

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 15th November, 2023, 11.00 am

Councillors: Duncan Hounsell (Chair), Ian Halsall (Vice-Chair), Paul Crossley, Lucy Hodge, Hal MacFie, Shaun Hughes, Dr Eleanor Jackson, Tim Warren CBE, Ruth Malloy and Fiona Gourley

58 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

59 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Cllr Ruth Malloy was substituting for Cllr Toby Simon.

60 DECLARATIONS OF INTEREST

Cllr Fiona Gourley declared an interest in item (1) 22/02169/EOUT – Parcel 4234, Combe Hay Lane, Combe Hay, Bath as she had already commented on the application and would stand down from the Committee during consideration of the item and speak as ward member.

Cllr Paul Crossley declared a minor interest in item (1) 22/02169/EOUT – Parcel 4234, Combe Hay Lane, Combe Hay, Bath as a Council representative on Cotswolds AONB Conservation Board but confirmed that this would not prejudice him in considering this item and he had not prejudged the application.

Cllr Paul Crossley declared an interest in item (6) 23/02731/FUL 1 Drake Avenue, Combe Down, Bath as he had a relative who lived near the application site and withdrew from the meeting during this item.

Cllr Duncan Hounsell declared an interest in item (7) 23/03159/FUL Rockside, Mead Lane, Saltford, Bristol as he would be speaking on behalf of the applicants as ward member. He confirmed that he would withdraw from the meeting during the debate on the item and that Cllr Ian Halsall would take the Chair.

61 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

62 ITEMS FROM THE PUBLIC

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.

63 MINUTES OF THE PREVIOUS MEETING

It was moved by Cllr Eleanor Jackson, seconded by Cllr Paul Crossley and:

RESOLVED that the minutes of the meeting held on Wednesday 18 October 2023 be confirmed as a correct record for signing by the Chair.

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

The Committee considered:

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

(1) 22/02169/EOUT – Parcel 4234, Combe Hay Lane, Combe Hay, Bath

The Planning Case Officer introduced the report which considered a hybrid application as follows:

1. an outline application for Phases 3 and 4 for up to 290 dwellings; landscaping; drainage; open space; allotments; footpaths and emergency access; all matters reserved, except access from Combe Hay Lane via the approved Phase 1 spine road.
2. Detailed application for the continuation of the spine road (from Phase 1), to and through Sulis Manor and associated works comprising: the demolition of existing dilapidated buildings and tree removal; drainage; landscaping; lighting; boundary treatment; and the erection of 4 x Bat Night Roosts; to enable construction of the spine road; with the ecologic mitigation on Derrymans and the field known as 30Acres.

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

- (1) Authorising the Head of Legal and Democratic Services to enter into a Section 106 Agreement to cover the heads of terms detailed within the report.
- (2) the conditions set out in the report (or such conditions as may be appropriate).

He drew attention to a number of issues raised by objectors and responded as follows:

1. *Number of dwellings for both phases was 461 which was higher than the 300 allocation* – the figure of 300 in the Core Strategy was not a cap, the number could be greater if the placemaking principles of the allocation could be met.
2. *The Masterplan was not comprehensive* – the masterplan did cover the full extent of the allocation with sufficient level of detail of what is proposed.
3. *The allocation was for mixed use and the application was for residential* - the requirement for mixed and community use covered the whole allocation and

there were other uses outside of this application. The application also included allotments and community squares.

4. *Highways impact had not been properly assessed* – traffic surveys and modelling had been undertaken and the highways team were satisfied with the process and conclusions.
5. *Loss of trees due to the spine road* – there would be a loss of 69 trees and this was regrettable. Other options to access the site were not considered to be viable. The impact on trees was minimalised and there would be replacement planting.
6. *AONB exceptional circumstances were not met* – officers considered there to be exceptional circumstances due to the housing need.
7. *Brownfield sites should be used for development before greenfield sites* – there was no requirement to deliver on brownfield sites first, both greenfield and brownfield sites were required to deliver on housing needs, including affordable housing. The scheme consisted of 40% affordable housing and no other scheme in Bath had delivered this much (except for phase 1).

The following public representations were received:

1. Malcolm Austwick, Combe Hay Parish Council objecting to the application.
2. Paul Beazley-Long, South Stoke Parish Council objecting to the application.
3. Ned Garnett (South of Bath Alliance) and Alex Sherman (Bath Preservation Trust) objecting to the application.
4. Peter Frampton, Frampton Town Planning, supporting the application.

Cllr Joel Hirst addressed the Committee as adjacent ward member and raised the following issues:

1. The application would cause irreversible damage to ecology and traffic management in the surrounding area.
2. There was a large number of objectors who considered the application to be harmful.
3. The AONB test for exceptional circumstances had not been met as it was tested against the 2014 Core Strategy. There had been changes since 2014 with the Council declaring a climate emergency. The proposal was too big, and the location would encourage car dependency. The Council also declared a nature emergency and the application would harm bats and nesting skylarks.
4. Housing needs had changed since 2014, and B&NES now had a 7-year housing supply as identified in the LPPU.
5. The combined harm of the following factors had not been taken into consideration: traffic management; ecology; built in car dependency; AONB; world heritage site; loss of mature trees; impact on Sulis Manor and the Wansdyke Scheduled Ancient Monument.
6. It was the wrong housing in the wrong place with no infrastructure e.g., schools, medical facilities.

He asked the Committee to refuse the application.

Cllr Fiona Gourley addressed the Committee as local ward member and raised the following issues:

1. The Core Strategy Inspector approved a plan for 300 homes in the area to balance meeting an exceptional housing need with minimising the harm to the area.
2. The application was more harmful than the Inspector intended with 290 proposed dwellings in addition to the 171 agreed as part of the phase 1 development.

3. There was a lot of public concern about the proposed development as demonstrated by the number of objectors including Parish Councils and local members.
4. The key benefit of the application was to meet the need for affordable housing, but affordable housing needed to be located in the right place. This application would result in an unsustainably large housing estate with an absence of community facilities.
5. There was also a concern that when the site was sold for development the number of affordable houses could be reduced.
6. The proposed Section 106 agreement contribution to highways was not enough to mitigate the traffic problems that would be caused by the development.
7. 2017 traffic modelling concluded that there would be a severe impact on highways network, but further modelling in April 2022 suggested that the volume of traffic had reduced. However, since 2022, the volume of traffic had started to increase again. There had been no traffic modelling to assess the impact on nearby villages.
8. Nearby roads were acting at capacity and the traffic impact analysis needed to be revisited.
9. The proposal would cause irrevocable harm to the environment and heritage setting.

