

# BANES Local Plan Partial Update

Regulation 19 Consultation

Former Paulton Printworks,  
SSV22

Prepared by Black Box Planning  
on behalf of *Purnell Property Partnership*



## Contents

1.Introduction	3
2.District-Wide Strategy and Policies	6
3.Somer Valley	9
4.Summary	13

**Figure 1** – Former Paulton Printworks – Local Plan Partial Update - Policy SSV22 - Diagram 29A

## 1. Introduction

- 1.1. These representations to the Bath and North East Somerset (BANES) Local Plan (Core Strategy and Placemaking Plan) Partial Update Submission Version Regulation 19 consultation (August 2021 – October 2021) have been prepared by Black Box Planning on behalf of Purnell Property Partnership.
- 1.2. Purnell Property Partnership (PPP) is the developer of the former Purnell Printworks site at Paulton which obtained outline planning permission in 2010 for mixed-use redevelopment and was subsequently delivered by Bovis Homes in the years that followed. PPP remain the landowner of land parcels 1 through 5 (LP1-LP5) as denoted in draft Policy SSV22: Former Paulton Printworks.

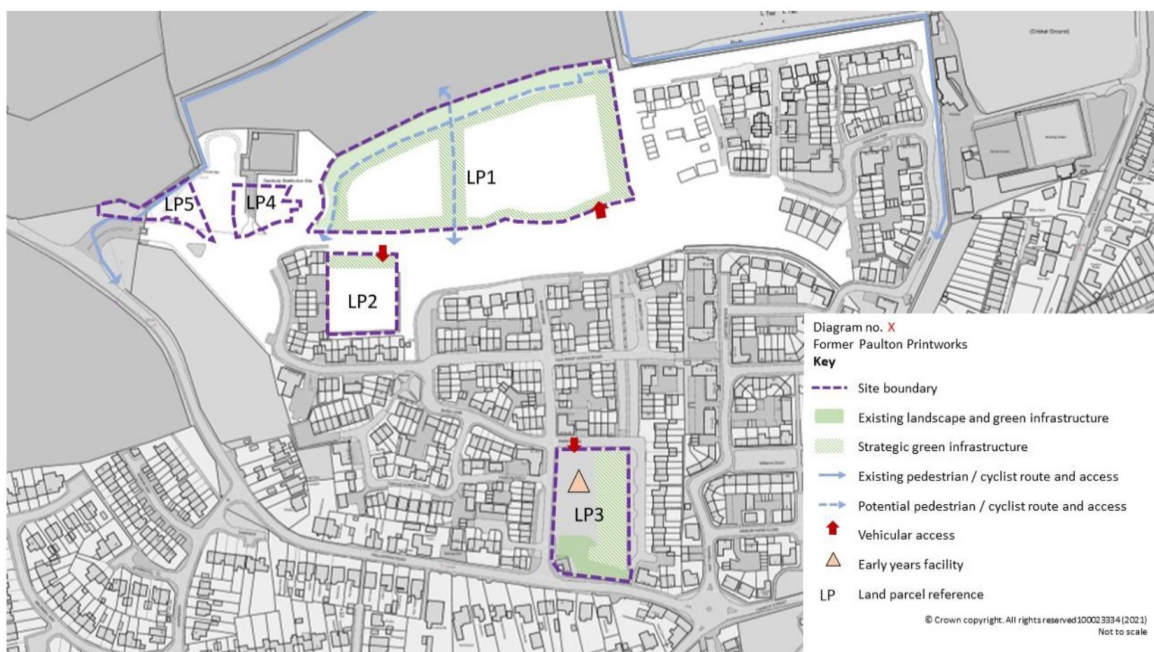


Figure 1 - Former Paulton Printworks – Local Plan Partial Update - Policy SSV22 - Diagram 29A

- 1.3. In response to the LPPU consultation, the sites represent logical, suitable, and deliverable opportunities for development to deliver a mix of uses, including residential and much needed affordable housing in the local area.
- 1.4. The sites align with the District-Wide spatial strategy set out at Policy DW1 of the Core Strategy which focuses new housing, jobs and community facilities in Bath, Keynsham and the Somer Valley and prioritises the use of brownfield opportunities for new development.

- 1.5. The sites are not constrained by any national or local protective land-use planning designations, such as Green Belt or for any landscape or ecological reasons, such as Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest or Special Areas of Conservation. The sites are located within Flood Risk Zone 1, being the lowest probability of flood risk.
  
- 1.6. Purnell Property Partnership generally support the Council's commitment to partially reviewing the Local Plan as it provides the opportunity to holistically consider which elements of the current Development Plan are delivering as intended and which parts require further intervention, as required by Policy DW1.
  
