

## PLANNING COMMITTEE

### Minutes of the Meeting held

Wednesday, 5th April, 2023, 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

#### 96 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

#### 97 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or substitutions.

#### 98 DECLARATIONS OF INTEREST

In relation to item 1 under the main applications list, 22/00881/OUT - Parcel 9176, Langley's Lane, Paulton, Cllr Shaun Hughes stated that he owned an industrial unit on the existing development but had no interest in relation to the application.

Cllr Shaun Hughes declared that he had already stated his objection to the associated Mendip housing application relating to 21/02973/OUT Parcel 3589, Silver Street, Midsomer Norton (item 2 under the main applications list) and would not participate in the debate or vote, but he would address the Committee as adjacent ward member.

#### 99 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

#### 100 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.

#### 101 MINUTES OF THE PREVIOUS MEETING

It was moved by Cllr Eleanor Jackson, seconded by Cllr Brian Simmons and:

**RESOLVED** that the minutes of the meeting held on Wednesday 8 March 2023 be confirmed as a correct record for signing by the Chair.

#### 102 SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR

## **DETERMINATION BY THE COMMITTEE**

There were no site visit applications for consideration.

### **103 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 under the main applications list and an update report in relation to items (1), (2) and (3).

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.

(1) 22/00881/OUT - Parcel 9176, Langley's Lane, Paulton,

The Case Officer introduced the report which considered an outline planning application (with all matters reserved, except for access) for small scale industrial units with associated works and access from existing Old Mills development.

In relation to the highway mitigations and contribution from the developer, she clarified that:

1. A Local Development Order (LDO) put forward by the Council proposed modifications to the Thicketmead Roundabout and surrounding road network.
2. A contribution was being sought from the developer to support these works.
3. If the LDO did not come forward there would be sufficient capital from the contribution to undertake highway works to Thicketmead to mitigate the traffic impact of this development.

The Case Officer confirmed her recommendation that officers be delegated to permit the application subject to:

1. A Section 106 agreement being agreed to secure the necessary highway works and contributions and a contribution towards Targeted Training and Recruitment.
2. The conditions set out in the report.

The following public representations were received:

1. Chris Dance, agent, speaking in support of the application.

Cllr Liz Hardman, Ward Member was unable to attend, and a statement was read out on her behalf which raised the following points:

1. She objected to the application. She acknowledged that the land had been classified for business use but was disappointed with that decision as the land was greenfield.
2. She did not believe the highways measures would be sufficient to mitigate the extra traffic generated especially in the context of the Somer Valley Enterprise Zone (SVEZ).
3. Cycling to work was not deliverable due to poor cycle routes.

4. Some units in Phase 1 were still empty which demonstrated that phase 2 was not needed.

In response to Members' questions, it was confirmed:

1. In relation to the impact on residents of Springfield Buildings, this could be addressed by conditions at the reserved matters stage when there was more information available about the scale, layout and design of the site.
2. The impact of both the Somer Valley Enterprise Zone and this proposal had been considered in highways modelling and this proposal had also been considered separately in the event of the SVEZ not coming forward. The project team for the LDO had confirmed that the roundabout works would be delivered within a reasonable timeframe.
3. Highways modelling had considered data from 2019, 2021 and projected growth data for 2026. The national transport database was used to compare with similar sites in the UK.
4. The predicted number of traffic movements during the morning and evening peak hour would be 110. There would be improvements to the Thicketmead roundabout which would be more significant when the LDO came forward.
5. Previous applications on the site had been refused for highways and landscape reasons and the landscape reason had been rejected by the Inspector on appeal who considered there was sufficient space on site to mitigate. The appeal had been dismissed on highway grounds and these matters had been addressed in the current application by a package of transport measures which were considered to be acceptable.
6. There was no evidence to support the claim of objectors that the highway measures were insufficient.
7. As detailed in the update report, an additional condition had been recommended to restrict the use of the units as Class E g(iii), industrial processes which were not detrimental to residential amenity.
8. The adjacent site contained light industrial units and if some of the units were currently empty, this was outside the Council's control.
9. The Council was not able to control the frequency of buses servicing the site.
10. A cycleway had been proposed by the applicant and a further cycleway would come forward as part of the LDO.
11. The contribution to upgrade bus shelters would apply to the two bus stops nearest the site.
12. In terms of a pedestrian access, the existing pavement would be widened to 3 metres to be used as a shared footway and cycleway.
13. The Council's Heritage Team had not raised concerns about the proximity of the site to a historic monument but an archaeological watching brief condition could be included.
14. The Ecologist had assessed the issue of bats and there would be a condition to restrict lighting to respond to concerns.
15. The application had been assessed against the latest policies, and the climate emergency had been taken into consideration. A sustainable construction checklist would be required to be submitted at the reserved matters stage.

