

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 20th November, 2024, 11.00 am

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

58 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

59 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Hal MacFie and Cllr Duncan Hounsell was in attendance as substitute.

60 DECLARATIONS OF INTEREST

Cllr Duncan Hounsell advised that he would be standing down for item 6 - 24/01826/FUL – 14 Manor Road, Saltford to address the Committee as ward member and would not be participating in the debate or vote.

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 of the process for public speakers to address the Committee.

63 MINUTES OF THE PREVIOUS MEETING

It was moved by Cllr Jackson, seconded by Cllr Simon and;

RESOLVED that the minutes of the meeting held on Wednesday 23 October 2024 be confirmed as a correct record for signing by the Chair.

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

There were no site visit applications for consideration.

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

The Committee considered:

1. A report and update report by the Head of Planning on the applications under the main applications list.
2. 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 applications decisions list attached as Appendix 2 to these minutes.

1. 24/00155/RES - Land Parcel 0005, Bath Road, Keynsham, Bath And North East Somerset

The Case Officer introduced the report which considered a reserved matters application for the development of 208 homes, replacement sports pitch to facilitate expanded primary school, open space, landscaping and associated infrastructure pursuant to planning permission ref: 20/02673/OUT.

She gave a verbal update to amend the wording of the sustainable construction condition to confirm this would be discharged in line with the phasing of the construction.

She confirmed the officers' recommendation that officers be delegated to permit the application subject to the completion of a Section 106 Agreement to secure a financial contribution of £82,892 towards the Council's Carbon Offsetting Fund and the conditions set out in the report.

The following public representations were received:

1. Jason Price, Avon and Somerset Police – Designing Out Crime Officer, objecting to the design of the development in terms of safety and security.
2. Peter Roberts, applicant, supporting the application.

Cllr Andy Wait was in attendance as ward Councillor and raised the following points:

1. He raised comments on behalf of Ian Saunders, Chair of the adjacent Hygge Park development community group:
 - a. The construction management plan not been seen by the local community,
 - b. There had been drainage and flooding issues at Hygge Park and the drainage strategy had not been adhered to in relation to that development.
 - c. The proposed garages were too small for a modern car and would increase car parking problems in the local area.
2. He stated the need for traffic management across the whole site, including Hygge Park to be looked at. Consideration should be given to securing a contribution to a bus service.

3. As ward member, he had been made aware of anti-social behaviour within the Hygge Park development and he questioned whether the applicant could manage the site effectively to prevent further anti-social behaviour.
4. He expressed concern about the impact on the woodland.

In response to Members' questions, it was confirmed:

1. The access would be a signalled junction via the A4 and the layout had been approved at the outline stage. The signalised junction would discourage rat-running. There would be a linking road to the Hygge Park development, and it was possible for a small community bus to access the site. The nearest bus stop was 300m away which was an approximate walk of 3-4 minutes.
2. The use of the cycle path by school children was assessed at the outline stage.
3. The Council's parking standard did not include garages as parking spaces and so the size of the garages was not relevant. There was adequate on street parking.
4. The tree which housed the existing bat roost was being retained and would be managed by the landscape management plan. The lighting scheme was designed with bats in mind and the Council's ecologist was satisfied with the plans.
5. The sports pitch was intended as a community facility rather than a formal sporting facility and no associated facilities were required to support the pitch. This facility was secured at the outline stage, and it would have been difficult to add facilities due to its location in the green belt. An additional sports pitch would be provided for the use of Two Rivers Primary School.
6. The community hub on the illustrative Masterplan was indicative and not given any weight at the outline stage. There was no policy requirement for this to be delivered.
7. The mature oak tree would be replaced if a problem arose as a result of the development within the next 30 years. An additional oak tree would also be planted as mitigation.
8. The drainage details had been analysed and no objections had been raised by the local flood authority.
9. There would be a condition to ensure that the details for the allotments would be submitted to the Local Planning Authority for approval.
10. Officers considered the segregated pathways to be acceptable, acknowledging the balance between lighting and ecology.
11. There would be an estimated 478 residents living in the development site.

Cllr Shaun Hughes opened the debate and welcomed aspects of the development including the affordable homes, allotments and orchard, but expressed disappointment about the lack of community hub and acknowledged the concerns of the police relating to the design and community safety.

A number of members expressed concern about the lack of community facilities but noted that it was not a policy requirement. Members recognised the concerns about the permeability of the site in terms of safety and the need to balance this with creating a network of pedestrian and cycle routes. Specific concerns were expressed about the safety of the segregated pathway.

Cllr Toby Simon spoke in support of the application and moved the officers' recommendation. Cllr Duncan Hounsell acknowledged there were some concerns around the detail, but no substantial reason to overturn the recommendation and he seconded the motion.

