

## PLANNING COMMITTEE

### Minutes of the Meeting held

Wednesday 18th March 2026, 10.00 am

**Councillors:** Tim Ball (Chair), Fiona Gourley, Ian Halsall, Hal MacFie, Toby Simon, Shaun Hughes, Dr Eleanor Jackson, John Leach and Tim Warren CBE

#### 98 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

#### 99 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Paul Crossley.

#### 100 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

There was no urgent business.

#### 102 ITEMS FROM THE PUBLIC

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

#### 103 MINUTES OF THE PREVIOUS MEETING

**RESOLVED** that the minutes of the meetings of 18 February 2026 be confirmed as a correct record for signing by the Chair.

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

The Committee considered:

1. A report and update report by the Head of Planning on the applications under the main applications list.
2. Oral statements by members of the public and representatives. A copy of the speakers' list is attached as Appendix 1 to these minutes.

**RESOLVED** that in accordance with the delegated powers, the applications be determined as set out in the main applications decisions list attached as Appendix 2 to these minutes.

## **1. 25/04124/FUL - 26 Wedgwood Road, Whiteway, Bath, Bath And North East Somerset, BA2 1NX**

The Planning Officer introduced the report which considered an application for the change of use from a single dwelling (C3) to 7-bedroom house in multiple occupation (HMO) (Sui Generis) which had been deferred from the previous meeting to enable further clarification on the density of HMOs within a 100m of the application site. He confirmed that HMO density has been re-calculated to 9.2% (down from 9.9%) and the officers' recommendation was that the application be permitted subject to the conditions set out in the report.

There were no question from Members.

Cllr Halsall acknowledged that the recalculation confirmed that there was less than 10% density of HMOs but commented that 10% was the maximum rather than a target. He stated that he favoured purpose-built student accommodation rather than family homes being converted to HMOs but that the application was policy compliant and he would support the officers' recommendation.

Cllr Hughes stated that he had concerns outside of the density issues in terms of the harms caused by overdevelopment of the site and the design of the development and he would not support the officers' recommendation.

Cllr Jackson stated that although she supported students living in the community and affordable alternatives to purpose built accommodation, she was concerned about the number of people who would be living in this development and the logistics of getting cycles and bins through the living accommodation.

Cllr Gourley agreed that the amenity for the residents was not ideal but due to the HMO density being below 10% she did not consider there were any grounds to refuse the application.

Cllr Halsall moved the officers' recommendation. This was seconded by Cllr Simon.

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

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

## **2. 25/04417/FUL - Rainbow Wood House, Widcombe Hill, Widcombe, Bath**

The Planning Case Officer introduced the report which considered an application for the installation of ground mounted solar array and ground source heat pump closed loop underground borehole array, with associated landscaping.

He gave a verbal update to confirm amendments to the conditions as follows:

1. An additional condition - Wildlife Mitigation and Enhancement Scheme (Compliance): - to secure compliance with the details already supplied.
2. Updated condition in relation to the removal of solar panels to also include the removal of the frames, the gravel and permeable membrane with the addition of top soil to return to the site.

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. Sasha Berezina, on behalf of local residents, objecting to the application.
2. Dr Alyson Warhurst, applicant, supporting the application.

Cllr Stuart Bridge read a statement on behalf of himself, and Cllr Alison Born (ward councillors) as summarised below:

1. They had visited the site and noted the amendments made by the applicant following objections raised by local residents.
2. In principle they welcomed the ambition of the project but had concerns about the size and visibility of the solar panel array and the impact on the protected landscape.
3. They also had concerns about whether the drilling may impact on properties below Rainbow House in terms of flooding.
4. They noted the officers conclusion that there was less than substantial harm and that sufficient safeguards were in place to mitigate flooding and drainage concerns.
5. In view of the level of public interest they had referred the application to the Committee for determination.

In response to Members' questions, it was confirmed:

1. Officers had concluded that there was no harm to the Grade II\* Listed Gothic Temple as it did not directly overlook the site and there was no intervisibility between the site and the temple.
2. The solar panels were predicted to generate 156,000kw of electricity and the dwelling had a recorded usage of 63,000kw hours. The ground source heat pump array was predicted to require 65,000kw hours of electricity which provided the heating requirements for the dwelling as a whole. At peak generation the panels would over-supply at about 20%. This did not mean this would be a commercial solar farm, the over-supply would take into account different weather conditions and the additional supply would be fed back to the grid.
3. The numbers were based on the details supplied by solar panel providers and had been taken at face value.
4. The site was bigger than some other solar panel sites because the panels were situated lower to minimise the visual impact which meant that they were less efficient.
5. There would be batteries located on the north west side of the dwelling. Given the distance from dwellings, a noise report had not been requested.
6. The site was in the green belt, world heritage site and conservation area.
7. There would not be any solar panels on the roof of the building.
8. The fence was not part of the application and was subject to a separate enforcement process.
9. The site of the solar arrays had been agreed in consultation with conservation team as the preferable location.

Cllr Warren opened the debate and expressed reservations about the suitability of the site due to its location in the green belt, World Heritage Site, conservation area and the National Landscape.

Cllr Gourley acknowledged the concerns of neighbours but also noted that there was no legal entitlement to a view. She recognised that the applicant had tried to minimise the impact by locating the panels on the ground and using panels with a non-shiny finish. She stated the need to reduce dependence of fossil fuel and concluded that, on balance, she supported the application.

