

# Planning Committee

**Date:** Wednesday, 26th April, 2023  
**Time:** 11.00 am  
**Venue:** Council Chamber - Guildhall, Bath

## Agenda

To: All Members of the Planning Committee

**Councillors:-** Sue Craig, Sally Davis, Shelley Bromley, Paul Crossley, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Dr Eleanor Jackson, Hal MacFie and Brian Simmons

**Permanent Substitutes:-** Councillors: Rob Appleyard, Vic Clarke, Michael Evans, Andrew Furse, Liz Hardman, Ruth Malloy, Vic Pritchard, Matt McCabe, Manda Rigby and Ryan Wills

Chief Executive and other appropriate officers  
Press and Public

The agenda is set out overleaf.



**Corrina Haskins**

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## NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the Guildhall - Bath.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control. Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

The Council will broadcast the images and sounds live via the internet [www.bathnes.gov.uk/webcast](http://www.bathnes.gov.uk/webcast). The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group.

**Advance notice is required not less than two working days before the meeting. This means that for Planning Committee meetings held on Wednesdays, notice must be received in Democratic Services by 5.00pm the previous Monday.**

Further details of the scheme can be found at:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are signposted. Arrangements are in place for the safe evacuation of disabled people.

6. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

**Planning Committee- Wednesday, 26th April, 2023**  
**at 11.00 am in the Council Chamber - Guildhall, Bath**

**AGENDA**

1. EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer will draw attention to the emergency evacuation procedure.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number and site in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** or an **other interest**,  
(as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer before the meeting to expedite dealing with the item during the meeting.

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

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

(1) At the time of publication, no items had been submitted.

(2) To note that, regarding planning applications to be considered, members of the public who have given the requisite notice to Democratic Services will be able to make a statement to the Committee immediately before their respective applications are considered. There will be a time limit of 3 minutes for each proposal, ie 3 minutes for the Parish and Town Councils, 3 minutes for the objectors to the proposal and 3 minutes for the applicant, agent and supporters. This allows a maximum of 9 minutes per proposal.

6. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 14)

To confirm the minutes of the meeting held on 5 April 2023 as a correct record for signing by the Chair.

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

There are no site visit applications for consideration.

8. MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE (Pages 15 - 80)

The following item will be considered:

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

9. NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES (Pages 81 - 84)

The Committee is asked to note the report.

10. QUARTERLY PERFORMANCE REPORT 1 JAN - 31 MAR 2023 (Pages 85 - 94)

The Committee is asked to note the report.

The Democratic Services Officer for this meeting is Corrina Haskins who can be contacted on 01225 394357.

Delegated List Web Link: <https://beta.bathnes.gov.uk/document-and-policy-library/delegated-planning-decisions>

**PLANNING COMMITTEE****Minutes of the Meeting held**

Wednesday, 5th April, 2023, 11.00 am

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

**96 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the emergency evacuation procedure.

**97 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were no apologies for absence or substitutions.

**98 DECLARATIONS OF INTEREST**

In relation to item 1 under the main applications list, 22/00881/OUT - Parcel 9176, Langley's Lane, Paulton, Cllr Shaun Hughes stated that he owned an industrial unit on the existing development but had no interest in relation to the application.

Cllr Shaun Hughes declared that he had already stated his objection to the associated Mendip housing application relating to 21/02973/OUT Parcel 3589, Silver Street, Midsomer Norton (item 2 under the main applications list) and would not participate in the debate or vote, but he would address the Committee as adjacent ward member.

**99 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was no urgent business.

**100 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.

**101 MINUTES OF THE PREVIOUS MEETING**

It was moved by Cllr Eleanor Jackson, seconded by Cllr Brian Simmons and:

**RESOLVED** that the minutes of the meeting held on Wednesday 8 March 2023 be confirmed as a correct record for signing by the Chair.

**102 SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR**

## **DETERMINATION BY THE COMMITTEE**

There were no site visit applications for consideration.

### **103 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 and an update report in relation to items (1), (2) and (3).

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) 22/00881/OUT - Parcel 9176, Langley's Lane, Paulton,

The Case Officer introduced the report which considered an outline planning application (with all matters reserved, except for access) for small scale industrial units with associated works and access from existing Old Mills development.

In relation to the highway mitigations and contribution from the developer, she clarified that:

1. A Local Development Order (LDO) put forward by the Council proposed modifications to the Thicketmead Roundabout and surrounding road network.
2. A contribution was being sought from the developer to support these works.
3. If the LDO did not come forward there would be sufficient capital from the contribution to undertake highway works to Thicketmead to mitigate the traffic impact of this development.

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

1. A Section 106 agreement being agreed to secure the necessary highway works and contributions and a contribution towards Targeted Training and Recruitment.
2. The conditions set out in the report.

The following public representations were received:

1. Chris Dance, agent, speaking in support of the application.

Cllr Liz Hardman, Ward Member was unable to attend, and a statement was read out on her behalf which raised the following points:

1. She objected to the application. She acknowledged that the land had been classified for business use but was disappointed with that decision as the land was greenfield.
2. She did not believe the highways measures would be sufficient to mitigate the extra traffic generated especially in the context of the Somer Valley Enterprise Zone (SVEZ).
3. Cycling to work was not deliverable due to poor cycle routes.

4. Some units in Phase 1 were still empty which demonstrated that phase 2 was not needed.

In response to Members' questions, it was confirmed:

1. In relation to the impact on residents of Springfield Buildings, this could be addressed by conditions at the reserved matters stage when there was more information available about the scale, layout and design of the site.
2. The impact of both the Somer Valley Enterprise Zone and this proposal had been considered in highways modelling and this proposal had also been considered separately in the event of the SVEZ not coming forward. The project team for the LDO had confirmed that the roundabout works would be delivered within a reasonable timeframe.
3. Highways modelling had considered data from 2019, 2021 and projected growth data for 2026. The national transport database was used to compare with similar sites in the UK.
4. The predicted number of traffic movements during the morning and evening peak hour would be 110. There would be improvements to the Thicketmead roundabout which would be more significant when the LDO came forward.
5. Previous applications on the site had been refused for highways and landscape reasons and the landscape reason had been rejected by the Inspector on appeal who considered there was sufficient space on site to mitigate. The appeal had been dismissed on highway grounds and these matters had been addressed in the current application by a package of transport measures which were considered to be acceptable.
6. There was no evidence to support the claim of objectors that the highway measures were insufficient.
7. As detailed in the update report, an additional condition had been recommended to restrict the use of the units as Class E g(iii), industrial processes which were not detrimental to residential amenity.
8. The adjacent site contained light industrial units and if some of the units were currently empty, this was outside the Council's control.
9. The Council was not able to control the frequency of buses servicing the site.
10. A cycleway had been proposed by the applicant and a further cycleway would come forward as part of the LDO.
11. The contribution to upgrade bus shelters would apply to the two bus stops nearest the site.
12. In terms of a pedestrian access, the existing pavement would be widened to 3 metres to be used as a shared footway and cycleway.
13. The Council's Heritage Team had not raised concerns about the proximity of the site to a historic monument but an archaeological watching brief condition could be included.
14. The Ecologist had assessed the issue of bats and there would be a condition to restrict lighting to respond to concerns.
15. The application had been assessed against the latest policies, and the climate emergency had been taken into consideration. A sustainable construction checklist would be required to be submitted at the reserved matters stage.

Cllr Duncan Hounsell moved the recommendation as set out in the report that officers be delegated to permit the application. This was seconded by Cllr Sally Davis who stated that the site was allocated and highway concerns over previous applications had now been addressed.

Cllr Shaun Hughes commented that Midsomer Norton was a growing industrial area and there was a demand for light industrial units, but it was important to consider this application in the context of the wider area and the SVEZ and balance this with the impact on the amenity on local residents, in particular residents of Springfield Buildings.

Cllr Paul Crossley spoke in support of the scheme, stating it was well thought out and had taken on board the highway objections raised in relation to the previous applications.

Cllr Hal MacFie raised concerns about the intensity of traffic and stressed the importance of a condition to restrict hours of operation.

Cllr Eleanor Jackson expressed reservations about mitigations being addressed at the reserved matters stage and stated that although she supported the application in principle, she wanted reassurances about restrictions to hours of operation and noise levels as well as requiring an archaeological watching brief.

The Team Manager (Development Management) recommended that, in view of concerns expressed by Members, the additional conditions be included at the outline stage.

The proposer and seconder of the motion agreed to include conditions to restrict the hours of operation; restrict noise levels and include an archaeological watching brief.

On being put to the vote the motion was CARRIED (10 in favour, 0 against UNANIMOUS)

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

1. A Section 106 agreement being agreed to secure the necessary highway works and contributions and a contribution towards Targeted Training and Recruitment.
2. The conditions set out in the report.
3. Additional conditions relating to restricting noise levels, restricting hours of operation and an archaeological watching brief.

(2) 21/02973/OUT - Parcel 3589, Silver Street, Midsomer Norton

The Case Officer introduced the report which considered an outline planning permission for the formation of an access road, footpath and cycle links, open space, landscaping and associated works to serve a proposed housing development in the adjacent Mendip area.

She confirmed that:

1. The application had been previously considered and approved by the Planning Committee in August 2022.
2. Since that date there had been a judicial review in relation to the Mendip District Council Local Plan which found that there had been a flaw in the allocation process and as a result, the allocation of the site in question as housing had been removed from the Mendip Local Plan.
3. In light of this, the housing application had been reassessed by Mendip District Council and as Mendip did not have a 5-year supply of land for housing, a



decision had been taken to approve the application.

4. As a result of the judicial review and subsequent decision of Mendip District Council to approve the housing development application, the B&NES application had been reassessed.
5. The scheme was policy compliant with the exception of NE3a as no metric had been submitted in relation to biodiversity net gain. However as there was a condition to secure this, the scheme was considered acceptable and the application was being advertised as a departure from the development plan.

She confirmed the recommendation that officers be delegated to permit the application subject to:

1. A Section 106 agreement being agreed to secure a financial contribution towards improving local bus infrastructure; the Somer Valley Enterprise Zone Cycleway; Targeted Training and Recruitment; Green Space and Parks Infrastructure and a controlled pedestrian/cycle crossing on Silver Street.
2. The conditions set out in the report.

The following public representations were received:

1. Simon Steele-Perkins, applicant, speaking in support of the application.

Cllr Shaun Hughes declared an interest and withdrew from the Committee and made the following points as the adjacent local member:

1. He objected to the principle of the housing development on the adjacent site in Mendip.
2. He appreciated that Councils were under pressure to have a 5-year supply of land for housing but stated that this should not be at the detriment of local residents.
3. The judicial review had found that the allocation process was flawed, and it was important for residents that the process was rigorous and fair.
4. Services and infrastructure in Midsomer Norton were overstretched and the application on the adjacent site would add to the pressure.
5. Locally grown food was important in the context of the climate emergency and cost of living crisis, and this needed to be considered before building housing on agricultural land.

In response to Members' questions, it was confirmed:

1. The Council had not received an objection from Westfield Parish Council.
2. Mendip District Council had removed the site as an allocated site for housing within the Mendip Local Plan but had taken the decision that the housing application be approved as, due to the lack of a 5-year land supply, the necessity for homes in the area outweighed the harm. The B&NES application related to the access to the site and had been approved at a previous committee in August 2022.
3. The judicial review had found that the process and methodology of the allocation of sites by Mendip District Council was at fault.
4. The £10k towards bus infrastructure included a new pole and flag to Norton Hill School stop; a new shelter, bus markers and raised kerb to be moved to where the bus stop is currently situated at Norton Hill School stop and the installation of infrastructure for travel in both directions on Fossefield Road.

Cllr Eleanor Jackson stated that, overall, the benefits of the development outweighed the harm and if permission was not granted, the traffic would be displaced

elsewhere. She proposed the recommendation that officers be delegated to permit the application. This was seconded by Cllr Brian Simmons.

Cllr Paul Crossley supported the motion, stating that the development was vital to residents of the estate. He commended officers for securing the terms of the Section 106 Agreement.

Cllr Hal MacFie expressed concern about the pressure on services and infrastructure in Midsomer Norton and stated that he was minded not to support the motion.

On being put to the vote the motion was CARRIED (7 in favour, 2 against)

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

1. A Section 106 agreement being agreed to secure to secure a financial contribution towards improving local bus infrastructure; the Somer Valley Enterprise Zone Cycleway; Targeted Training and Recruitment; Green Space and Parks Infrastructure and a controlled pedestrian/cycle crossing on Silver Street.
2. The conditions set out in the report.

(3) 22/04787/FUL - Parcel 2065, Meadgate East, Camerton, Bath,

The Case Officer introduced the report which considered an application for the construction of an agricultural access off Camerton Road, to include erection of a gate (partially retrospective).

She confirmed the officer recommendation that the application be permitted subject to the conditions set out in the report and an additional condition relating to drainage.

The following public representations were received:

1. Margaret Hutton, Parish Council, objecting to the application.
2. Rob Jones, applicant, speaking in support of the application.

Cllr Matt McCabe was in attendance for the item as Ward Member and raised the following comments:

1. The previous planning permission did not include permission to create a gap in the boundary wall and the conditions attached to the permission had been ignored.
2. The applicant had submitted photos of the visibility from the access, but these were taken on the boundary rather than demonstrating visibility from a vehicle.
3. The vegetation would be cut down to facilitate views and so biodiversity net gain would be lost.
4. Any development in the location should maintain or enhance the character and this application proposed a gap in the stone wall that had been a feature of the landscape for a long time.

He concluded that the proposal represented harm and urged the Committee to refuse the application.

In response to Member's questions, it was confirmed

1. The existing entrance was the main entrance to the farm. The additional access would be used to access agricultural buildings. It was not known how often the

- additional access would be used.
2. Visibility splays would be provided within the site.
  3. The applicants had advised that the hedge had been planted at the end of March. Officers had not checked on the planting, but it would be an enforcement issue if the condition had not been complied with.

Cllr Duncan Hounsell raised a concern about the general principle of an applicant benefitting from breaching a planning permission.

Cllr Shelley Bromley stated the proposal seemed a major intervention as the access may not be used regularly. She stated that she did not support the application.

Cllr Lucy Hodge agreed with this view and expressed concern about the impact on highway safety and also that reassurances associated with the previous application had not been complied with.

Cllr Eleanor Jackson proposed that the application be refused on the grounds that the loss of the historic stone wall would impact on the character and distinctiveness of the area. This was seconded by Cllr Lucy Hodge. In response to questions about whether it would be appropriate to include highway safety as an additional reason, the Team Manager (Development Management) advised that there had been no objection from highways officers and evidence would be required to defend this reason in the event of an appeal.

Cllr Hal MacFie stated that there were benefits to the proposal, the gate was set back to minimise impact and there was a solid base to avoid drainage issues. He stated he was minded to support the application.

Cllr Paul Crossley stated that the wall was not listed and that he also supported the officer recommendation to grant the application.

In response to comments raised about no exceptional circumstances being demonstrated to balance the harm in the Green Belt, the Legal Officer advised that the application had been assessed to be appropriate development in the Green Belt due to its agricultural nature, as outlined in paragraph 149(a) of the NPPF.

On being put to the vote the motion to refuse the application was NOT CARRIED (4 in favour 6 against).

Cllr Sally Davis stated that she considered the application would benefit traffic calming and proposed the officer recommendation that the application be permitted. This was seconded by Cllr Hal MacFie.

On being put to the vote the motion was CARRIED (6 in favour 3 against 1 abstention).

**RESOLVED** that the application be permitted subject to the conditions set out in the report and an additional condition relating to drainage.

(4) 23/00260/FUL - Heighgrove Barn, Scumbrum Lane, High Littleton

The Case Officer introduced the report which considered an application for the

construction of a car port in the green belt.

She updated the Committee to confirm:

1. The location was in High Littleton and not Farmborough.
2. A condition of the previous application for the original barn conversion stated that permitted development rights had been removed for outbuildings.

The Case Officer confirmed the officer recommendation that the application be refused for the reasons set out in the report.

The following public representations were received:

1. Pricilla Roberts, applicant, speaking in support of the application.

In response to Member's questions, it was confirmed

1. As permitted development rights had been removed by a condition attached to a previous consent, the applicant would need to submit an application to remove this condition if they wanted permitted development rights to be reinstated.
2. The volume of building on the site was already a third more than the original. Any development amounting to a further increase would have to demonstrate very special circumstances due to the Green Belt location.

Cllr Sally Davis opened the debate as ward member. She stated that she had originally considered the application to be appropriate, but due to the new information that permitted development rights had been removed it was difficult to support the application.

Cllr Eleanor Jackson concurred that it was not possible to support the application as permitted development rights had been removed and the built form already exceeded an increase of more than one third of the original building and there were no special circumstances demonstrated. She proposed the officer recommendation that the application be refused. This was seconded by Cllr Lucy Hodge.

Cllr Hal MacFie stated that it was important to be consistent in considering applications within the Green Belt and supported the proposal to refuse the application.

On being put to the vote the motion was CARRIED (7 in favour 1 against 2 abstentions)

**RESOLVED** that the application be refused for the reasons set out in the report.

#### 104 **NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES**

The Committee considered the appeals report.

Cllr Lucy Hodge referred to appeal that was upheld in relation to the installation of solar PV panels and ground source heat pump pipe work at Watery Lane, Burnett and the weight given to renewable energy by the Inspector.

**RESOLVED** that the report be noted.

The meeting ended at 3.10 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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<b>Bath &amp; North East Somerset Council</b>	
<b>MEETING:</b>	<b>Planning Committee</b>
<b>MEETING DATE:</b>	<b>26th April 2023</b>
<b>RESPONSIBLE OFFICER:</b>	Simon de Beer – Head of Planning
<b>TITLE:</b>	<b>APPLICATIONS FOR PLANNING PERMISSION</b>
<b>WARDS:</b>	ALL
<b>BACKGROUND PAPERS:</b>	
<b>AN OPEN PUBLIC ITEM</b>	

AGENDA  
ITEM  
NUMBER

### BACKGROUND PAPERS

List of background papers relating to this report of the Head of Planning about applications/proposals for Planning Permission etc. The papers are available for inspection online at <http://planning.bathnes.gov.uk/PublicAccess/>.

- [1] Application forms, letters or other consultation documents, certificates, notices, correspondence and all drawings submitted by and/or on behalf of applicants, Government Departments, agencies or Bath and North East Somerset Council in connection with each application/proposal referred to in this Report.
  
- [2] Department work sheets relating to each application/proposal as above.
  
- [3] Responses on the application/proposals as above and any subsequent relevant correspondence from:
  - (i) Sections and officers of the Council, including:
    - Building Control
    - Environmental Services
    - Transport Development
    - Planning Policy, Environment and Projects, Urban Design (Sustainability)
  
  - (ii) The Environment Agency
  - (iii) Wessex Water
  - (iv) Bristol Water
  - (v) Health and Safety Executive
  - (vi) British Gas
  - (vii) Historic Buildings and Monuments Commission for England (English Heritage)
  - (viii) The Garden History Society
  - (ix) Royal Fine Arts Commission
  - (x) Department of Environment, Food and Rural Affairs
  - (xi) Nature Conservancy Council
  - (xii) Natural England
  - (xiii) National and local amenity societies
  - (xiv) Other interested organisations
  - (xv) Neighbours, residents and other interested persons
  - (xvi) Any other document or correspondence specifically identified with an application/proposal
  
- [4] The relevant provisions of Acts of Parliament, Statutory Instruments or Government Circulars, or documents produced by the Council or another statutory body such as the Bath and North East Somerset Local Plan (including waste and minerals policies) adopted October 2007

**The following notes are for information only:-**

- [1] "Background Papers" are defined in the Local Government (Access to Information) Act 1985 do not include those disclosing "Exempt" or "Confidential Information" within the meaning of that Act. There may be, therefore, other papers relevant to an application which will be relied on in preparing the report to the Committee or a related report, but which legally are not required to be open to public inspection.

- [2] The papers identified or referred to in this List of Background Papers will only include letters, plans and other documents relating to applications/proposals referred to in the report if they have been relied on to a material extent in producing the report.
- [3] Although not necessary for meeting the requirements of the above Act, other letters and documents of the above kinds received after the preparation of this report and reported to and taken into account by the Committee will also be available for inspection.
- [4] Copies of documents/plans etc. can be supplied for a reasonable fee if the copyright on the particular item is not thereby infringed or if the copyright is owned by Bath and North East Somerset Council or any other local authority.

