

BATH AND NORTH EAST SOMERSET COUNCIL

Planning Committee

28th August 2024

**UPDATE REPORT AND OBSERVATIONS RECEIVED SINCE THE
PREPARATION OF THE MAIN AGENDA**

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
1	23/02012/FUL	Units 1-4 Wells Road, Lyncombe, Bath

Page 55 – Under subheading ‘Other Matters’ insert:

Somer Valley Links Proposals

The Somer Valley Links project has been raised by the Widcombe & Lyncombe ward members Cllrs Alison Born and Deborah Collins during the course of the application as well as following publication of the Committee Report. Whilst not referenced in the Committee Report, the Case Officer was aware of the project during assessment of the application.

The Somer Valley Links project is a sustainable transport scheme with the aim of improving travel between Midsomer Norton, Radstock, Westfield and Bath via the A367 and Bristol via the A37; and the A362 link road between them, through better bus infrastructure and enabling more walking and cycling. These improvements are intended to reduce car dependency by improving alternative transport modes with a focus on walking, wheeling, cycling and public transport. The project is funded by £1.4m CRSTS grant funding administered by WECA, supplemented by £330k Council funding approved by Cabinet Member for Climate Emergency and Sustainable Travel in May 2024.

Following funding approvals, the project is now progressing to detailed design and consultation stage.

The project currently includes potential changes to the road layout on the lower part of Wells Road (A367) at the junction with the Churchill Gyratory (A36). The proposals relate to improvements to bus priority at the junction of Wells Road and the Churchill Gyratory. This is intended to prevent buses from queuing with other traffic at any point at this junction, improving efficiency and journey times into Bath on public transport from the Somer Valley.

A final design is not yet available given the project is still being progressed.

Cllrs Alison Born and Deborah Collins have raised concerns that these works would remove part of the Council owned landscaped open space which is adjacent to Units 1-4 Wells Road. They have expressed support for the Somer Valley Links project but note that if it proceeds in addition to development of Units 1-4, it will mean that the green nature of the area is even more compromised.

Whilst there is currently no certainty over final designs or even whether these works will form part of the final Somer Valley Links project, the issue at the Churchill Gyratory is an important bottleneck which the project aims to overcome. It is therefore expected that the project will incorporate measures seeking to resolve this, but these are likely to be limited to take place within the highway boundary only. Furthermore, the project is funded and therefore it is considered there is a reasonable likelihood of these works, or similar, materialising in the future. Therefore, it is considered that this adjacent project is a relevant material consideration when deciding the current planning application.

Based on discussion with the CRSTS Somer Valley Links project team, it is the Case Officer's view that the bus lane extension and junction re-planning will have very minor, if any, impact on surrounding grassland. The project team have indicated that works will take place within the highway boundary only. The works will therefore likely have a negligible effect on the landscape character surrounding the site.

Therefore, whilst material to the decision on the application, this consideration does not result in a different conclusion to that recommended in respect of landscape impact and the character and appearance of the proposed development. Furthermore, it is noted that this land is outside the demise of the site and the Applicant has no control over this land. It is owned and managed by the Council. Therefore, it is not considered necessary for the development to provide mitigation for the effects of this project.

Page 65 – Revise wording of condition no. 16 ‘SCR6 Residential Properties (Pre-occupation)’ to read:

“SCR6 Residential Properties (Pre-commencement/Pre-occupation)

Prior to commencement of development and following technical design of the building (RIBA Stage 4 or equivalent), the following tables (as set out in the Council's Sustainable Construction Checklist Supplementary Planning Document 2023) shall be completed in respect of the proposed development, 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 SCR6.

PHPP/SAP calculations are to be updated with detailed design performance values.

The following are to be completed using the updated as-built values for energy performance.

Major (or larger) Residential Development:

1. Energy Summary Tool 2
2. Table 2.1 or 2.2 (if proposal has more than one dwelling type)

All Residential Development:

3. Table 5 (updated)

Prior to occupation of the development hereby approved, the following shall also be submitted to and approved in writing by the Local Planning Authority including evidence of 'as built' levels for the development:

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
7. Microgeneration Certification Scheme (MCS) Certificate/s

Reason: To ensure that the approved development complies with Policy SCR6 of the Local Plan Partial Update and the Sustainable Construction Checklist SPD (2023).”

Page 71 – Insert drawing no. 0511-P-312-C Proposed Site Section B, received 15th August 2024 to 'Plans List'.

This drawing was revised following an error spotted when preparing the Committee Report.