Cllr MacFie spoke in support of the application as he considered the visual impact to be minimal.

Cllr Halsall acknowledged that the development was in a sensitive setting and sympathised with concerns of neighbours but commended the applicants on minimising the impact. He also gave consideration to the fact that B&NES Council had declared a climate emergency. He moved the officers' recommendation to grant permission. Cllr Simon confirmed that he would be willing to second the motion but asked if this could be worded as "delegate to permit" to allow a review of the additional/amended conditions and asked that the planting schedule maximise opportunities to screen the site.

Following advice from the Team Manager – Development Management, it was agreed that the amended conditions, as set out in the Officer's presentation, would be published on the planning portal for 7 days before the decision notice was issued. Cllr Halsall agreed the revised wording and the motion was formally seconded by Cllr Simon.

Cllr Jackson questioned whether there was an argument that the application constituted over-development of the site.

Cllr Leach agreed with the conclusions of officers that the harm was less than substantial and outweighed by the significant benefits and confirmed he would support the motion.

Cllr Hughes referred to the objection of the Bath World Heritage Officer, although he recognised the benefits to the residents.

Cllr Halsall noted that there had been no objection from the Conservation Officer, National Trust or Cotswold Conservation Board.

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

**RESOLVED** that officers be granted delegated authority to grant permission subject to conditions, the details of which would be published on the planning portal for 7 days prior to the issuing of the decision notice.

- 3. 25/03507/FUL - 15 - 17 Trim Street, City Centre, Bath, Bath And North East Somerset, BA1 1HA**
- 4. 25/03508/LBA - 15 - 17 Trim Street, City Centre, Bath, Bath And North East Somerset, BA1 1HA**

The Planning Case Officer introduced two reports on applications on the same site which considered:

1. an application for the construction of 15 new market housing apartments within the existing building envelope. Change of use from Office (Class E) to Dwellings (Class C3).
2. a listed building application for internal and external alterations for the construction of 15 new market housing apartments within the existing building envelope. Change of use from Office (Class E) to Dwellings (Class C3)

She confirmed the officers' recommendation that:

In relation to application 25/03507/FUL:

Officers be granted delegated authority to permit the application subject to:

1. A Section 106 Agreement to cover the following:
  - a. A financial contribution of £152,860 in lieu of affordable housing provision.
  - b. A financial contribution of £1,530.73 towards Special Educational Needs and Disabilities provision.
2. The conditions set out in the report.

In relation to application 25/03508/LBA:

Listed building consent be granted subject to the conditions set out in the report.

There were no public representations on these applications.

In response to Members' questions on both applications, it was confirmed:

1. A condition was included to ensure that waste management details were submitted and approved.
2. The air conditioning units would be removed as part of the planning permission, and this was considered to be a benefit of the application.
3. The building had been vacant for 2 years. Alternative office space was available elsewhere in Bath which was of better quality.
4. The external stair lift would be removed as part of the application. The flats would not be accessible for wheelchair users and so the lift was likely to be redundant if retained.

In considering application 25/03507/FUL:

Cllr Hughes opened the debate and stated that although he had reservations about the small level of contribution, on balance he supported the application as a good use of the building. He moved the officers' recommendation. This was seconded by Cllr Warren.

Cllr Halsall spoke in support of the application as the site was in a sustainable location and in view of the authority's lack of a 5-year land supply for housing.

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

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

1. A Section 106 Agreement to cover the following:
  - c. A financial contribution of £152,860 in lieu of affordable housing provision.

- d. A financial contribution of £1,530.73 towards Special Educational Needs and Disabilities provision.
2. The conditions set out in the report.

In considering application 25/03508/LBA:

Cllr Hughes moved the officers' recommendation, and this was seconded by Cllr Warren. On voting for the motion, it was CARRIED (9 in favour and 0 against - unanimous).

**RESOLVED** that listed building consent be granted.

**5. 25/04688/FUL - 54 Stonehouse Lane, Combe Down, Bath, Bath And North East Somerset, BA2 5DW**

The Planning Officer introduced the report which considered an application for the demolition of an existing house and the erection of two new 2-storey dwellings and associated access, drainage and hard/soft landscape works.

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. Gillian Carpenter, local resident, objecting to the application.
2. Matthew Parfitt, applicant, supporting the application (read in absence).

Cllr Onkar Saini was in attendance as ward councillor and raised the following points:

1. He had reached a different conclusion to officers and considered the site to be a constrained infill plot with limited separation distances.
2. The application was out of keeping with the surrounding area where there was more generous spacing between properties.
3. The application eroded the openness of the street scene.
4. There was only 1 parking space for a 4-bed house and unsafe access and egress.
5. The application contravened placemaking policies and was an over extensive form of development.
6. He asked the committee to refuse the application.

In response to Members' questions, it was confirmed:

1. There was no proposed condition to remove future permitted development rights.
2. There was a condition to ensure windows were obscurely glazed at first floor level in between the two houses. At ground floor level the two properties were separated by a fence.
3. There was a distance of between 2m and 3m between the two properties.
4. The application was compliant with parking standards.

