

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

29th June 2022

DECISIONS

Item No:	01		
Application No:	21/05190/FUL		
Site Location:	Nempnett Farm, Greenhouse Lane, Nempnett Thrubwell, Bristol		
Ward: Chew Valley	Parish: Nempnett Thrubwell	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of 2no. subterranean eco glamping pods with associated works following the demolition of 5no. intensive pig rearing buildings.		
Constraints:	Bristol Airport Safeguarding, Agric Land Class 3b,4,5, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, LLFA - Flood Risk Management, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
Applicant:	PG & GM Ford		
Expiry Date:	1st July 2022		
Case Officer:	Christopher Masters		

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Plans List (Compliance)

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

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

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

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

and soakaways, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the trees to be retained in accordance with policy NE.6 of the Placemaking Plan.

This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore, these details need to be agreed before work commences.

4 Holiday Occupancy (Compliance)

The development hereby approved as holiday lets shall not be occupied other than for purposes of holiday accommodation and shall not be let to the same person(s) for more than 28 days in any calendar year or such other period as may be first approved in writing by the Local Planning Authority. Written records of lettings and occupiers' home address details shall be maintained and be made available for inspection by the Local Planning Authority upon request.

Reason: The building is unsuitable to accommodate a permanent residential use by reason of its size and conflict with planning Policy.

5 Bicycle Storage (Compliance)

No occupation of the development shall commence until the bicycle storage as shown on drawing 1269-21-101 REV A PROPOSED BLOCK PLAN received 22nd November 2021 has been provided on site. The bicycle storage shall be retained permanently thereafter.

Reason: In the interest of encouraging sustainable travel methods in accordance with Policy ST1 of the Bath and North East Somerset Placemaking Plan.

6 Wildlife Protection and Enhancement (Compliance)

The development hereby permitted shall be carried out only in full accordance with the approved recommended and proposed mitigation, compensation and enhancement measures described in the GREAT CRESTED NEWT AND REPTILE MITIGATION PLAN received 27th January 2022 and the ECOLOGICAL APPRAISAL received 1st March 2022.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policy NE.3 of the Bath and North East Somerset Placemaking Plan.

7 External Lighting (Bespoke Trigger)

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

1. Lamp models and manufacturer's specifications, positions, numbers and heights; and
2. Measures to limit use of lights when not required, to prevent upward light spill and to prevent light spill onto nearby vegetation and adjacent land.

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

Reason: To avoid harm to bats and wildlife in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policies NE3 and D8 of the Bath and North East Somerset Placemaking Plan.

8 Contaminated Land - Unexpected Contamination (Compliance)

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

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with policy PCS5 of the Bath and North East Somerset Placemaking Plan and chapter 15 of the National Planning Policy Framework. "

PLANS LIST:

This decision relates to the following plans:

All received 22nd November 2022

1269-21-001 rev A - Site Location Plan and Existing Block Plan

1269-21-002 EXISTING FLOOR PLAN

1269-21-003 EXISTING ELEVATIONS

1269-21-101 rev A - Proposed Block Plan and Bicycle/ Refuse Store

1269-21-102 - Proposed Subterranean Eco Holiday Accommodation

Condition Categories

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

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

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

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

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

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

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

Community Infrastructure Levy - General Note for all Development

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

Do not commence development until you 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. If you have any queries about CIL please email cil@BATHNES.GOV.UK

Responding to Climate Change (Informative):

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

Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

Item No:	02		
Application No:	21/02973/OUT		
Site Location:	Parcel 3589, Silver Street, Midsomer Norton, Bath And North East Somerset		
Ward:	Midsomer Norton Redfield	Parish:	Midsomer Norton
		LB Grade:	N/A
Application Type:	Outline Application		
Proposal:	Outline planning permission for formation of access road, footpath and cycle links, open space, landscaping and associated works (All matters except access reserved).		
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Policy CP9 Affordable Housing Zones, Greenfield site, SSSI - Impact Risk Zones,		
Applicant:	Waddeton Park Ltd		
Expiry Date:	8th August 2022		
Case Officer:	Isabel Daone		

DECISION Defer to allow for further negotiations around the Heads of Terms for the Section 106 agreement

