

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 13th December, 2023, 11.00 am

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

66 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer drew attention to the emergency evacuation procedure.

67 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or substitutions.

68 DECLARATIONS OF INTEREST

Cllr Lucy Hodge declared an interest in item (3) under the main applications list: 23/03896/TCA - Audley House, Park Gardens, Lower Weston, Bath due to her association with the notification and withdrew from the meeting during consideration of the item.

Cllr Toby Simon declared an interest in item (3) under the main applications list: 23/03896/TCA - Audley House, Park Gardens, Lower Weston, Bath as a resident of a neighbouring property and withdrew from the meeting during consideration of the item.

69 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

70 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.

71 MINUTES OF THE PREVIOUS MEETING

It was moved by Cllr Eleanor Jackson seconded by Cllr Tim Warren and:

RESOLVED that the minutes of the meeting held on Wednesday 15 November 2023 be confirmed as a correct record for signing by the Chair.

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

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

This item was withdrawn from the agenda.

73 **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) 23/02958/VAR - Waterworks Cottage, Charlcombe Way, Fairfield Park, Bath

The Lead Planning Officer reported that the application had been considered at the previous meeting where the Committee had agreed to overturn the officers' recommendation and refuse the permission. He confirmed that the application had come back to Committee for reconsideration in the interest of fairness as advice given in relation to permitted development rights was not clear and Members were advised to consider the application and make a fresh decision.

Cllr Paul Crossley arrived at this point in the meeting and the Planning Officer reiterated the above advice for his benefit.

The Planning 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.

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

The following public representations were received:

1. Chris Parkin, objecting to the application.
2. Tom Roche, supporting the application.

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

1. She referred to the history of the application site and the Planning Inspector's decision to dismiss an appeal for a larger scheme. She expressed concern that the application to vary Condition 15 was at odds with this decision.

2. She stated that local residents and the wider community had been opposed to the scheme for the reasons of over-development, loss of amenity and detrimental impact on ecology.
3. She asked the Committee to refuse the application rather than include a condition to restrict permitted development rights.
4. She questioned the legality of the prior approval application to demolish the cottage.

In response to Members' questions, it was confirmed:

1. In relation to whether the application to demolish the cottage was permitted development, it was confirmed that the previous prior approval application was in accordance with regulations. It was also confirmed that plots 1 and 2 would have permitted development rights if constructed under the current permission.
2. The Council's Ecologist had no objection to the variation to condition 7. The timescale for the retention of landscaping was 10 years rather than 5 in accordance with the Biodiversity Net Gain policy. After 10 years, the balance of plants to hard landscaping could change.
3. If Members were minded to remove permitted development rights, they would need to set out specific reasons to justify the decision. Officers' advice was that it would be difficult to justify removing permitted development rights associated with plot 1 as the current variation application only related to plot 2.
4. The size of the patio of plot 2 would be slightly larger if the variation to condition 15 was agreed. It was not possible to clarify whether the additional bedroom would be a double or single room.
5. In relation to the decision of the Planning Inspector to dismiss an appeal for a previous planning application on the site due to overdevelopment, this referred to a slightly larger building on a smaller footprint. The application that had been subsequently granted, which was the subject of this variation application, was a larger footprint and therefore was less overdeveloped in the context of the site.
6. The Highways Authority was satisfied that there would still be adequate car parking spaces as a result of the variation to condition 15.

The Chair advised the Committee 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 Tim Warren moved that officers be delegated to permit the application with an additional condition to restrict permitted development rights on plot 2 to prevent over development of the site and to preserve the character of the area and the openness of green belt. He stated that he did not feel restricting permitted development rights in relation to plot 1 could be justified in the context of this application. This was seconded by Cllr Eleanor Jackson.

Cllr Ian Halsall stated that he was still concerned about the variation to condition 7 and the loss of landscaping after a 10-year period in view of the sensitivity of the setting and the impact on ecology. However, it was noted that it was difficult to retain planting in perpetuity and following further debate there was general agreement that landscaping could also be protected by restricting permitted development rights in relation to hardstanding areas as well as extensions and outbuildings.

Cllr Shaun Hughes spoke against the motion as he was of the view that the current

conditions should be retained.

Cllr Lucy Hodge stated that she was concerned about the variation to condition 7 and did not support the motion.

Before voting on the motion, it was noted that although the Committee had previously refused the application on 15 11 23, there had been a change of circumstances since that meeting whereby additional information was now available in relation to the option available to the Committee to restrict permitted development rights which would address concerns relating to the over development of the site and loss of landscaping.

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

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

1. The conditions set out in the report.
2. An additional condition to remove permitted development rights for plot 2 in relation to extensions, outbuildings and hardstanding areas to prevent over development of the site and to preserve the character of the area and the openness of green belt.

