

## PLANNING COMMITTEE

### Minutes of the Meeting held

Wednesday, 9th April, 2025, 11.00 am

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

#### 105 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

#### 106 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

The following apologies for absence and substitutions were noted:

Cllr Duncan Hounsell substituting for Cllr Deborah Collins  
Cllr Sarah Evans substituting for Cllr Tim Warren.

#### 107 DECLARATIONS OF INTEREST

Cllr Lucy Hodge declared an interest in item 1 - 24/03168/REG03 - Council Cleansing Depot, Locksbrook Road, Newbridge, Bath as the Cabinet Project Lead for Council Priorities & Delivery and for Neighbourhood Services and confirmed she would be withdrawing from the meeting during discussion of that item.

In relation to agenda item 6 - 24/01135/FUL - Kennet Lodge, Kennet Park, Bathampton, Bath, Cllr Toby Simon declared that he was acquainted with the speaker from Bathampton Parish Council and confirmed that this would not affect his judgement in relation to the application.

#### 108 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

#### 109 ITEMS FROM THE PUBLIC

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

#### 110 MINUTES OF THE PREVIOUS MEETING

It was moved by Cllr Toby Simon, seconded by Cllr Fiona Gourley

**RESOLVED** that the minutes of the meeting held on Wednesday 12 March 2025 be confirmed as a correct record for signing by the Chair.

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

There were no site visit applications for consideration.

112 **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.

[Cllr Lucy Hodge withdrew from the meeting during the consideration of the first application.]

**1. 24/03168/REG03 - Council Cleansing Depot, Locksbrook Road, Newbridge, Bath**

The Case Officer introduced the report which considered an application for the change of use of an existing street cleansing depot and 24-hour car park ancillary to retain street cleansing depot with a new Recycling Centre and adjacent customer parking/drop off area with associated operational development including alteration of vehicular access; new pedestrian/cycle access; landscaping; and drainage works.

She gave a verbal update as follows:

1. Page 52 of the report referred to a Biodiversity Net Gain increase of 301.91% habitat units and should read 74% habitat units.
2. 4 additional objections had been received following the publication of the committee papers raising concerns in relation to the need for a like for like centre; location; transport and accessibility; environment impact; flooding; residential amenity; equalities; human health and pollution. These issues had already been addressed in the Committee report.

She 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 Wallace and Dr Steve Roccliffe, local residents, objecting to the application.
2. Chris Beaver, agent supporting the application.

Cllr Samantha Kelly was in attendance as ward Councillor and read a statement on behalf of herself and Cllr Michelle O'Doherty as summarised below:

1. The ward Councillors had asked that the application be determined by the

Planning Committee to allow concerns to be heard in public.

2. They acknowledged that the proposal had undergone changes to address objections, but concerns remained in relation to traffic, parking and accessibility.
3. In terms of traffic, the junction with Upper Bristol Road was a concern as there were already delays in that area. The booking system relied on full compliance, and it was likely that additional vehicles would turn up without booking. Reassurances were needed that the rules concerning pre-booking would be enforced.
4. There was a proposal for a residents parking zone, but until this was in place there were concerns about parking pressures in the area.
5. There were questions around how usable the site was for people with limited mobility.
6. There were also environmental impact concerns due to the close proximity to the River Avon and flooding and drainage needed to be monitored.
7. If the Committee was minded to approve the application, assurances were needed about these concerns.

Cllr George Tomlin was in attendance as adjacent ward Councillor and read a statement on behalf of himself and Cllr Paul Roper as summarised below:

1. They recognised that a centre was part of a strategic plan to provide facilities but there was a need to address impacts.
2. The junction with Upper Bristol Road was a key area of concern, most traffic would be turning right onto this road out of the site and this was already difficult to navigate.
3. If approved, the operation needed to be closely monitored, and enforcement action taken if necessary.
4. If the Committee was minded to approve, it was important to ensure the concerns of residents were taken seriously.

In response to Members' questions, it was confirmed:

1. The comparison with the existing site at Midland Road and its imminent closure were not material considerations, each application had to be considered on its merits.
2. Fire safety would operate in accordance with requirements and on-site equipment and procedures would be in place.
3. In terms of noise, there would be a mitigation boundary around the operation side and noise associated with reversal alarms and rollers on skips would be set to a minimum.
4. There would be no risks from hazardous waste as this would not be accepted at the site.
5. The application was in accordance with the Development Plan.
6. A highways assessment had been carried out in relation to the junction at Locksbrook Road and Upper Bristol Road the junction at Locksbrook Road and Station Road.
7. The site would operate during traffic off-peak periods and so there would not be a significant impact on junctions. There would be double yellow lines on site to prevent parking in restricted areas.
8. The car parking bays would be big enough for large cars. Vans and cars with trailers would be prohibited from the site. There had not been a swept path

analysis in relation to articulated lorries as this did not form part of this application.