Item No:	03	
Application No:	21/04881/FUL	
Site Location:	Parcel 6536, Top Lane, Farmborough, Bath	
Ward: Bathavon South	Parish: Marksbury	LB Grade: N/A
Application Type:	Full Application	
Proposal:	The construction, installation, operation and subsequent decommissioning of a renewable energy scheme comprising ground mounted photovoltaic solar arrays together with substation compound, cable trench, inverters, transformer station, internal access track, landscaping, biodiversity measures, permissive footpath, security fencing, security measures, access improvements and ancillary infrastructure on the agricultural fields to the south of A368 and west of A39. At the end of decommissioning, the temporary permissive footpath would be removed.	
Constraints:	Clutton Airfield, Agric Land Class 1,2,3a, Coal - Referral Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Hazards & Pipelines, LLFA - Flood Risk Management, Policy NE5 Ecological Networks, All Public Rights of Way Records, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Renewable Connections Developments Ltd.	
Expiry Date:	4th July 2022	
Case Officer:	Isabel Daone	

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

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

No construction or decommissioning shall take place until an arboricultural method statement with tree protection plan following the recommendations contained within BS 5837:2012 identifying measures to protect the trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include proposed tree protection measures during site preparation, during construction, landscaping operations and decommissioning phases. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, location of site office and movement of people and machinery.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the trees to be retained in accordance with policy NE6 of the Placemaking Plan. This is a condition precedent because the works

comprising the development have the potential to harm retained trees. Therefore, these details need to be agreed before work commences.

3 Construction Environmental Management Plan for Ecology (Pre-commencement)

No development shall take place (including ground works or vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall be in accordance with the approved Ecological Impact Assessment dated Sept 2021 by Clarkson and Woods, and shall also include the following:

- a) Risk assessment of potentially damaging activities
- b) Boundaries of mapped exclusion zones for the protection of ecologically sensitive species or retained habitats and features, with boundaries shown to scale on a plan, and details and specifications for proposed fencing, barriers, and warning signs, as applicable
- c) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person, and proposed pre-commencement checks and survey, including proposed reporting of findings to the Local Planning Authority Ecologist
- d) The times and frequency of visits during construction when a professional ecologist needs to be present on site to oversee works
- e) Responsible persons and lines of communication
- f) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), to include the location, timing and methodologies of specified works to avoid harm to wildlife and sensitive features, and to include measures for pollution control and covering runoff, dust, litter, chemical spillages, materials storage, vehicle movements, noise and lighting impacts

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

4 Construction Traffic Management Plan (Pre-commencement)

No development shall commence until a revised Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. In addition to the material already submitted it shall include:

- o a phasing plan defining distinct areas of the construction site and the order in which these will be delivered
- o any proposed street works, traffic management required to construct the proposed access and any temporary access arrangements
- o details of the layout of the temporary construction compound, with areas for parking, turning and storage of plant and equipment

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

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan. This is a condition precedent because any initial construction or

demolition works could have a detrimental impact upon highways safety and/or residential amenity.

5 Highway Condition Survey (Pre-commencement)

No development nor deliveries to the site shall take place (including investigation work, groundwork/site preparation/clearance, or siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed shall be agreed by the Local Planning Authority prior to the survey being undertaken.

The survey must consist of:

- o a plan to a scale of 1:1000 showing the location of all defects identified; and
- o a written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

6 Highway works - General Arrangement Plan (Pre-commencement)

No development shall take place until general arrangement plan(s) to a scale of 1:200 showing the PROPOSED SITE ACCESS ARRANGEMENTS number P20-1363 Figure 2.2 to the adopted highway has been submitted to and approved in writing by the Local Planning Authority, where applicable indicating proposals for:

- o Existing levels of the finished highway tying into building threshold levels
- o Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works labelled on the plan (if required as part of the proposals)
- o Signing, street furniture, street trees and pits
- o Structures on or adjacent to the highway
- o Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement) labelled on the plan (if required as part of the proposals)

The works shall be carried out in accordance with the approved details, prior to the first use of the site and to the satisfaction of the Local Planning Authority.

Reason: In the interests of public safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory processes); undertaken to a standard approved by the Local Planning Authority and are completed before occupation.

7 Noise impact assessment (Pre-commencement)

No development shall commence until a noise impact assessment will be required to assess the potential impact of noise to existing nearby residents. The noise impact assessment should be implemented as approved.

Reason: To protect the residential amenity of nearby occupiers in accordance with policy D6. This condition is a precedent because it requires confirmation the development will not harm the residential amenity of nearby residents and any measures to mitigate impacts need to be implemented during construction.

8 Point of connection (Pre-commencement)

No development shall commence until details of the means of connecting the development to the electricity grid have been submitted to and approved in writing by the local planning authority. The development shall be connected to the electricity grid in accordance with the approved details.

