

## PLANNING COMMITTEE

### Minutes of the Meeting held

Wednesday, 10th February, 2021, 11.00 am

**Councillors:** Matt McCabe (Chair), Sally Davis (Vice-Chair), Vic Clarke, Sue Craig, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Eleanor Jackson, Hal MacFie and Manda Rigby

#### 77 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence.

#### 78 DECLARATIONS OF INTEREST

Cllr Matt McCabe declared an interest in planning application no. 20/03255/FUL – Larkhall Sports Club, Charlcombe Lane, Bath. Cllr McCabe has a connection with a company (TrueSpeed) which was a potential competitor to the applicant. Cllr McCabe stated that he would not speak or vote on this application and that Cllr Sally Davis, Vice Chair, would take the chair for this item.

#### 79 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

#### 80 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

The Democratic Services Officer informed the meeting that there were a number of people wishing to make statements on planning applications and that they would be able to do so when these items were discussed.

#### 81 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 16 December 2020 were confirmed and signed as a correct record.

#### 82 MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered:

- A report by the Head of Planning on various planning applications.
- An update report by the Head of Planning on item 6 attached as *Appendix 1* to these minutes.

- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 2* to these minutes.

**RESOLVED** that in accordance with the delegated powers, the applications be determined as set out in the decisions list attached as *Appendix 3* to these minutes.

**Item No. 1**

**Application No. 20/04296/VAR**

**Site Location: Paglinch Farm, Access Road to Paglinch Farm, Shoscombe, Bath – Variation of condition 2 of application 06/03707/FUL (Alterations to garage to form 1 garage and self-contained holiday let unit).**

**Condition no. 2 Condition(s) removal**

**To enable lawful use of the building as a self-contained residential unit of accommodation.**

**Application is made to have the condition removed.**

The Case Officer reported on the application and his recommendation to permit.

The Case Officer then responded to questions as follows:

- The building has its own access and outside space, there are no concerns regarding parking. It was not felt that there would be an adverse impact on the amenity of existing or future occupiers or neighbouring properties.
- A precedent has been set by the removal, in 2019, of the same holiday let condition at Paglinch Farm, which immediately adjoins the application site.

Cllr Jackson then moved the officer recommendation to permit. This was seconded by Cllr MacFie.

Cllr Davis stated that the proposal would not impact on any of the other dwellings on the site.

The motion was put to the vote and it was **RESOLVED** unanimously to **PERMIT** the application subject to conditions as set out in the report.

**Item No. 2**

**Application No. 20/03162/FUL**

**Site Location: Camerton and Peasedown Croquet Club, Whitebrook Lane, Peasedown St John, Bath – To relocate the old buildings and install a new prefabricated building. Install a bio-digester wastewater treatment system and a rain collection system and secure permissions for low level advertising board on small sections of the perimeter fencing.**

The Case Officer reported on the application and his recommendation to refuse.

A member of the croquet club spoke in favour of the application.

Cllr Sarah Bevan, local ward member, spoke in favour of the application. She felt that it should be considered as a one-off, sui generis, application. She explained that although technically the building would be temporary, it was likely to remain in place for a long period of time. She did not feel that the building would detract from

the visual amenity of the site.

The Case Officer then responded to questions as follows:

- The Peasedown cricket ground is near to the site and has a permanent building in place. Members were advised to consider this application on its own merits.
- The site is an old landfill site.
- Although there are plans to recycle an existing building this is not considered to outweigh the harm that would be caused.
- The building to be relocated has not yet been refurbished but would have timber cladding and a false pitched roof with a clock tower. It would be larger than the existing structure. The form, materials and building are not considered to be appropriate in this location.
- Parking is currently located on the grassed area to the East of the building. There would be allocated spaces at the entrance to the building and to the North East of the clubhouse.

Councillor Hounsell stated that he considered this to be an upgrade to the existing building. He supported the recycling element of the application and felt that the new building would be more attractive. He felt that the Committee should support the development of sport and recreation. He moved that the Committee delegate to permit the application.

Councillor Jackson seconded the motion. She felt that the plans would conserve and enhance the area and would be an improvement on the current building. She noted that the club has 60 members and felt that it was important to encourage this open-air activity. The public health benefits would outweigh any potential harm.

Councillor Davis stated that the increase in the size of the building is quite substantial. However, she also felt that the advantages would outweigh any harm. She supported the recycling element and noted that the site is well screened.

Councillor Hodge stated that she felt the application would enhance the site and would not have a negative impact.

Chris Gomm, Team Manager, Development Management, stated that if members decided to permit the application some conditions would be required including model contaminated land conditions.

The motion was put to the vote and it was RESOLVED unanimously to DELEGATE TO PERMIT the application subject to conditions.

### **Item No. 3**

#### **Application No. 20/03391/FUL**

**Site Location: Little Pear Tree Cottage, Tadwick Lane, Tadwick, Bath –  
Redevelopment of previously developed garage site for an office, gym and  
annexe to be used in connection with Pear Tree Cottage.**

The Case Officer reported on the application and her recommendation to refuse.

The applicant spoke in favour of the application.

Cllr Kevin Guy, local ward member, spoke in favour of the application. He pointed out that neither ward councillors nor the highways officer had raised objections to the proposal. He stated that the building was not substantial and was a small garage conversion at the rear of a large working farm. He felt that the recommendation to refuse was down to an individual interpretation of the NPPF guidelines. The development would enable a young family to have a dedicated area where they could work from home.

Officers then responded to questions as follows:

- This is not an assessment purely of volume but is a visual and spatial assessment. The key issues outlined in the officer report relate to the visual impact on the greenbelt.
- There is a public right of way which runs along the access route to the property. The building would be visible from public viewpoints and the increase in height and mass can be seen from the public realm.
- The Legal Advisor explained that a S106 agreement could be put in place to tie the use of the studio to the main house if the relevant tests were met. He also summarised how any s106 agreement could be modified or discharged.
- There were no concerns of overlooking or infringement on the users of the adjacent farm.
- The property is located in a very small hamlet and there is no housing development boundary.
- A proposal was put forward in 2011 which received positive pre-application advice. However, no records are held for this proposal and previous pre-application advice is not binding.
- The Team Manager, Development Management, confirmed that a separate dwelling would not be supported in this location and any restrictions put in place to prevent this would be enforceable.

