

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 30th June, 2021, 2.00 pm

Councillors: Sue Craig (Chair), Sally Davis (Vice-Chair), Vic Clarke, Paul Crossley, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Dr Eleanor Jackson, Hal MacFie and Ruth Malloy (Reserve) (in place of Shelley Bromley)

21 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

22 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Shelley Bromley, who was unable to attend the meeting as she was attending the AGM of the Avon Fire Authority. Cllr Ruth Malloy attended as the substitute member.

23 DECLARATIONS OF INTEREST

There were no declarations of interest.

24 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

25 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.

26 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 2 June 2021 were confirmed and signed as a correct record.

27 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 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. 21/00435/ERE03

Site Location: Ministry of Defence Storage and Distribution Centre, Pixash Lane, Keynsham – Redevelopment and consolidation of existing depot site and adjacent land with associated staff parking and access and landscaping works to include the provision of the following: (i) a public re-use and recycling centre (RRC); (ii) material recovery facility (MRF); (iii) waste transfer station (WTS); (iv) Trader (bulky waste); Trade Waste Transfer Station (TWTS); (v) vehicle fleet storage and maintenance storage; (vi) MOT centre (public); (vii) BANES Highways winter service and salt store; and ancillary offices.

This application was withdrawn from the agenda and will be considered at a future meeting.

Item No. 2

Application No. 20/04067/FUL

Site Location: Waterworks Cottage, Charlcombe Way, Fairfield Park, Bath – Extension and alteration to existing cottage and creation of two detached dwellings.

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

A local resident and a representative from the Bath Preservation Trust spoke against the application.

The agent spoke in favour of the application.

Cllr Rob Appleyard, local ward member, spoke regarding the application. He drew attention to the large number of objections to the proposal (over 300). He noted that, although some concerns have been dealt with, overdevelopment could still be an issue. He also asked members to carefully consider the location of property no. 3 in the context of potential overlooking. He also recommended the consideration of a construction management plan.

Cllr Joanna Wright, local ward member, spoke regarding the application. She pointed out that this was a walking route and an important local site. She drew attention to the very steep bank and the fact that the site is located on a migration route for frogs and toads. She recommended that the committee hold a site visit before making a final decision.

Officers then responded to questions as follows:

- Plot 2 is located to the north of the existing dwelling. Plot 3 is a 2-storey building and would share a boundary with the gardens of the neighbouring

properties. It was not felt that this would result in a significant impact to neighbours.

- The site is located in a built-up area which is considered to be a sustainable location.
- There is a pond located in an adjacent field and the area is a route for migrating frogs and toads. The Council's ecologist has recommended conditions to mitigate the risks to the amphibians.
- An ecological survey was undertaken on 28 April 2021. This had identified frogs and toads in the area, but no great crested newts (which are a protected species) were present in the pond.
- A number of enhancements have been recommended and a biodiversity net gain would be achieved. This would include planting, the provision of reptile habitats, bat boxes and a lighting plan.
- The condition regarding ecological enhancement includes provision for monitoring.
- The Highways Officer confirmed that there had been no recorded personal injury accidents at this location in the last six months. He explained that incidents involving near misses or vehicle damage are not recorded.
- Plot 3 would have a turning area which delivery vehicles could use if necessary.
- The flat roof on plot 3 would have a sedum finish.
- Plot 2 is located about 1m from Waterworks Cottage. It would be the same height but a modern design using natural materials with a local context.

Cllr Hounsell noted that the host building will be preserved and that the site is sizable. He did not feel that this represented overdevelopment. There did not appear to be loss of amenity to neighbours and the ecology concerns raised have been addressed by condition no. 14 (Ecological Management Plan).

Cllr Crossley expressed concern about the proposal due to the slope of the land and the existence of wildlife migration routes. He moved that consideration of the application be deferred pending a site visit. This was seconded by Cllr Hodge.

Cllr Hughes supported the proposal for a site visit as he had concerns regarding ecological issues and stressed the importance of an ecological management plan. He stated that if the mitigation plans were not successful then the decision cannot be reversed.

Cllr Clarke noted that the Council's ecologist was happy with the proposal with the suggested conditions.

The motion was put to the vote and it was RESOLVED by 9 votes in favour and 1 vote against to DEFER consideration of the application pending a site visit.