(2) 23/02194/FUL - Agricultural Buildings and Land, Blackrock Lane, Publow, Bristol

The Planning Case Officer introduced the report which considered an application for the erection of a 4-bed dwelling and associated works.

He confirmed his recommendation that the application be permitted.

The following public representations were received:

1. Jonathan Piper, supporting the application.

In response to Members' questions, it was confirmed:

1. Prior approval was a material consideration in determining a planning application and there was an existing permission for residential use on the site. The prior approval process was legitimate, a number of tests needed to be met to gain approval and each case was considered on its merits.
2. Officers had made a judgement that the proposed development was better than the prior approved scheme (the 'fall-back' position) in regard to design, siting and ecological and environmental benefits. The 'fall-back' position proposed the use of render and timber where the new scheme would include a slate roof, timber boarding and stone.
3. The proposed building would be 2.5m higher than the 'fallback' position and it would be set further back from the road.
4. The barn was considered appropriate for conversion as this was one of the tests to secure prior approval permission.
5. If permission was granted for this application, the removal of the barn would be secured by a condition.
6. The sustainable construction checklist had not been included with the application but had since been submitted and was policy compliant.
7. The application would not result in the felling of trees and the site was not landscaped.

8. The application site was not close to the housing development boundary.
9. It was an option to restrict permitted development rights as a condition attached to planning permission, as long as there was a clear justification for doing so.

Cllr Tim Warren stated that the application was an improvement on the 'fall-back' position in terms of its siting and environmental benefits. He moved the officers' recommendation that permission be granted, and this was seconded by Cllr Paul Crossley.

A number of Members spoke in support of the application for the reasons that it was preferable to the prior approved scheme, it was a self-build and the design was sympathetic to a rural setting.

The Committee debated whether permission should be subject to a condition to restrict permitted development rights but concluded that this could not be justified in the case of this application.

On being put to the vote the motion was CARRIED (9 in favour, 1 against).

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

(3) 23/03896/TCA - Audley House, Park Gardens, Lower Weston, Bath

Cllrs Lucy Hodge and Toby Simon declared an interest and withdrew from the meeting during the discussion of this item.

The Tree Officer introduced the report which considered a Tree Works Notification in a conservation area and confirmed that the application had been referred to the Committee under the scheme of delegation as the notification was associated with a Councillor.

She confirmed her recommendation that no objection be raised to the notification.

In response to questioning, the Tree Officer confirmed that the applicant was intending to plant a replacement tree elsewhere on the site.

Cllr Tim Warren moved the officers' recommendation, seconded by Cllr Eleanor Jackson and on being put to the vote the motion was CARRIED (8 in favour, 0 against - UNANIMOUS).

RESOLVED that permission be granted.

74 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 1.31 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

**MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT
THE MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 13
DECEMBER 2023**

SITE VISIT LIST			
ITEM NO.	SITE NAME	NAME	SUPPORTING/ OBJECTING/ REPRESENTING
1	23/02731/FUL - 1 Drake Avenue, Combe Down, Bath	Item withdrawn	
MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	SUPPORTING/ OBJECTING/ REPRESENTING
1	23/02958/VAR - Waterworks Cottage, Charlcombe Way, Fairfield Park, Bath	Chris Parkin	Objecting
		Tom Roche	Supporting
		Cllr Joanna Wright, Ward Member	
2	23/02194/FUL - Agricultural Buildings And Land, Blackrock Lane, Publow	Jonathan Piper	Supporting
3	23/03896/TCA - Audley House, Park Gardens, Lower Weston, Bath	No speakers	

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BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
13th December 2023
DECISIONS

Item No:	01	
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:	15th December 2023	
Case Officer:	Samantha Mason	

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Materials - Submission of 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 schedule shall include:

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

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 policy CP6 of the Bath and North East Somerset Core Strategy, policies D1, D2 and D3 of the Bath and North East Somerset Placemaking Plan and Policy D5 of the Bath and North Somerset Local Plan Partial Update.

3 Parking (Compliance)

The areas allocated for parking and turning on submitted plans 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 Bound/Compacted Vehicle Access (Compliance)

The vehicular access shall be constructed with a bound and compacted surfacing material (not loose stone or gravel).

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with policy ST7 of the Bath and North East Somerset Local Plan Partial Update.

5 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until the secure, covered bicycle storage has been provided in accordance with the details shown on the approved plans. The bicycle storage shall be retained permanently thereafter.

Reason: To secure adequate off-street parking provision for bicycles and to promote sustainable transport use in accordance with policy ST7 of the Bath and North East Somerset Local Plan Partial Update and the Transport and Development Supplementary Planning Document.

