

Lord Nelson Planning Application

CLEEVE PARISH COUNCIL'S RESPONSE

CLEEVE PARISH COUNCIL

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Pre-Application Consultation

From a Freedom of Information question dated 23 May 2017, CPC is aware that the issues of demolition of the Lord Nelson ‘*hinge on the detailed interpretation of Policy DM68*’. An Officer then stated in correspondence between Mike Cole the Planning Officer and Graham Quick the Local Planning Leader

‘(i) Is the pub surplus to requirements ? Given the public support for its retention I would say not .

(ii) Is it in order to replace it with something smaller ? Given that it was a large pub I would have thought that it would be unreasonable to replace like for like

Conclusion: It appears that the demolition of The Lord Nelson hinges very much on a value judgement of an officer. The feeling from residents against the demolition of an iconic building must play a part in the decision making process and should carry weight.

The Application Site and Surrounds:

This section completely ignores the fact that the Lord Nelson is in the centre of the village and is considered by residents as the heart of the village. There has been no mention of Cleeve Village Hall situated close by or the King George Playing Fields. The Lord Nelson gives a sense of place and belonging/identity to those in Cleeve and those who travel along the A370. **The Engain Ecological Assessment describes the site for the development as ‘*The immediate surrounding landscape is relatively flat and is dominated by the village of Cleeve*’.** This is hardly the place for a 24/7 petrol filling station which brings homogeneity and takes away from the rural location

The applicant states that this site is a suitable location for development as it can be classed as an ‘*infill development*’. CPC objects to a new 24/7 petrol filling station being located in the centre of the village and being defined as an appropriate and suitable development for an infill village washed over by Green Belt for the following reasons:

CPC has searched the net for a planning application for a new petrol filling station being placed in the centre of a village and have found none. CPC requested that NSC give examples of a new petrol filling station being built in the centre of a village in a residential area, again none were found. The examples from North Somerset Council are Planning applications 13/P/0918/F, 09/P/1069/F and 16/P/2268/F.

The 16/P/2268/F Development was of a site comprising an 8 pump petrol filling station, with underground tanks, associated retail store, jet wash, car wash and associated facilities, standalone coffee shop with drive-through facility, customer seating areas, car parking and

landscaping; This was not an infill development site, nor near residential properties and 45 jobs were to be created. Alternative sites were also shown as been examined.

Note: Firstly, the applicant has not provided any alternative options for developing this site although requested at our parish meeting February 2014 and again requested in our to response to the Statement of Community Intent. Secondly, the applicant has stated 'in excess of 50 jobs' CPC question whether these employees are being relocated from Cheddar or elsewhere and would wish to know the number of genuinely new jobs to be provided.

For the 13/P/0918/F development, the delegated report states that '*the site is some considerable distance from the nearest residential proprieties*'. This is contrary to the current application 17/P/540/FUL with several residential properties being impacted. The noise report accompanying application 17/P/5406/FUL suggests a noise condition to reduce noise impacts on residents.

Development 09/P/1069/F concerned the 'erection of new petrol filling station in south of existing car park, including new vehicular access point off Commercial Way to reduce the size of the customer kiosk and re-position a small distance east of its consented position'. Again this application is not near to residential properties or in the middle of a village or in Green Belt.

Conclusion: This evidence shows that new filling stations are, understandably, no longer constructed in the middle of a village close to residential properties particularly in Infill Villages.

Infill Villages, Smaller Settlements and Countryside – CS33

CPC believes that a new petrol filling station operating 24/7 is in direct contradiction to the vision for an infill village which Cleeve is:

'Rural areas will retain and enhance their countryside character where the quality of the natural environment is the prime objective and any new development will be small scale and strictly controlled. The infill villages will have maintained or enhanced their individual character, identity and sense of community. Accessibility will be improved to facilities and services not locally available within nearby larger settlements'.

The proposed development is for a PFS forecourt with four pumps (8 filling points) and canopy over; Air/Water facilities; Associated retail store of 373m²; Lounge bar/café of 210m² with internal and external seating; Hair and Beauty Salon of 230m²; offices for the Applicants' business use of 257m²; 53 Car parking spaces including 3 disabled user bays and 2 EV charging bays. **This is not small and strictly controlled.**

A new PFS does not enhance the character, identity and sense of community but will give a sense of loss to these values. All these facilities are available within a 3 miles radius in the

services villages of Backwell Congresbury and Yatton. There are two petrol stations in Congresbury and one in Backwell.