Item No. 3

Application No. 21/02044/FUL

Site Location: Crewcroft Barn, Hinton Hill, Hinton Charterhouse, Bath – Barn conversion and alterations to the original building to form straw bale passivhaus standard dwelling.

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

The applicants spoke in favour of the application.

Cllr Matt McCabe, Local Ward Member, spoke in favour of the application. He explained that the certificate of lawfulness stated that this was an alteration to part of the original building. The planning case officer who had originally advised on the application had felt that it was policy compliant. The applicants have now been told that the volume increase is too high. The barn is a lawful agricultural storage building. Both ward councillors and the Parish Councils support the application which preserves a heritage asset for future use.

The Case Officer then responded to questions as follows:

- The policy requires that the barn should not be of a temporary or insubstantial construction and should be capable of conversion.
- Green Belt policy has also been taken into consideration when making the recommendation.
- The extension to the building is considered to be substantial and, therefore, not policy compliant.
- The Case Officer explained how the volume increase had been calculated. Although there is evidence of the historic walls, as these are no longer in existence, they have not been included in the calculation. The applicant has used the 1942 building floorplan in their calculations.

Cllr Jackson moved that the Committee permit the application. She felt that this was the best way to preserve the undesignated heritage asset and that it would improve the appearance of the current barn. The development is sustainable and eco-friendly. This was seconded by Cllr Hounsell who stated that he felt this was a conversion of an existing building rather than a new building in the Green Belt.

Cllr Crossley was supportive of the application and noted that the applicants had followed advice given by the previous case officer. He felt that it was acceptable development in the Green Belt.

The Deputy Head of Planning queried the very special circumstances which would allow development in the Green Belt.

The reasons given were:

- The development would conserve the undesignated heritage asset.
- The development would enhance the visual appearance of the Green Belt.
- The sustainable nature of the building in this location.

The mover and seconder of the motion both agreed that the motion should be amended to “delegate to permit” the application to enable conditions to be added.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 2 abstentions to DELEGATE TO PERMIT the application for the reasons set out above.

Item No. 4

Application No. 21/01646/FUL

Site Location: 3 Barrow View, Timsbury Road, Farmborough, Bath – Erection of first floor side extension.

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

The agent spoke in favour of the application. He indicated that there was additional information relating to the historic fabric of the property and the original kitchen wing which was relevant to the volume calculations. The Case Officer had not been sent this information.

Cllr Sally Davis, local ward member, spoke regarding the application. She pointed out that the dwelling on the other side already has a very similar extension and she felt that the application should be carefully considered.

The Case Officer responded to questions as follows:

- The original building is considered to be the main part of the dwelling. No evidence has been presented regarding the originality of the kitchen element at the rear of the property and so this has not been taken into account in the volume calculations. The extension represents a 56% volume increase.
- The extension to 4 Barrow View was approved in 2002 and different Green Belt policies were in place at that time. This application must be considered under current policies.

Cllr Davis pointed out that pre-application discussions had taken place with the applicant and they had not been made aware of any particular problems with their proposal. The extension at no.4 Barrow View had not been controversial at the time.

Cllr Crossley felt that the application should be permitted as it enhances the street scene, bringing harmony and balance to the building.

Cllr MacFie noted the differing views regarding the kitchen area and whether this should be included in the volume calculations. He noted that the case officer has not been provided with the information described by the agent to use as part of her assessment. He then moved that consideration of the application be deferred pending the examination of the new evidence regarding the kitchen area. This was seconded by Cllr Clarke.

Cllr Malloy pointed out that the extension at no. 4 was not very similar to this proposal as one was set back, and one was at the same level. She felt that it would also be helpful to compare the width of both extensions. This would provide part of the context of the area.

Cllr Jackson felt that the application should be permitted as it would create more symmetry.

Cllr Hodge expressed concern about volume increases in the Green Belt.

The motion was put to the vote and it was RESOLVED by 7 votes in favour, 2

against and 1 abstention to DEFER consideration of the application pending further evidence regarding the kitchen area and how it relates to the volume increase.

28 TREE PRESERVATION ORDER REPORT

The Committee considered a report regarding the making of a tree preservation order (TPO) which was brought to the meeting because an objection had been received from the landowners following the making of the TPO.

