

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 12th February, 2025, 11.00 am

Councillors: Ian Halsall (Chair), Deborah Collins, Paul Crossley, Duncan Hounsell, Fiona Gourley, Hal MacFie, Toby Simon, Shaun Hughes and Tim Warren CBE

85 ELECTION OF VICE-CHAIR FOR THE MEETING

In the absence of Cllr Lucy Hodge, the Chair asked for nominations for a Vice-Chair for the meeting. It was moved by Cllr Toby Simon, seconded by Cllr Deborah Collins and;

RESOLVED that Cllr Duncan Hounsell be elected Vice-Chair for the meeting.

86 EMERGENCY EVACUATION PROCEDURE

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

87 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Lucy Hodge (Cllr Duncan Hounsell substitute) and Cllr Eleanor Jackson.

88 DECLARATIONS OF INTEREST

Cllr Ian Halsall declared that he would be standing down from the Committee to speak as ward Councillor and then withdraw from the meeting for the following items:

1 - 24/03730/FUL - Berkeley House, The Square, Westmoreland, Bath, Bath and North East Somerset

4 - 24/04180/OUT – St Malo, First Avenue, Oldfield Park, Bath, Bath And North East Somerset

Cllr Deborah Collins stated that she was one of the ward Councillors in relation to item 7, 24/03198/FUL - 16 Southville Terrace, Lyncombe, Bath but she had not pre-determined the application and was able to participate in the debate and vote.

Cllr Toby Simon stated that, in relation to item 6, 24/02494/FUL - Trossachs Lodge, Trossachs Drive, Bathwick, Bath, Trossachs Drive was partially located within his ward, but the application site was outside.

89 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

90 **ITEMS FROM THE PUBLIC**

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

91 **MINUTES OF THE PREVIOUS MEETING**

It was moved by Cllr Toby Simon, seconded by Cllr Tim Warren and;

RESOLVED that the minutes of the meeting held on Wednesday 15 January 2025 be confirmed as a correct record for signing by the Chair.

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

There were no site visit applications for consideration.

93 **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.

At this point in the meeting Cllr Ian Halsall stood down from the Committee and Duncan Hounsell took the Chair.

1. 24/03730/FUL - Berkeley House, The Square, Westmoreland, Bath, Bath and North East Somerset

The Case Officer introduced the report which considered an application for the conversion and change of use of an existing building from offices (Class E(g)) to student accommodation (Sui Generis) including a mix of cluster flats, studio units and communal amenity space.

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

1. A Section 106 Agreement to secure:
 - a. A financial contribution of £5114.60 for a Traffic Regulation Order to provide a car club bay on the local public highway; and
 - b. A financial contribution of £990.00 towards Targeted Recruitment and Training in Bath and North East Somerset as well as planning obligation to provide six work placements in construction as part of the development.
2. The conditions set out in the report (or other such conditions as may be

appropriate).

The following public representations were received:

1. Tom Roche, agent, supporting the application.

Cllr Ian Halsall raised the following points as ward member before withdrawing from the meeting.

1. He did not object to the loss of employment space given the new provision within close proximity to the site.
2. He was concerned that a cluster of purpose-built student accommodation was transforming the area and could result in a student campus by stealth.
3. He questioned the effectiveness of the condition to restrict first year students from using the accommodation.
4. He stated that there was a deficit of lower cost housing in the area and students may not be able to afford to stay in area after graduation. The site could be used for C3 apartments.

In response to Members' questions, it was confirmed:

1. There was no policy restricting the concentration of a social group, such as students, within an area.
2. In response to whether second and third year students would prefer to live in homes of multiple occupation (HMO), the cluster flats replicated the facilities of HMOs with en-suite bedrooms and a communal kitchen/living/dining room. It would not be possible to include a condition about costs being similar to HMOs as costs were driven by market forces.
3. Purpose-built student accommodation and HMOs were distinct planning classes.
4. The policy in relation to purpose-built student accommodation was intended to exclude first year students, but not to exclude students beyond third year. The exclusion of first year students would be controlled by a condition (12).
5. In relation to the Frome House Planning Inquiry, the Inspector concluded that cluster flats were appropriate to meet the needs of second and third year students. The Inspector also concluded that policy CP10 in relation to housing mix could not be applied to purpose-built student accommodation.
6. The loss of business rates was not a material consideration. There was no policy to protect this area from the loss of employment space.
7. Electric vehicle charging was covered by building regulations.
8. The car club space was in a public area rather than located on the site as this was private land.

