

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

5th April 2023

DECISIONS

Item No:	01	
Application No:	22/00881/OUT	
Site Location:	Parcel 9176, Langley's Lane, Paulton, Bristol	
Ward: Paulton	Parish: Paulton	LB Grade: N/A
Application Type:	Outline Application	
Proposal:	Outline planning application (with all matters reserved, except for access) for small scale industrial units with associated works and access from existing Old Mills development.	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Policy CP9 Affordable Housing, Policy ED2A Primary Industrial Estates, Flood Zone 2, Flood Zone 3, LLFA - Flood Risk Management, Policy M1 Minerals Safeguarding Area, Policy NE3 SNCI, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Flower And Hayes Developments Ltd	
Expiry Date:	28th April 2023	
Case Officer:	Isabel Daone	

DECISION - delegate to permit subject to conditions and section 106 agreement

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, Greenfield site, SSSI - Impact Risk Zones,
Applicant:	Waddeton Park Ltd
Expiry Date:	14th April 2023
Case Officer:	Isabel Daone

DECISION - granted as per report

Item No:	03
Application No:	22/04787/FUL
Site Location:	Parcel 2065, Meadgate East, Camerton, Bath
Ward: Bathavon South	Parish: Camerton LB Grade: N/A
Application Type:	Full Application
Proposal:	Construction of an agricultural access off Camerton Road, to include erection of a gate (Partially retrospective).
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, SSSI - Impact Risk Zones,
Applicant:	Mr Ashley Pulsford
Expiry Date:	7th April 2023
Case Officer:	Pippa Brown

DECISION PERMIT

1 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.

2 Junction Visibility Splay (Pre-occupation)

No use of the access shall commence until a visibility splay of 2.4m x 45.0m has been demonstrated, with no on-site obstruction exceeding 600mm above ground level (through the maintaining of the hedgerow and verge) within the visibility splay. The visibility splay shall be retained permanently thereafter.

Reason: To ensure sufficient visibility is provided in the interests of highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

3 Entrance Gates (Compliance)

Any entrance gates erected shall be hung to open away from the highway only and shall be set back a minimum distance of six metres from the back edge of the adopted public highway.

Reason: In the interests of highway safety, in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan, and to enable vehicles to safely draw off the highway before the gates are opened.

4 Bound/Compacted Vehicle Access (Compliance)

The first 6 metres of the vehicular access hereby approved shall be constructed with a bound and compacted surfacing material (not loose stone or gravel). This shall be retained in perpetuity.

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with policy ST7 of the Bath and North East Somerset Local Plan Partial Update.

5 Drainage (Pre-commencement)

Details of the provision for the sustainable disposal of surface water within the site, so as to prevent its discharge onto the public highway, shall be submitted to the Local Planning Authority, and fully implemented to the satisfaction of the Local Planning Authority.

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

PLANS LIST:

This decision relates to the following plans and documents:

- Block plan (labelled Access to the Old Quarry, Sheephouse Farm) - Received 20/01/2023
- Hedgerow landscaping scheme - Received 20/01/2023
- Location plan - Received 28/11/2022
- Proposed gate elevation - Received 12/12/2022

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.

Highways license

In order for a new vehicular access to be created, HDM requires the applicant to apply for a Section 184 licence under the Highways Act 1980. The applicant should be advised to contact the Highway Maintenance Team at Highways@bathnes.gov.uk with regard to securing a licence for the amendment to an existing and/or creation of a new vehicular crossing. The access shall not be brought into use until the details of the access have

been approved and constructed in accordance with the current Specification. More information can be found following this link <https://www.bathnes.gov.uk/services/streets-and-highwaymaintenance/licences-and-permits/dropped-kerbs>

Please note even if full planning permission is permitted, an approved Section 184 licence is not guaranteed.

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.

Civil or legal consents

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

Item No:	04		
Application No:	23/00260/FUL		
Site Location:	Heighgrove Barn , Scumbrum Lane, High Littleton, Bristol		
Ward:	Clutton And Farmborough	Parish:	Farmborough
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Construction of car port.		
Constraints:	Clutton Airfield, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Coal - Referral Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Policy M1 Minerals Safeguarding Area, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, Policy PCS6 Unstable Land-Coal Mining Le, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
Applicant:	Ms Priscilla Roberts		
Expiry Date:	6th April 2023		
Case Officer:	Paige Moseley		

DECISION REFUSE

1 The site is within the Bristol and Bath Green Belt and the proposed development would constitute inappropriate development within the Green Belt as it would represent a disproportionate addition to the dwelling. The proposal is contrary to policy CP8 of the BaNES Cores Strategy, policy GB3 of the BaNES Placemaking Plan and Part 13 of the NPPF.

PLANS LIST:

This decision relates to the following plans:

23 Jan 2023 LOCATION PLAN
 23 Jan 2023 001 SITE PLAN
 23 Jan 2023 002 ROOF PLAN
 26 Jan 2023 003 REV 2 ELEVATIONS

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