A statement from Cllr Paul May, local ward member, in support of the confirmation of the TPO was read out.

Cllr Jackson stated that this was a magnificent oak tree and, as such trees are becoming increasingly rare, it should be preserved.

Cllr Crossley moved the officer recommendation to confirm the order, which was seconded by Cllr Hodge.

The motion was put to the vote and it was RESOLVED unanimously to confirm the Tree Preservation Order without modification.

29 PLANNING ENFORCEMENT BRIEFING REPORT

Note: At this point Cllr Paul Crossley left the meeting having declared an interest in this item due to his connections with Bath Rugby Club and having been a season ticket holder.

The Committee considered a briefing report from the Planning Enforcement Team which provided an update regarding the recent announcement from Bath Rugby that they will be breaching their planning condition pertaining to removal of the East Stand at the end of the 2020/21 premiership rugby season.

RESOLVED: To note the report.

Note: At this point Cllr Paul Crossley returned to the meeting.

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

The Committee considered the appeals report.

RESOLVED to note the report.

The meeting ended at 4.25 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

Planning Committee

Date: 30/06/2021

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

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
001	21/00435/EREG03	Ministry Of Defence Storage And Distribution Centre Pixash Lane Keynsham BS31 1TP
003	21/02044/FUL	Crewcroft Barn Hinton Hill Hinton Charterhouse Bath Bath and North East Somerset
04	21/01646/FUL	3 Barrow View Timsbury Road Farmborough Bath Bath And North East Somerset BA2 0FB

001

21/00435/EREG03

Ministry Of Defence Storage
And Distribution Centre
Pixash Lane
Keynsham
BS31 1TP

Impact upon listed buildings

The Committee Report concludes that there will be no harm to the setting of the nearby listed buildings. For clarity, the assessment relates to the Grade II listed Pixash Lane Bridge as well as the Grade II listed building Ellsbridge House which lies to the west of the site on Bath Road.

Additional planning conditions

In addition to those set out within the report, it is recommended that the following conditions are included if planning permission is granted:

- The development hereby approved shall not be occupied until an operational statement outlining the proposed booking system which will be in place in peak hours, has been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with these approved details.

Reason: In the interest of highway safety.

- No development shall commence, except ground investigations and remediation, until a detailed drainage design package has been submitted to the Local Planning Authority and given written approval. The design shall be in accordance with the approved FRA and drainage design and is to include plans and calculations demonstrating the performance at the 1:1, 1:30 and 1:100+20% climate change event.

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 and Policy SU1 of the Bath and North East Somerset Placemaking Plan

Public Sector Equality Duty

The Public Sector Equality Duty requires public authorities to have regard to section 149 of the Equality Act 2010.

The development results in the redevelopment and consolidation of existing facilities. The granting of this planning permission is not considered to result in undue impacts upon any group. The facilities available on the site will be readily accessible to its users.

The operation of the site will be controlled through an Environmental Permit issued by the Environment Agency. The Impact upon any neighbours, including the future occupiers of the proposed Care Home, will be safeguarded through this permit process. The impact of the development through the construction process can be limited through a Construction Management Plan to ensure the needs of local residents are fully considered.

Item No.	Application No.	Address
003	21/02044/FUL	Crewcroft Barn Hinton Hill Hinton Charterhouse Bath Bath and North East Somerset

Clarification of High Court judgements and appeals:

An amendment to the report is required regarding the wording under point 7 of the assessment for policy RE6 on page 11 of the committee report. Where it refers to the High Court judgements and appeal reference APP/Y3615/A/08/2070892. These were in reference to replacement dwellings and only appeal reference APP/W4705/A/06/2027920 was regarding a ruinous building. However, the same logic can still be applied to this case.

In appeal reference APP/Y3615/A/08/2070892 it was concluded that the original building is the replacement dwelling rather than a previous building which no longer exists.

The same appeal references a number of High Court judgements:

Brentwood Borough Council v SoS for Environment, Transport and the Regions and Mr I Churley- in the matter of the original dwelling the judge considered that comparison with the original dwelling did not take one back to the original habitable floorspace of some dwelling which no longer existed because it had been replaced. This can be applied to this case in that the ruinous parts of the building are ruinous and so this part of the building is not in existence and hasn't been for many years.