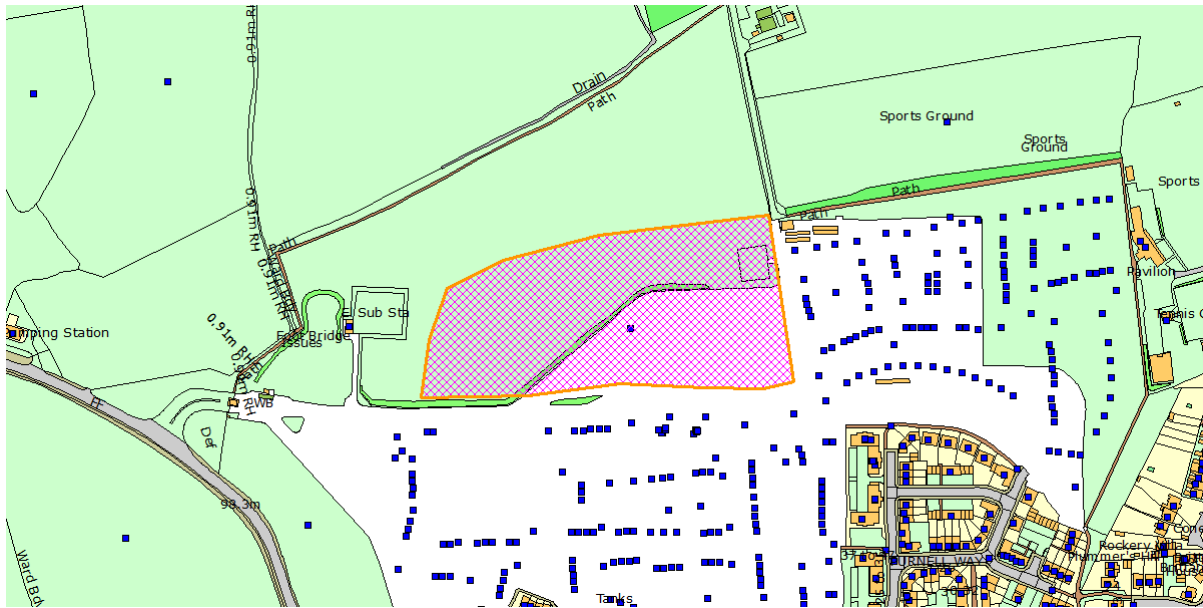
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ITEM NO.	APPLICATION NO. & TARGET DATE:	APPLICANTS NAME/SITE ADDRESS and PROPOSAL	WARD:	OFFICER:	REC:
01	22/01124/FUL 28 April 2023	ENGIE Regeneration Ltd And LiveWest Homes Ltd Former Purnell Factory North View Development Site, Oxleaze Way, Paulton, Bristol, Bath And North East Somerset 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	Paulton	David MacFadyen	Delegate to PERMIT

## REPORT OF THE HEAD OF PLANNING ON APPLICATIONS FOR DEVELOPMENT



**Item No:** 01  
**Application No:** 22/01124/FUL  
**Site Location:** Former Purnell Factory North View Development Site Oxleaze Way Paulton Bristol Bath And North East Somerset



**Ward:** Paulton                                   **Parish:** Paulton                                   **LB Grade:** N/A  
**Ward Members:** Councillor Liz Hardman      Councillor Grant Johnson  
**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  
 To view the case click on the link [here](#).

**REPORT  
 Reasons For Reporting To Committee**

The application was previously reported to Bath & North East Somerset Council Planning Committee on 8th February 2023 following receipt of objection and Committee referral by Paulton ward Councillor Liz Hardman. An objection has also been received from Paulton Parish Council. In accordance with the Planning Scheme of Delegation, the application has been referred to the Chair/Vice Chair of the Council's Planning Committee. They have

decided that the application should be determined by the Committee and made the following comments:

Councillor Sue Craig, Chair of Planning Committee:

*"I have reviewed this application and note the comments and objections from all parties. The officer has worked with the applicant and statutory parties to bring the proposal within current and emerging policies including conditions as necessary. However, given the complexity of the proposal and the number of objections raised regarding infrastructure and highways matters, I believe that the application would benefit from debate in the public forum of the planning committee".*

Councillor Sally Davis, Vice Chair of Planning Committee:

*"I have read through this application and related information including comments from all statutory and third party consultees. I also note the Ward Cllr request that this application be determined by the Planning Committee.*

*The plans have been modified as it has progressed through the planning process to address issues raised and the Officer has assessed the proposal against relevant planning policies including the LPPU.*

*The impact on the area remains controversial for reasons given by third party consultees. Therefore, I recommend the application would benefit from debate in the public arena so all views can be considered before a decision is made".*

The Council's Planning Committee resolved to defer a decision on the application at the meeting on 8th February 2023. The reasons for deferral were to further progress and secure delivery of offsite highway works and early years nursery due to impact of recommended planning conditions on affordable housing grant funding. Members also requested that issues of compliance with Local Plan Partial Update Policies SCR6 (Sustainable Construction Policy for New Build Residential Development) and SCR8 (Embodied Carbon) were addressed. The Committee advised the application should return to the 26th April 2023 meeting.

### **Update Summary**

A decision on the application was deferred on 8th February 2023 due to issues relating to:

- i) Offsite Highway Works;
- ii) Early Years Nursery; and
- iii) Sustainable Construction.

The situation in relation to these matters has progressed in the intervening period as set out beneath.

## ***Highway Works***

Considerable progress has been made between the current landowner and the Council towards completion of Highways Agreements for delivery of the roundabout junction on Paulton Road (B3355) enabling secondary access to the site via Oxleaze Way. The necessary Highways Agreements for these works are anticipated to be signed and completed in the near future. This may be prior to meeting of the Planning Committee on 26th April. Until the Highways Agreements for these works are officially signed and completed, the Local Planning Authority will continue to recommend an obligation providing that no commencement of the development occur until the Highways Agreements are entered into. Following recent developments in case law, a slightly amended version of this obligation is now sought in the form of a s.106 planning obligation rather than a planning condition. However, this matter is significantly more advanced than on 8th February at the previous Committee meeting. It has subsequently been established between the parties that a requirement restricting commencement until Highways Agreements are entered into, is unlikely to pose an issue for the Applicant. If the Highways Agreements are entered into before the Council issues its Notice of Decision (noting that s.106 drafting is necessary following a Committee resolution), the Local Planning Authority recommends that the requirement would be complied with and would no longer be necessary. Delegate to permit is therefore recommended to allow officers the authority to permit the development, subject to planning obligation securing agreements for the highways improvement works if this remains necessary, or without the obligation in the case that the agreements have been completed.

## ***Early Years Nursery***

The landowner for the land adjacent to Hallatrow Road on which the nursery has been granted planning permission (application: 22/01348/FUL), has now provided the Council a legal agreement, committing to construct the nursery, and make it available to the public (on a commercial basis) within 2 years. This agreement will ensure that the nursery is constructed and operational, prior to the housing which forms part of this application being occupied. The Education Services team have confirmed that delivery of the 48-place nursery will provide sufficient childcare to address the identified shortfall in the area, ensuring current and future residents do not need to travel to access childcare.

The legal agreement was completed on 11th April 2023 and therefore will require construction and operation of the nursery before 12th April 2025. This would most likely be before completion and occupation of housing proposed under the current application and therefore be available to provide childcare for residents of the development and wider area, in accordance with Policy SSV22 (Former Paulton Printworks) of the Local Plan Partial Update.

The planning condition which was previously recommended to secure delivery of the nursery is no longer necessary, as delivery of the nursery is safeguarded by the legal agreement dated 11th April 2023. The Local Planning Authority is satisfied that this will ensure sufficient childcare is available in the area and has no outstanding requirements for the current application in relation to childcare provision. The development is now found to comply with the requirements of Policies LCR2 (New or Replacement Community Facilities) of the Core Strategy & Placemaking Plan (2017) as well as Policy SSV22 of the Local Plan Partial Update in relation to local early years childcare provision.

## ***Sustainable Construction***

Following interest by members of the Planning Committee at the meeting on 8th February, the Applicant (ENGIE Regeneration and LiveWest Homes) has revised the proposed development in respect of Sustainable Construction.

A revised Sustainable Construction Checklist has been submitted (received: 20th March 2023) and the development has been amended to now include triple glazed windows, improved air tightness, air source heat pumps (instead of gas boilers) to provide all heating and hot water demand as well as an increase in the proposed level of solar panels, in addition to all sustainability measures previously proposed.

The revised sustainability measures will ensure that the proposed dwellings meet the target for space heating (30kWh/m<sup>2</sup>/annum) and include on-site renewable energy generation equipment to fully offset predicted energy use, achieving zero operational emissions in accordance with Policy SCR6 (Sustainable Construction Policy for New Build Residential Development) of the Local Plan Partial Update.

An embodied carbon assessment has also been undertaken and the estimated level of embodied carbon associated with the development is 493kgCO<sub>2</sub>e/sqm. This is significantly below the score of less than 900kgCO<sub>2</sub>e/m<sup>2</sup> as required by Policy SCR8 (Embodied Carbon) of the Local Plan Partial Update.

Delegate to permit is therefore recommended to allow officers to permit the development, subject to planning conditions (nos. 17 and 18) securing construction of the development in accordance with the amended Sustainable Construction Checklist and Embodied Carbon Assessment.

## **Site Description & Application**

The application relates to an undeveloped parcel of land at the former Polestar Purnell printworks factory site in Paulton. As set out in the planning history beneath, the wider printworks site now accommodates approximately 600 homes which have been developed in phases over the last 15 years.

The site is situated to the north west of the former printworks site, adjacent to the open countryside. Historically the land accommodated some industrial plant relating to the printing factory as well as access roads and open grassland. A well-established tree line and hedge row runs to the northern and western boundaries. The 2010 masterplan permission for the entire estate gave outline planning permission for use of the site as a 'Continuing Care Retirement Community' (use class C2). However this use has not materialised and the site is presently vacant, cleared and surfaced with bare earth.

Caxton Close bounds the eastern side of the site and Oxleaze Way bounds the southern side. Caxton Close has recently been completed and comprises a series of two storey houses which received full planning permission in 2015 under application: 15/00293/FUL. The southern side of Oxleaze Way remains under construction and will comprise series of three storey houses which also received full planning permission in 2015 under application: 14/03142/FUL.

The site is within the Paulton settlement Housing Development Boundary as reflected by Policy SV1 (Somerset Valley Spatial Strategy) of the Placemaking Plan. The site is within Flood Zone 1 (at low probability of flooding). Cam Brook Site of Nature Conservation Interest is located approximately 150m north of the site. Policy SSV22 (Former Paulton Printworks) of the Local Plan Partial Update also relates to the site.

The current application seeks full planning permission for development of 72 dwellinghouses (use class C3), associated access roads, footpaths, open space and comprehensive landscaping of the site.

The homes would include 54 no. 2 and 3 bedroom houses as well as 18 no. 1 bedroom flats. A minimum of 30% are proposed as affordable housing, with the Applicant proposing to increase this to 100% through grant funding. The homes would be two storeys, with pitched gable roofs constructed from a combination of roughcast render, grey reconstituted stone, slate and clay style roof tiles. All homes would include a private garden, car parking with EV charging and x2 cycle parking spaces (total 144 cycle parking spaces). There are a total of 126 off street car parking spaces proposed for residents in addition to 9 visitor parking spaces. The development will include roof mounted solar photovoltaic panels for renewable energy generation.

The proposed layout includes a green buffer area adjacent to the tree line and hedgerow at the northern and western boundaries. A footpath is proposed providing access to and through the site following the northern edge of the development. A further green space is proposed to the eastern side of the site aligning with Caxton Close including tree planting and a north/south footpath. The north/south footpath would run from Oxleaze Way, adjacent to the Burnett Close footpath and join the northern end of Caxton Close. Plots fronting Oxleaze Way include frontage tree planting and this continues within parking and landscaped areas within the site.

## **Planning History**

The former Polestar Purnell printworks site has extensive history of applications for development following closure of the printing business. This relates to phased re-development of the site over a period of approximately 15 years. The key permissions are as follows:

99/02662/OUT - Demolition of existing buildings and structures and erection of residential development served by access from new roundabout at the junction of Hallatrow Road and Church Street. - APPROVED - 02.12.2003

05/00088/RES - Submission of reserved matters pursuant to Conditions 1 and 2 (siting, design and external appearance) and 8 (Urban Design Statement) of Outline Planning Permission 99/02662/OUT for the erection of 217 residential units, open space and associated works - REFUSED - 07.04.2005

05/01282/OUT - Residential development after demolition of existing structure - REFUSED - 30.06.2005

05/03445/RES - Submission of reserved matters pursuant to Conditions 1 and 2 (siting, design and external appearance) of outline planning permission 99/02662/OUT for the

erection of 197 residential units, open space and associated works (Resubmission) - REFUSED - 12.01.2006

07/00174/RES - Erection of 161 dwellings with associated works and infrastructure - PERMIT - 28.09.2007

07/02424/EOUT - Mixed use redevelopment of former printworks comprising offices, industrial, residential, continuing care retirement community, pub/restaurant, community building, open space, associated infrastructure, landscaping and access roads - APPROVE - 01.07.2010

11/00800/RES - Approval of reserved matters with regard to outline application 07/02424/EOUT for Mixed use redevelopment of former printworks comprising offices, industrial, residential, continuing care retirement community, pub/restaurant, community building, open space, associated infrastructure, landscaping and access roads - PERMIT - 02.08.2011 11/03783/RES - Approval of reserved matters with regard to outline application 07/02424/EOUT (Mixed use redevelopment of former printworks comprising offices, industrial, residential, continuing care retirement community, pub/restaurant, community building, open space, associated infrastructure, landscaping and access roads) - PERMIT - 21.03.2012

13/03177/ERES - Approval of reserved matters with regard to outline application 07/02424/EOUT for Phase 2A of the development comprising 82 dwellings including 24 affordable homes, and associated roads, parking, footpaths and landscaping. - PERMIT - 20.12.2013

14/03142/FUL - Erection of 86 residential dwellings (Use Class C3), areas of public open space, landscaping and associated access and infrastructure. - PERMIT - 02.04.2015

15/00293/FUL - Erection of 205 residential dwellings (Use Class C3), areas of public open space, landscaping and associated access and infrastructure. - PERMIT - 02.04.2015

16/04889/OUT - Erection of up to 74 residential dwellings - REFUSED - 30.06.2017

16/04891/FUL - Erection of building to accommodate a childrens nursery with associated works - PERMIT - 17.04.2018

22/01348/FUL - Construction of a 48 place early years nursery facility and outdoor play area (Class E); public open space village green; residential development of 8no. dwellings (Class C3); vehicular and pedestrian accesses from Paper Lane and Oxleaze Way; landscaping and other associated ancillary works - PERMIT - 09.12.2022

### **Environmental Impact Assessment**

The proposed development represents an urban development project under schedule 2 of Environmental Impact Assessment Regulations 2017. However, the overall area of the development does not exceed 5 hectares and the development does not include more than 150 dwellings and therefore does not meet the threshold or criteria for screening. Furthermore, the site is not located within a sensitive area, as defined by the regulations. The proposals are therefore not EIA development.

## SUMMARY OF CONSULTATIONS/REPRESENTATIONS

### Public Consultation

The public consultation process involved notification letters being sent to 97 neighbouring addresses, a site notice posted at the site and press advert published in the local newspaper. The application was also advertised at the planning section of the Council website.

Neighbours were originally notified of the application on 17th March 2022. Neighbours were notified again of the application following the submission of revised proposals by the Applicant on 24th October 2022 and 23rd March 2023.

Following the public consultation process, a total of 118 responses have been received.

116 comments raise objections to the development and 2 comments are made in support of the development.

A summary of the grounds of objection is as follows:

- o Insufficient school places to accommodate demand associated with proposed houses
- o Insufficient health care facilities to accommodate demand associated with proposed houses
- o Insufficient dental care in the local area to accommodate demand associated with proposed houses
- o Emergency service response times to reach the area are inadequate
- o Inadequate shops in the village to serve the existing housing or cater for additional housing
- o There are existing parking issues on the estate, roads on the estate are dangerous, narrow and winding
- o There are insufficient parking spaces, constant parking disputes, speeding and damage to vehicles
- o The site needs a new access so that the Oxleaze Way road can connect to Paulton Road as Purnell Way cannot handle more traffic
- o Roads in the village are too narrow to handle increased population, particularly around schools
- o There are no green spaces on Oxleaze Way for children to play
- o Residents concerns have not been addressed
- o The village infrastructure is insufficient for increased population
- o The existing estate experiences anti-social behaviour and crime, and the proposed development will add to this
- o Strongly disagree with assertions that there is lack of demand for care facilities

- o The difficulties local hospitals experience discharging patients demonstrates the demand for care facilities
- o Demand for retirement/elderly housing will only grow in the near future
- o No evidence has been provided to show the site was actively marketed at a realistic price for the intended use
- o The area already has many affordable homes and there is no need for more houses
- o Local employment is in short supply with many residents needing to commute outwards demonstrating lack of need for more housing
- o Loss of the approved continued care retirement community will result in loss of jobs detrimental to local economy in contrast to the intent of the outline permission
- o Residents will need to commute to Bath/Bristol for work, undermining the Council's sustainable transport ambitions and climate emergency targets
- o Proposed houses would block the views of existing houses
- o There is only one bin for dog waste on the estate and owners do not clear up mess
- o Continuing to diverge from the original mixed-use planning intent of 07/02424/EOUT is at the detriment to the local community
- o Previous application in 2016 (16/04889/OUT) for housing on this site was refused
- o Residents have already experienced 5 years of noise and air pollution relating to the existing development and further pollution relating to the proposals would be intolerable
- o Danger of river pollution from this site
- o The countryside should be protected and there are plenty of derelict sites waiting to be used
- o Insufficient footpaths and play areas for children
- o More parks and green space are required
- o Please make sure the hedges are protected during development
- o Nature must be considered in the development given habitat and species in close proximity of the site
- o Buses are being withdrawn
- o It is wrong to extend the estate and make parking and traffic worse and not give any additional children's play area, facilities for young people and extra GP surgeries
- o No supermarket within walking distance, and for any other amenities a car is essential as they fall outside bus routes
- o The application should be refused as it is contrary to the Council's environmental and sustainability policies due to failing to reduce pollution and car use
- o Green space proposed on site is too steep for amenity green space in accordance with the B&NES Green Space Strategy



A summary of the grounds of support is as follows:

- o Need more houses in Paulton for local families

External Consultation

Paulton Parish Council:

At the Paulton Parish Council meeting 12th April Council Resolved - To object:

*"The NPPF, paragraph 95, says it is important to have a sufficient choice of school places to be available to the local community. However, there are insufficient Early Year school places and year 7 Secondary School places are predicted to be unavailable in local schools from 2026".*

*"Local infrastructure concerns, in particular doctors and dentists, with no access to a dentist in the local area. Insufficient parking and high traffic volume with only one route in and out of Oxleaze Way. The NPPF, paragraph 113, that for an application of this size, a travel plan is necessary. One has been provided, but it doesn't address the problems caused as for example on Oxleaze Way. A previous planning application for a residential development on the same site in 2016 with almost the same number of flats and houses was refused. The same principle of too many homes is still current. Mixed use development was given for this site, with reserved planning permission in 2007, mainly for a continuing care home retirement community. The developer states there is no demand for this. However, no evidence is put forward to substantiate this. Twenty seven% of patients currently waiting to be discharged from the RUH, but are unable to do. One of the reasons being the lack of Care Home places. Sixty one objections have been received from Paulton residents objecting to this development, with just two in favour."*

Paulton ward member, Councillor Liz Hardman:

*"I am aware this application forms part of the Local Plan Partial Update, but never the less, I owe it to my residents who are overwhelmingly against this development to get it heard in a public forum".*

*My statement:*

*"I would like to object to the planning application for the former Purnell Factory site for the following reasons: An extra 73 homes which will be added to the 500+ homes already built on the old Purnells' site is a disproportionate amount of housing compared to Paulton's size. These homes will add to an already overstretched infrastructure. There are concerns about the local surgery dealing with extra patients and all local dental practices are currently full".*

*"Sufficient choice of school places with any new development must be available according to the NPPF, paragraph 95. Yet the report states there are insufficient Early Years places. Also year seven places in local secondary schools will be full by 2026, only four years away. Both the Infant and Junior Schools have been expanded to full capacity and will be unable to take many more pupils".*

*"Once again, there will be an extra strain on the local infrastructure which is already struggling with the increased volume of traffic. The parking proposals for 130 parking spaces won't be sufficient to meet demand and with only one route in and out of Oxleaze Way, the extra 130 + cars will result in increased traffic movements, with resulting environmental problems. The NPPF paragraph 113, states that all developments that will generate sufficient amounts of movement should be required to provide a travel plan, supported by a transport statement. The one provided by the developer is unconvincing as it doesn't address the problems caused as for example on Oxleaze Way".*

*"A previous planning application for a residential development on the same site in 2016 with almost the same mix of flats and houses was refused. The same principle of too many homes is still current".*

*"Mixed use development for this site was given reserved planning permission in 2007 mainly for a continuing care home retirement community. The developer states there is no demand for this. However, no evidence is put forward to substantiate this assertion. There are currently 27% of patients waiting to be discharged from the RUH, but are unable to do so. One of the reasons being lack of Care Home places. The overwhelming response from local residents, over 60 comments is to reject this proposal on the basis of over development on an already stretched infrastructure and the impact on our local community".*

*"It is good to see that all the homes will be affordable homes, with much needed homes for social renting. However, I am sure these homes could be built in more sustainable locations in either Bath or Keynsham."*

#### Internal Consultation

Planning Policy, Bath & North East Somerset Council:

The site is located within Paulton's Housing Development Boundary.