Cllr Duncan Hounsell noted that a number of questions had been raised in relation to policy and stated that the Planning Committee was not a policy making body and planning applications had to be determined against existing policies.

Cllr Paul Crossley requested information (separate to the consideration of this application) about the number of purpose-built student accommodation units in Bath and how many of these units were occupied.

Cllr Toby Simon moved the recommendation to delegate to permit as the proposal was acceptable and officers had put forward a well-constructed and detailed case. This was seconded by Cllr Hal MacFie.

Cllr Deborah Collins spoke in support of the application but asked officers to look into whether it was possible to include a car club space on the site and whether condition 12 (Student Year Group Restriction) could be tightened.

Cllr Shaun Hughes stated that there were no grounds to refuse the application, but he did have reservations about the enforcement of condition 12.

On voting for the motion, it was CARRIED (7 in favour and 0 against, 1 abstention).

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

1. A Section 106 Agreement to secure:
 - c. A financial contribution of £5114.60 for a Traffic Regulation Order to provide a car club bay on the local public highway; and
 - d. A financial contribution of £990.00 towards Targeted Recruitment and Training in Bath and North East Somerset as well as planning obligation to provide six work placements in construction as part of the development.
3. The conditions set out in the report (or other such conditions as may be appropriate).

Cllr Ian Halsall resumed the Chair.

2. 23/03390/OUT - Treetops Nursing Home, St Clement's Road, Keynsham, Bristol, Bath and North East Somerset

The Case Officer introduced the report which considered an outline planning application for the demolition of an existing care home and the erection of 2 three-storey buildings comprising 36 self-contained flats (Use Class C3), with matters of access, layout, scale, and appearance to be determined and landscaping to be the subject of a reserved matters application.

The Committee received a verbal update to confirm that the Section 106 Agreement would also include offsite highway works as referred to in the highways section of the report.

The Case Officer confirmed the officers' recommendation that officers be delegated to permit the application subject to:

1. A Section 106 Agreement to secure:
 - a. Parks and Open Space Contribution of £91,440.18
 - b. Targeted recruitment and training in contribution obligation of £990 to support:
 - a. Apprenticeship starts on site
 - b. New jobs created on site advertised through the Department of Work & Pensions (DWP) and filled by DWP clients
 - c. Monitoring fee - £400 per obligation
 - d. Offsite highway works to improve pedestrian accessibility to the town centre.
2. The conditions set out in the report (or other such conditions as may be appropriate).

The following public representations were received:

1. Kevin Morley, agent, supporting the application.

In response to Members' questions, it was confirmed:

1. The application had been referred to Committee due to the lack of affordable housing and need for a viability report. The Council's independent assessor had tested various scenarios, but it was found that there was a significant deficit principally due to lower sales values in Keynsham and the high building costs associated with the site. The technical assessments were available on the Council's website.
2. Officers were satisfied that the proposal was considered acceptable in terms of sustainable construction and renewable energy subject to a condition to require PHPP modelling.
3. The proposed development was approximately the same height as the health centre located on the same site. The proposal was not considered to create an overbearing impact on neighbours, nor was overlooking considered to be a significant issue to warrant refusal.
4. There would be 30 parking spaces, and this was in line with adopted policy. Highways officers considered the development to be appropriate and policy compliant.
5. There was no policy requirement for a car club space, but an operator could apply.

Cllr Hal MacFie opened the debate and stated that the site was a brownfield site within housing development boundary located to the centre of Keynsham and that the design had improved significantly from the original plans. He moved the recommendation that officers be delegated to permit the application. This was seconded by Cllr Tim Warren.

Cllr Paul Crossley spoke in support of the application, and particularly the provision of 1 bedroom accommodation. As an issue separate to this application, he asked officers to organise a future training session for members on viability assessments.

Cllr Fiona Gourley also spoke in support of the application and welcomed the developer contribution to parks and open space.

On voting for the motion, it was CARRIED (9 in favour and 0 against - unanimous).

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

1. A Section 106 Agreement to secure:
 - a. Parks and Open Space Contribution of £91,440.18
 - b. Targeted recruitment and training in contribution obligation of £990 to support:
 - a. Apprenticeship starts on site
 - b. New jobs created on site advertised through the Department of Work & Pensions (DWP) and filled by DWP clients
 - c. Monitoring fee - £400 per obligation
 - d. Offsite highway works to improve pedestrian accessibility to the town centre.
2. The conditions set out in the report (or other such conditions as may be

appropriate).