Cllr Hounsell expressed concerns regarding the size and extent of the proposal as it included a gym, meeting area and extensive studio. There would be some loss of views in this greenbelt location and it could set a precedent for the future development of outbuildings. He moved the officer recommendation to refuse.

Cllr Hodge seconded the motion and pointed out that the Parish Council had objected to the application.

Cllr Rigby stated that she felt that, although this was development in the greenbelt, the harm would be less than substantial. As permission is given to the building and not the person, she would favour delegating to permit the application with conditions and a S106 agreement.

Cllr Jackson noted that the building is tucked into clusters of buildings and only represented an increase of 20 cubic metres.

The Team Manager, Development Management, pointed out that the policy aims to protect the openness of the greenbelt. Openness is the absence of built form and this proposal would be visible from a number of vantage points.

Cllr Davis queried whether there was a need for a two-storey building. She felt that the principle of development was acceptable but that this proposal was too large.

The motion was put to the vote and it was RESOLVED by 5 votes in favour, 3 votes against and 2 abstentions to REFUSE the application for the reasons set out in the report.

#### **Item No. 4**

##### **Application No. 20/04365/PIP**

##### **Site Location: 113 Wellsway, Keynsham, BS31 1HZ – Permission in Principle Planning Application for the erection of one dwelling.**

The Case Officer reported on the application and her recommendation to permit. She explained that the scope of a permission in principle application is limited to location, land use and the amount of development. The detailed development proposals would be assessed at the technical details consent stage.

Officers then responded to questions as follows:

- The proposal was for the erection of one dwelling and it was confirmed that this could increase the value of the land.
- Adding an informative on any permission granted at this stage was not recommended.
- The detail and scale of the proposal would be considered at the second stage of the permission.
- The main access to the property is at the rear of the site.
- There would be one driveway serving the new property and the Highways Team would encourage the provision of on-plot turning facilities.

Cllr MacFie, local ward member, stated that Keynsham Town Council had expressed some concern regarding highway safety at the junction and he would not wish to see a vehicle reversing onto the busy road. He pointed out that the plot was on a hill and so any development would not obstruct the views of the property at the rear.

Cllr Hughes stated that he would prefer to see a detailed plan setting out a specific proposal for the site.

Cllr Davis felt that the committee should approve the application and address any concerns at the second stage when more detail would be submitted. She moved the officer recommendation to permit. This was seconded by Cllr Clarke.

The Team Manager, Development Management, explained that members could refuse the application if they felt that there were particular issues that would be impossible to resolve at the technical details consent stage.

Cllr Craig stated that it was difficult to consider the application without any details of the development, however, it was possible that the applicant could come forward at the second stage with an acceptable development.

Cllr MacFie stated that he would support the officer recommendation as, in principle,

the development is feasible.

The motion was put to the vote and it was RESOLVED by 9 votes in favour and 1 vote against to PERMIT the application.

**Item No. 5**

**Application No. 20/03714/LBA**

**Site Location: 1 Cambridge Place, Widcombe Hill, Widcombe, Bath – External alterations to install secondary glazing to existing windows, 2 on front elevation, 2 to side elevation and 2 to rear elevation.**

The Case Officer reported on the application and her recommendation to grant listed building consent.

Cllr Rigby stated that the proposal offered a good solution which would enhance both the environmental and visual impact of the building. She moved the officer recommendation to grant listed building consent. This was seconded by Cllr Jackson.

The motion was put to the vote and it was RESOLVED unanimously to grant listed building CONSENT subject to the conditions set out in the report.

*(Note: At this point Cllr Sally Davis, Vice Chair, took the chair as Cllr Matt McCabe had declared an interest in the following application).*

**Item No. 6**

**Application No. 20/03255/FUL**

**Site Location: Erection of a 20m high monopole supporting 3 antennas and 2 0.3mm dishes above the top of the pole, the installation of 1 equipment cabinet on new base and the installation of ancillary equipment.**

The Case Officer reported on the application and his recommendation to permit.

Three people spoke against the application.

The agent spoke in favour of the application.

The Case Officer then responded to questions as follows:

- The applicant has carried out the required consultation process, which included local schools. Alternative sites have also been considered as this is a requirement of the Placemaking Plan. However, sites that can provide the required coverage are limited.
- The applicant has provided the necessary ICNIRP Certificate of compliance and no further technical information is required.
- The installation of a new mast would provide an incentive for the existing temporary mast in Colliers Lane to be removed.
- Each application should be considered on its merits; however, the committee should be consistent in its decision making. Although, at its last meeting, the committee decided to refuse an application for the erection of a mast nearby, this is a different site and the monopole would be a different design and less

bulky than the previous application. The public benefits are considered to outweigh any harm as the mast will provide better connectivity and coverage.

- This mast must be taller than the existing one in Colliers Lane because it will provide for two operators and so would require more equipment.
- In the context of national policy this is the most suitable location for the mast and is not considered to be too intrusive. There is a balance to be struck between larger masts with more equipment or a greater number of smaller masts.
- The mast may be capable of being upgraded to 5G and there could be some permitted development rights depending on the amount of equipment required.

Cllr Rigby stated that this application was not the same as the one previously considered by the committee. The monopole would look and feel different as it would be less intrusive. It was also likely that the existing monopole in Colliers Lane would be removed if this application were permitted as this is a replacement activity. There is a need for improved connectivity. She then moved the officer recommendation to permit. This was seconded by Cllr Craig.

Cllr Hounsell supported this application as it would maintain services and enable greater equality of access to services, learning and employment. This was also important for small and medium businesses and for the rural economy. There are public benefits and no significant health risks. The mast would not be visually prominent as it has a slim design.

Cllr Jackson felt that the visual impact would not be too detrimental and supported the improvements the mast would bring.

Cllr Hughes expressed concerns about the height of the monopole.

Cllr Hodge queried whether the removal of the temporary mast in Colliers Lane could be added as a condition. She stated that, although this could benefit the community, there is no evidence that this particular community have requested better connectivity.

The Case Officer stated that adding a condition to require the removal of the existing mast was not considered to be necessary or appropriate in this case.

The motion was put to the vote and it was RESOLVED by 7 votes in favour and 2 votes against to PERMIT the application subject to the conditions set out in the report.

