



Appeal Decisions

Inquiry Held on 28 June to 1 July and 5 & 6 July 2022

Sites visit made on 6 July 2022

by G D Jones BSc(Hons) DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 25th August 2022

Appeal A - Ref: APP/D0121/W/22/3292065

Land at Butts Batch, Wrington

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Strongvox Homes Ltd against the decision of North Somerset Council.
 - The application Ref 20/P/2990/OUT, dated 6 November 2020, was refused by notice dated 17 September 2021.
 - The development proposed is described as outline planning application for access with all other matters reserved for the erection of up to 61no. dwellings, including 18no. affordable housing units (30%), along with access from Butts Batch, the provision of play facilities and public open space/ecological mitigation land with associated works.
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Appeal B - Ref: APP/D0121/W/22/3294867

Land adjacent to Westward Close, Wrington

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Strongvox Homes Ltd against North Somerset Council.
 - The application Ref 21/P/2120/FUL, is dated 21 July 2021.
 - The development proposed is the laying of hardstanding and associated works to facilitate a new public right of way.
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Decisions

1. **Appeal A is dismissed.**
2. **Appeal B is allowed** and planning permission is granted for the laying of hardstanding and associated works to facilitate a new public right of way at Land adjacent to Westward Close, Wrington in accordance with the terms of the application, Ref 21/P/2120/FUL, dated 21 July 2021, subject to the conditions contained within the Schedule at the end of these decisions.

Preliminary Matters

3. As set out above, there are two appeals relating to two separate planning applications. Although relating to two different areas of land, the sites abut, with the Appeal B site located immediately to the northeast of the Appeal A site.
4. Appeal A is for outline planning permission with access only to be determined at this stage and with appearance, landscaping, layout and scale reserved for future approval. Whilst not formally part of the scheme, I have treated the

- submitted details relating to these reserved matters as a guide as to how the site might be developed.
5. In this regard and as outlined in the main Statement of Common Ground between the appellant and the Council (the main SoCG), I have been asked to consider and determine Appeal A on the basis of 'minor amendments to illustrative material and updated parameter plans'. These amendments have been consulted upon locally and with the Council. By their nature, they concern matters that are inherently illustrative. Consequently, I can see no reason why any party might be unreasonably deprived of the opportunity to be consulted on the changes or be prejudiced as a result of accepting them. I have, therefore, assessed and determined Appeal A on the basis of these amendments.
 6. The first reason for refusal of the Appeal A planning application refers to the effect that the proposed development would have on Wrington Conservation Area (WCA). However, subject to the provisions of the amended parameters plans, as referred to above, the Council no longer considers that any such effect would warrant refusal of planning permission. Although they are located near to WCA, neither site stands within it. Having paid special attention to the desirability of preserving or enhancing the character or appearance of the WCA, I have found no good reason to disagree with the Council in this respect and have assessed and determined the Appeal A scheme on that basis.
 7. Appeal B is for full planning permission for a proposed right of way that is intended to provide a new pedestrian and cycle link between the northern part of the Appeal A development to Westward Close, which is an adopted highway that links to Station Road to the east. The Council has confirmed that had Appeal B not been made it would have granted planning permission for that proposed development, subject to conditions.
 8. Three Statements of Common Ground have been submitted relating to both appeals. In addition to the main SoCG, there is a second between the Council and the appellant concerning highway and transport matters, and a separate one between Keep Wrington as Wrington (KWaW) and the appellant. KWaW was a Rule 6 party at the Inquiry.
 9. A legal agreement, dated 12 August 2022, made under s106 of the Town and Country Planning Act 1990 (the Planning Obligations) for Appeal A only was submitted after the Inquiry closed. I have had regard to it in my consideration and determination of both appeals.
 10. A further appeal decision¹, made after the Inquiry closed, has been brought to my attention. I gave the three main parties to the Inquiry opportunity to comment on that appeal decision. I have taken all of their respective responses into account when making my decision along with that further appeal decision itself.