She urged the Committee to refuse the application.

In response to Members' questions, it was confirmed:

1. The Odd Down Area VISSIM model referred to in the highways section of the report was a simulation model that assessed the impact of multiple junctions rather than individual junctions in isolation. It had not been used by the applicant as it was not considered to reflect the changing nature of trips post-Covid. Instead, standalone modelling was used, and the process and conclusions were deemed to be acceptable by Highways officers.
2. In response to suggestions that traffic levels were now increasing to pre-Covid levels, Highways officers had assessed this using B&NES data and found there to be little difference (1%) from the assessment in Spring 2022 to September 2023.
3. Officers were satisfied that the applicants would be granted a licence to disturb bats.
4. The arrangements for the management of allotments and allotment allocations would be part of the Section 106 Agreement.
5. Sulis Manor/agricultural land could not be protected by legal agreement or condition as it was not part of this application.
6. The spine road would be required to access the residential development even if the proposed number of dwellings was lower and the road would be delivered via the Section 106 Agreement.
7. Officers were not aware of any difficulties in the affordable housing figures being met in relation to phase 1 of the development. The affordable housing would be secured by the legal agreement and the applicant would be unable to challenge this for a 5 year period.
8. The applicant was required to undertake reasonable endeavours to secure Schedule Monument Consent (SMC) to deliver the Wansdyke crossing. If consent was not secured, they would need to propose an alternative route. There was no obligation for the applicant to apply for this consent in advance of

- applying for planning permission, and requiring confirmation of the SMC was not a sufficient reason in itself to delay making a decision on this application.
9. Since the Core Strategy in 2014, there was still an identified need for housing and affordable housing in the area and so the exceptional need still applied. There were a number of tests in paragraph 177 of NPPF to allow development in an AONB and officers considered that these had been met.
 10. The policy requirement for mixed use referred to the whole allocation and not just the site of the current planning application.
 11. In relation to archaeology, there were investigations carried out as part of the phase 1 development and it was concluded that no further investigations were required as part of this application. In terms of the Wansdyke, SMC had been secured to undertake archaeological investigations and so there would be controls outside of this planning application.
 12. Officers considered the S106 contribution in relation to sustainable transport and education to be proportionate. The site was close to the Park and Ride and there was sufficient capacity in local schools.
 13. In relation to the accuracy of the plans, further details would be confirmed in a reserved matters application.

Cllr Duncan Hounsell opened the debate and stated that he felt further information was required on traffic impact; the Wansdyke crossing and AONB exceptional circumstances before a decision could be taken.

Cllr Eleanor Jackson agreed with the need for further information before making a decision. She also stated that she would also like more information about the number of trees as she was aware that some trees on the site had been lost to Ash dieback disease.

Cllr Duncan Hounsell proposed that a decision be deferred for further information. This was seconded by Cllr Ian Halsall.

Cllr Paul Crossley stated that he felt that the Committee had sufficient information to take a decision and he did not support a deferral.

Cllr Lucy Hodge agreed with the motion to defer and requested that a further traffic assessment take into account the impact of local communities and roads and should also include recent planning developments.

Cllr Tim Warren stated that he did not support the motion to defer a decision.

The Planning Officer confirmed it was appropriate for the Committee to defer a decision for more information, however the officers' view was that there was a sufficient information for the Committee to take a decision. He advised the Committee that there was a risk that the applicant may appeal for non-determination or choose not to supply additional information.

On voting for the motion, it was CARRIED (6 in favour, 3 against)

RESOLVED that a decision be deferred pending further information in relation to:

1. Further traffic survey analysis including the impact on local villages and local roads to include all recent planning developments.
2. Update on securing of Schedule Monument Consent for the Wansdyke crossing.

3. Clarification on the number of trees to be retained/replaced/lost including those lost to ash dieback.
4. More information on exceptional circumstances relating to Areas of Outstanding Natural Beauty (AONB).

(2) 23/00660/FUL Proximity House, Pixash Business Centre, Pixash Lane, Keynsham

The Planning Officer introduced the report which considered an application for the construction of 2 industrial units (Use classes B8 and E(g)) with associated parking, external yards, landscaping and services.

He updated that Keynsham Town Council had now submitted an objection to the application.

He reported that a decision on the application had been deferred from the September Committee pending a site visit and further information in relation to the following:

- a) To allow the developer to provide a swept path analysis for 16m vehicles.
- b) To allow further information to be provided to demonstrate that there would be no negative impact on the viability of existing businesses.
- c) To give clarity on the access road in terms of ownership and use.
- d) To review the class B2 use to see if conditions could be attached in relation to the future use of the site.
- e) To allow further information to be provided on the viability of the loading and unloading of forklift trucks.

He confirmed that the issues raised previously had now been addressed and recommended that permission be granted subject to the conditions set out in the report.

The following public representations were received:

1. Chris Beaver objecting to the application.
2. Mike Taylor, agent, supporting the application.

Cllr Andy Wait, ward member was unable to attend the meeting and a statement was read in his absence:

1. He had objected to the B2 use but understood that this classification had now been withdrawn.
2. He remained concerned that the application constituted overdevelopment of the site and would impact on existing businesses.
3. He was concerned about highway safety, in particular in relation to HGV deliveries; restrictions caused by the covenant on the land and HGVs reversing out onto Pixash Lane.

He asked the Committee to refuse the application.

In response to Members' questions, it was confirmed:

1. In relation to the concerns expressed about the covenant, interests in land was related to deliverability, which was not generally a material consideration.
2. Keynsham Town Council's objection referred to the B2 classification, but this had now been withdrawn.
3. The removal of B2 would reduce concerns about noise associated with the

application.

4. The swept path analysis had demonstrated that HGVs would not need to reverse onto Pixash Lane.
5. There would be no material change in the use of forklift trucks as a result of the development.
6. The number of additional vehicles visiting the site was negligible in relation to the impact on the local highway network.
7. There would be an impact on Wessex House in terms of overshadowing, but as this was an office, there would not be an impact on residential amenity.

Cllr Hal MacFie opened the debate as ward member, he welcomed the removal of B2 classification but stated that he was still unable to support the application as he considered the scale and massing to constitute an overdevelopment of the site. He also raised concerns about HGV movement within the application site. He moved that the application be refused.

Cllr Shaun Hughes seconded the motion. He acknowledged that a lot of the previous concerns had been addressed but he was still concerned about the size of the development and the loss of amenity to Wessex House due to overshadowing.

Cllr Tim Warren spoke in support of the application, he stated that there was a shortage of industrial space, and he did not consider there to be any issues with HGV movements within the site.