Item No.	Application No.	Address
2	23/04136/RES	37 Coombend Radstock Bath And North East Somerset BA3 3AN

The following condition is to be added, as referred to in the committee report:

Housing Accessibility (Compliance)

The following dwellings hereby approved shall meet optional technical standards 4(2) in the Building Regulations Approved Document M: 2

Reason: To ensure that the optional technical standards for accessibility for market housing in accordance with policy H7 of the Bath and North East Somerset Council Local Plan Partial Update.

Item No.	Application No.	Address:
3	23/03465/FUL	Nuholme Wick Lane Stanton Wick

Page 97 – under ‘Summary of Consultations/Representations’ section, insert:

Full comments received from **Environmental Services**:

Where development is proposed, the developer is responsible for ensuring that the development is safe and suitable for use for the purpose for which it is intended.

The site has been previously used as a vehicle/automotive workshop and there is a former landfill approximately 200m to the southwest of the site. It is also noted that there was historically an oil leak at the adjacent property to the southwest in 2015. Taking account of the historical use of the site and surrounding area and the sensitive nature of the proposed change of use/development (residential).

Page 99 – under ‘Policies/Legislation’ section, ‘Neighbourhood Plans’ subheading insert:

Stanton Drew Neighbourhood Development Plan (2020)

In place of “Whitchurch Village”.

Page 106 – Conditions in respect of the following are necessary:

- **Desk Study and Site Walkover; and**
- **Reporting of Unexpected Contamination** (This condition is already included in the recommendation – condition no. 6).

Condition 8 to be added:

8 Desk Study and Site Walkover

A Desk Study and Site Reconnaissance (Phase 1 Investigation) survey shall be undertaken to develop a conceptual site model and preliminary risk assessment. A Phase I investigation should provide a preliminary qualitative assessment of risk by gathering and interpreting readily available environmental, geological, hydrological and historical data regarding a site and considering the likelihood of pollutant linkages being present. The Phase I investigation typically consists of a desk study, site walkover, development of a conceptual model and preliminary risk assessment. The site walkover survey should be conducted to identify if there are any obvious signs of contamination at the surface, within the property or along the boundary of neighbouring properties. Should the Desk Study identify the potential presence of contamination and potential pollutant linkages, then full characterisation (site investigation) shall be undertaken in accordance with a methodology which shall previously have been agreed in writing by the Local Planning Authority. Where

remediation is necessary, it shall be undertaken in accordance with a remediation scheme which is subject to the approval in writing of the Local Planning Authority and a remediation validation report submitted for the approval of the Local Planning Authority.

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 15 of the National Planning Policy Framework.

Item No.	Application No.	Address
4	24/02125/VAR	Parcel 2727 Kingshill Lane Chew Stoke Bristol Bath And North East Somerset

Page 126:

The following paragraphs have been omitted from the policies section of the report as the site is not within a Conservation Area, or in the setting of a listed building:

CONSERVATION AREAS:

In addition, there is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the surrounding Conservation Area.

LISTED BUILDINGS:

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

Item No.	Application No.	Address
6	24/01819/VAR	6 Squire Lane Ubley Bristol BS40 6PP

Revised Plans have been received on 21/08/2024.

1. These correct a disparity with the front porch which was revised earlier in the process on the Elevational Drawings, but not the associated Floor Plans or Site Plans.
2. The revised site plan demonstrates that 3no car parking spaces can fit on the proposed driveway, without revisions to the driveway itself.

The new information does not change the officer recommendation.

The following Highways section of the Report is changed as follows:

HIGHWAYS SAFETY AND PARKING:

Policy ST7 of the Local Plan Partial Update has regard to transport requirements for managing development. It sets out the policy framework for considering the requirements and the implications of development for the highway, transport systems and their users. The Transport and Development Supplementary Planning Document expands upon policy ST7 and includes the parking standards for development.

The approved application saw the siting of 3no off-street parking spaces at the front of the property. A section of the front boundary wall has been demolished to provide the 3no parking spaces. An enforcement complaint has been received with regards to the loss of this wall and is under investigation.

The proposed plans show an element of the front wall to be reinstated following discussion with the enforcement team. The reinstated front wall allows space for 3no parking spaces on the front driveway.

Objection has been received by the Parish and neighbours to the reduction in off-street parking due to the parking difficulties in this part of the village. However, policy ST7 in the Local Plan Partial Update now sets maximum parking standards to reduce reliance on private car usage.

Whilst received late into the application process, revised drawings show that 3no parking spaces are able to fit on the proposed driveway without further revision to the driveway itself.

The means of access and parking arrangements are acceptable and maintain highway safety standards. The proposal accords with policy ST7 of the Local Plan Partial Update, the Transport and Development Supplementary Planning Document (2023), and part 9 of the NPPF.