

Bath & North East Somerset Council			
MEETING/ DECISION MAKER:	Cabinet		
MEETING/ DECISION DATE:	11th September 2025	EXECUTIVE FORWARD PLAN REFERENCE:	
		E	3645
TITLE:	Somer Valley Enterprise Zone Local Development Order Amendment		
WARD:	Paulton		
AN OPEN PUBLIC ITEM			
List of attachments to this report: Appendix 1 – Equality Impact Assessment (EqIA) Appendix 2 – Local Planning Authority Officer Report			

1 THE ISSUE

- 1.1 The Somer Valley Enterprise Zone (SVEZ) is a 13.5-hectare greenfield site which has been allocated for employment uses in the B&NES Local Plan since 2007.
- 1.2 The delivery of the SVEZ is identified as a corporate priority in the B&NES Economic Strategy (2014-2030).
- 1.3 A Local Development Order (LDO) was approved by Cabinet under Decision E3486. The Cabinet approval granted planning permission on the site for the development of plots and buildings within the Use Classes B2, B8, C1, E and sui generis, subject to conditions and limitations.
- 1.4 The adoption of the LDO by Cabinet addresses a market failure and de-risks delivery of the site through a flexible planning framework. Compliance Applications will allow plots to be delivered in a swifter timeframe than the conventional planning route.
- 1.5 An amendment to the LDO is required to amend condition 5 (supporting documents) and 12 (highways approved plans). The proposed amendment to condition 5 enables the adoption of revised plans for the Thicket Mead roundabout and A362 works adjacent to Sunnyside. Furthermore, the wording of condition 12 is proposed to be amended to remove its status as a 'fixed compliance' condition. This will enable approval by the Local Planning Authority

(LPA) of any subsequent changes to the submitted highways general arrangement plans that arise during the technical design and approval process.

- 1.6 No changes are proposed to the mix of uses or the quantum of development. Nor is there any change to the site boundary of the LDO development itself.
- 1.7 An Ambitions Paper, which set out the development ambitions, was approved by Cabinet under Decision E3510.
- 1.8 £9.3m of the West of England Combined Authority (WECA) Investment Fund grant was accepted under Decision E3606 to progress the development of the SVEZ.

2 RECOMMENDATION

The Cabinet is asked to;

- 2.1 Resolve to adopt an amendment to the SVEZ LDO recommended by the LPA, to meet the aims of policy SSV9 of the Local Plan, and to ensure compliance with relevant highway standards and guidance. The LDO amendment relates to condition 5 (supporting documents) and condition 12 (highway approved plans). It is proposed to adopt revised plans for the Thicket Mead roundabout and A362 works adjacent to Sunnyside. A minor revision to the LDO boundary for the off-site highways works at Sunnyside is proposed. The wording of condition 12 is proposed to be amended to remove its status as a 'fixed compliance' condition.
- 2.2 Delegate to the Director of Capital & Housing Delivery, in consultation with the Cabinet Member for Economic and Cultural Sustainable Development, the authority to adopt future amendments to the LDO as approved under Decision E3486. Such amendments shall be limited to those within the remit of section 96A and 73 of the Town and Country Planning Act 1990.

3 THE REPORT

- 3.1 The SVEZ is an allocated site (Policy SSV9) within the Local Plan which seeks to deliver a mixed-use commercial development in the Somer Valley. The SVEZ is located on 13.5 hectares of land at Old Mills, which is situated to the north-west of Midsomer Norton.
- 3.2 The SVEZ has been allocated as an employment site since 2007, however the market has failed to bring forward the development due to significant barriers to private sector led intervention. The SVEZ will provide circa 1,300 jobs in 35,800 sqm of commercial floorspace.

The SVEZ LDO also:

- a) Encourages a connected network for walking and cycling.
- b) Provides a balanced car parking approach, catering to the uses on site whilst also enhancing sustainable transport options.
- c) Enables the development of efficient, sustainable, and low energy buildings.
- d) Reduces pressure on resources for both the LPA and applicants.

- e) Provides flexibility to ensure that necessary, viable development comes forwards now and in the future.
- f) Enables growth by positively and proactively shaping sustainable development.
- g) Has the potential to generate £51m GVA.