Reason: To ensure the proposals deliver the estimated energy generation in accordance with the Very Special Circumstances justification.

9 Landscape Design Proposals (Bespoke Trigger)

Prior to the first exportation of electricity from the development to the electricity grid full details of both hard and soft landscape proposals and programme of implementation shall be 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 (including details of wildlife access points in fencing)
3. Other vehicle and pedestrian access and circulation areas
4. Hard surfacing materials
5. Minor artefacts and structures (e.g. storage units, signs, lighting)
6. Proposed and existing functional services above and below ground (e.g. drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc)

Soft landscape details 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
4. Details of proposed wildlife features including bird and bat boxes and new habitat planting.

The development shall proceed in accordance with the details approved.

Reason: To ensure the provision of amenity and a satisfactory quality of environment afforded by appropriate landscape design, in accordance with policies D1, D2, D4, NE3 and NE2 of the Bath and North East Somerset Placemaking Plan.

10 Landscape and Ecological Management Plan (LEMP) (Bespoke Trigger)

Prior to the first exportation of electricity from the development to the electricity grid full details of a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. These details shall be in accordance with recommendations of the approved Ecological Impact Assessment dated Sept 2021 by Clarkson and Woods and shall also include (but not be limited to):

- (i) A plan showing the boundary/ies of all land covered by the LEMP, and boundaries of habitats, management units / compartments, and locations of features and any other details as applicable
- (ii) A list of long-term wildlife conservation and landscape aims and objectives, to include: habitat specific; species-specific; and issue-specific objectives (as applicable) to include provision of suitable habitats and conditions for breeding skylark; and provision of

habitats and suitable conditions for other bird species as applicable including over-wintering birds

- (iii) Proposed measures to provide access for movement of wildlife across and around the site to include wildlife access points at frequent intervals in all fencing
- (iv) Proposed management prescriptions and operations; locations, timing, frequency, duration; methods equipment and personnel as required to meet the stated aims and objectives; to include proposed hedgerow maintenance regimes with minimum maintained hedgerow heights and widths stated
- (v) A list of activities and operations that shall not take place and shall not be permitted within the EMP Plan area (for example use of herbicides, waste disposal, inappropriate maintenance methods, storage of materials)
- (vi) Proposed long term monitoring and reporting scheme for the duration of the development, to include ongoing review and remediation strategy
- (vii) Proposals for habitat retention and long term provision beyond the life of the scheme
- (viii) Proposed costs, legal responsibility, and funding sources

All required measures shall be incorporated into and compatible with the wider scheme and shown to scale on all relevant plans and drawings including landscape design and planting plans. All works within the scheme shall be carried out, and the land managed, maintained and utilised thereafter only in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: in the interests of avoiding net loss and proving net gain of biodiversity, and to secure long term visual amenity.

11 Ecological Compliance Statement (Bespoke Trigger)

Prior to the first exportation of electricity from the development to the electricity grid a report produced by a suitably experienced professional ecologist (based on post-construction on-site inspection by the ecologist) confirming and demonstrating, using photographs, adherence to and completion of all ecological measures as detailed in the approved CEMP and the approved Ecological Impact Assessment dated Sept 2021 by Clarkson and Woods, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate compliance with the approved CEMP and all ecological mitigation and enhancement measures, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3, NE5 and D5e of the Bath and North East Somerset Local Plan.

12 Post Construction Survey (Bespoke Trigger)

Within 6 weeks of the first exportation of electricity from the development to the electricity grid, a post construction survey shall be undertaken and submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

13 Highway Repair Works (Bespoke Trigger)

Any damage to the adopted highway, caused by the construction vehicles associated with the development, as identified from the pre and post construction condition surveys shall be made good to the satisfaction of the local planning authority within 12 weeks of the first exportation of electricity from the development to the electricity grid.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

14 Public Right of Way (Bespoke Trigger)

No development shall take place over the route of any public right of way prior to the confirmation of a Town & Country Planning Act 1990 path diversion/stopping up order, if required to facilitate the development.

Reason: In the interests of public safety.

15 Paint Samples (Bespoke Trigger)

No structure shall be erected on site until a schedule of paint colours to be used has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate visual appearance to the minimise the impact of the proposals on the landscape in accordance with policy D1, D2, GB1 and NE2.

16 Turning Space (Pre-occupation)

No occupation of the development shall commence until the turning space shown on drawing PROPOSED SITE ACCESS ARRANGEMENTS number P20-1363 Figure 2.2 has been completed in accordance with the approved details. The turning space shall be kept clear of obstruction and available for use as a turning space at all times.

