

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 28th July, 2021, 11.00 am

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

31 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

32 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence.

33 DECLARATIONS OF INTEREST

Cllr Paul Crossley declared a disclosable pecuniary interest in planning application no. 21/02198/FUL – Orchard Rise, Sham Castle Lane, Bath – as he is the applicant and owner of the property. Cllr Crossley stated that he would leave the meeting when this application was discussed.

Cllr Paul Crossley declared a non-pecuniary interest in planning application nos. 21/02198/FUL and 21/02199/LBA – Liberal Democrats, 31 James Street West, Bath - as he is a member of the Liberal Democrat Party.

Cllr Hal MacFie declared an interest in planning application nos. 21/02198/FUL and 21/02199/LBA – Liberal Democrats, 31 James Street West, Bath – as he is on the Executive Committee of the Liberal Democrats. Cllr MacFie stated that he would leave the meeting when this application was discussed.

34 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

The Chair read out a statement explaining that she was aware that councillors and officers have recently been negatively targeted on social media. This behaviour is unacceptable and will not be tolerated. If members of the public wish to make a complaint then they can do this via the corporate complaints procedure, details of which can be found on the B&NES Council website.

35 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.

36 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 30 June 2021 were confirmed and signed as a correct record.

37 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 no. 3 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. 20/03071/EFUL

Site Location: Dick Lovett (Bath) Ltd, Wellsway Garage, Lower Bristol Road, Westmoreland, Bath – Demolition of existing buildings and mixed-use development of the site comprising the erection of residential units (Class C3), erection of purpose-built managed student accommodation (Sui Generis); flexible commercial floorspace (Class E); associated parking; landscaping; improvements to the public realm; and new vehicular access from Lower Bristol Road.

This application was withdrawn from the agenda due to the submission of new information which needs to be considered by the Case Officer. The application will be considered at a future meeting.

Item No. 2

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 permit.

Cllr Davis, local ward member on the committee, noted that additional information has now been submitted and considered by the Case Officer. She felt that the proposal will provide symmetry with the neighbouring property and moved the officer recommendation to permit. This was seconded by Cllr Hounsell.

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

Item No. 3

Application No. 21/02166/FUL

Site Location: Upper Flat, 135 Wells Road, Lyncombe, Bath – Change of Use of an upper 4-bedroom flat (Use Class C3) to 5-bedroom House in Multiple Occupation (HMO) (Use Class C4).

The Case Officer reported on the application and his recommendation to permit. He briefly outlined the reasons why this application had been called to committee by Cllr Born, which included concern about the density of HMO properties in the area. He also informed the committee that the applicant wished to retract the statement submitted by the agent which was set out in the report. He then read out a replacement statement by the applicant.

Cllr Alison Born, local ward member, spoke against the application. She expressed concern about the high number of HMO properties already in this area. She felt that an additional HMO would have a detrimental effect on local amenity including additional noise. She also noted the lack of communal space in the property and the loss of a family home.

The Case Officer then responded to questions as follows:

- The property is semi-detached and currently divided into two flats.
- The parking is considered to be adequate (3 spaces) and no further residents' parking permits will be issued for this area.
- When a property is converted into flats, building regulation standards apply and so no condition requiring soundproofing of ceilings would be required.

Cllr Jackson moved the officer recommendation to permit as she felt that this type of accommodation is needed in Bath and there is no policy reason for refusal.

Cllr Davis seconded the motion stating that the number of HMO properties in the area remains under the 10% threshold as set out in the policy.

Cllr Hughes felt that the proposal represented overdevelopment.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 2 votes against to PERMIT the application subject to the conditions set out in the report.

Item Nos. 4 and 5

Application Nos. 21/01752/FUL and 21/01753/LBA

Site Location: Royal National Hospital for Rheumatic Diseases, Upper Borough Walls, Bath – Change of use from hospital (Use Class C2) to 160 bedroom hotel (Use Class C1) and ancillary functions; external alterations to East Wing roof including removal of lift room and flue, demolition and replacement of roof top plant area and extension to existing pitched roof, demolition and replacement of modern infill development to south elevation and new infill development to north elevation of the East Wing internal courtyard and new glazed roof to spa area, removal of modern external staircase to rear of West Wing, demolition and replacement of third storey extension to West Wing, alterations to the roof of West Wing, including new lift shaft and plant screen, bridge link to new three storey rear extension to West Wing, and associated

landscaping and public realm works.

Internal and external alterations associated with proposed conversion to hotel (Use Class C1), external alterations to East Wing roof including removal of lift room and flue, demolition and replacement of roof top plant area and extension to existing pitched roof, demolition and replacement of modern infill development to south elevation and new infill development to north elevation of the East Wing internal courtyard and new glazed roof to spa area, removal of modern external staircase to rear of West Wing and replacement infill development, demolition and replacement of third storey extension to West Wing, alterations to the roof of West Wing including new lift shaft and plant screen, and bridge link to new three storey rear extension to West Wing.

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

Four people spoke in objection to the applications.

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

In response to some comments made by public speakers, Cllr Hounsell stated that no pressure had applied to committee members in relation to this application.

Officers then responded to questions as follows:

- The existing turret would be removed to facilitate the new extension to the building. The turret was constructed in the 1990s and its removal is considered to cause less than substantial harm to the heritage asset.
- Public access to the building would be permitted on certain days throughout the year. Interpretation boards would also be provided, and the mosaics would be available for the public to view, one in its original basement location and the other in an enhanced location.
- The staircase to the chapel would need to be moved, as an internal staircase is required under the revised design. This would cause some harm to the listed building, but tiles will be re-used to repair the chapel.
- There would be a maintenance schedule for the green roofs.
- The 39% reduction in CO2 emissions referred to by the applicant would be equivalent to 30 acres of broadleaf woodland planting but no offsite planting will take place.
- Historic England has accepted the proposals for the scheduled monument whilst accepting that there would be some harm.
- It is not possible to impose a condition that the applicant does not appeal the decision on the previous application. If any appeal went ahead then this would be a written representation appeal rather than a householder appeal.
- There is currently one disabled parking space outside of the building. The nearest accessible drop-off point would be either at the bottom of Milsom Street or in Terrace Walk (about 400m away). Car parking arrangements in this city centre location are controlled by the city centre security measures agreed by Cabinet.
- Deliveries will have to take place during the permitted hours (before 10am or after 6pm).