*(Note: Having declared an interest in the above application Cllr Matt McCabe did not speak or vote on this item).*

*(Note: At this point Cllr Matt McCabe resumed the Chair).*

## **Item No. 7**

### **Application No. 20/00023/FUL**

**Site Location: Plumb Centre, Locksbrook Road, Newbridge, Bath – The demolition of the former Plumb Centre and Genesis Lifestyle Centre and the**

**erection of a 3 storey (plus mezzanine) mixed use building for 1180m2 of B1c Light Industrial, 290m2 of D2 Assembly and Leisure and 72 student ensuite rooms in cluster flat. (Resubmission).**

The Case Officer reported on the application and his recommendation to delegate to permit. He explained that an appeal on this site has recently been allowed by the Planning Inspector. This provided a clear fallback position for the applicant which was a significant material consideration. The Case Officer recommended approval as he considered this application to be an improvement on the existing permission.

A representative of the applicant spoke in favour of the application.

Cllr Mark Roper, local ward member, spoke against the application. He highlighted parking difficulties in the area stating that there would be a net loss of parking spaces. He pointed out that it would be very likely that some students would bring their own cars which would create additional pressure on the availability of parking in this area.

The Case Officer then responded to questions as follows:

- Even though the previous application had been considered to be contrary to policy CP10, the applicant has permission for a similar development due to the appeal decision. The changes made to the original application are positive. The landscaping scheme has been improved and the number of student beds has been reduced.
- The Highways Team has reviewed the parking requirements and is satisfied that there will not be a detrimental impact. No parking provision is required for purpose-built student accommodation.
- The materials will consist of metal cladding and the details will be controlled by condition with samples to be submitted in advance. There is some scope for negotiation to provide a lighter finish for the metal cladding if required. There will be 76 cycle spaces in line with the required standards.
- The proposal includes a flat roof which would be green with solar panels.

Cllr McCabe stated that he felt the policies are very clear that no student accommodation should be built on land designated for industrial use. He had not requested that the original application be considered by Committee because he had believed that it was a very clear case for refusal. He felt that the student accommodation does not enhance the industrial estate and was very surprised at the Inspector's decision.

Cllr Hughes queried whether there is a lack of student accommodation. He pointed out the impact of Covid-19 and Brexit which has led to uncertainty and stated that he would welcome information regarding growth plans for the universities and more data on which to base a decision. He felt that the situation has now changed, and industrial buildings are needed rather than student accommodation.

Cllr Rigby stated that this application was contrary to policy and was frustrated by the appeal decision. She also felt that more data was required regarding the need for purpose-built student accommodation.

Cllr Davis then moved the officer recommendation to delegate to permit. This was seconded by Cllr Clarke.

Prior to the vote a number of members stated that they would actively abstain from voting as they were very unhappy with the current position resulting from the recent appeal decision.

The motion was put to the vote and there were 2 votes in favour, 2 votes against and 6 abstentions. The Chair then used his casting vote in favour of the motion, and it was RESOLVED to DELEGATE TO PERMIT the application subject to a s106 agreement and the conditions set out in the report.

**83 POLICY DEVELOPMENT**

There were no policy development items.

**84 QUARTERLY PERFORMANCE REPORT - OCTOBER TO DECEMBER 2020**

The Committee noted the quarterly performance report from October to December 2020.

Cllr Hounsell thanked officers for providing a more detailed breakdown of enforcement cases.

**85 NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES**

The Committee noted the appeals report.

The meeting ended at 4.32 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**Planning Committee**

**Date 10<sup>th</sup> February 2021**

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

**ITEM**

**ITEMS FOR PLANNING PERMISSION**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
006	20/03255/FUL	Larkhall Sports Club Charlcombe Lane Charlcombe, Bath

**Representations**

Three additional objection comments have been received. The full detail/text of these comments can be found on the Council's website, the main new issues raised were:

- There is a lack of a clear and convincing justification to allow very special circumstances required for new development in the AONB and Green Belt.
- The proposals represent a duplication of telecoms equipment and could be accommodated on an existing installation within 60m of the site. This has not been fully explored.
- Claims of inconsistencies in the planning assessment.
- Trees outside of the application site cannot be relied upon for mitigation and their condition is unknown. The tree line is likely to be kept lower to provide clear lines of sight for signals.
- Information provided in the AVRs is [not] in accordance with the Landscape Institute's Technical Guidance or standards. The view from Fairfield and Larkhall has been largely ignored. These areas contain listed buildings the settings of which may be affected.
- Concern that Radio Frequency Radiation is a type of pollution and that the health impacts of the proposal have not been properly considered against paragraph 180 of the NPPF. There is also concern about the lack of an exclusion zone on the plans.
- Querying why the removal of the temporary mast on Colliers Lane cannot be secured by condition.

## **Green Belt**

The main committee report acknowledges that the proposed telecoms mast is classified as inappropriate development in the Green Belt which must be justified by very special circumstances to be considered acceptable.

Paragraph 144 of the NPPF is clear that 'very special circumstances' will not exist unless the potential harm to the Green belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. However, the question of whether very special circumstances exist is a matter of planning judgement.

The committee report considers this matter in detail in the 'Green Belt – Very special circumstances' section.

## **Alternative site for telecoms equipment**

The committee report explains that the existing mast 60m to the south of the current application site is a relatively small 15m monopole which is not capable of accommodating all the equipment for the proposed network providers. A larger replacement mast would be required to achieve this. In relation to this matter, it is material to note that proposals for a larger replacement mast on this alternative site were refused by the planning committee in December 2020 (ref: 19/05534/FUL)

No other alternative sites have been identified.

## **Trees and mitigation**

The comments received raise concerns that trees along the boundaries of the Larkhall Sports Club are not within the application site and are not protected and therefore cannot be relied upon for purposes of mitigation or controlled by condition.

As explained within the main report, the arboricultural information submitted with the application confirms that the proposals will not require the removal of any existing trees.

In terms of their ability to provide mitigation for the visual impacts of the proposal, it is acknowledged that these trees are not subject to TPO protections and are not within the control of the applicant. It is therefore not possible ensure their retention using planning conditions.

However, whilst this can be seen as a factor placing some limits on the weight to be attributed to their role in providing visual mitigation, the existing trees around the Larkhall Sports Ground do form part of the established landscape and it is correct to take them into account when assessing the visual impact of the proposed development. In any event, the committee report acknowledges

that the mast head of the proposed development will be visible above the tree line.

## **Photomontages**

The application is supported by photomontages as opposed to AVRs (Accurate Visual Representations). These photomontages do not meet the standards required of AVRs as set out in the Landscape Institute Guidance.

However, the submitted photomontages have been reviewed by the Council's Landscape Officer who considers that they are of sufficient quality to enable a proper assessment of the proposals. The photomontages have also been considered in combination with the other plans/drawings submitted.

