

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 19th October, 2022, 2.00 pm

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

48 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

49 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or substitutions.

50 DECLARATIONS OF INTEREST

There were no declarations of interest.

51 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

52 ITEMS FROM THE PUBLIC - TO RECEIVE 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.

53 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on Wednesday 21 September 2022 were confirmed as a correct record and signed by the Chair.

54 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 site visit applications.
2. Oral statements by members of the public and representatives on items. (A copy of the speakers' list is attached as Appendix 1 to these minutes).

RESOLVED that in accordance with the Committee's delegated powers, the

application be determined as set out in the site visit decision list attached as Appendix 2 to these minutes.

Item No. 1 Application No: 22/01753/FUL 24

Site Location: 24 The Tynning, Widcombe, Bath

The Case Officer introduced the report regarding the application for the erection of a single storey rear extension, a first-floor extension over garage, loft conversion and pitched rear dormer, replacement of windows and doors and widening of existing driveway.

The Case Officer confirmed his recommendation that the application be permitted subject to the conditions set out in the report.

The following public representations were received:

1. Tim Elson, applicant, speaking in support of the application (read out in his absence).
2. Dr David Sweetnam, local resident, objecting to the application.

Cllr Alison Born and Cllr Winston Duguid, local ward members, were unable to attend but submitted a statement which was read out by the Democratic Services Officer as summarised below:

1. The house was in a conservation area where the frontage of the 1930s houses in the road presented as matched pairs and the development would disrupt the homogeneity of the road and harm the character of the conservation area.
2. The over-garage extension would impact on the light of properties in The Tynning and Tynning End.
3. There were no other rear dormers on that side of The Tynning or in Tynning End.
4. The side extension and rear dormer would overshadow the neighbouring property and affect some other neighbouring properties.
5. The change in levels from the garage to the front door and the quality of the construction would not allow the application to be built as drawn.
6. The application would result in the house being 5 bedroomed and necessitate a third parking space.
7. Committee was requested to refuse the application.

In response to Members questions, it was confirmed:

1. Officers did not consider the dormer window to be oversized.
2. There would be 2 additional rooms as part of the proposal and even though one of the rooms was not practical to use as a bedroom due to its size, the property would need to be considered as a 5-bedroom house as the rooms could be realigned in the future without planning permission. In terms of whether this would require an additional parking space, the parking standards were not the same as when considering new build, the test would be whether there would be any highway safety concerns as a result of additional on-street parking, and this was not considered to be an issue in this case as the property was in a parking permit area.
3. It would be possible to add a condition to ensure the surface of the parking area was constructed of a porous material.

4. The daylight assessment showed the comparable light in winter solstice at 3pm and officers considered the impact to be negligible.

Cllr Duncan Hounsell confirmed that although he was unable to attend the organised site visit, he had visited the site on a separate occasion and considered the application to be similar to other extensions in the Bath and North East Somerset area. He referred to comments made about an amended application being more suitable and confirmed that the Committee could only determine the application as submitted and whether it was policy compliant. He stated that he was minded to support the officer's recommendation to permit the application.

Cllr Eleanor Jackson stated that it was a difficult case as the property was in need of improvement, but she was concerned about the dormer window. Cllr Shelley Bromley supported this view and stated that she did not consider that the development would enhance the conservation area. Cllr Shaun Hughes raised concerns about the negative impact of the proposed side extension.

Cllr Hal MacFie expressed concern about the proposal for a dormer and second storey extension setting a precedent in the area. Cllr Lucy Hodge concurred with this view and stated that the application could not be compared with other extensions in the wider area as Widcombe was a conservation area.

Cllr Paul Crossley proposed that the application be refused for the following reasons:

1. The application would be harmful to the nature of the conservation area and would have a detrimental impact on the amenity of the street scene.
2. The application constituted an over development of the site.

This was seconded by Cllr Shelley Bromley and on being put to the vote the motion was CARRIED (7 in favour and 3 against)

RESOLVED that the application be refused for the following reasons:

1. The application would be harmful to the nature of the conservation area and would have a detrimental impact on the amenity of the street scene.
2. The application constituted an over development of the site.

55 **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 and update report in relation to item 1 under the main applications list.

Oral statements by members of the public and representatives. A copy of the speakers' list is attached as Appendix 1 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 2 to these minutes.