Reason: To ensure that vehicles can enter and leave the site in a forward gear in the interests of highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

17 External Lighting (Bespoke Trigger)

No new external lighting shall be installed without full details of proposed lighting design being first submitted to and approved in writing by the Local Planning Authority; 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 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.

18 Hours of construction traffic (Compliance)

Any HGV construction traffic required to implement this planning permission shall be limited to outside the peak hours on Monday to Friday (1000-1600) and on Saturdays between 0800- 1900.

Reason: To ensure that safe operation of the highway and minimise traffic congestion in accordance with Policy ST1 & ST7 of the Bath and North East Somerset Placemaking Plan.

19 Arboricultural Compliance (Bespoke Trigger)

No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement. A signed compliance statement shall be provided by the appointed Arboriculturalist to the local planning authority within 28 days of completion of each phase (construction and decommissioning).

Reason: To ensure that the approved method statement is complied with to protect the trees to be retained in accordance with policy NE6 of the Placemaking Plan.

20 De-commissioning Strategy (Bespoke Trigger)

No less than six months before the 40th anniversary of the first export date, or six months after electricity supply to the grid has ceased for a continuous period of two years and there is no realistic prospect of the solar farm becoming operational again, a decommissioning and site restoration scheme shall be submitted to and approved in writing by the Local Planning Authority. The decommissioning strategy shall include details of how plant and equipment's within the site will be removed, including any boundary treatments such as fences, and including the timescale for such works. The strategy shall include copies of pre-decommissioning ecological surveys, and which will inform any mitigation requirements. The site shall be decommissioned and restored in accordance with the details so approved.

The site will revert to Greenfield Land following decommissioning and will not be identified as previously development land.

Reason: To protect the landscape character and openness of the Green Belt in accordance with policies CP8, GB1 and NE2 of the Bath and North East Somerset Core Strategy and Placemaking Plan and to ensure sufficient ecological mitigation in accordance with policy NE3

21 Plans List (Compliance)

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

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

PLANS LIST:

21 Dec 2021	P20-1363_05 B	Landscape Strategy
14 Jan 2022	Mp-01 03	Marksbury Solar Farm Master Plan
14 Jan 2022	PI-01 10	Indicative Layout Plan
14 Jan 2022	Sd-01 01	Dno Substation Elevation And Dimension

14 Jan 2022	Sd-02 01	Customer Substation Elevations And Dimension
14 Jan 2022	Sd-03 01	Security Fence And Cctv Standard Details
14 Jan 2022	Sd-04 01	Access Gate Elevation
14 Jan 2022	Sd-05 01	Access Track Cross Section
14 Jan 2022	Sd-06 01	Inverter Elevations And Dimensions Layout
14 Jan 2022	Sd-07 01	Dno Track Cross Section Standard Detail
14 Jan 2022	Sd-08 01	Dno Substation Floor Plan
14 Jan 2022	Sd-09 01	Customer Substation Floor Plan
14 Jan 2022	Sd-10 01	Fixed Panel Cross Section Detail
14 Jan 2022	Sd-11 01	Indicative Cctv Post - Standard Drawings
14 Jan 2022	Sd-14 01	Inverter Floor Plan
14 Jan 2022	Sp-03 01	PV Site Location Plan

Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 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.

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

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

Community Infrastructure Levy - Exemptions and Reliefs Claims

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

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

Public Right of Way Informative

1. It is essential that the Applicant arranges a Pre-construction site visit with Sheila Petherbridge (PROW Inspector - Tel 01225 394943) prior to any works taking place to discuss the intended fencing and hedging, removal of gating (if necessary), construction phase arrangements and the possible effects to the public rights of way.

2. If the construction and maintenance access route is intended to be permanent, there must be clear demarcation on the ground where it crosses the public footpaths and vehicles must make way for pedestrians at all times.

3. Both public footpaths currently have gates at both ends where they meet the highway. If gating is no longer needed, the PROW Team can arrange for the gates to be removed and reused at other sites. There must be no new gating installed at any point along either of the footpaths.

4. The PROW Team is not in favour of enclosing footpaths with fencing but recognises that the solar panels must be secured. It is noted that the perimeter fencing will be deer fencing, approximately 2 metres in height (Landscape and Visual Impact Assessment, Point 2.22). There must be no barbed wire adjacent to the footpaths. The Proposal shows new native hedging on the eastern side of BA15/25. A minimum of at least 3 metres width must be retained between the expected maximum width of the hedging / fencing to accommodate the footpaths.