Cllr Simon opened the debate and stated that although he appreciated the concerns of neighbours, he did think it was important to maximise the housing available to the people of Bath. He moved the officers' recommendation. Cllr Halsall indicated that he would be willing to second the motion subject to an additional condition to ensure

the removal of permitted development rights. Cllr Simon agreed to this addition as mover of the motion and the motion was seconded by Cllr Halsall.

Cllr Jackson questioned the need to demolish the existing bungalow but considered that there was no justification to refuse the application.

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

**RESOLVED** that the application be permitted subject to the conditions set out in the report and an additional condition to remove permitted development rights.

**6. 25/04673/FUL – Lansdown Close, College Road, Lansdown, Bath, Bath And North East Somerset, BA1 5RR**

The Planning Case Officer introduced the report which considered an application for the erection of a new detached dwelling within the curtilage of an existing dwelling.

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. Kerry McClelland/John Morgan, local residents objecting to the application.
2. Chris Dance, agent, and Andrew Girdher, applicant, supporting the application.

Cllr Lucy Hodge was in attendance as ward councillor and read a statement summarised as below:

1. The application site was located in a quiet tree-lined road consisting of distinctive early Victorian villas.
2. If the application was approved this would be the first backland development in the area and set a precedent in the conservation area.
3. The application constituted over-development, backland developments should be subservient to frontage buildings.
4. There would be an impact on outlook.
5. She asked the Committee to consider overturning the officers' recommendation due to the harm caused by the over-development of site by the size, scale and massing of the development.

Cllr Mark Elliot was unable to attend as ward councillor and a statement was read on his behalf:

1. He had requested that the application be determined by the committee after being contacted by residents in the neighbouring properties.
2. The neighbours had significant concerns about loss of amenity and privacy due to the size of the proposed build, and its proximity to their boundaries.
3. He asked the Committee to give due consideration to the concerns of neighbours.

In response to Members' questions, it was confirmed:

1. The Tree Officer was satisfied that the trees would not be damaged by the construction of the new access.
2. There would be two separate drives as the result of the development. The existing drive would serve the new property and there would be a new drive for

- the existing property.
3. Officers did not consider that the balcony would impact on residential amenity as there was a sufficient distance between properties.
  4. The existing hedge would provide screening and combined with the fact that the development was for a single-storey development, and the facing area would be non-living areas with small windows, there was not considered to be harm to residential amenity.
  5. Waste collection would be from the road side.
  6. Policy D7 required backland developments to be “well related and not inappropriate in height, scale, mass and form to the frontage buildings” but did not refer to backland developments not being subservient to the frontage. Officers view was that the application was policy compliant.
  7. Officers considered the contemporary design to be appropriate.
  8. The development was not considered to be overbearing or have an adverse impact on neighbouring properties.

Cllr Jackson opened the debate and moved that the application be refused as the design of the application would cause harm to the conservation area; the size, scale and massing would result in an overbearing development which would have a detrimental impact on neighbouring properties including the Victorian villa and the proposed access was inadequate. This was seconded by Cllr Hughes. The Team Manager - Development Management advised that as Highways Officers had not objected to the application, it would be difficult to defend a reason relating to the proposed access. The mover and seconder of the motion agreed to remove the reason relating to the access.

Cllr Simon spoke against the motion as he considered the development to be well designed and proportionate.

Cllr Gourley also spoke against the motion as she did not consider the development to be overbearing and in relation to design, there were other contemporary houses in the area.

On voting for the motion, it was NOT CARRIED (3 in favour and 6 against).

Cllr Simon moved the officers recommendation to permit the application subject to the conditions set out in the report. This was seconded by Cllr MacFie.

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

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

Cllr Simon left the meeting at this point.

## **7. 25/02450/FUL - 1 Audley Close, Lower Weston, Bath**

The Planning Officer introduced the report which considered an application for the demolition of an existing single storey side extension; the erection of a two-storey side extension and single storey rear extension and internal amendments and retrofit to the existing property.

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. Simon Malthouse, local resident, objecting to the application.
2. Jason Glassick, on behalf of applicant, supporting the application.

Cllr Ruth Malloy was in attendance as ward councillor and read a statement summarised as below:

1. The site was located in a the Bath Conservation Area, the World Heritage Site and the Great Spa Towns of Europe.
2. The proposed scale and massing of the development would dominate the cul-de-sac.
3. The development was not in keeping with other properties in the area.
4. She acknowledged that the applicant had made some revisions in view of objections to lessen the impact on residents' amenity.
5. She asked the Committee to overturn the officers' recommendation and refuse the application due to the harm to the conservation area/heritage site and detrimental impact on residential amenity.

There were no questions from Members.

Cllr Gourley opened the debate and stated that the increase in size of the new development was not a concern and that there was already a level of overlooking in the existing configuration.

Cllr Halsall moved the officers' recommendation. This was seconded by Cllr Gourley.

On voting for the motion, it was CARRIED (8 in favour and 0 against - unanimous).

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

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

The Committee considered the appeals report.

