

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 6th April, 2022, 11.00 am

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

111 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

112 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

The Committee noted that Cllr Brian Simmons was substituting for Cllr Vic Clarke who had submitted his apologies for absence.

113 DECLARATIONS OF INTEREST

Cllr Brian Simmons declared an interest in agenda items 4 of the site visit list and 3 of the main applications list as a member of Keynsham Town Council which had already determined these applications. He confirmed that he would speak on behalf of local residents/as local ward member and then withdraw from the meeting and take no part in the debate or decision.

Cllrs Duncan Hounsell and Hal MacFie declared a minor non pecuniary interest in agenda item 3 of the main applications list in that they were acquainted with the applicant but that this would have no impact on their consideration of the application.

Cllr Lucy Hodge declared an interest in agenda item 2 of the main application list as the parent of a student at the school and confirmed that she would withdraw from the meeting and take no part in the debate or decision.

The Committee noted that Cllr Lucy Hodge was the applicant in relation to agenda item 4 of the main application list which is why the case had been referred to Committee. She confirmed she would withdraw from the meeting and take no part in the debate or decision on that item.

114 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

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

The Democratic Services Officer confirmed that there were a number of people wishing to make statements on planning applications and that they would be called

to do so when these items were discussed.

116 **MINUTES OF THE PREVIOUS MEETING**

It was moved by Cllr Sally Davis, seconded by Cllr Eleanor Jackson and:

RESOLVED that the minutes of the meeting held on Wednesday 9 March 2022 be confirmed as a correct record and signed by the Chair.

117 **SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE**

The Committee considered:

1. A report by the Head of Planning on various planning applications.
2. An update report by the Head of Planning (attached as Appendix 1 to these minutes).
3. Oral statements by members of the public and representatives on items. (A copy of the speakers' list is attached as Appendix 2 to these minutes).

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

Items 1 and 2 were considered together.

Item No. 1

Application No. 21/03965/FUL

Site Location: Manor House, Watery Lane, Burnett, Keynsham, Bristol

Item No. 2

Application No. 21/03966/LBA

Site Location: Manor House, Watery Lane, Burnett, Keynsham, Bristol

The Case Officer introduced the report and confirmed the officer recommendation to permit the full application and grant consent for the listed building application.

The following public representations were received:

1. A representative of the Town Council spoke against the applications.
2. Two local residents spoke against the applications.
3. The applicant spoke in support of the applications.

The local ward member, Cllr Alastair Singleton, spoke in support of the applications. He acknowledged that local opinion was divided on the applications and there were genuine concerns about the visual impact, but that Bath and North Somerset Council had declared a Climate Emergency in 2019 and the applicants had worked with officers to design an acceptable scheme that would provide renewable energy sources to their property.

In response to members' questions, it was confirmed:

1. There was not an adopted Neighbourhood Plan for the area. There was a Village Community Plan, but this would not carry any weight in terms of planning law.
2. Whether the application complied with policy GB1 of the Council's Placemaking Plan (protecting the visual amenities of the green belt) was a consideration and officers had concluded that the proposed development did comply with policy.
3. Roof mounted solar panels would be too steep and enclosed to provide sufficient energy output. Officers were not in a position to consider whether a hybrid scheme was possible as they could only determine the application as submitted.
4. In terms of community engagement requirements as set out in SCR3 of the Placemaking Plan, and concerns expressed by residents about the lack of consultation, officers could only confirm that the applicants had engaged in pre-application discussions with the Council and were unable to comment on whether the applicants had engaged with the community in advance of submitting the applications.
5. In relation to the definition of "protected landscape" referred to in SCR3, this was defined as areas of outstanding natural beauty (AONB) rather than green belt.
6. In terms of the definition of "minimising visual impact" in SCR3, this was site specific in that it must be the minimum feasible in that location.
7. The residents of Whitson Lodge would be able to see the rear view of the panels from bedroom windows. There was a balance between the siting of the panels in terms of optimum location for energy generation and where they would have least impact on visual amenity.
8. The park was not a heritage asset in itself but contributed to the character of the village.
9. The area of the compound was 714 square metres.
10. The growth and impact of the proposed screening hedge had been factored into the scale of the compound to prevent overshadowing. The species and height of the hedge would be conditioned to ensure adequate screening.
11. The amount of energy generated by solar panels would vary and in the case of this application, the energy production had to be considered alongside that of the ground source heat pump.
12. Although there was a change in the update report to confirm that there would not be a surplus generated but a minor additional demand from the grid, the officer recommendation had not changed as it was considered that the energy provided by the development would outweigh the harm.

Cllr Duncan Hounsell opened the debate as ward member and raised the following comments:

1. He had heard the case of the applicant and Councillor Alastair Singleton speaking in support of the scheme as well as residents speaking against the scheme.
2. The Committee could only consider the application as submitted and not comment on any alternative schemes.
3. The Committee needed to be mindful of local and national planning policies in determining the application.
4. The declaration of a climate emergency currently had limited weight in terms of planning law.

5. National policy framework was clear in paragraph 151 that “very special circumstances” were required due to the green belt location.
6. In terms of SCR3 policy the site was not agricultural or a local protected landscape. In terms of minimising visual impact, there would be some harm from the view of Whitson Lodge, but the applicant had considered this to be the location which would have the least impact.
7. In relation to concerns raised by local residents about highway safety, Highways officers had not raised any objection and there was no evidence of glare from the panels and so this could not be defended on appeal as a reason for refusal.
8. If the Committee were minded to approve the applications, screening should be in place as soon as possible to mitigate the impact on the green belt and a condition should be in place to ensure the solar panels would be removed at the end of their life.
9. Members needed to consider if securing the energy needs of the Grade 2 listed building constituted “very special circumstances”, although approving the applications would not open up the green belt to further development as each case had to be judged on its merits.