The information submitted is also sufficient to conclude that, whilst the setting of Twinfield Farm (Grade II) will be affected, no other listed buildings (or their settings) will be affected by the proposals.

## **Health Concerns**

All of the information and submissions submitted by objectors raising public health concerns have been carefully considered. The LPA has also had regard to national and local planning policy, in particular paragraph 116 of the NPPF which states that:

*“116. Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.”*

The objections refer to para 180 NPPF which states that:

*“180. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

*a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*

*b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*

*c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*

In this case the Council is making a planning decision about land use and must determine the application on planning grounds only. The NPPF is necessarily broad in scope, meaning that LPAs are often required to balance the different policies contained in it. In this case, the NPPF contains a specific section on communications infrastructure which states that LPAs should not set health safeguards which are different from the International Commission guidelines for public exposure. The applicant has complied with those requirements. It is therefore considered that the objections based upon public health grounds, which the Council acknowledges are borne out of genuine concern, are outweighed by para 116 NPPF and by the applicant's compliance with the International Commission guidelines.

### **Temporary Mast Condition**

Planning conditions must meet 6 tests. They must be:

1. Necessary
2. Relevant to planning
3. Relevant to the development to be permitted
4. Enforceable
5. Precise
6. Reasonable in all other respects

A planning condition to require the removal of the temporary mast at Colliers Lane would need to meet all of the above tests to be acceptable. Ultimately, such a condition is unnecessary because, as a matter of planning judgement, the proposed mast is considered to be acceptable without securing the removal of the temporary mast.

**BATH AND NORTH EAST SOMERSET COUNCIL**

**MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT THE  
VIRTUAL MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 10  
FEBRUARY 2021**

<b>MAIN PLANS LIST</b>			
<b>ITEM NO.</b>	<b>SITE NAME</b>	<b>NAME</b>	<b>FOR/AGAINST</b>
2	Camerton and Peasedown Croquet Club, Whitebrook Lane, Peasedown St John	Jill Shaw (on behalf of applicant)	For
		Cllr Sarah Bevan (Local Ward Member)	For
3	Little Pear Tree Cottage, Tadwick Lane, Tadwick, Bath	Richard Kho (Applicant)	For
		Cllr Kevin Guy (Local Ward Member)	For
6	Larkhall Sports Club, Charlcombe Lane, Charlcombe, Bath	David Robinson Karen Churchill Fiona Williams	Against (To share 5 minutes)
		Paul Street (Agent)	For (5 minutes)
7	Plumb Centre, Locksbrook Road, Newbridge, Bath	Stuart Black (on behalf of applicant)	For
		Cllr Mark Roper (Local Ward Member)	Against

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**BATH AND NORTH EAST SOMERSET COUNCIL**  
**PLANNING COMMITTEE**  
**10th February 2021**  
**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	20/04296/VAR	
<b>Site Location:</b>	Paglinch Farm, Access Road To Paglinch Farm, Shoscombe, Bath	
<b>Ward:</b> Bathavon South	<b>Parish:</b> Shoscombe	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Application for Variation of Condition	
<b>Proposal:</b>	Variation of condition 2 of application 06/03707/FUL (Alterations to garage to form 1 no garage and self-contained holiday let unit)	
Condition Number(s): 2		
Conditions(s) Removal:		
To enable lawful use of the building as a self-contained residential unit of accommodation. Application is made to have the condition removed.		
<b>Constraints:</b>	White Ox Mead Air Strip 3km buffer, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Policy HE2 Somersetshire Coal Canal & Wa, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr John Davey	
<b>Expiry Date:</b>	11th February 2021	
<b>Case Officer:</b>	Hayden Foster	

**DECISION**                      PERMIT

**1 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.

**2 Parking (Compliance)**

The areas allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

## **PLANS LIST:**

This decision relates to the site plan and block plan received 18th November 2020.

### **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**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **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 development commences, failure to comply with the regulations can result in surcharges and additional payments. 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)

### **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.

### **Coal Mining - Low Risk Area (but within coalfield)**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

<b>Item No:</b>	02	
<b>Application No:</b>	20/03162/FUL	
<b>Site Location:</b>	Camerton And Peasedown Croquet Club, Whitebrook Lane, Peasedown St. John, Bath	
<b>Ward:</b> Peasedown	<b>Parish:</b> Peasedown St John	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	To relocate the old buildings and install a new prefabricated building. Install a bio-digester waste water treatment system and a rain collection system and secure permissions for low level advertising board on small sections of the perimeter fencing.	
<b>Constraints:</b>	White Ox Mead Air Strip 3km buffer, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Policy CP9 Affordable Housing Zones, Policy LCR5 Safeguarded existg sport & R, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr Craig Shaw	
<b>Expiry Date:</b>	26th February 2021	
<b>Case Officer:</b>	Hayden Foster	

**DECISION** Delegate to PERMIT, subject to conditions to be determined by the case officer as required.

#### **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.

### **3 Contaminated Land - Investigation and Risk Assessment (Pre-Commencement)**

No development shall commence until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - o human health,
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - o adjoining land,
  - o groundwaters and surface waters,
  - o ecological systems,
  - o archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore, these details need to be agreed before work commences.

### **4 Contaminated Land - Remediation Scheme (Pre-Commencement)**

No development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken;
- (ii) proposed remediation objectives and remediation criteria;
- (iii) timetable of works and site management procedures; and,
- (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore, these details need to be agreed before work commences.

#### **5 Contaminated Land - Verification Report (Pre-Occupation)**

No occupation shall commence until a verification report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework.

#### **6 Contaminated Land - Unexpected Contamination (Compliance)**

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework.

#### **PLANS LIST:**

This decision relates to the following plans received 29th September 2020:

Drawing Number: 34-P-03 - Site Block Plan as Proposed  
Drawing Number: 34-P-04 - Site Plan as Proposed  
Drawing Number: 34-P-06 - Equipment Store Plans and Elevations  
Drawing Number: 34-P-07 - Pump House Plans and Elevations  
Drawing Number: 34-P-08 - Timber Store Plans and Elevations

Plan received 23rd November 2020:

Drawing Number: AJE/AF28924 - Tree Protection & Tree Constraints Plan

Plans received 8th December 2020:

Drawing Number: 34-P-05 Revision A - Proposed Plans and Elevations

### **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**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **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 development commences, failure to comply with the regulations can result in surcharges and additional payments. 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)

### 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.

### Surface Water Management (Informative):

Surface water is to be managed in accordance with Building Regulations Approved Document Part H. Adherence to the drainage hierarchy is required. Onsite infiltration testing will be required to confirm the viability of soakaways and inform their design. This testing should be undertaken at an early stage of the development.

