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To All Members of the Planning and Development Committee: Cllrs Dave Biddleston, David Brassington, Deb Cooper, Clive Fricker (Chair), Alan Greenfield, Andy McGuinness and Jonathan Wallcroft.

c.c. All other Councillors

Dear Councillor

You are invited to a meeting of the **PLANNING & DEVELOPMENT COMMITTEE** on **Monday 6th March 2023** commencing at 7.30pm in the Baptist Church, High Street, Keynsham.

Signed on 28th February 2023

A handwritten signature in black ink, appearing to read "Dawn", enclosed within a hand-drawn oval.

Dawn Drury

By Dawn Drury, Town Clerk

EMERGENCY EVACUATION PROCEDURE

Procedures will be presented at the start of the meeting.

Arrangements are in place for the safe evacuation of disabled people.

THIS MEETING MAY BE FILMED OR RECORDED (PLEASE REFER TO THE TOWN COUNCIL'S PROTOCOL ON THE FILMING AND RECORDING OF LOCAL COUNCIL AND COMMITTEE MEETINGS (adopted August 2014).

PLANNING & DEVELOPMENT COMMITTEE AGENDA 6th MARCH 2023.

1. APOLOGIES FOR ABSENCE

To receive apologies for absence.

2. DECLARATIONS OF INTEREST

To receive any Declarations of Interest under Keynsham Town Council's Code of Conduct (adopted on 16th April 2019) issued in accordance with the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, SI No. 1464 and as per Standing Order 3(v).

3. DISPENSATIONS

In accordance with Standing Order 13, to consider any requests for dispensations (for disclosable pecuniary interests) prior to the item(s) being discussed, that Members may only become aware of during the meeting itself and to receive any disclosures of decisions as per item 7 of Keynsham Town Council's Dispensations Policy and Procedure Guide.

RECOMMENDATION:

To receive requests for dispensations (for disclosable pecuniary interests) prior to an individual item(s) being discussed, that Members may only become aware of during the meeting itself.

4. RECORD OF PREVIOUS MEETINGS

RECOMMENDATION:

That the Minutes of the Extra Ordinary Planning & Development Committee meeting held on Monday 20th February 2023 (previously circulated) be confirmed as a true record and signed by the Chairman.

5. PUBLIC PARTICIPATION

In accordance with Standing Order 3(e)(ii), Members of the Public will have the opportunity to ask the Chairman any question concerning, or make observations upon, the business of the Council, at the start of the meeting, provided notice of the question along with the name and address of the member of public has been given to the Town Clerk at least four clear days before the meeting where possible, and in any case to the Chairman before the meeting. This also applies to all Committees of the Council.

RECOMMENDATION:

That the Chairman respond to any questions/observations. If the matter is not already tabled on the Agenda, the Council may move a motion to refer the matter to be itemised on the agenda of a successive meeting, but it cannot make any decisions on any matters raised at this meeting unless considered under a further item on this particular Agenda.

In accordance with Standing Order 3(e)(iii) With the agreement of the Chairman, Members of the Public may also speak on one single item detailed on the Agenda just prior to that item being discussed, unless otherwise agreed by the Chair, or Chair of the Committee. Each person may speak for not more than two minutes, with a maximum of two speakers per item in favour and two speakers per item against or at the Chairman's discretion. To facilitate the smooth running of meetings, Members of the Public will be asked to register their interest with the Town Clerk prior to the start of the meeting.

RECOMMENDED:

To note the members of the public who are wishing to speak on a particular Agenda item immediately before that item is to be discussed at the current meeting.

6. QUESTIONS ON NOTICE BY MEMBERS

In accordance with Standing Order 3(e) (iv) a Member may ask the Chairman any question concerning the business of the Council, provided that notice of the question has been given to the Town Clerk at least 4 clear days before the meeting where possible, and in any case to the Chairman before the meeting. The Chairman must rule out of order any statement that is not a question, and no question should lead to or result in a resolution with financial or staffing considerations. The options available to the Chairman in respect of a response include deferring the matter to a future Committee, providing an answer verbally at the meeting or providing an answer in writing.

7. SITE VISITS

To determine whether the Committee would wish to undertake site visits in relation to any of the planning applications listed below; if so, to adjourn the meeting for a specified period of time so as to undertake site visits, in accordance with Standing Order 10 (xvi).

8. CONSULTATION ON PLANNING APPLICATIONS

8.1 23/00478/FUL - 38 High Street

Installation of 5no windows and 1no door on the side southern elevations to existing offices.

8.2 23/00660/FUL – Systopia Consulting Limited Proximity House, Pixash Business Centre, Pixash Lane.

