

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 8th March, 2023, 11.00 am

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

86 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

87 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or substitutions.

88 DECLARATIONS OF INTEREST

Cllr Brian Simmons declared a non-registerable interest in item 2 on the main application list 22/04670/REG03 – 20-30 Temple Street, Keynsham as a board member of Keynsham Heritage Action Zone (HAZ).

89 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

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

The Democratic Services Officer informed the meeting that there were a number of people wishing to make statements on planning applications and that they would be able to do so when these items were discussed.

91 MINUTES OF THE PREVIOUS MEETING

It was moved by Cllr Sally Davis, seconded by Cllr Shelley Bromley and:

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

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

The Committee considered:

A report by the Head of Planning and an update report in relation under the site visit 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 site visit decisions list attached as Appendix 2 to these minutes.

(1) 22/02863/FUL - Mill Barn, Millards Hill, Welton, Midsomer Norton

The Case Officer introduced the report which considered an application for the erection of an external classroom, consisting of natural rendered clay bricks to form landscaping wall, pizza oven & rainwater collection with arrayed valleyed roof. She confirmed the officer recommendation was to permit the application.

The following public representations were received:

1. Charlotte Lucas, applicant, in support of the application.

In response to Members' questions, it was confirmed.

1. Parents/carers could drive into the school site to drop off/pick up students and did not need to wait on the highway.
2. The current vehicle movements peaked at 8am with 83 movements and officers would expect the increase of 8 pupils and 2 full time members of staff to result in a corresponding increase.
3. The proposals for a staggered drop/off pick up time would be included in the details of the travel plan which was a condition of the consent. The details of the travel plan would be assessed by officers.
4. The parking provision was considered to be acceptable to meet the additional demand relating to this application for an increase of 8 pupils and 2 full time members of staff.
5. The local bus services had been considered by officers and found to have marginal impact in relation to the development.
6. Although there was mention in the report that the application was the first stage of a masterplan for the site, a decision could only be made in relation to the current application and future applications would be considered on their merits.
7. The design of the roof was considered to be appropriate; the form was open rather than fully enclosed.
8. There would be some harm to the listed building, but this was considered to be less than substantial and would be outweighed by the public benefit.

Cllr Shaun Hughes opened the debate as ward member. He stated that he had no concerns about the proposed structure, but that there was a need to manage the transport issues and maintain a balance between the needs of the business and local residents. He welcomed the travel plan and proposals to stagger drop off and pick up times and hoped that the use of the nearby cycle track would also be encouraged. He also encouraged the applicant to have more dialogue with local residents, especially regarding transport. He concluded that, on balance, the benefits outweighed the harm.

Cllr Duncan Hounsell proposed the officer recommendation that permission be

granted subject to the conditions set out in the report. This was seconded by Cllr Shelley Bromley who agreed that the public benefits of the application outweighed any harm.

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

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

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

The Committee considered:

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

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 3 to these minutes.

(1) 22/03288/FUL – St Julian's Church, Wellow

The Case Officer introduced the report which considered an application for the erection of a single storey extension to the church to provide WC and kitchen facilities.

She gave an update as follows:

1. Historic England had submitted a final response following a site visit to the church expressing concern that the application would cause some harm to the visual harmony of the exterior of the church and in views of it.
2. The Council's Ecology Officer had submitted a response to state that applicants had proposed the installation of a blackout blind for the rooflight triggered by light levels and provided details to show the stonework was in good condition and there was low risk of roosting bats being directly impacted. However, ecology concerns remained about how far light spill would project from the skylight if the blinds failed, and it was recommended that there should either be a report by a lighting engineer or a bat survey

She confirmed the officer recommendation that the application be refused as set out in the report with the removal of refusal reason 2 relating to biodiversity.

The following public representations were received:

1. Cllr Pat Caudle, Wellow Parish Council, spoke in support of the application.
2. Jonathan Hetreed, architect, and Jane Rees, St Julian's PCC, spoke in support of the application.