3. 24/02245/FUL - 105 Holcombe Close, Bathampton, Bath, Bath And North East Somerset

The Case Officer introduced the report which considered an application for the erection of a single and two storey side extension, addition of new flat roof dormers to the existing property roof and associated external works.

She gave a verbal update to report that a condition in relation to construction management had been omitted from the report and recommended that the application be permitted subject to the conditions set out in the report and an additional condition relating to construction management.

The following public representations were received:

1. James Gibbs, local resident, objecting to the application.
2. Neil Smith, applicant, supporting the application.

In response to Members' questions, it was confirmed:

1. Planning officers considered the proposed materials to be acceptable in the location.
2. The application was not considered to be over development, the site had a reasonably sized garden.
3. Some trees on the boundary would be removed, but these were not protected trees, and the site was not in a conservation area.

Cllr Duncan Hounsell referred to the topography of the site which made it difficult for members to understand the distances and orientations and proposed that a decision be deferred pending a site visit. This was seconded by Cllr Shaun Hughes.

On voting for the motion, it was CARRIED (7 in favour and 2 against).

RESOLVED that a decision be deferred pending a site visit.

At this point in the meeting Cllr Ian Halsall stood down from the Committee and Duncan Hounsell took the Chair.

4. 24/04180/OUT – St Malo, First Avenue, Oldfield Park, Bath, Bath And North East Somerset

The Case Officer introduced the report which considered an outline planning application, with all matters reserved, for the erection of a terrace of four dwellings following the demolition of an existing dwelling.

He reported the following updates:

1. The ecology report had been received and 3 additional conditions had been requested (as detailed in the update report).
2. Highways response - no objection, but conditions may be required at the reserved matters stage.
3. Arboriculture response – no objections subject to conditions requiring submission

of soft landscaping scheme with a programme of implementation and replacement tree planting works to be undertaken.

The Case Officer 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. Tim Tayler, local resident, objecting to the application.
2. Rachel Tadman, agent, supporting the application.

Cllr Ian Halsall was in attendance as ward member and raised the following points:

1. There had been 52 objections from residents expressing concern about the application.
2. It was noted that the site was in a highly sustainable location and there was a need to deliver new homes, but these needed to be the right homes in the right place.
3. It was accepted that the site would be redeveloped, but not to the scale proposed in the application.
4. The existing bungalow sat well into its curtilage and acted as a transition in scale from the more dominant terrace.
5. There were concerns about the loss of the copper beech tree.
6. While there would be a policy compliant number of parking spaces, new residents would not be able to apply for a parking permit in the residents parking scheme.
7. There would be a loss of a non-designated heritage asset, the historic stone wall which defined the edge of this part of Oldfield Lane.
8. Transition Bath had raised a concern that there was a lack of south facing roof space for solar PV.

He asked the Committee to refuse the application.

In response to Members' questions, it was confirmed:

1. As this was an outline application, the Committee needed to be satisfied that a scheme of 4 dwellings was acceptable.
2. The Grade I listed building was considered to be a sufficient distance away from the site to not be affected, but this may be reconsidered at the reserved matters stage if a contemporary design was to come forward.
3. The lack of turning area was not a concern for highways officers given the context of the site.
4. The size of indicative car spaces complied with current standards.
5. The location of the substation on plot 4 would have an impact on the amenity space in the garden but a smaller garden was not considered to be harmful.
6. There was no upper limit for landscaping loss as long as a 10% overall gain was achieved.
7. There was no specific policy about the retention of bungalows, there was a policy about a mix of dwellings, but this application was not contrary to policy.
8. The National Planning Policy Framework encouraged local authorities to make the efficient use of land in sustainable locations.
9. The width of the indicative dwellings was understood to be comparable with the nearby terraced houses.

Cllr Shaun Hughes opened the debate and accepted the principle of developing the site but expressed concerns that the application would for 4 dwellings would result in over development. Cllr Fiona Gourley shared these concerns. The Deputy Head of Planning (Development Management) advised that if members considered the application to be over development, they would need to demonstrate how this would cause harm in terms of amenity and character to the area.

Cllr Toby Simon expressed the view that the applicants had demonstrated the basic concept for developing the site to accommodate 4 dwellings and moved the officers' recommendation to permit the development. This was seconded by Cllr Tim Warren.