<b>Item No:</b>	03	
<b>Application No:</b>	20/03391/FUL	
<b>Site Location:</b>	Little Pear Tree Cottage, Tadwick Lane, Tadwick, Bath	
<b>Ward:</b> Bathavon North	<b>Parish:</b> Swainswick	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Redevelopment of previously developed garage site for an office, gym and annexe to be used in connection with Pear Tree Cottage.	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, All Public Rights of Way Records, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr and Mrs Kho	
<b>Expiry Date:</b>	16th February 2021	
<b>Case Officer:</b>	Isabel Daone	

**DECISION** REFUSE

1 The proposal represents inappropriate development which is by definition harmful to the Green Belt and would be harmful to the openness of this part of the Green Belt. The proposal is therefore contrary to policy CP8 of the adopted Core Strategy (2013) and policy GB1 of the Placemaking Plan for Bath and North East Somerset (2017) and part 13 of the NPPF.

### PLANS LIST:

This decision relates to the following plans:

- 415.P.010. P1. SITE PLAN as Proposed
- 415.P.100. P1. GROUND FLOOR PLAN as Proposed

415.P.101. P1. FIRST FLOOR PLAN as Proposed  
415.P.102. P1. ROOF PLAN as Proposed  
415.P.200. P1. SECTION as Proposed  
415.P.300. P1. ELEVATION as Proposed  
415.P.301. P1. ELEVATION as Proposed  
415.P.302. P1. ELEVATION as Proposed  
415.P.303. P1. ELEVATION as Proposed

All received 19th September 2020

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.

### **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)

<b>Item No:</b>	04	
<b>Application No:</b>	20/04365/PIP	
<b>Site Location:</b>	113 Wellsway, Keynsham, Bristol, Bath And North East Somerset	
<b>Ward:</b> Keynsham East	<b>Parish:</b> Keynsham Town Council	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Permission in Principle	
<b>Proposal:</b>	Permission in Principle Planning Application for the erection of one dwelling.	
<b>Constraints:</b>	Bristol Airport Safeguarding, Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing Zones, Housing Development Boundary, MOD Safeguarded Areas, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Mr John Tavener	
<b>Expiry Date:</b>	16th February 2021	
<b>Case Officer:</b>	Isabel Daone	

**DECISION**                      PERMIT

## PLANS LIST:

This decision relates to the following plans:

Site Location Plan. Received 19th November 2020

An application for Technical Details Consent must be made prior to commencement of development and no later than the expiration of three years from the date on this decision notice, after this period this Planning Permission in Principle shall lapse.

<b>Item No:</b>	05	
<b>Application No:</b>	20/03714/LBA	
<b>Site Location:</b>	1 Cambridge Place, Widcombe Hill, Widcombe, Bath	
<b>Ward:</b> Widcombe And Lyncombe	<b>Parish:</b> N/A	<b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)	
<b>Proposal:</b>	External alterations to install secondary glazing to existing windows, 2no. on front elevation, 2no. to side elevation, and 2no. to rear elevation.	
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Policy CP9 Affordable Housing Zones, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Chris Born	
<b>Expiry Date:</b>	12th January 2021	
<b>Case Officer:</b>	Laura Batham	

**DECISION**                      **CONSENT**

### **1 Time Limit - Listed Building Consent (Compliance)**

The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

### **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:**

Integrated sliding sash cosy glazing drawings received on 12th October 2020

Block Plan received on 13th November 2020

Location plan received on 13th November 2020

Floor plan received on 17th November 2020

## **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**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **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 development commences, failure to comply with the regulations can result in surcharges and additional payments. 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)

## **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.

### 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.

<b>Item No:</b>	06	
<b>Application No:</b>	20/03255/FUL	
<b>Site Location:</b>	Larkhall Sports Club, Charlcombe Lane, Charlcombe, Bath	
<b>Ward:</b> Bathavon North	<b>Parish:</b> Charlcombe	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a 20m high monopole supporting 3no. antennas and 2no. 0.3mm dishes above the top of the pole, the installation of 1no. equipment cabinet on new base and the installation of ancillary equipment.	
<b>Constraints:</b>	Article 4 The Swainswick Valley, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy LCR5 Safeguarded existg sport & R, MOD Safeguarded Areas, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Vodafone Ltd	
<b>Expiry Date:</b>	11th February 2021	
<b>Case Officer:</b>	Chris Griggs-Trevarthen	

**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 Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the following:

1. Deliveries (including access and storage arrangements and timings);

2. Contractor parking;
3. Traffic management;
4. Working hours;
5. Site opening times;
6. Wheel wash facilities;
7. Site compound arrangements;

The construction of the development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that safe operation of the highway accordance with policy ST7 of the Bath and North East Somerset Placemaking Plan. This is a pre-commencement condition because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

### **3 Mast Paint Colour and Finish (Bespoke Trigger)**

The mast hereby approved shall not be installed until details and a sample of the painted finish for the mast have been submitted to and approved in writing by the Local Planning Authority. The mast shall thereafter be finished in the approved details prior to it being brought into use.

Reason: To ensure that the painted finish of the mast matches the natural scale and variation of the *Leylandii* foliage in light, shade and deep shade and to ensure that the adverse landscape impacts of the replacement mast are adequately mitigated in accordance with policy NE2 of the Placemaking Plan.

### **4 Compliance with Arboricultural Method Statement (compliance)**

The approved development shall be carried out in accordance with the approved Arboricultural Method Statement (ACS Consulting, August 2020) and Tree Protection Plan (ARB/4202/Y/100). A signed compliance statement from the appointed Arboriculturalist shall be submitted to and approved in writing by the Local Planning Authority on completion of the works.

Reason: To ensure that trees to be retained are not adversely affected by the development

proposals in accordance with Policy NE6 of the Bath and North East Somerset Local Plan.

To

ensure that the approved method statement is complied with for the duration of the development.

### **5 External Lighting (Bespoke Trigger)**

No new external lighting shall be installed until full details of the proposed lighting design have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Lamp models and manufacturer's specifications, positions, numbers and heights;
2. Predicted lux levels and light spill;
3. Measures to limit use of lights when not required, to prevent upward light spill and to prevent light spill onto nearby vegetation and adjacent land.