Saved policy V3 in the Local Plan 2007 allocates this area of a wider site for a mixed-use scheme, to include employment development. A masterplan for the wider site was approved in 2010 (permission 07/02424/EOUT), proposing a care home development on the land currently in discussion. The care home development would have contributed to the mix of uses across the wider site, and a contribution in terms of employment. We understand that the applicant has provided marketing information to evidence lack of demand for such a use over an extended period.

It is acknowledged that the scheme proposes 100% affordable housing. The general policy direction for this site is to allocate it for housing (use class C3) in the LPPU. Although the LPPU cannot be given weight at this time, on balance, taking the proposal for 100% affordable housing into account, along with the direction of travel for the site allocation, the policy team do not object to the proposal in principle.

#### Early Years Provision

Placemaking Plan policy CP13 requires new development to be supported by the timely delivery of required infrastructure to provide balanced and more self-contained

communities. Paulton is an area of childcare insufficiency, where any further residential development would exacerbate the existing shortfall. Correspondence with education officers has highlighted that no existing facility in the settlement could be expanded through funding via S106 contributions from new development. As such, provision of a new facility is required prior to the occupation of the proposed dwellings.

It is our understanding that a separate planning application has been submitted for the provision of a 48-place early years facility (application 22/01348/FUL), which, if permitted, will provide sufficient early years spaces required by the proposed development. In order to ensure provision, a Grampian condition should be attached to the permission, ensuring that early years provision is provided prior to occupation of the dwellings.

This approach has also been taken in preparing Local Plan Partial Update site allocation SSV22, whereby the draft policy requires provision of an early years facility prior to occupation of any new dwellings.

#### Primary and Secondary School Provision

It is our understanding from correspondence with education officers that there is currently projected to be sufficient primary and secondary school capacity available to accommodate the pupils calculated to be generated from the proposed development.

#### Green Infrastructure / Trees

There is a shortage of good quality open space and green infrastructure in this part of the settlement. An existing strategic Green Infrastructure (GI) network runs 200m north of the site's northern boundary.

Policies CP7 and NE1 in the Placemaking Plan relate to Green Infrastructure. Policy CP7 states that the integrity, multi-functionality, quality and connectivity of the strategic GI network will be protected, enhanced and managed, and that opportunities will be taken to connect with, improve and extend the network. Existing and new GI must be planned, delivered and managed as an integral part of creating sustainable communities.

Policy NE1 relates to development and GI. It states that (1) within the context of Policy CP7 development will be permitted provided:

- a. it can be demonstrated that opportunities have been maximised to design Green Infrastructure (GI) into the proposed development;
- b. it does not adversely affect the integrity and value of strategic GI corridors;
- c. the scheme makes a positive contribution to the GI network through the creation, enhancement and management of new, and existing GI assets.

It also states that (2) proposals for major developments should also be accompanied by:

- a. a plan of the existing green infrastructure assets within and around the development site;
- and

b. a GI "proposal" demonstrating how GI has been incorporated into the scheme in order to increase function and improve connectivity of GI assets including links to existing the local and strategic networks.

3 Developers will be required to address GI in any submitted site Masterplan which as a minimum fulfils the requirements of clauses 1) and 2) above.

An existing strategic Green Infrastructure network runs 200m north of the site's northern boundary. The current site plan shows retention of trees along the northern boundary, and provides some additional landscaping. However, we would ask the applicant to revisit this boundary to provide a more significant and enhanced green buffer, and provide details on how the proposals will seek to connect into the existing strategic GI network to the north of the site. We would also ask the applicant to consider enhancing the proposed GI throughout the site, to meet the requirements of policy CP7 and NE1. Proposals should be provided on a plan showing existing GI assets within and around the development site, and how site specific GI will connect into these.

Saved policy V3 in the Local Plan 2007 requires the provision of major landscaping along the northern boundary of the site, to reduce the impact on the Cam Valley (requirement 6). It also requires development to be designed to relate well to the open countryside to the north (requirement 11). As stated previously, the current site plan shows retention of trees along the northern boundary, which is welcomed, and provides some additional landscaping. However, we would ask the applicant to revisit this boundary to provide a more significant green buffer, preferably in line with the requirements of the draft Local Plan Partial Update policy described below, to ensure that the development sensitively defines the site's edge of settlement location, and the transition between town and country.

The shortage of good quality green infrastructure in the area is sought to be addressed through draft site allocation SSV22 in the Local Plan Partial Update. The draft site allocation requires significant landscaping and tree planting across the site, with specific policy requirements requiring a 20m wide north to south green infrastructure link, retention and enhancement of existing green infrastructure and habitats along the northern boundary, a 10m buffer to all boundary hedgerows, creating an area of grassland within the buffer, and rows of large growing trees fronting Oxleaze Way, with houses sufficiently set back to allow for future tree growth. It also requires the delivery of a strong street tree infrastructure throughout, including large growing species with room for future growth.

The proposed development provides a 10m wide north to south link, a small buffer to boundary hedges in places, and does not set back houses along Oxleaze Way providing space for trees.

Although draft Policy SSV22 cannot be given weight at this time, we would ask the applicant to reconsider the proposed layout to take the draft requirements into account, to ensure that the scheme provides stronger green infrastructure provision throughout the site, and meets the requirements of adopted policies CP7, NE1 and V3.

Conclusion

The planning policy team have no objection in principle to the development of the site for residential use, subject to the requirements for early years provision and green infrastructure above.

Education Services, Bath & North East Somerset Council:

This proposed development contains 72 dwellings with a dwelling mix of 18 no. 1 bed flats, 29. no. 2 bed houses and 25 no. 3 bed houses, which is calculated to generate the following children and pupils:

Early Years age 0-1 - 1.363  
Early Years age 2 - 1.193  
Early Years age 3-4 - 5.112  
Primary - 11.01  
Secondary - 4.79  
Sixth Form - 1.13  
Young people aged 13-19 - 8.55

Primary age pupils

The Polestar Bovis development of 450 dwellings currently under construction is calculated to generate 86.98 primary school pupils in total. It is estimated that the final 177 of these 450 dwellings will generate a total of approximately 34.2 pupils, divided by 7 school year groups = 4.88 per year group (pyg).

The latest pupil projection figures for Paulton Infant/Junior school Reception pupils up to 2026 admissions are as follows:

2022 - 77  
2023 - 80  
2024 - 81  
2025 - 83  
2026 - 81

The school has 90 places per year group.

Plus approximately 4.88 pupils pyg still to come from Polestar Bovis.

Plus 1.5 pupils pyg from this proposed development (11.01 divided by 7 = 1.5 pyg).

Total 6.38 pupils pyg.

2026 Reception 81 + 6.38 = 87.38 pupils

There is therefore currently projected to be sufficient primary school capacity available to accommodate the pupils calculated to be generated from this proposed development.

Secondary age pupils

The Polestar Bovis development is calculated to generate 40.87 secondary age pupils in total, with approximately 16.07 of these still to come, divided by 5 school year groups = 3.2 pyg.

Paulton is in the catchment area of Somervale school. Current projections for Year 7 pupils up to 2026 admissions indicate that the school will be full. The school has 141 places per year group.

Plus 3.2 pupils pyg still to come from Polestar Bovis.

Plus 0.95 pupils pyg from this proposed development (4.79 divided by 5 = 0.95 pyg).

Total 4.15 pupils pyg.

2026 Year 7 141 + 4.15 = 145.15 pupils

However, it is expected that 5 pupils per year group could be displaced to other secondary schools closer to where they live and which are projected to have spare capacity and therefore there is currently projected to be sufficient secondary school capacity available to accommodate the pupils calculated to be generated from this proposed development.

The Education Services team have highlighted the current insufficiency of provision for Childcare and Early Years Education as an issue within Paulton. Children in the Early Years age group may require Childcare and Early Years Education to enable their family or carers to work. When they reach the age of 3, they are entitled to a statutory Early Years Entitlement place. The Primary age children may require before school, after school and/or holiday childcare provision. The Childcare Sufficiency Assessment reports that there are already insufficient places to be able to accommodate these additional children. It is however noted that planning permission was recently granted (application: 22/01348/FUL - permitted 9th December 2022) for development of a new 48 place early years nursery facility in Paulton as part of the Polestar redevelopment. It is recommended that a condition is attached to any planning permission for new housing in the area requiring no occupation of further housing prior to first operation of the early years nursery.

Housing Services, Bath & North East Somerset Council:

The application has been brought forward with the engagement and support of B&NES Housing Services.

The submitted Affordable Housing Statement is detailed and confirms CP9 core policy requirements of:

- 100% of the dwellings (72) will all be affordable dwellings. This is acceptable.
- Local Housing needs. This information was supplied by Housing Services and thus considered robust.
- The range & type of dwellings. has been informed as a direct result of Local Housing needs information supplied by Housing Services and thus acceptable.

- Design Standards. The proposed dwellings meet and, in some cases, exceed the Nationally Described Space Standards (NDSS) and will be compliant with Building Regulation Approved Document M including, 2 no. of the properties being designed to a wheelchair accessible standard (M4(3)). This is acceptable.
- Ownership. All 72 dwellings will be owned & managed by LiveWest (the Registered Provider) upon completion of the development. This is acceptable.
- Tenure. Housing Services have received, under separate correspondence, conformation the tenure split will be 53 homes for social rent and 20 homes for shared ownership. This is acceptable.

The submitted Draft Heads of Terms state the provision of affordable housing to be secured on the following basis:

- Scenario A: LiveWest is a Strategic Partner of Homes England and Homes England Strategic Partnerships grant funding is available for the project, therefore LiveWest will apportion grant funding to deliver the entirety of the scheme as affordable housing (100% provision), thereby providing 'additionality' and complying with the conditionality of the grant funding.
- Scenario B (fallback position): to provide appropriate security for the local authority a Policy CP9 compliant level of 30% provision to be provided on a nil-grant basis will be secured as a fallback position.

This is acceptable and in keeping with normal Housing Service procedures.

## Conclusion

This application to deliver 100% affordable housing exceeds the policy CP9 obligation to deliver 30% affordable housing. The application accords with local affordable housing policy requirements in regards mix, tenure & design. Housing Services fully support this application.

## Transportation & Highways, Bath & North East Somerset Council:

The applicant has submitted revised documents that have been reviewed to inform this updated Highways response.

There is a need to ensure that suitable access to the adopted public highway will be available before the development is occupied. The new roundabout to B3355 Paulton Road to the west will need to be complete prior to occupation. We understand that the S278 agreement for the new roundabout will be completed shortly which will enable construction of the roundabout on Paulton Road to be scheduled. We understand from planning that the requirement could be dealt with by condition.

There may need to be controls in place in the event that the adjacent roads are not adopted prior to occupation of the development. The revised plans do not change this requirement which can be secured by condition.

The layout of the path has changed significantly, however there is still a gradient of 1:10 which would exceed the maximum desirable gradient for accessibility reasons. The path adjacent to Plot 72 has been amended so that it is no steeper than 1:15. While this is still greater than the preferred maximum footway gradient, we note this section of path is not proposed to be adopted and there are alternative routes available therefore we would not sustain an objection.

Revised street lighting proposals to comply with BANES specification; and BS5489-1:2020. The submitted lighting plan has been updated to meet B&NES specification this will be subject to detailed agreement at technical approval stage.

The submitted Cambria drainage strategy drawing shows the proposed extent of adoption. The footpaths not adjacent to estate road will be maintained privately by a management company also responsible for the open space and this is acceptable.

Cambria Vehicle Tracking drawing which also shows visibility splays on site accesses shows these points have now been factored into the design. The B&NES standard refused vehicle is now used and the adoptable roads are now designed for 20mph forward visibility and splays. The Tracking drawing does not identify any areas that would require waiting restrictions where necessary to maintain free movement in addition to the junctions, this will be subject to agreement at technical approval stage. A Traffic Regulation Order (TRO) fee could be secured through a planning obligation to be used if required.

A stage 1 road safety audit of the revised layout is provided together with the designer's response to each of the 7no. problems identified. The remaining responses either accept or partially accept the auditor's recommendation. The only exception is problem 3.1 where the designer provides reasons why this problem is unlikely to occur. Should it be required we suggest securing a TRO fee through a planning obligation to be used if required.

The submitted technical note reviews the proposed parking against the existing adopted parking standards and the emerging draft Transport & Development SPD.

The 126 allocated parking spaces is compliant with current B&NES standards. The proposal includes 9 visitor spaces which is a shortfall from the policy requirement of 15, however informal 4 spaces have been identified within the carriageway adjacent to Plot 22-25 whilst still allowing for a refuse or emergency vehicle to pass.

The technical note calculates a total of 112 allocated car parking spaces should be provided in accordance with the emerging SPD standards, in addition a total of 15 (14.4) visitor parking spaces should be provided. The difference between the allocated parking provision required (112 spaces) and the proposed parking provision for the development based on the current standards (126 spaces), is 14 spaces. While visitor parking should be unallocated, the proposed car parking spaces meet required quantity for the emerging SPD and would provide a level of visitor parking. It therefore would be difficult to sustain an objection on this basis.

The 18 no. 1 bedroom flats have been amended to ensure that they have 2 spaces per dwelling for cycle parking in accordance with the B&NES standards.



The revised plans have addressed the comments in our previous responses subject to the following suggested conditions and obligations:

- A Traffic Regulation Order (TRO) fee
- Legal agreement securing delivery of the proposed travel plan together with monitoring fee and bond/deposit to in line with Transport & Developments SPD guidance.

It is acknowledged that the above requirement stems from new guidance in the emerging Local Plan Partial Update and Transport and Developments SPD. Given the advanced stage in the plan making process we understand that they should be given significant weight. However, if they have been adopted at the time the application is determined they will be given full weight.

- A bespoke condition/legal agreement requiring the roundabout junction at the intersection of the main estate road (Oxleaze Way) and Hallatrow Road (B3355) (as required by section 106 agreement dated 17th June 2010 secured under application: 07/02424/EOUT) to be completed to the satisfaction of the Local Highways Authority prior to occupation.

Conditions are recommended relating to Junction Visibility Splays, Construction Management Plan, Waste Containers Delivery and Collection, Highway Works, Implementation of Access, Implementation of Cycle Parking, Implementation of Car Parking, Residents Welcome Pack and EV Charging Points.

Arboriculture, Bath & North East Somerset Council:

The substation has been moved to avoid the root protection areas of retained trees which is welcomed.

The arboricultural method statement and tree protection plan should be reviewed and refreshed to accommodate the revisions. This can be secured by conditions relating to submission of a Detailed Arboricultural Method Statement with Tree Protection Plan prior to commencement and compliance with this.

Parks, Bath & North East Somerset Council:

The Parks & Green Spaces Service have assessed green space demand generated from the proposal. Please find below comments and financial contributions.

Green Space Demand Assessment

The Service previously undertook a green space demand assessment for a development comprising of 73 dwellings, which was estimated to be occupied by 168 residents. The revised scheme now comprises 72 dwellings. This quantum of development can be estimated to be occupied by 166 residents (72 units \* 2.3) and will generate demand for the following quantities of green space:

The total demand for greenspace equates to 5432m<sup>2</sup>.

## On-site Provision

The development proposal does not deliver on Principle 7 of LPPU Policy SSV22 (former Paulton printworks), although, the proposal does provide a green infrastructure link within the land parcel. This meets the 20m minimum width at the southern end and narrows to a minimum of approximately 15m at the northern end. In total this will provide approximately 1300m<sup>2</sup> of amenity green space. The buffer area around the north and west of the site will provide an additional 1800m<sup>2</sup>. In total the proposal is expected to include approximately 3100m<sup>2</sup> of amenity green space.

Principle 7 - Provide a central north to south green infrastructure link within land parcel 1, with a minimum width of 20m. This should also provide a pedestrian link through the site.

## Remaining Unmet Demand for Greenspace Typologies

The total demand for greenspace equates to 5431.68m<sup>2</sup> and there is an unmet deficit of 1,065.26m<sup>2</sup>. 3100m<sup>2</sup> of amenity green space has been provided within this land parcel and 1,266.42m<sup>2</sup> of green space has been provided on a separate parcel of land within the estate. Planning permission was recently granted for application 22/01348/FUL which included 1794.50 m<sup>2</sup> of green space. 1,266.42m<sup>2</sup> of this was surplus to requirements and on this occasion the Service support using this to help balance the unmet demand.

## S106 Green Space Project Contribution

Placemaking Plan Policy LCR6 stipulates that where new development generates a need for additional recreational open space and facilities which cannot be met on-site or by existing provision, the developer will be required to either provide for, or to contribute to the provision of accessible sport and recreational open space and/or facilities to meet the need arising from the new development in accordance with the standards set out in the Green Space Strategy and Planning Obligations SPD.

The development site is in the parish of Paulton, and the Green Space Strategy (2015) has assessed the existing supply of Park and Recreation Ground to be in deficit of 1.78 ha. The development proposal is reliant on existing off-site provision and the area has an insufficient capacity to accommodate the demands of additional residents.

The development can be made acceptable in planning terms and compliant with Policy LCR6 through a financial contribution in scale with the development. The CIL Regulations requires that S106 contributions are used for an identified project directly related to the development.

The development site is in the vicinity of two parks that with funding could meet the recreational demands. These are Miners Recreational Park and the Wallenge Open Space.

Capital Cost of greenspace enhancement (Green Space Strategy 2015 pg. 87)

Park & Recreation Grounds £72 per sq.m

£72 \* 1,065 = £76,680.

Total S106 Greenspace Contribution £76,680.

Ecology, Bath & North East Somerset Council:

Revised layout plans and additional information has been provided to address previous ecological comments dated 25 May 2022, 19 October 2022 and 28 November 2022. The information mostly addresses previous queries as follows:

- Landscape plans to be updated to show retention of grassland habitats on north and northwest boundaries rather than reseeding.

The retention of grassland habitats along the north and west boundaries which supports reptiles and other wildlife is now shown on soft landscaping proposals. This information is welcomed. However, the Landscape Management Plan Revision D (Pegasus Group, November 2022) still refers to wildflower seeding, establishment and management. I would have no objection to consent being granted, providing this document is not approved and a Landscape and Ecological Management Plan, providing appropriate management for retained habitats along the north and west boundary (with reference to protected species), is secured by condition. The removal of proposals for reseeding within 15m of the badger sett means that it is likely that the exclusion zone can be retained without disturbance.

- Final street lighting layout (subject to Highways approval) to be subject to ecological consultation and revisions to footpath lighting/use of part-night lighting requested.

An updated lighting plan Drawing 44769/PJ/F has been provided. This only includes very minor changes and does not address previous ecological comments which stated:

'It is requested that an alternative to column mounted lighting be considered for private footpaths. In accordance with Policy D8 and ILP 2018 guidance, lighting must only be used where absolutely necessary, particularly where it will result in light spill onto ecologically valuable habitats. An alternative such as bollard lighting would be preferred and/or part-night lighting considered for footpaths. Use by light-sensitive bats is likely to be greatest in summer months, so seasonal use would also be supported.'

The Highways Team have confirmed that footpaths will not be adopted, so the request remains. However, in this instance, I am satisfied that with additional measures such as seasonal use and dimming/part-night lighting of footpath lighting, impacts on wildlife can be minimised. Therefore, full and final details can be secured by condition.

- Indicative security lighting mounted on properties proposed to be confirmed.

No information has been provided. This is still requested, ideally before determination. Otherwise, it is feasible that low-level PIR lighting can be used and details will need to be secured by condition.

- Updated biodiversity net gain calculations based on the final layout will be required.

An updated biodiversity net gain calculation must be provided to reflect the changes in the landscaping proposals. This information is still requested before determination in accordance with Policy NE3a. Justification for habitat target condition will need to be

provided (with reference to the Defra Metric Technical Supplement). A full and final biodiversity gain plan could be secured through a condition for a LEMP if it is demonstrated that at least 10% net gain is feasible.

Drainage & Flooding (Local Lead Flood Authority), Bath & North East Somerset Council:

The Council's Drainage Engineer has been involved regularly in the evolving proposals for the site. Following the latest redesign, a revised drainage strategy has been submitted also. This has been confirmed acceptable on the basis that the development will connect to the existing infrastructure and not exceed capacity provided for this site in the estate masterplan.

Environmental Protection, Bath & North East Somerset Council:

If the application is recommended for approval, I would suggest a condition relating to submission and approval of a site specific Construction Environmental Management Plan prior to commencement of development in order to ensure construction impacts are adequately managed and impact to amenity of existing residents minimised during construction.

Contaminated Land, Bath & North East Somerset Council:

The application has been submitted with the following report:

- Geotechnical and Geoenvironmental Report Site: Oxleaze, Paulton. Terra Firma Ltd. Prepared For: Engie Regeneration Limited / LiveWest Homes Limited Issue Date: March 2021 Job No: 16405 (TF Report)

As detailed in the TF Report the site was historically part of the Polestar Printworks with various print work tanks and other infrastructure previously occupying the southeast half of the site. It is understood that various methods of remedial works were completed across different phases of the wider site, including groundwater remediation relating to toluene contamination within the site area. It is also understood that during development of the adjacent site that re-worked soils from print works land were deposited on site to create a level platform for development.