The Chair stated that she appreciated that the proposals would have some effect on local residents, however, she felt that the applicant has tried to address the concerns raised by the Committee.

Cllr Hughes supported the principle of a hotel and felt that this would be a viable use of the heritage asset. However, he still had some reservations about the extension and the lack of open space as the building could appear overbearing to Parsonage Lane.

Cllr Crossley spoke in support of the Case Officer's approach to this application. He said that there will always be differences of opinion when making planning decisions, but he was upset at some of the implications mentioned by objectors. He felt that this is an interesting application and the previous issues raised by the committee have now been addressed. Buildings must develop and he felt that the use of the building as a hotel is an acceptable outcome.

Cllr Hounsell stated that the officer report was very thorough. He pointed out that the role of the planning committee is to ensure that the application is policy compliant. He felt that the new application is an improvement on the previous one.

Cllr Clarke stated that he felt there are no grounds on which to object to this application, although he had some sympathy with the concerns of residents. He stressed the importance of looking after the heritage asset.

Cllr Hodge expressed concerns about the future maintenance of the green wall and roof and felt that a specific time-period should be added to the condition relating to this.

Cllr Davis moved that the committee delegate to permit the planning application and to grant listed building consent subject to the conditions set out in the report and the inclusion of a specific time-period as suggested by Cllr Hodge. This was seconded by Cllr Crossley.

The motion was put to the vote and it was RESOLVED by 9 votes in favour and 1 abstention to DELEGATE TO PERMIT the planning application and to GRANT listed building consent subject to the conditions set out in the reports and the inclusion of a specific time-period relating to the maintenance of the green wall and roof.

Item No. 6

Application No. 21/00435/EREG03

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); Trad 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.

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

One person, representing the neighbouring care home, spoke against the application.

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

The Case Officer and Highways Officer then responded to questions as follows:

- Officers are working closely with the applicants to encourage walking and cycling by staff. On the day of the site visit there was a higher-than-average number of HGV movements.
- The Council has made a commitment to investigate the possibility of a new waste and recycling centre at Odd Down, but nothing has yet been decided.
- The site will be subject to an Environmental Permit from the Environment Agency which will include the assessment of noise surveys. Any conditions imposed relating to noise and odours from the site will be enforced by the Environment Agency going forward.
- If there is an improved recycling facility, then this is likely to result in a decrease in the amount of fly-tipping.

Cllr MacFie, local ward member on the committee, commended the Council for keeping the ward councillors informed about the proposals for this site. He noted that Cabinet has given a commitment to find a new site and he supported the proposal.

Cllr Hounsell welcomed the provision of an improved waste and recycling facility. He noted that the recycling lorries would be able to re-fuel on site which will mean that fewer lorries will have to travel through Saltford to do this. There would also be no break in the available facilities for Bath residents.

Cllr Bromley supported the proposal and felt that the education centre would be a good addition. She also welcomed the proposal for a booking system which would help to mitigate any traffic problems.

Cllr Hughes had some concerns about mitigation but supported the proposal. He asked officers to consider the issues raised by the neighbouring nursing home relating to planting and landscaping. He also mentioned that seagulls could cause problems at the site and suggested a gull management plan.

Cllr Davis moved that the committee delegate to permit the application to enable officers to consider the issues raised by Cllr Hughes.

This was seconded by Cllr Hounsell.

The motion was put to the vote and it was RESOLVED unanimously to DELEGATE TO PERMIT the application subject to the conditions set out in the report and to further investigations as to whether the landscaping and planting could take place pre-commencement of the works and the inclusion of a gull management plan.

Item No. 7

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 spoke against the application.

The agent spoke in favour of the application.

The Chair read out a statement from Cllr Rob Appleyard, local ward member, who felt that the changes to the application have addressed many of the original concerns. However, the issue of overdevelopment is still a concern. He also asked that particular attention is given to the impact on the highways during the construction period to lessen the impact on residents.

Officers then responded to questions as follows:

- It is difficult to reliably survey for amphibians, and the ecologist would prefer to proceed on a precautionary basis and assume that they are present on the site. A condition would be included which would require the developer and applicant to monitor the effect of the development on amphibians. This could be carried out in a number of ways, for example by employing a consultant ecologist or by means of the local community.
- If the proposed measures to mitigate harm to amphibians were not working, then action could be taken to assist them to move more easily through the site. The proposed condition requiring an Ecological Management Plan will help to protect wildlife and there are different ways in which this can be achieved.
- Charlcombe Lane is already closed for six weeks during February/March to enable toad migration.
- The Highways Officer explained that a construction management plan will be required.
- The net gain figure for biodiversity has been calculated using the Defra calculator which is an accepted method.
- There are no other flat roof developments in Charlcombe Way. The distance between Plot 2 and the existing cottage is between 1.2m and 2.4m.
- There has been a significant decline in the number of toads over recent years, however, numbers are now stabilising.

Cllr Crossley felt that the adverse effect of the development on biodiversity has been underestimated. The number of amphibians is on the decline in this country and a great deal have already been lost.

Cllr Hodge expressed concerns about the density of the site and the negative consequences for the surrounding area. She felt that the proposal would have a detrimental impact on the setting of the existing cottage. It would not enhance the local landscape.

Cllr Clarke noted that this area is already quite well developed although he had some concerns regarding the impact on wildlife.

Cllr Jackson was concerned about further development in the area and stressed the importance of retaining the historic workers' cottage. She felt that the proposal represented overdevelopment and inappropriate design.

Cllr MacFie felt that the applicant had worked hard to address the concerns raised and did not think that the development would be very intrusive.

Cllr Jackson then moved that the application be refused for the following reasons:

- Overdevelopment
- The proposal does not contribute positively to the local character of the area and does not conserve or enhance the local landscape.
- Inappropriate design which has an adverse impact on the setting of the existing cottage.
- Loss of biodiversity.

This was seconded by Cllr Crossley.

Cllr Hounsell stated that it would be preferable to build in this location than in the green belt. He felt that there is space to build on the plot and that the application is policy compliant.

The motion was put to the vote and it was RESOLVED by 6 votes in favour, 3 votes against and 1 abstention to REFUSE the application for the reasons set out above.

