2 The developable area of the site is allocated through Policy SA3 of the Site Allocations Plan. For the site, Policy SA3 sets out the following requirements:

- 42 dwellings;
- 500 sqm of employment floorspace situated at the entrance of the site;
- Traffic calming measures on Bridge Road;
- Pedestrian link along Mulberry Lane; and
- Higher standards of surface water attenuation required.

6.3 The proposed development accords with mix and quantum of development set out. In addition, the indicative masterplan demonstrates how the layout requirements can be met, whilst the technical reports submitted in support of this proposal, including highways and drainage, illustrate how the proposal complies with the technical requirements

6.4 In addition to the site's allocation, there is also an extant outline planning permission at the site for up to 42 dwellings and up to 500 sqm of Use Class A2/B1/D1 floor space. Given that this application proposes the same mix and quantum of development as this permission, the site's planning history is clearly a significant material consideration in favour of the proposal.

6.5 Overall, this planning application proposes a development that accords with the site's allocation within the Development Plan, as well as proposing the same mix and quantum of

development as the extant planning permission at the site. In light of this, it is clear that the principle of the proposed development is acceptable.

Affordable Housing

- 6.6 As with the extant planning permission at the site, this scheme proposes a policy compliant 30% affordable housing provision (i.e. 13 units). It is currently anticipated that the tenure split will be in accordance with Policy CS16, with 82% of the units being for social rent and the remaining 18% being for intermediate housing. This is, however, subject to discussion with the Council during the planning application process and current local need.
- 6.7 In terms of layout and design, the indicative scheme illustrates how the 13 affordable housing units can be integrated and distributed throughout the development, consisting of no more than six affordable housing units in one location.
- 6.8 Overall, the scheme provides the required 30% provision and illustrates how such units can be suitably accommodated at the site. The proposal is therefore in accordance with the relevant Development Plan policies, namely Core Strategy Policy CS16, as well as other material considerations including the Affordable Housing SPD and NPPF.

Design

- 6.9 As outlined in Section 4, the indicative design of the scheme has not been amended since the granting of planning permission in August 2016.
- 6.10 This approved layout demonstrates how 42 dwellings can be appropriately laid out as part of the development, ensuring sufficient privacy and residential amenity for future occupiers, whilst not adversely affecting the character of the village or the living conditions of neighbour properties. It also illustrates the provision of the 500 sqm of flexible employment space towards the site entrance, so as to afford it greater visual presence and to accord with the requirements of Policy SA3.
- 6.11 Given the outline nature of the scheme, the precise mix of house types does not form part of this application and will be confirmed as part of the reserved matters process. However, an indicative mix of house types, comprising 2, 3 and 4-bedroom detached, semi-detached houses and bungalows, is illustrated to demonstrate how this can be satisfactorily provided for at the site.

- 6.12 In terms of landscaping, the indicative layout illustrates how existing vegetation on site, including those species subject to Tree Preservation Orders, can be retained on site, whilst also illustrating how new open and amenity space can be accommodated within the site.
- 6.13 The exact detail of the scheme, including its final layout, scale, appearance and landscaping will be controlled through future reserved matters submissions. In addition, the schemes energy efficiencies measures and renewable energy generation will be secured at the detailed design stage.
- 6.14 Overall, the indicative design and layout demonstrates how the proposed quantum of development can be satisfactorily provided at the site. As such, the proposal is considered, so far as practically possible for an outline scheme, to accord with the relevant Development Plan policies, including Core Strategy Policies CS1, CS2, CS9, CS12, CS15, CS27 and Sites and Policies Plan Policies DM19, DM32, DM34, DM36, as well as other relevant material considerations including the Residential Design Guide SPD and NPPF.

Highways

- 6.15 The site is currently served by a single access from Bridge Road, situated between Quarry House and Magnolia Cottage. The existing vehicular access to the site is sub-standard in that visibility splays are restricted, particularly when looking to the right.
- 6.16 It is proposed to serve the development by an improved vehicular and pedestrian access on further south along Bridge Road. The new access, which will be 5.5m wide with kerb radii of 6m, will be situated between Magnolia Cottage and The Poplars. In order to achieve this new access, a northern section of The Poplars will need to be demolished and the property remodelled.
- 6.17 A shared surface arrangement is proposed at the site access point to reduce traffic speeds and to emphasise that vehicular traffic, cyclists and pedestrians will use this space as they enter and leave the development.
- 6.18 The supporting Transport Assessment (TA) confirms that such access arrangements for the site are safe and suitable for the proposed development.
- 6.19 In terms of traffic impact, the analysis within the TA demonstrates that even in the forecast year (2024), including the trips associated with the proposed development, the local network can accommodate the traffic flows, with no adverse impact and little or no queuing occurring as a result of the development.