Cllr Matt McCabe, in attendance as local Member, raised the following points:

1. This was a difficult application as the church was a historic building, but there was a need to balance this with the community gain. The population had changed since the church was built in the 1400s and an ageing population needed access to toilet facilities.
2. The applicant had considered different options and the one put forward in the application caused the least harm.
3. A precedent had been set on the East Side when the Victorian Vestry was built.
4. The development was subservient to the original structure.
5. The church was a source of pride for local residents and the addition of kitchen and toilet facilities would allow the church to be used more by the local community.

In response to Members' questions, it was confirmed:

1. The Ecologist was concerned about the automated blackout blind in the event of the mechanism failing and the potential impact of light spill on bats. Although a high resolution photographic survey had shown there were no cracks or holes with bats, there were partially open louvres which had the potential for housing bats. Without a bat survey or lighting engineer report there was not sufficient information to satisfy concerns.
2. The proposed aluminium was unlikely to be seen but if Members were minded to permit the application, the materials could be the subject of a condition.
3. The 5 options considered with the Diocesan Advisory Committee were set out in the report. For both liturgy and physical reasons, the other options were not progressed. There was an option of locating the kitchenette in the tower and the toilet in the outside grounds which had not been fully explored but the PCC did not want the toilets to be located outside the church.
4. The proposal had been designed so that the main impact would be on the parapet well. There would not be an impact on the stained-glass window as the height would be below the window.
5. The issue as to whether or not it was appropriate for a toilet to open out onto a kitchenette was not a planning consideration.

Cllr Duncan Hounsell opened the debate and stated that although the proposal would cause harm to the fabric of the grade I listed church, this needed to be weighed against the public benefits and, in his view, the balance lay in favour of the public benefits, and he was minded to permit the application.

Cllr Shaun Hughes concurred with this view stating that the church was a community hub and permitting the application for a kitchenette/toilet area would allow the church to organise events to help secure its financial viability. He stated that, while he did not accept the Ecologist's conclusion about the blind mechanism, he was disappointed that there was not a bat survey.

Cllr Eleanor Jackson also spoke in support of the application for the reasons already cited and she also stated that she was mindful of equalities considerations as the plans for an accessible toilet would benefit groups with protected characteristics. She proposed that officers be delegated to permit the application subject to suitable conditions, including an archaeological condition. This was seconded by Cllr Sally

Davis.

There was a discussion as to whether permission should be subject to a bat survey, but it was agreed that although this would be part of the negotiations between the Planning Officer and applicant, the granting of permission should not hinge on this issue.

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

RESOLVED that officer be delegated to permit the application subject to suitable conditions including archaeology and wildlife enhancement for the following reason:

1. Although there would be the upper end of less than substantial harm to the Grade I church caused by the development with great weight given to its conservation and intrinsic significance, this was outweighed by the stronger public benefit.

[Cllr Paul Crossley withdrew from the meeting at this point.]

(2) 22/04670/REG03 – 20-30 Temple Street, Keynsham

The Case Officer introduced the report which considered an application for the refurbishment and repairs of shop fronts, windows and downpipes. She confirmed that the application had been referred to Committee under the scheme of delegation as it was a Council led application involving more than 2 properties. She confirmed the officer recommendation to permit the application.

Cllr Brian Simmons opened the debate as Local Member and advised that the Keynsham Heritage Action Zone was created 3 years ago with government funding to upgrade Temple Street and High Street. He confirmed that Keynsham Town Council supported the application.

In response to a Member's question, it was confirmed that the buildings were not listed but the existing signs would be altered to look more appropriate in the setting.

Cllr Duncan Hounsell moved the officer's recommendation to permit the application, and this was seconded by Cllr Eleanor Jackson.

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

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

(3) 22/02604/FUL – New Leaf Barn, Bathampton

The Case Officer introduced the report which considered an application for the change of use of an agricultural barn into a single dwelling with associated facilities for existing holiday lets which had been referred to the Planning Committee under the scheme of delegation due to the applicant's relationship to a Member of Council. He confirmed the officer recommendation to permit the application.