6 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:

Deliveries (including storage arrangements and timings);

Contractor parking;

Traffic management;

Working hours;

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. This is a pre-commencement condition because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

7 Implementation of Landscaping Scheme (Bespoke Trigger)

All hard and soft landscape works shall be carried out in accordance with the approved details, including requirements for ecology and habitat provision. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme of implementation agreed in writing with the Local Planning Authority.

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

Reason: To ensure that the landscape works are implemented and maintained to ensure the continued provision of amenity and environmental quality and to ensure appropriate biodiversity net gain is secured in accordance with Policies D1 and D2 of the Bath and North East Somerset Placemaking Plan and NE2, NE3, and NE3a of the Bath and North East Somerset Local Plan Partial Update.

8 Ecological Mitigation and Compensation Scheme, and Biodiversity Net Gain (Compliance condition)

The development hereby approved shall be carried out only fully in accordance with the approved Ecological Mitigation and Enhancement Plan by Quantock Ecology dated Mar 2023; recommendations in Section 4.3 of the Updated Bat Survey dated February 2023 by Quantock

Ecology; ecological measures as shown on the proposed Setting Out Site Plan drawing reference P03; and habitat provision as detailed in the Biodiversity Net Gain file note and calculation dated March 2023 by Quantock Ecology. All measures shall thereafter be adhered to and features retained and maintained in accordance with approved details. Findings of monitoring inspections shall be reported in writing to the Local Planning Authority Ecologist within 1 month of the monitoring event.

Reason: To avoid harm to ecology including a regionally important amphibian population (toads) and protected species (including reptiles badger and nesting birds).

9 Ecology Follow-up Report (Pre-occupation)

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced professional ecologist based on post-construction on-site inspection by the ecologist, confirming and demonstrating, using photographs, adherence to and completion of all recommendations and measures of the approved ecological bat and biodiversity net gain reports and the Ecological Mitigation and

Enhancement Scheme in accordance with approved details, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate compliance with the all ecological mitigation and compensation requirements during construction and post-construction phases, 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.

10 External Lighting (Bespoke Trigger)

The development shall be constructed and all lighting installed and operated, and levels of darkness maintained in accordance with the approved Lighting Strategy drawing ref P19 dated January 2023. No new external or internal lighting shall be installed without full details of proposed

internal and external lighting design (which shall demonstrate compliance with the approved lighting strategy) 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; details of predicted lux levels and light spill; details of lighting controls, and details of all measures to limit use of lights when not required and to prevent upward light spill and light spill onto trees, wildlife habitat, 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.

11 Green Roof Details (Bespoke Trigger)

Prior to the construction of the roof of the approved development a detailed specification of the proposed green roof shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Section drawings of the roof;
2. A planting schedule;
3. A timetable for implementation;
4. A maintenance schedule.

The green roof shall be implemented in accordance with the approved details prior to the occupation of the development or in accordance with the approved timetable for implementation.

Reason: To ensure the successful implementation of the green roof in the interests of preserving the character and appearance of the 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.

12 Rainwater Harvesting (Pre-occupation)

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

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

13 Water Efficiency (Compliance)

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

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

14 SCR6 Residential Properties (Pre-occupation)

Prior to occupation of the development hereby approved, the following tables (as set out in the Council's Sustainable Construction Checklist Supplementary Planning Document) shall be completed in respect of the completed development and submitted to and approved in writing by the Local Planning Authority together with the further documentation listed below. The development must comply with the requirements of SCR6.

PHPP/SAP calculations are to be updated with as-built performance values. The following are to be completed using the updated as-built values for energy performance.

Minor Residential Development:

1. Energy Summary Tool 1 or 2
2. Tables 1.1 or 1.2 (if proposal has more than one dwelling type)

Major (or larger) Residential Development:

1. Energy Summary Tool 2
2. Table 2.1 or 2.2 (if proposal has more than one dwelling type)

All Residential Development:

3. Table 5 (updated)
4. Building Regulations Part L post-completion documents for renewables;
5. Building Regulations Part L post-completion documents for energy efficiency;
6. Final as-built full data report from Passive House Planning Package or SAP
7. Microgeneration Certification Scheme (MCS) Certificate/s

Reason: To ensure that the approved development complies with Policy SCR6 of the Local Plan Partial Update

15 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.

16 Removal of Permitted Development Rights - Extensions, Outbuildings and Hard Surfaces (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the eastern dwelling as identified on the 'Proposed Setting Out Site Plan' (drawing no. P03 REV B) and referred to as 'Plot 2' on the proposed floor plans (drawing no. P12 REV A), shall not be subject to enlargement or extension; erection of any building or outbuilding within the curtilage incidental to the enjoyment of the dwellinghouse; or development of any hard surfaces incidental to the enjoyment of the dwellinghouse, without the further grant of planning permission for such development.

