

**BATH AND NORTH EAST SOMERSET COUNCIL**

**PLANNING COMMITTEE**

**18th October 2023**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	23/01535/PIP	
<b>Site Location:</b>	Strathmore, Staunton Lane, Whitchurch, Bristol	
<b>Ward:</b> Publow And Whitchurch	<b>Parish:</b> Whitchurch	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Permission in Principle	
<b>Proposal:</b>	Permission in Principle Planning Application for the erection of 1no. dwelling and associated works.	
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Mr Trought	
<b>Expiry Date:</b>	20th October 2023	
<b>Case Officer:</b>	Christine Moorfield	

**DECISION PERMIT**

**PLANS LIST:**

This decision relates to the following drawings:

Site Plan and Location Plan both dated 24th April 2023.

An application for Technical Details Consent must be made prior to commencement of development and no later than the expiration of three years from the date on this decision notice, after this period this Planning Permission in Principle shall lapse.

<b>Item No:</b>	02
<b>Application No:</b>	23/02676/FUL
<b>Site Location:</b>	22 Rockliffe Avenue, Bathwick, Bath, Bath And North East Somerset
<b>Ward:</b> Bathwick	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of front porch extension, replacment of windows and doors, installation of raised flat roof to rear extension and new ground floor side windows. Alterations to front and rear ground floor window and door openings and rear first floor window opening.
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, 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, Conservation Area, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, NRN Wetland Strategic Network Policy NE5, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Ms Catherine Parker
<b>Expiry Date:</b>	20th October 2023
<b>Case Officer:</b>	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 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:

2308-01, 02, 03, 04 and site location plan all dated the 18th July 2023

## 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](http://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](http://www.bathnes.gov.uk/cil). If you have any queries about CIL please email [cil@BATHNES.GOV.UK](mailto:cil@BATHNES.GOV.UK)

### Civil or legal consents

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

### 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.

<b>Item No:</b>	03	
<b>Application No:</b>	23/03048/VAR	
<b>Site Location:</b>	Parcel 2000, Silver Street, Midsomer Norton, Bath And North East Somerset	
<b>Ward:</b> Midsomer Norton Redfield	<b>Parish:</b> Midsomer Norton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Application for Variation of Condition	
<b>Proposal:</b>	Variation of condition 10 (plans list) of application 23/00462/VAR to revise location of Plot 9 boundary wall and associated landscaping (Variation of conditions 4, 5, and 8 of application 21/00971/RES (Erection of 40 dwellings, provision of public open space and associated works - (Approval of reserved matters with regard to phase 3 of outline application 18/02095/OUT)).)	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Contaminated Land, Policy CP3 Solar and Wind Landscape Pote, Policy CP9 Affordable Housing, Greenfield site, Housing Development Boundary, Policy LCR3 Primary educational purposes, Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, NRN Woodland Core Existing Policy NE5, NRN Woodland Strategic Networ Policy NE5, Neighbourhood Plan, SSSI - Impact Risk Zones, Tree Preservation Order,	
<b>Applicant:</b>	Ms S James	
<b>Expiry Date:</b>	15th November 2023	
<b>Case Officer:</b>	Wendy Tomlinson	

## **DECISION PERMIT**

### **1 Reptile Mitigation Strategy (Compliance)**

No development, excavation or site and vegetation clearance shall take place except in complete accordance with the Technical Note Reptile Survey - Revision 1 (Reference: 210922\_P1141\_Silver\_Street\_TN1 Rev 1) prepared by EAD Ecology dated 23 September 2021), as approved as part of application 21/03247/COND on 6th October 2021.

Reason: To avoid harm to reptiles in accordance with Policy NE3 of the Bath and North East Somerset Local Plan Partial Update.

### **2 Play Space (Compliance)**

The Play Space Youth and Play Space Children shall be implemented in complete accordance with the details approved as part of application 22/04150/COND approved on 5th April 2023.

Reason: To ensure that the Play Space secured through the s106 agreement is of an acceptable design.

### **3 Parking (Compliance)**

The areas allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **4 Implementation of Landscaping Scheme (Bespoke Trigger)**

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out within each phase as shown on plan reference 200101 L 02 01, Proposed Site Layout, Phasing Plan - Midsomer Norton (received by the Local Planning Authority 17th April 2023), prior to the first occupation of the relevant phase.