Main Issues

11. The main issues for **Appeal A** are:
 - The effect of the proposed development on the setting of the grade I listed Church of All Saints;

¹ APP/D0121/W/22/3292961

- Its effect on the character and appearance of the area; and
 - Whether any harm arising would be outweighed by other considerations, including the absence of a National Planning Policy Framework compliant supply of housing land.
12. Regarding **Appeal B**, in light of the extent of common ground between the Council and the appellant, the main issue is whether there are any other considerations that might indicate that this appeal should be dismissed.

Reasons - Appeal A

Listed Building

13. The Church of All Saints, listed at grade I, (the listed Church) is located some 200m from the northern edge of the Appeal A site. There is existing intervening development, mainly in the form of low-rise, 20th century dwellings located in the streets of Wiltons and Brooklyn, off Station Road.
14. The listed Church's significance derives principally from its architectural interest, including its 4-stage tall tower, which is a striking and attractive landmark in the village townscape and wider rural landscape, and from its historic interest as a parish church with medieval origins and ties to past activity in the parish and community.
15. Clearly the proposed development could not have a direct physical effect on the listed Church. Consequently, the focus here is on whether the proposed development would affect the listed Church's setting and, if so, how and to what degree. In this regard the extent of common ground between the appellant and the Council is of great assistance.
16. The main SoCG does not expressly address the setting of the listed Church. Nonetheless, the appellant and the Council agree that the proposal would result in less than substantial harm to the significance of the Church in the terms of para 202 of the National Planning Policy Framework (the Framework).
17. It follows, therefore, that the appellant and the Council both consider that the proposed development would be within the setting of the listed Church and that its effect on setting would lead to harm to its significance as a designated heritage asset. The Church is experienced, and its special interest and significance appreciated, from the agricultural hinterland of Wrington to the west and south of the village such that I agree that the Appeal A site and nearby surrounding land form part of its setting.
18. The appellant and the Council also agree that the extent of that harm would be at the 'lowermost' end of less than substantial, as set out in the main SoCG. Given that it is agreed between the Council and the appellant, I have used this level of harm as a benchmark to assist in making my decision. I have also found no good reason to conclude that the effect of the development on the listed Church would be any more positive than that level.
19. On this basis, the proposed development would have a harmful effect on the significance of the grade I listed Church of All Saints, via its effect on setting, contrary, in that regard, to Policy CS5 (Historic environment) of the North Somerset Core Strategy, January 2017, (The Core Strategy) and Policy DM4 (Listed buildings) of the Development Management Policies - Sites and Policies Plan Part 1, July 2016, (the DM Plan).

20. These Policies were found to accord with the Framework via the Core Strategy examination process. Nonetheless, neither includes the public benefits balance of Framework para 202. Consequently, the resulting conflict with Policies SC5 and DM4 carries limited weight only. I return to the relative weight of the identified harm compared to the public benefits of the Appeal A scheme in the *Other Considerations and the Planning Balance* subsection below.

Character & Appearance

21. There is a fair degree of common ground between the appellant and the Council on matters of landscape and visual impact. They agree that the Appeal A scheme would, overall, result in harm to landscape character as it would involve the development of a greenfield site. They have also agreed the relevant landscape receptors. The appellant has submitted a Landscape and Visual Impact Assessment (LVIA) in support of the scheme. While the Council disagrees with some of its findings, it has no objections to the LVIA's methodology. There is, nonetheless, significant disagreement regarding overall harm in this regard.
22. Having taken all of the evidence into account along with what I experienced when I visited the area, I broadly agree with the Council's landscape witness's assessment that the Appeal A development would have a harmful effect on the character and appearance of the area. I have not found it necessary to go into the full detail of why this is the case because, even if it were to have a neutral overall effect on the character and appearance of the area, it would not alter the outcome of Appeal A. I return to why this is the case in the *Other Considerations and Planning Balance* subsection below.
23. I do, nonetheless, outline here the main reasons why there would be at least some significant overall harm in this regard, notwithstanding its benefits. Notable amongst the character and appearance benefits offered by the development is the opportunity to soften and improve the village edge, which is currently rather abrupt along the boundaries of residential properties that adjoin the Appeal A site. The re-instatement of an historic hedgerow and structured boundary planting would also be of notable benefit.
24. Nonetheless, the overall effect of the Appeal A development, in terms of landscape and visual impact, would be negative, broadly in the terms identified by the Council's landscape witness. There are a number of reasons for this, including how the landscape sensitivity of the site and its surroundings are assessed. In my view, its sensitivity is high, consistent with the North Somerset Council Landscape Sensitivity Assessment, 2018 (the LSA).
25. In coming to this view I have taken into account the recent comments of a fellow Inspector regarding the LSA made in his decision letter concerning proposed residential development at Yatton². While the LSA was undertaken to help inform the plan-making process, such that it is a fairly high level assessment, its aims include to provide *a sound basis on which decision making can be informed with regard to ongoing and future site assessment and the determination of potential planning applications*. So, it is highly relevant to my decision. It also aims to provide *a context for the allocation of sites for housing development*, so it was prepared with residential development in mind.

