

Bath & North East Somerset Council

MEETING: **Planning Committee**

MEETING DATE: **8th March 2023**

RESPONSIBLE OFFICER: Simon de Beer – Head of Planning

AGENDA
ITEM
NUMBER

--

TITLE: **SITE VISIT AGENDA**

WARDS: ALL

BACKGROUND PAPERS:

AN OPEN PUBLIC ITEM

BACKGROUND PAPERS

List of background papers relating to this report of the Head of Planning about applications/proposals for Planning Permission etc. The papers are available for inspection online at <http://planning.bathnes.gov.uk/PublicAccess/>.

- [1] Application forms, letters or other consultation documents, certificates, notices, correspondence and all drawings submitted by and/or on behalf of applicants, Government Departments, agencies or Bath and North East Somerset Council in connection with each application/proposal referred to in this Report.
- [2] Department work sheets relating to each application/proposal as above.
- [3] Responses on the application/proposals as above and any subsequent relevant correspondence from:
 - (i) Sections and officers of the Council, including:
 - Building Control
 - Environmental Services
 - Transport Development
 - Planning Policy, Environment and Projects, Urban Design (Sustainability)
 - (ii) The Environment Agency
 - (iii) Wessex Water
 - (iv) Bristol Water
 - (v) Health and Safety Executive
 - (vi) British Gas
 - (vii) Historic Buildings and Monuments Commission for England (English Heritage)
 - (viii) The Garden History Society
 - (ix) Royal Fine Arts Commission
 - (x) Department of Environment, Food and Rural Affairs
 - (xi) Nature Conservancy Council
 - (xii) Natural England
 - (xiii) National and local amenity societies
 - (xiv) Other interested organisations
 - (xv) Neighbours, residents and other interested persons
 - (xvi) Any other document or correspondence specifically identified with an application/proposal
- [4] The relevant provisions of Acts of Parliament, Statutory Instruments or Government Circulars, or documents produced by the Council or another statutory body such as the Bath and North East Somerset Local Plan (including waste and minerals policies) adopted October 2007

The following notes are for information only:-

- [1] "Background Papers" are defined in the Local Government (Access to Information) Act 1985 do not include those disclosing "Exempt" or "Confidential Information" within the meaning of that Act. There may be, therefore, other papers relevant to an application which will be relied on in preparing the report to the Committee or a related report, but which legally are not required to be open to public inspection.

- [2] The papers identified or referred to in this List of Background Papers will only include letters, plans and other documents relating to applications/proposals referred to in the report if they have been relied on to a material extent in producing the report.
- [3] Although not necessary for meeting the requirements of the above Act, other letters and documents of the above kinds received after the preparation of this report and reported to and taken into account by the Committee will also be available for inspection.
- [4] Copies of documents/plans etc. can be supplied for a reasonable fee if the copyright on the particular item is not thereby infringed or if the copyright is owned by Bath and North East Somerset Council or any other local authority.

INDEX

ITEM NO.	APPLICATION NO. & TARGET DATE:	APPLICANTS NAME/SITE ADDRESS and PROPOSAL	WARD:	OFFICER:	REC:
001	22/02863/FUL 10 February 2023	Free Rangers Mill Barn, Millards Hill, Welton, Midsomer Norton, Bath And North East Somerset Erection of a new external classroom; consisting of natural rendered clay bricks to form landscaping wall, pizza oven & rainwater collection with arrayed valleyed roof.	Midsomer Norton North	Danielle Milsom	PERMIT

REPORT OF THE HEAD OF PLANNING ON APPLICATIONS FOR DEVELOPMENT

Item No: 001
Application No: 22/02863/FUL
Site Location: Mill Barn Millards Hill Welton Midsomer Norton Bath And North East Somerset



Ward: Midsomer Norton North **Parish:** Midsomer Norton **LB Grade:** II

Ward Members: Councillor Michael Evans Councillor Shaun Hughes

Application Type: Full Application

Proposal: Erection of a new external classroom; consisting of natural rendered clay bricks to form landscaping wall, pizza oven & rainwater collection with arrayed valleyed roof.