The lighting shall be installed and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policies NE.3 and D8 of the Bath and North East Somerset Placemaking Plan.

### **6 Removal of equipment (Compliance)**

Within 6 months of the site ceasing to be used for telecommunication operations the mast, all equipment and the compound shall be entirely removed from the site.

Reason: To ensure that the telecommunication equipment is removed should it no longer serve an operational purpose and in the interests of protecting the openness of the Green Belt in accordance with policy CP8 and the National Planning Policy Framework.

### **7 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:**

LOCATION PLAN  
200 B PROPOSED SITE PLAN  
301 A PROPOSED ELEVATION PLAN

### **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.

### 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.

### 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.

<b>Item No:</b>	07	
<b>Application No:</b>	20/00023/FUL	
<b>Site Location:</b>	Plumb Center, Locksbrook Road, Newbridge, Bath	
<b>Ward:</b> Newbridge	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	The demolition of the former Plumb Centre and Genesis Lifestyle Centre and the erection of a 3 storey (plus mezzanine) mixed use building for 1180m <sup>2</sup> of B1c Light Industrial, 290m <sup>2</sup> of D2 Assembly and Leisure, and 72 student ensuite rooms in cluster flat. (Resubmission)	
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B1 Bath Enterprise Zone, Policy B3 Twerton and Newbridge Riversid, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, Conservation Area, Contaminated Land, Policy CP9 Affordable Housing Zones, Policy ED2A Strategic & Other Primary In, Flood Zone 2, HMO Stage 1 Test Area (Stage 2 Test Req), LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	S Black	
<b>Expiry Date:</b>	26th February 2021	
<b>Case Officer:</b>	Chris Griggs-Trevarthen	

**DECISION** Delegate to PERMIT

1.) Authorise the Monitoring Officer to enter into a Section 106 Agreement to secure:

- a) A greenspace contribution of £134,842 index linked towards the Waterspace River Park / River Line project;
- b) A highways contribution of £3,500 index linked toward for the purposes of implementing and enforcing a Traffic Regulation Order in the vicinity of the land;
- c) A Targeted Recruitment and Training Obligation requiring the following
  - i. contribution of £5,005 index linked
  - ii. 16 Work Placements
  - iii. 1 Apprenticeship Start
  - iv. 1 Job start advertised though local DWP

2.) Subject to the prior completion of the above agreement, authorise the Head of Planning to PERMIT subject to the following conditions (or such conditions as may be appropriate):

### **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 Construction Management Plan (Pre-commencement)**

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the following:

- 1. Deliveries (including storage arrangements and timings);
- 2. Contractor parking;
- 3. Traffic management;
- 4. Working hours;
- 5. Site opening times;
- 6. Wheel wash facilities;
- 7. Site compound arrangements;
- 8. Measures for the control of dust;

The construction of the development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with policies D6 and ST7 of the Bath and North East Somerset Placemaking Plan. This is a pre-commencement condition because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

### **3 Materials - Submission of Schedule and Samples (Bespoke Trigger)**

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of

the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The schedule shall include:

1. Detailed specification of the proposed materials (Type, size, colour, brand, quarry location, etc.);
2. Photographs of all of the proposed materials;
3. An annotated drawing showing the parts of the development using each material.

The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with policies D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan and policy CP6 of the Bath and North East Somerset Core Strategy.

#### **4 Contaminated Land - Investigation and Risk Assessment (Pre-commencement)**

No development shall commence, except for ground investigations and demolition, required to undertake such investigations, until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- o human health,
- o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- o adjoining land,
- o groundwaters and surface waters,
- o ecological systems,
- o archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with policy PCS5 of the Bath and North East Somerset Placemaking Plan and chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition because the initial works comprising the development have the potential to uncover harmful contamination.

#### **5 Contaminated Land - Remediation Scheme (Pre-commencement)**

No development shall commence, except for ground investigations and demolition required to undertake such investigations, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken;
- (ii) proposed remediation objectives and remediation criteria;
- (iii) timetable of works and site management procedures; and,
- (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with policy PCS5 of the Bath and North East Somerset Placemaking Plan and chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition because the initial works comprising the development have the potential to uncover harmful contamination.

## **6 Contaminated Land - Verification Report (Pre-occupation)**

No occupation shall commence until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with policy PCS5 of the Bath and North East Somerset Placemaking Plan and chapter 15 of the National Planning Policy Framework.

## **7 Contaminated Land - Unexpected Contamination (Compliance)**

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following

completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with policy PCS5 of the Bath and North East Somerset Placemaking Plan and chapter 15 of the National Planning Policy Framework.

### **8 Flood Management Measures (Pre-commencement)**

No development shall commence, except ground investigations, until details of the proposed flood management measures (as outlined in the FRA) are submitted to and approved in writing by the local planning authority. The approved flood management measures shall be implemented before the first occupation of the development hereby permitted and shall thereafter be retained.

Reason: To limit the risk of flooding by ensuring the provision of satisfactory means of flood management and incident response on the site in accordance with paragraph 17 and section 10 of the National Planning Policy Framework.

### **9 Arboricultural Method Statement (Pre-commencement)**

No development shall commence until a detailed Method Statement and Tree Protection Plan following the recommendations contained within BS5837:2012 have been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion to the local planning authority. The statement should include the control of potentially harmful operations such as site preparation (including demolition, clearance and level changes); the storage, handling and mixing of materials on site, burning, location of the site office, service run locations including soakaway locations and movement of people and machinery. No development or other operations shall thereafter take place except in complete accordance with the approved details.

Reason: to ensure that trees to be retained are not adversely affected by the development proposals in accordance with policy NE6 of the Bath and North East Somerset Local Plan. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

### **10 Compliance with Arboricultural Method Statement (Compliance)**

The approved development shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. A signed compliance statement from the appointed Arboriculturalist shall be submitted and approved in writing by the Local Planning Authority on completion of the works.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals in accordance with Policy NE6 of the Bath and North East

Somerset Local Plan. To ensure that the approved method statement is complied with for the duration of the development.

### **11 Detailed Landscape Scheme (Pre-occupation)**

No occupation of the development shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority showing details of the following:

1. All trees, hedgerows and other planting to be retained;
2. A planting specification to include numbers, size, species and positions of all new trees and shrubs;
3. Details of existing and proposed walls, fences, other boundary treatment and surface treatments of the open parts of the site;
4. Details of the green roof;
5. A programme of implementation for the landscaping scheme.