- 6.20 In terms of non-car travel, the TA demonstrates that the site is located close to a number of day to day amenities and that the site is located in close proximity to bus stops which provide services that are ideally placed to cater for the needs of the new residents. As such, it is considered that the site is accessible by non-car modes and will cater for needs of the development's residents and assist in promoting a choice of travel modes other than the private car
- 6.21 In order to further improve the level of provision for pedestrians, the proposal provides a footpath link from the northern side of the site to connect to the village via Mulberry Lane. This will provide a safe and shorter route between the development and the village.
- 6.22 Given the above, it is considered that the development is appropriate in highways terms and is in accordance with relevant Development Plan policies, including Sites and Policies Plan Policies DM24 and DM25, as well as other material considerations including the NPPF.

Ecology

- 6.23 An Ecological Appraisal and a Bat Survey have been carried out and submitted in support of this planning application to determine any ecological constraints and to help inform the masterplan for the planning application.
- 6.24 In terms of designated sites, the Ecological Appraisal notes that due to the distance between the site and these areas, including the North Somerset and Mendip SAC, it is not envisaged that such areas will be affected by the development of the site. The Appraisal also notes that whilst the site falls within Consultation Zone C for the SAC, there will be no effects or impacts to commuting horseshoe bats arising from the development.
- 6.25 Regarding habitats, the Appraisal notes that the site contains a variety of habitats including:
- Hard standing;
 - Broadleaved woodland;
 - Scrub;
 - Cliff face;
 - Scattered trees; and
 - Buildings.
- 6.26 The Appraisal therefore notes that native planting should be incorporated where possible, and that existing boundary features should be retained to keep connectivity to the wider landscape, allowing green corridors for wildlife to commute.

6.27 In relation to protected and notable species, the Appraisal outlines the following:

- Reptiles - given that reptile habitats are proposed to be retained within the final development, and that only a low population has previously been identified (WYG Reptile Report, 2013), no further surveys are recommended. However, a precautionary working method is recommended to be adopted to further reduce the risk of harm to reptiles.
- Bats - three buildings (Magnolia Cottage, The Poplars and a disused workshop) were assessed as having potential for supporting roosting bats, with two of these being confirmed roost.
- Bat activity – no bat activity surveys are proposed because of the following:
 1. lighting conditions will be an improvement from existing levels if designed sensitively; and
 2. the habitat connectivity around the site (especially to north boundary) will be maintained.
- Badger - in line with good practice, any excavations should either be closed at night or fitted with escape ramps to help any animals, such as badgers escape.
- Birds - it is recommended that any vegetation clearance takes place outside the bird breeding season (March – September inclusive, although it can vary depending on weather conditions and species present).

6.28 Given the findings in relation to bats, bat surveys were carried out by WYG at the three buildings during May and June. These surveys revealed no bats emerging or re-entering any of the buildings. Considering this, the following recommendations are suggested to both protect and provide an overall enhancement at the site:

- The demolition of the discussed workshop should be undertaken following a detailed internal inspection by a licensed bat ecologist to confirm the absence of bats prior to work followed by a detailed toolbox talk;
- The cessation of flood lighting and creation of dark corridors around the site at less than 0.5 lux;
- Continuous arboreal connectivity to be retained and enhanced around the northern boundary of the site; and
- 12 bat boxes and 12 bat bricks to be included as part of the final scheme.

6.29 Overall, it is considered that the proposal has sufficiently considered natural habitats and protected and notable species. It is considered that the proposal demonstrates how existing

habitats can be retained and incorporated within the site, that any potential harm can be appropriately mitigated and that there is an opportunity for an overall enhancement of biodiversity at the site. As such, the proposal is considered to accord with relevant Development Plan policies, including Core Strategy Policy CS4 and CS9, Sites and Policies Plan Policies DM8 and DM19 as well as other material considerations including the NPPF and the Mendip Bats SAC SPD.