Constraints: Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Policy CP9 Affordable Housing Zones, Policy NE1 Green Infrastructure Network, Neighbourhood Plan, SSSI - Impact Risk Zones,

Applicant: Free Rangers

Expiry Date: 10th February 2023

Case Officer: Danielle Milsom

To view the case click on the link [here](#).

REPORT

Reason for going to committee:

The application was referred to the Committee Chair and Vice Chair in accordance with the Council's scheme of delegation. Cllr Shaun Hughes, ward member of Midsomer Norton North, requested that should officers be minded to permit the application, then it should be considered by the Planning Committee. Planning policy reasons were given by

the ward councillor, regarding impact on traffic, contrary to officer recommendation to permit.

The Chair has considered the application and decided that the application will be determined by the Planning Committee, commenting as follows:

I have reviewed this application and note the comments from statutory consultees and third parties. The officer and applicant have worked together to address the issues raised and conditions have been incorporated as necessary. However, due to the comments from Conservation and the sensitivity of the site, I believe that the proposal should be debated in public by the Planning Committee.

The Vice Chair commented as follows:

"I have read through this application including all comments from both third party & statutory consultees including the Ward Cllr reasons for requesting the application be heard by the planning committee.

The Officer has worked with the applicants to address concerns raised & further information has been provided & suggested conditions proposed to mitigate the impact this proposal will have on the area however it is controversial & I recommend the application be determined by the planning committee so all issues can be debated in the public arena."

Reason for site visit

During the 8th February Planning Committee, members voted to defer the application for a site visit. This decision was made so that members could see the relationship between the site and listed buildings and to also gain a further understanding of the impact upon the highway. The site visit will take place on the 27th February 2023.

Site description

This application relates to Mill Barn. The site is set within the wider 'Free Rangers' school nursery, situated within Midsomer Norton, which falls within a Conservation Area. The land subject to this application is situated to the south-east of the site.

Planning permission is sought for the erection of a new external classroom; consisting of natural rendered clay bricks to form landscaping wall, pizza oven & rainwater collection with arrayed valleyed roof.

Relevant Planning History:

06/02033/FUL - permit - Demolitions, external and internal alterations in connection with change of use from agricultural to office use of two-storey barn. Restoration of pigsty within site boundary, not used for agricultural purposes

06/02034/LBA - consent - Conversion of barn and lean-to, to offices. Internal and external alterations including new staircase, new partitions, windows and doors including works to former pigsty

08/01809/FUL - permit - Change of use from agricultural use to office/workshop use

08/01810/LBA - consent - Internal and external alterations to convert from agricultural use to office/workshop use

11/02871/REN - permit - Renewal of application 08/01809/FUL (Change of use from agricultural use to office/workshop use)

11/02872/LBR - consent - Renewal of application 08/01810/LBA (Internal and external alterations to convert from agricultural use to office/workshop use)

09/01417/FUL - permit - Change of use of Mill Barn from agriculture to childrens nursery and creche to include extension of lean-to and reconstructing the loggia

09/01420/LBA - consent - Internal and external alterations for the change of use of Mill Barn from agriculture to childrens nursery and creche to include extension of lean-to and reconstructing the loggia

15/05436/FUL - permit - Change of use of ground floor accommodation within existing Farmhouse to D1 nursery use ancillary to main nursery within Mill Barn.

16/04912/FUL - permit - Erection of extension to Mill Barn, expansion of car park, conversion of the bull pen to nursery accommodation and re-cladding and alteration of redundant barn to form covered external play area.

16/04913/LBA - consent - External alterations to include conversion of the existing bull pen to form additional nursery accommodation; Extension of existing Mill Barn Loggia to form a new boot room and play garden entrance; re-cladding and alteration of a redundant barn to form a covered external play area and expansion of the existing car park.