² APP/D0121/W/21/3286677

26. Moreover, the LSA looks at Wrington and its surroundings in some detail via a number of separate sub-areas around the village. It was informed by site visits to each of the settlements assessed during the field survey, so those undertaking this piece of work would have been well-aware of the settlement pattern and nature of adjacent settlement edges when assessing this area, including the appeal site, as being of high sensitivity.
27. The site and surrounding area are not covered by any national or local designations for landscape quality. It is also common ground between the appellant and the Council that they do not form part of a valued landscape in the terms of the Framework and I see no reason to disagree on this matter.
28. The Council's witness's assessment of landscape quality appears the most accurate of the witnesses, having assessed the site and its immediate surrounds as of overall medium to high landscape quality and value. This is largely informed by the site and nearby fields being generally pleasant and rural, and also because of the characterful and attractive views across the local landscape to the church tower at the southern approach to the village and relationship with the wooded ridge to the north of Wrington.
29. The Appeal A site includes a much lower, yet pronounced ridge, where development is proposed to be located. It is also at a reasonably prominent entrance to the village. Notwithstanding, the proposed landscaping works, the Appeal A development would be readily apparent from the south, occupying a significant portion of the open land that currently provides an attractive setting to this part of the village, including to the listed Church. Overall, therefore, the Council's landscape witness's assessment of high and moderate adverse, after 1 year and 15 years respectively, represents the most accurate assessment amongst the witnesses of the landscape effects of the proposed development.
30. There would also be visual impact, particularly in views from the local highway, rights of way and permissive path network. For instance, I agree with the Council's assessment that, while in large part screened or filtered by mature planting, views from the permissive path to the south of the site northwards are currently attractive and distinctive, and that the development would cause a medium degree of change for pedestrian receptors of high sensitivity, resulting in moderate to high adverse visual effects. Similarly, in views from Half Yard by pedestrians and cyclists when approaching the village, there would be a high degree of change leading to high adverse effects for these users of the highway.
31. For the foregoing reasons, therefore, the Appeal A development would have a harmful effect on the character and appearance of the area. Consequently, in this regard, it would conflict with Policy CS5 (Landscape) and bullet points 1 and 4 of Policy CS32 (Service villages) of the Core Strategy, and Policies DM10 (Landscape) and DM32 (High quality design and place-making) of the DM Plan.

Planning Obligations

32. In the event that planning permission for the Appeal A scheme were to be granted and implemented the Planning Obligations would secure the provision of affordable housing at a rate of 30%, with a split of 77% social rent and 23% intermediate; the transfer of the proposed on-site open space to the Council or another party; payments to fund school travel for primary and secondary school pupils, public transport services phased over 5 years, supervision and

inspection of the open space works, and maintenance of fire hydrants; and the implementation of the travel plan, including payments for sustainable travel incentives.