On voting for the motion, it was CARRIED (6 in favour, 5 against – Chair using casting vote).

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

1. The completion of a Section 106 Agreement to secure a financial contribution of £82,892 towards the Council's Carbon Offsetting Fund.
2. The conditions set out in the report.

2. 24/00768/FUL - Former Keynsham Fire Station, Temple Street, Keynsham, Bath and North East Somerset

The Case Officer introduced the report which considered an application for the erection of 21 apartments (over 55's) with ground floor space for Class E use, parking, associated landscaping and public realm improvements, to follow demolition of existing former Keynsham Fire Station building.

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

A. The completion of a Section 106 Agreement to secure:

1. Restriction to ensure that the building is occupied by over-55s only.
2. Contribution of £4,351 towards a Traffic Regulation Order to burn off/replace existing road markings as required.
3. A contribution towards the relocation of 2no. disabled parking bays, at a cost to be agreed with the Council (based on costings prior to the commencement of development).
4. A contribution of £53,340.11 towards parks and green space.
5. Targeted Training and Recruitment Contribution of £825.
6. Late-Stage Viability Review Mechanism for affordable housing.
7. A contribution of £8,611.50 towards the Council's carbon offsetting fund.

B. the conditions set out in the report.

The following public representations were received:

1. Alison Lugsden, agent, supporting the application.

In response to Members' questions, it was confirmed:

1. The application constituted C3 development, the proposal was for 21 apartments for over 55s only with no care or communal facilities.
2. The S106 Agreement would ensure that the flats were not sold to anyone under the age of 55.
3. One of the 21 units was wheelchair adaptable, and all of the dwellings had been designed to meet M4(2) accessible and adaptable dwellings standard, which was a significant over provision.
4. The development included a lift.
5. There were no south facing balconies.
6. Fire safety would be addressed by building regulations.
7. There were 2 electric vehicle charging points and these would be assigned to residents.
8. Officers were satisfied that affordable housing was not viable as part of the development. There would be a S106 Agreement to ensure a late-stage viability review mechanism for affordable housing.
9. The design reflected the nearby Civic Centre and Riverside development. There was a condition to ensure materials had to be submitted and approved by the Local Planning Authority.
10. The Environmental Protection Team had not requested a Seagull Management Plan.
11. There was no proposed condition to prevent further additions to the roof.
12. Officers had suggested a lower height in pre-application discussions for design reasons. The viability of a higher scheme had not been tested and an assessment had been made on the application as submitted.
13. There were 42 cycle parking spaces, but these were double stacked and there wasn't an option to reduce this facility to provide additional car parking.

Cllr Fiona Gourley expressed concern about the scheme due to lack of community facilities, affordable homes and green space.

Cllr Eleanor Jackson also raised concerns about the application and moved that the application be refused for the reason that the development did not enhance or preserve the character and setting of the conservation area. This was seconded by Cllr Crossley. The Committee was informed that an additional reason challenging the viability study was not advisable. On being put to the vote the motion was NOT CARRIED (2 in favour and 8 against).

Cllr Duncan Hounsell spoke in support of the scheme and moved the officers' recommendation with an additional condition requiring a Seagull Management Plan.

This was seconded by Cllr Toby Simon. Following further debate, the mover and seconder agreed to the inclusion of a condition to prevent any further additions to the roof and an amendment to the landscaping condition to secure the maintenance of green roof/tree/climbers for the lifetime of the development.

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

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

A. The completion of a Section 106 Agreement to secure:

1. Restriction to ensure that the building is occupied by over-55s only.
2. Contribution of £4,351 towards a Traffic Regulation Order to burn off/replace existing road markings as required.
3. A contribution towards the relocation of 2no. disabled parking bays, at a cost to be agreed with the Council (based on costings prior to the commencement of development).
4. A contribution of £53,340.11 towards parks and green space.
5. Targeted Training and Recruitment Contribution of £825.
6. Late-Stage Viability Review Mechanism for affordable housing.
7. A contribution of £8,611.50 towards the Council's carbon offsetting fund.

B. the conditions set out in the report with additional conditions requiring (i) a Seagull Management Plan and (ii) preventing any further additions to the roof and an amendment to the landscaping condition to secure the maintenance of green roof/tree/climbers for the lifetime of the development.

3. 24/02198/FUL - Unity Road, Northern Part, Keynsham, Bath and North East Somerset

The Case Officer introduced the report which considered an application for the change of use of an industrial unit to provide an indoor electric go karting centre (sui generis use).

She gave a verbal update to advise on the reasons for referral to Committee from Cllr Lucy Hodge as Vice-Chair which had been omitted from the report as follows:

1. the application be referred to committee given the objections of ward councillors/Keynsham Town Council and the comments in support and objection to the application so that the amenity and highway issues could be considered and balanced with any potential benefits.