Item No. 1 Application No: 21/05471/OUT

Site Location: Parcel 5159, Minsmere Road, Keynsham

The Case Officer introduced the report which was an application for 70 homes; new vehicular and pedestrian access on to Minsmere Road, public open space; tree planting and habitat creation; site drainage and associated infrastructure with all matters reserved apart from the access. He gave an update to confirm that there was an omission on the plans list in the report which should have referred to an additional plan "site access SK01 revision D" and also that 6 further objections had been received and reviewed but these did not raise any issues that had not already been addressed in the report.

He advised the committee:

1. The site had been removed from the green belt in 2014 as part of the core strategy and safeguarded for future development.
2. The current development plan stated that the site should not be developed until the review of the Local Plan and so the application was technically contrary to policy. However, as set out in the report, there were material considerations which outweighed this conflict:
 - a. The site was proposed to be allocated for 70 homes in the emerging Local Plan Partial Update (LPPU) which had now been through examination and the initial letter from the Inspector stated that he was likely to find the plan sound subject to some modifications.
 - b. The requirement for the Council to have a five-year supply of land for housing.
 - c. The site was in a broadly sustainable location.
 - d. There was an absence Green Belt protection compared to nearly all other undeveloped land in this locality.
 - e. There would be a provision of sustainable transport measures (2 out of 6 measures which would be delivered as part of this development and the other 4 as part of the Withies Green development).
 - f. A significant package of Section 106 obligations and contributions which would benefit the wider community
 - g. An off-site Biodiversity Net Gain (BGN) at Somerdale.
3. In relation to the proposed pedestrian access between Witham Road and the western boundary of the application site, this was third party land not owned by the applicant or the Council and so was afforded limited weight as a benefit as it could not be secured in perpetuity.
4. A green space had been secured as a minimum buffer around the site and further landscape details would be part of the reserved matters application.

He confirmed the recommendation that officers be delegated to permit the application subject to:

- a. no comments raising new material considerations from the advertisement of the application as a departure.
- b. the completion of a Section 106 Agreement to cover the 11 heads of terms as set out in the report.
- c. the conditions as set out in the report.

The following public representations were received:

1. Chris Dolling, applicant, speaking in support of the application.

Cllr Andy Wait, in attendance as local ward member raised the following points:

1. There had been approximately 270 objections from local residents as well as objections from Keynsham Town Council, Saltford Town Council, CPRE and the Council's parks department.
2. The application at Withies Green had been referred to the Secretary of State by Keynsham and Saltford Town Councils and it was likely that this application would also be referred.
3. Bus services in the area were irregular and difficult to maintain once developer contributions had been used up.
4. There was one exit from the site onto a suburban road which would lead to congestion on an already congested network.
5. The proposed development was overcrowded, 70 homes were too many for the site and it did not meet the Council's climate emergency commitments.
6. The siting of the housing next to Manor Road woodland would have a detrimental impact on existing wildlife.
7. A better use of the land would be a wildlife meadow and the parcel of land opposite Hygge Park which was currently earmarked for industrial use would be a better fit for housing.

In response to Members questions, it was confirmed:

1. In relation to the Inspector's letter suggesting the LPPU was sound, this was not equivalent to a judgement on this particular application, but rather on the allocation policy.
2. In accordance with policy, it was acceptable for the developer to offer an offsite BNG. There would be further opportunities to improve the quality of the landscaping of the application site at the reserved matters stage.
3. Following the Committee's decision to delegate to permit the application at Withies Green, Keynsham and Saltford Town Councils had asked the Secretary of State to call in the application. A holding direction had been issued pending a decision by the Secretary of State on whether or not to call the application in and the Committee decision could not be issued while this was being resolved.
4. Due to the scale of the 6 sustainable transport measures, it was not feasible to deliver them all pre-occupation, but instead they would be delivered at the earliest stage. Both sets of developers had accepted the measures which would be secured through a Section 106 Agreement, and it was officers' view that the package would be delivered.
5. There would be a range of bus stop improvements as included in the transport measures.
6. Sustainable construction would be considered at the reserved matters stage and net zero policies would be applied at that stage.
7. There was no policy to require a sequential test to consider if brown field sites were available before developing green field sites.
8. When the site was removed from the Green Belt in 2014, the Inspector stated that the future allocation of the site for housing would not lessen the gap between Keynsham and Saltford to the extent that it would impact their separate identities.
9. The figures used by the developer that forecast the transport package would increase cycling by 75% and public transport use by 30% came from the PGA report which informed the LPPU update.
10. The predicted vehicle movements of 37 trips in the morning peak and 31 in the afternoon peak did not take into account sustainable transport measures or traffic plan measures which could reduce the number of trips. These

figures related to peak times and not the number of vehicle movements throughout a day.