**RESOLVED** that the report be noted.

The meeting ended at 1.11 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 18 MARCH 2026**

<b>MAIN PLANS LIST</b>			
<b>ITEM NO.</b>	<b>SITE NAME</b>	<b>NAME</b>	<b>SUPPORTING/ OBJECTING/ PARISH OR WARD COUNCILLOR</b>
1.	25/04124/FUL - 26 Wedgwood Road, Whiteway, Bath, Bath And North East Somerset	No speakers	
2.	25/04417/FUL - Rainbow Wood House, Widcombe Hill, Widcombe	Sasha Berezina, on behalf of local residents	Objecting
		Dr Alyson Warhurst, Applicant	Supporting
		Cllr Stuart Bridge (on behalf of himself and Cllr Alison Born)	Ward Councillors
3. & 4.	25/03507/FUL - 15 - 17 Trim Street, City Centre, Bath  25/03508/LBA - 15 - 17 Trim Street, City Centre, Bath	No speakers	
5.	25/04688/FUL - 54 Stonehouse Lane, Combe Down, Bath	Gillian Carpenter	Objecting
		Matthew Parfitt (to be read in absence)	Supporting
		Cllr Onkar Saini	Ward Councillor
6.	25/04673/FUL – Lansdown Close, College Road, Lansdown	Kerry McClelland/ John Morgan, local residents	Objecting
		Chris Dance, agent/ Andrew Girdher, applicant	Supporting

		Cllr Lucy Hodge Cllr Mark Elliot (to be read in absence)	Ward Councillors
7.	25/02450/FUL - 1 Audley Close, Lower Weston, Bath	Simon Malthouse	Objecting
		Jason Glassick, on behalf of applicant	Supporting
		Cllr Ruth Malloy	Ward Councillor

**BATH AND NORTH EAST SOMERSET COUNCIL**

**PLANNING COMMITTEE**

**18th March 2026**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	25/04124/FUL	
<b>Site Location:</b>	26 Wedgwood Road, Whiteway, 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 single dwelling (C3) to 7 bedroom hmo.	
<b>Constraints:</b>	Article 4 HMO, Colerne Airfield Buffer, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, 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>	Kbr Developments Ltd	
<b>Expiry Date:</b>	18th December 2025	
<b>Case Officer:</b>	Angus Harris	

**DECISION PERMIT**

<b>Item No:</b>	02
<b>Application No:</b>	25/04417/FUL
<b>Site Location:</b>	Rainbow Wood House, Widcombe Hill, Widcombe, Bath
<b>Ward:</b> Widcombe And Lyncombe	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Installation of ground mounted solar array and ground source heat pump closed loop underground borehole array, with landscaping
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, MOD Safeguarded Areas, 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, NRN Woodland Core Existing Policy NE5, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Dr Alyson Warhurst
<b>Expiry Date:</b>	19th January 2026
<b>Case Officer:</b>	Angus Harris

**DECISION** Delegate to PERMIT subject to Ecological condition

<b>Item No:</b>	03
<b>Application No:</b>	25/03507/FUL
<b>Site Location:</b>	15 - 17 Trim Street, City Centre, Bath, Bath And North East Somerset
<b>Ward:</b> Kingsmead	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Construction of fifteen new market housing apartments within existing building envelope. Change of use from Office (Class E) to Dwellings (Class C3)
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Bath Office Conversion, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B2 Bath Central Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP12 Bath City Centre, Policy CP9 Affordable Housing, Policy HE1 Scheduled Ancient Monuments, Listed Building, MOD Safeguarded Areas, Scheduled Ancient Monuments, SSSI - Impact Risk Zones,
<b>Applicant:</b>	ORM Developments Limited
<b>Expiry Date:</b>	20th March 2026
<b>Case Officer:</b>	Isabel Daone

**DECISION** Delegate to PERMIT subject to Section 106 Agreement

<b>Item No:</b>	04
<b>Application No:</b>	25/03508/LBA
<b>Site Location:</b>	15 - 17 Trim Street, City Centre, Bath, Bath And North East Somerset
<b>Ward:</b> Kingsmead	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)
<b>Proposal:</b>	Internal and external alterations for construction of fifteen new market housing apartments within existing building envelope. Change of use from Office (Class E) to Dwellings (Class C3)
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Bath Office Conversion, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B2 Bath Central Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP12 Bath City Centre, Policy CP9 Affordable Housing, Policy HE1 Scheduled Ancient Monuments, Listed Building, MOD Safeguarded Areas, Scheduled Ancient Monuments, SSSI - Impact Risk Zones,
<b>Applicant:</b>	ORM Developments Limited
<b>Expiry Date:</b>	20th March 2026
<b>Case Officer:</b>	Isabel Daone

## DECISION    CONSENT

### 1 Time Limit - Listed Building Consent (Compliance)

The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

### 2 Secondary Glazing Details (Bespoke Trigger)

Prior to the installation of any secondary glazing, full joinery details of the secondary glazing shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the work shall only be carried out in accordance with the approved details.

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

### 3 Paving Sample (Bespoke Trigger)

Prior to any re-surfacing of the lightwell, full details of the hard landscaping, including a sample of paving and proposed laid pattern shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the listed building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

#### **4 Service Details (Bespoke Trigger)**

Prior to the insertion of any new openings in the rear of the building, full details of any flues, vents and extraction servicing the building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

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

#### **5 Joinery Details (Bespoke Trigger)**

Notwithstanding the approved drawings, no installation of the bin store doors or new access door on the rear elevation shall commence until full details comprising of 1:10 scale elevation and section, including paint finish have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

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

#### **6 Staircase Details (Bespoke Trigger)**

Notwithstanding the approved drawings, no installation of the staircase access at the rear of the building shall commence until full details comprising of 1:10 scale elevation and section including paint finish have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

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

#### **7 Plans List (Compliance)**

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

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

#### **PLANS LIST:**

This decision relates to the following plans:

- 05 Sep 2025 AL(0)04 PROPOSED FLOOR PLANS
- 05 Sep 2025 AL(0)05 PROPOSED ELEVATIONS AND SECTION
- 05 Sep 2025 AL(0)06 DRAINAGE PLAN
- 05 Sep 2025 AL(0)01 SITE 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.