Conclusion: a new 24/7 petrol filling station is inappropriate development for an infill village.

Developer Contributions and S.106

106 Agreements

The applicant considers that if this application were granted consent there is not expected to be any aspects of the proposed development controlled by a 106 Agreement.

CPC believe that a 106 Agreement is necessary on the Bar, an Asset of Community Value. This is because this is outside the scope of the applicant's business model and there is a fear that the Bar will be closed by the applicant in the near future.

A 106 Agreement is necessary to protect residents from adverse impacts of a new petrol filling station. If allowed at all, it should operate only daytime hours of 07.00 – 23.00 hrs and be shut for the hours classed by the World Health Organisation as night which are 23.00 – 07.00 hours.

Conditions

Noise

The applicants are willing to accept a condition at the far end of the forecourt and parking area to protect the corner house of Main Road and Cleeve Road but this should be extended for all residents close by due to the pub garden being turned into a car park. This should be for the classified hours of night 23.00 – 07.00 hrs.

No deliveries including tanker movement should be allowed from 23.00 until 07.00 hrs from Monday to Saturday and on Sunday from 23.00- 08.00 hrs in order that residents are not disturbed. The Statement of Community Intent stated to residents only *'that deliveries are never permitted before 06.00'*.

Please note that the Public House Premises licensing hours at the time of closure were

Sunday – Thursday 11.00 – 11.30 hrs

Friday – Saturday 11.00 – 24.00 hrs

Lighting

Lighting should be restricted to cover only the petrol filling station and store from 23.00 until 07.00 hrs for the benefits of residents and biodiversity.

Nature Conservation

The applicants would accept a further condition to secure inclusion of bat roosting features in the fabric of the building but CPC think that there should be proposals to undertake a scheme of bat monitoring surveys which should be submitted to the Local Planning Authority for years 1, 2 and 5. This is to ensure that bats still forage on the linear corridor on site and forage on the fields close by.

Staff Travel Plan

A Sustainable Staff Travel Plan should be submitted by the applicant to North Somerset Council to be approved in writing by the Local Planning Authority which details car sharing targets for staff as staff should park within the development and not on local roads.

Conclusion: CPC has requested 106 Agreements and Conditions to protect residents if this development is granted consent although we object to the application in the strongest of possible terms. CPC have asked for stricter restrictions on hours as this development as it brings very considerable impacts to the village.

Planning Policy Assessment

National Planning Policy Framework (NPPF) 2012

This application states that *'This mixed-use development proposal will contribute toward the wider economy'*. CPC has seen no justification for this statement as no economic impact assessment has been submitted. Greene King, the previous owner of the Lord Nelson ran down the business. The pub was only on the market for a short period. It had six bidders. CPC believe that there are viable alternatives to the proposed development, such as, a pub with bed and breakfast due to the proximity of Bristol Airport, a community run pub or a mixed use facility etc. Due to the purchase of the site by the applicant, the perhaps successful use of the property for community use has been unable to be demonstrated. CPC believe this is contrary to para 70 of the NPPF in which the community loses a vital asset which is part of the day to day needs. The Asset of Community Value, the Bar, is not considered a suitable replacement facility for the loss of the only pub in Cleve. CPC believes that the applicant has not yet demonstrated why the Lord Nelson is to be demolished as no serious alternative options have been made known in the planning application or at any time to the Council. The report by Insight Retail Consulting suggests that the café/Bar is *'the optimum size to serve the local community'* but the Lord Nelson has always served a wider community and CPC has stated above and believes that an alternative use should be allowed for the Lord Nelson. The sales figures for the Lord Nelson provided by Greene King show a decline in trade over the last three years which is part due to bad management. Greene King made no attempt to diversify into bed & breakfast. The Asset of Community Value also covers the car park and garden.

CPC would argue that the needs of the community are already met with three service villages Backwell, Congresbury and Yatton close by and by having, already within the village, a beauty salon, a café and a village shop. CPC prefers not to have the impacts of a new

petrol station and of increased traffic, noise, lighting and loss of a pub. Note there are already two petrol filling stations in Congresbury on the A370, and one in Backwell.