Appeal reference APP/Y3615/A/08/2070892 also includes another High Court judgement being Ascot Wood Limited v SoS for the Environment and Others (2000, PLCR3) where the judge considered that there were very compelling reasons for accepting the interpretation that the term 'original building' can only apply to a building which exists.

The appeal that the applicant has referred to in February 2020 dealt with extensions to a building that had been replaced in the Green Belt and so the original building was smaller than the existing. The Council aren't disputing the fact that the original building is that which stood on 1st July 1948, but these schemes are not directly comparable because this appeal is dealing with an extension to a replacement building which is already larger than the existing. This application is dealing with a ruinous agricultural building and not a replacement dwelling. Furthermore, it is also worth noting that the appeal from 2020 also highlights that an assessment of what constitutes a disproportionate addition goes beyond mathematical calculations. The appeal referenced by the applicant also explains that the matter needs to be

considered spatially, with reference to the massing, scale and general visual perception of the proposal. Whilst the modern timber clad extension was given approval in the CLEU from 2018, Crewcroft Barn is in a remote and prominent location in the landscape and is currently used as an agricultural building consistent with the pastoral landscape.

Item No.	Application No.	Address
4	21/01646/FUL	3 Barrow View Timsbury Road Farmborough Bath Bath And North East Somerset BA2 0FB

In response to the reason for refusal the Agent for this application has sent additional information for consideration. This includes the plan drawings for the similar application which was approved for the neighbouring property (4 Barrow View) in 2002 (02/02709/FUL) and a plan drawing where the ground floors of no.4 as existing and no.3 as proposed are shown. Both these documents are available to view on the website and are dated 16th June 2021.

Whilst officers noted the extension at no.4 Barrow View during the consideration of this application, this extension was approved in 2002 under a different policy context. The case officer has assessed the application against the current Green Belt policies (both local policies and national policies) and this assessment is presented in the Committee Report.

BATH AND NORTH EAST SOMERSET COUNCIL

MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT THE MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 30 JUNE 2021

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
2	Waterworks Cottage, Charlcombe Way, Fairfield Park, Bath	Nicholas Burgess	Against (To share 3 minutes)
		Alexandra Best (Bath Preservation Trust)	
		Chris Dance (Agent)	For
		Cllr Rob Appleyard (Local Ward Member)	N/A
		Cllr Joanna Wright (Local Ward Member)	N/A
3	Crewcroft Barn, Hinton Hill, Hinton Charterhouse, Bath	Will Drewett (Applicant)	For (To share 3 minutes)
		Zellah Theobald	
		Cllr Matt McCabe (Local Ward Member)	For
4	3 Barrow View, Timsbury Road, Farmborough, Bath	Nigel Spragg (Architect)	For
		Cllr Sally Davis (Local Ward Member)	N/A
Item No. 8 – TPO	Land Adjacent to Meadow Barn, Wick Lane, Pensford	Cllr Paul May (Local Ward Member) – written statement	For

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BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
30th June 2021
DECISIONS

Item No:	01	
Application No:	21/00435/EREG03	
Site Location:	Ministry Of Defence Storage And Distribution Centre, Pixash Lane, Keynsham, Bristol	
Ward: Keynsham East	Parish: Keynsham Town Council	LB Grade: N/A
Application Type:	Reg03 app with EIA attached	
Proposal:	Redevelopment and consolidation of existing depot site and adjacent land with associated staff parking and access and landscaping works to include the provision of the following: (i) a public re-use and recycling centre (RRC); (ii) material recovery facility (MRF); (iii) waste transfer station (WTS); (iv) Trader (bulky waste); Trade Waste Transfer Station (TWTS); (v) vehicle fleet storage and maintenance; (vi) MOT centre (public); (vii) BANES Parks and Grounds maintenance storage; (viii) BANES Highways winter service and salt store; and ancillary offices.	
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Contaminated Land, Policy CP9 Affordable Housing Zones, Policy ED2A Strategic & Other Primary In, LLFA - Flood Risk Management, Policy NE5 Ecological Networks, Placemaking Plan Allocated Sites, Railway, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	B&NES	
Expiry Date:	6th May 2021	
Case Officer:	Tessa Hampden	