16/05100/LBA - consent - Demolition of concrete block extension to the existing Bull Pen building, internal and external alterations for the erection of a new oak framed extension to the existing Bull Pen building and alterations to the derelict pig sty

16/05099/FUL - permit - Demolition of concrete block extension to the existing Bull Pen building, erection of a new oak framed extension to the existing Bull Pen building; and alterations to the derelict pig sty

21/03073/FUL - permit - Erection of 2 no. yurts, 3 no. compost toilets, canopy structure, timber shed, and timber fence to the western boundary (retrospective)

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Consultation Responses :

Conservation team: Objection

Highways: No objection subject to condition

Midsomer Norton Town Council: No comment

Education Services: comment

- o Welcome provision of facilities

Representations Received :

Cllr Shaun Hughes: Call to committee:

- o Appreciate the benefits of the nursery and the community facilities, it is important to maintain balance and harmony with the adjacent area, infrastructure and residents
- o Facility has grown significantly which has had an impact on traffic levels
- o Millards Hill suffered with a number of highways issues including speeding vehicles, parking, poor visibility and excessive vehicle movements, poor provision for pedestrians and cyclists which results in a high risk of accidents
- o Mention of further increase through introduction of a café and community growing space
- o Although I fully support this business, this application should be considered by committee to fully explore the impact that further growth will bring.

Three objection comments received. A summary is as follows:

- o The 5 year plan of growth hides a continues increase in traffic
- o Once the school is complete this would lead to a 107% increase in traffic movement
- o Traffic survey is limited
- o Concern is with wider road network
- o Fear of subsequent applications
- o Assessment must be made on the road network now
- o If the application was for the full development it would be assessed very differently
- o Millards Hill already causes traffic conflicts, it is not current safe as stated
- o Speed of vehicles causes danger
- o Any further expansion will cause a great risk to safety
- o Traffic survey does not take into account further down Millards Hill
- o A full traffic survey should be conducted

Three support comments received. A summary is as follows:

- o As a pedestrian I feel safe when walking to and from the site
- o There is a large car park
- o The proposal would benefit the community
- o There is a huge need for educational provision in this area
- o The development is sympathetic to the land
- o There is minimal disruption and issues with parking in comparison to other primary schools
- o There is ample parking

The above provides a summary only. Due to length of comments, it is not possible for all to be detailed within this report. Full comments can be viewed on the public website.

POLICIES/LEGISLATION

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Development Plan for Bath and North East Somerset comprises:

- o Bath & North East Somerset Core Strategy (July 2014)
- o Bath & North East Somerset Placemaking Plan (July 2017)
- o West of England Joint Waste Core Strategy (2011)
- o Bath & North East Somerset saved Local Plan policies (2007) not replaced by the Core Strategy or the Placemaking Plan:
 - Policy GDS.1 Site allocations and development requirements (policy framework)
 - Policy GDS.1/K2: South West Keynsham (site)
 - Policy GDS.1/NR2: Radstock Railway Land (site)
 - Policy GDS.1/V3: Paulton Printing Factory (site)
 - Policy GDS.1/V8: Former Radford Retail System's Site, Chew Stoke (site)
- o Made Neighbourhood Plans

Core Strategy:

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The following policies of the Core Strategy are relevant to the determination of this application:

CP6: Environmental Quality

DW1: District Wide Spatial Strategy

SD1: Presumption in favour of sustainable development

Placemaking Plan:

The Placemaking Plan for Bath and North East Somerset was formally adopted by the Council on 13th July 2017. The following policies of the Placemaking Plan are relevant to the determination of this application:

D1: General urban design principles

D2: Local character and distinctiveness

D3: Urban fabric

D5: Building design

D6: Amenity

HE1: Historic environment

ST7: Transport requirements for managing development

LOCAL PLAN PARTIAL UPDATE:

Bath and North East Somerset Council have recently updated a number of local planning policies through the introduction of the Local Plan Partial Update (LPPU). The following policies have been introduced through the LPPU and are relevant to this proposal:

Policy NE3a (Biodiversity Net Gain)

The following policies have been updated as part of the LPPU and are relevant to the proposal:

Policy DW1 (District-wide Spatial Strategy)

Policy NE3 (Sites, Habitats and Species)

Policy ST1 (Promoting sustainable travel and healthy streets)
Policy ST7 (Transport Requirements for Managing Development)

National Policy:

The National Planning Policy Framework (NPPF) was published in February 2019 and is a material consideration. Due consideration has been given to the provisions of the National Planning Practice Guidance (NPPG).