The following public representations were received:

1. Ben Smith, agent, speaking in support of the application.

In response to Member's questions, it was confirmed that the extension was within the acceptable volume increase recommended within a greenbelt location.

Cllr Sally Davis proposed the officer's recommendation that the application be permitted. This was seconded by Cllr Eleanor Jackson who stated that the development would not infringe on the greenbelt.

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

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

94 **APPLICATION TO DIVERT PUBLIC FOOTPATH BC62/3, CHURCH LANE, COMBE DOWN, BATH UNDER SECTION 119 HIGHWAYS ACT 1980**

This application was withdrawn by the applicant in advance of the meeting.

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

In response to question about enforcement action in relation to the alterations on the façade of a building in High Street, Keynsham, the Team Manager (Development Management) undertook to bring a report back to the next committee.

RESOLVED that the report be noted.

The meeting ended at 1.11 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 PLANNING COMMITTEE ON WEDNESDAY 8 MARCH**

SITE VISIT APPLICATION LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1	22/02863/FUL - Mill Barn, Millards Hill, Welton, Midsomer Norton	Charlotte Lucas, applicant	For
MAIN APPLICATION LIST			
2	22/03288/FUL – St Julian’s Church, Wellow	Cllr Pat Caudle	Wellow Parish Council
		Jane Rees, St Julian’s PCC representative Jonathan Hetreed, Architect	For
		Cllr Matt McCabe	Ward Member
3	22/04670/REG03 – 22 Temple Street, Keynsham	No speakers	
4	22/02604/FUL – New Leaf Barn, Bathampton	Ben Smith, agent	For

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BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

8th March 2023

SITE VISIT DECISIONS

Item No:	001	
Application No:	22/02863/FUL	
Site Location:	Mill Barn, Millards Hill, Welton, Midsomer Norton	
Ward: Midsomer Norton North	Parish: Midsomer Norton	LB Grade: II
Application Type:	Full Application	
Proposal:	Erection of a new external classroom; consisting of natural rendered clay bricks to form landscaping wall, pizza oven & rainwater collection with arrayed valleyed roof.	
Constraints:	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Policy CP9 Affordable Housing Zones, Policy NE1 Green Infrastructure Network, Neighbourhood Plan, SSSI - Impact Risk Zones,	
Applicant:	Free Rangers	
Expiry Date:	9th March 2023	
Case Officer:	Danielle Milsom	

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 Travel Plan (Pre-occupation)

No occupation of the development shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved Travel Plan.

Reason: In the interest of encouraging sustainable travel methods in accordance with Policy ST1 of the Bath and North East Somerset Local Plan.

3 Materials - Submission of Material Samples (Bespoke Trigger)

No construction of the external walls of the development shall commence until details and samples of the following list of materials and finishes have been submitted to and approved in writing by the Local Planning Authority:

1. Corrugated metal and polycarbonate roof
2. Gutters/rainwater collection

3. Chimney flue
4. Sample panel of 'landscape walls reusing site materials'
5. Timber/oriel window
6. Compost loo 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 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.

4 Landscape Design Proposals (Bespoke Trigger)

No development beyond slab level shall take place until full details of soft landscape proposals and programme of implementation have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

1. Planting plans
2. Written specifications (including cultivation and other operations associated with plant and grass establishment)
3. Schedules of plants, noting species, planting sizes and proposed numbers / densities

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

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 plans:

Drawing submitted 21 Dec 2022:

FR02_GA_100
FR02_GA_101
FR02_GA_102
FR02_GA_120
FR02_GA_121

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 have been notified in writing by the Council that you have complied with CIL; failure to comply with the regulations can result in surcharges, interest and additional payments being added and will result in the forfeiture of any instalment payment periods and other reliefs which may have been granted.

Community Infrastructure Levy - Exemptions and Reliefs Claims

The CIL regulations are non-discretionary in respect of exemption claims. If you are intending to claim a relief or exemption from CIL (such as a "self-build relief") it is important that you understand and follow the correct procedure **before** commencing **any** development on site. You must apply for any relief and have it approved in writing by the Council then notify the Council of the intended start date **before** you start work on site. Once development has commenced you will be unable to claim any reliefs retrospectively and CIL will become payable in full along with any surcharges and mandatory interest

charges. If you commence development after making an exemption or relief claim but before the claim is approved, the claim will be forfeited and cannot be reinstated.

