

Bath & North East Somerset Council

MEETING: **Planning Committee**

MEETING DATE: **15th December 2021**

AGENDA
ITEM
NUMBER

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RESPONSIBLE OFFICER: Simon de Beer – Head of Planning

TITLE: **Site Visit Agenda**

WARDS: ALL

BACKGROUND PAPERS:

AN OPEN PUBLIC ITEM

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.

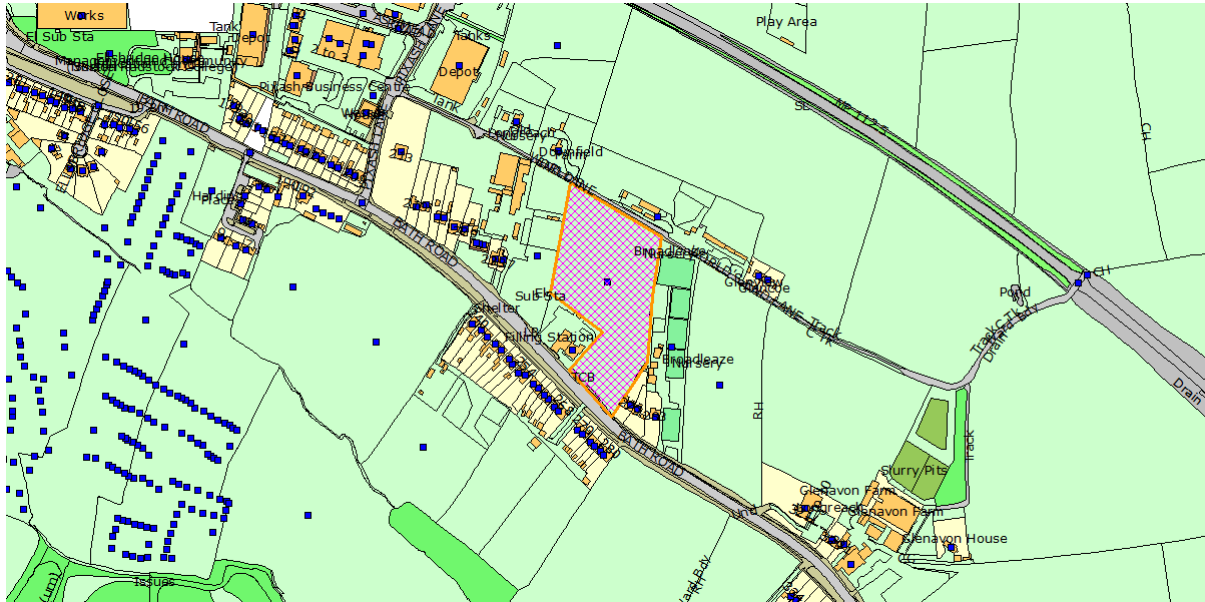
- [2] The papers identified or referred to in this List of Background Papers will only include letters, plans and other documents relating to applications/proposals referred to in the report if they have been relied on to a material extent in producing the report.
- [3] Although not necessary for meeting 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:
001	20/02479/OUT 17 December 2021	Places For People Strategic Land Parcel 1991, Bath Road, Keynsham, Bath And North East Somerset, Outline application for up to 5,700 sqm (GEA) of flexible use commercial development falling within Use Classes B1(b), B1(c), B2, and B8 with primary access onto Bath Road. All matters reserved except access	Keynsham East	Chris Griggs-Trevarthen	PERMIT

REPORT OF THE HEAD OF PLANNING ON APPLICATIONS FOR DEVELOPMENT

Item No: 001
Application No: 20/02479/OUT
Site Location: Parcel 1991 Bath Road Keynsham Bath And North East Somerset



Ward: Keynsham East **Parish:** Keynsham Town Council **LB Grade:** N/A
Ward Members: Councillor Hal McFie Councillor Andy Wait
Application Type: Outline Application
Proposal: Outline application for up to 5,700 sqm (GEA) of flexible use commercial development falling within Use Classes B1(b), B1(c), B2, and B8 with primary access onto Bath Road. All matters reserved except access
Constraints: Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing Zones, Policy ED2A Strategic & Other Primary In, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant: Places For People Strategic Land
Expiry Date: 17th December 2021
Case Officer: Chris Griggs-Trevarthen
To view the case click on the link [here](#).

REPORT REASONS FOR REPORTING TO COMMITTEE

Councillor Andy Wait has requested that the application be determined by committee and Keynsham Town Council have objected to the proposals contrary to the officer recommendation. In accordance with the scheme of delegation, the application has been referred to the Chair / Vice-chair of the Planning Committee. The Chair has decided that

the application should be determined by Planning Committee and given the following reasons:

"I have studied the application and all related information and comments from both third party and statutory consultees, including both Keynsham Town Council and the Ward Councillor's planning committee request.

Whilst a number of issues have been addressed through negotiation and are policy compliant some concerns remain. Therefore, I recommend the application be determined by the planning committee so issues can be debated in the public arena."

The application was deferred from the November Planning Committee to enable members to undertake a site visit. The site visit was scheduled for the 6th December.

DESCRIPTION

The application site relates to a parcel of land bounded to the south by the A4 Bath Road and the north by World's End Lane. Broadlease Nursery lies to the east of the site and an Esso Petrol Filling Station lies on the western side of the proposed access from the A4. Numbers 274, 276, 278 and 280 Bath Road lie on the south side of the A4 opposite the proposed access.

The site is part of the wider KE3A policy allocation and is outside of the Green Belt which lies immediately to the east.

The application seeks outline consent for up to 5,700 sqm (GEA) of flexible use commercial development falling within Use Classes B1(b), B1(c), B2, and B8 with primary access onto Bath Road. This quantum of development has been reduced from 5,950 sqm (GEA) during the application process. Vehicular access is proposed from the A4 Bath Road with pedestrian and cycle access onto Worlds End Lane to the north.

All matters are reserved except for access. All plans except for those detailing the access proposals are therefore illustrative. A parameter plan has also been included which shows the extent of the developable area proposed.

PLANNING HISTORY

The site has no relevant planning history.

ENVIRONMENTAL IMPACT ASSESSMENT

A screening opinion for this development issued by the Council in July 2020 and concluded that it does not represent EIA development. Whilst there have been minor changes to the proposals since that date, these have not been of such significance to change the conclusion that the proposal is not EIA development.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

DRAINAGE AND FLOOD RISK: No objection, subject to conditions

HIGHWAYS: No objection, subject to conditions

ENVIRONMENTAL PROTECTION: No objection, subject to condition

ECOLOGY: No objection, subject to conditions

LANDSCAPE: Scope for revision (comments receive prior to latest parameter plan)

The current indicative layout may not include sufficient space to; enable the adequate mitigation of the developments landscape and visual impact; provide compensatory tree planting provision; allow for the enhancement of green infrastructure and the retention and strengthening of existing boundary vegetation.