Item No. 8

Application No. 21/01412/FUL

Site Location: Unregistered Unit 1-4, Old Station Yard, Avon Mill Lane, Keynsham – erection of 3 acoustic barriers; permission to allow the filling of concrete mixing vehicles between 6.30am and 5.30pm (Monday- Friday) 8am to 1pm Saturday and 7.30am to 5.30pm (Bank Holidays); permission to allow other specified operations at the site between 7.30am and 6.30pm (Monday- Friday) and 8am and 1pm (Saturday) and 7.30am-5.30pm (Bank Holidays); and permission to store materials in external yard area (re-submission of planning application 20/02008/FUL).

The Case Officer reported on the application and his recommendation to permit. He reported that an email has been received from the agent acting for the objectors, but this did not raise any new issues. He confirmed that officers have considered both acoustic reports that have been submitted and explained that the operator statement and the site management plan are the same document.

A local resident spoke on behalf of the objectors against the application.

The agent spoke in favour of the application.

Cllr Andy Wait, local ward member, spoke against the application. He raised concerns regarding air pollution, noise and dirt which would be disruptive and detrimental to the amenity of residents. He also stated that this would lead to an increase of 2,000 additional HGV visits per year. He pointed out that the Council owes a duty of care to local residents. He stated that an error was made in 2019

and that there is no evidence that B2 use has been granted by B&NES Council. He pointed out that Keynsham Town Council has objected to the application. He also stated that 4Concrete have erected inferior acoustic barriers on the site.

Officers then responded to questions as follows:

- The company already has permission to operate on this site. The application would ensure that an acoustic fence is put in place and that operator statements are in place to control operations.
- The Committee can take into account the detrimental effect of the proposal on residents and weigh this against the benefits of the work being carried out on site.
- The acoustic fence that has been erected is unauthorised. If planning permission were granted, then action would be taken to ensure that the fence is fit for purpose, as a condition would specify the noise limits that have to be met. The Case Officer has discussed remedial measures with the applicants relating to the fence.
- There will always be some impact on amenity but the policy states that this must be at an acceptable level.
- Large articulated lorries would not be reversing during the extended hours. Therefore, the situation would be no worse than it is currently.
- The only increase in noise levels would be during the extra hours of operation which would be less than or equivalent to 5 decibels. The barrier will not be fully effective until it is complete.
- Both acoustic reports conclude that the levels of noise are currently too high. However, there is disagreement about the solution.
- Zero levels of noise increase are not achievable. There will be restrictions on the timing of deliveries to the site.
- As this is an existing site the conditions to be applied aim to mitigate the level of noise. Officers believe that this is reasonable.
- The site can already operate on bank holidays and there will be no changes to the hours of operation on these days.
- The Committee has to consider both the fence and extension of hours together as this is the application before it. The extension to operating hours is dependent on the erection of the fence. There should be no operation outside of the currently approved hours until the barrier has been erected and tested.
- It is not unusual for professional reports to be paid for by the applicant. These reports are carried out in accordance with professional codes of conduct and standards.
- The onus will be on the applicant to meet the conditions required and, if necessary, the Environmental Protection Team would monitor the noise levels and take enforcement action where required.
- The maximum level of noise permitted in a house is 57 decibels, which relates to a single burst of noise rather than a constant level. This is in line with WHO (World Health Organisation) guidance.
- The lawful use of the site is a B2 use.
- The additional vehicles, resulting from the application would be the 4Concrete mixers leaving the site between 6.30am and 7.30am Monday to Friday, along with staff cars.
- There is currently an open enforcement case on this site, but this should not

be given great weight.

Cllr MacFie, local ward member on the committee, stated that he would like to add the following conditions if the application were to be permitted:

- The assessment of daytime noise levels should be carried out by an independent company specified by B&NES Council.
- The required sound levels should use the WHO norms which are 53 decibels in a bedroom and 5 decibels above the ambient level from 7.30 to 18.30.
- The acoustic barrier should be completed within 2 months from the date of this meeting.
- Noise levels should be reviewed every 12 months with no end date.
- If noise levels remain excessive then there should be a 12-month moratorium on the company submitting future planning applications until the enforcement issues have been dealt with.

The Team Manager, Development Management, stated that anyone has the right to submit a planning application and that any condition denying this would be unlawful. It would not be appropriate to specify, as a condition, who should produce an independent report. He advised the Committee not to deviate from the noise conditions set out in the officer report.

Cllr MacFie then moved that the following additional conditions be included if the Committee agreed to permit the application:

- The assessment of daytime noise levels should be carried out by an independent company specified by B&NES Council.
- The required sound levels should use the WHO norms which are 53 decibels in a bedroom and 5 decibels above the ambient level from 7.30 to 18.30.
- Noise levels should be reviewed every 12 months with no end date.

The motion was not seconded.

Cllr Jackson stated that she was opposed to the extension of the operating hours, although could have supported the proposal for an acoustic barrier and storage. She then moved that the Committee refuse the application due to unacceptable loss of amenity for residents relating to noise and traffic disturbance.

This was seconded by Cllr Crossley who stated that it is important to firstly ascertain whether the acoustic barriers work before considering an extension to the hours of operation.

Cllr Hughes supported the motion and felt that the increase in noise levels would be detrimental to the health and wellbeing of residents.

Cllr Clarke spoke in favour of the motion noting the objections from local residents, Keynsham Town Council and the local ward councillor.

The Case Officer confirmed that there is an extant planning permission for extended hours of operation and for the same noise levels as is suggested in this report.

The Team Manager, Development Management, pointed out that in order to refuse the application on the grounds stated the committee must be satisfied that there will be significant impact on amenity.

Cllr Davis stated that, in light of the extant permission, she would find it difficult to support the motion to refuse.

The motion was put to the vote and it was RESOLVED by 6 votes in favour, 3 votes against and 1 abstention to REFUSE the application due to significant loss of amenity for local residents in terms of noise, traffic and disturbance.

Item No. 9

Application No. 20/03392/FUL

Site Location: Barn North of Village Hall, Langridge Lane, Langridge, Bath – Convert a redundant farm building into an agriculturally tied dwelling to house a farm worker.

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

A representative from Charlcombe Parish Council spoke in favour of the application.