I have the following comments regarding the TF Report:

The Site Layout Plan should include the location of Area 5, as this is referred to in the report but not marked on the plan.

The Trial Pit and Borehole logs are not visible within the appendices.

The soil sampling analysis undertaken has focussed mainly on the top 600mm and top 1m of soils. Very little soil analysis has been undertaken on deeper soils, with only 4 soil samples tested between 1m and 2m inclusive and 1No. samples tested deeper at 3.1m. As detailed above, more recent made ground has been placed above the original development levels and historical contamination had been previously identified in this area. It is reported in the recent investigation that hydrocarbon contamination/odours were noted in some of the deeper soils, including those below 2.2m. Taking account of

the potential deeper source of contamination, identified in historical investigations and recorded in the few soil samples as part of this investigation, I consider that the TF Report has not adequately investigated or assessed the risks to human health of Controlled Waters with respect to contamination, particularly potential deeper organic type contamination including toluene.

The TF report has not included a groundwater investigation and risk assessment nor vapour investigation and risk assessment.

The TF report has included only 1No. round of gas monitoring and this event was undertaken at a relatively high atmospheric pressure. The gas monitoring therefore falls below the typical guidance for quantity and duration of gas monitoring for a site of this nature and for the sensitivity of the development.

It is noted that any historical risk assessment and/or remedial works completed on or in relation to this area of the Site were in relation to the then proposed use as Public Open Space.

A reported pollution incident of sheens/contamination in the drain approximately 75m the north of the site was reported in 2012 and remedial actions within the drain were undertaken.

The TF Report has recommended a remedial capping layer in the southwest area of the Site, based on shallow soil contamination identified, it is noted that the physical contents of the made ground material on site are unlikely to be suitable for garden use. As the TF report notes that "Various waste materials are present in the made ground, such as brick, wire, metal, concrete and rebar, but not typically significant amounts. However, made ground within the northeast section of the site (TP12 - TP15) had notable greater waste content. In TP14 rare timber and some buried tree roots/branches were retrieved."

Taking account of the sensitive nature of the development (i.e. residential dwellings), the potentially contaminative historical use of the site as a print works with oil and solvent storage, the findings of historical investigations and the limitations of the TF report submitted (highlighted above), I advise that further Investigation and Risk Assessment, Remediation and Verification are required. This can be secured by conditions applied to any permission if granted.

Economic Development, Bath & North East Somerset Council:

B&NES Planning Obligations SPD (April 2015) has a requirement for developers to provide targeted recruitment and training (TR&T) opportunities and contribution for residential developments over 10 units and commercial developments over 1000sqm.

Should the application be approved a S106 Site Specific Targeted Recruitment and Training in Construction Obligation should therefore be applied. This is estimated to be the following targeted recruitment and training outcomes:

- Work Placements: 10
- Apprenticeship Starts: 2
- New jobs advertised through DWP: 2

- Contribution: £6,380

It is a requirement of the developer to provide a method statement following a template and guidance produced in partnership with the B&NES Learning Partnership that will outline the delivery of the TR&T target outcomes. The developer will also be required to participate and contribute to a TR&T Management Board supported by the B&NES Learning Partnership that will have the overall responsibility of monitoring the outcomes.

## **POLICIES/LEGISLATION**

National Planning Policy and National Planning Practice Guidance

The National Planning Policy Framework ("NPPF") and National Planning Practice Guidance ("NPPG") are material considerations in preparation of the development plan containing the Council's adopted planning policies and determination of the current application.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that that applications for planning permission are determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for Bath & North East Somerset comprises:

- o Bath & North East Somerset Core Strategy (July 2014)
- o Bath & North East Somerset Placemaking Plan (July 2017)
- o West of England Joint Waste Core Strategy (2011)
- o Bath & North East Somerset saved Local Plan policies (2007) not replaced by the Core Strategy or the Placemaking Plan
- o Bath & North East Somerset Local Plan Partial Update (2023)

Bath & North East Somerset Core Strategy (2014)

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The following policies of the Core Strategy are relevant to the determination of this application:

SD1 Presumption in Favour of Sustainable Development  
DW1 District Wide Spatial Strategy  
CP2 Sustainable Construction  
CP5 Flood Risk Management  
CP6 Environmental Quality  
CP7 Green Infrastructure  
CP9 Affordable Housing  
CP10 Housing Mix  
CP13 Infrastructure Provision

Bath & North East Somerset Placemaking Plan (2017)

The Placemaking Plan for Bath and North East Somerset was formally adopted by the Council on 13th July 2017. The following policies of the Placemaking Plan are relevant to the determination of this application:

RA1 Development in the Villages Meeting the Listed Criteria  
SCR1 On-site Renewable Energy Requirement  
SCR5 Water Efficiency  
SU1 Sustainable Drainage  
D1 Urban Design Principles  
D2 Local Character & Distinctiveness  
D3 Urban Fabric  
D4 Streets and spaces  
D5 Building Design  
D6 Amenity  
D8 Lighting  
D10 Public Realm  
NE1 Development and Green Infrastructure  
NE2 Conserving and Enhancing the Landscape and Landscape Character  
NE2A Landscape Setting of Settlements  
NE3 Sites, Species and Habitats  
NE4 Ecosystem Services  
NE5 Ecological Networks  
NE6 Trees and Woodland Conservation  
PCS1 Pollution and Nuisances  
PCS2 Noise and Vibration  
PCS3 Air Quality  
PSC5 Contamination  
PCS6 Unstable Land  
PCS7A Foul Sewage Infrastructure  
LCR3A Primary School Capacity  
LCR6 New and Replacement Sports and Recreational Facilities  
LCR7B Broadband  
LCR9 Increasing the Provision of Local Food Growing  
H7 Housing Accessibility  
RE4 Essential dwellings for rural workers  
CP12 Centres and Retailing  
ST1 Promoting Sustainable Travel  
ST2 Sustainable Travel Routes  
ST2A Recreational Routes  
ST3 Transport Infrastructure  
ST7 Transport Requirements for Managing Development  
SV1 Somer Valley Spatial Strategy

Local Plan Partial Update (2023)

On 19th January 2023, the Council adopted a schedule of changes to the currently adopted Core Strategy & Placemaking Plan. This comprised the Local Plan Partial Update (LPPU) which will combine with the currently adopted Core Strategy & Placemaking Plan form a combined and up-to-date development plan for the district. The draft LPPU was submitted to the Secretary of State for examination in December 2021 and examination

hearings took place in June/July 2022. Initial feedback from the Inspector was received in August 2022, following which the Council undertook further consultation on a series of Main Modifications proposed to the plan. In December 2022, the Council received the Inspector's recommendation that subject to the Main Modifications, the Council has met obligations to cooperate and the plan is legally sound and capable of adoption. On 19th January 2023, the Council voted to accept the Inspector's recommendation and formally adopted the LPPU.

The following LPPU policies are relevant to the current application:

DW1 District Wide Spatial Strategy  
SCR6 Sustainable Construction Policy for New Build Residential  
SCR8 Embodied Carbon  
SCR9 Electric vehicles charging infrastructure  
NE1 Development and Green Infrastructure  
NE2 Conserving and Enhancing the Landscape and Landscape Character  
NE3 Sites, Habitats and Species  
NE3a Biodiversity Net Gain  
NE5 Ecological Networks and Nature Recovery  
CP7 Green Infrastructure  
PCS5 Contamination  
H7 Housing Accessibility  
ST1 Promoting Sustainable Travel and Healthy Streets  
ST2a Active Travel Routes  
ST3 Transport Infrastructure  
ST7 Transport Requirements for Managing Development  
SSV22 Former Paulton Printworks

## LOW CARBON AND SUSTAINABLE CREDENTIALS

The policies contained within the development plan are aimed at ensuring development is sustainable and that the impacts on climate change are minimised and, where necessary, mitigated. A number of policies specifically relate to measures aimed at minimising carbon emissions and impacts on climate change. The application has been assessed against the policies as identified and these have been fully taken into account in the recommendation made.

## OFFICER ASSESSMENT

As required by planning law, applications for planning permission must be assessed and determined in accordance with the development plan, unless material considerations indicate otherwise. The following key issues are considered to result from review of the development against national and local planning policy as well as adopted planning guidance.

### **Strategic Principles of Development**

The application relates to an undeveloped parcel of land at the former Polestar Purnell printworks factory development site in Paulton. As set out in the planning history above,



the wider residential estate has been developed on the former printing factory site over approximately the last 15 years.

The main outline permission (07/02424/EOUT) dates from 2010 and gave consent for 421 dwellings, as well as office space (2415m<sup>2</sup>), light industrial units (3158m<sup>2</sup>), a Continuing Care Retirement Home (16744m<sup>2</sup>), a public house/restaurant, community building with nursery and police station as well as open space and allotments. Subsequent permissions have been given relating to various individual phases of residential development as well as the nursery.

Including the earliest permission for 161 dwellings (07/00174/RES), it is understood that permission has been granted for a total of 611 dwellings to date on the overall site. The last permission known as Phase 3 relating to 205 dwellings was granted in 2015 under application: 15/00293/FUL. The majority of the non-residential uses which were part of the original masterplan outline permission have not materialised.

The current application relates to a piece of land known as land parcel 1 (LP1) or the 'CCRC' (Continuing Care Retirement Community) site. The estate masterplan (07/02424/EOUT) approved in 2010 gave outline permission for development of a 'Continuing Care Retirement Community' (CCRC) (use class C2) at the site. This was a significant scale 16,744m<sup>2</sup> development comprising up to 210 CCRC beds/units. The accommodation would be for occupation by residents 55 years or over combining retirement residences and care. However, this use has not successfully progressed since outline permission was given in 2010. No firm market interest in taking on this use and development at this site has emerged and no applications for approval of matters reserved from the 2010 outline permission have been made. The current proposals would result in loss of the previously permitted 2010 CCRC use.

#### Loss of the Continuing Care Retirement Community use

The original masterplan uses were given outline permission in 2010 (application: 07/02424/EOUT) relating to an allocation for the site under Policy GDS.1 V3 of the Local Plan 2007 (Saved Policies). The 2007 site allocation required:

*"Development for residential and business use. Residential development beyond the south eastern part of the site to take place only as part of a mixed use scheme which includes employment development."*

*"About 350 dwellings to be accommodated within the factory site, with no more than 150 to be constructed unless linked to a scheme for the development of employment floorspace."*

The parcels are now subject of an updated site allocation in the recently adopted Local Plan Partial Update (LPPU).

LPPU Policy SSV22 (Former Paulton Printworks) states:

*"Five parcels of land within the wider site remain undeveloped. These parcels are referenced on the concept diagram as LP1 - LP5. Some of these land parcels were previously allocated in the 2007 Local Plan for a mix of uses, and an outline*

*planning permission secured all of the sites for various uses including continuing care retirement housing, commercial uses and light industrial floorspace."*

Policy SSV22 is being introduced to supersede Saved policy V3 from the Bath & North East Somerset Local Plan 2007 (as listed above) and provides updated development requirements for the remaining parcels of land.

It is stated that:

*"An opportunity has arisen for land parcel 1 to provide development of circa 70 affordable dwellings within the area. In order to bring this forward, an existing deficiency of early years places in Paulton must be addressed. As such, provision of an early years facility is required as part of this allocation, not only to meet the need of occupiers of the new dwellings, but also create provision to meet the existing deficit in the area."*

*"There is also a shortage of good quality open space and green infrastructure in this part of the village, which will also be addressed through this allocation."*

LPPU Policy SSV22 states that:

*"further development proposals for the Former Paulton Printworks will:*

*Deliver a mixed-use development across the five land parcels identified on the concept plan, comprising:*

- o Residential development of around 80 new homes across land parcels 1 and 2*
- o An early years facility on land parcel 3, with provision to meet the existing deficit in the area, plus provision for any additional housing proposed on land parcels 1 and 2. The early years facility must be secured prior to the occupation of any of the dwellings proposed on land parcels 1 and 2.*
- o Light industrial floorspace on land parcels 4 and 5."*

The current application seeks full planning permission for development of 72 houses on land parcel 1.

It is highlighted that full planning permission (under application: 22/01348/FUL) was granted by the Council for development of 8 houses, a 48 place early years nursery and 1800m<sup>2</sup> of open green space on land parcels 2 and 3 on 9th December 2022.

Whilst the proposed residential development and associated loss of the previously consented CCRC facility conflicts with the retained 2007 site allocation, it accords with the newly adopted Policy SSV22 which can be afforded significant weight given it directly relates to development of this site.

With regard to loss of the CCRC use, this would be associated with loss of 16,744m<sup>2</sup> development comprising up to 210 CCRC units for occupation by residents 55 years or

over for combined retirement residential accommodation including care to those in need. It was previously estimated that this use could have generated approximately 160 jobs.

Policy SV1 (Somerset Valley Spatial Strategy) (Vol 4) of the Placemaking Plan states the strategy for the Somerset Valley is to:

2) *Prioritise development on brownfield sites focussing on Midsomer Norton and Radstock Centres (See Policies SV2 and SV3) and the redevelopment of vacant and underused industrial land and factories.*

3) *A) Enable the delivery of around 900 net additional jobs between 2011 and 2029 and facilitate further jobs if economic circumstances allow.*

*B) Encourage the retention and expansion of local companies and the growth of new businesses by making provision for the changes in employment floorspace. New employment floorspace will be focussed at:*

- *the Westfield Industrial Estates,*
- *Midsomer Enterprise Park and Bath Business Park in Peasedown St John*
- *Old Mills in Paulton (Policy SSV9)*
- *Midsomer Norton and Radstock Town Centres*

*C) Protect land in existing business use and, consider alternative use where there is no reasonable prospect of a site being used for that purpose and it does not lead to an unacceptable loss of employment land.*

By way of background to the existing CCRC land use, this was originally envisioned prior to submission of the masterplan outline permission in 2007. This was notably prior to the global financial crisis of 2009. A resolution to permit was reached by the Council's Planning Committee in May 2008. However, the outline permission was not granted until 2010 due to negotiation and completion of the s.106 agreement. By this point, national and local economic conditions were materially different to the point when the outline application was made.

The Applicant has submitted a Marketing Report with the current application. This explains that following the grant of outline permission in 2010, marketing of the CCRC use was undertaken. This was undertaken by Savills and the process included personal approaches, online listing and advertisement hoardings at the site entrance on Paulton Road. Direct approaches were made to a range of local and national care operators. The marketing report sets out that a variety of initial interest was received between April 2011 and May 2019, however this ultimately failed to materialise into a contractual agreement or submission of reserved matters planning application. A variety of reasons are provided for this including: the consented 'CCRC' use failing to fit established care providers models; the site not meeting minimum size requirements; the location not being attractive; as well as not achieving care operators financial valuations. The Marketing Report contains evidence of approaches to multiple relevant care providers.

The Marketing Report also includes advice from a specialist healthcare surveyor who concludes that the use is unlikely to be attractive to care providers due to combination of retirement living dwellings and care provision which are typically provided by separate

developers/operators. As well as this, they note that property values in Paulton are below the national average and there is an existing 102 bed care home (Bloomfield Care Centre) in the village. Some interest is reported in a strictly retirement living scheme however this would lack care and would be different to the consented CCRC use. However even this ultimately did not materialise into a firm agreement with any developer and associated planning application for such development.

The Local Planning Authority notes that the consented use is a very specialist land use which differs from a traditional care home. CCRC remains a relatively recent introduction to the UK, with few developers/providers operating in this market and small number of completed retirement and care communities. The Local Planning Authority finds no issue with the methodology or legitimacy of the marketing report and accepts the conclusion of absence of market interest for the CCRC use at this site. There have clearly been efforts to market the use, with approaches to multiple developers and care providers and over a significant period. More than 12 years has elapsed since permission was granted for the CCRC use at the site. It is therefore accepted that there is no reasonable prospect of the site being used for the approved CCRC purpose.

Granting permission for residential development at the site in place of the existing CCRC use would result in the loss of employment land. It was originally estimated that this use could have generated approximately 160 jobs, although the exact number of jobs resulting would have been dependent on an eventual care provider and their model. As discussed above, marketing has not resulted in any genuine interest in progressing a care use at the site and therefore this employment is only theoretical. The employment uses and the mixed use development originally envisioned has not materialised in the 10 years since permission was granted.

There remains some potential for employment on the wider former printworks site. This would be associated with the nursery recently granted full planning permission on land parcel 3. LPPU Policy SSV22 redistributes employment generating light industrial uses to land parcels 4 and 5. These have better access to Paulton Road (B3355) and are sited further from pollution sensitive residential uses. Policy SV1 (Somerset Valley Spatial Strategy) notably identifies that new employment floorspace in the Somerset Valley will be focussed at Old Mills in Paulton (see Policy SSV9) as well as the Westfield Industrial Estates, Midsomer Enterprise Park and Bath Business Park in Peasedown St John and Midsomer Norton and Radstock Town Centres. In this context, it is not considered that loss of employment associated with change of course with the CCRC use would represent an unacceptable loss of employment land. The proposals are not considered to significantly prejudice achievement of the economic development objectives set out in Policy SV1.

It is therefore accepted that the proposals comply with the requirements of Policy SV1 insofar as the development will introduce an alternative use (residential housing) in a scenario where it is accepted that there is no reasonable prospect of the site being used for the employment use (in this case Continuing Care Retirement Community as granted in 2010), and the proposals would not cause an unacceptable loss of employment land.

Acceptability of proposed residential use

With regards to the acceptability of residential development of the site, it is highlighted that LPPU Policy SSV22 expects 80 new homes across land parcels 1 and 2. The development would create 72 houses on land parcel 1 and 8 houses have been permitted on land parcel 2 (under application: 22/01348/FUL). The development therefore accords with the recently adopted policy which must be given significant weight as it directly relates to the site.

The site is located within the established Paulton Housing Development Boundary and is a previously developed brownfield site. Residential development of the site therefore accords with the requirements in Policy SV1 which targets around 2,470 new homes to be built at Midsomer Norton, Radstock, Westfield, Paulton and Peasedown St John within the housing development boundary, prioritising development on brownfield sites including redevelopment of vacant and underused industrial land and factories. The proposed development would meet these objectives of the current Placemaking Plan. Development in this location would benefit from proximity to facilities within the Paulton settlement including shops, services, employment, education and public transport. The proposals would create 72 homes on a previously developed brownfield site in a sustainable location in respect of the wider settlement.

In respect of Policy RA1, Paulton meets the policy requirements for village facilities including having a primary school, post office, shop(s) and village hall as well as a bus services to adjacent centres including Bath. The proposals meet Placemaking Plan requirements for residential development within the Housing Development Boundary for rural villages such as Paulton.

The proposed housing includes 18 no. one bedroom flats, 29 no. two bedroom houses and 25 no. three bedroom houses. Census data (2011) indicates that in the Paulton ward, 8.1% of households have 1 bedroom, 23% have 2 bedrooms, 49.7% have 3 bedrooms, 15.8% have 4 bedrooms and 3.3% have 5 or more bedrooms. 93% of households in Paulton are houses and 7% of households are flats. The development will provide a mix of housing types, including both flats and houses. It is noted that the area lacks many flats and therefore the provision of 18 flats is particularly welcome, providing a housing type for which there is likely need in the area. The housing proposed comprises a variety of smaller dwellings which will be more affordable and attractive to different types of households. The development will contribute choice to the existing mix of dwellings found in the Paulton area and contribute positively to meeting the needs of the local community in accordance with Core Strategy Policy CP10.

As highlighted in consultation responses from Education Services and Planning Policy as well as within the LPPU Policy SSV22, that Paulton experiences an identified deficiency in early years provision. Policies and consultees outline this must be resolved to meet the needs of both the existing community but also the need generated by the development itself. As referenced previously, full planning permission (under application: 22/01348/FUL) has been granted by the Council for development of a 48 place early years nursery on land parcel 3 on 9th December 2022. It is a condition of the planning permission that the nursery must be delivered in the first phase of the adjacent development and operational prior to any housing being occupied.

It is proposed that a similar restriction will be applied to the current development to ensure compliance with Placemaking Plan Policy CP13. This requires timely delivery of required

infrastructure to provide more self-contained communities and prevent the need to travel for childcare. LPPU Policy SSV22 also requires that the early years facility on LP3 must be secured prior to the occupation of any of the dwellings proposed on land parcels 1 and 2. The early years facility is required to be delivered by the original estate masterplan outline permission s.106 agreement also. It is suggested to include a condition with this permission to ensure no further dwellings are occupied and further need for childcare be generated, prior to further provision being available in the area. Subject to such a condition, no undue pressure will be placed on existing infrastructure and the need for travel will be avoided.

The Education Services team have confirmed that they project sufficient primary and secondary capacity exists in the area to accommodate children associated with the proposed development. Therefore, the development will meet the requirements of Policy LCR3A of the Placemaking Plan in respect of primary school capacity.

