

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday 7th May 2025, 11.00 am

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

114 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

115 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Cllr Duncan Hounsell was substituting for Cllr Deborah Collins who had submitted apologies for absence.

Cllr Colin Blackburn was substituting for Cllr Tim Warren who had submitted apologies for absence.

116 DECLARATIONS OF INTEREST

There were no declarations of interest.

117 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

Cllr Ian Halsall announced that this would be his last meeting as Chair of the Planning Committee and thanked the Committee and officers for their support.

The Committee thanked Cllr Halsall for chairing the Planning Committee during the 2024-25 municipal year.

118 ITEMS FROM THE PUBLIC

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

119 MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting held on Wednesday 9 April 2025 be confirmed as a correct record and signed by the Chair.

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

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 a chalet bungalow. The application had been deferred from the previous meeting pending a visit to the site.

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. Graeme Robinson, on behalf of local residents, objecting to the application.
2. Sasha Berezina, agent, supporting the application.

In response to Members' questions, it was confirmed:

1. There was no specific definition of over-development, but a judgement was made on the amount of space, proximity to neighbours and amenity space. It was the officer's view that this application did not constitute over-development.
2. The increase in ridge height was 0.7m and officers considered this to be acceptable.
3. The volume increase had not been calculated as the application was not in the green belt.
4. There would not be any windows on the single storey extension facing the neighbouring property, Willow House to the north of the site. There would be new dormer windows as part of the development, but it was not considered that these would result in overlooking due to the distances from other properties.
5. The application was considered to be a sensitive design and not out of keeping with the surrounding area.
6. Officers did not consider screening was necessary, but the Committee could take a different view and agree to include an additional condition.
7. There was no Neighbourhood Plan for this area.

Cllr Toby Simon opened the debate, he confirmed that the site visit had been helpful and concluded that the development would sit well in the plot. He moved the officers' recommendation to permit the application. This was seconded by Cllr Duncan Hounsell.

Following comments raised by other members, Cllr Toby Simon agreed to amend his motion to delegate officers to permit the application, subject to giving consideration to including a condition requiring the screening of the development. Cllr Duncan Hounsell confirmed that he would support this change as seconder of the motion.

Cllr Paul Crossley spoke against the motion due to the loss of green space and impact on wildlife and expressed the view that the application was an over development of the site.

Cllr Shaun Hughes concurred with these views and agreed with the concerns raised by the Parish Council.

Cllr Colin Blackburn also expressed concerns about the impact on residential amenity and increase in ridge height.

On voting for the motion, it was CARRIED (7 in favour and 3 against).

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

conditions set out in the report and consideration of whether it would be appropriate to include an additional condition relating to screening of the site to protect residential amenity.

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

1. 24/03831/FUL - Pines Way, Westmoreland, Bath

The Case Officer introduced the report which considered an application for the redevelopment of the site to provide residential dwellings (Class C3), shared living (Sui Generis), flexible commercial floorspace (Use Class E), amenity space, car and cycle parking provision, with pedestrian and vehicular access, servicing arrangements, public realm works, landscaping and associated works.

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

(1) Authorising the Head of Legal and Democratic Services to enter into a Section 106 Agreement to cover the following:

1. Affordable Housing/Commuted Sum of £1,000,000 commuted sum.
2. Contribution towards Fire Hydrants.
3. Contribution of £33,275 towards Targeted Training and Recruitment.
4. Travel Plan bond of £37,100 over 5 years plus the monitoring fee of £4,775.
5. Reasonable but commercially prudent endeavours to secure a cycle route access via Crest Nicholson Land to the west of the site.
6. Contribution of £897,837 towards Parks and Recreation.
7. Contribution of £367,245 towards the Council's carbon offsetting fund.
8. Monitoring fees contribution £486 per obligation.

(2) the conditions set out in the report, or such conditions as may be appropriate.