11. There was no information about the impact on local GP surgeries and no representations had been made by local GPs about capacity issues.
12. In relation to whether housing supply in Keynsham had been met, the Council needed to look at the housing market area rather than an individual town.
13. In terms of access points, the application was policy compliant and did not allow for a through route between A4 and the Chandag estates.
14. The sustainable transport measures would broadly offset approximately 200 trips in the morning and afternoon peak times from this site and the Withies Green site.

Cllr Hal MacFie opened the debate as local member and expressed concern about the cumulative effect on traffic as a result of this development alongside the Withies Green Development and the new recycling centre. He expressed the view that 50 would be a more appropriate number of homes on the site and would allow for onsite BNG to be achieved.

Cllr Duncan Hounsell expressed concern about the impact on highways in the Keynsham area, such as the Bath Hill/Wellsway roundabout being over capacity before the mitigations were in effect and also the access to the site via an established housing estate. He confirmed that he did not support the application due to these highways concerns as well as the proposed offsite BGN.

Cllr Shelley Bromley raised concerns about the pressure on local services such as GPs and the uncertainty about the future of bus services which was beyond the control of the local authority.

Cllr Shaun Hughes expressed concern that the application was premature and not compliant with current policies. He also stated that the number of homes should be reduced to make space for onsite BGN.

Cllr Paul Crossley spoke in support of the officer recommendation and the package of obligations secured during negotiations. He stressed the importance of securing social housing which was an important element of this application.

Cllr Sally Davis concurred with this view and stated that attempts to reduce the number of homes would result in a reduction of social housing. She moved the officers' recommendation to delegate to permit. This was seconded by Cllr Eleanor Jackson and on being put to the vote it was NOT CARRIED (4 in favour, 5 against, 1 abstention)

Cllr Duncan Hounsell proposed that the application be refused on highways grounds including the significant impact on congestion at key roundabouts and on the existing housing estate, as well as the offsite BGN. This was seconded by Cllr Shelley Bromley.

Cllr Lucy Hodge raised concerns about the transport mitigation measures being inadequate and questioned whether they would be delivered.

Cllr Shaun Hughes supported the proposal to refuse the application for the additional reasons of the over development of the site especially in view of its location next to a

protected woodland area.

The Case Officer advised that it would be difficult to defend a refusal on highway grounds as there was a package of mitigations and also that the offsite BGN was policy compliant. He further advised that in the event of an appeal, the developer may not be required to deliver the package of measures and the Council may be liable for costs.

In view of the concerns raised, the Case Officer suggested that a decision be deferred to enable officers to negotiate with the applicant about securing on onsite BGN and to allow for further discussions in relation to precise triggers for planning obligations.

Cllr Duncan Hounsell withdrew his motion and Cllr Sally Davis moved that the application be deferred to allow for further negotiations. This was seconded by Cllr Hal MacFie.

On being put to the vote the motion was CARRIED (10 in favour and 0 against)

RESOLVED that a decision be deferred pending further negotiations between officers and the applicant with a view to securing onsite Biodiversity Net Gain and clarify the triggers for planning obligations.

[Cllr Paul Crossley left the meeting at this point.]

Item No. 2 Application No: 22/02171/FUL

Site Location: Rose Lawn, The Street, Compton Martin

The Case Officer introduced the report which assessed an application for the erection of a two-storey side extension to a semi-detached cottage. He gave an update that a revised block plan had been received and confirmed that the application had been referred to committee under the scheme of delegation as there had been objections raised to the initial plans which had since been revised to address concerns.

He confirmed the officer recommendation that the application be granted subject to the conditions set out in the report.

The following public representations were received:

1. Annelie Smith, applicant, speaking in support of the application.

Cllr Duncan Hounsell proposed the officer's recommendation that permission be granted subject to the conditions set out in the report. This was seconded by Cllr Eleanor Jackson who thanked all parties for working to achieve an acceptable application.

On being put to the vote the motion was CARRIED (9 in favour and 0 against).

RESOLVED that permission be granted subject to the conditions set out in the report.

Item No. 3 Application No: 22/03020/FUL

Site Location: Hillside Farm, Timsbury Road, Farmborough

The Case Officer introduced the report which assessed a retrospective application for the erection of a detached double garage. She confirmed the officer recommendation that the application be refused as no very special circumstances existed to outweigh the harm caused by the development in the green belt.

