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# Bath & North East Somerset Council

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## Improving People's Lives

### To: All Members of the Planning Committee

**Bath and North East Somerset Councillors:** Sue Craig (Chair), Sally Davis (Vice-Chair), Shelley Bromley, Paul Crossley, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Dr Eleanor Jackson, Hal MacFie and Brian Simmons

### Co-opted Voting Members:

Chief Executive and other appropriate officers  
Press and Public

Dear Member

**Planning Committee: Wednesday, 21st September, 2022**

Please find attached a **SUPPLEMENTARY AGENDA DESPATCH** of late papers which were not available at the time the agenda was published. Please treat these papers as part of the agenda.

Papers have been included for the following items:

- 8. MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE (Pages 3 - 6)**

Yours sincerely

Corrina Haskins  
for Chief Executive

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**Planning Committee**

**Date: 21<sup>st</sup> September 2022**

**OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN  
AGENDA**

**ITEMS FOR PLANNING PERMISSION**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
001	22/00687/REG03	Storage Yard Adjacent To Argyle Works Lower Bristol Road Westmoreland Bath Bath And North East Somerset BA2 3DB

There are a number of updates to this application. The first is an amendment to Condition 2 (Affordable Housing Scheme) following discussions with the Council's Legal Officer. This amended wording is to ensure that the condition does not conflict with the law surrounding Right To Buy. The amended wording is as follows:

**Affordable Housing Scheme (Pre-commencement)**

Prior to the commencement of the development hereby approved, an Affordable Housing Scheme to secure 100% affordable housing shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the following:

1. The affordable housing mix
2. The tenure of the affordable units
3. The allocation standards
4. The management standards

Unless purchased under Right to Buy or other legislative scheme that compels the sale of residential units to a person for uses other than affordable housing, each of the affordable housing units on the site shall be permanently retained as affordable housing in accordance with the submitted Affordable Housing Scheme and shall not be occupied otherwise than in accordance with that scheme.

Reason: To ensure that the affordable housing is retained on site in perpetuity in accordance with Policy CP9.

Should members feel it appropriate to determine the application in accordance with the officer's recommendation, the decision would need to be *delegate to permit* to enable officers to amend the wording of the condition before the decision is issued. The Agent has agreed to this condition.

Additionally, there is a typo in the paragraph relating to the Sustainable Construction Checklist paragraph which should read as follows:

*For minor new build development, a 19% reduction in CO2 emissions is required by sustainable construction. In this case the submitted SCC shows that a 58.5% CO2 emissions reduction has been achieved from energy efficiency and/or renewables. Therefore, the proposed development is compliant with policy CP2 in this instance.*

There is also an omission from the following paragraph which should read as follows:

*Policy LCR9 states that all residential development will be expected to incorporate opportunities for local food growing (e.g. border planting, window boxes, vertical planting, raised beds etc.), wherever possible. In this case, the building is a flatted development and opportunities for local food growing are limited. However, officers consider that there are opportunities for window boxes (particularly on those flats with Juliet Balconies) and some limited opportunity in the landscaped areas.*

**Item No.**  
02

**Application No.**  
22/01753/FUL

**Address**  
24 The Tynning  
Widcombe  
Bath  
BA2 6AL

Officers draw attention to the main agenda report and references to S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, where the report wording has been updated to read:

There is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the surrounding Conservation Area.

Additional formatting errors have been corrected to include reference to the Draft Widcombe and the Kennet and Avon Canal Character Appraisal when quoted, and to amend reference to Part 12 of the NPPF to correctly read as Part 16.

**Recommendation**

No change to the Officer recommendation.

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