The following public representations were received:

1. Victoria Manston, applicant, speaking in support of the application.

In response to Members' questions, it was confirmed:

1. The previous planning application and subsequent appeal decision, although no longer extant, was a material consideration as the Inspector had set out parameters for developing the site including building heights, massing and materials.
2. The previous application would not be a fallback position as it was no longer extant.
3. The Committee also needed to take tilted balance into account as the Council no longer had a 5-year land supply for housing.
4. There were wheelchair accessible flats included as part of the development. In addition, the developer had consulted a charity to advise on site accessibility for visually impaired people.
5. Historic England had not formally submitted the application to UNESCO. Minor amendments had been made to the roofscape to address original comments. The latest consultation response from Historic England was that the proposed

- development would be at the lower end of the scale of less than significant harm.
6. In relation to the weight given to the comments of Bath Preservation Trust, officers had concluded that there was less than substantial heritage harm and this was outweighed by the public benefits of the scheme which would provide housing on a brownfield site allocated for housing.
 7. There were mitigations in place to prevent south facing bedrooms from getting too hot including Passivhaus design measures and solar controlled glass.
 8. It was not considered appropriate to include further safeguards to prevent students living in the accommodation. The development was not purpose-built student accommodation but students could choose to live in any build to rent scheme. Marketing would not be directed at students. If there was a high level of students living in the development, this would result in a change of use.
 9. The self-contained units for co-living would have individual kitchen and bathrooms in addition to shared areas.
 10. There had been a lot of discussions around brick colour and the Conservation Officer had agreed the red brick was acceptable as a link with the strong industrial heritage of the site.
 11. The details of the £1m commuted sum would be agreed as part of the Section 106 Agreement, but it was likely that the sum would be required at the pre-occupation stage. The sum was arrived at as part of the viability assessment which had been tested by independent assessors and discussed at length with the Council's housing team.
 12. The sizes of rooms in the build-to-rent accommodation complied with the required standards and some were larger than the standard.
 13. There was 1 car club space included as part of the development; any additional car club spaces would need to be commercially viable. It was unlikely that residents of the new development would be eligible to apply for residents parking permits for zones outside the site.

Cllr Ian Halsall opened the debate as ward Councillor. He confirmed that he had not received any representations from local residents and that there had been a good level of public engagement. He expressed the view that it was a good location in terms of sustainability, it would attract a diverse mix of residents and there had been a lot of discussions around design.

As adjacent ward Councillor, Cllr Colin Blackburn confirmed that public engagement had been good and expressed the view that the shared living option would encourage young professionals to stay in the area which would benefit local employment.

Cllr Fiona Gourley referred to the work being led by previous councillor, Neil Butters, to commemorate the railway heritage of the site and requested that the developers engage with the project to celebrate the industrial heritage of the site.

Cllr Paul Crossley stated that the scheme was well thought through and had been adapted and modified to address concerns. He moved the recommendation to give delegated authority to officers to permit the application. This was seconded by Cllr Duncan Hounsell.

Cllr Lucy Hodge referred to landscape design proposals and requested that priority be given to people over vehicles in finalising the designs.

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

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

(1) Authorising the Head of Legal and Democratic Services to enter into a Section 106 Agreement to cover the following:

1. Affordable Housing/Commuted Sum of £1,000,000 commuted sum.
2. Contribution towards Fire Hydrants.
3. Contribution of £33,275 towards Targeted Training and Recruitment.
4. Travel Plan bond of £37,100 over 5 years plus the monitoring fee of £4,775.
5. Reasonable but commercially prudent endeavours to secure a cycle route access via Crest Nicholson Land to the west of the site.
6. Contribution of £897,837 towards Parks and Recreation.
7. Contribution of £367,245 towards the Council's carbon offsetting fund.
8. Monitoring fees contribution £486 per obligation.

(2) the conditions set out in the report, or such conditions as may be appropriate.

2. 24/03894/FUL - Parcel 2882, Water Lane, Paulton, Bristol

The Planning Officer introduced the report which considered an application for the temporary installation of a ground-mounted solar photovoltaic (PV) farm with battery storage along with continued agricultural use, ancillary infrastructure and security fencing, landscaping provision, ecological enhancements and associated works.