Cllr Ian Halsall also spoke in support of the application, stating that the withdrawal of the B2 classification addressed comments about noise and he did not have concerns about the scale and massing of the proposed development.

Members were advised that the reason relating to HGVs would be difficult to sustain as Highways officers had not raised an objection. It was agreed that this reason be removed from the motion.

On voting for the motion, it was NOT CARRIED (3 in favour, 7 against)

Cllr Tim Warren moved the officers' recommendation that permission be granted. This was seconded by Cllr Ian Halsall.

On voting for the motion, it was CARRIED (7 in favour, 3 against)

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

Items 3 and 4 were considered together.

(3) 23/01692/LBA Bloomfield House, 146 Bloomfield Road, Bloomfield, Bath

(4) 23/23/01693/FUL Bloomfield House, 146 Bloomfield Road, Bloomfield, Bath

The Planning Officer introduced the report which considered an application for the provision of a garden room building and new entrance gates and an application for listed building consent in relation to the new entrance gates.

He confirmed the recommendation that listed building consent and planning permission be granted subject to the conditions set out in the reports.

The following public representations were received:

1. James Leyland objecting to the application.
2. Roger Parsons, applicant, supporting the application.

Cllr Deborah Collins addressed the Committee on behalf of herself and Cllr Alison Born as local ward members and raised the following issues:

1. There was a concern about the impact on the residential amenity of neighbouring properties as a result of the proposed garden room.
2. The proposed garden room was large and intended for social use and there were concerns about unacceptable levels of noise in a quiet residential street.
3. There were no concerns about the proposed gates.

She asked the Committee to refuse the application.

Cllr Jess David addressed the Committee as adjacent ward member and raised the following issues:

1. A number of local residents were concerned about the impact on residential amenity.
2. There were also concerns that there may be a potential application for change of use to holiday lets which was considered inappropriate.

In response to Members' questions, it was confirmed:

1. The dimensions of the proposed building were 11m w 4m d and 44 square metres (66 square metres including the decking area).
2. It would be possible to add conditions to limit the hours of use of the proposed garden building, but restrictions could not be applied to the rest of the site including the garden.
3. There had been no objection from the Conservation Officer in relation to the design of the gates.
4. The positioning and site of the proposed garden building would ensure that neighbouring properties would not be overlooked.

Cllr Eleanor Jackson moved the officers' recommendation to permit the applications. This was seconded by Cllr Tim Warren.

Members debated whether to add a condition to limit the hours of operation of the garden room, but as there was no time limit to using the garden it was agreed that this would not be appropriate.

Cllr Ruth Malloy spoke against the application due to reservations about the design of the garden room in the context of a listed building within the Bath Conservation Area and World Heritage Site.

Vote on item (3)

23/01692/LBA Bloomfield House, 146 Bloomfield Road, Bloomfield, Bath

On voting for the motion, it was CARRIED (9 in favour, 1 against)

RESOLVED that listed building consent be granted subject to the conditions set out in the report.

Vote on item (4)

23/23/01693/FUL Bloomfield House, 146 Bloomfield Road, Bloomfield, Bath

On voting for the motion, it was CARRIED (6 in favour, 4 against)

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

(5) 22/04109/FUL Elm Grove Farm, Lower Road, Hinton Blewett, Bristol

The Planning Case Officer introduced the report which considered an application for the conversion and extension of a barn to create 1 dwelling and replacement of all remaining buildings with 4 dwellings together with associated hard/soft landscape works, drainage, and access improvements.

She reported that due to the proposed development conflicting with policy RA1 and RA2 of the Placemaking Plan, the application had been advertised as a departure and the period of public consultation would expire on the 23 November 2023. She confirmed the recommendation as amended in the update report that officers be delegated to permit subject to the period of the advertisement of the departure expiring without any substantive new issues arising.

The following public representations were received:

1. David Duckett, Hinton Blewett Parish Council.
2. Rebecca Morgan, speaking in support of the application.

Cllr David Wood addressed the Committee as ward member and raised the following issues:

1. Hinton Blewett was a small village with very few amenities.
2. The proposed site was outside the development area.
3. The original application for the conversion of agricultural buildings was supported, but the new application sought to demolish the existing buildings and rebuild them in a different location and at a higher level which was not appropriate.

He asked the committee to reject the application.

In response to Members' questions, it was confirmed:

1. As there was an extant consent on the site, weight could be given to whether the new scheme was better than the fallback position. It was the view of officers that it was better in terms of design, landscaping, sustainable construction and biodiversity net gain provision.
2. The extant consent was a material consideration in considering the application.
3. The area was outside the housing boundary, but the principle of residential development had been established by the extant permission.
4. It would be possible to include a condition to restrict the building of outbuildings if the Committee was minded to do so.
5. The prior approval was granted based on statutory instruments, conditions were imposed as part of the approval, but these were limited to prior approval matters and would not cover sustainable construction or biodiversity net gain.
6. In terms of CIL charges, it was not possible to confirm whether the prior approval application would result in a charge, but in relation to the proposed scheme, the

new buildings would likely be liable for a CIL charge but there may be an offset from the buildings being demolished.

7. There was no community benefit such as social housing/housing for farmworkers.
8. It was not known if there had been a request to move the housing boundary to include this site as part of the Local Plan Partial Update process.
9. The buildings proposed for demolition were considered to be capable of conversion.

Cllr Ian Halsall acknowledged the difficult situation with the prior approval, but stated that he did not support the application and proposed that it should be refused. This was seconded by Cllr Paul Crossley who stated that the application was contrary to the development plan in terms of an unacceptable design and siting in the context of the rural location and due to its unsustainable location, which was outside the housing development boundary.

On voting for the motion, it was CARRIED (10 in favour, 0 against UNANIMOUS)

RESOLVED that the application be refused for the following reason:

1. The application was contrary to the Development Plan due to its unacceptable design and siting in the context of the rural location and its unsustainable location outside of the housing development boundary.

(6) 23/02731/FUL 1 Drake Avenue, Combe Down, Bath

The Planning Case Officer introduced the report which considered a retrospective application for change of use from a 5-bedroom dwelling (Use Class C3) to a 5-bedroom House in Multiple Occupation (HMO) for 3-6 people (Use Class C4).