9. HGV vehicles would enter the site to remove move skips when they were full. There would be an estimated 4-6 HGV movements per day.
10. In relation to issues such as air quality, odour, noise and gulls, there had either been found to be no requirement for mitigation or that impact could be addressed by mitigation.
11. There was limited potential for odour emissions as the skips would be emptied frequently.
12. The height of the bins was 2.6m and there was a 1.5m staggered ramp. Staff would also be available to assist any users who had difficulty accessing the facilities.
13. There was space for 5 vehicles to queue within the site and additional parking bays were also available.
14. Pedestrians and cyclists could access the site. There was a pedestrian access and cycle parking. Pre-booking was only required for vehicles and not for pedestrians/cyclists.
15. The site was in flood zone 2 and 3, but there would be a slight reduction in hardstanding area as a result of the development and the flood risk assessment had shown that it wouldn't increase flooding.

The Chair opened the debate and emphasised the requirement for the Committee, as a regulatory body, to make a decision on the application as submitted in the context of the relevant planning policies and not to comment on the appropriateness of alternative sites.

Cllr Duncan Hounsell stated that the application was in accordance with planning policies and there was a need for waste disposal facilities in the city of Bath. He moved the officers' recommendation to permit the development subject to the conditions set out in the report. Cllr Toby Simon suggested that the motion be "delegated to permit" to enable officers to include any additional conditions as appropriate to address concerns of local residents. The Chair suggested an additional condition to monitor the operational statement for a certain period of time. This was accepted by Cllr Duncan Hounsell as mover of the motion and seconded by Cllr Toby Simon.

Cllr Eleanor Jackson expressed concern about over development of the site.

Cllr Shaun Hughes agreed with the need for a facility in Bath but questioned whether this was the right location and stated that residents would still need to travel to Keynsham or Midsomer Norton to dispose of some waste products. He also raised concerns about the impact of traffic using the site.

Cllr Hal MacFie spoke in support of the motion and stated that the impact could be minimised by the booking system which would control the use of the site.

On voting for the motion, it was CARRIED (6 in favour and 3 against).

**RESOLVED** that officers be delegated to permit planning permission, subject to the conditions set out in the report and an additional condition to monitor the operational

statement.

[Cllr Lucy Hodge returned to the meeting]

## **2. 24/04206/OUT – The Wildland, Church Lane, East Harptree, Bristol**

The Planning Officer introduced the report which considered an outline application for the erection of 3 houses following demolition of the existing 4-bedroom house.

She 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. Diana Martin, local resident, objecting to the application.
2. Mark Cains, architect, supporting the application.

In response to Members' questions, it was confirmed:

1. In view of the revised NPPF published in December 2024, it was likely that the Council would not be able to demonstrate a 5-year housing land supply from April 2025, although the housing trajectory for the year 2025-2026 had not yet been calculated or published. This was a material consideration, but in any case, the officer view was that there was no reason to refuse the application.
2. The Chew Valley Neighbourhood Plan encouraged, rather than demanded 2-3 bed-dwellings. The Local Plan encouraged a housing mix. Officers had considered housing mix but the scheme was outline would be further assessed at the detailed stage. The officer view was that the application did not conflict with the Chew Valley Neighbourhood Plan.
3. This was an outline planning application and only access and scale were being considered at this stage with all other matters reserved.
4. There was no requirement for affordable homes for a development of 3 dwellings. The dwellings would need to be considered as market housing.
5. The appearance would be determined at the reserved matters stage, but the heights were set by the outline application.
6. Landscaping was a reserved matter and the hardstanding area in the plans was indicative.
7. Layout was also reserved but the view of officers was that the development could be achieved to satisfy residential amenity.
8. In relation to bat mitigation, a European Protected Species licence would be required prior to demolition to allow the works to proceed legally and safeguard bats.

Cllr Duncan Hounsell referred to the changes in NPPF and spoke in support of this scheme which would replace 1 dwelling with 3. He moved the officers' recommendation to permit the development. In seconding the motion, Cllr Paul Crossley stated that it was important for the bat mitigation scheme to be taken seriously.

On voting for the motion, it was CARRIED (10 in favour and 0 against - unanimous).

**RESOLVED** that planning permission be granted subject to the conditions set out in

the report.

### **3. 24/02838/TPIP - Land to south of 2, The Orchard, Stanton Drew, Bristol**

The Case Officer introduced the report which considered an application for a technical details consent for the erection of three "Passivhaus" dwellings and private allotments with associated access, drainage and hard/soft landscape works, pursuant to Permission in Principle reference 22/02743/PIP.

He gave a verbal update to recommend that officers be delegated to permit the development subject to the conditions set out in the report and additional conditions relating to landscaping and the removal of landscaping strategy proposals from the plans list.

The following public representations were received:

1. Stanton Drew Parish Council, objecting to the application (statement read in absence).
2. Rebecca Morgan, agent, supporting the application.

In response to Members' questions, it was confirmed:

1. The ecology zone had been widened to protect the badger sett and there would be badger proof fencing where the zone bordered the allotment.
2. The inclusion of allotments was part of the Permission in Principle and there would be a condition for an allotment management plan to ensure appropriate maintenance.
3. It would not be justified to ask the applicant to fund double yellow lines on the hammerhead junction as part of this application.
4. There needed to be a certain mass of form to be a Passivhaus. The size of the dwellings was consistent with other buildings in the street.
5. The proposed dwellings were considered Passivhaus homes due to the level of ventilation, layout, solar panels and insulation. Passivhaus buildings were not necessarily constructed off site.
6. It would be possible to attach an additional condition requesting further details and samples of materials to be submitted in advance.