Cllr Shelley Bromley referred to the openness of the green belt and the impact on the historic village and questioned whether “very special circumstances” were satisfied based on the needs of one property.

Cllr Hal MacFie expressed the view that the positioning of the solar panels was too near Whitson Lodge, and he was concerned about the visual impact.

Cllr Shaun Hughes stated that he did not feel that the applications offered balance from the perspective of neighbouring properties.

Cllr Lucy Hodge stated that she believed there were policy reasons to object to the application and that she did not consider there to be “very special circumstances” to outweigh development in the green belt. She referred to SCR3 and the requirements to minimise visual impact and engage with the community at the pre-application stage which she did not feel had been met.

Cllr Eleanor Jackson moved that the applications be REFUSED for the following reasons:

1. The applications were too intrusive and would have a negative impact on the openness of the green belt. The applications constituted inappropriate development of the green belt and there were not “very special circumstances” to outweigh development in the green belt.
2. There would be a detrimental impact on the setting of the listed buildings of the Manor House and the church. There was a failure to minimise visual impact and a failure to engage with the community which was contrary to heritage policies and SCR3 of the Bath and North East Somerset Council’s Placemaking Plan.
3. Permitting the development would result in a loss of residential amenity and would change the character of Whitson Lodge which was contrary to D6 of the Bath and North East Somerset Council’s Placemaking Plan.

This was seconded by Cllr Hodge.

Vote on item No. 1
Application No. 21/03965/FU

On being put to the vote, the motion was CARRIED (8 in favour and 2 against).

RESOLVED that the application be refused for the following reasons:

1. The application was too intrusive and would have a negative impact on the openness of the green belt. The application constituted inappropriate development of the green belt and there were not “very special circumstances” to outweigh development in the green belt.
2. There would be a detrimental impact on the setting of the listed buildings of the Manor House and the church. There was a failure to minimise visual impact and a failure to engage with the community which was contrary to heritage policies and SCR3 of the Bath and North East Somerset Council’s Placemaking Plan.
3. Permitting the development would result in a loss of residential amenity and would change the character of Whitsun Lodge which was contrary to D6 of the Bath and North East Somerset Council’s Placemaking Plan.

Vote on item No. 2
Application No. 21/03966/LBA

On being put to the vote, the motion was CARRIED (8 in favour and 2 against).

RESOLVED that the application be refused for the following reasons:

1. The application was too intrusive and would have a negative impact on the openness of the green belt. The application constituted inappropriate development of the green belt and there were not “very special circumstances” to outweigh development in the green belt.
2. There would be a detrimental impact on the setting of the listed buildings of the Manor House and the church. There was a failure to minimise visual impact and a failure to engage with the community which was contrary to heritage policies and SCR3 of the Bath and North East Somerset Council’s Placemaking Plan.
3. Permitting the development would result in a loss of residential amenity and would change the character of Whitsun Lodge which was contrary to D6 of the Bath and North East Somerset Council’s Placemaking Plan.

Item No. 3
Application No. 21/03682/FUL
Site Location: Church Farm, Church Lane, Priston, Bath

The Case Officer introduced the report and confirmed the officer recommendation to permit the application.

The following public representations were received:

1. A representative of the Parish Council speaking against the application.
2. A local resident speaking against the application.
3. The applicant’s agent speaking in support of the application.

Cllr Matt McCabe, local ward member, had submitted a statement and was unable to attend due to illness. The Democratic Services Officer read the statement on his behalf which raised the following points:

1. This was a complex application where a large farm had been broken up over the years, with buildings converted to residential housing and the owners were looking to demolish the barns and build housing more in keeping with the local building design.
2. The buildings were outside the Housing Development Boundary and, additionally, the Parish Council had pointed out that the most recent equestrian CLEU did not cover all of each barn.
3. The key consideration was whether the proposal was sufficient to allow for the demolition of both buildings to develop a site outside the Housing Boundary and the officer view was that 'on balance', given compliance with all other policies, a departure from GB2 was acceptable.
4. He noted the concerns of local residents and asked that if the Committee was minded to approve the officer's recommendation, additional conditions be included to improve the road surface of the dirt track and address the surface water run-off.

In response to members' questions, the Case Officer confirmed;

1. The site was outside of, but adjoining, the Housing Development Boundary of Priston and therefore did not directly comply with policy GB2. However, case law demonstrated that an assessment of the 'village on the ground' was also required. The site was also considered to be previously developed land. The application was a departure from GB2 but justified in the view of officers.
2. Allowing the application would not set a precedent for further development as each case would be judged on its merits.
3. The condition of the barns and whether they should be retained rather than demolished was not a material consideration for the Committee.
4. Officers believed the submitted drainage plan was acceptable, but the Committee could change or add a condition relating to drainage as long as this could be justified.
5. In terms of external lighting, there was a condition to require the details to be submitted to and approved in writing by the Local Planning Authority.
6. Although there were limited opportunities for sustainable travel to and from the site, this could not be sustained as an objection due to the close proximity to other dwellings.

Cllr Shaun Hughes stated that he was not convinced that "very special circumstances" applied to allow the development in the green belt.

Cllr Eleanor Jackson expressed concern that the development would alter the character of the area and result in an over development of the site.

Cllr Sally Davis stated she was minded to move the officers' recommendation and sought the views of the Committee on whether two additional conditions in relation to drainage and improving the surface of the dirt track should be attached to the permission as requested by local residents and the ward member.

Cllr Lucy Hodge expressed support for the additional two conditions.

Cllr Sally Davis moved that the Committee delegate officers to permit the application subject to two additional conditions relating to a drainage scheme and improving the surface of the track. This was seconded by Cllr Duncan Hounsell and on being put to the vote was CARRIED (7 in favour and 3 against).