Cllr Duncan Hounsell moved the recommendation as set out in the report that officers be delegated to permit the application. This was seconded by Cllr Sally Davis who stated that the site was allocated and highway concerns over previous applications had now been addressed.

Cllr Shaun Hughes commented that Midsomer Norton was a growing industrial area and there was a demand for light industrial units, but it was important to consider this application in the context of the wider area and the SVEZ and balance this with the impact on the amenity on local residents, in particular residents of Springfield Buildings.

Cllr Paul Crossley spoke in support of the scheme, stating it was well thought out and had taken on board the highway objections raised in relation to the previous applications.

Cllr Hal MacFie raised concerns about the intensity of traffic and stressed the importance of a condition to restrict hours of operation.

Cllr Eleanor Jackson expressed reservations about mitigations being addressed at the reserved matters stage and stated that although she supported the application in principle, she wanted reassurances about restrictions to hours of operation and noise levels as well as requiring an archaeological watching brief.

The Team Manager (Development Management) recommended that, in view of concerns expressed by Members, the additional conditions be included at the outline stage.

The proposer and seconder of the motion agreed to include conditions to restrict the hours of operation; restrict noise levels and include an archaeological watching brief.

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

**RESOLVED** that officers be delegated to permit the application subject to:

1. A Section 106 agreement being agreed to secure the necessary highway works and contributions and a contribution towards Targeted Training and Recruitment.
2. The conditions set out in the report.
3. Additional conditions relating to restricting noise levels, restricting hours of operation and an archaeological watching brief.

(2) 21/02973/OUT - Parcel 3589, Silver Street, Midsomer Norton

The Case Officer introduced the report which considered an outline planning permission for the formation of an access road, footpath and cycle links, open space, landscaping and associated works to serve a proposed housing development in the adjacent Mendip area.

She confirmed that:

1. The application had been previously considered and approved by the Planning Committee in August 2022.
2. Since that date there had been a judicial review in relation to the Mendip District Council Local Plan which found that there had been a flaw in the allocation process and as a result, the allocation of the site in question as housing had been removed from the Mendip Local Plan.
3. In light of this, the housing application had been reassessed by Mendip District Council and as Mendip did not have a 5-year supply of land for housing, a

decision had been taken to approve the application.

4. As a result of the judicial review and subsequent decision of Mendip District Council to approve the housing development application, the B&NES application had been reassessed.
5. The scheme was policy compliant with the exception of NE3a as no metric had been submitted in relation to biodiversity net gain. However as there was a condition to secure this, the scheme was considered acceptable and the application was being advertised as a departure from the development plan.

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

1. A Section 106 agreement being agreed to secure a financial contribution towards improving local bus infrastructure; the Somer Valley Enterprise Zone Cycleway; Targeted Training and Recruitment; Green Space and Parks Infrastructure and a controlled pedestrian/cycle crossing on Silver Street.
2. The conditions set out in the report.

The following public representations were received:

1. Simon Steele-Perkins, applicant, speaking in support of the application.

Cllr Shaun Hughes declared an interest and withdrew from the Committee and made the following points as the adjacent local member:

1. He objected to the principle of the housing development on the adjacent site in Mendip.
2. He appreciated that Councils were under pressure to have a 5-year supply of land for housing but stated that this should not be at the detriment of local residents.
3. The judicial review had found that the allocation process was flawed, and it was important for residents that the process was rigorous and fair.
4. Services and infrastructure in Midsomer Norton were overstretched and the application on the adjacent site would add to the pressure.
5. Locally grown food was important in the context of the climate emergency and cost of living crisis, and this needed to be considered before building housing on agricultural land.

In response to Members' questions, it was confirmed:

1. The Council had not received an objection from Westfield Parish Council.
2. Mendip District Council had removed the site as an allocated site for housing within the Mendip Local Plan but had taken the decision that the housing application be approved as, due to the lack of a 5-year land supply, the necessity for homes in the area outweighed the harm. The B&NES application related to the access to the site and had been approved at a previous committee in August 2022.
3. The judicial review had found that the process and methodology of the allocation of sites by Mendip District Council was at fault.
4. The £10k towards bus infrastructure included a new pole and flag to Norton Hill School stop; a new shelter, bus markers and raised kerb to be moved to where the bus stop is currently situated at Norton Hill School stop and the installation of infrastructure for travel in both directions on Fossefield Road.