The following public representations were received:

1. David Gunter, applicant, speaking in support of the application.

In response to Members questions, it was confirmed:

1. The only consideration was whether the building was for agricultural use which could constitute special circumstances in the Green Belt. There were no concerns about the building materials used in the construction of the garage.
2. The view of officers was that the garage was more closely linked to domestic use due to its siting, appearance and storage of a mixture of agricultural and domestic equipment. The agricultural field was not easily accessible from the garage.
3. In response to the applicant's claim that the garage had been sited in a secure location in accordance with NFU guidance to protect against the theft of agricultural equipment, officers had taken this into account but considered that there were other secure options available.
4. Any delays associated with an appeal and enforcement process would not be long enough to result in the garage becoming permitted development.

Cllr Eleanor Jackson proposed the officers' recommendation that the application be refused for the reasons set out in the report. This was seconded by Cllr Duncan Hounsell.

On being put to the vote the motion was CARRIED (9 in favour and 0 against).

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

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

The Committee considered the appeals report.

RESOLVED that the report be noted.

57 QUARTERLY PERFORMANCE REPORT 1 JULY - 30 SEPTEMBER 2022

RESOLVED that the report be noted.

The meeting ended at 5.50 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

**MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT
THE PLANNING COMMITTEE ON WEDNESDAY 19 OCTOBER 2022**

SITE VISIT LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1	22/01753/FUL 24 The Tynning, Widcombe, Bath	Tim Elson (applicant) <i>(statement to be read in absence)</i>	For
		Dr David Sweetnam	Against
		Cllrs Alison Born and Winston Duguid <i>(statement to be read in absence)</i>	
MAIN APPLICATION LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1	21/05471/OUT Parcel 5159, Minsmere Road, Keynsham	Chris Dolling (applicant)	For
		Cllr Andy Wait	
2	22/02171/FUL Rose Lawn, The Street, Compton Martin	Annelie Smith (applicant)	For
3	22/03020/FUL Hillside Farm, Timsbury Road, Farmborough	David Gunter (applicant)	For

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BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

19th October 2022

DECISIONS

Item No:	001	
Application No:	22/01753/FUL	
Site Location:	24 The Tynning, Widcombe, Bath, Bath And North East Somerset	
Ward: Widcombe And Lyncombe	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a single-storey rear extension, a first floor extension over garage, loft conversion with pitched rear dormer, replacement of windows and doors, widening of existing driveway.	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE3 SNCl, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Tim And Keren Elson	
Expiry Date:	21st October 2022	
Case Officer:	Angus Harris	

DECISION REFUSE

1 By virtue of the prominence, scale and massing of the proposed extensions, they would neither preserve nor enhance the character or appearance of the Conservation Area or the street scene. The proposal is contrary to policy CP6 of the adopted Core Strategy (2014), policies D2, D5 and HE1 of the Bath and North East Somerset Placemaking Plan (2017) and the provisions of the National Planning Policy Framework (2021).

2 The proposed extensions, by virtue of their prominence, scale and massing, will result in overdevelopment of the plot to the detriment of the established grain of residential development and the suburban character of the street scene. The closing of the space between the semi-detached properties will contribute to this harm. The proposed development is therefore contrary to policies D1, D2, D4, D5 and D7 of the B&NES Placemaking Plan and policy CP6 of the B&NES Core Strategy.

PLANS LIST:

This decision relates to the following plans:

Drawing - 28 Apr 2022 - 2204 - PL00 A - EXISTING AND PROPOSED LOCATION PLANS

Drawing - 28 Apr 2022 - 2204 - PL02 - EXISTING FLOOR PLANS

Drawing - 28 Apr 2022 - 2204 - PL03 - EXISTING ELEVATIONS
Drawing - 28 Apr 2022 - 2204 - PL04 A - PROPOSED FLOOR PLANS
Drawing - 23 May 2022 - 2204 - PL01 B - EXISTING AND PROPOSED SITE PLANS
Drawing - 23 May 2022 - 2204 - PL05 B - PROPOSED ELEVATIONS
Drawing - 23 May 2022 - 2204 - PL06 B - EXISTING AND PROPOSED SECTION AA
OS Extract - 18 May 2022 - SITE LOCATION PLAN

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.