DECISION DEFER for applicant to provide additional information

PLANS LIST:

20 Apr 2021 13478-CRH-XX-00-DR-C-5050-P3 PROPOSED DRAINAGE LAYOUT
20 Apr 2021 157-002_P5 LANDSCAPE PLAN
20 Apr 2021 157-004_P5 PLANTING PLAN - 1 OF 4
20 Apr 2021 157-005_P5 PLANTING PLAN - 2 OF 4
20 Apr 2021 157-006_P5 PLANTING PLAN - 3 OF 4
20 Apr 2021 157-007_P5 PLANTING PLAN - 4 OF 4
20 Apr 2021 3611-PL-150-P06 PROPOSED SITE PLAN - LOWER
20 Apr 2021 3611-PL-151-P05 PROPOSED SITE PLAN - UPPER
20 Apr 2021 3611-PL-152-P05 PROPOSED SITE PLAN - ROOF
20 Apr 2021 3611-PL-161-P03 PROPOSED N - S SITE ELEVATIONS

20 Apr 2021 3611-PL-162-P03 PROPOSED E - W SITE ELEVATIONS
 20 Apr 2021 3611-PL-230-P03 OFFICES AND WORKSHOP - N - S ELEVATIONS
 20 Apr 2021 3611-PL-232-P03 OFFICES AND WORKSHOP - E - W ELEVATIONS
 20 Apr 2021 3611-PL-240-P04 RRC - LEVEL 0 PLAN
 20 Apr 2021 3611-PL-242-P04 RRC - ROOF PLAN
 20 Apr 2021 3611-PL-241-P04 RRC - LEVEL 1 PLAN
 20 Apr 2021 3611-PL-251-P04 RRC - N - S ELEVATIONS
 20 Apr 2021 3611-PL-252-P03 RRC - E - W ELEVATIONS
 01 Feb 2021 13478-CRH-XX-00-DR-C-5001-P1 PROPOSED CONTOURS PLAN
 01 Feb 2021 13478-CRH-XX-00-DR-C-5002-P1 PROPOSED PAVEMENT
 CONSTRUCTION PLAN
 01 Feb 2021 13478-CRH-XX-00-DR-C-5051-P1 PROPOSED IMPERMEABLE
 AREAS PLAN
 01 Feb 2021 13478-CRH-XX-00-DR-C-5055-P1 PROPOSED OVERLAND FLOOD
 ROUTES PLAN
 01 Feb 2021 13478-CRH-XX-00-DR-C-5051-P1 PROPOSED IMPERMEABLE
 AREAS PLAN
 01 Feb 2021 13478-CRH-XX-00-DR-C-5055-P1 PROPOSED OVERLAND FLOOD
 ROUTES PLAN
 01 Feb 2021 157-008_P4 TREE RETENTION AND REMOVAL PLAN
 01 Feb 2021 157-401_P4 TREE PIT STANDARD HEAVY STANDARD TREE
 01 Feb 2021 157-402_P4 TREE PIT SEMI MATURE TREE
 01 Feb 2021 157-403_P4 TREE PIT SEMI MATURE IN HARD LANDSCAPE
 01 Feb 2021 157-501_P4 SITE SECTIONS A-A AND B-B (NORTHERN BOUNDARY
 01 Feb 2021 157-502_P4 SITE SECTIONS C-C AND D-D (NORTHERN BOUNDARY
 01 Feb 2021 157-503_P4 SECTIONS E-E AND F-F (SOUTHERN BOUNDARY)
 01 Feb 2021 157-504_P4 SITE SECTIONS G-G AND H-H (EASTERN BOUNDARY
 01 Feb 2021 157-505_P4 SITE SECTIONS I-I AND J-J (WESTERN BOUNDARY
 01 Feb 2021 157-506_P4 SITE SECTION K-K (WESTERN BOUNDARY)
 01 Feb 2021 157-801_P4 ILLUSTRATIVE MASTERPLAN 1:500 @A1
 01 Feb 2021 157-803_P4 ILLUSTRATIVE MASTERPLAN
 01 Feb 2021 20024-GA01-04 REV A ACCESS PLANS
 01 Feb 2021 20024-GA05 REV A OVERVIEW OF SITE ACCESS ARRANGEMENTS
 01 Feb 2021 210128 AREAS DIAGRAM
 01 Feb 2021 3611-PL-010-P03 EXISTING SITE PLAN - BUILDING KEY
 01 Feb 2021 3611-PL-020-P02 EXISTING SITE BLOCK PLAN
 01 Feb 2021 3611-PL-021-P02 EXISTING N-S CONTEXT ELEVATIONS
 01 Feb 2021 3611-PL-022-P02 EXISTING E-W CONTEXT ELEVATIONS
 01 Feb 2021 3611-PL-025-P02 EXISTING CONTEXT SECTIONS AA-BB
 01 Feb 2021 3611-PL-026-P02 EXISTING CONTEXT SECTIONS CC-DD
 01 Feb 2021 3611-PL-050-P05 DEMO PLAN
 01 Feb 2021 3611-PL-065-P02 BAT HOUSE DETAILS
 01 Feb 2021 3611-PL-110-P06 COMP MASTERPLAN
 01 Feb 2021 3611-PL-165-P02 PROPOSED SITE SECTIONS AA-BB
 01 Feb 2021 3611-PL-166-P02 PROPOSED SITE SECTIONS CC-DD
 01 Feb 2021 3611-PL-200-P02 MRF-WTS - LEVEL 0 PLAN
 01 Feb 2021 3611-PL-201-P02 MRF-WTS - LEVEL 1 PLAN
 01 Feb 2021 3611-PL-202-P02 MRF-WTS - ROOF PLAN
 01 Feb 2021 3611-PL-212-P02 MRF-WTS - E-W ELEVATIONS
 01 Feb 2021 3611-PL-215-P02 MRF-WTS - SECTIONS