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. Jane Lewis and Richard Slater, local resident, objecting to the application.
2. Chloe Brown, agent and Callum Wright, applicant, supporting the application.

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

1. Support in principle and understand the need for solar farms.
2. Welcome the mitigations particularly around impact of noise.
3. Concern in relation to the access to the site, especially during the construction period.
4. Questioned whether the money offered by the applicant to benefit the community would be enough and further information was required on how this would be split between parishes.
5. Overall, the advantages outweighed the disadvantages and with the proposed mitigations the application should be approved.

In response to Members' questions, it was confirmed:

1. The land was graded as 3a agricultural land and was not protected under policy (which protected grades 1 and 2).
2. The access to the site had been considered in detail and there would be a one-way delivery system in place during the construction phase.

3. The mitigation for Field D which was positioned next to residential development was the existing hedgerow which would provide screening. There would be a change in outlook but not significant harm.
4. The site had been assessed by an archaeological expert.
5. The land could be used for grazing and would return to agricultural land at end of the permission.
6. Avon Fire and Rescue Service had been consulted and did not raise any comments. Fire appliances could access the site and there was specific legislation and guidance from the fire service in relation to the storage of the equipment.
7. The energy could not be isolated for the use of the local community and would feed into the national grid. Significant weight was given to the production of green energy.
8. In terms of preventing vandalism, Avon and Somerset Police had given advice on designing out crime.
9. A Landscape Sensitivity Assessment had previously been carried out to provide guidance for best location for solar developments which scored areas in the district. This site had a low score due to landscaping, but this did not preclude it as a site as long as there were mitigations.
10. Consideration could be given to more mature planting so that there wasn't a 10 year wait for landscaping to screen the development.
11. In terms of construction traffic, there was a commitment in the transport statement to avoid peak hours.
12. The 45-year timeline was likely to relate to the life of the equipment.

Cllr Shaun Hughes opened the debate as ward Councillor. He stated that he did not think the site was suitable as it was grade 3a agricultural land; access was via a single-track lane; and there would be an impact on visual amenity as the site would not be screened until the landscaping matured. He recommended that the Committee undertake a site visit before making a decision. He also expressed concern about recent fires at similar sites.

Cllr Eleanor Jackson also expressed concern about the location, and particularly Field D which was sited next to residential dwellings.

Cllr Duncan Hounsell referred to the importance of this type of application and the Council's commitment to addressing the climate emergency. He stated that he was minded to support the application and also commented that regular access to the site would not be required once the site was constructed.

Cllr Lucy Hodge spoke in support of the value of solar farms but shared concerns about the screening mitigation not being effective until after 10 years. She moved that a decision be deferred pending a visit to the site. This was seconded by Cllr Fiona Gourley.

On voting for the motion, it was CARRIED (6 in favour and 2 against and 2 abstentions).

RESOLVED that a decision be deferred pending a site visit.

3. 24/02841/FUL - Little Horse Croft Farm, Ford Road, Wellow

The Case Officer introduced the report which considered an application for the retention of contractors' compound as additional agricultural hardstanding.

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. Michael Clarkson, Wellow Parish Council, objecting to the application.
2. Frank Shellard, applicant, supporting the application.

In response to Members' questions, it was confirmed:

1. Officers were satisfied the use was agricultural. The barns were used for storing tractors and farm machinery.
2. Wessex Water had not removed the hardstanding pending the outcome of the planning application which had been submitted before the hardstanding needed to be removed.
3. The application would remove the need for vehicles associated with the development site to park on the verge.

Cllr Fiona Gourley opened debate as ward councillor and spoke in support of the application.

Cllr Paul Crossley moved the officer recommendation to permit the application. This was seconded by Cllr Toby Simon.

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

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

4. 24/04465/FUL - The Hollies, Charlton Road, Keynsham, Bath And North East Somerset

The Case Officer introduced the report which considered an application for the subdivision of land and conversion of existing residential annexe to a dwelling.