On voting for the motion, it was CARRIED (6 in favour, 1 against and 1 abstention).

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

At this point in the meeting Cllr Ian Halsall resumed the Chair.

5. 24/03112/FUL - Woodlands, Staunton Lane, Whitchurch, Bristol, Bath And North East Somerset

The Case Officer introduced the report which considered an application for the erection of 3 dwellings and associated works in the green belt and outside of the housing development boundary.

The Case Officer 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. Isabelle Reynolds, agent, supporting the application.

In response to Members' questions, it was confirmed:

1. Staunton Lane was a private road.
2. Permission had been granted for housing on nearby sites which were also outside of the housing boundary. This didn't change the boundary, but it was a material consideration.
3. Any review of the housing boundary needed to be considered as part of the local plan review process.
4. Permission in principle consent had been granted in 2023

Cllr Tim Warren moved the officers' recommendation to permit the application. This was seconded by Cllr Deborah Collins.

On voting for the motion, it was CARRIED (9 in favour and 0 against - unanimous).

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

6. 24/02494/FUL - Trossachs Lodge, Trossachs Drive, Bathwick, Bath, Bath And North East Somerset

The Case Officer introduced the report which considered an application for the remodelling of an existing dwelling, demolition of existing garage, erection of new garage and landscaping.

She gave a verbal update to report that a joint representation had been received from objectors in relation to the positioning of the garage and this had been uploaded onto the Council's website. She also confirmed that the electric vehicle charging point in the garage had been removed from revised plans in response to concerns raised by objectors about cables being a potential trip hazard across the walkway.

The Case Officer 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. George Ardery, Bathampton Parish Council, objecting to the application (specifically the repositioning of the garage).
2. Mike Hope, agent, supporting the application.

In response to Members' questions, it was confirmed:

1. The application site was a non-designated heritage asset, not in the conservation area.
2. Highways officers had no objection to the application, and even though there may be benefit to the turning head being marked with double yellow lines, it would be difficult to justify asking the applicant for a contribution for these works in connection with this application. The applicant would be funding works for a dropped kerb from the turning head to access the garage.
3. There were no parking restrictions on the turning head and if the access to the garage was blocked, this was a civil matter.
4. Parking standards did not count garages as parking spaces, but it would be possible to park 2 cars in the proposed garage. There were also 2 parking spaces on the site which complied with parking standards.

Cllr Deborah Collins opened the debate and welcomed the retrofitting of the property.

Cllr Duncan Hounsell acknowledged that most of the objections were in relation to the re-positioning of the garage, but as there had not been an objection from Highways officers, there was no reason for the Committee to refuse the application.

Cllr Toby Simon spoke in support of the application and moved the officers' recommendation to permit the development. This was seconded by Cllr Duncan Hounsell.

On voting for the motion, it was CARRIED (9 in favour and 0 against - unanimous).

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

7. 24/03198/FUL - 16 Southville Terrace, Lyncombe, Bath, Bath And North East

Somerset

The Case Officer introduced the report which considered an application for the erection of a two-storey rear extension, a single-storey side extension and installation of solar panels to the roof.

He gave a verbal update to report that further supporting information had been received from the agent and a third party and both submissions had been uploaded onto the Council's website and circulated to members of the Committee. He also reported a correction to page 163 of the agenda pack where the depth of the extension of the neighbouring property should be recorded as 3m rather than 3.7m.

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. Gavin Lewis, local resident, objecting to the application.
2. Neil Short, applicant, supporting the application.

Cllr Alison Born was in attendance as ward member and raised the following points:

1. She had requested that the application be called in to Committee due to the concerns of local residents.
2. The application site was in a valley which meant that there was limited light especially during the winter.
3. The site was located within the green belt and conservation area.
4. It was recognised that the property was in need of refurbishment, but the scale of the development was a matter of concern for the local community.
5. The development would result in an adverse visual impact on the rear elevation.
6. She did not think the application was policy compliant and should be permitted in its current form.
7. A site visit may be useful to help understand the context of the site.

In response to Members' questions, it was confirmed:

1. The site had permitted development rights.
2. The overall increase was 29.5% which was below the third increase allowed for an extension in the green belt.
3. A change of use planning application would need to be submitted and approved if the site were to be used as a Home of Multiple Occupation.

Cllr Deborah Collins opened the debate as ward councillor and advised that while she would be pleased to see the property brought up to standard with a quality design, she did have concerns about the impact of the height. She questioned whether there was any merit in deferring for a site visit.