The Case Officer confirmed the officers' recommendation that officers be delegated to permit the application subject to the completion of a Section 106 Agreement to ensure a financial contribution of £1320 towards Targeted Training and Recruitment and the conditions set out in the report.

The following public representations were received:

1. Adam Snell, local resident, objecting to the application.
2. Dom Gaynor, applicant, supporting the application.

Cllr Andy Wait was in attendance as ward member and raised the following points:

1. The applicant's website encouraged stag and hen parties, and the application included a bar. This use was not suitable near a residential area and properties in Unity Road would be impacted.
2. There would be huge increases in traffic to the site as the proposed opening hours were every day up to 11pm.
3. The application offered little benefit to wider community of Keynsham.
4. The application was not in line with Council policies which protected industrial/warehouse use.

In response to Members' questions, it was confirmed:

1. Opening hours were until 11pm, the last session was at 10pm and so this would limit the number of people using the facilities. There was a maximum of 16 people who could use the go-karts during a session. If the Committee was minded to seek a change to opening hours, it was recommended that the application be deferred for further negotiation with the applicant.
2. Officers were satisfied with the noise evaluation report. There had been no objection from the Environmental Protection Team and there was no requirement for additional noise protection measures. The noise levels would be secured by a condition. Any future problems with noise levels could be reported to the Environmental Protection Team.
3. The highways assessment had considered the impact against the existing use, and it was considered that the removal of HGV movements may be a benefit. Cars would not pass the residential area in order to access the site and there would be signage to ensure traffic avoided Unity Road.
4. It would not be reasonable to add a condition that the use of the site return to B8 in the future. If the application was permitted, the use would be limited to electric go-karting and any different use would require planning permission.
5. The sale of alcohol was a licensing consideration. If a license was granted, it could be reviewed in the event of future problems.
6. Policy ED2A had a presumption for retaining the site for industrial use but officers considered the applicant had successfully challenged this presumption. Sub-division of the unit would be challenging, and future economic growth could not be taken into consideration.
7. The proposed development would result in 40 full time equivalent jobs.
8. The applicants had submitted a travel plan which could be secured by a

condition.

Following concerns raised about the possible impact on residential amenity of people leaving the site, Cllr Tim Warren moved that a decision be deferred for 1 month for officers to negotiate with the applicant about an earlier closure time Sunday-Thursday. He suggested 10pm closure Monday-Thursday and 7pm on Sunday. This was seconded by Cllr Fiona Gourley.

Cllr Shaun Hughes asked if the applicant could also be requested to share the licensing plans as concerns were linked to the sale of alcohol.

Cllr Duncan Hounsell expressed the view that the application would cause significant harm in terms of increased noise and traffic and the loss of a warehouse on land that was set aside for that in purpose.

On voting for the motion, it was CARRIED (6 in favour, 5 against – chair using casting vote).

RESOLVED that a decision be deferred pending negotiations with the applicant about an earlier closing time Sunday-Thursday.

4. 24/01360/FUL - 14 Kenilworth Close, Keynsham, Bath and North East Somerset

The Case Officer introduced the report which considered an application for the erection of a three-bedroom house following the removal of the existing two storey extension.

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

The following public representations were received:

1. Barry Preece, agent, supporting the application.

In response to Members' questions, it was confirmed:

1. The existing two storey extension would be removed and replaced by the new dwelling.
2. There would be 4 parking spaces which was above the usual standard to address concerns about parking. There would be no change to the driveway and so no impact on existing on-street parking.
3. There was no garage proposed and this was in line with other properties in the street.
4. The materials would match the existing dwelling, and this would be secured by a condition.
5. The internal layout of the proposed dwelling in term of bathroom facilities was a building regulations issue rather than a planning consideration.

Cllr Duncan Hounsell proposed that the officers' recommendation be approved. This was seconded by Cllr Tim Warren.

On voting for the motion, it was CARRIED (9 in favour, 0 against, 1 abstention).

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

5. 24/01202/FUL - The Hollies, Hillcrest, Pensford, Bristol, Bath and North East Somerset

The Case Officer introduced the report which considered an application for the erection of a 3-bedroom bungalow in the green belt.

He confirmed the officers' recommendation that the application be refused for the reasons set out in the report.

The following public representations were received:

1. Paul Baxter, Publow Parish Council, speaking in support of the application.

In response to Members' questions, it was confirmed:

1. Green belt policies were robust, and any new development was inappropriate without exceptional circumstances. The applicant had put forward an argument that there were special circumstances due to the sustainability benefits of an experimental proposed heating system which would go above and beyond sustainable construction policies. However, there was no pre-existing data or evidence to support this claim.
2. Officers were not aware if the system had been trialled successfully outside of the UK.
3. Once planning permission had been given, this could not be taken away even if the heating system was proven not to work.

