

## Bath & North East Somerset Council

MEETING:	<b>Council</b>	
MEETING DATE:	<b>15/16 February 2022</b>	
TITLE:	<b>Land at Manor Road, Writhlington</b>	
WARD:	Radstock	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b> None		

### **1 THE ISSUE**

- 1.1 Officers seek delegated authority to take the decision making powers from Mendip District Council for a planning application for approx. 35 houses and new access from the A362 which is located within the Mendip area on the edge of the B&NES district. B&NES currently have an associated planning application for approx. 220 dwelling adjoining the site and utilising the same access.

### **2 RECOMMENDATION**

**The Council is asked to;**

- 2.1 Accept devolved decision-making powers for planning application 21/04509/OUT from Mendip District Council (Mendip ref. 2021/2268/OTS).

### **3 THE REPORT**

- 3.1 The applications are split across 2 Districts and seek outline planning permission for the erection of up to 255 dwellings with all matters reserved. Based upon the illustrative plan approx. 35 of these would be located within Mendip area and the rest would be in B&NES. The split is only indicative at this stage. The site lies outside of the Radstock Housing development boundary.
- 3.2 Officers recommend that B&NES accept the proposal to accept delegated planning powers to enable B&NES to deal with both applications and avoid the risk of inconsistent decision making.

### **4 STATUTORY CONSIDERATIONS**

- 4.1 Pursuant to Section 101 (1) of the Local Government Act 1972 a local authority may arrange for the discharge of its functions by any other local authority.

4.2 Mendip officers have sought and obtained delegated authority for this proposal.

4.3 Article 4 para 4.1 (m) of the Constitution provides that accepting or otherwise a delegation from another local authority is a council function

## **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

5.1 Given the wider application is located within B&NES there would be no additional resource required. The planning application fee of £15434 already paid to Mendip will be transferred to B&NES.

## **6 RISK MANAGEMENT**

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

## **7 EQUALITIES**

7.1 Impacts on equalities would be considered through statutory planning processes and this would be unaffected by this decision.

## **8 CLIMATE CHANGE**

8.1 There are Nil implications for carbon neutrality.

## **9 OTHER OPTIONS CONSIDERED**

9.1 Reject the devolved powers however this may lead to inconsistent decision making on a single development site.

## **10 CONSULTATION**

10.1 The Report has been considered and approved by the S151 Monitoring Officer

<b>Contact person</b>	Sarah James 01225 477577
<b>Background papers</b>	None
<b>Please contact the report author if you need to access this report in an alternative format</b>	