Conservation Areas:

In addition, there is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the surrounding Conservation Area.

LOW CARBON AND SUSTAINABLE CREDENTIALS

The policies contained within the development plan are aimed at ensuring development is sustainable and that the impacts on climate change are minimised and, where necessary, mitigated. A number of policies specifically relate to measures aimed at minimising carbon emissions and impacts on climate change. The application has been assessed against the policies as identified and these have been fully taken into account in the recommendation made.

OFFICER ASSESSMENT

This application proposes the erection of a new external classroom; consisting of natural rendered clay bricks to form landscaping wall, pizza oven & rainwater collection with arrayed valleyed roof.

The site is set within the wider 'Free Rangers' school nursery. The school opened in 2011 following the initial planning application on 2009. Facilities currently support 72 children and 28 staff. Existing permissions, extant but not complete could see an increase of up to 105 children. This proposal would facilitate an increase of 8 pupils and 2 full time members of staff. This is the scale of change that has been assessed under this application.

Concern has been made with regard to future development beyond this application. This arose through the mention within this application of a master plan of the site. However, this application only proposes the outdoor classroom, increasing the number of students within Free Rangers by 8. All references on the plans to future proposals have been removed. This assessment can only consider the merits of this application, as presented. Further expansion of Free Rangers would be subject to additional planning permissions which would be assessed at that stage. Minimal weight is given to future applications as part of this application.

PRINCIPLE OF DEVELOPMENT:

The area of works has been used informally by Free Rangers since the site first opened in 2011. For over 10 years, the area has been used to facilitate some educational activities associated with the agricultural use, adjacent to the existing barns. The barns, and land adjacent which is subject to this applications primary use if considered to be educational,

ancillary to Free Rangers School, with associated agricultural function, including the keeping of several small farm animals. It is therefore considered that the construction of an outdoor class room in this area would not entail a change of use of the land. The land would continue to be primarily in educational use with ancillary agricultural function.

The expansion of the school is regarded as a community facility. Policy RA3 of the B&NES Placemaking Plan is therefore considered to be relevant in this instance. Proposals for the development of community facilities will be acceptable within and adjoining all villages, provided they are of a scale and character appropriate to the village and meets the needs of the parish and adjoining parishes.

Considering that the proposed area for development sits within the larger ownership of Free Rangers, and as the area is already in use for some educational activities it is considered that it is of a scale suitable for the school and wider area. A statement from the educational services team has also stated that the provision of this facility in this area would be welcomed and would as such support a need within the immediate area. The proposal is as such considered to be compliant with policy RA3.

CHARACTER AND APPEARANCE:

Policy D1, D2, D3 and D5 of the Placemaking Plan have regard to the character and appearance of a development and its impact on the character and appearance of the host building and wider area. Development proposals will be supported, if amongst other things they contribute positively to and do not harm local character and distinctiveness. Development will only be supported where, amongst other things, it responds to the local context in terms of appearance, materials, siting, spacing and layout and the appearance of extensions respect and complement their host building.

Policy HE1 requires development that has an impact upon a heritage asset, whether designated or non-designated, will be expected to enhance or better reveal its significance and setting.

The proposed development site is part of an historic farmstead, which is now used as a Free Rangers School. It is the setting of numerous listed and curtilage listed structures. The site also makes an important contribution to the character and appearance of the Midsomer Norton & Welton Conservation Area. The historic farmstead is of historic rural vernacular architecture and sits within an open countryside setting.

Manor Farm was part of a medieval settlement with associated hollow way. To the northwest of the site there is Welton Manor House, a Grade II* house, which is dated 1620. There is a large barn immediately southeast of Welton Manor which is Grade II listed in its own right. There is group of curtilage structures, which make a positive contribution to the setting and character of the grade II* listed farmhouse and the grade II listed barn. A large modern barn has been erected between this grouping and the proposed development site, which due to its scale is harmful to the historic farmstead.

There is a site is bordered by the route of the former railway line, which is now used a cycle way and footpath known as the Norton Radstock Greenway. It is also included in character zone 2 of the conservation area. The character of this zone stems in part from its adjoining open countryside setting. While the large, modern shed barn has restricted some of the views in and out of the historic farmstead to the proposed development site,

there remains a historic relationship between the two. Historic map layers show that it was open farmland.

