

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 15th January, 2025, 11.00 am

Councillors: Ian Halsall (Chair), Lucy Hodge (Vice-Chair), Deborah Collins, Fiona Gourley, Hal MacFie, Ruth Malloy, Toby Simon, Shaun Hughes, Dr Eleanor Jackson and Tim Warren CBE

76 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

77 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Paul Crossley and Cllr Ruth Malloy was in attendance as substitute.

78 DECLARATIONS OF INTEREST

There were no declarations of interest.

79 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

On behalf of the Committee, the Chair apologised for the audio problems with the webcast at the previous meeting.

80 ITEMS FROM THE PUBLIC

The Democratic Services Officer informed the meeting of the process for public speakers to address the Committee.

81 MINUTES OF THE PREVIOUS MEETING

It was moved by Cllr Eleanor Jackson, seconded by Cllr Tim Warren and;

RESOLVED that the minutes of the meeting held on Wednesday 18 December 2024 be confirmed as a correct record for signing by the Chair subject to the following amendments:

1. 24/02198/FUL - Unity Road, Northern Part, Keynsham, Bath and North East Somerset

Page 7 point 7 - To clarify the number of people present during a session. – **16 go kart riders**

Page 7 point 11 – add text in bold “There was a healthy supply of industrial units in Keynsham **‘and the Somer Valley’**”

2. 23/04529/FUL - Parcel 6600, Fairy Hill, Compton Dando, Bristol, Bath and North East Somerset

Page 8 point 7 delete “additional housing” and replace with “**sites for housing to meet government requirements**”.

3. 24/02761/FUL - Site Of Old Quarry, Bath Road, Peasedown St John, Bath, Bath and North East Somerset

Page 10 Point 2 - add text in bold “The application would improve the site and would include screening to protect the **opposite** Grade II listed building (**the Red Post Inn**).”

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

There were no site visit applications for consideration.

83 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. 24/00287/FUL - Whitecross House, Whitecross Road, East Harptree, Bristol, Bath and North East Somerset

The Case Officer introduced the report which considered an application for 4 dwellings by subdivision of a main house, conversion of ancillary stables and the erection of 1 new dwelling.

She gave a verbal update to report:

1. An additional objection comment had been sent to the Chair and circulated to the other members of the Planning Committee. It was not considered that this raised new issues that had not already been assessed in the Committee report.
2. An amendment to page 33 of the report to refer to the Council’s Duty under

Section 86 of the Countryside and Rights of Way Act.

3. An addition to page 33 to include reference to the special qualities of the Mendip National Landscape. There were 15 special qualities and the 2 of particular relevance to this application were the views in and views out of the landscape. The scheme was not considered to impact on these or any other special qualities of the Mendip National Landscape.

The Case Officer confirmed the officers' recommendation that permission be granted subject to the conditions set out in the report.

The following public representations were received:

1. Mark Jerzak, local resident, objecting to the application.
2. Sasha Berezina, agent, supporting the application.

In response to Members' questions, it was confirmed:

1. There were 3 dwellings on the site currently and this would increase to 6 dwellings as a result of the development. Officers did not consider that the scheme constituted over-development of the site and felt that there was adequate outdoor space.
2. In terms of impact on residential amenity, officers concluded that there would not be a significant impact. The two-storey dwelling was sufficiently distanced from the neighbouring property.
3. The scheme was too small to trigger a requirement for affordable housing.
4. A bicycle/bin store was included in the plans. There would be enough space for cars to enter and leave the site when the bins were taken out for waste collection.
5. The installation of electric vehicle charging equipment was a building regulations issue.
6. Officers had made a judgement that aluminium framed windows were acceptable on the former stables, as there were limited views from the public realm. The other windows would be timber framed.
7. A snug could potentially be used as an additional bedroom, and this could not be controlled by the planning process.
8. The scheme would not result in a loss of on street parking. There would be 8 parking spaces (2.5m x 5m) on site which was policy compliant. It would not be possible for members of the public to park on the site as it was private land.
9. There was a condition to protect the Grade II Curtilage Listed wall during the construction of the development.
10. The height of the new dwelling was less than 1m higher than Court Cottage.
11. The roof lights were conservation style, and this was the subject of a condition.
12. Although it appeared on the plan that there would be a loss of green space, the

new green space was better quality and value in terms of Biodiversity Net Gain.