RESOLVED that officers be delegated to permit the application subject to the conditions set out in the report and two additional conditions relating to a drainage scheme and improving the surface of the track.

Item No. 4

Application No. 21/05364/FUL

Site Location: 16 Broadlands Avenue, Keynsham, Bristol

The Case Officer introduced the report and confirmed that the officer's recommendation that the application be permitted.

The following public representations were received:

1. Cllr Brian Simmons as ward member, read a statement on behalf of a local resident objecting to the application.

At this point in the meeting Cllr Brian Simmons withdrew from the meeting and did not participate in the debate or vote.

In response to the following questions from members, the Case Officer confirmed:

1. There was parking space for 3 cars at the front of the property. There was a private lane at the back of the property but no dedicated parking space. A car could park legally in the lane as it was privately owned and not a highway.
2. The proposed garden room consisted of a garage area, studio, home office and general garden room for sitting in. There was a condition to ensure it was ancillary to the main property.

Councillor Shelley Bromley spoke in support of the application as there were similar developments elsewhere on the street.

Councillor Eleanor Jackson stated that there was no policy reason to refuse the application and that she did not consider it to be over development of the site. She moved the officer recommendation to permit the application. This was seconded by Cllr Hal MacFie and on being put to the vote was CARRIED (Unanimous - 9 in favour 0 against)

RESOLVED that the application be PERMITTED subject to the conditions set out in the report.

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

The Committee considered:

A report by the Head of Planning on various planning applications.

An update report by the Head of Planning attached as Appendix 1 to these minutes.

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

RESOLVED that in accordance with the delegated powers, the applications be determined as set out in the Main decisions list attached as Appendix 4 to these minutes.

Item No. 1

Application No. 21/05683/FUL

Site Location: Bromley Mount, Bromley Road, Stanton Drew, Bristol

The Case Officer introduced the report and confirmed that the officer recommendation was to refuse the application as it constituted inappropriate development in the green belt.

The following public representations were received:

1. The applicant's agent spoke in support of the application.

Cllr Vic Pritchard, local ward member, spoke in support of the application. He stated that current policy was inadequate and there were justifiable reasons for overriding policy as it would be more sustainable for the applicant to carry out all works at the same time rather than apply for an extension at a later date.

In response to questions from members, the Case Officer confirmed:

1. The application related to the development in its entirety and the key issue was that it was materially larger than the original building (32%) which was contrary to green belt policy and the case would need to be made for "very special circumstances".
2. An application for an extension could not be considered at the same time as it could only been submitted once the current dwelling had been completed.
3. There was no guarantee that an application for an extension in the future would be permitted as each case had to be judged on its merits.

Cllr Duncan Hounsell referred to comments raised about current policy being inadequate and stated that the role of the Committee was to check compliance against existing policy, and he did not consider that the application could be permitted.

Cllr Shelley Bromley concurred that "very special circumstances" had not been proven to allow the development.

Cllr Eleanor Jackson moved the officer's recommendation to refuse the application. This was seconded by Cllr Duncan Hounsell and on being put to the vote and it was CARRIED (unanimous 10 in favour, 0 against).

RESOLVED that the application be REFUSED for the reasons set out in the report.

Item No. 2

Application No. 22/00380/FUL

Site Location: King Edwards School, North Road, Bathwick, Bath

Cllr Lucy Hodge withdrew from the meeting and did not take part in the debate or vote on this item.

The Case Officer introduced the report and confirmed the officer's recommendation to permit the application.

Cllr Duncan Hounsell moved the officer recommendation, this was seconded by Cllr Eleanor Jackson and on being put to the vote it was CARRIED (unanimous 9 in favour and 0 against).

RESOLVED that the application be PERMITTED subject to the conditions set out in the report.

Item No. 3

Application No. 22/00294/FUL

Site Location: Durley Grange, Durley Lane, Keynsham, Bristol

The Case Officer introduced the report and confirmed the officer's recommendation that the application should be refused.

The following public representations were received:

1. The applicant spoke in support of the application.
2. Cllr Brian Simmons, as ward member, spoke in support of the application. He stated that the location of the site was unique in Bath and North East Somerset and the applicant and his family had suffered noise and air pollution due to the close proximity of the dwelling to the Keynsham bypass. He confirmed that the proposed development would allow the site to be improved by creating a screen.

At this point in the meeting Cllr Brian Simmons withdrew from the meeting and did not participate in the debate or vote.

The Case Officer responded to members' questions as follows:

1. There was no dispute that there was noise pollution on the site, but the officer view was that it had not been successfully demonstrated that the proposed building would reduce air and noise pollution.
2. The primary function of the application was the building and the reductions to noise and air pollution may be a byproduct.
3. Whether an alternative location was more suitable was not a consideration as the Committee needed to determine the application in front of them.
4. In terms of whether the view expressed by the applicant that a reduction in height of 1.2m would mean the building was acceptable as permitted development, this was not the case as there was also limit of 2.5m if a building was within 2m of the boundary.

Cllr Shelley Bromley stated that she was uncertain how the application would reduce pollution.

Cllr Eleanor Jackson stated that if the Committee were minded to permit the application, there would need to be a condition to ensure the development was

ancillary to the main house.

Cllr Duncan Hounsell stated it was important to look at the application holistically and confirmed that the site was unusual in terms of layout and moved that a decision be deferred pending a site visit. This was seconded by Cllr Hal MacFie and on being put to the vote was CARRIED (5 in favour and 4 against).

RESOLVED that consideration of the application be deferred pending a site visit.

Item No. 4

Application No. 22/00598/TCA

Site Location: Audley House, Park Gardens, Lower Weston, Bath

Cllr Lucy Hodge withdrew from the meeting during this item.

The Arboricultural Officer introduced the report and confirmed the officer recommendation that no objection be raised to the proposed works.