Conclusion: CPC requests an Economic Impact Assessment to show how this development will benefit the wider economy. The facilities offered in the Café/Bar are no substitute for what is being lost.

Asset of Community Value Policy DM68

CPC believes the benefit to the community lies in retaining the Lord Nelson due to its central position in an Infill Village in contrast to the proposed development of a 24/7 new petrol station. Policy DM7 of the Sites and Policies Plan Part 1 states *that when considering any proposals involving such assets the council will take into account their local significance and whether they warrant protection where possible from removal or inappropriate change including harm to their setting.* CPC requests that the Lord Nelson Heritage Report 2017, which is attached and is part of our submission, is evaluated in support of the proposal that the pub building should remain. It provides evidence that the demolition is against the wishes of residents.

The Bar currently is a vastly reduced space within the café, compared with what was available in the Lord Nelson. The replacement facility of the Bar is too small and does not offer the existing facilities which have been lost such as a juke box, large television, pool table and full size skittles alley.

The applicant has given no opportunity for the community to rent the asset

Conclusion: The assessment of the importance of The Lord Nelson is a judgement call taken by NSC officers. CPC cannot stress enough the importance of this site to the community and submits as further evidence the views of Heritage England. The Bar currently is a vastly reduced space within the café, compared with what was available in the Lord Nelson

Climate Change and Carbon Reduction – Policy CS2

The development proposal for a new petrol filling station is a ‘fossil fuel’ development which increases the amount of carbon emissions. CPC accepts that energy reductions have been incorporated to the development but questions the long term viability of a new petrol station at a time when the Government is encouraging the use of electric cars.

CPC in its response to the Statement of Community Intent highlighted a presentation by Tony Seba of Stanford University ‘**Clean Disruption – Energy & Transportation**’ at <https://www.youtube.com/watch?v=2b3ttqYDwF0> in which it is stated that electric self-driving cars will be here in the next five years. CPC believe electric cars will render the petrol station unviable within ten years. Electric cars will be much cheaper to recharge at home. This application only has two electric charging points. To fit with North Somerset Council’s initiative of increased electric vehicle use across the district, this application needs to show

how it can be viable in a new context and how it can support and encourage movement towards a lower carbon environment (Ref: (Climate Change NSC Pdf).

Conclusion: CPC believes that an economic impact assessment is required to show a new petrol station remains a viable business model today with the introduction of the electric car and that this proposed development contributes to the district wide carbon dioxide reduction targets of 50% by 2035 to remain in line with the Climate Change Act 2008.

(Ref: Climate Change NSC Pdf).

Flooding Policy CS3

The Planning Statement states that a Flood Risk Assessment has been submitted which appears not to have been submitted and is not available on the NSC website.

The applicant has not accounted for the drain on the King George V Playing Fields which is connected to a culvert for the drain at the bottom of Cleeve Hill Road which is situated next the area proposed to be developed. Water running to the drains on Cleeve Hill Road comes from heavy rainfall and the rise of the water table from the Quarry and Goblin Combe. The water table from Goblin Combe flows through fields to the Village Hall and into the drain as the Quarry spills over into the road.

Water also runs off the fields down into the back of The Lord Nelson.

Conclusion: CPC requests that a Flood Risk Assessment is submitted.

Nature Conservation – Policy CS4

Biodiversity

The description by Engain in The Lord Nelson Ecological Appraisal indicates that the proposed development is inappropriate development for a rural area washed over by Green Belt. The description of the site is *'The immediate surrounding landscape is relatively flat and is **dominated by the village of Cleeve**, but the steeply sloping land south and east of the site is characterised by the extensive semi-natural woodlands of King's Wood and Brockley Wood'*. CPC assume Brockley Woods is Goblin Combe.

The site is within 400 m of a component part of the Mendip and North Somerset Bats Special Area of Conservation. The site is within the Band A consultation zone of the North Somerset Bats SAC, and within the juvenile sustenance zone. There are also species of bats found within the survey other than the Greater and Lesser Horseshoe bat.