## **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)

### **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.

### **REASONS FOR GRANTING LISTED BUILDING CONSENT:**

The decision to grant consent subject to conditions has been made in accordance with S. 16 of the Planning (Listed Buildings and Conservation Areas) Act to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Furthermore, the decision has had regard to the requirement under S. 72 of the Act to pay special attention to the preservation or enhancement of the character of the surrounding Conservation Area. The decision has taken into account the policies contained within Planning Policy Statement 5, Planning for the Historic Environment, and in light of views of third parties. The Council considers that the proposals because of their location, design, detailing and use of materials, will preserve the building, and its features of special architectural or historic

interest, and will preserve or enhance the character and appearance of the Conservation Area and World Heritage Site.

<b>Item No:</b>	05		
<b>Application No:</b>	25/04688/FUL		
<b>Site Location:</b>	54 Stonehouse Lane, Combe Down, Bath, Bath And North East Somerset		
<b>Ward:</b>	Combe Down	<b>Parish:</b>	N/A
		<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Demolition of existing house and the erection of two new 2 storey dwellings and associated access, drainage and hard/soft landscape works.		
<b>Constraints:</b>	Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Contaminated Land, Policy CP9 Affordable Housing, Policy LCR5 Safeguarded existg sport & R, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Continental Trade (Bath) Ltd		
<b>Expiry Date:</b>	20th March 2026		
<b>Case Officer:</b>	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.

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

### 3 Biodiversity Net Gain Plan (Pre-commencement)

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

In all cases:

1. Pre and post development biodiversity values including a completed metric calculation tool using the DEFRA Biodiversity Metric or any successor, and accompanying evidence for baseline condition assessments;

2. A BNG habitat map for on-site proposed habitats

3. Information about the steps taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat and, in the case of any irreplaceable habitat, information on arrangements for compensation for any impact of the development has on the biodiversity of the irreplaceable habitat (which does not include the use of biodiversity credits).

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

Where on-site habitat is proposed/retained:

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

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

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

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

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

10. Proposed costs and resourcing, and legal responsibilities.

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

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

#### **4 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.

#### **5 Tree Protection Plan (Pre-commencement)**

No development shall take place until an annotated tree protection plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The plan shall:

1. Include tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations;
2. Include details of the design of any tree protection fencing proposed;
3. Take into account the position of the site office/welfare facilities, the location of service runs and the control of potentially harmful operations such as the storage, handling, mixing or burning of materials on the site and the movement of people and machinery throughout the site;
4. Be shown on a scaled drawing.

The protective measures as stated in the approved annotated tree protection plan shall be fully implemented prior to the commencement of development and retained for the duration of the construction. The local planning authority is to be advised two weeks prior to development commencing of the fact that the tree protection measures as required are in place with photographic evidence.

Reason: To ensure that the trees are protected from potentially damaging activities in accordance with policies CP7 and 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.

#### **6 Contaminated Land - Investigation and Risk Assessment (Pre-commencement)**

No development shall commence, except for ground investigations and demolition, required to undertake such investigations, until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- o human health,
- o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- o adjoining land,
- o groundwaters and surface waters,
- o ecological systems,
- o archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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 policy PCS5 of the Bath and North East Somerset Local Plan Partial Update and chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition because the initial works comprising the development have the potential to uncover harmful contamination.

#### **7 Contaminated Land - Remediation Scheme (Pre-commencement)**

No development shall commence, except for ground investigations and demolition required to undertake such investigations, 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 policy PCS5 of the Bath and North East Somerset Local Plan Partial Update and chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition because the initial works comprising the development have the potential to uncover harmful contamination.

### **8 Materials - Submission of Materials Schedule (Bespoke Trigger)**

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

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

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

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

Reason: In the interests of the appearance of the development and the surrounding area in accordance with policy CP6 of the Bath and North East Somerset Core Strategy, policies D1, D2 and D3 of the Bath and North East Somerset Placemaking Plan and Policy D5 of the Bath and North Somerset Local Plan Partial Update.

### **9 Contaminated Land - 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 policy PCS5 of the Bath and North East Somerset Local Plan Partial Update and chapter 15 of the National Planning Policy Framework.

## **10 SCR6 Residential Properties (Pre-occupation)**

Prior to occupation of the dwellings hereby approved, the following tables (as set out in the Council's Sustainable Construction Checklist Supplementary Planning Document) shall be completed in respect of the completed development and submitted to and approved in writing by the Local Planning Authority together with the further documentation listed below. The development must comply with the requirements of SCR6.

PHPP/SAP calculations are to be updated with as-built performance values. The following are to be completed using the updated as-built values for energy performance.

