

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

8th March 2023

DECISIONS

Item No:	01	
Application No:	22/03288/FUL	
Site Location:	St Julian's Church , High Street, Wellow, Bath	
Ward: Bathavon South	Parish: Wellow	LB Grade: I
Application Type:	Full Application	
Proposal:	Erection of single storey extension to church to provide WC and kitchen facilities.	
Constraints:	White Ox Mead Air Strip 3km buffer, Agric Land Class 1,2,3a, Conservation Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building, Policy LCR5 Safeguarded existg sport & R, Policy NE2 AONB, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Parochial Church Council	
Expiry Date:	11th October 2022	
Case Officer:	Caroline Power	

DECISION Delegate to permit subject to conditions

Item No:	02
Application No:	22/04670/REG03
Site Location:	22 Temple Street, Keynsham, Bristol, Bath And North East Somerset
Ward: Keynsham North	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Regulation 3 Application
Proposal:	General repairs and replacement windows and downpipes to the first floor street elevation of no.20-30 Temple Street. Refurbishment of shopfronts at no.20 and no.22 Temple Street.
Constraints:	Agric Land Class 3b,4,5, Air Quality Management Area, Conservation Area, Policy CP12 Centres and Retailing, Policy CP9 Affordable Housing Zones, Policy CR3 Primary Shopping Areas, District Heating Priority Area, Housing Development Boundary, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, Placemaking Plan Allocated Sites, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodrome,
Applicant:	Helen Griffiths
Expiry Date:	13th January 2023
Case Officer:	Elizabeth Ashworth

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:

Block Plan and Existing and Proposed Plan (Drwg No. KEY-20-22TS-100)- received 18th November 2022

Existing and Proposed Elevations (Drwg No. KEY-20-22TS-300)- received 18th November 2022

Proposed Details (Drwg No. KEY-20-22TS-400 20) -received 18th November 2022

Proposed Details (Drwg No. KEY-20-22TS-410 22)- received 18th November 2022

Proposed Street Front Elevations Temple Street (Drwg No. KEYNES.01-DR-2200-3P-0) - received 18th November 2022

Proposed Window Details Temple Street (Drwg No. KEYNES.01-DR-3200-3P-0)- received 18th November 2022

Location Plan (Drwg No. KEYNS02-DR-4000)- received 18th November 2022

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

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.

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:	22/02604/FUL
Site Location:	New Leaf Farm, Mill Lane, Bathampton, Bath
Ward: Bathavon North	Parish: Bathampton LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use of agricultural barn into a single dwelling with associated facilities for the existing holiday lets (Revision of proposal approved on 18/03608/ADCOU).
Constraints:	Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Flood Zone 2, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, Neighbourhood Plan, SSSI - Impact Risk Zones,
Applicant:	Mr Steve Horler
Expiry Date:	10th March 2023
Case Officer:	Sam Grant

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 Wildlife Protection and Enhancement Scheme (compliance)

The development hereby approved shall be carried out only in accordance with the recommendations as detailed in Sections 4 and 5 including Tables 3 and 4 of the approved Ecological Impact Assessment dated 14th September 2022 by Enzygo and with the approved Block Plan drawing reference 2111-P07 with Lighting Notes added. All such measures shall be adhered to and retained and maintained thereafter for the purpose of wildlife conservation.

Reason: to avoid harm to ecology including protected species and to avoid net loss of biodiversity

3 Materials - Submission of Materials Schedule (Bespoke Trigger)

No construction of the external walls and roof 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 and D3 of the Bath and North East Somerset Placemaking Plan, policy CP6 of the Bath and North East Somerset Core Strategy and Policy D5 Local Plan Partial Update 2023

4 Internal and External Lighting (Bespoke Trigger - requires approval of details prior to installation of new lighting)

No new external lighting shall be installed or new changes to internal lighting design be made without full details being first submitted to and approved in writing by the Local Planning Authority; details shall be fully in accordance with the approved plans and reports including Section 4 and Table 3 of the approved Ecological Impact Assessment dated 14th September 2022 by Enzygo and the Block Plan drawing reference 2111-P07 with Lighting Notes added. Submitted details shall include:

- proposed lamp models and manufacturer's specifications,
- proposed lamp positions, numbers and heights with details also to be shown on a plan;
- a plan showing zones which will be maintained as "dark" zones where the effects of light spill will be kept below 0.5 lux on both the vertical and horizontal planes
- details of lighting controls and hours frequency and durations of use as applicable
- details of all other 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 of the Local Plan Partial Update 2023 and D8 of the Bath and North East Somerset Placemaking Plan and to avoid impacts on the Bath & Bradford on Avon Bats Special Area of Conservation (SAC), supporting habitat to the SAC and light-sensitive bats associated with the SAC.

5 Ecological Compliance Statement (Bespoke Trigger)

Within 6 months of occupation of the development hereby approved 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 approved Wildlife Protection and Enhancement measures in

accordance with approved details, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate compliance with the Wildlife Protection and Enhancement Scheme, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3 and NE5 of the of the Local Plan Partial Update 2023 and D5e of the Bath and North East Somerset Placemaking Plan 2017.

6 Lighting Compliance statement (Bespoke Trigger)

Within 6 months of occupation of the development hereby approved a lighting compliance report produced by a suitably experienced and qualified professional shall be submitted to and approved in writing by the LPA. The report shall:

- confirm in writing and use photographs to demonstrate all lighting and light spill control measures and features are installed and being operated fully in accordance with approved details;

- provide lux level readings at intervals within the approved dark zone/s and onto all sensitive features and at height intervals, with all lights on, demonstrating operational light spill levels fall within the approved thresholds and that light spill upwards is prevented and that light spill onto

sensitive features and within the dark zone/s fall below 0.5 lux on both the horizontal and vertical planes. Where lighting, lighting control features or light spill levels are not compliant with approved details this should be made clear and remedial measures and further reporting and compliance checks proposed.

Reason: to demonstrate compliance with approved sensitive lighting design and very low light spill levels to prevent harm to ecology including bats and the Bath & Bradford on Avon Bats SAC (andsupporting habitat)

7 Landscape Design Proposals (Pre-Occupation)

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

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

Reason: To ensure the provision of amenity and a satisfactory quality of environment afforded by appropriate landscape design, in accordance with policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan and to ensure Biodiversity Net Gain in accordance with Policy NE3a of the Local Plan Partial Update 2023.

8 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least 2no. 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 ST7 of the Bath and North East Somerset Local Plan Partial Update

9 Plans List (Compliance)

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PLANS LIST:

This decision relates to the following plans:

Drawing	28 Jun 2022	2111_P01	EXISTING SITE PLAN
Drawing	28 Jun 2022	2111_P02	EXISTING PLAN AND ELEVATIONS
Drawing	28 Jun 2022	2111_P03	PROPOSED SITE PLAN
Drawing	28 Jun 2022	2111_P04	PROPOSED GROUND FLOOR PLAN SECTION ELEVATIONS
Drawing	28 Jun 2022	2111_P05	PROPOSED FIRST FLOOR PLAN, SECTION AND ELEVATIONS
Drawing	28 Sep 2022	2111 - P07	PROPOSED BLOCK PLAN WITH LIGHTING NOTES

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