The Bat Survey Report and Assessment states in the executive summary; *'Activity surveys concluded that general bat activity was low, and that there were a small number of registrations of greater and lesser horseshoe bats but that these species do not forage at the site. In the absence of mitigation, the development could result in the loss or deterioration of*

*a small amount of sub-optimal habitat for bats. In light of the bat survey results, it is unlikely that this would have an adverse effect on the SAC. By retaining the linear features and ensuring **they are not lit by any new artificial lighting**, any adverse effects on the SAC could be avoided and there would be no likely significant effect on the SAC.'*

Although the survey states that the light levels are too high for horseshoe bats due to the streetlighting this does not take into account the fact that these lights are turned off at midnight. The presence of a brightly lit site within an otherwise dark area could also attract insects away from the foraging areas.

CPC hope that the survey is closely scrutinized with respect to any effects on the SAC as we noted that the recordings were only taken in July and August rather than the full season and that the manned recordings lasted no longer than 2 hours (rather than at least 3hrs from sunset as advised in the SPD) and at the time of the dusk surveys the street lights would still have been on. Also it would appear that the static detector was pointed away from the linear feature.

Pub Garden

Apart from any habitat value, it should also be noted that there are no historical records of the garden having previously been built on. It is therefore a long-standing open space within the village that was well used by patrons of the former pub. The proposed small seating area, perilously close to a busy main road, goes no way to recompense for the loss of the garden.

The Planning statement states that the garden is of NO biodiversity value. However , it must be accepted that it is of more value than hard surface. The developer's ecology survey, although describing the habitats at the site as being 'of low intrinsic value' does recommend mitigation " such as creation of new, high quality habitats within the development." The NPPF also advises that there should be net gains of habitat wherever possible. Apart from the few new trees at the front of the site, mitigation seems to be lacking on the plans.

Conclusion: This is a development that does introduce new lighting which is a significant increase on the previous development in a dark area and as such could have effects on the SAC.

Landscape and the Historic Environment Policy CS5 and Non-designated Heritage Assets –Policy DM7. Delivering strong and inclusive communities CS12.

The location of the proposed development, in the heart of the infill village of Cleeve on the A370 has been used solely as a site for an inn/pub since 1799 with the current Lord Nelson Public House being opened in 1936. An extremely comprehensive history and heritage of this site, submitted to Historic England, can be found at the following link:...

<https://www.scribd.com/.../3.../Lord-Nelson-Heritage-Report-2017>

This was included as evidence of the Lord Nelson's importance to Cleeve and the surrounding area in a submission to Historic England for Grade II listing in 2017. Although not found suitable for listing Historic England's Oct 2017 report concluded:

"...It should be noted that this (decision) assessment is made in the national context and should not be seen to undermine the building's interest from a more local perspective. The Lord Nelson has clear local interest..."

North Somerset Council Core Strategy (Jan 17) CS5 states that *"the Council will conserve the historic environment of North Somerset, having regard to the significance of heritage assets such as ...buildings of local significance..."* The council also recognises that conservation of such assets will be in accordance with National Planning Policy Framework paras 126-141.

Indeed, within the applicant's own Heritage Impact Assessment, Solstice Heritage LLP recognises the Lord Nelson's importance and local significance on seven occasions, including *"The removal of the public house and its car park would remove its setting, resulting in a total loss of significance for this locally significant heritage asset."*

The applicant admits that demolition of the Lord Nelson will result in a negative impact to a heritage asset.

CPC would like to draw North Somerset Council's attention to CS12 3.173 within their Core Strategy (Jan 2017) which states: *"The character of an area is created through its landscape,...its buildings..., its heritage ingrained into the built and natural fabric."*

In North Somerset Council's own words *"The recognition, protection and enhancement of these features are essential ingredients to creating environments that provide people with a connection to history and support a social identity."*

Conclusion: CPC believes that the demolition of this locally significant asset is unnecessary and sensitive conversion of the premises is better suited to the community's landscape. Demolition in its entirety would lead to a loss of identity for travelers on the A370 and residents.

Bristol and Bath Green Belt Policy CS6 and Development within the Green Belt –Policy DM12

Cleeve parish is washed over by Green Belt, it is an Infill Village and is predominantly rural in landscape. CPC believes that the visual impacts of a new petrol filling station operating 24/7 will impact on the openness of the Green Belt as it is an inappropriate development. Cleeve village is a dark village with lights being turned off at midnight except at two junctions on the A370.