Cllr Toby Simon spoke in support of the application and moved the recommendation that officers be delegated to permit the development with the suggested conditions and an additional condition to request further details and samples of materials to be submitted in advance. This was seconded by Cllr Fiona Gourley.

Cllr Paul Crossley spoke against the motion and expressed the view that the application constituted over development of the site.

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

**RESOLVED** that officers be delegated to permit the development subject to:

1. the conditions set out in the report.
2. additional conditions relating to landscaping and the removal of landscaping strategy proposals from the plans list.
3. an additional condition to request further details and samples of materials to be

submitted in advance.

#### **4. 23/02825/FUL - Parcel 1172, Radford Hill, Radford, Bristol**

The Case Officer introduced the report which considered an application for the change of use of the land to a single caravan pitch for a gypsy and traveller family including the siting of one static caravan, 1 touring caravan and dayroom and associated access and hardsurfacing (Part Retrospective).

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

The following public representations were received:

1. Dan Foster, agent on behalf of local residents, objecting to the application.
2. Emily Temple, agent on behalf of applicant, supporting the application.

Cllr Liz Hardman was in attendance as ward Councillor and read a statement on behalf of herself, Cllr Grant Johnson and Paulton Parish Council.

1. Supportive of the general principle of providing sites for the travelling community, but there were specific concerns in relation to this site.
2. The access was not satisfactory.
3. The entrance to the site was in flood zone 3 and the proposed dwelling was in close proximity.
4. The proposed development was out of keeping with the rural setting. It was a change in the land use and the quality of materials did not reflect the neighbouring area.
5. There would be an impact on the nearby Grade II listed building.

Cllr Shaun Stephenson McGall was in attendance and read a statement as adjacent ward Councillor and also on behalf of Timsbury Parish Council as summarised below:

1. Timsbury Parish Council had raised 4 objections to the application:
  - a. Highways and safety concerns.
  - b. The setting and nearness to the Grade II listed building.
  - c. The position of the entrance in flood zone 3.
  - d. Detrimental to rural characteristic of area.
2. He was disappointed that there was not a 5-year land supply of sites for gypsies and travellers.
3. In response to concerns about highways safety, he advised that he had secured funding in the Council's budget to implement a speed reduction through the hamlet of Radford from 60mph to 20mph.

In response to Members' questions, it was confirmed:

1. There were objections from Highways and the Conservation Officer as statutory consultees, but the lack of a 5-year land supply for gypsy and traveller sites was a significant material consideration which tilted the balance in favour of permitting the development. It was also noted that although objectors had raised concerns about highways safety, the Highways Officers' objection was about the lack of sustainable transport options and not about safety.
2. The proposal to reduce the speed limit from 60mph to 20mph was not a material

consideration as the Traffic Regulation Order was not yet in place.

3. Although the access was in flood zone 3, the living accommodation would be situated in flood zone 1.
4. Any gate could be installed as permitted development as long as it was less than 1 metre in height. In terms of permitted development, there would not be the usual rights associated with a dwelling due to the nature of the application.
5. It would be reasonable to include an additional condition to ensure the land was restored to its original use in the event of a cessation of use.
6. There would be a condition to limit the use to 1 pitch. The site was not large enough to accommodate additional pitches.
7. There was space to accommodate a washing machine in the day room and there were facilities for water and electricity on site.
8. There was a condition to screen the caravan from the views of the adjacent listed building.

Cllr Duncan Hounsell opened the debate and stated that officers had addressed concerns about highway safety, impact on the Grade II listed building and flooding, rural landscape and he recognised the significant weight of providing a pitch for the travelling community. He confirmed that he was minded to support the application.

Cllr Fiona Gourley spoke in support of the application as there was a need to provide homes for people in villages.

Cllr Eleanor Jackson moved the officers' recommendation with an additional condition to ensure the land was restored to its original use in the event of a cessation of use. This was seconded by Cllr Lucy Hodge.

On voting for the motion, it was CARRIED (10 in favour, 0 against - unanimous).

**RESOLVED** that permission be granted subject to the condition set out in the report and an additional condition to ensure the land was restored to its original use in the event of a cessation of use.

## **5. 25/00409/FUL - 41 Freeview Road, Twerton, Bath**

The Case Officer introduced the report which considered an application for a change of use from a 3-bedroom dwellinghouse (Use Class C3) to a 6-bedroom House in Multiple Occupation (HMO) (Use Class C4) with rear extension and provision of bike store.

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

There were no statements from members of the public.

In response to Members' questions, it was confirmed:

1. The bedroom size exceeded the minimum standard of 2.51m<sup>2</sup>
2. The property was link attached to the neighbouring property, which was also an HMO, but there would not be sandwiching of residential properties between HMOs and so the application it was policy compliant.



The Chair confirmed that he had agreed to the request for the application to be brought to Committee as the increasing number of HMOs was an ongoing issue for certain wards and it was important to be transparent about the policy context.