Councillor Shelley Bromley moved the officer recommendation, seconded by Councillor Eleanor Jackson and on being put to the vote the motion was CARRIED (9 in favour 0 against)

RESOLVED that no objection be raised to application.

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

The Committee considered the appeals report.

In response to a question as to whether enforcement action would now be taken in relation to the appeal which had been withdrawn 17/00563/WASTE - Resourceful Earth Ltd Charlton Field Lane Queen Charlton, the Deputy Head of Planning undertook to update Members after the meeting.

RESOLVED that the report be noted.

[Comment]...

The meeting ended at 3.03 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

Planning Committee

Date: 6th April 2022

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

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
001 & 002	21/03965/FUL & 21/03966/LBA	Manor House Watery Lane Burnett Keynsham Bath And North East Somerset

The following was included in the update report for the previous Committee (9th March 2022) for this application. The Committee report has not been updated so the paragraph is included again, within this update report, for clarity.

GREEN BELT POLICY:

With regard to the impact of the proposal upon the Green Belt, members are reminded that substantial weight is given to any harm to the Green Belt, as stated under paragraph 148 of the NPPF.

This was explicitly referred to under the 'Principle of Development' section of the report in outlining relevant Green Belt policy but is not reiterated under the section considering the impact on the openness of the Green Belt. This is a matter of clarification for members and does not affect the officer's recommendation.

FURTHER COMMENTS:

Following the drafting of the Committee Report for this meeting, two further representations were received from a neighbour in objection to the application, dated 22 February 2022 and 4 March 2022. Both objections have been published on the online case file and circulated to members of the Planning Committee. The comments made are summarised as follows:

- *Burnett is a primary example of an unspoilt traditional British village. Its priceless value should not be sacrificed for renewable energy.*
- *The benefits of the development are for the owners of Manor House and the development will serve no community benefit.*
- *Burnett already has a solar farm which is hidden behind farm buildings and has no visual impact.*
- *The submitted documents are biased in favour of climate change goals.*

- *The solar panel array and security fencing will be an eyesore, visible for one quarter of a kilometre of the main road.*
- *A fully formed, full height mature hedge should be planted before any metal work is installed above ground.*
- *An instant hedging planting of 2.4m hornbeam is not possible. The growth rates of 400mm per year for a Hornbeam hedge is optimistic and will take decades to exceed the height of the hedge.*
- *The Conservation Officer's comments focus on alterations to Manor House and do not indicate consideration of the setting of listed buildings or the setting of the village.*
- *The majority of comments object to the proposed location of the panels.*
- *The supporting comment from the ward councillor is biased in favour of green agenda aims and the claim that the project is sympathetic to the local environment is questioned.*
- *A request from the Parish Council for an appropriate level of supporting information has been seemingly ignored.*

The comments mostly reiterate objections previously raised and, in considering all points raised, do not affect the recommendation outlined in the Committee Report.

Regarding the request for appropriate supporting information, it should be noted that this Parish Council comment predates the submission of further documentation, including the Heritage Statement, Bat Survey and Assessment, and the letter from GeoEnergy Design Ltd, all dated and received November 2021.

Since the previous Planning Committee meeting on 9th March 2022, an additional neighbour has been received, making the following comments:

1. I stand by the Objection and comments submitted in my on line response to the planning application.
2. It is unusual for so many people in our small village to make comments on a planning application. Those who wrote in to Object represent the majority of the household at that time. Of those who didn't comment on line in the consultation period, one house was empty and only recently have the new residents moved in, one family moved out around the time of the application, and one was abroad from last summer until next month. I know of one household who chose not to put in their objection. So the nett objection was well over half the village. I understand there may have been support from residents in the village, but none had this publicly registered on the application website. Residents of adjacent villages, Church congregation and two people who recently moved from the village are amongst the other objections. The Parish Council were unanimous in their objection The strength of feeling is clearly demonstrated.
3. From what I know of the matter, it is possible that the proposed panels are over capacity for what is required.
4. Finally and most important point, is that I feel there is **scope for investigating other options**, so B&NES should not support this application as it stands. These include the following.

Roof mounted panels that could go in the valley of the house in the form of panels that look like slates and would be almost invisible from the wider

village and Greenbelt. There is an application for these on Corston School which is in a Conservation Area.

PEG system which uses less land space, and is lower to the ground and thus removing the need for high hedges and fencing.

<https://www.jurchen-technology.com/products/pv-substructures/peg/>

ENERGY FIGURES:

In response to the questions raised by Committee Members at the meeting on 9th March, the applicant has provided the following details on the existing CO₂ consumption and energy demand and provision in respect of the proposed development:

There are two major items of "exceptional benefits" that contribute to an immediate (and free to BANES) saving of 27,914 kg of CO₂ p.a. and reduced oil usage of 60 barrels or 11,436 litres p.a:

1. The reduction in oil consumption of 42 barrels or 8,000 p.a. saving 20,160 kg of CO₂ p.a. by using a heat pump.
2. The PVs reduce the amount of electricity that we will draw from the grid by 11,316 kWh p.a saving 18 barrels or 3,436 litres of oil p.a. and a further 7,754 kg of CO₂ p.a

To put that into context:

14 small cars each doing 10,000 miles p.a. produce a total of 27,914 kg of CO₂. An alternative way to save 27,914 kg of CO₂ is from 1,395 trees which would cover 51 football pitches. However, these trees could take 50 years to come to maturity so the CO₂ saving would not be immediate.

Electricity consumption and generation

These numbers are all in kWh p.a.:

Current electricity demand from the grid.	15,000
New demand from the pump.	<u>20,901</u>
Total projected demand	35,901
Output of solar panels	<u>(32,217)</u>
Projected demand from the grid	<u>3,684</u>
Reduction in demand from grid	11,316

Item No.	Application No.	Address
SV 003	21/03682/FUL	Church Farm Church Lane Priston Bath Bath And North East Somerset BA2 9EF

The following was included in the update report for the previous Committee (9th March 2022) for this application. The Committee report has not been updated so the paragraph is included again, within this update report, for clarity.