Construction of 2no. industrial units (Use class B2, B8, E(g)) with associated parking, external yards, landscaping and services.

8.3 23/00240/FUL - 9 Severus Street

To relocate an existing fence and erect a new fence, to match existing, on the front elevation of the property.

- 8.4 22/000460/FUL - 53 Warwick Road**
Erection of two storey front extension and one storey first floor rear extension on columns, side door and window blocked up and internal remodelling.

TREWORKS NOTIFICATIONS

- 8.4 23/00417/TCA - 4 Avon Road**
Hawthorn T1 -fell to near ground level.

9. PLANNING APPLICATIONS DETERMINED BY B&NES COUNCIL

Notification of the following decisions that have been received.

PERMITTED

- 9.1 22/18475/FUL - 43 Balmoral Road**
Erection of a two storey rear extension and alterations to ground floor rear extension. (Support).
- 9.2 20/02673/OUT – Land Parcel 0005 Bath Road**
Residential and related development comprising approximately 213 dwellings, replacement sports pitch to facilitate expanded primary school, means of access thereto, associated open space, landscaping, access roads, footways/cycleways and infrastructure works. (Object).
- 9.3 22/03278/FUL – Bramleys, Stockwood Vale**
Retrospective application for front wall. (Support).
- 9.4 22/03945/FUL - 9 Gainsborough Road**
Proposed front extensions. (Object).
- 9.5 22/03255/REG03 – Street Record Keynsham Memorial Park**
Demolition of pedestrian bridge and associated stabilisation of abutments. (Support).
- 9.6 22/04946/REG03 - Street Record Keynsham Memorial Park**
Erection of replacement footbridge and associated works. (Support).
- 9.7 22/05185/FUL - 49 Rock Road**
Erection of a rear conservatory to follow demolition of existing rear conservatory. (Support).
- 9.8 23/00043/FUL – The Mead**
Erection of single storey rear extension and alterations to windows to the rear of the first floor. (Support).

9.9 23/00104/FUL - 38 West View Road

Erection of single storey rear extension. (Support).

CONSENT

9.10 22/04668/LBA - New Inn, 90 Bath Hall

External alterations for the provision of new signage, lighting and building colour. (Support).

9.11 22/04382/TPO - 31 Bath Road

Black Pine (T1) - Remove rubbing limb. Black Pine (T2) - Remove major deadwood. Black Pine (T3) - Crown thin of 20%. Black Pine (T4) - Reduce stem overhanging neighbouring property by up to 3m. (Noted).

9.12 22/04793/AR - Ministry of Defence Storage & Distribution Centre, Pixash Lane

Erection of 5 no. free standing signs (welcome and permit signage) and 5 no. hypergraphic signs to the buildings and structures. (Support).

REFUSE

9.13 22/04812/FUL – 20 Warwick Road

Erection of a one-bedroom dwelling at the rear of the property. (Object).

WITHDRAWN

9.14 22/04906/FUL - New Inn, 90 Bath Hill

Replacement and enlargement of decking to the rear external beer garden area. Installation of handrail and lighting. Installation of fencing following removal of existing fence and repairs to stone boundary wall to the rear of property. (Support).

9.15 23/00046/FUL - 24 Dartmouth Walk

Erection of 1no. two bedroom dwelling attached to existing. (Object).

10. APPEAL NOTICE

10.1 Appeal Ref: 23/00006/RF

Application Ref: 21/04795/FUL Former Garden Centre, Whitegate Nurseries, Stockwood Hill (Copy attached)

Conversion of existing 4 buildings to form 6 dwellings, with associated parking and internal access road.

RECOMMENDED

(i) To receive and note the Appeal.

- (ii) *To decide whether to send any additional comments to Planning Inspectorate by 17th March 2023.*

11. APPEAL DECISION

- 11.1 Appeal Ref: APP/F0114/D/22/3297834 - Ashfield, Stockwood Vale, Keynsham, BS31 2AP (Copy attached)

RECOMMENDED

To receive and note that the Appeal is dismissed.

- 11.2 Appeal Ref: APP/F0114/D/22/3303760 – 6 Summerleaze, Keynsham, BS31 2BZ (Copy attached)

RECOMMENDED

To receive and note that the Appeal is dismissed.