Cllr Shaun Hughes questioned whether such applications should be brought to Planning Committee when they complied with current policy as it was not within the remit of the committee to rewrite policies.

Cllr Paul Crossley asked the Chair to write to the Cabinet Member for Built Environment, Housing and Sustainable Development, Cllr Matt McCabe on behalf of the Planning Committee to request a review of current policy relating to HMOs. He suggested that the limit in a 100m radius be reduced from 10% to 5%. He expressed concern that the increase in HMOs, which were often used as student accommodation, was resulting in less housing being available for families. He also stated that universities should be responsible for providing more student accommodation.

Members also raised the following general points in relation to HMOs:

1. There was a need for up-to-date information on the number of HMOs, recognising that some were not registered.
2. The demand for family housing was reflected in the number of families on the waiting list for housing.
3. The HMO policy should be extended beyond the city of Bath to the rest of the B&NES district.
4. HMOs were often an affordable alternative for students to purpose built accommodation and allowed them to integrate in the community.
5. HMOs were not just for students; they were also an affordable housing option for young professionals.

In relation to the application, Cllr Toby Simon moved the officers' recommendation stating that it was policy compliant. This was seconded by Cllr Eleanor Jackson.

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

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

## **6. 24/01135/FUL - Kennet Lodge, Kennet Park, Bathampton, Bath**

The Case Officer introduced the report which considered an application for the reconfiguration and alteration of an existing dwelling, including a single storey extension to the north of the property, and an additional storey of first floor bedroom accommodation to replace existing pitched roof of chalet bungalow.

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. Lin King, Bathampton Parish Council
2. Ian Dewey, on behalf of local residents, objecting to the application.
3. Sasha Berezina, agent, supporting the application.

Cllr Sarah Warren read a statement as ward Councillor summarised as below:

1. The application included a substantial side extension as well as a first-floor extension.
2. The original building was modest, it was not a chalet bungalow and did not previously have living accommodation above the ground floor.
3. The proposal was overbearing and intrusive to neighbours and would result in a loss of privacy and residential amenity.
4. The proposed extension to the footprint was out of proportion and out of line with provisions within Policy D7 supporting infill development.
5. There were concerns over the impact on watercourses.
6. The planning process had been long and drawn out with many submissions and revisions.

She asked the Committee to refuse the application, but if minded to permit, to ensure there were strong conditions to protect neighbouring properties.

In response to Members' questions, it was confirmed:

1. Although the Conservation Officer had objected to previous iterations, there was no longer an objection to the latest plans. Permission would not have been recommended if there was an outstanding objection from the Conservation Officer.
2. Officers had undertaken an analysis of overlooking and had visited neighbouring properties but had concluded that the impact would not be harmful.
3. The condition to remove permitted development rights was a cautionary approach to prevent further development.
4. The proposed roofing material would be slate tiles.

Cllr Eleanor Jackson proposed that a decision be deferred for a site visit to help understand the layout of the site and its relationship with adjoining properties. This was seconded by Cllr Lucy Hodge.

Cllr Paul Crossley spoke against the motion and stated that there was enough information in the officers' report to make a decision without the need for a site visit.

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

**RESOLVED** that a decision be deferred pending a site visit.

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

Cllr Eleanor Jackson thanked officers for their work in defending appeals, especially in relation to 22/02169/EOUT - parcel 4234 Combe Hay Lane, Combe Hay Bath.

**RESOLVED** that the report be noted.

The meeting ended at 4.17 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

This page is intentionally left blank

# **BATH AND NORTH EAST SOMERSET COUNCIL**

## **MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT THE MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 9 APRIL 2025**

<b>MAIN PLANS LIST</b>			
<b>ITEM NO.</b>	<b>SITE NAME</b>	<b>NAME</b>	<b>SUPPORTING/ OBJECTING/ REPRESENTING</b>
1	24/03168/REG03 - Council Cleansing Depot, Locksbrook Road, Newbridge, Bath	Tim Wallace, local resident	Objecting
		Dr Steve Rocliffe, local resident (5 minutes in total)	
		Chris Beaver, agent (5 minutes)	Supporting
		Cllr Samantha Kelly on behalf of herself and Cllr Michelle O'Doherty (5 minutes)	Ward Councillor
		Cllr George Tomlin on behalf of himself and Cllr Paul Roper (5 minutes)	Adjacent Ward Councillor
2	24/04206/OUT - The Wildland, Church Lane, East Harptree, Bristol	Diana Martin, on behalf of local residents	Objecting
		Mark Cains, architect	Supporting
3	24/02838/TPIP - Land to south of 2, The Orchard, Stanton Drew, Bristol	Julie Bragg, Clerk Stanton Drew Parish Council (statement to be read in absence)	Parish Council
		Rebecca Morgan, agent	Supporting
4	23/02825/FUL - Parcel 1172, Radford Hill, Radford, Bristol	Dan Foster, agent on behalf of local residents	Objecting
		Emily Temple, agent on behalf of applicant	Supporting