Cllr Eleanor Jackson stated that, overall, the benefits of the development outweighed the harm and if permission was not granted, the traffic would be displaced

elsewhere. She proposed the recommendation that officers be delegated to permit the application. This was seconded by Cllr Brian Simmons.

Cllr Paul Crossley supported the motion, stating that the development was vital to residents of the estate. He commended officers for securing the terms of the Section 106 Agreement.

Cllr Hal MacFie expressed concern about the pressure on services and infrastructure in Midsomer Norton and stated that he was minded not to support the motion.

On being put to the vote the motion was CARRIED (7 in favour, 2 against)

**RESOLVED** that officers be delegated to permit the application subject to:

1. A Section 106 agreement being agreed to secure to secure a financial contribution towards improving local bus infrastructure; the Somer Valley Enterprise Zone Cycleway; Targeted Training and Recruitment; Green Space and Parks Infrastructure and a controlled pedestrian/cycle crossing on Silver Street.
2. The conditions set out in the report.

(3) 22/04787/FUL - Parcel 2065, Meadgate East, Camerton, Bath,

The Case Officer introduced the report which considered an application for the construction of an agricultural access off Camerton Road, to include erection of a gate (partially retrospective).

She confirmed the officer recommendation that the application be permitted subject to the conditions set out in the report and an additional condition relating to drainage.

The following public representations were received:

1. Margaret Hutton, Parish Council, objecting to the application.
2. Rob Jones, applicant, speaking in support of the application.

Cllr Matt McCabe was in attendance for the item as Ward Member and raised the following comments:

1. The previous planning permission did not include permission to create a gap in the boundary wall and the conditions attached to the permission had been ignored.
2. The applicant had submitted photos of the visibility from the access, but these were taken on the boundary rather than demonstrating visibility from a vehicle.
3. The vegetation would be cut down to facilitate views and so biodiversity net gain would be lost.
4. Any development in the location should maintain or enhance the character and this application proposed a gap in the stone wall that had been a feature of the landscape for a long time.

He concluded that the proposal represented harm and urged the Committee to refuse the application.

In response to Member's questions, it was confirmed

1. The existing entrance was the main entrance to the farm. The additional access would be used to access agricultural buildings. It was not known how often the

- additional access would be used.
2. Visibility splays would be provided within the site.
  3. The applicants had advised that the hedge had been planted at the end of March. Officers had not checked on the planting, but it would be an enforcement issue if the condition had not been complied with.

Cllr Duncan Hounsell raised a concern about the general principle of an applicant benefitting from breaching a planning permission.

Cllr Shelley Bromley stated the proposal seemed a major intervention as the access may not be used regularly. She stated that she did not support the application.

Cllr Lucy Hodge agreed with this view and expressed concern about the impact on highway safety and also that reassurances associated with the previous application had not been complied with.

Cllr Eleanor Jackson proposed that the application be refused on the grounds that the loss of the historic stone wall would impact on the character and distinctiveness of the area. This was seconded by Cllr Lucy Hodge. In response to questions about whether it would be appropriate to include highway safety as an additional reason, the Team Manager (Development Management) advised that there had been no objection from highways officers and evidence would be required to defend this reason in the event of an appeal.

Cllr Hal MacFie stated that there were benefits to the proposal, the gate was set back to minimise impact and there was a solid base to avoid drainage issues. He stated he was minded to support the application.

Cllr Paul Crossley stated that the wall was not listed and that he also supported the officer recommendation to grant the application.

In response to comments raised about no exceptional circumstances being demonstrated to balance the harm in the Green Belt, the Legal Officer advised that the application had been assessed to be appropriate development in the Green Belt due to its agricultural nature, as outlined in paragraph 149(a) of the NPPF.

On being put to the vote the motion to refuse the application was NOT CARRIED (4 in favour 6 against).

Cllr Sally Davis stated that she considered the application would benefit traffic calming and proposed the officer recommendation that the application be permitted. This was seconded by Cllr Hal MacFie.

On being put to the vote the motion was CARRIED (6 in favour 3 against 1 abstention).

**RESOLVED** that the application be permitted subject to the conditions set out in the report and an additional condition relating to drainage.

(4) 23/00260/FUL - Heighgrove Barn, Scumbrum Lane, High Littleton

The Case Officer introduced the report which considered an application for the

construction of a car port in the green belt.