PLANNING POLICY: Scope for revision

Planning Policy supports the principle of the development and indicate that the positive impact that the proposed development would have on the economy of Keynsham, the increase in job numbers and contribution to overall job and floorspace targets for the town all need to be given weight when reaching a balanced decision.

Notwithstanding the above, the masterplan referred to in KE3a(3) is required to encompass the whole of the employment land allocation, working with other landowners, in particular, those who are also actively developing proposals for other parts of the employment land allocation. There is no evidence of a comprehensive masterplan as part of the application documents submitted. Rather, all documents focus purely on land within the red line boundary of the site ownership, and do not address the wider KE3a site allocation.

ARBORICULTURE: No objection, subject to conditions

CONTAMINATED LAND: No objection, subject to conditions

PUBLIC RIGHTS OF WAY: No objection

NATURAL ENGLAND: No objection, subject to conditions

Natural England note the Revised Parameter Plan (Gaunt Francis Architects, September 2021) which has been submitted. This shows a 10m buffer zone which the applicant has committed to maintain below 0.5 lux and keep free of built development. This provides the confidence needed that lighting for the forthcoming reserved matters application will be able to be designed to maintain horseshoe bat commuting corridors on site. This revised plan also provides more scope for replacement planting to be incorporated into the proposals to compensate for the loss of the southern hedgerow.

It is possible that the lighting and layout for the forthcoming scheme can be designed to avoid a significant impact to the SAC provided that the proposals are in accordance with the parameters shown on the Revised Parameter Plan. Therefore, provided that the

Revised Parameter Plan is enforced at reserved matters stage, a Likely Significant Effect on the Bath and Bradford on Avon Bats SAC can be ruled out at this stage.

AVON FIRE AND RESCUE SERVICE: No objection, subject to fire hydrant contributions

AVON AND SOMERSET POLICE: No objection

SALTFORD PARISH COUNCIL: Object

Saltford Parish Council is seriously concerned that the application grossly underestimates the vehicle movements for this proposed development which would have significant consequences for the safety of pedestrians and cyclists including school students from Saltford attending local schools, etc. They also make the following points:

1. The proposals would add another junction to the busy A4 resulting in increased congestion, air and noise pollution and adversely affect road safety;
2. The number of road movements is underestimated given the number of parking spaces and the unknown final user;
3. The proposal should be considered alongside other recently consented and proposed developments as well as any changes arising from the Clean Air Zone in Bath;
4. Opposed to the removal of the refuge island on the A4 and the A4 layby;
5. Concerned related to proposed use of site by heavy goods vehicles and the congestion caused;
6. New development should be preceded, not followed, by new transport infrastructure to prevent further congestion and gridlock as economic activity recovers from Covid-19 lockdowns;
7. The proposal would result in the loss of valuable agricultural land;
8. The location of the proposed access and the size and location of the indicative buildings would clearly have an impact on existing landscape character and views;

KEYNSHAM TOWN COUNCIL: Object

Keynsham Town Council consider that the application is unacceptable on the grounds that it would fail to promote sustainable travel contrary to policy ST1 and be prejudicial to highway safety, contrary to policy ST7 of the Placemaking Plan. Keynsham Town Council request that any new development between Keynsham and Saltford must be preceded, not followed, by new transport infrastructure to prevent further congestion and gridlock at peak periods as economic activity recovers.

They make the following points:

1. Another junction onto the A4 will exasperate current traffic movements and increase congestion resulting in increased air and noise pollution and harming road safety. The number of movements associated with the development have been underestimated;
2. Access onto Bath Road is contrary to the parameters identified in the Placemaking Plan. It is too close to the petrol station entrance. The width of the access will cause safety concerns for all pavement users trying to cross including school children and cyclists;
3. There is no cycling link provision to the existing shared walking and cycling path on the south side of Bath Road and existing refuges are not suitable as cycle crossing points;
4. The loss of the pedestrian refuge and A4 layby is unacceptable;

5. There is insufficient road width on the A4 to support three lanes of traffic. The bend of the road with camber pushes traffic towards the centre of the road and causes serious highways safety issues;
6. The traffic impact of recently approved development and other proposals coming forward have not been taken into consideration;
7. No EIA has been submitted in respect of air pollution;
8. Insufficient space has been left on the boundaries of the site to allow for planting to mitigate the impact of the development on the landscape;
9. Proposal is out of keeping with this semi-rural landscape. The proposed access would remove an old hedge, tree line and a copse within the site. The proposals would also result in the loss of agricultural land;
10. The indicative layout may impact negatively on mitigation of the development's landscape and visual impact, compensatory tree planting provision, enhancement of green infrastructure and boundary vegetation;
11. Ecological assessment and lighting details are incomplete and the scheme does not demonstrate compliance with policy requirements in respect of protected species;
12. There is a diverse ecosystem within the pastureland that needs protecting from inconsiderate and insensitive planning applications. Bath & North East Somerset Council has declared an Ecological Emergency in response to the escalating threat to wildlife and ecosystems. The declaration recognises the essential role nature plays in society and the economy and provides a statement of intent to protect our wildlife and habitats, enabling residents to benefit from a green, nature rich environment.
13. The proposal is not within the Masterplan for Keynsham North East which includes proposed strategic housing development and further commercial sites connecting to this section of the A4. The proposal to move Avon Valley Country Park as part of the Masterplan towards this proposed development must be taken into consideration;
14. The nature of the Class B2 commercial use is unknown and would be unacceptable without further information as to the business intended in this locality

COUNCILLOR ANDY WAIT: Call in request

The reasons for me are to ensure that the objectors have the chance to speak, in terms of planning, my main concerns are around HGVs turning right across a very busy road and the inevitable increase in pollution and congestion for the residents. This together with a weak environmental statement which in no way accounts for a carbon neutral solution

SALTFORD ENVIRONMENT GROUP: Objection

Saltford Environment Group (SEG) shares the concerns of Saltford Parish Council and Keynsham Town Council over the impact these proposals will have on access to and from the A4. They make the following points:

1. The draft Local Plan would provide for additional road infrastructure to relieve pressure on the A4, but the proposals do not take account of this and would make the A4 more dangerous contribution to congestion and thereby air and noise pollution.
2. New transport infrastructure should precede, not follow, new development to prevent congestion and gridlock
3. Removal of the refuge island and layby in the A4 will reduce safety for road users and pedestrians

4. Concerns raised by the Council's Landscape Officer should be addressed. There is a need to mitigate the development's landscape and visual impact, compensatory tree planting provision, enhancement of green infrastructure and retention and strengthening of existing boundary vegetation.
5. Loss of agricultural land should be minimised where possible;
6. Previously developed land should be considered and developed for commercial use before green field land;
7. New commercial development should only proceed if it continues to be required as a result of changes to economic activity subsequent to the aftermath of Covid-19.