It is proposed to erect an outdoor classroom with a finned roof form, which will fan out of a central point. There will be a separate structure housing a pizza oven. The structures will have polycarbonate and corrugated metal roofs. Further information has been provided regarding the materials used in the construction of the walls which will include clay, silt, sand and gravel. The clay is to be excavated on site.

There is concern over the impact of the proposed structures in relation to the historic farmstead a views from the foot path. This is an area which historically has been left open, development would as such lead to harm. It is considered that the structures would diminish the open natures of the countryside around the farm, subsequently causing harm to the character of the Conservation Area. The spread of development from the listed buildings is also considered to be harmful to their setting.

The works would cause less than substantial harm to the character of the Conservations Area, and the setting of the listed buildings.

Where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.

This application would support the expansion of the Free Rangers Forestry School, enabling growth to cater for 8 additional students. Paragraph 95 of the NPPF states:

It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications

The expansion of the Free Rangers Forestry school is therefore given significant weight within the consideration of public benefit. In addition, a consultation response has been received from the B&NES Education Inclusion Team. Advice received states freeing up places in special schools within the district by offering alternatives is one way to increase the sufficiency of places in B&NES and prevent out of county placements. Whilst the SEND team do look to place within a maintained school (mainstream of special) in the first instance, due to the lack of local capacity this is not always possible which can result in placing at independent out of county placements which can be costly due to the requirement of transport. This is also not always within the best interests of the child. Therefore, it is always much the best for the child to keep them in their local community. As such, any increase in provision in the locality is welcomed and would support one of the major outcomes outlines within the SEND strategy SPD.

Due to the above, it can therefore be demonstrated that the expansion of the Free Rangers Forestry School would provide an alternative place for children within the district, helping to reduce the pressure on mainstream and special schools. Great weight is as

such given to this public benefit. The harm identified to the Conservation Area and setting of the Listed Building is considered to fall at the lower end of less than substantial. It is therefore considered that in this instance, the public benefit identified would be sufficient enough to outweigh the less than substantial harm and is as such considered to be compliant with part 16 of the NPPF and HE1 of the B&NES Placemaking Plan.

Conditions are attached to secure samples of all materials proposed as part of the construction. This would ensure that all materials are suitable to the rural setting.

There is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. In this case by virtue of the design, scale, massing, position and the external materials of the proposed development it is considered that the development would result in less than substantial harm to the Conservation Area. However, the provision of educational facilities in this instance is considered to be a public benefit which would outweigh the harm identified. The proposal accords with policy CP6 of the adopted Core Strategy (2014) and policy HE1 of the Placemaking Plan for Bath and North East Somerset (2017) and Part 12 of the NPPF.

The proposal by reason of its design, siting, scale, massing, layout and materials is acceptable and contributes and responds to the local context and maintains the character and appearance of the surrounding area. The proposal accords with policy CP6 of the adopted Core Strategy (2014) and policies D1, D2, D3, D4 and D5 of the Placemaking Plan for Bath and North East Somerset (2017) and part 12 of the NPPF.

RESIDENTIAL AMENITY:

Given the design, scale, massing and siting of the proposed development the proposal would not cause significant harm to the amenities of any occupiers or adjacent occupiers through loss of light, overshadowing, overbearing impact, loss of privacy, noise, smell, traffic or other disturbance. The proposal accords with policy D6 of the Placemaking Plan for Bath and North East Somerset (2017) and part 12 of the NPPF.

HIGHWAYS SAFETY AND PARKING:

Policy ST7 states that development will only be permitted provided, amongst other things, the development avoids an increase in on street parking in the vicinity of the site which would detract from highway safety and/ or residential amenity.

Upon request a Transport Statement has been provided. The statement provides a summary of the site history, and sets out the potential implications of the permitted expansion to the existing nursery (see applications 16/04912/FUL and 16/05099/FUL), a review of the possible transport impacts associated with the current application, and an overview of potential future masterplan proposals. In terms of current site use, the document confirms that the existing permissions could allow 105 children to be registered at the nurse, however, the current number does not exceed 70 children.