In the Heritage section of the report it refers to section 72 regarding conservation areas. The site is not within the conservation area. The site is however in close proximity to some listed buildings, therefore the follow section should have been referred to:

There is a duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission for development which affects a listed building or its setting, that the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

To confirm, here it is considered that the proposals are consistent with the aims and requirements of the primary legislation and planning policy and guidance. The proposals would not have an unacceptable impact on the nearby grade II listed farmhouse, nor the grade I listed Church of St Luke and Andrew, or their setting and would preserve the significance of the designated Heritage assets.

The proposal accords with policy HE1 of the Placemaking Plan for Bath and North East Somerset (2017) and part 16 of the NPPF.

An additional email has been received from a local resident raising concerns regarding the scheme. These are summarised below and can be found in full on the public website. The concerns largely relate to drainage.

- Objected on a number of grounds, many of which have not been addressed
- Representative of the applicants stated that all objections had been addressed when in fact most have not
- The easternmost edge of the proposed building and the easternmost parking space will be underwater several times a year when the drainage system taking water from miles of fields west of the site overflows.
- The 800mm high wall to the far east of the site is shown as being built over the top of the 225mm surface water drainage pipe inlet. There is no provision for retaining the essential 250mm field drainage pipe that runs under the existing barns and down the grounds of the Milking Parlour

In response to the above, the agent for the application provided an additional email to address the concerns of the local resident and is summarised as follows (again available in full on the website):

- Flood risk assessment and drainage strategy has been submitted and there is no objection from the Flooding and Drainage Team

- An email to the case officer confirms that the Ménage will be restored to a field if the application is approved has been provided
- The Highways Team have no objection to the proposal subject to conditions
- There are digital topographical survey drawings which show ground levels and building heights. All plans are to scale
- As previously stated, the Flood risk assessment conclusion was there is no issue. Saying all that the proposed dwellings lay over the 250mm diameter pipe. This will remain if the foundations allow or can be diverted around the proposed new dwellings.
- The adopted Foul drainage is a long way away. If this cannot be connected into because of levels or financial reasons, then a local treatment plant could be used within neighbouring fields

A further comment has been received from the local resident in response to the agent's email. It is summarised below and is, again, on the public file:

- Email fails to address my concerns
- The work by Barnaby on flood risk and surface water drainage deals only with the theoretical risk of flooding and a simple plan for dealing with surface water arising from the site itself.
- The fact that there is a 250mm diameter concrete flood drain running under the site taking water from the west side of the barn all the way to the public highway near the village hall demonstrates that there is a problem that has to be managed. Any permission must require that this drain is maintained.
- The concern that we have, as well as my neighbours, is that the current planning application indicates a 3.5m wide field access directly over the top of this existing earth mound (bund wall), as indicated on the BBA planning application site plan. This drawing suggests the earth mound (bund wall), which is the primary flood protection for the immediate neighbours, will be removed to create the field access.
- The site plan does indicate the addition of an 800mm high wall, but if this structure is being suggested to replace the existing bund wall, then additional engineering details are required to ensure this structure can withstand existing flood waters and provide required protection of neighbouring sites.
- It is essential that as a condition of any planning permission that existing flood water protection measures, for guiding the water safely away, are maintained or improved.
- This response does not however deal with our request that the access track not be used to access any new equestrian facility that might be erected should permission for the two dwellings be granted.
- What we are asking is that tarmacking the full length of the track, to an appropriate standard, be a condition of any permission granted.
- With regards showing ridge levels / dimensions, all we are seeking is clear dimensions from an identifiable benchmark that can be measured once the existing barns are demolished.
- It does not seem sensible to me to approve this development without clarity on how foul drainage will work, especially as there is no space on the site for a treatment plant, nor is there any obvious connection route to the existing village treatment plant without crossing neighbouring properties.

An additional comment from a local resident was received on 1st April and is summarised as follows:

- Applicant has indicated that the Menage would be restored in permission is granted and as a condition was previously attached to the original application this is the correct course of action
- If the barns are developed does the CLEU for the DIY livery stables cease and any new equestrian use require permission?
- Transport concerns
- Storm Sewer Design and Drainage System may not fully address the issue that the area has with flooding and a full drainage strategy has been requested
- Management of foul water needs to be clarified

Additional comments from Priston Parish Council have also been received. These are available online and are summarised below:

- Do not agree that the whole site is being used as equestrian use and that the area outside that shown on the CLEU is agricultural
- Parish Council suggests that an impartial review of the evidence is carried out
- Site visit by the officer concludes that because there was horse paraphernalia onsite that the whole site was in equestrian use
- The Parish Council maintains that this is incorrect and misleading
- No understanding on the lease that the barns outside of the specified area were ever part of the livery site

Officers have considered the comments which have been received both from third parties, the planning agent and the Parish Council. Officers do not consider that these change the recommendation of officers to the Committee.