THIRD PARTIES/NEIGHBOURS: There have been 147 OBJECTION comments from third parties. The main issues raised were:

Most of the comments raised concerns about highways safety. The access onto the A4 was considered to be dangerous for a number of reasons; adding another access onto an already busy road, the access would be located on a bend with a camber, there is insufficient width for a ghost lane, there are conflicts with other existing access (e.g. petrol station, neighbouring residents), the width of the access will increase danger for pedestrians, cyclists and other vulnerable users (e.g. school children), dangers of HGVs using the access. It was suggested that the Road Safety Audit highlights shows that the development will increase risk. It was considered that the proposals would be contrary to policy ST7.

There was also concern that the proposals would result in the loss of a refuge island, making pedestrian crossing of the A4 more difficult, and the loss of a lay-by which was considered to be a vital facility used by emergency services and delivery drivers.

Many felt that access should be achieved off Worlds End Lane/Pixash Lane rather than the A4 in accordance with the Keynsham East Masterplan. It was also considered to be piecemeal development that did not accord with the Masterplan or the Core Strategy and Placemaking Plan.

There was concern that the proposals would increase congestion, resulting in gridlock on the A4. This would be worsened by the impact of HGVs turning in and out of the access and increase the risks of accidents. It would increase queuing and the time taken by residents to access the A4. It would also result in an increase in air pollution, noise and vibration disturbance. The impacts of the Bath Clean Air Zone upon traffic using the A4 has not been factored in and it was considered that the proposals would have a negative impact upon air quality, in particular the Keynsham and Saltford Air Quality Monitoring Areas.

It was suggested that the recent traffic levels are not representative due to the covid-19 restrictions and lockdowns.

Several comments considered that the proposals need to take into account the cumulative impact of the development alongside other recently permitted and upcoming developments in the East Keynsham area. Future infrastructure improvements also needed to be taken into account. There was concern that the proposals would set a precedent for further developments in the area.

Many comments were concerned about the loss of a greenfield/greenspace and the loss of agricultural land. A few comments incorreced referred to the site as green belt. There was concern about the loss of the rural aspect and landscape character contrary to NE2. These spaces were also considered important to preserve the separation of Keynsham and Saltford.

Many were also concerned about the loss of hedgerow (described as an ancient hedgerow by some) as a result of the development and the adverse impacts upon wildlife and biodiversity. There was concern about the loss of habitat on the site and the site's use by a wide variety of ecology. The hedgerow was also considered to act as a sound and pollution barrier for the A4.

There were concerns about the impact upon soil quality and health.

Several comments suggested that the industrial site would create additional light pollution.

The proposals were considered to be contrary to the Climate and Ecological Emergency declarations. It was suggested that there was limited scope for renewables within the application, but that all industrial roof space needs to be covered with solar PV and EV rapid charging points provided at the development.

There were concerns that industrial development on this site would adversely impact upon the amenities of the neighbouring residential properties. HGV movements and industrial activities will result in noise and disruption and vehicles using the access will cause headlights to shine into neighbouring windows. It was noted that there was no screening with adjacent properties and that the impacts would be stressful and have an adverse impact upon mental health.

Some comments questioned the need for further employment/commercial uses on the site.

There was concern that the final users of the site were unknown and the flexible use classes might result in a wide variety of different impacts.

There were complaints about a lack of consultation and alleged inaccuracies in the submitted application, including issues with the noise and traffic surveys.

Concern that proposals will increase litter along the road and the surrounding areas.

There were concerns about the potential increase in run off resulting in localised flooding.

There has been 1 GENERAL COMMENT from third parties. The main issues raised were:

Access from the A4 should be avoided as it is already very busy. The Hygge Park development, new school and further housing developments have increased local congestion. The obvious solution would be to make access from World's End Lane thereby eliminating the need to remove the layby on the A4, destroy a hedge and wildlife

habitat, remove a road crossing point, restrict access to the petrol station and impact upon air/noise/traffic pollution.

POLICIES/LEGISLATION

The Development Plan for Bath and 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 Policy GDS.1 Site allocations and development requirements (policy framework)
- o Policy GDS.1/K2: South West Keynsham (site)
- o Policy GDS.1/NR2: Radstock Railway Land (site)
- o Policy GDS.1/V3: Paulton Printing Factory (site)
- o Policy GDS.1/V8: Former Radford Retail System's Site, Chew Stoke (site)

RELEVANT CORE STRATEGY POLICIES

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:

- DW1 District Wide Spatial Strategy
- SD1 Presumption in favour of Sustainable Development
- KE1 Keynsham Spatial Strategy
- KE3a Land adjoining East Keynsham Strategic Site Allocation
- CP2 Sustainable Construction
- CP5 Flood Risk Management
- CP6 Environmental Quality
- CP9 Affordable Housing
- CP10 Housing Mix
- CO13 Infrastructure Provision

RELEVANT PLACEMAKING PLAN POLICIES

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:

- SCR1 On-site Renewable Energy Requirement
- SCR2 Roof-mounted/Building-integrated Scale Solar PV
- SCR5 Water Efficiency
- SU1 Sustainable Drainage
- D1 General Urban Design Principles
- D2 Local Character and Distinctiveness
- D3 Urban Fabric
- D4 Streets and Spaces
- D5 Building Design
- D6 Amenity
- D8 Lighting
- D9 Advertisements and Outdoor Street Furniture
- HE1 Historic Environment

NE1 Development and Green Infrastructure
NE2 Conserving and Enhancing Landscape and Landscape Character
NE2A Landscape Setting of Settlements
NE3 Sites, Species and Habitats
NE6 Trees and Woodland Conservation
PCS1 Pollution and Nuisance
PCS2 Noise and Vibration
PCS3 Air Quality
PCS5 Contamination
PCS7A Foul Sewage Infrastructure
H7 Housing Accessibility
LCR7B Broadband
LCR9 Increasing the Provision of Local Food Growing
ST1 Promoting Sustainable Travel
ST2 Sustainable Transport Routes
ST7 Transport Requirements for Managing Development

NATIONAL POLICY

National Planning Policy Framework and the National Planning Practice Guidance can be awarded significant weight.