3.3 The LDO enables a number of highways mitigations to take place on and around the site which are key to responding to any increase in traffic but also facilitating a transport modal shift.

- a) Speed limit regularisation along A362 – the reduction in speed limit promotes the use of a pedestrian/cycle path.
- b) Additional lane at Sunnyside pinch point – resolves stop/start traffic flows and improves air quality for pedestrians and cyclists.
- c) A new access roundabout to the SVEZ and road straightening on the A362 – enables the creation of the segregated walking and cycling path.
- d) Improvements to the design of Thicket Mead roundabout – provides the link to the Norton Radstock Greenway for the pedestrian and cycle path.

3.4 An amendment to the LDO is required to adopt revised plans for the Thicket Mead roundabout. The revised design includes a more conventional layout and geometric shape to the roundabout. This change would not have a material impact on the traffic movements when compared to the approved roundabout design.

3.5 The amendment also seeks to adopt revised plans for the A362 works adjacent to Sunnyside. The revised design comprises a revision from a 2m footpath on the northern side of the carriage way, to a 3.5m shared use path. This facilitates greater connectivity with the Somer Valley Links (SVL) project.

3.6 A minor revision to the LDO boundary for the off-site highways works at Sunnyside is proposed. This is to resolve the highway alignment to meet the highway standards. To the west, the junction with Paulton Road is now to be excluded and to the east, the redline boundary is to be extended c. 30m to capture the tie-in works with the SVL project.

3.7 It is proposed that the wording of condition 12 be amended to remove its status as a 'fixed compliance' condition. This change will allow the LPA to approve any future modifications to the submitted highway general arrangement plans that may arise during the technical design and approval process.

3.8 These changes reflect the ongoing detailed design work and thus assist with the delivery of the scheme. There will be no change to the mix of uses, the quantum of development or the boundary of the LDO development site itself. Development on site will continue to be determined by a Design Code that specifies the amount of development that can take place on each plot as well as the characteristics of any buildings, landscaping and parking.

3.9 Developers will be required to submit Compliance Applications to the LPA which will show that their development proposals align with the Design Code and the

conditions applied to the LDO. The Council will maintain enforcement powers should development not be compliant with the LDO.

4 POST LDO ADOPTION

- 4.1 The LDO will be reviewed on a 5 yearly basis to ensure that the site meets the original policy objectives and/or whether those objectives have become out of date. The LDO can be reviewed, modified or revoked at any time.
- 4.2 Further information regarding the future ambitions for the LDO can be found within Cabinet paper E3510.

5 STATUTORY CONSIDERATIONS

- 5.1 Section 61A of the Town and Country Planning Act 1990 (TCPA 1990) gives a LPA the power to make a LDO. The statutory provision confirms that the LDO grants planning permission for the development specified in the LDO including for development of any planning use class specified. Section 61C of the TCPA provides that a LDO may be granted unconditionally or subject to conditions and limitations as set out in the order.
- 5.2 The SVEZ LDO includes conditions and limitations to control how the SVEZ will be developed. This will ensure that the SVEZ is delivered in accordance with the Council's overarching vision for the scheme.
- 5.3 Sections 38 and 41 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 set out the procedural requirements for the making of a LDO, including the need for consultation. The Council is satisfied that it has complied with these requirements insofar as they have fallen due.

6 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 6.1 An Outline Business Case '+' (OBC+) requesting grant funding of £9.3m from the WECA Investment Fund has been approved. The funding was accepted under Decision E3606 to progress land assembly and technical design.
- 6.2 In 2026, it is intended that a Full Business Case (FBC) will be submitted to secure project implementation funding totalling £20.6m. The funding will cover enabling works, completion of highway infrastructure, construction of a new roundabout, and delivery of perimeter landscaping. It is proposed that a request to WECA will be made to grant fund £19.5m of these costs.
- 6.3 B&NES match funding of £1.1m will contribute towards FBC project implementation funding.
- 6.4 The total estimated cost for completing the next stage of the scheme, encompassing both OBC+ and FBC activities, is £29.9 million. It is proposed that this be funded through a combination of £1.1m in match funding from B&NES, alongside requests for £28.8m in grant funding from WECA.