She updated the Committee to confirm:

1. The location was in High Littleton and not Farmborough.
2. A condition of the previous application for the original barn conversion stated that permitted development rights had been removed for outbuildings.

The Case Officer confirmed the officer recommendation that the application be refused for the reasons set out in the report.

The following public representations were received:

1. Pricilla Roberts, applicant, speaking in support of the application.

In response to Member's questions, it was confirmed

1. As permitted development rights had been removed by a condition attached to a previous consent, the applicant would need to submit an application to remove this condition if they wanted permitted development rights to be reinstated.
2. The volume of building on the site was already a third more than the original. Any development amounting to a further increase would have to demonstrate very special circumstances due to the Green Belt location.

Cllr Sally Davis opened the debate as ward member. She stated that she had originally considered the application to be appropriate, but due to the new information that permitted development rights had been removed it was difficult to support the application.

Cllr Eleanor Jackson concurred that it was not possible to support the application as permitted development rights had been removed and the built form already exceeded an increase of more than one third of the original building and there were no special circumstances demonstrated. She proposed the officer recommendation that the application be refused. This was seconded by Cllr Lucy Hodge.

Cllr Hal MacFie stated that it was important to be consistent in considering applications within the Green Belt and supported the proposal to refuse the application.

On being put to the vote the motion was CARRIED (7 in favour 1 against 2 abstentions)

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

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

The Committee considered the appeals report.

Cllr Lucy Hodge referred to appeal that was upheld in relation to the installation of solar PV panels and ground source heat pump pipe work at Watery Lane, Burnett and the weight given to renewable energy by the Inspector.

**RESOLVED** that the report be noted.



The meeting ended at 3.10 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 5 APRIL**

<b>MAIN APPLICATION LIST</b>			
<b>ITEM NO.</b>	<b>SITE NAME</b>	<b>NAME</b>	<b>FOR/AGAINST</b>
1	22/00881/OUT - Parcel 9176, Langley's Lane, Paulton, Bristol	Chris Dance, agent (3 minutes)	For
		Cllr Liz Hardman ( <i>unable to attend – statement to be read in absence</i> ) (5 minutes)	Ward Member
2	21/02973/OUT - Parcel 3589, Silver Street, Midsomer Norton	Simon Steele-Perkins, applicant (3 minutes)	For
		Cllr Shaun Hughes (adjacent ward Member) (5 minutes)	Adjacent Ward Member
3	22/04787/FUL - Parcel 2065, Meadgate East, Camerton, Bath	Cllr Margaret Hutton, Camerton Parish Council (3 minutes)	Parish Council
		Rob Jones, agent (3 minutes)	For
		Cllr Matt McCabe (5 minutes)	Ward Member
4	23/00260/FUL - Heighgrove Barn, Scumbrum Lane, High Littleton, Bristol	Priscilla Roberts, applicant (3 minutes)	For

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**PLANNING COMMITTEE**

**5th April 2023**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	22/00881/OUT	
<b>Site Location:</b>	Parcel 9176, Langley's Lane, Paulton, Bristol	
<b>Ward:</b> Paulton	<b>Parish:</b> Paulton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Outline Application	
<b>Proposal:</b>	Outline planning application (with all matters reserved, except for access) for small scale industrial units with associated works and access from existing Old Mills development.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Policy CP9 Affordable Housing, Policy ED2A Primary Industrial Estates, Flood Zone 2, Flood Zone 3, LLFA - Flood Risk Management, Policy M1 Minerals Safeguarding Area, Policy NE3 SNCI, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Flower And Hayes Developments Ltd	
<b>Expiry Date:</b>	28th April 2023	
<b>Case Officer:</b>	Isabel Daone	

**DECISION - delegate to permit subject to conditions and section 106 agreement**

<b>Item No:</b>	02
<b>Application No:</b>	21/02973/OUT
<b>Site Location:</b>	Parcel 3589, Silver Street, Midsomer Norton, Bath And North East Somerset
<b>Ward:</b>	Midsomer Norton Redfield
<b>Parish:</b>	Midsomer Norton
<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Outline Application
<b>Proposal:</b>	Outline planning permission for formation of access road, footpath and cycle links, open space, landscaping and associated works (All matters except access reserved).
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Policy CP9 Affordable Housing, Greenfield site, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Waddeton Park Ltd
<b>Expiry Date:</b>	14th April 2023
<b>Case Officer:</b>	Isabel Daone