		Cllr Liz Hardman (on behalf of herself Cllr Grant Johnson and Paulton Parish Council)	Ward Councillor
		Cllr Shaun Stephenson-McGall (on behalf of himself and Timsbury Parish Council)	Adjacent Ward Councillor
5	25/00409/FUL - 41 Freeview Road, Twerton, Bath	NO SPEAKERS	
6	24/01135/FUL - Kennet Lodge, Kennet Park, Bathampton, Bath	Lin King	Bathampton Parish Council
		Ian Dewey, on behalf of local residents	Objecting
		Sasha Berezina	Supporting
		Cllr Sarah Warren	Ward Councillor

**BATH AND NORTH EAST SOMERSET COUNCIL**

**PLANNING COMMITTEE**

**9th April 2025**

**DECISIONS**

<b>Item No:</b>	01
<b>Application No:</b>	24/03168/REG03
<b>Site Location:</b>	Council Cleansing Depot, Locksbrook Road, Newbridge, Bath
<b>Ward:</b> Newbridge	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Regulation 3 Application
<b>Proposal:</b>	Change of use of existing street cleansing depot and 24-hour car park ancillary to the adjacent VW Dealership to retained street cleansing depot with a new Recycling Centre and adjacent customer parking / drop off area with associated operational development including: alteration of vehicular access; new pedestrian / cycle access; landscaping; and drainage works.
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B1 Bath Enterprise Area, Policy B3 Bath Riverside Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Contaminated Land, Policy CP9 Affordable Housing, Policy ED2A Primary Industrial Estates, Flood Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, Policy NE3 SNCI, Ecological Networks Policy NE5, NRN Wetland Strategic Network Policy NE5, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
<b>Applicant:</b>	B&NES Council
<b>Expiry Date:</b>	10th April 2025
<b>Case Officer:</b>	Samantha Mason

**DECISION    PERMIT**

**1 Standard Time Limit (Compliance)**

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

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

## **2 Detailed Arboricultural Method Statement (Pre-Commencement)**

No development shall take place until a Detailed Arboricultural Method Statement with revised 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, 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.

## **3 Arboricultural Compliance Statement (Bespoke Trigger)**

No development or other operations shall take place except in complete accordance with the approved Detailed Arboricultural Method Statement. 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.

## **4 Replacement Tree Planting (Compliance)**

All replacement tree planting works shall be carried out in accordance with the Landscape Plan ( 322\_GLA\_XX\_XX\_DR\_L\_1001 P1) and shall be undertaken during the next available planting season following completion unless agreed in writing by the Local Planning Authority. The works shall be carried out to a reasonable standard and maintained in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice to promote successful establishment eg BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations.

Any trees indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees of a species and size to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure replacement trees are provided and to provide an appropriate landscape setting for the development in accordance with Policy NE6 of the Bath and North East Somerset Local Plan Partial Update.



### **5 Archaeology Watching Brief (Pre-commencement)**

No development shall commence, except archaeological investigation 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, 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 condition precedent because archaeological remains and features may be damaged by the initial development works

### **6 Remediation Scheme (Pre-Commencement)**

No development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken;
- (ii) proposed remediation objectives and remediation criteria;
- (iii) timetable of works and site management procedures; and,
- (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 15 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

### **7 Verification Report (Pre-Occupation)**

No occupation shall commence until a verification report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved in

writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 15 of the National Planning Policy Framework.

### **8 Unexpected Contamination (Compliance)**

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 15 of the National Planning Policy Framework.

### **9 Flood Warning Evacuation Plan (Pre-occupation)**

No occupation of the development shall commence until a Flood Warning Evacuation Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall address the matters required pursuant to section 10 of the National Planning Policy Framework and the National Planning Practice Guidance. Thereafter the approved Flood Warning Evacuation Plan shall be implemented in perpetuity.

Reason: To limit the risk of flooding by ensuring the provision of satisfactory means of flood management and incident response on the site in accordance with paragraph 17 and section 10 of the National Planning Policy Framework.

### **10 Construction Environmental Management Plan (CEMP): Biodiversity (Pre-commencement)**

No development shall take place (including demolition, groundworks and vegetation clearance)

until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. These details shall be in accordance with (but not limited to) the recommendations and proposed mitigation described in the approved Ecological Impact Assessment (ethos, 2024), including;

- a) Risk assessment of potentially damaging construction activities;
- b) boundaries of mapped exclusion zones for the protection of ecologically sensitive species or retained habitats and features, with boundaries shown to scale on a plan, and details and specifications for proposed fencing, barriers and warning signs, as applicable;
- c) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;

- d) The times and frequency of visits during construction when a professional ecologist needs to be present on site to oversee works;
- e) Responsible persons and lines of communication;
- f) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), to include the location, timing and methodologies of specified works to avoid harm to wildlife and sensitive features.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: to avoid harm to existing and retained habitats and species during site preparation and construction works.

NB The above condition is required to be pre-commencement as it involves the approval of measures to ensure the protection of wildlife that would be otherwise harmed during the site preparation and construction phases.