Concerns have been raised through public consultation in relation to access to health and dental care in the local area. Whilst this is a relevant material consideration, there are no development plan policies which require certain levels of health and dental care in the district. The site is within the boundary of the Elm Hayes Surgery in Paulton, which is understood to be accepting new patients. The site is also within the boundary for the Somerton House Surgery and the St Chad's Surgery in adjacent Midsomer Norton. These surgeries would provide primary health care to cover the site. Urgent, routine care and minor injuries facilities are available at Paulton Hospital on Salisbury Road. Funding for NHS health care services is provided through established national channels and includes community infrastructure levy contributions associated with new development secured through the planning system. There are also multiple dental practices in Paulton, operating within the two-tier NHS/private system which has established nationally. Dental services in Bath & North East Somerset benchmark high against the vital signs quality indicators. Local level access to NHS dental services is not an issue unique to Paulton and is a much wider circumstance. Refusal of planning permission for housing due to lack of access to NHS dental services cannot be justified. It is concluded that the existing healthcare services can accommodate the healthcare needs generated by the proposed development.

### Strategic Principles Conclusion

Overall, it is accepted there is no reasonable prospect of the site being used for the Continuing Care Retirement Community purpose granted in 2010. It is considered that there is little value in protecting and persevering with a land use for which there is no market demand and there is little reasonable likelihood of delivery. The loss of the Continuing Care Retirement Community use is not found to lead to an unacceptable loss of employment land given employment uses have been redistributed elsewhere on the former printworks site as well as at Old Mills in Paulton and other strategic employment sites in the Somer Valley. The land is a previously developed brownfield site within the housing development boundary. It therefore represents an accessible, sustainable and policy compliant location for residential development. The residential development proposed includes a mix of housing types and sizes which include types not widely available in the area, therefore meeting local needs. The development will make a positive contribution to overall housing supply. Whilst adopted policy from 2007 sought a mixed use scheme with certain levels of employment floorspace linked to delivery of certain

numbers of dwellings, this has not been delivered. The proposals are considered compliant with current Placemaking Plan policy which allows alternative use where there is no reasonable prospect of a site being used for employment purposes and there is not unacceptable loss of employment land. Furthermore, the proposals are fully in accordance with the recently adopted LPPU policy which allows for residential development of the site.

Considering these points, on balance it is found that loss of the consented use and the proposed residential use is acceptable in principle, subject to a condition safeguarding delivery of the nursery prior to first occupation of the proposed housing.

### **Affordable Housing**

Section 5 of the NPPF sets out that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies including those who require affordable housing. Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Policy CP9 of the Core Strategy requires that affordable housing is provided on-site with a 30% target for developments in the Paulton area. Policy CP9 also states that the quantity, tenure balance and type/size mix of the affordable housing will be agreed with the Council's Housing Enabling Team, or equivalent, through the development management process.

It is noted that the Council's Homesearch register for the district demonstrates that 127 no. local households have a currently need for affordable housing within the parish of Paulton as their first-choice area. For example, only 3 no. 2 bed properties became available in the parish in the year 2020/21 and each received an average of 197 no. bids; 5 no. 3 bed properties became available and each received an average of 218 no. bids, all representing significant pent-up demand and need. It is understood that across the district, approximately 330 no. households have formally registered an interest in shared ownership housing.

The Applicant seeking permission for the current development is LiveWest, a registered provider of social housing operating in the west of England. In accordance with Policy CP9, the proposal is for at minimum 22 no. affordable homes (30% of overall provision). However, LiveWest intends to allocate national government grant funding to the development to ensure all 72 homes (100%) are delivered and managed as affordable housing, thereby providing additionality beyond policy requirements.

All the proposed housing will meet the Building Regulations Part M4 (1) accessibility standards. The proposals include 2 no. properties which are designed to an improved wheelchair accessible standard (M4(3) compliant with reference to Approved Document M of Building Regulations). All proposed dwellings accord with the nationally described space standards for their respective accommodation size. These details would be secured by a s.106 Agreement negotiated in the event of a resolution to permit.

Following consultation, the Council's Housing Services team has expressed strong support for the scheme. They note that 52 homes will be for social rent and 20 homes for shared ownership which is found acceptable. The Applicant's draft heads of terms set out two scenarios, including 100% route with grant funding and 30% policy compliant route. This is found acceptable and in keeping with normal procedure. The affordable housing proposals would be secured through s.106 Agreement negotiated following resolution to grant permission. Subject to this measure, the development will either deliver 100% affordable housing which would be a significant benefit to the area and District, or policy compliant 30% provision. In either scenario, the development accords with national and local policy and is supported based on affordable housing.

### **Appearance, Character & Design**

Paragraph 126 of the NPPF outlines that: "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Paragraph 130 of the NPPF requires that planning decisions should ensure that developments:

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>49</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Policies D1-D5 of the Placemaking Plan guide high quality design in the district; they have regard to the character and appearance of a development and its impact on the character and appearance of the wider area.



LPPU Policy SSV22 (Former Paulton Printworks) expects a residential development of around 80 new homes across land parcels 1 and 2. The policy states that development will:

- o Retain and enhance existing green infrastructure and habitats along the northern boundary of land parcel 1 and the southern boundary of land parcel 3, including all trees, hedgerows and planting. A 10m buffer to all boundary hedgerows is required, creating an area of grassland within the buffer.*
- o Provide rows of large growing trees fronting Oxleaze Way on land parcels 1 and 2, with houses sufficiently set back to allow for future tree growth.*
- o Deliver strong street tree infrastructure throughout each of the land parcels, including large growing species with room for future growth.*
- o Provide a central north to south green infrastructure link within land parcel 1, with a minimum width of 20m. This should also provide a pedestrian link through the site.*
- o Provide a positive relationship with all publicly accessible routes and in the case of land parcel 1, face outwards towards the open countryside, adopting a perimeter block layout, with a clear distinction between the fronts and backs of properties.*
- o Provide walking and cycling routes through each of the land parcels, allowing access to surrounding homes, and to the countryside to the north.*
- o Ensure that development does not detract from views over the site from the countryside to the north, with development designed to sensitively define the site's edge of settlement location, and the transition between town and country.*

The Paulton Village Design Statement (2001) is adopted by the Council as a supplementary planning guidance document. The Village Design Statement describes the village and its surrounding countryside at the turn of the millennium and points out those features of local character that are worth safeguarding for future generations. It also sets out the criteria which should govern any future development in the village.

The Village Design Statement outlines that the early development of the village a concentration of cottages, shops and public houses around the High Street. With the development of the coal mining industry in the area there was a demand for more cheap houses and these were usually built in terraces using local stone. Many had slate roofs as the slate could be easily transported on the canals and railways. The Village Design Statement highlights that it is these types of development that many claim gives Paulton its distinctiveness.

The Village Design Statement notes that the 20th century saw mining replaced by manufacturing and specifically printing as Paulton's main industry. 20th century housing developments in the village are implied to have eroded local distinctiveness by being built to standardised formulas. It is noted that estates like those at Valley View and Brookside in Paulton provide perfectly acceptable homes and are much sought after, but their layout and materials owe nothing to building traditions in Paulton.

The Village Design Statement states it is naive to suggest that all new- housing in Paulton should be built in terraces of white lias stone. However more recognition the character and quality of the local architecture could be offered, by adapting the layout of new developments, materials and architectural features so that any new building looks as if it "belongs" to Paulton.

The Village Design Statement also highlights the importance of the countryside, wildlife and landscape in defining character within the village.

The Village Design Statement identifies terraced house types to be positive typologies based upon their higher densities and in-keepingness with the historic layout of the settlement. White and grey stone are encouraged over yellow tones. It is noted that the character of buildings in the village is very simple, including subtle stone for window surrounds and decoration. It is noted that brick soldier courses are not typical of Paulton. Roofs should typically be slate or clay tiles.

The proposed development would comprise 72 two storey houses of a variety of terraced, semi-detached and detached forms. The houses would be arranged in three main banks. These would either address Oxleaze Way to the south of the site, Caxton Close to the east or the countryside to the north. There would also be a smaller number of houses addressing streets within the site. In the most part, the development is found to proactively address the existing public realm and routes surrounding the site. The proposals include a form of perimeter block layout, with three main built elements facing the perimeter of the site as well as distinct fronts and backs as sought by Policy SSV22.

The proposed layout would retain and enhance existing green infrastructure and habitats along the northern boundary. The development would be set back at minimum 10m from the vegetation at the northern boundary, increasing to 20m in some sections. This would create a green buffer between the housing and existing treeline and hedgerow. It is proposed to retain the existing vegetation in full and introduce new grass planting adjacent which will provide enhancement on existing vegetation. A footpath would follow the northern perimeter of the development, providing an east/west route through the site and differentiating the housing development from the adjacent green space and countryside. These proposals meet the requirements of Policy SSV22.

With regards to the 'central north to south green infrastructure link' referenced in Policy SSV22, this has been integrated at the eastern side of the site. It is recognised that the policy suggests this is located centrally. However in the application process, it was identified that the position at the east of the site would connect with the existing green corridor through the wider estate to the south. The proposed position on the eastern side of the site is found to achieve improved connectivity and legibility for pedestrians, as well as a more continuous and direct green infrastructure asset connecting with the adjacent countryside. The position at the east of the site is found to offer more value for connectivity and green infrastructure. It has also accommodated a wider and larger green area than the original submission, meeting the 20m width requirement stated in the recently adopted policy. This proposal is found to achieve better value for green infrastructure and public realm, and is therefore supported despite deviating from the central position referenced in Policy SSV22.

During assessment of the application, the proposals were revised to provide a larger separation between the houses and the street on Oxleaze Way. The revised layout is now found to offer sufficient area for trees to establish and achieve the tree-lined street identified in policy for Oxleaze Way. A detailed landscaping plan has been provided specifying rows of large growing species such as Acers which are found appropriate to achieve policy aims.

The development will provide a variety of quality walking and cycling routes through and around the site. These include the treelined environment on Oxleaze Way which will include continuous pavements with vehicle crossovers at junctions, the perimeter pedestrian route around the northern side of the site and the north/south green corridor at the eastern side, adjoining with the pedestrian route south through the wider estate to the south. This would also adjoin the public right of way running to the north into the countryside. As a result, the development is found to achieve the policy requirements in respect of providing high quality walking and cycling routes through and around the site.

The houses themselves would follow consistent and coherent building lines, simple and traditional rectilinear forms, and pitched roofs. The houses would be two storey in scale and be constructed with either grey reconstituted stonework or cream roughcast render, slate or clay style pantiles. The scale, form, materials and design are found in-keeping with both the wider estate and the Paulton area where simple stone fronted terraced dwellings prevail.

As a result of retention of the existing vegetation to the north, comprehensive landscaping scheme including green corridor and extensive tree planting as well as sensitive and inkeeping design, the proposals are found to ensure that the development does not detract from views over the site from the countryside to the north. The development is found to have an acceptable impact in landscape views from the adjacent countryside. The development will achieve an acceptable transition between town and country in accordance with the requirements referenced in Policy SSV22.

Overall, the proposed development is found to provide a coherent and high quality response to the character of the existing estate which would be inkeeping within the surrounding area. Positive public realm and landscaping proposals have been incorporated to ensure the development establishes a pleasant green character which reflects the village and surrounding countryside. The proposals are found compatible with the spirit of the Village Design Statement SPD and requirements of relevant national and local planning policy including LPPU Policy SSV22 for the site.

## **Green Infrastructure**

Paragraph 98 of the NPPF outlines that: "Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate."

Policy LCR6 of the Placemaking Plan requires that: "where new development generates a need for additional recreational open space and facilities which cannot be met on-site or by existing provision, the developer will be required to either provide for, or to contribute to the provision of accessible sport and recreational open space and/or facilities to meet the need arising from the new development in accordance with the standards set out in the Green Space Strategy, and Planning Obligations SPD or successor documents."

LPPU Policy SSV22 (Former Paulton Printworks) of the Local Plan Partial Updates states that "there is also a shortage of good quality open space and green infrastructure in this part of the village, which will also be addressed through this allocation."

*"Early years provision shall be provided on land parcel 3, along with good quality public open green space for use by the facility and occupiers of the surrounding housing developments."*

*"Provide a central north to south green infrastructure link within land parcel 1, with a minimum width of 20m. This should also provide a pedestrian link through the site."*

The Green Space Strategy (2015) has assessed the existing supply of amenity green space in the Paulton area to be in deficit of -1.46ha (14600m<sup>2</sup>) and parks and recreation ground in deficit of -1.86ha (18600m<sup>2</sup>). There is a shortage of good quality open space for recreation and green infrastructure in the village, which will partially be addressed through allocation SSV22.

The Council's Parks team have recommended that total demand for greenspace resulting from the proposed housing equates to 5432m<sup>2</sup>. It is highlighted that the proposals granted planning permission by the Council on 9th December 2022 (application: 22/01348/FUL) for land parcel 3 included 1800m<sup>2</sup> open space, of which 1,266.42m<sup>2</sup> of was surplus to requirements of that development. These proposals will partially address the needs of the development as well as the identified shortfall of open space in the village.

The development of land parcel 1 includes approximately 1300m<sup>2</sup> open space in the green corridor at the eastern side. A further 1800m<sup>2</sup> open space is in the green buffer to the north of the site, although this would not be recreational space. When the adjacent LP3 green space surplus and on site green space are combined, these developments will deliver approx. 4366m<sup>2</sup> of green space. Therefore, providing close to the level of open space demand calculated to be generated by the development.

The Local Planning Authority proposes to seek a financial contribution towards improvement and maintenance of existing green spaces in the area, accounting for the unmet demand generated by the proposed housing. This has been calculated to amount to 1065m<sup>2</sup>. The capital cost for provision of open space stipulated within the Council's Green Space Strategy is £72 per m<sup>2</sup>. It is therefore proposed that a financial contribution totalling £76,680 is sought for improvement of existing open spaces within the Paulton area. The Applicant has agreed to this financial contribution in writing. This will offer mitigation for the shortfall in open space provision associated with the development. In correspondence with Paulton Parish Council it was noted that there is need for improvements to both Miners Recreational Park and the Wallenge Open Space, with both parks including limited play equipment and wildlife areas. It is likely that the contribution may be used for improvements to these existing parks. Subject to this contribution, the

development is considered to make an acceptable contribution to meeting the needs of residents for open space in the local area.

## **Ecology**

Paragraph 174 of the NPPF outlines that planning decisions should contribute to and enhance the natural and local environment by:

- a) *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) *maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

Policy NE3 (Sites, Habitats and Species) of the LPPU states that: "Development resulting in significant harm to biodiversity will not be permitted. Harm to biodiversity must always first be avoided and minimised. Where avoidance of harm is not possible, mitigation, and as a last resort, compensation must be provided, to at least equivalent ecological value."

Policy NE3A (Biodiversity Net Gain) of the LPPU states that: "Development will only be permitted for major developments where a Biodiversity Net Gain of a minimum of 10% is demonstrated and secured in perpetuity (at least 30 years) subject to the following requirements:

- a) *The latest DEFRA metric or agreed equivalent is used to quantify the biodiversity value of the site predevelopment, post-development after application of the mitigation hierarchy and for any off-site areas proposed for habitat creation or enhancement both pre- and post development.*

*b) That the assessment be undertaken by a suitably qualified and/or experience ecologist and is submitted together with baseline and proposed habitat mapping in a digital format with the application.*

*c) A management plan will be required, detailing how the post-development biodiversity values of the site and any supporting off-site provision will be secured, managed and monitored in perpetuity.*

*d) Any off-site habitats created or enhanced are well located to maximise opportunities for local nature recovery.*

The Council's Ecologist has been consulted throughout the application process in relation to the evolving proposals. The site does not include any specific ecological designations and the nearest designated site is the Cam Brook Site of Nature Conservation Interest located 150m north. The ecological value of the land is relatively low given it's former industrial use and cleared current state surfaced with bare earth. The tree line and hedgerow at the northern and western boundaries are the only significant habitat features on site. There is a badger sett located to the south west of the site in this habitat. A 15m fenced exclusion zone will be designated surrounding this during construction and is shown on plans. The habitat are proposed to be retained in full with some planting of further grassland adjacent as enhancement. The development is set back between 10 and 20m from the habitat to minimise impact on it. The Council's Ecologist has confirmed the strategy including full retention and adjacent enhancement planting is acceptable.

With regards to lighting, a strategy for street lighting has been submitted including sensitive low luminance (2700k) fittings. These will not result in light above 0.5lux onto the adjacent retained habitat to the north and west. The Council's Ecologist has encouraged use of bollard lighting in these areas to minimise light spill further on the northern perimeter footpath. However, they note this could also be achieved through dimming/part-night lighting of proposed lighting on the footpath. Given that the lighting proposed is sensitive low luminance type, resulting in 0.5lux onto adjacent habitat for the most part, this is considered acceptable. A strategy for securing lighting management could be secured if necessary in the event of permission being granted. Irrespectively, the development is found to minimise it's impact on adjacent habitat through sensitive design.

The Council's Ecologist raised concerns regarding the potential future introduction of additional lighting to private dwellings such as security lighting. It is therefore proposed that a planning condition is imposed requiring no further external lighting be installed at the site, without first being approved by the Local Planning Authority. This will ensure that any further light fittings are positioned and fittings specified in order to ensure acceptable light impacts to adjacent habitat.

In relation to biodiversity net gain, the application has been submitted with a net-gain assessment which demonstrates that the development can deliver 34% biodiversity net-gain as well as 100% hedgerow gain. This is based on a habitat net gain of 0.88 units and a hedgerow gain of 0.79 units. This has not been updated following the revised landscaping scheme for the site. However given the current condition of the site which is predominantly bare earth and the contents of the net-gain assessment originally submitted, the Local Planning Authority is satisfied that the development can at minimum meet the policy compliant 10% net gain requirement for biodiversity. Therefore, a

condition is proposed to secure a Landscape Ecological Management Plan demonstrating a minimum 10% net-gain for biodiversity.

Subject to these conditions, the development will minimise ecological impacts to acceptable levels and achieve policy compliance.

### **Arboriculture**

Paragraph 131 of the NPPF states that: "Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users."

Policy NE6 (Trees and Woodland Conservation) of the Placemaking Plan states that development will only be permitted where:

- a) it seeks to avoid any adverse impact on trees and woodlands of wildlife, landscape, historic, amenity, productive or cultural value; and*
- b) it includes the appropriate retention and new planting of trees and woodlands; and*

The site includes a well established tree line at the northern and western boundaries which is made up of approximately 18 trees. The Tree Survey accompanying the application records these as a variety of native species including lime, hazel, oak, ash and maple. Of the trees, 7 are recorded as moderate quality category B trees and 11 recorded as low quality category trees. All the trees are proposed for retention following development.

The existing trees will be protected by tree protection fencing positioned lining the northern and western perimeter during construction. A proposed electricity substation on the site has been relocated during the application process to avoid root protection areas of trees. The Council's Arboricultural Officer has been consulted and agreed the proposed protection measures will be adequate to protect the existing trees at the site. However, an updated tree protection plan is required following amendments to the proposals. This is proposed to be sought via condition in the event of permission being granted. Subject to such a condition, it is found that the development will preserve all existing trees in compliance with national and local planning policy.

The proposals include comprehensive landscaping of the site. This includes proposals to plant 40 trees including 20 maple/acer and 15 rowan. The planting specifications, layout and rooting areas are considered acceptable to provide the proposed trees a good chance of establishment to eventual maturity. The layout will provide a tree lined townscape which

will offer benefits for wildlife, air quality, drainage and appearance. The tree planting proposals are found to comply with the requirements of national and local planning policy and are therefore acceptable. The proposals will be required to be implemented within the first planting season following first occupation of the development or in accordance with a schedule agreed by the Local Planning Authority. These details will be secured by condition in the event of permission being granted.

### **Neighbouring Amenity**

Paragraph 130 of the NPPF requires that: "planning decisions ensure that developments... create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".

Policy D6 (Amenity) of the Placemaking Plan requires that development must provide for appropriate levels of amenity and must:

- a) *Allow existing and proposed development to achieve appropriate levels of privacy, outlook and natural light;*
- b) *Not cause significant harm to the amenities of existing or proposed occupiers of, or visitors to, residential or other sensitive premises by reason of loss of light, increased noise, smell, overlooking, traffic or other disturbance;*
- c) *Allow for provision of adequate and usable private or communal amenity space and defensible space.;*
- d) *Include adequate storage and functional arrangements for refuse and recycling; and*
- e) *Ensure communal refuse and recycling provision is appropriately designed, located and sized.*

Due to the position of the site at the far north of the former printworks site, the development would be separated from many neighbouring properties on the residential estate.

The nearest neighbouring properties would be those to the south of the site on Oxleaze Way. These are currently under construction relating to planning permission: 14/03142/FUL permitted in 2015. These adjacent houses would be sited to the opposite side of Oxleaze Way which would provide a significant separation between opposing dwellings. At minimum 18m would separate the consented houses on the southern side of the street, from those now proposed to the north. The proposed layout involving development to the north of neighbouring homes would ensure no harm through overshadowing is caused. The proposed development would be a sufficient distance from neighbouring homes to ensure no significant harm would result due to loss of outlook or loss of privacy. The development is found to safeguard acceptable amenity for adjacent homes currently being built on Oxleaze Way.