13. The air source heat pumps associated with the new dwellings would need to comply to MCS planning standards and this was subject of a condition.
14. Solar panels would be included on the new dwelling, there was no policy requirement for them to be added to existing dwellings.
15. In relation to concerns about the sewage system, this was covered by a pre commencement condition.
16. The hardstanding area would need to be permeable. It would not be possible to create further hardstanding areas during the 30-year Biodiversity Net Gain period. Officers could investigate whether it was possible to remove permitted development rights to prevent green space being converted to a hard surface in the future.
17. It was possible to include an additional condition in relation to any significant finds as the result of the archaeological watching brief.
18. The application was too small to trigger a Section 106 contribution. There would be a Community Infrastructure Levy (CiL) charge and there was a separate process to determine how CiL money was spent.

Cllr Shaun Hughes raised concerns relating to insufficient green space and loss of amenity and stated that the application was bordering on over-development.

Cllr Fiona Gourley expressed concerns about the over-development of the site and that the site could be converted to holiday accommodation in the future.

Cllr Eleanor Jackson suggested that some of the issues raised could be addressed by conditions if officers were delegated to permit the application. She drew particular attention to ecological issues relating to bats/swifts and an addition condition relating to archaeological finds.

Cllr Deborah Collins stated that while she gave weight to the provision of additional housing, she was concerned about over-development of the site with limited outside amenity.

Cllr Toby Simon moved that officers be delegated to permit the application subject to a review of conditions in light of issues raised, specifically, a restriction to prevent holiday lets; the removal of permitted development rights to prevent further hard surfaces; strengthening of the ecological compliance condition to ensure remediation measures in relation to bats/swifts meet satisfactory standards and strengthening of the archaeology condition in relation to a significant archaeological discovery. This was seconded by Tim Warren who expressed the view that although he had reservations about the height of the new dwelling, on balance he believed the application was policy compliant.

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

RESOLVED that officers be delegated to permit the application subject to a review

of conditions in light of issues raised as follows:

1. a restriction to prevent holiday lets;
2. the removal of permitted development rights to prevent further hard surfaces;
3. strengthening of the ecological compliance condition to ensure remediation measures in relation to bats/swifts meet satisfactory standards
4. strengthening of the archaeology condition in relation to a significant archaeological discovery.

2. 24/03112/FUL - Woodlands, Staunton Lane, Whitchurch, Bristol, Bath and North East Somerset

This application was withdrawn from the agenda as it had been registered incorrectly and would need re-registering and a new consultation period.

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

The Committee considered the appeals report.

RESOLVED that the report be noted.

The meeting ended at 12.27 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

**MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT
THE MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 15
JANUARY 2025**

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	Objecting/ Supporting/ Representing
1	24/00287/FUL - Whitecross House, Whitecross Road, East Harptree, Bristol, Bath and North East Somerset	Mark Jerzak, local resident	objecting
		Sasha Berezina, agent	supporting
2	24/03112/FUL - Woodlands, Staunton Lane, Whitchurch, Bristol, Bath and North East Somerset	ITEM WITHDRAWN FROM THE AGENDA	

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BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
15th January 2025
DECISIONS

Item No:	01	
Application No:	24/00287/FUL	
Site Location:	Whitecross House , Whitecross Road, East Harptree, Bristol	
Ward: Mendip	Parish: East Harptree	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Provision of 4no. dwellings by subdivision of main house, conversion of ancillary stables and erection of 1no. new dwelling	
Constraints:	Bristol Airport Safeguarding, Agricultural Land Classification, Conservation Area, Policy CP3 Solar and Wind Landscape Pote, Policy CP9 Affordable Housing, Housing Development Boundary, Policy NE2 AONB, Policy NE3 SSCI 200m Buffer, Neighbourhood Plan, Other Please specify, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Mr N Branch	
Expiry Date:	17th January 2025	
Case Officer:	Isabel Daone	

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 Biodiversity Net Gain Plan (Pre-commencement)

No development shall commence until full details of a Biodiversity Gain Plan providing a minimum of 0.04 habitat units, 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.