33. The Council has submitted a detailed statement for Appeal A (the CIL Statement), which addresses the application of statutory requirements to the Planning Obligations and also sets out the relevant planning policy support / justification. I have considered the Planning Obligations in light of Regulation 122 of The Community Infrastructure Levy Regulations 2010 (as amended) and government policy and guidance on the use of planning obligations. Having done so, I am content that they would be required by and accord with the policies set out in the CIL Statement. Overall, I am satisfied that all of those obligations are directly related to the Appeal A development, and in each case are fairly and reasonably related to it and necessary to make it acceptable in planning terms.

Other Considerations and the Planning Balance

34. As the Appeal A development would cause less than substantial harm to the significance of the listed Church, there are two balancing exercises to be done. The first is that set out in para 202 of the Framework, in the context of the statutory requirements of s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The second is the more common balancing exercise under s38(6) of the Planning and Compulsory Purchase Act 2004 having regard, amongst other material considerations, to the Framework, including its para 11 and the engagement of the so-called tilted balance. The former is dealt with first as its outcome has the potential to effect the operation of the latter.
35. Before doing either balance, it is necessary to identify the benefits of the Appeal A development. The appellant maintains that the proposed development would bring a number of benefits, including the delivery of housing.

Housing Delivery

36. The Council accepts that it cannot currently demonstrate a five year supply of deliverable housing sites as required by the Framework. It is also common ground between the Council and the appellant that the deliverable supply for the period in question lies in the range of 2.95-3.3 years only and that the specific figure within this range is 'not material to the decision maker'.
37. Further to the absence of a five years' supply of housing land, while Core Strategy Policy CS13 sets housing numbers to be delivered in the plan period, it is not a Framework compliant assessment of housing need and was adopted on the expectation of an early review by 2018, but which has yet to take place. The Core Strategy is also more than five years old, such that its adopted housing requirement is replaced by the higher requirement derived from the Government's Standard Method. While there has been activity in terms of attempting to bring forward a replacement Local Plan, there can be no certainty regarding when a replacement plan might be adopted.
38. There is also a shortfall of 265 affordable homes for the Plan period based on an annualised target of 150 homes compared to the average annual delivery of

131 homes. This is in the context of 2,306 households being on the Council's waiting list for affordable housing as at 2020-21.

39. In these circumstances and bearing in mind that it is unclear when the shortfalls in either market or affordable housing will be bridged, the contributions that the development would make to the delivery of market and affordable housing are each, individually, very weighty considerations in favour of Appeal A.

Other Benefits

40. A number of other benefits of the Appeal A development are advanced through the evidence. In the terms of the Framework, under the economic objective of sustainable development, these include those associated with the construction phase of the development, including employment, new homes bonus and long term spending associated with the residents of the completed scheme.
41. In addition to housing delivery as discussed above, under the social and environmental objectives, the benefits would also include the provision and maintenance of public open space/public realm and play facilities, habitat creation and biodiversity net gain, sustainable drainage, localised landscape enhancements and the placemaking aspects of the scheme, support to public transport services over 5 years via the planning obligations and the support that the additional residents would provide to sustaining services and facilities in the area.
42. The appellant's case also refers to what is said to be heritage benefit in terms of opening up currently unavailable views of the Church tower from the developed Appeal A site. However, these views already exist, albeit from private property, and no viewpoint evidence has been submitted to support the claim that they would be beneficial. Consequently, any such benefit would be highly tempered. Moreover, if they were genuinely beneficial, they would have been taken into account by the appellant's heritage witness as part of her overall assessment of the proposed development's effect on the significance of the listed Church, which led to the conclusion of less than substantial harm at its lowermost.
43. It might then be said that such an alleged 'heritage benefit' should be counted again in the Framework para 202 balance on the basis that, even though it has already been taken into account in the assessment of the effect on the significance of the heritage asset, it is nonetheless a 'public benefit'. While I am far from convinced that this approach is the intension of the Framework, for the purposes of making my decision I have included this alleged 'public benefit' in the Framework para 202 balance. However, for the reasons outlined in the preceding paragraph, it could attract no more than very limited weight.