SUPPLEMENTARY PLANNING DOCUMENTS AND ADDITIONAL GUIDANCE

Strategic Flood Risk Assessment (SFRA) of Bath and North East Somerset (2009)
Green Infrastructure Strategy (2013)
Planning Obligations SPD (2015)
West of England Sustainable Drainage Developer Guide (2015)

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

The main issues to consider are:

1. Principle of development
2. Masterplan
3. Highways
4. Design
5. Residential amenity
6. Ecology
7. Sustainable Construction
8. Drainage and flood risk
9. Contaminated land

10. Other matters

11. Conclusion

1. PRINCIPLE OF DEVELOPMENT

The application site lies within a larger site allocation at East Keynsham which was removed from the Green Belt in Policy KE3a of the Core Strategy for employment purposes. The KE3a site is allocated for around 30,000sqm of employment floorspace within Use Classes B1 (b) and (c), B2 and any employment use not falling within the NPPF definition of a main town centre use. The proposed development is in line with the uses allowed for within Policy KE3a. The principle of the development is therefore supported.

Policy KE3a includes a number of development and design requirements. These will be considered as part of the overall assessment.

In addition, policy KE1 plans for about 1,600 net additional jobs at Keynsham between 2011 and 2029, and increases in office floorspace (from about 13,000sqm in 2011 to about 20,200sqm in 2029) and industrial/warehouse floorspace (from about 52,000sqm in 2011 to 60,300sqm in 2029) to address future requirements arising in Keynsham and Bath. Policy KE1 has an overall aim to ensure that the scale and mix of development at Keynsham increases self-containment and helps develop the town as a more significant business location. A key element of this is delivery of the employment allocation within Policy KE3a.

The preamble to Policy KE1 states that the job growth figure of 1,600 and the related employment floorspace figures set out in Policy KE1 represent the minimum growth that it is considered will be delivered during the Plan period at Keynsham. The physical capacity for additional floorspace provided through the extension of the Broadmead/Ashmead/ Pixash Industrial Estate provides flexibility to accommodate higher economic growth rates across the whole District.

The Core Strategy Inspector accepted the justification that the allocation site is well suited for industrial uses displaced as a result of redevelopment of sites in Bath for more intensive, higher value uses; that it will help to support increased self-containment at Keynsham; and that it is a good business location, being in the favoured Bath-Bristol corridor and therefore has the potential to facilitate economic growth. Separate evidence provided in the Employment Land Review by Lambert Smith Hampton looked specifically at the KE3a allocation and concluded that the site is in a good location; displays market appeal; and whilst it has access constraints the area has shown good demand from a number of occupiers benefitting from being between Bath and Bristol.

The positive impact that the proposed development would have on the economy of Keynsham, the increase in job numbers and contribution to overall job and floorspace targets for the town are therefore factors which attract significant weight in favour of the application.

2. MASTERPLAN

Policy KE3a(3) requires the preparation of a comprehensive masterplan which needs to be consulted on publicly, and agreed by the Council, reflecting best practice as embodied in 'By Design' (or successor guidance), ensuring that development is well integrated with neighbouring areas.

The submitted application does not include a 'comprehensive masterplan'. However, the applicant has engaged with and inputted into the 'Wider Masterplan' prepared in support of the Council's proposals for a mixed-use development adjoining Pixash Lane (ref: 21/00435/ERE03). This masterplan shows the current proposals, including the vehicular access onto the Bath Road, alongside the Council's proposals and demonstrates that proposals would not prejudice the future extension of World's End Lane or the other parts of the allocation which are yet to come forward.

The masterplan was previously deemed acceptable for the purposes of application 21/00435/REG03 and the current proposals are considered to significantly accord with it. The level of detail provided in the masterplan is considered to comply with the requirements of KE3a(3).

3. HIGHWAYS

Access

The allocation policy KE3a lists one of the development requirements as "Direct highway access from the employment site to be formed to Pixash Lane".

The application does not propose vehicular access from Pixash Lane, but instead seeks access off the A4 Bath Road. The reasons given for this is that third party land ownership constraints prevent a minimum 6.5m wide carriageway being providing into the site from Worlds End Lane (which leads to Pixash Lane). A variety of different alternative access options/configurations utilising different carriageway widths, layouts, design speeds and traffic management measures were also considered, but none of these were considered to be achievable or deliverable.

However, it is important to note that the policy does not preclude vehicular access from the A4 Bath Road and consideration must be given as to whether the access from Bath Road presents a safe option, and if so whether not accessing the site from Bath Road prejudices the delivery of the allocation or results in any other unacceptable harm.

The application was accompanied by a Transport Assessment (TA), and during the application additional documents have been provided including an addendum to this statement, updated plans, and a Stage 1 Road Safety Audit.

As originally proposed, there were two points of access onto the A4. However, the main vehicle access has been revised as a single point of access with a ghost right turn lane. The swept path analysis provided demonstrates that an articulated lorry can be safely accommodated with this arrangement. The Highways Officer considers that the single

junction is a better arrangement for road safety and accessibility than the one-way, dual vehicular access that was initially proposed.

A Stage 1 Road Safety Audit has been conducted on the revised access arrangements. The Highways Officer has accepted the findings of the Stage 1 Road Safety Audit and applicant's response to these. The proposed vehicular access onto the Bath Road A4 is therefore considered not to prejudice highways safety.

Furthermore, the information submitted with the application and the previous wider masterplan (submitted under ref: 21/00435/REG03) demonstrate that the proposals will not prejudice the future widening of World's End Land as and when the remaining land parcel in the northern part of the allocation comes forward for development. The remaining employment land to the north of WEL, not currently the subject of a planning application, could therefore be accessed via Pixash Lane in accordance with policy KE3a.

Concern has also been raised by third parties about the loss of the layby which is currently located on the A4 Bath Road immediately adjacent to the site. The existing layby is subject to a weight restriction and therefore cannot be used by HGVs. The Traffic Management and Network Team have confirmed to the Highways Officer that there is no objection to the loss of the layby and that it will not result in any highways safety or traffic issues. It is therefore considered that there are no grounds within planning policy to object to the loss of the layby.

Traffic Impact/Junction Capacity

As discussed, the site forms part of the wider KE3a allocation. As such the trips generated by the development have already been accounted for through the Council's strategic modelling and found to be acceptable, subject to appropriate mitigations.

An assessment of the capacity of the proposed junction has also been provided in the TA. This includes taking account of general traffic growth as well as taking into account an allowance for locally committed developments. The assessment model indicates that the junction will operate within capacity and that the greatest delay experienced by vehicles egressing the site in the AM peak is 83 seconds. There is no objection from the Highways Officer on these matters.

Accessibility, Public Transport, Walking and Cycling

Many comments received have been concerned about the removal of a pedestrian refuge island that is necessary to facilitate the access proposals. Following negotiations, it was agreed that the refuge island will be relocated further east, rather than removed. This relocated island is 2.65m wide and will include tactile paving.

The other existing substandard refuge island adjacent to the petrol filling station (on the opposite side of the proposed access) will be improved to feature tactile paving and widened to 2.8m. A 3m wide shared path will link the site access with the relocated refuge island and the shared use path on the south side of the A4 Bath Road.