3 Bat Mitigation Scheme & EPS Licence (Pre-commencement)

No development shall commence, including site clearance and demolition, until written confirmation from a licensed bat worker that the works do not require a licence, or a copy of the licence for the works in accordance with the Habitat and Species Regulations has been submitted to and approved in writing by the Local Planning Authority. This shall be accompanied by:

1. Full and completed bat survey findings;
2. Full details of proposed bat mitigation, including a replacement roost in Whitecross House which specifications meet those described in section 4.1.3 of the Bat and Bird Survey Report (Nash Ecology, September 2022) and includes an access point measuring at least 20cm x 30cm as described in the Ecology Addendum - Bat Roost Mitigation (Context Planning, 22nd October 2024) (this can take the form of a European Protected Species Mitigation Licence application method statement); and
3. Details of proposed soft landscaping and lighting design with the objective of providing suitable, dark, bat flight-corridor habitats, connecting roost locations to adjacent vegetation, and designed to encourage long-term use of the roost spaces by bats and to minimise the risk of roost failure.

The development shall thereafter be implemented only in accordance with the approved bat mitigation and lighting schemes or any amendment to the schemes as approved in writing by the Local Planning Authority.

Reason: To avoid harm to bats and wildlife in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policy NE3 of the Bath and North East Somerset Local Plan Partial Update. The above condition is required to be pre-commencement as it involves approval of measures to ensure protection of wildlife that would be otherwise harmed during site preparation and construction phases. The inclusion of the option of providing a copy of the European Protected Species licence in place of the full details of the mitigation scheme is provided for convenience.

4 Wildlife Protection and Enhancement (Pre-commencement)

No development shall take place until full details of a Wildlife Protection and Enhancement Scheme, produced by a suitably experienced professional ecologist, have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Method statement for pre-construction and construction phases to provide full details of all necessary ecological protection and mitigation measures, including, where applicable, proposed pre-commencement checks and update surveys, for the avoidance of harm to bats, nesting birds, badgers and other wildlife, and proposed reporting of findings to the LPA prior to commencement of works;
2. Detailed proposals for implementation of the wildlife mitigation measures and recommendations of the approved ecological report and addendum, including wildlife-friendly planting and landscaping details; provision of bat and bird boxes; provision of features and habitats to benefit wildlife. Details shall include proposed specifications; materials; dimensions; models; design; fixings (as applicable); and proposed numbers, heights and positions. Specifications for fencing and boundary treatments shall include provision of gaps or wildlife access points at intervals, to allow movement of wildlife
3. All details shall be fully incorporated into the scheme and accurately shown on all relevant plans and drawings.

All works within the scheme shall be carried out in accordance with the approved details prior to the occupation of the development or in accordance with the approved programme of implementation.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with policies NE3, NE3a and NE5 of the Bath and North East Somerset Local Plan Partial Update. The above condition is required to be pre-commencement as it involves approval of measures to ensure protection of wildlife that would be otherwise harmed during site preparation and construction phases.

5 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. Site compound arrangements;
7. 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. 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.

6 Flood Risk and Drainage - Detailed Drainage Design (Pre-commencement)

No development shall commence, except ground investigations and remediation, until a detailed drainage design demonstrating that surface water will be managed within the site using sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. The design is to include soakaway test results (BRE Digest 265), plans, structure details and design calculations (including permeable paving) demonstrating performance of the system at the critical 1:1, 1:30 and 1:100+45% climate change events where there should be no flooding. The drainage design and scheme will be installed in accordance with the approved details prior to the occupation of the site.

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. This is a condition precedent because it is necessary to understand whether soakaways are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

7 Archaeology - Watching Brief (Pre-commencement)

No development shall commence, except archaeological investigation work and demolition required to undertake such work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered, including post-excavation publication as required, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan. This is a pre-commencement condition because archaeological remains and features may be damaged by the initial development works.

8 Wall Inspection and Underpinning (Bespoke Trigger)

Prior to any construction commencing on the approved new-building dwelling, an inspection of the Grade II Curtilage Listed wall (associated with Harptree Court) which runs along eastern boundary of the site shall be undertaken by a qualified structural engineer and a subsequent structural report of the findings submitted to and approved in writing by the Local Planning Authority. If applicable, following the results of the inspection, details of the extent and methodology of any underpinning shall be submitted and approved in writing by the Local Planning Authority. Once approved the works shall be completed in accordance with the approved details.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

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

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to or erected on site for inspection and approved in writing by the Local Planning Authority. The schedule shall include:

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

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

Reason: In the interests of the appearance of the development and the surrounding area in accordance with policy CP6 of the Bath and North East Somerset Core Strategy, policies HE1, 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.