Policy DM12 allows limited infilling within villages washed over by Green Belt but development has to comply with local policies. The redevelopment has to be considered as appropriate. In this case a 24/7 new petrol filling station is highly inappropriate.

Conclusion: A new petrol filling station operating 24/7 is inappropriate in a Green Belt designation.

Parking Policy - CS11

The applicant states that the parking put forward is a pragmatic approach which has struck a suitable balance. The following comments show that the proposal put forward is inadequate for the size and scale of the proposed development, as pointed out by North Somerset Council in their pre-application advice.

The planning application shows *'car parking at 61 spaces in total (including disabled spaces). Of these spaces, eight are at the PFS bays, two are electric vehicle charging bays, one space provides air/water and three disabled spaces'*.

This leaves 47 car parking spaces to accommodate staff for offices relocated from Cheddar and to accommodate other businesses and their users on site. Table 5 in the submission gives car parking standards applied to the proposal with a total of 74 required. Thus, a car parking accumulation exercise has been undertaken 'with the assumption that the majority of visitors/staff will arrive by car'. However, nowhere in the documentation has it stated the number of staff car parking spaces to be allocated yet the site is to have in excess of 50 jobs. This is going to produce spill over to local roads. The only local road which is available is Millier Road which is at capacity due to the popularity of the bus services to Bristol and Weston super Mare. Cleeve Hill Road is single lane with no car parking spaces available on the road.

Appendix D of the Transport Assessment shows that an additional category has not been examined which is the Asset of Community Value, the Bar. Although some residents will walk to the bar, a vast majority will drive especially on dark nights and in the rain, as Cleeve Village is long and spread out. Many people from Claverham previously frequented the Lord Nelson and CPC can envisage these residents again using the bar facilities. The most popular time to frequent a local pub is from 17.00 hrs onwards on the way home from work, which according to the Transport Assessment will be one of the busiest hours of the day for car movements on to the site.

Inadequate parking can lead to queuing on the main A370 which will result in a safety hazard and is contrary to Policy DM24 of the Sites and Policies Plan (Part 1).

Conclusion: CPC believe the car parking proposed is totally inadequate for the size and scale of development proposed for an Infill Village. The accumulation analysis has failed to take account of the Asset of Community Value, the Bar which indicates that the capacity for the car parking on site will be further reduced. There has been no mention of car parking spaces for staff. The assumption in this proposal is that staff are expected to park elsewhere. Inadequate parking can lead to queuing on the main A370 which will result in

a safety hazard of slow moving traffic and is contrary to Policy DM24 of the Sites and Policies Plan (Part 1).

Supporting a Successful Economy – Policy CS20

CPC calls for an economic impact assessment to verify the 50 new employment opportunities suggested in this proposal. Nowhere in the documentation is there a breakdown of the type of job. Clarification is required on the number of part-time, full-time or full time equivalent positions which are going to be within the proposal. It does not state how many jobs are expected to be taken by local residents or the displacement of local jobs. CPC expect that there will be some displacement of jobs due to services being duplicated as there are two beauty salons in Cleeve and one hairdresser and an established convenience store. Please note that the Budgen's office in Cheddar is due to close and a number of office jobs are to be transferred. These are not new jobs.

Conclusion: An Economic Impact Assessment is required to check the viability of the number jobs expected to be within this development.

Other Material Considerations

Air Quality

The planning application documentation has not referred to air quality or given any data of the present air quality of the site. CPC request that emissions from vehicles on the roads and car park on site should be tested for emissions from pollutants such as nitrogen dioxide, sulphur dioxide and carbon monoxide and hydrocarbons. Construction and demolition will also effect air quality and create a dust nuisance. These points need to be examined. An examination of the air quality near to the seating area and pedestrian crossing needs to be examined.

Conclusion: CPC request that air quality data is provided in order that a baseline can be established and the parish council can monitor the quality of air in future years.

Lighting

Of prime importance is the fact that Cleeve is a 'dark village'. The only street lighting is on the main roads and that is turned off between midnight and 6am except on two lamp posts. A development in the centre of this green-belt village, brightly lit for 24hrs a day, would be glaringly incongruous.