12. ITEMS FOR DECISION

- (i) **PROPOSED CHANGES TO THE RIGHTS OF WAY NETWORK IN KEYNSHAM - CREATION OF PUBLIC BRIDLEWAY AT ABBOTS WOOD, KEYNSHAM – (Plan attached)**

We have received notification of consultation from B&NES Council on a proposal to create a Public Bridleway at Abbots Wood, Keynsham, starting at grid reference ST 6448 6733, post code BS31 1FR. The general effect of the proposal is shown on the attached plan, shown as a black dotted line. The line of the public bridleway would run from a junction with Skylark Drive at grid reference ST 6448 6733 (point A on the plan) in a generally easterly direction for approximately 266 metres to a junction with Public Footpath BA27/15 at grid reference ST 6474 6732 (point B) continuing in a generally easterly direction for approximately 94 metres to a junction with Abbotswood Close at grid reference ST 6482 6735 (point D).

The changes would be achieved by way of a creation order made under section 26 of the Highways Act 1980. It is proposed that the new path would be created with a tarmac surface for a width of 3 metres and with limitations of bollards at point A and point C. The bridleway is intended to provide a convenient and enjoyable route for cyclists, riders and pedestrians.

If you have any comments regarding the above proposals, please send them to **Public Rights of Way, Lewis House, Manvers Street, Bath, BA1 1JG** or by email to prow@bathnes.gov.uk no later than **10th March 2023**. If you wish to discuss the proposal please phone 01225 394161.

RECOMMENDED:

That Keynsham Town Council consider the above and respond.

**(ii) 23/P/0176/AOC BRISTOL AIRPORT REQUEST TO DISCHARGE
CONDITION NUMBER 5 (COMPLIANCE WITH TOTAL PASSENGER
NUMBERS NOT EXCEEDING 12 MILLION PER ANNUM) ON
APPLICATION 18/P/5118/OUT. (PCAA Response attached)**

An email has been received from the Parish Councils Airport Association dated 1st February 2022 updating the above planning application as follows:

"It is an application for approval of details of the means of controlling passenger numbers to ensure they would not exceed 12 million passengers per annum, provided permission for expansion is upheld following the High Court Challenge.

The application merely says, in a nutshell, that this will be done through a company, Airport Co-ordination Limited (ACL), an independent slot co-ordination company which co-ordinates flights for 72 airports across the globe. ACL co-ordinates slots for all UK airports and currently manages the slots for the night-time operations at Bristol Airport (BA) during the summer season.

In simple terms a 'slot' is the permission given by an airport co-ordinator for an aircraft to arrive or depart at a specific airport at a specified time on a specified day. The application explains in some detail how the numbers of passengers are assessed based on the number of flights arriving or departing, by assigning an average passenger number to the number of flights for each type of aircraft and by cross-checking these with actual numbers following each flight. Constraints, including the 12mppa cap, the 85,900 cap on air traffic movements, the maximum number of night flights and the physical capacity of the terminal building are also taken into account. The slot process is reviewed twice over a 12-month period so that assumptions can be compared against reality. Where necessary adjustments can be made to the constraints process for the following season. Annual passenger numbers are reported to the local planning authority through the airport's Annual Monitoring Report, providing an added level of scrutiny.

In the event of any breaches ACL can impose sanctions including official written warnings, financial sanctions (£20,000 on each instance of slot misuse by a carrier) and withdrawal of slots.

In February 2020 the Dept for Transport (DfT) conducted a consultation in respect of whether BA should be designated as a "fully co-ordinated airport", following publication of a report titled 'Demand and Capacity Assessment 2019' by Mott MacDonald. (BA is currently a partially co-ordinated airport during the summer months.) Whilst acknowledging that it was not a named consultee the PCAA nevertheless sent a response objecting to BA's proposed designation as a fully co-ordinated airport during all hours of both summer and winter seasons with effect from Winter 2020/21. It argued the Mott MacDonald report, and thus the consultation, was based on the assumption that the current capacity level had been changed by

planning application ref 18/P/5118/OUT submitted to NSC which proposed a throughput of 12mppa. However, this application was refused by NSC on 10 February 2020, meaning that current capacity at the time remained at 10mppa (the current maximum permitted).

*The situation has now changed in that NSC's decision to refuse permission to expand passenger throughput at the airport to 12mppa was overturned at appeal in February 2022. Whilst this decision has been challenged in the High Court (result still awaited) application **2023/P/0176/AOC** is seeking approval of one of the conditions attached to it. If the High Court appeal is successful the application to expand the passenger throughput will have been refused; if unsuccessful the passenger numbers will be permitted in line with the figures in the report by Mott MacDonald and the reasons for the PCAA's objection will have been removed.*

It is assumed that the application by DfT has been held in limbo pending a final decision on whether the airport is permitted to expand or not. If the former (expansion permitted) it is possible the PCAA may still wish to object to BA becoming fully co-ordinated, but if so it will need to provide an alternative reason".