- 1.7. These representations are made in respect of the legal compliance and soundness of the LPPU, being whether the plan has been prepared in accordance with all legal and procedural requirements and whether the plan meets the prescribed tests of soundness as set out within the National Planning Policy Framework (NPPF).
  
- 1.8. NPPF Paragraph 16 considers that plans should:
  - (a) Be prepared with the objective of contributing to the achievement of sustainable development;
  
  - (b) Be prepared positively, in a way that is aspirational but deliverable;
  
  - (c) Be shaped by early, proportionate, and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
  
  - (d) Contain policies that are clearly written and unambiguous, so it is evident how a decision-maker should react to development proposals;
  
  - (e) Be accessible through the use of digital tools to assist public involvement and policy presentation; and
  
  - (f) Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies within the Framework, where relevant).

**1.9.** NPPF Paragraph sets out the tests of soundness at Paragraph 35 as follows:

- (a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- (b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- (c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- (d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with policies within the Framework.

---

## **2. District-Wide Strategy and Policies**

---

### **Vision and District-Wide Strategy**

- 2.1** The LPPU, as a means for reviewing the Core Strategy and Placemaking Plan, is supported in principle. As is the intention to undertake an immediate full review alongside the West of England Combined Authority (WECA) Spatial Development Strategy (SDS) scheduled for 2023. However, it is considered that the LPPU does not go far enough in terms of remit.
- 2.2** It is recommended that an enhanced permissive approach is adopted with regard enabling further housing sites to come forward in sustainable locations and settlements in the Somer Valley, such as Paulton. The current permissive strategy set out by Policy SV1, RA1, RA2 and rural exceptions policy RA4 has failed to deliver the quantum of housing expected in some sustainable settlements due to delayed or non-existent neighbourhood plans.
- 2.3** Instead of corrective action in the settlements where delivery has not materialised, the LPPU has sought to replenish the housing supply elsewhere in order that the Core Strategy housing requirement can be met and the necessary supply of housing land maintained across the District. This means that some settlements will not realise their growth potential.
- 2.4** The policy situation has caused a cumulative deficit of affordable housing delivery to build since the start of the plan period in 2011, which should have given cause to a review of the planning policy mechanisms responsible for enabling and boosting delivery of affordable housing.
- 2.5** The funding mechanisms for affordable housing delivery have altered somewhat in recent years with Homes England grant funding seeking 'additionality' as a pre-requisite. The usual rural exceptions approach under Policy RA4 is therefore not currently fit for purpose as it does not enable additionality to be secured.
- 2.6** Without an adapted permissive policy approach for housing (and affordable housing) within BANES, the LPPU is not **positively prepared** as it does not provide a strategy which, as a minimum, seeks to meet

the area's objectively assessed needs. It also will not be **effective** as it will not be deliverable over the plan period, as evidenced by affordable housing delivery within the first part of the plan period 2011-2021.

- 2.7** It is suggested that Paragraph 56a and Table 1C, in seeking to apportion a neighbourhood housing requirement for the designated neighbourhood areas, implies that it is for the neighbourhood plans of these respective areas to plan for this number of homes. In fact, the allocations are already made through the Placemaking Plan and the LPPU allocations. This matter could be made clearer in this section.

**Policy SCR6- Sustainable Construction Policy, SCR 7 – Sustainable Construction Policy for New Build Non-Residential, SCR 8 – Embodied Carbon**

- 2.8** The introduction of Embodied Carbon Assessments is laudable but should be reserved for significant projects of a certain scale. As mentioned in the previous consultation, the draft London Plan requires a Whole Life Cycle Carbon Assessment for developments of over 150 dwellings. It is noted that the threshold set out in the LPPU is for large scale new build developments (50 dwellings or a minimum of 5,000m<sup>2</sup> of commercial floor space), however this threshold appears to be arbitrary and not **justified**. If the Council were to consider introducing the requirement for Embodied Carbon Assessments, then they would need to ensure that they have the in-house expertise with which to appropriately consider the submission.