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

There were no public speakers.

In response to Members' questions, it was confirmed:

1. There was no vehicular access, but the site was in a sustainable location. If a future occupier had a car, they would need to park off site.
2. The entrance to the site was not constrained by the location of a lamppost.
3. The dwelling was discreet in terms of character and appearance.
4. It would not be reasonable to include a condition to prevent the dwelling being used as an Air BnB as this was currently classed in the same category of use as a residential dwelling.
5. The application was policy compliant, but if not, tilted balance would be engaged in view of the Council not having a 5-year land supply for housing.

6. In relation to the condition attached to the previous consent which stated the dwelling should be restricted to ancillary use due to the impact on residential amenity, there was no longer considered to be an issue as the windows on the north of the existing annex would be removed as part of the development.
7. The site could be accessed by emergency vehicles and this would have been assessed as part of the building regulations when the annex was built.
8. The pedestrian access would be used to move bins and recycling containers to the road for collection.

Cllr Duncan Hounsell opened the debate and referred to the unique location of the site which was a short walk away from bus stops, the railway station and facilities in Keynsham High Street. He also stated the need to maximise the use of housing stock and moved the officer's recommendation to permit the application. This was seconded by Cllr Hal MacFie.

Cllr Paul Crossley expressed the view that a more robust policy was needed in relation to backland developments and the reduction of green space and subsequent impact on wildlife.

On voting for the motion, it was CARRIED (7 in favour, 3 against).

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

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

Cllr Toby Simon requested further information in relation to the appeal 20/00001/HHEDGE. Cllr Duncan Hounsell expressed concern about the length of time taken to make a decision due to the impact on neighbouring properties, but advised that the height of the leylandii would now be reduced at the instruction of the Inspector.

Cllr Lucy Hodge noted that the Planning Inspector had dismissed the appeal in relation to 23/03610/FUL which had been refused by Planning Committee.

RESOLVED that the report be noted.

123 **QUARTERLY PERFORMANCE REPORT: 1 JAN - 31 MAR 2025**

In response to questioning about up-to-date information in relation to the Council's lack of a 5-year land supply for housing, the Team Manager – Development Management confirmed that an interim statement was being prepared and would be published on the Council's website.

RESOLVED that the report be noted.

The meeting ended at 4.00 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 WEDNESDAY 7 MAY 2025

SITE VISIT LIST			
ITEM NO.	SITE NAME	NAME	SUPPORTING/ OBJECTING/ REPRESENTING
1	24/01135/FUL – Kennet Lodge, Kennet Park, Bathampton, Bath	Graeme Robinson, local resident	Objecting
		Sasha Berezina, agent	Supporting
MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1	24/03831/FUL - Pines Way, Westmoreland, Bath	Victoria Manston, applicant	Supporting
2	24/03894/FUL - Parcel 2882 Water Lane, Paulton Bristol	Jane Lewis and Richard Slater, local residents	Objecting
		Chloe Brown, agent and Callum Wright, applicant	Supporting
		Cllr Liz Hardman	Adjacent Ward Councillor on behalf of herself, Cllr Grant Johnson and Paulton Parish Council
3	24/02841/FUL - Little Horse Croft Farm Ford Road Wellow	Michael Clarkson	Wellow Parish Council
		Frank Shellard, applicant	Supporting

4	24/04465/FUL - The Hollies, Charlton Road, Keynsham, Bath And North East Somerset	No speakers

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

7th May 2025

DECISIONS

Item No:	001	
Application No:	24/01135/FUL	
Site Location:	Kennet Lodge , Kennet Park, Bathampton, Bath	
Ward: Bathavon North	Parish: Bathampton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	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.	
Constraints:	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,	
Applicant:	Mr Nathan Sheppard	
Expiry Date:	9th May 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 Sample Panel - Walling (Bespoke Trigger)

No construction of the external walls of the development shall commence until a sample panel of all external walling materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The development shall be undertaken 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, D5 and HE1 of the Bath and North East Somerset Placemaking Plan.