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

Responding to Climate Change (Informative):

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

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

8th March 2023

DECISIONS

Item No:	01	
Application No:	22/03288/FUL	
Site Location:	St Julian's Church , High Street, Wellow, Bath	
Ward: Bathavon South	Parish: Wellow	LB Grade: I
Application Type:	Full Application	
Proposal:	Erection of single storey extension to church to provide WC and kitchen facilities.	
Constraints:	White Ox Mead Air Strip 3km buffer, Agric Land Class 1,2,3a, Conservation Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building, Policy LCR5 Safeguarded existg sport & R, Policy NE2 AONB, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Parochial Church Council	
Expiry Date:	11th October 2022	
Case Officer:	Caroline Power	

DECISION Delegate to permit subject to conditions

Item No:	02
Application No:	22/04670/REG03
Site Location:	22 Temple Street, Keynsham, Bristol, Bath And North East Somerset
Ward: Keynsham North	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Regulation 3 Application
Proposal:	General repairs and replacement windows and downpipes to the first floor street elevation of no.20-30 Temple Street. Refurbishment of shopfronts at no.20 and no.22 Temple Street.
Constraints:	Agric Land Class 3b,4,5, Air Quality Management Area, Conservation Area, Policy CP12 Centres and Retailing, Policy CP9 Affordable Housing Zones, Policy CR3 Primary Shopping Areas, District Heating Priority Area, Housing Development Boundary, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, Placemaking Plan Allocated Sites, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodrome,
Applicant:	Helen Griffiths
Expiry Date:	13th January 2023
Case Officer:	Elizabeth Ashworth

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:

Block Plan and Existing and Proposed Plan (Drwg No. KEY-20-22TS-100)- received 18th November 2022

Existing and Proposed Elevations (Drwg No. KEY-20-22TS-300)- received 18th November 2022

Proposed Details (Drwg No. KEY-20-22TS-400 20) -received 18th November 2022

Proposed Details (Drwg No. KEY-20-22TS-410 22)- received 18th November 2022

Proposed Street Front Elevations Temple Street (Drwg No. KEYNES.01-DR-2200-3P-0) - received 18th November 2022

Proposed Window Details Temple Street (Drwg No. KEYNES.01-DR-3200-3P-0)- received 18th November 2022

Location Plan (Drwg No. KEYNS02-DR-4000)- received 18th November 2022

Condition Categories

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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

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:	03
Application No:	22/02604/FUL
Site Location:	New Leaf Farm, Mill Lane, Bathampton, Bath
Ward: Bathavon North	Parish: Bathampton LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use of agricultural barn into a single dwelling with associated facilities for the existing holiday lets (Revision of proposal approved on 18/03608/ADCOU).
Constraints:	Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Flood Zone 2, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, Neighbourhood Plan, SSSI - Impact Risk Zones,
Applicant:	Mr Steve Horler
Expiry Date:	10th March 2023
Case Officer:	Sam Grant

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 Wildlife Protection and Enhancement Scheme (compliance)

The development hereby approved shall be carried out only in accordance with the recommendations as detailed in Sections 4 and 5 including Tables 3 and 4 of the approved Ecological Impact Assessment dated 14th September 2022 by Enzygo and with the approved Block Plan drawing reference 2111-P07 with Lighting Notes added. All such measures shall be adhered to and retained and maintained thereafter for the purpose of wildlife conservation.