There are existing neighbouring properties to the eastern side of the site on Caxton Close. These are two storey houses which were permitted in 2015 under application: 15/00293/FUL and recently completed. Due to the green corridor proposed to the eastern side of the development site, the proposed housing would be significantly separated from adjacent dwellings on Caxton Close. This would total 25m at the northern end, increasing to 30m at the southern end. This area would be planted with trees and act as a soft boundary between existing and proposed development. The layout is found to safeguard acceptable amenity for the existing homes on Caxton Close based on impact to outlook, light and privacy.

The open countryside is adjacent to the north and west of the site. The Housing Development Boundary also follows these boundaries of the site. Therefore, the development will not impact either existing or proposed residential amenity in these orientations.

The position of occupied neighbouring dwellings are nearby the site such that construction noise and emissions may impact amenity and living conditions experienced by adjacent residents. Therefore, a Construction Management Plan and Construction Environmental Management Plan for the development will be secured by condition to ensure that disruption and disturbance to neighbours is managed and mitigated to acceptable levels. Some construction disturbance is inevitable and would be temporary in nature.

Overall, the proposals are found compatible with the requirements of relevant national and local planning policy and would preserve acceptable standards of amenity and living conditions for all neighbouring occupiers.

#### Proposed Residents Amenity

Paragraph 130 of the NPPF requires that planning decisions ensure that developments create places: "with a high standard of amenity for existing and future users". Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.

Policy D6 also requires assessment of amenity relating to proposed development in respect of achieving appropriate levels of privacy, outlook, natural light, noise, odour, traffic and other disturbances for future occupiers of developments.

The proposed houses and flats would all meet or exceed the requirements of the Nationally Described Space Standards and offer sufficient space for everyday living. This will be secured by a clause within an eventual s.106 Agreement should a resolution to permit be reached. All houses and flats include some form of private outdoor garden area, providing opportunity for private outdoor amenity. All houses would be dual aspect and receive good levels of light, outlook and natural ventilation. Overall, the development will achieve acceptable standards of amenity and living conditions for future residents in accordance with national and local policy requirements.

## Transport, Highways & Access

Paragraph 110 of the NPPF requires that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) *appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;*
- b) *safe and suitable access to the site can be achieved for all users;*
- c) *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

Paragraph 111 of the NPPF states that: "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*".

Policy ST1 (Promoting Sustainable Travel) of the Placemaking Plan requires that planning permission is permitted for developments which reduce the growth and the overall level of traffic and congestion through reducing private car dependency and giving priority to active and low carbon modes of transport such as walking and cycling.

Policy ST7 (Transport Requirements for Managing Development) of the Placemaking Plan requires that development avoids prejudicing highway safety, provides safe and convenient access, suitable vehicle access, avoids excessive traffic impact and provides adequate mitigation and improvements.

The Council's Transport & Development SPD provides detailed local requirements for transport and highways issues relating to development, including access standards, parking standards and travel plans.

The Council's Highways and Transportation officers have been consulted and involved in design progression throughout the application process. Revised proposals have been submitted in response to multiple rounds of highways feedback. The latest comments from Highways officers are provided above.

A major highways issue for the site relates to the construction and completion of wider estate roads including Oxleaze Way and the proposed roundabout upgrade to the junction between Oxleaze Way and Paulton Road (B3355). These works were part of the original estate masterplan granted in 2010 (reference: 07/02424/EOUT) and required by s.106 Agreement. The Transport Assessment submitted with the current application has been prepared based on the Paulton Road access being available. Given that work on this access has not yet commenced, to ensure construction traffic does not need to travel through the estate and the proposed housing has acceptable vehicular access, it will be required that Oxleaze Way and the upgraded junction with Paulton Road (B3355) are

complete and have a signed S278 legal agreement prior to commencement of this development. This is proposed to be secured by condition attached to the permission. It is understood that approval for these highways works under S278 of the Highways Act has nearly been reached which will enable these works to commence in the near future. The access along Oxleaze Way and junction with Paulton Road (B3355) must be completed to basecourse level with footways finished prior to first residential occupation of any home. This is to allow residents safe access to the development on foot and by vehicle via Oxleaze Way/Paulton Road. This is proposed to be secured by condition and subject to this measure, the development will achieve acceptable highways access.

Highways officers have reviewed the proposed road layout within the site and confirmed its acceptability. The layout achieves acceptable tracking for manoeuvring of Council refuse vehicles and 20mph forward visibility and splays have been demonstrated. It has been noted that areas for parking restrictions such as at junctions have not been identified at this stage. Therefore, a fee for Traffic Regulation Order will be required by s.106 Agreement to secure these measures. The Applicant has agreed to this fee and a s.106 Agreement will be prepared in the event the resolution to permit is reached.

With regards to pedestrian accessibility, the proposed roads will include adjacent pavements which are proposed for adoption by the Council. These will include continuous raised pedestrian crossings at junctions. Access to driveways will be via crossover of the pavement to provide a level pedestrian footway. The site also includes pedestrian footpaths through the green corridor and around the northern perimeter. These are not proposed for adoption and will be maintained privately by or on behalf of the Applicant. The gradient of certain sections of these paths is 1:15 which is greater than the preferred level, however not significantly greater and given alternative adopted routes will be available, this is not deemed to offer unacceptable accessibility.

With regards to car parking, a total of 126 allocated car parking spaces and 9 visitor parking spaces are proposed. All proposed dwellings will include at least one electric vehicle charging point. This level of allocated on-site car parking is compliant with current parking standards. The level of proposed visitor car parking falls 6 spaces below current parking standards, however space for a further 4 informal visitor parking spaces is available on street, whilst still allowing space required for refuse and emergency vehicle manoeuvring. It is noted that the new parking standards from the Transport & Development SPD require 112 allocated parking spaces and 15 visitor parking spaces. This is 14 spaces fewer than the current standards and proposed parking level. There remains a slight shortfall of a single visitor car parking space however following consideration, Highways officers do not find that this would cause significant highways issues and do not object to the scheme on this basis. Overall, the level of proposed residents car parking is compliant with current standards and visitor parking levels are also found to be sufficient. The development will include acceptable levels of car parking to meet the needs of residents and avoid detrimental impact to the safe and free flow of the surrounding road network.

In relation to cycle parking, all dwellings both flats and houses are proposed to include cycle parking for x2 bikes. This is typically located within fenced rear gardens and accessed by gates. The locations proposed achieve level and direct accessibility from the proposed highways. It is unclear exactly what form of enclosure, stand and security measures are proposed. These details will therefore be sought via condition in the event

of resolution to permit. The level and location of cycle parking proposed meet policy requirements and therefore subject to detail, the development will facilitate travel by bike.

A Travel Plan has been submitted which includes a review of existing accessibility, objectives for sustainable travel to/from the site, travel surveys and targets, an action plan and proposals for monitoring and review. Following review, Highways officers have confirmed they consider the Travel Plan is appropriate for the development and its implementation should be secured by a legal agreement. A monitoring fee and bond/deposit for travel plan implementation in accordance with the Council's Transport & Developments SPD is also required. This has been agreed by the Applicant and would be secured by s.106 Agreement in the event of resolution to permit.

Subject to conditions and completion of s.106 Agreement, the development would facilitate sustainable and active travel, as well as avoid detrimental impacts to the surrounding highway network.

### **Sustainable Construction**

Section 14 of the NPPF requires that new development should be planned for in ways that: "*can help to reduce greenhouse gas emissions, such as through its location, orientation and design.*"

Paragraph 157 of the NPPF requires that in determining planning applications, local planning authorities should expect new development to:

- a) *comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
- b) *take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*

Policy CP2 (Sustainable Construction) of the Placemaking Plan requires that all planning applications should include evidence that the standards below will be addressed:

- o *Maximising energy efficiency and integrating the use of renewable and low-carbon energy (i.e. in the form of an energy strategy with reference to Policy CP4 as necessary);*
- o *Minimisation of waste and maximising of recycling of any waste generated during construction and in operation;*
- o *Conserving water resources and minimising vulnerability to flooding;*
- o *Efficiency in materials use, including the type, life cycle and source of materials to be used;*
- o *Flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting;*
- o *Consideration of climate change adaptation.*

Applications for all development will need to be accompanied by a B&NES Sustainable Construction Checklist.

LPPU Policy SCR6 (Sustainable Construction Policy for New Build Residential Development) states new build residential development will be required to meet the standards set out below.

New build residential development will aim to achieve zero operational emissions by reducing heat and power demand then supplying all energy demand through onsite renewables. Through the submission of a sustainable construction checklist, proposed new dwellings will demonstrate the following;

- o Space heating demand less than 30kWh/m<sup>2</sup>/annum;
- o Total energy use less than 40kWh/m<sup>2</sup>/annum; and
- o On site renewable energy generation to match the total energy use, with a preference for roof mounted solar PV

The application is accompanied by a Sustainable Construction Checklist confirming compliance with Track 1 of the Sustainable Construction Checklist SPD. This requires an overall 19% reduction in regulated CO<sub>2</sub> emissions as outlined in Policy CP2, with a minimum 10% reduction achieved through onsite renewable energy generation as outlined in Policy SCR1.

The submitted Sustainable Construction Checklist details proposals for a 19% reduction in CO<sub>2</sub> emissions with an 11% reduction achieved through renewable energy. The overall reduction in CO<sub>2</sub> emissions will be achieved through energy efficiency measures including high efficiency gas boilers, high air tightness levels of 5m<sup>3</sup>/m<sup>2</sup>/hr, low energy lighting and building fabric beyond Building Regulations levels. The reduction in CO<sub>2</sub> emissions by renewables will be achieved through solar PV with a capacity of 24kW<sub>p</sub>, although it is stated the Applicant may install further equipment beyond this.

It is noted that the Sustainable Construction Checklist does not demonstrate on site renewable energy generation to match the total energy use in accordance with the new policy requirements. However, the application was submitted in April 2022 far in advance of these requirements gaining weight. It is considered reasonable in these circumstances to demonstrate compliance with the Placemaking Plan standards adopted at the point the application was submitted. The application has been advertised as a departure from the development as a consequence.

These proposals will be secured by condition in the event of permission being granted. Subject to this measure, the development will make an acceptable contribution to reducing the effects of climate change through sustainable construction and renewable energy.

## **Drainage & Flooding**

Policy CP5 (Flood Risk Management) of the Placemaking Plan requires that: "Development in the District will follow a sequential approach to flood risk management,

avoiding inappropriate development in areas at risk of flooding and directing development away from areas at highest risk in line with Government policy NPPF)."

Policy SU1 (Sustainable Drainage) of the Placemaking Plan requires that:

*"Sustainable Urban Drainage Systems (SuDs) are to be employed for the management of runoff from both major development (as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015) and for minor development in an area at risk of flooding (from any source up to and including the 1 in 100year+ climate change event)."*

*"SuDS are to comply with the "Non-statutory technical standards for sustainable drainage systems" published by the Department for Environment, Food and Rural Affairs (DEFRA) and the standards/requirements contained in the West of England Sustainable Drainage Developer Guide (2015), or successor guidance."*

The site is in Flood Zone 1 which is an area with a low probability of flooding. The development is major development and therefore must employ sustainable urban drainage systems to reduce surface water flood risk.

The wider printworks redevelopment involved installation of both surface water and foul drainage systems which the current proposals can connect to. The submitted drainage strategy includes confirmation from Wessex Water that there is capacity in the existing network to accept the proposed domestic type flows into the public foul sewer network. It is proposed to drain surface water to the wider site drainage network which includes a balancing pond and a wetland/treatment pond prior to discharge to Cam Brook. The proposals involve on site attenuation prior to discharge into the off site network in order to restrict flow to acceptable levels. The surface water system has been designed accounting for climate change tolerance of 40%.

The Council's Drainage Engineer has reviewed the drainage scheme for the site. They have confirmed that the proposals will remain within the original drainage masterplan for the estate. They have reviewed the submitted drainage strategy and confirm this accords with these requirements. The proposals demonstrate acceptable capacity, water quality improvements and will avoid increasing the risk of surface water flooding, utilising sustainable drainage practices in accordance with the requirements of national and local policies and adopted guidance. The drainage scheme is therefore acceptable, it will be required to be implemented prior to first occupation and then maintained in accordance with the submitted details which will be secured by condition.

## **Planning Obligations**

A series of obligations including financial contributions were secured with the original outline permission (07/02424/EOUT) for the wider site. These include financial contributions relating to: Traffic Management Scheme (£139,491.21); Traffic Management Study (£22,904.24); Hallatrow Road bus stop and bus shelter contribution (£11,452.12); Highway Safety Contribution (£58,723.75); Public Rights of Way Contribution (£17,823.10); Old Mills Contribution (£20,000); Construction Training Places Contribution (£51,002.02); Whitecross and Hallatrow Contribution A37/A39 and A39/B3355 Junction Improvement Works (£117,447.50); Youth Centre Contribution (£10,000); Children's

Services Contribution (£1,063,006.91); Bus Services Contribution (£525,251.63); and Play Areas Contribution (£22,733.00).

These obligations were calculated accounting for the previously approved 210 Continuing Care Retirement Community units on the site. For the most part, these obligations are transferrable to the current residential proposals and would continue to provide sufficient infrastructure and mitigation for the current development.

However, there are some further requirements for planning obligations resulting from currently adopted policy and the proposed residential development. These include:

- o Affordable housing contribution with 30% and 100% scenarios
- o Affordable housing requirements for tenure and design
- o Obligation to secure that agreement or agreements are entered into under section 278 and/or section 38 of the Highways Act 1980 and/or any other relevant power for delivery of the 'Offsite Highway Works' relating to Oxleaze Way/Paulton Road B3355 access and associated roundabout prior to commencement of development
- o Off-site public open space enhancement financial contribution (£76,680)
- o Travel plan implementation and monitoring (£4,775)
- o Travel plan bond (£55,880 - refundable upon successful completion of the travel plan)
- o Traffic Regulation Order for highways waiting restrictions (£4,351)
- o Fire Hydrant Contribution x3 new hydrants (£4,500 plus VAT)
- o S.106 Monitoring Fee of £400 per obligation

The obligations are found to be necessary to make the development acceptable in accordance with relevant policies, directly related to the development proposed and reasonable accounting for the scale of development. These will be secured by s.106 Agreement prepared in the event of a resolution to permit the development.

## **Conclusion**

Loss of the Continuing Care Retirement Community use permitted in 2010 and associated potential for employment is deemed acceptable on the basis that it has been demonstrated there is no market demand for this use at this site and therefore little prospect of this materialising. The proposals would not result in unacceptable loss of employment use as these are redistributed elsewhere on the former printworks site, at Old Mills in Paulton as well as other strategic employment sites in the Somer Valley. The site is a vacant, previously developed, brownfield site within the Housing Development Boundary. The proposals would deliver 72 dwellings which would make a positive contribution towards housing supply at a sustainable and policy compliant location. The housing includes 54 no. 2 and 3 bedroom homes as well as 18 no. 1 bedroom flats. A minimum of 30% will be affordable housing, likely increasing to 100% through grant funding. The design of the development is found to respond positively to both village character and the green character of the adjacent countryside. The development would include a comprehensive landscaping scheme with tree planting, green corridor and green

buffer to existing preserved tree line and hedgerow. Conditions are proposed to ensure that necessary infrastructure including secondary highways access and local nursery are operational prior to occupation of the proposed housing. Conditions will also secure a minimum 10% biodiversity net-gain, ecological enhancements and 19% reduction in CO2 emissions in comparison to Building Regulations including on site renewable energy. Overall, the application is found consistent with the Local Plan Partial Update allocation for the site. On balance, the benefits associated with the development are found to outweigh any harm resulting from loss of the previously consented use. The development is found largely compliant with national policy and no material considerations have been identified which would warrant refusal. The officers recommendation is therefore that the application is permitted subject to completion of s.106 Agreement and conditions.

## **RECOMMENDATION**

Delegate to PERMIT

## **CONDITIONS**

- A) Authorise the Director of Legal and Democratic Services to enter into a Section 106 Agreement to secure the terms outlined:
1. Policy compliant affordable housing contribution (minimum 30%);
  2. Affordable housing requirements for tenure and design;
  3. Off-site public open space enhancement financial contribution (£76,680);
  4. Obligation to secure that agreement or agreements are entered into under section 278 and/or section 38 of the Highways Act 1980 and/or any other relevant power for delivery of the 'Offsite Highway Works' relating to Oxleaze Way/Paulton Road B3355 access and associated roundabout prior to commencement of development;
  5. Travel plan implementation and monitoring (£4,775);
  6. Travel plan bond (£55,880 - refundable upon successful completion of the travel plan);
  7. Traffic Regulation Order for highways waiting restrictions (£4,351);
  8. Fire Hydrant Contribution x3 new hydrants (£4,500 plus VAT);
  9. S.106 Monitoring Fee of £400 per obligation;
- B) Subject to the prior completion of the above agreement, authorise the Head of Planning to PERMIT subject to the following conditions as necessary:

### **1 Standard Time Limit (Compliance)**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission.



## **2 Construction Environmental Management Plan (Pre-commencement)**

No development (except for ground investigations and remediation) shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

1. Procedures for maintaining good public relations including complaint management, public consultation, and liaison;
2. Arrangements for liaison with the Council's Environmental Protection Team;
3. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
  - o 08 00 Hours and 18 00 Hours on Mondays to Fridays;
  - o and 08 00 and 13 00 Hours on Saturdays;
  - o and at no time on Sundays and Bank Holidays.
4. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
5. Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
6. Procedures for emergency deviation of the agreed working hours.
7. Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
8. Measures for controlling the use of site lighting whether required for safe working or for security purposes

The approved Construction Environmental Management Plan must then be adhered to throughout development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the health and amenity of neighbouring residents from potential impacts and nuisance associated with construction activity in accordance with the requirements of the NPPF and Policies D6, PCS1, PCS2 and PCS3 of the Placemaking Plan.

## **3 Construction Management Plan (Pre-commencement)**

No development (except for ground investigations and remediation) shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This must include details of the following:

1. Deliveries (including storage arrangements and timings);
2. Contractor parking;
3. Traffic management;
4. Working hours;
5. Site opening times;
6. Wheel wash facilities;
7. Site compound arrangements;
8. Measures for the control of dust;

The construction of the development shall thereafter be undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the safe operation of the highway and in the interests of protecting residential amenity in accordance with policies D6 and ST7 of the Bath and North East Somerset Placemaking Plan. This is a pre-commencement condition because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

#### **4 Ground Investigation and Risk Assessment (Pre-commencement)**

No development (except for ground investigations and remediation) shall commence until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,

- archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

### **5 Remediation Scheme (Pre-commencement)**

No development (except for ground investigations and remediation) shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken;
- (ii) proposed remediation objectives and remediation criteria;
- (iii) timetable of works and site management procedures; and,
- (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

### **6 Highway Works (Pre-commencement)**

No development (except for ground investigations, remediation and site preparatory works) shall commence until detailed general arrangement drawings of the proposed

highway and access works have been submitted to and approved in writing by the Local Planning Authority.

The detailed design of the highway works must be subject to an independent Stage 2 Road Safety Audit (RSA) in accordance with the requirements of GG 119 and the completed works must be subject to a Stage 3 RSA.

First use and occupation of the dwellings hereby permitted shall not commence until the approved works are completed to the satisfaction of the Highway Authority, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is served by an adequate means of access in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **7 Wildlife Protection & Enhancement Scheme (Pre-commencement)**

No development (except for ground investigations and remediation) shall take place until full and final details of a Wildlife Protection and Enhancement Scheme, consistent with but not limited to the recommendations in Section 4 of the Ecological Appraisal (Ecological Appraisal by All Ecology, December 2021), Ecological Mitigation and Enhancement Scheme Drawings P21-2790\_010 and P21-2790\_020, Section 6 of the Reptile Survey Report (All Ecology, August 2022) and the letter from All Ecology dated 27th November 2022, have been submitted to and approved in writing by the Local Planning Authority. These details must include:

- (i) Method statement for pre-construction and construction phases to provide full details of all necessary protection and mitigation measures, including, where applicable, proposed pre-commencement checks and update surveys, for the avoidance of harm to badger, reptiles, nesting birds, bats and other wildlife, and proposed reporting of findings to the LPA prior to commencement of works; and
- (ii) Detailed specification and location plan for ecological enhancement measures including wildlife friendly planting / landscape details, provision of bat and bird boxes, provision of habitat features for invertebrates and reptiles and connectivity measures through garden boundaries.

Development must then be carried out in accordance with the approved details and completed in accordance with specified timescales, prior to first occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992 as well as Policy NE3 of the Placemaking Plan.