Trees

- 6.30 The site contains a number of individual trees, groups of trees as well as some hedging. As such, WYG was commissioned to consider the impact on trees of the proposed redevelopment, and to provide recommendations for the protection of trees during construction.
- 6.31 A tree survey of the site was carried out in accordance with BS5837:2012 'Trees in Relation to Design, Demolition and Construction –Recommendations'¹ to inform the assessment. The survey considered 52 individual trees, nine groups of trees and two sections of hedging. This confirmed that there is one Category A tree (trees of high quality and value), 12 Category B trees (trees of moderate quality and value), 38 Category C trees (trees of low quality and value) and one Category U tree (trees unsuitable for retention). The full survey results are set out in the survey schedule at Appendix A and Tree Constraints Plan within the Arboricultural Report.
- 6.32 In addition, the Arboricultural Report notes that that three individual trees (T24, T30 and T31) are protected by TPO ref. 409 and that two woodland areas which include trees T37-T45, and groups G3-G6 are protected by TPO ref. 994.
- 6.33 In terms of impact, the Report notes that the indicative layout would require the removal of several Category C trees, including a small part of the protected woodland in the north-eastern corner of the site to construct new foot and cycle path links between the development and village to the north. In addition, it is also proposed to fell one dead ash tree (U category).
- 6.34 The trees to be felled will be replaced by new tree planting. The proposed indicative layout plan illustrates how additional planting can be accommodated at the site, but the exact detail of this, including the amount of planting and species, will be identified at the detailed design stage of the scheme through a landscape planting plan.
- 6.35 The Report includes an Arboricultural Method Statement and Tree Protection Plan with proposals for the protection of the trees during the construction of the supermarket. These

include proposals for protective fencing and monitoring by an arboricultural clerk-of-works. It also details procedures to be followed during the demolition of a building and removal of block-paving close to trees protected by a TPO.

- 6.36 In light of the above, it is considered that the proposed development is in accordance with relevant Development Plan policies, including Core Strategy Policy CS4, CS9, Sites and Policies Plan DM9 and DM19 as well as other material considerations including the NPPF.

Contamination

- 6.37 A Geo-Environmental Desk Study Report has been prepared in support of the application, in order to provide a qualitative assessment of potential geo-environmental risks and liabilities associated with the site.
- 6.38 The Report notes that ground contamination is not considered to be a significant constraint to the proposed redevelopment. There may be several small areas of potential contamination that may require some minor remedial works including areas around fuel oil storage tanks and acid tanks, and areas underlain by former structures. These may also be a source of potential ground contamination.
- 6.39 In order to confirm the findings of this desk study and to provide additional information for the redevelopment of the site, it is recommended that further works are carried out including a Phase 2 Intrusive Site Investigation. Such work can be controlled via a suitably wording planning condition.
- 6.40 In light of the above, it is considered that the proposal complies with relevant Development Plan policies, including Core Strategy CS3, and material considerations including the NPPF in respect of land contamination and impacts to human health.

Flood Risk and Drainage

- 6.41 A Flood Risk and Drainage Assessment has been prepared in support of this planning application. In terms of flood risk, the Assessment notes the following:
- Fluvial and Coastal Flood Risk – the site falls entirely within Flood Zone 1 and therefore it is considered as being at very low risk of flooding from rivers or the sea.
 - Surface Water and Overland Flows – the site is not at risk from surface water or overland flow flooding, with the vast majority of the site at a very low risk according to the Environment Agency's online mapping.

- Groundwater Flooding – there are no reported incidents of groundwater flooding in the area. The North Somerset Strategic Flood Risk Assessment (2008) indicates that there is little evidence of potential flooding from groundwater. Additionally, the Local Flood Risk Management Strategy (2014) indicates that the site is not within an area susceptible to groundwater flooding. In light of this, it is considered that the site is at low risk of groundwater flooding.
- Reservoir Flooding – the Environment Agency's online map of 'Risk of Flooding from Reservoirs' identified that the site is not at risk of flooding as a result of reservoir failure.
- Sewer Flooding – there are no public surface water sewers within the site. There is an off-site foul water sewer flowing through the site, however as this is a foul sewer it is considered that the risk of flooding is low as it only receives foul flows from the properties to the north east of the site.