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

The following public representations were received:

1. Malcolm Morgan objecting to the application.
2. Jo Lumb, Julian House, supporting the application.

In response to Members' questions, it was confirmed:

1. A management plan would be secured by condition and the non-compliance of residents could result in eviction. It was not known if the plan was already being used by the operators.
2. The operators would be responsible for ensuring residents complied with the terms of the management plan. If the Council received complaints, enforcement action could be taken.
3. The application had been submitted by the owner of the property and not the operator. Although the current operators were exempt from HMO licensing as social housing providers, a future operator may not be exempt.
4. The management plan would stay in place if the occupants changed but an application could be submitted to vary the condition.
5. Avon and Somerset Police had raised an objection but could not provide information on whether incidents of crime and anti-social behaviour were connected to the residents of the house.

6. There was a duty for local authorities to give due regard to crime and disorder when exercising functions.
7. In terms of the safety of the tenants, there was a condition requiring the submission of details of the security measures to be incorporated into the development.

Cllr Shaun Hughes stated that without knowing if the management plan was already in use, it was difficult to know if it would mitigate the concerns of residents.

Cllr Hal MacFie proposed that a decision be deferred pending a visit to the site. This was seconded by Cllr Eleanor Jackson who stated that, as a retrospective application, it would be beneficial to see how the site was currently operating.

On voting for the motion, it was CARRIED (5 in favour, 4 against)

RESOLVED that a decision be deferred for a site visit.

Cllr Duncan Hounsell stood down from the Committee at this point to speak on the next application as the Ward Member.

[Cllr Ian Halsall chaired the meeting during the following application].

(7) 23/03159/FUL Rockside, Mead Lane, Saltford, Bristol

The Planning Case Officer introduced the report which considered an application for the erection of a front balcony, two storey side extension, garage and associated alterations following removal of conservatory and existing garage.

He confirmed the recommendation that the application be refused.

The following public representations were received:

1. Ian Campbell supporting the application.

Cllr Duncan Hounsell addressed the Committee as the ward member and raised the following points:

1. Although Mead Lane was in the green belt, it did not meet the tests of a green belt location.
2. Adjacent properties have been rebuilt, modernised, and extended and Saltford Parish Council had commented that the application would be in keeping with neighbouring properties.
3. The application would improve vehicular access.
4. There were exceptional circumstances in that none of tests for green belt were served in this location.

In response to Members' questions, it was confirmed:

1. In relation to whether the extensions of neighbouring properties were recent, some had taken place in the last 10 years.
2. The application would result in a 155% increase above the size of the original property.
3. If the property was demolished and rebuilt, it would still need to comply with green belt policies relating to the volume of the development.

Cllr Tim Warren stated that every house in the road was unique, and the application site was in need of improvement. In view of this he considered there were very special circumstances and he proposed that officers be delegated to permit the application subject to suitable conditions. This was seconded by Cllr Hal MacFie. Both mover and seconder agreed that there was no significant impact on residential amenity.

Cllr Eleanor Jackson spoke in support of the motion as she considered that it would improve the appearance of the street scene by introducing more uniformity.

Cllr Lucy Hodge stated the need for the Committee to be consistent in applying policy and that she did not think special circumstances had been met to allow the development within the green belt.

On voting for the motion, it was CARRIED (8 in favour, 1 against)

RESOLVED that officers be delegated to permit the application subject to suitable conditions for the following reasons:

1. There were very special circumstances that clearly outweighed the harm to the green belt due to the context of the site and the improvements to the street scene.
2. There was no significant impact on residential amenity.

[Cllr Duncan Hounsell resumed the Chair]

(8) 22/04565/FUL The Old Post Office, Tucking Mill Lane, Midford, Bath

The Planning Case Officer introduced the report which considered an application for the erection of new single storey rear extension to dwelling and relocated pedestrian gate access.

He gave a verbal update to report that South Stoke Parish Council was content with the revised proposals but had asked the Committee to consider the impact on a non-designated heritage asset.

He confirmed that officers had concluded that there were benefits to the application to outweigh the impact on the non-designated heritage asset and recommended that the application be permitted subject to the conditions set out in the report.

The following public representations were received:

1. Mike Coupe, applicant supporting the application.

Cllr Fiona Gourley opened the debate as ward member and stated that she supported the application.

Cllr Lucy Hodge moved the officers' recommendation to permit the application. This was seconded by Cllr Fiona Gourley.

Cllr Ian Halsall stated that although he acknowledged the impact on the non-designated heritage asset, he concluded that this was outweighed by the public benefits of the application.

On voting for the motion, it was CARRIED (10 in favour, 0 against)

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

(9) 23/02958/VAR Waterworks Cottage, Charlcombe Way, Fairfield Park, Bath

The Planning Case Officer introduced the report which considered an application for variation of conditions 5 (Bicycle Storage (Pre-occupation)), 7 (Implementation of Landscaping Scheme (Bespoke Trigger)) and 15 (Plans List (Compliance)) of application 23/00895/FUL.

She confirmed the recommendation that permission be granted subject to the conditions set out in the report.

The following public representations were received:

1. David Metcalfe, objecting to the application.
2. Tom Rocke, supporting the application.

Cllr Joanna Wright addressed the Committee as ward member and raised the following points:

1. This application and previous applications had been the subject of many local objections.
2. She was concerned about the proposed variation to condition 7 in relation to landscaping and condition 15 which would result in a 4-bedroom house rather than a 3-bedroom house.

She asked the Committee to refuse the variation.

In response to Members' questions, it was confirmed:

Condition 5 – This had originally been worded to request the applicant supply further plans and as the plans had now been submitted, the condition had been rewritten accordingly.

Condition 7 – It was proposed to take out the last sentence “all hard and soft landscape works shall be retained in accordance with the approved details for the lifetime of the development”. This was considered onerous as plants would die and be replaced during the lifetime of the development. The amended condition would protect landscaping for a maximum of 10 years. The original wording was more appropriate for larger developments rather than individual dwellings.

Condition 15 – The variation would result in an increase in footprint. The footprint would be similar to that of the application that was refused on appeal but in that case the plot was more restricted. Permitted development rights had not been removed as part of the original consent, but it was not possible to confirm that the applicants could achieve the same through permitted development rights.

Members were advised that if they were concerned with the changes to the plans (condition 15) they needed to consider the application as a whole rather than each separate variation.

Cllr Ruth Malloy stated that the change to the plans to include an additional bedroom

did make a difference in terms of overdevelopment of the site and the residential amenity of other residents.

Cllr Ian Halsall expressed concern about the amendment to the landscaping condition as the condition had offered mitigation against concerns about the impact on ecology and the rural setting of the development.

Cllr Paul Crossley stated that there had been a lot of unease about the previous application and that the variation to increase the floorplan to make the 3-bedroom house a 4-bedroom house was unacceptable, and he did not support the variation of Condition 15.