According to the developer's bat survey, the max light levels at the front of the site, at a time when the street lights would have been on, was 2-3 lux. The proposed lighting survey shows a level of 10-25 lux over-spilling the canopy of the PFS and much higher levels elsewhere on the site. This is a massive increase in levels, area affected and time involved and is likely to adversely affect the character of the village, the well-being of the residents and the bats of the local SAC.

Also to be noted is the effect of vehicle headlights as they exit the site. These would be directed at the houses across the road, whereas those of through traffic are directed along the road ie parallel to, and so not affecting, the houses.

Conclusion: Cleeve is an infill village in the Green Belt additional lighting at this site will affect residents and the character of the area from one that is predominately rural to one that is urban. The amount of lighting will also spill over and impact the Greater and Lesser Horseshoe bat.

Transport, Travel and Access

Transport Assessment

CPC believes that there are many flaws within the Transport, Travel and Access documents and that they should be resubmitted. The Transport Assessment states that *'The traffic analysis indicates that the proposed development will result in a similar number of 'new' trips to the site as might be expected for a public house. There will be additional traffic entering and exiting the site, however, these volumes are split over the two access points and remain lower than 100 movements for the majority of the day and evening.'* CPC does not accept the analysis submitted for the following reasons:

The analysis has chosen unrealistic sites in Denbighshire, Wales and Fife, Scotland to model traffic flows. CPC requests that modelling be taken from the applicant and owner of the Budgen's sites in Lower Langford and Nailsea to give realistic account of actual traffic flows in the locality.

Table 3 has excluded traffic movements beyond 22.00 until 06.00 hrs. This is not reflective of a 24/7 operation and supports the need for analysis to be taken from the applicant's sites of Lower Langford and Nailsea.

The modelling has taken account of all categories on the site from PFS, Hairdressing, Beauty Room, Café and office but has excluded the Asset of Community Value the Bar which is an added attraction. Café visits are assessed at a maximum of only 13 per hour which appears remarkably low. Bar visits will be from 17.00 hrs one of the busiest periods for traffic on the A370 and entering and exiting the development and will result in an increase of car journeys to the site.

The Statement of Community Intent to residents stated 'that deliveries are never permitted before 06.00'. Vehicle delivery movements for the Budgens store have been missed out of the traffic assessment. The collection points and storage facilities for recycling have not been shown. Delivery of fuel by tankers also has not been shown and CPC question whether there is adequate space within the proposed car parking lay out.

The above statement implies that at certain periods of the day there will be over 100 plus movements entering and 100 plus movements exiting the site in an hour. Looking at the data on Table 3, it shows the period from 17.00 – 18.00 will have the highest volumes of over 203 vehicle movements with high volumes either side. This is at the same time the A370 is at its most congested.

The traffic analysis implies that there is a bus every 20 minutes which is 3 an hour. This is factually incorrect. For example, there are the following buses which stop at The Lord Nelson bus stop between the hours of 16.00 - 18.00 hrs:

At 16.04 the X1, at 16.10 the school bus, at 16.13 the X2, at 16.22 the A3, at 16.32 the 88C, at 16.40 the X1, at 16.48 the X2, at 17.10 the X1, at 17.20 the X2, at 17.22 the A3, at 17.43 the X1 and 17.50 the X2. This amounts to a bus every 10 minutes. Please note that the school bus is for years seven and eight only. These school children then take the Pelican crossing to cross the A370. The X2 at 16.13 brings home children in years nine onwards which again take the Pelican crossing across the A370. There is no layby for this bus stop which means that the traffic has to stop to overtake the bus in a carless period. Although the Tesco store at Congresbury has a bus stop close by, in the same period only 5 buses stop there not 12 as in Cleeve.

CPC believes a continual slowing of traffic resulting in increased tailbacks and growing frustration to motorists will impact on a number of junctions. CPC believe more traffic will turn left onto Cleeve Hill Road. Cleeve Hill Road is a single carriageway and the parish council have submitted this road as a quiet lane to join the quiet network lane to encourage more walking and cycling. More traffic will turn onto Millier Road seeking an alternative and quicker route to the A370. Cars will leave Millier Road and turn left onto Bishops Road and then seek to turn right onto the A370. No modelling of these impacts have been given. Please note that Millier Road is always full, not from residents parking on the road but the popularity of the bus services for commuters to Bristol. Residents from Wrington and Lower Langford park there to access the bus. Millier Road is only useable by one car at time. Large vehicles cannot get down. Residents are worried that services from emergency vehicles will be blocked. Parking is already an issue in Cleeve and there is no capacity to take excess car parking from the proposed development.