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

3 Materials - Submission of Materials Schedule (Bespoke Trigger)

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

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

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

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

Reason: In the interests of the appearance of the development and the surrounding area in accordance with policies D1, D2 and D3 of the Bath and North East Somerset Placemaking Plan, policy CP6 of the Bath and North East Somerset Core Strategy and Policy D5 Local Plan Partial Update 2023

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

No new external lighting shall be installed or new changes to internal lighting design be made without full details being first submitted to and approved in writing by the Local Planning Authority; details shall be fully in accordance with the approved plans and reports including Section 4 and Table 3 of the approved Ecological Impact Assessment dated 14th September 2022 by Enzygo and the Block Plan drawing reference 2111-P07 with Lighting Notes added. Submitted details shall include:

- proposed lamp models and manufacturer's specifications,
- proposed lamp positions, numbers and heights with details also to be shown on a plan;
- a plan showing zones which will be maintained as "dark" zones where the effects of light spill will be kept below 0.5 lux on both the vertical and horizontal planes
- details of lighting controls and hours frequency and durations of use as applicable
- details of all other 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 of the Local Plan Partial Update 2023 and D8 of the Bath and North East Somerset Placemaking Plan and to avoid impacts on the Bath & Bradford on Avon Bats Special Area of Conservation (SAC), supporting habitat to the SAC and light-sensitive bats associated with the SAC.

5 Ecological Compliance Statement (Bespoke Trigger)

Within 6 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 all approved Wildlife Protection and Enhancement measures in

accordance with approved details, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate compliance with the Wildlife Protection and Enhancement Scheme, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3 and NE5 of the of the Local Plan Partial Update 2023 and D5e of the Bath and North East Somerset Placemaking Plan 2017.

6 Lighting Compliance statement (Bespoke Trigger)

Within 6 months of occupation of the development hereby approved a lighting compliance report produced by a suitably experienced and qualified professional shall be submitted to and approved in writing by the LPA. The report shall:

- confirm in writing and use photographs to demonstrate all lighting and light spill control measures and features are installed and being operated fully in accordance with approved details;
- provide lux level readings at intervals within the approved dark zone/s and onto all sensitive features and at height intervals, with all lights on, demonstrating operational light spill levels fall within the approved thresholds and that light spill upwards is prevented and that light spill onto sensitive features and within the dark zone/s fall below 0.5 lux on both the horizontal and vertical planes. Where lighting, lighting control features or light spill levels are not compliant with approved details this should be made clear and remedial measures and further reporting and compliance checks proposed.

Reason: to demonstrate compliance with approved sensitive lighting design and very low light spill levels to prevent harm to ecology including bats and the Bath & Bradford on Avon Bats SAC (andsupporting habitat)

7 Landscape Design Proposals (Pre-Occupation)

No Occupation of the development shall take place until full details of soft landscape proposals and programme of implementation have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

1. Planting plans
2. Written specifications (including cultivation and other operations associated with plant and grass establishment)
3. Schedules of plants, noting species, planting sizes and proposed numbers / densities

Reason: To ensure the provision of amenity and a satisfactory quality of environment afforded by appropriate landscape design, in accordance with policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan and to ensure Biodiversity Net Gain in accordance with Policy NE3a of the Local Plan Partial Update 2023.

8 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least 2no. bicycles has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle storage shall be retained permanently thereafter.

Reason: In the interest of encouraging sustainable travel methods in accordance with Policy ST7 of the Bath and North East Somerset Local Plan Partial Update

9 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following plans:

Drawing	28 Jun 2022	2111_P01	EXISTING SITE PLAN
Drawing	28 Jun 2022	2111_P02	EXISTING PLAN AND ELEVATIONS
Drawing	28 Jun 2022	2111_P03	PROPOSED SITE PLAN
Drawing	28 Jun 2022	2111_P04	PROPOSED GROUND FLOOR PLAN SECTION ELEVATIONS
Drawing	28 Jun 2022	2111_P05	PROPOSED FIRST FLOOR PLAN, SECTION AND ELEVATIONS
Drawing	28 Sep 2022	2111 - P07	PROPOSED BLOCK PLAN WITH LIGHTING NOTES

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 have been notified in writing by the Council that you have complied with CIL; failure to comply with the regulations can result in surcharges, interest and additional payments being added and will result in the forfeiture of any instalment payment periods and other reliefs which may have been granted.

Community Infrastructure Levy - Exemptions and Reliefs Claims

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

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

Responding to Climate Change (Informative):

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

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