### **11 Biodiversity Gain and Habitat Management Plans (Pre-commencement)**

No development shall commence until full details of a Biodiversity Gain Plan for on-site delivery and monitoring of Biodiversity Net Gain and a Habitat Management Plan have been submitted to and approved in writing by the Local Planning Authority. The Plans shall deliver 0.21 habitat units. The plans must also include details of 0.063 water course units which will be purchased off-site. The Plans shall be in accordance with the approved Biodiversity Net Gain Assessment and calculation, and with current best practice guidelines and shall include the following:

1. An up-to-date BNG habitat map for on-site proposed habitats.
2. Habitat Management Plan, long-term management and protection measures for all retained and proposed habitats and species, including fencing and boundary details.
3. Long-term aims and objectives for habitats (extents, quality) and species.
4. Detailed management prescriptions and operations for newly created habitats; locations, timing, frequency, durations; methods; specialist expertise (if required), specialist tools/machinery or equipment and personnel as required to meet the stated aims and objectives.
5. A detailed prescription and specification for the management of boundary habitats including any hedgerows, woodland and scrub.
6. Details of any management requirements for species-specific habitat enhancements.
7. Annual work schedule for at least a 30-year period.
8. 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; disposing of grass cuttings/arising in "compost" heaps on-site or in hedgerows (or other on-site waste disposal); routinely cutting ivy where there is no specific arboricultural justification; inappropriate maintenance methods; storage of materials; machine or vehicle access).
9. Detailed monitoring strategy for habitats and species and methods of measuring progress towards and achievement of stated objectives.
10. Details of proposed reporting to the Local Planning Authority and proposed review and remediation mechanism.
11. Proposed costs, 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 in accordance with policy D5e of the Bath and North East Somerset Placemaking Plan and policies NE3, NE3A and NE5 of the Bath and North East Somerset Local Plan Partial Update and the Environment Act 2021.

NB The above condition is required to be pre-commencement in accordance with statutory guidance.

## **12 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. Combined external and internal light spill modelling. Predicted lux levels and light spill modelled on both the horizontal and vertical planes using a maintenance factor of 1 (to correspond with day 1 of operation). This must demonstrate that the proposal will not result in light spill above 0.5 lux onto any retained horseshoe bat habitat (namely the southern boundaries). The lighting strategy must ensure that all commuting corridors remain below 0.5 lux to enable horseshoe bats to continue to move in suitable habitat.
3. Measures to limit use of lights when not required, to prevent upward light spill and to prevent light spill onto nearby vegetation and adjacent land, and to avoid harm to bat activity and other wildlife. The lighting shall be installed maintained and operated thereafter in accordance with the approved details.

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

## **13 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 (licenced 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 CEMP and 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 and other species including precautionary working methods and pre-commencement checks were followed and that all replacement features have been installed and are in accordance with approved details, dimensions, materials and specifications.

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) the NPPF and policies NE3, NE3A; NE5 and D5e of the Bath and North East Somerset Local Plan.

#### **14 Operational Hours (Compliance)**

The development hereby permitted shall operate only, between the hours 0800-1800 (Monday to Friday), 0800-1300 (Saturday) and 0900-1300 (Sunday).

Reason: To protect neighbouring residents from exposure to environmental noise.

#### **15 Noise Mitigation (Compliance)**

The development shall be constructed in accordance with the noise mitigation detailed in section 6 of Commercial Noise Assessment, dated 13/08/24.

Reason: To protect neighbouring residents from exposure to environmental noise.

#### **16 Gull Management Plan (Compliance)**

The development hereby permitted shall in accordance with the submitted Gull Management Strategy submitted on the 23rd December 2024

Reason: In the interest of residential amenity of future occupiers in accordance with policy D6 of the Bath and North East Somerset Local Plan Partial Update.

#### **17 Flood Risk Assessment (Compliance)**

The development shall be carried out in accordance with the submitted flood risk assessment (Flood Risk Assessment and Drainage Strategy by Campbell Reith Dated 09 August 2024 Ref 13940) and the mitigation measures detailed on pages 31 and 32.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants

#### **18 Construction Management Plan (Pre-commencement)**

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the following:

1. Deliveries (including storage arrangements and timings);
2. Contractor parking;
3. Traffic management;
4. Working hours;
5. Site opening times;
6. Wheel wash facilities;
7. Site compound arrangements;
8. Measures for the control of dust;

9. Temporary arrangements for householder refuse and recycling collection during construction.

The construction of the development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure the safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan and ST7 of the Bath and North East Somerset Local Plan Partial Update. This is a pre-commencement condition because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

#### **19 Highway Works (Pre-occupation)**

No occupation of the development shall commence until the highway works shown on drawing number 23071-GA01 Rev C has been provided. There shall be no on-site obstruction exceeding 600mm above ground level within the visibility splay. The visibility splay shall be retained permanently thereafter.

Reason: To ensure that the development is served by a safe and suitable means of access in accordance with Policy ST7 of the Bath and North East Somerset Local Plan Partial Update.

#### **20 Operational Statement (Compliance)**

Prior to occupation or use hereby permitted is commenced, evidence that the pre-occupation elements of the approved Operational Statement have been put in place shall be prepared, submitted to and approved in writing by the Local Planning Authority. The approved Statement shall then be implemented, monitored and reviewed in accordance with the agreed Statement to the satisfaction of Local Planning Authority unless agreed in writing by the Local Planning Authority.