RECOMMENDED:

That Keynsham Town Council reiterate the objections of the PCAA.

(iii) PCAA SUPPORTING BRISTOL AIRPORT ACTION NETWORK (BAAN) IN THE APPEAL COURT (Letter attached)

BAAN lost the Judicial Review in the High Court to prevent Bristol Airport expanding to 12mppa. BAAN now intends to apply to the Court of Appeal to overturn the decision of the High Court.

The PCAA were unable to be a partner with BAAN in the Judicial Review as we had used up all our resources in the previous challenge to the Inspectors.

It is important to note that it will be impossible for North Somerset Council to become carbon neutral if expansion of the airport to 12mppa is allowed. It is also impossible to predict the outcome of the Appeal BUT the PCCA believe that it is very important that Parish and Town Councils and their communities fully support BAAN both practically and financially.

The PCAA are now working closely with and fully supporting BAAN in taking Bristol Airport to the Appeal Court.

RECOMMENDED:

- (i) *That the Planning and Development Committee consider the letter from the PCAA and make a recommendation to full council in respect of their request.***

(iv) KEYNSHAM TOWN COUNCIL LOCAL GREEN SPACE/AREA OF GREAT LANDSCAPE VALUE DRAFT DOCUMENT (ATTACHED)

RECOMMENDED:

- (i) *To receive the attached document.*
- (ii) *That the Planning and Development Committee consider whether the document requires any amendments.*
- (iii) *That the Planning and Development Committee recommend to full Council that the document be sent to B&NES Council and shared with Saltford Parish Council.*

13. ITEM FOR INFORMATION

BRISTOL AIRPORT EXPANSION HEARING CASE NO. CO/928/2022

The Hearing heard before Mr Justice Lane

CONCLUSION

This judicial review is dismissed.

“By way of postscript, I should make clear that nothing in this judgment is to be taken as contradicting what is said in its opening paragraph, regarding the significance of climate change and GHGs. As will by now be apparent, the main issue in this case is not whether emissions from any additional aircraft using Bristol Airport should be ignored. Plainly, they should not. Rather, it is about how and by whom those emissions should be addressed.

Opening paragraph.

“Climate change, with its consequences for human and other life on this planet, is generally regarded as a matter of very great importance. In the same month in which this appeal was heard in Bristol, world leaders and other policy makers gathered in Sharm El-Sheik, Egypt for COP27, in order to discuss this matter. There is an international consensus on the need to achieve substantial reductions in CO2 emissions. The Intergovernmental Panel on Climate Change 2021 was widely reported.”

RECOMMENDED:

To receive and note the above.

14. LIST OF OUTSTANDING PLANNING APPLICATIONS (SEE PAGES 11-13).

15. DATE OF NEXT MEETING

RECOMMENDATION:

That the next scheduled meeting of this Committee will be held in the **Baptist Church, High Street, Keynsham on Monday 27th March 2023 at 7.30 p.m.**

PLANNING APPLICATIONS UNDETERMINED BY BATH & NORTH EAST SOMERSET COUNCIL FOR A PERIOD OF 8 WEEKS OR LONGER as of 30.01.2023.

NOTE: 8 WEEKS FOR MINOR APPLICATIONS AND 13 WEEKS FOR MAJOR APPLICATIONS

20/03152/FUL - Development site next to Somerdale Pavilion Trajectus Way

Erection of 44 no. Extra care units (Use Class C2) and ancillary works including landscaping.

Update requested from Chris Griggs-Trevarthen (case officer) on 05.01.2021.

Update requested from case officer on 19.01.2021.

Update from the case officer received on 25th January 2021 – B&NES have just received some revised plans which are available to view on the website.

Update requested from the case officer Chris Griggs-Trevarthen on 06.05.2021.

10.08.2021 – Target decision date – 07/05/2021 – update requested from Case Officer. The Case officer is awaiting some further landscape information from the applicant. He is hoping this will be received soon. He hopes to be in a position to make a recommendation by the end of the month.

08.10.2021 Email received stating that this application will be heard by the B&NES Planning Committee on 20th October 2021.

18.01.2022 – Full B&NES Committee Report dated 13.10.2021 Case officer contact regarded the decision. The case officer has reported that there was a committee resolution to approve, but B&NES are still negotiating the s106 agreement which will need to be signed before any planning permission is issued.

Update requested from the case officer on 16.05.2021.

04.07.22 – Emailed case officer, Christopher Griggs-Trevarthen, for an update.