01 Feb 2021	3611-PL-220-P02	OFFICES-WORKSHOP - LEVEL 0 PLAN
01 Feb 2021	3611-PL-221-P02	OFFICES-WORKSHOP - LEVEL 1 PLAN
01 Feb 2021	3611-PL-222-P02	OFFICES-WORKSHOP - ROOF PLAN
	3611-PL-235-P02	OFFICES-WORKSHOP - SECTIONS
01 Feb 2021	3611-PL-255-P02	RRC - SECTIONS
01 Feb 2021	3611-PL-260-P02	TWTS-SALT STORE - LEVEL 0 PLAN
01 Feb 2021	3611-PL-261-P02	TWTS-SALT STORE - ROOF PLAN
01 Feb 2021	3611-PL-271-P02	TWTS-SALT STORE - N-S ELEVATIONS
01 Feb 2021	3611-PL-272-P02	TWTS-SALT STORE - E-W ELEVATIONS
01 Feb 2021	3611-PL-275-P02	TWTS-SALT STORE - SECTIONS
01 Feb 2021	3611-PL-280-P03	WB CONTROL OFFICE - LEVEL 0 PLAN
01 Feb 2021	3611-PL-281-P03	WB CONTROL OFFICE - ROOF PLAN
01 Feb 2021	3611-PL-285-P03	WB CONTROL OFFICE - ELEVATIONS
01 Feb 2021	3611-PXH-SRA-00-00-DR-A-PL-001-P02	SITE LOCATION PLAN
01 Feb 2021	157-SCH-003_P4	PIXASH WES DEPOT PLANTING SCHEDULE

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.

The development must be operated in full accordance with an Environmental Permit issued by the Environment Agency

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

The Local Highway Authority (LHA) requires the developer to submit full construction details regarding the delivery of the off-site highway improvements. All works will need to be approved by the LHA and suitable supervision in place prior to commencement of the works. Further information in this respect may be obtained by contacting the LHA

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 or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Item No:	02
Application No:	20/04067/FUL
Site Location:	Waterworks Cottage, Charlcombe Way, Fairfield Park, Bath
Ward: Lambridge	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Extension and alteration to existing Cottage and creation of two detached dwellings.
Constraints:	Article 4 HMO, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, 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 NE3 SNCI, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	Mr & Mrs Jeremy & Sarah Flavell
Expiry Date:	26th February 2021
Case Officer:	Samantha Mason