Minor Residential Development:

1. Energy Summary Tool 1 or 2
2. Tables 1.1 or 1.2 (if proposal has more than one dwelling type)

All Residential Development:

3. Table 5 (updated)
4. Building Regulations Part L post-completion documents for renewables;
5. Building Regulations Part L post-completion documents for energy efficiency;
6. Final as-built full data report from Passive House Planning Package or SAP
7. Microgeneration Certification Scheme (MCS) Certificate/s

Reason: To ensure that the approved development complies with Policy SCR6 of the Local Plan Partial Update.

## **11 Bicycle Storage (Pre-occupation)**

Each dwelling shall not be occupied until secure, covered bicycle storage for at least 4 bicycles has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle storage shall be retained permanently thereafter.

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

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

The proposed development shall be constructed in accordance with the submitted Flood Risk Assessment received 9th January 2026.

Reason: In the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy and Policy SU1 of the Bath and North East Somerset Placemaking Plan.

## **13 Air Source Heat Pumps (Compliance)**

The proposed air source heat pumps shall comply with the MCS Planning Standards or equivalent standards.

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

#### **14 Water Efficiency - Rainwater Harvesting (Compliance)**

No occupation of the approved dwellings shall commence until the scheme for rainwater harvesting shown on drawing 1620-01 REV C LANDSCAPE STRATEGY has been implemented in accordance with the submitted details.

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

#### **15 Wildlife Mitigation Scheme (Compliance)**

Prior to commencement of works (including site preparation, vegetation removal or demolition works) a suitably experienced professional ecologist (licenced bat worker) shall be appointed as Ecological Clerk of Works. The appointed ecologist shall undertake all necessary pre-works checks and update surveys; provide on-site ecological supervision as required in accordance with the approved ecological mitigation and method statements; provide tool-box talks and ongoing guidance and instruction regarding ecological requirements to the applicant and construction team. The development hereby approved shall thereafter be carried out only in accordance with (but not limited to) the wildlife protection, and ecological and bat mitigation compensation and enhancement measures, as detailed within Section 7 of the approved Ecological Appraisal and Biodiversity Net Gain Assessment v1.3 by Noctua Ecology dated 5th December 2025. All such measures shall be adhered to retained and maintained thereafter for the purpose of wildlife conservation.

Reason: To avoid harm to ecology including protected species and to avoid net loss of biodiversity in accordance with policies NE3, and NE3a of the Bath and North East Somerset Local Plan Partial Update.

#### **16 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.

#### **17 Housing Accessibility (Compliance)**

At least one of the dwellings hereby approved shall be constructed to meet optional technical standards 4(2) in the Building Regulations Approved Document M.

Reason: To ensure that the optional technical standards for accessibility for market housing in accordance with policy H7 of the Bath and North East Somerset Council Local Plan Partial Update.

#### **18 Obscure Glazing and Non-opening Window(s) (Compliance)**

All windows shown on the approved plans as being obscured glass shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the window shall be permanently retained as such.

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

**19 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 the proposed lighting design being first submitted to and approved in writing by the Local Planning Authority; details to include proposed lamp models and manufacturer's specifications, proposed lamp positions, numbers and heights with details also to be shown on a plan; and details of all measures to limit the use of lights when not required and to prevent upward light spill and light spill onto trees and boundary 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.

**20 Contaminated Land - Unexpected Contamination (Bespoke Trigger - requires approval of details only if unexpected contamination is found)**

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 11 of the National Planning Policy Framework.

**21 Removal of Permitted Development Rights - No extensions or alterations (Compliance)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: To safeguard the amenities of occupiers and adjoining occupiers from loss of light, overshadowing, overbearing impacts, 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:

Received 27th February 2026

484.P.012 P3 PLOTS 1 AND 2 ROOF PLAN

Received 24th February 2026

1620-01 REV C LANDSCAPE STRATEGY

484.P.011 P4 PLOTS 1 AND 2 BLOCK PLAN

484.P.110 P4 PLOTS 1 AND 2 GROUND FLOOR PLAN

Received 20th February 2026

484.P.111 P4 PLOTS 1 AND 2 FIRST FLOOR PLAN

484.P.121 P5 PLOT 1 SECTIONS PROPOSED

484.P.131 P5 PLOT 1 ELEVATIONS SW AND SE PROPOSED

484.P.132 P5 PLOT 1 ELEVATIONS NW AND NE PROPOSED

484.P.231 P5 PLOT 2 ELEVATIONS SW AND SE PROPOSED

484.P.232 P5 PLOT 2 ELEVATIONS NW AND NE PROPOSED

Received 13th January 2026

484.P.221 P4 PLOT 2 SECTIONS PROPOSED

484.P.033 P4 PROPOSED SITE ELEVATIONS STREET VIEW

Received 5th December 2025

LOCATION PLAN

484.P.001 P2 LOCATION PLAN

### **Condition Categories**

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

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

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

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

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

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

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

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

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

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

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

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

Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: [www.bathnes.gov.uk/cil](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.

## **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.

## **Highways Access Advice Note**

The applicant should be advised to contact the Highway Maintenance Team at [Highways@bathnes.gov.uk](mailto:Highways@bathnes.gov.uk) with regard to securing a licence under Section 184 of the Highways Act 1980 for the construction of a vehicular crossing. The access shall not be brought into use until the details of the access have been approved and constructed in accordance with the current Specification.