The Statement confirms that the current application would result in eight additional children attending the site, with two full-time equivalent members of staff. This is the scale

of change that has been considered as part of the application assessment. Further traffic surveys were undertaken in October 2022, and comparisons made with the data collected as part of the 2016 planning process. A count of pedestrian movements was also completed. The traffic data enables the Statement to present a summary of trips associated with the existing site throughout the day, and this also allows a parking accumulation to be calculated. Finally, the flows have been used to review the operation of the Millard's Hill / Gladstone St / site access junction, and a traffic model has been used to review the peak periods.

The Transport Statement presents pedestrian counts for Millard's Hill, and this shows that there is a moderate use of the access across the day. It is also likely that the Greenway connection will be associated with a number of these movements.

Whilst site visit observations confirm that traffic flows on Millard's Hill can be fairly constant at peak times (which is also evidenced by the traffic counts), the traffic modelling demonstrates that the Millard's Hill / Gladstone St / site access junction operates well within capacity limits at all times. The scale of the proposed development and associated vehicle movements would not have a significant impact on the operation of the junction, nor on traffic movements along Millard's Hill. The Transport Statement notes that it may be possible to stagger the school start times, and it is also noted that the end of the school day would not coincide with nurse changeover times. A condition would be attached to secure the submission of a travel plan, to detail the staggered start times. This would ensure that any impacts would be minimised.

The Transport Statement considers the future parking impacts associated with the scheme, and the parking accumulation results do indicate that there would be sufficient capacity at this time to accommodate a small increase in parking demand. Over time there will be a requirement for the previously approved parking layout to be implemented, however, this change does not need to be associated with the current proposals.

The current proposals for the expansion of 8 students and 2 members of staff are therefore considered to not result in significant harm to the highway in terms of safety.

The means of access and parking arrangements are acceptable and maintain highway safety standards. The proposal accords with policy ST7 of the Placemaking Plan for Bath and North East Somerset (2017) as updated by the Local Plan Partial Update 2023, and part 4 of the NPPF.

LOW CARBON AND SUSTAINABLE CREDENTIALS

The policies contained within the development plan are aimed at ensuring development is sustainable and that the impacts on climate change are minimised and, where necessary, mitigated. A number of policies specifically relate to measures aimed at minimising carbon emissions and impacts on climate change. The application has been assessed against the policies as identified and these have been fully taken into account in the recommendation made.

ECOLOGY:

The Council have now adopted the policies which were part of the Local Plan Partial Update (LPPU). The LPPU policies now include the requirement for measurable Biodiversity Net Gain (BNG) on site (Policy NE3a). The 'small sites metric' required by policy NE3a has not been submitted within this application and therefore the application presents insufficient information to be compliant with policy NE3a. It is considered that it is not reasonable to require this information or require BNG as part of this application, due to the time passed from validation (June 2022). This application has also been delayed by 1 month for reasons beyond the applicants control, the application could reasonably have been determined prior to the adoption of the LPPU. It is therefore considered that this presents a material consideration to depart from the Development Plan. This application as such has been advertised as a departure and does not require the submission of information regarding BNG.

CONCLUSION:

It is therefore considered that the proposal complies with the relevant planning policies as outlined above and the proposal is recommended for approval.

RECOMMENDATION

PERMIT

CONDITIONS

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 Travel Plan (Pre-occupation)

No occupation of the development shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved Travel Plan.

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

3 Materials - Submission of Material Samples (Bespoke Trigger)

No construction of the external walls of the development shall commence until details and samples of the following list of materials and finishes have been submitted to and approved in writing by the Local Planning Authority:

1. Corrugated metal and polycarbonate roof
2. Gutters/rainwater collection
3. Chimney flue
4. Sample panel of 'landscape walls reusing site materials'
5. Timber/oriel window
6. Compost loo material

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.

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:

1 This decision relates to the following plans:

Drawing submitted 21 Dec 2022:

FR02_GA_100

FR02_GA_101

FR02_GA_102

FR02_GA_120

FR02_GA_121

2 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.

3 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.

4 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

5 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.