### **8 Biodiversity Net Gain Assessment & Biodiversity Gain Plan (Pre-commencement)**

No development (except for ground investigations and remediation) shall take until an updated Biodiversity Net Gain Assessment is submitted to and approved in writing by the Local Planning Authority. This must demonstrate a minimum 10% net gain will be achieved on site using the latest DEFRA metric. The Assessment must be accompanied by an Biodiversity Gain Plan which identifies necessary enhancement measures to deliver

the net gain and habitat units stipulated within the approved Biodiversity Net Gain Assessment. The Biodiversity Gain Plan must be prepared in accordance with the approved Biodiversity Net Gain Assessment, landscaping scheme (drawings: P21-2790\_01F and P21-2790\_02F) and with current best practice guidelines and shall at minimum include the following:

- a) An updated BNG habitat map for on-site proposed habitats.
- b) Habitat Management Plan- long-term management and protection measures for all retained habitats and species, including fencing and boundary details.
- c) Long term aims and objectives for habitats (extents, quality) and species.
- d) Detailed prescription methods and specifications for the management of habitats and achievement of stated objectives.
- e) Details of any management requirements for species-specific habitat enhancements.
- f) Annual work schedule for at least a 30 year period.
- g) Detailed monitoring strategy for habitats and species, particularly medium distinctiveness habitats, and methods of measuring progress towards and achievement of stated objectives.
- h) Details of proposed reporting to the Local Planning Authority and LA Ecologist, and proposed review and remediation mechanism.
- i) Proposed costs and resourcing, and legal responsibilities.

The approved Biodiversity Gain Plan must be implemented in full prior to occupation of the final dwelling or in accordance with an alternative timescale agreed in writing with the Local Planning Authority. Following implementation, the Ecological Enhancement Plan shall be retained and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the development will achieve measurable net gains for biodiversity which is integral to achieving sustainable development as required by paragraph 174 of the NPPF and Bath & North East Somerset Local Plan Partial Update Policies NE3 (Sites, Habitats and Species) and NE3A (Biodiversity Net Gain).

### **9 Arboricultural Method Statement & Tree Protection Plan (Pre-commencement)**

No development (except for ground investigations and remediation) shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The method statement shall incorporate:

1. A provisional programme of works;

2. Supervision and monitoring details by an Arboricultural Consultant;
3. Provision of site visit records and compliance statements to the Local Planning Authority for their review and approval;
4. Details relating to control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery;
5. Wording for all measures required must state what will happen and use committal language that is enforceable (eg "shall" instead of "should");

The approved Arboricultural Method Statement & Tree Protection Plan must then be adhered to throughout development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the trees to be retained in accordance with the NPPF and Policy NE6 of the Placemaking Plan. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore, these details need to be agreed before work commences.

#### **10 Unexpected Contamination (Bespoke Trigger)**

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework.

#### **11 Submission of External Materials (Bespoke Trigger)**

Prior to construction of the external walls of the development, further details of proposed external building materials including detailed specifications, images and samples (as necessary) of the following elements shall be submitted to and approved in writing by the Local Planning Authority.

1. Roughcast render
2. Grey reconstituted stonework

3. Buff reconstituted stone heads, cills and window surrounds
4. Fibre cement slates
5. Clay style red concrete pantiles
6. Front and rear doors
7. Windows
8. Rainwater goods, fascia and soffits
9. Meter boxes
10. Garden fencing
11. Retaining walls
12. Driveway block paving
13. Paving slabs for footpaths

Development must then be completed in accordance with the agreed specifications prior to first commencement of the use hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the finished appearance of the development is to a high standard, respectful of the character and appearance of the site and surrounding area in accordance with the NPPF and Policies D2 and NE1 of the Placemaking Plan.

## **12 External Lighting (Bespoke Trigger)**

No new external lighting shall be installed until full details of the proposed lighting design, consistent with but providing a betterment to the framework in Drawing 44769/PJ/F, have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- 1) Lamp models and manufacturer's specifications, positions, numbers and heights;
- 2) Predicted lux levels and light spill; and
- 3) Measures to limit use of lights when not required including dimming, seasonal use or part-night lighting to prevent light spill onto nearby vegetation and adjacent land.

The lighting shall be installed and operated thereafter in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid harm to bats and wildlife and prevent harmful light pollution in accordance with the NPPF, Bath & North East Somerset Placemaking Plan Policies D6, D8 and PCS1 as well as Local Plan Partial Update Policies NE3 (Sites, Habitats and Species) and NE3A (Biodiversity Net Gain).

### **13 Arboricultural Compliance (Bespoke Trigger)**

No later than 28 days following completion of the final dwelling, a compliance statement prepared and signed by the appointed Arboriculturalist shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the approved arboricultural method statement and all tree protection measures are complied with for the duration of the development to protect the retained trees as required by the NPPF and Policy NE6 of the Placemaking Plan.

### **14 Implementation of Landscaping Scheme (Bespoke Trigger)**

All hard and soft landscape works hereby approved must be carried out in accordance with the approved details. The works must be carried out prior to the occupation of any part of the development or in accordance with an alternative programme of implementation agreed in writing with the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of 10 years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the current or first available planting season with other trees or plants of species, size and number as originally approved unless the Local Planning Authority gives its written consent to any variation. All hard and soft landscape works shall be retained in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the landscape works are implemented and maintained to ensure the continued provision of amenity and environmental quality in accordance with the NPPF and Policies D1, D2 and NE2 of the Bath and North East Somerset Placemaking Plan.

### **15 Verification Report (Pre-occupation)**

No occupation shall commence until a verification report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework.

### **16 Ecological and Biodiversity Compliance Report (Pre-occupation)**



Prior to occupation of the final dwelling at the site, an Ecological and Biodiversity Compliance Report produced by a suitably experienced professional ecologist based on post construction site visit and inspection shall be submitted to and approved in writing by the Local Planning Authority. This must confirm and demonstrate using photographs, completion and implementation of ecological mitigation and enhancement measures as detailed in the approved Wildlife Protection and Enhancement Scheme, Biodiversity Net Gain Assessment and Biodiversity Gain Plan. These details shall include:

- 1) Findings of any necessary pre-commencement or update survey for protected species and mitigation measures implemented;
- 2) Confirmation of compliance with the method statements referenced above including dates and evidence of any measures undertaken to protect site biodiversity; and
- 3) Confirmation that proposed measures to enhance the value of the site for target species and habitats have been implemented. All measures within the scheme shall be retained, monitored, and maintained in accordance with the approved details.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with NPPF and Bath & North East Somerset Local Plan Partial Update Policies NE3 (Sites, Habitats and Species) and NE3A (Biodiversity Net Gain).

## **17 Renewable Energy (Pre-Occupation)**

Prior to occupation of the development hereby approved, the following tables (as set out in the Council's Sustainable Construction Checklist Supplementary Planning Document 2023) shall be completed in respect of the completed development and submitted to and approved in writing by the Local Planning Authority together with the further documentation listed below. The development must comply with the requirements of Policy SCR6.

PHPP/SAP calculations must be updated with as-built performance values. The following must be completed using the updated as-built values for energy performance:

1. Energy Summary Tool 2
2. Table 2.1 or 2.2 (if proposal has more than one dwelling type)
3. Table 5 (updated)
4. Building Regulations Part L post-completion documents for renewables;
5. Building Regulations Part L post-completion documents for energy efficiency;
6. Final as-built full data report from Passive House Planning Package or SAP; and
7. Microgeneration Certification Scheme (MCS) Certificate/s

Reason: To ensure that the approved development complies with Policy SCR6 of the Local Plan Partial Update.

### **18 Embodied Carbon (Pre-occupation)**

Prior to the occupation of the development hereby approved, the following tables (as set out in the Council's Sustainable Construction Checklist Supplementary Planning Document 2023) shall be completed in respect of the development as built, submitted to and approved in writing by the Local Planning Authority together with the further documentation listed below. The development must comply with the requirements of Policy SCR8.

Post-Completion Stage (using as-built values)

1. Table 6
2. Table 7
3. Site energy (including fuel) use record
4. Contractor confirmation of as-built material quantities and specifications
5. Record of material delivery including distance travelled and transportation mode
6. Waste transportation record including waste quantity, distance travelled and transportation mode
7. List of product-specific EPDs for the installed products and materials

Reason: To ensure that the approved development complies with Policy SCR8 of the Local Plan Partial Update.

### **19 Sustainable Drainage Strategy (Pre-occupation)**

No occupation of the development shall commence until the approved Drainage Strategy (Paulton Residential Development - Flood Risk Assessment and Drainage Strategy Report, by Cambria, ref: CB2207-CAM-ZZ-XX-RP-C-0001 P05, 19 January 2023) has been implemented in full. The site drainage scheme shall thereafter be operated and maintained in accordance with the approved details for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy and Policy SU1 of the Bath and North East Somerset Placemaking Plan.

### **20 Dwelling Access (Pre-occupation)**

Prior to first occupation of each dwelling, the dwelling must be served by a properly bound and compacted footpath and carriageway to at least base course level between the dwelling and the existing adopted highway.

Reason: To ensure that the development is served by an adequate means of access in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **21 Junction Visibility Splay (Pre-occupation)**

No occupation of the development shall commence until the visibility splay shown on drawing number CB2207 CAM XX ZZ GA C 0100 P06 HIGHWAYS - VEHICLE TRACKING / VISIBILITY has been provided. There shall be no on-site obstruction exceeding 600mm above ground level within the visibility splay. The visibility splay shall be retained permanently thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure sufficient visibility is provided in the interests of highways safety in accordance with the NPPF and Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **22 Waste Containers Delivery and Collection (Pre-occupation)**

No occupation of the development shall commence until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. This must include:

1. A joint risk assessment undertaken in association with the Council's Waste Operations team;
2. Identification of a suitable interim refuse and recycling collection point;
3. If a suitable interim collection point cannot be identified, details on the alternative arrangements for the private collection of refuse and recycling from occupied properties during construction;
4. A scheduled occupation plan including a requirement to notify the waste team 2 weeks prior to the first occupation; and
5. Delivery point and dates for the distribution of waste and recycling containers.

Collection of householder refuse, and recycling must then be undertaken in accordance with the approved Waste Management Plan in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with policies D6 and ST7 of the Bath and North East Somerset Placemaking Plan.

### **23 Rainwater Harvesting Scheme (Pre-occupation)**

No occupation of the approved development shall commence until proposals for a Rainwater Harvesting Scheme for each dwelling is submitted to and approved in writing by the Local Planning Authority. At minimum, this will include one 200 litre rain water butt per dwelling identified on a site plan, including details of proposed specification, capacity, stand and tap. The approved Rainwater Harvesting Scheme shall then be implemented prior to first residential occupation of each respective dwelling, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce water consumption within the development taking account of the predicted effects of climate change including warmer summers and reduced rainfall in accordance with the NPPF and Policy SCR5 (Water Efficiency) of the Placemaking Plan.

#### **24 Residents Welcome Pack (Pre-occupation)**

No occupation of the approved development shall commence until a new resident's welcome pack has been issued to the first occupier/purchaser of each residential unit of accommodation. The new resident's welcome pack shall have previously been submitted to and approved in writing by the Local Planning Authority and shall include information of bus and train timetable information, examples of fares/ticket options, information on cycle routes, car share, car club information etc., to encourage residents to try sustainable transport.

Reason: To encourage the use of sustainable transport in the interests of sustainable development in accordance with Policy ST1 of the Bath and North East Somerset Placemaking Plan.

#### **25 Electric Vehicle Charging Points (Pre-occupation)**

No building or use hereby permitted shall be occupied or use commenced until details of the total number of car parking spaces, the number/type/location/specification/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change in accordance with Policy ST1 of the Bath and North East Somerset Placemaking Plan.

#### **26 Bicycle Storage (Pre-occupation)**

No occupation of any dwelling hereby permitted shall commence until full details for proposed cycle parking has been submitted to and approved in writing by the Local Planning Authority. This must include parking for 2 bicycles per dwelling and demonstrate means of storage, weathertightness, illumination and security further to the proposals which have been submitted to and approved in writing by the Local Planning Authority.

The bicycle storage shall be retained permanently thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of encouraging sustainable travel methods in accordance with Policy ST1 of the Bath and North East Somerset Placemaking Plan.

### **27 Car Parking (Compliance)**

The areas allocated for parking and turning, as indicated on submitted plan '20060 / 01 REV P15 PROPOSED SITE PLAN' shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **28 Water Efficiency (Compliance)**

The dwellings hereby permitted must be constructed to meet the optional national Building Regulations requirement for water efficiency of 110 litres per person per day, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Placemaking Plan.

### **29 Plans List (Compliance)**

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

#### **PLANS LIST:**

This decision has been based on the following list of plans and reports:

Plans List:

Architectural

20060 / 01 REV P18	Site Plan	20 March 2023	
20060 / 02 REV P9	Site Plan - Building Materials		5 January 2023
20060 / 03 REV P10	Site Plan - Refuse Strategy		5 January 2023
20060 / 04 REV P8	Site Plan - Colour	20 March 2023	
20060 / 06 REV P4	Site Sections / Elevations	5 December 2022	
20060 / 10 REV B	Haldon House Type Plans	24 October 2022	
20060 / 11 REV C	Haldon House Type Elevations	24 October 2022	
20060 / 15 REV B	Exmoor House Type Plans	24 October 2022	
20060 / 16 REV C	Exmoor House Type Elevations	24 October 2022	

20060 / 20 REV B Exmoor Side House Type Plans 24 October 2022  
 20060 / 21 REV C Exmoor Side House Type Elevations 24 October 2022  
 20060 / 25 REV C 2 Bedroom Wheelchair House Type Plans 24 October 2022  
 20060 / 26 REV C 2 Bedroom Wheelchair House Type Elevations 24 October 2022  
 20060 / 30 REV C 1 Bedroom Flat House Type Plans 24 October 2022  
 20060 / 31 REV C 1 Bedroom Flat House Type Elevations 24 October 2022  
 20060 / 35 REV C 1 Bedroom Flat Wheelchair House Type Plans 24 October 2022  
 20060 / 36 REV C 1 Bedroom Flat Wheelchair House Type Elevations 24 October 2022  
 20060 / 40 REV B Exmoor Side Alternate House Type Plans 24 October 2022  
 20060 / 41 REV C Exmoor Side Alternate House Type Elevations 24 October 2022  
 20060 / 00 REV B Location Plan 10 March 2022

## Landscape

P21-2790\_01F Proposed Soft Landscape Plan (Sheet 1 of 2 - West) 3 January 2023  
 P21-2790\_02F Proposed Soft Landscape Plan (Sheet 2 of 2 - East) 3 January 2023  
 P21-2790\_03F Proposed Hard Landscape Plan (Sheet 1 of 2 - West) 3 January 2023  
 P21-2790\_04F Proposed Hard Landscape Plan (Sheet 2 of 2 - East) 3 January 2023  
 P21-2790\_10 Proposed Tree Protection Plan 5 December 2022

## Ecology

Ecology Statement, 27 November 2022, by All Ecology  
 Badger Survey, 3 August 2022, by All Ecology  
 Great Crested Newt eDNA Analysis, 3 August 2022, by All Ecology  
 Reptile Survey, 3 August 2022, by All Ecology  
 Ecological Appraisal, 16 December 2021, by All Ecology

## Highways/Engineering

CB2207 CAM XX ZZ GA C 1101 P09 Drainage Strategy (Sheet 1 of 2 - West) 18  
 January 2023  
 CB2207 CAM XX ZZ GA C 1102 P09 Drainage Strategy (Sheet 2 of 2 - East) 18  
 January 2023  
 CB2207 CAM XX ZZ DE C 1105 P01 Drainage Details (Sheet 1) 18 January 2023  
 CB2207 CAM XX ZZ DE C 1120 P03 Attenuation Tank Details 18 January 2023  
 44769/PJ/F Proposed Lighting Layout 5 December 2022  
 CB2207-CAM-XX-ZZ-GA-C-0105 P01 Surfacing Plan (Sheet 1 of 2 - West)  
 23 December 2022  
 CB2207-CAM-XX-ZZ-GA-C-0106 P01 Surfacing Plan (Sheet 2 of 2 - East)  
 23 December 2022  
 CB2207 CAM XX ZZ GA C 0100 P06 Vehicle Tracking 5 December 2022  
 CB2207 CAM XX ZZ GA C 0101 P14 External Levels (Sheet 1 of 2 - West) 5  
 December 2022  
 CB2207 CAM XX ZZ GA C 0102 P13 External Levels (Sheet 2 of 2 - East) 5  
 December 2022

## Reports

Paulton Residential Development - Flood Risk Assessment and Drainage Strategy Report, reference: CB2207, revision: P05, by Cambria, 19 January 2023

Former Printworks, Paulton - Technical Note, 21-0225, issue 01, by Rappor, 5 December 2022

Geotechnical and Geoenvironmental Report, reference: 16405, March 2021, by Terra Firma

Residential Travel Plan - Former Printworks, Paulton, December 2021, received: 10 March 2022

Transport Assessment - Former Printworks, Paulton, January 2022, received: 10 March 2022

Sustainable Construction Checklist, by Jonathan Lewis, JS Lewis Ltd. received: 20 March 2023

Energy Addendum Summary by Jonathan Lewis, JS Lewis Ltd. received: 14 March 2023

## **2 Permit/Consent Decision Making Statement**

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

## **3 Condition Categories**

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

**Compliance** - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

**Pre-commencement** - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

**Pre-occupation** - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

**Bespoke Trigger** - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit an application to Discharge Conditions and pay the relevant fee via the Planning Portal at [www.planningportal.co.uk](http://www.planningportal.co.uk) or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

## **4 Responding to Climate Change (Informative):**

The council is committed to responding to climate change. You are advised to consider sustainable construction when undertaking the approved development and consider using measures aimed at minimising carbon emissions and impacts on climate change.

## **5 Community Infrastructure Levy - General Note for all Development**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL may apply to new developments granted by way of planning permission as well as by general consent (permitted development) and may apply to change of use permissions and certain extensions. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council **before any development commences**.

**Do not commence development** until you have been notified in writing by the Council that you have complied with CIL; failure to comply with the regulations can result in surcharges, interest and additional payments being added and will result in the forfeiture of any instalment payment periods and other reliefs which may have been granted.

## **Community Infrastructure Levy - Exemptions and Reliefs Claims**

The CIL regulations are non-discretionary in respect of exemption claims. If you are intending to claim a relief or exemption from CIL (such as a "self-build relief") it is important that you understand and follow the correct procedure **before** commencing **any** development on site. You must apply for any relief and have it approved in writing by the Council then notify the Council of the intended start date **before** you start work on site. Once development has commenced you will be unable to claim any reliefs retrospectively and CIL will become payable in full along with any surcharges and mandatory interest charges. If you commence development after making an exemption or relief claim but before the claim is approved, the claim will be forfeited and cannot be reinstated.

Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: [www.bathnes.gov.uk/cil](http://www.bathnes.gov.uk/cil). If you have any queries about CIL please email [cil@BATHNES.GOV.UK](mailto:cil@BATHNES.GOV.UK)

6 This permission is accompanied by an agreement under Section 106 of the Town and Country Planning Act 1990.



<b>Bath &amp; North East Somerset Council</b>	
<b>MEETING:</b>	<b>Planning Committee</b>
<b>MEETING DATE:</b>	<b>26<sup>th</sup> April 2023</b>
<b>RESPONSIBLE OFFICER:</b>	Simon de Beer – Head of Planning
<b>TITLE:</b>	<b>NEW PLANNING APPEALS, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES</b>
<b>WARD:</b>	ALL
<b>BACKGROUND PAPERS:</b>	None
<b>AN OPEN PUBLIC ITEM</b>	

AGENDA ITEM NUMBER
--------------------------

**APPEALS LODGED**

**App. Ref:** 22/04825/FUL  
**Location:** 120C Charlton Park Midsomer Norton Radstock Bath And North East Somerset BA3 4BP  
**Proposal:** Alterations and extension to dwelling.  
**Decision:** REFUSE  
**Decision Date:** 23 January 2023  
**Decision Level:** Delegated  
**Appeal Lodged:** 21 March 2023

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**App. Ref:** 22/01129/PIP  
**Location:** The Magpies Mill Road Radstock Bath And North East Somerset BA3 3PX  
**Proposal:** Erection of three dwellings and associated development.  
**Decision:** REFUSE  
**Decision Date:** 4 October 2022  
**Decision Level:** Delegated  
**Appeal Lodged:** 3 April 2023

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**App. Ref:** 22/03099/FUL  
**Location:** Aviemore Fosseway Westfield Radstock Bath And North East Somerset  
**Proposal:** Proposed residential development of 7no. new dwellings with garages and associated parking spaces with adapted highway access, and alteration of the existing dwelling at Aviemore.  
**Decision:** REFUSE  
**Decision Date:** 22 December 2022  
**Decision Level:** Delegated  
**Appeal Lodged:** 3 April 2023

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**App. Ref:** 22/04026/FUL  
**Location:** Land To South Of Widcombe Lodge South Widcombe Hinton Blewett Bristol Bath And North East Somerset  
**Proposal:** Erection of dwelling, covered parking, implement store and formation of vehicular access (Resubmission).  
**Decision:** REFUSE  
**Decision Date:** 29 December 2022  
**Decision Level:** Delegated  
**Appeal Lodged:** 3 April 2023

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**APPEALS DECIDED - NONE**

## **FORTHCOMING HEARINGS & INQUIRIES**

**App. Ref:** 21/04795/FUL

**Location:** Former Garden Centre, Whitegate Nurseries, Stockwood Hill, Keynsham, Bath and North East Somerset

**Proposal:** Conversion of existing 5 buildings to form 6 dwellings, with associated parking and internal access road.

**Decision:** REFUSE

**Decision Date:** 29<sup>th</sup> June 2022

**Decision Level:** Delegated

**Appeal Lodged:** 10<sup>th</sup> February 2023

**Hearing Date:** 9<sup>th</sup> May 2023 @ 9:00am

**Hearing venue:** Guildhall, Bath – Brunswick Room

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**App. Ref:** 22/01466/FUL

**Location:** Skylark Farm, Braysdown Lane, Peasedown St John, Bath, Bath and North East Somerset, BA2 8NL

**Proposal:** Use of land for the siting of timber cabin for ten years for an agricultural worker.

**Decision:** REFUSE

**Decision Date:** 8<sup>th</sup> September 2022

**Decision Level:** Delegated

**Appeal Lodged:** 1<sup>st</sup> March 2023

**Hearing Date:** 17<sup>th</sup> May 2023 @ 9:00am

**Hearing venue:** "The Lonsdale Room," Bath Royal Literary and Scientific Institution, 16-18 Queen Square, Bath BA1 2HN.