Cllr Duncan Hounsell opened the debate and stated that green belt policies were clear, and he did not consider that exceptional circumstances had been demonstrated. He moved the officers' recommendation that the application be refused, and this was seconded by Cllr Lucy Hodge.

Cllr Shaun Hughes spoke in support of the motion and stated that it was not the role of the Committee to change the green belt boundaries, and the proposed heating system could be tested on a site outside of the green belt.

Cllr Paul Crossley concurred with this view and stated that the appropriate route to change housing boundaries was via the Local Plan process.

Cllr Deborah Collins expressed disappointment that it was not possible to consider how policies could be applied to encourage zero carbon developments.

Cllr Tim Warren stated that he believed there were exceptional circumstances, and he would support overturning the officers' recommendation.

On voting for the motion to refuse the application, it was CARRIED (7 in favour, 1 against and 1 abstention).

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

6. 24/01826/FUL – 14 Manor Road, Saltford, Bath and North East Somerset

Cllr Duncan Hounsell stood down from the committee during consideration of this application, addressed the committee as local member but did not participate in the debate or vote.

The Case Officer introduced the report which considered an application for the erection of a 2-bed dormer bungalow adjacent to No.14 Manor Road, including forming a new access onto Claverton Road.

He gave a verbal update to amend the reason for condition 12 "protection of neighbourhood nature area planting within verge" and include an additional condition to ensure the refuse and recycling storage area within the verge was only used for receptacles on refuse and recycling collection days and the preceding day.

He confirmed the officers' recommendation that the application be permitted subject to the conditions set out in the report as amended above.

The following public representations were received:

1. Rob Hannan, local resident, objecting to the application.
2. John Blake, architect, supporting the application.

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

1. The application was a cause of concern for local residents.
2. A similar application had previously been refused.
3. The application contravened policy on local character and distinctiveness in Claverton Road.
4. The site area was limited and there was no front garden. The site faced on to a public green space which would impact on the privacy of the occupier and people using the green space.
5. The development of the site relied on a valuable parcel of land being given to applicant.

He asked the Committee to refuse the application or if there was uncertainty, to attend a site visit. Following his statement, Cllr Hounsell withdrew from the meeting.

In response to Members' questions, it was confirmed:

1. A similar application in the area had been refused in 2004 and as planning

policies had changed over the last 20 years, very limited weight could be given to that decision.

2. In terms of access, a highway licence had been approved for a dropped kerb.
3. Six trees had been removed before the application was submitted and this had been taken into account in the Biodiversity Net Gain requirements.
4. The proposed bungalow was set back from the street by 4.4m. This would be the closest property to the street, but not by a significant distance.
5. Officers did not consider the overlooking of the neighbour to be significant, the bathroom dormer window would be obscure glazed and fixed shut.
6. Permitted development rights would be removed.

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

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

RESOLVED that the application be permitted subject to the conditions set out in the report with an amendment to the reason for condition 12 "protection of neighbourhood nature area planting within verge" and an additional condition to ensure the refuse and recycling storage area within the verge was only used for receptacles on refuse and recycling collection days and the preceding day.

7. 24/02425/VAR - 2 Mayfields, Keynsham, Bath And North East Somerset

The Case Officer introduced the report which considered an application for the variation of condition 11 (Plans List (Compliance)) of application 21/05172/VAR (Variation of condition 11 (Plans List)) of application 19/00590/FUL (Erection of 4no flats on land adjacent to 2 Mayfields).

He confirmed the officers' recommendation that the application be permitted subject to the conditions set out in the report and:

1. An update to the plans list to add in site layout plan 11D and remove plans 15d and 16d as they had been superseded.
2. An informative to confirm the details of the Section 73.

There were no public speakers.

In response to Members' questions, it was confirmed:

1. There were no flats in the roof space, this was a void space.
2. If the applicant wished to convert the void space to flats, they would need to submit a new planning application.
3. The access to the void space was via a hatch, there was no staircase.
4. The application was retrospective. If the Committee was minded to refuse the

application, the case would be referred to the enforcement team.

5. It would be possible for the loft space to be utilised for the first-floor flats without planning permission, but there would be a building regulations process.

Cllr Tim Warren moved the officers' recommendation, and this was seconded by Cllr Deborah Collins. On voting for the motion, it was CARRIED (10 in favour, 0 against - unanimous).

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

1. An update to the plans list to add in site layout plan 11D and remove plans 15d and 16d as they had been superseded.
2. An informative to confirm the details of the Section 73.