The Listed Church and the Balancing Exercises

44. While not its principal source, the listed Church's setting nonetheless makes a considerable contribution to the significance of this designated heritage asset. It is the more immediate area around the listed Church, where the detail of its architecture can be most fully appreciated, that makes the greatest contribution to its significance as derived from its setting.
45. Nonetheless, its wider setting, including the Appeal A site, makes an important contribution to the significance of the listed Church. A major part of this is

associated with its tall, 4-stage tower, which is a prominent landmark in the local landscape, including in views northward from the south, beyond the village and across the Appeal A site. While these views from the south are intermittent, with the Church tower seen in the context of 20th century development, this part of the listed Church's setting does contribute to its significance and special interest.

46. Although that contribution is modest in comparison to the other factors that contribute to its significance, it is nonetheless valuable. As a listed building, the Church of All Saints is of national importance. Moreover, as a grade I listed building, it is of exceptional interest, with only around 2.5% of listed buildings being at grade I.
47. The total weight of the benefits would be great. However, they are not collectively sufficient to outbalance the identified 'lowermost' less than substantial harm to the significance of the listed Church given that such harm should be given considerable importance and weight and bearing in mind the national importance and exceptional interest of this heritage asset.
48. In coming to this conclusion, I have taken account of the somewhat modest scale of housing that would be delivered, and that although the housing land supply and affordable housing shortfalls are substantial and of longstanding, such that they are likely to take some time to bridge, they are also likely to be temporary. In contrast, the harm to the significance of this important and exceptional heritage asset would be of a far more permanent nature. Consequently, the tilted balance of Framework para 11 does not apply.
49. As outlined above, the conflict with Core Strategy Policy CS5 and DM Plan Policy DM4 resulting from the harm to the significance and special interest of the listed Church carries only limited weight. Nonetheless, given the outcome of the Framework para 202 balance, even if there were no harm to the character and appearance of the area and even if the appellant's best position on the weight currently carried by the wider policies of the development plan were to be adopted, when undertaking the s38(6) planning balance there would be insufficient additional weight in favour of the Appeal A development to outweigh the harm to the listed Church and the associated development plan conflict. Accordingly, Appeal A should be dismissed.

Reasons - Appeal B

50. The purpose of the Appeal B development is to provide an additional non-vehicular means of access to and from the Appeal A residential development. Consequently, if Appeal A were to be dismissed, the reason for the Appeal B development would fall away. Nonetheless, regardless of whether it is now needed or would have been needed had Appeal A been allowed, I am still required to determine Appeal B.
51. A number of concerns have been put to me regarding the Appeal B development mainly concerning highway safety matters and the potential effect of the development and its use on the living conditions of nearby residents. Nonetheless, the appellant's evidence demonstrates that the necessary lines of sight could be secured and retained to ensure that there would not be any significant effect on safety resulting from potential conflict between users of the proposed link and vehicular users of the existing access to the waterworks and Piggery to the west.

52. Although I recognise that it would represent change, this kind of arrangement, where a right of way runs alongside and / or to the rear of people's homes, is quite common in residential areas. I do not see any good reason why the arrangement that would result here would have any significant effects in terms of neighbours' living conditions. Indeed the proposed hard surfacing of a section of the access track would be likely to be beneficial in terms of reducing dust.
53. There is also concern expressed regarding the hedgerow that currently stands between the private access track and Westward Close and the deliverability of the link. However, the evidence indicates that the hedgerow currently lies within the adopted public highway where the local highway authority is able to authorise necessary works, including to the hedge. The loss of a part of the hedge to facilitate access and the associated sight lines would be reasonably small and have a limited effect on the character and appearance of the area.
54. Overall, having taken account of all of the representations made, both in writing and in person at the Inquiry, I have found no good reason to disagree with the Council's position on the Appeal B scheme, as set out in the main SoCG, that planning permission should be granted subject to conditions. Accordingly, even though the proposed link would not be needed, such that it seems very unlikely that it would be completed, Appeal B should be allowed.

Other Matters

55. KWaW and other interested parties raised a range of wider concerns during the appeals and planning applications processes, both in writing and in person at the Inquiry. In respect to Appeal A, while I have taken them into account, as they do not alter the outcome of the Appeal, I have not found it necessary to discuss them any further. Regarding Appeal B, as outlined above, there are no matters that individually or collectively warrant the withholding of planning permission for that proposed development.