DECISION DEFER for site visit

PLANS LIST:

This decision relates to the following plans:

- 30 Oct 2020 Wessex Water Mains Water And Sewer Map
- 30 Oct 2020 S01 Existing Site Plan
- 09 Nov 2020 S03a Existing Site Appraisal
- 12 Mar 2021 Sko5 Swept Path Analysis Jct
- 12 Mar 2021 Sko6 Swept Path Analysis Plot 2
- 02 Apr 2021 S02 Existing Elevations
- 30 Oct 2020 P00 Existing - Site Location Plan
- 28 Jan 2021 P12b Plot 3 Proposed Floor Plans + Section
- 28 Jan 2021 P13b Plot 3 Proposed Elevations (South And West Facing)
- 28 Jan 2021 P14b Plot 3 - Proposed Elevations (North And East Facing)
- 28 Jan 2021 P18c Plot 2 - Proposed Basement Plan
- 28 Jan 2021 P19c Plot 2 - Proposed Lower Ground Floor Plan
- 28 Jan 2021 P20c Plot 2 - Proposed Upper Ground Floor Plan
- 28 Jan 2021 P21c Plot 2 - Proposed North Facing Elevation
- 28 Jan 2021 P22c Plot 2 - Proposed West Facing Elevation
- 28 Jan 2021 P23c Plot 2 - Proposed South Facing Elevation
- 28 Jan 2021 P24d Plot 2 - Proposed East Facing Elevation
- 28 Jan 2021 P25a Cottage Extension Plans
- 28 Jan 2021 P26a Cottage Extension - Proposed Roof Plan
- 28 Jan 2021 P29a Plot 2 - Proposed Roof Plan
- 28 Jan 2021 Sk01 Rev 1 Swept Path Analysis - Car Parking
- 28 Jan 2021 Sko2 Rev E Swept Path Analysis - Ambulance

01 Feb 2021 P28b Cottage Extension - Elevations
16 Feb 2021 P01 D Proposed - Site Plan
16 Feb 2021 P03 C Proposed - Site Sections Aa + Bb
16 Feb 2021 P27 C Proposed - North & South Facing Elevations
04 Jun 2021 P15f Car Tracking A1
04 Jun 2021 P16f Lighting Strategy
04 Jun 2021 P16f Lighting Strategy

Condition Categories

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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.

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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.

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

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.

Item No:	03		
Application No:	21/02044/FUL		
Site Location:	Crewcroft Barn, Hinton Hill, Hinton Charterhouse, Bath		
Ward:	Bathavon South	Parish:	Hinton Charterhouse
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Barn conversion and alterations to the original building to form straw bale passivhaus standard dwelling.		
Constraints:	Agric Land Class 3b,4,5, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, SSSI - Impact Risk Zones,		
Applicant:	William Drewett		
Expiry Date:	22nd June 2021		
Case Officer:	Chloe Buckingham		

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 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 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.

3 Soft landscape scheme (Compliance)

The scheme shall be carried in accordance with the submitted soft landscape scheme (WHL-1053-01D).

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D1, D2, D3, D5 and NE6 of the Bath and North East Somerset Placemaking Plan (2017).

4 Hard and Soft Landscaping (Compliance)

All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the

development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. 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 that the landscape scheme is implemented and maintained in accordance with Policies D1, D2 and NE2 of the Bath and North East Somerset Placemaking Plan.

5 Tree Protection Plan (Pre-commencement)

No development shall take place until an annotated tree protection plan following the recommendations contained within BS 5837:2012 identifying measures (fencing and/or ground protection measures) to protect the trees to be retained has been submitted to and approved in writing by the Local Planning Authority. The plan shall include proposed tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations. The plan should include the design of fencing proposed and take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

Reason: To ensure that the trees are protected from potentially damaging activities in accordance with policy NE.6 of the Placemaking Plan and CP7 of the Core Strategy. 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.

6 Tree Protection Plan - Implementation (Compliance)

No development activity shall commence until the protective measures as stated in the approved annotated tree protection plan are implemented. The local planning authority is to be advised two weeks prior to development commencing of the fact that the tree protection measures as required are in place with photographic evidence.

Reason: To ensure that the trees are protected from potentially damaging activities in accordance with policy NE.6 of the Placemaking Plan and CP7 of the Core Strategy. 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.