6.42 Based on the above, it can be seen the development area is at low risk of flooding from all sources, including rivers, the sea, surface water and overland flows, groundwater, reservoir, and sewers

6.43 In terms of attenuation storage, the Assessment notes that this will be required to make sure that no flooding takes place during any rainfall event up to and including the 1 in 100 year return period plus 40% climate change event, and this could be provided by SuDS. The Assessment notes that the following SuDS could be incorporated at the site:

- Permeable paving - Permeable Paving is a type of paving designed to allow run off to seep into its internal structure, and thus can provide an element of water attenuation and water quality benefits.
- Swales - Swales are shallow vegetated channels that are designed to convey, treat and attenuate surface water runoff. They can also provide landscaping and biodiversity benefits.
- Filter Drains - Filter drains are shallow trenches filled with aggregate that enable the conveyance, treatment and attenuation of surface water runoff. As it flows through the pores between the gravel pollutants settle and are captured prior to being discharged out of the system.
- Water Butts and Rainwater Harvesting - Water butts could be provided to the proposed dwellings, in order to promote the use of rainwater and reduce water demand within the site.

- 6.44 It is expected that exceedance flows above the 1 in 30 year return period event will have to be retained within the drainage system due to the contours within the site.
- 6.45 Given the outline nature of the scheme, the above is illustrated through a strategic drainage scheme for the site to demonstrate that it can be adequately drained. The detailed drainage scheme will be developed in accordance with future reserved matters.
- 6.46 It is envisaged that the proposed drainage systems will be offered for adoption to Wessex Water. Alternatively, a private management company funded by residents will maintain the drainage system. The required maintenance actions of the SuDS elements included within the scheme are set out in more detail in the Assessment.
- 6.47 Foul flows from the proposed development site are to be discharged to the existing public foul sewer in Bridge Road.
- 6.48 Overall, the site and proposed development is not at risk from flooding and the indicative sustainable drainage strategy is sufficient to ensure that there will be no increase in flood risk to downstream receptors as a result of the proposed development. As such, the proposal is considered to be in accordance with relevant Development Plan policies, including Sites and Policies Plan Policy DM1, as well as other material considerations including the NPPF.

Archaeology

- 6.49 Avon Archaeological Unit Limited was instructed by the Applicant in 2011 to prepare an Archaeological Desk-Based Assessment. This Assessment was submitted in support of the extant planning permission at the site and its findings were considered acceptable by the Council's Archaeology Officer. The Assessment's findings are considered to still be appropriate to this application and so the Assessment has been resubmitted.
- 6.50 The Assessment notes that there is a 19th century reference to the site as a site of Pleistocene bone cave, although it is unclear exactly where in the site this was found; it has always been presumed to have been quarried away. In light of this, a condition was attached to the extant planning permission requiring an archaeological watching brief when breaking up the concrete in the floor of the quarry. The wording of this condition is set out below for reference:

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

- 6.51 This condition is considered to still be justified and the Applicant is content for this to be applied to this application should it be successful.
- 6.52 Given the above, the proposal is considered to be in accordance with the relevant Development Plan policies, namely Core Strategy Policy CS5 and Sites and Policies Plan Policy DM6, as well as other material considerations including the NPPF.