The applicant spoke in favour of the application.

Cllr Kevin Guy, local ward member, spoke in favour of the application. He stated that the need for an agricultural workers' dwelling has been accepted. The barn is in a convertible condition and the proposal will not impact on the openness of the green belt. He stated that this would create a sustainable, low impact workers' dwelling which would meet the needs of the farming business.

The Case Officer then responded to questions as follows:

- There are very few trees in the surrounding landscape and the planting of trees in the area would look incongruous.
- If the committee was minded to approve the application then a condition could be included to retain the use of the dwelling for an agricultural worker.
- No alternative sites have been put forward by the applicant.
- Low level hedging rather than trees would be more appropriate for landscaping.

Cllr Jackson noted that this is a working farm which requires a full-time worker. She moved that the committee delegate to permit the application as the proposal would benefit the rural economy, make the business viable and would be compliant with policies RE1, RE2 and RE4. Officers could then hold further discussions with the applicant to agree appropriate landscaping for this location. This was seconded by Cllr Davis.

Cllr Hodge felt that there should be a site visit as the barn is in a very prominent position on a main road. She did not support the proposed design in this location.

The Team Manager, Development Management, explained that officers could accept the possibility of a dwelling on the farm but not the proposed position of the dwelling,

as this would have a significant impact.

The motion was put to the vote and it was RESOLVED by 6 votes in favour, 3 votes against and 1 abstention to DELEGATE TO PERMIT the application subject to conditions.

(Note: At this point Cllr Crossley left the meeting, having declared an interest in the following application).

Item No. 10

Application No. 21/02424/FUL

Site Location: Orchard Rise, Sham Castle Lane, Bathwick, Bath – Erection of single storey extension following demolition of garage.

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

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

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

(Note: At this point Cllr Hal MacFie left the meeting having declared an interest in the following item. Cllr Lucy Hodge also left the meeting due to a prior engagement. Cllr Crossley returned to the meeting).

Item Nos. 11 and 12

Application Nos. 21/02198/FUL and 21/2199/LBA

Site Location: Liberal Democrats, 31 James Street West, Bath – External alterations for the remodelling of the front garden to include the installation of a new lifting platform (Resubmission).

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

Cllr Jackson moved the officer recommendation to permit in respect of both applications. This was seconded by Cllr Davis.

The motion was put to the vote and it was RESOLVED unanimously to PERMIT the planning application and to GRANT listed building consent subject to the conditions set out in the report.

38 QUARTERLY PERFORMANCE REPORT - APRIL TO JUNE 2021

The Committee considered the quarterly performance report from April to June 2021.

RESOLVED to note the report.

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

The Committee considered the appeals report. Cllr Jackson congratulated officers on their high success rate.

RESOLVED to note the report.

The meeting ended at 6.05 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Planning Committee

Date 28th July 2021

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

ITEM 3

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
3	21/02166/FUL	Upper Flat 135 Wells Road Lyncombe Bath Bath And North East

The applicant, having reviewed the provided map of HMO properties within the locality, queried whether 84A Wells was an HMO. This was raised with the HMO Licencing team who confirmed that 84A Wells Road (17/01263/HMOADD) has reverted back to a single dwelling house (C3 Use Class). There was an error on the GIS database which is being reviewed.

This now results in an adjusted figure. The existing proportion of HMOs within the 100m radius is $7/86 = 8.1\%$. With the application property the proportion is $8/86 = 9.3\%$. As such, the figure has fallen below the HMO SPD 10% threshold.

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BATH AND NORTH EAST SOMERSET COUNCIL

MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT THE MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 28 JULY 2021

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
8	Unregistered Unit 1-4 Old Station Yard, Avon Mill Lane, Keynsham	Mike May	Against
		Daniel Millward (Agent)	For
		Cllr Andy Wait (Local Ward Member)	Against
2	3 Barrow View, Timsbury Road, Farmborough, Bath	NO SPEAKERS	
3	Upper Flat, 135 Wells Road, Lyncombe, Bath	Cllr Alison Born (Local Ward Member)	Against
4 & 5	Royal National Hospital for Rheumatic Diseases, Upper Borough Walls, Bath	Huw Spanner John Mountford Jeremy Clarke Jane Samson	Against (To share 12 minutes)
		Kevin Murphy (on behalf of applicant)	For (12 minutes)
6	Ministry of Defence Storage and Distribution Centre, Pixash Lane, Keynsham	Matthew Johnson	Against
		Christopher May (on behalf of applicant)	For

7	Waterworks Cottage, Charlcombe Way, Fairfield Park, Bath	Nicholas Burgess	Against
		Chris Dance (Agent)	For
		Cllr Rob Appleyard (Local Ward Member - written statement)	N/A
9	Barn North of Village Hall, Langridge Lane, Langridge, Bath	John Rippin (Charlcombe Parish Council)	For
		Tom Bravin (Applicant)	For
		Cllr Kevin Guy (Local Ward Member)	For
10	Orchard Rise, Sham Castle Lane, Bathwick, Bath	NO SPEAKERS	
11 & 12	Liberal Democrats, 31 James Street West, Bath	NO SPEAKERS	

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

28th July 2021

DECISIONS

Item No:	01	
Application No:	20/03071/EFUL	
Site Location:	Dick Lovett (bath) Ltd, Wellsway Garage, Lower Bristol Road, Westmoreland	
Ward: Westmoreland	Parish: N/A	LB Grade: N/A
Application Type:	Full Application with an EIA attached	
Proposal:	Demolition of existing buildings and mixed-use redevelopment of the site comprising the erection of residential units (Class C3); erection of purpose built managed student accommodation (Sui Generis); flexible commercial floorspace (Class E); associated parking; landscaping; improvements to the public realm; and new vehicular access from Lower Bristol Road.	
Constraints:	Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B1 Bath Enterprise Zone, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, Contaminated Land, Policy CP9 Affordable Housing Zones, District Heating Priority Area, Flood Zone 2, Flood Zone 3, 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, Placemaking Plan Allocated Sites, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, Policy ST2 Sustainable Transport Routes,	
Applicant:	Watkin Jones Group	
Expiry Date:	27th August 2021	
Case Officer:	Chris Griggs-Trevarthen	

Removed from committee

Item No:	02
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:	3rd August 2021
Case Officer:	Isabel Daone

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Materials (Compliance)

All external walling and roofing materials to be used shall match those of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

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 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following plans:

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

Location Plan

All received 6th 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.