Any trees or plants indicated on the approved scheme which, within a period of 10 years from the date of the development being completed, die, are removed, or become seriously damaged or diseased shall be replaced during the current or first available planting season with other trees or plants of species, size and number as originally approved unless the Local Planning Authority gives its written consent to any variation. All hard and soft landscape works shall be retained in accordance with the approved details for the lifetime of the development.

Reason: To ensure that the landscape works are implemented and maintained to ensure the continued provision of amenity and environmental quality in accordance with policies D1, D2 of the Bath and North East Somerset Placemaking Plan and NE2 of the Bath and North East Somerset Local Plan Partial Update.

#### 5 Electric Vehicle Charging Points (Pre-Occupation)

Prior to first occupation of each phase of the development, as shown on plan reference 200101 L 02 01, Proposed Site Layout, Phasing Plan - Midsomer Norton (received by the Local Planning Authority 17th April 2023), the approved Electric Vehicle Charging Points shall be installed in accordance with the detail illustrated on plan reference 200101 L 02 06 C or as otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that electric vehicles are adequately accommodated for and encouraged in accordance with Policy ST7 of the Bath & North East Somerset Local Plan Partial Update.

#### 6 Arboriculture - Arb Method Statement (Compliance)

No development shall take place except in complete accordance with the Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan Rev A, Land West of Silver Street, Midsomer Norton prepared by Hillside Trees Ltd dated February 2021, approved as part of application 21/03247/COND on 6th October 2021.

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 Bath and North East Somerset Local Plan Partial Update.

#### 7 Arboriculture - Compliance with Arb Method Statement (Pre-occupation)

The approved development shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. No occupation of the approved development shall commence until a signed compliance statement from the appointed Arboriculturalist has been submitted to and approved in writing by the Local Planning Authority.

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 Placemaking Plan. To ensure that the approved method statement is complied with for the duration of the development.

#### 8 Sustainable Construction Details - Overheating (Pre-Occupation)

Prior to the occupation of the final dwelling on the site the following table (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, along with supporting documents, to the local planning authority:

- o Table 5.1

Reason: To monitor the extent to which the approved development meets the requirements of the checklist in regard to overheating and in the interests of sustainable development.

#### 9 Phasing Plan (Compliance)

The development shall be occupied in accordance with the numerical order which is specified on plan reference 200101 L 02 01, Proposed Site Layout, Phasing Plan - Midsomer Norton (received by the Local Planning Authority 17th April 2023. For the avoidance of doubt, the phases will be occupied in the following order and shall not be occupied out of sequence.

Phase 1

Phases 2 and 3

Phase 4

Phase 5

Phase 6

Reason: It is necessary that the stages of development and the provision of associated public services and infrastructure follow a co-ordinated sequence.

#### 10 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:**

##### APPROVED PLANS LIST

28 May 2021	200101	HT B 01 01 H	HT B FLOOR PLANS
28 May 2021	200101	HT B 01 02 F	HT B FLOOR PLANS - PLOT 35
28 May 2021	200101	HT B 02 01 E	HT B ELEVATIONS
28 May 2021	200101	HT B 02 02 G	HT B ELEVATIONS - PLOT 35
28 May 2021	200101	HT D 01 01 F	HT D FLOOR PLANS
28 May 2021	200101	HT D 02 01 G	HT D ELEVATIONS
28 May 2021	200101	L 02 01 Z	PROPOSED SITE LAYOUT
28 May 2021	200101	L 02 03 C	HOUSE TYPE LAYOUT
28 May 2021	200101	L 02 04 C	PARKING LAYOUT
28 May 2021	200101	L 02 05 C	BIN COLLECTION STRATEGY
28 May 2021	200101	L 02 06 C	ELECTRIC VEHICLE CHARGING POINT
28 May 2021	200101	L 02 09 F	OPEN SPACE MANAGEMENT PLAN
28 May 2021	200101	L 04 01 B	HARDWORKS PLAN
28 May 2021	200101	L 05 02 B	SOFTWORKS PLAN 2 OF 3
28 May 2021	200101	L 05 03 B	SOFTWORKS PLAN 3 OF 3
28 May 2021	7817 - 01-01	B	PLANNING LAYOUT SHEET 1
28 May 2021	7817 - 01-02	B	PLANNING LAYOUT SHEET 2
28 May 2021	7817 - 03		LONGITUDINAL SECTIONS