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**Bath & North East Somerset Council**

MEETING: Planning Committee

MEETING DATE: 26 April 2023

AGENDA ITEM NUMBER

TITLE: Quarterly Performance Report covering period 1 Jan – 31 Mar 2023

WARD: ALL

**AN OPEN PUBLIC ITEM**

**List of attachments to this report:**

Analysis of Chair referral cases

**1 THE ISSUE**

*At the request of Members and as part of our on-going commitment to making service improvements, this report provides Members with performance information across Planning.*

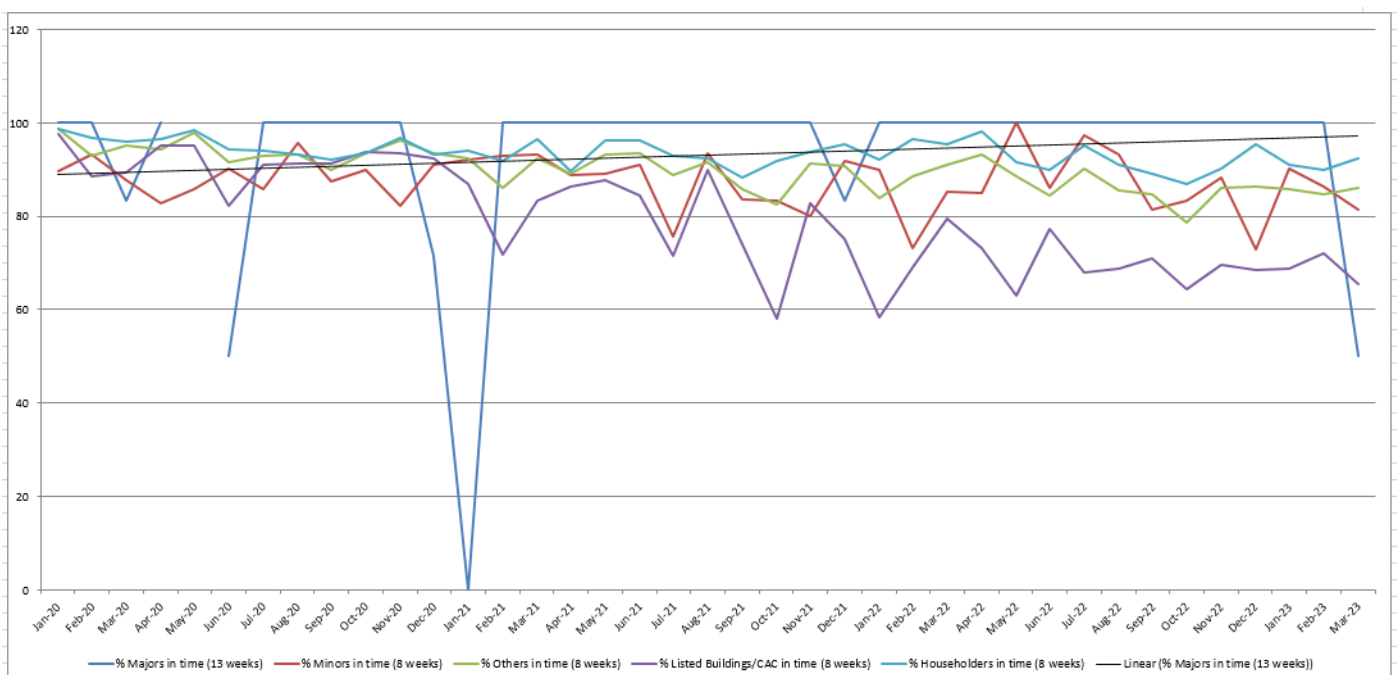
**2 RECOMMENDATION**

Members are asked to note the contents of the performance report.

**3 THE REPORT**

Tables, charts and commentary

**1 - Comparison of Applications Determined Within Target Times**



% of planning applications in time	2021-2022				2022-2023			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
% Majors in time	(10/10) 100%	(8/8) 100%	(8/9) 89%	(11/11) 100%	(4/4) 100%	(7/7) 100%	(7/7) 100%	(7/8) 88%
% Minors in time	(96/107) 90%	(94/113) 83%	(83/97) 86%	(78/94) 83%	(75/83) 90%	(93/103) 90%	(82/101) 81%	(78/91) 86%
% Others in time	(487/529) 92%	(411/463) 89%	(353/400) 88%	(379/431) 88%	(373/420) 89%	(332/383) 87%	(329/394) 84%	(318/372) 85%

Note:

**Major** - 10+ dwellings/0.5 hectares and over, 1000+ sqm/1 hectare and over

**Minor** - 1-10 dwellings/less than 0.5 hectares, Up to 999 sqm/under 1 hectare

**Other** - changes of use, householder development, adverts, listed building consents, demolition in a conservation area

## 2 - Recent Planning Application Performance

Application nos.	2021-2022				2022-2023			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Received	774	621	643	710	610	618	564	605
Withdrawn	60	45	47	60	51	42	76	54
Delegated no. and %	633 (97%)	556 (95%)	481 (95%)	526 (98%)	482 (95%)	472 (96%)	494 (98%)	461 (98%)
Refused no. and %	39 (6%)	34 (6%)	39 (8%)	42 (8%)	34 (7%)	30 (6%)	40 (8%)	26 (6%)

## 3 – Dwelling Decisions and Numbers

Decisions on Major residential applications	2021-2022				2022-2023			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Decisions on Major residential applications (10 or more dwellings)	4	2	4	3	3	0	3	4
Major residential decisions granted	3	2	3	1	2	0	2	4
Number of dwellings applied for on Major schemes	0	10	502	103	300	776	65	0
Number of dwelling units permitted on schemes (net)	143	88	273	105	610	46	78	251

## 4 - Planning Appeals

	Apr – Jun 2022	Jul – Sep 2022	Oct – Dec 2022	Jan – Mar 2023
Appeals lodged	20	8	21	15
Appeals decided	19	5	20	15

Appeals allowed	4 (21%)	0 (0%)	2 (10%)	9 (60%)
Appeals dismissed	15 (79%)	4 (100%)	18 (90%)	6 (40%)

## **5 - Enforcement Investigations**

	<b>Apr – Jun 2022</b>	<b>Jul – Sep 2022</b>	<b>Oct – Dec 2022</b>	<b>Jan – Mar 2023</b>
Investigations launched	113	140	122	124
Investigations in hand	356	407	441	474
Investigations closed	58	84	95	86
Enforcement Notices issued	0	2	1	0
Planning Contravention Notices served	4	1	0	6
Breach of Condition Notices served	0	0	1	0
Stop Notices	0	0	0	0
Temporary Stop Notices	0	0	0	0
Injunctions	0	0	0	0

## **6 – Other Work (applications handled but not included in national returns)**

The service also processes other statutory applications (discharging conditions, prior approvals, prior notifications, non-material amendments etc) and discretionary services like pre-application advice. The table below shows the number of these applications received

	<b>Apr – Jun 2022</b>	<b>Jul – Sep 2022</b>	<b>Oct – Dec 2022</b>	<b>Jan – Mar 2023</b>
Other types of work	342	441	352	350

## **7 – Works to Trees**

	<b>Apr – Jun 2022</b>	<b>Jul – Sep 2022</b>	<b>Oct – Dec 2022</b>	<b>Jan – Mar 2023</b>
Number of applications for works to trees subject to a Tree Preservation Order (TPO)	23	18	37	18
Percentage of applications for works to trees subject to a TPO determined within 8 weeks	96%	100%	95%	89%
Number of notifications for works to trees within a Conservation Area (CA)	148	173	216	187
Percentage of notifications for works to trees within a Conservation Area (CA) determined within 6 weeks	96%	93%	94%	95%

## **8 – Corporate Customer Feedback**

The latest quarterly report is published here:

## **9 - Ombudsman Complaints**

When a customer remains dissatisfied with the outcome of the Corporate Complaints investigation they can take their complaint to the **Local Government Ombudsman** for an independent view.

<b>Ombudsman Complaints</b>	<b>Apr – Jun 22</b>	<b>Jul – Sep 22</b>	<b>Oct – Dec 22</b>	<b>Jan – Mar 23</b>
<b>Complaints upheld</b>	0	0	0	0
<b>Complaints Not upheld</b>	0	0	0	0

## **10 – Section 106 Agreements and Community Infrastructure Levy (CIL)**

Members will be aware of the Planning Obligations SPD first published in 2009. Planning Services have spent the last few years compiling a database of Section 106 Agreements. This is still in progress, but does enable the S106/CIL Monitoring Officer to actively monitor the delivery of agreed obligations. S106 and CIL financial overview sums below will be refreshed for every quarterly report. CIL annual reports, Infrastructure Funding Statement and Infrastructure Delivery Plan 2020 are also published on our website: <https://beta.bathnes.gov.uk/policy-and-documents-library/annual-cil-spending-reports>

(Note: figures are for guidance only and could be subject to change due to further updates with regards to monitoring S106 funds)

S106 Funds received (2022/23)	<b>£886,130.40</b>
CIL sums overview – Potential Liability amount (April 2015 to date)	<b>£10,444,420.29</b>
CIL sums overview – Paid (April 2015 to date)	<b>£26,014,607.67</b>

## **11 – Chair Referrals**

**Table 12** below shows the numbers of planning applications where Chair decision has been sought to either decide the application under delegated authority or refer to Planning Committee. A further **analysis of Chair referral cases** is in Appendix 1 below.

	<b>Apr – Jun 2022</b>	<b>Jul – Sep 2022</b>	<b>Oct – Dec 2022</b>	<b>Jan – Mar 2023</b>
Chair referral delegated	11	16	15	18
Chair referral to Planning Committee	10	14	3	4



## 12 – 5 Year Housing Land Supply

### 5 year housing land supply

	Standard methodology			
A	Calculation based on standard method			
B	5 year supply requirement (676x5)		3,380	
C	Deliverable supply		3,728	
D	5 year requirement		3,380	Supply as a % of a requirement
E	5 year requirement + 5% buffer		3,549	Supply in years
				105%
				5.25

The figures within the housing trajectory have been collected as of March 2021 when the councils Core Strategy is more than 5 years old.

The housing requirement within the Core Strategy does not include the student population. However, the standard method makes no such alteration and includes student population growth. Therefore student accommodation is factored into the five year supply. The ratio of 2.5 bed spaces to one dwelling from the Housing Delivery Test Measurement Rule Book applies

The Old Bakery – 63 beds, ratio delivery of 25 dwellings  
 Bath Cricket Club – 136 beds, ratio delivery of 54 dwellings  
 Pickfords – 204 beds, ratio delivery of 82 dwellings  
 Plumb centre - 72 bed, ratio delivery of 29 dwellings  
 Hartwells garage - 186 beds, ratio delivery of 74 dwellings

Total – 264

The monitoring reports are also published on our website: <https://beta.bathnes.gov.uk/policy-and-documents-library/five-year-housing-land-supply-and-housing-and-economic-land>

## Appendix 1 - Analysis of Chair referral cases

Application no	ADDRESS	PROPOSAL	Decision Level	Decision Date	Status	Notes
22/02604/FUL	New Leaf Farm Mill Lane Bathampton Bath Bath And North East Somerset	Change of use of agricultural barn into a single dwelling with associated facilities for the existing holiday lets (Revision of proposal approved on 18/03608/ADCOU).	COMMD C	09-Mar-23	PERMIT	Applicant is related to Cllr Kevin Guy, this application is to be determined by the Planning Committee.
22/04630/FUL	309 Bloomfield Road Bloomfield Bath Bath And North East Somerset BA2 2NY	Change of use from dwelling (C3) to House of Multiple Occupation (C4)	CHAIR	09-Jan-23	PERMIT	Chair referral delegated decision
22/04410/FUL	9 The Beeches Odd Down Bath Bath And North East Somerset BA2 2UX	Change the current 5 bedroom C3 dwelling to a 6 bedroom C4 HMO (House in Multiple Occupation) property.	CHAIR	09-Jan-23	PERMIT	Chair referral delegated decision
22/01037/FUL	Parcel 4062 Midford Road Midford Bath Bath And North East Somerset	Erection of an agricultural building for storage of farm machinery and equipment.	CHAIR	13-Jan-23	PERMIT	Chair referral delegated decision
22/04658/FUL	75 St Francis Road Keynsham Bristol Bath And North East Somerset BS31 2EA	Conversion of hip to gabled loft with 2no front and 1no rear pitched roof dormers. Erection of single storey side extension.	CHAIR	20-Jan-23	PERMIT	Chair referral delegated decision
22/04882/FUL	4 Lower East Hayes Walcot Bath Bath And North East Somerset BA1 6AN	Change of use from residential dwelling (Use class C3a) to commercial holiday let accommodation for a maximum of 8 people (sui generis).	CHAIR	27-Jan-23	PERMIT	Chair referral delegated decision
22/03582/FUL	Leigh Cottage Sharpstone Lane Freshford Bath Bath And North East Somerset BA2 7UA	Externally clad extension to existing dwelling and associated works	CHAIR	30-Jan-23	PERMIT	Chair referral delegated decision
22/03352/FUL	Crosspath Cottage Camerton Hill Camerton Bath Bath And North East Somerset BA2 0PS	Erection of single-storey extension, first-floor dormer and internal alterations. Erection of extension to shed (Resubmission).	CHAIR	31-Jan-23	PERMIT	Chair referral delegated decision

22/04708/AR	4 Seven Dials Sawclose City Centre Bath Bath And North East Somerset BA1 1EN	Display of 2 no banners at no.3 and no.4 Seven Dials.	CHAIR	15-Feb-23	CON	Chair referral delegated decision
22/04707/AR	5 - 6 Seven Dials Sawclose City Centre Bath Bath And North East Somerset BA1 1EN	Display of 10 no. banner adverts around external seating area.	CHAIR	15-Feb-23	CON	Chair referral delegated decision
22/04412/FUL	72 Manor Road Saltford Bristol Bath And North East Somerset BS31 3AB	Erection of single storey rear extension.	CHAIR	20-Feb-23	PERMIT	Chair referral delegated decision
23/00077/FUL	Telecommunication Mast Bs0203 Pitt's Lane Chew Magna Bristol Bath And North East Somerset	Upgrade of monopole telecommunications mast with 3 no. existing antennas and 3 no. additional antennas to be installed on replacement 21m monopole mast. Associated ancillary development.	CHAIR	24-Feb-23	RF	Chair referral delegated decision
22/04414/PIP	Greenacre Staunton Lane Whitchurch Bristol Bath And North East Somerset BS14 0QL	Stage 1 Permission in principle application for the development of a single dwelling.	CHAIR	02-Mar-23	PERMIT	Chair referral delegated decision
22/02494/VAR	Land At Rear Tennis Court Cottages Tennis Court Road Paulton Bristol Bath And North East Somerset	Variation of condition 10 (Plans List) of 19/00669/FUL (Erection of a two-storey dwelling on land to rear of Tennis Court Cottage. Erection of a double pitched roof garage.)	CHAIR	13-Mar-23	PERMIT	Chair referral delegated decision
23/00132/FUL	27 West Lea Road Lower Weston Bath Bath And North East Somerset BA1 3RL	Demolition of single storey side extension to be replaced with two storey side extension. New front door window. Installation of solar panels. Improvements to parking facilities.	CHAIR	15-Mar-23	PERMIT	Chair referral delegated decision
22/00928/FUL	Rockside Mead Lane Saltford Bristol Bath And North East Somerset BS31 3EP	Erection of double storey front extension and replacement garage	CHAIR	22-Mar-23	RF	Chair referral delegated decision
22/01768/FUL	Cheddar House Tunley Farm Tunley Hill Camerton Bath Bath And North East Somerset BA2 0DL	Extend existing kitchen/utility room, convert existing store to habitable rooms, minor works to porch & other internal rooms	CHAIR	23-Mar-23	RF	Chair referral delegated decision
22/01769/LBA	Cheddar House Tunley Farm Tunley Hill Camerton Bath Bath And North East Somerset BA2 0DL	Extend existing kitchen/utility room, convert existing store to habitable rooms, minor works to porch & other internal rooms	CHAIR	23-Mar-23	RF	Chair referral delegated decision

22/03933/FUL	The Homestead Double House LaneChew MagnaBristolBath And North East SomersetBS40 8TH	Two storey rear extension, first floor rear extension, single storey front porch, two new dormers on the front elevation and full renovation & reconfiguration of the internal spaces.	CHAIR	28-Mar-23	PERMIT	Chair referral delegated decision
22/03945/FUL	9 Gainsborough RoadKeynshamBristolBath And North East SomersetBS31 1LS	Proposed Front Extension	COMMDC	09-Feb-23	PERMIT	Chair referral to committee. I have reviewed this application and note the comments and objections raised. The officer has addressed those comments in the report above however, given the concern raised regarding the loss of light in the living room of the adjoining house in the pair, I believe that this would benefit from debate at committee.
22/03288/FUL	St Julian's Church High StreetWellowBathBath And North East SomersetBA2 8QS	Erection of single storey extension to church to provide WC and kitchen facilities.	COMMDC	21-Mar-23	PERMIT	Chair referral to committee. I have reviewed this application and note the comments from statutory and other parties. As always, the balance between preserving what is in this case a grade 1 listed structure and providing the users of the building with modern welfare facilities, is a difficult one to strike. Given the support from the ward councillor, the Parish Council and users of the church, I believe the proposal would benefit from a public debate at the planning committee.
22/02863/FUL	Mill BarnMillards HillWeltonMidsomer NortonBath And North East Somerset	Erection of a new external classroom; consisting of natural rendered clay bricks to form landscaping wall, pizza oven & rainwater collection with arrayed valleyed roof.	COMMDC	09-Mar-23	PERMIT	Chair referral to committee. I have reviewed this application and note the comments from statutory consultees and third parties. The officer and applicant have worked together to address the issues raised and conditions have been incorporated as necessary. However, due to the comments from Conservation and the sensitivity of the site, I believe that the proposal should be debated in public by the Planning Committee.

20/02673/OUT	Land Parcel 0005Bath RoadKeynshamBath And North East Somerset	Residential and related development comprising approximately 213 dwellings, replacement sports pitch to facilitate expanded primary school, means of access thereto, associated open space, landscaping, access roads, footways/cycleways and infrastructure wo	COMMDC	23-Feb-23	PERMIT	Chair referral to committee. I have reviewed this application and note the objections from both Saltford Parish and Keynsham Town Councils, the local ward councillor and many other third parties. Given the controversial nature of this proposal, I recommend that it is debated in full at Planning Committee.
21/05521/FUL	Rising Sun58 Lymore AvenueTwertonBathBath And North East SomersetBA2 1BD	Erection of 5 terraced houses and associated off street car parking.	COMMDC	04-Jan-23	PERMIT	Councillors Tim Ball, Sarah Moore and Dine Romero have all objected to the application proposals and requested that the application be determined by committee if officers are minded to approve it.
22/04670/REG03	22 Temple StreetKeynshamBristolBath And North East SomersetBS31 1EH	General repairs and replacement windows and downpipes to the first floor street elevation of no.20-30 Temple Street. Refurbishment of shopfronts at no.20 and no.22 Temple Street.	COMMDC	09-Mar-23	PERMIT	The application has been submitted by the Council's Regeneration Team as part of the Keynsham HAZ project and involves properties Nos. 20-30 Temple Street.

<b>Contact person</b>	John Theobald, Project/Technical and Management Support Officer, Planning 01225 477519
<b>Background papers</b>	CLG General Development Management statistical returns PS1 and PS2 + Planning applications statistics on the DCLG website: <a href="https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics">https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics</a>

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