BATH AND NORTH EAST SOMERSET COUNCIL**MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT
THE MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 6
APRIL 2022**

SITE VISIT LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1 & 2	Manor House, Watery Lane, Burnett, Keynsham, Bristol	Phillipa Paget (Parish Council)	Against
		Rosemary Turner	Against
		Richard Arthur	
		Hilary Oliver (applicant)	For
		Cllr Alastair Singleton	For
3	Church Farm, Church Lane, Priston	Robert Davies (Parish Council)	Against
		Peter Brookes	Against
		Dan Washington	For
		Cllr Matt McCabe (unable to attend – statement read out in absence)	N/A
4	16 Broadlands Avenue, Keynsham, Bristol BS31 2DU	Cllr Brian Simmons (on behalf of local resident)	Against

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
5	Bromley Mount, Bromley Road, Stanton Drew, Bristol	Lee Wright (agent)	For
		Cllr Vic Pritchard	For
6	King Edwards School, North Road, Bathwick, Bath	No Speakers	
7	Durley Grange, Durley Lane, Keynsham, Bristol	Dr Peter Roberts	For
		Cllr Brian Simmons	For
8	Audley House, Park Gardens, Lower Weston, Bath	No Speakers	

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

Item No:	001	
Application No:	21/03965/FUL	
Site Location:	Manor House, Watery Lane, Burnett, Keynsham	
Ward: Saltford	Parish: Compton Dando	LB Grade: II
Application Type:	Full Application	
Proposal:	Installation of solar PV panels and ground source heat pump pipe work to eastern paddock to provide renewable energy sources for manor house. Connection of pipework to existing lower ground floor plant room.	
Constraints:	Agric Land Class 1,2,3a, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
Applicant:	Mr & Mrs David Oliver	
Expiry Date:	21st October 2021	
Case Officer:	Dominic Battrick	

DECISION REFUSE

1 The proposed solar photovoltaic array and compound comprises inappropriate development and will harm the openness of the Green Belt. Very special circumstances do not exist to justify the proposed development. The proposed development is therefore contrary to policy GB1 of the Bath and North East Somerset Placemaking Plan and paragraphs 147, 148 and 151 of the National Planning Policy Framework.

2 The proposed solar photovoltaic array and compound, by virtue of its siting, fails to minimise visual impact and will harm the setting of the Grade II listed Manor House and Grade II listed St Michael's Church, in addition to the character and landscape of the village of Burnett. The development will result in less than substantial harm to the designated heritage assets, without public benefits that outweigh this harm. The proposals also fail to minimise the visual impact on the rural character of the village of Burnett and its landscape. Appropriate engagement with the community at pre-application stage has not been demonstrated. The proposed development is therefore contrary to policies SCR3, HE1 and NE2 of the Placemaking Plan, policy CP6 of the Bath and North East Somerset Core Strategy, and Section 16 and paragraph 130 of the National Planning Policy Framework.

3 The proposed solar panel installation, including its perimeter fencing and hedging, will result in a loss of amenity to the adjacent residential property of Whitson Lodge by virtue of harm to outlook, contrary to policy D6 of the Bath and North East Somerset Placemaking Plan.

PLANS LIST:

This decision relates to the following plans:

Existing Block & Location Plan - SMH/16/19/18-20 - received 23/08/2021
Existing Basement Plan - SMH/16/19/18-06 - received 23/08/2021
Proposed North & East Elevation - SMH/16/19/18-40 - received 23/08/2021
Proposed Basement Plan - SMH/16/19/18-41 - received 23/08/2021
Topographical Survey - SMH/16/19/18-50 - received 23/08/2021
Proposed PV Layouts - MH1001-GEO-EE-00-02-DR-PV-1401 - received 26/08/2021
Proposed Block & Location Plan - SMH/16/19/18-51 - received 26/08/2021
PV Enclosure Cross Section - SMH/16/19/18-52 - received 19/11/2021

Community Infrastructure Levy

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

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 Framework.

Item No:	002		
Application No:	21/03966/LBA		
Site Location:	Manor House, Watery Lane, Burnett, Keynsham		
Ward: Saltford	Parish: Compton Dando	LB Grade: II	
Application Type:	Listed Building Consent (Alts/exts)		
Proposal:	Internal and external alterations for the installation of solar PV panels and ground source heat pump pipe work to eastern paddock to provide renewable energy sources for manor house. Connection of pipework to existing lower ground floor plant room.		
Constraints:	Agric Land Class 1,2,3a, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones,		
Applicant:	Mr & Mrs David Oliver		
Expiry Date:	21st October 2021		
Case Officer:	Dominic Battrick		

DECISION REFUSE

1 The proposed solar photovoltaic array and compound will adversely impact the setting of the Grade II listed Manor House and Grade II listed St Michael's Church, resulting in less than substantial harm to the designated heritage assets. The harm to the designated heritage assets is not outweighed by the public benefits of the development. The proposal would also harm the Green Belt, the rural character and landscape of the village, and residential amenity, as identified under application 21/03965/FUL. The proposed development is therefore contrary to policy HE1 of the Placemaking Plan, policy CP6 of the Bath and North East Somerset Core Strategy, and Section 16 and paragraph 130 of the National Planning Policy Framework.

PLANS LIST:

This decision relates to the following plans:

Existing Block & Location Plan - SMH/16/19/18-20 - received 23/08/2021
Existing Basement Plan - SMH/16/19/18-06 - received 23/08/2021
Proposed North & East Elevation - SMH/16/19/18-40 - received 23/08/2021
Proposed Basement Plan - SMH/16/19/18-41 - received 23/08/2021
Topographical Survey - SMH/16/19/18-50 - received 23/08/2021
Proposed PV Layouts - MH1001-GEO-EE-00-02-DR-PV-1401 - received 26/08/2021
Proposed Block & Location Plan - SMH/16/19/18-51 - received 26/08/2021
PV Enclosure Cross Section - SMH/16/19/18-52 - received 19/11/2021

Community Infrastructure Levy

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

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 Framework.

Item No:	003	
Application No:	21/03682/FUL	
Site Location:	Church Farm, Church Lane, Priston, Bath	
Ward:	Bathavon South	Parish: Priston
		LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of two dwellings and associated works, to follow demolition of existing equestrian related barns.	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Housing Development Boundary, SSSI - Impact Risk Zones, Tree Preservation Order,	
Applicant:	The Trustees of the Jones Family Settlement	
Expiry Date:	11th April 2022	
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 Arboricultural Compliance (Compliance)

No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement and Tree Protection Plan (Tim Pursey 29th July 2021)

Reason: To ensure that the approved method statement is complied with for the duration of the development to protect the trees to be retained in accordance with policy NE.6 of the Placemaking Plan.