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

Item No:	01
Application No:	21/05471/OUT
Site Location:	Parcel 5159, Minsmere Road, Keynsham, Bath And North East Somerset
Ward: Keynsham East	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Outline Application
Proposal:	Outline planning application for 70 homes (Use Class C3); new vehicular and pedestrian access on to Minsmere Road, public open space; tree planting and habitat creation; site drainage and associated infrastructure, with all matters reserved except for access.
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Policy KEB3 Safeguarded Land East Keynsh, Policy LCR5 Safeguarded existg sport & R, Policy LR6A Local Green Spaces, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Policy NE3 Local Nature Reserve, Policy NE5 Ecological Networks, Placemaking Plan Allocated Sites, All Public Rights of Way Records, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Taylor Wimpey UK Ltd
Expiry Date:	18th November 2022
Case Officer:	Chris Griggs-Trevarthen

DECISION Defer to allow officers to negotiate additional on-site BNG and clarify triggers for planning obligations

Item No:	02
Application No:	22/02171/FUL
Site Location:	Rose Lawn , The Street, Compton Martin, Bristol
Ward: Chew Valley	Parish: Compton Martin LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of a two-storey side extension.
Constraints:	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Conservation Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Mrs Annelie Smith
Expiry Date:	21st October 2022
Case Officer:	Angus Harris

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 Soft Landscaping Scheme (Bespoke Trigger)

Within two months of the commencement of works a soft landscape scheme with plan and a programme of implementation shall be submitted to and approved in writing by the Local Planning Authority showing the species, planting size and location of one replacement tree within the grounds of Rose Lawn.

Reason: To secure replacement tree planting on site in accordance with Policy NE6 of the Placemaking Plan and the fixed number tree replacement policy within the Planning Obligations Supplementary Planning Document.

3 Replacement Tree Planting (Compliance)

All replacement tree planting works shall be carried out in accordance with the approved details. The works shall be carried out during the next available planting season following completion.

Any trees 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 of a species and size to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure replacement trees are provided and to provide an appropriate landscape setting for the development in accordance with Policy NE6 of the Bath and North East Somerset Placemaking Plan.

4 Construction Management Plan (Pre-commencement)

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

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

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

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

5 Parking (Compliance)

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

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with policies D6 and ST7 of the Bath and North East Somerset Placemaking Plan.

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

The proposed first floor rear window shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. 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 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 D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

8 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:

Drawing - 12 Sep 2022 - P09 - PARKING PLAN PROPOSED

Revised Drawing - 12 Sep 2022 - P01 D - EXISTING AND PROPOSED SITE LOCATION PLAN

Revised Drawing - 12 Sep 2022 - P02 D - EXISTING AND PROPOSED BLOCK PLANS

Revised Drawing - 12 Sep 2022 - P03 F - EXISTING AND PROPOSED GROUND FLOOR PLAN

Revised Drawing - 12 Sep 2022 - P04 F - EXISTING AND PROPOSED FIRST FLOOR PLAN

Revised Drawing - 12 Sep 2022 - P07 F - EXISTING AND PROPOSED REAR ELEVATION

Revised Drawing - 28 Sep 2022 - P05 G - EXISTING AND PROPOSED FRONT ELEVATION

Revised Drawing - 28 Sep 2022 - P06 J - EXISTING AND PROPOSED SIDE (NE) ELEVATION

Revised Drawing - 28 Sep 2022 - P08 D - EXISTING AND PROPOSED SIDE (SW) ELEVATION

OS Extract - 27 Jun 2022 - 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.

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 have 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.

Item No:	03		
Application No:	22/03020/FUL		
Site Location:	Hillside Farm , Timsbury Road, Farmborough, Bath		
Ward:	Clutton And Farmborough	Parish:	Farmborough
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of detached double garage (Retrospective).		
Constraints:	Clutton Airfield, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
Applicant:	Mr Dave Gunter		
Expiry Date:	21st October 2022		
Case Officer:	Danielle Milsom		

DECISION REFUSE

1 The building is not considered to fall within a solely agricultural use. As such, the application fails to comply with exceptions (a) of paragraph 149 of the National Planning Policy Framework. As such, the erection of the building represents inappropriate development in the Green Belt and is, by definition, harmful and there are no very special circumstances. The application is therefore contrary to policy CP8 of the Bath and North East Somerset Core Strategy, GB1 of the Bath and North East Somerset Placemaking Plan and Part 13 of the National Planning Policy Framework.

PLANS LIST:

This decision relates to the following plans:
Drawing - 27 Jul 2022 - Proposed Floor Plans and Elevations
OS Extract - 27 Jul 2022 - Site 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.

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

Community Infrastructure Levy

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