All hard and soft landscape works shall be carried out in accordance with the approved details and programme of implementation.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

### **12 Sensitive Lighting Design (Bespoke Trigger)**

No new external or internal lighting shall be installed without full details of proposed lighting design being first submitted to and approved in writing by the Local Planning Authority; details to include proposed lamp models and manufacturer's specifications, proposed lamp positions, numbers and heights with details also to be shown on a plan; details of predicted lux levels and light spill, which shall not exceed the maximum light spill levels as predicted in the approved Lighting Impact assessment dated June 2020 by Hydrock Ltd (document ref 12055-HYD-XX-XX-RP-Y-5000); and details of all measures to limit use of lights when not required and to prevent upward light spill and light spill onto trees and boundary vegetation and adjacent land; and to avoid harm to bat activity and other wildlife.

The lighting shall be installed maintained and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policies NE3 and D8 of the Bath and North East Somerset Placemaking Plan.

### **13 Ecology Follow-up Report (Pre-occupation)**

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced ecologist confirming and demonstrating, using photographs, completion and implementation of the Wildlife Protection and Enhancement Scheme in accordance with approved details, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate the completed implementation of the Wildlife Protection and Enhancement Scheme, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3 NE5 and D5e of the Bath and North East Somerset Local Plan.

### **14 Highway - Bound/Compacted Vehicle Access (Pre-occupation)**

No occupation of the development shall commence until the vehicular access has been constructed with a bound and compacted surfacing material (not loose stone or gravel).

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan

### **15 Student Management Plan (Pre-occupation)**

The student accommodation hereby approved shall not be occupied until a student management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:

1. The arrangements for student drop off / pick up at the start and end of each University semester;
2. Details of refuse storage, management and collection;
3. Details of site security and access arrangements;
4. Contact information for site management including information for third parties wishing to make complaints;
5. Details of student parking restrictions and enforcement measures;
6. Details of a scheme for monitoring the effectiveness of the parking restrictions and enforcement measures under point 5 including any necessary remedial measures;
7. Details of the management of the first floor outdoor amenity areas (as shown on drawing number AP(0)13 L), including hours of use and arrangements to prevent access outside of these hours.

The student accommodation use shall thereafter operate only in accordance with the approved student management plan.

Reason: In the interests of highways safety and parking, residential amenity, to reduce potential noise and disturbance and to ensure the good management of the building in accordance with policies D6, ST7 and PCS2 of the Bath and North East Somerset Placemaking Plan.

### **16 Travel Plan (Pre-occupation)**

No occupation of the development shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved Travel Plan.

Reason: In the interest of encouraging sustainable travel methods in accordance with Policy ST1 of the Bath and North East Somerset Placemaking Plan.

### **17 Parking (Compliance)**

The areas allocated for parking and turning on the Proposed Site Plan (drawing number AP (0) 10J) shall include the provision of two disabled parking spaces and shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan

### **18 Closure of Access (Bespoke Trigger)**

The new accesses hereby approved shall not be brought into use until the existing vehicular access has been permanently closed and a footway crossing constructed, including the raising of dropped kerbs, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is served by a safe access in the interests of highway safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **19 Drainage Strategy (Pre-commencement)**

No development shall commence, except ground investigations and remediation, until a detailed drainage strategy has been submitted to and accepted in writing by the Local Planning Authority. The strategy should include plans, calculations (demonstrating performance at the critical 1:1, 1:30 & 1:100+40% events), confirmation that the discharge is acceptable to Wessex water (rate and location) together with an operation and maintenance document detailing how the system will be maintained for the life of the development. The development shall thereafter be completed and operated in accordance with the approved drainage strategy.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy.

### **20 Sound Insulation**

No development shall commence until a scheme of sound insulation measures (the Sound Insulation Plan) between the purpose-built student accommodation (PBSA) and the light industrial B1(c) use has been submitted to and approved in writing by the Local Planning Authority. The Sound Insulation Plan shall include the following:

1. A desktop design assessment demonstrating, by calculation, the airborne sound insulation performance of the "as built" separating floor between the employment use, hereby permitted, and habitable rooms of the PBSA at 1st floor level, can achieve a sound

insulation performance of at least 75 dB DnT,w \_\$3 circa 95 dB Rw, using an appropriate calculation methodology, which shall include BS EN ISO 12354-1:2017 Building acoustics — Estimation of acoustic performance of buildings from the performance of elements — Part 1: Airborne sound insulation between rooms.

2. A technical demonstration that the resultant noise levels within those habitable rooms within the PBSA as a result of the adjacent commercial tenant in isolation shall conform to a Noise Rating curve of NR15 and NR20 (Based on the associated Leq and LMax, Fast spectral characteristics).

3. The Sound Insulation Plan shall include details of ongoing monitoring and review processes to ensure that the agreed internal ambient noise level performance, as provided in (2) above is not breached by any future occupation of the employment use hereby permitted. In the event of any breach remediation measures shall be immediately taken with the guidance of a suitably qualified acoustician to ensure compliance with the performance criteria in (2) above.

The development shall thereafter be undertaken in accordance with the approved Sound Insulation Plan.

Reason: To ensure that the future occupiers of the development are protected from excessive noise and in the interest of protecting their amenity in accordance with policies D6 and PCS2 of the Bath and North East Somerset Placemaking Plan.

### **21 Noise Verification (Bespoke Trigger)**

Prior to the first occupation of the development hereby permitted, a summary review from a competent person of the "as built" drawings and specifications to confirm that the recommendations produced by Hydrock, within Supplementary Noise Planning Report (dated 16 December 2019) have been adhered to, inclusive of design measures in Section 10 (BS8233:2014) and Section 12 (BS4142:2014+A1:2019), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the future occupiers of the development are protected from excessive noise and in the interest of protecting their amenity in accordance with policies D6 and PCS2 of the Bath and North East Somerset Placemaking Plan.

