

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 26th April, 2023, 11.00 am

Councillors: Sue Craig (Chair), Sally Davis (Vice-Chair), Shelley Bromley, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Dr Eleanor Jackson, Hal MacFie, Brian Simmons and Ruth Malloy

105 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

106 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Cllr Ruth Malloy was substituting for Cllr Paul Crossley.

107 DECLARATIONS OF INTEREST

There were no declarations of interest.

108 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

109 ITEMS FROM THE PUBLIC - TO RECEIVE STATEMENTS, PETITIONS OR QUESTIONS

The Democratic Services Officer informed the meeting that there were a number of people wishing to make statements on planning applications and that they would be able to do so when these items were discussed.

110 MINUTES OF THE PREVIOUS MEETING

It was moved by Cllr Eleanor Jackson, seconded by Cllr Sally Davis and:

RESOLVED that the minutes of the meeting held on 5 April 2023 were confirmed and signed as a correct record.

111 SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

There were no site visit applications for consideration.

112 MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered:

A report by the Head of Planning on various planning applications under the main applications list.

Oral statements by members of the public and representatives. A copy of the speakers' list is attached as Appendix 1 to these minutes.

RESOLVED that in accordance with the delegated powers, the applications be determined as set out in the Main decisions list attached as Appendix 2 to these minutes.

(1) 22/01124/FUL Former Purnell Factory North View Development Site, Oxleaze Way, Paulton

The Case Officer introduced the report which considered an application for a residential development of 72 dwellings, vehicular, pedestrian and cycle access, landscaping, and other associated ancillary works.

He outlined the following updates since the previous meeting of 8 February 2023 when the application had been deferred:

1. Roundabout Delivery – an agreement had now been signed with the relevant landowners to secure the construction of the roundabout which would provide a secondary access to the site. As a result, there was no longer a requirement for a Section 106 Agreement or condition to secure the delivery of the roundabout.
2. Nursery Delivery – the landowner had signed a legal agreement to ensure that the nursery would be constructed and operating within a 2-year period i.e., before April 2025. The Council was satisfied that the agreement was effective and could be enforced if necessary. The Local Education authority was satisfied that sufficient childcare would be available for new and existing residents.
3. Sustainable Construction – the application was now compliant with the sustainable construction policy set out in the Local Plan Partial Update. Revisions had been made to include triple glazed windows, air source heat pumps and increased levels of solar panels. The development also now included renewables to offset 100% of carbon emissions and achieve zero operational emissions.

The Case Officer confirmed his recommendation that officers be delegated to permit the application subject to:

1. A Section 106 agreement being agreed to secure:
 - Policy compliant affordable housing obligations.
 - Affordable housing requirements for tenure and design.
 - Off-site public open space enhancement financial contribution (£76,680).
 - Travel plan implementation and monitoring (£4,775).
 - Travel plan bond (£55,880 - refundable upon successful completion of the travel plan).
 - Traffic Regulation Order for highways waiting restrictions (£4,351).
 - Fire Hydrant Contribution x3 new hydrants (£4,500 plus VAT).
 - S.106 Monitoring Fee of £400 per obligation.

2. The conditions set out in the report.

The following public representations were received:

1. Dan Trundle, agent, speaking in support of the application.

Cllr Liz Hardman was in attendance as local ward member. She thanked the Committee for deferring the application and welcomed the resolution of concerns raised relating to the delivery of the nursery and roundabout and sustainable construction. She also raised the following issues:

1. It was disappointing that the original plan for mixed use of the site for employment, retirement village and housing had not come to fruition.
2. The housing development would put an additional strain on the infrastructure of Paulton.
3. There were a lot of objections from local residents.
4. There were concerns relating to the gradients of the footpaths and the footpaths not being formally adopted.