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.

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:	21/02166/FUL
Site Location:	Upper Flat, 135 Wells Road, Lyncombe, Bath
Ward: Widcombe And Lyncombe	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of Use of an upper 4 bedroom flat (Use Class C3) to 5 bedroom House in Multiple Occupation (HMO) (Use Class C4).
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	Mr Richard Bennett
Expiry Date:	30th July 2021
Case Officer:	Ben Burke

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 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least four bicycles has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle 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 Policies ST1 and ST7 of the Bath and North East Somerset Placemaking Plan.

3 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following approved drawings:

04.05.2021, D2, Existing and Proposed First Floor Plan
04.05.2021, D3, Existing and Proposed Second Floor Plan
04.05.2021, D4, Existing and Proposed Ground Floor Plan
04.05.2021, D1, Block Plan
04.05.2021, SK1, Location Plan

Permit/Consent Decision Making Statement

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

Condition Categories

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

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

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

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

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

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

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

Item No:	04
Application No:	21/01752/FUL
Site Location:	Royal National Hospital For Rheumatic Diseases, Upper Borough Walls, City Centre, Bath
Ward: Kingsmead	Parish: N/A LB Grade: IISTAR
Application Type:	Full Application
Proposal:	Change of use from hospital (Use Class C2) to 160 bedroom hotel (Use Class C1) and ancillary functions; external alterations to East Wing roof including removal of lift room and flue, demolition and replacement of roof top plant area and extension to existing pitched roof, demolition and replacement of modern infill development to south elevation and new infill development to north elevation of the East Wing internal courtyard and new glazed roof to spa area, removal of modern external staircase to rear of West Wing, demolition and replacement of third storey extension to West Wing, alterations to the roof of West Wing including new lift shaft and plant screen, bridge link to new three storey rear extension to West Wing, and associated landscaping and public realm works.
Constraints:	Article 4 Bath Demolition Wall, Article 4 Bath Office Conversion, Article 4 Reg 7: Estate Agent, Agricultural Land Classification, Policy B2 Central Area Strategic Policy, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP12 Bath City Centre Boundary, Policy CP9 Affordable Housing Zones, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,
Applicant:	Fragrance UK (Bath) Ltd
Expiry Date:	13th August 2021
Case Officer:	Tessa Hampden

DECISION Delegate to permit subject to conditions and a s106 agreement.

Item No:	05
Application No:	21/01753/LBA
Site Location:	Royal National Hospital For Rheumatic Diseases, Upper Borough Walls, City Centre, Bath
Ward: Kingsmead	Parish: N/A LB Grade: IISTAR
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	Internal and external alterations associated with proposed conversion to hotel (Use Class C1), external alterations to East Wing roof including removal of lift room and flue, demolition and replacement of roof top plant area and extension to existing pitched roof, demolition and replacement of modern infill development to south elevation and new infill development to north elevation of the East Wing internal courtyard and new glazed roof to spa area, removal of modern external staircase to rear of West Wing and replacement infill development, demolition and replacement of third storey extension to West Wing, alterations to the roof of West Wing including new lift shaft and plant screen, and bridge link to new three storey rear extension to West Wing.
Constraints:	Article 4 Bath Demolition Wall, Article 4 Bath Office Conversion, Article 4 Reg 7: Estate Agent, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP12 Bath City Centre Boundary, Policy CP9 Affordable Housing Zones, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,
Applicant:	Fragrance UK (Bath) Ltd
Expiry Date:	13th August 2021
Case Officer:	Tessa Hampden

DECISION Delegate to consent subject to conditions.

Item No:	06
Application No:	21/00435/ERE03
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:	30th July 2021
Case Officer:	Tessa Hampden

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 Phasing Plan (Compliance)

The construction of the development hereby approved shall not proceed other than in accordance with the approved phasing plan PXH-SRA-00-L1-DR-A-PL-170 P02 or in accordance with an amended phasing plan as submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary that the stages of development and the provision of associated public services and infrastructure follow a co-ordinated sequence.

3 Highway Signage Strategy (Pre-Commencement)

No work shall commence on the development site until a highway signage strategy has been submitted to and approved by the Local Planning Authority in accordance with a design and specification to be approved in writing by the Local Planning Authority, and to be fully implemented to the satisfaction of the Local Planning Authority.

Reason: To ensure that the development is served by an adequate means of access in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

4 Highway works (Pre-Commencement)

No operation of the Phase 1 development shall commence until the highway works indicated on submitted plan reference 20024-GA05 Revision A (or a variation agreed by the Local Planning Authority), have been constructed to the satisfaction of the Local Highway Authority.

Reason: To ensure that the development is served by an adequate means of access in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

5 Parking (Compliance)

The internal transport arrangements including circulation lanes, stacking lanes, footways, areas allocated for parking and turning, as indicated on submitted plan references 20024-GA05 Revision A and 157-801 Revision P4, shall be kept clear of obstruction and shall not be used other than for the purpose intended and in connection with the development hereby permitted.

Reason: To ensure sufficient operation, manoeuvring, circulation, 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.

6 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.

7 Drainage (Pre commencement)

Prior to the commencement of any works on site, details of the provision for the sustainable disposal of surface water within the site, so as to prevent its discharge onto the public highway, shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be fully implemented in accordance with the approved details.

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

8 Visibility Splay (Pre-occupation)

No occupation of the development shall commence until the visibility splays shown on drawing number 20024-GA05 Revision A have been provided. There shall be no on-site obstruction exceeding 900mm above ground level within the visibility splay. The visibility splay shall be retained permanently thereafter.

Reason: To ensure sufficient visibility is provided in the interests of highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan

9 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least 30 bicycles has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle 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 Policies ST1 and ST7 of the Bath and North East Somerset Placemaking Plan.

10 Motorcycle Parking (Pre-occupation)

No occupation of the development shall commence until motorcycle parking for at least 24 motorcycles has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle 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 Policies ST1 and ST7 of the Bath and North East Somerset Placemaking Plan.