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

#### **21 Queue Monitoring (Bespoke Trigger)**

Within 4 months of the first operation of the waste and recycling centre use hereby permitted, the first 4 months of monitoring data for bookings and off-site queuing shall be submitted to and approved in writing by the Local Planning Authority. Should the monitoring data indicate queuing associated with the operation of the waste and recycling centre use is occurring, then the submission should be accompanied by further measures intended to mitigate and/or reduce this queuing (including but not limited to amendments to the operational statement) and a timetable for their implementation. Thereafter, the waste and recycling centre shall operate in accordance with the approved mitigation measures which shall be implemented in accordance with the approved details and timetable.

Reason: To prevent queuing on Locksbrook Road in the interests of highways safety and residential amenity in accordance with policy ST7 and D6 of the Bath and North East Somerset Local Plan Partial Update.

## 22 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:

20 Aug 2024	13940-Crh-Xx-Xx-Dr-C-5049-P2	Existing Drainage Layout
20 Aug 2024	3897-Sra-00-Xx-D-A-PI-120-P02	Site Demolition Plan
20 Aug 2024	3897-Sra-00-Xx-D-A-PI-155-P01	Proposed Site Landscape Plan
20 Aug 2024	3897-Sra-00-Zz-D-A-PI-111-P01	Existing North & South Site Context Elevations
20 Aug 2024	3897-Sra-00-Zz-D-A-PI-112-P01	Existing East & West Site Context Elevations
20 Aug 2024	3897-Sra-00-Zz-D-A-PI-115-P01	Existing Site Context Sections
12 Nov 2024	3897-Sra-00-Zz-D-A-PI-001 P04	Site Location Plan
12 Nov 2024	13940-Crh-Xx-Xx-Dr-C-5050 P6	Proposed Drainage Layout
12 Nov 2024	23071-Ga01 C	Proposed Site Access Arrangements
12 Nov 2024	23071-Ga02 B	Proposed Site Access Details
12 Nov 2024	23071-Spa01 D	Tracking Of Ro-Ro Skip Lorries
12 Nov 2024	23071-Spa03	Swept Path Assessment Of Public Unloading
12 Nov 2024	240725-Brf-Tcp-Nb	Tree Constraints Plan
12 Nov 2024	241025-Brf-Aia-Rev C-Nb&Am	Arboricultural Impact Assessment Plan
12 Nov 2024	241025-Brf-Tpp-Rec C-Nb&Am	Tree Protection Plan
12 Nov 2024	322_Gla_00_Gs_Dr_L_3504 P1	Elevation Dd
12 Nov 2024	322_Gla_Xx_Xx_Dr_L_1001 P1	Landscape Plan
12 Nov 2024	322_Gla_Xx_Xx_Dr_L_3501 P1	Section Aa
12 Nov 2024	322_Gla_Xx_Xx_Dr_L_3502 P1	Section Bb
12 Nov 2024	322_Gla_Xx_Xx_Dr_L_3503 P1	Section Cc
12 Nov 2024	3897-Sra-00-Zz-D-A-PI-100 P03	Existing Site Block Plan
12 Nov 2024	3897-Sra-00-Zz-D-A-PI-150 P05	Proposed Site Block Plan
12 Nov 2024	3897-Sra-00-Zz-D-A-PI-161 P03	Proposed North And South Site Context Elevations
12 Nov 2024	3897-Sra-00-Zz-D-A-PI-162 P03	Proposed East And West Site Context Elevations
12 Nov 2024	3897-Sra-00-Zz-D-A-PI-171 P03	Proposed Site Context Sections
12 Nov 2024	4830 X Xx J 3010 P3	External Lightin Site Layout Lux Contours

### INFORMATIVE

The proposal should be discussed with the Canal and River Trust Infrastructure Services Team to ensure the proposal complies with the Trusts' Code of Practice for works affecting the Canal and River Trust.

## **INFORMATIVE**

### **Flood Risk Activity Permit**

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place: o on or within 8 metres of a main river (16 metres if tidal). o on or within 8 metres of a flood defence structure or culverted main river (16metres if tidal). o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert. o in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity

### **Waste - Environmental Permit**

This development may require a change to an existing environmental permit or a new environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12.

### **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](http://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 - Standard Informative**

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

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

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

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

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

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

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

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

### **Community Infrastructure Levy - General Note for all Development**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL may apply to new

developments granted by way of planning permission as well as by general consent (permitted development) and may apply to change of use permissions and certain extensions. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council **before any development commences**.