7 RISK MANAGEMENT

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

7.2 A risk register is maintained for the project.

7.3 The top project risks at present are:

- (1) Land Ownership – the land is currently in third-party ownership and in order to implement the LDO the land will need to be acquired via negotiation or statutory mechanisms.
- (2) Funding – Risk of WECA requesting a capital reversion and Council required to repay current expenditure.
- (3) Loss of Provisional Capital Programme – the current WECA ‘tail’ capital allocation of £5.6m could be removed from the SVEZ and reallocated to the WECA capital programme and another Unitary Authority.
- (4) Maintaining the SVL project as a priority for delivery under CRSTS to enable delivery of the commitment for a shared pedestrian and cycle path to the Farrington Gurney.

8 EQUALITIES

8.1 The Council must pay due regard to its Public Sector Equality Duty (PSED). Pursuant to s149 of the Equality Act 2010. The Council must have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic (as defined in the Act) and persons who do not share it.
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 Officers have had due regard to the Council's PSED progressing the SVEZ scheme to date.

8.3 An Equality Impact Assessment Plan has been completed for the SVEZ (Appendix 1 – EqIA).

8.4 No specific EQIA has been undertaken in relation to the adoption of the SVEZ LDO amendment, but there are no additional impacts on protected characteristics envisaged over and above the general impacts of the SVEZ scheme.

9 CLIMATE CHANGE

9.1 The Council declared a Climate Emergency in March 2019, committing it to providing the leadership necessary to enable Bath and North East Somerset to achieve carbon neutrality by 2030.

9.2 The SVEZ represents an opportunity to address several related issues which will help to address the climate emergency. It will help reduce out-commuting in the Somer Valley through the provision of new jobs and it will also provide a range of

active and sustainable travel improvements including a new cycle link to the Norton Radstock Greenway and new bus stop.

- 9.3 The development will achieve a 100% regulated operational carbon emissions reduction from Building Regulations Part L 2021 (or future equivalent legislation), in line with the hierarchy set out in Policy SCR7 and the B&NES Sustainable Construction Checklist SPD (2023). The SVEZ will help to reduce vehicle-related CO2 emissions through the provision of EV charging on site, in line with the Council's local transport policies and climate emergency declaration.
- 9.4 The LDO is compliant with B&NES NE3a Biodiversity Net Gain (BNG) policy. The development aims to deliver 10% BNG via on and off-site provision. Off-site BNG provision will follow the mitigation hierarchy set out with the NE3a policy with a focus on local provisions.

10 OTHER OPTIONS CONSIDERED

- 10.1 The Council has considered the other options available to it:

Do nothing – do not adopt the LDO amendment. However, this would mean that the highways layout could not be improved in the manner described.

11 CONSULTATION

- 11.1 Prior to the adoption of the LDO, a period of informal engagement took place from 19th May 2022 to 30th June 2022 for stakeholders, Parish Councils, Town Councils and the public to comment on the illustrative masterplan, proposed highway works and design aspects of the site. During the informal public engagement, a public webinar was held alongside presentations at Westfield Parish Council, Radstock Town Council, Paulton Parish Council and a resident's meeting held in Paulton. Consultation material was held on the B&NES website but also installed in Paulton, Midsomer Norton and Radstock libraries. A hard copy of the engagement questionnaire was also made available at the libraries.
- 11.2 The LDO statutory consultation began on 16th January 2023 and completed on 13th February 2023. Statutory consultees and the public were able to comment on all relevant LDO documents via the planning portal.
- 11.3 A revised statutory consultation was carried out from 22nd September 2023 to 26th October 2023. Prior to the revised consultation going live, the project team attended a Somer Valley Links consultation drop in event at Farrington Gurney on the 24th July 2023. In addition, the team presented at Farrington Gurney Parish Council meeting on 18th September 2023 and to the Somer Valley Forum on 20th September 2023.
- 11.4 The statutory consultation on the LDO amendment began on the 9th of June 2025 and ended on the 14th of July 2025. Appendix 2 includes the LPAs Officer Report on the statutory consultation.

Contact person	Ellie Wintrup – Senior Development Officer
Background papers	None
Please contact the report author if you need to access this report in an alternative format	