Cllr Hughes also expressed concern about the impact of the height in the context of the street scene.

The Case Officer confirmed that there would be no changes to the height of the property, but the roof at the rear would be changing from a hip roof to a gable roof.

Cllr Fiona Gourley moved the officers' recommendation to permit the development.

This was seconded by Cllr Toby Simon who stated that there was enough information to make a decision without the need for a site visit.

On voting for the motion, it was CARRIED (5 in favour, 2 against and 2 abstentions).

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

Cllrs Fiona Gourley and Duncan Hounsell left the meeting at this point.

8. 24/04739/TCA - 4 Meadow View, Radstock, Bath and North East Somerset

The Case Officer introduced the report which considered a tree notification order for works in a conservation area.

She confirmed the officers' recommendation that no objection be made in relation to the order.

There were no public speakers.

Cllr Paul Crossley moved the officers' recommendation. This was seconded by Cllr Toby Simon and on voting for the motion, it was CARRIED (7 in favour, 0 against - unanimous).

RESOLVED that no objection be made to the tree notification order.

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

The Committee considered the appeals report.

RESOLVED that the report be noted.

95 QUARTERLY PERFORMANCE REPORT 1 OCT - 31 DEC 2024

The Committee considered the latest quarterly performance report.

On behalf of the Committee, Cllr Deborah Collins asked that officers be commended for their performance.

RESOLVED that the report be noted.

The meeting ended at 4.32 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 12 FEBRUARY 2025**

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	SUPPORTING/ OBJECTING/ REPRESENTING
1	24/03730/FUL - Berkeley House, The Square, Westmoreland, Bath, Bath and North East Somerset	Tom Rocke, agent	Supporting
		Cllr Ian Halsall	Ward Councillor
2	23/03390/OUT - Treetops Nursing Home, St Clement's Road, Keynsham, Bristol, Bath and North East Somerset	Kevin Morley, agent	Supporting
3	24/02245/FUL - 105 Holcombe Close, Bathampton, Bath, Bath And North East Somerset	James Gibbs, local resident	Objecting
		Neil Smith, applicant	Supporting
4	24/04180/OUT – St Malo, First Avenue, Oldfield Park, Bath, Bath And North East Somerset	Tim Taylor, on behalf of local residents	Objecting
		Rachel Tadman, agent	Supporting
		Cllr Ian Halsall	Ward Councillor
5	24/03112/FUL - Woodlands, Staunton Lane, Whitchurch, Bristol, Bath And North East Somerset	Isabelle Reynolds, agent	Supporting

6	24/02494/FUL - Trossachs Lodge, Trossachs Drive, Bathwick, Bath, Bath And North East Somerset	George Ardrey	Bathampton Parish Council
		Mike Hope, agent	Supporting
7	24/03198/FUL - 16 Southville Terrace, Lyncombe, Bath, Bath And North East Somerset	Gavin Lewis, local resident	Objecting
		Neil Short, applicant	Supporting
		Cllr Alison Born	Ward Councillor
8	24/04739/TCA - 4 Meadow View, Radstock, Bath and North East Somerset	No speakers	

BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
12th February 2025
DECISIONS

Item No:	01	
Application No:	24/03730/FUL	
Site Location:	Berkeley House , The Square, Westmoreland, Bath	
Ward: Oldfield Park	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Conversion and change of use of existing building from Offices (Class E(g)) to Student Accommodation (Sui Generis) including a mix of cluster flats, studio units and communal amenity space.	
Constraints:	Article 4 Bath Office Conversion, Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, Contaminated Land, Policy CP9 Affordable Housing, District Heating Priority Area, Flood Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
Applicant:	Eagle One Estates Limited	
Expiry Date:	13th January 2025	
Case Officer:	David MacFadyen	

DECISION Delegate to Permit

Item No:	02
Application No:	23/03390/OUT
Site Location:	Treetops Nursing Home, St Clement's Road, Keynsham, Bristol
Ward: Keynsham South	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Outline Application
Proposal:	Outline planning application for demolition of existing care home and erection of 2no. three-storey buildings comprising 36no. self-contained flats (Use Class C3), with matters of Access Layout, Scale, and Appearance to be determined.
Constraints:	Bristol Airport Safeguarding, Agric Land Class 3b,4,5, Contaminated Land, Policy CP9 Affordable Housing, LPPU Site Allocations, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, NRN Wetland Strategic Network Policy NE5, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Treetops Bristol Limited
Expiry Date:	14th February 2025
Case Officer:	Samantha Mason