## **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.

<b>Item No:</b>	06
<b>Application No:</b>	25/04673/FUL
<b>Site Location:</b>	Lansdown Close , College Road, Lansdown, Bath
<b>Ward:</b> Lansdown	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of a new detached dwelling within the curtilage of an existing dwelling.
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr Andrew Girdher
<b>Expiry Date:</b>	19th March 2026
<b>Case Officer:</b>	Ed Allsop

## DECISION PERMIT

### 1 Standard Time Limit (Compliance)

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

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

### 2 Materials- stone (bespoke trigger)

No development of the external rubble stone elevations commence until details of a suitable Bath Limestone rubble, including quarry source, has been submitted to and approved by the LPA. The development shall thereafter be carried out in accordance with those details.

Reason: In the interests of the character and appearance of the area, this part of the conservation area, and the non-designated heritage asset, in compliance with policy D1 and HE1 of the Plan.

### 3 Materials- zinc roofing (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 character and appearance of the area, this part of the conservation area, and the non-designated heritage asset, in compliance with policy D1 and HE1 of the Plan.

#### **4 Solar Panels (bespoke trigger)**

Further details of the proposed solar panels shall be submitted to and approved by the LPA, before they are implemented into the scheme. This shall include details of the type, make, anti-reflective coatings and appropriate glare assessment.

Reason: In the interests of reducing any adverse glare from the solar panels in compliance with policy D6 of the Plan.

#### **5 Wildlife Protection and Enhancement Scheme (Pre-commencement)**

No development shall take place until full details of a Wildlife Protection and Enhancement Scheme, produced by a suitably experienced professional ecologist, have been submitted to and approved in writing by the local planning authority. These details shall be in accordance with (but not limited to) the recommendations of the approved Bat and Bird Survey and Assessment report dated 7th Oct 2025 by Alder Ecology and shall include:

(i) Method statement for pre-construction and construction phases to provide full details of all necessary ecological protection and mitigation measures, including, where applicable, proposed pre-commencement checks and update surveys (and proposed reporting of findings to the LPA prior to commencement of works), precautionary working methods, and additional measures as applicable, for the avoidance of harm to bats, nesting birds, hedgehog and other wildlife;

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

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

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

## **6 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 proposed lighting design being first submitted to and approved in writing by the Local Planning Authority. These details shall be in accordance with the approved Lighting Statement dated February 2026 by 2A1M Studio Ltd and include:

1. proposed lamps and lamp models, with manufacturer's specifications; proposed lamp positions; numbers and heights, with details also to be shown on a plan;
2. Additional information that demonstrates a high level of confidence that the proposed lighting will not result in unacceptable light spill levels onto habitats or features of ecological value (this may include details of predicted lux levels and light spill modelling where appropriate);
3. details of lighting controls; proposed hours, frequency and duration of use; and details of all measures and features to contain light spill, and to prevent upward light spill and light spill onto trees and boundary vegetation and adjacent land; and to limit use of lights when not required; and to avoid harm to bat activity and other wildlife. The lighting shall be installed, maintained and operated thereafter only in accordance with the approved details.

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

## **7 Biodiversity Net Gain Plan (Pre-commencement)**

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

In all cases:

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

4. Details and evidence of any registered off-site biodiversity gain units allocated to the development and any biodiversity credits purchased for the development; Where on-site habitat is proposed/retained:
5. Long term aims and objectives and targets for habitats; proposed management prescriptions and operations; timing, frequency, durations and methods of operations; specialist expertise, specialist tools/machinery or equipment and personnel where required to meet the stated aims and objectives;
6. Annual work schedule for at least a 30 year period
7. A list of activities and operations that shall not take place and shall not be permitted within the Habitat Management Plan (HMP) area (for example use of herbicides; on-site disposal of grass cuttings or other vegetation waste; routine cutting of ivy where there is no specific arboricultural justification; inappropriate maintenance methods, storage of materials; inappropriate machine or vehicle access).
8. Detailed monitoring strategy for habitats and species, and methods of measuring progress towards and achievement of stated objectives.
9. Details of proposed reporting to the Local Planning Authority, and proposed review and remediation mechanism.
10. Proposed costs and resourcing, and legal responsibilities. The Biodiversity Gain and Habitat Management Plans shall be implemented in accordance with the agreed details and timetable, and all habitats and measures shall be retained and maintained thereafter in accordance with the approved details.

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

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

### **8 Ecological Compliance Statement (Pre-occupation)**

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced professional ecologist (based on post-construction repeat site visit and on-site inspection by the ecologist) confirming and demonstrating, using photographs, adherence to and completion of the Wildlife Protection and Enhancement Scheme in accordance with approved details, has been submitted to and approved in writing by the Local Planning Authority. The report shall include reporting of any non-compliance or requirements for remediation, along with proposed remedial action or additional measures where applicable, which shall thereafter be implemented.

Reason: To demonstrate compliance with the Wildlife and Bat Mitigation and Enhancement measures, to prevent ecological harm and to provide biodiversity gain in

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

### **9 Arboricultural Method Statement (Compliance)**

No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement (Hillside Trees, Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement. Rev B Lansdown Close, College Road, Bath, BA1 5RR, December 2025). 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 and prior to the first occupation of the dwelling.

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 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.