8. 24/01371/FUL - 37 Gaston Avenue, Keynsham, Bath and North East Somerset

The Case Officer introduced the report which considered an application for the erection of new fencing and replacement gates.

She confirmed the officers' recommendation that the application be permitted subject to the conditions set out in the report.

There were no public speakers.

In response to Members' questions, it was confirmed:

1. The north area of the fencing faced onto Keynsham bypass.
2. The 17m stretch of fencing which ran alongside neighbouring properties would be permitted development if it was standalone. The height of the 17m fence would be a similar height to the existing boundary fence.
3. The design of the fencing would include open trellising to minimise impact on neighbouring properties.

Cllr Toby Simon proposed the officer's recommendation to permit the application. This was seconded by Cllr Eleanor Jackson.

Cllr Shaun Hughes raised concerns about the proposed fencing changing the street scene.

On voting for the motion, it was CARRIED (5 in favour, 4 against, 1 abstention).

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

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

Cllr Eleanor Jackson asked that thanks be recorded to officers for their support in the appeal relating to Land West Of Providence Bungalow Frome Road, Radstock.

RESOLVED that the report be noted.

The meeting ended at 5.35 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
20th November 2024
DECISIONS

Item No:	01	
Application No:	24/00155/RES	
Site Location:	Land Parcel 0005, Bath Road, Keynsham, Bath And North East Somerset	
Ward: Keynsham East	Parish: Keynsham Town Council	LB Grade: N/A
Application Type:	PI Permission (Approval Reserved Matters)	
Proposal:	Reserved Matters for the development of 208 homes, replacement sports pitch to facilitate expanded primary school, open space, landscaping and all associated infrastructure pursuant to planning permission ref: 20/02673/OUT.	
Constraints:	Colerne Airfield Buffer, Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Housing Development Boundary, Policy LCR5 Safeguarded existg sport & R, Policy LR6A Local Green Spaces, LLFA - Flood Risk Management, LPPU Site Allocations, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Policy NE3 Local Nature Reserve, Ecological Networks Policy NE5, NRN Woodland Core Existing Policy NE5, NRN Woodland Strategic Networ Policy NE5, Other Please specify, All Public Rights of Way Records, Strategic Site Allocations, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Curo Enterprise Ltd	
Expiry Date:	7th June 2024	
Case Officer:	Isabel Daone	

DECISION Delegate to PERMIT subject to S106

Item No:	02
Application No:	24/00768/FUL
Site Location:	Former Keynsham Fire Station, Temple Street, Keynsham, Bath And North East Somerset
Ward:	Keynsham North
Parish:	Keynsham Town Council
LB Grade:	N/A
Application Type:	Full Application
Proposal:	Erection of 21no. apartments (Over 55's) with ground floor space for Class E use, parking, associated landscaping and public realm improvements, to follow demolition of existing former Keynsham Fire Station building.
Constraints:	Agric Land Class 3b,4,5, Air Quality Management Area, Conservation Area, Policy CP12 Centres and Retail, Policy CP9 Affordable Housing, Policy CR3 Primary Shopping Areas, District Heating Priority Area, Housing Development Boundary, LLFA - Flood Risk Management, LPPU Site Allocations, Policy NE1 Green Infrastructure Network, NRN Woodland Strategic Network Policy NE5, NRN Wetland Strategic Network Policy NE5, Placemaking Plan Allocated Sites, All Public Rights of Way Records, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Chewton Place Developments Ltd
Expiry Date:	29th November 2024
Case Officer:	Isabel Daone

DECISION Delegate to PERMIT subject to S106

Item No:	03
Application No:	24/02198/FUL
Site Location:	Ij McGill Transport Ltd, Unity Road Northern Part, Keynsham, Bath And North East Somerset
Ward: Keynsham East	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use of the existing building to provide an indoor electric go-karting centre (sui generis use) with associated installation of plant, and signage.
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing, Policy ED2A Primary Industrial Estates, Flood Zone 2, LLFA - Flood Risk Management, Ecological Networks Policy NE5, Railway, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Go Karting For Fun Ltd
Expiry Date:	22nd November 2024
Case Officer:	Isabel Daone

DECISION **Deferred to seek amendments to the proposed opening hours**

Item No:	04
Application No:	24/01360/FUL
Site Location:	14 Kenilworth Close, Keynsham, Bath And North East Somerset, BS31 2PB
Ward: Keynsham South	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of three bedroom house to follow removal of existing two storey extension.
Constraints:	Bristol Airport Safeguarding, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing, Housing Development Boundary, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Mr R Brindle
Expiry Date:	22nd November 2024
Case Officer:	Ed Allsop

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 (Compliance)

All external walling and roofing materials to be used shall match those of the existing building in respect of type, size and colour.

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.

3 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 for approval to 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.