Conclusions

56. In conclusion, the Appeal A scheme would lead to less than substantial harm to the significance of the Church of All Saints as a designated heritage asset. For the reasons outlined above, that harm would not be outweighed by the public benefits of the proposal. Consequently, notwithstanding that the Council cannot currently demonstrate a Framework compliant supply of deliverable housing land, the tilted balance of Framework para 11 is not engaged. The harm to the significance and special interest of the Church, as a listed building at grade I, and to the character and appearance of the area, and the associated development plan conflict would not be outbalanced by the collective benefits of the scheme³.
57. Consequently, while in many respects the proposal would contribute positively to sustainable development objectives as set out in the Framework, particularly in terms of housing delivery, the Appeal A scheme would not be sustainable development in the terms of the Framework such that there is no presumption in its favour.

³ This would also be the outcome even without the identified harm to the character and appearance of the area and the associated development plan policy conflict in that respect.

58. Moreover, it would conflict with the development plan taken as a whole and there are no material considerations that have led me to conclude that the decision should be made other than in accordance with the development plan. Indeed, notwithstanding the development plan, there are weighty material considerations related to the identified harm to the special interest and significance of the listed Church that indicate that planning permission should not be granted. Accordingly, Appeal A should be dismissed.
59. Regarding Appeal B, I have taken into account all of the evidence, including that submitted by and on behalf of the local community. Having done so and notwithstanding that, given the outcome of Appeal A, the proposed right of way would not lead anywhere other than private property, I have found no substantiated evidence that leads me to disagree with the Council's conclusion that planning permission should be granted for the Appeal B scheme subject to appropriate conditions.
60. In addition to the standard time limit condition the Council and appellant have jointly suggested conditions in respect to Appeal B, which I have considered and, where appropriate, adjusted in the light of government guidance. To ensure that the development harmonises with its surroundings, is usable and to protect the living conditions of neighbouring occupiers, a condition to control details of landscaping and hard surfacing would be necessary. In order to provide certainty, a condition requiring that the development is carried out in accordance with the approved plans would also be necessary.
61. In the interests of safety, a condition would be necessary to secure and control sight lines from and across the proposed right of way, along with other safety measures including signage. A condition to deliver measures to protect the living conditions of neighbours would be necessary. For that reason and to support the protection of bats, a condition would also be necessary to control lighting associated with the proposed link. To safeguard neighbours' living conditions and in the interests of highway safety, a condition would be necessary to control operational aspects of the construction process.
62. For the foregoing reasons, therefore, **Appeal A is dismissed** and, subject to the appended schedule of conditions, **Appeal B is allowed**.

G D Jones

INSPECTOR

APPEARANCES

FOR THE APPELLANTS:

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| Christopher Boyle of Queens Counsel | Instructed by Pegasus Planning |
| He called ⁴ | |
| Martin Leay MSc MRAC FRICS(retd) CMLI | Landscape – The Landmark Practice |
| Hannah Armstrong BA(Hons) MSc IHBC ACIfA | Heritage - Pegasus Group |
| Ben Stoodley BSc(Hons) | Drainage - Focus on Design |
| Anthony Jones BSc(Hons) MCIHT | Transport - Pegasus Group |
| Chris Marsh BA(Hons) MPlan MRTPI | Planning - Pegasus Group |

FOR THE LOCAL PLANNING AUTHORITY:

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| Peter Wadsley, of Counsel | Instructed by Richard Kent, Head of Planning, North Somerset Council |
| He called ⁵ | |
| Jon Etchells MA BPhil CMLI | Landscape - Jon Etchells Consulting |
| Kate Hudson-McAulay PhD MSc BSc(Hons) AssocIHBC | Heritage - North Somerset Council |
| Mark Reynolds BSc(Hons) MSc MRTPI | Planning - Context Planning Ltd |

FOR KEEP WRINGTON AS WRINGTON:

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| Richard Storrar | Instructed by Keep Wrington as Wrington |
| He called | |
| Adrian Dore | Landscape & Heritage – Local Resident |
| Georgina Bigg | Various matters – Campaign for the Protection of Rural England, Avon and Bristol |
| J Maria Abdul-Wahab BSc(Hons) BA(Hons) | Agriculture – Local Resident |
| Susannah Marwood | Pedestrian Access & Safety – Local Resident |
| Lisa Edgar ⁶ DHP HPD SFBT Sup(Hyp) AfSFH, MNCH(Acc) MNCP | Appeal B – Local Resident |

⁴ Although other proofs of evidence were submitted in support of the appellant's case, only the five witnesses listed here were called to give evidence at the Inquiry.

⁵ A further proof of evidence regarding housing land supply was submitted by the Council, however, in light of further common ground that it found with the appellant as reflected in the main SoCG, that witness was not called to give evidence at the Inquiry. Additionally, Roger Willmot, the Council's Strategic Developments Team Manager, contributed to the conditions / planning obligations session.

⁶ Formerly Ms Williams.

INTERESTED PERSONS:

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| Tony Harden | Local Resident |
| Jacinta Magee | Local Resident |
| Cllr Steve Hogg | Councillor, North Somerset Council |
| Mary Browne | Local Resident |
| Allyson Grieveson | Local Resident |
| David Thorneywork | Local Resident |
| Philip Hall | Local Resident |
| John Gallop | Local Resident |
| Geoff Matthews | Local Resident |
| Ellie Denney | Local Resident |
| Paul Segar | Local Resident |
| Robin Jeacocke | Councillor, Churchill Parish Council |
| Sally Bartlett | Local Resident |
| Mary Barnfield | Local Resident |
| Jan Murray | Councillor, Churchill Parish Council |

APPEAL B - REF APP/D0121/W/22/3294867 - SCHEDULE OF CONDITIONS:

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.
2. Details of the surfacing of the hardstanding and the landscaping of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the approved details have been implemented in full.
3. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan - 0701-101-3
 - Proposed Cycleway Connection - P19-2039-001 Rev B
 - Ecology Note 14 July 2021 (Ethos)
4. The development hereby permitted shall not be brought into use until:
 - The proposed visibility splays have been provided, which shall be maintained free of obstruction to visibility at or above a height of 0.6m above the nearside carriageway level at all times; and
 - Details of suitable warning signs and other measures where the proposed pathway meets the existing track and where it meets Westward Close have been submitted to and approved in writing by the Local Planning Authority and provided in full accordance with the approved details.
5. A scheme to protect the living conditions of residents of properties neighbouring the proposed path shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the measures contained in the approved scheme have been implemented in full and these shall be retained thereafter.
6. Prior to the commencement of the development hereby permitted, a lighting strategy, expressed in lux, shall be submitted to and approved in writing by the Local Planning Authority, which shall include:
 - (i) Details of the type and location of the proposed lighting;
 - (ii) Existing and proposed light levels affecting the site;
 - (iii) Lighting contour plans;
 - (iv) Monitoring of the lighting levels post construction; and
 - (v) The hours of lighting operation.The lighting strategy shall also include an assessment undertaken by a suitably qualified ecologist on bat habitats and commuting routes on the site which shall be maintained at or below 0.5 lux within the defined bat corridor width at ground level and upwards to 2m. This lighting scheme shall be implemented and adhered to during the construction and operational phases of the development.
7. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:
 - (i) Hours of work, and timing of deliveries to avoid peak hours and school start and finish times;
 - (ii) Noise assessment of plant, equipment and machinery;

- (iii) Traffic routing, parking and measures to address highway safety and access to surrounding property;
- (iv) Measures to avoid soil or other contamination to local roads;
- (v) Location of any site compound, and materials storage;
- (vi) Details of any lighting to be used during the construction phase only; and
- (vii) Communications with neighbouring properties before and during the construction phase.

The approved Plan shall be fully adhered to during the construction phase of the development hereby permitted.