

**BATH AND NORTH EAST SOMERSET COUNCIL**  
**PLANNING COMMITTEE**  
**6th April 2022**  
**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	21/05683/FUL	
<b>Site Location:</b>	Bromley Mount, Bromley Road, Stanton Drew, Bristol	
<b>Ward:</b> Chew Valley	<b>Parish:</b> Stanton Drew	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 1no. 4bed dwellinghouse	
<b>Constraints:</b>	Bristol Airport Safeguarding, Agricultural Land Classification, Coal - Standing Advice Area, Coal - Referral Area, Contaminated Land, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy M1 Minerals Safeguarding Area, Policy PCS6 Unstable Land-Coal Mining Le, All Public Rights of Way Records, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Mr Kelston Stark	
<b>Expiry Date:</b>	8th April 2022	
<b>Case Officer:</b>	Christopher Masters	

**DECISION REFUSE**

1 The proposed dwelling occupies a Green Belt location and would be materially larger than the one which it replaces. It is therefore, by definition, inappropriate development which is harmful to the Green Belt. The purported Very Special Circumstances put forward are not considered to outweigh this harm and, therefore, the proposed development is contrary to Policy CP8 of the Bath and North East Somerset Council Core Strategy (2014), Policy GB1 of the Bath and North East Somerset Council Placemaking Plan (2017) and Part 13 of the National Planning Policy Framework (2021).

**PLANS LIST:**

This decision relates to the following plans:

All received 23rd December 2021

- 100D EXTANT SITE PLAN
- 101B EXTANT GROUND FLOOR PLAN
- 102B EXTANT FIRST FLOOR PLAN
- 103D EXTANT ELEVATIONS AND SECTION
- KS-01 EXISTING FLOOR PLANS
- KS-02 EXISTING ELEVATIONS
- S6076 2001A PROPOSED SITE BLOCK PLAN AND LOCATION PLAN
- S6076 2002A PROPOSED GOUND FLOOR PLAN

S6076 2003A PROPOSED FIRST FLOOR PLAN  
S6076 2004A ELEVATIONS AND ROOF PLAN  
S6076 2005A PROPOSED SECTIONS  
S6076/002A TOPOGRAPHICAL SURVEY

### **Community Infrastructure Levy**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all relevant planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website [www.bathnes.gov.uk/cil](http://www.bathnes.gov.uk/cil)

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

<b>Item No:</b>	02
<b>Application No:</b>	22/00380/FUL
<b>Site Location:</b>	King Edwards School, North Road, Bathwick, Bath
<b>Ward:</b> Bathwick	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Replacement of the building's east facade with new curtain walling.
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, Policy LCR5 Safeguarded existg sport & R, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr T Davies
<b>Expiry Date:</b>	11th April 2022
<b>Case Officer:</b>	Isabel Daone

## DECISION PERMIT

### 1 Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission.

### 2 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

## PLANS LIST:

This decision relates to the following plans:

- 26 Jan 2022 2160 AL(0)03 Q BLOCK EXISTING LOWER GROUND FLOOR PLAN
- 26 Jan 2022 2160 AL(0)04 Q BLOCK EXISTING UPPER GROUND AND FIRST FLOOR PLAN
- 26 Jan 2022 2160 AL(0)06 Q BLOCK EXISTING EAST ELEVATION
- 26 Jan 2022 2160 AL(0)07 Q BLOCK PROPOSED EAST ELEVATION
- 28 Jan 2022 2160 AL(0)01 SITE LOCATION PLAN

## Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

### **Condition Categories**

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

**Compliance** - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

**Pre-commencement** - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

**Pre-occupation** - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

**Bespoke Trigger** - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit an application to Discharge Conditions and pay the relevant fee via the Planning Portal at [www.planningportal.co.uk](http://www.planningportal.co.uk) or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

### **Community Infrastructure Levy - General Note for all Development**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL may apply to new developments granted by way of planning permission as well as by general consent (permitted development) and may apply to change of use permissions and certain extensions. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council **before any development commences**.