11 Travel Plan (Compliance)

The development shall be operated in accordance with the approved Travel Plan prepared by MWT dated April 2021 or as otherwise approved in writing by the Local Planning Authority

Reason: In the interest of encouraging sustainable travel methods

12 Construction Traffic Management Plan (Compliance)

The development shall be constructed in accordance with the approved Construction Traffic Management Plan prepared by MWT dated January 2021 or as otherwise approved in writing by the Local Planning Authority.

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

13 Stage 3 Road Safety Audit)

The completed highway works shall be subject of an independent Stage 3 Road Safety Audit (RSA). The audit will be undertaken in accordance with GG119 and the audit brief together with the CV of the Audit Team Leader and Audit Team Member shall be

submitted to and approved in writing by the LHA. A representative of the LHA shall be present at the Stage 3 RSA site visit an observer and a representative of Avon and Somerset police shall be invited to attend the daytime and night-time site visits.

Reason: In the interest of highway safety.

14 Closure of Access (Bespoke Trigger)

Prior to the operational of phase 2 of the development being brought into use, the existing access on Pixash Lane shall be permanently closed and a footway/verge reinstated, 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

15 Programme of archaeological work (Pre-Commencement)

No development shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a field evaluation of the site to determine date, extent, and significance of any archaeological deposits or features, and shall be carried out by a competent person and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan. This is a condition precedent because archaeological remains and features may be damaged by the initial development work

16 Archaeological field evaluation (Pre-Commencement)

No development shall commence until the applicant, or their agents or successors in title, has presented the results of the archaeological field evaluation to the Local Planning Authority, and has secured the implementation of a subsequent programme of archaeological recording and/or mitigation work in accordance with a written scheme of investigation which has first been agreed and approved in writing by the Local Planning Authority. The agreed programme of archaeological work shall be carried out by a competent person and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

17 Construction Environmental Management Plan (CEMP) (Compliance condition)

The development hereby approved shall be implemented only in full accordance with the approved Construction Environmental Management Plan dated April 2021 by Ethos.

Reason: to avoid harm to wildlife and protected species during site preparation and construction

18 Biodiversity Net Gain and Landscape and Ecological Management Plan (LEMP) (Compliance condition)

The proposed habitat provision, biodiversity offsetting, and long term implementation of the Ecological Management Plans, and Monitoring, Remediation and Review, as detailed in the approved "Biodiversity Net Gain Results" document dated April 2021 by Ethos and the implementation of the approved Landscape and Ecological Management Plan (LEMP) dated January 2021 by Ethos shall be carried out and completed fully in accordance with the approved details. Reports of findings of all monitoring and any remediation requirements and progress, and review and proposed changes to the LEMP and Ecological

Management Plans as applicable, shall be submitted to and approved by the Local Planning Authority following each monitoring and review occasion.

Reason: to avoid net loss to biodiversity and to deliver additional net gain for biodiversity in accordance with the requirements of NPPF and emerging national legislation and Local Plan Policy.

19 External Lighting (Compliance and Bespoke Trigger)

All external lighting associated with the development hereby approved must be installed maintained and operated only in strict accordance with "ADDENDA TO REP05 EXTERNAL LIGHTING STATEMENT R1" reference 4605 REP08 ADDENDA (E3 Consulting Engineers, 14 April 2021). No additional or replacement new internal or external lighting shall be installed that is not in accordance with approved details, without full details of proposed new lighting being first submitted to and approved in writing by the Local Planning Authority. Such details shall 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; 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.

20 Light Level Monitoring (bespoke trigger)

Within six months of operation of the new external lighting system a compliance report of light spill levels shall be completed showing operational light levels within and adjacent to bat habitat, at intervals at ground level and at heights above ground level. In addition, details of a proposed a long term Light Level Monitoring and Remediation Plan, designed to

monitor the continued effectiveness of the scheme and its lighting, light containment and controls, and to demonstrate continued avoidance of light spill onto sensitive features and bat habitat, shall be submitted to and approved in writing by the Local Planning Authority. The Light Level Monitoring and Remediation plan shall thereafter be implemented and adhered to.

Reason: to rule out any future risk of harm to bats associated with the Bath & Bradford on Avon Bats Special Area of Conservation arising from light spill onto bat habitats

21 Bat Mitigation and Bat Monitoring Scheme (bespoke trigger)

The development hereby approved shall be implemented fully in accordance with all approved bat mitigation measures including approved landscape and lighting design and as detailed in the approved Ecological reports and Demolition Bat Survey Report (Ethos, Nov 2020). Within six months of completion of bat mitigation measures a Bat Monitoring Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Bat Monitoring Scheme shall provide details of proposed monitoring of bats and roosts and mitigation features at the site including: horseshoe bat activity along linear habitat features; bat monitoring of all bat mitigation features and the bat house (and its condition and maintenance requirements). The monitoring shall be carried out for a minimum of a 10 year period and frequency and timings of monitoring shall be defined in the scheme. The Bat Monitoring Scheme shall thereafter be carried out in accordance with approved details. A report of all monitoring findings shall be submitted to the Local Planning Authority within 2 months of each monitoring exercise.

Reason: to demonstrate and monitor continued adherence to and effectiveness of bat mitigation and avoid harm to bats and their roosts and horseshoe bat activity.

22 Ecology Follow-up Report (post-construction / Pre-operational)

No operation of the development hereby approved or new external lighting for the relevant completed development phase (as applicable) shall commence until a report produced by a suitably experienced ecologist and based on a post-construction site visit, confirming and demonstrating, using photographs, completion and implementation of all ecological and protected species, bat and horseshoe bat mitigation and compensation measures applicable to that phase, including (but not limited to): adherence to the approved CEMP; implementation of all new planting and habitat creation; completion of reptile translocation and mitigation and bat mitigation schemes; 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 Ecological and protected species including horseshoe bat mitigation in accordance with approved details, to prevent ecological harm

23 a Construction Dust Environmental Management Plan)

No development shall commence until a Construction Dust Environmental Management Plan for all works of construction and demolition has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall comply with the guidance the BRE Code of Practice on the control of dust from construction and demolition activities. The development shall thereafter be carried out in accordance with the approved details.

Reason: To protect the amenities of the occupants of adjacent residential properties in accordance with Policies D6 and PCS3 of the Bath and North East Somerset Placemaking Plan.