Cllr Tim Warren expressed the view that the variation to the landscaping condition was reasonable as it was not possible to protect the landscaping for the life of the development. He questioned if it was better to accept the variation to Condition 15 and remove permitted development rights. The Legal Officer advised that it was too fundamental a change to include this as part of this application at this stage.

Cllr Lucy Hodge proposed that the application to vary conditions be refused as the change to the plans would result in overdevelopment of the plot and would be out of character with the area and the change to the landscaping condition would have a detrimental impact on ecology and the rural setting. This was seconded by Cllr Shaun Hughes.

On voting for the motion, it was CARRIED (9 in favour, 1 against)

RESOLVED that the application be refused for the following reasons:

Condition 7 – landscaping: the amendment to delete the requirement to retain landscaping for the lifetime of the development would have a detrimental impact on ecology and the rural setting of the development.

Condition 15 – plans: the amendment to the plans to increase the footprint to allow for a 4 bedroom rather than 3-bedroom house would result in over- development of the plot and would be out of character with the area.

(10) 23/23/02496/FUL 9 St Ann's Way, Bathwick, Bath

The Planning Officer introduced the report which considered an application for the erection of single storey rear extension, two storey and single storey side extension (replacing existing), internal re-organisation and extended loft conversion (including new dormers).

She reported that the application had been referred to Planning Committee under the scheme of delegation as the officer was an employee of the Council.

She confirmed the recommendation that permission be granted subject to the conditions set out in the report.

There were no public speakers on this application.

Cllr Duncan Hounsell moved the officers' recommendation that permission be granted. This was seconded by Cllr Eleanor Jackson.

On voting for the motion, it was CARRIED (10 in favour, 0 against)

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

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

The Committee considered the appeals report.

RESOLVED that the report be noted.

The meeting ended at 6.38 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 MEETING OF THE PLANNING COMMITTEE:
WEDNESDAY 15 NOVEMBER 2023**

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	OBJECTING/ SUPPORTING
1	22/02169/EOUT – Parcel 4234, Combe Hay Lane, Combe Hay, Bath	Malcolm Austwick, Combe Hay Parish Council (3 minutes) Paul Beazley Long, South Stoke Parish Council (3 minutes)	Objecting
		Ned Garnett - South of Bath Alliance Alex Sherman – Bath Preservation Trust (6 minutes in total)	Objecting
		Peter Frampton, Frampton Town Planning (6 minutes)	Supporting
		Cllr Joel Hirst – adjacent Ward Councillor (5 minutes) Cllr Fiona Gourley – Ward Councillor (5 minutes)	Objecting
2	23/00660/FUL Proximity House, Pixash Business Centre, Pixash Lane, Keynsham	Chris Beaver (3 minutes)	Objecting
		Mike Taylor, agent (3 minutes)	Supporting
		Cllr Andy Wait, Ward Councillor <i>(unable to attend - statement to be read on his behalf)</i>	Objecting
3 & 4	23/01692/LBA 23/01693/FUL, Bloomfield House, 146 Bloomfield Road, Bloomfield, Bath	James Leyland (3 minutes)	Objecting to 23/01693/FUL
		Roger Parsons, applicant (3 minutes)	Supporting
		Cllr Deborah Collins, Ward Member (5 minutes) Cllr Jess David, adjacent Ward Member (5 minutes)	Objecting to 23/01693/FUL Objecting to 23/01693/FUL

5	22/04109/FUL Elm Grove Farm, Lower Road, Hinton Blewett, Bristol	David Duckett, Chair of Hinton Blewett Parish Council (3 minutes)	Objecting
		Rebecca Morgan, agent (3 minutes)	Supporting
		Cllr David Wood, Ward Member (5 minutes)	Objecting
6	23/02731/FUL 1 Drake Avenue, Combe Down, Bath	Malcolm Morgan (3 minutes)	Objecting
		Jo Lumb, Julian House (3 minutes)	Supporting
7	23/03159/FUL Rockside, Mead Lane, Salford, Bristol	Ian Campbell, applicants (3 minutes)	Supporting
		Cllr Duncan Hounsell, Ward Member (5 minutes)	Supporting
8	22/04565/FUL The Old Post Office, Tucking Mill Lane, Midford, Bath	Mike Coupe (applicant) (3 minutes)	Supporting
9	23/02958/VAR Waterworks Cottage, Charlcombe Way, Fairfield Park, Bath	David Metcalfe (3 minutes)	Objecting
		Tom Roche, agent (3 minutes)	Supporting
		Cllr Joanna Wright, Ward Member (5 minutes)	Objecting
10	23/02496/FUL 9 St Ann's Way, Bathwick, Bath	No Speakers	

BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
15th November 2023
DECISIONS

Item No:	01	
Application No:	22/02169/EOUT	
Site Location:	Parcel 4234, Combe Hay Lane, Combe Hay, Bath	
Ward: Bathavon South	Parish: Combe Hay	LB Grade: N/A
Application Type:	Outline Application with an EIA attached	
Proposal:	(i) Outline application for Phases 3 and 4 for up to 290 dwellings; landscaping; drainage; open space; allotments; footpaths and emergency access; all matters reserved, except access from Combe Hay Lane via the approved Phase 1 spine road (details of internal roads and footpaths reserved);	
	(ii) Detailed application for the continuation of the spine road (from Phase 1), to and through Sulis Manor and associated works comprising: the demolition of existing dilapidated buildings and tree removal; drainage; landscaping; lighting; boundary treatment; and, the erection of 4 x Bat Night Roosts; to enable construction of the spine road; with the ecologic mitigation on Derrymans and the field known as 30Acres (edged blue on the Location Plan).	
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Contaminated Land, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Policy HE1 Scheduled Ancient Monuments, Policy HE2 Somersetshire Coal Canal & Wa, Policy LCR5 Safeguarded existg sport & R, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Ecological Networks Policy NE5, Strategic Nature Areas Policy NE5, Placemaking Plan Allocated Sites, Public Right of Way, Scheduled Ancient Monuments, SSSI - Impact Risk Zones, Tree Preservation Order,	
Applicant:	The Hignett Family Trust	
Expiry Date:	17th November 2023	
Case Officer:	Chris Griggs-Trevarthen	

DECISION - Deferred for more information

Item No:	02
Application No:	23/00660/FUL
Site Location:	Systopia Consulting Limited Proximity House, Pixash Business Centre, Pixash Lane, Keynsham
Ward: Keynsham East	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Construction of 2no. industrial units (Use classes B8 and E(g)) with associated parking, external yards, landscaping and services.
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing, Policy ED2A Primary Industrial Estates, Ecological Networks Policy NE5, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro, Tree Preservation Order,
Applicant:	Mr Chris Lyons
Expiry Date:	17th November 2023
Case Officer:	Ben Burke

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 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 Policy D6 of the Bath and North East Somerset

Placemaking Plan and ST7 of the Bath and North East Somerset Local Plan Partial Update.