3 Samples- dormer (Bespoke Trigger)

No construction of the external walls of the dormer windows shall commence until a samples are submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To ensure an appropriate colour adjacent to the slate, 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, D5 and HE1 of the Bath and North East Somerset Placemaking Plan.

4 Roofing Materials (Bespoke Trigger)

No construction of the roof of the development shall commence until a schedule and samples of all external roofing materials has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken 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, D5 and HE1 of the Bath and North East Somerset Placemaking Plan.

5 Boundary wall protection during construction (pre-commencement)

No development or other building operations shall commence until a detailed methodology and plan have been submitted demonstrating how the historic boundary wall will be protected during construction. The works shall thereafter take place in accordance with these approved details.

Reason: In the interests of protecting the historic boundary wall in compliance with policy HE1 of the placemaking plan.

6 Windows (bespoke trigger)

No installation of the windows shall take place until a detailed cross section drawing of the window reveals have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of the character and appearance of the dwelling and area, including heritage assets.

7 Green roof planting and maintenance schedule (Pre-occupation)

No occupation of the development shall take place until a planting specification and maintenance schedule has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the works are implemented and maintained in the interests of the appearance of the area in accordance with Policies D1 and D2 of the Bath and North East Somerset Placemaking Plan.

8 Arboricultural Method Statement (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.

9 Arboricultural Method Statement (bespoke trigger):

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

10 Precautionary Working Methods (Compliance condition):

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

- o Appointment of a suitably qualified Ecological Clerk of Works to specify and oversee precautionary working methods;

- o A careful visual check for signs of bats 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 Works to the roof and any areas with concealed spaces or crevices shall be carried out using "soft strip" methods, by hand, lifting materials (not sliding) to remove them, and checking beneath each one;
- o The site manager and site workers shall be briefed on appropriate ecologically sensitive methods and an ecologist shall be available on call to deal with any unexpected or last-minute discoveries of bats or roosts; and
- o If bats are encountered works shall cease and the Bat Helpline (Tel 0345 1300 228) or the on-call licenced bat worker shall be contacted for advice before proceeding.

Reason: to avoid harm to protected species (bats) in compliance with policy NE5 of the placemaking plan.

11 Ecological Compliance Statement (Bespoke trigger)

No occupation of the development hereby approved shall commence until a statement confirming and demonstrating, using photographs, adherence to and completed implementation of the precautionary working methods 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, including precautionary working methods and pre-commencement checks were followed;
2. Provision of features to benefit wildlife as set out in Section 5.2 of the approved Bat Survey Report produced by Johns Associates dated November 2023, to include, two bat boxes and wildlife-friendly planting; have been installed on site according to advice and specifications provided by a suitably experienced professional ecologist; and

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, NE5 and D5e of the placemaking plan.

12 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:

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; and
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 this shall include the use of short-duration (<2 minutes) timers; 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 placemaking plan.

13 Landscape boundary screening (Bespoke Trigger)

No construction of the front extension hereby approved shall take place beyond slab level shall take place until full details of soft landscaping proposals, specifically for the northern boundary, and a programme of implementation have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

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

The works shall thereafter take place in accordance with these approved details and prior to the occupation of the front extension.

Reason: To ensure that the landscape works are implemented and maintained to ensure the continued provision of amenity and environmental quality in accordance with Policies D1, D2 and D6 of the Bath and North East Somerset Placemaking Plan

14 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 site plan- P 002- P04
Proposed ground floor- P 101- P04
Proposed first floor- P 102- P04
Proposed roof plan- P 103- P04
Proposed north east elevation- P 201- P04
Proposed north west elevation- P 202- P04
Proposed south west elevation- P 203- P04
Proposed south east elevation- P204- P04
Proposed section AA- P 204- P04
Proposed section BB- P 302- P04

Existing site plan
Existing ground floor plan
Existing roof plan
Existing elevations 01
Existing elevations 02
Existing section AA
Existing section BB
Existing section CC
Location plan

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**.