3 Archaeology Watching Brief (Pre-commencement)

No development shall commence, except archaeological investigation work, 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 been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered and shall be

carried out by a competent person(s) 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.

4 Archaeology Post Excavation and Publication (Pre-occupation)

No occupation of the development shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of post-excavation analysis in accordance with a publication plan which has been submitted to and approved in writing by the Local Planning Authority. The programme of post-excavation analysis shall be carried out by a competent person(s) and completed in accordance with the approved publication plan, or as otherwise agreed in writing with the Local Planning Authority.

Reason: The site has produced significant archaeological findings and the Council will wish to publish or otherwise disseminate the results in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan.

5 Materials - Submission of Materials Schedule (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes to be used in the construction of the external surfaces, including roofs, has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include:

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

Samples of any of the materials in the submitted schedule shall be made available at the request of the Local Planning Authority.

The development shall thereafter be carried out 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.

6 Sample Panel - Walling (Bespoke Trigger)

No construction of the external walls of the development shall commence until a sample panel of all external walling materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The development shall be undertaken 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.

7 Reporting of Unexpected Contamination (Bespoke Trigger)

In the event that contamination is found at any time when carrying out the approved development, work must be ceased and it must be reported in writing immediately to the Local Planning Authority. The Local Planning Authority Contaminated Land Department shall be consulted to provide advice regarding any further works required. Unexpected contamination may be indicated by soils or materials with unusual colour, odour, texture or containing unexpected foreign material.

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

8 Parking and Turning (Compliance)

The areas allocated for parking and turning, as indicated in the Site Location Plan 001 Rev.A and Ground Floor Plan 111B, shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure adequate car parking and turning areas are always retained, in the interests of amenity and highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

9 Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, working hours, site opening times, wheel wash facilities and site compound arrangements. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with 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.

10 Electric Vehicle Charging Points (Pre-occupation)

No building shall be occupied until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change in accordance with Policy ST1 of the Bath and North East Somerset Placemaking Plan.

11 Surface Water Drainage (Pre-Commencement)

No development shall commence, except ground investigations, until a full drainage strategy which demonstrates how surface water will be managed on site so as not to increase flood risk. The approved drainage system shall be installed prior to the occupation of the dwellinghouses hereby approved, 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

12 Wildlife Protection and Enhancement (Pre-commencement)

No development shall take place until full details of a Wildlife Protection and Enhancement Scheme that is in accordance with Section 5 of the approved Ecological Appraisal (Engain, 8th November 2021) have been submitted to and approved in writing by the local planning authority. These details shall include:

(i) Method statement for pre-construction and construction phases to provide full details of all

necessary protection and mitigation measures, including, where applicable, proposed precommencement checks and update surveys, for the avoidance of harm to bats, reptiles, nesting birds and other wildlife, and proposed reporting of findings to the LPA prior to commencement of works;

(ii) Detailed proposals for implementation of the wildlife mitigation measures and recommendations

of the approved ecological report, including suitable replacement nesting provision for swallow;

wildlife-friendly planting / landscape details; and provision of bat and bird boxes.

Proposed

specifications, numbers, models, materials, species, sizes, and positions (as applicable) shall be provided and shown on a plan; for fencing shall include provision of gaps to allow movement of wildlife such as hedgehog through and around the site. All works within the scheme shall be carried out in accordance with the approved details and completed in accordance with specified timescales and prior to the occupation of the development.

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

13 Ecology Follow-up Report (Pre-occupation)

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced professional ecologist (based on post-construction on-site inspection by the ecologist) confirming and demonstrating, using photographs, adherence to and completion of the Wildlife Protection and Enhancement Scheme in accordance with approved details, has been submitted to and approved in writing by the Local Planning Authority.

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

14 External Lighting (Bespoke Trigger)

No new external lighting shall be installed without full details of proposed lighting design being first submitted to and approved in writing by the Local Planning Authority; details to include proposed lamp models and manufacturer's specifications, proposed lamp positions, numbers and heights with details also to be shown on a plan; and details of all measures to limit use of lights when not required and to prevent upward light spill and light spill onto trees and boundary vegetation and adjacent land; and to avoid harm to bat activity and other wildlife. The lighting shall be installed maintained and operated thereafter in accordance with the approved details.

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

15 Sustainable Construction (Pre-Occupation)

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

- o Table 2.4 (Calculations);
- o Building Regulations Part L post-completion documents

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).

16 Water Efficiency - Rainwater Harvesting (Pre-occupation)

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

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

17 Water Efficiency (Compliance)

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

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

18 Landscape Design Proposals (Bespoke Trigger)

No development beyond demolition and the erection of the dwellings to slab level shall take place until full details of both hard and soft landscape proposals and programme of implementation have been submitted to and approved by the Local Planning Authority. These details shall include any means of enclosure, provisions to repair/improve the proposed access track and details of hard surfacing materials. Soft landscape details shall include planting plans and a schedule of plants (including species, planting sizes and proposed numbers/densities).

Reason: To ensure the provision of amenity and a satisfactory quality of environment afforded by appropriate landscape design, in accordance with policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

19 Implementation of Landscaping Scheme (Bespoke Trigger)

All hard and 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 of implementation agreed in writing with the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of 10 years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the current or first available planting season with other trees or plants of species, size and number as originally approved unless the Local Planning Authority gives its written consent to any variation. All hard and soft landscape works shall be retained in accordance with the approved details for the lifetime of the development.

Reason: To ensure that the landscape works are implemented and maintained to ensure the continued provision of amenity and environmental quality in accordance with policies D1, D2 and NE2 of the Bath and North East Somerset Placemaking Plan.