CPC believe there is a safety risk of the relocation of the Exit and Entrance to and from the site. The Exit is extremely close to the pedestrian crossing and bus stop. The Entrance appears to be almost directly opposite the turning to Millier Road.

The Bristol South West Economic Link Option Development Report for the West of England Local Enterprise Board and the Atkins Report for the West of England Joint Transport Study show that the A370 is approaching capacity. The Transport Assessment has failed to take account of the cumulative impacts of traffic from new housing developments which are currently taking place in Yatton, Claverham, the Newlands development and the proposed housing at Congresbury, Churchill and Langford shown in the Joint Spatial Plan. This indicates the development proposed is sited in the wrong place.

The A370 is not conducive to cycling due to the amount and volume of existing traffic. Increased congestion surrounding this site can only make cycling more dangerous on the A370. Note that Cleeve Hill Road and Wrington Hill are very popular with cyclists and form an informal fitness training circuit for cyclists to reach the lane network across to Clevedon and the Chew Valley.

Conclusion: CPC believes that this development 'is likely to have a severe residual cumulative impact on traffic congestion and on the character and function of the

surrounding area' and is a highway safety risk and contrary to Policy DM24 of the Sites and Policies Plan (Part 1).

Travel Plan

Although a Travel Plan document has been prepared and submitted with the planning application, which is supposed to relate to the Transport Assessment, it does not have the word 'staff', 'employee' or 'jobs' within the Plan. It is about the consumer. Normally travel plans are about the employees who will work in the businesses on site and how they travel to the site.

The Travel Plan should apply to all transport-related movements and issues, including staff related to retail and employees for the office (commuting journeys and business journeys including deliveries). No mention of these has been made, yet CPC understands from the parish meeting of 14 February 2017 that staff are being relocated from Cheddar. The planning application states that there will be in 'excess of 50 jobs' related to the development. A travel action plan which includes car sharing should have been incorporated within this application to show how many car parking spaces are required. CPC do not believe that the employees from Cheddar will travel on public transport or cycle.

A travel action plan requires a commitment to funding of promotional materials and initiatives to improve sustainable travel. A Sustainable Staff Travel Plan should be submitted by the applicant to North Somerset Council to be approved in writing by the Local Planning Authority.

Conclusion: The travel plan has omitted any mention of staff working at the many businesses on site or within the office and thus cannot be considered a staff travel plan.

Noise and Disturbance

The applicant admits that '*the site lies in a predominantly residential area*', yet is adamant to construct a 24/7 petrol filling station, which residents oppose. Please note that the Lord Nelson operated from 11.00 – 23.00 hrs and to midnight on Friday and Saturday night. Households are not used to noise from the present site from 23.00 – 11.00 hrs. More households will also be affected as the pub garden is being turned into a car park. Noise disturbances will be

Vehicle movements

Use of the fuel pump

Car doors opening /closing

Car stereos and radios, patrons talking,

Movement of people around the site

Trolley movement for the purchase of goods

Deliveries and waste collections

Please note the management team of Greene King had often wished to extend their licence to 01.00 hrs and to obtain a licence for live music. North Somerset Council always turned these applications down due to disturbance to residents living in close proximity. The applicant is willing to accept a condition 'at the far end of the forecourt and parking area' and should extend this to other residents.

The noise survey was carried out on five consecutive days in the school holiday when the A370 is noticeably quieter. Some of the equipment was malfunctioning.

The noise survey modelling assumes a 1.5m acoustic fence around the car park boundary. This structure does not appear in any of the plans which means that the model's assumptions and its output from them is invalid. Furthermore the noise survey reports refer to places on the A130 which is in Essex which is bizarre. CPC question whether the noise report is adequate.

Policy DM32 states that the development should not prejudice the living conditions for the occupiers in close proximity. There is no doubt that changing the pub garden into a car park will impact on neighbours not just at night but throughout the day with noise from people and vehicles.