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Community Infrastructure Levy - Exemptions and Reliefs Claims

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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.

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

7th May 2025

DECISIONS

Item No:	01	
Application No:	24/03831/FUL	
Site Location:	Homebase , Pines Way, Westmoreland, Bath	
Ward: Oldfield Park	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Redevelopment of the site to provide residential dwellings (Class C3), shared living (Sui Generis), flexible commercial floorspace (Use Class E), amenity space, car and cycle parking provision, with pedestrian and vehicular access, servicing arrangements, public realm works, landscaping and associated works.	
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B1 Bath Enterprise Area, Policy B2 Bath Central Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, British Waterways Minor and Householders, 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 NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE3 SSCI 200m Buffer, Ecological Networks Policy NE5, NRN Wetland Strategic Network Policy NE5, Placemaking Plan Allocated Sites, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, Tree Preservation Order,	
Applicant:	Pines Way (Bath) LLP	
Expiry Date:	30th April 2025	
Case Officer:	Isabel Daone	

DECISION Delegate to PERMIT subject to Section 106 Agreement

Item No:	02		
Application No:	24/03894/FUL		
Site Location:	Parcel 2882, Water Lane, Paulton, Bristol		
Ward:	Midsomer Norton North	Parish:	Midsomer Norton
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Temporary installation of ground-mounted solar photovoltaic (PV) farm with battery storage along with continued agricultural use, ancillary infrastructure and security fencing, landscaping provision, ecological enhancements and associated works.		
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Policy CP3 Solar and Wind Landscape Pote, Policy CP9 Affordable Housing, Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, Policy NE3 SNCI, Ecological Networks Policy NE5, NRN Grassland Strategic Netwo Policy NE5, All Public Rights of Way Records, SSSI - Impact Risk Zones,		
Applicant:	PACE Yeti Energy Limited		
Expiry Date:	9th May 2025		
Case Officer:	Isabel Daone		

DECISION Deferred for site visit

Item No:	03	
Application No:	24/02841/FUL	
Site Location:	Storage Compound, Little Horse Croft Farm, Ford Road, Wellow	
Ward: Bathavon South	Parish: Wellow	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Retention of contractors compound as additional agricultural hard standing.	
Constraints:	White Ox Mead Air Strip 3km buffer, Agric Land Class 1,2,3a, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Flood Zone 2, LLFA - Flood Risk Management, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Woodland Strategic Networ Policy NE5, NRN Wetland Strategic Network Policy NE5, All Public Rights of Way Records, SSSI - Impact Risk Zones,	
Applicant:	Mr F Shellard	
Expiry Date:	8th May 2025	
Case Officer:	Danielle Milsom	

DECISION PERMIT

1 Biodiversity Net Gain Plan (bespoke-trigger)

Within 6 months of the development being approved, full details of a Biodiversity Gain Plan achieving a minimum of 10% measurable biodiversity net gain, and a Habitat Management Plan for any on-site habitats and biodiversity measures, shall be submitted to and approved in writing by the Local Planning Authority. The Plans shall be in accordance with current best practice guidelines and standards and shall be in accordance with the approved Biodiversity Net Gain Assessment and calculation and shall include the following:

In all cases:

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

4. Details and evidence of any registered off-site biodiversity gain units allocated to the development and any biodiversity credits purchased for the development;

Where on-site habitat is proposed/retained:

5. Long term aims and objectives and targets for habitats; proposed management prescriptions and operations; timing, frequency, durations and methods of operations; specialist expertise, specialist tools/machinery or equipment and personnel where required to meet the stated aims and objectives;

6. Annual work schedule for at least a 30 year period

7. A list of activities and operations that shall not take place and shall not be permitted within the Habitat Management Plan (HMP) area (for example use of herbicides; on-site disposal of grass cuttings or other vegetation waste; routine cutting of ivy where there is no specific arboricultural justification; inappropriate maintenance methods, storage of materials; inappropriate machine or vehicle access).

8. Detailed monitoring strategy for habitats and species, and methods of measuring progress towards and achievement of stated objectives.