This is to negate the impact of enclosure on the users of the footpath.

5. The PROW Team will not be responsible for the maintenance of the proposed fencing on either side of the two footpaths, or the maintenance of the proposed hedges. The hedges must be

maintained on a regular basis to ensure that the public footpath does not become obstructed.

6. There must be no effect to the surface, gradient, line or width of the footpath during or after

construction. Any damage to the footpath during the construction phase must be repaired to the

satisfaction of the PROW Inspector at Bath and North East Somerset Council.

7. A temporary path closure may be required to facilitate development. Full details of the process

involved can be found on the Council's website at:

<https://www.bathnes.gov.uk/services/streets-and-highway-maintenance/public-rights-of-way/public-path-orders/temporary-path>

Responding to Climate Change (Informative):

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

Item No:	05	
Application No:	22/01299/FUL	
Site Location:	Frome House , Lower Bristol Road, Westmoreland, Bath	
Ward: Westmoreland	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use of the existing building (excluding ground floor tyre repair centre) to 25 student bedspaces and associated works.	
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, Contaminated Land, Policy CP9 Affordable Housing Zones, HMO Stage 1 Test Area (Stage 2 Test Req), LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Railway, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
Applicant:	Crossman Acquisitions Ltd	
Expiry Date:	1st July 2022	
Case Officer:	David MacFadyen	

DECISION REFUSE

Item No:	06	
Application No:	22/00672/FUL	
Site Location:	13 Brookside Close, Paulton, Bristol, Bath And North East Somerset	
Ward: Paulton	Parish: Paulton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 1no four bed dwelling.	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, LLFA - Flood Risk Management, Neighbourhood Plan, SSSI - Impact Risk Zones,	
Applicant:	Mr Mike Baxter	
Expiry Date:	1st July 2022	
Case Officer:	Danielle Milsom	

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 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 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 Soakaways (bespoke trigger)

The development hereby permitted is to manage surface water onsite using soakaways as indicated on the application form and/or approved drawings. Soakaways are to be

designed and constructed in accordance with Building Regulations Approved Document Part H section 3, noting the requirement for infiltration testing which should be undertaken at an early stage of the development to confirm viability of infiltration techniques.

If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority.

The soakaways or other approved method of surface water drainage shall be installed prior to the occupation of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy and Policy SU1 of the Bath and North East Somerset Placemaking Plan

4 Wildlife Protection and Enhancement Scheme (Pre-commencement)

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

- (i) Method statement for pre-construction and construction phases to provide full details of all necessary protection and mitigation measures, including, where applicable, protection measures and proposed pre-commencement checks and update surveys, for the avoidance of harm to nesting birds, reptiles, amphibians and other wildlife, and proposed reporting of findings to the LPA prior to commencement of works; and
- (ii) Detailed specification and location plan for native planting, provision of 2 x bat & 2 x bird boxes and hedgehog connectivity measures.

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.

Reason: To prevent ecological harm in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended) and to provide biodiversity gain in accordance with Policy NE3 of the Bath and North East Somerset Local Plan.

5 Implementation of Wildlife Scheme (Pre-occupation)

No occupation of the development hereby approved shall commence until a statement confirming and demonstrating, using photographs, completion and implementation 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.

Reason: To demonstrate the completed implementation of the Wildlife Protection and Enhancement Scheme, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and Policies NE3 and D5e of the Bath and North East Somerset Local Plan.

6 External Lighting (Bespoke Trigger)

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

1. Lamp models and manufacturer's specifications, positions, numbers and heights; and
2. Measures to limit use of lights when not required, to prevent upward light spill and to prevent light spill onto nearby vegetation and adjacent land.

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

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

7 Parking (Pre-occupation)

No occupation of the development shall commence until four parking spaces have been provided on-site and should be retained permanently thereafter.

Reason: To ensure that adequate and safe parking is provided in the interests of amenity and highway safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

8 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least four 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: In the interest of encouraging sustainable travel methods in accordance with Policy ST1 of the Bath and North East Somerset Placemaking Plan.

9 Rainwater Harvesting (Pre-occupation)

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

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

10 Water Efficiency (Compliance)

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

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

11 Sustainable Construction (Pre-Occupation)

Prior to first occupation of the development hereby approved the following tables (as set out in the Council's Sustainable Construction Supplementary Planning Document, Adopted November 2018) shall be completed in respect of the completed development

and submitted to the local planning authority together with the further documentation listed below:

- o Table 2.4 (Calculations);
- o Building Regulations Part L post-completion documents

Reason: To ensure that the approved development complies with Policy SCR1 of the Placemaking Plan (renewable energy) and Policy CP2 of the Core Strategy (sustainable construction).