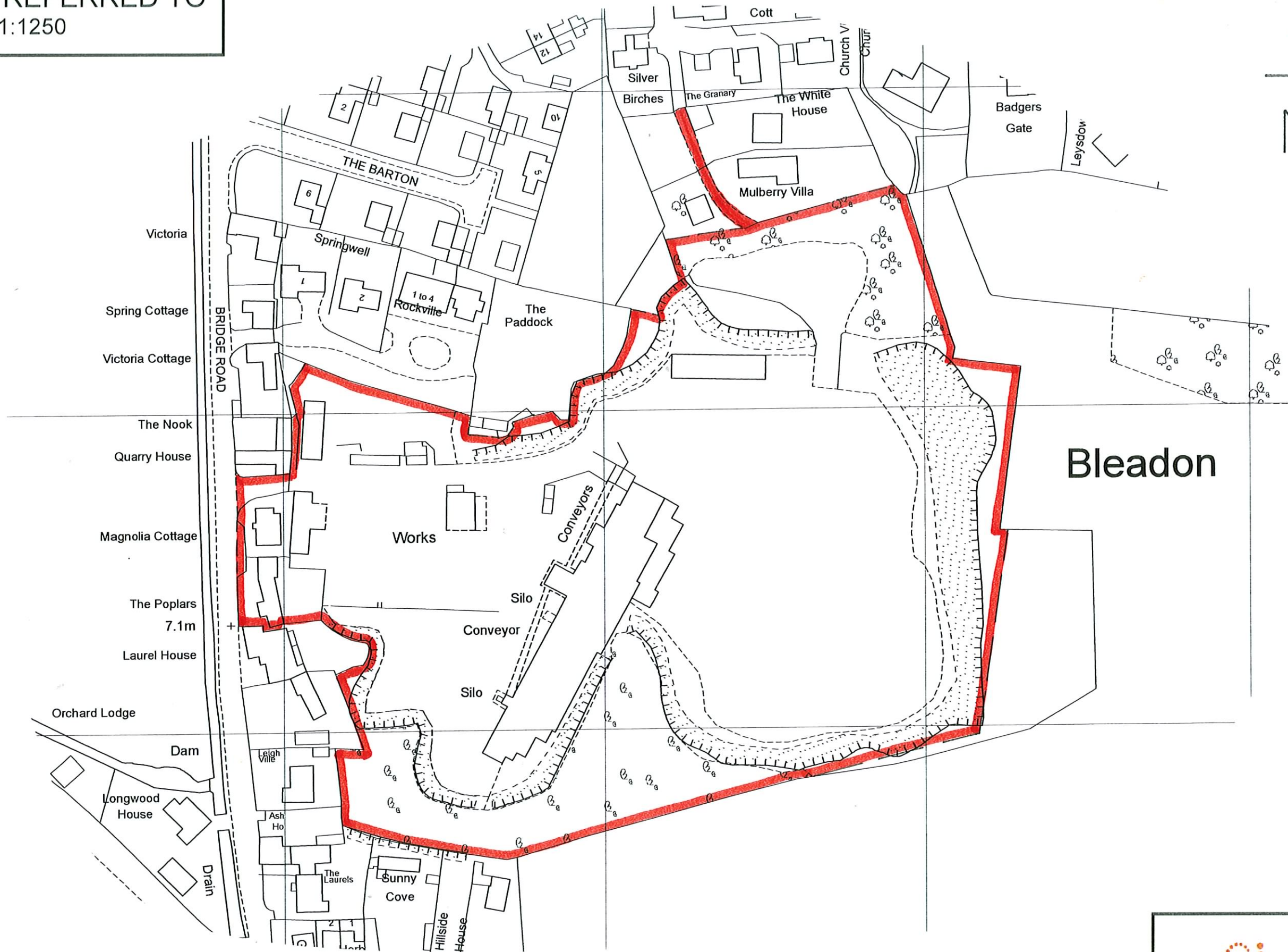
7 Summary

- 7.1 This Planning Statement is prepared on behalf of Marshalls Mono Ltd in support of an outline planning application, with details of access, for the demolition of existing buildings and structures at the site and the erection of up to 42 dwellings, 500 sqm of flexible employment floorspace comprising Use Classes A2/B1/D1, open space, landscaping, new vehicle and pedestrian access, and associated works.
- 7.2 The site measures 3.45 ha and was formerly used as a quarry. The walls of the quarry form the site boundaries to the south and east. To the north, the site is bounded by residential properties and a paddock. The western side of the site is bounded by further residential properties which front onto Bridge Road. It is currently accessed from Bridge Road, situated between Quarry House and Magnolia Cottage.
- 7.3 Under the Development Plan, the developable area of the site is allocated through Policy SA3 of the Site Allocations Plan for up to 42 dwellings and 500 sqm of employment floorspace. The proposed development accords with the requirements of this site allocation.
- 7.4 The assessment of planning issues in Section 6 demonstrates that the proposal also complies with the Development Plan, as whole, and that there are no material considerations indicating that planning permission should be refused.
- 7.5 Alongside the above policy position, there is also an extant outline planning permission at the site for up to 42 dwellings and up to 500 sqm of flexible employment floorspace. Given that this application proposes the same quantum and mix of development as previously approved, this is clearly a significant material consideration in favour of the proposal.
- 7.6 Overall, this proposed development accords with the site's allocation and the Development Plan, as a whole, as well as proposing the same quantum and mix of development as the extant permission at the site. In light of this, the development is clearly acceptable and planning permission should therefore be granted without delay.