3 Parking (Compliance)

The areas allocated for parking and turning, as indicated on submitted plan reference 2764 - P101G 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 Policy D6 of the Bath and North East Somerset Placemaking Plan and Policy ST7 of the Bath and North East Somerset Local Plan Partial Update and the Transport and Development Supplementary Planning Document.

4 Replacement tree planting (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 two replacement trees (as mitigation for loss of T11).

Reason: To secure replacement tree planting on site in accordance with Policy NE6 of the Bath and North East Somerset Local Plan Partial Update and the fixed number tree replacement policy within the Planning Obligations Supplementary Planning Document.

5 Arboriculture - Replacement Trees (Compliance)

All replacement tree planting works shall be carried out in accordance with the details approved in connection with condition 4. The works shall be carried out during the next available planting season following completion.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first 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 Local Plan Partial Update.

6 Plant noise (Bespoke Trigger)

Cumulative plant noise arising from the development shall comply with the limits detailed in Table 6 of Noise Impact Assessment Reference: 10030/BL. Compliance shall be demonstrated through submission and approval of a Noise Assessment Report within 4 months of occupation of the development, hereby approved.

Reason: To protect neighbouring residents from exposure to environmental noise in accordance with policies PCS1 and PCS2 of the Bath and North East Somerset Placemaking Plan.

7 Construction/Demolition Environmental Management Plan (pre-commencement)

No development shall take place until a site specific Construction/Demolition Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- Arrangements for liaison with the Council's Environmental Protection Team
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
 - 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
 - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
 - Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
 - Procedures for emergency deviation of the agreed working hours.
 - Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
 - Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: To protect neighbouring residents from potential nuisance associated with construction.

8 Wildlife Protection and Enhancement Scheme (Compliance)

The development hereby approved shall be carried out only in accordance with the avoidance, mitigation and enhancement measures described in Section 1 of the approved Preliminary Ecological Appraisal with Preliminary Roost Assessment report (Focus Environmental Consultants, December 2022) or any subsequent update report approved in writing through the formal approval of condition details process by the Local Planning Authority.

Reason: to avoid harm to wildlife including nesting birds and hedgehog and to provide ecological enhancement measures in accordance with the Wildlife and Countryside Act 1981 (as amended) and policies NE3 and D5e of the Bath and North East Somerset Local Plan

9 Biodiversity Gain and Habitat Management Plans (Pre-commencement)

No development shall take place until full details of a Biodiversity Gain Plan for on-site delivery and monitoring of Biodiversity Net Gain, and a Habitat Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plans shall deliver at least at 0.68 habitat units, which amounts to a 10% or 0.06 habitat units uplift on the existing situation.

The Plans shall be in accordance with (but not limited to) the approved Biodiversity Net Gain Assessment and with current best practice guidelines and shall include (but not be limited to) the following:

- A) An up-to-date BNG habitat map for on-site proposed habitats.
- B) Habitat Management Plan- long-term management and protection measures for all retained habitats and species, including fencing and boundary details.
- C) Long term aims and objectives for habitats (extents, quality) and species.
- D) Detailed management prescriptions and operations for newly created habitats; locations, timing, frequency, durations; methods; specialist expertise (if required).
- E) Details of any management requirements for species-specific habitat enhancements.
- F) Annual work schedule for at least a 30 year period.
- G) A list of activities and operations that shall not take place and shall not be permitted within the HMP Plan area (for example use of herbicides; disposing of grass cuttings / arisings (or other on-site waste disposal); inappropriate maintenance methods; storage of materials; machine or vehicle access.
- H) Detailed monitoring strategy for habitats and species, particularly trees and neutral grassland habitats, and methods of measuring progress towards and achievement of stated objectives.
- I) Details of proposed reporting to the Local Planning Authority and LA Ecologist, and proposed review and remediation mechanism.
- J) Proposed resourcing, and legal responsibilities.

The Biodiversity Gain and Habitat Management Plans shall be implemented in accordance with the agreed details and timetable, and all habitats and measures shall be retained and maintained thereafter in accordance with the approved details.

Reason: To protect and enhance ecological interests in accordance with Bath and North East Somerset Placemaking Plan policies NE3, NE3a and D5e.

10 Ecological Compliance Report (Pre-Occupation)

Before first use of the development hereby approved, a report produced by a suitably experienced professional ecologist based on post-construction site visit and inspection, confirming and demonstrating, using photographs, completion and implementation of ecological mitigation measures as detailed in the approved ecology report and Biodiversity Net Gain Assessment (revised and updated version approved by condition) shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Findings of any necessary pre-commencement or update survey for protected species and mitigation measures implemented;
2. Confirmation of compliance including dates and evidence of any measures undertaken to protect site biodiversity; and
3. Confirmation that proposed measures to enhance the value of the site for target species and habitats have been implemented.

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

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3, NE3a, and D5e of the Bath and North East Somerset Local Plan.

11 External Lighting (Bespoke Trigger)

No new external lighting shall be installed until full details of the proposed lighting design have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Lamp models and manufacturer's specifications, positions, numbers and heights; and
2. Measures to limit use of lights when not required, to prevent upward light spill and to prevent light spill onto nearby vegetation and adjacent land.

The lighting shall be installed and operated thereafter in accordance with the approved details.

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

12 Drainage (pre-occupation)

Drainage for the development, hereby approved, shall be installed in accordance with the Drainage Strategy by CampbellReith consulting engineers dated March 2023 prior to occupation of the premises hereby approved.

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.

13 Contaminated Land - Investigation and Risk Assessment (Pre-commencement)

No development shall commence until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

(i) a survey of the extent, scale and nature of contamination

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments,

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

14 Contaminated Land - Remediation Scheme (Pre-commencement)

No development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken,
- (ii) proposed remediation objectives and remediation criteria,
- (iii) timetable of works and site management procedures, and,
- (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

15 Contaminated Land - Verification Report (Pre-occupation)

No occupation shall commence until a verification report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

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

16 Contaminated Land - Unexpected Contamination (Compliance)

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

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

17 Removal of Permitted Development Rights - Use Class (Compliance)

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, (or any order revoking and re-enacting that Order with or without modification), the premises shall be used only for storage and distribution and light industrial use falling within use classes B8 and E(g) and for no other purpose in Class E of the schedule to that Order.