The existing shared cycling and walking path on the south side of Bath Road between Broadmead roundabout and Grange Road does not meet design guidelines for strategic walking and cycling routes (see LTN 1/20) by nature of its width and lack of segregation between users.

The development will increase the number of pedestrians and cyclists using the path to reach the site and will also increase the number of heavy vehicles on Bath Road, which will lead to Bath Road becoming less attractive for cyclists who would otherwise have used the road. Increased trips on the shared path will result in increased risk of conflict between people walking and cycling on this route. Due to the proximity of two schools: Wellsway Secondary; and Saltford Primary, a significant proportion of people using the path will be younger road users. This is reflected in traffic surveys of the path which shows peak times coincide with school start/finish times.

In order to mitigate the impact of the development on this route, a proportionate contribution from the development towards cycling and walking improvements has been sought. The Transport Addendum estimates that the development will generate 11 two-way movements (3 bike and 8 pedestrians) in the a.m. network peak (8-9am) and 11 two-way movements (3 bike and 8 pedestrians) in the p.m. network peak (5- 6pm). A traffic survey of this route in 2016 found that there were: 103 two-way movements in the AM peak (7.45-8.45am); and 81 two-way movements in the PM peak 2.45pm on the path.

A proportionate contribution of £104,103 towards improving the shared walking and cycling route on Bath Road (between Broadmead roundabout and Grange Road) has therefore been agreed and can be secured as part of a s106 agreement.

In terms of public transport, the commercial bus network does not serve residential areas of Keynsham and Saltford well. These commercial services, with the exception of the 19A, only serve Keynsham High Street and the level of service from Chandag area and the estates to the south west is poor. It is therefore considered that the development should contribute towards supporting the operation of local services 663, 665 and 665. These services would link between the residential areas in Keynsham and Saltford not served by the commercial bus network. These services stop at the closest bus stops to the development. A contribution of £14,625, based upon the scale and impact of the development, has therefore been agreed and can be secured as part of a s106 agreement.

Parking

Parking will be considered fully at reserved matter stage. Parking will need to comply with the guidance set out in Policy ST7 of the Placemaking Plan.

Travel Plan

Given that the exact scale and split of uses cannot be identified at the outline planning application stage, an Outline/Interim Travel Plan has been submitted with this application. Full details of a Travel Plan can be secured through as part of a s106 agreement

Construction Management Plan

Given the busy nature of the A4 Bath Road and the proximity of nearby residents, it is considered that a construction management plan would be required to avoid unacceptable impacts upon amenity and highways safety. This can be secured by condition.

4. DESIGN

The proposal is currently in outline with all matters reserved except access. This means that matters of landscaping, scale, layout and appearance are to be dealt with at reserved matters stage.

Layout

The illustrative masterplan provided with the application indicates one example of how the proposed development could be laid out on the site. However, a parameter plan was subsequently submitted which incorporates a 10m buffer zone around the majority of the site boundaries which it is indicated will remain free from built development/vehicle circulation space. The ecological implications of this buffer are discussed further in the ecology section below, but the effect of this buffer is to limit the developable land within the site.

Despite this reduction in the area available for built development there has been no corresponding reduction in the proposed quantum of development which remains for 'up to 5,700 sqm (GEA)' as per the description. No corresponding update to the illustrative masterplan has been provided. It is therefore not entirely clear that the maximum development of 5,700sqm can be comfortably accommodated on the site.

However, the description refers to 'up to' 5,700sqm and therefore provides flexibility that should it not be possible to accommodate all of this floorspace in an acceptable manner at the reserved matters stage, then a lower quantum of development could be required. Furthermore, there are inefficiencies in the indicative masterplan which mean it may still be possible to accommodate the entire quantum of development within the slightly reduced developable area presented by the latest parameter plan by utilising a more efficient layout.

Policy KE3a (5) requires that the employment industrial buildings should have a positive frontage onto the A4 and all publicly accessible routes. It also seeks to avoid creating corridors of parking and yards along the roadside. The parameters plan presented gives sufficient scope for any subsequent reserved matters to achieve these requirements.

Scale

The scale of development is a reserved matter and no details have been provided within this outline application. However, given the proposed uses it can be expected that the

development on this site will be of industrial scale and therefore may include warehouses, workshops or factories which would typically be single storey or contain mezzanines.

The appropriate scale of development will therefore be assessed at the reserved matters stage.

Landscaping

Details of landscaping are reserved. However, the Landscape Officer raised concerns that there was insufficient space provided within the scheme to enable the adequate mitigation of the developments landscape and visual impact and to provide compensatory tree planting provision, as well as allowing for the enhancement of green infrastructure and the retention and strengthening of existing boundary vegetation.

In response to these concerns, the applicant has produced the revised parameter plan which introduces a 10m buffer around the boundaries of the site for landscape and ecological mitigation. Whilst the detailed planting proposals are not yet known, the additional land given over to landscaping is now considered to be sufficient to enable the mitigation of the landscape impacts of the development including space for compensatory tree planting (if required) and to enable replacement of the hedgerow that would need to be removed to facilitate the access onto the A4 Bath Road.

Whilst landscaping details will be assessed at the reserved matters stage, it is considered that there is likely to be sufficient space to enable the proposals to comply with policy NE2 of the Placemaking Plan.

Appearance

Policy KE3a (6) requires that developments within the allocation should incorporate an element of traditional materials, including natural lias limestone, in key locations to be determined through the masterplan.

The appearance of the development remains a reserved matter and therefore does not fall to be determined at this stage.

Access

Access is not a reserved matter. The main vehicular access is proposed from the A4 Bath Road and is discussed in detail in the Highways section above. The proposals also include a pedestrian and cycle access off Worlds End Lane. The proposals for access are considered acceptable.

5. RESIDENTIAL AMENITY

The application site is located in close proximity to a number of residential properties. Policy D6 requires that development must allow for appropriate levels of amenity and

allow existing and proposed development to achieve appropriate levels of privacy, outlook and natural light. Furthermore, it should 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 disturbances.

Careful consideration has been given to the third-party representations. A number of occupiers of the nearest residential properties have significant concerns in relation to how the development will impact upon their amenity, through matters including loss of light and an increase in noise and disturbance through the operation of the site and large vehicles using an access at Bath Road.

It is recognised that the development will change how the nearby residents experience of the site, but it must be noted that this is an allocated site, and therefore the principle of development has been accepted. Careful consideration must be given as to the management of the site and any mitigation required. The Council's Environmental Health Officer has raised some concerns with the assessment that have been undertaken with regards to the impact of HGVs. If HGVs are manoeuvring around the site, and reversing late at night, there is the potential for an unacceptable level of noise and disturbance. The applicant has therefore agreed to a condition on any permission which would limit the operation of the site to be between the hours of 7am and 7pm. This is considered to be acceptable and will ensure that the site is not operational at unsociable hours.