10 Landscape Design Proposals (Bespoke Trigger)

No development beyond slab level shall take place until full details of both hard and 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. Proposed finished levels or contours
2. Means of enclosure
3. Car parking layouts
4. Other vehicle and pedestrian access and circulation areas
5. Hard surfacing materials
6. Minor artefacts and structures (e.g. outdoor furniture, play equipment, refuse or other storage units, signs, lighting)
7. Retained historic landscape features and proposals for restoration, where relevant

Soft landscape details shall be consistent with the Biodiversity Net Gain Assessment, Biodiversity Gain Plan, Ecological Report and Bat Mitigation and shall include:

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

11 Air Source Heat Pumps (Bespoke Trigger)

Prior to the installation of the Air Source Heat Pumps, details including specification and scaled plans showing their locations shall be submitted to and approved in writing by the Local Planning Authority. The Air Source Heat Pumps shall comply with the MCS Planning Standards or equivalent standards. The Air Source Heat Pumps shall be installed in accordance with the approved details.

Reason: To maintain the residential amenity of the neighbouring occupiers in accordance with policy D6 of the Bath and North East Somerset Placemaking Plan.

12 External and Internal Lighting (Bespoke Trigger)

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

1. Proposed lamps and lamp models, with manufacturer's specifications; proposed lamp positions; numbers and heights, with details also to be shown on a plan;
2. Light spill modelling, in accordance with the standards and best practice guidelines as described in ILP Guidance Note 08/23 "Bats and artificial lighting in the UK", including details of predicted light spill and lux levels within and beyond site boundaries, onto adjacent land and onto boundary vegetation and all ecological habitats and sensitive features within and adjacent to the site, on both vertical and horizontal planes, with details of predicted light levels to also be shown on a plan, and at heights using sections and drawings;
3. Details of lighting controls; proposed hours, frequency and duration of use; and details of all measures and features to contain light spill, and to prevent upward light spill and light spill onto trees and boundary vegetation and adjacent land; and to limit use of lights when not required; 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 policies NE3 and D8 of the Bath and North East Somerset Local Plan Partial Update.

13 Junction Visibility Splay (Pre-occupation)

No occupation of the development shall commence until the visibility splay as shown on plan no. 020A (received 23rd July 2024) has been provided. There shall be no on-site obstruction exceeding 900mm above the ground level within the visibility splay. The visibility splay shall be permanently retained thereafter.

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

14 Ecological Compliance Statement/Follow-up Report (Pre-occupation)

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced professional ecologist (licensed bat worker) (based on postconstruction on-site inspection by a suitably experienced professional ecologist) confirming and demonstrating, using photographs, adherence to and completed implementation of the bat and ecological mitigation and compensation measures in accordance with approved details, has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Evidence and written confirmation that all ecological mitigation and compensation measures for bats, nesting birds and hedgehogs including precautionary working methods and pre-commencement checks were followed, and that all replacement roost and nesting features have been installed and are in accordance with approved details, dimensions, materials and specifications; and
2. Evidence that a Natural England bat mitigation licence was in place before works proceeded.

All measures within the scheme shall be retained, monitored and maintained thereafter in accordance with the approved details and for the purpose of wildlife conservation.

Reason: To demonstrate the completed implementation of ecological mitigation and enhancement measures, to prevent ecological harm and to provide biodiversity gain in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and policies NE3, NE3A; NE5 and D5e of the Bath and North East Somerset Local Plan Partial Update.

15 SCR6 Residential Properties (Pre-occupation)

Prior to occupation of the new-build dwelling 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)
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 Bath and North East Somerset Local Plan Partial Update.

16 Rainwater Harvesting (Pre-occupation/Compliance)

No occupation of the approved dwellings shall commence until the water-butts as shown on plan reference 011B (Proposed Ground Floor Plans) have been installed.