Reason: The approved use only has been found to be acceptable in this location and other uses within the same use class may require further detailed consideration by the Local Planning Authority.

18 Refuse/recycling store & Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until the bicycle stands (10 bicycles) and the refuse/recycling store detailed on approved drawing 101F (Site Plan) have been provided. The bicycle stands and refuse/recycling store shall be retained permanently thereafter.

Reason: To secure adequate refuse/recycling storage and off-street parking provision for bicycles and to promote sustainable transport use in accordance with Policy T.6 of the Bath and North East Somerset Local Plan.

19 Implementation of Landscaping Scheme (Bespoke Trigger)

All hard and soft landscape works shall be carried out in accordance with the submitted landscape proposals plan (1095-01A). The works shall be carried out prior to occupation of the development or in accordance with a programme of implementation that has been submitted to and agreed in writing by 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 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 approved drawings:

06 Sep 2023	2764 - P100_B	LOCATION PLAN
06 Sep 2023	2764 - P101_G	SITE PLAN
06 Sep 2023	2764 - P200_F	FLOOR PLANS - LEVEL 0
06 Sep 2023	2764 - P201_A	FLOOR PLANS - LEVEL 1 AND ROOF
06 Sep 2023	2764 - P300_B	TYPICAL SECTION - A-A
06 Sep 2023	2764 - P400_B	ELEVATIONS
27 Sep 2023	1095-01A	LANDSCAPE PROPOSALS

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.

Item No:	03
Application No:	23/01692/LBA
Site Location:	Bloomfield House, 146 Bloomfield Road, Bloomfield, Bath
Ward: Widcombe And Lyncombe	Parish: N/A LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	Provision of new entrance gates.
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones, Tree Preservation Order,
Applicant:	Mr And Mrs Roger And Kerry Parsons
Expiry Date:	17th November 2023
Case Officer:	Ben Burke

DECISION CONSENT

1 Time Limit - Listed Building Consent (Compliance)

The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following approved drawings:

- 09 May 2023 SITE LOCATION PLAN
- 09 May 2023 22-392-01 SURVEY
- 16 Oct 2023 22-392-10 GATES CONSTRUCTION
- 08 Nov 2023 22-392-17 PROPOSED SITE BLOCK PLAN
- 08 Nov 2023 22-392-18 PROPOSED CONCEPT SITE 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.

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.

Item No:	04
Application No:	23/01693/FUL
Site Location:	Bloomfield House, 146 Bloomfield Road, Bloomfield, Bath
Ward: Widcombe And Lyncombe	Parish: N/A LB Grade: II
Application Type:	Full Application
Proposal:	Provision of garden room building and new entrance gates.
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones, Tree Preservation Order,
Applicant:	Mr And Mrs Roger And Kerry Parsons
Expiry Date:	17th November 2023
Case Officer:	Ben Burke

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 External Lighting (Bespoke Trigger)

No new external lighting shall be installed without full details of proposed lighting design being first submitted and approved in writing by the Local Planning Authority; details to include lamp specifications, positions, numbers and heights, details of predicted lux levels and light spill, and details of all necessary measures to limit use of lights when not required and to prevent light spill onto nearby vegetation and adjacent land, and to avoid harm to bat activity and other wildlife. The lighting shall be installed and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policy NE.3 of the Bath and North East Somerset Placemaking Plan.

3 Arboricultural Method Statement & Compliance Statement (Compliance)

No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement (T Pursey Aug 2023). A signed compliance statement shall be provided by the appointed arboriculturalist to the local planning authority within 28 days of completion.

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 NE6 of the Bath and North East Somerset Local Plan Partial Update.

4 External Lighting (Bespoke Trigger)

No new external lighting in connection with the garden room, hereby approved, shall be installed without full details of proposed lighting design being first submitted and approved in writing by the Local Planning Authority; details to include lamp specifications, positions, numbers and heights, details of predicted lux levels and light spill, and details of all necessary measures to limit use of lights when not required and to prevent light spill onto nearby vegetation and adjacent land, and to avoid harm to bat activity and other wildlife. The lighting shall be installed and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policy NE.3 of the Bath and North East Somerset Placemaking Plan.

5 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following approved drawings:

09 May 2023 SITE LOCATION PLAN
09 May 2023 22-392-13 LOOSE STONE WALL REPAIR
09 May 2023 PLAN: EXTERNAL & INTERNAL GARDEN ROOM: PROPOSED DESIGN
09 May 2023 REAR ELEVATION GARDEN ROOM: PROPOSED DESIGN
09 May 2023 OVERVIEW GARDEN ROOM: PROPOSED DESIGN
16 Oct 2023 22-392-10 GATES CONSTRUCTION
08 Nov 2023 22-392-17 PROPOSED SITE BLOCK PLAN
08 Nov 2023 22-392-18 PROPOSED CONCEPT SITE 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.

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Responding to Climate Change (Informative):

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Item No:	05
Application No:	22/04109/FUL
Site Location:	Elm Grove Farm, Lower Road, Hinton Blewett, Bristol
Ward: Mendip	Parish: Hinton Blewett LB Grade: N/A
Application Type:	Full Application
Proposal:	Conversion and extension of barn to create 1no. dwelling and replacement of all remaining buildings with 4no. dwellings together with associated hard/soft landscape works; drainage and access improvements.
Constraints:	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing, Housing Development Boundary, Ecological Networks Policy NE5, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Mr Charlie Gamlen
Expiry Date:	20th November 2023
Case Officer:	Danielle Milsom

DECISION - Overturned, now Refuse

Item No:	06
Application No:	23/02731/FUL
Site Location:	1 Drake Avenue, Combe Down, Bath, Bath And North East Somerset
Ward: Combe Down	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use from dwelling (Use Class C3c) to House in Multiple Occupation (Use Class C4).
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Vertex Investments Ltd
Expiry Date:	15th December 2023
Case Officer:	Christopher Masters

DECISION - Defer for Site Visit

Item No:	07
Application No:	23/03159/FUL
Site Location:	Rockside, Mead Lane, Saltford, Bristol
Ward: Saltford	Parish: Saltford LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of front balcony, two storey side extension, garage and associated alterations following removal of conservatory and existing garage.
Constraints:	Colerne Airfield Buffer, Saltford Airfield 3km buffer, Agricultural Land Classification, British Waterways Major and EIA, British Waterways Minor and Householders, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Flood Zone 2, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Woodland Strategic Networ Policy NE5, NRN Wetland Strategic Network Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Ian and Virginia Campbell
Expiry Date:	22nd November 2023
Case Officer:	Christopher Masters