**Do not commence development** until you have been notified in writing by the Council that you have complied with CIL; failure to comply with the regulations can result in surcharges, interest and additional payments being added and will result in the forfeiture of any instalment payment periods and other reliefs which may have been granted.

### **Community Infrastructure Levy - Exemptions and Reliefs Claims**

The CIL regulations are non-discretionary in respect of exemption claims. If you are intending to claim a relief or exemption from CIL (such as a "self-build relief") it is

important that you understand and follow the correct procedure **before** commencing **any** development on site. You must apply for any relief and have it approved in writing by the Council then notify the Council of the intended start date **before** you start work on site. Once development has commenced you will be unable to claim any reliefs retrospectively and CIL will become payable in full along with any surcharges and mandatory interest charges. If you commence development after making an exemption or relief claim but before the claim is approved, the claim will be forfeited and cannot be reinstated.

Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: [www.bathnes.gov.uk/cil](http://www.bathnes.gov.uk/cil). If you have any queries about CIL please email [cil@BATHNES.GOV.UK](mailto:cil@BATHNES.GOV.UK)

### **Responding to Climate Change (Informative):**

The council is committed to responding to climate change. You are advised to consider sustainable construction when undertaking the approved development and consider using measures aimed at minimising carbon emissions and impacts on climate change.

<b>Item No:</b>	03	
<b>Application No:</b>	22/00294/FUL	
<b>Site Location:</b>	Durley Grange, Durley Lane, Keynsham, Bristol	
<b>Ward:</b> Keynsham North	<b>Parish:</b> Keynsham Town Council	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a new outbuilding to an existing dwelling, incorporating an existing garage with new garden room and garden equipment storage space (Resubmission).	
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy M1 Minerals Safeguarding Area, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodrome, Tree Preservation Order,	
<b>Applicant:</b>	Dr Peter Roberts	
<b>Expiry Date:</b>	11th April 2022	
<b>Case Officer:</b>	Isabel Daone	

**DECISION**    Defer for site visit

<b>Item No:</b>	04
<b>Application No:</b>	22/00598/TCA
<b>Site Location:</b>	Audley House, Park Gardens, Lower Weston, Bath
<b>Ward:</b> Weston	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Tree Works Notification in Con Area
<b>Proposal:</b>	Cypress - Remove Cherry - Remove Cedar x2 - Remove broken limbs
<b>Constraints:</b>	Conservation Area,
<b>Applicant:</b>	Mrs Hodge
<b>Expiry Date:</b>	23rd March 2022
<b>Case Officer:</b>	Jane Brewer

**DECISION** NO OBJECTION

**PLANS LIST:**

Cypress - Remove  
Cherry - Remove  
Cedar x2 - Remove broken limbs

While this letter refers to planning controls, your attention is drawn to the Wildlife and Countryside Act 1981 as amended and the Countryside and Rights of Way Act 2000. Under these Acts all species of wild birds, their eggs, nests and chicks, are legally protected until the young have fledged. Tree work is best carried out outside the bird nesting season, which typically extends from March until September, although it may begin earlier than this. If work must be carried out within the bird nesting season, a qualified ecological consultant should carry out a detailed inspection to ensure that birds are not nesting in the trees that you are proposing to work on. If nesting birds are present the work must not proceed.

All bats in England are protected under the Wildlife and Countryside Act 1981 as amended and the Conservation of Habitats and Species Regulations 2010. It is an offence to kill, injure or take a bat, and damage, destroy or obstruct access to any place that a bat uses for shelter or protection (including trees). This includes bat roosts whether bats are present or not. It is also illegal to disturb a bat whilst it is occupying a structure or place that it uses for shelter or protection.

Trees provide numerous benefits towards our health and wellbeing so replacement planting when trees are removed is vitally important, particularly in our urban environments. A comprehensive list of tree species for green infrastructure is available on line from the Trees and Design Action Group at <http://www.tdag.org.uk/>