12 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following plans:

Revised Drawing - 29 April 2022 - PLN-1 - Proposed Elevations, Floor Plan and Site Location Plan

OS Extract - 15 Feb 2022 - Site 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 or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

Community Infrastructure Levy - General Note for all Development

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

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. If you have any queries about CIL please email cil@BATHNES.GOV.UK

Responding to Climate Change (Informative):

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

Coal Mining - Low Risk Area (but within coalfield)

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during

development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Item No:	07		
Application No:	22/00443/FUL		
Site Location:	Pond House , Rosemary Lane, Freshford, Bath		
Ward: Bathavon South	Parish: Hinton Charterhouse	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Partial demolition of ancillary outbuilding and conversion of remaining building into granny annex. Erection of extensions following demolition of the south-west end of the existing dwelling.		
Constraints:	Agric Land Class 3b,4,5, Contaminated Land, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE3 SNCI, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, All Public Rights of Way Records, SSSI - Impact Risk Zones,		
Applicant:	Mr and Mrs Walters		
Expiry Date:	18th April 2022		
Case Officer:	Angus Harris		

DECISION REFUSE

1 The proposed development represents inappropriate development in the Green Belt and would be harmful to openness and the purposes of including land within the Green Belt. The proposal is therefore contrary to policy CP8 of the adopted Core Strategy and policy GB1 and GB3 of the Placemaking Plan for Bath and North East Somerset (2017) and the NPPF.

2 The proposed development by virtue of its scale and massing would detract from the character of the existing building and adversely affect the natural beauty of the landscape of the designated AONB. The proposal is therefore contrary to policy NE2, D1, D2 and D5 of the Placemaking Plan for Bath and North East Somerset (2017) as well as the Freshford and Limpley Stoke Neighbourhood Plan Planning, and the NPPF.

PLANS LIST:

This decision relates to the following plans:

Drawing - 01 Feb 2022 - 387(10)002 - EXISTING AND PROPOSED SITE PLANS
Drawing - 01 Feb 2022 - 387(20)001 - EXISTING GROUND AND FIRST FLOOR LAYOUTS
Drawing - 01 Feb 2022 - 387(20)002 - PROPOSED GROUND AND FIRST FLOOR LAYOUTS
Drawing - 01 Feb 2022 - 387(20)003 - EXISTING GROUND AND FIRST FLOOR LAYOUTS WITH PERMITTED DEVELOPMENT
Drawing - 01 Feb 2022 - 387(21)001 - EXISTING ELEVATIONS
Drawing - 01 Feb 2022 - 387(21)002 - EXISTING ELEVATIONS 2
Drawing - 01 Feb 2022 - 387(21)003 - PROPOSED ELEVATIONS

Drawing - 01 Feb 2022 - 387(21)005 - EXISTING ELEVATIONS WITH PD
Drawing - 01 Feb 2022 - 397(24)001 - 3D IMAGES
OS Extract - 01 Feb 2022 - 0387(10)004 B - SITE LOCATION PLAN
Drawing - 25 May 2022 - VOLUME COMPARISON TABLE PLAN

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all relevant planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website www.bathnes.gov.uk/cil

Item No:	08	
Application No:	22/00624/FUL	
Site Location:	136 The Hollow, Southdown, Bath, Bath And North East Somerset	
Ward: Southdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Loft conversion with side and rear dormers (Resubmission)	
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Andrew Webster	
Expiry Date:	4th July 2022	
Case Officer:	Angus Harris	

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following plans:

Drawing - 11 Feb 2022 - 002 - EXISTING PLANS
Drawing - 11 Feb 2022 - 003 - EXISTING ROOF PLAN
Drawing - 11 Feb 2022 - 004 - EXISTING ELEVATIONS
Drawing - 11 Feb 2022 - 005 - PROPOSED PLANS
Drawing - 11 Feb 2022 - 006 - PROPOSED ROOF PLAN
Drawing - 11 Feb 2022 - 007 - PROPOSED ELEVATIONS
OS Extract - 11 Feb 2022 - 001 - LOCATION AND BLOCK PLAN

Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

Community Infrastructure Levy - General Note for all Development

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Community Infrastructure Levy - Exemptions and Reliefs Claims

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