**Policy SCR9 – Electric Vehicles Charging Infrastructure**

- 2.9** It is noted that the policy suggests that all dwellings with one more dedicated parking space or garage must provide access to electric vehicle charging infrastructure. The draft Transport & Development Supplementary Planning Document (SPD) suggests that the standard should be 1 no. active charging provision per dwelling and passive provision for any further spaces. This is an ambitious target and not reflective of the currently low take up volume of electric vehicles and barriers to ownership, the policy is therefore not **justified**. The provision of 100% passive provision with a reduced target for active

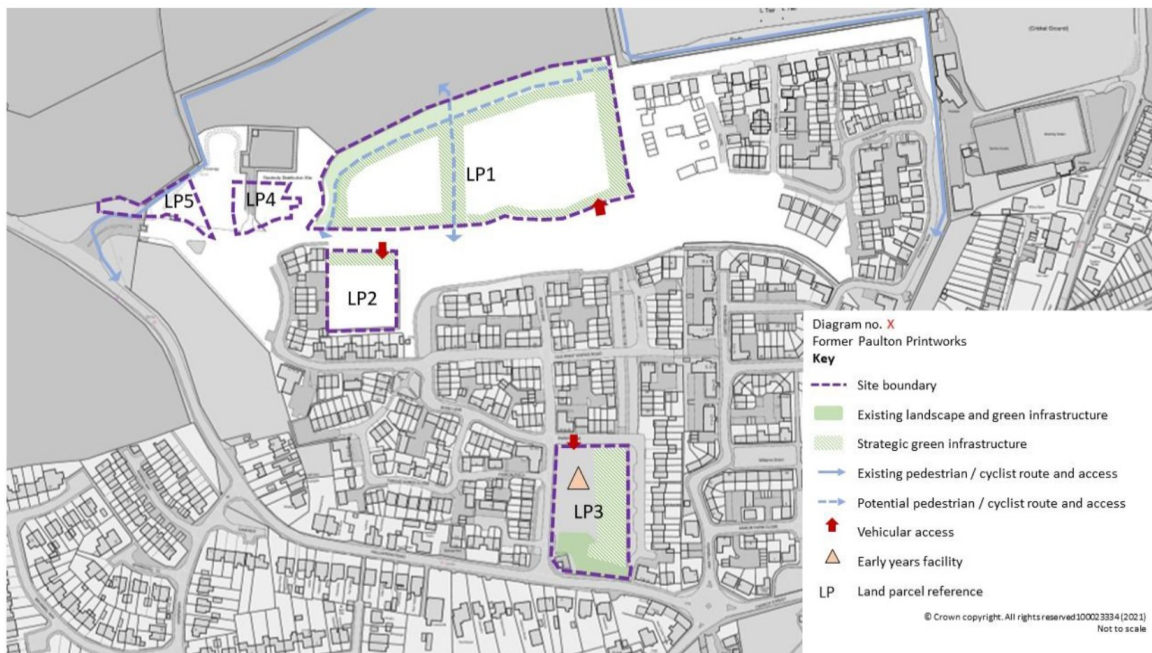
charging provision, would be far more effective use of resource and help to guard against such a requirement affecting development viability.

- 2.10** It is considered that a 100% active charging requirement could be unviable for many schemes from a cost and, importantly, power capacity perspective and could be disproportionate at this time as relatively low levels of EV ownership would mean that many charging points will simply be left unused. Provision of passive charging (alternatively the means with which to install active charging) both on-plot and on-street in new lighting columns is far more appropriate in this regard and ensures adaptability into the future. Few would dispute the direction of EV charging infrastructure and the increase in demand for it in due course, but this also needs to be proportionately balanced with other development priorities in the short to medium term. It is therefore considered that future proofing, rather than immediate installation is the key issue to consider as a matter of policy, to enable future installation in response to demand.



### 3. Somer Valley

3.1 Purnell Property Partnership (PPP) is the developer of the former Purnell Printworks site at Paulton which obtained outline planning permission in 2010 for mixed-use redevelopment and was subsequently delivered by Bovis Homes in the years that followed. PPP remain the landowner of land parcels 1 through 5 (LP1-LP5) as denoted in draft *Policy SSV22: Former Paulton Printworks*.



3.2 The various land parcels are being progressed accordingly pursuant to the land uses identified within the emerging policy. A pre-application enquiry was held earlier this year in respect of LP1 for 73 no. homes to be delivered by Equans and LiveWest. The Homes England grant funding available to the scheme enables an increased provision of affordable housing from policy compliant 30% provision up to 100%. The delivery of additionality in affordable housing provision (the difference between 30% and 100%) needs to comply with the conditions of using grant funding stipulated by Homes England and this will need to be reflected in the provisions of any legal agreement. Overall, the scheme responds to identified affordable housing needs and a shortfall in delivery within Paulton and across the District.

### **Key Development Sites**

- 3.3** PPP support the identification of key sites being allocated for development to help deliver the strategy for Midsomer Norton and the other settlements in the Somer Valley noted as at Paragraph 44a.
- 3.4** The provision of a concept plan for each site allocated for development is helpful in confirming the expectations of the Council with respect delivery of the allocated uses. However, the concept plans are not underpinned by a detailed consideration of the sites at hand and therefore compromise the deliverability of the allocations for the intended uses and in the manner expected by the Council. The unintended consequence of the concept plan is that the policy is not appropriately **justified** as it is not based entirely on proportionate evidence. The specific detailed matters at hand are discussed in further detail below.