4 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:

- Site plans- 1A
- Existing and proposed elevations- 2A
- Existing and proposed plans- 2A

Biodiversity Net Gain - Exempt/Not required

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024 and The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

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.

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:	05		
Application No:	24/01202/FUL		
Site Location:	The Hollies, Hillcrest, Pensford, Bristol		
Ward:	Publow And Whitchurch	Parish:	Publow
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of 3 bedroom bungalow on the gardens of The Hollies.		
Constraints:	Bristol Airport Safeguarding, Norton Malreward Unlicensed Airstrip, Agric Land Class 3b,4,5, 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 NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, NRN Woodland Strategic Networ Policy NE5, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
Applicant:	Mr Samuel Miller		
Expiry Date:	14th August 2024		
Case Officer:	Ed Allsop		

DECISION REFUSE

1 The proposals present inappropriate development in the Green Belt. Inappropriate development, is by definition harmful. There are no very special circumstances that clearly outweigh this harm. Therefore, the proposals are contrary to policies CP8 and GB1 of the Placemaking Plan for Bath and North East Somerset Council and part 13 of the NPPF.

2 The proposals would result in a new dwelling outside of the housing development boundary for Pensford. Therefore, the application is contrary to policy DW1 of the Placemaking Plan for Bath and North East Somerset Council.

3 The application proposal includes an excessive number of car parking spaces. The proposal is therefore considered to be contrary to Policy ST7 of the Bath & North East Somerset Local Plan Partial Update and the Transport and Development Supplementary Planning Document, which seeks to ensure that developments reduce the convenience of unnecessary car usage and make sustainable transport a more attractive choice.

PLANS LIST:

This decision relates to the following plans:

Block plan as existing
Block plan as proposed
Joinery details
Frame and insulation details
Landscaping plan

Layout of ventilation ducts and water pipes
Proposed north east and north west elevations
Proposed south east and south west elevations
Solar panel detail
Solar ray details
Top down plan and floor plans- proposed
Topographical cross sections
Site location plan

Community Infrastructure Levy

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

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:	06
Application No:	24/01826/FUL
Site Location:	14 Manor Road, Saltford, Bath And North East Somerset, BS31 3DL
Ward: Saltford	Parish: Saltford LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of a 2-bed dormer bungalow adjacent to No.14 Manor Road, including forming a new access onto Claverton Road.
Constraints:	Colerne Airfield Buffer, Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, Policy CP3 Solar and Wind Landscape Pote, Policy CP9 Affordable Housing, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,
Applicant:	Dr Charlie Vivian
Expiry Date:	21st November 2024
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 Bound/Compacted Vehicle Access (Pre-occupation)

The dwelling, hereby approved, shall not be occupied until the access and driveway (parking area) has been provided with a bonded permeable surface. The access and driveway (parking space) shall be retained permanently thereafter.

Reason: : To ensure that adequate and safe parking is provided in the interests of amenity and highway safety, adequate surface water drainage and to prevent loose material spilling onto the highway in the interests of highway safety in accordance with Policy ST7 of the Bath and North East Somerset Local Plan Partial Update.

3 Landscape Design Proposals (Bespoke Trigger)

Notwithstanding the approved drawings and prior to development beyond slab level full details of soft landscape proposals and programme of implementation shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Planting plans
2. Written specifications (including cultivation and other operations associated with tree, plant and grass establishment)
3. Schedules of tree(s) and 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 Implementation of Landscaping Scheme (Bespoke Trigger)

All soft landscape works shall be carried out in accordance with the approved details. 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. 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.

6 Biodiversity Net Gain Plan (Pre-commencement)

No development shall commence until full details of a Biodiversity Gain Plan achieving a minimum of 10% measurable biodiversity net gain, and a Habitat Management Plan for any on-site habitats and biodiversity measures, have been submitted to and approved in writing by the Local Planning Authority. The Plans shall be in accordance with current best practice guidelines and standards and shall be in accordance with the approved Biodiversity Net Gain Assessment and calculation and shall include the following:

In all cases:

1. Pre and post development biodiversity values including a completed metric calculation tool using the DEFRA Biodiversity Metric or any successor, and accompanying evidence for baseline condition assessments;
2. A BNG habitat map for on-site proposed habitats
3. Information about the steps taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat and, in the case of any irreplaceable habitat, information on arrangements for compensation for any impact of the development has on the biodiversity of the irreplaceable habitat (which does not include the use of biodiversity credits).
4. Details and evidence of any registered off-site biodiversity gain units allocated to the development and any biodiversity credits purchased for the development;

Where on-site habitat is proposed/retained:

5. Long term aims and objectives and targets for habitats; proposed management prescriptions and operations; timing, frequency, durations and methods of operations; specialist expertise, specialist tools/machinery or equipment and personnel where required to meet the stated aims and objectives;
6. Annual work schedule for at least a 30 year period
7. A list of activities and operations that shall not take place and shall not be permitted within the Habitat Management Plan (HMP) area (for example use of herbicides; on-site disposal of grass cuttings or other vegetation waste; routine cutting of ivy where there is no specific arboricultural justification; inappropriate maintenance methods, storage of materials; inappropriate machine or vehicle access).
8. Detailed monitoring strategy for habitats and species, and methods of measuring progress towards and achievement of stated objectives.
9. Details of proposed reporting to the Local Planning Authority, and proposed review and remediation mechanism.
10. Proposed costs and 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 and to ensure delivery of Biodiversity Net Gain in accordance with Bath and North East Somerset Local Plan Partial Update policies NE3, NE3a NE5 and D5e and paragraph 13 of Schedule 7A to the Town and Country Planning 1990 Act (Biodiversity Gain Condition).

7 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)

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

8 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.

9 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.

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

The proposed west facing stairwell roof light shall be obscurely glazed and non-opening. Thereafter the window shall be permanently retained as such.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

11 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least 2 bicycles has been provided in accordance with 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: To secure adequate 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.

12 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.

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. Also, to protect Neighbourhood Nature Area (NNA) planting within verge.

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.

13 Implementation of Wildlife Scheme (Pre-occupation)

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced ecologist confirming and demonstrating, using photographs, implementation of the recommendations contained within part 4 of the submitted Ecological Appraisal by Crossman Associates dated 26/03/2024 has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme to prevent ecological harm and to provide biodiversity gain in accordance with policy CP6 of the Bath and North East Somerset Core Strategy, policy D5e of the Bath and North East Somerset Placemaking Plan and policies NE3, NE5 and NE3a of the Bath and North East Somerset Local Plan Partial Update.

14 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.

15 Drainage (pre-commencement)

Prior to the development, hereby approved, commencing the results of infiltration testing in accordance with Building Regulations Approved Document Part H section 3 shall be submitted to and approved in writing by the Local Planning Authority. Should infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The soakaways or other approved method of surface water drainage shall be installed prior to occupation of the, hereby approved, development.

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.

16 Removal of Permitted Development Rights - No Windows (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) no windows, roof lights or openings, other than those shown on the plans hereby approved, shall be formed in the north, east and west elevation of the dwelling, hereby approved, at any time unless a further planning permission has been granted.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

17 Removal of Permitted Development Rights - No extensions or alterations (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) no extension, external alteration or enlargement of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority given the restricted size of the site and proximity of neighbours and to safeguard existing trees and trees to be approved through the landscaping condition in accordance with policy D2, D6 of the Placemaking Plan and policies D5 and NE6 of the Local Plan Partial Update.

18 Removal of Permitted Development Rights - No outbuildings (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) no garages or other free standing buildings shall be erected within the curtilage of the dwelling(s) hereby approved, other than those expressly authorised by this permission, unless a further planning permission has been granted by the Local Planning Authority.

Reason: The introduction of further curtilage buildings requires detailed consideration by the Local Planning Authority to safeguard the appearance of the development and the amenities of the surrounding area in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and policies D1, D2, D3, D4 and D6 of the Bath and North East Somerset Placemaking Plan.

19 Refuse/recycling storage (compliance)

The refuse/recycling area on the adjacent highway verge shall only be used to store associated receptacles on collection days and the preceding day.

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.

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:

31 Oct 2024	02J	PROPOSED SITE AND ROOF PLAN
31 Oct 2024	03D	PROPOSED FLOOR PLANS
31 Oct 2024	04F	PROPOSED ELEVATIONS

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.

Biodiversity Net Gain - Standard Informative

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024 and The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements apply. A detailed version of the biodiversity gain condition can be found in the list of conditions attached to this permission.

The effect of section 73D of the Town and Country Planning Act 1990:-

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

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.

Vehicular Crossing/Dropped Kerb

In order to provide/extend the vehicular access, Transport Development Management will require the Applicant to apply for a Section 184 licence under the Highways Act 1980. The applicant should be advised to contact the Highway Maintenance Team at Highways@bathnes.gov.uk with regard to securing a licence for the amendment to an existing and/or creation of a new vehicular crossing. The access shall not be brought into use until the details of the access have been approved and constructed in accordance with the current Specification. More information can be found following this link: <https://www.bathnes.gov.uk/services/streets-and-highway-maintenance/licences-and-permits/droppedkerbs>

Item No:	07
Application No:	24/02425/VAR
Site Location:	2 Mayfields, Keynsham, Bath And North East Somerset, BS31 1BW
Ward: Keynsham North	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Application for Variation of Condition
Proposal:	Variation of condition 11 (Plans List (Compliance)) of application 21/05172/VAR (Variation of condition 11 (Plans List) of application 19/00590/FUL (Erection of 4no flats on land adjacent to 2 Mayfields)).
Constraints:	Agric Land Class 3b,4,5, Policy CP9 Affordable Housing, District Heating Priority Area, Housing Development Boundary, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Kingley Properties Ltd
Expiry Date:	24th October 2024
Case Officer:	Ben Burke

DECISION PERMIT

1 Parking (Pre-occupation)

No occupation of the development shall commence until 2no. parking spaces have been provided on-site and should be retained permanently thereafter.