24 Arboricultural Method Statement and Tree Protection Plan (Pre-commencement)

No development shall commence until a Detailed Arboricultural Method Statement with Tree Protection Plan following the recommendations contained within BS 5837:2012 has 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 compliance statement 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 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 Placemaking 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.

25 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.

26 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.

27 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.

28 Sustainable Construction Details -Renewable Energy (Pre-Occupation)

The relevant parts of the development shall achieve an overall reduction in carbon emissions of at least 19% as compared to the Building Regulations Part L baseline; at least 10% of the overall reduction shall be by means of on site renewable energy generation and the remaining 9% by other means (for example energy efficient construction).

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:

- o Table 2.1 Energy Strategy (including detail of renewables)
- o Table 2.2 Proposals with more than one building type (if relevant)
- o Table 2.3 (Calculations);
- o Building Regulations Part L post-completion documents for renewables;
- o Building Regulations Part L post-completion documents for energy efficiency;
- o Microgeneration Certification Scheme (MCS) Certificate/s

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).

29 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 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.

30 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 of the National Planning Policy Framework.

31 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.

32 Operational Statement (Compliance)

The development hereby approved shall be carried out only in accordance within the operational hours as cited within the approved operational statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

33 Drainage Strategy (Pre commencement)

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

34 Booking system (Pre occupation)

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

35 Gull Strategy (Pre occupation)

The development hereby approved shall not be brought into operation until a Gull Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To minimise noise and disturbance in the interests of neighbouring residential amenity.

36 Advanced tree planting (Bespoke trigger)

Prior to the commencement of any works on the RRC building within phase 1 of the development (as identified on plan reference PXH-SRA-00-L1-DR-A-PL-170 P02), details of the tree species, sizes and timing of the tree planting at the junction of World End Lane and Pixash Lane, and World End Lane verges shall be submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate that the trees will be planted at the earliest practicable opportunity within the development programme. The tree planting shall be carried out in accordance with the approved details.

Reason: To provide additional visual screening of the development (allowing for future growth) from the permitted nursing home and public views from Pixash Lane and World End Lane.

37 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:

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.

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.

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

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

EIA STATEMENT

BATH & NORTH EAST SOMERSET COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017
REGULATION 30 STATEMENT
APPLICATION REF: 21/00435/EREG03
DEVELOPMENT PERMITTED: 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 (TWTTS); (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.

APPROVAL DECISION ISSUED ON: 30th July 2021

This statement is made pursuant to Regulation 30(1)(c) of The Town and County Planning (Environmental Impact Assessment) Regulations 2017 and contains-

(i) details of the matters referred to in regulation 29(2);
(ii) the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public; and
(iii) a summary of the results of the consultations undertaken, and information gathered, in respect of the application and how those results (in particular, in circumstances where regulation 58 applies, the comments received from an EEA State pursuant to consultation under that regulation) have been incorporated or otherwise addressed

(i) This decision can be challenged by way of bringing a claim in judicial review. Any person wishing to do so must bring a claim within six weeks of the date of the decision notice.

This statement is made available for public inspection at the place where the planning register is kept.

(ii) Following consideration of the submitted environmental information the application was permitted. The full extent of the considerations, including representations from members

of the public and external organisations are set out in the Officer Committee Report which is available to view on the Council's website: www.bathnes.gov.uk.

(iii) A summary of the consultation responses received and considered and the information gathered is provided with the Officer report referred to above. The Officer report sets out how these comments have been incorporated into the proposal or otherwise addressed. Likely significant effects of the development on the environment have been identified and assessed. Where adverse impacts arise these have been taken into account, including any proposed mitigation in reaching a conclusion regarding the residual effects and acceptability of the proposed development. It is considered that mitigating minor adverse impacts can be adequately addressed through conditions. Moderate adverse impacts will arise in respect of landscape and visual effects given the nature and location of the site. These impacts will be mitigated through additional planting. These measures will be secured by condition.

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

Item No:	07
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:	4th August 2021
Case Officer:	Samantha Mason

DECISION REFUSE

1 The proposal results in overdevelopment of the site through its cramped and contrived form, particularly plot 2 and its poor relationship in the setting of the existing dwelling. Additionally, the proposal by reason of its design of the proposed dwellings, particularly the flat roofs of plot 2, detracts from and fails to respond to the local context, failing to maintain the character and appearance of the surrounding area. The proposal is contrary to policy CP6 of the adopted Core Strategy (2014) and policies D1, D2, D3, D4 and D5 of the Placemaking Plan for Bath and North East Somerset (2017) and the NPPF.

2 The proposal fails to conserve or enhance the landscape setting of the locality contrary to policies NE2 and NE2A of the Placemaking Plan for Bath and North East Somerset (2017) and the NPPF.

3 The development of the existing dwellings garden would result in biological diversity loss contrary to policy NE3 of the Placemaking Plan for Bath and North East Somerset (2017) and the NPPF.

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

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.

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:	08
Application No:	21/01412/FUL
Site Location:	Unregistered Unit 1-4, Old Station Yard, Avon Mill Lane, Keynsham
Ward: Keynsham East	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of 3no. acoustic barriers; permission to allow the filling of concrete mixing vehicles between 6:30am and 5:30pm (Monday-Friday) 8:00am-1:00pm Saturday and 7:30am-5:30pm (Bank Holidays); permission to allow other specified operations at the site between 7:30am and 6:30pm (Monday-Friday) and 8:00am and 1:00pm (Saturday) and 7:30am-5:30pm (Bank Holidays); and permission to store materials in external yard area (re-submission of planning application 20/02008/FUL).
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Conservation Area, Contaminated Land, Policy CP9 Affordable Housing Zones, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Railway, SSSI - Impact Risk Zones,
Applicant:	4Concrete Bristol Ltd
Expiry Date:	4th August 2021
Case Officer:	Martin Almond

DECISION REFUSE

1 The extended operating hours would result in significant harm to the amenities of nearby local residents by reason of increased noise, traffic and disturbance. The proposals are therefore contrary to the development plan, in particular policies D6 and PCS2 of the Bath and North East Somerset Placemaking Plan.

PLANS LIST:

This decision relates to drawings P19-1251_04D and P19-1252_05A dated as received 23rd March 2021 and P19-1252_01 E and P19-1252_02 D dated as received 18th June 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. Whilst the application was recommended for permission by Officers the Development Management Committee considered the proposal to be unacceptable for the stated reasons.