APPENDIX A

Site Location Plan

PLAN REFERRED TO
SCALE 1:1250



APPENDIX B

Decision Notice 14/P/0687/O

NOTICE OF DECISION
Town and Country Planning Act 1990



RR Planning Ltd
82a Otley Road
Headingley
Leeds
LS6 4BA

Application Number
Category

14/P/0687/O
Outline Planning
Permission

Application No: 14/P/0687/O
Applicant: Marshalls Mono Ltd
Site: Bleadon Quarry, Bridge Road, Bleadon, BS24 0AT
Description: Outline planning for a mixed use scheme of 42 No. dwellings and 500sq.m of Use Classes A2, B1 and D1 floor space with details of access for approval; with landscaping, layout, scale and appearance to be reserved for subsequent approval

North Somerset District Council in pursuance of powers under the above mentioned Act hereby **GRANTS** consent for the above development in accordance with the plans and particulars received and subject to the following condition(s):

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

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

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

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

- 3 Approval of the details of the siting, design and external appearance of the buildings, and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority, in writing before any development is commenced unless otherwise agreed in writing by the Local Planning Authority.

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

- 4 The development hereby permitted shall, unless otherwise subsequently agreed by the Local Planning Authority in writing, be carried out in accordance with the following supporting documents and approved plans:
1506/PC2/05, 08, 09, 10A, 11A and 12A.
Site Plan.
Highways Works Plan SCP/13906/F01

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

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

Reason: To ensure adequate vehicle and pedestrian access, as well as adequate turning and parking space is available at all times to serve each development before it is occupied, in accordance with Policies DM24 and DM28 the North Somerset Council's Sites and Policies Plan Part 1.

- 6 Before the Bridge Road access is first brought into use, the area between the nearside carriageway edge and lines drawn between a point 2.4m back from the carriageway edge along the centre line of the access and points on the carriageway edge 35.0m from and on both sides of the centre line of the access, shall be cleared of obstruction to visibility at and above a height of 0.6m above the nearside carriageway level, and thereafter maintained free of obstruction at all times.

Reason: In the interests of road safety and in accordance with Policy CS10 of the North Somerset Core Strategy and Policy DM24 the North Somerset Council's Sites and Policies Plan Part 1.

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

Reason: In the interests of highway and pedestrian safety and in accordance with Policies DM24 and DM32 the North Somerset Council's Sites and Policies Plan Part 1.

- 8 The approved rear parking and manoeuvring facilities to Magnolia Cottage, Quarry House, The Poplars and Laurel House shall be provided for, together with vehicular access thereto prior to occupation of the first dwelling. Thereafter, these parking areas shall be retained and maintained for the duration of use by these properties, and shall not be used for any other purpose whatsoever.

Reason: To ensure that satisfactory provision is made for the parking of vehicles off the highway at all times in order to maintain the site access visibility splay in the interests of highway safety in accordance with Policies DM24 and DM32 the North Somerset Council's Sites and Policies Plan Part 1.

- 9 Prior to any reserved matters approval, details of an overarching surface water drainage strategy shall be submitted to and agreed in writing by the Local Planning Authority and include:-
- i. Sustainable drainage principles
 - ii. details of phasing of surface water drainage infrastructure and works, including source control measures
 - iii. full operation and surface water maintenance strategy including the ownership, operational and maintenance arrangement for the works over the lifetime of the scheme.

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

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

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

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

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

Reason: To ensure that a satisfactory landscaping scheme is prepared and in accordance with Policy DM32 the North Somerset Council's Sites and Policies Plan Part 1.

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

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place within this protective zone and in accordance with Policy DM32 the North Somerset Council's Sites and Policies Plan Part 1.

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

Reason: To ensure that a satisfactory landscaping scheme is implemented in accordance with Policy DM32 the North Somerset Council's Sites and Policies Plan Part 1.

- 14 Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or a period of ten years following full implementation of the landscaping scheme, are removed without prior written consent from the Local Planning Authority or die, become seriously diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the Authority may specify.

Reason: To ensure as far as possible that the landscaping scheme is fully effective and in accordance with Policy DM32 the North Somerset Council's Sites and Policies Plan Part 1.

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

Reason: To ensure that materials to be used are acceptable and in accordance with Policy DM32 the North Somerset Council's Sites and Policies Plan Part 1.

- 16 No development shall be commenced until details indicating the boundary treatment, including front boundary treatment for The White House and Mulberry Villa, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved details shall be completed before the dwellings are occupied.

Reason: To ensure that a satisfactory scheme of boundary treatment is agreed and implemented and in accordance with Policy DM32 the North Somerset Council's Sites and Policies Plan Part 1.