Conclusion: Cleeve village has no disturbance at night other from than from Bristol Airport. The traffic on the A370 is vastly reduced at night and thus quieter. This proposal will attract passers-by to the facilities and create new noise at night. A new 24/7 petrol station is unsuitable for an Infill Village with residents in very close proximity who will suffer the impacts.

Impacts on Residents

Although CPC has highlighted the environmental impacts from the proposed development no where has the applicant indicated that the residents in very close proximity homes will be devalued by living next to a 24/7 new petrol filling station. The applicant has ignored its immediate neighbours by not directly contacting them and ignored the residents of Cleeve and parish council in which a request was put forward to hold an exhibition of the plans in the village hall.

Conclusion: CPC think it fitting to state that developers have a statutory duty to large projects to consult with communities. The Lord Nelson application for Cleeve is a large development affecting residents and the character of the village in which the consultation process has failed. The failure can be seen in that there has been no tangible change in the development since it was first put forward at the only parish council meeting held on 14 February 2017.

Design and Access

The building proposed is with a GEA of 815m² which is larger than Nailsea Budgens store at approximately 500m², Langford Budgens store at approximately 307m² and

Tesco in Congresbury at approximately 360m². There is no mention of car parking for staff or employee numbers. As the development is above 200 sq metres the applicant needs to demonstrate that no suitable sites are available in defined local or district town centres, and show that alternatives have been considered. (Ref: Policy DM67).

The delivery of fuel by tankers has been ignored in the design. There appears a lack of space for the tankers to turn with the proposed design of car parking presented in the application. CPC fear again that the tankers turning on and off this site will affect traffic on the A370.

Considering the development proposes a 24/7 new petrol filling station, the design statement does not show what will happen in the event of a fire. A fire strategy is required.

The new building replaces the existing building footprint with screened external seating to the frontage along the Main Street. CPC believe the new building is sited too close to the road and should be set further back. As stated by North Somerset Council there needs to be provision for '*an appropriate pedestrian footway around the building, in particular, at the front facing the A370 road. Of concern is the need to provide a space at least 1500mm wide between the planters or external seating screening and the back edge of the footway*'. CPC can not envisage people sitting at the current positioning of tables as the seating is very close to the A370 and petrol pumps. Children should not be exposed to poor air quality.

Conclusion: The new building is larger than the Langford, Nailsea, and Congresbury Tesco Express stores. Infill Villages should only have small building developments. The new building should sit further back within the site. A fire strategy is required.

Community Health

Mental and child health are two of the key areas emphasised as needing improvement in North Somerset Clinical Commissioning Group's current consultative paper Healthy Weston which includes Cleve in the Weston sector. The Lord Nelson with their indoor facilities for skittles, darts etc were particularly useful to encourage people particularly young men to be involved in community life which is acknowledged as important for physical and mental health.

Statement of Community Intent:

As the Statement of Community Intent stated the applicant, Jon Tout met with the parish council on 14 February 2017. Jon Tout was requested to bring a number of developmental options for the site to the meeting in order to be discussed. None were forthcoming other than the proposed development.

Jon Tout would only present and speak to residents and the Council after the allocated public speaking time in the meeting which gave residents no opportunity to put forward questions on the development.

Jon Tout promised that an exhibition of the proposed development would be part of the consultation process. This exhibition has not happened.

19 October Jon Tout distributed a tabloid-size newsletter describing the site proposals to all of the residential properties throughout the village of Cleeve. This newsletter showed that none of the concerns highlighted at the meeting held on 14 February 2017 were addressed. No alternative options to this development were given.

The analysis of the public consultation forming the Statement of Community Intent shows an overwhelming response from residents of Cleeve that two thirds of the village did not support the proposed development.

The analysis ignores the parish council point which is very valid *that 'the Lord Nelson gives a sense of place and belonging. A petrol station brings homogeneity to Cleeve and takes away from our rural setting.'*

Jon Tout has not approached neighbours in close proximity of the development to address their concerns.

Conclusion: CPC objects to this application as it is breaking up a community by demolition of an iconic much loved building. There are major traffic and car parking concerns around this development which will undermine the safety of the community. CPC does not believe that this development will improve the health and well being with a new 24/7 petrol filling station being placed in a centre of an infill village. This development undermines the Sustainable Community Strategy as well as undermining living within environmental limits by promoting a fossil fuel development.