DECISION Delegate to Permit

Item No:	03		
Application No:	24/02245/FUL		
Site Location:	105 Holcombe Close, Bathampton, Bath, Bath And North East Somerset		
Ward:	Bathavon North	Parish:	Bathampton
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of single and two storey side extensions, addition of new flat roof dormers to existing property roof and associated external works.		
Constraints:	Colerne Airfield Buffer, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy CP9 Affordable Housing, Housing Development Boundary, MOD Safeguarded Areas, Ecological Networks Policy NE5, Neighbourhood Plan, SSSI - Impact Risk Zones,		
Applicant:	Jenny Daly and Neil Smith		
Expiry Date:	14th February 2025		
Case Officer:	Christine Moorfield		

DECISION Deferred for Site Visit

Item No:	04
Application No:	24/04180/OUT
Site Location:	St Malo , First Avenue, Oldfield Park, Bath
Ward: Oldfield Park	Parish: N/A LB Grade: N/A
Application Type:	Outline Application
Proposal:	Outline planning permission, with all matters reserved, for the erection of a terrace of four dwellings following demolition of existing dwelling.
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing, HMO Stage 1 Test Area (Stage 2 Test Req), MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, NRN Woodland Strategic Network Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Liam Bultmann & Nicola Hill On Behalf Of Patricia Tarrant
Expiry Date:	17th January 2025
Case Officer:	Angus Harris

DECISION Delegate to Permit

Item No:	05
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:	13th February 2025
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 Parking (Compliance)

The areas allocated for parking and turning on the submitted plan 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 ST7 of the Bath and North East Somerset Local Plan Partial Update.

3 Flood Risk and Drainage - Infiltration Testing (Bespoke Trigger)

The development hereby permitted is to manage surface water onsite using soakaways as indicated on the application form and/or approved drawings. Soakaways are to be designed and constructed in accordance with Building Regulations Approved Document Part H section 3, noting the requirement for infiltration testing which should be undertaken at an early stage of the development to confirm viability of infiltration techniques.

If the 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 the occupation of the 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.

4 Ecological Mitigation and Enhancement Scheme (Pre-commencement)

No development shall take place until full details of an Ecological Mitigation 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:

(i) 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 (and proposed reporting of findings to the LPA prior to commencement of works), precautionary working methods, and additional measures as applicable, for the avoidance of harm to reptiles, nesting birds, badger and other wildlife;

(ii) Detailed proposals for provision of green infrastructure, habitat value and additional features and measures to benefit wildlife, including wildlife-friendly planting and landscaping details and provision of bat and bird boxes. Details shall be shown on a plan and shall include proposed specifications; materials; dimensions; models; design; fixings (as applicable); and proposed numbers, heights and positions/boundaries. Specifications for fencing and boundary treatments shall include wildlife access points at intervals to allow movement of wildlife such as hedgehog.

All details shall be fully incorporated into the scheme and shown to scale on all relevant plans and drawings. All works within the scheme shall be carried out in accordance with the approved details and completed in accordance with specified timescales and prior to the occupation of the development, and retained and maintained thereafter for the purposes of wildlife conservation.

Reason: To prevent ecological harm and to provide green infrastructure and additional benefit for wildlife in accordance with policies NE1, NE3, NE5 and D5e of the Bath and North East Somerset Local Plan. NB 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 Ecological Compliance Statement (Pre-occupation)

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced professional ecologist (based on post-construction on-site inspection by a suitably experienced professional ecologist) confirming and demonstrating, using photographs, adherence to and completion of the Ecological Mitigation and Enhancement Scheme in accordance with approved details, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate compliance with the ecological mitigation and enhancement measures, to prevent ecological harm and to provide green infrastructure and additional

benefit for wildlife in accordance with NPPF and policies NE1; NE3; NE5 and D5e of the Bath and North East Somerset Local Plan.

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

No new external lighting shall be installed without full details of proposed lighting design being first submitted to and approved in writing by the Local Planning Authority. These details shall include: 3 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. 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, maintained and operated thereafter only in accordance with the approved details.

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

7 Arboricultural Method Statement with Tree Protection Plan (pre-commencement)

No demolition or development shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority and details within the approved document implemented as appropriate. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and compliance statements to the local planning authority on completion of the development. Wording for all measures required must state what will happen and use committal language that is enforceable (eg "shall" instead of "should"). The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, removal of existing structures, burning, location of site office, service run locations including soakaway locations and movement of people and machinery.