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

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

- 18 No development shall take place until additional ecological survey work has been carried out prior to the demolition of the buildings on site particularly the buildings adjoining Bridge Road. In addition, ecological mitigation and enhancement works for the whole site shall be carried out prior to first occupation in accordance with the recommendations of the ecological surveys submitted with the application unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that ecological mitigation is carried out to an acceptable methodology

and standard, in accordance with Policies DM8, DM9 and DM10 of the North Somerset Council's Sites and Policies Plan Part 1.

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

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

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

Reason: In the light of the need to import substantial quantities of soil to provide a growing medium for gardens and landscaped areas on the rock bed it is necessary to prevent spoil/mud being deposited on the surrounding roads in accordance with Policy DM24 of the North Somerset Council's Sites and Policies Plan Part 1.

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

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

- 22 The employment units (Use Classes A2, B1 or D1) shall not be occupied until a Sustainable Travel Plan, which sets out strategic measures that seeks to reduce the number of single occupier vehicle trips to and from the site, has been submitted to and approved by the Local Planning Authority. The approved travel plan shall thereafter be implemented in accordance with its recommendations, unless otherwise agreed, and shall thereafter be reviewed to the satisfaction of the Local Planning Authority.

Reason: In order to reduce the number of single occupier vehicle trips to and from the site in compliance with locational and sustainable policies contained in National Planning Guidance and Policy DM26 of the North Somerset Council's Sites and Policies Plan Part 1.

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

Reason: In the interests of ensuring that there is no net loss of biodiversity in the area in accordance with Policies DM8, DM9 and DM10 of the North Somerset Council's Sites and Policies Plan Part 1.

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

Reason: So that records may be made before the archaeological remains are affected by the development and in accordance with paragraphs 128 and 169 of the National Planning Policy Framework, policy CS5 of the North Somerset Core Strategy and Policy CS5 of the North Somerset Core Strategy and Policy DM6 of the North Somerset Council's Sites and Policies Plan Part 1.

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

Reason: The Local Planning Authority wish to encourage sustainable water storage and recycling initiatives in line with Government Policy and in accordance with Policy DM32 of the North Somerset Council's Sites and Policies Plan Part 1.

- 26 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- (i) the parking of vehicles of site operatives and visitors
 - (ii) loading and unloading of plant and materials
 - (iii) storage of plant and materials used in constructing the development
 - (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - (v) wheel washing facilities
 - (vi) measures to control the emission of dust and dirt during construction
 - (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - (viii) measures to control noise from works on the site.

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

- 27 The dwellings hereby approved shall not be occupied until measures to generate 15% (less if agreed with the local planning authority) of the energy required by the use of the development (measured in carbon) through the use of micro renewable or low-carbon technologies have been installed on site and are fully operational in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved technologies shall be permanently retained unless otherwise first agreed in writing by the local planning authority.

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

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

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

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

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

- 30 The basic shell of the five employment units (Use Classes A2, B1 and D1) totaling a minimum footprint of 500m² shall be constructed and made available in accordance with details and specifications to be submitted to and approved by the Local Planning Authority prior to the 30th dwelling being occupied.

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

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

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

- 32 Prior to the commencement of development, a scheme for geotechnical monitoring and management of the rock faces, and who will be responsible for this work, shall be submitted to and approved by the Local Planning Authority. The scheme shall demonstrate how the monitoring and management will continue throughout the life of the quarry faces together with appropriate revisions to be made to management and/or slope geometry should stability considerations necessitate them. The approved scheme shall thereafter be implemented in accordance with its recommendations to the satisfaction of the Local Planning Authority.

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

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

Reason: In the interests of highway and pedestrian safety and in accordance with Policies DM24 and DM32 of the North Somerset Council's Sites and Policies Plan Part 1.

- 34 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.

- 35 Before the dwellings are first occupied, new resident's welcome packs shall be issued to purchasers which should include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of the Travel Smarter publication, car share, car club information etc., together with complimentary bus tickets for each household member to encourage residents to try public transport. The content of such packs shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development and in accordance with Policy DM32 the North Somerset Council's Sites and Policies Plan Part 1.

- 36 No more than 42 dwelling shall be constructed on the site.

Reason: In order to ensure that the development does not have the effect of overloading Bridge Road in accordance with Policy DM24 of the North Somerset Council's Sites and Policies Plan Part 1.

Advice note(s)

In dealing with the application we have worked with the applicant in a positive and proactive manner and have implemented the requirement in the National Planning Policy Framework (paragraph 187) 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.

Date: 08 August 2016



Signed

Director of Development & Environment

Please use our [online contact form](#) on our website at www.n-somerset.gov.uk/contactplanning if you require further information on this decision.

