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# Bath & North East Somerset Council

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## Improving People's Lives

**To: All Members of the Planning Committee**

**Bath and North East Somerset Councillors:** Sue Craig (Chair), Sally Davis (Vice-Chair), Shelley Bromley, Vic Clarke, Paul Crossley, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Dr Eleanor Jackson and Hal MacFie

Chief Executive and other appropriate officers  
Press and Public

Dear Member

**Planning Committee: Wednesday, 17th November, 2021**

Please find attached a **SUPPLEMENTARY AGENDA DESPATCH** of late papers which were not available at the time the agenda was published. Please treat these papers as part of the agenda.

Papers have been included for the following items:

### **UPDATE REPORT**

Yours sincerely

Marie Todd  
for Chief Executive

**If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.**

This Agenda and all accompanying reports are printed on recycled paper



**BATH AND NORTH EAST SOMERSET COUNCIL**

**Planning Committee**

**Date 17<sup>th</sup> November 2021**

**OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN  
AGENDA**

**ITEMS FOR PLANNING PERMISSION**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
01	20/02479/OUT	Parcel 1991 Bath Road Keynsham

**Representations**

One additional objection to the application has been received. No new issues where raised that haven't been addressed in the main committee report.

**Ecology**

The following ecology update is provided.

Whilst the proposals will impact existing linear habitat features which are may be used by bats, no roosts have been identified on the site (the trees located within the site are considered to offer negligible potential roosting features). A Natural England licence is therefore not required for the proposed development

**Planning Obligations**

Following a review and discussions with the applicant, it has been agreed that the Heads of Terms should be updated to incorporate the securing of a pedestrian and cycle link through the site between the A4 Bath Road and Worlds End Lane with the detail of this route to be identified as part of the reserved matters applications.

The first part of the officer recommendation (relating to planning obligations) is therefore updated as below:

**RECOMMENDATION**  
DELEGATE TO PERMIT

1.) Authorise the Head of Legal and Democratic Services to enter into a Section 106 Agreement to secure:

1. A contribution of £104,103 towards improving the walking and cycle route on Bath Road or other sustainable transport measures to mitigate the increase in trips generated by the development
2. A contribution of £14,625 towards providing local bus services should be sought to provide access to public transport to residential areas of Keynsham and Saltford
3. A fee of £5,000 to amend the parking restriction TRO on Bath Road
4. A Full Travel Plan submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.
5. Targeted Recruitment and Training obligations and contribution
6. Contribution of £3,000 towards 2 fire hydrants
7. *Securing a pedestrian and cycle link across the site from A4 Bath Road to Worlds End Lane*

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
02	21/04049/FUL	The Scala Shaftesbury Road Oldfield Park Bath

### **Legislation**

The committee report refers to the duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character or appearance of the surrounding conservation area.

The site falls outside of the Conservation Area and therefore the duty does not apply. However, the impact of the proposals upon the setting of the Conservation Area remains a material consideration.

Similarly, the report refers to the duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 'In considering whether to grant planning permission for development which affects a listed building or its setting' to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

There are no listed buildings within the immediate vicinity of the site. The nearest is the Oldfield Park Baptist Church (Grade II) which is approximately 180m to the north-west of the site. Given the height, scale and design of the proposals they are not considered to have any impact upon the setting of any listed buildings.

### **World Heritage Site**

To clarify the assessment in the committee report, it is considered that the proposals, due to their height, scale, massing and design, would preserve the Outstanding Universal Value of the World Heritage Site and therefore are in accordance with policy B4 of the Core Strategy.

### **Environmental Impact Assessment**

The Council has adopted a screening opinion in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and has concluded that it does not represent EIA development.

### **Other Matters**

The recommendation references the 'Director of Legal and Democratic Services', but as this post no longer exists and this reference should be to the 'Head of Legal and Democratic Services'.

## **Planning Obligations**

The Heads of Terms are updated to include the funding of a car club bay including all necessary TRO and all implementation costs.

The first part of the officer recommendation (relating to planning obligations) is therefore updated as below:

### **RECOMMENDATION DELEGATE TO PERMIT**

1.) Authorise the Head of Legal and Democratic Services to enter into a Section 106 Agreement to secure:

1. A contribution of £104,880 for or towards the enhancement and maintenance of Public Open Space within the Westmoreland, Oldfield, Moorlands and Southdown wards;
2. Details of management company and operation of the site and open space;
3. Obligations to secure off-site highway works together with funding of the required Traffic Regulation Order together with implementation costs;
4. The phasing of the development to ensure the delivery of the retail unit and community use in the first phase;
5. The provision of fire hydrants on the development where necessary and a financial contribution towards their maintenance for 5 years.
6. *Funding and implementation of a car club bay*

## **Planning Conditions**

Condition 5 (student management plan) has been updated to reflect current practice and to ensure that it covers all relevant matters relating to the management of the proposed student accommodation. Condition 5 is therefore updated as below:

### **5. Student Management Plan (Pre-occupation)**

*The student accommodation hereby approved shall not be occupied until a student management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:*

- I. A restriction on the use of the parking spaces by students;*
- II. Measures to prevented student occupiers from parking cars within a 1km radius of the site;*
- III. The arrangements for student drop off / pick up at the start and end of each University semester;*
- IV. Details of refuse storage, management and collection;*
- V. Details of site security and access arrangements;*
- VI. Details of the 24hr on-site management of the student blocks;*

VII. *Contact information for third parties to report student behaviour complaints.*

*The student accommodation use shall thereafter operate only in accordance with the approved student management plan.*

*Reason: In the interests of highways safety, residential amenity, to reduce potential noise and disturbance and to ensure the good management of the building in accordance with policies D6, ST7 and North East Somerset Placemaking Plan.*

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