### **22 Sustainable Construction (Pre-occupation)**

Prior to first occupation of the development hereby approved the following tables (as set out in the Council's Sustainable Construction Supplementary Planning Document, Adopted November 2018) shall be completed in respect of the completed development and submitted for approval to the Local Planning Authority together with the further documentation listed below:

1. Table 2.1 Energy Strategy (including detail of renewables)
2. Table 2.2 Proposals with more than one building type (if relevant)
3. Table 2.3 (Calculations);
4. Building Regulations Part L post-completion documents for renewables;
5. Building Regulations Part L post-completion documents for energy efficiency;
6. Microgeneration Certification Scheme (MCS) Certificate/s (if renewables have been used)

Reason: To ensure that the approved development complies with Policy SCR1 of the Placemaking Plan (renewable energy) and Policy CP2 of the Core Strategy (sustainable construction).

### **23 Cycle Parking (Pre-occupation)**

No occupation of the development shall commence until secure, covered cycle storage for 76 bikes has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be retained permanently thereafter.

Reason: To secure adequate off-street parking provision for bicycles and to promote sustainable transport use in accordance with policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **24 Opening Hours - Gym (Compliance)**

The gym use hereby approved shall not be carried on and no customer shall be served or remain on the premises outside the hours of 0700 - 2100 hours Monday to Fridays; 0800 - 1600 hours Saturdays and 0900 - 1300 hours Sunday.

Reason: To safeguard the amenities of occupiers of the student accommodation and nearby residential occupiers.

### **25 Working Hours - Industrial Use (Compliance)**

No machinery shall be operated, no process shall be carried out and no deliveries shall arrive, be received or despatched from the site outside the hours 0700 - 2130 hours Monday to Fridays; 0900 - 1700 hours Saturdays and 1000 - 1400 hours Sunday.

Reason: To safeguard the amenities of occupiers of the student accommodation and nearby residential occupiers.

### **26 Industrial Use (Compliance)**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking and re-enacting those Orders with or without modification), the employment spaces shown on the Proposed Ground Floor (1727 AP(0)11 S) and Proposed Mezzanine Floor (1727 AP(0)12 L) shall be used for light industrial use only.

Reason: To maintain the strategic objectives of the industrial estate and to prevent a change of use to a use which is more incompatible with it in accordance with policies B1 and B3 of the Core Strategy and policy ED2A of the Placemaking Plan. Also to protect the amenities of the occupiers of the student accommodation in accordance with policy D6 of the Placemaking Plan.

### **27 Gym Use (Compliance)**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking and re-enacting those Orders with or without modification), the gymnasium use hereby approved shall only be used as a gymnasium.

Reason: To maintain the strategic objectives of the industrial estate and to prevent a change of use to a use which is more incompatible with it in accordance with policies B1 and B3 of the Core Strategy and policy ED2A of the Placemaking Plan. Also to protect the amenities of the occupiers of the student accommodation in accordance with policy D6 of the Placemaking Plan.

### **28 Wildlife Protection and Mitigation (Pre-commencement)**

No development shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall include:

(i) Method statement for pre-construction and construction phases to provide full details of all necessary protection and mitigation measures, including, where applicable, proposed pre-commencement checks and update surveys, for the avoidance of harm to bats, reptiles, nesting birds and other wildlife, and proposed reporting of findings to the LPA prior to commencement of works;

(ii) Detailed proposals for implementation of the wildlife mitigation measures and recommendations of the approved ecological report, including wildlife-friendly planting / landscape details; provision of bat and bird boxes, with proposed specifications and proposed numbers and positions to be shown on plans as applicable; specifications for fencing to include provision of gaps in boundary fences to allow continued movement of wildlife;

All works within the scheme shall be carried out in accordance with the approved details and completed in accordance with specified timescales and prior to the occupation of the development.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with policy NE3 of the Bath and North East Somerset Placemaking Plan. The above condition is required to be pre-commencement as it involves approval of measures to ensure protection of wildlife that would be otherwise harmed during site preparation and construction phases.

### **29 Existing and Proposed Levels (Pre-commencement)**

No development shall commence until details of the existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. A topographical plan of the site including spot levels;
2. The approved site plan including spot levels;
2. Site sections showing existing and proposed ground/finished floor levels.

The development shall thereafter be undertaken in accordance with the approved details.

Reason: For the avoidance of doubt and to clarify the finished ground levels of the development to accord with policies D1, D2 and NE2 of the Bath and North East Somerset Placemaking Plan. This is a pre-commencement condition because the ground levels

have the potential to affect the overall impact of the development and could be altered by the initial site work.

### **30 Solar Panels (Bespoke Trigger)**

Prior to the installation of the solar panels (PV array shown on drawing number AL(0)16 I) details of the proposed solar panels shall be submitted to and approved in writing by the Local Planning Authority. The solar panels shall be installed in accordance with the approved details prior to the occupation of the building.

Reason: To ensure that full details of the solar panels are secured so that they do not have any adverse impact upon the character or appearance of the building or surrounding area. Furthermore, the condition is required to secure the implementation of the proposed solar panels in accordance with policy SCR1 of the Placemaking Plan.

### **31 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:**

AGM-LOC-LS2-001 REV C	LANDSCAPE STRATEGY GENERAL ARRANGEMENT
GROUND FLOOR	
AGM-LOC-LS2-002 REV C	LANDSCAPE STRATEGY GENERAL ARRANGEMENT
ROOF GARDENS	
AGM-LOC-LS2-003 REV C	LANDSCAPE STRATEGY ROOF GDNS AND
INDICATIVE PLANTING SPECIES	
AL(0)10 J	PROPOSED SITE PLAN
AL(0)11 S	PROPOSED GROUND FLOOR USES PLAN
AL(0)12 L	PROPOSED MEZZANINE FLOOR USES PLAN
AP(0)13 L	PROPOSED FIRST FLOOR USES PLAN
AL(0)14 J	PROPOSED SECOND FLOOR USES PLAN
AL(0)16 I	ROOF PLAN
AL(0)20 J	PROPOSED ELEVATION SOUTH EAST
AL(0)21 J	PROPOSED ELEVATION NORTH WEST
AL(0)22 E	PROPOSED ELEVATION TERRACES
AL(0)23 E	PROPOSED ELEVATION SOUTH INNER
AL(0)30 E	PROPOSED SECTION AA
AL(0)51 F	PROPOSED GROUND FLOOR PLAN
AL(0)52 F	PROPOSED MEZZANINE FLOOR PLAN
AL(0)53 E	PROPOSED FIRST FLOOR PLAN
AL(0)54 E	PROPOSED SECOND FLOOR 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**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **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 development commences, failure to comply with the regulations can result in surcharges and additional payments. 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)

### **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.

This permission is accompanied by an agreement under Section 106 of the Town and Country Planning Act 1990.