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

### **Community Infrastructure Levy - Exemptions and Reliefs Claims**

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

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

<b>Item No:</b>	02	
<b>Application No:</b>	24/04206/OUT	
<b>Site Location:</b>	The Wildland , Church Lane, East Harptree, Bristol	
<b>Ward:</b> Mendip	<b>Parish:</b> East Harptree	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Outline Application	
<b>Proposal:</b>	Erection of 3no dwellinghouses following demolition of 1no 4 bed dwellinghouse.	
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Policy CP3 Solar and Wind Landscape Pote, Policy CP9 Affordable Housing, Housing Development Boundary, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Ecological Networks Policy NE5, Strategic Nature Areas Policy NE5, NRN Woodland Strategic Networ Policy NE5, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Mr Philip Evans	
<b>Expiry Date:</b>	3rd January 2025	
<b>Case Officer:</b>	Danielle Milsom	

**DECISION** PERMIT as per Officer recommendation

<b>Item No:</b>	03	
<b>Application No:</b>	24/02838/TPIP	
<b>Site Location:</b>	Land To South Of 2, The Orchard, Stanton Drew, Bristol	
<b>Ward:</b> Chew Valley	<b>Parish:</b> Stanton Drew	<b>LB Grade:</b> N/A
<b>Application Type:</b>	PIP Technical Details	
<b>Proposal:</b>	Technical Details Consent for erection of three "Passivhaus" dwellings and private allotments with associated access, drainage and hard/soft landscape works, pursuant to Permission in Principle reference 22/02743/PIP.	
<b>Constraints:</b>	Bristol Airport Safeguarding, Norton Malreward Unlicensed Airstrip, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Policy GB2 Infill Boundary, Housing Development Boundary, LLFA - Flood Risk Management, Policy M1 Minerals Safeguarding Area, All Public Rights of Way Records, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Freemantle Developments Ltd	
<b>Expiry Date:</b>	10th April 2025	
<b>Case Officer:</b>	Ben Burke	

**DECISION** Delegate to PERMIT subject to conditions

Item No:	04	
Application No:	23/02825/FUL	
Site Location:	Parcel 1172, Radford Hill, Radford, Bristol	
Ward: Paulton	Parish: Paulton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use of the land to a single caravan pitch for a gypsy and traveller family including the siting of one static caravan, 1 touring caravan and dayroom and associated access and hardsurfacing (Part Retrospective)	
Constraints:	Agric Land Class 1,2,3a, Policy CP3 Solar and Wind Landscape Pote, Policy CP9 Affordable Housing, Flood Zone 2, Flood Zone 3, LLFA - Flood Risk Management, Policy NE1 Green Infrastructure Network, Ecological Networks Policy NE5, NRN Grassland Strategic Netwo Policy NE5, Strategic Nature Areas Policy NE5, SSSI - Impact Risk Zones,	
Applicant:	Mr John Jones	
Expiry Date:	29th February 2024	
Case Officer:	Sam Grant	

**DECISION** Delegate to PERMIT subject to additional condition

<b>Item No:</b>	05	
<b>Application No:</b>	25/00409/FUL	
<b>Site Location:</b>	41 Freeview Road, Twerton, Bath, Bath And North East Somerset	
<b>Ward:</b> Twerton	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Change of use from a 3 bedroom dwellinghouse (Use Class C3) to a 6 bedroom House in Multiple Occupation (HMO) (Use Class C4) with rear extension and provision of bike store.	
<b>Constraints:</b>	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 CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Grassland Strategic Netwo Policy NE5, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Rivers Birtwell	
<b>Expiry Date:</b>	10th April 2025	
<b>Case Officer:</b>	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 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage has been provided in accordance with the details which have been approved by the Local Planning Authority. The storage shall be retained permanently thereafter.

Reason: To secure adequate off-street parking provision for bicycles to promote sustainable transport use in accordance with Policy ST7 of the Bath and North East Somerset Local Plan.

### 3 EPC Certificate (Pre occupation)

Following construction of the approved extension and prior to first occupation of the House in Multiple Occupation hereby approved an Energy Performance Certificate showing that the property has an EPC rating of C, B or A shall be submitted to the local planning authority and approved in writing.

Reason: To ensure the property has a EPC Rating of C, B or A in accordance with the Bath and North East Somerset Houses in Multiple Occupation Supplementary Planning Document, and Policies H2 and CP1 of the Local Plan Partial Update.

#### **4 Plans List (Compliance)**

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

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

#### **PLANS LIST:**

30 Jan 2025 3060.01 EXISTING  
30 Jan 2025 3060.02 PROPOSED  
30 Jan 2025 EPC UPGRADE  
30 Jan 2025 EPC IMPROVEMENT REPORT

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

## **Community Infrastructure Levy - Exemptions and Reliefs Claims**

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

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

<b>Item No:</b>	06		
<b>Application No:</b>	24/01135/FUL		
<b>Site Location:</b>	Kennet Lodge , Kennet Park, Bathampton, Bath		
<b>Ward:</b> Bathavon North	<b>Parish:</b> Bathampton	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Reconfiguration and alteration of existing dwelling, including a single storey extension to North of property, and an additional storey of first floor bedroom accommodation to replace existing pitched roof of chalet bungalow.		
<b>Constraints:</b>	Colerne Airfield Buffer, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, British Waterways Major and EIA, British Waterways Minor and Householders, Policy CP3 Solar and Wind Landscape Pote, Policy CP9 Affordable Housing, Housing Development Boundary, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, NRN Wetland Strategic Network Policy NE5, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr Nathan Sheppard		
<b>Expiry Date:</b>	10th April 2025		
<b>Case Officer:</b>	Ed Allsop		

**DECISION**    Defer for site visit