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 section 11 of the National Planning Policy Framework.

8 Wildlife Protection and Enhancement Scheme (pre-commencement)

The development hereby permitted shall be carried out only in accordance with the approved recommended and proposed wildlife mitigation, compensation and enhancement measures described in paragraphs 20-27 of Updated Bat Survey and Mitigation report (September 2020) and paragraphs 52-63 of Ecological Assessment and Bat Surveys report v2 (June 2020) by Emma Pollard and Drawing WHL-1054-01 Rev C. Prior to commencement of any works, full details of:

1. either, full and final details of proposed bat mitigation and enhancement measures (which may if desired take the form of a European protected species licence application method statement), or, a copy of a European Protected Species licence showing that a licence has already been granted, together with details of any additions or minor revisions to the approved reports;
2. a method statement for construction works, confirming protection measures including barrier fencing for retained habitats and avoidance measures for other protected species; and
3. a detailed specification for of additional biodiversity enhancements, wildlife-friendly landscaping and provision of dark corridors; shall be submitted to and approved in writing by the Local Planning Authority. All measures shall be incorporated into the scheme and shown on all relevant plans and drawings. All works within the Scheme shall be carried out and retained and maintained thereafter in accordance with the approved details.

Reason: to demonstrate compliance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended) and to ensure no net loss of biodiversity in accordance with the Bath and North East Placemaking Plan Policy NE3.

NB 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. The option of providing a copy of the European Protected Species licence in place of the full details of the mitigation scheme is provided for convenience and to meet Natural England/ALGE advice in relation to securing legal requirements.

9 Implementation of Wildlife Scheme - Ecological 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.

These details shall include:

1. Confirmation that ecological mitigation measures including measures for bats and nesting birds have been followed;
2. Evidence that a Natural England bat mitigation licence was in place before works proceeded;
3. Confirmation that proposed measures to enhance the value of the site for wildlife and provide biodiversity gain have been implemented including native hedgerow, tree planting and provision of bat and bird boxes, with specifications, numbers and positions to be shown on plans and photographic evidence to be provided;
4. A specification for ongoing management and maintenance of retained and created habitats.

All measures within the scheme shall be retained, monitored and maintained in accordance with the approved details.

Reason: To demonstrate the completed implementation of ecological mitigation and enhancement measures, to prevent ecological harm and to provide biodiversity gain in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) the NPPF and policies NE3, NE5 and D5e of the Bath and North East Somerset Local Plan.

10 External Lighting (Bespoke Trigger)

No new external or internal 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, including automated shutters or blinds. 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 NE3 and D8 of the Bath and North East Somerset Placemaking Plan.

11 Water Efficiency - Rainwater Harvesting (Pre-occupation)

No occupation of the approved dwellings shall commence until a scheme for rainwater harvesting or other methods of capturing rainwater for use by residents (e.g. Water butts) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Placemaking Plan.

12 Water Efficiency (Compliance)

The approved dwellings shall be constructed to meet the national optional Building Regulations requirement for water efficiency of 110 litres per person per day.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Bath and North East Somerset Placemaking Plan.

13 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to plan references;

8QT - 01F, 8QT - 03H, 8QT - 04A, 8QT - 05, 8QT - 06, 8QT - 07C, 8QT - 09B, 8QT - 10A, 8QT - 12 and WHL-1053-01 D received 27th April 2021.

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.

Community Infrastructure Levy

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Responding to Climate Change (Informative):

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Item No:	04		
Application No:	21/01646/FUL		
Site Location:	3 Barrow View, Timsbury Road, Farmborough, Bath		
Ward:	Clutton And Farmborough	Parish:	Farmborough
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of first floor side extension		
Constraints:	Clutton Airfield, Agric Land Class 1,2,3a, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
Applicant:	Mr And Mrs Dennis And Catherine Taylor		
Expiry Date:	2nd July 2021		
Case Officer:	Isabel Daone		

DECISION DEFER as new information was raised which should be assessed

PLANS LIST:

This decision relates to the following plans:

02 Survey Plans
03 Survey Elevations
04 Proposed Plans
05 Proposed Elevations
Block Plan

All received 6th April 2021

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