Reason: To ensure that adequate and safe parking is provided in the interests of amenity and highway safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

2 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least 8no. bicycles has been provided in accordance with 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: To secure adequate off-street parking provision for bicycles and to promote sustainable transport use in accordance with Policy ST7 of the Placemaking Plan.

3 Construction Management Plan (Compliance)

The development shall be undertaken in accordance with the submitted Construction Management Plan.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

4 Water Efficiency - Rainwater Harvesting (Pre-occupation)

No occupation of the approved dwellings shall commence until rainwater harvesting or other methods of capturing rainwater for use by the residents (e.g. Water butts) has been provided.

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

5 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 Bath and North East Somerset Placemaking Plan.

6 Sustainable Construction (Pre-occupation)

Prior to first occupation of the development hereby approved the following tables (as set out in the Council's Sustainable Construction Supplementary Planning Document, Adopted November 2018) shall be completed in respect of the completed development and submitted to the local planning authority together with the further documentation listed below:

- Table 2.4 (Calculations);
- Building Regulations Part L post-completion documents

Reason: To ensure that the approved development complies with Policy SCR1 of the Placemaking Plan (renewable energy) and Policy CP2 of the Core Strategy (sustainable construction).

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

The proposed windows on the west elevation shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the window shall be permanently retained as such.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

8 Housing Accessibility (Compliance)

The following dwellings hereby approved shall meet the optional technical standards 4(2) in the Building Regulations Approved Document M: Flat 1.

Reason: Reason: To ensure that the optional technical standards for accessibility are met in accordance with policy H7 of the Bath and North East Somerset Council Placemaking Plan.

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 approved drawings:

26 Jun 2024	A674P20-P.11D	PROPOSED SITE LAYOUT
26 Jun 2024	A674P20-P.12D	PROPOSED SITE LAYOUT
26 Jun 2024	A674P20-P.13D	PROPOSED LAYOUT
26 Jun 2024	A674P22-P.15E	PROPOSED ELEVATIONS
26 Jun 2024	A674P22-P.16E	PROPOSED STREET ELEVATION
22 Aug 2024	P.17B	PROPOSED ROOF VOID PLAN
11 Feb 2019	A674P11-PL-14	PROPOSED FLOOR PLANS
11 Feb 2019	A674L1-	LOCATION PLAN

Condition Categories

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

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

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

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

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

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

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

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.

Biodiversity Net Gain - Exempt/Not required

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024 and The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

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.

IMPORTANT NOTE:

This permission consists of the following main variations to 21/05172/VAR:

- Addition of dormer windows;
- Provision of additional off-street parking space;
- Relocation of solar panels to flat part of mansard roof.

The permission does not give consent for any additional residential units. A separate full planning application would be required to form additional units within the roof space.

Item No:	08
Application No:	24/01371/FUL
Site Location:	37 Gaston Avenue, Keynsham, Bath And North East Somerset, BS31 1LR
Ward: Keynsham East	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of new fencing and replacement gates.
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing, Housing Development Boundary, LLFA - Flood Risk Management, NRN Wetland Strategic Network Policy NE5, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Mrs Frances Box
Expiry Date:	25th November 2024
Case Officer:	Paige Moseley

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 Entrance Gates (Compliance)

Any entrance gates erected shall be hung to open away from the highway only.

Reason: In the interests of highway safety and, in accordance with Policy ST7 of the Bath and North East Somerset Local Plan Partial Update.

3 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:

22 Aug 2024	PROPOSED BLOCK PLAN
28 Aug 2024	PROPOSED 17M AND 4.6M DIAGONAL FENCE ELEVATIONS
28 Aug 2024	PROPOSED DIVIDING FENCE BETWEEN 37 AND 36 GASTON AVENUE ELEVATION
28 Aug 2024	PROPOSED DRIVEWAY GATES ELEVATION
15 Apr 2024	LOCATION PLAN

Permit/Consent Decision Making Statement

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

Condition Categories

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

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

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

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

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

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

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

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.

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

Biodiversity Net Gain - Exempt/Not required

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024 and The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

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