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

17 Precautionary Working Methods for the Protection of Wildlife (Compliance)

Working must proceed only in accordance with the following measures for the protection of birds and hedgehogs:

- Appointment of a suitably qualified Ecological Clerk of Works to specify and oversee precautionary working methods;
- Removal of the rubble pile and conversion of the building should be undertaken outside the period of 1st March - 31st August.
- If avoidance of the 1st March - 31st of August is not possible, a careful visual check for signs of active bird nests shall be made of the interior and exterior of the building and its roof, and any crevices and concealed spaces, immediately prior to any works affecting these areas;
- Nests in use or under construction shall be protected undisturbed until the young have fledged;
- Covering of excavations overnight and/or a ramp fitted to ensure any animals can escape;
- Sensitive lighting design will be implemented.

Reason: To avoid harm to protected and notable species in accordance with policy NE3 of the Local Plan Partial Update.

18 Water Efficiency (Compliance)

The approved new-build dwelling 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.

19 Parking (Compliance)

The areas allocated for parking and turning on submitted plan(s) reference 010A and 011B shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with policy D6 of the Bath and North East Somerset Placemaking Plan and policy ST7 of the Bath and North East

Somerset Local Plan Partial Update and the Transport and Development Supplementary Planning Document.

20 Conservation Style Roof Lights (Compliance)

All rooflights hereby approved shall be Conservation Style.

Reason: To ensure sympathetic conversion within the Conservation Area in accordance with policy HE1 of the Bath and North East Somerset Placemaking Plan.

21 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 elevation of the building known as "Workshop/Stable" on plan reference 016B or the north east elevation of the new-build dwelling at any time unless a further planning permission has been granted.

Reason: To protection the residential amenity of the neighbouring occupiers in accordance with policy D6 of the Bath and North East Somerset Placemaking Plan.

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

The proposed north east elevation windows in the building known as "Workshop/Stable" on plan reference 016B and bathroom window in the north west elevation of the new-build dwelling 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.

23 Existing window blocked up (Compliance)

No occupation of the dwelling approved in the building known as "Workshop/Stable" shall occur until the dining/kitchen window in the north east elevation (annotated as '6. Existing window blocked in' on drawing no. 016B) has been blocked up as shown on drawing no. 016B.

Reason: In the interests of protecting the privacy of the adjoining residential property in accordance with policy D6 of the Bath and North East Somerset Placemaking Plan.

24 Removal of Permitted Development Rights - No hardstanding (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 hard surface incidental to the enjoyment of a dwellinghouse shall be installed, unless a further planning permission has been granted by the Local Planning Authority.

Reason: To retain the areas of landscaping in the interests of the visual appearance of the site and biodiversity in accordance with policies HE1, D1 and D2 of the Bath and North

East Somerset Placemaking Plan and policy NE3a of the Bath and North East Somerset Local Plan Partial Update.

25 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:

016 B Proposed Elevations - Workshop & Stable. Received 19th December 2024

011B Proposed Ground Floor Plans. Received 9th December 2024

020A Proposed Visibility Splay. Received 23rd July 2024

018A Proposed Street Scenes. Received 23rd July 2024

017A Proposed Elevations - New Dwelling. Received 23rd July 2024

015A Proposed Elevations - Whitecross House. Received 23rd July 2024

013A Proposed Attic Plan. Received 23rd July 2024

012A Proposed First Floor Plans. Received 23rd July 2024

010A Proposed Site Plan. Received 23rd July 2024

001 Site Location Plan. Received 24th January 2024

Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 39 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.

Civil or legal consents

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

Community Infrastructure Levy - General Note for all Development

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL may apply to new developments granted by way of planning permission as well as by general consent (permitted development) and may apply to change of use permissions and certain extensions. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council **before any development commences**.

Do not commence development until you been notified in writing by the Council that you have complied with CIL; failure to comply with the regulations can result in surcharges, interest and additional payments being added and will result in the forfeiture of any instalment payment periods and other reliefs which may have been granted.

Community Infrastructure Levy - Exemptions and Reliefs Claims

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

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

Responding to Climate Change (Informative):

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

Item No:	02
Application No:	24/03112/FUL
Site Location:	Woodlands , Staunton Lane, Whitchurch, Bristol
Ward: Publow And Whitchurch	Parish: Whitchurch LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of 3 no. dwellings and associated works.
Constraints:	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Contaminated Land, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, LLFA - Flood Risk Management, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Denmead
Expiry Date:	19th January 2025
Case Officer:	Ed Allsop

WITHDRAWN FROM COMMITTEE AGENDA

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