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

8 Arboricultural Method Statement with Tree Protection Plan (compliance)

No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement and Tree Protection Plan. A signed compliance statement shall be provided by the appointed arboriculturalist to the local planning authority within 28 days of completion of all associated works.

Reason: To ensure that the approved method statement is complied with for the duration of the development to protect the trees to be retained in accordance with Policy NE6 of the Bath and North East Somerset Local Plan Partial Update.

9 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)

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.

10 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.

11 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until secure, covered bicycle storage for at least 12no. bicycles (4 per dwelling) has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle storage shall be retained permanently thereafter.

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

12 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:

Proposed plans and elevations- Plot A- 01 E
Proposed combined elevations- 04 C
Proposed combined elevations- 05 C
Proposed plans and elevations Plot B- 02 D
Proposed plans and elevations Plot C- 03 D
Proposed site plan- 06 C
Site location plan- 00B

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 39 of the National Planning Policy Framework.

Item No:	06		
Application No:	24/02494/FUL		
Site Location:	Trossachs Lodge , Trossachs Drive, Bathwick, Bath		
Ward:	Bathavon North	Parish:	Bathampton
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Remodelling of existing dwelling, demolition of existing garage, erection of new garage and landscaping		
Constraints:	Colerne Airfield Buffer, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy CP3 Solar and Wind Landscape Pote, Policy CP9 Affordable Housing, Housing Development Boundary, MOD Safeguarded Areas, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Grassland Strategic Netwo Policy NE5, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones,		
Applicant:	Mr & Mrs Scott		
Expiry Date:	26th August 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 Garage Doors (Compliance)

The garage doors shall be either roller shutter, sliding or inward opening such that they do not protrude over the adopted public highway, and shall be retained and maintained thereafter for the duration of use.

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

3 Arboricultural Method Statement and Tree Protection Plan (Pre-commencement)

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

state what will happen and use committal language that is enforceable (eg "shall" instead of "should").

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

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

No new external or internal lighting shall be installed without full details of the proposed lighting design being first 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. additional information that demonstrates a high level of confidence that the proposed lighting will not result in unacceptable light spill levels onto habitats or features of ecological value (this may include details of predicted lux levels and light spill modelling where appropriate);
3. details of all measures and features to contain light spill, to prevent upward light spill and light spill onto trees and boundary vegetation and adjacent land; to limit the use of lights when not required and to avoid harm to bat activity and other wildlife.

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

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

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

Works must proceed only in accordance with the following measures for the protection of birds:

- o 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;
- o nests in use or under construction shall be protected undisturbed until the young have fledged;
- o If birds are encountered works shall cease and a suitable buffer installed to avoid disturbance until eggs have hatched and chicks fully fledged.

Reason: to avoid harm to protected species (nesting birds) in accordance with policy NE3 of the Bath and North East Somerset Local Plan Partial Update.

6 Ecological Compliance Statement (Bespoke trigger)

Within 6 months of the commencement of works, a statement produced by a suitably experienced professional ecologist (based on post-construction on-site inspection by a suitably experienced professional ecologist) confirming and demonstrating, using photographs that the installation of all additional features; consideration to enhancement features; all in accordance with approved details, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate compliance with the precautionary working methods, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3, NE5 and D5e of the Bath and North East Somerset Local Plan Partial Update.

7 Integrated wildlife features (Bespoke Trigger)

No construction of the external walls of the development shall commence until plans showing integrated bat and bird habitat features have been submitted to and approved in writing by the Local Authority. The features shall then be installed in accordance with the approved plans and retained and maintained thereafter.

Reason: To provide new and enhanced wildlife habitat features in accordance with policies NE3, NE3a and D5 of the Bath and North East Somerset Local Plan Partial Update.

8 Materials - Submission of Materials Schedule (Bespoke Trigger)

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

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

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

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

Reason: In the interests of the appearance of the development and the surrounding area in accordance with 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.

9 Roof Lantern (Bespoke Trigger)

Notwithstanding the submitted plans, no construction of the external walls shall commence until details of the proposed glazed roof lantern have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the character and 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, D3 and He1 of the Bath and North East Somerset Placemaking Plan and Policy D5 of the Bath and North Somerset Local Plan Partial Update.