It is recognised that by locating the access at Bath Road, there will be an increase in vehicular movements taking place to the side of 279 Bath Road. However, the access will not be set directly against the boundary with the submitted plans illustrating a small buffer area between the access. Given the existing noise levels on Bath Road, the principle of development on this allocated site already being accepted and subject to these movements not being at unsociable hours, it is not considered to be unduly harmful.

At this stage, the layout is indicative, but any future layout should place the noisier activities away from the boundaries with the neighbouring occupiers. It is unlikely to be appropriate to locate B2 uses on the boundary with residential properties, but other uses are more likely to be acceptable.

Additionally, revisions to the parameters plan have introduced a 10m buffer around the boundary of the site. Although intended to provide space for landscaping and ecological mitigation, this buffer will also help to mitigate and screen any impacts that might be otherwise be directed towards 279 Bath Road.

Some concern has been raised about the headlights of HGVs using the access causing light disturbance to 279 Bath Road. However, given the distances involved and the ecological/landscape buffer provided by the parameters plan, it is considered that there will not be any significant loss of amenity.

6. ECOLOGY

The application has been supported by an ecological appraisal which has been reviewed by the Council's Ecologist and Natural England. There are no nationally or locally designations on or adjoining the site, although there are a number of designated sites

within a 2km radius of the site. The ecology appraisal also sets out the habitat and wildlife value of the site.

Bat surveys confirmed use of the site and the adjacent land by both lesser and greater horseshoe bats, considered to be associated with the local "bat" Special Areas of Conservation (SACs) including the Bath and Bradford on Avon Bats SAC.

The revised parameter plan provides a 10m buffer zone around the boundary of the site within which there shall be no built development and within which the applicant commits to avoidance of light spill such that within the buffer zone, light levels shall not exceed a maximum threshold of 0.5 lux (calculated at intervals on both vertical and horizontal planes, at and above ground level).

The provision of this wider buffer zone provides more flexibility and increases the area available for protection of retained habitats, and replacement / new habitat provision. There is now more realistic scope for the scheme to deliver replacement habitat of equivalent (or greater) ecological value to habitats that will be removed or reduced. This is particularly relevant to the southern boundary hedgerow which will be removed. Based on the revised parameter plan there is now also greater confidence in the ability of the scheme to deliver "no net loss" of biodiversity and to achieve the required standards of lighting design and light spill avoidance to avoid harm to bat activity including use of the site and linear habitats within the proposed buffer zone by horseshoe bats associated with the Bath and Bradford on Avon Bats SAC.

This has allowed the Council's Ecologist to conclude that at this stage it is considered that the "Likely significant effect" of the proposal on the Bath and Bradford on Avon Bats SAC can be ruled out, based on the scheme as it currently stands as an outline application only, but subject to the proposed parameter plan which shall be secured by condition and at reserved matters stage. This is because it is considered possible for the forthcoming scheme to be designed in such a way that avoids impacts on horseshoe bats and their flight lines, and no adverse impacts are identified at this stage. Therefore, a full "appropriate assessment" is not considered necessary prior to determining the outline application.

Natural England have confirmed that they agree with these conclusions and have raised no objection to the proposals.

7. SUSTAINABLE CONSTRUCTION

Policy CP2 of the Core Strategy requires sustainable design and construction to be integral to all new developments. Policy SCR1 requires major developments to provide sufficient renewable energy generation to reduce carbon emissions from anticipated energy use in the building by at least 10%.

As the application is in outline, with only access being considered, it only needs to include a summary of the energy strategy. Detailed calculations of carbon savings will form part of a reserved matters application. The submitted energy strategy suggests that the development will include the following sustainable construction measures:

- o Optimised floor/wall ratios to limit energy volume
- o Fabric first approach
- o Electric vehicle charging points
- o Solar PV or solar thermal installations
- o Mechanical ventilation heat recovery
- o Grey water recycling
- o Rainwater harvesting

8. DRAINAGE AND FLOOD RISK

A Flood Risk Assessment and Drainage Strategy has been submitted with the application. The site is located within flood zone 1 and is therefore at a low risk of flooding. The river Avon is located 600m to the north.

It is proposed to discharge surface water runoff to the network of existing ditches on the site. This approach has been reviewed by the Flood Risk and Drainage Team who are satisfied that the proposed strategy is acceptable, subject to conditions requiring further detail including ground investigations and details of maintenance and management of any drainage system.

9. CONTAMINATED LAND

The application has been reviewed by the Council's Contaminated Land Officer. Taking account of the proposed redevelopment of the site and the potentially contaminative historical uses adjacent to the site as Works and later Garage/Petrol Filling Station, they have advised that conditions for further investigation and risk assessment, remediation and verification (as appropriate) are required.

10. OTHER MATTERS

Planning Obligations

The wider Somerdale site is subject to a s106 agreement which secures a number of matters across the whole allocation. This new planning application would need to be subject to a new s106 agreement to secure several matters relevant to the current proposals including:

1. A contribution of £104,103 towards improving the shared walking and cycle route on Bath Road to mitigate the increase in trips generated by the development
2. A contribution of £14,625 towards providing local bus services should be sought to provide access to public transport to residential areas of Keynsham and Saltford
3. A contribution of £5,000 to amend the parking restriction TRO on Bath Road
4. A Full Travel Plan submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.
5. Targeted Recruitment and Training obligations and contribution
6. Contribution of £3,000 towards 2 fire hydrants

Public Sector Equality Duty

The Public Sector Equality Duty requires public authorities to have regard to section 149 of the Equality Act 2010. The proposals do not raise any particularly significant issues in respect of equalities duty, but a couple of points are noted.

The proposals involve the upgrading of the pedestrian refuge islands near to the site to include tactile paving. This will allow these crossings to become more accessible to those with a visual impairment.

Elderly, disabled and otherwise vulnerable residents in the local area are likely to be more reliant on public transport than other groups. The proposals include a contribution towards public transport which can be put towards improving bus services within the Keynsham and Saltford area which would provide accessibility benefits to these protected groups.

11. CONCLUSION

The positive impact that the proposed development would have on the economy of Keynsham, the increase in job numbers and contribution to overall job and floorspace targets for the town all need to be given weight when reaching a balanced decision. The delivery of this part of the KE3a employment is important in allowing Keynsham to meet its requirements for employment provision within the Development Plan and contributes positively to the objectives set out in Policy KE1 for Keynsham to increase self-containment and develop as a more significant business location.

Whilst the access is not to be sited from Pixash Lane as stipulated in the policy, the access from Bath Road has been considered to be safe from a highway safety perspective. Whilst this results in a less integrated approach, it does not prejudice the successful delivery of the rest of the allocation and is not considered to result in any significant harm. The economic benefits of this development are considered to be significant and outweigh any harm identified.