28 May 2021 7817 - 200C REFUSE VEHICLE TRACKING  
 28 May 2021 7817 - 201C FIRE TENDER TRACKING  
 28 May 2021 7817 - 203C LARGE CAR TRACKING  
 28 May 2021 7817 - 501-01C PROPOSED DRAINAGE LAYOUT - SHEET 1  
 28 May 2021 7817 - 501-02C PROPOSED DRAINAGE LAYOUT - SHEET 2  
 04 Mar 2021 190605 GT 01 01 PROPOSED SINGLE ATTACHED GARAGES  
 04 Mar 2021 190605 GT 03 01 PROPOSED DOUBLE GARAGE  
 04 Mar 2021 200101 D 03 02 TYPICAL CLOSED BOARD TIMBER FENCE  
 04 Mar 2021 200101 D 03 03 TYPICAL MESH FENCE  
 04 Mar 2021 200101 D 04 01 TYPICAL STONE WALL  
 04 Mar 2021 200101 D 04 01 TYPICAL TREE PIT IN SOFT  
 04 Mar 2021 200101 D 04 02 TYPICAL POST AND WIRE HEDGEROW  
 04 Mar 2021 200101 D 04 03 TYPICAL HEDGE BANK  
 04 Mar 2021 200101 GT 02 01 PROPOSED SINGLE DETACHED GARAGES  
 04 Mar 2021 200101 HT A 01 01 HT A FLOOR PLANS (PLOTS 26/27)  
 04 Mar 2021 200101 HT A 01 01 HT A FLOOR PLANS (PLOTS 28/29)  
 04 Mar 2021 200101 HT A 02 01 HT A ELEVATIONS (PLOTS 26/27)  
 04 Mar 2021 200101 HT A 02 01 HT A ELEVATIONS (PLOTS 28/29)  
 04 Mar 2021 200101 HT C 01 01 HT C FLOOR PLANS (PLOT 25)  
 04 Mar 2021 200101 HT C 02 01 HT C ELEVATIONS (PLOT 25)  
 04 Mar 2021 200101 HT C 02 01 HT C FLOOR PLANS (PLOT 24)  
 04 Mar 2021 200101 HT C 02 02 HT C ELEVATIONS (PLOT 24)  
 04 Mar 2021 200101 HT E 01 01 HT E FLOOR PLANS  
 04 Mar 2021 200101 HT E 02 01 HT E ELEVATIONS  
 04 Mar 2021 200101 HT F 01 01 HT F FLOOR PLANS  
 04 Mar 2021 200101 HT F 02 01 HT F ELEVATIONS  
 04 Mar 2021 200101 HT F 02 02 HT F ELEVATIONS  
 04 Mar 2021 200101 HT G 01 0 HT G FLOOR PLANS (PLOT 4)  
 04 Mar 2021 200101 HT G 01 01 HT G FLOOR PLANS  
 04 Mar 2021 200101 HT G 02 01 HT G ELEVATIONS  
 04 Mar 2021 200101 HT G 02 02 HT G ELEVATIONS (PLOT 4)  
 04 Mar 2021 200101 HT H 01 0 HT H FLOOR PLAN  
 04 Mar 2021 200101 HT H 01 02 HT H FLOOR PLANS (PLOTS 8 AND 9)  
 04 Mar 2021 200101 HT H 02 01 HT H ELEVATIONS Public  
 04 Mar 2021 200101 HT H 02 03 HT H ELEVATIONS (PLOTS 8 AND 9)  
 04 Mar 2021 200101 HT I 01 01 HT I FLOOR PLANS  
 04 Mar 2021 200101 HT I 02 01 HT I ELEVATIONS  
 02 Mar 2021 170209 SC 02 01 STREET SCENES - SHEET 1  
 02 Mar 2021 170209 SC 02 02 STREET SCENES - SHEET 2  
 02 Mar 2021 200101 L 01 02 EXISTING SITE PLAN  
 17 Apr 2023 200101 L 02 01 PROPOSED SITE LAYOUT, PHASING PLAN -  
 MIDSOMER NORTON  
 16 August 2023 200101 L 05 01 C SOFTWARES PLAN 1 OF 3  
 16 August 2023 200101 L 02 02 E BOUNDARY TREATMENTS  
 16 August 2023 DETAILED EXTRACT PLOT 9

## Condition Categories



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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.