10 Solar Panels (Compliance)

The solar panels hereby approved shall be monochromatic and non-reflective in appearance.

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, D3 and SCR2 of the Bath and North East Somerset Placemaking Plan and Policy D5 of the Bath and North Somerset Local Plan Partial Update.

11 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:

01 Sep 2024 PL03 REV C PROPOSED SITE PLAN, ROOF PLAN AND FLOORS PLAN
01 Sep 2024 PL04 REV D PROPOSED ELEVATIONS
01 Sep 2024 PL05 REV C PROPOSED GARAGE
01 Jul 2024 SCOTT_3_2024_06_24_ SITE LOCATION PLAN
01 Jul 2024 ARBORICULTURAL SURVEY AND REPORT
01 Jul 2024 FLOOD RISK ASSESSMENT
01 Jul 2024 PRELIMINARY ROOST AND NEST ASSESSMENT
01 Jul 2024 HERITAGE STATEMENT

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.

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.

Item No:	07		
Application No:	24/03198/FUL		
Site Location:	16 Southville Terrace, Lyncombe, Bath, Bath And North East Somerset		
Ward:	Widcombe And Lyncombe	Parish:	N/A
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of a two-storey rear extension, a single-storey side extension and installation of solar panels to the roof.		
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones,		
Applicant:	Neil & Nikki Short		
Expiry Date:	13th February 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 Wildlife Protection and Enhancement (Pre-commencement)

No development shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority.

These details shall include:

1. Provision of two bird nesting boxes either integrated into the building or in suitable locations within the curtilage;
2. a programme of implementation for all measures within the scheme.

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 policy CP6 of the Bath and North East Somerset Core Strategy and 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.

3 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 where appropriate, implementation of the recommendations of the Wildlife Protection and Enhancement Scheme 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 and policy NE.3 of the Bath and North East Somerset Placemaking Plan.

4 Materials (Compliance)

The extensions, hereby approved, shall adhere to the materials listed on the submitted planning application form.

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 and HE1 of the Bath and North Somerset Local Plan Partial Update.

5 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following approved drawings:

29 Aug 2024		SITE LOCATION PLAN
04 Dec 2024	853-P-0201_REV A	NORTH ELEVATION EXISTING AND
PROPOSED		
04 Dec 2024	853-P-0202_REVA	SOUTH ELEVATION (EX & PROP)
04 Dec 2024	853-P-03 REV A	SITE PLAN PROPOSED
29 Aug 2024	853-P-203	PROPOSED EAST ELEVATION
22 Aug 2024	853-P-101	PROPOSED BASEMENT PLAN
22 Aug 2024	853-P-102	PROPOSED GROUND FLOOR PLAN
22 Aug 2024	853-P-103	PROPOSED FIRST FLOOR PLAN
22 Aug 2024	853-P-104	PROPOSED ATTIC PLAN
22 Aug 2024	853-P-105	PROPOSED ROOF PLAN
29 Jan 2025	853-SK001	ROOFLIGHT SECTION

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 39 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.

Heritage Advice:

Historic England provides the following advice regarding internal insulation and ASHPS in respect of historic buildings:

<https://historicengland.org.uk/advice/technical-advice/retrofit-and-energy-efficiency-in-historic-buildings/upgrading-thermal-elements-installing-insulation/insulating-roofs-in-historic-buildings/> (Insulating Roofs in Historic Buildings (Historic England)).

Historic England have published - Heat Pumps in Historic Buildings - Air Source Heat Pump Case Studies - Small-scale Buildings (2023) (<https://historicengland.org.uk/images-books/publications/air-source-heat-pumps-historic-buildings/>)

Item No:	08
Application No:	24/04739/TCA
Site Location:	4 Meadow View, Radstock, Bath And North East Somerset, BA3 3QT
Ward: Radstock	Parish: Radstock LB Grade: N/A
Application Type:	Tree Works Notification in Con Area
Proposal:	Remove 1 leyland cypress nearest applicant's shed, crown lift remaining 4 leyland cypress to 2m, remove buddleia (amended description)
Constraints:	Conservation Area,
Applicant:	Cllr Eleanor Jackson
Expiry Date:	3rd February 2025
Case Officer:	Jane Brewer

DECISION NO OBJECTION

PLANS LIST:

Remove 1 leyland cypress nearest applicant's shed, crown lift remaining 4 leyland cypress to 2m, remove buddleia (amended description)