The proposed development is therefore considered to comply with the allocation policy and all other relevant aspects of the development plan, and, in accordance with paragraph 11 of the National Planning Policy Framework, should be approved without delay.

RECOMMENDATION

PERMIT

CONDITIONS

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

1. A contribution of £104,103 towards improving the walking and cycle route on Bath Road or other sustainable transport measures to mitigate the increase in trips generated by the development

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

2.) Subject to the prior completion of the above agreement, authorise the Head of Planning to PERMIT subject to the following conditions (or such conditions as may be appropriate):

1 Outline Time Limit (Compliance)

The development hereby approved shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the latest.

Reason: As required by Section 92 of the Town and Country Planning Act (as amended), and to avoid the accumulation of unimplemented planning permissions.

2 Reserved Matters Time Limit (Compliance)

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

3 Reserved Matters (Pre-commencement)

Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority before any development is commenced.

Reason: This is an outline planning permission and these matters have been reserved for the subsequent approval of the Local Planning Authority under the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended) and Parts 1 and 3 of the Development Management Procedure Order 2015.

4 Parameter Plan (Compliance)

All reserved matters applications pursuant to this planning permission shall be strictly in accordance with the approved parameter plan (drawing number 8023/GA(A)003 Rev04).

Reason: To ensure that a buffer around the development is available to provide sufficient landscape and ecological mitigation in accordance with policies NE2 and NE3 of the Placemaking Plan

5 Landscaping Reserved Matters (Compliance)

Any reserved matters application for landscaping shall include full details of both hard and soft landscape proposals and a programme of implementation. These details shall include, as appropriate:

1. Proposed finished levels or contours
2. Means of enclosure
3. Car parking layouts
4. Other vehicle and pedestrian access and circulation areas
5. Hard surfacing materials
6. Minor artefacts and structures (e.g. outdoor furniture, play equipment, refuse or other storage units, signs, lighting)
7. Proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc)
8. Retained historic landscape features and proposals for restoration, where relevant

Soft landscape details shall include:

1. Planting plans
2. Written specifications (including cultivation and other operations associated with plant and grass establishment)
3. Schedules of plants, noting species, planting sizes and proposed numbers / densities

Reason: To ensure the provision of amenity and a satisfactory quality of environment afforded by appropriate landscape design, in accordance with policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

6 External Lighting (Pre-commencement)

Prior to approval of reserved matters and prior to installation of new lighting, full details of a proposed external lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of:

1. Proposed lamp models and manufacturer's specifications, positions, numbers and heights;
2. Details of predicted lux levels and light spill levels (with predicted lux level calculations to be provided on both the horizontal and vertical planes);
3. All the above details must be shown on a plan;
4. Proposed lighting controls, hours of use, and proposed measures to limit levels of brightness and use of lights when not required, and to minimise glare and prevent upward light spill and light spill onto trees and boundary vegetation and adjacent land, and to avoid harm to wildlife and bat activity.

The lighting scheme shall demonstrate light spill levels not exceeding 0.5 lux within the 10m buffer zone as defined on the approved parameter plan (drawing no 8023/GA(A)003 Rev04 dated 16th Sept 2021). The lighting shall be installed maintained and operated thereafter fully in accordance with the approved details.

Reason: To avoid harm to wildlife and bats including light-sensitive bats associated with the Bath and Bradford on Avon Bats Special Area of Conservation, in accordance with policies NE3 and D8 of the Placemaking Plan.

7 Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall 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;
9. Temporary arrangements for householder refuse and recycling collection during construction.

The construction of the development shall thereafter be undertaken in accordance with the approved details.

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. 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.

8 Highway Works (Pre-commencement)

No development shall commence, except for ground investigations and demolition, until detailed GA drawings of the highway and access works have been agreed with the Highway Authority. To include:

1. Revised highway access to Bath Road and Worlds End Lane;
2. Relocated / improved refuges on Bath Road;
3. Widened footway on Bath Road; and
4. A street lighting design to BS5489-1:2020 necessary to increase the light levels to allow for the additional traffic movements, accessing/egressing the A4 Bath Road.

Where applicable, indicating proposals for:

1. Existing levels of the finished highway tying into building threshold levels;
2. Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works;
3. Signing, lining, street furniture, street trees and pits;
4. Structures on or adjacent to the highway; and
5. Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement).

The detailed design of the new access and relocated/improved refuges will be subject to an independent Stage 2 Road Safety Audit (RSA) in accordance with the requirements of

GG 119 and that the completed works are subject to a Stage 3 RSA. No occupation or use hereby permitted shall commence until the approved works have been completed.

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. This is a condition precedent because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

9 Arboricultural Method Statement and Tree Protection Plan (Pre-commencement)

No development shall commence 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 arboricultural method statement shall include details of the following:

1. A programme of works to include details of supervision and monitoring by an Arboricultural Consultant and the provision of site visit records and certificates of completion to the local planning authority;
2. Measures to control potentially harmful operations such as site preparation (including demolition, clearance, earthworks and level changes), the storage, handling, mixing or burning of materials on the site and the movement of people and machinery throughout the site;
3. The location of any site office, temporary services and welfare facilities;
4. The location of any service runs or soakaway locations;
5. A scaled Tree Protection Plan showing the location of all retained trees and tree protection measures.

No development or other operations shall thereafter take place except in accordance with the approved details.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals in accordance with Policy NE6 of the Bath and North East Somerset 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 Wildlife Protection and Enhancement (Pre-commencement)

No development shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall be in accordance with, but not limited to, the measures described in Section 4 of the approved "Ecological Appraisal" v3 dated November 2020 by First Ecology and shall include:

1. 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, and proposed reporting of findings to the LPA prior to commencement of works; for the avoidance of harm to retained habitats and to bats, reptiles, amphibians, nesting birds, and other wildlife as applicable;

2. Information and net gain calculations using Biodiversity Metric 3.0 to demonstrate measurable avoidance of net loss of biodiversity, and provision of net gain (with a target of 10%+), in accordance with current methods guidelines and best practice standards

3. Detailed proposals for ecological and habitat mitigation, creation and enhancement, including: provision of replacement mixed native species tree and hedgerow planting; provision of habitat connectivity and suitability of habitat for bat flight lines and movement of wildlife; pond restoration and enhancement; species-rich grassland and wetland; provision of animal homes, bat and bird boxes.

4. details shall include proposed plant species and/or species compositions, numbers, spacing, positions, materials, fixings, models as applicable.