NOTES RELATING TO A DECISION TO APPROVE PERMISSION

These notes are intended as helpful advice. PLEASE READ THEM CAREFULLY. Make sure everyone has a copy that needs it, including your builder or contractor.

Scope of this decision notice

This decision notice grants planning permission only. It should not be taken to imply that the scheme meets the requirements of any other agency that may be involved. Please make sure that you have obtained all the approvals you need before starting work. If you are in any doubt you should obtain professional advice.

Building Regulations

Before you start construction work you need to obtain separate approval under Building Regulations. You can contact the team on 01275 884550 or submit your application on our [website](#).

Conditions

This approval is subject to conditions. They are an integral part of the decision and are important because they describe how the council requires you to carry out the approved work or operate the premises. It is your responsibility to comply fully with them.

Please pay particular attention to those conditions that have to be met before work commences. There is a fee for requests for written confirmation that conditions have been complied with. Details of these fees can be found on our website at www.n-somerset.gov.uk/planningconditions. When sending us information please include the decision reference number and relevant condition number. Depending on the complexity of the issues involved it can take up to 12 weeks for conditions to be discharged. It is therefore important that you submit any required details to us early.

Appeals

If you are aggrieved by the decision of your Local Planning Authority to impose any of the conditions (or to only approve part of an application for Advertisement Consent), then you can appeal to the Secretary of State for the Environment in accordance with the provisions of Town and Country Planning Act 1990. If you want to appeal against your local planning authority's decision then you must do so **within 6 months** of the date of this notice.

Appeals must be made using a form, which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Alternatively, your appeal can be submitted electronically using the Planning Portal at www.planningportal.gov.uk/pcs.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of a Development Order or to directions given under it. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Prepare for floods

If the scheme to which this approval relates is at risk of flooding you should prepare a flood plan to help keep people safe and protect your property. You can find out if your property is at risk of flooding and how to prepare a flood plan on the [Government's website](#). You should also sign up for [flood warnings](#).

Works which affect a Public Highway

Any works/events carried out by or for a developer which affects the public highway in any way must be co-coordinated 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 permission of North Somerset Council's Street Works Section (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 endeavor to ensure that undertaker connections/supplies are coordinated to take place whenever possible at the same times using the same traffic management. It should be noted that where road closures or formal restrictions are required to undertake works, a minimum of three months' notice will be required.

Public Rights of Way

The grant of planning permission does not entitle developers to interfere or obstruct any public right of way (PROW). The obstruction of a PROW is an offence. If required an application can be made to North Somerset Council to divert the PROW and should be made well ahead of any development.

It is also an offence to drive a mechanically propelled vehicle without lawful authority on any PROW. The grant of planning permission should not be treated as a grant of lawful authority. Please contact the PROW Team for further advice on 01934 888802.

Changes to Plans:

Should you wish to change your plans for any reason, including the need to meet the requirements of other legislation (for example Building Regulations) it is important that you notify us (i.e. 'the planners') before carrying on with work. Amendments to your approved plans may require a fresh application and could even prove to be unacceptable. Details of how to seek formal approval of amendments to a planning approval can be found on our [website](#) or by visiting the planning portal.

Enforcement:

The council has powers to enforce compliance with planning permission and there are penalties for failure to comply. In cases where terms and conditions of planning permission are not adhered to and the Council finds it necessary to take enforcement action, it almost invariably results in delay and additional expense to the applicant. In extreme cases, it can mean that newly erected buildings have to be demolished.

Street Naming

When you receive consent for the building of new a development(s)/property or creating additional flats/units within an existing dwelling, for reasons of public safety and for the allocation of an official postal address, please contact the Street Naming and Property Numbering Section, Town Hall, Weston-super-Mare, BS23 1UJ; Tel: 01275 88761; email: strnames@n-somerset.gov.uk. Learn more on our [website](#).

Access to further information

Further guidance on Planning and Building regulation information and services can be accessed on our website and on the Planning Portal at www.planningportal.gov.uk.

We strongly encourage the submission of planning applications via the Planning Portal. We also provide an online planning service on our website that allows you to monitor and review all applications we receive. This can help you keep you up-to-date with planning matters in your area.

**This publication is available in large print, Braille or audio formats on request.
Help is also available for people who require council information in languages other than English. Please contact us using our www.n-somerset.gov.uk/contactplanning**