### **SSV22 Former Paulton Printworks**

- 3.5** Draft Policy SSV22 (Paragraph 1) suggests a quantum of around 80 new homes across land parcels 1 and 2, PPP support this provision and recommend that this is an appropriate approximate scale of development for the land parcels in question and an appropriate re-allocation of the land in accordance with national policy and guidance on the subject.
- 3.6** Draft Policy SSV22 (Paragraph 1) also makes provision for the delivery of an early years facility on land parcel 3 to meet the existing deficit in the area. PPP fully intend to deliver the early years facility in accordance with the Section 106 planning obligation associated with the outline planning permission. The provisions of the existing permission and associated s106 is an entirely appropriate mechanism to deliver the nursery and whilst there is no objection to referencing its delivery in the allocation, the delivery of much needed affordable homes should not be contingent on it. This duplicates, unnecessarily, levels of planning control which could impact on deliverability.

- 3.7** Draft Policy SSV22 (Paragraph 4) recommends the retention of existing green infrastructure and habitats along the northern boundary of land parcel 1 and the southern boundary of land parcel 3, including all trees, hedgerows and planting. PPP intend to retain this green infrastructure and the appropriate 10m offsets within the schemes to be delivered.
- 3.8** Draft Policy SSV22 (Paragraph 5 and 6) suggests the provision of rows of large growing trees fronting Oxleaze Way on land parcels 1 and 2, with houses sufficiently set back to allow for future tree growth, and strong street tree infrastructure throughout the land parcels, including large growing species with room for future growth. Unfortunately, this will prove difficult to achieve as intended. A reasonable scheme of street tree planting will be possible as per the Bovis schemes, however the planting of large tree species will be inappropriate in the residential context due to ground influence and landscape maintenance. These sorts of circumstances with planting large trees often cause many issues with NHBC certification.
- 3.9** Draft Policy SSV22 (Paragraph 7) suggests the provision of a central north to south green infrastructure link within land parcel 1, with a minimum width of 20m. The inclusion of a north-south link within land parcel 1 to improve pedestrian connections through to Oxleaze Meadow is supported and was presented as such within the Equans and LiveWest pre-application enquiry scheme.
- 3.10** However, the provision of a 20m wide link is not justified. A circa 12m wide link was presented within the pre-app scheme and was well received with no objections raised in design terms. Incidentally, the 2008 Design Code for the outline planning permission did not specify a minimum width for this connection. Ultimately, in this location, the imposition of a 20m wide link will result in the loss of much needed affordable homes from the scheme.
- 3.11** On the whole, PPP fully support the re-allocation of the land parcels in question, in accordance with national policy and guidance on the matter. However, without a full detailed consideration of the sites at hand, some of the design criteria contained within the draft policy have the unintended consequence of compromising deliverability of the schemes for the intended uses and in the



manner expected by the Council. PPP look forward to engaging further with the Council to determine how to best re-word the policy to fully support development on the sites.

## 4. Summary

---

- 4.1** These representations to the Bath and North East Somerset (BANES) Local Plan (Core Strategy and Placemaking Plan) Partial Update Submission Version Regulation 19 consultation (August 2021 – October 2021) have been prepared by Black Box Planning on behalf of Purnell Property Partnership.
- 4.2** Purnell Property Partnership (PPP) is the developer of the former Purnell Printworks site at Paulton which obtained outline planning permission in 2010 for mixed-use redevelopment and was subsequently delivered by Bovis Homes in the years that followed. PPP remain the landowner of land parcels 1 through 5 (LP1-LP5) as denoted in draft Policy SSV22: Former Paulton Printworks.
- 4.3** In response to the LPPU consultation, the sites represent logical, suitable, and deliverable opportunities for development to deliver a mix of uses, including residential and much needed affordable housing in the local area.
- 4.4** The sites align with the District-Wide spatial strategy set out at Policy DW1 of the Core Strategy which focuses new housing, jobs and community facilities in Bath, Keynsham and the Somer Valley and prioritises the use of brownfield opportunities for new development.
- 4.5** On the whole, PPP fully support the re-allocation of the land parcels in question, in accordance with national policy and guidance on the matter. However, without a full detailed consideration of the sites at hand, some of the design criteria contained within Draft Policy SSV22 have the unintended consequence of compromising deliverability of the schemes for the intended uses and in the manner expected by the Council. PPP look forward to engaging further with the Council to determine how to best re-word the policy to fully support development on the sites.