9. Details of proposed reporting to the Local Planning Authority, and proposed review and remediation mechanism.

10. Proposed costs and resourcing, and legal responsibilities.

The Biodiversity Gain and Habitat Management Plans shall be implemented in accordance with the agreed details and timetable, and all habitats and measures shall be retained and maintained thereafter in accordance with the approved details.

Reason: To protect and enhance ecological interests and to ensure delivery of Biodiversity Net Gain in accordance with Bath and North East Somerset Local Plan Partial Update policies NE3, NE3a NE5 and D5e and paragraph 13 of Schedule 7A to the Town and Country Planning 1990 Act (Biodiversity Gain Condition).

2 Implementation of Landscaping Scheme (Bespoke Trigger)

All soft landscape works shall be carried out in accordance with the approved details, as shown on drawing 71006-10-001 rev E. The works shall be carried out by the end of the next planting season.

Any trees or plants indicated on the approved scheme which, within a period of 10 years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the current or first available planting season with other trees or plants of species, size and number as originally approved unless the Local Planning Authority gives its written consent to any variation. All hard and soft landscape works shall be retained in accordance with the approved details for the lifetime of the development.

Reason: To ensure that the landscape works are implemented and maintained to ensure the continued provision of amenity and environmental quality and to ensure appropriate

biodiversity net gain is secured in accordance with Policies D1 and D2 of the Bath and North East Somerset Placemaking Plan and NE2, NE3, and NE3a of the Bath and North East Somerset Local Plan Partial Update.

3 Plans List (Compliance)

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

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

PLANS LIST:

The decision relates to the following plans:

Revised Drawing	11 Feb 2025	71006-10-001 REV E	EXISTING	AND
PROPOSED SITE PLAN				
OS Extract	29 Jul 2024	LOCATION PLAN		

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.

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.

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**.

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Community Infrastructure Levy - Exemptions and Reliefs Claims

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Item No:	04		
Application No:	24/04465/FUL		
Site Location:	The Hollies , Charlton Road, Keynsham, Bath And North East Somerset		
Ward: Keynsham North	Parish: Keynsham Town Council	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Subdivision of land and conversion of existing residential annexe to dwelling		
Constraints:	Agricultural Land Classification, Air Quality Management Area, Conservation Area, Policy CP12 Centres and Retail, Policy CP9 Affordable Housing, District Heating Priority Area, Housing Development Boundary, Policy NE1 Green Infrastructure Network, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
Applicant:	MS Julie Griffin		
Expiry Date:	9th May 2025		
Case Officer:	Christopher Masters		

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Plans List (Compliance)

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

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

3 Water Efficiency - Rainwater Harvesting (Pre-occupation)

No occupation of the approved dwellings shall commence until a scheme for rainwater harvesting or other methods of capturing rainwater for use by residents (e.g. Water butts) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

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

4 Water Efficiency (Compliance)

The approved dwellings shall be constructed to meet the national optional Building Regulations requirement for water efficiency of 110 litres per person per day.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Bath and North East Somerset Placemaking Plan.

5 Blocking up of Fenestration (Compliance)

No independent occupation of the approved dwelling shall commence until the existing doors and windows in the northern elevation of the dwelling hereby approved have been closed up and the area of walling made good to match the existing building.

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

6 Removal of Permitted Development Rights - No Windows (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or other openings, other than those shown on the plans hereby approved, shall be formed in the North elevation of the dwelling hereby approved at any time unless a further planning permission has been granted.

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

PLANS LIST:

This decision relates to the following plans:

All received 14th February 2025

BS31-02 V3 BLOCK PLAN
BS31-03 V3 SITE PLAN - EXISTING & PROPOSED
BS31-04 V3 EXISTING PLAN & ELEVATIONS
BS31-05 V3 PROPOSED PLAN & ELEVATIONS
BS31-01 V3 SITE LOCATION PLAN

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Biodiversity Net Gain - Exempt/Not required

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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.

Permit/Consent Decision Making Statement

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