

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

24th August 2022

DECISIONS

Item No:	01	
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 Delegate to PERMIT subject to S106 Agreement

Item No:	02	
Application No:	20/02964/FUL	
Site Location:	Lansdown Lawn Tennis & Squash Racquets Club, Northfields, Lansdown, Bath	
Ward:	Parish:	LB Grade:
Lansdown	N/A	N/A
Application Type:	Full Application	
Proposal:	Installation of floodlights for tennis courts 8, 9 and 10.	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, Policy LCR5 Safeguarded existg sport & R, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set,	
Applicant:	Jon Foulds	
Expiry Date:	30th August 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 development shall commence until a detailed Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan following the recommendations contained within BS5837:2012 have been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion to the local planning authority. The statement should include the control of potentially harmful operations such as site preparation (including demolition, clearance, and level changes); the storage, handling and mixing of materials on site, burning, location of the site office, service run locations including soakaway locations and movement of people and machinery. No development or other operations shall thereafter take place except in complete accordance with the approved details.

Reason: to ensure that trees to be retained are not adversely affected by the development proposals in accordance with policy NE6 of the Bath and North East Somerset Local 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 Compliance with Arboricultural Method Statement (Compliance)

The approved development shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. A signed compliance statement from the appointed Arboriculturalist shall be submitted and approved in writing by the Local Planning Authority within 28 days of the completion of the works.

Reason: to ensure that trees to be retained are not adversely affected by the development proposals in accordance with Policy NE6 of the Bath and North East Somerset Local Plan. To ensure that the approved method statement is complied with for the duration of the development.

4 Wildlife Protection and Enhancement Scheme (Compliance)

The development hereby approved shall be carried out only in accordance with the mitigation and enhancement measures detailed in Section 4 of the Ecological Appraisal report (Crossman Associates, May 2021). This shall include avoidance, mitigation and enhancement measures for bats and nesting birds, including installation of six new bird boxes. If any amendments to the recommended approach are proposed, details shall be submitted in writing to and agreed by the Local Planning Authority. The revised measures shall then be implemented in accordance with the approved details before use of the new floodlighting.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with policies NE3 and D5e of the Bath and North East Somerset Local Plan.

5 Hours of Illumination (Compliance)

The floodlighting hereby permitted shall only be switched on during the hours of 13:00 to 21:00 hours Monday to Sunday (inclusive).

Reason: In the interests of residential and visual amenity.

6 External Lighting (Compliance)

No new external lighting, other than the floodlighting approved as part of this application, shall be installed without further planning permission being granted.

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.

7 Light switch off (Bespoke Trigger)

Prior to the installation of the proposed flood lighting columns, details of measures to limit the use of lights when not required shall be submitted to an approved in writing by the Local Planning Authority. Such details shall include automated timers to turn off lighting outside the permitted hours of operation.

Reason: To avoid harm to bats and wildlife and residential amenity in accordance with policies NE3, D6 and D8 of the Bath and North East Somerset Local Plan.

8 Flood lighting design (Compliance)

The proposed flood lighting shall be installed in accordance with the specification and details within the "Outdoor Tennis Lighting Design" document (Luminance Pro Lighting Systems, dated 23rd February 2022).

Reason: To ensure the lighting is installed in accordance with the approved details and to protect the residential amenity of the neighbouring occupiers in accordance with policy D6.

9 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:

10D Proposed Site Plan. Received 11th July 2022

11C Cross Section 1-1 Existing & Proposed. Received 11th July 2022

12 A Cross Section 2-2 Existing & Proposed. Received 8th March 2022

009 Location Plan. Received 17th August 2020

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.

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

Community Infrastructure Levy - General Note for all Development

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

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

Community Infrastructure Levy - Exemptions and Reliefs Claims

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

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

Responding to Climate Change (Informative):

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

Item No:	03
Application No:	22/02560/FUL
Site Location:	31 St Mark's Road, Widcombe, Bath, Bath And North East Somerset
Ward: Widcombe And Lyncombe	Parish: N/A LB Grade: II
Application Type:	Full Application
Proposal:	Widening of existing opening in stone wall by 450mm and the positioning of a charging point for electric car.
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, 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, British Waterways Minor and Householders, Conservation Area, Policy CP9 Affordable Housing Zones, HMO Stage 1 Test Area (Stage 2 Test Req), Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
Applicant:	Mr Adam Elmes
Expiry Date:	19th August 2022
Case Officer:	Caroline Power

DECISION Delegate to PERMIT

Item No:	04
Application No:	22/01578/LBA
Site Location:	31 St Mark's Road, Widcombe, Bath, Bath And North East Somerset
Ward:	Widcombe And Lyncombe
Parish:	N/A
LB Grade:	II
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	External alterations for widening of existing opening in stone wall by 450mm and the positioning of a charging point for electric car.
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, British Waterways Minor and Householders, Adjoins City Boundary, Conservation Area, HMO Stage 1 Test Area (Stage 2 Test Req), Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
Applicant:	Mr Adam Elmes
Expiry Date:	19th July 2022
Case Officer:	Caroline Power

DECISION Delegate to PERMIT

Item No:	05
Application No:	22/01966/FUL
Site Location:	22 Lambourn Road, Keynsham, Bristol, Bath And North East Somerset
Ward: Keynsham East	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Hip to gable and dormer loft conversion, single storey rear extension and two storey side extension.
Constraints:	Saltford Airfield 3km buffer, Agricultural Land Classification, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodrome,
Applicant:	Miss Diane Breuil
Expiry Date:	26th August 2022
Case Officer:	Christine Moorfield

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 (Compliance)

The materials to be used on the dormer window cheeks shall match in colour the tiles on the existing building.

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 Materials (Compliance)

All external brick walling and roofing tiles to be used shall match those of the existing building in respect of colour, type, form, finish, texture, colour, size and profile.

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.

4 Plans List (Compliance)

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

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

PLANS LIST:

0504.101 E dated 7/07/22 and
0504.001 dated 12/05/22

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Civil or legal consents

This permission does not convey or imply any civil or legal consents required to undertake the works.

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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.