5. Proposed long term management and maintenance prescriptions and responsibilities

All measures and details shall be fully incorporated into the scheme and shown on all relevant plans and drawings and landscape drawings. All works within the scheme shall be carried out in accordance with the approved details and completed in accordance with specified timescales and prior to the occupation or operation of the development, and retained and maintained thereafter for the purposes of wildlife conservation and maintaining biodiversity.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with policies NE3 and D5e of the Placemaking Plan. The above condition is required to be pre-commencement as it involves approval of measures to ensure protection of wildlife that would be otherwise harmed during site preparation and construction phases.

11 Contaminated Land - Investigation and Risk Assessment (Pre-commencement)

No development shall commence, except for ground investigations and demolition, required to undertake such investigations, 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:

- o human health,
- o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- o adjoining land,
- o groundwaters and surface waters,
- o ecological systems,
- o 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 policy PCS5 of the Bath and North East Somerset Placemaking Plan and chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition because the initial works comprising the development have the potential to uncover harmful contamination.

12 Contaminated Land - Remediation Scheme (Pre-commencement)

No development shall commence, except for ground investigations and demolition required to undertake such investigations, 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 policy PCS5 of the Bath and North East Somerset Placemaking Plan and chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition because the initial works comprising the development have the potential to uncover harmful contamination.

13 Detailed Drainage Strategy (Pre-commencement)

No development shall commence, except ground investigations and remediation, until a detailed drainage design based on the agreed outline drainage strategy (WIE15368-100-6-3-3 - Flood; Nov 2020) has been submitted to and approved in writing by the Local Planning Authority. The detailed design shall include plans, sections, detailed drawings of all relevant structures and calculations demonstrating performance at the critical 1:1, 1:30 and 1:100+40% storm events.

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. This is a pre-commencement condition because the drainage strategy may have implications for any initial ground works that need to take place which may otherwise prejudice the most appropriate drainage solution.

14 Off-site Culvert Condition (Pre-commencement)

No development shall commence, except ground investigations and remediation, until evidence has been submitted to and agreed in writing by the Local Planning Authority that the offsite culvert downstream of the development site is in serviceable condition to receive the flows from the development.

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. This is a pre-commencement condition because the condition of the off-site culvert may affect the most appropriate drainage solution.

15 Implementation of Landscaping Scheme (Bespoke Trigger)

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the 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.

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

16 Materials - Submission of Materials Schedule (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes to be used in the construction of the external surfaces, including roofs, has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include:

1. Detailed specification of the proposed materials (Type, size, colour, brand, quarry location, etc.);
2. Photographs of all of the proposed materials;
3. An annotated drawing showing the parts of the development using each material.

Samples of any of the materials in the submitted schedule shall be made available at the request of the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with policies D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan and policies CP6 and KE3a of the Bath and North East Somerset Core Strategy.

17 Contaminated Land - 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 policy PCS5 of the Bath and North East Somerset Placemaking Plan and chapter 15 of the National Planning Policy Framework.

18 Arboriculture - Signed Certificate of Compliance (Pre-occupation)

No occupation of the development shall commence until a signed certificate of compliance with the Arboricultural Method Statement and tree protection plan by the appointed Arboriculturalist has been submitted to and approved in writing by the Local Planning Authority

Reason: To ensure that trees to be retained are not adversely affected by the development proposals in accordance with Policy NE6 of the Bath and North East Somerset Placemaking Plan and to ensure that the approved method statement is complied with for the duration of the development.

19 Ecology Follow-up Report (Pre-occupation)

No occupation or operation of the development hereby approved shall commence until a report produced by a suitably experienced professional ecologist (based on post-construction on-site inspection by the ecologist) confirming and demonstrating, using photographs, adherence to and completion of the Wildlife Protection and Enhancement Scheme in accordance with approved details, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate compliance with the approved Wildlife Protection and Enhancement Scheme, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3 and D5e of the Placemaking Plan

20 Landscape Management Plan (Pre-occupation)

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the local planning authority prior to the occupation of the development for its permitted use. The landscape management plan shall be carried out as approved.

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

21 Landscape Maintenance (Pre-occupation)

No occupation of the development for its permitted use shall take place until a schedule of landscape maintenance for a minimum period of 10 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

22 Drainage Operation and Maintenance (Pre-occupation)

No occupation of the development for its permitted use shall take place until an Operation and Maintenance Manual for the agreed drainage scheme has been submitted to and approved in writing by the Local Planning Authority. This document should demonstrate how the drainage system will be managed so that it performs to its design parameters for the lifetime of the development.

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.

23 Contaminated Land - Unexpected Contamination (Compliance)

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 policy PCS5 of the Bath and North East Somerset Placemaking Plan and chapter 15 of the National Planning Policy Framework.

24 Hours of operation - Industrial (Compliance)

No machinery shall be operated, no process shall be carried out and no deliveries shall arrive, be received or despatched from the site outside the hours of 0700 to 1900 Monday to Saturday and 0900 to 1700 on Sundays and Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

25 Bound/Compacted Vehicle Access (Pre-occupation)

No occupation of the development for the permitted use shall commence until the vehicular access has been constructed with a bound and compacted surfacing material (not loose stone or gravel).

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

26 Use Classes (Compliance)

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and the Town and Country Planning (Use Classes) Order 1987 (as amended), the development hereby approved shall be for uses falling within use classes B1(b), B1(c), B2, and B8 only.

For the purposes of this condition, the definition of use classes B1(b) and B1(c) are set out below and consist of uses for the following purposes-

B1(b) for research and development of products or processes, or
B1(c) for any industrial process,

being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Reason: To clarify the proposed uses and to ensure that they comply with policy KE3a and the strategic aims of the Keynsham Spatial Strategy to support job growth and employment.

27 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:

1 EX(G)001 REV 03	Site Location Plan
18023 GA(A)003 REV 4	Parameter Plan
20 A	Proposed Access Arrangements (Swept Path Analysis)
19 C	Proposed Site Access

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 Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was recommended.

2 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 or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

3 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. If you have any queries about CIL please email cil@BATHNES.GOV.UK

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

6 Local Highway Authority require an agreement (Section 278)

The Local Highway Authority (LHA) requires the developer to enter into a legally binding agreement to secure the proposed Highway improvements. Further information in this respect may be obtained by contacting the LHA.

The Local Highway Authority requires Road Safety Audits

The detailed design of the access works shall be subject of an independent Stage 2 Road Safety Audit (RSA) and the completed works shall be the subject of a Stage 3 RSA. Both audits will be undertaken in accordance with GG119. Both audit briefs together with the CV of the Audit Team Leader and Audit Team Member shall be submitted to and approved in writing by the LHA. A representative of the LHA shall be present at the Stage 2 RSA site visit as an observer and a representative of the LHA and Avon and Somerset Police shall be invited to attend the daytime and night-time Stage 3 RSA site visits.

Traffic Regulation Order (TRO)

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to a scale of 1:1000 of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving the public advertisement of the proposal(s) and the resolution of any objections.

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.