### **11 SCR6 Residential Properties (Pre-occupation)**

Prior to occupation of the development hereby approved, the following tables (as set out in the Council's Sustainable Construction Checklist Supplementary Planning Document) shall be completed in respect of the completed development and submitted for approval to the Local Planning Authority together with the further documentation listed below. The development must comply with the requirements of SCR6.

PHPP/SAP calculations are to be updated with as-built performance values. The following are to be completed using the updated as-built values for energy performance.

Minor Residential Development:

1. Energy Summary Tool 1 or 2
2. Tables 1.1 or 1.2 (if proposal has more than one dwelling type)

Major (or larger) Residential Development:

1. Energy Summary Tool 2
2. Table 2.1 or 2.2 (if proposal has more than one dwelling type)

All Residential Development:

3. Table 5 (updated)
4. Building Regulations Part L post-completion documents for renewables;
5. Building Regulations Part L post-completion documents for energy efficiency;
6. Final as-built full data report from Passive House Planning Package or SAP
7. Microgeneration Certification Scheme (MCS) Certificate/s

Reason: To ensure that the approved development complies with Policy SCR6 of the Local Plan Partial Update.

## **12 Landscape Design Proposals (Bespoke Trigger)**

No development beyond slab level shall take place until full details of both hard and soft landscape proposals and programme of implementation have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

1. Proposed finished levels or contours
2. Means of enclosure
3. Car parking layouts
4. Other vehicle and pedestrian access and circulation areas
5. Hard surfacing materials
6. Minor artefacts and structures (eg outdoor furniture, play equipment, refuse or other storage units, signs, lighting)
7. Proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc)
8. Retained historic landscape features and proposals for restoration, where relevant

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

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

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

## **13 Implementation of Landscaping Scheme (Bespoke Trigger)**

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme of implementation agreed in writing with the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of 10 years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the current or first available planting season with other trees or plants of species, size and number as originally approved unless the Local Planning Authority gives its written consent to any variation. All 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 in accordance with policies D1, D2 and NE2 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.

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

#### **PLANS LIST:**

This decision relates to the following plans:

Habitat plan as proposed- 166 P 012 P1  
Proposed ground floor plan- 166 P 100 P2  
Proposed north and east elevations- 301 P3  
New entrance as proposed 166 c 002 p1  
Site plan as proposed- 166 P 010 P1  
Landscape plan as proposed- 166 P 011 P1  
First floor plan as proposed- 166 P 101 P1  
Roof plan as proposed- 166 P 102 P1  
Sections 200  
Sections 201  
Sections 202  
Long sections 203  
Elevations 301

Site plan as existing 166 S 010 P1  
Sections as existing- 166 A 200 P1  
Sections as existing- 166 S 201 P1  
Location plan as existing- 166 S 001 P1

#### **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](http://www.planningportal.co.uk) or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

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

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

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

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

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

Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: [www.bathnes.gov.uk/cil](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.

## **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.

<b>Item No:</b>	07
<b>Application No:</b>	25/02450/FUL
<b>Site Location:</b>	1 Audley Close, Lower Weston, Bath, Bath And North East Somerset
<b>Ward:</b> Weston	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Demolition of existing single storey side extension and erection of two storey side extension and single storey rear extension. Internal amendments and retrofit to existing property.
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing, MOD Safeguarded Areas, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Katrina Glassick
<b>Expiry Date:</b>	19th March 2026
<b>Case Officer:</b>	Kate Sullivan

## DECISION PERMIT

### 1 Standard Time Limit (Compliance)

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

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

### 2 Materials - Submission of Schedule of materials (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes of the materials to be used in the construction of the external surfaces in respect to the cladding, rainwater goods and aluminium windows have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

### 3 Obscure Glazing and Non-opening Window(s) (Compliance)

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

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

#### **4 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 compound arrangements;
6. 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.

#### **5 Plans List (Compliance)**

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

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

#### **PLANS LIST:**

This decision relates to the following plans:

Drawing number 158.S.301 Revision P1 East and west elevations as existing received 23 June 2025

Drawing number 158.S.101 Revision P1 First floor plan as existing received 23 June 2025

Drawing number 158.S.100 Revision P1 Ground floor plan as existing received 23 June 2025

Drawing number 158.S.300 Revision P1 North and south elevations as existing received 23 June 2025

Drawing number 158.S.102 Revision P1 Roof plan as existing received 23 June 2025

Drawing number 158.S.010 Revision P1 Site plan as existing received 23 June 2025

Drawing number 158.P.001 Revision P1 Location plan as proposed received 3 October 2025

Drawing number 158.P.010 Revision P3 Site plan as proposed received 3 October 2025

Drawing number 158.P.100 Revision P2 Ground floor plan as proposed received 3 October 2025

Drawing number 158.P.101 Revision P2 First floor plan as proposed received 3 October 2025

Drawing number 158.P.104 Revision P3 Roof plan as proposed received 3 October 2025

Drawing number 158.P.200 Revision P2 Sections as proposed received 3 October 2025

Drawing number 158.P.201 Revision P3 Sections as proposed received 3 October 2025

Drawing number 158.P.202 Revision P2 Sections as proposed received 3 October 2025

Drawing number 158.P.300 Revision P2 North and south elevations received 3 October 2025

Drawing number 158.P.301 Revision P3 Elevations west and east as proposed received 3 October 2025

Site location plan received 23 June 2025

### **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.

### **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.

### **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.