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:

All received 24th August 2023

MEARO/21/001 EXISTING SITE PLAN
 MEARO/21/002 REV A PROPOSED SITE PLAN
 MEARO/21/01 REV A EXISTING GROUND FLOOR PLAN
 MEARO/21/02 REV A EXISTING FIRST FLOOR PLAN

MEARO/21/03 EXISTING ELEVATIONS SHEET 1 OF 2
MEARO/21/04 EXISTING ELEVATIONS SHEET 2 OF 2
MEARO/21/05 REV B PROPOSED GROUND FLOOR PLAN
MEARO/21/06 REV B PROPOSED FIRST FLOOR PLAN
MEARO/21/07 REV B PROPOSED ELEVATIONS SHEET 1 OF 2
MEARO/21/08 REV B PROPOSED ELEVATIONS SHEET 2 OF 2
MEARO/21/09 REV A GARAGE DETAILS

Condition Categories

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

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

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

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):

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Permit/Consent Decision Making Statement

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

Item No:	08
Application No:	22/04565/FUL
Site Location:	The Old Post Office , Tucking Mill Lane, Midford, Bath
Ward: Bathavon South	Parish: South Stoke LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of new single storey rear extension to dwelling and relocated pedestrian gate access
Constraints:	Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Ecological Networks Policy NE5, Strategic Nature Areas Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Mr Mike Coupe
Expiry Date:	20th November 2023
Case Officer:	Christopher Masters

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Plans List (Compliance)

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

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

3 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.

PLANS LIST:

This decision relates to the following plans:

Received 21st September 2023

006 E PROPOSED ELEVATIONS
005 E PROPOSED PLANS
007 C PROPOSED SECTION

Received 10th November 2022

003 A EXISTING ELEVATIONS
002 A EXISTING FLOORS PLAN AND ATTIC PLAN
183 PLAN-001 A LOCATION AND SITE 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:

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

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

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

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

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Community Infrastructure Levy - General Note for all Development

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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):

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Civil or legal consents

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

Permit/Consent Decision Making Statement

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

Item No:	09
Application No:	23/02958/VAR
Site Location:	Waterworks Cottage , Charlcombe Way, Fairfield Park, Bath
Ward: Lambridge	Parish: N/A LB Grade: N/A
Application Type:	Application for Variation of Condition
Proposal:	Variation of conditions 5 (Bicycle Storage (Pre-occupation)), 7 (Implementation of Landscaping Scheme (Bespoke Trigger)) and 15 (Plans List (Compliance)) of application 23/00895/FUL (Erection of two detached dwellings with associated means of access, car parking and associated infrastructure following demolition of existing dwelling and outbuilding (Resubmission)).
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Ecological Networks Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Mr & Mrs J & S Flavell
Expiry Date:	4th October 2023
Case Officer:	Samantha Mason

DECISION - Overturned, now Refuse

Item No:	10
Application No:	23/02496/FUL
Site Location:	9 St Ann's Way, Bathwick, Bath, Bath And North East Somerset
Ward: Bathwick	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of single storey rear extension, two storey and single storey side extension (replacing existing), internal re-organisation and extended loft conversion (including new dormers).
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing, LLFA - Flood Risk Management, MOD Safeguarded Areas, Ecological Networks Policy NE5, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Mr & Mrs Truman
Expiry Date:	17th November 2023
Case Officer:	Christine Moorfield

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Plans List (Compliance)

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

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

3 Arboricultural Method Statement (Pre-commencement)

No development shall take place until an arboricultural method statement with tree protection plan following the recommendations contained within BS 5837:2012 identifying measures to protect the trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include proposed tree protection measures during site preparation (including demolition, clearance and level changes), during construction and landscaping operations. The statement should also include the control of potentially harmful operations such as the position of service runs and soakaways, storage, handling and mixing of materials on site, burning, location of site office and movement of people and machinery. Wording for all measures required must state what will happen and use committal language that is enforceable (eg "shall" instead of "should").

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the trees to be retained in accordance with Policy NE6 of the Bath and North East Somerset Local Plan Partial Update. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore, these details need to be agreed before work commences.

4 Bat Mitigation Strategy (compliance condition)

The development hereby approved shall be carried out only fully in accordance with the approved Bat Mitigation Strategy by AllEcology dated October 2023 and as shown in the drawings of "Plan 2" of Section 3 of the Bat Mitigation Strategy, and in accordance with Sections 5.8, 5.9 and 5.4 of the approved Preliminary Bat Roost Assessment report dated September 2023 by AllEcology. All measures shall be fully adhered to, and retained and maintained thereafter for the purpose of wildlife conservation. Should any part of the Bat Mitigation Strategy fail to be adhered to or correctly implemented, ecological remediation measures shall be implemented in accordance with a remediation plan produced by a suitably experienced professional ecologist (licenced bat worker) that will have first been submitted to and agreed in writing by the LPA. Should works for the development hereby approved be delayed and not commence before Spring 2024 further bat surveys as recommended in Table 5 of the approved Preliminary Bat Roost Assessment shall be carried out prior to commencement of works and the findings reported to the LPA.

Reason: to avoid harm to ecology including protected species and to avoid net loss of biodiversity

5 External Lighting (Bespoke Trigger - requires approval of details prior to installation of new lighting)

No new external lighting associated with the development hereby approved 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.

6 Ecological Compliance Statement (Pre-occupation)

Within six months of occupation of the development hereby approved 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 Bat Mitigation Strategy in accordance with approved details, shall be submitted to and approved in writing by the Local Planning Authority. Any part of the Bat Mitigation Strategy found to have not been adhered to or correctly implemented will require ecological remediation measures to be implemented in accordance with a

remediation plan produced by a suitably experienced professional ecologist (licenced bat worker) which shall have first been submitted to and agreed in writing by the LPA.

Reason: To demonstrate compliance with the Bat Mitigation Strategy, 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, and to provide enforceability and remediation if applicable.

7 Materials - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

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

PLANS LIST:

A17 22 41- S04 and S05

A17 16- P01rev C, P02 rev E, P03 rev F, P04 rev F, P05 rev D, S01, S02, S03 all dated 5th July 2023.

All drainage works to comply with Building Regulations Approved Document Parth H. Public sewer record indicates that there is a 150mm foul sewer running alongside the property which will be impacted by the proposed extension. Applicant is to contact Wessex Water to discuss their requirements regarding protection of their asset. Work should not commence until formal approval has been granted by Wessex Water, this is in addition to planning permission.

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Permit/Consent Decision Making Statement

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

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