**DECISION - granted as per report**

<b>Item No:</b>	03
<b>Application No:</b>	22/04787/FUL
<b>Site Location:</b>	Parcel 2065, Meadgate East, Camerton, Bath
<b>Ward:</b> Bathavon South	<b>Parish:</b> Camerton <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Construction of an agricultural access off Camerton Road, to include erection of a gate (Partially retrospective).
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr Ashley Pulsford
<b>Expiry Date:</b>	7th April 2023
<b>Case Officer:</b>	Pippa Brown

## DECISION PERMIT

### 1 Plans List (Compliance)

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

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

### 2 Junction Visibility Splay (Pre-occupation)

No use of the access shall commence until a visibility splay of 2.4m x 45.0m has been demonstrated, with no on-site obstruction exceeding 600mm above ground level (through the maintaining of the hedgerow and verge) within the visibility splay. The visibility splay shall be retained permanently thereafter.

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

### 3 Entrance Gates (Compliance)

Any entrance gates erected shall be hung to open away from the highway only and shall be set back a minimum distance of six metres from the back edge of the adopted public highway.

Reason: In the interests of highway safety, in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan, and to enable vehicles to safely draw off the highway before the gates are opened.

### 4 Bound/Compacted Vehicle Access (Compliance)

The first 6 metres of the vehicular access hereby approved shall be constructed with a bound and compacted surfacing material (not loose stone or gravel). This shall be retained in perpetuity.

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 Local Plan Partial Update.

### **5 Drainage (Pre-commencement)**

Details of the provision for the sustainable disposal of surface water within the site, so as to prevent its discharge onto the public highway, shall be submitted to the Local Planning Authority, and fully implemented to the satisfaction of the Local Planning Authority.

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

### **PLANS LIST:**

This decision relates to the following plans and documents:

- Block plan (labelled Access to the Old Quarry, Sheephouse Farm) - Received 20/01/2023
- Hedgerow landscaping scheme - Received 20/01/2023
- Location plan - Received 28/11/2022
- Proposed gate elevation - Received 12/12/2022

### **Condition Categories**

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

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

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

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

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

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



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

### **Community Infrastructure Levy - 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](http://www.bathnes.gov.uk/cil). If you have any queries about CIL please email [cil@BATHNES.GOV.UK](mailto:cil@BATHNES.GOV.UK)

### **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.

### **Highways license**

In order for a new vehicular access to be created, HDM requires the applicant to apply for a Section 184 licence under the Highways Act 1980. The applicant should be advised to contact the Highway Maintenance Team at [Highways@bathnes.gov.uk](mailto:Highways@bathnes.gov.uk) with regard to securing a licence for the amendment to an existing and/or creation of a new 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. More information can be found following this link <https://www.bathnes.gov.uk/services/streets-and-highwaymaintenance/licences-and-permits/dropped-kerbs>

Please note even if full planning permission is permitted, an approved Section 184 licence is not guaranteed.

### **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.

### **Civil or legal consents**

This permission does not convey or imply any civil or legal consents required to undertake the works.

<b>Item No:</b>	04		
<b>Application No:</b>	23/00260/FUL		
<b>Site Location:</b>	Heighgrove Barn , Scumbrum Lane, High Littleton, Bristol		
<b>Ward:</b>	Clutton And Farmborough	<b>Parish:</b>	Farmborough
		<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Construction of car port.		
<b>Constraints:</b>	Clutton Airfield, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Coal - Referral Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Policy M1 Minerals Safeguarding Area, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, Policy PCS6 Unstable Land-Coal Mining Le, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
<b>Applicant:</b>	Ms Priscilla Roberts		
<b>Expiry Date:</b>	6th April 2023		
<b>Case Officer:</b>	Paige Moseley		

## DECISION REFUSE

1 The site is within the Bristol and Bath Green Belt and the proposed development would constitute inappropriate development within the Green Belt as it would represent a disproportionate addition to the dwelling. The proposal is contrary to policy CP8 of the BaNES Cores Strategy, policy GB3 of the BaNES Placemaking Plan and Part 13 of the NPPF.

### PLANS LIST:

This decision relates to the following plans:

23 Jan 2023 LOCATION PLAN  
 23 Jan 2023 001 SITE PLAN  
 23 Jan 2023 002 ROOF PLAN  
 26 Jan 2023 003 REV 2 ELEVATIONS

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

### Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application

has been refused by the Local Planning Authority please note that CIL applies to all relevant planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website [www.bathnes.gov.uk/cil](http://www.bathnes.gov.uk/cil)