Item No:	09
Application No:	20/03392/FUL
Site Location:	Barn North Of Village Hall, Langridge Lane, Langridge, Bath
Ward: Bathavon North	Parish: Charlcombe LB Grade: N/A
Application Type:	Full Application
Proposal:	Convert a redundant farm building into an agriculturally tied dwelling to house a farm worker.
Constraints:	Agricultural Land Classification, Policy B4 WHS - Indicative Extent, 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,
Applicant:	Mr Tom Bravin
Expiry Date:	3rd March 2021
Case Officer:	Sam Grant

DECISION Permit Subject to conditions.

Item No:	10
Application No:	21/02424/FUL
Site Location:	Orchard Rise, Sham Castle Lane, Bathwick, Bath
Ward: Bathwick	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of single storey extension following demolition of garage.
Constraints:	Article 4 Bath Demolition Wall, Article 4 Bath Office Conversion, Article 4 Reg 7: Estate Agent, Agricultural Land Classification, 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, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	Mr and Mrs Paul and Margaret Crossley
Expiry Date:	29th July 2021
Case Officer:	Rebecca Robinson

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Plans List (Compliance)

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

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

3 Materials (Compliance)

All external walling and roofing materials to be used shall match those of the existing building.

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.

PLANS LIST:

This decision relates to the following plans:

Drawing - 20 May 2021 - EXISTING ELEVATIONS

Drawing - 20 May 2021 - EXISTING FLOOR PLANS
Drawing - 20 May 2021 - SURVEY TOPOGRAPHICAL
Drawing - 20 May 2021 - P01 - PROPOSED GROUND FLOOR PLAN
Drawing - 20 May 2021 - P02 - PROPOSED ELEVATIONS
Drawing - 20 May 2021 - P04 - PROPOSED ROOF PLAN
OS Extract - 20 May 2021 - SITE AND LOCATION 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 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

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.

Item No:	11
Application No:	21/02198/FUL
Site Location:	Liberal Democrats, 31 James Street West, City Centre, Bath
Ward: Kingsmead	Parish: N/A LB Grade: II
Application Type:	Full Application
Proposal:	Remodelling of the front garden to include the installation of a new lifting platform. (Resubmission)
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B2 Central Area Strategic Policy, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, Flood Zone 2, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	The Trustees Bath And North East Somerset Liberal Democrats
Expiry Date:	30th July 2021
Case Officer:	Helen Ellison

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 External lift/railings/gates/handrail colour/finish (Compliance)

All elements of the platform lift, railings, gates and handrail shall be painted matt black and remain so for the lifetime of the development.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D2, D5 and HE1 of the Bath and North East Somerset Placemaking Plan and Policies B4 and CP6 of the Bath and North East Somerset Core Strategy.

3 Construction Management Plan (Compliance)

The development shall be undertaken in accordance with the approved Construction Management Plan dated 10th June 2021.

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

4 Hard and Soft Landscaping (Compliance)

All Hard and soft landscape works shall be carried out in accordance with approved Drwg. No. 4142-017 F 'Proposed lift plan sections and elevations' dated 10.06.2021. 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 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 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 D2, D5 and NE2 of the Bath and North East Somerset Placemaking Plan.

5 Railings (Compliance)

The existing railings originally located to the rear of the premises shall be re-used as surround to the front garden in accordance with approved Drwg. No. 4142-017 F 'Proposed lift plan sections and elevations' dated 10.06.2021. The approved new gates and any shortfall in railings shall be made to match the relocated/re-used railings in size, design, detail, materials, colour and finish. All railings and gates shall be permanently retained as installed for the lifetime of the development.

Reason: To safeguard the character and appearance of the listed building and its setting in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

6 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following drawings and document;

Date: 06.05.2021 Drwg. No. 4142-001 A Drwg. title: Location plan

Date: 06.05.2021 Drwg. No. 4142-016 B Drwg. title: Front garden - prior to commencement of works

Date: 10.06.2021 Drwg. No. 4142-017 F Drwg. title: Proposed lift plan, sections and elevations

Date: 27.07.2021 Drwg. No. 4142-D04 A Drwg. title: Stair handrail & lift gate

Date: 10.06.2021 Document title: Construction Management Plan

Condition Categories

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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

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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:	12
Application No:	21/02199/LBA
Site Location:	Liberal Democrats, 31 James Street West, City Centre, Bath
Ward: Kingsmead	Parish: N/A LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	External alterations for the remodelling of the front garden to include the installation of a new lifting platform.
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B2 Central Area Strategic Policy, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, Flood Zone 2, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	The Trustees Bath And North East Somerset Liberal Democrats
Expiry Date:	30th July 2021
Case Officer:	Helen Ellison

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 External lift/railings/gate/handrail colour/finish (Compliance)

All elements of the platform lift, railings, gate and handrail shall be painted matt black and remain so for the lifetime of the development.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the listed building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

3 Hard and Soft Landscaping (Compliance)

All Hard and soft landscape works shall be carried out in accordance with approved Drwg. No. 4142-017 F 'Proposed lift plan sections and elevations' dated 10.06.2021. 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 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 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 safeguard the character and appearance of the listed building and its setting in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

4 Railings (Compliance)

The existing railings originally located to the rear of the premises shall be re-used as surround to the front garden in accordance with approved Drwg. No. 4142-017 F 'Proposed lift plan sections and elevations dated 10.06.2021. The approved new gates and any shortfall in railings shall be made to match the relocated/re-used railings in size, design, detail, materials, colour and finish. All railings and gates shall be permanently retained as installed for the lifetime of the development.

Reason: To safeguard the character and appearance of the listed building and its setting in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

5 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following drawings and documents;

Date: 06.05.2021 Drwg. No. 4142-001 A Drwg. title: Location plan

Date: 06.05.2021 Drwg. No. 4142-016 B Drwg. title: Front garden - prior to commencement of works

Date: 10.06.2021 Drwg. No. 4142-017 F Drwg. title: Proposed lift plan, sections and elevations

Date: 27.07.2021 Drwg. No. 4142-D04 A Drwg. title: Stair handrail & lift gate

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.

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.

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