18.07.22 - This application is subject to protracted s106 negotiations which are ongoing.

However, I am hopeful that they are nearing completion and that we should be able to issue the permission within the next couple of months.

27.02.23 – Requested update from Case Officer, update received “The protracted s106 negotiations continue on this application. The Council’s current focus is ensuring the ongoing affordability of the proposed affordable units within the development. I am hopeful that this is the last remaining issue and that the planning permission can finally be issued in the next couple of months.”

21/02343/VAR - Taylor Wimpey Residential Development Parcel 4200 Park Road

Variation of condition 9 of application 12/03589/VAR (Variation of conditions 15, 16, 17 and 18 of application 09/04351/FUL allowed on appeal 22nd July 2011 (Hybrid planning application for a housing led mixed use development comprising 285 dwellings, retail accommodation, flexible business/employment floor space, affordable housing, formation of new vehicular, pedestrian and cycle accesses, pedestrian and cycle improvements to Parkhouse Lane, formal and informal public open space including junior playing pitch and associated changing rooms and parking facilities, together with landscaping and tree planting and ancillary works including drainage (Full Application) and extension to Castle Primary School (Outline Application, All Matters Reserved)) to enable highway works on Park Road to commence prior to the

completion of the further contaminated land investigations which will be undertaken upon demolition of buildings on the site). (Object)

10.08.2021 – Target decision date – 13.08.2021 – Case Officer Dominic Battrick.

18.01.2022 Update requested from case officer Dominic Battrick. The case officer has reported that this application is still being assessed and discussed with the Lead Local Flood Authority.

07.12.2022 Requested update from case officer

12.12.2022 Response from Case Officer “I am awaiting further engagement from the applicant in respect of a deed of variation which is necessary to tie any new planning permission to the legal agreement from the original planning permission.”

27.02.232 – Requested update from Case officer, update received : “We have just received some new information for the application confirming cleaning and testing works for the boreholes have taken place and this information is being reviewed by the drainage team. I am hopeful this means that we can bring the application to a close soon.”

21/05471/OUT - Parcel 5159 Minsmere Road

Outline planning application for 70 homes (Use Class C3); new vehicular and pedestrian access out to Minsmere Road, public open space; tree planting and habitat creation; site drainage and associated infrastructure, with all matters reserved except for access.

04/7/22 – Emailed Case Officer, Chris Griggs-Trevarthen, for update

18/07/22 - The application is still under review by the Council. Further information has been requested from the applicant relating to the parameter plans, open space provision, connections to adjacent sites and other matters.

05/10/22 - Application has been referred to the chair/vice chair of the planning committee. They have determined that the application should be decided by the planning committee and not delegated to officers, meeting will be 19th October 2022

04/11/22 – Gone to BANES Planning Committee on 16th November

27/02/23 – Requested Update from Case Officer, update received “We are in the process of drafting the s106 agreement to secure the heads of terms set out in the committee report. These things can either move reasonably quickly or take a bit of time, so it is difficult to say how long it will be until the agreement is completed and the planning permission can be issued.”

22/03767/FUL Chopperpod Cottage Lays Farm, Trading Estate

Conversion of garage to 2 bed dwelling (Object)

Extension to 31st March has been agreed

22/04597/COND Ministry Of Defence Storage And Distribution Centre Pixash Lane

Discharge of conditions 13, 14 and 28 of application 22/02206/VAR (Variation of conditions 2, 3, 4, 7, 23, 24, 29, 33 and 37 and deletion of conditions 15 and 16 of application 21/00435/ERE03 (Redevelopment and consolidation of existing depot site and adjacent land with associated staff parking and access and landscaping works to include the provision of the following: (i) a public re-use and recycling centre (RRC); (ii) material recovery facility (MRF); (iii) waste transfer station (WTS); (iv) Trader (bulky waste); Trade Waste Transfer Station (TWTS); (v) vehicle fleet storage and maintenance; (vi) MOT centre (public); (vii) BANES Parks and Grounds maintenance storage; (viii) BANES Highways winter service and salt store; and ancillary offices).). (Support)

27/02 – Emailed Case Officer for update

22/04670/REG03 22 Temple Street

General repairs and replacement windows and downpipes to the first floor street elevation of no.20-30 Temple Street. Refurbishment of shopfronts at no.20 and no.22 Temple Street. (Support)

27/02 – Emailed Case Officer for update; Update received – application will be going to Planning Committee on 8th March.

21/04809/FUL The Old Bank, 20 High Street

Erection of wooden fencing to rear (retrospective) (Support)

27/02 – Emailed Case Officer for update