20 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:

01 Oct 2021	001 A	SITE LOCATION PLAN
01 Oct 2021	002 B	TOPOGRAPHICAL SURVEY
01 Oct 2021	110 E	GROUND FLOOR PLAN
09 Nov 2021	109 E	SITE PLAN - ROOF PLAN
09 Nov 2021	111 C	FIRST FLOOR PLAN
09 Nov 2021	112 E	ELEVATIONS
09 Nov 2021	113 F	SITE ELEVATIONS
25 Nov 2021	114	SITE PLAN - EXISTING BARN FOOTPRINT ROOF PLAN
06 Jan 2022	101 P3	DRAINAGE SYSTEM - GENERAL ARRANGEMENT

Informative

Desk Study and Walkover Survey

Where development is proposed, the developer is responsible for ensuring that the development is safe and suitable for use for the purpose for which it is intended.

It is advised that a Desk Study and Site Reconnaissance (Phase 1 Investigation) survey should be undertaken to develop a conceptual site model and preliminary risk

assessment. A Phase I investigation would provide a preliminary qualitative assessment of risk by interpreting information on a site's history considering the likelihood of pollutant linkages being present. The Phase I investigation typically consists of a desk study, site walkover, development of a conceptual model and preliminary risk assessment. The site walkover survey should be conducted to identify if there are any obvious signs of contamination at the surface, within the property or along the boundary of neighbouring properties. Should the Phase 1 investigation identify potential pollutant linkages then further investigation and assessment should be required

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.

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.

Community Infrastructure Levy - General Note for all Development

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

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

Community Infrastructure Levy - Exemptions and Reliefs Claims

The CIL regulations are non-discretionary in respect of exemption claims. If you are intending to claim a relief or exemption from CIL (such as a "self-build relief") it is important that you understand and follow the correct procedure **before** commencing **any** development on site. You must apply for any relief and have it approved in writing by the Council then notify the Council of the intended start date **before** you start work on site. Once development has commenced you will be unable to claim any reliefs retrospectively and CIL will become payable in full along with any surcharges and mandatory interest charges. If you commence development after making an exemption or relief claim but before the claim is approved, the claim will be forfeited and cannot be reinstated.

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

Item No:	004		
Application No:	21/05364/FUL		
Site Location:	16 Broadlands Avenue, Keynsham, Bristol, Bath And North East Somerset		
Ward: Keynsham North	Parish: Keynsham Town Council	LB	Grade:
	N/A		
Application Type:	Full Application		
Proposal:	Erection of front, side and rear extension. Provision of attic conversion and garden room.		
Constraints:	Bristol Airport Safeguarding, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
Applicant:	Skuse		
Expiry Date:	11th April 2022		
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 - Submission of Materials Schedule (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes to be used in the construction of the external surfaces, including roofs, has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include:

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

Samples of any of the materials in the submitted schedule shall be made available at the request of the Local Planning Authority.

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

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

3 Ancillary Use (Compliance)

The garden room hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 16 Broadlands Avenue, Keynsham, Bristol Bath And North East Somerset, BS31 2DU; and shall not be occupied as an independent dwelling unit.

Reason: The garden room is not capable of independent occupation without having a detrimental impact to the residential amenity of the neighbouring occupiers and highway safety.

4 Parking (Pre-occupation)

Prior to the first use of the development hereby approved, 3no. parking spaces shall be provided in accordance with plan reference 16BA.P03 Revision B. The parking spaces shall be permanently retained for the parking of vehicles thereafter.

Reason: To ensure sufficient off-street car parking in accordance with policy ST7.

5 Bound/Compacted Vehicle Access (Compliance)

The vehicular access/driveway shall be 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.

6 Obscure Glazing and Non-opening Window(s) (Compliance)

The proposed first-floor window on the side elevation of the two-storey side extension shall be obscurely glazed. Thereafter the window shall be permanently retained as such.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

7 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following plans:

16BA.P01 Revision B. Location Plan & Site Layout Plan. Received 16th February 2022

16BA.P02 Revision A. As Existing. Received 18th January 2022

16BA.P03 Revision B. As Proposed. Received 15th February 2022

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 - General Note for all Development

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL may apply to new developments granted by way of planning permission as well as by general consent (permitted development) and may apply to change of use permissions and certain

extensions. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council **before any development commences**.

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

Community Infrastructure Levy - Exemptions and Reliefs Claims

The CIL regulations are non-discretionary in respect of exemption claims. If you are intending to claim a relief or exemption from CIL (such as a "self-build relief") it is important that you understand and follow the correct procedure **before** commencing **any** development on site. You must apply for any relief and have it approved in writing by the Council then notify the Council of the intended start date **before** you start work on site. Once development has commenced you will be unable to claim any reliefs retrospectively and CIL will become payable in full along with any surcharges and mandatory interest charges. If you commence development after making an exemption or relief claim but before the claim is approved, the claim will be forfeited and cannot be reinstated.

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

Responding to Climate Change (Informative):

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

Highways Access Advice Note

The applicant should be advised to contact the Highway Maintenance Team at Highways@bathnes.gov.uk with regard to securing a licence under Section 184 of the Highways Act 1980 for the construction of a vehicular crossing. The access shall not be brought into use until the details of the access have been approved and constructed in accordance with the current Specification.

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BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

6th April 2022

DECISIONS

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

DECISION REFUSE

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

PLANS LIST:

This decision relates to the following plans:

All received 23rd December 2021

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

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

Community Infrastructure Levy

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

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

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

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

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

PLANS LIST:

This decision relates to the following plans:

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

Permit/Consent Decision Making Statement

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

Condition Categories

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

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

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

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

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

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

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

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

DECISION Defer for site visit

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

DECISION NO OBJECTION

PLANS LIST:

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

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

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

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

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