Reason: Further extension and enlargement of the house hereby approved, as well as reduction in the scale of the landscaped garden area through development of outbuildings or hard surfacing, requires detailed assessment to ensure that overdevelopment of the plot is avoided, the open and green character of the area is preserved, taking account of the position of the site immediately adjacent to the Green Belt and Cotswolds Area of Outstanding Natural Beauty (or Cotswold National Landscape) as required by policies D1, D2, NE2, NE2A, GB1 Core Strategy and Placemaking Plan incorporating the Local Plan Partial Update.

PLANS LIST:

This decision relates to the following plans:

Plans Received 7th March 2023:

07 Mar 2023 P00 Existing - Site Location Plan

Plans received 15th March 2023:

15 Mar 2023 P05 Plot 1 Basement Floor Plan

15 Mar 2023 P06 Plot 1 Proposed Lower Ground Floor Plan

15 Mar 2023 P11 Proposed Plot 1 East Elevation [4]

15 Mar 2023 P19 Proposed Lighting Strategy

15 Mar 2023 P20 Proposed Street Elevation

15 Mar 2023 P21 Proposed Section Cc

15 Mar 2023 S01 Existing- Topographical Site Plan And Se

15 Mar 2023 S02 Existing Elevations

15 Mar 2023 S03 A Demolition Site Plan

15 Mar 2023 S04 Existing - Floor Plans

Plans received 1st May 2023:

01 May 2023 P07 A Plot 1 Proposed Upper Ground Floor Plan

Plans received 11th May 2023:

11 May 2023 P04 A Proposed Site Sections

11 May 2023 P08 A Plot 1 South Facing Elevation (1)

11 May 2023 P09 A Plot 1 West Facing Elevation (2)

11 May 2023 P10 A Plot 1 North Facing Elevation (3)

11 May 2023 P11 A Plot 1 East Facing Elevation (4)

11 May 2023 Sk05 Rev B Swept Path Analysis For Large Car Turning

11 May 2023 Sk12 Swept Path Analysis For Ambulance Turning

Plans received 9th August 2023:

09 Aug 2023 P02b Proposed Site Block Plan Plot 2

09 Aug 2023	P03b Proposed Setting Out Site Plan Plot 1 And 2
09 Aug 2023	P12a Proposed Floors Plan Plot 2
09 Aug 2023	P13b Proposed Elevations Plot 2
09 Aug 2023	P14b Proposed Elevations Plot 2
09 Aug 2023	P15a Proposed Section Plot 2

Condition Categories

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

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

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

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

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

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

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

Permit/Consent Decision Making Statement

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

Community Infrastructure Levy - 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:	02
Application No:	23/02194/FUL
Site Location:	Agricultural Buildings And Land, Blackrock Lane, Publow, Bristol
Ward: Publow And Whitchurch	Parish: Publow LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of 1no. 4 bed dwelling and associated works
Constraints:	Bristol Airport Safeguarding, Norton Malreward Unlicensed Airstrip, Agricultural Land Classification, Coal - Standing Advice Area, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Policy M1 Minerals Safeguarding Area, Policy NE3 SSCI 200m Buffer, NRN Woodland Ancient Existing Policy NE5, NRN Woodland Strategic Networ Policy NE5, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Mr and Mrs J Piper
Expiry Date:	22nd December 2023
Case Officer:	Ed Allsop

DECISION Approve with Officer recommendation. Departure notice until 21st December.

Item No:	03
Application No:	23/03896/TCA
Site Location:	Audley House , Park Gardens, Lower Weston, Bath
Ward: Weston	Parish: N/A LB Grade: II
Application Type:	Tree Works Notification in Con Area
Proposal:	T1-Sequoia, section fell
Constraints:	Conservation Area,
Applicant:	Hodge
Expiry Date:	28th November 2023
Case Officer:	Jane Brewer

DECISION NO OBJECTION

T1-Sequoia, section fell

The Councils' core policies are to tackle the climate and nature emergencies which includes the need to retain and protect existing trees and woodlands given the contributory roles which trees play in climate change mitigation and ecosystem services. Replacement planting when trees are removed is vitally important, particularly in our urban environments.

A comprehensive list of tree species for green infrastructure is available on line from the Trees and Design Action Group at <https://www.tdag.org.uk/tree-species-selection-for-green-infrastructure.html>

Guidance on tree planting and establishment can be found on the Arboricultural Associations website at <https://www.trees.org.uk/Help-Advice/Guide-to-Young-Tree-Establishment>

The landowner has a duty to plant another tree of an appropriate size and species at the same place as soon as he or she reasonably can if a tree is removed because it is dead or presents an immediate risk of serious harm.