In response to Members' questions, it was confirmed:

1. The construction and operation of the nursery by April 2025 had been secured by legal agreement but there was no safeguard in relation to the ongoing operation of the nursery as this was outside the planning system. However, there was a shortage of nursery provision in the area and the proposed nursery would provide capacity to serve Paulton.
2. The benefits of the legal agreement in relation to the delivery of the nursery as opposed to a Grampian condition was that the legal agreement would stand alone. In the event of the nursery not being delivered within the agreed timescale the Council could take enforcement action.
3. There had been a contribution to youth services as a condition of the 2010 planning permission.
4. Allotments had also been secured as part of the 2010 planning permission and there would also be a contribution to public space as a result of this application.
5. In relation to affordable housing, the Committee was being asked to approve 30% which was policy compliant. This figure may increase to 100% subject to grant funding. The overall site currently had 20% affordable housing, but this was not a consideration in relation to this application.
6. There were community facilities including a play area within a 5-10 minute walk of the development. There was some open space adjacent to the proposed nursery.
7. The footpaths did meet the necessary requirements in relation to gradients. In terms of maintenance, although the footpaths would not be adopted, they would be privately maintained by the landowner and a condition would be attached to the permission requiring a maintenance programme to be submitted for approval. If the landowner did not maintain the footpaths the Council could take enforcement action.
8. Any future removal of bicycle storage would require a variation of the planning permission and would be considered on a case-by-case basis. The removal of the storage without permission would be an enforcement issue.
9. In addition to the allocated spaces there was some capacity for informal parking on the site.
10. Officers were satisfied that the marketing process had been properly carried out in relation to a Continuing Care Retirement Community on the site.

11. There was an option for the Committee to consider whether it was appropriate for a Section 106 Agreement to secure a strong local connection in relation to housing allocation, but officers did not consider this to be justified.

Cllr Duncan Hounsell thanked officers and the applicant for the progress since the item was deferred at the February meeting and proposed the officer recommendation to delegate to permit the application. This was seconded by Cllr Sally Davis who stated that the application was policy compliant, and the issues raised at the previous meeting had now been addressed.

Cllr Eleanor Jackson stated that she would not be supporting the motion as she was concerned about the loss of community facilities and employment from the 2010 planning permission. She expressed disappointment that there had not been market interest in a Continuing Care Retirement Community as she considered that there was a demand for this type of accommodation in the area.

Cllr Shelley Bromley stated that the Committee needed to consider the application on its merits and there was a great need for social housing. She also confirmed that bus services had improved in the area since the meeting in February and she would be supporting the motion.

Cllr Sean Hughes expressed concern about the concentration of affordable housing in one location. He supported housing being allocated to local people as Paulton was already struggling with demands on infrastructure.

Cllr Lucy Hodge stated that she was disappointed at the loss of elements that would have made it a community environment but was reassured that local services were within walking distance. In response to concerns about the concentration of affordable housing, she noted that this application was for a relatively small number of dwellings and there was a mixture of dwellings on the overall site.

On being put to the vote the motion was CARRIED (8 in favour, 2 against)

RESOLVED that officers be delegated to permit the application subject to:

1. A Section 106 agreement being agreed to secure:

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- Affordable housing requirements for tenure and design.
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- Fire Hydrant Contribution x3 new hydrants (£4,500 plus VAT).
- S.106 Monitoring Fee of £400 per obligation.

2. The conditions set out in the report.

The Committee considered the appeals report.

RESOLVED that the report be noted.

114 **QUARTERLY PERFORMANCE REPORT 1 JAN - 31 MAR 2023**

The Committee considered the quarterly performance report for 1 January – 31 March 2023.

RESOLVED that the report be noted.

The meeting ended at 12.23 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

**MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT
THE PLANNING COMMITTEE ON WEDNESDAY 26 APRIL**

MAIN APPLICATION LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1	22/01124/FUL Former Purnell Factory North View Development Site, Oxleaze Way, Paulton	Dan Trundle, agent	For
		Cllr Liz Hardman, local ward member	

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BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

26th April 2023

DECISIONS

Item No:	01	
Application No:	22/01124/FUL	
Site Location:	Former Purnell Factory North View Development Site, Oxleaze Way, Paulton, Bristol	
Ward: Paulton	Parish: Paulton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Residential development of 72 no. dwellings (Use Class C3); vehicular, pedestrian and cycle access from Oxleaze Way, pedestrian access from Caxton Close; landscaping and other associated ancillary works	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Policy CP9 Affordable Housing, Policy GDS1 Site Allocations, Housing Development Boundary, Policy M1 Minerals Safeguarding Area, SSSI - Impact Risk Zones,	
Applicant:	ENGIE Regeneration Ltd And LiveWest Homes Ltd	
Expiry Date:	28th April 2023	
Case Officer:	David MacFadyen	

DECISION Delegate to Permit, as per Officer's report

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